
Planning Matters - 27 June 2017

ITEM 5.1 **Planning Proposal - Various Amendments to Canterbury Local Environmental Plan 2012**

AUTHOR **Planning**

ISSUE

This report seeks Council approval to make amendments to the planning proposal and to exhibit a planning proposal to address anomalies and drafting errors in the Canterbury Local Environmental Plan 2012.

RECOMMENDATION That -

1. The planning proposal be amended by removing a number of sites situated within the Canterbury Road corridor study area and making other minor changes as outlined in the report.
2. Council exhibit the revised planning proposal as shown in Attachment B.
3. This matter be reported to Council following the exhibition period.

BACKGROUND

The former Canterbury Council considered a report on the proposed amendments to CLEP 2012 on 12 November 2015 when it resolved to prepare a planning proposal for submission to the Department of Planning and Environment (DP&E) for a Gateway Determination. A copy of the Council report is shown in Attachment A.

The planning proposal seeks to make a number of minor amendments to improve the overall operation and accuracy of the CLEP, as follows:

i. Amendments to the planning instrument

Item	Proposed amendment	Description and nature of change
1	Add - Emergency Service Facility to the RE1 Public Recreation zone.	The amendment was initially proposed to address a non-conforming use (State Emergency Service - SES facility) at 105-109 Hannans Rd, Narwee. SES facilities are not permitted in RE1 zoned land nor are they permitted under the Infrastructure SEPP 2007. To address this anomaly, it is considered appropriate to allow SES facilities use in all RE1 zone.

Item	Address	Description and nature of change
2	Remove the B6 zone objective – 'to provide for residential uses, but only as part of a mixed use development'.	The inclusion of this objective for the Zone B6 Enterprise Corridor is a typographical error as residential accommodation is a prohibited use within the zone.

ii. Proposed amendments to Schedule 5 Environmental Heritage

Item	Address	Proposed amendment	Nature of change
3	Inter war urban park – Mary MacKillop Reserve, located at 260, 260A and 262 Canterbury Road, Canterbury	Insert the word "Saint" so that the description reads – "Inter war urban park - Saint Mary MacKillop Reserve".	This amendment is an update to reflect canonisation of Mary MacKillop by the Catholic Church in 2010.
4	Canterbury Sugar Mill (former), located at 2-4 Sugar House Road, Canterbury.	Replace the word "Mill" with word "Works" to read – "Canterbury Sugar Works".	This is a minor adjustment to correct the name of the site.
5	Methodist Cemetery, located at 96A Moorefields Road, Kingsgrove	Remove letter "e" from the word Moorefields to read – "Moorfield's Methodist Cemetery	This is a minor typographical change to reflect the correct spelling of the cemetery name.

iii. Mapping amendments

Item	Address	Description and nature of change
6	46 Fairmount St, Lakemba	Amendment to remove this site from the Land Reservation Acquisition (LRA) map to reflect the recent acquisition of the land by Council.
7	15 Wangee Rd, Lakemba	Amendment to remove this site from the Land Reservation Acquisition (LRA) map to reflect the recent acquisition of the land by Council.
8	39 Ludgate St, Roselands	Amendment to remove this site from the Land Reservation Acquisition (LRA) map to reflect the recent acquisition of the land by Council.
9	34 Allan Ave, Belmore	Amendment to add this site to the Land Reservation Acquisition (LRA) map to reflect the existing RE1 Public Recreation Zone.
10	102-102A Rogers St Roselands	Amendment to rectify a mapping error which shows two different zones for the site and consequential amendments to the height and FSR maps. Amendments include: <ul style="list-style-type: none"> Land zoning map to change from two zonings of IN2 and R3 into one Zone IN2 Light Industrial. Height of building map to change from two different height limit of 8.5m and no height limit into no height limit, to be consistent with the IN2 Light Industrial zone. Floor Space Ratio Map to change from two FSR of 1:1 and 0.5:1 into one FSR of 1:1, to be consistent with the IN2 Light Industrial zone.

Item	Address	Description and nature of change
11	3 Sunbeam St and 60 Charlotte St	<ul style="list-style-type: none"> Adjust zone boundary between R4 High Density Residential and B1 Neighbourhood Centre to reflect the final subdivision layout. Amend the Height of Building Map so that it aligns with the zoning boundaries. Amend the Floor Space Ratio Map so that it aligns with the zoning boundaries.

REPORT

Draft Canterbury Road Corridor Study

Council has commenced a strategic review of the existing policy framework for the Canterbury Road corridor. A number of sites in the planning proposal are situated within the corridor study area, these sites are:

- 117 Rosemont Street, Punchbowl
- 1214-1224 Canterbury Road, Roselands
- 1147-1157 Canterbury Road, Wiley Park
- 126 Dudley Street, 98 and 100 Broadway and 1249, 1261, 1263 and 1265 Canterbury Road, Punchbowl and
- 504-514 Burwood Road and 2 Wilson Street, Belmore.

The findings of the corridor study may affect these sites. It is recommended these sites be removed from the current planning proposal and that they be addressed as part of the corridor study.

Gateway Determination

A planning proposal submission was prepared and forwarded to the Department of Planning and Environment (DP&E) in January 2016. A conditional Gateway determination was issued on 3 March 2016 allowing Council to proceed to public exhibition. A copy of the revised planning proposal is shown in Attachment B.

Next steps and public exhibition

The next stage of the process is to publicly exhibit the planning proposal. The Gateway Determination did not specify any community consultation requirements apart from the need to publicly exhibit the planning proposal for 28 days and public exhibition of the planning proposal be carried out in accordance with the DP&E's *A Guide to Preparing LEPs*.

The following community consultation is proposed:

- Public exhibition to commence in July 2017 for a minimum of 28 days.
- Notification in the Council column of local newspapers.
- Notification letters sent to directly affected, adjoining and nearby property owners.
- Advertising of the proposal on Council website and at Council service centres at Campsie and Bankstown.

Conclusion

It is recommended the exhibition of the planning proposal as outlined be endorsed and a further report be submitted to Council following the conclusion of the exhibition period.

POLICY IMPACT

This report has no direct policy implications.

FINANCIAL IMPACT OF RECOMMENDATIONS

This report has no financial implications.

RECOMMENDATION That -

1. The planning proposal be amended by removing a number of sites situated within the Canterbury Road corridor study area and making other minor changes as outlined in the report.
2. Council exhibit the revised planning proposal as shown in Attachment B.
3. This matter be reported to Council following the exhibition period.

ATTACHMENTS [Click here for attachments](#)

- A. Council report
- B. Planning Proposal

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 27 JUNE 2017**

2. The General Manager be delegated authority to negotiate the acquisition by agreement.
3. As a part of the agreement, Council require Transport for NSW to carry out full and extensive community consultation which will address:
 - the proposed use of the land,
 - the management of any impacts including but not limited to noise, traffic, management of stormwater, operational hours, impact on adjacent properties; and
 - what additional benefits will be returned to the community at the end of the compulsory acquisitions.
4. The Administrator and General Manager be delegated authority to sign all relevant documentation under the common seal of Council, as required.

STANDING ORDERS WERE RESUMED.

SECTION 5: PLANNING MATTERS

ITEM 5.1 PLANNING PROPOSAL - VARIOUS AMENDMENTS TO CANTERBURY LOCAL ENVIRONMENTAL PLAN 2012

(446) MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. The planning proposal be amended by removing a number of sites situated within the Canterbury Road corridor study area and making other minor changes as outlined in the report.
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