

OFFICERS REPORTS**9 MAPPING AMENDMENT TO CANTERBURY LOCAL ENVIRONMENTAL PLAN 2012****FILE NO:** T-29-149**REPORT BY:** DIRECTOR CITY PLANNING

Summary:

- The first amendments to Canterbury Local Environmental Plan (CLEP) 2012 were published on 8 November 2013 and came into effect on that date.
- The amendments include various mapping changes and minor amendments to the provisions in the LEP which Council previously endorsed.
- As a consequence of the new processes for dealing with CLEP amendments, an error on one of the land zoning sheets and floor space ratio (FSR) sheets has been detected. The error relates to a draft planning proposal in Ashbury that has not yet been finally endorsed by Council but where draft maps have been prepared in advance.
- This correction can be addressed through S73A of the Environmental Planning and Assessment Act (EPA) which allows minor amendments to be made without following the usual procedures for preparing a LEP.
- It is recommended that action under Section 73A of the EPA be initiated to correct this error.

Council Delivery Program and Budget Implications:

This report has no implications for the Budget and supports our Community Strategic Plan long term goal of Balanced Development.

Report:**Background**

The first set of amendments to Canterbury Local Environmental Plan (CLEP) 2012 was published (gazetted) on 8 November 2013 and came into effect on that date.

The amendments to the CLEP included:

- Update maps (zoning, height, FSR) on various parcels of land for which minor mapping corrections are needed due to errors found following the exhibition of Canterbury LEP 2012.
- Allow 'medical centres' as part of a mixed use development in business centre.
- Prohibiting 'amusement centres' in the B6 Enterprise Corridor Zone.
- Adding 38 Hampton Street, Croydon Park in the Heritage Schedule.

As a consequence of the new processes for dealing with LEP amendments, an error on one of the zoning sheets and FSR sheets has been detected. The error relates to a draft planning proposal in Trevenar Street, Ashbury that had been exhibited but not yet finally endorsed by Council. In finalising the maps for Amendment No.1, this draft change, proposed in a different and separate planning proposal, was inadvertently caught up with the maps sent to the Department of Planning and Infrastructure when Amendment No.1 was being finalised.

MAPPING AMENDMENT TO CANTERBURY LOCAL ENVIRONMENTAL PLAN 2012 (CONT.)

Section 73 A of the Act allows minor corrections such as this to be made without any need to go through the formal LEP process.

RECOMMENDATION:

THAT action be taken under Section 73A of the Environmental Planning and Assessment Act 1979 to make the necessary correction to the Canterbury Local Environmental Plan 2012 maps in relation to the error in the zoning and floor space ratio amendment created for Trevenar Street, Ashbury.

COUNCIL MEETING**RESOLUTION - 28 NOVEMBER 2013**

9 **MAPPING AMENDMENT TO CANTERBURY LOCAL ENVIRONMENTAL PLAN 2012**

FILE NO: T-29-149

Min. No. 426 **RESOLVED** (Councillors Hawatt/Kebbe)

THAT action be taken under Section 73A of the Environmental Planning and Assessment Act 1979 to make the necessary correction to the Canterbury Local Environmental Plan 2012 maps in relation to the error in the zoning and floor space ratio amendment created for Trevenar Street, Ashbury.

FOR	AGAINST
The Mayor, Councillor Robson	
Deputy Mayor, Councillor Azzi	
Councillor Adler	
Councillor Eisler	
Councillor Hawatt	
Councillor Kebbe	
Councillor Nam	
Councillor Paschalidis-Chilas	
Councillor Saleh	
Councillor Vasiliades	



Section 73A EP&A Act submission

Part A. Council to complete

Subject:

LEP 2012 - Mapping amendments (Insert name of amending LEP)

Report requesting the making of amending local environmental plan under section 70 and section 73A.

Background:

Canterbury Council (Insert name of council) resolved on 28 November 2013

to amend LEP 2012 (Insert name of LEP) and to request that the Minister for Planning make the plan under section 70 and section 73A of the Environmental Planning and Assessment Act 1979.

The draft amending plan is attached. (Attach copy of resolution.)

The land to which this amendment applies is 30 Trevenar Street, Ashbury (Lot 1, DP 566982).

(Specify area. Attach map if appropriate)

Why there is a need for the amendment:

An amendment is needed to correct an error on the Land zoning map (LZN 006) and FSR map (FSR 006) in relation to land at 30 Trevenar St, Ashbury.

(Please attach a separate sheet if necessary)

What the amendment does:

The amendment will correct the mistake to the LEP zoning and FSR maps in relation to land at 30 Trevenar St, Ashbury.

(Please attach a separate sheet if necessary)

Why the amending plan is suitable to be made in accordance with section 73A:

The amendment is suitable to be made in accordance with 573A as it is an obvious error. The error relates to a draft Planning Proposal at 30 Trevenar St, Ashbury that had been exhibited but not yet formally endorsed by Council.

(Please attach a separate sheet if necessary)

The council requests that the Minister agree to make draft LEP 2012 - mapping amendments (Name of amending LEP)

Signed:

Date: 31/2/13

Name: WARREN FARLEIGH

Position: A/MANAGER ENVIRONMENTAL Policy

On behalf of: Canterbury Council (Name of council)



Section 73A EP&A Act submission

Part B. Department of Planning use only

Date of referral to LEP Review Panel: (Insert date)

Department position:

The draft LEP amendment has been considered by the Department and it is satisfied that the amendment can be considered as a minor amendment under section 73A (see advice tagged 'A').

Parliamentary Counsel opinion:

The Parliamentary Counsel has provided an opinion indicating that the plan may legally be made (tagged 'B').

Recommendation:

It is recommended that the Minister:

- (a) under sections 70(1)(a) and (8) and section 73A of the *Environmental Planning and Assessment Act 1979* make tagged 'B')
(Name of LEP)
- (b) authorise the Department to advise council of the Minister's decision.

Date:

Signed: Name:

Position:
for Director-General



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Jim Montague

General Manager

Scale = 1:3,578



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Printed Date: Nov 29, 2013



Canterbury Local Environmental Plan 2012

Floor Space Ratio Map - Sheet FSR_006

Maximum Floor Space Ratio (n:1)

D	0.5
E	0.75
L	0.9
N	1
R	1.4
S1	1.5
S2	1.6
S3	1.8
T	2
U1	2.5
U2	2.75
V	3

Cadastral

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Scale: 1:10,000 @ A3

Projection: GDA 1994
Zone 56

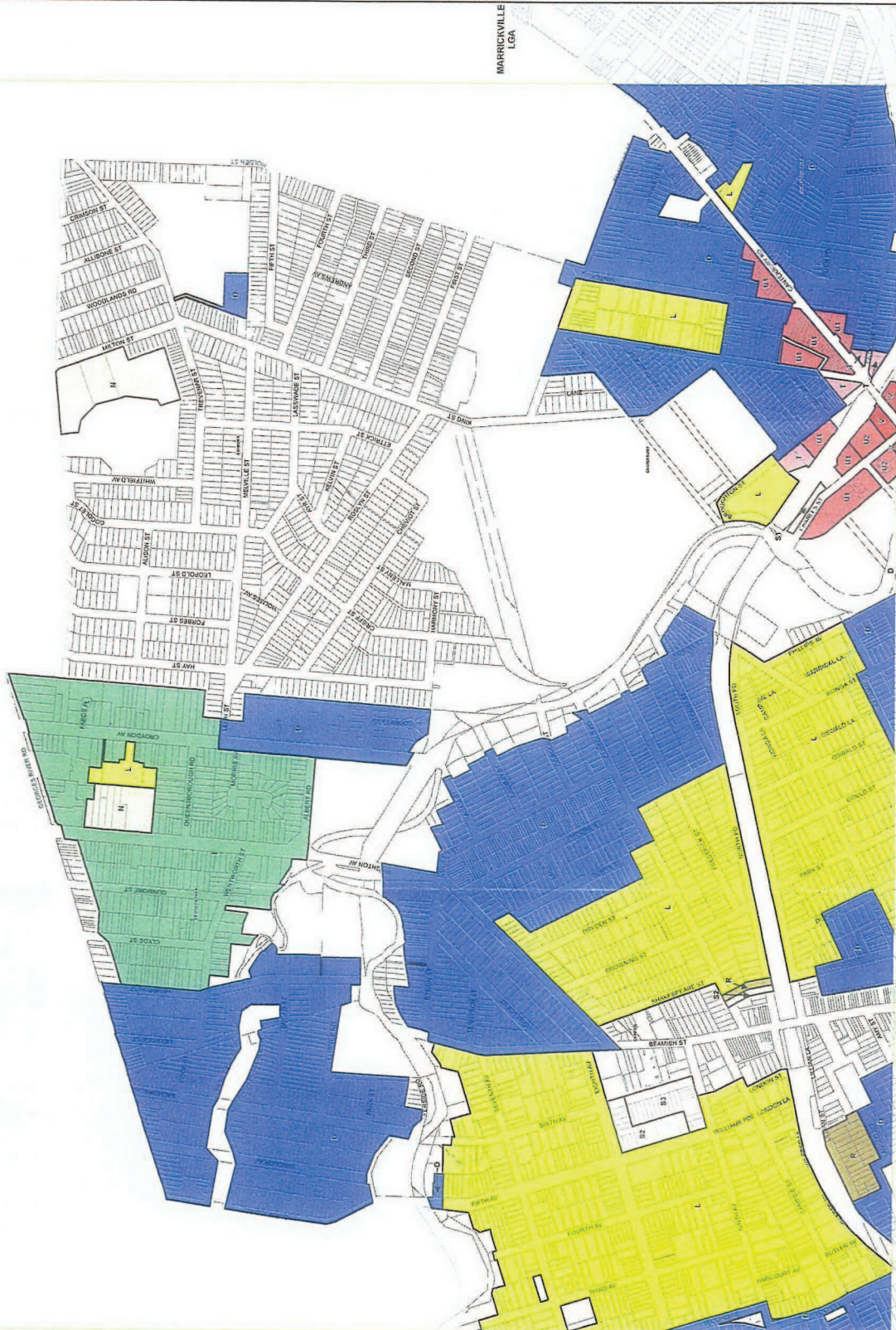
Map identification number: 1500_COM_FSR_006_010_20130807

EXISTING MAPS

ASHFIELD LGA

BURWOOD LGA

MARRICKVILLE LGA



existing maps

Zone

B1	Neighbourhood Centre
B2	Local Centre
B5	Business Development
B6	Enterprise Corridor
E1	National Parks and Nature Reserves
I1	General Industrial
I2	Light Industrial
R2	Low Density Residential
R3	Medium Density Residential
R4	High Density Residential
RE1	Public Recreation
RE2	Private Recreation
SP2	Infrastructure
W1	Natural Waterways
UL	Unzoned Land

Cadastral

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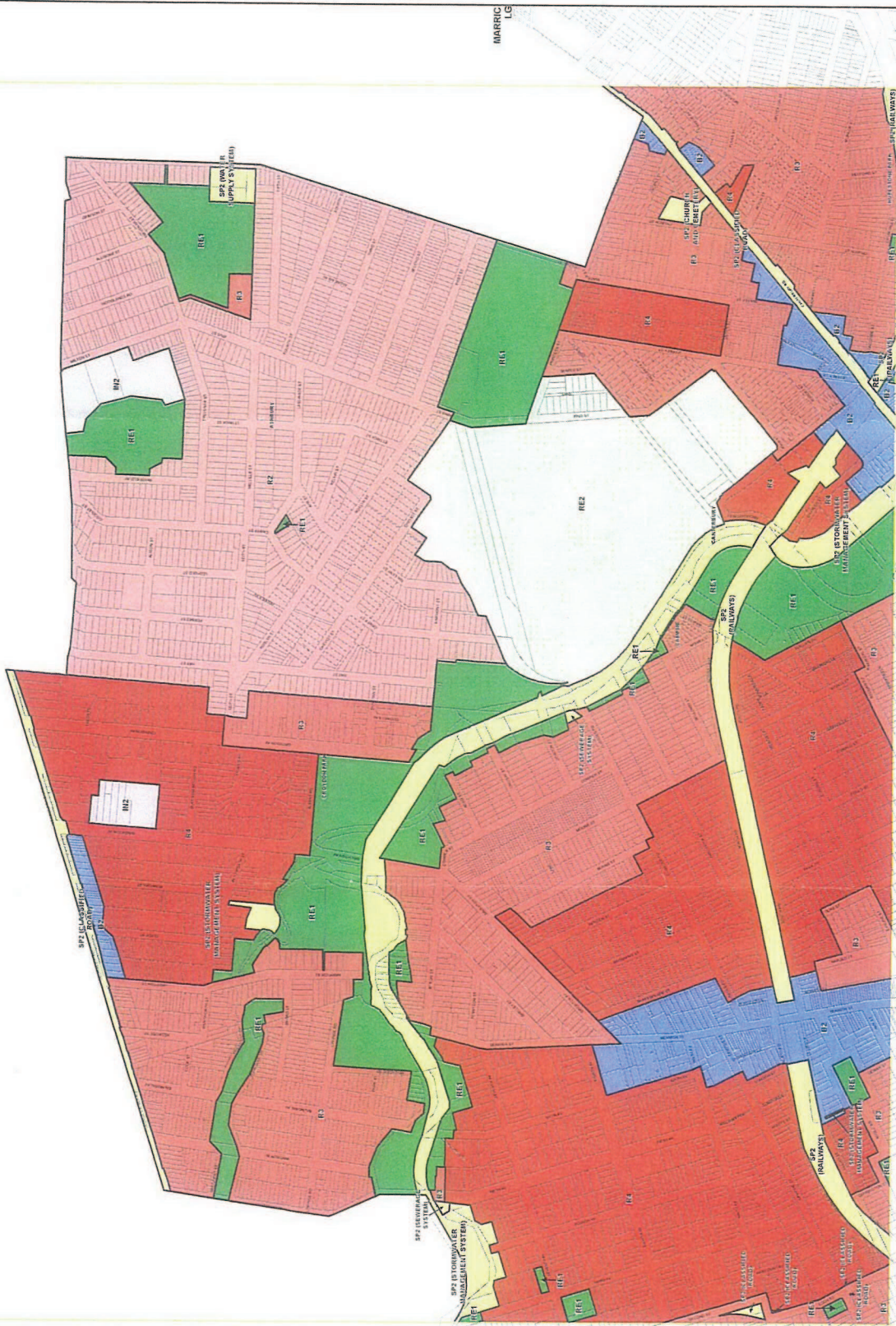
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Projection: GDA 1994

Zone 56

Map identification number: 1550_COM_LZN_006_010_20130906





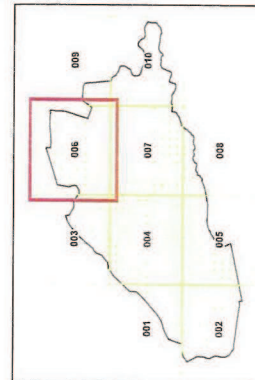
Canterbury Local Environmental Plan 2012

Land Zoning Map - Sheet LZN_006

Zone

- B1 Neighbourhood Centre
- B2 Local Centre
- B5 Business Development
- B6 Enterprise Corridor
- E1 National Parks and Nature Reserves
- IN1 General Industrial
- IN2 Light Industrial
- R2 Low Density Residential
- R3 Medium Density Residential
- R4 High Density Residential
- RE1 Public Recreation
- RE2 Private Recreation
- SP2 Infrastructure
- WI Natural Waterways
- UL Unzoned Land

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0 200 Metres
Scale: 1:10,000 @ A3

Projection: GDA 1994
Zone 58

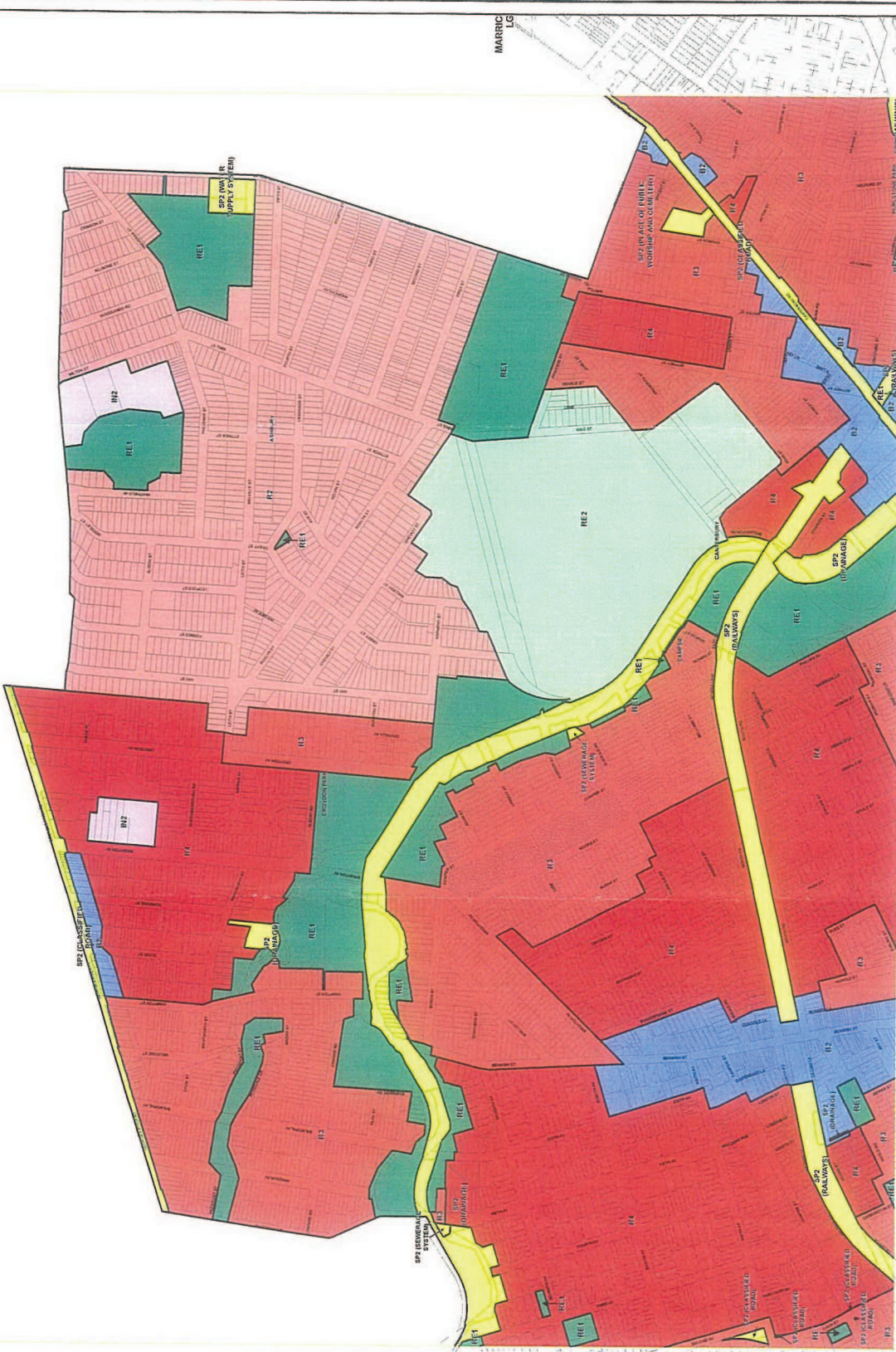
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PROPOSED MAPS

ASHFIELD LGA

BURWOOD LGA

MARRIC LG



Floor Space Ratio Map -
Sheet FSR_006

Maximum Floor Space Ratio (n:1)

0.5	0.75	0.9	1	1.4	1.5	1.6	1.8	2	2.5	2.75	3
D	L	L	N	R	S1	S2	S3	T	U1	U2	V

Cadastre

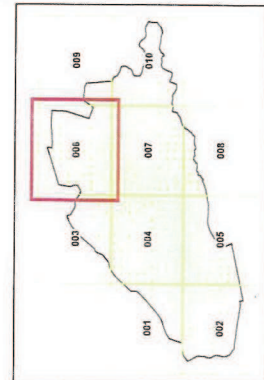
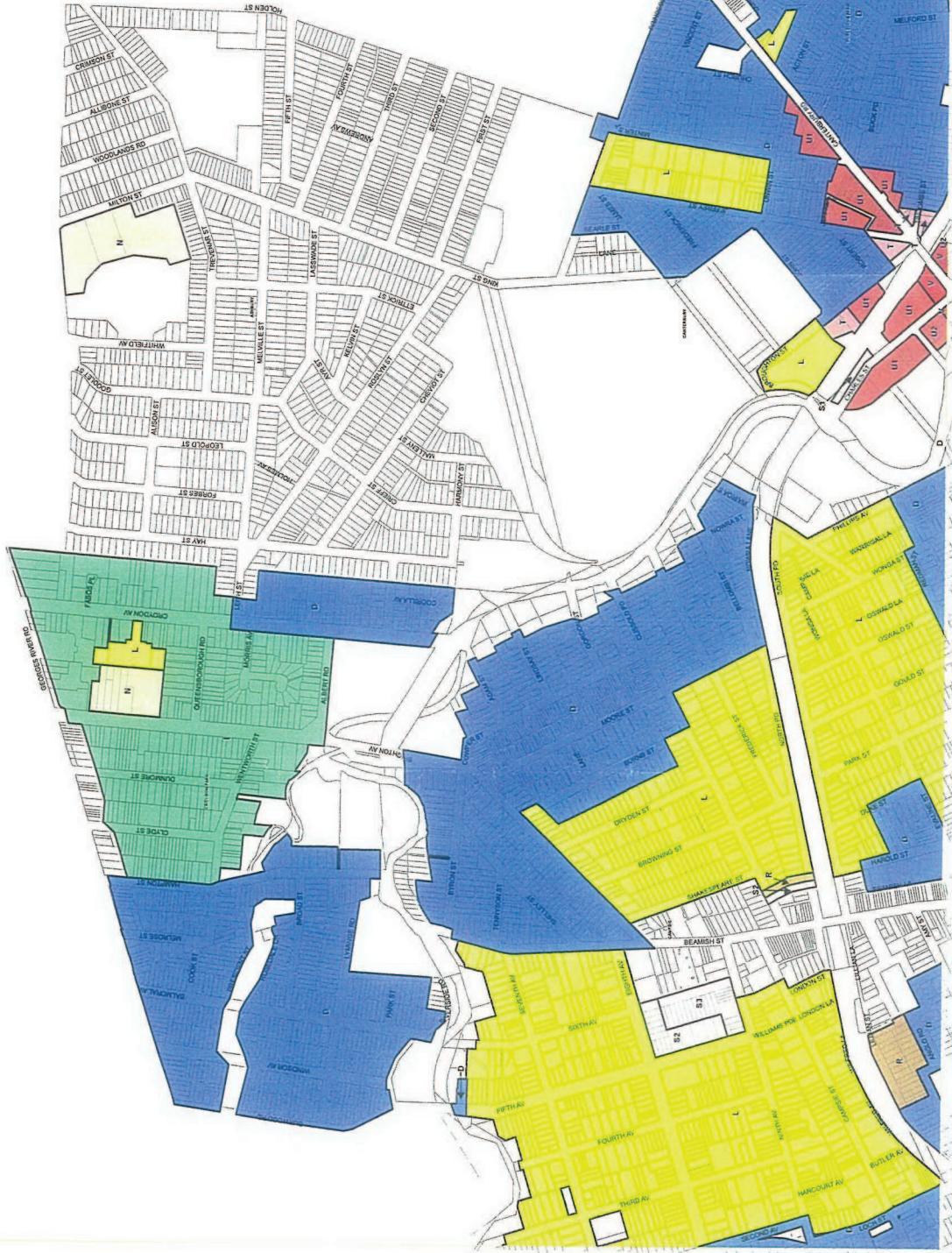
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PROPOSED MAPS

ASHFIELD
LGA

BURWOOD
LGA

MARRICKVILLE
LGA



Scale: 1:10,000 @ A3

Projection: GDA 1984

Zone 56

Map identification number: 1550_CDM_FSR_006_010_2011123