

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

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

**Planning Proposal, Residential Up Zoning 400-404 Cabramatta Road West, Cabramatta: Fairfield LEP 2013 – Draft Amendment No TBA**

The draft amendments to Fairfield LEP 2013 include the following:

1. Amend the Land Zoning Map from R2 Low Density Residential to part R4 High Density Residential and part R3 Medium Density Residential;
2. Amend the Height of Building Map from 9 metres to part 17 metres and part 10 metres;
3. Amend the Floor Space Ratio Map from 0.45:1 to part 1.7:1 and part 0.7:1;
4. Remove the development standards shown on the Minimum Lot Size for Dual Occupancy Map and the Minimum Lot Size Map;
5. Remove Item 3 from Schedule 1 – Additional Permitted Uses;
6. Remove Item 3 from the Key Sites Map.

**Address of Land: 400-404 Cabramatta Road West and 6 Links Avenue, Cabramatta**

The Proposal relates to 6 subject lots outlined in Table 1 below:

<b>Property Address</b>	<b>Title Description</b>
400 Cabramatta Road West Cabramatta	Lot: 1 DP: 29449
402 Cabramatta Road West Cabramatta	Lot: 1 DP: 503339
402A Cabramatta Road West Cabramatta	Lot: 2 DP: 503339
404 Cabramatta Road West Cabramatta	Lot: 7 DP: 709126
2 Orange Grove Road Cabramatta	Lot: 6 DP: 709126
6 Links Avenue Cabramatta	Lot: 3 DP: 30217

**Table 1 - Subject Lots**

## Intent of Draft LEP:

In summary, the objective of the Planning Proposal is to amend the Fairfield Local Environmental Plan 2013 to:

1. Amend the land zoning map to show the site as Part R3 Medium Density Residential and part R4 High Density Residential respectively;
2. Amend the Height of Buildings map to show the R3 portion of the site as 10 metres and the R4 portion of the site as 17 metres respectively;
3. Amend the Floor Space Ratio Map to show the R3 portion of the site as 0.7:1 and the R4 portion of the site as 1.7:1 respectively;
4. Amend the Lot Size Map to remove the subject sites;
5. Amend the Minimum Lot Size Dual Occupancy Development Standards Map to remove reference to the subject sites;
6. Amend the Key Sites map to remove reference to the subject site.

## Additional Supporting Points/Information

Information submitted with the Planning Proposal includes:

- Letter requesting gateway determination;
- Council report;
- Council resolution;
- Supporting technical reports including urban design report and concept plans.
- Draft Site Specific DCP
- Local Planning Panel Comments

Evaluation criteria for the issuing of an Authorisation	Council response		Department assessment	
	Y*/N	NR*	Y*/N	NR*
(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?		NR		
Is the planning proposal consistent with all relevant State Environmental Planning Policies (SEPP)?	Y			
<b>Minor Mapping Error Amendments</b>	Y/N	NA	Y/N	NA
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			
<b>Heritage LEPs</b>	Y/N	NA	Y/N	NA
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?		NA		
Does the planning proposal include another form of endorsement or support from the Heritage Office if there is no supporting strategy/study?		NA		
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?		NA		
<b>Re-classifications</b>	Y/N	NA	Y/N	NA
Is there an associated spot rezoning with the reclassification?		NA		
If yes to the above, is the rezoning consistent with an endorsed Plan of Management (POM) or strategy?		NA		
Is the planning proposal proposed to rectify an anomaly in a classification?		NA		
<b>Spot Rezonings</b>	Y/N	NA	Y/N	NA
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	N			

strategy?				
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?	<b>N</b>			
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?	<b>N</b>			
If yes, does the planning proposal contain sufficient documented justification to enable the matter to proceed?		<b>NR</b>		
Does the planning proposal create an exception to a mapped development standard?	<b>N</b>			
<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>NA</b>	<b>Y/N</b>	<b>NA</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?	<b>N</b>			
Does the proposed instrument address matters in the principal instrument that are of a consequential, transition, machinery or the other nature	<b>N</b>			
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?	<b>N</b>			