

Canterbury LEP 2012 – Amendment to correct mapping anomaly at 30 Trevenar Street, Ashbury

Proposal Title :	Canterbury LEP 2012 – Amendment to correct mapping anomaly at 30 Trevenar Street, Ashbury		
Proposal Summary :	City of Canterbury Council proposes to correct a mapping anomaly in relation to 30 Trevenar Street, Ashbury (Lot: 1 DP: 566982). The proposal will correct an error from a previous LEP amendment (Amendment 1) which resulted in unplanned changes to map sheets FSR_006 and LZN_006 in relation to the subject property. The site is currently surplus Government agency land in the ownership of Ausgrid (formerly Energy Australia).		
PP Number :	PP_2014_CANTE_002_00	Dop File No :	14/05580

Planning Team Recommendation

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

S.117 directions : **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:**

1. the planning proposal be supported;
2. Council be given plan making delegation;
3. the planning proposal be considered as routine and exhibited for a period of 14 days;
4. a public hearing is not required;
5. consultation is required with Ausgrid (formerly Energy Australia) in relation to land in their ownership;
6. the RPA should amend the project timeline to include the requirement of a community consultation period of 14 days;
7. the RPA should amend the planning proposal to include a discussion in relation to the inconsistency with S117 Direction 3.1 Residential Zones; and
8. the planning proposal to be finalised within 6 months from a week following the date of the gateway determination.

Supporting Reasons : **The proposal should be allowed to proceed as it:**

- (a) responds to the need to correct the inadvertent mapping and zoning error;
- (b) it represents the only means of achieving the necessary correction; and
- (c) it allows Council to proceed with deciding the future of the site in keeping with its resolution to defer the matter from Amendment 3, to enable further discussions with Ausgrid.

For transparency in the plan making process, the Department has advised Ausgrid in writing of the planning proposal affecting the subject land. In addition, the Gateway Determination is subject to a condition requiring Council to consult with Ausgrid under Section 56(2)(d) of the EP&A Act 1979.

Panel Recommendation

Recommendation Date : **08-May-2014** Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The planning proposal should proceed subject to the following conditions:**

1. While the planning proposal's inconsistency with S117 Direction 3.1 Residential Zones is agreed to being of minor significance, Council is to update the planning proposal to address the proposal's inconsistency with this Direction and advise that it is of minor significance.
2. No community consultation is required under sections 56(2)(c) and 57 of the

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Environmental Planning and Assessment Act 1979 ("EP&A Act").

3. Consultation is required with Ausgrid under section 56(2)(d) of the EP&A Act. Ausgrid is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.

Plan making delegation:

The Minister delegated plan making powers to councils in October 2012. Council has now accepted this delegation. Council should be issued with plan making delegations for this proposal.

Signature:



Printed Name:

TROY LOVEDAY

Date:

14.05.14