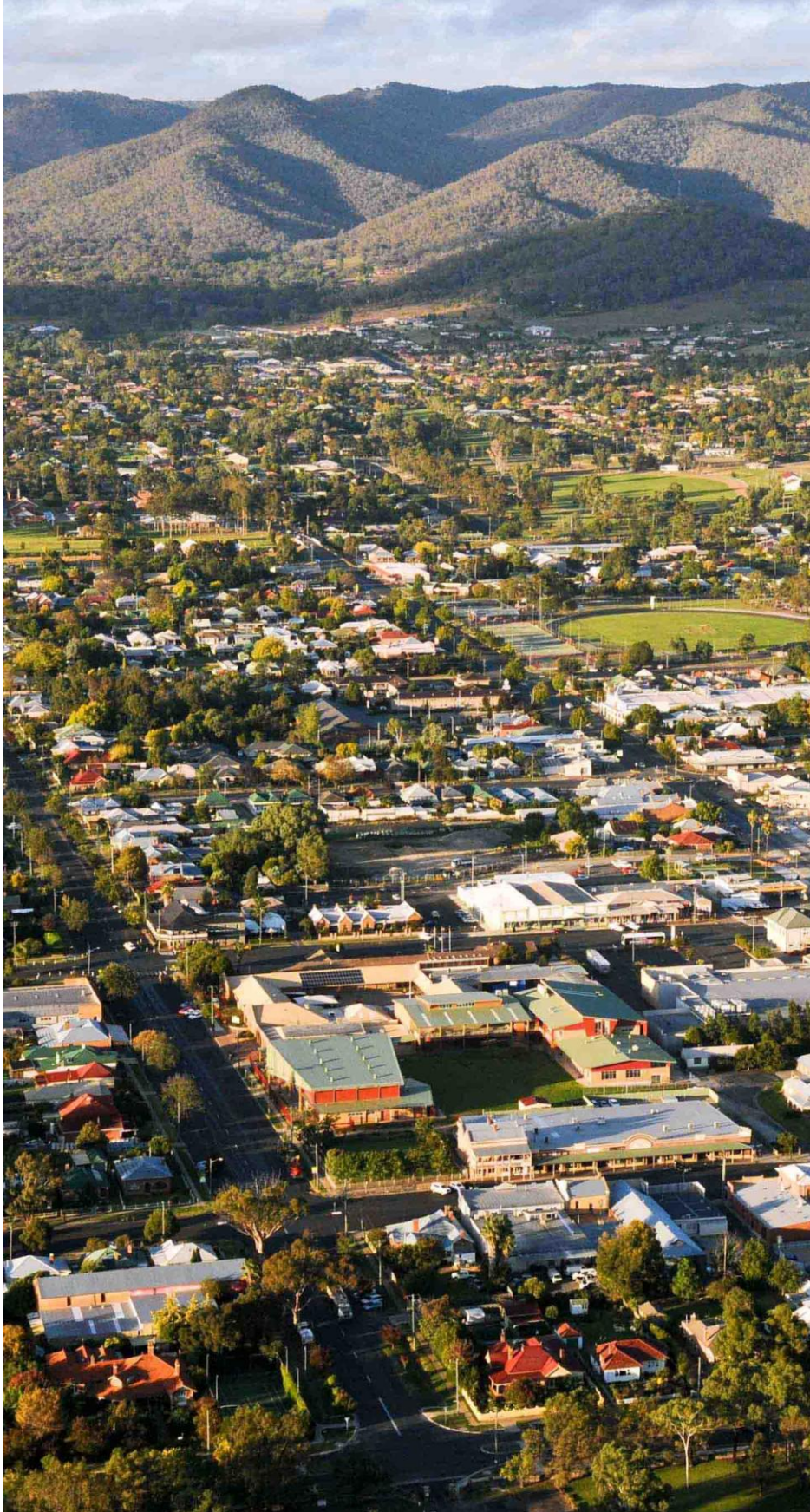




*Looking After
our Community*

PLANNING PROPOSAL

Minimum Lot Size Yamble
Close Mudgee

Transport Depot Snelsons
Lane Gulgong

MLS Multi-Unit Housing

23 JUNE 2014

MID-WESTERN REGIONAL COUNCIL
STRATEGIC PLANNING

■ ■ ■ ■ ■ TOWARDS 2030



THIS DOCUMENT HAS BEEN PREPARED BY , FOR MID-WESTERN REGIONAL COUNCIL.

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Overview

Following receipt of Planning Proposal documents from two individuals on 21 May 2014 Council resolved to prepare an amendment to the Local Environmental Plan 2012 (LEP2012) to

- (a) amend the minimum lot size in Yamble Close to 2000m²,
- (b) facilitate the development of a Transport depot in Snelson's Lane Gulgong and
- (c) reduce the minimum lot size for multi dwelling housing from 400m² to 300m²; and

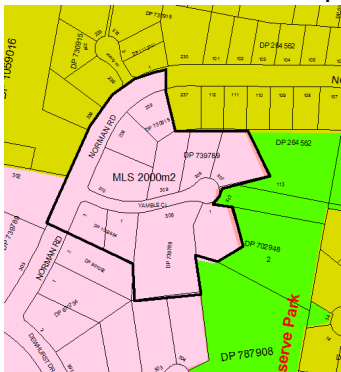
The first two amendments are encapsulated in individual Planning Proposals attached. The third is an amendment proposed by Council to better provide for the development of multi-unit housing within the urban areas.

This Planning Proposal document encapsulates the three amendments. Reference is made throughout to the individual PPs for detail. The three amendments are considered to be minor in nature and Council is further seeking delegation to deal with this proposal.

Part 1 – Objectives or Intended Outcomes

The Planning Proposal combines three proposals into one. The Objectives of the amendments are outlined in the table below.

OBJECTIVES OF INDIVIDUAL AMENDMENTS

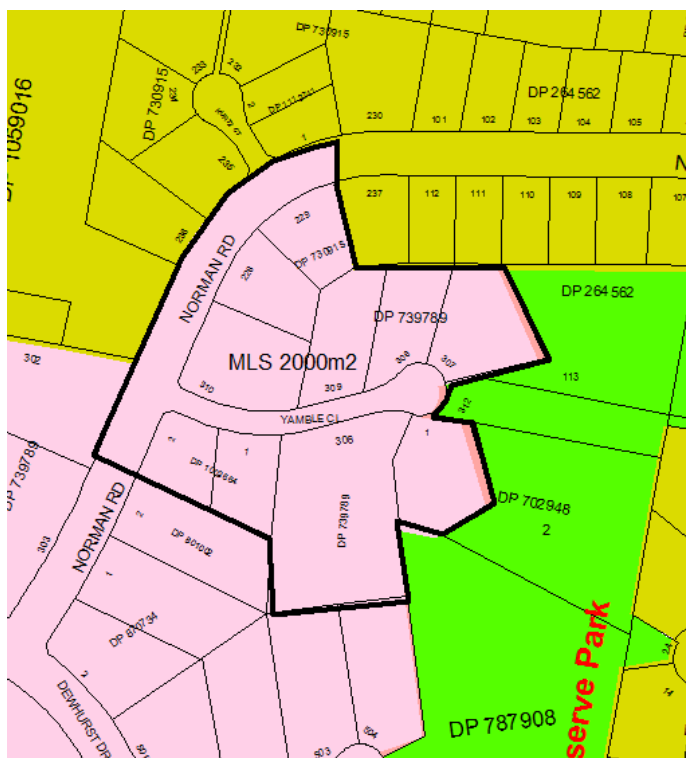
Amendment	Land to which it applies	Objective/Outcome
(a) Amend MLS Yamble Close Mudgee to 2000m² <i>Lot Size Map - Sheet LSZ_006D</i>	Various Refer Map 	Enable the subdivision of land in the vicinity of Yamble Close Mudgee to achieve a MLS of not less than 2000m²
(b) 10 Snelsons Lane Gulgong – additional permissible use – transport depot	Lot 113 SP 755433	Permit the development of a Transport Depot to enable school buses to be parked on site
(c) MLS multi dwelling housing	Land zoned R1 General Residential, R3 Medium Density Residential and land in Kandos and Rylstone zoned RU5 Village	The MLS for the subdivision of land on which multi dwelling housing is erected is 400m² and it is proposed to reduce this to 300m² consistent with attached dual occupancy (amendment to clause 4.1B)

Part 2 – Explanation of Provisions

It is intended that the objectives and intended outcomes as described in Part 1 will be achieved through the application of the following mechanisms:

(a) Minimum Lot Size Yamble Close

It is proposed that the Minimum Lot Size (MLS) Map Sheet 0006D be amended to reflect a MLS of 2000m² for the area identified on the map below.



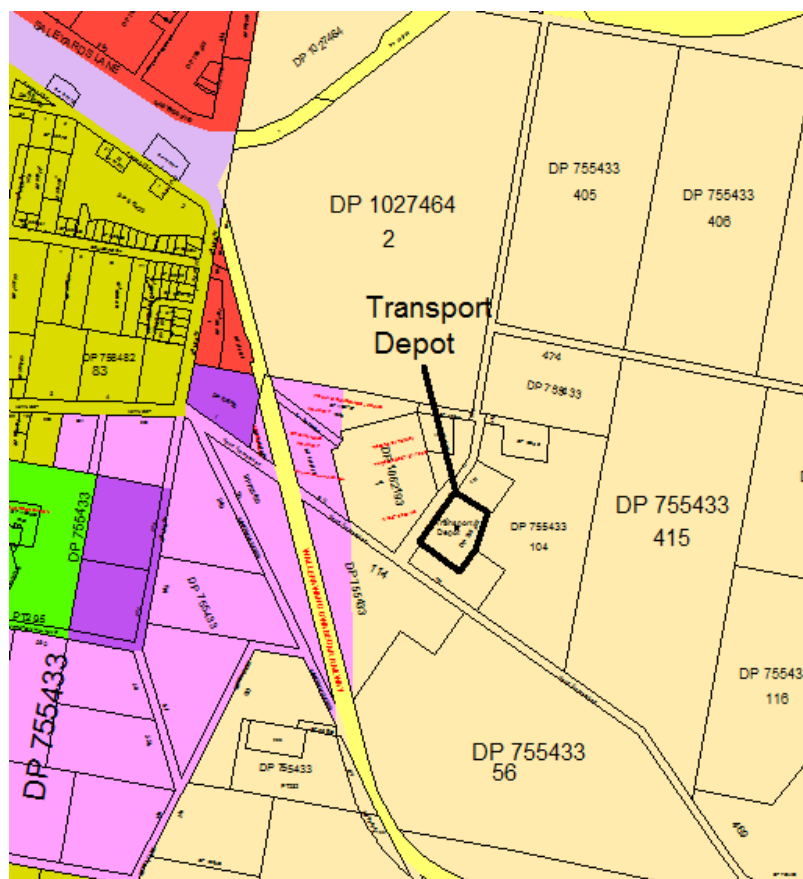
Background

South Mudgee DCP sat under Mid-Western Regional Interim LEP 2008 but was originally drafted in 1985 to prevent the subdivision of land on steeply sloping land in the vicinity of Dewhurst Drive from creating lots below 2000m². The intention of the LEP 2012 in applying a minimum lot size (MLS) for 10ha in this area was to ensure that no further subdivision occurred generally consistent with the DCP. However, in drafting the LEP, the mapping inadvertently included land in Yamble Close that was outside the DCP and not necessarily intended to be caught up in the provisions.

All of the lots in Yamble Close have achieved a lot size of between 1400-2000m² other than the subject Lot 306 DP 739789 shown hatched in the Figure below. A Planning Proposal has been prepared on behalf of the owner of Lot 306 requesting that Council consider reducing the MLS consistent with the surrounding area to 2000m² (attachment 1). In order to maintain consistency in the Lot Size Map, it is proposed to show a MLS of 2000m² across the area identified above. Alternatively, the MLS could apply exclusively to Lot 306 DP 739789.

(b) Transport Depot Lot 113 DP 755433 10 Snelsons Lane
Gulgong

The intention in respect to Snelsons Lane is to include into Schedule 1 Additional permitted uses, development for the purpose of a transport depot with development consent.



Background

This issue has come about as one of the local bus operators in Gulgong currently houses two buses on his property in Snelson's Lane as exempt development (under the previous planning instrument), however, is now seeking approval for the housing of another two buses at the site. The land is zoned Primary Production RU1 with an area of 3.7ha. The use is defined in the LEP 2012 as a "transport depot" as follows:

transport depot means a building or place used for the parking or servicing of motor powered or motor drawn vehicles used in connection with a business, industry, shop or passenger or freight transport undertaking.

The definition replaces the definition of "bus depot" in the previous Interim LEP 2008.

A transport depot is prohibited in the RU1 zone.

There are three definitions in the Standard Instrument Dictionary relevant to "depots". Transport depot as above, "depot" and "truck depot".

depot means a building or place used for the storage (but not sale or hire) of plant, machinery or other goods (that support the operations of an existing undertaking) when not required for use, but does not include a farm building.

truck depot means a building or place used for the servicing and parking of trucks, earthmoving machinery and the like.

Depots of any kind can cause land use conflict in particular circumstances. The smaller scale operations have, in the past, been recognised as exempt development, however, as an operation increases in scale the merit assessment of the application is very site specific. Transport and truck depots are not uses that are seen as generally compatible with the objectives to the Primary Production, Primary Production Small Lots and Large Lot Residential zones and the intent is not to amend the land use tables (LUT) for any or all of these zones to accommodate all of these uses.

A preliminary assessment has been undertaken of the proposal at Snelson's Lane and the circumstances of that particular case. The site is already being used to accommodate school buses. The land is on the fringe of Gulgong and while it is zoned RU1 Primary Production, the use of the land is primarily residential with the bus business.

The preferred option is to amend Schedule 1 of the LEP 2012 to enable this particular use to occur on this specific parcel of land.

The purpose of Schedule 1 is provide an opportunity to permit a particular class of development on a specific parcel or parcels of land not ordinarily or otherwise permissible in the particular zone. Council have recently used these provisions in the case of the Motel in Sydney Road and to achieve a dwelling at Botobolar. In this case the use is existing as exempt (under the previous planning instrument) and intensification of that use could reasonably be considered through the development application process.

The alternative mechanisms available are rezoning the site or all land in Snelson's Lane or an amendment to the Land Use Table. Neither of these are considered acceptable in the circumstances.

Difficulties arise in the rezoning of the site to an Industrial zone in terms of the consistency with the Comprehensive Land Use Strategy, expectation of adjoining land owners and implications for development of infrastructure and servicing of an industrial zone. While it is acknowledged that the vicinity of Snelson's Lane is already representative of a non-agricultural zone, the uncertainty associated with actually changing the zone to industrial for the purpose of facilitating the development of a site to accommodate additional buses is unacceptable.

The other option would be to amend the LUT for the Primary Production RU1 zone to include "Transport depot" as a permissible use. This would open the use up to all parcels in the RU1 zone and as suggested above and is not considered generally consistent with the objectives of the zone and would mean that Council could potentially have transport or bus depots anywhere in the rural area which is not a desirable outcome.

(c) Amendment to Clause 4.1B Exemption to minimum lot size for multi dwelling housing

The LEP provides for the development of *multi dwelling housing*, defined as three or more dwellings whether attached or detached on a single lot of land, and *residential flat buildings* which is a single building containing three or more dwellings (Note: this is not a form of development typical in the LGA)

The specific provisions in the LEP are as follows:

4.1A Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings

(1) The objective of this clause is to achieve planned residential density in certain zones.

(2) This clause applies to the following land:

- (a) land within Zone R1 General Residential,*
- (b) land within Zone R3 Medium Density Residential,*
- (c) land in Rylstone or Kandos that is within Zone RU5 Village.*

(3) Despite any other provision of this plan, development consent may be granted to development on land to which this clause applies:

- (a) for the purposes of a dual occupancy (attached), if the area of the lot is equal to or greater than 600 square metres, or*
- (b) for the purpose of a dual occupancy (detached), if the area of the lot is equal to or greater than 800 square metres, or*
- (c) for the purposes of multi dwelling housing, if the area of the lot is equal to or greater than 1,200 square metres, or*
- (d) for the purposes of a residential flat building, if the area of the lot is equal to or greater than 1,200 square metres.*

In addition there are provisions that facilitate subdivision of land below the MLS in certain circumstances.

4.1B Exceptions to minimum lot sizes for certain residential development

(1) This clause applies to the following land:

- (a) land within Zone R1 General Residential,*
- (b) land within Zone R3 Medium Density Residential,*
- (c) land in Rylstone or Kandos that is within Zone RU5 Village.*

(2) Despite any other provision of this Plan, development consent may be granted to the subdivision of land to which this clause applies if:

- (a) multi dwelling housing or a dual occupancy is lawfully erected on the land, and*
- (b) the area of each resulting lot will not be less than:*
 - (i) 300 square metres for a dual occupancy (attached), or*
 - (ii) 400 square metres for a dual occupancy (detached) or multi dwelling housing, and*
- (c) only one dwelling will be located on each lot resulting from the subdivision.*

(3) Development consent may be granted to a single development application for development to which this clause applies that is both of the following:

- (a) the subdivision of land into 2 or more lots,*
- (b) the erection of a dual occupancy (attached), dual occupancy (detached) or multi dwelling housing on each lot resulting from the subdivision, if the size of each lot is equal to or greater than:*
 - (i) 300 square metres for a dual occupancy (attached), or*

(ii) 400 square metres for a dual occupancy (detached) or multi dwelling housing.

Of particular interest are dual occupancies and multi dwelling housing where the application is for three or four free standing dwellings. In such cases the circumstance may arise whereby the development proponent could undertake the development as attached dual occupancy with a minimum subdivision lot size of 300m² rather than multi dwelling housing which has a 400m² MLS.

This was the case in a recent development in Gulgong. Clause 4.1A(2)(b)(ii) of the LEP allows for subdivision of multi dwelling housing. The clause stipulates a minimum area of 400m² per lot/unit. The four units in the Gulgong case failed to meet this requirement. The same outcome could have been achieved by subdividing the parent 1300m² lot into two 650m² lots, then making an application for an attached dual occupancy on each of the 650m² lots and then subdividing those lots to create lots of 325m² each with a unit attached.

Multi dwelling housing is, in terms of gross floor area generally of a scale consistent with if not less than attached dual occupancy, therefore, to have the MLS align with attached rather than detached dual occupancy would make practical sense as well as reducing the labyrinth of processes that a proponent could go through (as described in the example above) to achieve the same built outcome.

In order to avoid this scenario again and to provide a more efficient and streamlined development process, clause 4.1B(2) and (3) could be amended from 400m² to 300m² for multi dwelling housing.

Part 3 – Justification

The justification for the planning proposal as it relates to Yamble Close and Snelsons Lane is further set out in Attachments 1 and 2.

Section A - Need for the planning proposal

Q1 Is the planning proposal the result of any strategic study or report?

The planning proposal has come about in response to Planning Proposals lodged with Council and the need to review the MLS for multi dwelling housing to better streamline the development approval process. The amendments reflect the need for local provisions to deal with specific issues and circumstances within the region.

Mid-Western Regional Draft Comprehensive Land Use Strategy

The Mid-Western Regional Council has prepared the *Mid-Western Regional Comprehensive Land Use Strategy*. The Strategy provides clear direction for future growth and land-use change in the area for the next 15 to 20 years. The proposed amendments are generally consistent with the strategic direction established in the Strategy.

State and Regional Policies

Whilst there is no specific State or Regional Environmental Plan that addresses future development in Mudgee or that has relevance to the LGA, there are a number of significant challenges common to strategic planning in inland and regional areas of NSW. These are to:

- Support sustainable agriculture
- Conserve valuable environmental assets
- Minimise land use conflict.

At a general policy level, the proposed amendment will facilitate the more efficient use of land and provide clarity in an otherwise complex planning document.

Q2 Is the planning proposal the best means of achieving the objectives or outcomes or is there a better way?

The Planning Proposal is the best means of achieving the outcomes explicit to the Planning Proposal.

Section B – Relationship to strategic planning framework

Q3: Is the planning proposal consistent with the application regional or sub-regional strategy?

There are no regional strategies in place.

Q4: Is the proposal consistent with Council's Community Strategic Plan or other local strategic plan?

Yes. Refer to Q1

Q5: Is the planning proposal consistent with applicable state environmental planning policies?

Yes. An analysis of the applicable State Environmental Planning Policies (SEPP's) is included in the following table. The proposal is either consistent with or not offensive to any applicable SEPP's.

SEPP	Consistency / Response
1 – DEVELOPMENT STANDARDS	Not relevant
4 – DEVELOPMENT WITHOUT CONSENT	Not relevant
6 – NUMBER OF STOREYS	Not relevant
10 – RETENTION OF LOW COST RENTAL ACCOMMODATION	Not relevant
14 – COASTAL WETLANDS	Not relevant
19 – BUSHLAND IN URBAN AREAS	Not relevant
21 – CARAVAN PARKS	Not relevant
22 – SHOPS AND COMMERCIAL PURPOSES	Not relevant
26 – LITTORAL RAINFORESTS	Not relevant
29 – WESTERN SYDNEY RECREATION AREA	Not relevant
30 – INTENSIVE AGRICULTURE	Not relevant
32 – URBAN CONSOLIDATION (Redevelopment of Urban Land)	Not relevant
33 – HAZARDOUS AND OFFENSIVE DEVELOPMENT	Not relevant
36 – MANUFACTURED HOME ESTATES	Not relevant
39 – SPIT ISLAND BIRD HABITAT	Not relevant
41 – CASINO ENTERTAINMENT COMPLEX	Not relevant
44 – KOALA HABITAT PROTECTION	Not relevant
47 – MOORE PARK SHOWGROUND	Not relevant
50 – CANAL ESTATE DEVELOPMENT	Not relevant
52 – FARM DAMS AND OTHER WORKS IN LAND AND WATER MANAGEMENT PLAN AREAS	Not relevant
53 - METROPOLITAN RESIDENTIAL	Not relevant

SEPP	Consistency / Response
DEVELOPMENT	
55 – REMEDIATION OF LAND	Not relevant
59 – CENTRAL WESTERN SYDNEY ECONOMIC AND EMPLOYMENT AREA	Not relevant
60 – EXEMPT AND COMPLYING DEVELOPMENT	Not relevant
62 – SUSTAINABLE AQUACULTURE	Not relevant
64 – ADVERTISING AND SIGNAGE	Not relevant
65 – DESIGN QUALITY OF RESIDENTIAL FLAT DEVELOPMENT	Not relevant
70 – AFFORDABLE HOUSING	Not relevant
71 - COASTAL PROTECTION	Not relevant
BASIX 2004	Not relevant
EXEMPT AND COMPLYING DEVELOPMENT CODES 2008	Not relevant
HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY 2009	Not relevant
INFRASTRUCTURE 2007	Not relevant
KOSCIUSZKO NATIONAL PARK - ALPINE RESORTS 2007	Not relevant
MAJOR DEVELOPMENT 2005	Not relevant
SYDNEY REGION GROWTH CENTRES 2006	Not relevant
MINING, PETROLEUM PRODUCTION AND EXTRACTIVE INDUSTRIES 2007	Not relevant
TEMPORARY STRUCTURES AND PLACES OF PUBLIC ENTERTAINMENT 2007	Not relevant
RURAL LANDS 2008	The aim of this SEPP is to facilitate the orderly and economic use and development of rural lands for rural and related purposes. One of the amendments proposed relates to the use of land within the RU1 General Rural zone. Council is of the view that the provisions within the Planning Proposal are consistent with the intent of the Rural Lands SEPP as the PP simply allows the intensification of an existing use on a very small lot.

SEPP	Consistency / Response
EXEMPT AND COMPLYING DEVELOPMENT CODES 2008	Not relevant
WESTERN SYDNEY EMPLOYMENT AREA 2009	Not relevant
WESTERN SYDNEY PARKLANDS 2009	Not relevant
AFFORDABLE RENTAL HOUSING	Not relevant

There are no relevant Deemed SEPPs.

Q6: Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The relevant section 117 Directions are addressed in Appendix 2. The proposal is consistent with those 117 Directions that are relevant to the site.

Section C – Environmental, social and economic impact

Q8: Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No applicable

Q9: Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

As set out in *A Guide to Preparing Planning Proposals*, the purpose of this question is to ascertain the likely environmental effects that may be relevant. It states that technical investigations to address an identified environmental issue should be undertaken following the initial Gateway determination.

The nature of the planning proposal is such that no additional technical information is required.

Q10: How has the planning proposal adequately addressed any social and economic effects?

The proposal will facilitate the development of Yamble Close to provide a single residential lot and Snelsons Lane for the expansion of an existing bus depot from 2 to 4 buses. Impacts will be negligible.

The reduction in the MLS for multi dwelling housing will streamline the current development process by reducing the number of applications required to achieve the same outcome using the dual occupancy provisions. This will have real economic benefit in terms of timing and delivery of dwelling stock onto the market.

Section D – State and Commonwealth interests

Q11: Is there adequate public infrastructure for the planning proposal?

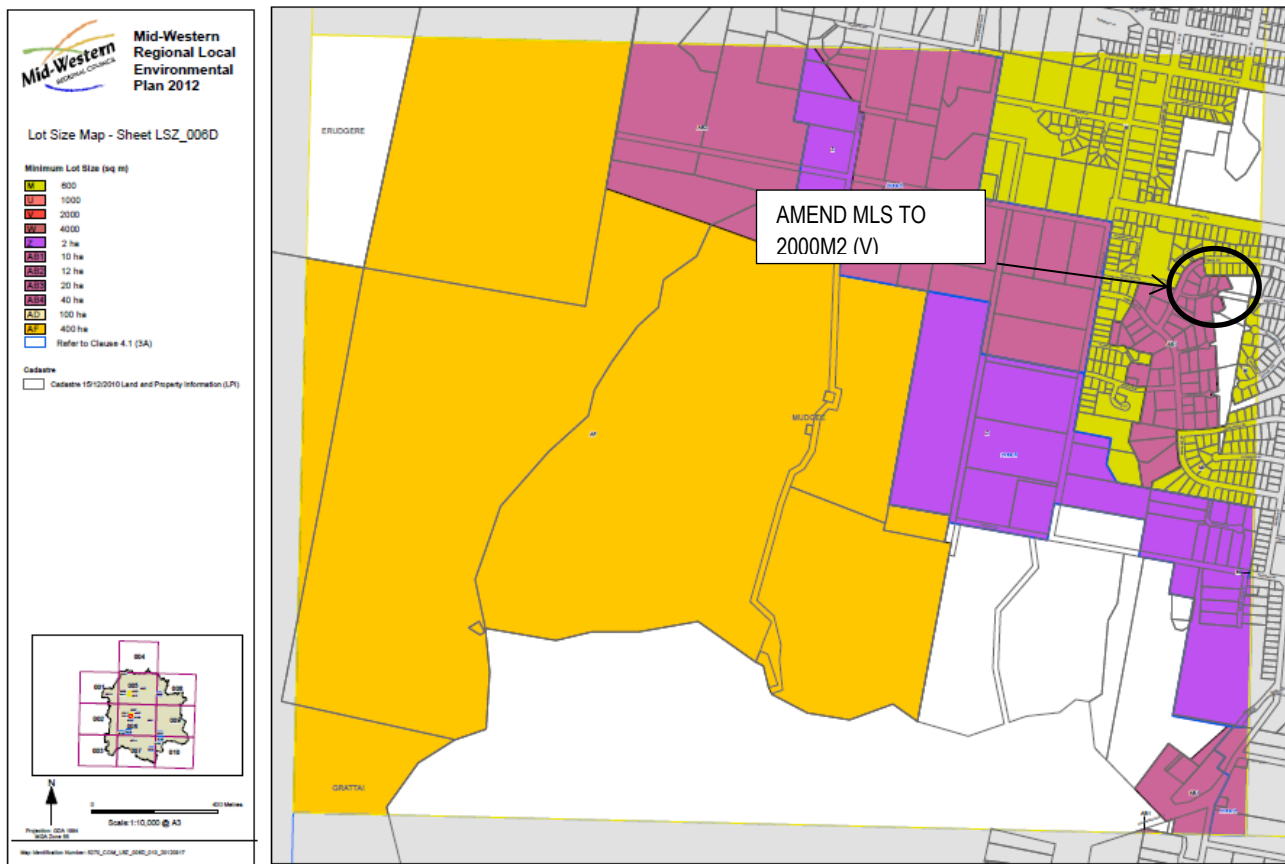
Infrastructure is available to support the development generated by the planning proposal.

Q12: What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Not applicable

Part 4 – Mapping

The planning proposal will require an amendment to Map Sheet LSZ 0006D (refer Figure 1 below). Council utilizes the assistance of the Department of Planning and Environment in drafting all map amendments and this will again be the case in this instance. Mapping amendments will be requested following the public exhibition to avoid duplication and re-drafting. This has been the practice with previous amendments. The map on page 6 of this proposal will be used for exhibition purposes.



Part 5 – Community Consultation

The proposal is of minor significance and it is to a low impact proposal which as outlined in the “Guide to preparing local environmental plans” is:

- Consistent with the pattern of surrounding land use zones and/or land uses
- Consistent with the strategic planning framework
- Presents no issue with regard to infrastructure servicing
- Not a principle LEP
- Does not reclassify public land

As such the following consultation is proposed:

- An exhibition period of 214 days commencing on the date that a notice of exhibition is printed in the local news press
- Advertising in the local newspaper at the start of the exhibition period
- Advertising on Council’s website for the duration of the exhibition period

Consultation with agencies external to Council is not considered necessary.

Part 6 – Project timeline

The planning proposal is a minor amendment to the LEP 2102 and should be able to be achieved within 3 months of the date of the Gateway Determination.

TIMELINE

Milestone	Date
<i>Gateway determination</i>	<i>July 2014</i>
Completion of technical information	N/A
Agency Consultation	N/A
Public Exhibition	11 -25 July 2014
Consideration of Submissions	Council Meeting August 2014
Mapping, legal drafting & Opinion	July/August 1014
RPA makes plan	September 2014

Appendix 1 – Section 117 Directions

The Section 117 Directions have been identified in the table below. The planning proposal is generally not inconsistent with the directions, however, 1.5 Rural Lands has been addressed specifically following the table.

SECTION 117 DIRECTION	APPLICABLE	CONSISTENT	COMMENT
1. Employment and Resources			
1.1 Business & Industrial zones	No		
1.2 Rural zones	Yes		
1.3 Mining, Petroleum Production and Extractive Industries	Yes	N/A	
1.4 Oyster Aquaculture	No		
1.5 Rural Lands	Yes	Yes	See comment below
2. Environment & Heritage			
2.1 Environment Protection Zones	No	N/A	
2.2 Coastal Protection	No	N/A	
2.3 Heritage Conservation	No	N/A	
2.4 Recreation Vehicle Areas	No	N/A	
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones	Yes		This direction seeks 'To encourage a variety and choice of housing types to provide for existing and future housing needs; to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services; and to minimise the impact of residential development on the environment and resource lands'. The planning proposal is consistent with this objective and will provide for a range of dwelling types including the streamlined delivery of multi dwelling housing
3.2 Caravan Parks and Manufactured Home Estates	No	N/A	
3.3 Home Occupations	No	N/A	

3.4 Integrating Land Use and Transport	No	N/A	
3.5 Development Near Licensed Aerodromes	No	N/A	
4. Hazard and Risk			
4.1 Acid Sulfate Soils			
4.2 Mine Subsidence and Unstable Land			
4.3 Flood Prone Land			
4.4 Planning for Bushfire Protection			
5. Regional Planning			
5.1 Implementation of Regional Strategies	No	N/A	
5.2 Sydney Drinking Water Catchments	No	N/A	
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	No	N/A	
5.8 Second Sydney Airport: Badgerys Creek	No	N/A	
6. Local Plan making			
6.1 Approval and Referral Requirements	Yes	Yes	consistent
6.2 Reserving Land for Public Purposes	No	N/A	
6.3 Site Specific Provisions	Yes		consistent
7. Metropolitan Planning			
7.1 Implementation of the Metropolitan Strategy	No	N/A	

117(s) Directions

1.5 Rural Lands

Objectives

The objectives of this direction are to:

- protect the agricultural production value of rural land,
- facilitate the orderly and economic development of rural lands for rural and related purposes.

Where this direction applies

This direction applies to all planning proposals to which *State Environmental Planning Policy (Rural Lands) 2008* applies, which includes all local government areas in the State other than the following local government areas:

Ashfield	Holroyd	Penrith
Auburn	Hornsby	Pittwater
Bankstown	Hunters Hill	Randwick
Baulkham Hills	Hurstville	Rockdale
Blacktown	Kogarah	Ryde
Blue Mountains	Ku-ring-gai	Strathfield
Botany Bay	Lake Macquarie	Sutherland
Burwood	Lane Cove	Warringah
Camden	Leichhardt	Waverley
Campbelltown	Liverpool	Willoughby
Canada Bay	Manly	Wollondilly
Canterbury	Marrickville	Woollahra
City of Sydney	Mosman	Wollongong
Fairfield	Newcastle	Wyong
Gosford	North Sydney	
Hawkesbury	Parramatta	

When this direction applies

This direction applies when:

- (a) a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural or environment protection zone (including the alteration of any existing rural or environment protection zone boundary) or
- (b) a relevant planning authority prepares a planning proposal that changes the existing minimum lot size on land within a rural or environment protection zone.

What a relevant planning authority must do if this direction applies

- (4) A planning proposal to which clauses 3(a) or 3(b) apply must be consistent with the Rural Planning Principles listed in *State Environmental Planning Policy (Rural Lands) 2008*.
- (5) A planning proposal to which clause 3(b) applies must be consistent with the Rural Subdivision Principles listed in *State Environmental Planning Policy (Rural Lands) 2008*.

Note: *State Environmental Planning Policy (Rural Lands) 2008* does not require a relevant planning authority to review or change its minimum lot size(s) in an existing LEP. A relevant planning authority can transfer the existing minimum lot size(s) into a new LEP. However, where a relevant planning authority seeks to vary an existing minimum lot size in an LEP, it must do so in accordance with the Rural Subdivision Principles listed in *State Environmental Planning Policy (Rural Lands) 2008*.

Consistency

- (6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:

- (a) justified by a strategy which:
 - gives consideration to the objectives of this direction,
 - identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites, and
 - is approved by the Director-General of the Department of Planning and is in force, or

(b) is of minor significance.

Comment

Both clauses 4(a) and 4(b) apply in that the Planning Proposal affects rural land in Snelsons Lane in Gulgong, therefore triggering consistency with either/or the Rural Planning and Subdivision Principles of the SEPP (Rural Lands) 2008, extracted below. However, the proposal is considered to be of minor significance and the Rural Planning Principles have not been considered.

In order to address this direction the table of amendments covered by this planning proposal has been altered and a comment as to the justification for the inconsistency has been inserted.

Appendix 2 – Evaluation Criteria for issuing of Authorisation



Attachments

Evaluation criteria for the issuing of an Authorisation				
(NOTE – where the matter is identified as relevant and the requirement has not been met, council is attach information to explain why the matter has not been addressed)	Council response		Department assessment	
	Y/N	Not relevant	Agree	Not agree
Is the planning proposal consistent with the Standard Instrument Order, 2006?	Y			
Does the planning proposal contain an adequate explanation of the intent, objectives, and intended outcome of the proposed amendment?	Y			
Are appropriate maps included to identify the location of the site and the intent of the amendment?	Y			
Does the planning proposal contain details related to proposed consultation?	Y			
Is the planning proposal compatible with an endorsed regional or sub-regional planning strategy or a local strategy endorsed by the Director-General?		✓		
Does the planning proposal adequately address any consistency with all relevant S117 Planning Directions?	Y			
Is the planning proposal consistent with all relevant State Environmental Planning Policies (SEPPs)?	Y			
Minor Mapping Error Amendments	Y/N			
Does the planning proposal seek to address a minor mapping error and contain all appropriate maps that clearly identify the error and the manner in which the error will be addressed?		✓		
Heritage LEPs	Y/N			
Does the planning proposal seek to add or remove a local heritage item and is it supported by a strategy/study endorsed by the Heritage Office?		✓		
Does the planning proposal include another form of endorsement or support from the Heritage Office if there is no supporting strategy/study?		✓		
Does the planning proposal potentially impact on an item of State Heritage Significance and if so, have the views of the Heritage Office been obtained?		✓		
Reclassifications	Y/N			
Is there an associated spot rezoning with the reclassification?		✓		
If yes to the above, is the rezoning consistent with an endorsed Plan of Management (POM) or strategy?		✓		
Is the planning proposal proposed to rectify an anomaly in a classification?		✓		
Will the planning proposal be consistent with an adopted POM or other strategy related to the site?		✓		
Will the draft LEP discharge any interests in public land under section 30 of the <i>Local Government Act, 1993</i> ?		✓		

If so, has council identified all interests; whether any rights or interests will be extinguished; any trusts and covenants relevant to the site; and, included a copy of the title with the planning proposal?		✓		
Has the council identified that it will exhibit the planning proposal in accordance with the department's Practice Note (PN 09-003) <i>Classification and reclassification of public land through a local environmental plan and Best Practice Guideline for LEPs and Council Land</i> ?		✓		
Has council acknowledged in its planning proposal that a Public Hearing will be required and agreed to hold one as part of its documentation?		✓		
Spot Rezoning	Y/N			
Will the proposal result in a loss of development potential for the site (ie reduced FSR or building height) that is not supported by an endorsed strategy?	N			
Is the rezoning intended to address an anomaly that has been identified following the conversion of a principal LEP into a Standard Instrument LEP format?	N			
Will the planning proposal deal with a previously deferred matter in an existing LEP and if so, does it provide enough information to explain how the issue that lead to the deferral has been addressed?	N			
If yes, does the planning proposal contain sufficient documented justification to enable the matter to proceed?		✓		
Does the planning proposal create an exception to a mapped development standard?	N			
Section 73A matters				
Does the proposed instrument				
a. correct an obvious error in the principal instrument consisting of a misdescription, the inconsistent numbering of provisions, a wrong cross-reference, a spelling error, a grammatical mistake, the insertion of obviously missing words, the removal of obviously unnecessary words or a formatting error?;		✓		
b. address matters in the principal instrument that are of a consequential, transitional, machinery or other minor nature?; or				
c. deal with matters that do not warrant compliance with the conditions precedent for the making of the instrument because they will not have any significant adverse impact on the environment or adjoining land?				
(NOTE – the Minister (or Delegate) will need to form an Opinion under section 73(A)(1)(c) of the Act in order for a matter in this category to proceed).				
NOTES - Where a council responds 'yes' or can demonstrate that the matter is 'not relevant', in most cases, the planning proposal will routinely be delegated to council to finalise as a matter of local planning significance. - Endorsed strategy means a regional strategy, sub-regional strategy, or any other local strategic planning document that is endorsed by the Director-General of the department.				