



New South Wales

# Canterbury Local Environmental Plan No 194

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.  
(S01/00334/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Urban Affairs and Planning

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## 2001 No 536

Clause 1                      Canterbury Local Environmental Plan No 194

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# Canterbury Local Environmental Plan No 194

## 1 Name of plan

This plan is *Canterbury Local Environmental Plan No 194*.

## 2 Aims of plan

This plan aims to standardise certain definitions regarding residential land use that are used in various environmental planning instruments relating to the City of Canterbury.

## 3 Land to which plan applies

This plan applies to all land within the City of Canterbury.

## 4 Relationship to other environmental planning instruments

This plan amends the following environmental planning instruments in the manner set out in Schedules 1–4:

- (a) *Canterbury Planning Scheme Ordinance*,
- (b) *Canterbury Local Environmental Plan No 138—Canterbury Precinct*,
- (c) *Canterbury Local Environmental Plan No 148—Campsie Precinct*,
- (d) *Canterbury Local Environmental Plan No 178—Belmore–Lakemba Precinct*.

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## Schedule 1 Amendment of Canterbury Planning Scheme Ordinance

(Clause 4 (a))

### [1] Clause 4 Interpretation

Omit the definitions of *Residential flat building*, *Residential flat building Class A* and *Residential flat building Class B* from clause 4 (1).

### [2] Clause 4 (1)

Insert in alphabetical order:

*Dual occupancy* means 2 dwellings (whether or not attached) on one allotment of land.

*Dwelling* means a room or number of rooms occupied or used, or so constructed or adapted as to be capable of being occupied or used, as a separate residence.

*Multiple unit housing* means a group of 3 or more dwellings (whether or not attached), but does not include multiple dwellings comprising town houses or villa homes.

*Town house* means a dwelling that is one of a group of 3 or more dwellings (whether or not attached), where each dwelling is 2 storeys in height and has its own private entrance and landscaped area with direct access from the dwelling.

*Villa home* means a dwelling that is one of a group of 3 or more dwellings (whether or not attached), where each dwelling is one storey in height and has its own private entrance and landscaped area with direct access from the dwelling.

### [3] Clause 22 Erection or use of buildings or works

Insert “multiple unit housing;” after “motor showrooms;” wherever occurring in the matter relating to Zones Nos 2 (a) and 2 (b) in Column V of the Table to the clause.

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Schedule 1

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**[4] Clause 22, Table**

Omit “residential flat buildings other than residential flat buildings Class A and units for aged persons being units of not more than 2 storeys;” from the matter relating to Zone No 2 (a) in Column V.

**[5] Clause 22, Table**

Omit “residential flat buildings other than residential flat buildings Class A and Class B and units being units of not more than 2 storeys for aged persons;” from the matter relating to Zone No 2 (b) in Column V.

**[6] Clause 22, Table**

Omit “residential flat buildings;” and “units for aged persons, being units of not more than 2 storeys;” wherever occurring in the matter relating to Zones Nos 2 (c1), 2 (c2), 2 (c3) and 2 (c4) in Column IV.

**[7] Clause 22, Table**

Insert the following in alphabetical order in the matter relating to each of Zones Nos 2 (c1), 2 (c2), 2 (c3) and 2 (c4) in Column IV:

- ; dual occupancies
- ; multiple unit housing
- ; town houses
- ; villa homes

**[8] Clause 22, Table**

Omit “dwelling-houses other than those used in conjunction with shops or commercial premises;” and “residential flat buildings other than those attached to shops or commercial premises;” wherever occurring in the matter relating to Zone No 3 (a1) in Column V.

**[9] Clause 22, Table**

Omit “dwelling-houses (other than those used in conjunction with shops or commercial premises);” and “residential flat buildings (other than those attached to shops or commercial premises);” wherever occurring in the matter relating to Zones Nos 3 (a2), 3 (a3), 3 (a4) and 3 (a5) in Column V.

**[10] Clause 22, Table**

Insert the following in alphabetical order in the matter relating to each of Zones Nos 3 (a1), 3 (a2), 3 (a3), 3 (a4) and 3 (a5) in Column V:

dual occupancies;  
dwellings and dwelling-houses (other than dwellings and dwelling-houses attached to buildings in which development for a purpose permitted in this zone may be carried out);  
multiple unit housing;  
town houses;  
villa homes;

**[11] Clause 22, Table**

Omit “dwelling-houses used in conjunction with commercial premises;” and “residential flat buildings attached to commercial premises;” wherever occurring in the matter relating to Zone No 3 (b) in Column IV.

**[12] Clause 22, Table**

Insert “dwellings, but only where attached to buildings in which development for a purpose permitted in this zone may be carried out;” in alphabetical order in the matter relating to Zone No 3 (b) in Column IV.

**[13] Clause 22, Table**

Omit “dwelling-houses attached to and used in conjunction with commercial premises;” and “residential flat buildings attached to commercial premises, shops or premises used for purposes referred to in Schedule 2;” wherever occurring in the matter relating to Zone No 3 (c) in Column IV.

**[14] Clause 22, Table**

Omit “dwelling-houses other than those used in conjunction with industry and situated on the land on which such industry is conducted;” and “residential flat buildings;” wherever occurring in the matter relating to Zone No 4 (a) in Column V.

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**[15] Clause 22, Table**

Insert the following in alphabetical order in the matter relating to Zone No 4 (a) in Column V:

- ; dwellings and dwelling-houses (other than dwellings and dwelling-houses used in conjunction with development for a purpose permitted in this zone)
- ; multiple unit housing
- ; town houses
- ; villa homes

**[16] Clause 22, Table**

Omit “dwelling-houses and residential flat buildings other than those used in conjunction with industry and situated on land on which such industry is conducted;” from the matter relating to Zone No 4 (b) in Column V.

**[17] Clause 22, Table**

Insert the following in alphabetical order in the matter relating to Zone No 4 (b) in Column V:

- ; dwellings and dwelling-houses (other than dwellings and dwelling-houses used in conjunction with development for a purpose permitted in this zone)
- ; multiple unit housing
- ; town houses
- ; villa homes

**[18] Clause 32 Consideration of certain applications**

Omit “residential flat building” from clause 32 (d).

Insert instead “dual occupancy, multiple unit housing building, town house or villa home”.

**[19] Clause 32 (d)**

Omit “residential flat buildings”.

Insert instead “dual occupancies, multiple unit housing buildings, town houses and villa homes”.

**[20] Clause 33 Development in residential zones**

Omit “dwelling-house or dwelling in a residential flat building” from clause 33 (3) (b).

Insert instead “dwelling”.

**[21] Clause 44 Floor space ratios**

Omit “dwelling-house or residential flat building” from clause 44 (4).

Insert instead “dwelling”.

**[22] Clause 62F Additional development**

Omit “, residential flat buildings used in conjunction with commercial premises” wherever occurring in the matter relating to the following land in Column II of the Table to the clause:

Land known as Nos 436–473 and 449–479 Burwood Road, Belmore, as shown edged heavy black and uncoloured on the map marked “Canterbury Local Environmental Plan No 100”.

**[23] Clause 62F, Table**

Omit “; residential flat buildings used in conjunction with commercial premises” wherever occurring from the matter relating to the following land in Column II:

Land known as 194–214 Lakemba Street, and 1–3 Croydon Street, Lakemba, as shown edged heavy black on the map marked “Canterbury Local Environmental Plan No 105”.

**[24] Clause 62F, Table**

Omit “residential flat buildings;” from the matter relating to the following land in Column II:

Land known as 532–536 Canterbury Road and 2 Elizabeth Street, Campsie and being Lot 1, DP 165505 and Lot 1, DP 166055 and Lot 53, DP 1487, as shown edged heavy black on the map marked “Canterbury Local Environmental Plan No 169”.

Insert instead “multiple unit housing;”.

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**[25] Clause 62J Town houses and villa homes on certain land within Zone No 2 (a)**

Omit “residential flat buildings Class “B”” from clause 62J (2).

Insert instead “town houses or villa homes, or both,”.

**[26] Clause 62L, heading**

Omit the heading to the clause. Insert instead:

**Subdivision of dual occupancy land within Zones Nos 2 (a), 2 (b), 2 (c1), 2 (c2), 2 (c3) and 2 (c4)**



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## Schedule 2 Amendment of Canterbury Local Environmental Plan No 138—Canterbury Precinct

(Clause 4 (b))

**[1] Clause 5 Terms used in the plan**

Omit the definitions of *dual occupancy development*, *multiple unit development*, *town house* and *villa home*.

**[2] Clause 5**

Insert in alphabetical order:

*dual occupancy* means 2 dwellings (whether or not attached) on one allotment of land.

*multiple unit housing* means a group of 3 or more dwellings (whether or not attached), but does not include multiple dwellings comprising town houses or villa homes.

*town house* means a dwelling that is one of a group of 3 or more dwellings (whether or not attached), where each dwelling is 2 storeys in height and has its own private entrance and landscaped area with direct access from the dwelling.

*villa home* means a dwelling that is one of a group of 3 or more dwellings (whether or not attached), where each dwelling is one storey in height and has its own private entrance and landscaped area with direct access from the dwelling.

**[3] Clause 5, definitions of “home business” and “resident commercial vehicle parking”**

Omit “dual occupancy development” wherever occurring from the definition of *home business* and paragraph (f) of the definition of *resident commercial vehicle parking*.

Insert instead “dual occupancy”.

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Schedule 2

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**[4] Clause 5, definition of “resident commercial vehicle parking”**

Omit “residential flat building” from paragraph (f) of the definition.  
Insert instead “multiple unit housing building”.

**[5] Clause 10 Development Table**

Omit “Multiple Unit Development” wherever occurring in the Table to the clause.  
Insert instead “Multiple Unit Housing”.

**[6] Clause 11 Zone objectives**

Omit “multiple unit development” from clause 11 (2).  
Insert instead “multiple unit housing”.

**[7] Clause 31 Subdivision of dual occupancies**

Omit “dual occupancy development”.  
Insert instead “land on which a dual occupancy is situated”.

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### **Schedule 3 Amendment of Canterbury Local Environmental Plan No 148—Campsie Precinct**

(Clause 4 (c))

**[1] Clause 5 Terms used in the plan**

Omit the definitions of *dual occupancy development*, *multiple unit development*, *town house* and *villa home*.

**[2] Clause 5**

Insert in alphabetical order:

*dual occupancy* means 2 dwellings (whether or not attached) on one allotment of land.

*multiple unit housing* means a group of 3 or more dwellings (whether or not attached), but does not include multiple dwellings comprising town houses or villa homes.

*town house* means a dwelling that is one of a group of 3 or more dwellings (whether or not attached), where each dwelling is 2 storeys in height and has its own private entrance and landscaped area with direct access from the dwelling.

*villa home* means a dwelling that is one of a group of 3 or more dwellings (whether or not attached), where each dwelling is one storey in height and has its own private entrance and landscaped area with direct access from the dwelling.

**[3] Clause 5, definition of “home business” and “resident commercial vehicle parking”**

Omit “dual occupancy development” wherever occurring from the definition of *home business* and paragraph (f) of the definition of *resident commercial vehicle parking*.

Insert instead “dual occupancy”.

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Schedule 3

Amendment of Canterbury Local Environmental Plan No 148—Campsie Precinct

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**[4] Clause 5, definition of “resident commercial vehicle parking”**

Omit “residential flat building” from paragraph (f) of the definition.  
Insert instead “multiple unit housing building”.

**[5] Clause 10 Development Table**

Omit “Multiple Unit Development” wherever occurring in the Table to the clause.  
Insert instead “Multiple Unit Housing”.

**[6] Clause 11 Zone objectives**

Omit “multiple unit development” from clause 11 (2).  
Insert instead “multiple unit housing”.

**[7] Clause 30 Subdivision of dual occupancies**

Omit “dual occupancy development”.  
Insert instead “land on which a dual occupancy is situated”.

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**Schedule 4 Amendment of Canterbury Local  
Environmental Plan No 178—  
Belmore–Lakemba Precinct**

(Clause 4 (d))

**[1] Clause 5 Terms used in the plan**

Omit the definitions of *multiple unit housing*, *town house* and *villa home*.

**[2] Clause 5**

Insert in alphabetical order:

*multiple unit housing* means a group of 3 or more dwellings (whether or not attached), but does not include multiple dwellings comprising town houses or villa homes.

*town house* means a dwelling that is one of a group of 3 or more dwellings (whether or not attached), where each dwelling is 2 storeys in height and has its own private entrance and landscaped area with direct access from the dwelling.

*villa home* means a dwelling that is one of a group of 3 or more dwellings (whether or not attached), where each dwelling is one storey in height and has its own private entrance and landscaped area with direct access from the dwelling.

**[3] Clause 5, definition of “resident commercial vehicle parking”**

Omit “residential flat building” from paragraph (f) of the definition.  
Insert instead “multiple unit housing building”.