



## **PLANNING PROPOSAL**

### **PROPOSED AMENDMENT TO THE TAMWORTH REGIONAL LOCAL ENVIRONMENTAL PLAN 2010**

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**List the Existing Building on Lot 120, DP 1069031,  
30-32 Darling Street, North Tamworth, as an Item of Local Heritage  
Significance Under Schedule 5 - Environmental Heritage**

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**Date: May 2018**

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## INTRODUCTION

### Background

This Planning Proposal contains the justification for a proposed amendment to the *Tamworth Regional Local Environmental Plan 2010* (TRLEP 2010) to list the building at Lot 120, DP 1069031, 30-32 Darling Street, North Tamworth as a local heritage item.

This Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the associated guidelines 'A Guide to Preparing Planning Proposals' prepared by the *NSW Department of Planning and Environment* dated October 2012, which require the following matters to be addressed:

- Part 1 - Objectives or intended outcomes;
- Part 2 - Explanation of provisions;
- Part 3 - Justification;
- Part 4 - Mapping;
- Part 5 - Community consultation; and
- Part 6 - Project timeline.

A preliminary investigation as to the heritage significance of the property confirms that the building is worthy of inclusion as a heritage item in TRLEP 2010. At its meeting held on 13 March 2018, Council resolved to prepare a planning proposal to include the property in Schedule 5 of the TRLEP 2010 as an item of local environmental heritage.

### 1.0 PART 1 – OBJECTIVES OR INTENDED OUTCOMES OF THE PLANNING PROPOSAL

#### Objectives

The objective of the planning proposal is to amend the *Tamworth Regional Local Environmental Plan 2010* (TRLEP 2010) by listing Lot 120 DP 1069031, 30-32 Darling Street, North Tamworth as an item of local significance.

The following documents have been relied upon in the preparation of this planning proposal:

- The *Tamworth Regional Local Environmental Plan 2010* (TRLEP 2010);
- The *Tamworth Heritage Inventory 2000*;
- The *Tamworth Regional Development Strategy 2008* (TRDS 2008);
- The *Keychange 2023 Community Strategic Plan* (CSP 2023); and
- The *New England North West Regional Plan 2036*.

#### Existing Planning Controls

The site is currently zoned *R1 - General Residential* under the TRLEP 2010.

#### Proposed Planning Controls

The zoning and site controls are not proposed to change as a result of this planning proposal. The sole intent of the planning proposal is to add the property as an item of Environmental Heritage to Schedule 5 of the TRLEP 2010 and to identify the property on the Heritage Map (refer APPENDIX B).

## **2.0 PART 2 – EXPLANATION OF PROVISIONS TO BE INCLUDED IN THE PLANNING PROPOSAL**

### **An explanation of the provisions that are to be included in the proposed instrument**

This planning proposal seeks to amend Schedule 5 Environmental Heritage as follows:

<b>Suburb</b>	<b>Item Name</b>	<b>Address</b>	<b>Property Description</b>	<b>Significance</b>
North Tamworth	Dwelling	30-32 Darling Street	Lot 120, DP 1069031	Local

This planning proposal will result in the amendment of the following map:

Tamworth Regional Local Environmental Plan 2010 – Heritage Map – Sheet HER\_004CB by colouring the subject property so as to indicate a Heritage Item – General.

## **3.0 PART 3 – JUSTIFICATION**

### **3.1 SECTION A – NEED FOR THE PLANNING PROPOSAL**

#### **3.1.1 A1. Is the planning proposal a result of any strategic study or report?**

The Tamworth Heritage Study (1986) and Tamworth Heritage Inventory 2000 identify the building as having architectural significance that is part of a group of late Victorian houses and shops associated with the Tamworth Railway. On this basis, it is worthy of inclusion as a heritage item in TRLEP 2010.

### **3.2 LOCATION AND LEGAL DESCRIPTION**

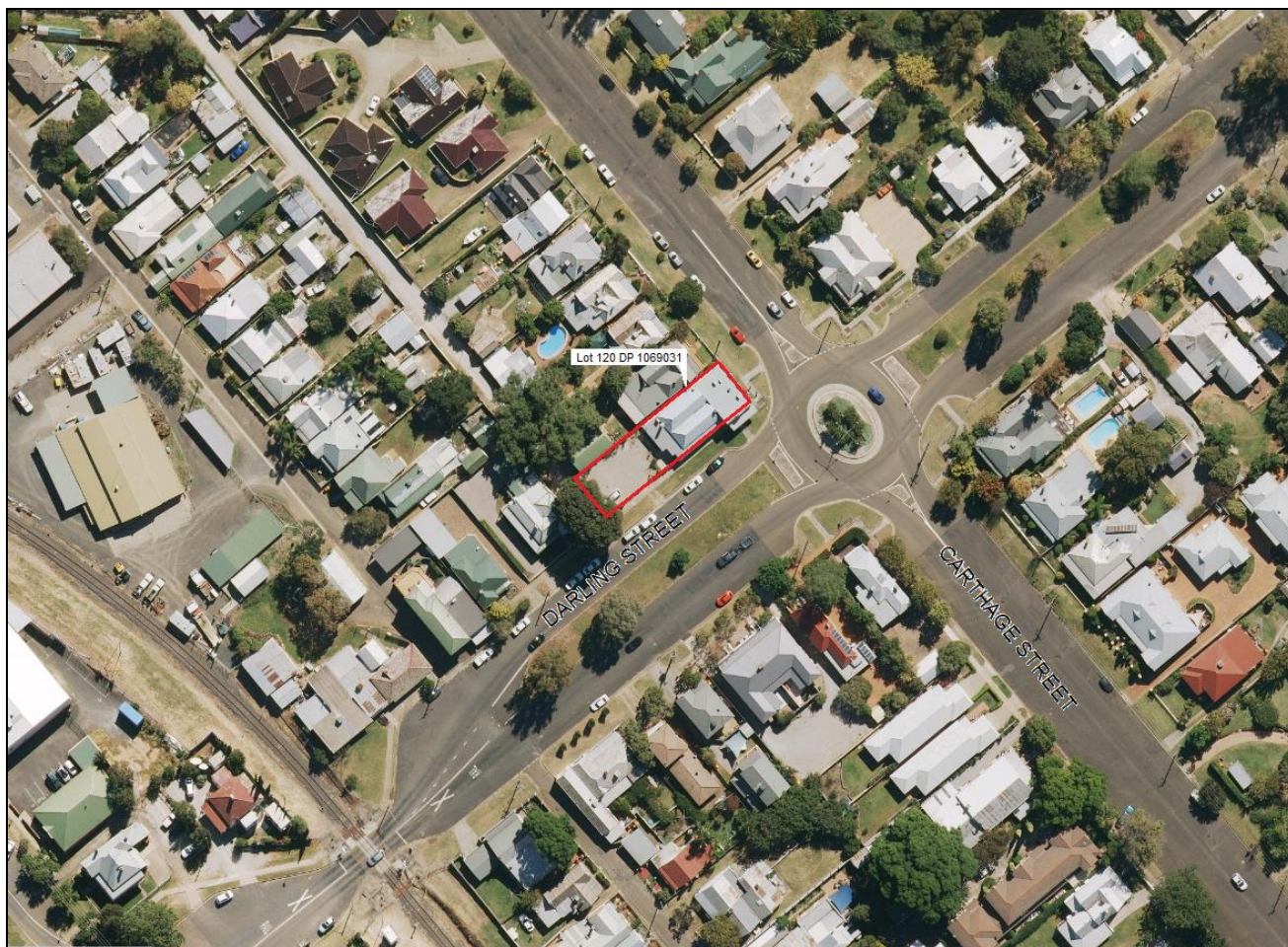
The subject site is legally registered as Lot 120 DP 1069031 (30-32 Darling Street), North Tamworth NSW, 2340.

### **3.3 SITE DESCRIPTION**

The subject site is located within the regional City of Tamworth. The site's primary frontage is to Darling Street which links directly to Carthage Street. Darling Street contains a strategically important precinct populated by a wide variety of residential, commercial, community and services based operations concentrated within a 500 metre corridor.

Lot 120 DP 1069031 (30-32 Darling Street) contains a commercial premises currently operating as the 'Goddess Glow' hair salon. The subject site is located on the corner of Darling Street and Bridge Street. Development within the immediate locality consists of a combination of residential dwellings and various health care services. Adjacent development consists of a residential dwelling to the west and Physiotherapist to the east.

An aerial map is provided overleaf in Figure 1; the highlighted area indicates the subject lot.



**FIGURE 1. Aerial view of Subject Site - Lot 120, DP 1069031, 30 - 32 Carthage Street, North Tamworth**

### **3.4 INFRASTRUCTURE CONSIDERATIONS**

#### **3.4.1 Traffic and Access**

The planning proposal will not result in any changes to current traffic movements. Any future development of the site may necessitate further investigation of traffic impacts and access arrangements.

#### **3.4.2 Services**

Electricity, telecommunications, sewer and water services are currently connected to the existing building. Current servicing is capable of accommodating the existing land use activity and no augmentation is considered necessary in order to facilitate the proposed listing. However, any future development may require upgrades to infrastructure services according to the type of development undertaken.

### **3.5 ENVIRONMENTAL CONSIDERATIONS**

#### **3.5.1 Flora and Fauna**

The subject site is located in an urban environment, heavily disturbed with little or no vegetation either native or introduced. Consideration of potential impacts to flora/fauna species is not relevant to this planning proposal.

### 3.5.2 Heritage (European and Aboriginal)

The subject site is located in an urban environment, heavily disturbed and considered highly unlikely to contain any objects of Aboriginal heritage or importance. With regard to European heritage the building occupying the site is considered to be historically significant but is currently not listed in the heritage register contained in Schedule 5 of the TRLEP 2010 or on the NSW State Heritage Register. A number of buildings of local heritage significance exist in the vicinity.

### 3.5.3 Visual Amenity and Scenic Impact

The proposed listing in Schedule 5 will not create any negative visual or scenic impacts.

### 3.5.4 Natural Hazards

The subject site is not considered by Council to be either flood or bush fire prone.

### 3.5.5 Noise/Dust/Odour

The proposed heritage listing will not create any negative noise, dust or odour impacts.

## 3.6 A2. IS THE PLANNING PROPOSAL THE BEST MEANS OF ACHIEVING THE OBJECTIVES OR INTENDED OUTCOMES, OR IS THERE A BETTER WAY?

Yes. This approach to include an additional heritage item is considered appropriate to meet Council's requirements and objectives to protect the Tamworth Region's heritage. Amending the *Tamworth Regional Local Environmental Plan 2010* is the only avenue available to lawfully facilitate the proposed heritage listing.

## 3.7 SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

### 3.7.1 B1. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Tamworth Regional Council is subject to a regional strategy. This strategy is identified as the *New England North West Regional Plan 2036*. It is considered that the planning proposal is consistent with the general principles and aims expressed in the plan.

### 3.7.2 B2. Is the planning proposal consistent with a Council's Local Community Strategic Plan, or other Local Strategic Plan?

The planning proposal is considered to be consistent with the stated principles contained in the *Keychange 2023 Community Strategic Plan (CSP 2023)*. The Planning Proposal seeks to amend the current TRLEP 2010 to add the item to Schedule 5 Environmental Heritage. The protection of an item of local architectural and cultural heritage is consistent with the vision and objectives of this document.

### 3.7.3 B3. Is the planning proposal consistent with applicable State Environmental Planning Policies?

An assessment of possibly relevant State Environmental Planning Policies (SEPPs) against the planning proposal is provided in the table below:

**Table 1: Relevant State Environmental Planning Policies**

<b>SEPP</b>	<b>Objectives</b>	<b>Relevance and Implications</b>
SEPP 55 – Remediation of Land	This SEPP applies to land in NSW considered to be unsuitable for development due to contamination.	The planning proposal has no implications in terms of the application of the SEPP. This proposal does not facilitate any building works or disturbance of land.
SEPP (Exempt and Complying Development Codes) 2008	This SEPP provides exempt and complying development codes that have state-wide application.	The planning proposal has no implications in terms of the application of the SEPP. This proposal is not inconsistent with the SEPP.
SEPP (Infrastructure) 2007	This SEPP provides a consistent approach for infrastructure and the provision of services across NSW.	The subject sites are already fully serviced and will place no additional strain on infrastructure services in the area. This proposal is not inconsistent with the SEPP.
SEPP (Urban Renewal) 2010	This SEPP aims to facilitate the renewal and revitalisation of urban areas.	The planning proposal has no implications in terms of the application of the SEPP.



**3.7.4 B4. Is the Planning Proposal consistent with applicable Ministerial Directions (s.9.1 directions)?**

The planning proposal is considered to be consistent with the applicable Ministerial Directions, under s.9.1(2) of the Environmental Planning and Assessment Act, 1979. Refer to Table 2 below.

**Table 2: Relevant Ministerial Directions**

<b>Ministerial Direction</b>	<b>Aim of Direction</b>	<b>Consistency and Implication</b>
<b>2. ENVIRONMENT AND HERITAGE</b>		
2.3 Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance.	The Planning Proposal is consistent with the Planning Direction. The purpose of the Planning Proposal is to protect an item of environmental heritage.
<b>3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT</b>		
3.1 Residential Zones	The aim is encourage a variety of housing types to provide for existing and future housing needs and to minimise the impact of residential development on the environment and resource lands.	Consistent. As the proposal relates to an existing dwelling, it will have no effect on housing choice in the area.
3.3 Home Occupations	The aim of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.	Consistent. This planning proposal would not preclude the carrying out of a home occupation.
<b>6. LOCAL PLANNING</b>		
6.1 Approval and Referral Requirements	The aim of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	Consistent. This planning proposal would result in the building becoming a local heritage item but not a State Heritage Item.
6.3 Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	Consistent. This Planning Proposal is not for the purpose of facilitating a particular development proposal. It relates solely to the heritage listing of an item of environmental heritage.

**3.8 SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT****3.8.1 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?**

The Planning Proposal is for the purposes of retaining an existing building.

This site is not identified as being of ecological significance, nor has it been identified as biodiversity significant or as riparian land under the TRLEP 2010. Therefore, it is considered highly unlikely that critical habitat or threatened species populations or ecological communities, or their habitats, will be present on the site.



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**3.8.2 C2. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?**

There are no additional environmental effects envisaged as a result of listing the current property in the Tamworth Regional Local Environmental Plan 2010.

This planning proposal is solely for the purpose of identifying the current building as an item of local environmental heritage and this proposal will not have an adverse effect.

**3.8.3 C3. How has the Planning Proposal adequately addressed any social and economic effects?**

The planning proposal is facilitating the conservation of an item of local architectural and cultural heritage that has significance for the local community. The Planning Proposal seeks to protect a significant part of the buildings history and heritage and there would not be any disadvantages with the proposed listing. Identifying the site for heritage listing does not prevent the potential future development of the site as long as it is proven that proposed development will not adversely affect the heritage significance of the item.

It is expected that the added benefits of the proposed heritage listing will include greater social sense of place, increases in heritage and cultural tourism, and increased opportunities for interpretation and urban renewal. The Planning Proposal will also facilitate different uses of the building that would otherwise not be permitted in the zone.

**3.9 SECTION D – STATE AND COMMONWEALTH INTERESTS**

**3.9.1 D1. Is there adequate public infrastructure for the Planning Proposal?**

The planning proposal relates to the heritage listing of an existing building. No additional demand for public infrastructure is anticipated as a consequence of this listing.

**3.9.2 D2. What are the views of state and Commonwealth Public Authorities consulted in accordance with the Gateway determination?**

Council will undertake consultation with any government agencies nominated by the Department of Planning and Environment as part of the issuing of a Gateway, should this be required.

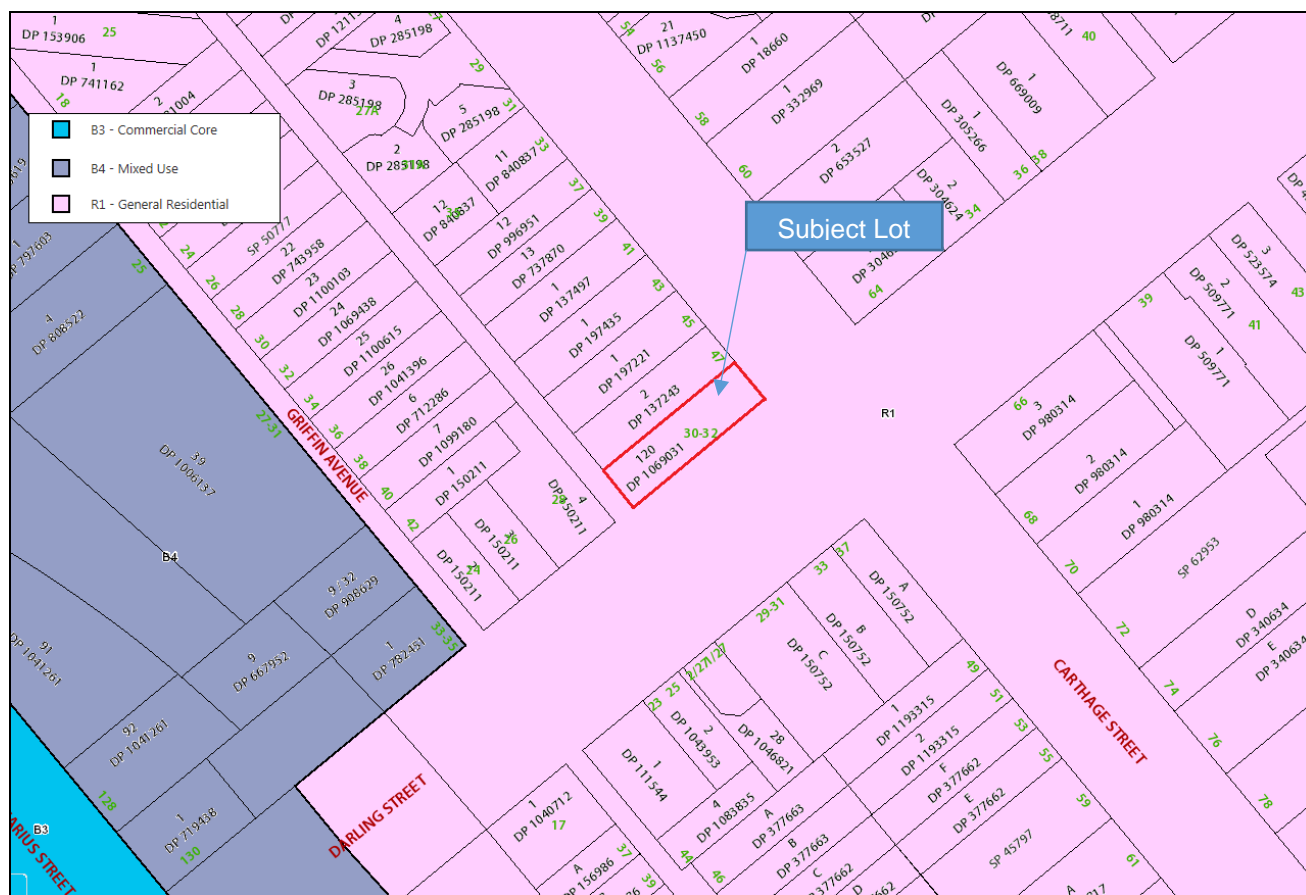
Council will seek the plan making delegation under Section 2.4 of the Environmental Planning and Assessment Act 1979 to finalise the Planning Proposal. This involves Council taking on the Director General's function under s3.36 of the EP&A Act 1979 in liaising with the Parliamentary Counsel's Office (PCO) to draft the required local environmental plan to give effect to the Planning Proposal as well the Minister's function under s3.36(2) of the EP&A Act in making the Plan.

Other State and Commonwealth public authorities will be consulted following the outcome of the gateway determination, if required. Consultation will be carried out in accordance with section 3.34(4) of the EP&A Act 1979.

## 4.0 PART 4 – MAPPING

### 4.1 Current land use zone applying to the land

The property is currently zoned as *R1 - General Residential* under the Tamworth Regional Local Environmental Plan 2010 (refer Figure 2 below). The zoning is not proposed to change as a result of this planning proposal.



**Figure 2. ZONING MAP - Map reference 004C**

## 5.0 PART 5. COMMUNITY CONSULTATION

Under Section 3.34(4) of the *Environmental Planning and Assessment Act 1979*, before community consultation is undertaken, the Director-General of the Department of Planning must approve the form of Planning Proposals to comply with the Gateway determination.

Should the planning proposal submitted be supported by the NSW State Government, the draft plan will be placed on public exhibition in accordance with the DP&E's Gateway Determination requirements. This will involve seeking further State agency, stakeholder and general community feedback prior to being reported back to Council. It is suggested that the Planning Proposal be advertised in the following manner:-

- Advertisement in the local daily newspaper('Northern Daily Leader');
- Exhibited material will be on display at Council's offices throughout the duration of the exhibition period;
- Exhibition material will also be made available on Council's website throughout the duration of the exhibition period; and
- Letters will be issued to adjoining property owners advising them of the Planning Proposal.

## 6.0 PART 6. TIMEFRAME

The following timeframe is indicative only and is subject to change. It is estimated that the expected total timeframe for this Planning Proposal (should it be approved) is six to eight months.

**Table 3. Project Timeline**

Item	Estimated Time Frame	Responsibility
Gateway Determination	6 weeks from report to Council	Department of Planning and Environment
Revisions/Additional Studies (if required)	N/A subject to Gateway Determination	Council
Public Exhibition	2 weeks from Gateway Determination	Council
Public Hearing	Not required	N/A
Consideration of submissions	2 weeks following completion of public exhibition	Council
Timeframe for the consideration of a proposal post exhibition	4 weeks	Council
Date of submission to Department to finalise LEP	4 weeks	Council
Anticipated date RPA will make the plan (if delegated)	4 weeks	Department of Planning and Environment
Anticipated date RPA will forward to the department for notification	4 weeks	Department of Planning and Environment

## 7.0 RECOMMENDATION

At Council's meeting on 13 March 2018, Council resolved the following:

That in relation to the Planning Proposal to list the property known as Lot 120, DP 1069031, 30-32 Darling Street, North Tamworth, as a local heritage item under the Tamworth Regional Local Environmental Plan 2010, Council:-

- i) forward the Planning Proposal, to the Department of Planning and Environment requesting a Gateway Determination in accordance with Sections 3.33 and 3.34 of the *Environmental Planning and Assessment Act 1979*; and
- ii) upon receipt of a Gateway Determination in relation to the Planning Proposal, publicly exhibit the proposal.

It is also requested that delegations be requested under Section 3.36 for the making of the proposed amendment, should a gateway determination be received (refer APPENDIX D).

## Appendix A – Site Photos



Photo 1. North view of subject lot in Darling Street



Photo 2. Westerly view of building from Carthage Street



Photo 3. View of access road adjacent to hair salon



Photo 4. North westerly view of Subject Site in Carthage Street, towards Darling Street



## Appendix B – Tamworth Regional Local Environmental Plan Heritage Map - Sheet HER\_004CB



Planning Proposal to List the Existing Building on Lot 120, DP 1069031, 30-32 Darling Street, North Tamworth as an Item of Local Heritage Significance Under Schedule 5 Environmental Heritage

## Appendix C – Council Report and Resolution of Meeting held 13 March 2018

### 7.1 PLANNING PROPOSAL TO LIST THE EXISTING BUILDING ON LOT 120 DP 1069031, 30-32 DARLING STREET, NORTH TAMWORTH AS AN ITEM OF LOCAL HERITAGE SIGNIFICANCE UNDER SCHEDULE 5 ENVIRONMENTAL HERITAGE OF THE TAMWORTH REGIONAL LOCAL ENVIRONMENTAL PLAN 2010 – FILE NO SF8553

**DIRECTORATE:** PLANNING AND COMPLIANCE  
**AUTHOR:** Nathan Bartlett, Strategic Planner

**1 ANNEXURES ATTACHED**

#### RECOMMENDATION

*That in relation to the report "Planning Proposal to List the Existing Building on Lot 120 DP 1069031, 30-32 Darling Street, North Tamworth as an Item of Local Heritage Significance under Schedule 5 Environmental Heritage of the Tamworth Regional Local Environmental Plan 2010", Council:*

- (i) *forward the Planning Proposal, to the Department of Planning and Environment requesting a Gateway Determination in accordance with Sections 55 and 56 of the Environmental Planning and Assessment Act 1979; and*
- (ii) *upon receipt of a Gateway Determination in relation to the Planning Proposal, publicly exhibit the proposal.*

#### SUMMARY

The purpose of this report is to seek a resolution of Council to amend Schedule 5 Environmental Heritage of the *Tamworth Regional Local Environmental Plan 2010* to include Lot 120 DP 1069031, 30-32 Darling Street, North Tamworth as an item of local heritage significance. This report addresses the first stage of the process to obtain a gateway for a Planning Proposal.

#### COMMENTARY

The Planning Proposal aims to include the building located on Lot 120 DP 1069031, 30-32 Darling Street, North Tamworth in Schedule 5 Environmental Heritage of the *Tamworth Regional Local Environmental Plan 2010 (TRLEP 2010)*, as shown on the **ATTACHED** map, refer **ANNEXURE 1**.

The building was originally a general store with attached residence and in 1918 a young family operated a small mixed business from the store and resided in the residence. The general store part of the building, located on the corner of Darling and Carthage Streets, has been more recently used as a hairdresser.

A preliminary investigation as to the heritage significance of the property confirms that it is worthy of inclusion as a heritage item in *TRLEP 2010*. The *Tamworth Heritage Inventory 2000* identifies the building as having architectural significance that is part of a group of late Victorian houses and shops associated with the railway.

Further, the building is identified on the East Tamworth map contained in the of the East Tamworth and West Tamworth character area chapter of the *Tamworth Development Control Plan 2010 (TRDCP 2010)*. The chapter recognises the unique character of these areas because they retain a significant number of heritage items.

To support the heritage value of the building on its own, and as part of a character area, it is recommended that Council prepare a Planning Proposal to include Lot 120 DP 1069031, 30-32 Darling Street, North Tamworth in Schedule 5 Environmental Heritage of the *TRLEP 2010*.

Should the Planning Proposal be supported by the *Department of Planning and Environment* and receive a favourable Gateway Determination, it will be exhibited in accordance with the Department's Gateway Determination requirements and with explanatory heritage information. This will involve appropriate notification of adjoining owners, relevant State agencies and the wider community

#### (a) Policy Implications

The Planning Proposal will result in an amendment to Schedule 5 Environmental Heritage of the *TRLEP 2010*.

#### (b) Financial Implications

Nil

#### (c) Legal Implications

Any potential amendment to the *TRLEP 2010* would change the legal planning controls for the affected land.

*Tamworth Regional Council – Ordinary Council – 13 March 2018*



## OPEN COUNCIL REPORTS

### 7 ENVIRONMENT AND PLANNING

#### 7.1 PLANNING PROPOSAL TO LIST THE EXISTING BUILDING ON LOT 120 DP 1069031, 30-32 DARLING STREET, NORTH TAMWORTH AS AN ITEM OF LOCAL HERITAGE SIGNIFICANCE UNDER SCHEDULE 5 ENVIRONMENTAL HERITAGE OF THE TAMWORTH REGIONAL LOCAL ENVIRONMENTAL PLAN 2010 – FILE NO SF8553

**DIRECTORATE:** PLANNING AND COMPLIANCE  
**AUTHOR:** Nathan Bartlett, Strategic Planner

#### MOTION

#### Moved Cr Wilson/Cr Maxwell

That in relation to the report "Planning Proposal to List the Existing Building on Lot 120 DP 1069031, 30-32 Darling Street, North Tamworth as an Item of Local Heritage Significance under Schedule 5 Environmental Heritage of the Tamworth Regional Local Environmental Plan 2010", Council:

- (i) forward the Planning Proposal, to the Department of Planning and Environment requesting a Gateway Determination in accordance with Sections 55 and 56 of the Environmental Planning and Assessment Act 1979; and
- (ii) upon receipt of a Gateway Determination in relation to the Planning Proposal, publicly exhibit the proposal.

**74/18 RESOLVED**

*Tamworth Regional Council – Ordinary Council – 13 March 2018*



## Appendix D – Attachment 4 - Evaluation Criteria for Delegation of Plan Making Functions

### 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:
Tamworth Regional Council
Name of draft LEP:
Planning Proposal to List the Existing Building on Lot 120, DP 1069031, 30-32 Darling Street, North Tamworth as an Item of Local Heritage Significance Under Schedule 5 Environmental Heritage
Address of Land (if applicable):
Lot 120, DP 1069031, 30-32 Darling Street, North Tamworth
Intent of draft LEP:
The intent of the LEP is listed as follows:-
Lot 120, DP 1069031, 30-32 Darling Street, North Tamworth, be listed as an item of local heritage significance under Schedule 5 of the TRLEP 2010.
Additional Supporting Points/Information:
The purpose of the amendment to the TRLEP 2010 in relation to the abovementioned parcels of land is described below:-
The building occupying the site is considered to be historically significant but is currently not listed in the heritage register contained in Schedule 5 of the TRLEP 2010 or on the NSW State Heritage Register. A number of buildings of local heritage significance exist in the vicinity. The Tamworth Heritage Study (1986) and Tamworth Heritage Inventory 2000 identify the building as having architectural significance that is part of a group of late Victorian houses and shops associated with the Tamworth Railway. On this basis, it is worthy of inclusion as a heritage item in TRLEP 2010.



## 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?	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			
<b>Minor Mapping Error Amendments</b>	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			
<b>Heritage LEPs</b>	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?	Y			
Does the planning proposal include another form of endorsement or support from the Heritage Office if there is no supporting strategy/study?	N			
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			
<b>Reclassifications</b>	Y/N			
Is there an associated spot rezoning with the reclassification?	N			
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			
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 <i>Local Government Act, 1993</i> ?		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) <i>Classification and reclassification of public land through a local environmental plan and Best Practice Guideline for LEPs and Council Land</i> ?		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		
<b>Spot Rezoning</b>	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			
<b>Section 73A matters</b>				
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).	N			
<b>NOTES</b> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> </ul>				

## Appendix E – Attachment 5 – Delegated Plan Making Reporting Template

### Attachment 5 – Delegated plan making reporting template

#### Reporting template for delegated LEP amendments

##### Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

**Table 1 – To be completed by the department**

Stage	Date/Details
Planning Proposal Number	
Date Sent to Department under s56	<b>8 May 2018</b>
Date considered at LEP Review Panel	
Gateway determination date	

**Table 2 – To be completed by the RPA**

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)	<b>N/A</b>	<b>N/A</b>
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DP&I requesting notification		

**Table 3 – To be completed by the department**

Stage	Date/Details
Notification Date and details	

**Additional relevant information: N/A**