

CLAUSE	CL01
TITLE	Planning Proposal 2/2018 for Lot 641 DP 751743, 161 Remembrance Drive, Griffith
FROM	Steven Parisotto, Coordinator Land Use Planning & Compliance
TRIM REF	18/77641

SUMMARY

A planning proposal has been initiated on behalf of the IQRA Group Pty Ltd that seeks a minor change to Griffith Local Environmental Plan 2014 (LEP) to enable additional permitted uses on Lot 641 DP 751743 being the former broadcast centre of 2RG and MTN9. The primary purpose of the planning proposal is to enable adaptive re-use of the building for compatible land use activities. This additional permitted uses include an *educational establishment* and an *office premises* aimed and facilitating the building being used as a Country Universities Centre

The purpose of this report is for Council to endorse the Planning Proposal (set out in Attachment "A") and, if endorsed, to delegate to the Director Sustainable Development the authority to submit the Planning Proposal to the Department of Planning and Environment for a gateway determination. The gateway approval will enable Council to progress with the intended amendment to the LEP and give effect to the planning proposal.

The following is a brief summary of the process:

- **Planning Proposal** – a planning proposal has been prepared seeking amendments to Griffith Local Environmental Plan 2014.
- **Gateway Determination** – subject to Council resolution the planning proposal is referred to the Department of Planning and Environment, whereby the Minister or their delegate decides whether or not the planning proposal can proceed, either with or without variation.
- **Community Consultation** – the gateway determination will set down procedural requirements in respect to community consultation which is a minimum of 28 days. The Minister will also advise whether or not public authorities are to be consulted.
- **Assessment** – that Council will review any public submissions, including any made by a public authority. The assessment will be referred to Parliamentary Counsel for preparation of the draft LEP.
- **The making of the LEP** – that upon review of Parliamentary Counsel and subsequent approval by the Minister, the amendments to the LEP are published and come into effect.

An independent community board has been established to manage the Country University Centre to be established in Griffith. Applications have been lodged to the State and Federal governments for support. As at the date of preparation of this report the board is yet to be advised of the outcome of these applications. Progression of the University Centre in Griffith including its location will of course be determined in

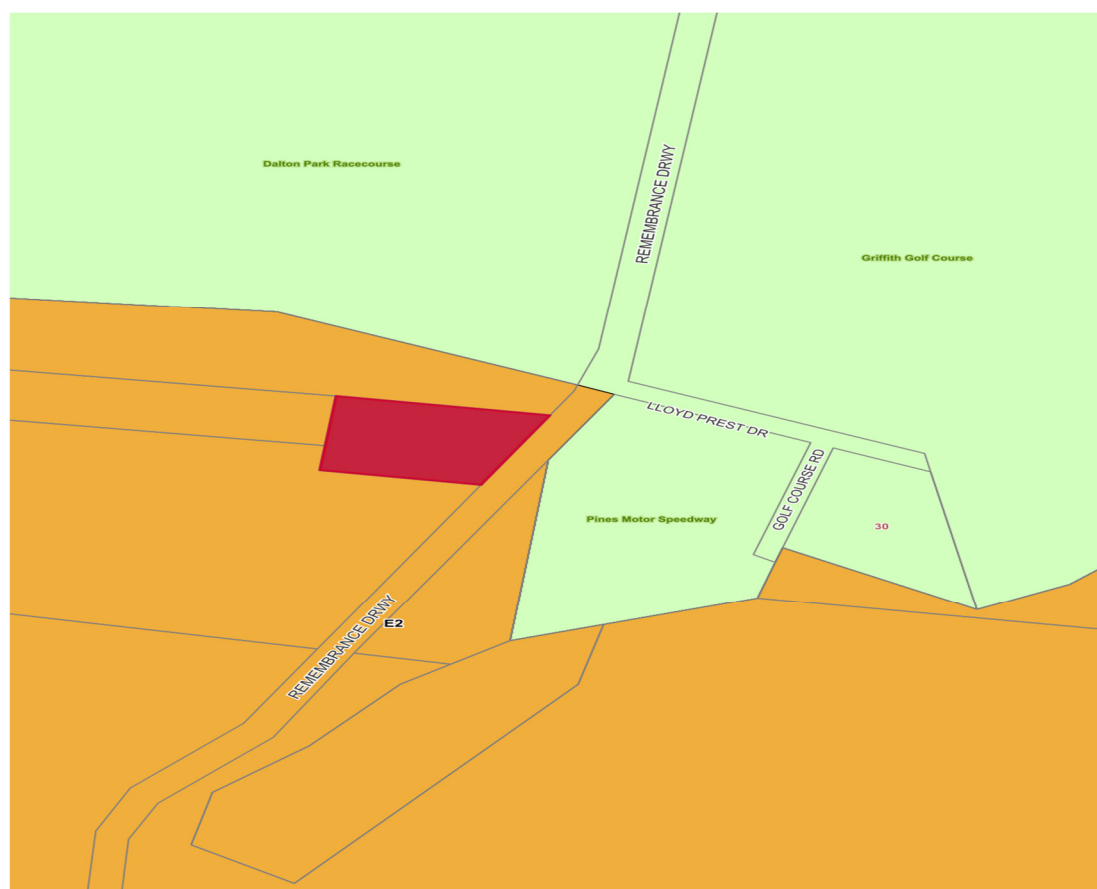
accordance with the degree of financial support obtained from State and Federal governments.

RECOMMENDATION

- (a) That Council endorse Planning Proposal 2/2018 set out in Attachment A that seeks amendment to Griffith Local Environmental Plan 2014 to include an additional permitted use on Lot 641 DP 751743; and
- (b) That Council give delegated authority to the Director Sustainable Development to submit the Planning Proposal to the Department of Planning and Environment to seek a Gateway Determination; and
- (c) That should Gateway approval be granted by the Department of Planning & Environment the Planning Proposal be placed on public exhibition for community consultation, and where identified consult with any relevant public authority; and
- (d) If any submissions are received, Council considers such before the proposal is re-submitted to the Department of Planning and Environment for consideration and final assessment.

REPORT

The planning proposal relates to the following parcel of land:



The land subject of the planning proposal is presently zoned E2 Environmental Conservation and the Land Use Table of Griffith LEP 2014 states:

“1 Objectives of zone

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.*
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.*
- To ensure the long term viability of populations of threatened species and ecological communities by protecting and improving the condition of wildlife habitats.*

2 Permitted without consent

Water reticulation systems

3 Permitted with consent

Boat launching ramps; Boat sheds; Community facilities; Eco-tourist facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Information and education facilities; Jetties; Recreation areas; Research stations; Roads; Water recycling facilities; Water supply systems

4 Prohibited

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3”

The intent of the amendment to enable development, that being an *educational establishment* or an *office premises* that are otherwise prohibited in the E2 Environmental Conservation zone and make use of a vacant commercial building that is at the risk of becoming derelict due to the limited potential uses of the land.

The Country Universities Centre is a not-for-profit organisation, established with the aim of making tertiary education more accessible for regional and remote communities in New South Wales (source: www.cuc.org.au) and as a land use term, *Country Universities Centres*, is a non-defined term in the standard instrument definitions and could be considered as an *educational establishment* or an *office premises*.

The model adopted by the Country Universities Centre is to deliver supported learning to regional and remote students by providing them with access to campus-level technology, facilities, tutors and a network of fellow students. Presently in New South Wales there are three such facilities, one in Cooma (first opened in 2013), and others in Broken Hill and Goulburn (opened in 2018).

The objectives of the proposed amendment to GLEP are:

- To enable the adaptive re-use of an existing building for a land use that is compatible with the locality.
- To facilitate opportunities for tertiary students to undertake distance education from a central learning hub and provide a facility for local students to undertake tertiary studies via distance education.

The outcome of the planning proposal will include the following amendment to Schedule 1 Additional Permit Uses so as to:

- Permit the use of Lot 641 DP 751743 for the purpose of an *educational establishment* and *office premises* with development consent.

OPTIONS

OPTION 1

As per recommendation.

OPTION 2

Any other resolution of Council.

POLICY IMPLICATIONS

The proposed planning proposal will not require any amendment to the Griffith Land Use Strategy: Beyond 2030.

FINANCIAL IMPLICATIONS

There are no significant financial implications to Council arising from the recommendations in this report.

LEGAL/STATUTORY IMPLICATIONS

Griffith Local Environmental Plan 2014 is an environmental planning instrument for the purpose of the Environmental Planning and Assessment Act, 1979 and it provides the statutory provisions whereby Council establishes the zoning of land and the means for identifying permissible land uses. A planning proposal is a lawful mechanism that enables Council to consider amendments to its environmental planning instrument for land uses that are otherwise prohibited within a zone.

ENVIRONMENTAL IMPLICATIONS

The planning proposal does not negate the need for proper studies, including planning for bushfire protection, to be undertaken as part of the development application process.

COMMUNITY IMPLICATIONS

The community expectation is that the Ministerial directions provided by Section 9.1 of the Environmental Planning and Assessment Act, 1979. These directions provide planning principles which need to be considered when making decisions of land.

LINK TO STRATEGIC PLAN

This item links to Council's Strategic Plan Item 7.2 Develop partnerships to build on quality education and training opportunities.

CONSULTATION

Senior Management Team, Director Sustainable Development, Manager Planning & Environment

ATTACHMENTS

- (a) Council Report Planning Proposal 2/2018 - Attachment A - Planning Proposal for Lot 641 DP 751743 (Sch 1 Additional Permitted Uses)