

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: Woollahra

Name of draft LEP: Draft Woollahra LEP 2014 PP-2022-1646

Address of Land (if applicable):

136-148 New South Head Road, Edgecliff

Intent of draft LEP: The objective of the planning proposal is to amend *Woollahra Local Environmental Plan 2014* to:

- A site specific clause to allow exceptions to the mapped Height of Buildings maximum of 14.5m (to a maximum of 42m) and to the mapped Floor Space Ratio maximum of 1.5:1 (to a maximum of 5:1)
- Objectives and conditional assessment criteria for the exceptions.

Additional Supporting Points/Information:

Refer to planning proposal, assessment and supporting information

Evaluation criteria for the issuing of an authorisation (Note: where the matter is identified as relevant and the requirement has not been met, council is to explain why the matter has not been addressed)	Council response		Department assessment	
	Y/N	Not relevant	Agree	Not agree
Is the planning proposal consistent with the Standard Instrument Order, 2006?	Y			
Does the planning proposal contain an adequate explanation of the intent, objectives, and intended outcome of the proposed amendment?	Y			
Are appropriate maps included to identify the location of the site and the intent of the amendment?	Y			
Does the planning proposal contain details related to proposed consultation?	Y			
Is the planning proposal compatible with an endorsed regional or sub-regional planning strategy or a local strategy endorsed by the Director-General?	Y			
Does the planning proposal adequately address consistency with all relevant section 9.1 planning directions?	Y			
Is the planning proposal consistent with all relevant state environmental planning policies?	Y			
Minor mapping error amendments	Y/N			
Does the planning proposal seek to address a minor mapping error and contain all appropriate maps that clearly identify the error and the manner in which the error will be addressed?		N/R		
Heritage LEPs	Y/N			
Does the planning proposal seek to add or remove a local heritage item and is it supported by a strategy/study endorsed by the Heritage Division?		NR		
Does the planning proposal include another form of endorsement or support from the Heritage Division if there is no supporting strategy/study?		N/R		
Does the planning proposal potentially impact on an item of state heritage significance and if so, have the views of the Heritage Division been obtained?		NR		

Evaluation criteria for the issuing of an authorisation (Note: where the matter is identified as relevant and the requirement has not been met, council to attach information to explain why the matter has not been addressed)	Council response		Department assessment	
	Y/N	Not relevant	Agree	Not agree
Reclassifications				
Is there an associated spot rezoning with the reclassification?		NR		
If yes to the above, is the rezoning consistent with an endorsed plan of management (POM) or strategy?		NR		
Is the planning proposal proposed to rectify an anomaly in a classification?		NR		
Will the planning proposal be consistent with an adopted POM or other strategy related to the site?		NR		
Will the draft LEP discharge any interests in public land under section 30 of the Local Government Act 1993?		NR		
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?		NR		
Has the council identified that it will exhibit the planning proposal in accordance with the department's Practice Note (PN 09-003) Classification and reclassification of public land through a local environmental plan and Best Practice Guideline for LEPs and Council Land?		NR		
Has council acknowledged in its planning proposal that a public hearing will be required and agreed to hold one as part of its documentation?		NR		
Spot rezonings	Y/N			
Will the proposal result in a loss of development potential for the site (ie reduced FSR or building height) that is not supported by an endorsed strategy?	N			
Is the rezoning intended to address an anomaly that has been identified following the conversion of a principal LEP into a Standard Instrument LEP format?	N			

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	Y/N	Not relevant	Agree	Not agree
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 led to the deferral has been addressed?		NR		
If yes, does the planning proposal contain sufficient documented justification to enable the matter to proceed?		NR		
Does the planning proposal create an exception to a mapped development standard?	Y			
Section 3.22 matters				
Does the proposed instrument				
a. correct an obvious error in the principal instrument consisting of a mis-description, 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?;	N			
b. address matters in the principal instrument that are of a consequential, transitional, machinery or other minor nature?; or	N			
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?	N			
(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 this category to proceed).				