

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

The purpose of the Planning Proposal is to amend an anomaly within Fairfield Local Environmental Plan 2013; Lot Size for Dual Occupancy Development Map from 900m² to 4000m² in northwest and southwest Abbotsbury.

Address of Land (If applicable)

Certain land at Northwest and southwest Abbotsbury. See table below.

Ownership	Property Description	Property Address	Property Suburb
Private	Lot: 2 DP: 881791	6A Rutar Place	ABBOTSBURY
Private	Lot: 1 DP: 881791	6 Rutar Place	ABBOTSBURY
Private	Lot: 3 DP: 881791	7 Rutar Place	ABBOTSBURY
Private	Lot: 4 DP: 881791	7A Rutar Place	ABBOTSBURY
Private	Lot: 2317 DP: 787466	5 Withers Place	ABBOTSBURY
Private	Lot: 2318 DP: 787466	6 Withers Place	ABBOTSBURY
Private	Lot: 2319 DP: 787466	7 Withers Place	ABBOTSBURY
Private	Lot: 2320 DP: 787466	8 Withers Place	ABBOTSBURY
Private	Lot: 2321 DP: 787466	9 Withers Place	ABBOTSBURY
Private	Lot: 2324 DP: 787466	12 Withers Place	ABBOTSBURY
Private	Lot: 2325 DP: 787466	13 Withers Place	ABBOTSBURY
Private	Lot: 2326 DP: 787466	14 Withers Place	ABBOTSBURY

Ownership	Property Description	Property Address	Property Suburb
Private	Lot: 2327 DP: 787466	15 Withers Place	ABBOTSBURY
Private	Lot: 2328 DP: 787466	16 Withers Place	ABBOTSBURY
Company	Lot: 2339 DP: 787466	4 Hinder Close	ABBOTSBURY
Private	Lot: 2340 DP: 787466	5 Hinder Close	ABBOTSBURY
Company	Lot: 2342 DP: 787466	7 Hinder Close	ABBOTSBURY
Private	Lot: 1 DP: 829291	11A Withers Place	ABBOTSBURY
Private	Lot: 4 DP: 790906	44 Heysen Street	ABBOTSBURY
Private	Lot: 5 DP: 790906	46 Heysen Street	ABBOTSBURY
Private	Lot: 6 DP: 790906	48 Heysen Street	ABBOTSBURY
Private	Lot: 7 DP: 790906	50 Heysen Street	ABBOTSBURY
Private	Lot: 8 DP: 790906	52 Heysen Street	ABBOTSBURY
Private	Lot: 13 DP: 790906	8 Rutar Place	ABBOTSBURY
Private	Lot: 16 DP: 790906	5 Rutar Place	ABBOTSBURY
Private	Lot: 21 DP: 861866	11 Withers Place	ABBOTSBURY
Private	Lot: 22 DP: 861866	10 Withers Place	ABBOTSBURY
Private	Lot: 1 DP: 1011701	6 Hinder Close	ABBOTSBURY
Company	Lot: 2 DP: 1011701	6A Hinder Close	ABBOTSBURY
Private	Lot: 3 DP: 1011701	6B Hinder Close	ABBOTSBURY
Private	Lot: 317 DP: 733200	69 Begovich Crescent	ABBOTSBURY
Private	Lot: 318 DP: 733200	71 Begovich Crescent	ABBOTSBURY
Private	Lot: 319 DP: 733200	73 Begovich Crescent	ABBOTSBURY
Private	Lot: 322 DP: 733200	79 Begovich Crescent	ABBOTSBURY
Private	Lot: 97 DP: 717620	65 Begovich Crescent	ABBOTSBURY

Ownership	Property Description	Property Address	Property Suburb
Private	Lot: 96 DP: 717620	67 Begovich Crescent	ABBOTSBURY
Private	Lot: 632 DP: 748199	3 Lewers Close	ABBOTSBURY
Private	Lot: 633 DP: 748199	2 Lewers Close	ABBOTSBURY
Private	Lot: 634 DP: 748199	60 Province Street	ABBOTSBURY
Private	Lot: 637 DP: 748199	7 Balson Close	ABBOTSBURY
Private	Lot: 638 DP: 748199	6 Balson Close	ABBOTSBURY
Private	Lot: 639 DP: 748199	5 Balson Close	ABBOTSBURY
Private	Lot: 640 DP: 748199	4 Balson Close	ABBOTSBURY
Private	Lot: 641 DP: 748199	3 Balson Close	ABBOTSBURY
Private	Lot: 642 DP: 748199	2 Balson Close	ABBOTSBURY
Private	Lot: 643 DP: 748199	66 Province Street	ABBOTSBURY
Private	Lot: 635 DP: 748199	62 Province Street	ABBOTSBURY
Private	Lot: 2 DP: 851317	8 Balson Close	ABBOTSBURY
Private	Lot: 1 DP: 851317	64 Province Street	ABBOTSBURY
Private	Lot: 981 DP: 1076679	63A Begovich Crescent	ABBOTSBURY
Private	Lot: 982 DP: 1076679	63 Begovich Crescent	ABBOTSBURY
Private	Lot: 1 DP: 1207738	75A Begovich Crescent	ABBOTSBURY
Private	Lot: 2 DP: 1207738	75 Begovich Crescent	ABBOTSBURY

This Planning Proposal applies to:

The planning proposal applies to certain land at northwest and southwest Abbotsbury. The subject land is zoned R2 Low Density Residential.

Intent of draft LEP:

Amend the relevant lot size for dual occupancy development map (LSD_007) to increase the lot size from 900m² to 4000m² for northwest and southwest Abbotsbury.

Additional Supporting Points/Information:

N/A

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? #		NA		
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			
Minor Mapping Error Amendments	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?		NA		
Heritage LEPs	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		
Reclassifications	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		
Spot Rezonings	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 strategy?		NA		
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?		NA		
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?		NA		
If yes, does the planning proposal contain sufficient documented justification to enable the matter to proceed?		NA		
Does the planning proposal create an exception to a mapped development standard?		NA		
Section 73A matters (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).	Y/N	NA	Y/N	NA
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?	Y			
Does the proposed instrument address matters in the principal instrument that are of a consequential, transition, machinery or the other nature	Y			
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?	Y			

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.