

PLANNING PROPOSAL – PP038

Shoalhaven Local Environmental Plan 2014

Nowra CBD Fringe Area

Prepared by
Planning, Environment & Development Group
Shoalhaven City Council

File 58670E
Version 2 – Pre-Gateway
August 2018

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1 Introduction

This Planning Proposal (PP) seeks to amend Shoalhaven Local Environmental Plan (LEP) 2014 to incorporate recommendations from the Nowra CBD Fringe Medium Density Study, prepared by consultants, Studio GL, which were adopted by Council on 3 July 2018. The PP will be supported by a set of detailed development controls (which will be part of Shoalhaven Development Control Plan (DCP) 2014) to ensure new development reflects the desired future character of the Nowra CBD fringe area.

The purpose of this PP is to explain the intent of, and justification for, amending certain land use zoning, building heights and heritage conservation area controls in Shoalhaven LEP 2014.

This PP has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 and the NSW Department of Planning and Environment's *A Guide to Preparing Planning Proposals* (August 2016).

1.1 Subject Land

This PP applies to land within the Shoalhaven Local Government Area (LGA), as shown in **Figure 1** below.

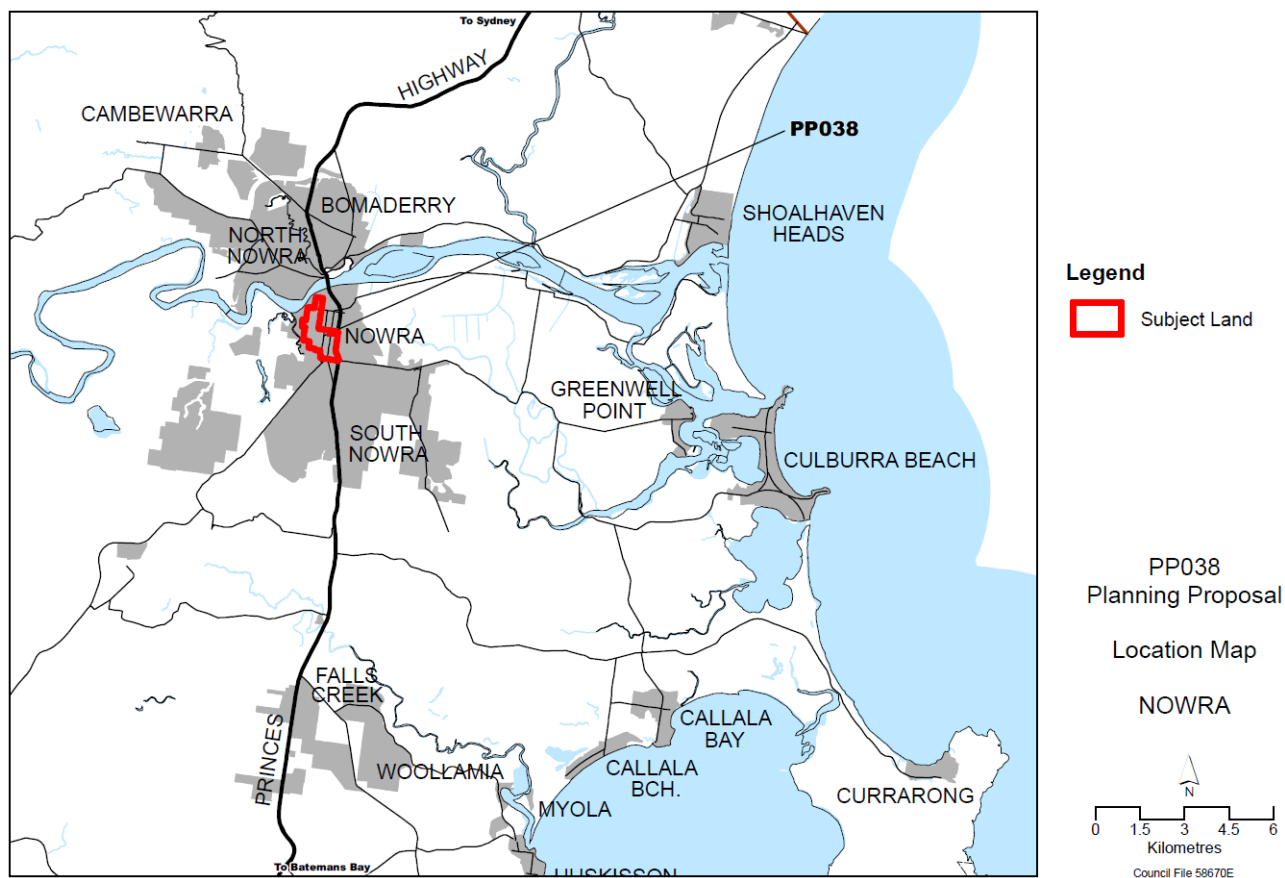


Figure 1 - Location Map

The subject land covers approximately 125 ha of land to the west and south of the Nowra CBD, as shown in **Figure 2 – Subject Land** and **Figure 3 – Aerial Photo**.

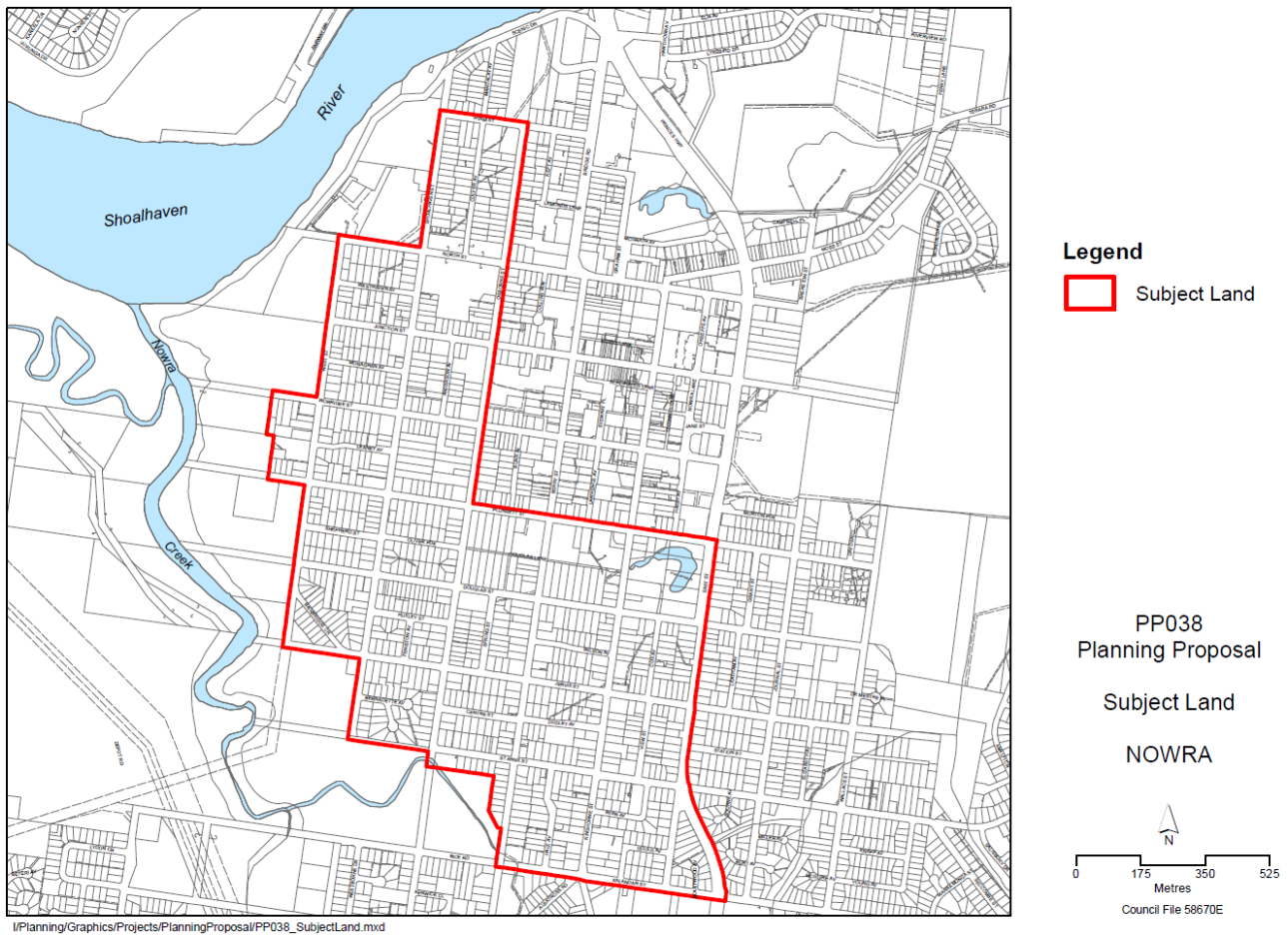


Figure 2 - Subject Land

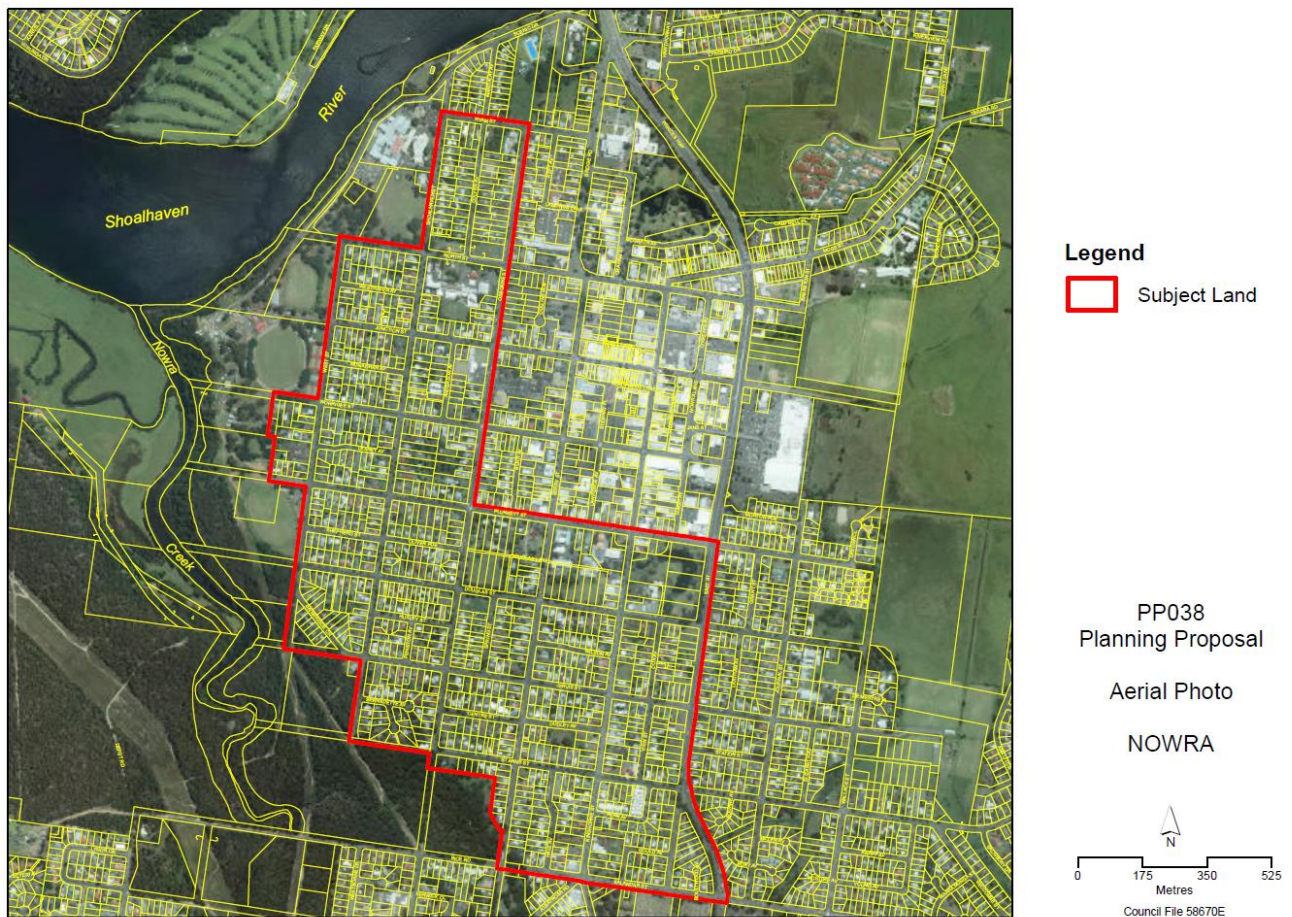


Figure 3 - Aerial Photo

The area is predominately zoned R1 General Residential, R2 Low Density Residential and R3 Medium Density Residential, as shown in **Figure 4**. There are also some areas zoned RE1 Public Recreation, RE2 Private Recreation, SP2 Infrastructure, and B4 Mixed Use.

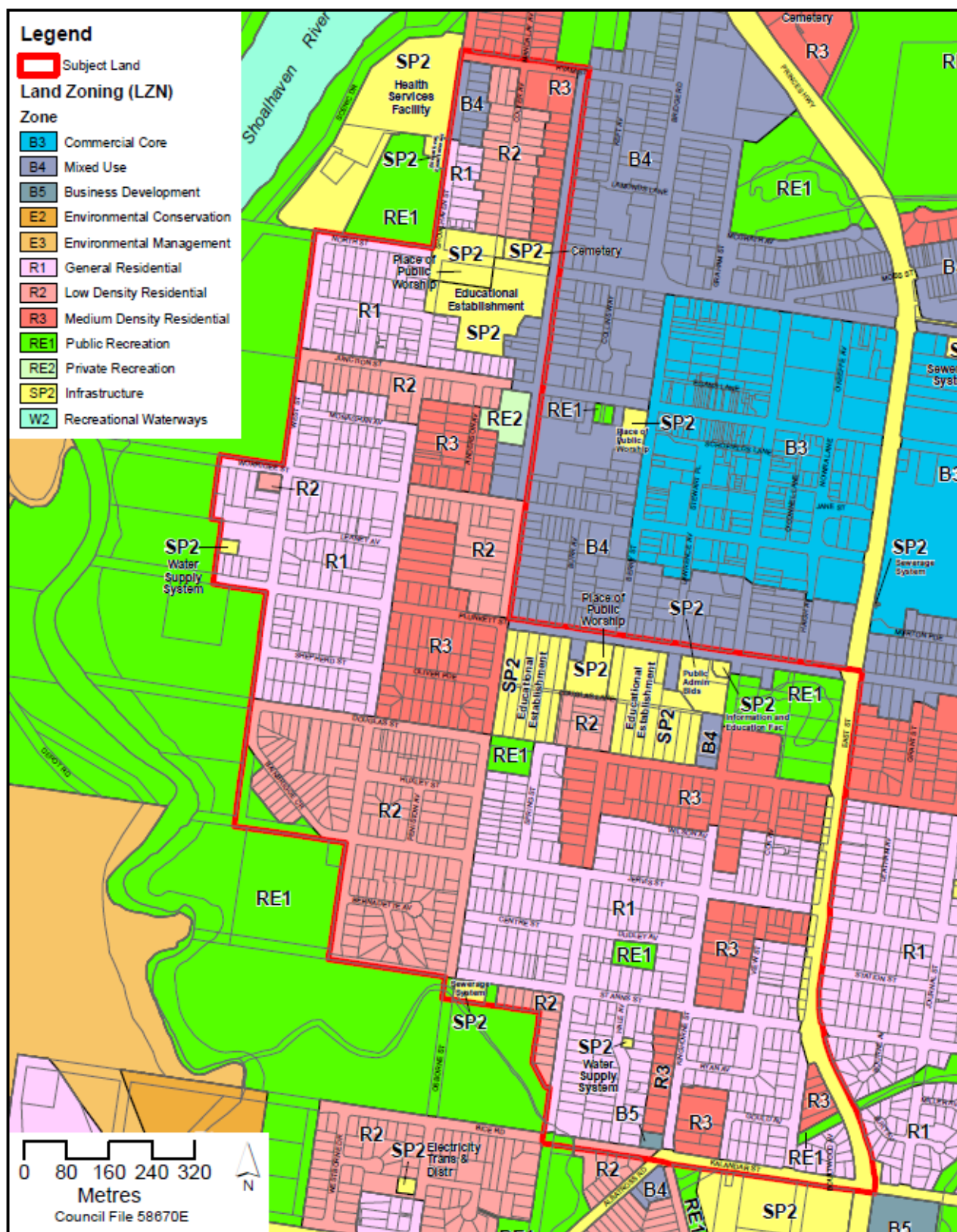


Figure 4 - Current Land Use Zones

1.2 Background

On 3 July 2018, Council adopted the Nowra CBD Fringe Medium Density Study which provided a range of suggested planning/development controls which could be incorporated into Shoalhaven LEP 2014 and Shoalhaven DCP 2014 to assist with maintaining the existing character of the area, whilst encouraging a mix of densities and high-quality housing. The study was prepared by Studio GL Pty Ltd and included a Background Report and Recommendations Report, provided as **Attachment A** and **Attachment B** respectively.

In adopting the Study, Council resolved to prepare a PP to incorporate Studio GL's recommendations into Shoalhaven LEP 2014 to establish a Heritage Conservation Area (HCA), and amend certain land use zonings and building heights over part of the study area; and to prepare an area specific Development Control Plan Chapter to guide built form in the area consistent with the consultant's recommendations. A copy of the Council report is provided as **Attachment C**.

It is intended that following the Gateway determination, this PP and the new Shoalhaven DCP 2014 chapter will be exhibited at the same time.

2 Part 1 – Intended Outcome

This PP aims to amend Shoalhaven LEP 2014 to ensure that future development in the area considers, and is designed to respond appropriately to, the recognised heritage character of the area.

3 Part 2 – Explanation of Provisions

The proposed outcome will be achieved by:

1. Amending the Heritage Map Sheet HER_013E

The PP proposes to amend the Heritage Map Sheet in Shoalhaven LEP 2014 to introduce a new Heritage Conservation Area (HCA) to the west and south of the Nowra CBD, as shown in **Figure 5**.

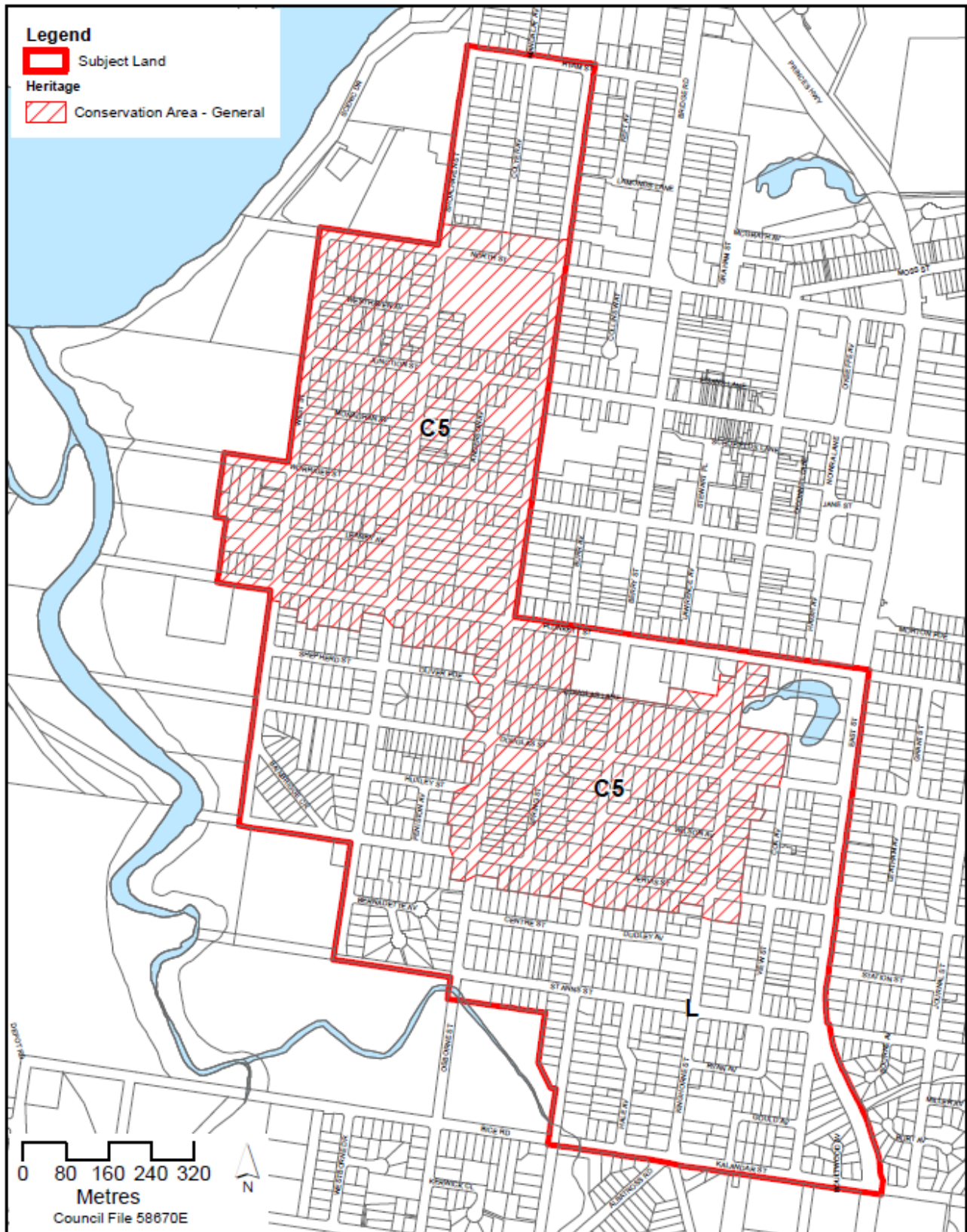


Figure 5 - Proposed Heritage Conservation Area (red hatching)

The subject land currently has few heritage items under Shoalhaven LEP 2014. Out of 1,081 allotments in the study area, only 29 properties (or 2.7%) are heritage listed, which is relatively small in comparison to other centres. The proposed HCA contains the highest proportion of older dwellings, substantially intact streetscapes, and evidence of key historical periods in the growth and development of Nowra, and covers approximately 40% of the total study area.

A copy of the existing and proposed heritage maps is provided in **Attachment D**.

2. Amending the Height of Buildings Map Sheet HOB_013E;

The PP proposes to amend the Height of Buildings Map in Shoalhaven LEP 2014 as shown in **Figure 6** to:

- a. Introduce a maximum building height of 8.5m within the HCA over part of Central Nowra to the west and south of the Nowra CBD.
- b. Increase the maximum building height along Shoalhaven and Colyer Street between North and Hyam Street to 11m.
- c. Increase the maximum building height of the area bound by Bainbridge Crescent, Douglas Street, Osborne Street, and Jervis Street to 11m.



Figure 6 - Proposed Height of Buildings Amendment

Under Shoalhaven LEP 2014, the Height of Buildings Map does not show a maximum height for the majority of the study area. Under Clause 4.3 of Shoalhaven LEP 2014, these unmapped areas must not exceed a height of buildings of 11 metres (accommodating a three-storey building). Areas zoned R2 Low Density residential typically have a maximum building height of 8.5 metres (accommodating a two-storey building). Lots along Worrigee Street and West Street facing the Nowra Showground, and along North Street and Shoalhaven Street facing public open space, have a maximum building height of 7.5 metres (accommodating a two-storey building).

Introducing a 8.5m maximum building height within the HCA will allow for more compatible development types within this significant area containing the greatest concentration of older dwellings, substantially intact streetscapes, and evidence of key historical periods in the growth and development of Nowra. Reduced building heights will be offset by increases in heights along Shoalhaven and Colyer Street between North and Hyam Street to 11m, and within the area bounded by Bainbridge Crescent, Douglas Street, Osborne Street, and Jervis Street to 11m.

A map of the existing and proposed Height of Buildings is provided in **Attachment E**.

3. Amending Land Zoning Map Sheet LZN_013E.

The PP proposes to amend the Land Zoning Map in Shoalhaven LEP 2014 as shown in **Figure 7** to:

- a. Change the zone of the lots bound by Bainbridge Crescent, Douglas Street, Osborne Street, and Jervis Street to R1 General Residential.
- b. Change the zoning of the block to the west of the Princes Highway from R1 General Residential to R3 Medium Density.
- c. Change the zoning of the block to the north of North Street, south of Hyam Street and west of the hospital to R1 to enable a broader range of land uses in this well-located area close to the hospital.



Figure 7 - Proposed Land Zoning Amendment

The proposed zoning changes recognise the need to provide increased housing densities around existing centres and will provide a more flexible zoning regime with a wide range of potential uses permitted with consent. No changes to zoning within the proposed HCA are proposed, as it is considered the combination of reduced building heights, new DCP controls and the HCA will be sufficient to ensure new development considers and respects existing local character whilst enabling additional development in these well-located areas.

A map showing the existing and proposed Land Zoning is provided in **Attachment F**.

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?

Yes. The PP is a direct result of the Nowra CBD Fringe Medium Density Study, which was prepared by consultant's Studio GL and adopted by Shoalhaven City Council on 3 July 2018.

The PP is based directly on the recommendations of the consultants which has also been reviewed by Council's Heritage Advisor.

The draft heritage statement of significance, not included in the consultant's report, is provided as follows:

"The Nowra Town Centre West Heritage Conservation Area is of local historic and aesthetic significance as a good and largely intact residential precinct characterised by substantially intact streetscapes with an attractive character. The area includes a high number of predominately single storey detached houses from the key historical Victorian, Federation, Inter-war and Post War periods, including certain housing groupings which illustrate the local emergence of architectural styles. The built context is enhanced by the underlying grid structure, laid out in 1852 by surveyor Thomas Mann, based on Governor Darling's set of rules for laying out of towns based on a grid of square blocks 10 chains (around 200 metres) on each side, separated by streets 100 feet (30.4 metres) wide. The underlying subdivision pattern reveals the terrain and elevated natural setting of the town of Nowra which was established as the dominant urban and administrative centre for the region following the devastating flooding of Numbaa and Terara in 1862 and 1870. The street proportions provide long distance views to the scenic rural landscape, Shoalhaven River or the Cambewarra escarpment, and the built context is further enhanced by street plantings and garden settings. The area is one of the oldest residential areas of Nowra and retains considerable evidence of Nowra's settlement and early expansion during the late nineteenth and early twentieth century. Infill housing development in the post war period is evidenced through a number of mid-block subdivisions with substantially intact streetscapes and houses. The area is a highly valued part of Nowra's social, cultural and economic history, and is reflective of more than a century of historical development through its mosaic of overlapping development phases, substantially intact buildings and streetscapes."

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

The PP is the only means of ensuring new development considers and respects existing local character and heritage values, whilst enabling additional development in these well-located areas.

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 (2015)

Nowra is identified as a ‘major regional centre’ in the Illawarra-Shoalhaven Regional Plan (ISRP). Planning principles for major regional centres include the following:

- Increase housing density around centres that have access to jobs and transport and are already appealing to residents; and
- Encourage urban design that reduces car dependency, improves the public domain, promotes energy efficiency and supports healthier environments.

The ISRP also acknowledges the need to protect cultural heritage of importance to the region’s communities, identity and character. As such, the PP is consistent with the aims, directions and actions of the Regional Plan.

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

Shoalhaven City Council’s Community Strategic Plan, Shoalhaven 2020

The Proposal is consistent with Council’s Community Strategy Plan and the relevant objective and strategies below:

Objective 2.1	A city which values, maintains and enhances its natural and cultural environments
Strategy 2.1.2	Ensure that the natural ecological and biological environments and the built and cultural heritage of the Shoalhaven are protected and valued through careful management
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
Objective 2.5	Major town centres that are attractive, vibrant and popular destinations
Strategy 2.5.2	Improve the urban design and landscape appearance of City and town entrances and major thoroughfares

Objective 3.2 An economy that supports and is supported by growing, diverse and changing communities

Nowra Bomaderry Structure Plan (2008)

The Nowra-Bomaderry Structure Plan (NBSP) includes principles to guide the future development of Nowra to ensure it remains the primary commercial and administrative centre of the region.

The NBSP recognises the existing high quality streetscapes, grid street pattern, and existing heritage properties to the west and south of the Nowra CBD, which contribute to a valuable character within the area. It also recognises the potential of land within 800m to the west and south of the Nowra CBD to increase the population living in close proximity to the centre of town.

The PP is consistent with the aims and objectives of the NBSP and will achieve a balance in protecting the existing character and heritage significance of the area whilst facilitating an appropriate mix of densities and high-quality housing close to the Nowra CBD.

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

The State Environmental Planning Policies (SEPPs) are considered in **Attachment G** and the relevant SEPPs are discussed below.

SEPP (Coastal Management)

This SEPP applies as parts of the Nowra CBD fringe are within the coastal use area and coastal environment area. The PP is consistent with the SEPP in that the proposed controls will ensure that the type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic quality of the surrounding area.

SEPP (Exempt and Complying Development Codes) 2008

The HCA will effectively 'turn off' most forms of complying development under the SEPP, meaning development that is not exempt would require a full merit assessment by Council, which may add to the cost and duration of the development process.

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

The Section 9.1 Ministerial Directions are considered in **Attachment H** and those that are relevant are discussed below.

1.1 Business and Industrial zones

This Direction applies as the PP affects land within an existing business zone. The PP is consistent with the terms of the Direction.

2.2 Coastal Management

This Direction applies as the PP affects land within the Coastal Environment Area and Coastal Use Area as defined by SEPP (Coastal Management) 2018. The PP is consistent with the Direction.

2.3 Heritage Conservation

This Direction applies to all PPs. The PP is consistent with the direction in that it facilitates the conservation of precincts of environmental heritage significance to Nowra.

3.1 Residential zones

This Direction applies as the PP affects land in a zone in which significant residential development is permitted. The PP is consistent with the Direction as it will encourage a variety and choice of housing types in the form of higher density housing options and make efficient use of existing infrastructure and services located in the Nowra CBD.

3.4 Integrating Land Use and Transport

This Direction applies as the PP alters zones relating to urban land. The PP is consistent with the direction in that it will facilitate greater population densities within close proximity to the Nowra CBD and therefore reduce travel demand by car and encourage walking, cycling and public transport services.

4.4 Planning for Bushfire Protection

This direction applies as the PP affects land mapped as bushfire prone land. Consultation with the NSW Rural Fire Service will be undertaken following receipt of a gateway determination. The PP is consistent with the direction.

5.10 Implementation of Regional Plans

Nowra is identified as a 'major regional centre' in the Illawarra-Shoalhaven Regional Plan (ISRP). The Regional Plan specifically aims to increase housing density around existing centres and encourage urban design that reduces car dependency, improves the public domain, promotes energy efficiency and supports healthier environments. The Regional Plan also acknowledges the need to protect cultural heritage of importance to the region's communities, identity and character.

The PP is consistent with the aims, directions and actions of the Regional Plan; and will achieve a balance in facilitating an appropriate mix of densities and high-quality housing close to the Nowra CBD, whilst protecting the existing character and heritage significance of the area.

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 proposed amendment will not impact on any critical habitat or threatened species, populations or ecological communities, or their habitats.

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?

There are no environmental effects envisaged as a result of the PP.

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

The PP is not expected to result in adverse economic impacts. Numerous studies conclude that the effect of inclusion within a heritage conservation area on the value of houses is negligible. Other factors, such as proximity to schools and employment lands, access to transport and the number of bedrooms or parking spaces, have been shown to have greater influence on price rather than being included in a heritage conservation area.

The PP will have positive social effects in recognising and protecting the local cultural heritage significance of Nowra. The PP will have positive social and economic impacts by facilitating appropriate medium density development in close proximity to the existing Nowra town centre, contributing to greater housing choice to meet the needs of Nowra's changing population. The PP will have positive economic impacts by promoting and strengthening the existing Nowra town centre by increasing densities in certain areas, and development will be supported and guided by a new area specific chapter to be included in Shoalhaven DCP 2014.

4.4 State and Commonwealth Interests (Section D)

4.4.1 Is there adequate public infrastructure for the Planning Proposal?

The PP affects land where there is already generally adequate infrastructure and services to support increased development of the area. This issue will also be specifically considered and if necessary addressed through future development proposals.

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

Council will consult with relevant public authorities in accordance with the conditions of the Gateway determination. The PP will be updated prior to public exhibition, if required, to incorporate the view of any public authority.

5 Part 4 – Mapping

The PP will require the amendment to the following map sheets within Shoalhaven LEP 2014, as shown in Figures 5–7:

- Shoalhaven Local Environmental Plan 2014 – Heritage Map Sheet HER_013E
- Shoalhaven Local Environmental Plan 2014 – Height of Buildings Map Sheet HOB_013E
- Shoalhaven Local Environmental Plan 2014 – Land Zoning Map Sheet LZN_013E

6 Part 5 - Community Consultation

The Nowra CBD Fringe Medium Density Study Reports were developed in consultation with the community and included a number of community workshops with landowners and developers. The Background Report and Recommendations Report were publicly exhibited from 18 April 2018 to 18 May 2018. As part of this consultation, Council wrote to over 870

landowners within the study area and advertised the exhibition online and in local media. A total of 15 unique submissions were received, including one pro-forma letter signed by 70 individuals in support of the recommendations.

Following the Gateway determination, Council proposes to exhibit the PP and the associated amendment (new Chapter) to Shoalhaven DCP 2014 as a package. The PP will be exhibited in accordance with the requirements of the Gateway determination. It is intended that an exhibition period of 28 days apply.

Public notification of the exhibition would include notification in the local newspapers, and a notice on Council's website. Hard copies of the PP would be made available at Council's Administrative Building in Nowra and publicly viewable at the Ulladulla Office also.

At the conclusion of the public exhibition, a report will be prepared and reported back to Council to allow for the consideration of any submissions received from the community.

7 Part 6 – Project Timeline

The anticipated timeline for the PP is outline in Table 1 below.

Task	Anticipated Timeframe
Commencement date (date of Gateway determination)	October 2018
Completion of Gateway determination requirements	January 2018
Public exhibition	February 2018
Consideration of submissions	March 2019
Post exhibition consideration of PP	April 2019
Finalisation and notification of Plan	May 2019

Attachments

- A. Nowra CBD Fringe Medium Density Study Background Report**
- B. Nowra CBD Fringe Medium Density Study Recommendations Report**
- C. Development Committee Report and minute supporting the PP**
- D. Existing and proposed Heritage Map**
- E. Existing and proposed Height of Buildings**
- F. Existing and proposed Land Zoning**

See below

- G. SEPP Checklist**
- H. S9.1 Checklist**

Attachment G – SEPP Checklist

SEPP	Date	Name	Applicable	Not inconsistent
1	17.05.02	Development Standards	x	n/a
19	22.02.14	Bushland in Urban Areas	x	n/a
21	24.04.92	Caravan parks	x	n/a
30	08.12.89	Intensive agriculture	x	n/a
33	13.03.92	Hazardous and Offensive development	x	n/a
36	16.07.93	Manufactured home estates	x	n/a
44	06.01.95	Koala habitat protection	x	n/a
47	17.11.95	Moore Park Showground	x	n/a
50	10.11.97	Canal estate development	x	n/a
52	31.07.98	Farm Dams and Other Works in Land and Water Management Plan Areas	x	n/a
55	28.08.98	Remediation of land	x	n/a
62	25.08.00	Sustainable aquaculture	x	n/a
64	16.03.01	Advertising and signage	x	n/a
65	26.07.02	Design quality of residential flat development	x	n/a
70	31.05.02	Affordable Housing (Revised Schemes)	x	n/a
--	31.07.09	Affordable Rental Housing 2009	x	n/a
--	25.06.04	Building Sustainability Index: BASIX 2004	x	n/a
--	03.04.18	Coastal Management 2018	✓	✓
--	01.09.17	Educational Establishments and Child Care Facilities 2017	x	n/a
--	27.02.09	Exempt and Complying Development Codes 2008	x	n/a
--	31.03.04	Housing for Seniors or People with a Disability 2004	x	n/a
--	01.01.08	Infrastructure 2007	x	n/a
--	12.12.07	Kosciuszko National Park – Alpine Resorts 2007	x	n/a
--	30.06.89	Kurnell Peninsula 1989	x	n/a
--	16.02.07	Mining, Petroleum Production and Extractive Industries 2007	x	n/a
--	26.10.07	Miscellaneous Consent Provisions 2007	x	n/a
--	21.11.86	Penrith Lakes Scheme 1989	x	n/a
--	09.05.08	Rural Lands 2008	x	n/a
--	01.10.11	State and Regional Development 2011	x	n/a
--	25.05.05	State Significant Precincts 2005	x	n/a
--	01.03.11	Sydney Drinking Water Catchment 2011	x	n/a
--	28.07.06	Sydney Region Growth Centres 2006	x	n/a
--	31.05.13	Three Ports 2013	x	n/a
--	15.12.10	Urban Renewal 2010	x	n/a
--	25.08.17	Vegetation in Non-Rural Areas	x	n/a

--	21.08.09	Western Sydney Employment Area 2009	✖	n/a
--	06.03.09	Western Sydney Parklands 2009	✖	n/a

Attachment H – S9.1 Checklist

Direction		Applicable	Relevant	Not inconsistent
1 Employment and Resources				
1.1	Business and Industrial Zones	✓	✓	✓
1.2	Rural Zones	x	x	N/A
1.3	Mining, Petroleum Production and Extractive Industries	x	x	N/A
1.4	Oyster Aquaculture	x	x	N/A
1.5	Rural lands	x	x	N/A
2 Environment and Heritage				
2.1	Environmental Protection Zones	x	x	N/A
2.2	Coastal Management	✓	✓	✓
2.3	Heritage Conservation	✓	✓	✓
2.4	Recreation Vehicle Area	x	x	N/A
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	x	x	N/A
3 Housing, Infrastructure and Urban Development				
3.1	Residential Zones	✓	✓	✓
3.2	Caravan Parks and Manufactured Home Estates	x	x	N/A
3.3	Home Occupations	x	x	N/A
3.4	Integrating Land Use and Transport	✓	✓	✓
3.5	Development Near Licensed Aerodromes	✓	✓	✓
3.6	Shooting Ranges	N/A	N/A	N/A
4 Hazard and Risk				
4.1	Acid Sulphate Soils	✓	x	N/A
4.2	Mine Subsidence and Unstable Land	x	x	N/A
4.3	Flood Prone Land	x	x	N/A
4.4	Planning for Bushfire Protection	✓	✓	✓
5 Regional Planning				
5.2	Sydney Drinking Water Catchments	x	x	N/A

5.3	Farmland of State & Regional Significance Far North Coast	x	x	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

I. 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
PP038

Address of Land (if applicable):

The subject land is known as the Nowra CBD Fringe – and generally includes the residential zoned area to the west and south of the Nowra CBD.

Intent of draft LEP:

To amend Shoalhaven Local Environmental Plan 2014 to incorporate recommendations from Council's adopted Nowra CBD Fringe Medium Density Study which seek to facilitate an appropriate mix of densities and high-quality housing close to the Nowra CBD whilst protecting the existing character and heritage significance of the area.

Additional Supporting Points/Information:

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 S9.1 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/A		
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?	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 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		
Will the draft LEP discharge any interests in public land under Section 30 of the Local Government Act, 1993?		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 (PN09-003) Classification and reclassification of public land through a local environmental plan and Best Practice Guidelines for LEPs and Council Land?		N/A		
Has council acknowledged in its Planning Proposal that a Public Hearing will be required and agree 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 (i.e. reduced FSR or building height) that is not supported by an endorsed strategy?		N/A		
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/A		
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/A		
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 73A matters				
<p>Does the proposed instrument:</p> <p>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?;</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 or adjoining land?</p> <p>(NOTE – the Minister (or delegate) will need to form an Opinion under section 3.22 (formerly section 73(A)(1)(c)) of the Act in order for a matter in this category to proceed).</p>		N/A		

J. Any other relevant documentation e.g. letters of support from State Government agencies.

N/A