



Planning & Environment

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

Our ref: PP_2016_GRIFF_001_00; (16/13721)
Your ref: CPOT

Attention: Mr Carel Potgieter – Manager Planning and Environment

Dear Mr Stonestreet,

Planning proposal (PP_2016_GRIFF_001_00) to amend Griffith Local Environmental Plan 2014 – Additional Permitted Use at 912 Kidman Avenue, Griffith.

I am writing in response to your Council's letter dated 13 October 2016 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 (EP&A Act) in respect of the planning proposal to identify an Additional Permitted Use for a "general industry" under Schedule 1 of the Griffith LEP 2014 at 912 Kidman Avenue, Griffith.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed, as delegate of the Secretary, that the planning proposal is consistent with section 117 Directions 1.1 Business and Industrial Zones and 6.3 Site Specific Provisions. No further approval is required in relation to these Directions.

Plan making powers were delegated to councils by the Minister in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of 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 Parliamentary Counsel's Office (parliamentary.counsel@pco.nsw.gov.au) 10 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment (westernregion@planning.nsw.gov.au) for administration purposes.

All related files for the LEP Amendment, including Maps, Map Cover Sheet, Planning Proposal document, section 59 Reporting and GIS data, if available, must be submitted to the Department via the Planning Portal Website at <https://www.planningportal.nsw.gov.au/planning-tools/online-submission-planning-data>. To submit the data, Council is required to create an account and log in using these details.

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 this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Mr Deniz Kilic of the Department's Western region office to assist you. Mr Kilic can be contacted on (02) 6841 2180.

Yours sincerely,



17-11-16

Azaria Dobson
Acting Director Regions, Western
Planning Services
Department of Planning and Environment

Encl:

Attachment 1 – Gateway Determination

Attachment 2 – Written Authorisation to Exercise Delegation

Attachment 3 – Delegated Plan Making Reporting Template



Gateway Determination

Planning proposal (Department Ref: PP_2016_GRIFF_001_00): to identify 'general industry' as an Additional Permitted Use under Schedule 1 of the Griffith LEP 2014 at Lot 546 DP 751709, 912 Kidman Avenue, Griffith.

I, the Acting Director Regions, Western, at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the Environmental Planning and Assessment Act 1979 (EP&A Act) that an amendment to the Griffith Local Environmental Plan (LEP) 2014 to identify 'general industry' under Schedule 1 Additional Permitted Use should proceed subject to the following conditions:

1. Council is required to create an 'Additional Permitted Uses' Map showing all items listed under Schedule 1 of the Griffith LEP 2014.
2. 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**; and
 - (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 Environment 2013)*.
3. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act
4. 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).
5. The timeframe for completing the LEP is to be **9 months** following the date of the Gateway determination.
6. The final LEP maps shall be prepared in accordance with the requirements of the Department's "Standard Technical Requirements for Spatial Datasets and Maps" (2015).

Dated 17th day of November 2016.

Azaria Dobson
Acting Director Regions, Western
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Griffith City Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2016_GRIFF_001_00	Planning proposal to identify "general industry" as an Additional Permitted Use under Schedule 1 of the Griffith LEP 2014 at Lot 546 DP 751709, 912 Kidman Avenue, Griffith.

In exercising the Minister's functions under section 59, the Council must comply with the Department of Planning and Environment's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 17th day of November 2016

Azaria Dobson
Acting Director Regions, Western
Planning Services
Department of Planning and Environment

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the Department of Planning and Environment following receipt of the planning proposal
- The Department of Planning and Environment will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the Department of Planning and Environment with the RPA's request to have the LEP notified

Table 1 – To be completed by Department of Planning and Environment

Stage	Date/Details
Planning Proposal Number	PP_2016_GRIFF_001_00
Date Sent to DP&E under s56	27 October 2016
Date considered at LEP Review Panel (if applicable)	
Gateway determination date	17 November 2016

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Have changes been made to the draft LEP after obtaining final PC opinion?	YES NO	
Date LEP made by GM (or other) under delegation		
Date sent to DPE requesting notification		

Table 3 – To be completed by Department of Planning and Environment

Stage	Date/Details
Notification Date and details	

Additional relevant information: