



IRF23/1587

Gateway determination report – PP 2023-426

Minimum Lot Size Change– 1-5 Orfeo Court, Griffith

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Acknowledgment of Country

The Department of Planning and Environment acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Planning Proposal
Council Report dated 9/05/2023
Council Resolution dated 9/05/2023
Land Capability Report
Site Assessment For Effluent Disposal System Report

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Griffith LGA
PPA	Griffith Council
NAME	Reduction of Minimum lot size at 1-5 Orfeo Court, Griffith
NUMBER	PP-2023-426
LEP TO BE AMENDED	Griffith LEP 2014
ADDRESS	1-5 Orfeo Court, Griffith
DESCRIPTION	Lots 1-6, DP286968
Planning Proposal category	Not nominated by Council – this assessment report recommends a basic category
RECEIVED	23/05/2023
FILE NO.	IRF23/1587
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal
DWELLING HOUSES/JOBS	1/0
MAP ONLY/PCO ONLY/PCO & MAPS	Map Only

1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are to:

- Reduce the minimum lot size for the subject land to allow for subdivision of the existing lots to a size of 3000m². This will facilitate the creation of 1 additional lot.

1.3 Explanation of provisions

The planning proposal seeks to amend the Griffith LEP 2014 as per the changes below:

Table 3 Current and proposed controls

Control	Current	Proposed
Zone	R5 Large Lot Residential	No change
Minimum lot size	Mapped with a minimum lot size of 4000m ² Clause 4.1(3A) 4000m ² with no reticulated sewer or 3000m ² with reticulated sewer,	Map subject site to 3000m ² No changes proposed to clause 4.1(3A)

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

1.4 Site description and surrounding area

The subject site is located on Orfeo Court in Griffith. The subdivision is located approximately 2km south from the CBD of Griffith. The subject site has an area of around 2.1 ha and currently consists of five residential allotments and one community title allotment (being the private road reserve of Orfeo Court). 4 of the existing 5 lots currently have dwellings either constructed or under construction.

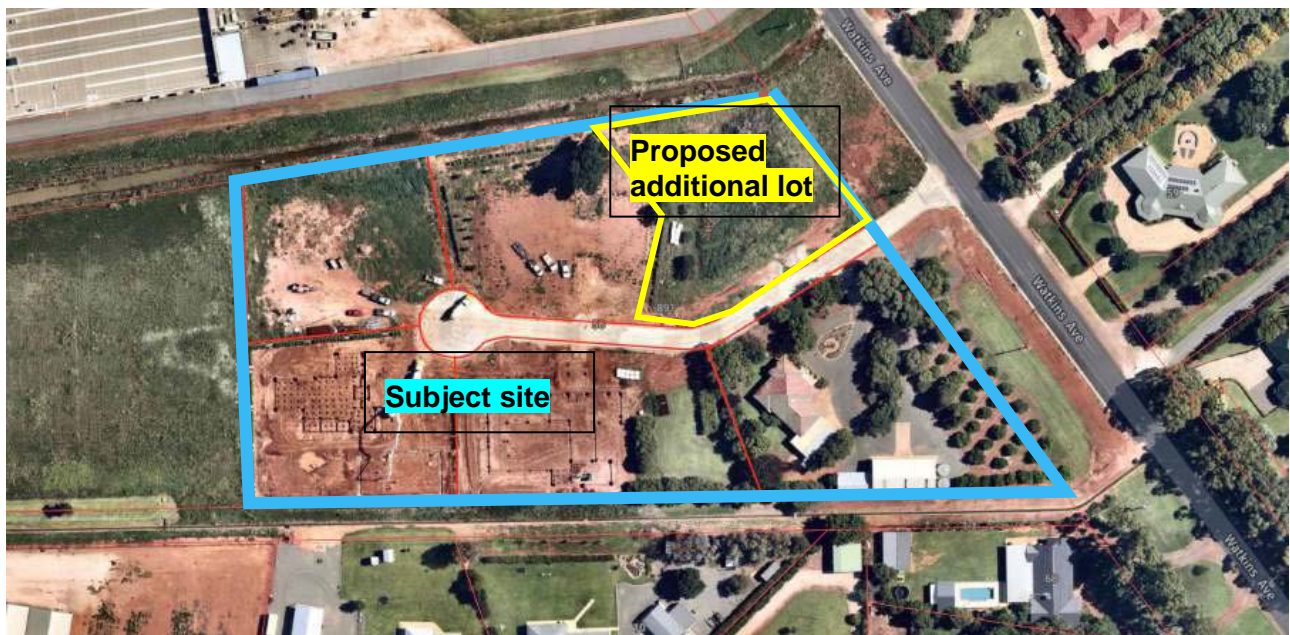


Figure 1 Subject Site Map (source: Planning Proposal April 2023)

1.5 Mapping

The planning proposal includes mapping showing site context and the proposed changes to the minimum lot size maps. These are suitable for community consultation.

The amendment will require an updated map Sheet LSZ_004A.



Figure 2 Current and proposed minimum lot size maps (source: Planning Proposal April 2023)

1.6 Background

Griffith Council approved a 6 lot subdivision in 2020. The resultant lot size of lot 5 (approximately 6200m²) was such that it prevented further subdivision. Council in its assessment of the subdivision development application suggested that the subject site may be capable of supporting an additional lot.

2 Need for the planning proposal

The planning proposal is supported broadly by the Griffith LSPS, the Griffith Land Use Strategy – Beyond 2030 and the Griffith Housing Strategy. The planning proposal considers that amending the minimum lot size development standard is preferable over including the subject site as an additional permitted use within schedule 1 of the LEP. Clause 4.6 of the Griffith LEP does not facilitate the proposed subdivision given the subject site is zoned R5 Large Lot Residential, and therefore the development standard cannot be varied.

The proposed LEP amendment is supported as it provides certainty around the intended purpose of the site. An amendment to the minimum lot size is in keeping with the residential nature of the land uses and lot sizes in its immediate vicinity.

2.1 Regional Plan

The planning proposal provides an assessment against the Riverina Murray Regional Plan 2041.

Table 4 9.1 Assessment of proposal against Riverina Murray Regional Plan 2041

Objective	Comments
1: Protect, connect and enhance biodiversity throughout the region	The planning proposal facilitates infill residential development on land that does not contain any known biodiversity values. The proposal is considered consistent with this objective.
5: Ensure housing supply, diversity, affordability and resilience	The proposal seeks to facilitate the creation of an additional residential lot. The subdivision of an existing residential lot is supported given it is utilising existing residential land and providing additional housing supply. The proposal is considered consistent with this objective.

6: Support housing in regional cities and their sub-regions	The proposal provides an additional dwelling for this area. This is supportive of this objective in that it will provide housing within the regional city of Griffith. The proposal is considered consistent with this objective.
11: Plan for integrated and resilient utility infrastructure	The proposal seeks to provide an additional dwelling within an existing serviced residential subdivision. Additional infrastructure and services are not expected to be required as a result of this additional residential lot. The proposal is considered consistent with this objective.

The proposal has sufficiently demonstrated strategic merit in relation to its assessment against the regional plan. The proposal will give effect to certain objectives and directions of the regional plan, as identified in the table above.

2.2 Local

The proposal is consistent with the provisions of the following local strategies:

- Griffith Local Strategic Planning Statement (LSPS)
 - The proposal is consistent with the LSPS in that it seeks to provide residential density in close vicinity to the CBD and provides residential infill development and therefore reduces the demand for rezoning rural lands or other less appropriate land.
- Griffith Land Use Strategy – Beyond 2030
 - The proposal is broadly consistent with the land use strategy in that it is not creating additional urban sprawl or creating further land use conflict. The proposed minimum lot size of 3000m² is not out of character with the surrounding land use patterns.
- Griffith Housing Strategy - 2019
 - The proposal is consistent with the strategy given that it is providing potential for an additional residential lot without jeopardising the provision of affordable housing.

2.3 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Table 5 section 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
1.1 Implementation of Regional Plans	Yes	<p>The planning proposal addresses the RMRP 2041.</p> <p>The proposal satisfies the objectives of this direction by demonstrating consistency with the overall vision, strategies and relevant objectives, directions and actions contained in the Regional Plan. Table 4 above assesses the proposal against relevant regional plan content.</p> <p>No further work required.</p>
6.1 Residential Zones	Yes	<p>The reduction of the minimum lot size of this residential zoned land will broaden the supply and typology of housing available.</p> <p>No further work required.</p>

2.4 State environmental planning policies (SEPPs)

The proposal is consistent with the applicable SEPPs.

3 Site-specific assessment

3.1 Environmental

The subject site consists of cleared land with some exotic vegetation (grasses) scattered throughout. The subject area is an existing residential lot and a reduction in minimum lot size will not adversely affect biodiversity.

3.2 Social and economic

The proposed reduction of the subject site's minimum lot size will facilitate the subdivision of land, permitting 1 additional residential lot. This will increase the supply of housing for the growing population Griffith. The subject site is within an existing residential subdivision and will not require the provision of additional infrastructure or services. The subject site is approximately 2km from the CBD of Griffith making the subject site accessible to a range of employment and service options.

3.3 Infrastructure

The subject site is within an existing residential subdivision and will not require the provision of additional infrastructure or services. Interallotment services associated with the subdivision will be required. Provision of these services and infrastructure will be resolved during any future subdivision development application.

4 Consultation

4.1 Community

The planning proposal does not identify a community consultation period. Given the basic nature of the planning proposal, it is recommended that the planning proposal be publicly exhibited for a minimum of 10 working days. This is consistent with Council's resolution.

The exhibition period proposed is a condition of the Gateway determination.

4.2 Agencies

It is recommended that no consultation is required with NSW agencies.

5 Timeframe

In accordance with the DPE LEP Making Guideline, the planning proposal should be categorised as basic. The planning proposal does not provide any expected key dates for project milestones. Given the basic amendment, and likelihood of low community and NSW agency interest in the proposed amendment, it is appropriate in this instance for the community consultation to proceed without including an updated project timeline.

The Department recommends a timeframe of 6 months to complete the amendment.

A condition to the above effect is recommended in the Gateway determination.

6 Local plan-making authority

Council has advised that it would like to exercise its functions as a local plan making authority.

The Department recommends that Council be authorised to be the local plan making authority for this proposal.

7 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- Strategic merit - the proposal is generally consistent with Griffith's local strategies and also with the Riverina Murray Regional Plan 2041.
- There are no known site merit issues to resolve given the subject site is within a recently developed residential subdivision.

8 Recommendation

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal should be made available for community consultation for a minimum of 10 working days.
2. The timeframe for completing the LEP is to be 6 months from the date of the Gateway determination.
3. Given the nature of the proposal, Council should be authorised to be the local plan making authority.



_____21/06/2023_____

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