

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: Fairfield Local Government Area

Name of draft LEP: Fairfield LEP 2013 – Draft Amendment No.48

1. Land Use Zoning map from part R4 High Density Residential and part RE1 Public Recreation to E1 Local Centre across the entire site.
2. Minimum Site Area Map to consolidate the site to allow for the development to achieve 27 metres in height consistent with the Villawood Town Centre minimum site area map.
3. Expand the Town Centre Precinct Map to include 898 Woodville Road and 15 Hilwa Street Villawood.
4. Height of building map to increase the height from 9 metres to 27 metres,
5. Removal of all current floor space ratio controls to be aligned with the E1 Local Centre controls.
6. Remove Land Acquisition provision relating to part 896 Woodville Road, Villawood

Address of Land:

869-898 Woodville Road and 15 Hilwa Street Villawood

- Lot 3 DP 208677,
- Lot 100 DP 1070965,
- Lot A DP 418889,
- Lot 1 DP 217764,
- Lot 13 DP 220348

Intent of draft LEP:

To achieve the objectives mentioned above, the Planning Proposal will need to amend:
Fairfield Local Environmental Plan 2013 (FLEP 2013) as follows:

Land Zoning Map

- Rezone 898 Woodville Road (Lot 1 DP 217764) from R4 High Density Residential to E1 Local Centre.
- Rezone 15 Hilwa Street (Lot 13 DP 220348) from part R4 High Density Residential and part RE1 Public Recreation to E1 Local Centre.
- Rezone part of 896 Woodville Road (Part Lot 3 DP 208677) from RE1 Public Recreation to E1 Local Centre.
- **Minimum Site Area Map** Amend the Minimum Site Area map by changing the existing 4,000m² provision to apply to 896 Woodville Road (Lot 3 DP 208677), 898 Woodville Road (Lot 1 DP 217764) and 15 Hilwa Street (Lot 13 DP 220348).
- Apply a new Minimum Site Area provision of 1,300m² to 896A Woodville Road.

Town Centre Precinct Map

- Include 898 Woodville Road and 15 Hilwa Street, Villawood in the Villawood Town Centre Precinct to ensure LEP Clause 7.8 applies to the site.

Height of Building Map

- Increase the maximum height of building to apply to 15 Hilwa Street (Lot 13 DP 220348) and 898 Woodville Road (Lot 1 DP 217764) from 20 metres to 27 metres.

Floor Space Ratio Map

- Remove the existing floor space ratio provisions of up to 2:1 from 15 Hilwa Street (Lot 13 DP 220348) and 898 Woodville Road (Lot 1 DP 217764) so that there is no FSR applying.

Land Acquisition Map

- Remove the land acquisition provision applying to part of 896 Woodville Road (Lot 3 DP 208677)

Additional Supporting Points/Information:

Information submitted with the Planning Proposal includes:

- Letter requesting gateway determination;
- Council report;
- Council resolution;
- Evaluation Criteria for the delegation of Plan Making Functions.

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 attach information to explain why the matter has not been addressed)	Council response		Department assessment	
	Y*/N	NR*	Y*/N	NR*
Is the planning proposal consistent with the Standard Instrument Order 2006?	Y			
Does the planning proposal contain an adequate explanation of the intent, objectives and intended outcome of the proposed amendment?	Y			
Are appropriate maps included to identify the location of the site and the intent of the amendment?	Y			
Does the planning proposal contain details related to proposed consultation?	Y			
Is the planning proposal compatible with an endorsed regional or sub-regional planning strategy or a local strategy endorsed by the Director- General?	Y			
Does the planning proposal adequately address any inconsistency with all relevant s.9.1 Planning Directions?	Y			
Is the planning proposal consistent with all relevant State Environmental Planning Policies (SEPP)?	Y			
Minor Mapping Error Amendments	Y/N	NA	Y/N	NA
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	Y/N	NA	Y/N	NA
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			
Does the planning proposal include another form of endorsement or support from the Heritage Office if there is no supporting strategy/study?	N			
Does the planning proposal potentially impact on an item of State Heritage Significance and if so, have the views of the Heritage Office been obtained?	N			

Reclassifications	Y/N	NA	Y/N	NA
Is there an associated spot rezoning with the reclassification?		NA		
If yes to the above, is the rezoning consistent with an endorsed Plan of Management (POM) or strategy?		NA		
Is the planning proposal proposed to rectify an anomaly in a classification?		NA		
Spot Rezonings	Y/N	NA	Y/N	NA
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 principle 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 deferred has been addressed?	N			
If yes, does the planning proposal contain sufficient documented justification to enable the matter to proceed?		NA		
Does the planning proposal create an exception to a mapped development standard?	N			
Section 3.22 matters (Note: the Minister or Delegate) will need to form an Opinion under section 3.22 of the Act in order for a matter in this category to proceed).	Y/N	NA	Y/N	NA
Does the proposed instrument correct an obvious error in the principal instrument consisting of a misdescription, the consistent 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			
Does the proposed instrument address matters in the principal instrument that are of a consequential, transition, machinery or the other nature	N			
Does the proposed instrument deal with matters that do not warrant compliance with the conditions precedent for the making of the instrument because they will not have significant adverse impact on the environment or adjoining land?	N			

NOTES

* Where a Council responds “yes” or can demonstrate that the matter is “not relevant” in most cases, the planning proposal will routinely be delegated to Council to finalise as a matter of local planning significance.

Endorsed strategy means a regional strategy, sub-regional strategy, or any other local strategic planning document that is endorsed by the Director-General of the department.