

CLAUSE	CL04
TITLE	Planning Proposal for Flow Smart Pty Ltd Lot 546 DP 751709
FROM	Carel Potgieter, Planning and Environment Manager
TRIM REF	16/66428

SUMMARY

A Planning Proposal has been received from Flow Smart Pty Ltd seeking a minor change to the Griffith Local Environmental Plan (LEP) to enable development of new premises on vacant land on Kidman Way near Griffith. Flow Smart has indicated the proposed relocation will allow expansion of their business, which includes the manufacture and assembly of irrigation equipment for local and international markets.

The purpose of this report is for Council to consider endorsement of the Planning Proposal (Attachment A) and, if endorsed, to direct staff to submit same to Department of Planning and Environment for a gateway determination. Gateway approval will allow Council to progress further with the process allowing for possible amendment of the Griffith Local Environmental Plan (2014) in order to give effect to the Planning Proposal.

The following is a short summary of the process.

1. **Planning Proposal** - the applicant prepared the planning proposal.
2. **Gateway** - the process in which the Minister (or delegate) decides whether the planning proposal can proceed (with or without variation).
3. **Community consultation** - the proposal is publicly exhibited as required by the Minister.
4. **Assessment** - the relevant planning authority (council) reviews public submissions. Parliamentary Counsel then prepares a draft Local Environmental Plan.
5. **The making of the LEP** - with the Minister (or delegate) approval, the local environmental plan is published on the NSW legislation website and becomes effective.

The Planning Proposal relates to the construction of a new industrial building and associated infrastructure for the manufacturing of pumping equipment and assembly of large spray irrigator components for the agricultural sector. The existing zoning "B6 Enterprise Corridor" does not allow for Industrial use on the property and as such the Development Application lodged on 11 February 2016 could not have been assessed with a positive outcome. This left the applicant with the option of preparing a Planning Proposal supporting the re-location of the existing business from its current location at Lot 1 PLT Part Lot DP 1021743, 42 Bridge Road to the new location on Lot 546 DP 751709 FNO 912 Kidman Way.

Existing Location Flow Smart



Proposed New Location Flow Smart



RECOMMENDATION

- (a) Council endorse the attached Planning Proposal for Lot 546 DP 751709 to be included in the Griffith Local Environmental Plan 2014 as a Schedule 1 Additional Use and the proposal be submitted to Department of Planning and Environment to seek gateway approval.
- (b) If gateway approval is granted, the plan be placed on public exhibition to seek community comment.
- (c) If any submissions are received, Council considers such before the proposal is re- submitted to Department of Planning and Environment for consideration and final assessment.

REPORT

Council staff undertook a preliminary assessment of a development proposal submitted under DA 30/2016 (1) and advised the applicant that based on the description of the development and information provided in the Statement of Environmental Effects the proposed development would appear to fall within the definition of *general industry* which is defined below:

general industry means a building or place (other than a heavy industry or light industry) that is used to carry out an industrial activity.

An *industrial activity* is defined as:

industrial activity means the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming, processing, recycling, adapting or servicing of, or the research and development of, any goods, substances, food, products or articles for commercial purposes, and includes any storage or transportation associated with any such activity

Griffith Local Environmental Plan 2014 states that industry, other than light industry, is prohibited within the B6 Enterprise Corridor. The proposed use appears to be outside these parameters. The only option left for the applicant is the route of a Planning Proposal in which the proposed use for manufacturing of pumping equipment and assembly of large spray irrigator components for the agricultural sector is justified within the locality and approved as a "Schedule 1: Additional permitted use"

This would allow the additional permitted use on the particular parcel of land without extending Industrial uses of land throughout the entire zone. Council staff have inspected the manufacturing and assembly undertaken by the business and recommend the Planning Proposal for an additional permitted use is a reasonable way forward without compromising the intent of the LEP.

OPTIONS

OPTION 1

- (a) Council endorse the attached Planning Proposal for Lot 546 DP 751709 to be included in the Griffith Local Environmental Plan 2014 as a Schedule 1 Additional Use and that the proposal be submitted to Department of Planning and Environment to seek gateway approval.
- (b) If approval is granted the plan be placed on public exhibition to seek community comment.

- (c) If any submissions are received, Council considers such before the proposal is re-submitted to Department of Planning and Environment for consideration and final assessment.

OPTION 2

Any other resolution of Council.

POLICY IMPLICATIONS

Possible amendment of 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 LEP 2014 is an Environmental Planning Instrument described in the Environmental Planning and Assessment Act.

ENVIRONMENTAL IMPLICATIONS

More detailed environmental investigations will be required to support any Development Application on the land.

COMMUNITY IMPLICATIONS

The community expects planning principles to be upheld when making decisions on land use.

LINK TO STRATEGIC PLAN

This item links to Council's Strategic Plan items:

D1 - Develop Griffith as a centre of choice for trade, business, health, recreation and employment.

D2 - Attract and develop new value-adding industries.

E8 - To improve sustainable land use.

CONSULTATION

Senior Management Team

ATTACHMENTS

- (a) Planning Proposal, Flow Smart P/L, Kidman Way