

Planning Proposal
Rezoning of 153R Gannons Road
Caringbah
(Lot 1 DP1248818)

Part 1 – A statement of the objectives and intended outcomes of the proposed instrument

The purpose of this Planning Proposal is to zone a parcel of land, owned by Council, as public open space (zoned E2 Environmental Conservation) at 153R Gannons Road, Caringbah South (Lot 1 DP 1248818).

The land is vacant and approximately 800m² in area. The land will be added to the adjacent public reserve, known as 'Wattlebird Bushland Reserve'.



Extract SSLEP2015 and January 2018 aerial photo

Part 2 – An explanation of the provisions that are to be included in the proposed instrument

For 153R Gannons Road Caringbah, amend SSLEP2015 maps as follows:

SSLEP2015 Land Zoning Map: Change R2 Low Density Residential to Zone E2 Environmental Conservation.

SSLEP2015 Floor Space Ratio Map: Remove FSR

SSLEP2015 Height of Buildings Map: Remove height

SSLEP2015 Landscaped Area Map: Remove landscaped area

SSLEP2015 Lot Size Map: Remove lot size

Part 3 – The justification for those objectives, outcomes and the process for their implementation

Section A - Need for the planning proposal

Q1. Is the planning proposal a result of any strategic study or report?

The proposal is not the result of a strategic study.

The previous owner of 153R Gannons Road Caringbah South entered into a Deed of Agreement with Council to donate the subject land to Council, so that the land could be added to the adjacent Wattlebird Reserve, and be maintained by Council as a bushland reserve. The land is vacant and contains bushland.

The ownership of the land has now been transferred to Council. As part of the plan of acquisition registered at Land Registry Services NSW, Council agreed to place a covenant on the title of the Park Lot including words to the effect that the Park Lot is never to be built on and is to be returned to the original bushland state.

The proposal is the result of a Council report (PLN036-18) and Council Minute No 285 PLN036-18, which resolved that:

- “1. The owner of 153 Gannons Road be thanked in writing for the generous donation to benefit the Shire Community.*
- 2. The acquisition by donation of approximately 800m² of 153 Gannons Road, Caringbah (Part Lot 108 DP 5179) to increase open space at Wattlebird Bushland Reserve at terms and conditions to the satisfaction of the General Manager be approved.*
- 3. Once the land is acquired, a Planning Proposal be prepared to rezone part of 153 Gannons Road, Caringbah from R2 Low Density Residential to RE1 Public Recreation and reclassify the land as ‘Community’.*
- 4. The Planning Proposal be submitted to NSW Planning and Environment for Gateway Determination with a request that Council may make the plan under delegation.*
- 5. Subject to an approval being granted at Gateway, the above planning proposal be exhibited in accordance with Council’s policies and any conditions specified in the Gateway determination.*
- 6. The acquired land (Part Lot 108 DP 5179), and Wattlebird Bushland Reserve (consisting of Lot 1114 DP 588662, Lot 32 DP 537845, Lot 34 DP 589616, Lot 36 DP 538620, Lot 44 DP 535533 and Lot 46 DP 536689) be consolidated into a single lot.*
- 7. Council delegates the General Manager to execute any necessary documentation, in accordance with the Power of Attorney dated 6 July 2016 BK 4710 No. 28, for the acquisition of part of 153 Gannons Road, Caringbah (Lot 108 DP 5179).*

In accordance with Section 31 of the Local Government Act 1993 the land is now “taken to have been classified under a local environmental plan as community land”, as Council has not resolved to reclassify the land within the specified 3 month time frame (S.31(2)).

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes, rezoning of the land is the best means to make the land available to the public as a public reserve, to be managed by Council.

Section B – Relationship to strategic planning framework

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

The planning proposal is consistent with the broad policy directions contained within The Greater Sydney Region Plan: A Metropolis of Three Cities and the South District Plan. The Planning Proposal aims to ensure quality outcomes for the long-term benefits of the Sutherland Shire by facilitating improvements to the aesthetic and ecological qualities of the Shire's public open space. The relevant specific objectives and actions of the plan are:

The Greater Sydney Region Plan: A Metropolis of Three Cities

A city in its landscape

- **Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced**
This planning proposal will work towards this objective by protecting the existing bushland vegetation on the site and the rezoning will prevent development that could destroy its environmental qualities.
- **Objective 28: Scenic and cultural landscapes are protected:**
This planning proposal will work towards this objective by retaining the existing landscape and scenic character of the site. This will ensure that scenic and cultural landscapes are considered and protected.
- **Objective 30: Urban tree canopy cover is increased**
This planning proposal will work towards this objective by retaining the existing tree canopy and preventing development on the lot.
- **Objective 31: Public open space is accessible, protected and enhanced**
This planning proposal will provide the community additional open space and enhance the scenic character of the area.

The South District Plan:

Sustainability:

Action 65: Identify and protect scenic and cultural landscapes:

This planning proposal will work towards this objective by protecting the landscape, habitat and biodiversity on the site. This will ensure that scenic and cultural landscapes are considered and protected by the objectives of the zone.

Action 69: Expand urban tree canopy in the public realm:

This planning proposal will work towards this action by providing additional access to public open space. This should lead to improved tree canopy in the public realm.

Assessment Criteria

a) Does the proposal have strategic merit? It is:

- *Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site,*

*including any draft regional, district or corridor/precinct plans released for public comment;
or*

- *Consistent with a relevant local council strategy that has been endorsed by the Department;
or*
- *Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.*

This proposed amendment responds to the environmental qualities of land within the Sutherland Shire. The proposal will have benefits for protection of landscape character and urban tree canopy which align with the objectives and priorities of the Greater Sydney Region Plan: A Metropolis of Three Cities and the South District Plan and the objectives and priorities of the South District Plan (see above).

b) Does the proposal have site specific merit, having regard to the following:

- *The natural environment (including known significant environmental values, resources or hazards) and*
- *The existing uses, approved uses, and likely future uses of land in the vicinity of the proposal and*
- *The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.*

The planning proposal has site specific strategic merit. The site contains significant vegetation comprising the Coastal Enriched Sandstone Dry Forest.

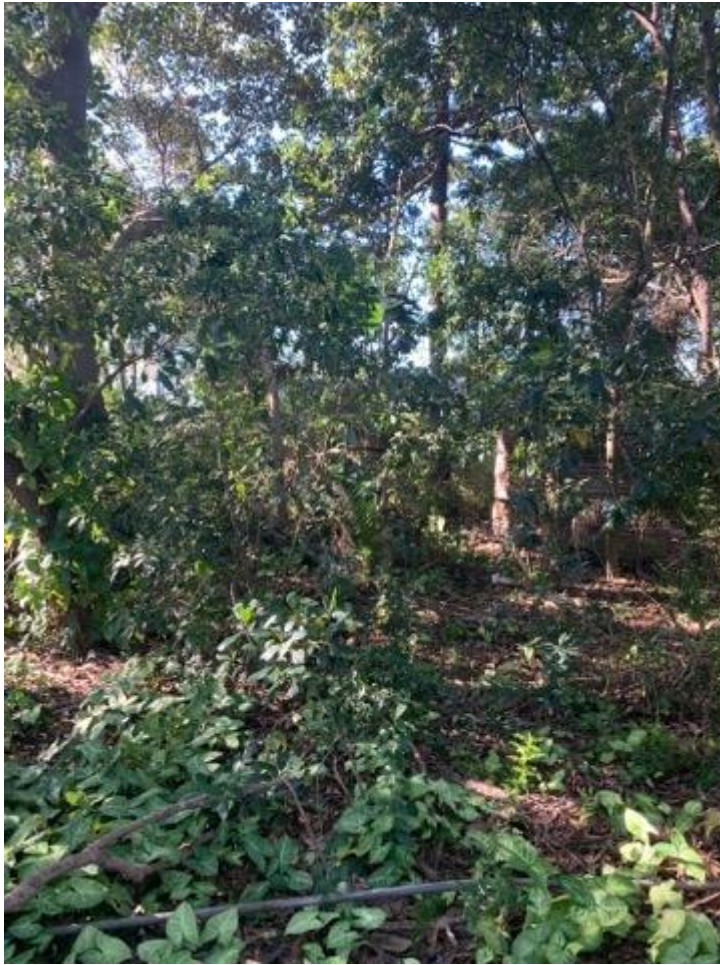


Photo: Wattlebird Reserve: Area proposed to be re-zoned E2 Environmental Conservation



Photo: Wattlebird Reserve: Area proposed to be re-zoned E2 Environmental Conservation



Photo: Wattlebird Reserve: Area proposed to be re-zoned E2 Environmental Conservation



Photo: Wattlebird Reserve: Area proposed to be re-zoned E2 Environmental Conservation



Photo: Wattlebird Reserve: Section currently zoned RE1Public Recreation

Wattlebird Reserve has an active Bushcare group that meets the 4th Wednesday of the Month. The site will contribute to the sustainability of bushland on the reserve.

The site is identified as being within the SSDCP2015 Greenweb Restoration Area. The Restoration Areas provide opportunities for establishment vegetation corridors between core areas. The Greenweb strategy aims to proactively managing significant vegetation and vegetated links through the Sutherland Shire. The addition of this area for open space purpose will help to create vegetated links between key areas of habitat which help the long term conservation of the local biodiversity



Extract: SSDCP2015 Greenweb: Yellow = Restoration Area, site identified in blue



Extract: OEHL 2016 : Vegetation Communities: Lime Green = Costal Enriched Sandstone Dry Forest.

The proposal will enhance local liveability, providing an increased amount of bushland open space to cater for the passive recreational needs of an increasing population.

Sustainability of the city within its landscape and biodiversity will be improved with the addition of 800sqm of open space to Wattlebird Bushland Reserve, which will be maintained by Council as bushland reserve.

The proposal is consistent with the objectives of the E2, Environmental Conservation zone, which include:

- *To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.*
- *To prevent development that could destroy, damage or otherwise have an adverse effect on those values*
- *To ensure that development, by way of its type, design and location, complements and enhanced the natural environment in an environmentally sensitive areas*

The re-zoning will protect bushland and prevent the removal of a significant portion of vegetation. The proposal will prevent this land from development that could destroy or damage the landscape currently present on the site.

Q4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

The planning proposal is consistent with Council's Community Strategic Plan in the following ways. The Community Strategic Plan: *Our Community Plan* endorses the outcomes, strategies and performance measures which this planning proposal seeks to pursue:

Outcome 2: Sutherland Shire: A beautiful, protected and healthy natural environment

Strategy 2.2 Enhance and protect diverse natural habitats.

- *2.2.1 Enhance and protect our diverse flora, fauna and ecological communities.*
- *2.2.2 Manage, promote and enhance our tree canopy in urban and natural areas.*
- *2.2.3 Encourage responsible urban planning which balances growth with environmental sustainability.*

Strategy 2.4 Environment and climate risks and impacts are understood and managed.

- *2.4.1 Plan for and respond to long-term climate related changes.*
- *2.4.2 Monitor and manage the environment to minimise the impacts of natural disasters.*
- *2.4.3 Build community resilience to respond and adapt to environment and climate risks.*

Relevant Performance Measures:

- *No net loss of tree canopy*
- *Flora and fauna surveys*
- *Community satisfaction that the natural environment is respected and protected*

Implementing this planning proposal will help to maintain and protect the natural environment of the Sutherland Shire by enhancing and protecting the diverse flora, fauna and ecological communities, and enhancing the tree canopy in an 800sq m area to be maintained as bushland.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Yes the planning proposal is consistent with applicable State Environmental Planning Policies (SEPPs)

SEPP	Relevance to Planning Proposal	Planning Proposal Consistency with SEPP?
State Environmental Planning Policy No 1—Development Standards	None - Does not apply to land under SSLEP2015	
State Environmental Planning Policy No 19—Bushland in Urban Areas	Relevant	Consistent as the amendment will protect bushland within an urban area
State Environmental Planning Policy No 21—Caravan Parks	None. No provisions of the Planning Proposal affect development for the purposes regulated under this SEPP.	
State Environmental Planning Policy No 30—Intensive Agriculture	None. No provisions of the Planning Proposal affect development for the purposes regulated under this SEPP.	
State Environmental Planning Policy No 33—Hazardous and Offensive Development	None. No provisions of the Planning Proposal affect development for the purposes regulated under this SEPP.	
State Environmental Planning Policy No 36—Manufactured Home Estates	None - Does not apply to land under SSLEP2015	
State Environmental Planning Policy No 44—Koala Habitat Protection	None - Does not apply to land under SSLEP2015	
State Environmental Planning Policy	None - Does not apply to land under SSLEP2015	

SEPP	Relevance to Planning Proposal	Planning Proposal Consistency with SEPP?
No 47—Moore Park Showground		
State Environmental Planning Policy No 50—Canal Estate Development	None. No provisions of the Planning Proposal affect development for the purposes of Canal Estates.	
State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	None - Does not apply to land under SSLEP2015	
State Environmental Planning Policy No 55—Remediation of Land	The Planning Proposal does not seek to materially change the development potential of any land which is known to be contaminated.	
State Environmental Planning Policy No 62—Sustainable Aquaculture	None. No provisions of the Planning Proposal affect development for the purposes of Sustainable Aquaculture.	
State Environmental Planning Policy No 64—Advertising and Signage	None. No provisions of the Planning Proposal affect development for the purposes of Advertising and Signage.	
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	None. No provisions of the Planning Proposal affect development for the purposes of Residential Apartments.	
State Environmental Planning Policy No 70—Affordable	None. No provisions of the Planning Proposal affect development for the purposes of affordable housing.	

SEPP	Relevance to Planning Proposal	Planning Proposal Consistency with SEPP?
Housing (Revised Schemes)		
State Environmental Planning Policy (Affordable Rental Housing) 2009	None. No provisions of the Planning Proposal affect development for the purposes of affordable rental housing.	
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	None. No provisions of the Planning Proposal affect the environmental performance characteristics of residential dwellings.	
State Environmental Planning Policy (Coastal Management) 2018	None. No provisions of the Planning Proposal seek to introduce controls which would conflict with the Coastal Management SEPP.	
State Environmental Planning Policy (Concurrences) 2018	None. No provisions of the Planning Proposal seek to introduce controls which would conflict with the Concurrences SEPP.	
State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017	None. No provisions of the Planning Proposal affect development for the purposes of educational establishments or child care facilities.	
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	None. No provisions of the Planning Proposal seek to introduce controls which would conflict with the SEPP.	

SEPP	Relevance to Planning Proposal	Planning Proposal Consistency with SEPP?
State Environmental Planning Policy (Gosford City Centre) 2018	None - Does not apply to land under SSLEP2015	
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	None. No provisions of the Planning Proposal affect development for the purposes of housing for seniors or people with a disability.	
State Environmental Planning Policy (Infrastructure) 2007	None. No provisions of the Planning Proposal affect development for the purposes of infrastructure.	
State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007	None - Does not apply to land under SSLEP2015	
State Environmental Planning Policy (Kurnell Peninsula) 1989	None - Does not apply to land under SSLEP2015	
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	None. No provisions of the Planning Proposal affect development for the purposes of mining, petroleum production and extractive industries.	
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007	None. No provisions of the Planning Proposal affect development for the purposes regulated under this SEPP.	
State Environmental Planning Policy	None - Does not apply to land under SSLEP2015	

SEPP	Relevance to Planning Proposal	Planning Proposal Consistency with SEPP?
(Penrith Lakes Scheme) 1989		
State Environmental Planning Policy (Rural Lands) 2008	None - Does not apply to land under SSLEP2015	
State Environmental Planning Policy (State and Regional Development) 2011	None. No provisions of the Planning Proposal affect development classed as State Significant Development or Regional Development.	
State Environmental Planning Policy (State Significant Precincts) 2005	None. No provisions of the Planning Proposal affect projects or sites regulated under this SEPP.	
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	None. No provisions of the Planning Proposal affect projects or sites regulated under this SEPP.	
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	None - Does not apply to land under SSLEP2015	
State Environmental Planning Policy (Three Ports) 2013	None - Does not apply to land under SSLEP2015	
State Environmental Planning Policy (Urban Renewal) 2010	None - Does not apply to land under SSLEP2015	
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	None. No provisions of the Planning Proposal affect development for the purposes regulated under this SEPP.	

SEPP	Relevance to Planning Proposal	Planning Proposal Consistency with SEPP?
State Environmental Planning Policy (Western Sydney Employment Area) 2009	None - Does not apply to land under SSLEP2015	
State Environmental Planning Policy (Western Sydney Parklands) 2009	None - Does not apply to land under SSLEP2015	
Sydney Regional Environmental Plan No 9— Extractive Industry (No 2— 1995)	None. No provisions of the Planning Proposal affect development for the purposes of extractive industries.	
Greater Metropolitan Regional Environmental Plan No 2— Georges River Catchment	None. No provisions of the Planning Proposal affect development for the purposes regulated under this SEPP.	

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 and s.9.1 directions)?

Yes the planning proposal is generally consistent with the applicable s9.1 Ministerial Directions. Relevant Directions are discussed in detail below:

2.1 Environmental Protection Zones

This direction aims to protect and conserve environmentally sensitive areas. The proposed E2 Environmental Conservation zoning does not reduce the standard of environmental protection applied to environment protection zone. The land has a high conservation value and the rezoning will provide additional protection to the biodiversity present on the lot. Therefore, the proposal is consistent with this direction.

3.1 Residential Zones

The proposed rezoning affects land within a residential zone, changing the rear part of the original lot (800sq.m.) to a public recreation zone. The dwelling house is located on the remaining part of the lot at 153 Gannons Road (Lot 2 DP 1248818) with estimated site area 1138.45 s.qm.

While the amount of land which can be developed for housing is reduced by this proposed rezoning (by 800 sqm) the rezoning is of minor significance to housing supply.

5.10 Implementation of Regional Plans & 7.1 Implementation of A Plan for Growing Sydney

With the release of *A Metropolis of Three Cities - The Greater Sydney Region Plan 2018*, directions 5.10 and 7.1 need to be considered together.

The objective of Direction 5.10 is “to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.” This is implemented by requiring that all planning proposals must be consistent with the applicable regional plan. *A Metropolis of Three Cities - The Greater Sydney Region Plan 2018* is the applicable regional plan which applies to the Sutherland Shire.

The objective of Direction 7.1 is “to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in *A Plan for Growing Sydney*.” This is implemented by requiring that all planning proposals must be consistent with *A Plan for Growing Sydney*. Given that *A Plan for Growing Sydney* has been superseded by *A Metropolis of Three Cities - The Greater Sydney Region Plan 2018* the planning proposal should be assessed against this plan instead.

A Metropolis of Three Cities - The Greater Sydney Region Plan 2018 (hereafter “the Plan”)- Several directions and objectives are relevant to this planning proposal:

A city in its landscape

- *Objective 30 urban tree canopy cover is increased*

The proposal will maintain/ increase urban tree canopy cover

An efficient city

- *Objective 33 A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change*

The proposal will maintain/increase urban tree canopy cover

Adapting to a changing world

- *Objective 38 Heatwaves and extreme heat are managed*

The Plan advocates a boost to tree canopy in urban areas to provide relief from urban heat, primarily to protect human health and liability.

The proposal will maintain/ increase urban tree canopy cover

Section C – Environmental, social and economic impact

Q7. 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 proposal protects and increases available habitat as the part lot will remain a bushland reserve under Council's ownership and management. The land is designated in SSDCP2015 as a Greenweb Restoration area, and increasing the amount of land under public ownership and zoned for public recreation will improve the effectiveness of make the the Greenweb Restoration area.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

No adverse environmental effects

Q9. Has the planning proposal adequately addressed any social and economic effects?

There are no adverse social or economic effects anticipated. The proposal increases the size of the adjacent public reserve, which is managed by Council.

Section D – State and Commonwealth interests

Q10. Is there adequate public infrastructure for the planning proposal?

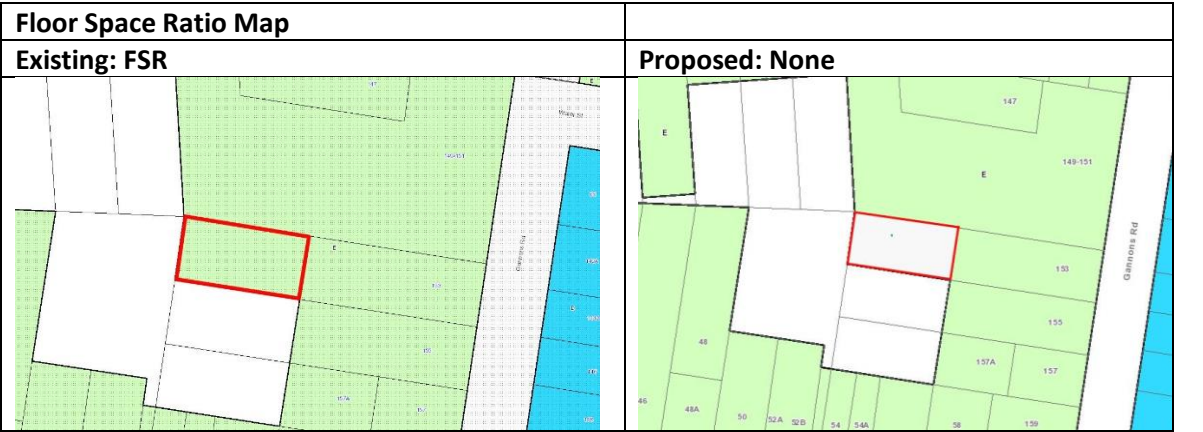
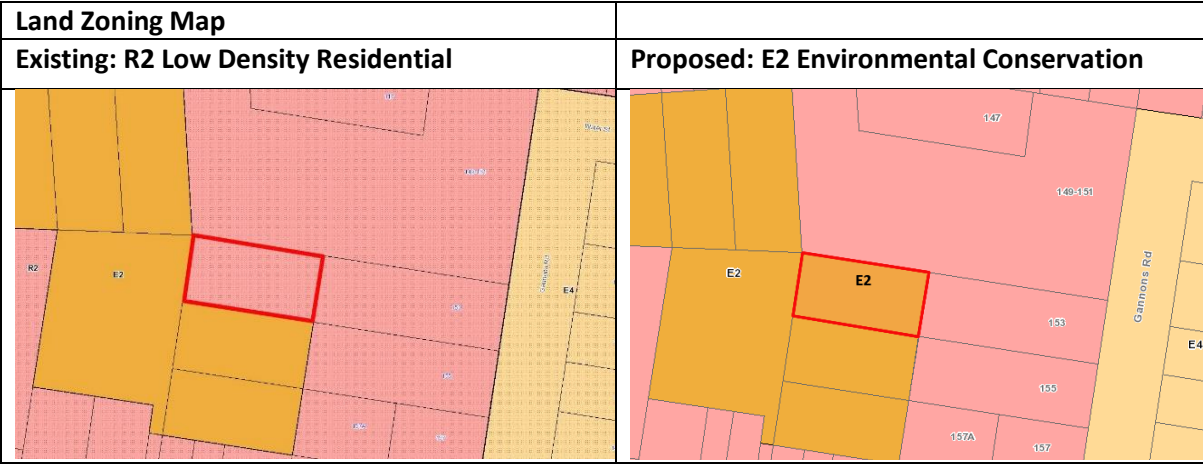
The proposal increases the amount of public infrastructure in the form of a public reserve.

Q11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

The views of any relevant State and Commonwealth agencies will be sought through consultation following receipt of the Gateway Determination.

Part 4 – Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies

Rezone 153R Gannons Road, Caringbah South (Lot 1 DP 1248818) from R2 Low Density Residential to E2 Environmental Conservation.

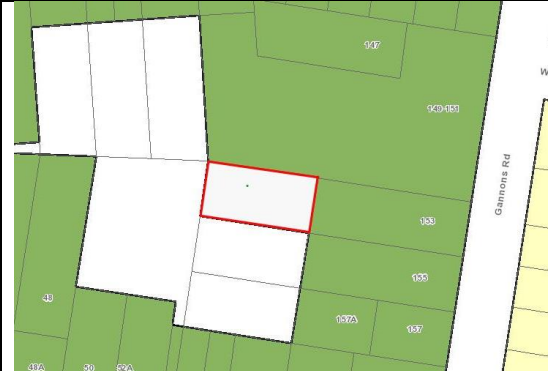


Landscaped Area Map

Existing:

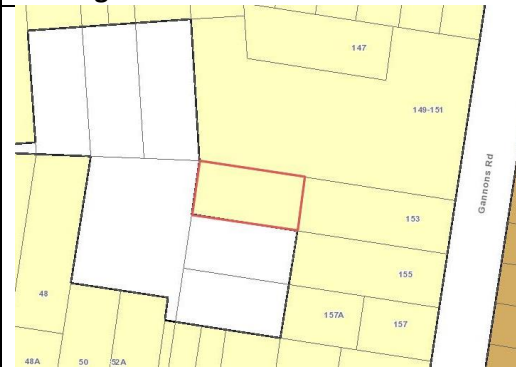


Proposed: None

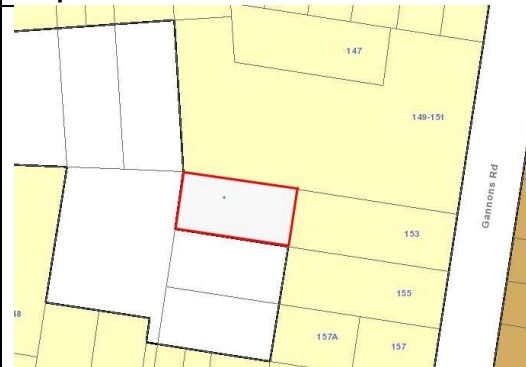


Lot Size Map

Existing:



Proposed: None



Part 5 – Details of the community consultation that is to be undertaken on the planning proposal

In accordance with “A Guide to Preparing Local Environmental Plans” prepared by the Department of Planning and Environment (2016), the Planning Proposal will be exhibited for a period of 28 days. It is proposed that the exhibition will include:

Advertisement in local newspaper

An advertisement will be placed in the Council page in the St George and Sutherland Shire Leader identifying the purpose of the planning proposal and where the planning proposal can be viewed.

Displays at the Council Administration Building and local libraries

The planning proposal will be displayed at the Council Administration Building, 4-20 Eton Street, Sutherland and in all branch libraries (located in Bundeena, Caringbah, Cronulla, Engadine, Menai, Miranda, Sutherland and Sylvania).

Advertisement on the Council website

The planning proposal will be exhibited on the Council consultation website (jointheconversation.sutherlandshire.nsw.gov.au) with links from the home page. It is anticipated that the mapping changes will be available through Shire Maps (Council’s interactive online mapping system) which will be especially beneficial for the public to compare the existing and proposed changes for any property.

Direct contact

Interested parties will be able to contact the Strategic Planning Unit of Council directly through a telephone hotline and through a dedicated email address.

Part 6 – Project Timeline

Milestones	Timing
Gateway Determination	June 2019
Exhibition Start	July 2019
End Exhibition	August 2019
Review and Consideration of Submissions	September 2019
Report to Committee on Submissions	September/October 2019
Council Meeting	October 2019
Request for Draft Instrument to be Prepared	October 2019

Conclusion

The purpose of this Planning Proposal is to increase public open space with the rezoning of the subject land at 153R Gannons Road, Caringbah South (Part Lot 108 DP 5179), the addition of the rezoned land (approximately 800sq m) to the adjacent public reserve known as 'Wattlebird Bushland Reserve'.

The Planning Proposal is generally consistent with relevant State and local legislation, directions, policies and strategic documents and will have a positive environmental, social and economic impact.

Appendix 1: Criteria for Delegation of Plan Making Functions

Local Government Area: Sutherland Shire

Name of draft LEP: SSLEP2015 Minor Amendments: Clauses, Zoning and Development Standards 2018

Address of land (if applicable): 153R Gannons Road, Caringbah South (Lot 1 DP 1248818)

Intent of draft LEP: The purpose of this Planning Proposal is to zone a parcel of land, owned by Council, as public open space (zoned E2 Environmental Conservation) at 153R Gannons Road, Caringbah South (Lot 1 DP 1248818).

Additional Supporting Points/Information: N/A

Evaluation criteria for authorising Council to be the local plan-making authority

	Council Response		Department assessment
	Y/N	Not Relevant	Agree/Disagree
(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)			
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		
Does the planning proposal give effect to an endorsed regional or sub-regional planning strategy or a local strategy including the LSPS endorsed by the Planning Secretary?	Y		
Does the planning proposal adequately address any consistency with all relevant s. 9.1 Planning Directions?	Y		
Is the planning proposal consistent with all relevant State Environmental Planning Policies (SEPPs)?	Y		
Minor Mapping Error Amendments			
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		
Heritage LEPs			
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

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	
Has Council confirmed whether there are any trusts, estates, interests, dedications, conditions, restrictions or covenants on the public land and included a copy of the title with the planning proposal?		N/A	
Has council confirmed that there will be no change or extinguishment of interests and that the proposal does not require the Governor's approval?		N/A	
Has the council identified that it will exhibit the planning proposal in accordance with the Department's Practice Note regarding 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 Rezonings

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/A	

Section 3.22 matters

<p>Does the proposed instrument</p> <p>a) correct an obvious error in the principal instrument consisting of a misdescription, the inconsistent numbers 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?</p> <p>b) Address matters in the principal instrument that are of a consequential, transitional, machinery or other minor nature?</p> <p>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 of the adjoining land?</p> <p>(Note – the Minister (or Delegate) will need to form an Opinion under section 3.22(1)(c) of the Act in order for a matter in tis category to proceed)</p>		N/A	
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