



Canterbury Local Environmental Plan 2012 Amendment 2

Proposal Title : **Canterbury Local Environmental Plan 2012 Amendment 2**

Proposal Summary : **To allow a greater density of residential development at:**
- 30 Trenevar Street, Ashbury
- 436 and 446-454 Canterbury Road, Campsie
- 591-605 Canterbury Road, Belmore
- 754-794 Canterbury Road and 1A Trafalgar Street, Belmore

PP Number : **PP_2013_CANTE_001_00** Dop File No : **13/06390**

Proposal Details

Date Planning Proposal Received :	28-Mar-2013	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 :	Spot Rezoning		

Location Details

Street :	30 Trenevar Street				
Suburb :	Ashbury	City :	Canterbury	Postcode :	2193
Land Parcel :					
Street :	436 & 446-454 Canterbury Road				
Suburb :	Campsie	City :	Canterbury	Postcode :	2194
Land Parcel :					
Street :	591-605 Canterbury Road				
Suburb :	Belmore	City :	Canterbury	Postcode :	2192
Land Parcel :					
Street :	754-794 Canterbury Road & 1A Trafalgar Street				
Suburb :	Belmore	City :	Canterbury	Postcode :	2192
Land Parcel :					

DoP Planning Officer Contact Details

Contact Name : **Michael Kokot**
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RPA Contact Details

Contact Name : **Allan Shooter**
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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 :	N/A
Regional / Sub Regional Strategy :	Metro East subregion	Consistent with Strategy :	N/A
MDP Number :	0	Date of Release :	
Area of Release (Ha) :	0.00	Type of Release (eg Residential / Employment land) :	N/A
No. of Lots :	0	No. of Dwellings (where relevant) :	203
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**
 If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**
 If Yes, comment :

Supporting notes

Internal Supporting Notes : **Council currently has delegation to make the plan and has submitted Attachment 4 - Evaluation Criteria for the Delegation of Plan Making functions in relation to the planning proposal. Council's request for delegation is supported.**

Council has supplied a timeline proposing a 5 month completion period. However, as this has not included all the steps involved (eg liaison with PC), a 9 month period is considered to be more realistic.

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

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The planning proposal will assist the provision of potentially up to 203 dwellings towards the draft South Subregional Strategy dwellings target.

Adequacy Assessment

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

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

Comment : **Council states that the objectives of the planning proposal are to amend Canterbury LEP 2012 to allow greater density of development on the four subject sites via amendments relating to zoning, floor space ratio and height controls. This statement of objectives is considered adequate.**

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

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

Comment : **Council has explained that the amendments to Canterbury LEP 2012 will involve alterations to the zoning, floor space ratio and height maps. It will not be necessary to amend the written instrument. Council's explanation is acceptable.**

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

2.3 Heritage Conservation

* May need the Director General's agreement

3.1 Residential Zones

3.4 Integrating Land Use and Transport

7.1 Implementation of the Metropolitan Plan for Sydney 2036

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 6—Number of Storeys in a Building

SEPP No 22—Shops and Commercial Premises

SEPP No 55—Remediation of Land

SEPP No 64—Advertising and Signage

SEPP No 65—Design Quality of Residential Flat Development

SEPP (Infrastructure) 2007

SEPP (Affordable Rental Housing) 2009

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

Council has advised that the planning proposal is not inconsistent with the above applicable SEPPs.

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

If No, explain :

Council has provided an assessment of the consistency of the planning proposal with the S117 Directions considered to be relevant. Council's assessment is supported.

Following receipt of the planning proposal, Council advised that S117 Direction 7.1 Implementation of the Metropolitan Plan for Sydney 2036 is also relevant to this planning proposal. The planning proposal is consistent with this Direction as it will provide 203 additional dwellings in suitable locations to assist with the Strategy's social and economic objectives.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Where relevant for each site, Council has provided the following maps:

- Locality plan

- Current zoning

- Proposed zoning

- Existing FRS controls
- Proposed FSR controls
- Existing height controls
- Proposed height controls

While these maps are not in full Standard Instrument mapping format, they accurately identify the subject land and current and proposed planning controls. The Gateway Determination should require Council to prepare full Standard Instrument compliant maps for exhibition purposes.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council advised that it intends to advertise the planning proposal as follows:**

- Council's column in the local papers and Council's website
- notification letters to relevant State agencies and any authorities nominated by the Department
- letters to all owners/occupies of adjoining/directly affected landowners
- exhibition notice displayed at Council's Offices, with available copies.

Council's timeline proposes a 28 day exhibition period. Given the minor nature of the planning proposal, 14 days is considered to be sufficient time.

Council's proposed approach is supported.

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 :

Comments in relation to Principal LEP : **Canterbury LEP 2012 was notified in December 2012.**

Assessment Criteria

Need for planning proposal :

The land covered by the planning proposal was subject of submissions to the exhibition of Canterbury LEP 2012 seeking greater density of development, together with several other similar submissions. Following discussion with the Department, Council agreed to not propose any post-exhibition changes to the LEP to avoid re-exhibition concerns, but rather to deal with any matters through a planning proposal.

Council resolved to undertake a Residential Development Strategy to deal with the bulk of such submissions. Following an initial assessment, Council concluded that the four subject sites had merit to proceed now because of minimal implications on the future zoning of similarly zoned land and any other policy matters.

30 Trenevar Street Ashbury

This vacant surplus Ausgrid site is currently zoned R2 Low Density Residential, with an 8.5 m height control and no FSR under Canterbury LEP 2012. The site is also within the Ashbury Heritage Conservation Area covering the suburb.

Its previous 2(a) zoning under Canterbury LEP 138 allowed town house and villa development similar to the current R3 Medium Density Development zone of Canterbury LEP 2012, but not the site's current R2 zoning. Ausgrid's submission to the draft LEP objected to this anomaly and requested an R3 zoning to reinstate its former development right.

Council proposes to rezone the site to R3 Medium Density Residential, with a 0.5:1 FSR, similar to other R3 zones, as well as dual occupancies in R2 and R3 zones. This will not have an adverse impact on the Heritage Conservation Area, as the property does not have any contributory heritage value and is a battle-axe lot hidden from the surrounding streetscape. Council's proposal is supported.

436 and 466-454 Canterbury Road, Campsie

These properties are currently zoned R4 High Density Residential under Canterbury LEP 2012, with an 18 m height control and a 0.9:1 FSR. No. 436 is owned by the NSW Land and Housing Corporation (Department of Housing) and contains a three storey residential flat building.

Council proposes to increase the FSR of these properties to 1.6:1 consistent with all other R4 zones with an 18 m height control to correct this anomaly, as requested by the Department of Housing's submission for its property to the draft LEP. Council's proposal is supported.

591-605 Canterbury Road, Belmore

This land is zoned R3 Medium Density Residential, with typical 8.5 m height and 0.5:1 FSR controls under Canterbury LEP 2012. Council proposes to rezone the land to R4 High Density Residential, with a corresponding increase in the height control to 18 metres and the FSR to 1.6:1.

This proposal is in keeping with the draft Canterbury Road Master Plan, which was used as a basis to similarly rezone other surrounding areas along Canterbury Road under Canterbury LEP 2012. Council perceived the exclusion of the subject land at the time as an anomaly. Council's proposal is supported.

754-794 Canterbury Road and 1A Trafalgar Street, Belmore

This land is zoned identically to 591-605 Canterbury Road, Belmore and has similar planning issues. For the same reasons, Council proposed to rezone the land to R4 High Density Residential, with a height control of 18 m and FSR of 1.6:1. While a submission in favour of such controls only related to 776-784 Canterbury Road, Council is proposing to amend the controls for the whole block for completeness. Council's proposal is supported.

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Consistency with strategic planning framework :

The planning proposal is consistent with the objectives and actions of the draft Metropolitan Strategy for Sydney to 2031 and the Metropolitan Plan for Sydney 2036 by increasing housing supply in Canterbury and for the Metropolitan area.

The planning proposal will help meet the dwelling targets in the draft South Subregional Strategy by helping to provide up to 203 additional dwellings.

The planning proposal is consistent with the Canterbury Community Strategic Plan, as it helps to achieve the Attractive City objective by revitalising part of the Canterbury Road corridor. It also helps to achieve the Balanced Urban Development objective through the appropriate location of new housing.

The planning proposal is consistent with the draft Canterbury Road Master Plan 2010 and Land Use Zoning Strategy funded by the Department, by rezoning subject land along Canterbury Road consistent with the proposed zoning/density increases.

Environmental social economic impacts :

By rezoning land to enhance its development potential, the planning proposal facilitates more efficient use of land and has a positive social and economic impact by assisting the provision of potentially up to 203 dwellings for the community.

The planning proposal has no known adverse environmental impacts.

Assessment Process

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

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

Public Authority Consultation - 56(2)(d) : **Other**

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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Canterbury Amendment 2 delegations.doc	Proposal	Yes
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Planning Team Recommendation

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

- S.117 directions:
- 2.3 Heritage Conservation**
 - 3.1 Residential Zones**
 - 3.4 Integrating Land Use and Transport**
 - 7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information : **It is recommended that the planning proposal proceed subject to the following conditions:**

- 1. The planning proposal is exhibited for 14 days.**
- 2. The planning proposal is completed within 9 months.**
- 3. The relevant maps must be prepared consistent with the requirements of the Standard Technical Requirements for LEP Maps guideline document.**
- 4. Council proposes to progress the planning proposal under delegation and has submitted Attachment 4 - Evaluation Criteria for the Delegation of Plan Making functions. This matter is considered to be of local significance and use of Council's delegation is supported.**

The RPA should be advised that:

- 1. The planning proposal is considered to be consistent with the relevant Section 117 Directions, including 7.1 Implementation of the Metropolitan Strategy for Sydney 2036, and Council does not need to address these further.**
- 2. Council consults Ausgrid and the NSW Land and Housing Corporation (Department of Housing) in relation to land in their ownership affected by the planning proposal.**
- 3. No further studies are required to be carried out.**

Supporting Reasons : **The planning proposal is considered to be minor in nature and seeks to correct responses to submissions/anomalies arising in the course of the preparation of Canterbury LEP 2012. The planning proposal will have social and economic benefits by assisting the provision of up to 203 dwellings and is supported.**

Signature: 
Printed Name: DAVID PITNEY Date: 12/4/13