

Canterbury LEP 2012 (Amendment 1)

Proposal Title : Canterbury LEP 2012 (Amendment 1)

Proposal Summary : This Planning Proposal addresses a number of minor issues relating to Canterbury Local Environmental Plan 2012 to:

- amend the zoning, FSR, Height of Buildings and Heritage maps to correct several errors and make a clarification, and add a heritage item;
- permit 'medical centres' as part of mixed use development in business centre zones (B1, B2 and B5) where shop top housing is allowed;
- prohibit 'Amusement Centres' in the B6 Enterprise Corridor Zone; and
- add 38 Hampton Street, Croydon Park to the Heritage Schedule.

PP Number : PP_2012_CANTE_001_00 **Dop File No :** qA225849

Proposal Details

Date Planning Proposal Received :	23-Nov-2012	LGA covered :	Canterbury
Region :	Sydney Region East	RPA :	Canterbury City Council
State Electorate :	CANTERBURY LAKEMBA OATLEY	Section of the Act :	55 - Planning Proposal
LEP Type :	Housekeeping		

Location Details

Street :

Suburb : **City :** **Postcode :**

Land Parcel : Various parcels of land for which minor mapping corrections are needed due to errors found following the exhibition of Canterbury LEP 2012

DoP Planning Officer Contact Details

Contact Name : Michael Kokot

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RPA Contact Details

Contact Name : Warren Farleigh

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DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre :	N/A	Release Area Name :	
Regional / Sub Regional Strategy :	Metro South subregion	Consistent with Strategy :	Yes
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with :

If No, comment :

Have there been meetings or communications with registered lobbyists? :

If Yes, comment :

Supporting notes

Internal Supporting Notes :

External Supporting Notes : **The Department is not aware of any meetings or communications with registered lobbyists concerning this Planning Proposal.**

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **This Planning Proposal addresses a number of minor issues relating to Canterbury Local Environmental Plan 2012 to:**

- **amend the zoning, FSR, Height of Buildings and Heritage maps to correct several errors and make a clarification, and add a heritage item;**
- **permit 'medical centres' as part of mixed use development in business centre zones (B1, B2 and B5) where shop top housing is allowed;**
- **prohibit 'Amusement Centres' in the B6 Enterprise Corridor Zone; and**
- **add 38 Hampton Street, Croydon Park to the Heritage Schedule.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **Council's explanation of the provisions is considered to be adequate and consistent with Council and other planning policies.**

Mapping amendments:

There are 8 properties for which mapping amendments are necessary, mainly to correct errors to ensure the controls applying to the land are commensurate with Council's intended policy (see table 1 of Council's submission).

Seven of the sites involve minor changes to the FSR and HOB maps to ensure that the correct ratios and heights under the LEP correspond to the zone applying to the land is depicted on the maps.

Three of these sites involve reductions in FSR and height controls which were incorrectly exhibited:

- * by removing FSRs of 1.6:1 and 0.75:1 to correspond with Council policy to not show FSRs for all B2 zoned land (180-188 Lakemba Street and Croydon Park Town Centre); and
- * by reducing height from 18m to 11.5m for the corresponding 0.9:1 FSR (130-142 Canterbury Road).

One of the sites involves a zoning change to correct it being erroneously zoned R3 from the original 2C4 under the Canterbury PSO 1970, instead of the intended equivalent R4 zone (126-128 Canterbury Road).

Some public domain and infrastructure elements in the Canterbury Town Centre are currently not shown with a corresponding height on the HOB maps, with the intention of better indicating their location. Council now wishes to show the heights applying to these areas on the HOB maps.

Additional heritage item:

38 Hampton Street Croydon Park is proposed to be added as a heritage item to Schedule 5 and the Heritage maps as requested by the Office of Strategic Lands (OSL) during the exhibition of Canterbury LEP 2012. The property was identified as being of local significance in Council's Heritage Study Review and OSL's heritage assessment. OSL was consulted following receipt of the Planning Proposal and has advised that it supports the proposal involving its land.

Land use table amendments:

Amusement centres are currently erroneously shown as being permitted in the B6 Enterprise Corridor zone, which replaced the Specialised Business 3(f) and Light Industrial 4(d) zones along Canterbury Road under the PSO. Council proposes to prohibit Amusement centres in the B6 zone to accurately reflect intended policy.

In response to a submission to the draft Canterbury LEP 2012, Council proposes to allow Medical centres at ground floor level, as part of a mixed use development with a residential component above, on land zoned for business centres (B1, B2 and B5). The Standard LEP currently constrains this outcome, as the definition of Shop top housing allows business and retail premises at ground floor level, but Medical centres are not classed as either of these. Council's proposal is considered to be appropriate.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

* May need the Director General's agreement

2.3 Heritage Conservation

3.1 Residential Zones

6.1 Approval and Referral Requirements

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 1—Development Standards

e) List any other matters that need to be considered :

The proposed housekeeping amendments are minor and have been appropriately justified by Council.

The Planning Proposal is consistent with the SEPPs and Section 117 Directions identified as being relevant.

Have inconsistencies with items a), b) and d) being adequately justified? **N/A**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **For each site involved in this Planning Proposal, Council has provided:**
***location maps for all existing and proposed FSR, HOB, Heritage and LZN**
controls; and
***Land Identification Maps and existing and proposed FSR, HOB, Heritage and LZN**
controls in Canterbury LEP 2012 SI mapping format.

The maps provided are considered to be adequate.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **The Planning proposal will be placed on public exhibition in accordance with the**
Gateway Determination.

Notification of the public exhibition of the Planning Proposal will include:
*** advertisement in the local newspaper (the Torch and the Valley Times);**
*** notification letters to relevant State Agencies and other authorities;**
*** letters to adjoining and other property owners who may be affected by the**
Planning Proposal;
*** advertising on Council's website; and**
*** copies of the Planning Proposal being available at Council.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date : **December 2012**

Comments in relation to Principal LEP : **Draft Canterbury LEP 2012 is expected to be made by the end of 2012 and come into effect**
on 1 January 2013. A PC Opinion was issued on 28 November 2012.

Assessment Criteria

Need for planning proposal : **On 26 July 2012, Council resolved to endorse the draft Canterbury LEP and to forward it to**
the Department for finalisation. At the time of preparing this planning proposal, the draft
LEP had yet to be approved by the Minister.

During the course of preparing and exhibiting the draft LEP, Council staff identified a
number of minor matters requiring corrections, plus three additional minor matters.

Council resolved to prepare the planning proposal on 25 October 2012 as a first
amendment to the CLEP 2012.

Canterbury LEP 2012 (Amendment 1)

Consistency with strategic planning framework :

These housekeeping amendments are of a minor nature and are considered to be consistent with the Standard Instrument Order, the Metropolitan Strategy, the draft South Subregional Strategy and Council's planning controls and Community Strategic Plan.

Environmental social economic impacts :

None of any known significance.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **14 Days**

Timeframe to make LEP : **9 Month** Delegation : **DDG**

Public Authority Consultation - 56(2)(d)

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
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Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **1.1 Business and Industrial Zones**
2.3 Heritage Conservation
3.1 Residential Zones
6.1 Approval and Referral Requirements

Additional Information : **It is recommended that the Planning Proposal proceed, subject to the following conditions:**

Canterbury LEP 2012 (Amendment 1)

1. the Planning Proposal is exhibited for 14 days; and
2. the Planning Proposal should be completed in 9 months.

The RPA should be advised that:

1. the Planning Proposal is considered to be consistent with all S117 Directions and Council does not need to address these Directions further;
2. no consultation with Public Authorities is required; and
3. no further studies are required to be carried out.

Supporting Reasons : The proposed changes are minor in nature and will mainly correct anomalies to ensure that Council's planning policies are consistently applied.

Signature:

D. Pitney

Printed Name:

DAVID PITNEY

Date:

6/12/12