

PLANNING PROPOSAL – PP024

Shoalhaven Local Environmental Plan 2014

Moss Vale Road South

Urban Release Area (URA) –

Exception to minimum lot size clause

Prepared by
Planning & Development Services Group
Shoalhaven City Council

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1 Introduction

This Planning Proposal (PP) seeks to amend Shoalhaven Local Environmental Plan 2014 (SLEP 2014) to allow for an exception to the mapped minimum lot size in the Moss Vale Road South (MVRS) Urban Release Area (URA) in appropriate circumstances.

The intention of the MVRS URA as well as the other URA's identified via the Nowra-Bomaderry Structure Plan is to meet the changing housing needs of the wider Nowra-Bomaderry community and also provide for the continued growth of this key regional centre. The minimum lot size for the URA is currently mapped as 500m² under the SLEP 2014. The PP seeks to introduce an "exception" to the minimum lot size that will allow for lots as small as 300m² in certain locations, to encourage greater housing diversity/affordability and enable ageing in place.

It is requested that Council be given delegation for the plan making functions for this PP. The evaluation criteria for delegation is provided as **Attachment 4**.

The PP has been prepared in line with 'A guide to preparing local environmental plans' and 'A guide to preparing planning proposals'.

1.1 Subject Land

The subject land is located on Moss Vale Road between Bomaderry and Cambewarra Village in the Shoalhaven Local Government Area, as shown in *Figure 1* below. The subject land specifically is located within the MVRS URA.

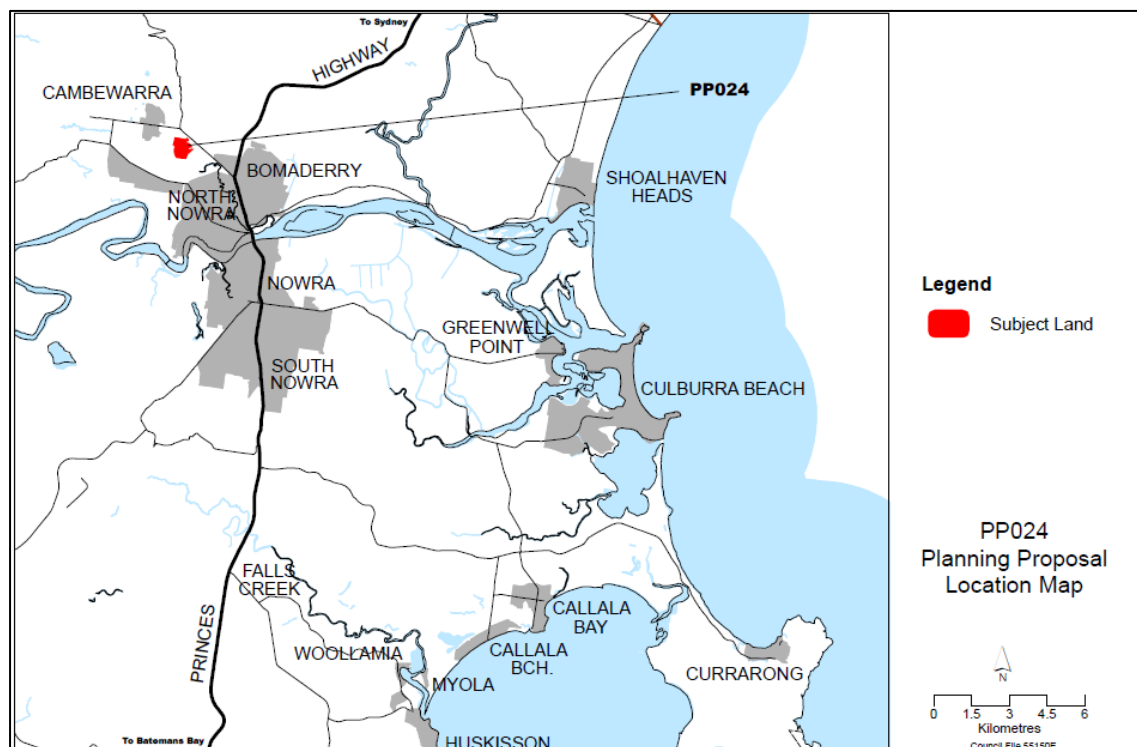


Figure 1 - Location Map

The URA (as outlined in red in *Figure 2* below) is approximately 79 hectares (ha) in size and is primarily cleared and used for agricultural purposes.

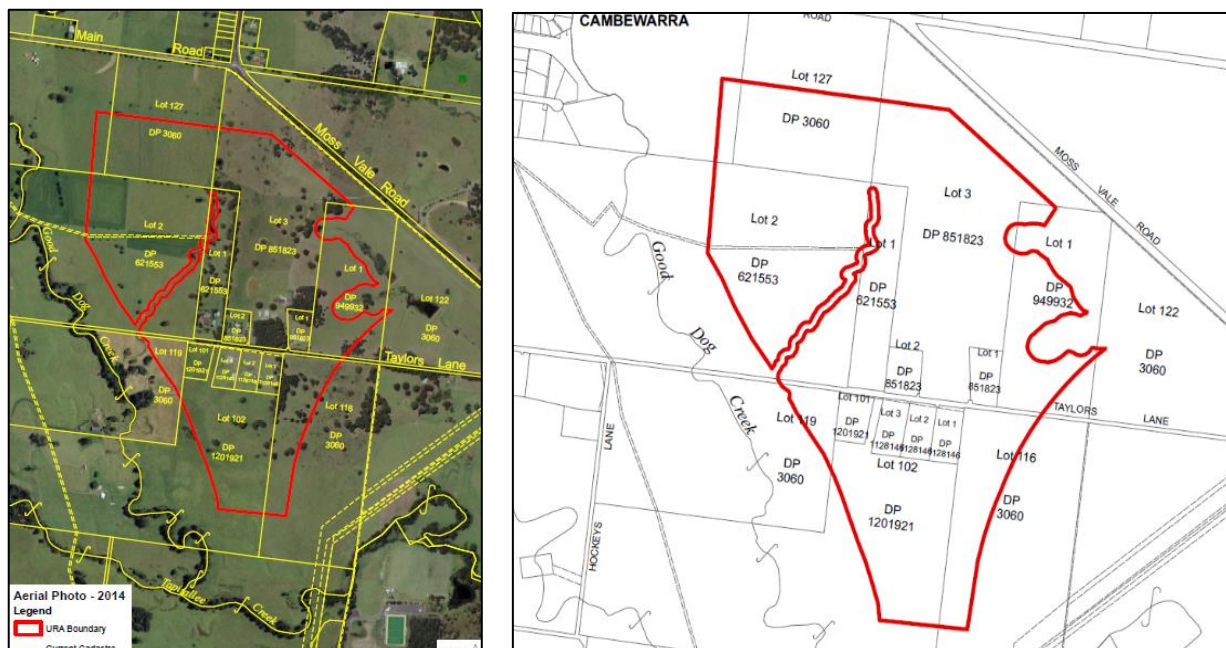


Figure 2 – URA Aerial and Cadastral Map

The area proposed for the subject clause is a smaller area than the overall URA as it relates to land that is generally within 400m walking distance from high amenity locations including proposed tree-lined boulevards and embellished riparian corridor networks (as per the Indicative Layout Plan). This is explained in further detail in Section 1 and 2 of this report. The area where the subject clause will apply is approximately 43 ha in size, approximately 54% of the URA as outlined in red in *Figure 3* below.

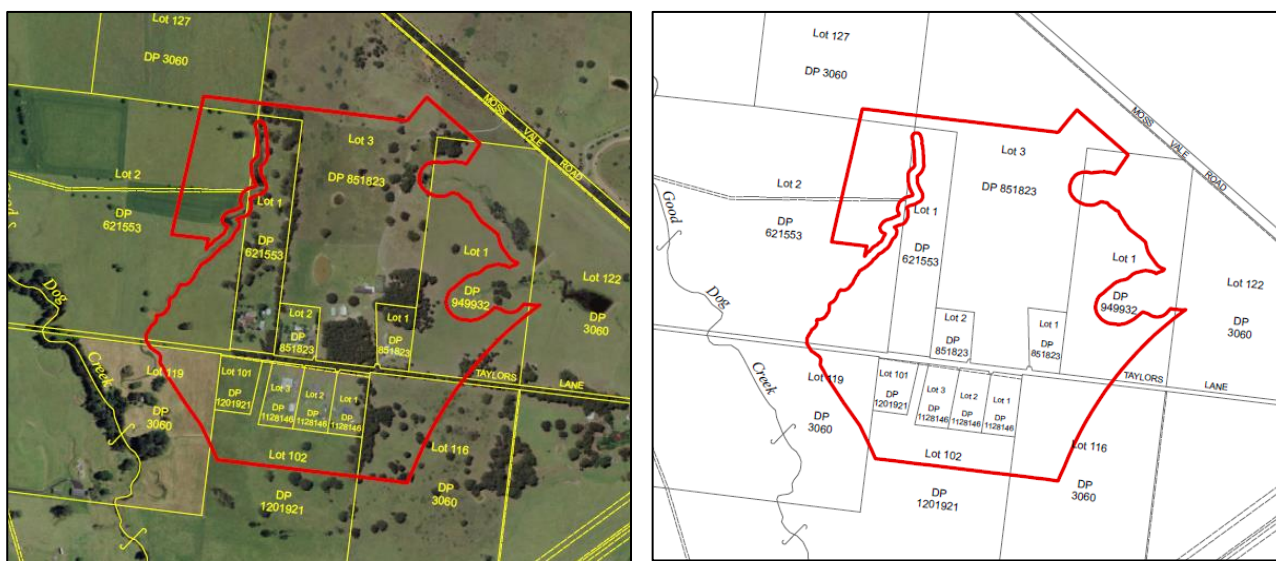


Figure 3 – Subject Clause Area Aerial and Cadastral Map

1.2 Background

The MVRS URA was originally identified as a ‘New Living Area’ in the Nowra-Bomaderry Structure Plan (NBSP), which was adopted by Council in 2006 and endorsed by the State Government in 2008. The site was rezoned under SLEP 2014 to R1 General Residential with a minimum lot size of 500m², and is subject to Part 6 Urban Release Areas of the SLEP 2014. The existing land use zones are shown in *Figure 4* below.

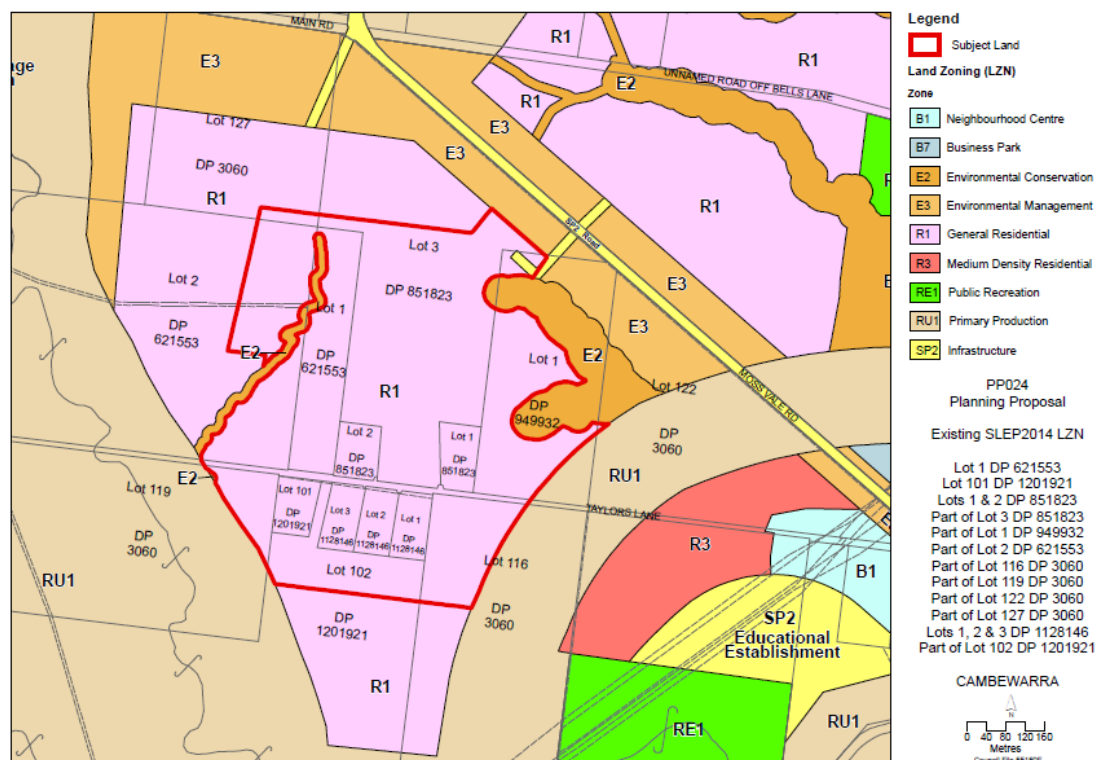


Figure 4 - Current Land Use Zones

As part of the detailed planning work to enable the release and development of the this URA, Council wishes to facilitate and encourage a range of lot sizes, housing types and densities to ensure that the URA meets the changing housing needs of the community and its yield as close as possible to that envisaged when the NBSP was prepared.

The need to provide greater housing supply and choice is driven by a number of factors including Shoalhaven’s ageing population, changing household trends and current property market demands. It is also consistent with the Illawarra-Shoalhaven Regional Plan.

To encourage a range of housing types within the URA, Council is seeking to introduce an “exception” to the minimum lot size that will allow for lots as small as 300m² in certain locations. The “exception” clause is proposed to apply in areas of high amenity adjacent to open space, main roads and the two tree lined boulevards proposed for the URA, as shown on the Indicative Layout Plan (ILP) in *Figure 5* below. The ILP will form part of the relevant Development Control Plan (DCP) Chapter that will contain a suite of controls to encourage good urban design as part of the subdivision and residential development. It is anticipated that this PP, the draft DCP Chapter and supporting draft Contributions Plan (CP) will be exhibited as a package following the Gateway determination.

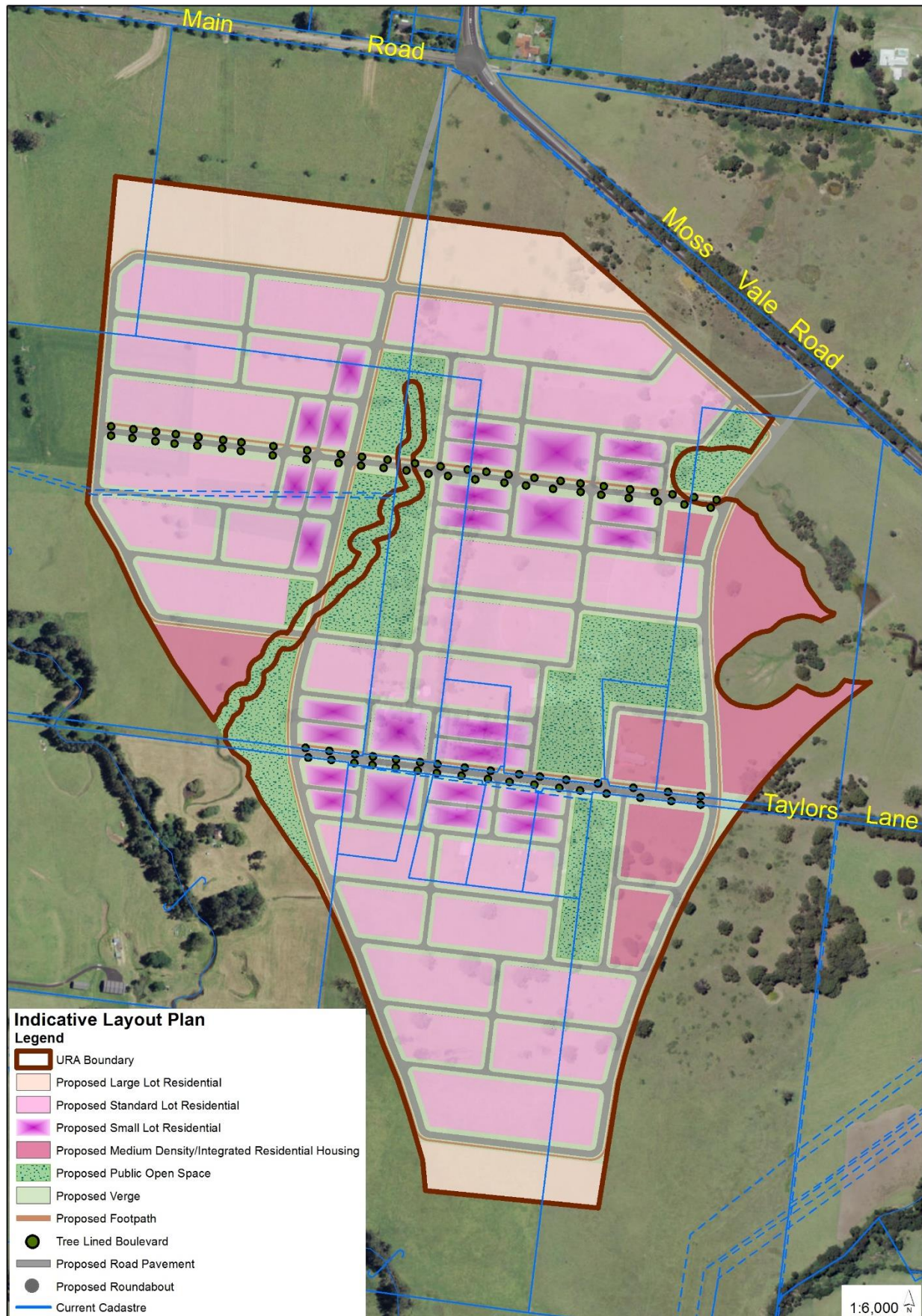


Figure 5 - Indicative Layout Plan

2 Part 1 –Intended Outcome

The intended outcome of this PP is to amend SLEP 2014 to insert a clause that allows for the “exception” to the mapped minimum lot size of 500m², to enable the subdivision of lots as small as 300m² in certain locations. Specifically, all small lots will be expected to adjoin (either directly or separated by a public road) land reserved for public open space or are located along the tree-lined boulevard as per the ILP (refer to Figure 5). The creation of smaller lots will encourage greater housing diversity, improve the delivery of a more affordable product, and meet the future needs of the Nowra-Bomaderry community.

The creation of small lots (300m² – 350m²) in high amenity locations will provide for increased density without having an adverse impact on urban design, streetscape character and residential amenity. It is intended that these small lots will all have a primary street frontage, and all lots will have access to either a rear laneway or shared driveway arrangement to preclude the location of garages on the front façade.

3 Part 2 – Explanation of Provisions

The land is currently zoned R1 General Residential with a mapped minimum lot size of 500m² and clause 4.1 *Minimum Lot Size* applies. It is proposed to amend the SLEP 2014 to insert a clause into Part 4, or another suitable Part of the LEP, to allow for an exception to the minimum lot size in URAs.

It is intended that the future development of small lots subject to the proposed clause will require a Design Verification Statement to be prepared in accordance with the DCP. It is intended that the small lots will be required to a primary street frontage, rear lane vehicular access or shared driveway access, and single storey dwellings to encourage good urban design and amenity within the surrounding neighbourhood. This is expected to be achieved in a similar manner to the Oran Park and Turner Road Precinct Plan under State Environmental Planning Policy (Sydney Region Growth Centres) 2006, specifically Clause 4.1AD (3) and (4). The amenity requirements expected to apply in MBVRS URA to the creation of small lots include:

- All small lots will have a primary street frontage;
- All small lots will be accessed via a rear lane or shared driveway – specifically small lots will not have a garage located at the front façade (primary street frontage); and
- All small lots will adjoin land reserved for public open space (either directly or separated by a public road) or are located along the tree-lined boulevard as per the ILP.

In addition, the erection of dwelling houses on small lots should be designed to achieve the following:

- Will not adversely impact on the amenity of adjoining residential properties;

- Provide active frontages to and surveillance of public open space (including drainage land); and
- Will not adversely impact on or limit solar access to adjoining residential development and public open space.

An addition to Clause 4.6 *Exceptions to development standards* will be required under sub-clause (8) to exclude the proposed exception to minimum lot size from the operation of clause 4.6 to prevent a further reduction of the minimum lot size.

The proposed outcome of this PP will also be achieved by amending the Lot Size Map in SLEP 2014 as follows:

1. *Lot Size Map* – Sheet LSZ_013D amend to insert an ‘Area’ overlay map that identifies where the clause will apply.

The existing Lot Size Map and proposed Lot Size Map with Area overlay is shown in *Figures 6 and 7* below.

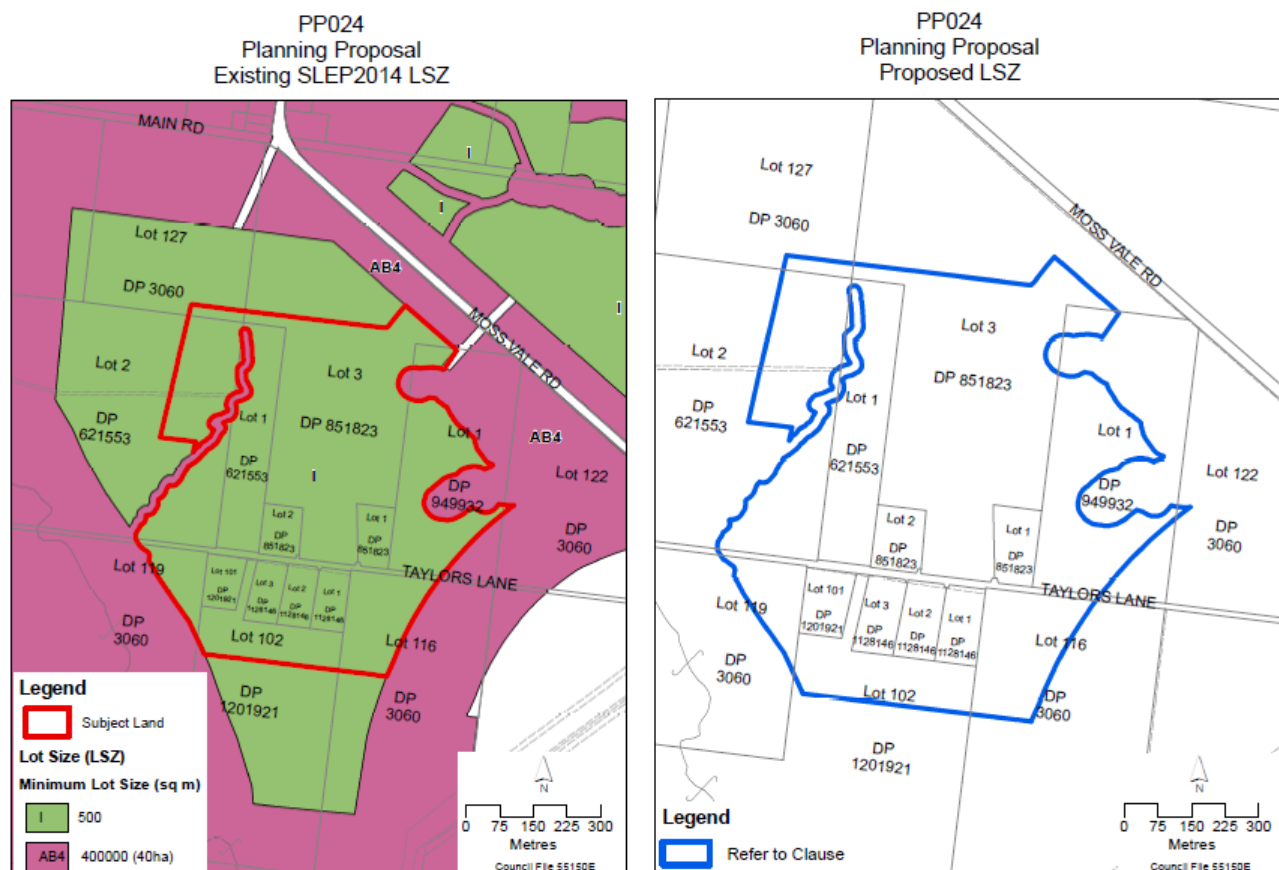


Figure 6 - SLEP 2014 Lot Size Map with proposed ‘Area’ overlay; Figure 7 - Area Overlay Map

4 Part 3 – Justification

4.1 Need for the Planning Proposal (Section A)

4.1.1 Is the Planning Proposal a result of any strategic study or report?

The MVRS URA was identified as a 'New Living Area' in the Nowra-Bomaderry Structure Plan that was proposed by Council and endorsed by the NSW Government. The Plan identified the need to provide a variety of housing options in the URA. This PP seeks to implement the Structure Plan by encouraging a mix of lot sizes, housing types and densities in the URA by providing an exception to the minimum lot size in certain identified locations.

4.1.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

To achieve the desired outcome, the following options are available to Council:

A. Amend the Lot Size Map to reduce the minimum lot size in certain areas in the URA.

This option is not favoured as it is inflexible and would lock in the areas where smaller lot sizes could be achieved.

B. Insert a clause and associated map overlay that permits an exception to the minimum lot size for subdivision of land in URAs.

This option is the best means of achieving the intended outcome as it allows for a level of flexibility in the subdivision design as it does not lock in specific areas for smaller lot sizes. It also allows for greater flexibility at the Development Application (DA) stage to alter locations for small lots (different to the ILP) if there is sufficient planning justification to do so.

4.2 Relationship to strategic planning framework (Section B)

4.2.1 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)?

Illawarra-Shoalhaven Regional Plan (ISRP)

The ISRP is a high level strategic planning document which applies to the Shoalhaven LGA. One of the five goals of the ISRP is to provide sufficient housing supply and choice to meet the communities changing needs and lifestyles into the future, in locations that can sustain housing. The document specifically identifies the Nowra-Bomaderry URAs as a regionally significant priority growth area.

It incorporates a series of directions and actions promoting the provision of sustainable housing development. This PP is consistent with Direction 2.2 'Support housing opportunities close to existing services, jobs and infrastructure' and Direction 2.3 'Deliver housing in new release areas best suited to build new communities, provide housing choice and avoid environmental impact'. It directs Councils to plan for a mix of housing that suits the projected growth, changing demographics and the market demand particular to the Region.

The ISRP also recognises that housing affordability is an issue in the region with just over a quarter of all households in the region experiencing housing stress which presents a strong demand for housing that is more suitable for low-income households, students, single-person households and seniors. The ISRP also suggests that housing stress can be related to the lack of one-, two- and three-bedroom homes in the market. This PP would enable smaller lot sizes and therefore smaller dwellings to provide a different housing product in the URA.

The amendment proposed by this PP will increase the capacity of housing to promote development opportunities that will meet the needs of the Nowra-Bomaderry and wider Shoalhaven community.

The PP is not inconsistent with the ISRP.

4.2.2 Is the Planning Proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

The following strategies are relevant to this PP.

- Nowra-Bomaderry Structure Plan (2006)
- Shoalhaven City Council Community Strategic Plan –Shoalhaven 2023

Nowra-Bomaderry Structure Plan (NBSP)

The NBSP provides a framework for growth and development opportunities in the Nowra-Bomaderry area. The NBSP identifies MVRs as a New Living Area for future development that offers a variety of housing options, characterised by a mix of detached houses and some terrace / town house type dwellings. This PP will encourage the development of a mix of housing products supplied in MVRs.

The PP is not inconsistent with the NBSP.

Shoalhaven Community Strategic Plan, Shoalhaven 2023 (CSP)

The CSP identifies objectives and strategies for a prosperous Shoalhaven where sustainable urban growth is supported. The PP will satisfy the following objectives and strategy:

- Objective 2.2 Population and urban settlement growth that is ecologically sustainable and carefully planned and managed
- Strategy 2.4.2 Develop land use and related plans for the sustainable growth of the City which use the core principles of the Growth Management Strategy and ESD principles, also carefully considering community concerns and the character of unique historic townships.

The PP is not inconsistent with the CSP.

4.2.3 Is the Planning Proposal consistent with applicable state environmental planning policies?

The PP is consistent with the applicable state environmental planning policies (SEPP). A full list of SEPPs is provided as **Attachment 2**.

4.2.4 Is the Planning Proposal consistent with applicable Ministerial Directions (s.117 directions)?

The Ministerial Directions are considered in **Attachment 3** and those specifically relevant to the site and the proposal are discussed in greater detail below.

2.3 Heritage Conservation

- Lot 2 DP 621553 is one of the properties affected by this PP, which is listed as a heritage item with local significance under the SLEP 2014 (Item No 153 'Evison's dairy farm complex'). The heritage significance relates to the Victorian style farmhouse and associated farm buildings which are located on the western side of Good Dog Creek and not within the mapped URA area.

As part of the DA process, future development of the URA may need to consider the potential impact on the heritage significance of the item and its curtilage.

The PP is not inconsistent with this Direction.

3.1 Residential Zones

- The PP proposes to amend the LEP to insert a clause that permits an exception to the minimum lot size in certain areas for the creation of lots as small as 300m². This will encourage the provision of a greater selection of housing types within the URA. MVRS was identified in the NBSP as a New Living Area for future development and appropriate infrastructure and services will be provided as part of the development of the URA.

The DCP that is proposed to be exhibited alongside this PP will incorporate a suite of controls that will promote good urban design and minimise the impact on the environment and surrounding rural landscape.

The PP is not inconsistent with this Direction.

3.4 Integrating Land Use and Transport

- The PP is generally consistent with this Direction as it promotes the creation of smaller lots in high amenity locations which are close to main roads and open space networks. These are proposed to be linked via a shared pedestrian and cycle way that will increase the choice of available transport modes and reduce the demand on private vehicles.

The PP supports the principles and objectives of *Improving Transport Choice – Guidelines*. The DCP proposes objectives and controls that promote good urban design for the subdivision layout that incorporates a main ring road that will support public bus transport generally within 400m walking distance to residential allotments. A well-connected and legible movement network will provide a variety of routes for vehicles, pedestrian and cyclists both within the proposed neighbourhood and to surrounding locations.

The PP is not inconsistent with this Direction.

4.1 Acid Sulfate Soils

- The site is mapped as Class 5 Acid Sulphate Soils (ASS) and is located over 500m from any land with a higher ASS classification. The PP will not result in a significant intensification of the use of the land that would impact on the Class 5 Acid Sulfate Soils of the area. Further Geotechnical and ASS Investigations may be required as part of the future development of the land and the DA process.

The PP is not inconsistent with this Direction.

4.3 Flood Prone Land

- The north western part of the overall URA is mapped as flood prone by the SLEP 2014 mapping (as seen in *Figure 8* below), specifically historical flooding and not within the flood planning area. Council recently undertook the Bomaderry Creek Flood Risk Management Study and Plan (FRMSP) which investigated flood risk associated with Bomaderry Creek and its tributaries. This study identified the extent of the 1% AEP that affects the MVRS area; within the URA the primary source of flooding is Good Dog Creek and associated minor tributary flooding as a result of overland flows.

The Bomaderry Creek FRMSP identifies a greater area than the SLEP 2014 Flood Mapping, as shown in Figure 9. The land subject to the PP and proposed “exception” clause is predominantly outside the 1% AEP with the exception of a small area which is located within the low hazard flood fringe and storage. The high hazard flood area

is identified in the ILP as part of an open space riparian corridor network and not intended for residential development. The PP will not result in a significant increase in the development potential of the flood prone land.

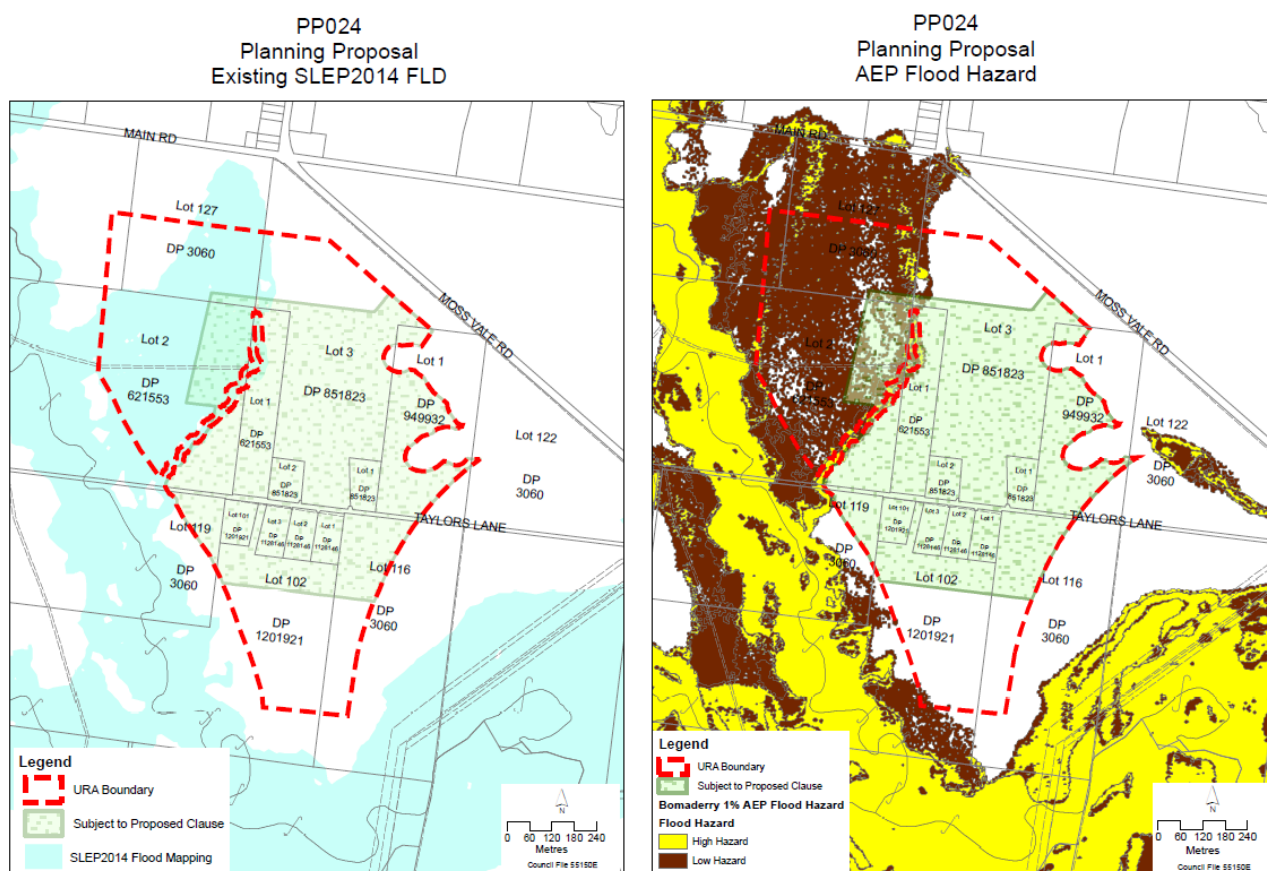


Figure 8 – SLEP 2014 Flood Map; Figure 9 - Bomaderry Creek FRMSP Flood Planning Area

Development within the low hazard flood areas are able to be managed appropriately with stormwater management systems. Council is currently undertaking an Integrated Water Cycle Assessment which will investigate appropriate stormwater management treatment and development controls. The draft site specific DCP will also contain provisions for stormwater management that will mitigate the exacerbation of potential flooding. Future development of this area will need to comply with the relevant DCP controls within the draft site-specific DCP and Chapter G9 Development in Flood Prone Land; and Clause 7.3 Flood planning of the SLEP 2014.

The PP is not inconsistent with this Direction.

5.10 Implementation of Regional Plans

- The PP demonstrates its consistency with this Direction through achieving the goals of the ISRP. Specifically, by encouraging a mix of housing types through the creation

of smaller lot sizes to address Shoalhaven's ageing population, changing household trends and current property market demands.

The creation of these smaller lots will contribute to the overall achievement of the projected housing need for Shoalhaven of 8,600 dwellings in the next 20 years.

The PP is not inconsistent with this Direction.

6.1 Approval and Referral Requirements

- The PP does not include provisions that require concurrence, consultation or referral of the PP, nor does it identify development as designated development. The PP is consistent with this Direction.

The PP is not inconsistent with this Direction.

4.3 Environmental, Social and Economic Impact (Section C)

4.3.1 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 URA comprises of large parcels of land used primarily for less intensive agricultural purposes, with cleared areas with scattered remnant vegetation. The proposed increase in density in the central area of the URA will not impact on any critical habitat, threatened species, populations or ecological communities or their habitats. Future development of the URA may require further investigations with respect to flora and fauna as part of the DA process.

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

The PP will encourage for an increase in density in the central part of the URA. It is proposed that the supporting DCP will contain controls and provisions to assist with managing and minimising environmental impacts.

4.3.3 How has the Planning Proposal adequately addressed any social and economic effects?

The proposal to allow the creation of smaller lots in the central part of the URA will enable the provision of a different and more affordable housing product that will better meets the needs of the Nowra-Bomaderry community. The result of the PP is expected to specifically provide for Shoalhaven's ageing population who are looking to down size; singles and couples looking for a smaller and more affordable housing product; and the first home buyer looking to enter the market.

The building of the residences will also have a positive impact on employment in the building sector and a greater demand for services and commercial activities in the Nowra-Bomaderry area.

4.4 State and Commonwealth Interests (Section D)

4.4.1 Is there adequate public infrastructure for the Planning Proposal?

The PP applies to land mapped as a URA under the SLEP 2014. Part 6 of SLEP 2014 requires provision for or satisfactory arrangements for designated State public infrastructure and public utility infrastructure prior to the issuing of a development consent. Any additional demand for public infrastructure should be considered as part of the DA process.

4.4.2 What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

As Gateway determination has not yet been granted, consultation has not yet occurred with State or Commonwealth public authorities. The applicable and relevant SEPP and Section 117 Directions do not require any consultation with Commonwealth or State public authorities.

5 Part 4 – Mapping

The SLEP 2014 Lot Size Map for the URA will need to be amended to include an 'Area' overlay that indicates to which land the clause will apply.

6 Part 5 - Community Consultation

Council proposes to exhibit the PP, draft DCP and draft CP for the URA concurrently. It is intended that the PP will be exhibited for a minimum period of 28 days in accordance with the requirements of Section 57 of the *Environmental Planning and Assessment Act 1979* and any other requirements as determined by the Gateway determination.

7 Part 6 – Project Timeline

The anticipated timeline for the PP is as follows. Should there be any delays encountered during the process, the timeframes will be revised.

Task	Anticipated Timeframe
Commencement date (date of Gateway determination)	July 2017
Completion of Gateway determination requirements	August 2017
Public exhibition	September 2017
Consideration of submissions	October 2017
Post exhibition consideration of PP	October 2017
Finalisation and notification of Plan	November 2017

Attachments

Attachment 1 - Council report and minute supporting the PP

Attachment 2 - SEPP Checklist

SEPP	Name	Applicable	Not inconsistent
1	Development Standards	x	n/a
14	Coastal wetlands	x	n/a
19	Bushland in Urban Areas	x	n/a
21	Caravan parks	x	n/a
26	Littoral rainforests	x	n/a
30	Intensive agriculture	x	n/a
33	Hazardous and Offensive development	x	n/a
36	Manufactured home estates	x	n/a
44	Koala habitat protection	x	n/a
50	Canal estate development	x	n/a
52	Farm Dams and Other Works in Land and Water Management Plan Areas	x	n/a
55	Remediation of land	x	n/a
62	Sustainable aquaculture	x	n/a
64	Advertising and signage	x	n/a
65	Design quality of residential apartment development	x	n/a
70	Affordable Housing (Revised Schemes)	x	n/a
71	Coastal protection	x	n/a
--	Housing for Seniors or People with a Disability 2004	x	n/a
--	BASIX : 2004	x	n/a
--	Mining, Petroleum Production and Extractive Industries 2007	x	n/a
--	Miscellaneous Consent Provisions 2007	x	n/a
--	Infrastructure 2007	x	n/a
--	Rural Lands 2008	x	n/a
--	Exempt and Complying Development Codes 2008	x	n/a
--	Affordable Rental Housing 2009	x	n/a
--	Urban Renewal 2010	x	n/a
--	Sydney Drinking Water Catchment 2011	x	n/a
--	State and Regional Development 2011	x	n/a

Attachment 3 – Section 117 Directions Checklist

Direction		Applicable	Relevant	Not inconsistent
1 Employment and Resources				
1.1	Business and Industrial Zones	✓ / ✗	✓ / ✗	✓ / n/a
1.2	Rural Zones	✓	✗	n/a
1.3	Mining, Petroleum Production and Extractive Industries	✓	✗	n/a
1.4	Oyster Aquaculture	✗	✗	n/a
1.5	Rural lands	✓	✗	n/a
2 Environment and Heritage				
2.1	Environmental Protection Zones	✓	✗	n/a
2.2	Coastal Protection	✗	✗	n/a
2.3	Heritage Conservation	✓	✗	n/a
2.4	Recreation Vehicle Area	✓	✗	n/a
3 Housing, Infrastructure and Urban Development				
3.1	Residential Zones	✓	✓	✓
3.2	Caravan Parks and Manufactured Home Estates	✓	✗	n/a
3.3	Home Occupations	✓	✗	n/a
3.4	Integrating Land Use and Transport	✓	✓	✓
3.5	Development Near Licensed Aerodromes	✓	✗	n/a
3.6	Shooting Ranges	✓	✗	n/a
4 Hazard and Risk				
4.1	Acid Sulphate Soils	✓	✓	✓
4.2	Mine Subsidence and Unstable Land	✗	✗	n/a
4.3	Flood Prone Land	✓	✗	n/a
4.4	Planning for Bushfire Protection	✓	✗	n/a
5 Regional Planning				
5.1	Implementation of Regional Strategies	✗	✗	n/a
5.2	Sydney Drinking Water Catchments	✗	✗	n/a
5.3	Farmland of State & Regional Significance Far North Coast	✗	✗	n/a

5.4	Commercial & Retail Development Far North Coast	x	x	n/a
5.8	2 nd Sydney Airport: Badgerys Creek	x	x	n/a
5.9	North West Rail Link Corridor Strategy	x	x	n/a
5.10	Implementation of Regional Plans	✓	✓	✓
6 Local Plan Making				
6.1	Approval and Referral Requirements	✓	✓	✓
6.2	Reserving Land for Public Purposes	✓	x	n/a
6.3	Site Specific Provisions	✓	x	n/a

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:

Shoalhaven City Council

Name of draft LEP:

Shoalhaven Local Environmental Plan 2014
PP024

Address of Land (if applicable):

The subject land is known as Moss Vale Road South URA and is legally described as:

Lot 1 DP 621553

Lot 101 DP 1201921

Lots 1 & 2 DP 851823

Lots 1, 2 & 3 DP1128146

Part of Lot 127 DP 3060

Part of Lot 3 DP 3060

Part of Lot 1 DP 949932

Part of Lot 122 DP 3060

Part Lot 2 DP 621553

Part of Lot 119 DP 3060

Part of Lot 102 DP 1201921

Part of Lot 116 DP 3060

Intent of draft LEP:

The Planning Proposal seeks amend SLEP 2014 to insert a clause and amend the Lot Size Map which allows an exception to the minimum lot size in a certain area in the URA

Additional Supporting Points/Information:

Not Applicable

Evaluation criteria for the issuing of an Authorisation	Council Response		Department Assessment	
	Y/N	Not relevant	Agree	Not agree
(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			
Is the Planning Proposal compatible with an endorsed regional or sub-regional strategy or 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				
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 Officer?		✓		
Does the Planning Proposal include another form of endorsement or support from the Heritage Office if there is no supporting strategy/study?		✓		

Does the Planning Proposal potentially impact on item of State Heritage Significance and if so, have the views of the Heritage Office been obtained?		✓		
Reclassifications				
Is there an associated spot rezoning with the reclassification?		✓		
If yes to the above, is the rezoning consistent with an endorsed Plan Of Management (POM) or strategy?		✓		
Is the Planning Proposal proposed to rectify an anomaly in a classification?		✓		
Will the Planning Proposal be consistent with an adopted POM or other strategy related to the site?		✓		
Will the draft LEP discharge any interests in public land under Section 30 of the Local Government Act, 1993?		✓		
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?		✓		
Has the council identified that it will exhibit the Planning Proposal in accordance with the Department's Practice Note (PN09-003) Classification and reclassification of public land through a local environmental plan and Best Practice Guidelines for LEPs and Council Land?		✓		
Has council acknowledged in its Planning Proposal that a Public Hearing will be required and agree to hold one as part of its documentation?		✓		
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?		✓		
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?		✓		
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?		✓		
If yes, does the Planning Proposal contain sufficient documented justification to enable the matter to proceed?		✓		

Does the Planning Proposal create an exception to a mapped development standard?	Y			
Section 73A matters				
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?; 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			