



11 December 2018

Regional Director (Western Region)
NSW Department of Planning & Environment
PO Box 717
DUBBO NSW 2830

Dear Mr Pfeiffer

PP_2018-GRIFF-03-00 - Additional Permitted Use at Lot 2 DP1098689, 8 Pedley Road Hanwood

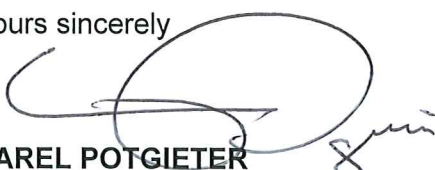
I refer to the additional information requested in respect to the subject planning proposal and wish to confirm:

- Council is supportive of a time limited APU (also referred to as a sunset provision for a two (2) year to permit this development type as an interim measure until a strategic review of the zoning occurs.

Furthermore Council requests delegation to make the amended LEP and encloses a copy of the completed *Attachment 4 – Evaluation Criteria for the Delegation of Plan Making Functions*.

For further information regarding this matter please contact Council's Co-Ordinator Land Use Planning & Compliance, Mr Steven Parisotto on (02) 6969 4840.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Carel Potgieter', is written over the 'Yours sincerely' text.

CAREL POTGIETER
ACTING DIRECTOR SUSTAINABLE DEVELOPMENT

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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:Griffith City Council

Name of draft LEP:Griffith Local Environmental Plan 2014 (Amendment No.4)

Address of Land (if applicable): Lot 2 DP1098689, 8 Pedley Road Hanwood

Intent of draft LEP: To amend Schedule 1 of Griffith Local Environmental Plan 2014 to include the following:

5. Use of certain land at 8 Pedley Road, Hanwood

(a) This clause applies to land at Lot 2 DP1098689, 8 Pedley Road Hanwood, identified as "Item 5" on the Additional Permitted Uses Map.

(b) Development for the purpose of an vehicle sales and hire premises (limited to agricultural machinery and equipment) is permitted with development consent.

(c) Development identified in sub-clause (b) is limited to a development application being made within two (2) years of the gazettal of Amendment No. 4.

Additional Supporting Points/Information:

In terms of the objectives of the zone, the following comments are made:

- The use for vehicle sales and hire, particularly of agricultural machinery can be seen as a suitable transition to the adjoining RU1 Primary Production land to the east and development that is permissible in the B6 Enterprise Corridor to the north.
- Enabling an additional permissible use of the land that would allow the display and sale of agricultural machinery would not result in any conflict within the zone nor of land within the adjoining RU1 Primary Production zone or the nearby RU5 Village and B6 Enterprise Corridor zones. The use would be compatible with other uses permissible within the zone, including a vehicle repair station or for rural supplies.

- The site has two road frontages and frontage to a classified road provides opportunities for exposure. Having a secondary frontage to Pedley Road would mean that access to the Kidman Way is not essential.

The proposed development is in keeping with existing development that has been approved or is under consideration in the locality. Nearby development along the Kidman Way corridor approved under historic and current environmental planning instruments

In terms of the Riverina-Murray Regional Plan, the key priorities for Griffith City Council are:

- Support the delivery of residential release areas, including at Lake Wyangan, and Griffith North, and at Hanwood and Yenda in Griffith, and increase the range of housing options in existing urban areas.
- Support industrial land development, including at Tharbogang in Griffith, and protect industrial areas from incompatible land uses.
- Support the establishment of a health precinct around Griffith Base Hospital and
- St Vincent's Private Community Hospital.

The proposed additional land use does not run contrary to the key priorities.

In terms of the goals of the Riverina-Murray Regional Plan

- It is consistent with Goal 1 - a growing and diverse economy
- It is consistent with Goal 2 - a health environment with pristine waterways
- Is generally consistent with Goal 3 - efficient transport and infrastructure networks
- It is consistent with Goal 4 - strong connected and healthy communities.

The proposed use serves the agricultural based economy and is a form of agribusiness that supports primary production. Although such an activity could be located in an industrial zone, existing vacant sites within the established industrial zones have insufficient land area to enable the display of larger agricultural machinery or are not available.

Lastly, the option of reviewing the RU6 has not been considered at this stage, however Council is likely to pursue this with any review of GLEP 2014. The likely zone would be an extension of the B6 zone.

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 attach information 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?		NR		
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 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	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			
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 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			
Is there an associated spot rezoning with the reclassification?	N			
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			
Will the planning proposal deal with a previously deferred matter in an existing LEP and if so, does it provide enough information		NR		

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?		NR		
Does the planning proposal create an exception to a mapped development standard?	N			
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?; or</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 73(A1)(c) of the Act in order for a matter in this category to proceed).</p>		NR		

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.