

PLANNING PROPOSAL TO AMEND CANTERBURY LOCAL ENVIRONMENTAL PLAN 2012

BACKGROUND

Council on 18 April 2013 considered a report which advised of a mistake on the Land Use Zoning map of LEP 2012. This mistake had shown the land at 430 Canterbury Road, Campsie, as being zoned SP 2 Infrastructure when in fact it should have been shown with a B5 Business Development zone.

PART 1 OBJECTIVES OR INTENDED OUTCOMES

The objectives of the Planning Proposal are to amend the CLEP 2012 in respect of the land at 430 Canterbury Road, Campsie.

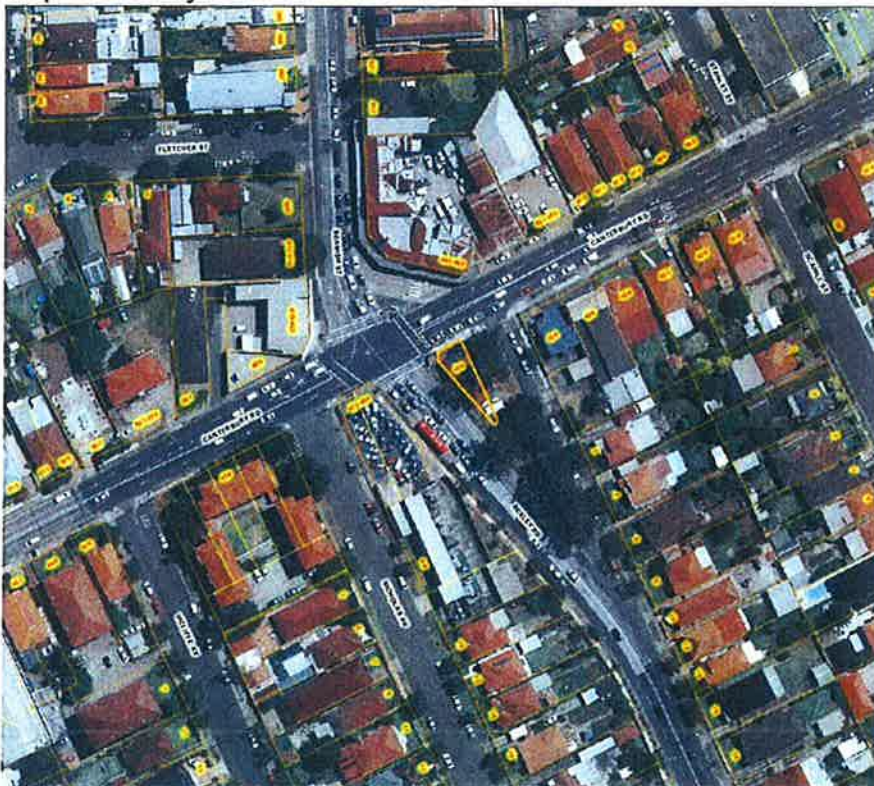
The amendments specifically relate to zoning, floor space ratio, and height. The changes are outlined in more detail in Part 2.

PART 2 EXPLANATION OF PROVISIONS

The amendments to CLEP 2012 will involve alterations to the map series in respect of zoning and height of buildings. It is not intended or necessary to alter the LEP instrument.

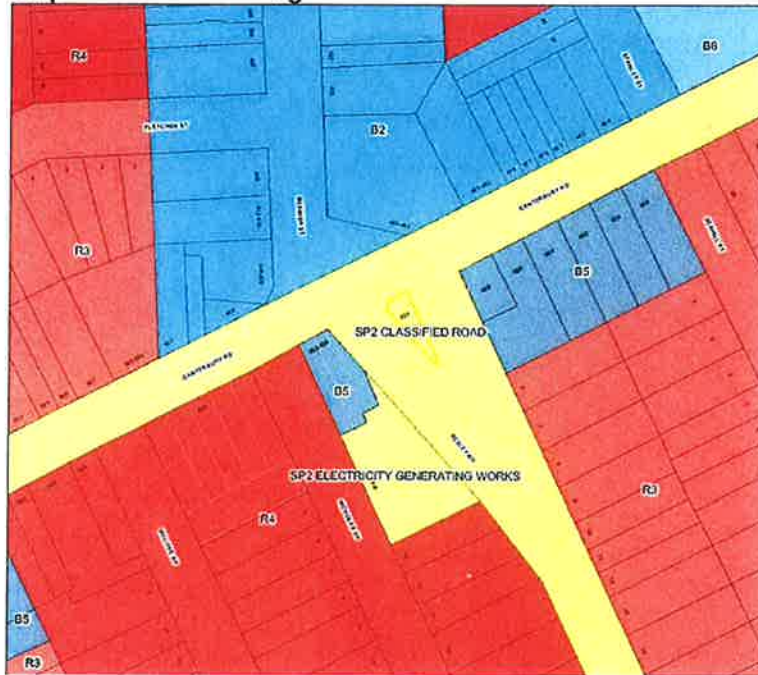
The subject land is shown on Map 1 below.

Map 1: Locality Plan



The current zoning of the subject land is SP 2 Infrastructure. The zoning of the subject land and surrounding area is shown on Map 2 below.

Map 2: Current zoning



Map 3: Previous zoning



PART 3 JUSTIFICATION

SECTION A: Need for the Planning Proposal

1. Is the planning proposal the result of any strategic study or report?

No. The planning proposal is necessary to correct a mistake on the land use zoning and height of buildings maps in Canterbury LEP 2012.

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 correcting this mistake

3. Is there a net Community benefit?

The planning proposal will correct a mistake contained within CLEP 2012.

SECTION B: Relationship to strategic planning framework

1. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies?

The planning proposal is not inconsistent with the Draft South Subregional Strategy and the Metropolitan Plan for Sydney 2036. The planning proposal is also not inconsistent with the Draft Metropolitan Strategy for Sydney to 2031.

2. Is the planning proposal consistent with the local Council's community strategic plan, or other local strategic plan?

The planning proposal is not inconsistent with Council's Community Strategic Plan.

3. Is the planning proposal consistent with applicable state environmental planning policies?

The planning proposal has been assessed against relevant State Environmental Planning Policies (SEPPs) and Council has concluded that the planning proposal is not inconsistent with any relevant SEPPs.

4. Is the planning proposal consistent with applicable Local Planning Directions (s117 directions)?

Relevant Directions	Title	Consistency with planning proposal
1.1	Business and Industrial Zones	The planning proposal is not inconsistent with this Direction. In particular the planning proposal supports this Direction through the correction of an unintended mistake on the Land Use Zoning maps of Canterbury LEP 2012 by reverting the land to its correct land use zone of B5 Business Development..
6.2	Reserving Land for Public Purposes	The planning proposal may be inconsistent with this Direction in that it seeks to rezone land currently, however mistakenly, zoned as SP 2 Infrastructure. Despite RMS now indicating they may wish to retain the SP 2 zone, RMS have undertaken no studies or investigations which indicate this land is actually required for future road purposes.

SECTION C: Environmental, social and economic impact

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?

No.

1. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

There are no other likely environmental impacts anticipated as arising from this planning proposal.

2. How has the planning proposal adequately addressed any social and economic effects?

The purpose of the planning proposal is to correct a mistake on the Land Use Zoning map of CLEP 2012. It is therefore not anticipated that there will be any significant or adverse social or economic impacts.

SECTION D: State and Commonwealth interests

3. Is there adequate public infrastructure for the planning proposal?

Not relevant

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

Initial contact has been made with Roads & Maritime Services to gauge their reaction to this mistake. Initial advice has been received suggesting RMS now wish to retain the SP 2 Infrastructure zone in case future planning identifies a need for this land for road purposes. A copy of this advice is attached.

The apparent position of RMS on this matter is not however based on any assessment of future road requirements in this location. The land is in private ownership and has been zoned for mixed use purposes since at least 1997. Further, this is not something which was picked up by RMS through the consultation processes in relation to Canterbury LEP 2012.

Should the land be formally identified by RMS as being required for future road purposes, as result of specific investigations that identify it as such, then Council would have no objection to the identification of the land accordingly on zoning and land acquisition maps. This process would also afford the owners of the land proper opportunity to be consulted on the change to zoning. However as this is not currently the situation Council believes the retention of the SP 2 zone will cause the land owner unnecessary hardship and uncertainty in the interim.

Council will formally engage with RMS and any other public authorities deemed appropriate in accordance with the Gateway Determination.

PART 4: MAPPING

Relevant mapping extracts have been included in Part 2 – Explanation of Provisions to illustrate the proposed changes.

PART 5: COMMUNITY CONSULTATION

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

The proposed public exhibition of this planning proposal will involve the following:

- Advertising of the planning proposal in the Council Column that is contained in local newspapers.
- Notification letters to relevant State Agencies and other authorities nominated by the Department.
- Advertising of the planning proposal on Council's website.
- Exhibition notice of the planning proposal displayed at Council's administration building, where copies of the plan will also be made available.

PART 6: PROJECT TIMELINE

This is outlined in the table below:

Planning proposal stage	Timeframe
Anticipated Commencement Date	18 April 2013
Anticipated timeframe for completion of required technical information	Not applicable
Commencement and completion dates for public exhibition period	July 2013
Timeframe for Government Agency consultation	July 2013
Dates for public hearing	Not applicable
Timeframe for consideration of submissions	August 2013
Timeframe for the consideration of a proposal post exhibition	August 2013
Council Meeting	August 2013
Date of submission to the Department to finalise the LEP	September 2013