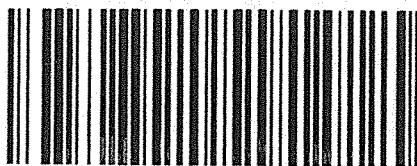




City of Canterbury

City of Cultural Diversity

Our Reference: 53/12D



PCU024615

Enquiries: Warren Farleigh
Direct Phone: 9789 9608
Direct Fax: 9789 1542

Ms Juliet Grant
Regional Director
Sydney Region East
Department of Planning
GPO Box 39
SYDNEY NSW 2000

Dear Ms Grant

Planning Proposal for land at 12 Balmoral Avenue, Croydon Park.

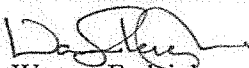
I am writing to you to advise that on 26 May 2011, Council resolved to initiate the making of a local environmental plan to list 12 Balmoral Avenue, Croydon Park as a local heritage item.

A Planning Proposal for this has now been prepared and is submitted for a gateway determination as set out in Sections 55 and 56 of the *Environmental Planning and Assessment Act 1979*.

The intention of the planning proposal is to formally identify and list the property as a local heritage item. The need for the planning proposal has come as a result of Council believing the building on the subject property, St John's Church (currently unoccupied), was under a potential threat of demolition which could have taken place as complying development. Council issued an Interim Heritage Order under the Heritage Act and now has 12 months from the making of that order in which to finalise listing the building as a local heritage item.

If you require any further assistance please do not hesitate to contact me on 9789-9608.

Yours sincerely


Warren Farleigh

TEAM LEADER – URBAN PLANNING

26 July 2011

Department of Planning
Received
1 AUG 2011
Scanning Room

G:\ES\Strategic Planning\LEPS\12 Balmoral\DoP letter Gateway July 2011.doc

Canterbury City Council, Administration Centre 137 Beamish Street • PO Box 77 Campsie NSW 2194

When writing to Council please address your letter to the GENERAL MANAGER, MR JIM MONTAGUE

Phone: (02) 9789 9300 Fax: (02) 9789 1542 TTY: (02) 9789 9617 DX 3813 Campsie

email:council@canterbury.nsw.gov.au website:www.canterbury.nsw.gov.au

ABN: 55 150 306 339

Planning Proposal

LOCAL GOVERNMENT AREA: Canterbury

ADDRESS OF LAND: 12 Balmoral Avenue, Croydon Park

ATTACHMENTS:

MAPS

- Aerial photo & location map showing the land affected by the proposed draft plan in the context of the LGA (tagged 'Location Map')
- Existing zoning map showing the existing zoning of the land and surrounding land (tagged 'Comparative Existing Zoning')

INTERIM HERITAGE ORDER

COUNCIL REPORTS

- 9 December 2010
- 26 May 2011

HERITAGE ASSESSMENT/STATEMENT OF SIGNIFICANCE

Part 1: OBJECTIVES OR INTENDED OUTCOMES OF PROPOSED LEP:

The intention of the proposed LEP is to amend Canterbury Local Environmental Plan No. 138 – Canterbury Precinct to formally list the subject property as a local heritage item.

The land is currently zoned Residential 2(a).

The objective of the proposed LEP is to:

- Ensure the long term conservation of an important locally significant building.

Part 2: EXPLANATION OF THE PROVISIONS OF PROPOSED LEP:

The proposed LEP will amend the Canterbury Local Environmental Plan 138 by listing the subject property in Schedule 1.

Part 3: JUSTIFICATION OF OBJECTIVES, OUTCOMES AND PROVISIONS AND PROCESSES FOR THEIR IMPLEMENTATION

Section A – Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report	This planning proposal has arisen from the making on an Interim Heritage Order over the subject property. In late 2010 Council formed the view that the subject property, which had identified heritage significance but had not yet been listed as a heritage item, was under potential demolition threat. Demolition could potentially have taken place through a complying development certificate issued by a private certifier without any recourse to Council. Please refer to the attached Council reports for further detailed information.
2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	The planning proposal is the only way of achieving the desired outcome within the timeframes specified through the Interim Heritage Order. From the initial making of the Interim Heritage Order, Council has 12 months in which to finalise a LEP formally identifying the building as a local heritage item.
3. Is there a net community benefit?	Yes. The proposal will have tangible net community benefits including: • Identifying an important locally significant heritage item. • Ensuring the preservation of an important locally significant building. There are no known negative impacts likely to arise from the proposal.

Section B – Relationship to strategic planning framework

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Metropolitan Plan for Sydney 2036 and exhibited draft strategies)?	The planning proposal is not inconsistent with the objectives and actions contained within the Metropolitan Plan for Sydney 2036 and draft South Subregional Strategy. Within the draft South Subregional Strategy, the following specific action is relevant: <i>Action E6 Conserve Sydney's Cultural Heritage</i>
--	---

5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?	Yes. It helps achieve the long term goals in our City Plan 2011-2012 1.2 Balanced Urban Development is specifically relevant.
6. Is the planning proposal consistent with applicable state environmental planning policies?	The planning proposal is not inconsistent with any State Environmental Planning Policies (SEPPs)
7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?	The planning proposal is not inconsistent with any local planning directions issued under Section 117 of the Act. The following Section 117 Direction is specifically relevant to this proposal: 2.3 Heritage Conservation

Section C - Environmental, social and economic impact.

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?	The subject land is not known to contain any critical habitat or threatened species, populations or ecological communities or their habitats. It is located in an already established urban area.
9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?	It is considered that the planning proposal will not result in any adverse environmental effects as the site is not constrained by any environmental factors.
10. How has the planning proposal adequately addressed any social and economic effects?	It is considered that there will be only positive social impacts resulting from the planning proposal.

Section D - State and Commonwealth interests

11. Is there adequate public infrastructure for the planning proposal?	It is not intended that the proposal will require amplification of existing infrastructure, as it is located in an established urban area.
--	--

12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Council will notify relevant public authorities as part of the community consultation process if a gateway determination is made to proceed with the Planning Proposal.

Part 4 – COMMUNITY CONSULTATION

The following level of community consultation is proposed:

- 4 week exhibition period
- Notification in the Council Column which is published in the local newspapers circulating in the location of the subject land
- Written notification to all adjoining property owners.
- Written notification to relevant State Government agencies

The planning proposal will be on exhibition at the Council Administration Centre.
The Planning Proposal will also be available for viewing on our website.

Attachments

1. Attachment 1: [illegible]
2. Attachment 2: [illegible]
3. Attachment 3: [illegible]

4. Attachment 4: [illegible]
5. Attachment 5: [illegible]
6. Attachment 6: [illegible]

7. Attachment 7: [illegible]
8. Attachment 8: [illegible]
9. Attachment 9: [illegible]
10. Attachment 10: [illegible]
11. Attachment 11: [illegible]
12. Attachment 12: [illegible]
13. Attachment 13: [illegible]
14. Attachment 14: [illegible]
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16. Attachment 16: [illegible]
17. Attachment 17: [illegible]
18. Attachment 18: [illegible]

19. Attachment 19: [illegible]
20. Attachment 20: [illegible]
21. Attachment 21: [illegible]
22. Attachment 22: [illegible]

23. Attachment 23: [illegible]
24. Attachment 24: [illegible]
25. Attachment 25: [illegible]
26. Attachment 26: [illegible]

27. Attachment 27: [illegible]
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47. Attachment 47: [illegible]
48. Attachment 48: [illegible]
49. Attachment 49: [illegible]
50. Attachment 50: [illegible]

Attachment 1 – Maps

The following maps are attached to this report as Appendix A. The maps show the location of the proposed project and the surrounding area. The maps are provided for informational purposes only and do not constitute a guarantee of accuracy or completeness.

The maps are provided for informational purposes only and do not constitute a guarantee of accuracy or completeness. The maps are provided for informational purposes only and do not constitute a guarantee of accuracy or completeness.

Appendix A
Maps



City of Canterbury
City of Cultural Diversity



Scale = 1:1,515

Metres 20 40 60

Printed Date: Jul 25, 2011

IMPORTANT PUBLIC NOTICE OF DISCLAIMER

This map is made available by Canterbury City Council in good faith for general information purposes only. It is not to be relied upon by any person for any private purpose including but not limited to private gain and in any event should not be relied upon as a basis for legal or other action on the part of the user. Council will not be responsible for any loss arising out of any use or misuse of this map.

COPYRIGHT

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Jim Montague

General Manager

CANTERBURY LOCAL ENVIRONMENTAL PLAN

Nos. 138, 140, 148, 171, 178 ZONES

- 2. RESIDENTIAL
 - (a) RESIDENTIAL
 - (b) RESIDENTIAL
- 3. BUSINESS
 - (a) GENERAL BUSINESS
 - (b) OFFICE BUSINESS
 - (c) SPECIALISED BUSINESS
- 4. INDUSTRIAL
 - (a) LIGHT INDUSTRIAL
 - (b) INDUSTRIAL BUSINESS
- 5. SPECIAL USES
 - SPECIAL USES
- 6. OPEN SPACE
 - (a) PUBLIC OPEN SPACE
 - (b) PRIVATE OPEN SPACE
 - (c) REGIONAL OPEN SPACE
- 7. ROADS
 - ARTERIAL ROAD RESERVATION/WIDENINGS

GENERAL

- PRECINCT BOUNDARY
- UNHEALTHY BUILDING LAND
- AMENDING LOCAL ENVIRONMENTAL PLAN
- HERITAGE ITEMS

NOTES

- These properties are zoned under the provisions of the Canterbury Planning Scheme. Council has considered the application of the zoning of these properties for the purpose of the Local Environmental Plan (LEP) and has determined that the zoning of these properties is appropriate for the purposes of the LEP. Council has also considered the application of the zoning of these properties for the purposes of the LEP and has determined that the zoning of these properties is appropriate for the purposes of the LEP.
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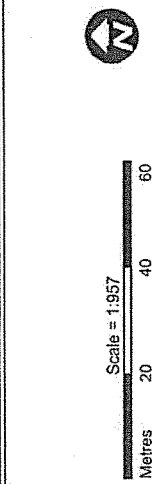
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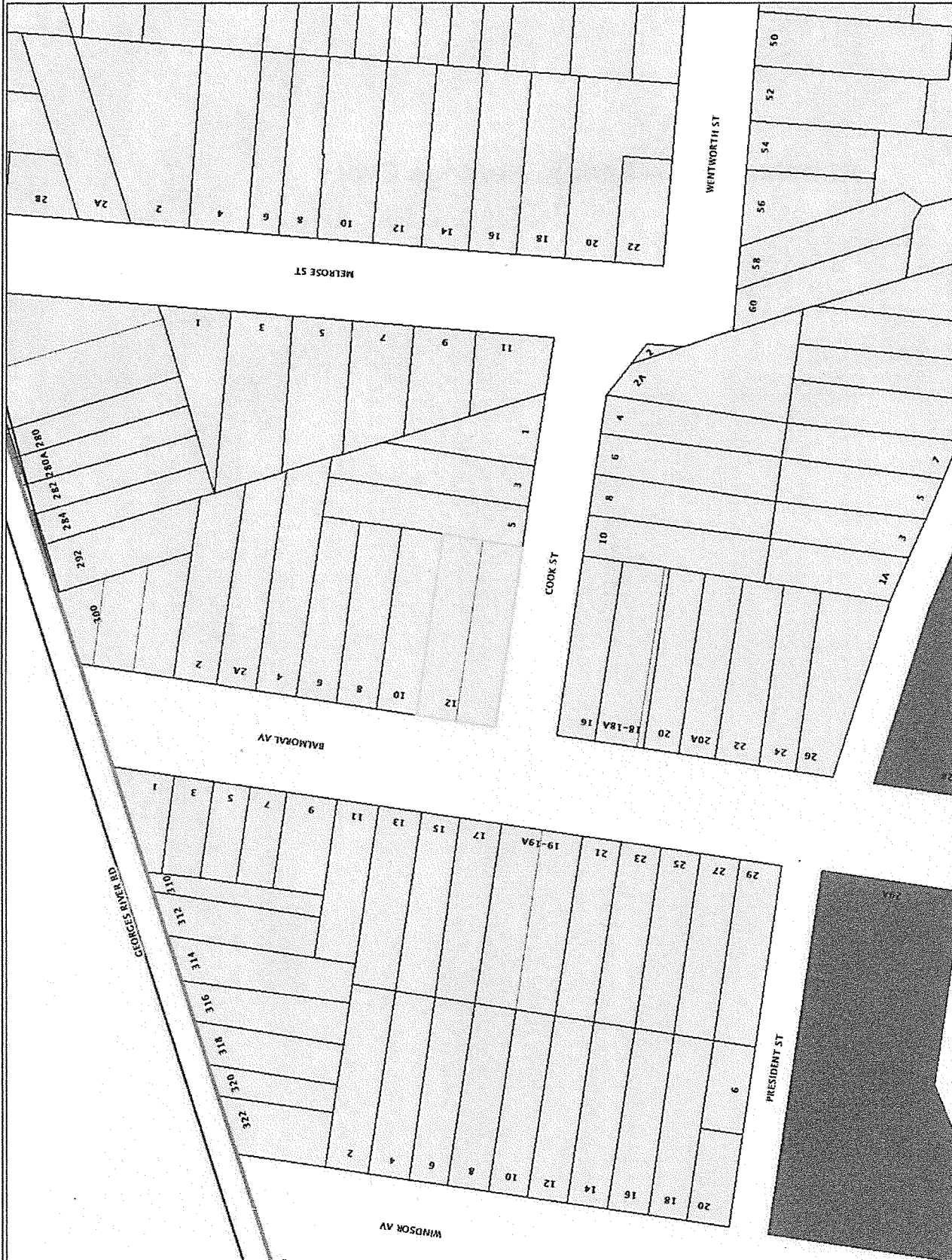
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City of Canterbury
City of Cultural Diversity

IMPORTANT PUBLIC NOTICE OF DISCLAIMER
This map has been prepared as a general guide to the zoning applicable to the City and should not be relied on for the purpose of contract or other legal purposes. Persons should establish the zoning of a property by applying for a Section 148 Zoning Certificate. Map compiled and produced by the GIS Services in the City of Canterbury.
COPYRIGHT
Reproduction of this map, whether in whole or part is prohibited.
Jim Montague
General Manager



Attachment 2 – Interim Heritage Order

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

AUBURN CITY COUNCIL

Roads Act 1993, Section 162(1)

Roads (General) Regulation 2000, Clause 9

Naming of Public Roads – Sketchley Way and Macdermott Way

NOTICE is hereby given that Auburn City Council by resolution of the Council dated 8 December 2010 and pursuant to the above mentioned Act and Regulations, has named newly constructed roads within the new residential subdivision on the former Lidcombe Hospital site, Joseph Street, Lidcombe, as Sketchley Way and Macdermott Way. J. BURGESS, General Manager, Auburn City Council, PO Box 118, Auburn NSW 1835. [5619]

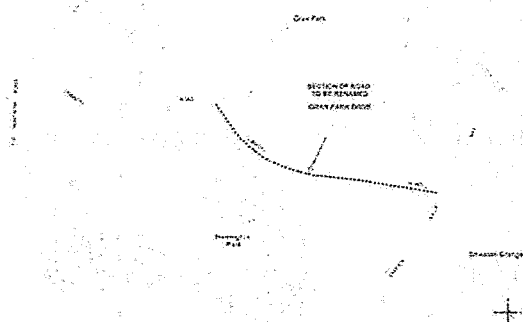
CAMDEN COUNCIL

Roads Act 1993, Section 162

Re-Naming of Road

NOTICE is hereby given that Camden Council, in pursuance of section 162 of the Roads Act 1993, has renamed a section of Cobbitty Road, to Oran Park Drive, Oran Park. (See location site map). GREG WRIGHT, General Manager, PO Box 183, Camden NSW 2570.

<i>Current Road Name/Location</i>	<i>New Road Name</i>
Cobbitty Road, from Camden Valley Way to the entry of the new Oran Park development.	Oran Park Drive.



[5620]

CITY OF CANTERBURY COUNCIL

Heritage Act 1977

Interim Heritage Order No. 1

St John's Catholic Church, 12 Balmoral Avenue, Croydon Park

UNDER section 25 of the Heritage Act 1977, City of Canterbury Council does by this order:

- (i) make an interim heritage order to cover the item of the environmental heritage specified or described in Schedule 'A'; and
- (ii) declare that the Interim Heritage Order shall apply to the curtilage or site of such item, being the land described in Schedule 'B'.

This Interim Heritage Order will lapse six months from the date that it is made unless the City of Canterbury Council has passed a resolution before that date either:

- (1) in the case of an item which, in the council's opinion, is of local significance, to place the item on the heritage schedule of a local environmental plan with appropriate provisions for protecting and managing the item; and
- (2) in the case of an item which in the council's opinion, is of State heritage significance, nominate the item for inclusion on the State Heritage Register.

Dated at Campsie, this 14th day of December 2010.

Mr J. MONTAGUE, P.S.M.,
General Manager,
City of Canterbury

SCHEDULE "A"

The property known as St John's Catholic Church, situated at 12 Balmoral Avenue, Croydon Park, on the land described in Schedule "B".

SCHEDULE "B"

All those pieces or parcels of land known as Lots 10 and 11, section C, DP 876 in the Parish of Concord, County of Cumberland. [5621]

GOULBURN MULWAREE COUNCIL

Roads Act 1993

Roads (General) Regulation 2000

Renaming of Public Roads

NOTICE is hereby given that the Council at its meeting of 21 September 2010, resolved to rename the road hereunder. The road currently known as Gibson Street, Goulburn from Monastery Drive to Marys Mount Road, be renamed Poidevin Place. CHRIS BERRY, General Manager, Goulburn Mulwaree Council, Council Chambers, Goulburn NSW 2580. [5622]

HERITAGE ACT 1977

INTERIM HERITAGE ORDER No. 1

St John's Catholic Church, 12 Balmoral Avenue, Croydon Park

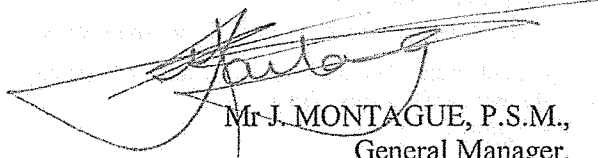
UNDER Section 25 of the Heritage Act 1977 City of Canterbury Council does by this order:

- (i) make an interim heritage order to cover the item of the environmental heritage specified or described in Schedule 'A'; and
- (ii) declare that the Interim Heritage Order shall apply to the curtilage or site of such item, being the land described in Schedule 'B'.

This Interim Heritage Order will lapse six months from the date that it is made unless the City of Canterbury Council has passed a resolution before that date either:

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- 2) in the case of an item which in the council's opinion, is of State heritage significance, nominate the item for inclusion on the State Heritage Register.

Campsie, 14th day of December 2010.


Mr J. MONTAGUE, P.S.M.,
General Manager,
City of Canterbury

SCHEDULE "A"

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SCHEDULE "B"

All those pieces or parcels of land known as Lots 10 and 11, Section C, DP 876 in the Parish of Concord, County of Cumberland.

Entered on Dataworks	
Date	Document Number
22/12/10	2724843