



Mr Brett Stonestreet
General Manager
Griffith City Council
PO Box 485
Griffith NSW 2680

14/16934

Attention: Neil Southorn, Director Sustainable Development

Dear Mr Stonestreet

**Planning Proposal (PP_2014_GRIFF_001_00) – Griffith LEP 2014 – Amendment 1
– Various Amendments**

I refer to your letter dated 7 October 2014 requesting a Gateway Determination under section 56(1) of the Environmental Planning and Assessment Act 1979 (EP&A Act) with respect to the Planning Proposal for various amendments including:

- permitting 'Shops' within zone B7 Business Park;
- amendments to clauses: 4.1(3A), 4.1A, 4.2C and 5.4; and
- correcting matters made during the drafting of the Griffith Local Environmental Plan 2014.

As a delegate of the Minister for Planning, I have determined the planning proposal should proceed subject to the conditions in the attached Gateway Determination (**Attachment 1**).

The Minister delegated his plan making powers to Councils in October 2012. It is noted that Council has requested delegation for this proposal. I have considered the nature of Council's Planning Proposal and have decided not to issue authorisation for Council to exercise delegation and make this plan due to the further work required with Parliamentary Counsel in relation to the wording of the proposed clauses.

The amended Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to the Department of Planning and Environment (westernregion@planning.nsw.gov.au) purposes six (6) weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet

these commitments, the Minister may take action under section 54(2)(d) of the EP&A Act if the time frames outlined in the determination are not met.

Should you have any further enquiries about this matter, I have arranged for Rebecca Kell from the Western Region office to assist you. Miss Kell can be contacted on (02) 6841 2180.

Yours sincerely

A. U. Albury 11-11-2014

Ashley Albury
General Manager, Western Region
Planning Services

Enclosed:

Attachment 1 – Gateway Determination

Gateway Determination

Planning Proposal (Department Ref:PP_2014_GRIFF_001_00): to permit 'Shops' within zone B7 Business Park; make various amendments to clauses: 4.1(3A), 4.1A, 4.2C and 5.4; and correcting matters made during the drafting of the Griffith Local Environmental Plan 2014.

I, the General Manager, Western Region at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Griffith Local Environmental Plan 2014 (LEP) to permit 'Shops' within zone B7 Business Park; make various amendments to clauses: 4.1(3A), 4.1A, 4.2C and 5.4; and correcting matters made during the drafting of the Griffith Standard Instrument Local Environmental Plan 2014 should proceed subject to the following conditions:

- 1) Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 (EP&A Act) as follows:
 - a. The planning proposal must be made publicly available for a minimum of 28 days;
 - b. The relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in Section 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013).
- 2) No consultation is required with public authorities under section 56(2)(d) of the EP&A Act
- 3) A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
- 4) The intent of the proposed clauses are to be placed on public exhibition however, the final drafting of the provisions will be subject to Parliamentary Counsel approval.
- 5) The timeframe for completing the LEP is to be 12 months from the week following the date of the gateway determination.

Dated 11th day of November 2014.


Ashley Albury
General Manager, Western Region
Planning Services

Delegate of the Minister for Planning