

## **ATTACHMENT 4 – EVALUATION CRITERIA FOR THE DELEGATION OF PLAN MAKING FUNCTIONS**

### **Checklist for the review of a request for delegation of plan making functions to councils**

**Local Government Area:** Fairfield Local Government Area

**Name of draft LEP:** Fairfield LEP 2013 – Draft Amendment

1. Amend the Height of Buildings Map (Sheet 20) to identify the subject site as BB and increase the maximum allowable Height of Buildings from 26 metres to 82 metres; and
2. Amend the Floor Space Ratio Map (Sheet 20) to identify the subject site as W and increase the maximum allowable Floor Space Ratio from 2.5:1 to 3.5:1.

**Address of Land:** No. 8 – 36 Station Street, Fairfield (Lot 1031 DP 1049068)

**Intent of draft LEP:** The purpose of the Planning Proposal is to enable the future redevelopment of the Fairfield Forum site located at 8-36 Station Street, Fairfield (being Lot 1031 DP 1049068) and facilitate its transformation into a modern and vibrant mixed use centre, supporting a range of residential, commercial, community and recreational uses.

### **Additional Supporting Points/Information:**

Information submitted with the Planning Proposal includes:

- Letter requesting Gateway Determination;
- Council report;
- Council resolution;
- Evaluation Criteria for the delegation of Plan Making Functions; and
- Minutes of the Fairfield Local Planning Panel meeting dated 19 June 2019.

<b>Evaluation criteria for the issuing of an Authorisation</b>	<b>Council response</b>		<b>Department assessment</b>	
	<b>Y*/N</b>	<b>NR*</b>	<b>Y*/N</b>	<b>NR*</b>
(Note: Where the matter is identified as relevant and the requirement has not been met, Council is to attach information to explain why the matter has not been addressed)				
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? #	Y			
Does the planning proposal adequately address any inconsistency with all relevant 117 Planning Directions?	Y			
Is the planning proposal consistent with all relevant State Environmental Planning Policies (SEPP)?	Y			
<b>Minor Mapping Error Amendments</b>	<b>Y/N</b>	<b>NR</b>	<b>Y/N</b>	<b>NR</b>
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?	N	NR		
<b>Heritage LEPs</b>	<b>Y/N</b>	<b>NR</b>	<b>Y/N</b>	<b>NR</b>
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?	N	NR		
Does the planning proposal include another form of endorsement or support from the Heritage Office if there is no supporting strategy/study?	N	NR		
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?	N	NR		
<b>Reclassifications</b>	<b>Y/N</b>	<b>NR</b>	<b>Y/N</b>	<b>NR</b>
Is there an associated spot rezoning with the		NR		

reclassification?				
If yes to the above, is the rezoning consistent with an endorsed Plan of Management (POM) or strategy?		NR		
Is the planning proposal proposed to rectify an anomaly in a classification?		NR		
<b>Spot Rezoning</b>	<b>Y/N</b>	<b>NR</b>	<b>Y/N</b>	<b>NR</b>
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	NR		
Is the rezoning intended to address an anomaly that has been identified following the conversion of a principle LEP into a Standard Instrument LEP format?	N	NR		
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 deferred has been addressed?	N	NR		
If yes, does the planning proposal contain sufficient documented justification to enable the matter to proceed?	-	NR		
Does the planning proposal create an exception to a mapped development standard?	N	NR		
<b>Section 73A matters</b> (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).	<b>Y/N</b>	<b>NR</b>	<b>Y/N</b>	<b>NR</b>
Does the proposed instrument correct an obvious error in the principal instrument consisting of a misdescription, the consistent 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?	N	NR		
Does the proposed instrument address matters in the principal instrument that are of a consequential, transition, machinery or the other nature	N	NR		
Does the proposed instrument deal with matters that do not warrant compliance with the conditions precedent for the making of the instrument because they will not have significant adverse impact on the environment or adjoining land?	N	NR		

## **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.