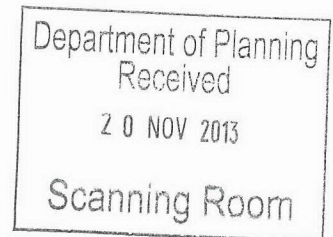




ENVIRONMENTAL SERVICES
Strategic Planning Branch

19 November 2013

Mr Tim Archer
Director Sydney Region East
NSW Department of Planning and Infrastructure
GPO Box 39
Sydney NSW 2001



Dear Sir,

Re: Planning Proposal – Change of zoning and Floor Space Ratio at 8 McCabe Place, Chatswood

The attached Planning Proposal, submitted to Council by Ausgrid, seeks to amend Willoughby Local Environmental Plan 2012 by rezoning 8 McCabe Place Chatswood from SP2 Infrastructure to IN2 Light Industrial and by providing a Floor Space Ratio for the site of 1:1 within Area 5 of the Floor Space Ratio Map.

At its meeting of 11 November 2013, Council resolved that:

1. Council supports the Planning Proposal for Number 8 McCabe Place Chatswood (being Lot 3 DP 239924), subject to a preliminary investigation report as outlined in this report being submitted by the applicant prior to public exhibition.
2. The Planning Proposal be forwarded to the Department of Planning and Infrastructure seeking a Gateway Determination under Section 56 of the Environmental Planning and Assessment Act 1979.
3. Willoughby Local Environmental Plan 2012 Zoning Map be amended for Number 8 McCabe Place, Chatswood (being Lot 3 DP 239924) from SP2 Infrastructure (Electricity Transmission and Distribution) to IN2 Light Industrial.
4. Willoughby Local Environmental Plan Floor Space Ratio Map be amended for Number 8 McCabe Place, Chatswood (being Lot 3 DP 239924) to an FSR of 1:1 within Area 5.
5. Council advise the Department of Planning and Infrastructure that the Environmental Services Director, Mr Greg Woodhams be nominated to be delegate to process and finalise the Planning Proposal.

Reference:

Enquiries: Jane Gibson
Phone: 9777 7672

ENGLISH

If you do not understand this document, please visit Council's Administration Building to discuss it with Council staff who will arrange an interpreter service. The Administration Building is located at 31 Victor Street, Chatswood and open from 8.30am to 5pm, Monday to Friday. Alternatively, you may ring the Translating & Interpreting Service on 131 450 to ask for an interpreter to contact Council for you. Council's phone number is (02) 9777 1000.

ARABIC

إذا كنت لا تفهم هذه الوثيقة يُرجى زيارة مبنى إدارة مجلس البلدية لبحثها مع موظفي المجلس الذين سيستخدمون ترتيبات للحصول على خدمة الترجمة الشفهية. يقع مبنى الإدارة على العنوان 31 Victor Street, Chatswood وهو يفتح من الساعة 8.30 صباحاً إلى 5 مساءً أيام الاثنين إلى الجمعة. يمكنك بدلاً من ذلك الاتصال بخدمة الترجمة الخطية والشفهية على الرقم 131 450 واطلب أن يقوم مترجم شفهي بالاتصال بالمجلس بالنيابة عنك. رقم هاتف المجلس هو: (02) 9777 1000.

ARMENIAN

Եթե չեք հասկնար այս փաստաթուղթը, խնդրեմ այցելեցեք Քաղաքային խորհուրդի Վարչության Շենքը այդ մասին խօսելու Քաղաքային խորհուրդի աշխատակիցներու հետ որոնք ձեզի համար թարգման մը կը կարգադրեն: Վարչության Շենքը կը գտնուի 31 Victor Street, Chatswood եւ բաց է կ.տ. 8.30 – կ.ե.5.00, Երկուշաբթիէն փինչեւ Ուրբաթ: Կարելի է նաեւ հեռաձայնել Թարգմանութեան Սպասարկութեան 131450 եւ խնդրել որ թարգման մը կապ հաստատէ Քաղաքային խորհուրդին հետ ձեզի համար: Քաղաքային խորհուրդի հեռախօսի համարն է (02) 9777 1000:

CHINESE SIMPLIFIED

如果您不明白本文件，请前往市政府行政大楼，与市政府职员讨论，市政府职员会安排传译员提供服务。行政大楼位于31 Victor Street, Chatswood，上班时间是周一至周五上午8:30至下午5:00。此外，您也可以致电翻译传译服务处，电话131 450，请传译员为您联系市政府，市政府的电话是(02) 9777 1000。

CHINESE TRADITIONAL

如果您不明白本文件，請前往市政府行政大樓，與市政府職員討論，市政府職員會安排傳譯員提供服務。行政大樓位於31 Victor Street, Chatswood，辦公時間是週一至週五上午8:30至下午5:00。此外，您也可以致電翻譯傳譯服務處，電話131 450，請傳譯員為您聯絡市政府，市政府的電話是(02) 9777 1000。

CROATIAN

Ako ne razumijete ovaj dokument, molimo vas otidite u administrativnu zgradu općine i razgovarajte s osobljem općine koje će vam organizirati usluge tumača. Zgrada općine se nalazi na adresi 31 Victor Street, Chatswood i otvorena je od 8.30 izjutra do 5 poslije podne, od ponedjeljka do petka. Druga mogućnost je da nazovete Službu prevoditelja i tumača (Translating and Interpreting Service) na 131 450 i da ih zamolite da vam nazovu općinu. Broj telefona općine je (02) 9777 1000.

GREEK

Αν δεν καταλαβαίνετε αυτό το έγγραφο, παρακαλούμε επισκεφθείτε το Κτίριο Διοίκησης της Δημαρχίας για να το συζητήσετε με το προσωπικό της Δημαρχίας που θα οργανώσει διερμηνέα για την εξυπηρέτησή σας. Το Κτίριο Διοίκησης βρίσκεται στη διεύθυνση 31 Victor Street, Chatswood και είναι ανοιχτό από τις 08:30 π.μ. έως 5 μ.μ., Δευτέρα έως Παρασκευή. Διαφορετικά, μπορείτε να τηλεφωνήσετε στην Υπηρεσία Μεταφράσεων και Διερμηνείας στο 131 450 και να ζητήσετε από ένα διερμηνέα να επικοινωνήσει με τη Δημαρχία για λογαριασμό σας. Ο αριθμός τηλεφώνου της Δημαρχίας είναι (02) 9777 1000.

ITALIAN

Se avete difficoltà nel capire il presente documento, rivolgetevi all'Amministrazione Building del Comune e gli addetti municipali provvederanno a richiedere l'assistenza di un interprete. L'Amministrazione Building è situato al n. 31 di Victor Street, Chatswood ed è aperto dal lunedì al venerdì, dalle 8.30 alle 17. Oppure potete chiamare il Translating and Interpreting Service al 131 450 e chiedere loro di mettersi, per vostro conto, in contatto con il Comune. Il numero telefonico comunale è (02) 9777 1000.

JAPANESE

本文書が理解できない場合には、カウンスルの事務局にお越しいただければ、カウンスル職員が通訳サービスを手配の上で、ご相談に応じます。事務局の住所は、31 Victor Street, Chatswoodで、窓口受付時間は月曜から金曜の午前8時半から午後5時までです。他にも、電話131 450の翻訳通訳サービスにおかけの上、通訳士にカウンスルにつながるように依頼することもできます。カウンスルの電話番号は、(02) 9777 1000です。

KOREAN

이 문서를 이해하지 못하실 경우 시의회 청사를 방문하셔서 시의회 직원과 이에 대해 상의하십시오. 시의회 직원이 통역사 서비스를 추천할 것입니다. 시의회 청사는 31 Victor Street, Chatswood에 위치하고 있으며 월요일에서 금요일, 오전 8시 30분에서 오후 5시까지 오픈합니다. 아니면 여러분이 직접 번역통역서비스에 131 450으로 전화하셔서 통역사에게 시의회에 연락하여 여러분과 연결하도록 요청하십시오. 시의회의 전화번호는 (02) 9777 1000입니다.

Willoughby City Council

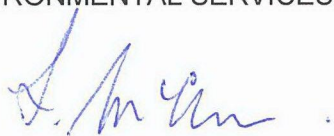
Please find attached the following:

- Council report and resolution of 11 November 2013
- Planning Proposal

Should you have any enquiries regarding this matter please contact Jane Gibson on 9777 7672.

Yours faithfully,

Greg P Woodhams
ENVIRONMENTAL SERVICES DIRECTOR
Per:

A handwritten signature in blue ink, appearing to read 'G. Woodhams', is written over the 'Per:' line.

Reference:
Enquiries: Jane Gibson
Phone: 9777 7672

20.6 PLANNING PROPOSAL FOR 8 MCCABE PLACE, CHATSWOOD

ATTACHMENTS:	1. PHOTOGRAPHS OF 8 AND 10 MCCABE PLACE (SUPPLIED BY APPLICANT) 2. PLANNING PROPOSAL (SUBMITTED BY AUSGRID) 3. EVALUATION CRITERIA FOR THE DELEGATION OF PLAN MAKING FUNCTIONS
RESPONSIBLE OFFICER:	LINDA MCCLURE - STRATEGIC PLANNING MANAGER
AUTHOR:	JANE GIBSON - STRATEGIC PLANNER
CITY STRATEGY LINK:	5.1.1 LOCAL BUSINESS
MEETING DATE:	11 NOVEMBER 2013

Purpose of Report

This report reviews a request by Doug Sneddon Planning Pty Ltd on behalf of Ausgrid to prepare a Planning Proposal relating to Lot 3 DP 239924 at 8 McCabe Place, Chatswood.

This report outlines the proposal and recommends that Willoughby Local Environmental Plan 2012 be amended to rezone 8 McCabe Place Chatswood from SP2 Infrastructure to IN2 Light Industrial.

RESOLUTION

That:

- 1. Council supports the Planning Proposal for Number 8 McCabe Place Chatswood (being Lot 3 DP 239924), subject to a preliminary investigation report as outlined in this report being submitted by the applicant prior to public exhibition.**
- 2. The Planning Proposal be forwarded to the Department of Planning and Infrastructure seeking a Gateway Determination under Section 56 of the Environmental Planning and Assessment Act 1979.**
- 3. Willoughby Local Environmental Plan 2012 Zoning Map be amended for Number 8 McCabe Place, Chatswood (being Lot 3 DP 239924) from SP2 Infrastructure (Electricity Transmission and Distribution) to IN2 Light Industrial.**
- 4. Willoughby Local Environmental Plan Floor Space Ratio Map be amended for Number 8 McCabe Place, Chatswood (being Lot 3 DP 239924) to an FSR of 1:1 within Area 5.**
- 5. Council advise the Department of Planning and Infrastructure that the Environmental Services Director, Mr Greg Woodhams be nominated to be delegate to process and finalise the Planning Proposal.**

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

For the Resolution: Councillors Coppock, Eriksson, Giles-Gidney, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville, Sloane and Wright.

Against the Resolution: Nil.

20.6 PLANNING PROPOSAL FOR 8 MCCABE PLACE, CHATSWOOD

ATTACHMENTS:	1. PHOTOGRAPHS OF 8 AND 10 MCCABE PLACE (SUPPLIED BY APPLICANT) 2. PLANNING PROPOSAL (SUBMITTED BY AUSGRID) 3. EVALUATION CRITERIA FOR THE DELEGATION OF PLAN MAKING FUNCTIONS
RESPONSIBLE OFFICER:	LINDA MCCLURE - STRATEGIC PLANNING MANAGER
AUTHOR:	JANE GIBSON - STRATEGIC PLANNER
CITY STRATEGY LINK:	5.1.1 LOCAL BUSINESS
MEETING DATE:	11 NOVEMBER 2013

Purpose of Report

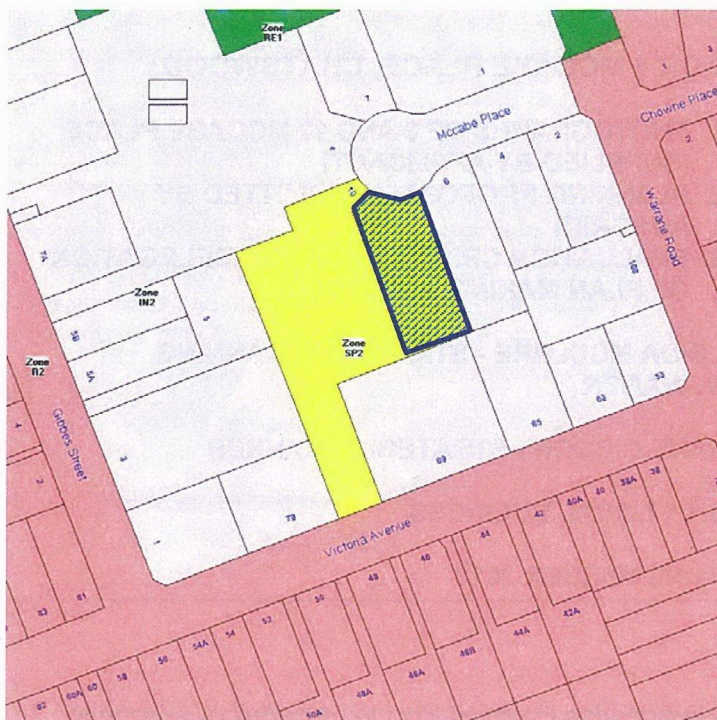
This report reviews a request by Doug Sneddon Planning Pty Ltd on behalf of Ausgrid to prepare a Planning Proposal relating to Lot 3 DP 239924 at 8 McCabe Place, Chatswood.

This report outlines the proposal and recommends that Willoughby Local Environmental Plan 2012 be amended to rezone 8 McCabe Place Chatswood from SP2 Infrastructure to IN2 Light Industrial.

Background

8 McCabe Place Chatswood (being Lot 3 DP 23994) is owned by Ausgrid (formerly Energy Australia) and is located in East Chatswood Industrial Area. Number 8 McCabe Place comprises a 2 storey industrial building with an area of 1416.4m² (see photographs at Attachment 1).

Under the previous planning instrument, (Willoughby Local Environmental Plan 1995), the site (and the adjacent Number 10 also owned by Ausgrid) were zoned 4(b) Light Industrial. As part of the exhibition process for the current Willoughby Local Environmental Plan 2012, submissions were received from Ausgrid which requested that the 2 properties at 8 and 10 McCabe Place be rezoned to SP2 Infrastructure (Electricity Transmission and Distribution) (SP2 Infrastructure). The reason for this request was to recognise the existence of the Castle Cove Substation (at number 10 McCabe) and to accommodate plans for its upgrade and expansion (at number 8 McCabe). Council accepted Ausgrid's recommendations for these sites and rezoned the 2 lots to SP2 as requested. When Willoughby Local Environmental Plan 2012 (WLEP 2012) came into force on 31 January 2013, the SP2 zoning took effect. The adjoining properties at McCabe Place are all zoned IN2 Light Industrial (see Figure 1 below)



Subject Site

Figure 1 - McCabe Place, Chatswood

Ausgrid has now reconsidered its position on the zoning of their properties. 8 McCabe Place was purchased by Ausgrid in 2009 for a proposed expansion of the adjacent Castle Cove Substation on Number 10 McCabe Place. The applicant has advised that this project has been indefinitely delayed and the property and building will remain surplus until required for Ausgrid's new zone substation. Consequently, Ausgrid considers that the SP2 zoning is inappropriate and in order for an economic use to be made of the existing industrial building (until required by Ausgrid for infrastructure purposes), it is requesting the land be reverted back to its previous light industrial zoning as part of East Chatswood Industrial Area.

Number 8 McCabe Place has been vacant since December 2010. Previous Development Applications for the site include:

DA 2005/1094 use of premises for On Demand Imaging and construction of mezzanine access stairs

DA-1991/78 - warehouse office and print shop equipment and storage.

BA 1972/917 – factory and offices.

In preliminary discussions with Council officers, it was suggested that if Ausgrid decided to progress a Planning Proposal for 8 McCabe Place, it might consider the long term zoning of 10 McCabe Place and consolidate both sites within the IN2 zone. Ausgrid initially agreed with this suggestion and included 10 McCabe as part of this Planning Proposal. 10 McCabe Place will continue to be used by Ausgrid for the Castle Cove substation. However, in view of issues discussed later in this report associated with potential contamination, Number 10 has now been withdrawn from the Planning Proposal.

Zoning the site IN2 will not present any problems with its long term future use by Ausgrid for electricity purposes. State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure), allows development for the purpose of electricity generating works to take place in a prescribed zone which includes the IN2 zone. The SEPP Infrastructure also allows for development for the purpose of expansion of existing electricity generating works to be carried out with consent on any land. The Infrastructure SEPP overrides most other environmental planning instruments under the Environmental Planning and Assessment Act 1979 including local environmental plans.

There are no heritage issues associated with the site.

Planning Appraisal

The Planning Proposal as submitted at Attachment 2 is considered to be generally in accordance with the requirements under Section 55(2) of the Environmental Planning and Assessment Act 1979 and the Department of Planning's (2009) 'A guide to preparing planning proposals'. In particular, the Planning Proposal adequately sets out the following:

- A statement of the objectives or intended outcomes of the proposed local environmental plan;
- An explanation of the provisions that are to be included in the proposed local environmental plan;
- Justification for those objectives, outcomes and provisions and the process for their implementation; and
- Details of the community consultation that is to be undertaken on the Planning Proposal.

Internal Consultation

The Planning Proposal was referred to various sections within Council for comment.

Council's Development Engineer commented that there was

.....no major obstacle for any proposal with regards to stormwater, as the entire proposed lot drains to McCabe Place. It is anticipated that any new building will have a unique OSD requirement which will be based on the amount of impervious area proposed. This is not something which can be identified at this stage".

Council's Group Leader, Traffic & Transport had no comments to make on the Planning Proposal. As with the Engineering comments above, until a Development Application is submitted to Council with specific use details, it is not possible to comment on traffic impacts at this stage.

Further to the above comments, 8 McCabe Place falls within the Scotts Creek Flood study.

The applicant has not addressed this matter in the Planning Proposal in terms of being consistent with Ministerial Direction 4.3 Flood Prone Land. However, it is considered that the Planning Proposal is not inconsistent with Direction 4.3 in that:

- (a) the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005, And
- (b) the provisions of the planning proposal that are inconsistent are of minor significance.

As the subject land falls within the Scotts Creek Flood Study, any future development proposals will have to comply with the relevant flood controls within Attachment 22 of Willoughby Development Control Plan.

Council's Environmental Health Coordinator commented that:

*"In assessing the information provided it is considered that the applicant has not provided any information to address matters within the **State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55)**. Clause 6 Contamination and remediation to be considered in zoning or rezoning proposal states:*

- (1) In preparing an environmental planning instrument, a planning authority is not to include in a particular zone (within the meaning of the instrument) any land specified in subclause (4) if the inclusion of the land in that zone would permit a change of use of the land, unless:*
- (a) the planning authority has considered whether the land is contaminated, and*
 - (b) if the land is contaminated, the planning authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and*
 - (c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning authority is satisfied that the land will be so remediated before the land is used for that purpose.....*

In this regards Council would need to consider whether the land is contaminated prior to any changes in the zoning. The applicant is required to undertake and submit to Council a preliminary investigation report undertaken by a suitable qualified contaminated land consultant in accordance with:

- a) Environment Protection Authority (EPA) 'Contaminated Sites – Guidelines for Consultants Reporting on Contaminated Sites' and*
- b) Managing Land Contamination Planning Guidelines SEPP55 - Remediation of Land.*

Where contaminating activities are suspected to have had an impact on the land sampling and analysis will be required to confirm and support any conclusion.

The applicant has been informed that Ausgrid will need to submit information as required by SEPP 55. It is considered that this information can be submitted prior to public exhibition of the Planning Proposal. Ausgrid has advised that in lieu of this requirement, it has decided to withdraw number 10 McCabe Place from the Planning Proposal but continue the process for Number 8 McCabe Place.

Therefore, Number 10 McCabe Place will continue with its current zoning of SP2 Infrastructure (Electricity Transmission and Distribution). Any reference to Number 10 McCabe Place referred to at Attachment 1 should be disregarded.

Proposed Amendment to WLEP 2012

The Planning Proposal will result in a mapping change to WLEP 2012 at Number 8 McCabe Place from SP2 Infrastructure to IN2 Light Industrial.

The Planning Proposal submitted by Ausgrid makes no mention to the Floor Space Ratio Maps (FSR maps). Numbers 8 and 10 McCabe Place do not currently appear on the FSR Maps because of their SP2 zoning.

A change to IN2 at Number 8 McCabe Place will require it to reflect the same mapping controls as the adjoining IN2 properties. Within the East Chatswood Industrial Area the FSR is 1:1 within Area 5 of the Floor Space Ratio Map. Area 5 allows a bonus floor space of 1.5:1 for sites over 1,000 square metres.

Council's East Chatswood Industrial Area does not have height limits.

Community Consultation

As detailed in the Planning Proposal it is recommended that following the Gateway determination, a 28 day exhibition period be carried out with notice of the exhibition given:

In the North Shore times
On Council's website and
In writing to adjoining landowners.

Project Timeline

Planning Proposal Presented to Council	11 November 2013
Planning Proposal submitted to Gateway	25 November 2013
Gateway Determination received by Council	December 2013 / January 2014
Report of Preliminary Investigation from applicant	January 2014
Community Consultation (28 days) No exhibition in January as per Council Christmas / new year community consultation policy	February 2014
Outcomes of Community Consultation presented to Council plus SEPP 55 Preliminary Investigation Report	4 nd Council meeting March 2014
Planning Proposal submitted to DoPI requesting notification on Government website	April 2014

Conclusion

The Planning Proposal to rezone numbers 8 McCabe Place is supported.

It is considered that the relevant requirements under s.55 of the EP&A Act and the matters identified in the Department of Planning's "*A guide to preparing planning proposals*" have been adequately addressed in the Planning Proposal. However, the applicant is required to undertake and submit to Council a preliminary investigation report undertaken by a suitable qualified contaminated land consultant in accordance with:

- a) Environment Protection Authority (EPA) 'Contaminated Sites – Guidelines for Consultants Reporting on Contaminated Sites' and
- b) Managing Land Contamination Planning Guidelines SEPP55 - Remediation of Land.

Where contaminating activities are suspected to have had an impact on the land sampling and analysis will be required to confirm and support any conclusion.

This information will be required to be submitted to Council prior to public exhibition.

Until January 2013, Number 8 McCabe Place, Chatswood was zoned industrial and had a consistent light industrial zoning since the County of Cumberland Planning Scheme 1951. It is considered appropriate that the lot returns to the former light industrial zoning.

It is therefore recommended that Council support the forwarding of the Planning Proposal to the Department of Planning and Infrastructure, seeking a Gateway Determination under Section 56 of the Environmental Planning and Assessment Act 1979. It is further recommended that Council advise the Department of Planning and Infrastructure that the Environmental Services Director, Mr Greg Woodhams be nominated to be delegate to process and finalise the Planning Proposal. The Checklist for Evaluation Criteria for the Delegation of Plan Making Functions is at Attachment 3.

OFFICER'S RECOMMENDATION

- 1. Council supports the Planning Proposal for Number 8 McCabe Place Chatswood (being Lot 3 DP 239924), subject to a preliminary investigation report as outlined in this report being submitted by the applicant prior to public exhibition.**
- 2. The Planning Proposal be forwarded to the Department of Planning and Infrastructure seeking a Gateway Determination under Section 56 of the Environmental Planning and Assessment Act 1979.**
- 3. Willoughby Local Environmental Plan 2012 Zoning Map be amended for Number 8 McCabe Place, Chatswood (being Lot 3 DP 239924) from SP2 Infrastructure (Electricity Transmission and Distribution) to IN2 Light Industrial.**
- 4. Willoughby Local Environmental Plan Floor Space Ratio Map be amended for Number 8 McCabe Place, Chatswood (being Lot 3 DP 239924) to an FSR of 1:1 within Area 5.**
- 5. Council advise the Department of Planning and Infrastructure that the Environmental Services Director, Mr Greg Woodhams be nominated to be delegate to process and finalise the Planning Proposal.**





PHOTOGRAPH 3: NO. 8 MCCABE PLACE.



PHOTOGRAPH 4: NO. 10 MCCABE PLACE.

doug sneddon
planning pty ltd

The General Manager
Willoughby City Council
PO Box 57
CHATSWOOD NSW 2057

**"PLANNING PROPOSAL" TO REZONE LOT 3 DP 23994 & LOT 1 DP 538874,
NOS. 8 & 10 McCABE PLACE, CHATSWOOD, FROM "SP2 INFRASTRUCTURE
(ELECTRICITY TRANSMISSION AND DISTRIBUTION)" TO "IN2 LIGHT
INDUSTRIAL" TO REFLECT ITS EXISTING INDUSTRIAL USE AND LOCATION
WITHIN THE EAST CHATSWOOD INDUSTRIAL PRECINCT.**

Application is made to Willoughby City Council on behalf of Ausgrid to initiate the Local Environmental Plan 'Gateway' process pursuant to section 55 of the Environmental Planning and Assessment Act 1979 to rezone Lot 3 DP 23994 and Lot 1 DP 538874, Nos. 8 and 10 McCabe Place, Chatswood, to "IN2 Light Industry" under Willoughby Local Environmental Plan 2012.

In its preparation of Willoughby Local Environmental Plan 2012, Willoughby City Council agreed to Ausgrid's (formerly EnergyAustralia) request to zone the subject land *SP2 Infrastructure (Electricity Transmission and Distribution)* so as to recognise the existence of the Castle Cove Zone Substation and to accommodate plans for its upgrade and expansion.

However, after consideration, Ausgrid has decided not to expand the substation and consequently, Lot 1 DP 538874 (No. 8 McCabe Place) is no longer required for electricity infrastructure purposes. The existing *SP2 Infrastructure (Electricity Transmission and Distribution)* zone over that land limits the future economic use of the industrial building erected on the land and it is considered appropriate to return the land to its former industrial zoning as part of the East Chatswood Industrial Precinct.

In preliminary discussions with Council officers it was suggested that if Ausgrid decided to progress a Planning Proposal for No. 8 McCabe Place, it might also consider the long term zoning of No. 10 McCabe Place and perhaps consolidate both sites within the IN2 zone. Ausgrid agrees to the Council's suggestion, and consequently this Planning Proposal seeks to rezone both Nos. 8 and 10 McCabe Place to *IN2 Light Industrial* under Willoughby Local Environmental Plan 2012.

The following analysis together with the Planning Proposal Application Template provided in Appendix B addresses the requirements issued by the Director-General regarding the specific matters that must be addressed in the justification for preparing a draft local environmental plan.



2/101 Excelsior St,
Lisarow NSW 2250
TEL: 02 4328 3851
FAX: 02 4328 4050
MOB: 0408 432 838

sneddond@bigpond.net.au
ABN: 20 100 396 914

1

1. SUBJECT LAND.

The subject land has an area of 5,014m² and is described as Lot 3 DP 23994 and Lot 1 DP 538874, Nos. 8 and 10 McCabe Place, Chatswood,

- a Locality Aerial Photograph is at Figure 1;
- a Preliminary Site Survey is at Figure 2; and
- site photographs are provided in Appendix A.

Lot 3 DP 23994 has an area of 1,416m² and is fully developed with an industrial building, whilst Lot 1 DP 538874 has an area of 3,598m², upon which is located Ausgrid's Castle Cove Zone Substation.

2. WILLOUGHBY LOCAL ENVIRONMENTAL PLAN 2012.

In its preparation of Willoughby Local Environmental Plan 2012, Willoughby City Council agreed to Ausgrid's (formerly EnergyAustralia) request to zone the subject land *SP2 Infrastructure (Electricity Transmission and Distribution)* so as to recognise the existence of the Castle Cove Zone Substation and to accommodate plans for its upgrade and expansion. The land was previously zoned 4(b) Light Industrial under Willoughby Local Environmental Plan 1995.

A copy of the Willoughby LEP 2012 zoning map is provided in Figure 4, showing the subject land to be zoned *SP2 Infrastructure (Electricity Transmission and Distribution)*.

3. PLANNING PROPOSAL.

This Planning Proposal application requests Willoughby City Council to initiate the Local Environmental Plan 'Gateway' Process pursuant to Section 55 of the Environmental Planning and Assessment Act 1979 to rezone Lot 3 DP 23994 and Lot 1 DP 538874, Nos. 8 and 10 McCabe Place, Chatswood, to "*IN2 Light Industry*" under Willoughby Local Environmental Plan 2012, to appropriately reflect its location within the East Chatswood Industrial Precinct and that Lot 3 DP 23994, No. 8 McCabe Place, is no longer required by Ausgrid for expansion of the Castle Cove Zone Substation.

The Planning Proposal Application Template provided in Appendix B addresses the requirements issued by the Director-General regarding the specific matters that must be addressed in the justification for preparing a draft local environmental plan.

4. STRATEGIC PLANNING CONSIDERATIONS.

As indicated in sections B1 - B2 of the matters required to be addressed in a "*Guide to Preparing Planning Proposals – Department of Planning*" (refer to Appendix B), the planning proposal is:

- consistent with the 'Inner North Employment Lands Development Program' which identifies the subject land as 'existing zoned employment land'; and



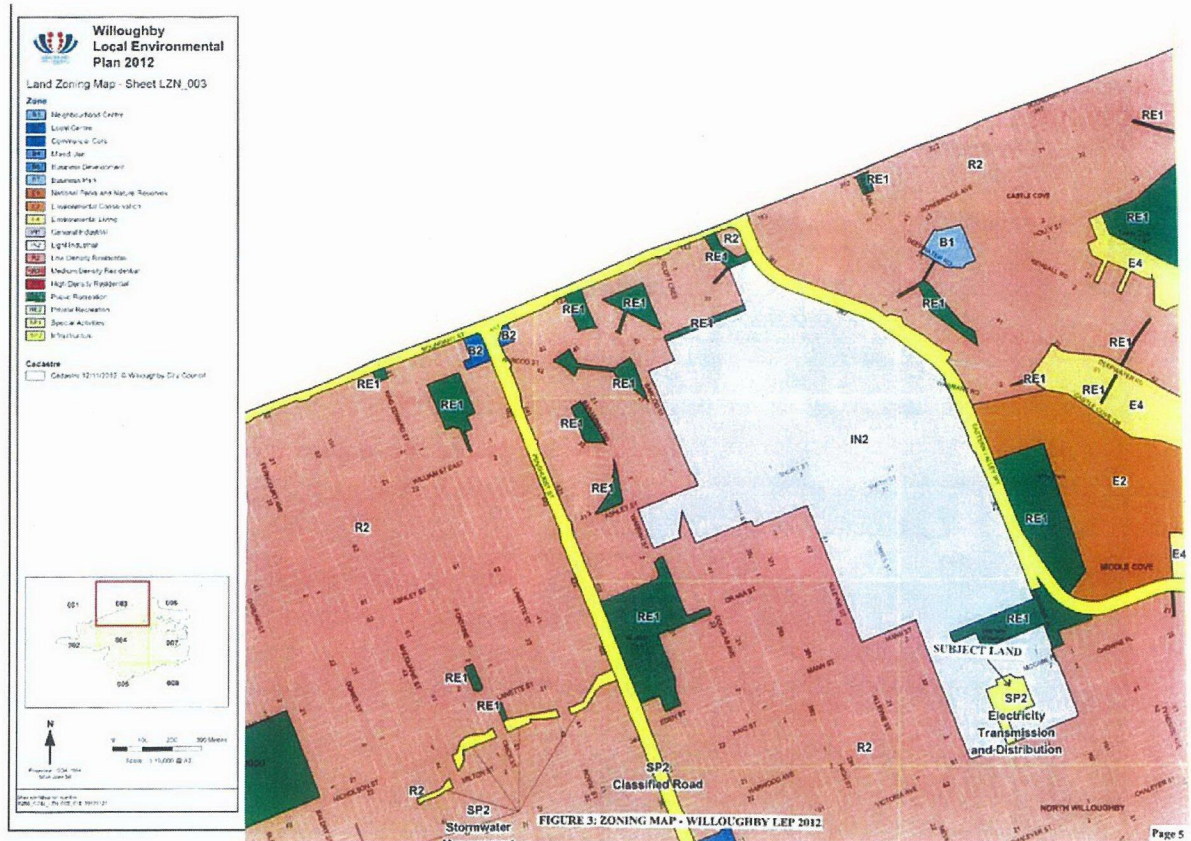
FIGURE 1: LOCALITY AERIAL PHOTOGRAPH.

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FIGURE 2: PRELIMINARY SITE SURVEY.

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- consistent with the Willoughby City Strategy, Key Strategic Direction 5.1 - Local Business and Industry, which seeks to promote and ensure the long term viability of the City's economic zones such as the East Chatswood Industrial Precinct, within which the subject land is located.

5. CONSISTENCY WITH STATE ENVIRONMENTAL POLICIES.

There are no State Environmental Planning Policies which would act to prevent the subject land being zoned *IN2 Light Industry*.

6. CONSISTENCY WITH MINISTERIAL DIRECTIONS (S117 DIRECTIONS).

The following assessment demonstrates that rezoning the subject land from *S12 Infrastructure (Electricity Transmission and Distribution)* to *IN2 Light Industry* under Willoughby Local Environmental Plan 2012, is consistent, or justifiably inconsistent with relevant S.117 Directions issued by the Minister to planning authorities in regard to the preparation of Planning Proposals:

- **Direction 1.1 - Business and Industrial Zones:** The objectives of this direction are to:

- (a) encourage employment growth in suitable locations;*
- (b) protect employment land in business and industrial zones; and*
- (c) support the viability of identified strategic centres.*

This direction applies when a planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial land boundary).

The subject planning proposal is consistent with the following requirements of clause (4) of Direction 1.1, in that a planning proposal must:

"(a) give effect to the objectives of this direction".

The subject land is located within the East Chatswood Industrial Precinct identified in the 'Inner North Employment Lands Development Program' and is developed for industrial and infrastructure purposes. Consequently, rezoning the land to *IN2 Light Industrial* will continue to encourage employment growth in appropriate locations; protect employment land in industrial zones; and support the viability of the East Chatswood Industrial Precinct.

"(b) retain the areas and locations of existing business and industrial zones".

The subject land is located within the East Chatswood Industrial Precinct and currently used for industrial and infrastructure purposes.

"(c) not reduce the total potential floor space area for employment uses and related public services in business zones".

The planning proposal does not relate a business zone.

"(d) not reduce the total potential floor space area for industrial uses in industrial zones".

The planning proposal does not reduce the total potential floor space area for industrial uses in industrial zones.

"(e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning".

The planning proposal does not propose the location of a new employment area, rather it will return the subject land to its former industrial zoning. The subject land is identified as existing zoned employment land within the "Inner North Employment Lands Development Program".

- **Direction 2.1 – Environmental Protection Zones:** The objective of this Direction is to protect and conserve environmentally sensitive areas.

The Direction has no practical application to the Planning Proposal as the subject land is not located within an environmental protection zone and does not contain any environmentally sensitive land requiring protection or conservation.

- **Direction 2.3 – Heritage Conservation:** The objective of this Direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

The Direction has no practical application to the Planning Proposal as the subject land is not identified as a place of environmental heritage significance or of indigenous heritage significance. It is fully developed for industrial and infrastructure purposes.

- **Direction 3.4 – Integrating Land Use and Transport:** The relevant objective of this Direction is to locate businesses which generate transport demand in locations that offer a choice of transport; increase opportunities for people to make fewer and shorter trips; and provide for the efficient movement of freight.

Clause (4) of the Direction requires the location of zones for urban purposes to give effect to:

(a) Improving Transport Choice – guidelines for planning and development (DUAP 2001), and

(b) The Right Place for Business and Services – Planning Policy (DUAP 2001).

The land use planning principles underlining these guidelines are that:

- people should be able to walk, cycle and use public transport, and not rely solely on private cars;
- a choice of transport helps the environment, provides more equitable access, and improves the livability of our urban areas;

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- the way we plan for land uses and transport can increase the proportion of trips that can be taken by foot, bicycle and public transport as people go about their daily task;
- when we plan for transport choice, we also help manage the demand for travel by minimising the number and length of individual trips people need to make;
- we need to maximise accessibility (i.e. the ability to undertake a range of daily activities with a minimum of travel); and
- as a general principle, decisions concerning the location of land uses in an LEP, should, represent a practical fit between the needs of a land use and the need to improve transport choice; support a strong pattern of centres and transport corridors; and minimise the need for and distance of travel.

The proposed rezoning of the subject land to *IN2 Light Industrial* gives effect to this Direction in that:

- the site is located within the East Chatswood Industrial Precinct where there is an extensive range of existing commercial/retail services available to the community; and
 - the site is accessible by public transport and provides the opportunity for connection to the Chatswood Regional Centre and other places by walking and cycling.
- **Direction 6.1 – Approval and Referral Requirements:** The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.

The Planning Proposal is consistent with Clause (4) of this Direction in that it does not include any public authority concurrence, consultation or referral provisions and does not identify any development as designated development.

- **Direction 6.2 – Reserving Land for Public Purposes:** The objective of this direction is to facilitate the provision of public services and facilities by reserving land for public purposes and to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition by a public authority.

The Direction has no practical application to this Planning Proposal as the subject land is not identified as being reserved, or required for a public purpose.

- **Direction 6.3 – Site Specific Provisions:** The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.

This direction does not strictly apply to the Planning Proposal, which is not prepared for the purpose of allowing a particular development proposal to be carried out. Rather, it is intended to rezone the subject land to an existing zone already applying in the environmental planning instrument without imposing any development standards or requirements in addition to those already contained in that zone.

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- **Direction 7.1 – Implementation of the Metropolitan Plan for Sydney 2036:** The objective of this direction is to give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in the Metropolitan Plan for Sydney 2036.

The subject land is identified as existing zoned employment land (East Chatswood Industrial Precinct) within the 'Inner North Employment Lands Development Program Zone', which is the State Government's key program for managing the supply of employment lands for the Sydney Region. Consequently, rezoning the land to *IN2 Light Industrial* under Willoughby Local Environmental Plan 2012 will reflect its existing industrial use and continue to encourage employment growth in appropriate locations and support the ongoing viability of the East Chatswood Industrial Precinct.

7. ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT.

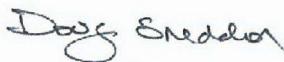
(i) **Environmental Impact:** The subject land is already fully developed for industrial and infrastructure purposes. The Planning Proposal will not therefore result in any change of land use cleared and will not result in any additional environmental impacts.

(ii) **Social Impact:** Rezoning of the subject land to *IN2 Light Industry* will return the land to its former industrial zoning and reflect its location within the East Chatswood Industrial Precinct. It will not result in any adverse social impacts on the community and will not lead to the demand for additional public infrastructure and services.

(iii) **Economic Impact:** Rezoning of the subject land to *IN2 Light Industrial* will have beneficial economic impacts for the community, as Lot 3 DP 239934 will be able to be put to a range of more economically efficient and productive uses permitted within the IN2 zone, thereby overcoming the limitations currently imposed by the SP2 Infrastructure (Electricity Transmission and Distribution) zone.

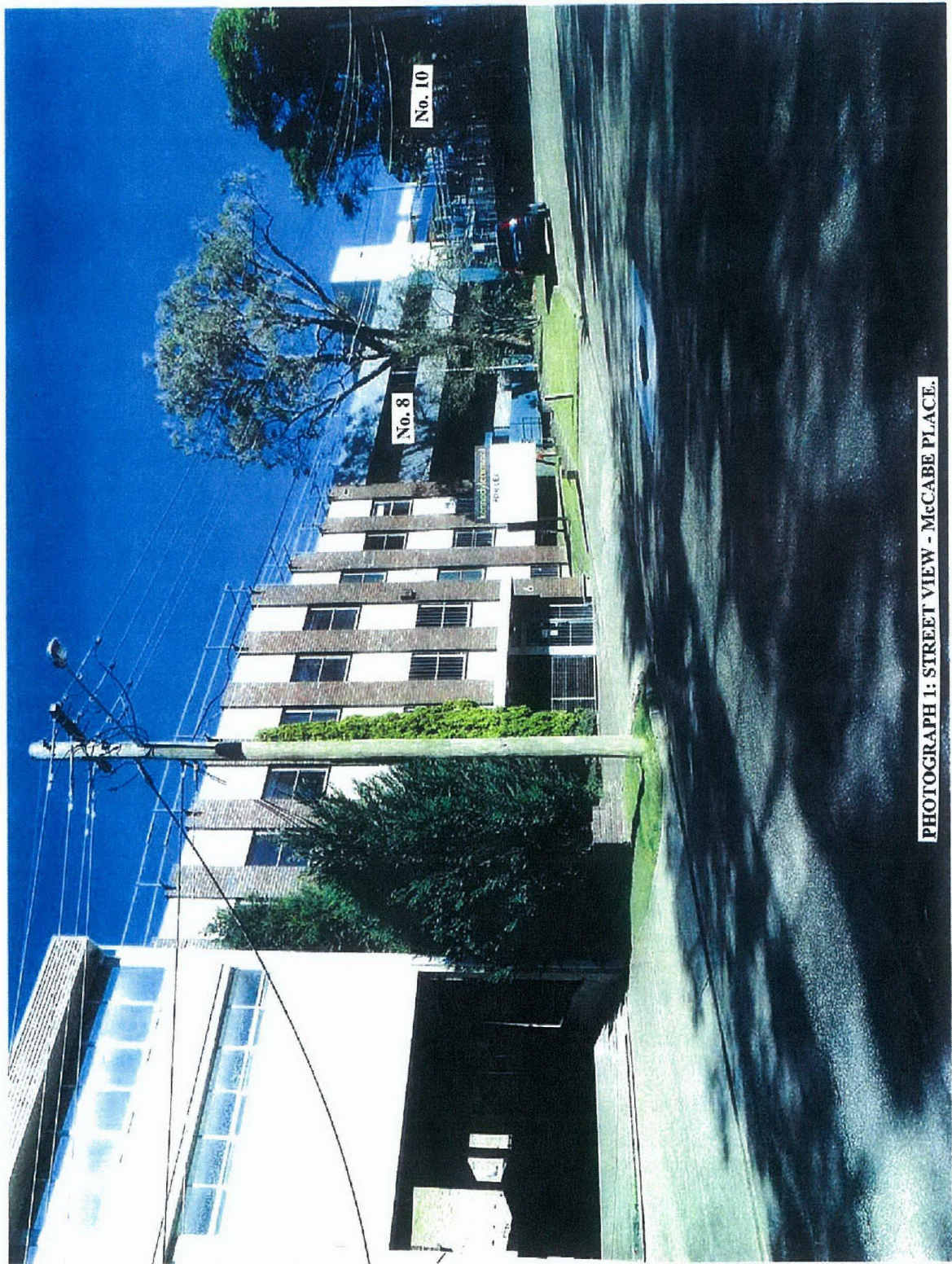
7. CONCLUSION.

Willoughby City Council is requested to initiate the Local Environmental Plan 'Gateway' process pursuant to section 55 of the Environmental Planning and Assessment Act 1979 to rezone Lot 3 DP 23994 and Lot 1 DP 538874, Nos. 8 and 10 McCabe Place, Chatswood, to "*IN2 Light Industry*" under Willoughby Local Environmental Plan 2012.



Doug Sneddon
15th August 2013.

APPENDIX A: SITE PHOTOGRAPHS.





PHOTOGRAPH 2: DRIVEWAY ENTRY - NO. 10 MCCABE PLACE.





PHOTOGRAPH 4: NO. 10 MCCABE PLACE.

APPENDIX B: PLANNING PROPOSAL APPLICATION TEMPLATE.

PLANNING PROPOSAL

Prepared for

WILLOUGHBY COUNCIL



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PART 1- OBJECTIVES OR INTENDED OUTCOMES OF THE PROPOSED LEP

s.55(2)(a) A statement of the objectives or intended outcomes of the proposed instrument.

The objective/intended outcome of the draft Local Environmental Plan is to enable the development of Lot 3 DP 23994 and Lot 1 DP 538874 (Nos. 8 & 10 McCabe Place, Chatswood) for light industrial purposes.

PART 2 - EXPLANATION OF PROVISIONS TO BE INCLUDED IN THE PROPOSED LEP

s.55(2)(b) An explanation of the provisions that are to be included in the proposed instrument

The objectives/intended outcomes are to be achieved by rezoning the subject land to IN2 Light Industrial under Willoughby Local Environmental Plan 2012, consistent with the industrial zone applied to adjoining land.

Section 55(2)(d) If maps are to be adopted by the proposed instrument, such as maps for proposed land use zones, heritage areas, flood prone land – a version of the maps containing sufficient detail to indicate the substantive effect of the proposed instrument.

In order to rezone the subject land the proposed LEP includes a map (Attachment 1) to identify Lot 3 DP 23994 and Lot 1 DP 538874 (Nos. 8 & 10 McCabe Place, Chatswood) as the area proposed to be rezoned to rezoned to IN2 Light Industrial under Willoughby Local Environmental Plan 2012.

PART 3 - JUSTIFICATION

s55(2)(c) The justification for those objectives, outcomes and provisions and the process for their implementation (including whether the proposed instrument will comply with relevant directions under section 117).

A. Need for the planning proposal.**A1. Is the planning proposal a result of any strategic study or report?**

No.

The planning proposal is a consequence of the location of the subject land within the East Chatswood Industrial Area and the character of industrial development occurring on the subject land.

A2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The planning proposal is the best means of achieving the objectives/intended outcomes, as the existing SP2 Infrastructure (Electricity Transmission and Distribution) zoning of the land is no longer appropriate to the existing business character of the subject land and the surrounding locality and does not enable the land to be put to an appropriate economic use, providing greater economic and social benefits to the community.

A3. Is there a net community benefit?

The assessment provided in Attachment 2 demonstrates that the planning proposal will produce a net community benefit.

B. Relationship to strategic planning framework.**B1. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including exhibited draft strategies)?**

The planning proposal is consistent with the "Inner North Employment Lands Development Program" which identifies the subject land as "existing zoned employment land".

The Employment Lands Development Program is the State Government's key program for managing the supply of employment land s for the Sydney Region.

B2. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

The planning proposal is consistent with Willoughby City Strategy, Key Strategic Direction 5.1 - Local Business and Industry, which seeks to promote and ensure the long term viability of the City's economic zones such as the East Chatswood Industrial Precinct, within which the subject land is located.

B3. Is the planning proposal consistent with applicable state environmental planning policies?

There are no State Environmental Planning Policies which would act to prevent the subject land from being rezoned to IN2 Light Industry, or otherwise enabling the use of the subject land for purposes consistent with the adjoining light industrial zone.

B4. Is the planning proposal consistent with applicable Ministerial Directions (s. 117 directions)?

The following assessment is provided of the consistency of the planning proposal with relevant Section 117 Directions applying to planning proposals lodged after 1st September 2009:

(i) Direction 1.1 Business and Industrial Zones: As indicated in section 6 of the accompanying submission, it is considered that the Planning Proposal is consistent with the requirements of clause (4) of the direction.

(ii) Direction 2.1 Environmental Protection Zones: As indicated in section 6 of the accompanying submission, this direction has no practical application to the planning proposal as the subject land is not within an environmental protection zone.

(iii) Direction 2.3 - Heritage Conservation: As indicated in section 6 of the accompanying submission, this direction has no practical application to the planning proposal as the subject land is not identified as a place of environmental or indigenous heritage significance.

(iv) Direction 3.4 - Integrating Land Use and Transport: As indicated in section 6 of the accompanying submission, the planning proposal gives effect to the Direction to improve transport choice and to select the right place for business and services.

(v) Direction 6.1 - Approval and Referral Requirements: Clause (4) of the Direction requires a planning proposal to minimise the inclusion of concurrence/consultation provisions and not identify development as designated development.

This planning proposal is consistent with this direction as no such inclusions, or designation is proposed.

(vi) Direction 6.2 - Reserving Land for Public Purposes: As indicated in section 6 of the accompanying submission, this direction has no practical application to the planning proposal as the subject land is not identified as being reserved, or required for a public purpose.

(vii) Direction 6.3 - Site Specific Provisions: The planning proposal is consistent with this Direction as it is not intended to restrict development of the subject land to a particular development proposal. Rather, it is intended to rezone the subject land to IN2 Light Industry under Willoughby Local Environmental Plan 2012 without imposing any land use restrictions, development standards, or requirements in addition to those already contained in the zone to be applied to the land.

(viii) **Direction 7.1 - Implementation of the Metropolitan Plan for Sydney 2036:** As indicated in section 6 of the accompanying submission, it is considered that the Planning Proposal is consistent with this direction as the subject land is identified as existing zoned employment land (East Chatswood Industrial Precinct) within the Inner North Employment Lands Development Program.

C. Environmental, social and economic impact.

C1. 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.

The site is cleared of native vegetation and fully developed for light industrial and electricity substation purposes cleared and no threatened species, populations or ecological communities, or their habitats would be adversely affected as a consequent of the site being rezoned from SP2 Infrastructure (Electricity Transmission and Distribution) to IN2 Light Industry.

C2. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Rezoning the subject land to IN2 Light Industry under Willoughby Local Environmental Plan 2012 will not result in any other likely environmental effects as the developed character of the subject land will not change, already being developed for light industrial (Lot 3 DP 23994) and electricity substation (Lot 1 DP 538874) purposes.

C3. How has the planning proposal adequately addressed any social and economic effects?

As indicated in section 6 of the accompanying submission, the planning proposal will provide social and economic benefits to the community as a consequence of local employment generation and the provision of increased business services to the community.

D. State and Commonwealth interests.

D1. Is there adequate public infrastructure for the planning proposal?

Yes. Water, sewer, electricity, telephone and gas utilities are available to the land to service future business requirements.

The site is well located with respect to public transport (bus and rail) services operating and is readily accessible to other activity nodes within the Sydney Metropolitan Area.

D2. What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal?

No consultations have yet been undertaken with State and Commonwealth agencies.

PART 4- COMMUNITY CONSULTATION THAT IS TO BE UNDERTAKEN***S55(2)(e) Details of the community consultation that is to be undertaken before consideration is given to the making of the proposed instrument***

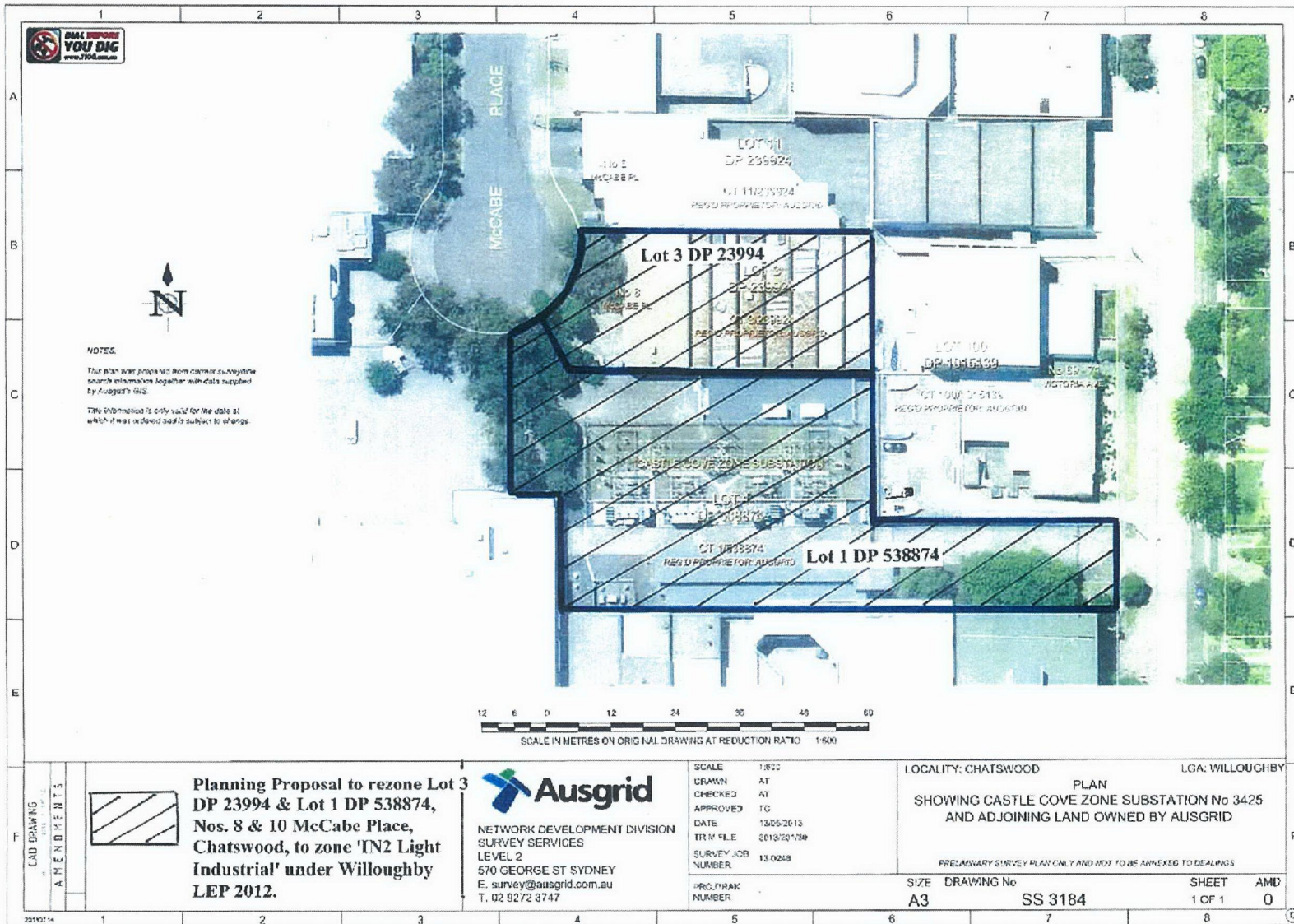
A 28 day exhibition period for community consultation is considered to be appropriate for this planning proposal.

Notice of the public exhibition will be given:

- In a local newspaper circulating in the area;
- On council's website at www.willoughby.gov.au
- In writing to adjoining landowners.

ATTACHMENT 1: PROPOSED INSTRUMENT MAP.





ATTACHMENT 2: NET COMMUNITY BENEFIT TEST.



NET COMMUNITY BENEFIT TEST - EVALUATION CRITERIA.

The net community benefit of a planning proposal is to be assessed on the basis of answers to the following questions:

- *Will the LEP be compatible with agreed State and Regional strategic direction for development in the area?*

Assessment: Yes. The subject land is located within an existing zoned employment lands precinct (East Chatswood Industrial Precinct) identified within the "Inner North Employment Lands Development Program".

- *Is the LEP located in a global / regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional / sub-regional strategy?*

Assessment: Yes. The LEP is located within an employment precinct identified within the Sydney Metropolitan Strategy.

- *Is the LEP likely to create a precedent or create or change the expectation of the landowner or other landowners?*

Assessment: No. The purpose of the LEP is to replace an inappropriate SP2 Infrastructure (Electricity Transmission and Distribution) zone over the land and to facilitate its use for light industrial purposes under an alternative IN2 Light Industrial zone. The proposed rezoning is based upon the particular circumstances relating to Ausgrid's ownership of the land and its decision not to develop a new electricity substation on the land. The planning proposal will return the land to its former industrial zoning. Consequently, the planning proposal does not create a precedent for the rezoning of other land in the locality.

- *Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?*

Assessment: There have been no other 'spot rezonings' in the locality of the type accommodated by this planning proposal and consequently there are no cumulative effects requiring consideration. The planning proposal is returning the subject land to its former industrial zoning as part of the East Chatswood Industrial Precinct.

- *Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?*

Assessment: In returning the subject land to its former industrial zoning the LEP will facilitate the ongoing economic use of the land and associated employment generating activity. The LEP will not result in the loss of any employment lands.

- *Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?*

Assessment: No. The LEP does not impact on the supply of residential land as the planning proposal involves the conversion of the subject land from one non-residential purpose to another non-residential purpose.

- *Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?*

Assessment: Yes.

- *Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so. What are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?*

Assessment: No. The planning proposal will return the subject land to its former industrial zoning and reflect the existing developed industrial character of the land.

- *Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If, so, what is the expected impact?*

Assessment: No. The planning proposal will return the subject land to its former industrial zoning and reflect the existing developed industrial character of the land. The proposal will not generate a requirement for the provision of additional government investment in services.

- *Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?*

Assessment: No. The land is not identified by the Government for environmental protection and is not constrained by environmental factors which would prevent its rezoning to IN 2 Light Industry.

- *Will the LEP be compatible /complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?*

Assessment: The LEP will return the subject land to its former industrial zoning as part of the East Chatswood Industrial Precinct and will be compatible with surrounding uses. The rezoning will not result in any change in the developed character of the land and will have no adverse impacts on the amenity of the locality, or the public domain generally.

- *Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?*

Assessment: No. The planning proposal will rezone the subject land in a manner which reflects its existing industrial use.

- *If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?*

Assessment: The subject land and the planning proposal is part of an existing industrial precinct and does not form a stand-alone proposal.

- *What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?*

Assessment: The purpose of the LEP is to replace an inappropriate SP2 Infrastructure (Electricity Transmission and Distribution) zone over the land and to facilitate its use for light industrial purposes under an alternative IN2 Light Industrial zone. The proposed rezoning is based upon the particular circumstances relating to Ausgrid's ownership of the land and its decision not to develop a new electricity substation on the land. The planning proposal will return the land to its former industrial zoning and thereby facilitate ongoing use of the land for business purposes permissible within the industrial zone. It is in the public interest to capture these social and economic community benefits.

The implications of not proceeding with the planning proposal at this time would be to continue to prohibit the use of the business premises located at No. 8 McCabe Place for purposes other than for electricity supply and distribution, thereby preventing these business premises from being put to an economic use.

Conclusion: The answers to the above questions demonstrate that this planning proposal to rezone Lot 3 DP 23994 and Lot 1 DP 538874 (Nos. 8 & 10 McCabe Place, Chatswood) for light industrial purposes under Willoughby Local Environmental Plan 2012 will produce a net community benefit.

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:Willoughby City Council

Name of draft LEP:Draft Willoughby Local Environmental Plan 2012 (Amendment
No 1)

Address of Land (if applicable):8 McCabe Place Chatswood

Intent of draft LEP: to amend Willoughby Local Environmental Plan 2012 zoning
map and Floor Space Ratio Map

Additional Supporting Points/Information: None

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?	Y			
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?		N/A		
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?		N/A		
Does the planning proposal include another form of endorsement or support from the Heritage Office if there is no supporting strategy/study?		N/A		
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/A		

Reclassifications	Y/N			
Is there an associated spot rezoning with the reclassification?		N/A		
If yes to the above, is the rezoning consistent with an endorsed Plan of Management (POM) or strategy?		N/A		
Is the planning proposal proposed to rectify an anomaly in a classification?		N/A		
Will the planning proposal be consistent with an adopted POM or other strategy related to the site?		N/A		
Will the draft LEP discharge any interests in public land under section 30 of the Local Government Act, 1993?		N/A		
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?		N/A		
Has the council identified that it will exhibit the planning proposal in accordance with the department's Practice Note (PN 09-003) Classification and reclassification of public land through a local environmental plan and Best Practice Guideline for LEPs and Council Land?		N/A		
Has council acknowledged in its planning proposal that a Public Hearing will be required and agreed to hold one as part of its documentation?		N/A		
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?		N/A		

Does the planning proposal create an exception to a mapped development standard?	N			
Section 73A matters				
Does the proposed instrument		N/A		
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		N/A		
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?		N/A		
(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.