



Ordinary Meeting

Tuesday, 24 January 2023

ATTACHMENTS UNDER SEPARATE COVER (B)

- CL03 Draft Plan of Management - Village of Yenda Crown Reserves
- CL04 Adoption of Draft Plan of Management - Community Services Precinct
- CL05 General Amendment - Griffith Local Environmental Plan 2014 - Public Exhibition Endorsement



ATTACHMENTS UNDER SEPARATE COVER

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VILLAGE OF YENDA CROWN RESERVES

CROWN RESERVES 62949, 61951, 63981, 65511, 159006 & 240000

DRAFT PLAN OF MANAGEMENT



Photos: above left - Wade Park main entry; above right - Memorial Park

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November 2022

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1.0 EXECUTIVE SUMMARY

Yenda located on the Burley Griffith Way 16 kms east of Griffith, is the largest of the local Villages within Griffith City Council's area of administration.

The Village of Yenda Crown Reserves Plan of Management incorporates the Memorial Park (Reserve 62949); Wade Park Sportsground (Reserves 61951, 63981 and 65511); Yenda Flora & Fauna Park (Reserve 159006); and the Yenda Retirement Village (Reserve 240000), being a range of sites that provide significant value to the liveability of residents in the Village of Yenda.

Yenda has a proud history of early settlement and development and being located on a primary entrance point to Griffith, also provides opportunity to promote tourist value due to its parks and sportsgrounds.

These Reserves of a combined area of approximately 55 hectares, provide a range of natural, formal and passive recreational use areas. The Yenda Retirement Village provides specific community benefit allowing long-time Yenda residents to live locally while retaining their independence. It is important that facilities are retained and maintained to support the local residents' options for physical and mental well-being, inclusion and social harmony across all demographics.

The respective areas are further described in [Section 2.2 – Land to which this Plan Applies](#) and are shown in [Annexure 1 'Maps of Reserves'](#) (pgs. 43 and 44). The respective Reserves are more specifically referred to in [Annexure 2 'Schedule of Lands and Infrastructure'](#) (pg. 45).

Other parks and playgrounds have been identified in the 'Small Village Parks Plan of Management'. The Yenda Cemetery and Yenda Preschool/Rotary Park will be referred to later in conjunction with a collective Cemetery Plan of Management and Preschool Plan of Management, respectively.

This PoM is required to be prepared in accordance with Section 3.23 of the *Crown Land Management Act 2016 (CLMA)* and Section 36 of the *Local Government Act 1993 (LG Act)*.

The Crown Reserves are categorised in this PoM, as being: -

- **Memorial Park – Park**
- **Wade Park (combined areas) – Sportsground**
- **Yenda Flora and Fauna Park – Natural Area - Bushland; and**
- **Yenda Retirement Village – General Community Use**

The categorisation of the lands is consistent with the Reserves' respective purposes of 'Public Park', 'Public Recreation', 'Environmental Protection' and 'Charitable Organisations' and the lands are developed accordingly.

2.0 INTRODUCTION

Griffith City is a thriving regional capital located in the Murrumbidgee Irrigation Area with a vibrant lifestyle and diverse economy; embracing community, heritage, culture and the environment. The estimated population of Griffith City Council in 2020 was 27,155.

Located in the Riverina, Griffith is 584km from Sydney, 458 km from Melbourne and 358km from Canberra; and is the largest regional centre in the Western Riverina region. Griffith is located in the heart of Wiradjuri Nation – the largest nation of Aboriginal and Torres Strait Islander people in Australia.

Griffith City Council is responsible for the care and control of many parcels of community land. With the introduction of the *CLMA 2016* on 1 July 2018, Council will manage the Crown Reserves under the provisions of the *LG Act 1993*.

The Town of Yenda located only 16kms east of Griffith, began its origins of European settlement prior to the Murrumbidgee Irrigation Area's development and was originally called "East Mirrool".

The earlier selectors who had established themselves in the area with substantial houses and small cottages, wells and bores, lost all when given two months to leave to permit initial construction of the Irrigation Scheme as a result of the NSW government's resumption of land.

In 1911, temporary canal construction camps were established for workers, with the East Mirrool camp (possibly located on present Wade Park), comprising of a store and butchery. It also included a works office, a bulk store and housing for administrators.

The village bearing the name of Yenda was proclaimed on 20 October 1916 by the Geographical Names Register of NSW.

It is reported that by 1920, several hundred people were camped on the 'Common'. However, over the past 20 years, the population of Yenda has varied, currently 1070 residents (2021 Census).

Figure 1 – Locality diagram



2.1 Corporate Objectives

Griffith City Council has a positive future being acknowledged as a predominant major regional centre. Council's Mission Statement is –

1. To respond to the needs of the community and deliver in an economical manner those services which are the responsibility of Local Government.
2. To provide Local Government administration that is dedicated, accountable and committed to the improvement of the quality of life and the economic well-being of the citizens of the City of Griffith.

Figure 2 – GCC Community Strategic Plan 2022-2032



The Community Strategic Plan '**Community Strategic Plan 2022-2032**' adopted on 22 March 2022 identifies the community's priorities and aspirations for the future and provides strategies for achieving these goals. The revised community vision is:

"Griffith is a thriving and innovative regional capital with a vibrant lifestyle and diverse economy. We embrace our community, heritage, culture".

The Community Strategic Plan is made up of four themes. The four key themes relevant to this PoM are:

Figure 3 – Community Strategic Plan – Themes

<ol style="list-style-type: none"> 1. Leadership – <ol style="list-style-type: none"> a. An engaged and informed community through the provision of clear, assessable and relevant information; and by actively engaging with and seeking direction from the community and stakeholders; b. Working together to achieve our goals by developing and maintaining partnerships with community, government and non—government agencies for the benefit of the community; maximising opportunities to secure external funding for partnerships, projects and programs; and a Mayor and Councillors who provide strong and proactive leadership. c. Planning and leading with good governance by undertaking activities within a clear framework of strategic planning, policies, procedures and service standards. 2. Love the Lifestyle – <ol style="list-style-type: none"> a. Ensuring that Griffith is a great place to live by encouraging an inclusive community that celebrates social and cultural diversity; by providing and promoting accessible services; by promoting reconciliation and embracing our Wiradjuri heritage and culture; by providing a range of sporting and recreational facilities; and improving the aesthetics of the City and villages by developing quality places and improving the public realm. 3. Growing our City – <ol style="list-style-type: none"> a. Growing our economy through strategic land use planning and management to encourage investment in the region; and promoting Griffith as a desirable visitor destination. b. Providing and managing assets and services through the provision of renewed and maintenance of quality infrastructure, assets, services and facilities; and mitigation against the impact of natural disasters. 4. Valuing our Environment <ol style="list-style-type: none"> a. Enhancing the natural and build environment by encouraging respectful planning, balanced growth and sustainable design; through the delivering of projects to protect and improve biodiversity, biosecurity and sustainability; and improving sustainable land use. b. Use and manage our resources wisely through management of water resources; reduction of energy consumption and greenhouse emissions; and implementing programs to improve sustainability.
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The 'Community Strategic Plan 2022-2032 document also aligns within the context of State priorities and the Murray Regional Plan, particularly the following Aims: -

1. Develop an engaged and connected community
2. Work together to achieve our goals
3. Ensure Griffith is a great place to live
4. Promote a health and active lifestyle

2.2 Land to Which this Plan Applies

This PoM covers four parcels of land all being Council managed Crown Reserves as shown in Table 1 below.

Memorial Park (Reserve 62949) provides broad opportunities for passive recreational pursuits and until recently, also provided formal recreational value with a local Tennis Club (which has now ceased operations). The tennis courts remain open for casual use.

Wade Park (Reserves 61951, 63981 and 65511) is utilised for a number of organised sporting fixtures and is notably home ground to the Yenda (Blueheeler) Rugby League Football Club Inc., and League Tag teams, local cricket, the Yenda Golf Club and the Yenda Tigers Soccer Club Inc., as well as being utilised for its passive recreational use.

The area of the Yenda Flora and Fauna Park (Reserve 159006) located adjacent to Wade Park contains remnant vegetation and is potentially used by locals for bike riding which appears to not have greatly affected the land with a predominance of native grasses currently present amongst a scattered shrub layer.

The Yenda Retirement Village (Reserve 240000) is bounded by Park Street and West Avenue and provides thirteen (13) accommodation units and an activities room for the occupants' benefit.

Memorial Park's purpose of "Public Park" accords with the land's categorisation of '**Park**'. Wade Park's purpose of "Public Recreation" accords with the area's categorisation of '**Sportsground**'. The Yenda Flora and Fauna Park's purpose of "Environmental Protection" accords with its categorisation of '**Natural Area – Bushland**'; and the Yenda Retirement Village purpose of "Charitable Organisations" accords with its categorisation of '**General Community Use**'.

Table 1 – Land included in this PoM

Management Type	Reserve No.	Name	Purpose	Date of Gazette # Trustee appointment	Lot/DP	Area
Crown Reserve	62949	Memorial Park	Public Park	25/09/1931 # 11/12/1931	701/1030376	.59ha
	61951	Pt. Wade Park	Public Recreation	4/07/1930 # 3/10/1930	Pt. 881/751728	19.05ha
	63981	Pt. Wade Park	Public Recreation	16/06/1933 # 25/08/1933	Pt. 881/751728	14.37ha
	65511	Pt. Wade Park	Public Recreation	4/10/1935 # 6/12/1935	Pt. 881/751728	4.24ha
	159006	Yenda Flora & Fauna Park	Environmental Protection	25/10/1991 # 25/10/1991	1241/821503	16.37ha
	240000	Yenda Retirement Village	Charitable Organisations	1/08/1986 # 7/08/1992	21-25/44498	.38ha

2.3 Lands excluded from the Plan

The following Table identifies land that has been excluded from this PoM.

Table 2 – Lands excluded from this PoM

Reserve No.	Name	Lot/DP	Purpose	Comments
Within R.65511	Pt. Wade Park	Part 881/751728	Telecommunication Tower	Licensed directly by DPE – Crown Lands (referred to in Annexure 3)
61708	Yenda Garbage Tip	785/751728	Rubbish Depot; Sanitary Depot	Operational land.
64939	Yenda Depot Site/Stockpile Site	756/751728	Municipal Purposes	Operational land.
88914	Yenda Preschool & Rotary Park	979/751728	Children's Playground, Kindergarten & Public Recreation	To be included in general Preschool PoM
159005	Yenda Equestrian Park	1240/821503	Public Recreation (Additional purpose Government Purposes)	Operational land.

159011	Griffith City Drainage & Access	2033/1203265	Urban Services	Operational land (part of Council's Urban drainage system).
559031	Yenda Cemetery	777/1157571	Yenda Cemetery	To be included in general Cemetery PoM
Within R. 62949		1/629664	Easement for Rising Main – Yenda Sewerage Purposes	Area excluded from Memorial Park – Acquired Government Gazette 27.9.1985 – owned by Griffith City Council
		1990/1201582	Supply Reserve	Freehold – Murrumbidgee Irrigation Ltd
		1991 & 1992/1201582	Crown land	State of New South Wales

As noted in the Executive Summary, the small parks and playground within Yenda, i.e., Cyril Morris Park (Reserve 159008) and Halse Park (Council owned) have been previously included in the Small Village Parks Plan of Management.

2.4 Owner of the Land

This PoM incorporates land that is owned by the State of New South Wales (as Crown land) and managed by Griffith City Council under the *CLMA 2016* as identified in Table 1 above.

Wade Shire Council was initially appointed the Trustee of Memorial Park (Reserve 62949) on 11 December 1931; and Trustee of the respective parts of Wade Park (Reserves 61951, 63981 and 65511) on 3 October 1930, 25 August 1933 and 6 December 1935.

Griffith City Council was appointment Reserve Trust Manager of the Yenda Flora and Fauna Park (Reserve 159006) on 25 October 1991; and of the Yenda Retirement Village (Reserve 240000) on 7 August 1992.

Griffith City Council Crown Reserves Reserve Trust (Griffith City Council) was appointed Trustee of Reserves 62949, 61951, 159006 and 240000 on 16 December 1994. The Griffith Office of Department of Conservation and Land Management did not include Reserves 63981 and 65511 in the beforementioned Gazette notification.

The management and use of the respective Reserves are subject to the provisions of the *CLMA 2016*, and are not subject to any condition, restriction or covenant imposed by the owner.

2.5 Categorisation of Reserves

All community land is required to be categorised as one or more of the following categories.

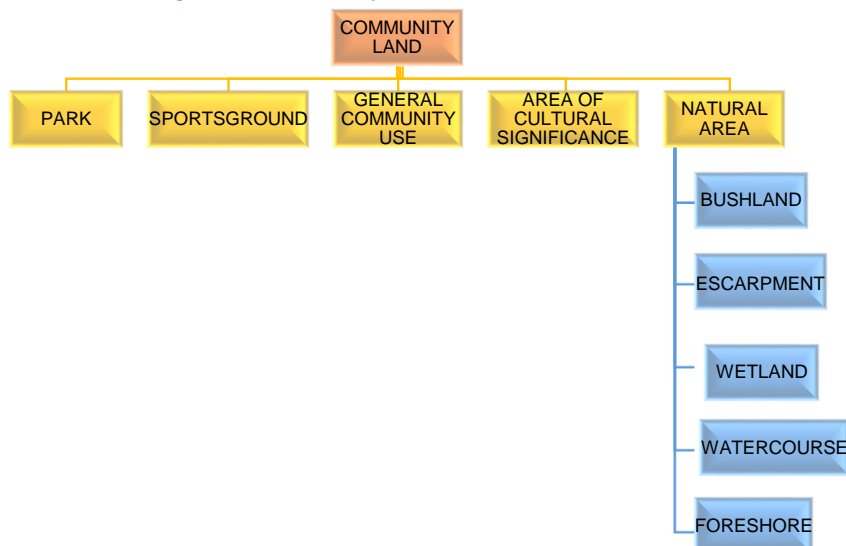
Section 36 of the Local Government Act defines five categories of community land referred to in Figure 4 below and described more broadly as:

- **Park** – for areas primarily used for passive recreation.
- **Sportsground** – for areas where the primary use is for active recreation involving organised sports or the playing of outdoor games.
- **General community use** – for all areas where the primary purpose relates to public recreation and the physical, cultural, social, and intellectual welfare or development of

members of the public. This includes venues such as community halls, scout and guide halls, and libraries.

- **Cultural significance** – for areas with Aboriginal, aesthetic, archaeological, historical, technical, research or social significance.
- **Natural area** – for all areas that play an important role in the area's ecology. This category is further subdivided into bushland, escarpment, foreshore, watercourse and wetland categories.

Figure 4 – Prescribed categories of Community Land



With the introduction of the *CLMA 2016*, Council is to manage dedicated or reserved Crown land held under their management control as community land under section 3.21 of the Act.

Under section 3.23(2) of the *CLMA 2016*, Council Crown Land Managers must assign to all Crown land under their management, one or more initial categories of 'Community Land' referred to above. The category is to relate most closely to the purpose(s) for which the land is dedicated or reserved.

For the purpose of section 3.23 of the *CLMA 2016*, the PoM for "Village of Yenda Crown Reserves", is a 'first Plan'.

The degree to which the reserve purpose relates to the assigned category of the land is important for ongoing management of the land as Council must obtain Native Title Manager advice as to the validity of the activities that they wish to undertake on the land prior to dealing with the land.

Both the *Aboriginal Land Rights Act (ALR) 1983* and the *Commonwealth Native Title Act (NTA (C'th)) 1993* recognises the intent of the original reserve purpose of the land so that a complying activity can be considered lawful or validated.

On Crown land, Native Title rights and interest must be considered unless:

- Native Title has been extinguished; or
- Native Title has been surrendered; or

- Determined by a court to no longer exist.

Examples of acts which may affect Native title on Crown land reserves managed by Council include: -

- The construction of new buildings and other facilities such as toilet blocks, walking tracks, tennis courts, grandstands and barbeques,
- The construction of extensions to existing buildings,
- The construction of new roads or tracks,
- Installation of infrastructure such as powerlines, sewerage pipes, etc.,
- The issue of a lease or licence,
- The undertaking of earthworks.

Council applied for the categorisation of the Council Managed Crown Reserve as:

- **'Park'** (Reserve 62949 – Memorial Park)
- **'Sportsground'** Reserves 61951, 63981 and 65511 – Wade Park)
- **'Natural Area – Bushland'** (Reserve 159006 – Yenda Flora & Fauna Park), and
- **'General Community Use'** (Reserve 240000 – Yenda Retirement Village)

These categories were respectively approved by the Minister administering the *CLMA 2016* in relation to the reserves, and Council does not propose to alter the categories by this Plan of Management.

Activities on the Reserves will need to reflect the intent of the public purpose and will be assessed for compliance with relevant Local Government and Crown Lands legislation, including assessment of the activity under the *NTA 1993 (C'th)* and registered claims under the *ALRA 1983*.

2.6 Purpose of this Plan of Management

The purpose of this PoM is to:

- Develop a Plan of Management to provide a strategic framework for Council to guide sustainable development, land use and management of community lands contained in the Village of Yenda Crown Reserves.
- Meet and contribute to Council's broader strategic goals and vision as set out in the Community Strategic Plan "*Guiding Griffith 2040*".
- Management of the respective Reserves that will provide enhanced long-term (passive and active) recreational benefits, aesthetic, educational, heritage and sympathetic commercial uses, not-for-profit residential use, and support environmental values of land as applicable.
- Ensure consistent management that supports a unified approach to meeting the expectations of the local community and its visitors.

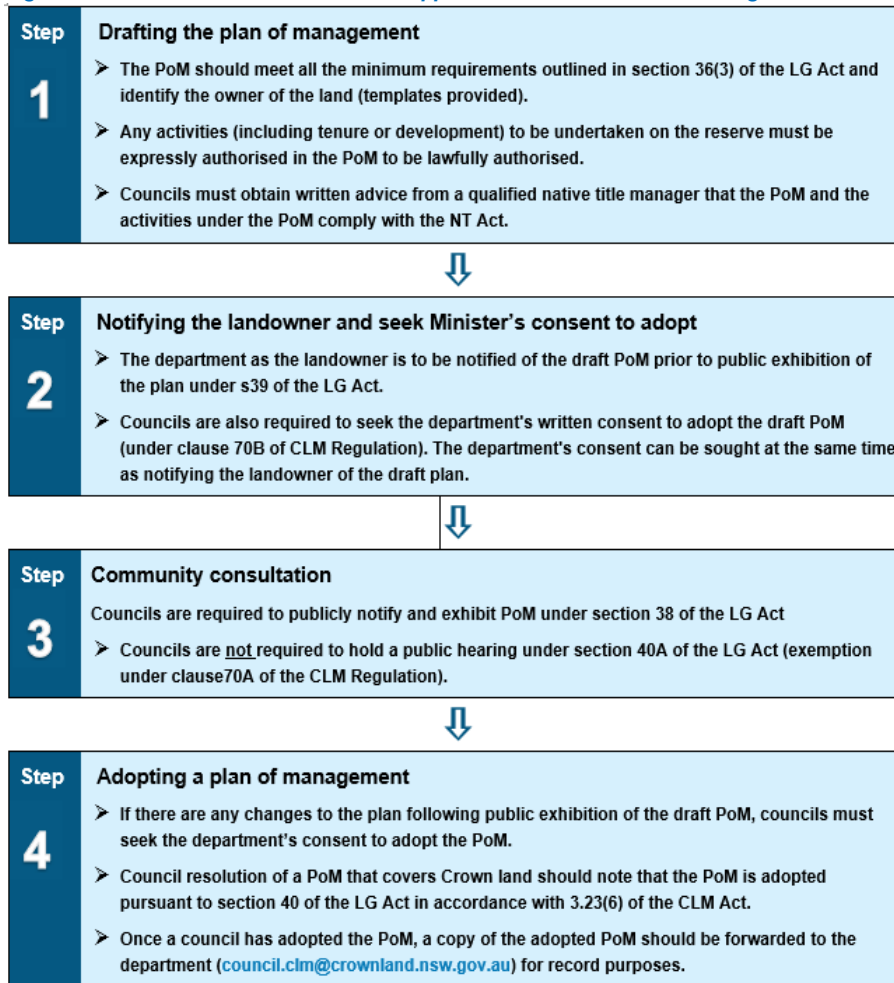
2.7 Process of Preparing this Plan of Management

The process for preparing a PoM for Council managed Crown reserves is shown in Figure 5 "***Four key steps when preparing and adopting the first PoM for Crown Reserves***".

Council is required to submit the draft PoM to NSW Department of Planning & Environment, as representative of the owner of the land under section 39 of the *LGA 1993*. This process occurs prior to a public exhibition and community consultation of the Plan of Management.

If after public consultation there is no change to the categorisation and no additional purpose or only minor changes, no additional ministerial consent is required. Council can then proceed to adopt the PoM under 70B of the Crown Land Management Regulation 2018.

If Council proposes a change in the categorisation of the land or an additional purpose or major changes to the PoM, following public consultation, the Plan must be referred again to the Minister administering the *CLMA 2016* for consent to adopt the PoM.

Figure 5 – Process for Consultation and Approval of an initial Plan of Management

2.8 Change and Review of Plan of Management

This PoM will require regular review in order to align with community values and expectations and to reflect changes in Council priorities.

Whilst the guidelines and principles outlined in the Plan may be suitable at present, the Plan should be reviewed from time to time to confirm its relevance.

Council has determined that it will review the PoM within 5 years of its adoption.

The community will have an opportunity to participate in reviews of this PoM.

2.9 Community Consultation

Consultation with the community is an important part of the preparation of this PoM.

Consultation gives Council a better understanding of the range of local issues affecting the use and enjoyment of the land to which this PoM applies and gives all sectors of the community the chance to have an input into the direction of policy development being undertaken by Council.

All stakeholders and identified Council Departments are given the opportunity to express their opinions and provide relevant information in relation to the planned management of the land, however as the land is Crown land, final approval for the PoM rests with the Minister administering the *CLMA 2016* as owner of the land.

Community consultation is also offered as a result of the development application process in line with Council's Griffith Community Participation Plan of 16 December 2019 (in response to Section 2.23 of the *Environmental Planning and Assessment Act 1979*).

While not exhaustive, community consultation in preparation of this PoM has been undertaken with a number of community representatives from Yenda together with user groups/interested parties, of the various Reserves.

3.0 LEGISLATIVE FRAMEWORK

This section describes the legislative framework applying to the land covered under this PoM.

3.1 Local Government Act 1993

Community land must be managed according to the provisions of the *Local Government Act 1993* and the *Local Government (General) Regulation 2021 [NSW]* (LG Regulations).

The LG Act 1993 requires all Council owned land to be classified as either Operational or Community land. Community land is defined as land that must be kept for the use of the general community and must not be sold. Under the LG Act 1993, Community land is required to be managed in accordance with a PoM and any other laws regulating the use of the land.

This PoM has been prepared in accordance with the LG Act 1993 using the land categories approved by the Minister administering the CLMA 2016.

Council must also consider the guidelines under Clause 101 of the *Local Government (General) Regulation 2021 (NSW)* for categorisation of community land when preparing PoMs.

The minimum requirements for a Plan of Management for community land is set out in Section 36(3) of the LG Act 1993 and must identify the following:

- (a) the category of the land,
- (b) the objectives and performance targets of the plan with respect to the land,
- (c) the means by which the council proposes to achieve the plan's objectives and performance targets,
- (d) the manner in which the council proposes to assess its performance with respect to the plan's objectives and performance targets, and may require the prior approval of the council to the carrying out of any specified activity on the land.

3.2 Crown Land Management Act 2016

Crown reserves are Crown land set aside on behalf of the community for a wide range of public purposes, including environmental and heritage protection, recreation and sport, open space, community halls, special events and government services.

Crown land is governed by the CLMA 2016, which provides a framework for the state government, local councils and members of the community to work together to provide care, control and management of Crown reserves.

Under the CLMA 2016, as Council Crown land managers, Councils manage Crown land as if it were public land under the LG Act 1993. However, it must still be managed in accordance with the purpose of the land and cannot be used for an activity incompatible with its purpose – for example, Crown land assigned the purpose of 'environmental protection' cannot be used in a way that compromises its environmental integrity.

Division 3.4 of the CLMA 2016 specifically relates to Crown land managed by Councils and **Division 3.6** of the said Act, refers to Plans of Management and other plans.

Council's must also manage Crown land in accordance with the objects and principles of Crown land management outlined in the *CLMA 2016* and set out below. The objects and principles are the key values that guide Crown land management to benefit the community and to ensure that Crown land is managed for sustainable, multiple uses. Section 1.4 of the *CLMA 2016* states:

"For the purposes of this Act, ***the principles of Crown land management*** are –

- (a) that environmental protection principles be observed in relation to the management and administration of Crown land, and
- (b) that the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible, and
- (c) that public use and enjoyment of appropriate Crown land be encouraged, and
- (d) that, where appropriate, multiple use of Crown land be encouraged, and
- (e) that, where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained in perpetuity, and
- (f) that Crown land be occupied, used, sold, leased, licenced or otherwise dealt with in the best interests of the State consistent with the above principles."

Crown land management compliance

In addition to management and use of Crown reserves that are aligned with the purpose of the reserve, there are other influences over Council management of Crown reserves. For example, Crown land managers may have conditions attached to any appointment instruments, or Councils may have to comply with specific or general Crown land management rules that may be published in the NSW Government Gazette. Councils must also comply with any Crown land regulations that may be made.

3.3 Zoning and Planning Controls

The *Environmental Planning and Assessment Act 1979 (EPA Act)* establishes the statutory framework for environmental and land use planning in NSW.

The Griffith City Council Local Environmental Plan 2014 (GLEP) is the current planning instrument. Refer to the website –

<https://pp.planningportal.nsw.gov.au/publications/environmental-planning-instruments/griffith-local-environmental-plan-2014>

Under the current GLEP 2014, **Memorial Park** (Reserve 62949) is zoned RE1 – Public Recreation; **Wade Park** (Reserves 61951, 63981 and 65511) is zoned Private Recreation; **Yenda Flora & Fauna Park** (Reserve 159006) is zoned C2 – Environmental Conservation; and **Yenda Retirement Village** (Reserve 240000) is zoned RU5 – Village.

Refer to *Griffith Local Environmental Plan (2014) (GLEP)* for permissible and prohibited development in each zone.

3.3.1 State Environmental Planning Policy (Transport & Infrastructure) 2021

This Policy – *SEPP (Transport & Infrastructure) 2021* – commenced on 1 March 2021 and provides that certain types of works do not require development consent by a public authority, other agencies or authorised person.

Division 12 of the *SEPP (Transport & Infrastructure) 2021* defines parks and public reserves which this Policy covers, i.e., Crown land within the meaning of the *CLMA 2016* including a public reserve but not including a reserve that is dedicated or reserved for a public cemetery.

Section 2.73 (2)(c) of the Policy provides that in respect of land reserved within the meaning of the *CLMA 2016*, development for any purpose can be carried out without consent by or on behalf of the Secretary, a Crown land manager of the land, the Ministerial Corporation or the Minister administering the *CLMA 2016*, if the development is for the purposes of implementing a PoM adopted for the land under the *CLMA 2016* in to such land or in accordance with the *LG Act 1993* in relation to Crown land managed by a Council.

The types of development that may comply with the provisions of Section 2.73(2)(c) of *SEPP (Transport & Infrastructure) 2021* are set out in [Table 4 \(pg. 31\)](#).

Section 2.73 (3) of the Policy provides for a range of construction or maintenance works that are applicable under this Policy which may be carried out by or on behalf of a public authority in connection with a public reserve.

3.3.2 Other Relevant Legislation and Policies

In addition to the requirements of the *CLMA 2016* and the Local Government Act 1993, there are a number of other pieces of legislation and Government Policies that are relevant to the ongoing management of the respective Crown reserves and Council owned community lands including:

- *Aboriginal Land Rights Act 1983 (ALRA 1983)*;
- *Biodiversity Conservation Act 2016*;
- *Companion Animals Act 2016*;
- *Environmental Planning and Assessment Act 1979 (EP&A Act 1979)*;
- *Local Land Services Act 2013*;
- *Native Title Act 1993 (NTA 1993 (C'th))*;
- *Pesticides Act 1999*;
- *Protection of the Environment Operations Act 1997*;
- *Rural Fires Act 1997*;
- *State Environmental Planning Policy (SEPP) (Exempt and Complying Development Codes) 2008*
- *Telecommunications Act 1997 (C'th)*

3.3.3 Council Plans and Policies

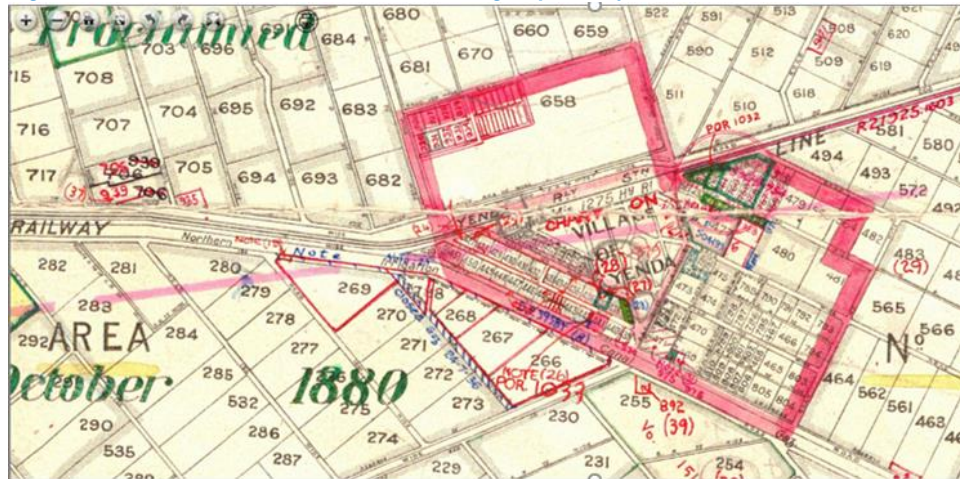
As Council Policies may change from time to time, refer to Griffith City Council's website - <https://www.griffith.nsw.gov.au/council-policies>

4.0 DEVELOPMENT AND USE

4.1 History

The Historical Land Titles Office (LTO) Charting Map (24 July 1924) shows that the area including Wade Park and the Yenda Flora and Fauna Reserve were all part of Portion 658 Parish of Stanbridge. Respective survey and subsequent Reservation of the land has been noted previously in this PoM.

Figure 6 - Extract from Land Titles Office Charting Map 24 July 1924



Memorial Park

Noted by Peter Kabaila in his book Griffith Heritage (2005), *"the town centre of Yenda mimics a miniature version of Walter Burley Griffin's radial design, tree-lined streets, ring road and park with the existence of Memorial Park. Yenda's town centre including its adjacent buildings, retains its community importance and aesthetic value"*.

Wade Park

The Blues Book Yenda Blueheelers 2000 states that “From Ronaldson’s diaries we find that the first game was played on the town common north of the Railway (now Wade Park), at this time Wade Park was many of the campsites in the area for the Construction workers, building the canals and clearing the land for farms. Sunday was rest day for the men, and for recreation they played football. (The old timers tell us that football was played at Yenda as far back as 1916, teams were formed and they started playing with paddy melons as the ball then graduated to a round ball).”

The first official record of football being played appears in 1920. Originally, there were two teams formed, one known as the Yenda Waratahs and the other known as the “Yenda Blues” with the former fading away). The ‘Blueheeler’ dog logo was adopted in the 1960’s (as recorded by The Blues Book of Yenda Blueheelers 2000).

A 'Wade Park Ground Committee' was originally responsible for the management and control of this area with various activities including the impounding of straying stock; and approval for the

Yenda Athletics Club to plant trees in 1937. The Water Conservation & Irrigation Commission (WC&IC) in that year, also entered an Agreement to supply water to Wade Park.

In 1946, the Yenda Trotting Club built a pre-fabricated iron shed (24'x12') on Wade Park for trots and a footballers dressing shed (erected by Les Blundell and Neville Wright).

During 1955 it was reported that Council approved the installation of lighting providing that the Yenda Football Club undertook to pay maintenance costs and electricity consumption. Lighting to the oval was upgraded about 10 years ago with the Club footing the majority of costs through in-kind donations (monetary and physical work) with a \$30,000 loan provided by Council now paid in full (**Pers. Comment** Sam Panarello).

In more recent years, there have been both Scout and Girl Guides Halls operating from Wade Park.

- In 2010, Council received a request to relinquish operation of the Girl Guide Hall located within Reserve 61951. A Public Reserves Management Fund (PRMF) grant for \$1,200 provided for a Structural Engineer Report that indicated significant costs to repair the building to an acceptable standard for use (approx. \$46,500). The Yenda & District Progress Association advised of no community interest in repairing the building. A further PRMF grant of \$7,700 was given to Council for demolition and removal of the building.
- In 2014, Council resolved to accept relinquishment of the former Yenda Scout Hall and to advertise for an Expression of Interest (EOI) for occupation and licensing of the building. One application was received from the Yenda Golf Club Inc. With expiry of the Yenda Diggers Club Ltd in respect of the golf course on 30 June 2015, a new Licence agreement was entered into by Council directly with the Yenda Golf Club Inc. for both the former Scout Hall building and the golf course. A longer-term Licence will be entered into upon approval and adoption of this PoM. In the interim, a yearly short-term Licence is in place.

The Yenda Tigers Soccer Club Inc. was established in 1972 and operates under the Griffith & District Football Association. (**Pers. Comment** Kim Zarin).

The Yenda Diggers Golf Club was opened in November 1991 following development of a 9-hole course through the dedication of local residents.

The Golf Club during the early 2000's proposed to extend the course to 18 holes by development of part of Lot 1241 DP 821503 (Reserve 159006) being the eastern section of the Yenda Flora and Fauna Park. The local Progress Association supported the proposal on the proviso that none of the historic Wilga trees were removed (**Pers. Comment** Kay Pellizzer) and development remained within the open areas. While zoning of the land under Council's Local Environmental Plan of the time would allow use of the land for a golf course, the then Department of Land & Water Conservation required a Land Assessment for the proposal and pending any outcome thereof, development would be restricted to the disturbed areas of Lot 1241 DP 821503 in the south and west.

Following changes in the Department's legislation, Council was advised in July 2018 that the proposal could not be supported due to the purpose of Reserve 159006 being "Environmental Protection", therefore, not compatible with use for Public Recreation. The Yenda Golf Course although having committed to some new fencing along part of the boundary of Lot 1241 DP 821503 (adjacent to Piggott and Schwab Roads), have not extended the original golf course. Refer to [Section 4.4 – Express Authorisations](#).

Yenda Flora & Fauna Park

This area has retained its natural state although in the past there had been proposals for its use to include planting of grape cuttings; development for residential land and extension to the current golf course to provide for an 18-hole course. Incidental grazing is also likely to have occurred in earlier years.

The Yenda Progress Association did not support either of the former proposals due to the historical and environmental value of the Wilga Trees (*Geijera parviflora*); remnants of pre-settlement and irrigation vegetation and regarded to be approximately 300 years old (**Pers. Comment** Kay Pellizzer).

Refer to previous comments in relation to a proposed extension of the Yenda Diggers Golf Club into part of this area.

Yenda Retirement Village

The area of the Yenda Retirement Village was original an area designated for Public Recreation and Gazetted as Reserve 58212 on 31 July 1925 and being the whole of Section 11 DP 759138.

The Reserve was revoked in the Government Gazette of 15 May 1981 and the land developed for residential use with Lot 28 DP 44498 retained for public recreation and known as Cyril Morris Park (Reserve 159008 notified in the Government Gazette of 25 October 1991).

Discussions regarding the development of a retirement village commenced in the early 1980's. A local resident (Mr Roy Childs) who was both a member of the inaugural Committee and worked for the Department of Water Resources at the time, being instrumental in sourcing the parcel of land to be used as homes for the aged (**Pers. Comment** Barbara Jefferies). A deputation from members of the Yenda Retirement Units Committee in October 1983, requested that Council accept to be Trustee of the area reserved for the development of homes for the aged within Section 11.

Local residents fund-raised \$110,000 and together with Federal Government Funding (\$338,238) an original 8 units were constructed in 1986 (**Pers. Comment** Dee Cox). The Department of Social Security at the time, provided strict guidelines for the operation and rental of the units. An article in the Area News announcing the opening of the Yenda Retirement Village indicated that the units were designed by Mr Don Harrison (previously a resident of Griffith) with construction undertaken by Wayne Warburton of Murrumbidgee.

Another five single-bedroom units were constructed in 1992 following approval by Council. Construction of carports over existing car spaces was undertaken in 1999.

The 'Activities Room' was constructed by volunteers of Yenda's Inner Wheel following a donation bequeathed by Lavelle Wallace to the Yenda Branch. The 'Lavelle and Dick Wallace Recreation Room' was opened on 8 May 1991.

The construction of the Activities Room and previous building development across Lot boundaries, now requires consolidation of Lots 21-25 DP 44498 into a single Lot (noted in correspondence from Council to the Applicant). Local surveyors have been engaged to assist the local Committee with compliance of this matter. (Refer to [Section 6 – Plan Implementation](#)).

Although not restricted to Yenda residents, the Retirement Village generally houses members of the local community.

4.2 Current Use of Land & Structures on adoption of Plan

Infrastructure on all sites is described in [Annexure 2 \(pg. 45\)](#).

Memorial Park

Reserve 62949 (located on Lot 701 DP 1030376) is bounded by Yenda Place and is central to the historical business development of Yenda. Memorial Park is an aesthetic area providing passive recreational space for all age groups with its infrastructure of synthetic tennis hard courts and a newly constructed skate park (2020). The Park also provides for reflection and use at annual Anzac Parades with its Memorial to ex-service men and women.

Other infrastructure includes a toilet block; sheltered BBQ area and a range of other seating scattered throughout the park all linked with concrete footpaths and well-maintained landscaping.

All infrastructure identified in Council's Asset Report (2018) indicates item functionality rating to be 'reasonably up to date and efficient in their service potential'. The existing amenities/toilet building is assessed as being in 'reasonable condition'.

Some formal infrastructure lies outside the portion boundary on the adjacent road reserve including parts of the tennis courts, skate park and memorial, respectively. Parking spaces are included along the north-eastern and south-western boundaries as shown in the figure below. The area of Council's rising sewer main (Lot 1 DP 629664) is also excluded from the main park area by fencing and landscaping.

Figure 7 – Aerial imagery of Memorial Park (Lot 701 DP 629664)

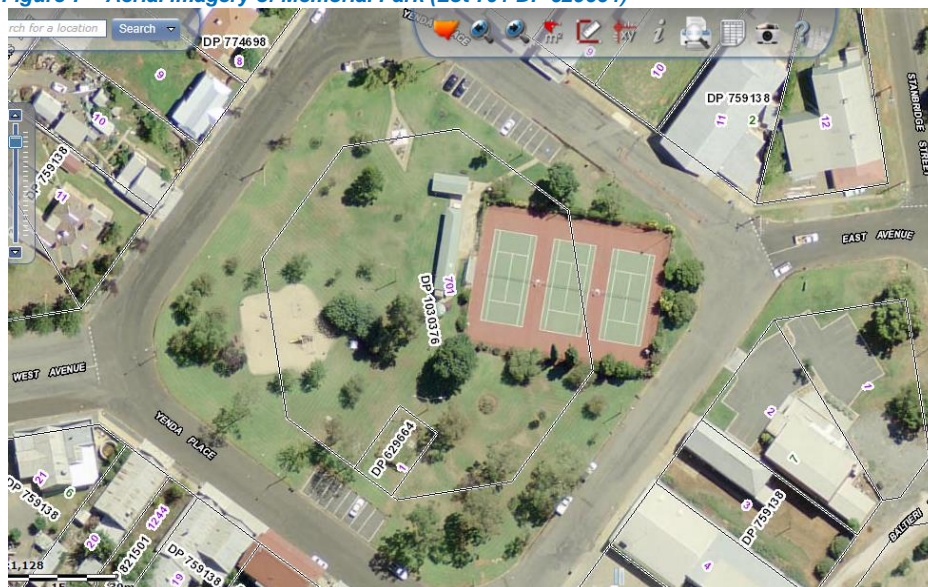


Figure 8 – Photos of Memorial Park



Wade Park

Reserves 61951, 63981 and 65511 are all comprised within Lot 881 DP 751728 and bounded by Twigg, Golf Course, Piggott and Beelbangera Roads. Refer to [Annexure 3 \(pg. 46\)](#).

Historically used for rugby league and then additionally soccer, in more recent years, a 9-hole golf course has been developed on the land, thereby increasing usage diversity and catering to a broader range of demographics. The area of the telecommunication tower located on the southern boundary has been fenced out from the main area of Wade Park. The areas are well maintained by respective user-groups of the Reserve.

A representative of the Yenda Blueheelers Football Club and the Yenda Tigers Soccer Club have identified the need to upgrade the existing canteen facilities which are about 50 years old, subject to funding. It has been indicated that the build of any new infrastructure is unlikely to exceed the current footprint due to existing infrastructure and costs, although relocation adjacent to the current changerooms would be advantageous (**Pers. Comment** Kim Zarin). Upgrade of the existing changeroom facilities would also be beneficial to cater to the increased demographics and gender of its users.

Figure 9 - Views of Wade Park infrastructure





Figure 10 - Aerial Image of Wade Park (Lot 881 DP 751728)



Yenda Flora and Fauna Park

Reserve 159006 comprises Lot 1241 DP 821503 and is bounded to the north by Schwab Road, to its south by Crown Land, Ml's channel and Beelbanger Road; and to its east, by Wade Park. Adjacent to the eastern boundary is Reserve 64939 (Lot 756 DP 751728 being the Yenda Depot Site/Stockpile); Reserve 159005 (Lot 1240 DP 821503) known as the Yenda Equestrian Park and now classified as 'operational land'; and freehold Lot 2032 DP 1203259.

The area comprises remnant vegetation reflective of pre-settlement/irrigation prior to the early 1900's and is the only native vegetated site remaining within the Village area. The area is partially fenced which is of variable condition. A number of tracks within the area are used either for walking or bike riding. At the time of inspection, bike riding appears not to have had any negative impact on the quality of vegetation.

There has been some dumping of rubbish with a predominance of garden waste.

Site inspections were undertaken in mid-January and early February 2022. Although not ideal conditions and not a full plant survey, the inspection indicated that native vegetation is in good condition with a total of 28 families comprising of 62 plant species (Refer [Annexure 4 pgs. 47-48](#)).

"The site is considered rather unique, with Black Box (*Eucalyptus largiflorens*) and Yarran (*Acacia homalophylla*) growing together; away from the Black Box, the area is not too bad environmentally given its proximity to town, and approximately represents what was growing around there originally" (**Pers. Comment** Eric Whiting, Murrumbidgee Field Naturalists (MFN)). The siting of two Warrior Bushes (*Apophyllum anomalum*) was the most notable of finds.

Fourteen bird species were also noted during the inspection (Refer [Annexure 5 pg. 49](#)). Subsequent inspections during Spring/Summer are likely to increase both flora and fauna lists.

While the native vegetation is in good condition (notable following good spring/summer rainfall); there is a heavy infestation of Prickly Pear (*Opuntia stricta*) adjacent to the intersection of Schwab and Colombana Roads. To a lesser degree, isolated African Boxthorn (*Lycium ferocissimum*) are scattered throughout the site.

The Yenda Flora and Fauna Park is considered valuable remnant vegetation within its urban landscape with further management actions identified in [Section 6.2 – Plan Implementation](#) (Refer Table 8).

Figure 11 - Views of Yenda Flora and Fauna Park





Figure 12 – Birds of the Yenda Flora and Fauna Reserve

During the MFN field inspection held on 8 February 2022, bird species including a Black-shouldered Kite (below left); a Mistletoebird (below right); and a White-winged Chough on the nest (bottom) were sighted. (Photos courtesy of Kathy Tennison)



Yenda Retirement Village

The Yenda Retirement Village Inc. (YRV Inc.) is a not-for-profit organisation that manages the overall site. While tenants pay rent and cover own electricity costs and contents insurance, YRV Inc. pays for the costs of water, garbage disposal and on-going maintenance of buildings. At present, two units are vacant and under renovation however generally, the Yenda Retirement Village is at 100% capacity (**Pers. Comment** Dee Cox).

Reserve 240000 comprises of Lots 21-25 DP 44498 and is bounded by Park Street and West Avenue together with freehold residential lands. The Village has entry points from both roads.

Figure 13 - Views of Yenda Retirement Village



4.3 Permissible Uses/Future Uses

Community land is valued for its important role in the social, intellectual, spiritual and physical enrichment of residents, workers, and visitors to the Griffith City Council area.

Griffith City Council encourages a wide range of uses of community land and intends to facilitate uses which increase the activation of its land, where appropriate.

The general types of uses which may occur on community land categorised as 'Sportsground', 'Park', 'General Community Use' and 'Natural Area – Bushland' and the forms of development generally associated with those uses, are set out in Table 3 below.

The facilities on community land may change over time, reflecting the needs of the community and the growing need for recreational use (passive and organised); and general community use (as in the case of the Yenda Retirement Village) and any subsequent changes that might be required at that time to meet the Retirement Village's capacity. The outcomes and changes required in respect of the Yenda Native Flora and Fauna Park may necessitate specific outcomes to meet climatic changes to protect the little native vegetation within the town's perimeter.

Table 3 – Permissible use and development of community land by council

Sportsground	
Purpose/Use such as.... <ul style="list-style-type: none"> • Active and passive recreational and sporting activities compatible with the nature of the particular land and any relevant facilities. • Organised and unstructured recreation activities. • Community events and gatherings. • Commercial uses associated with sports facilities. 	Development to facilitate uses, such as... <ul style="list-style-type: none"> • Development for the purpose of conducting and facilitating organised sport (both amateur and professional), for example – <ul style="list-style-type: none"> ◦ Sports field (cricket, football, soccer, softball etc). ◦ Golf-course • Professional rooms for hire (associated with sporting activity). • Change room/locker areas • Shower/toilet facilities • Kiosk/café uses • Car parking and loading areas • Ancillary rooms (staff rooms, meeting rooms, recording rooms, equipment storage areas/associated machinery sheds) • Shade structures • Storage ancillary to recreational uses, community events or gatherings and public meetings • Facilities for sports training • Provision of amenities to facilitate use and enjoyment of the community land including seating, change rooms, toilets, storage, first aid areas • Equipment sales/hire areas • Compatible, small-scale commercial uses, e.g., sports tuition • Advertising structures and signage (such as A-frames and banners) that: <ul style="list-style-type: none"> ◦ Relate to approved uses/activities ◦ Are discreet and temporary ◦ Are approved by the Council • Water-saving initiatives such as stormwater harvesting, rain gardens and swales • Energy-saving initiatives such as solar lighting and solar panels • Locational, directional and regulatory signage
Park	
Purpose/Use such as... <ul style="list-style-type: none"> • Active and passive recreation including children's play and cycling • Group recreational use, such as picnics and private celebrations • Eating and drinking in a relaxed setting • Publicly accessible ancillary areas, such as toilets • Festivals, markets, exhibitions and similar localised events and gatherings • Low intensity commercial activities (e.g., recreational equipment hire) • Filming and photographic projects • Busking • Public address • Community gardening <p>NB: Some of the uses listed above require a permit from the council.</p>	Development to facilitate uses, such as... <ul style="list-style-type: none"> • Development for the purposes of improving access, amenity and the visual character of the park area, e.g., paths, public art, pergolas, paved areas • Development for the purposes of active recreation such as play equipment, exercise equipment, bike racks, half-court basketball court, bocce courts. • Amenities to facilitate the safe use and enjoyment of the park e.g., picnic tables, BBQ's, sheltered seating areas, etc. • Café or refreshment areas (kiosks or similar) including external seating • Lighting, seating, toilet facilities, courts, paved areas etc. • Hard and soft landscaped areas and walking trails • Storage sheds • Car parking and loading areas • Commercial development which is sympathetic to and supports use in the area, e.g., hire equipment • Community gardens • Heritage and cultural interpretation, e.g., signs • Advertising structures and signage (such as A-frames and banners) that: <ul style="list-style-type: none"> - relate to approved uses/activities - are discreet and temporary - are approved by the council

	<ul style="list-style-type: none"> • Water saving initiatives such as stormwater harvesting, rain gardens and swales • Energy-saving initiatives such as solar lights and solar panels • Locational, directional and regulatory signage
General Community Use	
<p>Purpose/Use such as...</p> <p>Providing a location for, and supporting, the gathering of groups for a range of social, cultural or recreational purposes.</p> <p>Providing multi-purpose buildings (for example, community halls and centres) with specialised community uses such as:</p> <ul style="list-style-type: none"> • Casual or informal recreation • Meetings (including for social, recreational, educational or cultural purposes) • Functions • Concerts, including all musical genres • Performances (including film and stage) • Exhibitions • Fairs and parades • Workshops • Leisure or training classes • Child care (for example, before and after school care, vacation care) • Designated group use (e.g., scout and girl guide use) • Educational centres, including libraries • Entertainment facilities • Active cemeteries • Caravan parks and camping grounds. 	<p>Development for the purposes of social, community, cultural and recreational activities, such as libraries, childcare centres, youth services, aged services, men's sheds, health services, sports.</p> <p>Development includes:</p> <ul style="list-style-type: none"> • Provision of buildings or other amenity areas to facilitate use and enjoyment by the community • Development (particularly within buildings) for the purposes of addressing the needs of a particular group (for example, a stage) • Landscaping and finishes, improving access, amenity and the visual character of the general community area • Water-saving initiatives such as rain gardens • Energy-saving initiatives such as solar lights and solar panels • Car parking and loading areas • Advertising structures and signage (such as A-frames and banners) that: <ul style="list-style-type: none"> ○ Relate to approved uses/activities ○ Are discreet and temporary ○ Are approved by the council • Locational, directional and regulatory signage.
Natural Area – Bushland	
<p>Purpose/Use such as...</p> <ul style="list-style-type: none"> • Preservation of the Council's natural heritage including the identified endangered ecological communities • Preservation of biological diversity and habitat • Providing a location for relaxation and passive informal recreation • Walking and cycling • Guided bushwalks • Environmental and scientific study • Bush regeneration works • Carbon sequestration • Bio-banking • Approved bush care projects requiring ecological restoration activities associated with protection of flora and fauna • Fire hazard reduction 	<p>Development to facilitate uses</p> <ul style="list-style-type: none"> • Visitor facilities; toilets, picnic tables, BBQ's, sheltered seating areas, lighting, low impact car parks. • Low impact walking trails. • Interpretive signage, information kiosks • Water-saving initiatives such as rain gardens, swales and sediment traps. • Bridges, observation platforms, signs. • Work sheds or storage sheds required in connection with the maintenance of the land. • Temporary erection or use of any building or structure necessary to enable a filming project to be carried out. • Locational, directional and regulatory signage. • Energy saving initiatives such as solar lights and solar panels <p>Refreshment kiosks but not restaurants</p>

4.4 Express authorisations

Under section 46(1)(b) of the *LG Act 1993*, leases, licences and other estates formalise the use of community land. A lease, licence or other estate may be granted to organisations and persons,

community groups, sports clubs and associations, non-government organisations, charities, community welfare services, non-profit organisations and government authorities.

The lease or licence must be for uses consistent with the reserve purpose(s), the assigned categorisation and zoning of the land, be in the best interests of the community as a whole, and enable, wherever possible, shared use of community land.

Any lease or licence proposal will be individually assessed and considered, including the community benefit, compatibility with this PoM and the capacity of the community land itself and the local area to support the activity.

A lease is normally issued where exclusive control of all or part of an area by a user is proposed. In all other instances a licence or short-term licence or hire agreement will be issued.

This plan of management **expressly authorises** the issue of leases, licences and other estates over the land covered by the plan of management, in accordance with section 46(1)(b) of the LG Act, provided that:

- the purpose is consistent with the purposes of Public Park, Public Recreation, Environmental Protection and Charitable Organisations
- the purpose is consistent with the core objectives prescribed by Section 36F (categorisation of Sportsground), Section 36G (categorisation of Park), 36I (categorisation of General Community Use) and Section 36J (categorisation of Natural Area – Bushland)
- the lease, licence or other estate is for a permitted purpose listed in the *Local Government Act 1993* or the *Local Government (General) Regulation 2021 [NSW]*
- the issue of the lease, licence or other estate and the provisions of the lease, licence or other estate can be validated by the provisions of the *Native Title Act 1993* (C'th)
- where the land is subject to a claim under the *Aboriginal Land Rights Act 1983* the issue of any lease, licence or other estate will not prevent the land from being transferred in the event the claim is granted
- the issue of the lease, licence or other estate will not materially harm the use of the land for any of the purposes for which it was dedicated or reserved.

Council will need to consider Section 47B of the Local Government Act 1993 in relation to any lease or licence that it may issue in respect of Natural Areas, i.e., Reserve 159006 (Yenda Flora and Fauna Park).

Fees for short-term casual bookings will be charged in accordance with the council's adopted fees and charges at the time.

Table 4 – Leases, licences and other estates and purposes for which they may be granted

Type of tenure arrangement	Maximum term	Purpose for which tenure may be granted
Lease	Up to 21 years. Minister's approval required for longer terms	<ul style="list-style-type: none"> • Retirement Village occupation • Health or medical practitioners associated with the Retirement Village (e.g., physiotherapy, nutrition etc.) • Commercial retail uses associated with the facility (e.g., hire of physical aides etc.)
Licence	Up to 10 years	<ul style="list-style-type: none"> • Recreational purposes including sporting clubs, fitness classes etc. • Sale of goods or services that are ancillary to community land use and reserve purpose (e.g., Hire of sporting goods etc.)
Short-term Licence	Up to 12 months	<ul style="list-style-type: none"> • Engaging in an appropriate trade or business delivering a public address, community event, market, outdoor concert or similar activities • One-off sporting events/exhibition such as sporting carnivals • Commercial photographic sessions

Other estates		<ul style="list-style-type: none"> Filming sessions <p>This PoM allows the council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of the council or public utility provider on the community land in accordance with the LG Act.</p>
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The following Table lists current Tenures granted by Council however does not exclude future Tenures or other estates from being granted.

Table 5 – Existing Tenures granted by Council as at the date of PoM

Reserve (Lot/DP)	Purpose	Licencee / User Group	Purpose of Tenure	Term of Tenure
62949	Public Park	Casual users of Tennis Courts only following cessation of Yenda Tennis Club.	Casual tennis	
Part each of 61951, 63981 and 65511	Public Recreation	Yenda Golf Club Inc.	Golf course	Short term licence entered into and will expire 28/03/2023. Pending adoption of this PoM a longer term licence will be issued.

There may be further opportunities for short-term licences on the Reserves for a range of activities that align with the respective Reserves' purposes and categorisations.

Direction of Funds

Any income produced from the Reserves, i.e., as per the approved Tenure, will be distributed to manage either these lands or other community land in a fashion determined by Council.

4.5 Easements

Memorial Park (Reserve 62949) is affected by the acquisition of an Easement registered as Lot 1 DP 629664 of 240 square metres for the purpose of Yenda Sewerage (Government Gazette 27 September 1985 (Folio 5135)). (Refer [Annexure 6 pg. 50](#)).

Government Gazette of 27 September 1985 (Folio 5135) indicated that the Yenda Retirement Village (Reserve 240000) is affected by an Easement 3 metres wide for sewerage rising main shown in DP 636295.

It is noted however, that DP 636295 registered 8 May 1984 was described as a 'Proposed Easement 3 wide for sewerage rising main within Lots 13 and 28 in DP 44498' and therefore did not impact on Reserve 240000. (Refer [Annexure 7 pg. 51](#)).

The balance of Reserves comprised within this PoM are not affected by easements registered on the lands.

4.6 Native Title Assessment

Council is required under the provisions of the *CLMA 2016*, to undertake steps to identify whether the activity proposed on Crown land will affect Native Title. Council must further consider what provisions of the *NTA 1993 (C'th)* will validate the activity; and what procedures should be taken in relation to a particular activity prior to its commencement. Council must also have regard for any existing claims made on the land under the *NSW Aboriginal Land Rights Act 1983 (ALR Act)*.

The activity must be authorised through *Part 2 Division 3 of the NTA 1993 (C'th)*.

Council must obtain written advice from its Native Title Manager in relation to certain activities and acts carried out on Crown land where the land is not excluded land, in accordance with native title legislation and applicable to works and activities to be undertaken on any of the Reserves identified within this PoM.

4.7 Aboriginal Land Claims

None of the lands comprised within this PoM are impacted by current Aboriginal Land Claims (ALCs).

However, should there be an ALC lodged in respect of any of these lands, any proposed works or development on the affected land, or the issue of tenures authorised by this POM should not proceed if:

- The proposed activity could prevent the land being transferred to an ALC claimant in the event that any undetermined claim is granted.
- The proposed activity could impact or change the physical/environmental condition of the land, unless:
 - a) Council has obtained written consent from the claimant Aboriginal Land Council to carry out the proposed work or activity, and/or
 - b) Council has obtained a written statement from the Aboriginal Land Council confirming that the subject land is withdrawn (in whole or part) from the land claim.

Searches of the Office of Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management Systems) have identified no Aboriginal sites on or near any of the lands contained within the various parcels of land within this PoM.

5.0 BASIS OF MANAGEMENT

Griffith City Council intends to manage its community land to meet:

- assigned categorisation of community land
- the LG Act guidelines and core objectives for community land set out in Table 6 in *Section 5.1* below
- the council's strategic objectives and priorities
- development and use of the land outlined in Chapter 6 Part 2 Division 2 of the *LG Act 1993*.

5.1 Core Objectives for management of Community land

The management of community land is governed by the categorisation of the land, its purpose and the core objectives of the category.

For the purpose of this PoM, the categories of Sportsground, Park, General Community Use and Natural Area – Bushland are defined in the *Local Government (General) Regulation 2021, Part 4 Division 1* – Guidelines for the categorisation of community land as:

Table 6 – Categories of land as defined in the Sections 103, 104, 106 and 107 Local Government Regulation

Guidelines – from the Local Government (General) Regulation 2021 [NSW]		Core objectives – from the Local Government Act 1993
Clause 103 – Sportsgrounds: Land used primarily for active recreation involving organised sports or playing outdoor games.		Category Sportsground (Section 36F): <ul style="list-style-type: none"> • to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games • to ensure that such activities are managed having regard to any adverse impact on nearby residences.
Clause 104 – Parks: Land which is improved by landscaping, gardens or the provision of non-sporting equipment and facilities, and for uses which are mainly passive or active recreational, social, educational and cultural pursuits that do not intrude on the peaceful enjoyment of the land by others.		Category Park (Section 36G): <ul style="list-style-type: none"> • to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities • to provide for passive recreational activities or pastimes and for the casual playing of games • to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.
Clause 106 – General Community Use: Land that may be made available for use for any purpose for which community land may be used, and does not satisfy the definition of natural area, sportsground, park or area of cultural significance.		Category General Community Use (Section 36I): <ul style="list-style-type: none"> • to promote, encourage and provide for the use of the land • to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

		<p>(a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual welfare or development of individual members of the public, and</p> <p>(b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities)</p>
<p>Clause 107 – Natural Area – Bushland:</p> <p>Land that contains primarily native vegetation and that vegetation –</p> <p>(a) is the natural vegetation or a remainder of the natural vegetation of the land, or</p> <p>(b) although not the natural vegetation of the land, is still representative of the structure or floristics, or structure and floristics, of the natural vegetation in the locality.</p> <p>Such land includes –</p> <p>(a) bushland that is mostly undisturbed with a good mix of tree ages, and natural regeneration, where the understory is comprised of native grasses and herbs or native shrubs, and that contains a range of habitats for native fauna (such as logs, shrubs, tree hollows and leaf litter), or</p> <p>(b) moderately disturbed bushland with some regeneration of trees and shrubs, where there may be a regrowth area with trees of even age, where native shrubs and grasses are present in the understorey even though there may be some weed invasion, or</p> <p>(c) highly disturbed bushland where the native understorey has been removed, where there may be significant weed invasion and where dead and dying trees are present, where there is not natural regeneration of trees or shrubs, but where the land is still capable of being rehabilitated.</p>		<p>Category Area of Bushland (Section 36J):</p> <ul style="list-style-type: none"> • to ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land, and • to protect the aesthetic, heritage, recreational educational and scientific values of the land, and • to promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion, and • to restore degraded bushland, and • to protect existing landforms such as natural drainage lines, watercourses and foreshores, and • to retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term, • to protect bushland as a natural stabiliser of the soil surface.

6.0 MANAGEMENT FRAMEWORK FOR CATEGORIES OF LAND

6.1 Management Issues

Management of the lands takes into consideration the reserves' purpose and the purpose for which the lands are classified and categorised.

Council recognises the importance of Reserves and community owned land that are valued by its users and visitors to the Griffith City area and in relation to land contained within this PoM, to residents and visitors to Yenda. Management of the Reserves including Council employees, Tenure holders and volunteers are valuable in ensuring the long-term and on-going use and maintenance of the respective reserves in supporting various community services. These facilities are valuable and support the social, physical and environmental (natural and man-made) needs of local community members and visitors who utilise the various services and facilities.

Table 7 below provides Council's general management issues and guidelines.

Table 7 – Management Issues and Guidelines

Maintenance of infrastructure	As required following routine inspections by Council and reported by users and / or identified in relevant reports and in accordance with Council's Asset Management Report and Risk Management Policies or Tenure User Asset Management Plans (as applicable).
Car Park	Car-parking areas are provided to accommodate user / visitor attendance at respective facilities (as required).
Watering	Watering of landscaped areas is the responsibility of respective Licencees / user groups (or Council in the event that the areas are not under Licence). Watering shall be undertaken as required and according to specific water restrictions that may be in place from time to time.
Vandalism	Vandalism will be addressed at the time of occurrence. Vandalism may include issues such as unauthorised vehicle access; damage to infrastructure; other damage resultant from unauthorised activities referred to in PG-CP-301 "Prohibited Activities on Council Active & Passive Recreation Areas"; or rubbish dumping or any other damage to Council property referred to in PG-CP-314 "Vandalism, Graffiti and Rubbish Dumping – Reward".
Erection / installation of infrastructure and other buildings	The erection of necessary buildings to provide a range of community services or facilities (existing or necessary in the future), if allowed by this Plan of Management, will be under authorisation of Council's Development Application processes and subject to Department of Planning, Industry & Environment – Crown Lands 'Landowner Consent' unless satisfied by SEPP (Transport & Infrastructure) 2021 approval. The demolition of any building may also be subject to the same approval.
Weeds	Management of biosecurity weeds is a priority for Council (refer to GCC Biosecurity Weeds and Legislation and PG-CP-401), in particular Prickly Pear (<i>Opuntia stricta</i>) and African Boxthorn (<i>Lycium ferocissimum</i>) located on Reserve 159006 (Yenda Flora and Fauna Park). Weed management practices will be undertaken by Council staff / Licencees or user groups in accordance with guidelines to ensure amenability of the respective areas.
Pests	Pest management is the responsibility of Council staff / Licencees or user groups in accordance with Council guidelines.
Signs	Signage is both regulatory and interpretive in accordance with Standard AS 2342-1992.
Trees	Council's Tree Preservation Order PG-CP-401 must be adhered to and Council must be consulted prior to the removal of any trees.
Rubbish	Removal of unauthorised dumping of rubbish is monitored by Council through its Remove Illegal Dumping (RID) Programs and through Litter Reduction and Clean up Campaigns EH-CP-204. Tenue holders and user groups will also ensure that any rubbish is removed from the site and the respective areas are kept in a neat and tidy condition.

6.2 Plan Implementation

The following action plan sets out the requirements under Section 36 of the *LG Act 1993* with respect to:

- The category of the land
- The objectives and performance targets of the plan with respect to the land
- The means by which the council proposes to achieve the plan's objectives and performance targets,
- The manner in which the council proposes to assess its performance with respect to the plan's objectives and performance targets.

Table 8 below, sets out key objectives and performance targets for management of the land.

Responsibility: Griffith City Council (GCC)

Table 8 – Objectives and performance targets of this Plan of Management

Performance Target	Actions	Priority	Performance Indicator
LEGISLATIVE			
To ensure that relevant legislation is complied with in relation to preparation of the PoM.	1. The Plan is prepared in accordance with Native Title Manager advice, the <i>LGA 1993</i> , the <i>CLMA 2016</i> , <i>NTA 1993 (C'th)</i> and <i>ALRA 1983</i> (as applicable)	High	<ul style="list-style-type: none"> • The Plan is reviewed by Council's Native Title Manager and approved by Department of Planning & Environment - Crown Lands • Council exhibits and adopts the PoM subject to community comments being addressed. (Where significant changes to the PoM are required, the PoM will be re-referred to Council and the Department).
MANAGEMENT			
Provide quality facilities; assess the current facilities, condition and use of the land in accordance with community expectations	2. Consultation and development in accordance with Council's Strategies and Policies. 3. Review of Council's Building Asset Report (as applicable). 4. Provide maintenance or guide tenure users (as applicable) to meet required service levels inclusive of grounds, trees, infrastructure, lighting and footpaths.	On-going	<ul style="list-style-type: none"> • Assets (current and future) are managed in accordance with prescribed Council standards and community expectations. • Community consultation in regards to meeting future community needs. • Maintenance service levels to meet requirements in accordance with adopted budgets (as applicable). • Review of tenure conditions (as applicable).
Review existing management operations of Yenda Retirement Village	5. Comply with Crown Land legislation regarding formal management of the Yenda Retirement Village	On-going	<ul style="list-style-type: none"> • Liaise with Yenda Retirement Village committee to provide best outcomes for management of the Village
Asset Management Plan in place to maintain and	6. Update Asset Management Plan (as required)	On-going	<ul style="list-style-type: none"> • Asset renewal considered in 10-year financial planning in

enhance the Sportsground and Park			conjunction with user groups (where applicable)
Comply with relevant development, planning and Land Registry Service (LRS) requirements	7. Liaise with DPE – Crown Lands and LRS for necessary approvals/documents and registration for consolidation of land contained within Reserve 240000 (Yenda Retirement Village)	Medium	<ul style="list-style-type: none"> Plan of Consolidation of Lots 21-25 DP 44498 (Reserve 240000) prepared by Surveyors and registered at LRS. DPE – Crown Lands provides for issue of 'Replacement Certificate of Title'.
Manage the buildings; sportsground; park and natural area (as applicable) for the safety of users including acts of vandalism	8. Conduct regular safety audits to assess the property on a risk assessment basis	On-going	<ul style="list-style-type: none"> Equipment is in good working condition (Memorial Park) Reduction in vandalism. Feedback from community is positive and any negative feedback is acted upon as necessary.
INFRASTRUCTURE			
Park and Sportsground infrastructure is upgraded and obsolete and dangerous infrastructure removed (as and when necessary)	9. Ensure on-going inspection and assessment of all infrastructure (as appropriate) 10. Sportsground infrastructure is maintained by and in accordance with user group requirements.	On-going	<ul style="list-style-type: none"> Future upgrades (i.e., playground equipment / splash park or sporting infrastructure as applicable) and landscaping are carried out in accordance with the PoM and required development processes (where necessary). New canteen facility at Wade Park (subject to funding by User Group Yenda Blueheelers Football Club and/or Yenda Tigers Soccer Club). Upgrade to existing changeroom/toilet facilities. Repairs to existing infrastructure as may be required in accordance with Council's Asset Management Plan and/or specific Reserve's Asset Management Plan.
Infrastructure of Yenda Retirement Village meets regulatory standards	11. Ensure and support that Yenda Retirement Village Inc. reviews Asset Management Plan and that regulatory requirements are met.	On-going	<ul style="list-style-type: none"> Future upgrades and landscaping are carried out in accordance with the PoM and required development processes (where necessary).
Obsolete infrastructure of Natural area is removed	12. Ensure adequate fencing of area to prevent unauthorised rubbish dumping.	On-going	<ul style="list-style-type: none"> Obsolete and poor condition fencing is removed. Seek funding for fencing of balance of Reserve.
Drainage works	13. Ensure management of built infrastructure and natural area are supported.	On-going	<ul style="list-style-type: none"> Drainage works (where necessary) are undertaken to protect the built and natural assets of the land in accordance with Council's Flood Mitigation Policies.
ENVIRONMENT			
Manage and maintain Council's obligations under the Biosecurity Act	14. On-going inspection and control of noxious weed	On-going	<ul style="list-style-type: none"> Regular inspections to monitor impact of noxious weeds on the environment.

	species within Yenda Flora and Fauna Park		<ul style="list-style-type: none"> Reduction in prevalence of noxious weed species within the Reserve and adjacent roadside. Annual funding sourced and budgeted for weed management practices.
Manage environmental and user safety.	15. On-going inspection and assessment of infrastructure in accordance with Council and Government WHS legislation. 16. Control noxious weed species within the Yenda Flora and Fauna Reserve and adjacent roadside (where applicable). 17. Monitor pest activity and effects on flora and fauna within Yenda Flora and Fauna Reserve. 18. Monitor and remove rubbish. 19. Consider the safety of the community, visitors and users in the use of chemicals and pest control.	On-going	<ul style="list-style-type: none"> Audit processes for safety and condition reporting are working well. Staff and contractors are appropriately trained in safe handling and use of appropriate chemicals for the land. Reduction in weed incursions. Rubbish and garden waste is removed. Installation of signage i.e., Remove Illegal Dumping (R.I.D.) Feedback from the users and the community are positive and negative feedback is acted upon where necessary.
Maintain quality of habitat for flora and fauna species.	20. Encourage nature-based recreation. 21. Engage with MFN to undertake annual surveys 22. Treat invasive weed species. 23. Monitor impact of feral animal activity (as necessary).	On-going	<ul style="list-style-type: none"> Reduce impacts of invasive weed species (and feral animals) as applicable. Undertake revegetation (as necessary). Feedback from the community is positive and negative feedback is acted upon where necessary.
USE OF THE RESERVES			
Signs.	24. Review signs and follow guidelines provided by Statewide Mutual Signs as Remote Supervision.	On-going	<ul style="list-style-type: none"> Continually monitor all signs are legible and current.
Access and Parking.	25. Ensure that access and parking areas meet visitor and user requirements. 26. Installation of signage (as appropriate).	On-going	<ul style="list-style-type: none"> Continue to monitor that access and parking requirements meet the needs of visitors and users. Feedback from visitors and the community is positive and negative feedback acted upon as necessary.
Installation of Infrastructure, works and building improvements.	27. Ensure that infrastructure, works and buildings or works are authorised in accordance with necessary Council and Agency Approvals. 28. Liaison with community and user groups (as necessary)	On-going	<ul style="list-style-type: none"> Council obtains all necessary Approvals. Council provides prompt approvals when necessary.
Unlawful use of land.	29. Ensure unauthorised use is curtailed with regular monitoring and inspection	On-going	<ul style="list-style-type: none"> Reduction in dumping of rubbish and garden waste. Feedback from visitors and the community is positive and negative feedback acted upon as necessary.
Rubbish	30. Removal of unauthorised dumping of rubbish.	On-going	<ul style="list-style-type: none"> Repair fencing and install gates to permit authorised

			vehicle access only (as applicable). <ul style="list-style-type: none">• Removal of dumped rubbish (as necessary).• Install appropriate signage.
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7.0 REFERENCES

Department of Planning & Environment – Crown Lands (NSW)

<https://trade.maps.arcgis.com/apps/webappviewer/index.html?id=99ed087615f24ab8aacc619ef3507155> sourced on 16 December 2021

<https://pp.planningportal.nsw.gov.au/publications/environmental-planning-instruments/griffith-local-environmental-plan-2014> sourced on 4 January 2022

Griffith City Council

<https://www.griffith.nsw.gov.au/guiding-griffith-2040> sourced on 20 December 2021

Adopted Delivery Plan & Operational Plan 2021-22

<file:///C:/Users/Melva/Downloads/Adopted%20Delivery%20Plan%20&%20Operational%20Plan%202021-22.pdf> sourced on 3 February 2022

<file:///E:/PERSONAL/Mel/GCC%20Project%20Work%20-%20PoM's/GCC%20-%20Community%20Strategic%20Plan%202022-2032.pdf> sourced on 9 June 2022

NSW Land Registry Services – Historical Land Records

<https://hlrv.nswlrs.com.au/> - sourced on 3 January 2022

NSW Legislation

Local Government Act 1993

<https://legislation.nsw.gov.au/view/pdf/asmade/sl-2021-460> sourced on 6 January 2022

<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2014-0137#statusinformation> sourced on 4 March 2022

NSW Government Gazettes

<https://trove.nla.gov.au/newspaper/#> sourced 22 December 2021

Field Guide to the Birds of Australia (Simpson & Day) (2010) sourced on 9 February 2022

Griffith Heritage (Kabaila, Peter) (2005) sourced 5 January 2022

Mistletoes of Southern Australia (Watson, David M) (2019) sourced 13 January 2022

Plants of Western New South Wales (Cunningham, Mulham, Milthorpe, Leigh) (2003) sourced on 9 February 2022

The Blues Book Yenda Blueheelers 2000 (75th Anniversary Committee Yenda Rugby League Football Club) (2000) sourced 4 March 2022

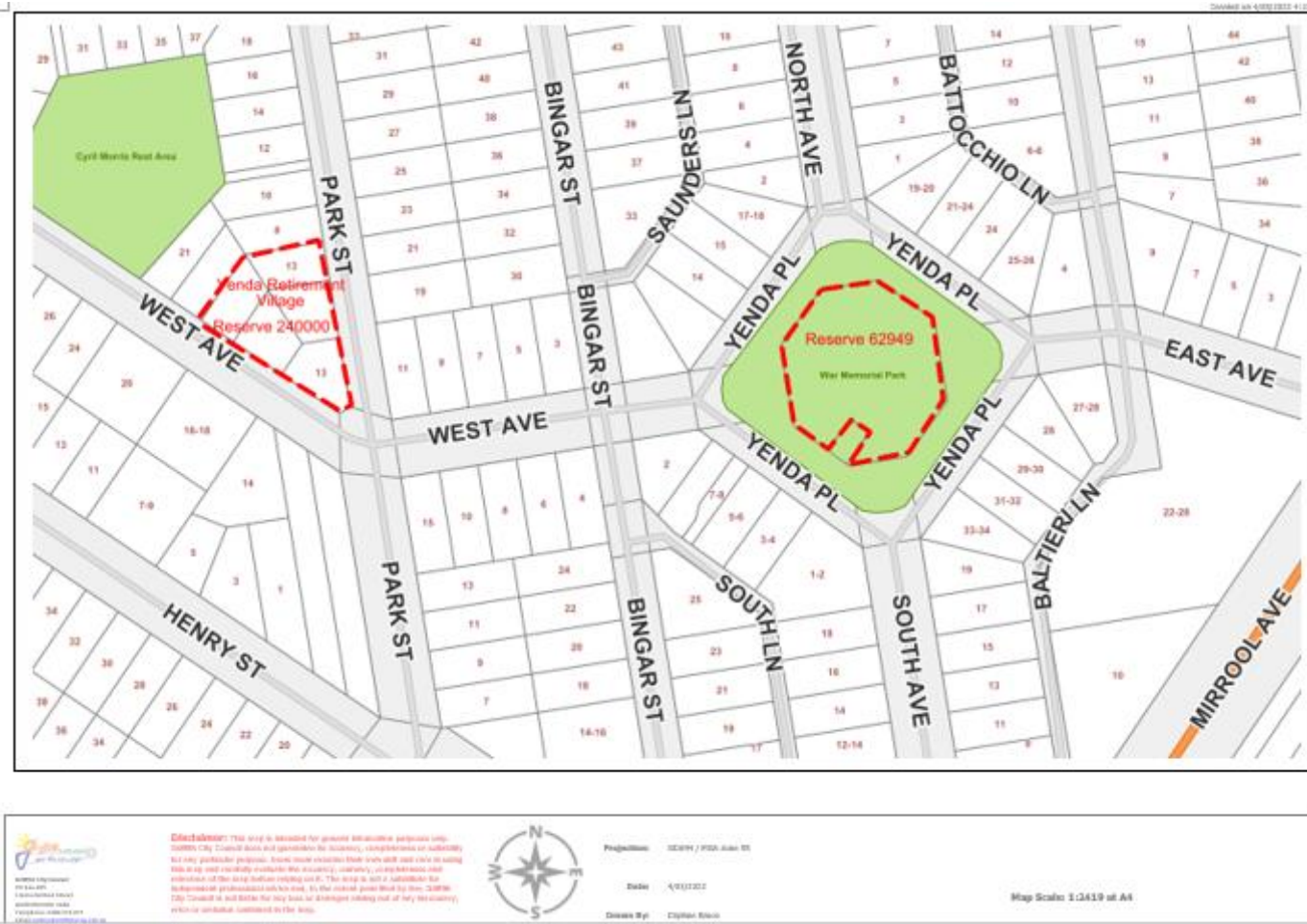
<https://backyardbuddies.org.au/backyard-buddies/mud-wasps/> sourced on 9 February 2022

<https://www.arennews.com.au/story/5600829/early-selectors-pre-date-irrigation-and-yenda/> - sourced 13 January 2022

8.0 ANNEXURES

- 1) Map - Reserves of the Yenda Crown Reserves PoM
- 2) Schedule of Lands – Yenda Crown Reserves PoM
- 3) Plan of Wade Park
- 4) Yenda Flora and Fauna Park Interim Flora List
- 5) Yenda Flora and Fauna Park Interim Fauna List
- 6) DP 629664 – Easement proposed to be acquired (Memorial Park)
- 7) DP 636295 – Proposed Easement for Sewerage Rising Main

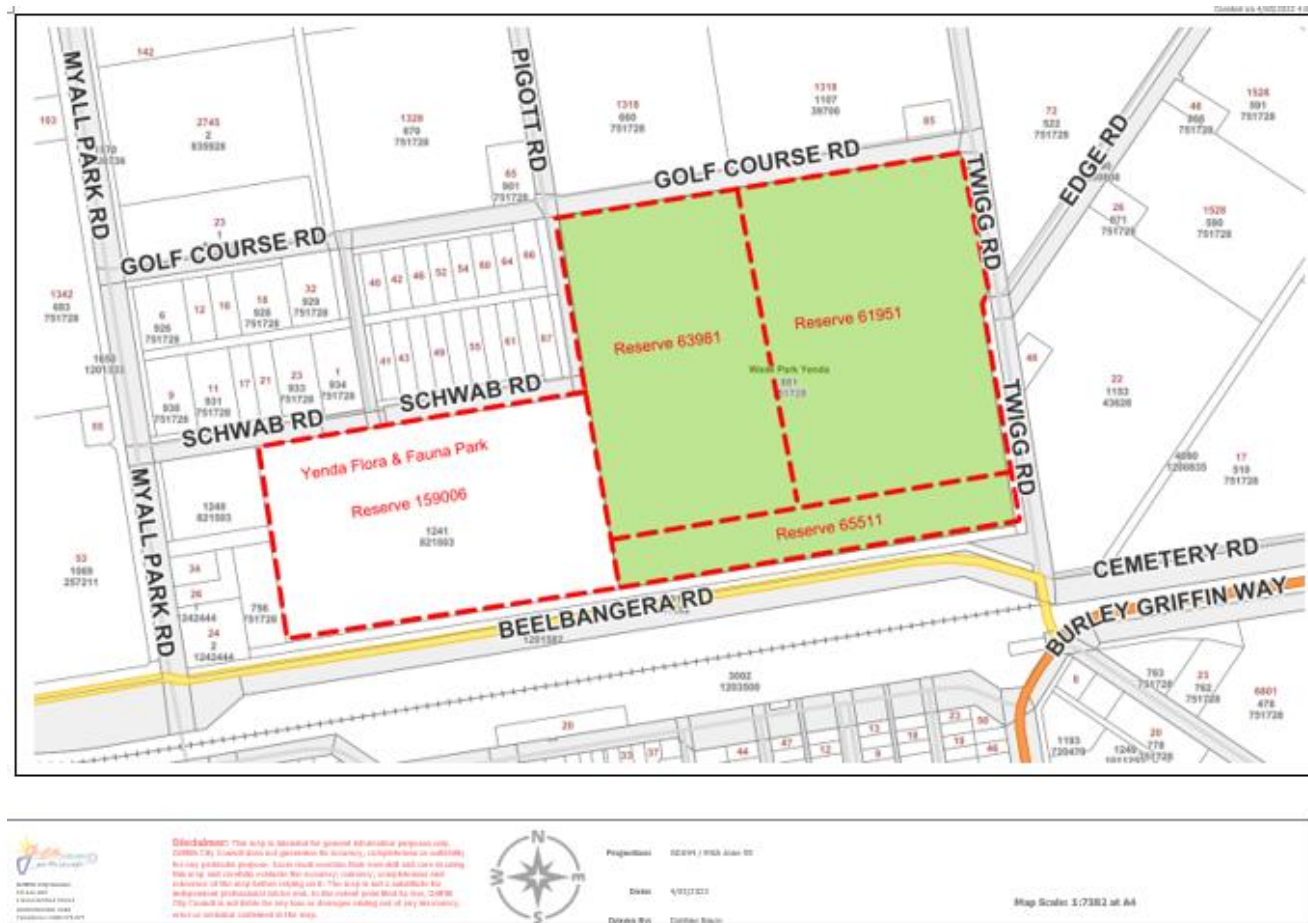
ANNEXURE 1.1 – MAP – RESERVES 62949 and 240000 OF YENDA CROWN RESERVES PLAN OF MANAGEMENT



GRIFFITH CITY COUNCIL – VILLAGE OF YENDA
 CROWN RESERVES DRAFT POM

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ANNEXURE 1.2 – MAP – RESERVES 61951, 63981, 65511 and 159006 OF YENDA CROWN RESERVES PLAN OF MANAGEMENT

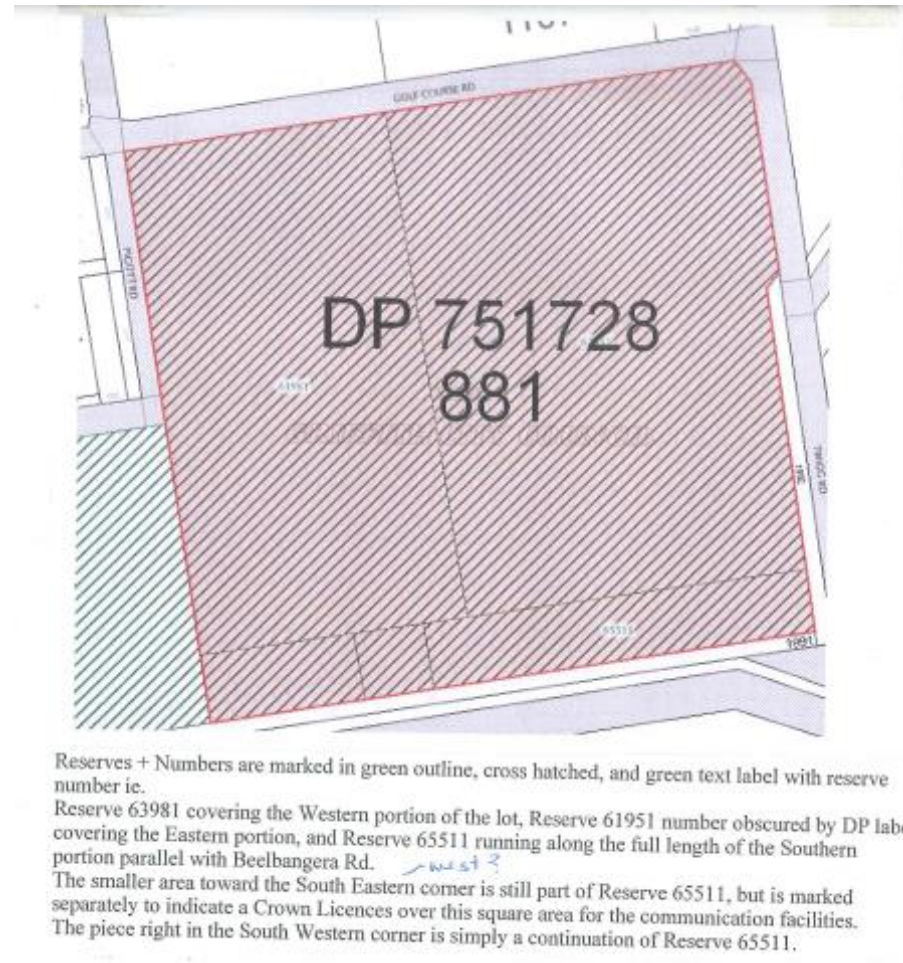


GRIFFITH CITY COUNCIL – VILLAGE OF YENDA
CROWN RESERVES DRAFT POM

ANNEXURE 2 - SCHEDULE OF LANDS & INFRASTRUCTURE – YENDA CROWN RESERVES PLAN of MANAGEMENT

	A	B	C	D	E	F	G	H	I
1	SCHEDULE OF LANDS & INFRASTRUCTURE - YENDA CROWN RESERVES PoM								
2									
3	RESERVE NO.	RESERVE NAME	CROWN	DATE OF GAZETTE	PURPOSE	CATEGORY	LOT/DP	AREA	COMMENTS/INFRASTRUCTURE
4	62949	Memorial Park (Yenda)	Crown	25/09/1931	Public Park	Park	701/1030376	.59 ha	Toilet/amenities block; rainwater tank; sheltered BBQ area; various seating (wooden and aluminium with some sheltered); Memorial; playground equipment with sand base; skate park; 3x synthetic tennis hard courts with surround fencing and floodlighting; concrete footpaths
5	61951	Part Wade Park	Crown	4/07/1930	Public Recreation	Sportsground	Part 881/751728	19.05 ha	This part of Wade Park predominantly comprises the main rugby league oval and associated infrastructure and buildings; main entry to the golf club, clubhouse and part of the course including the dams. Perimeter fencing adjoins Twigg and Golf Course Roads and Crown land. <u>Rugby League area</u> : Football field and associated player's bench seating/changerooms and amenities block; grandstands x2 (1 large concrete and steel structure and 1 small steel structure); scoreboard; and part of the practice field. Soccer nets; container and storage sheds; kiosk; toilet block; timber bollard fencing adjacent to practice field.
6	63981	Part Wade Park	Crown	16/06/1933	Public Recreation	Sportsground	Part 881/751728	14.37 ha	This part of Wade Park predominantly comprises the golf course and its memorial plaque; sheds associated with the football area; perimeter fencing adjacent to Piggott Road and the Yenda Flora and Fauna Park.
7	65511	Part Wade Park	Crown	4/10/1935	Public Recreation	Sportsground	Part 881/751728	4.24 ha	This part of Wade Park predominantly comprises the main entry to Wade Park; concrete ticket office; the balance of the football practice field and small steel open seating; timber bollard fencing and the telecommunication tower which is separately fenced and licenced directly by DPIE. Perimeter fencing adjoins Crown land parallel to MI's channel and Beelbanger Road.
8	159006	Yenda Flora & Fauna Park	Crown	25/10/1991	Environmental Protection	Natural Area - Bushland	1241/821503	16.37 ha	Perimeter fencing; part newly constructed with steel posts and ringlock adjacent to the golf course; balance of pine post and ringlock in poor condition adjoining Schwabb Road; non-existent adjoining Crown land on its southern boundary.
9	240000	Yenda Retirement Village	Crown	1/08/1986	Charitable Organisations	General Community Use	21-25/44498	.38 ha	13x 1 bedroom units of brick and tile roof construction; activities room for Retirement Village residents; internal roads and footpaths; flagpole; lighting and landscaping.

ANNEXURE 3 – PLAN OF WADE PARK (Plan provided by Crown Lands to Griffith City Council)



ANNEXURE 4 – YENDA FLORA AND FAUNA PARK INTERIM FLORA LIST

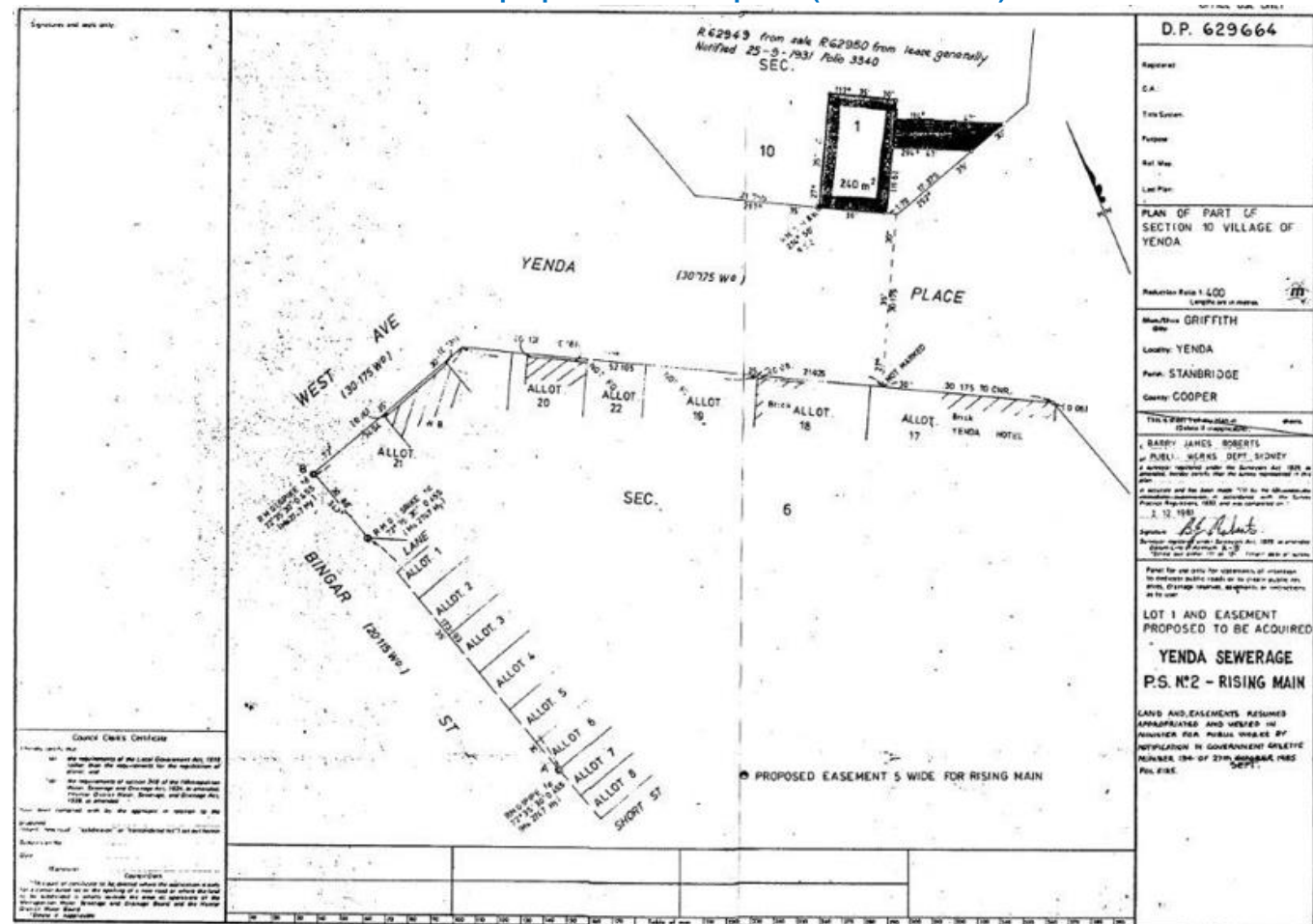
	A	B	C	D	E	F	G
1	INCIDENTAL FLORA AND FAUNA SPECIES LIST - RESERVE 159006 (YENDA FLORA & FAUNA PARK)						
2	Noted by Melva Robb (MR) ; and MFN Members Eric Whiting (ER), Kathy Tennison (KT) and Melva Robb (MR)						
3	FAMILY	SCIENTIFIC NAME	COMMON NAME	DATE	DATE	Introduced Species	Comments
4				13/01/2022 (MR)	9/02/2022 (MFN)		
5	Asteraceae	<i>Cassinia laevis</i>	Cough-Bush		"		
6		<i>Centaurea melitensis</i>	Maltese Cockspur		"	#	
7		<i>Cirsium vulgare</i>	Spear Thistle	"	"	#	
8		<i>Conyza bonariensis</i>	Flax-leaf Fleabane		"	#	
9		<i>Lactuca serriola</i>	Prickly Lettuce	"	"	#	
10		<i>Sonchus oleraceus</i>	Common Sow Thistle		"	#	
11		<i>Stipa elegantissima</i>	Feather Speargrass	"	"		
12		<i>Vittadinia cuneata</i>	Fuzzweed	"	"		
13		<i>Xanthium spinosum</i>	Bathurst Burr		"	#	
14	Boraginaceae	<i>Heliotropium europaeum</i>	Common Heliotrope (European Heliotrope)	"	"	#	
15	Brassicaceae	<i>Lepidium africanum</i>	Common Peppergrass		"	#	
16		<i>Raphanus raphanistrum</i>	Wild Radish		"	#	
17	Cactaceae	<i>Opuntia stricta</i>	Common Prickly Pear	"	"	#	
18	Caesalpiniaceae	<i>Senna artemisioides zygophylla</i>	Punty Bush	"	"		
19	Capparidaceae	<i>Apophyllum anomalum</i>	Warrior Bush		"		2 specimuns found near fenceline adjacent to Schwab Rd. The Warrior Bush is host to the Caper White Butterfly.
20	Casuarinaceae	<i>Casuarina cristata</i>	Belah	"	"		Several larger fruiting specimens however generally younger regenerating non-fruiting specimens sited
21	Chenopodiaceae	<i>Einadia nutans</i>	Climbing Saltbush	"	"		
22		<i>Enchylaena tomentosa</i>	Ruby Saltbush	"	"		
23		<i>Maireana aphylla</i>	Leafless bluebush	"			
24		<i>Maireana sedifolia</i>	Pearl Saltbush		"		
25		<i>Sclerolaena diacantha</i>	Grey Copper Burr		"		
26		<i>Sclerolaena muricata</i>	Black Roly-Poly (Five-spined Saltbush)		"		
27	Convolvulaceae	<i>Convolvulus erubescens</i>	Blushing Bindweed	"	"	#	
28		<i>Convolvulus graminifolius</i>			"		
29	Cupressaceae	<i>Callitris glaucophylla</i>	White Cypress Pine	"	"		
30	Euphorbiaceae	<i>Chamaesyce drummondii</i>	Caustic Weed (Flat Spurge)		"		
31		<i>Euphorbia</i> sp.			"	"	Dumped garden waste

32	Goodeniaceae	<i>Goodenia pusilliflora</i>	Small-flowered Goodenia		"		
33	Lamiaceae	<i>Marrubium vulgare</i>	Horehound	"	"	#	
34		<i>Salvia verbenaca</i>	Wild Sage		"	#	
35	Loranthaceae	<i>Amyema miquelii</i>	Box Mistletoe	"	"		
36		<i>Amyema quandang</i>	Grey Mistletoe		"		
37	Malvaceae	<i>Malva parviflora</i>	Marshmallow	"	"	#	
38		<i>Sida corrugata</i>	Corrugated Sida		"	#	
39	Mimosaceae	<i>Acacia hakeoides</i>	Western Black Wattle		"		
40		<i>Acacia homanophylla</i>	Yarran/Gidgee	"	"		
41	Myoporaceae	<i>Eremophila longifolia</i>	Emu Bush	"	"		
42	Myrtaceae	<i>Eucalyptus largiflorens</i>	Black Box		"		
43		<i>Eucalyptus populnea</i>	Bimble Box	"	"		
44	Oxalidaceae	<i>Oxalis corniculata</i>	Yellow Wood-Sorrel	"	"		
45	Phormiceae	<i>Dianella longifolia</i>	Smooth Flax-Lily	"	"		
46	Poaceae	<i>Avena fatua</i>	Wild Oats	"	"	#	
47		<i>Chloris truncata</i>	Windmill Grass	"	"		
48		<i>Chloris virgata</i>	Feather-Top Rhodes Grass	"	"	#	
49		<i>Danthonia caespitosa</i>	White-Top	"	"		
50		<i>Danthonia linkii</i>	Wallaby Grass	"	"		
51		<i>Enteropogon acicularis</i>	Curly Windmill Grass		"		
52		<i>Homopholis proluta</i>	Rigid Panic		"		
53		<i>Hordeum glaucum</i>	Barley Grass	"	"		
54		<i>Lolium perenne</i>	Rye Grass		"		
55		<i>Paspalidium constrictum</i>	Box Grass		"		
56		<i>Stipa scabra</i> var. <i>scabra</i>	Rough Speargrass	"	"		
57	Polygonaceae	<i>Polygonum arenastrum</i>	Wireweed	"	"		
58		<i>Rumex crispus</i>	Curled Dock	"	"	#	
59	Proteaceae	<i>Hakea leucoptera</i>	Needlewood	"	"		
60	Rutaceae	<i>Geijera parviflora</i>	Wilga (Dogwood or Native Willow)	"	"	#	1 large mature specimen found adjacent to the golf course and generally comprising copices of smaller regenerating specimens
61	Sapindaceae	<i>Dodonaea angustifolia</i>	Sticky Hopbush	"	"		
62	Solanaceae	<i>Lycium ferocissimum</i>	African Boxthorn	"	"	#	
63		<i>Solanum esuriale</i>	Quena	"	"		
64	Verbenaceae	<i>Phyla nodiflora</i>	Lippia (Fogfruit/Carpet Weed)		"	#	
65	Zygophyllaceae	<i>Tribulus terrestris</i>	Cat's head/Caltrop	"	"		
66		<i>Zygophyllum glaucum</i>	Pale Twinleaf		"		

ANNEXURE 5 – YENDA FLORA AND FAUNA PARK INTERIM FAUNA LIST

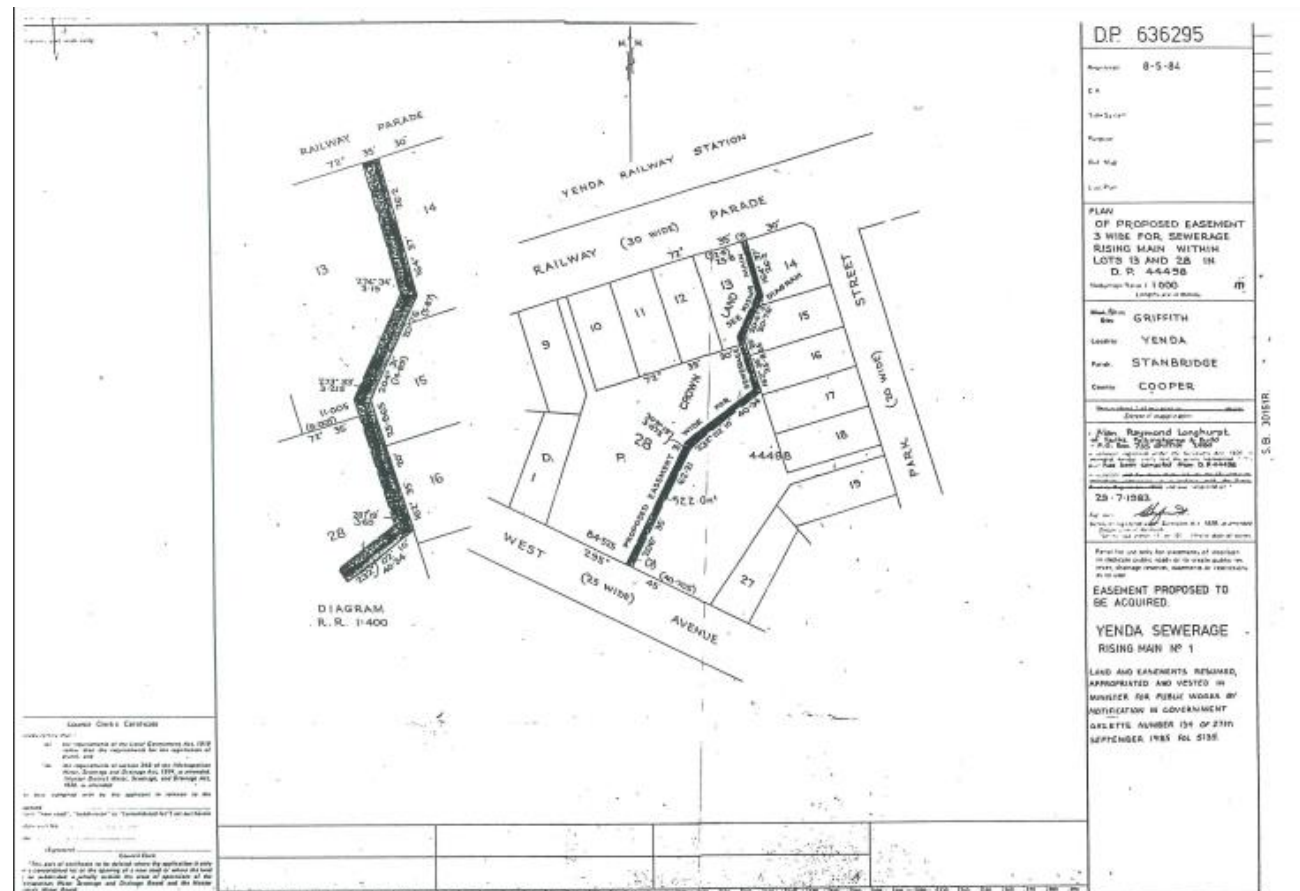
	A	B	C	D	E	F	G
1	FAUNA LIST - YENDA FLORA AND FAUNA PARK (RESERVE 159006)						
2	MFN Observers: Kathy Tennison (KT) and Melva Robb (MR)						
3							
4		SPECIES NAME		MR 13/01/2022	KT & MR 08/02/2022	Introduced	Comments
5		Australian Ringneck	<i>Barnardius zonarius</i>		"		
6		Black-shouldered Kite	<i>Elanus axillaris</i>		"		
7		Cockatiel	<i>Nymphicus hollandicus</i>		"		
8		Crested Pidgeon	<i>Ocyphaps lophotes</i>		"		
9		House Sparrow	<i>Passer domesticus</i>		"	#	
10		Little Raven	<i>Corvus mellori</i>		"		
11		Magpie-Lark	<i>Grallina cyanoleuca</i>	"	"		
12		Mistletoebird	<i>Dicaeum hirundinaceum</i>		"		
13		Noisy Miner	<i>Manorina melanocephala</i>	"	"		
14		Pied Butcherbird	<i>Cracticus nigrogularis</i>		"		
15		Southern Whiteface	<i>Aphelocephala leucopsis</i>		"		
16		Spiny-cheeked Honeyeater	<i>Acanthagenys rufogularis</i>		"		
17		White-winged Chough	<i>Corcorax melanorhamphos</i>	"	"		
18		Willie Wagtail	<i>Rhipidura leucophrys</i>		"		
19							
20							
21	INSECTS	<i>Abispa ephippium</i>	Large Mud-nest Wasp		"		
22		<i>Apis mellifera</i>	European Honey Bee		"		
23		<i>Eurema hecabe</i>	Common Grass Yellow (Butterfly)		"		
24							
25							
26	OTHER	<i>Oryctolagus cuniculus</i>	Rabbit		"	#	1 only sited

ANNEXURE 6 – DP 629664 – Easement proposed to be acquired (Memorial Park)



GRIFFITH CITY COUNCIL – VILLAGE OF YENDA
 CROWN RESERVES DRAFT POM

ANNEXURE 7 - DP 636295 – Proposed Easement for Sewerage Rising Main



GRIFFITH CITY COUNCIL – VILLAGE OF YENDA
 CROWN RESERVES DRAFT POM

51

Native Title Manager Report

A. Proposed Act

This report considers the following relevant act:

- Adoption of Griffith City Council's Yenda Crown Reserves Plan of Management (YCR PoM) applicable to Council Managed Crown Reserves).

B. Summary

- 1) The adoption of the YCR PoM authorises continued use of the lands for Park, Sportsground, Natural Area – Bushland and General Community Use and for any future development that may accord with such use in the future, i.e., installation of new playground equipment or buildings associated with sportsground infrastructure; relevant signage applicable to any or all of the Reserves (as necessary); removal of any obsolete infrastructure; upgrading of parking facilities (where necessary); upgrading or installation of new lighting facilities and footpaths / internal road networks, landscaping and signage.
- 2) The adoption of the YCR PoM does not authorise any additional use of the land other than as prescribed in the notification(s) of the Reserves at the time, respectively.
- 3) These works will not affect native title as it complies with the applicable provisions of the *Native Title Act 1993*, being valid future acts under Section 24JA, this Subdivision applies to a future act (the **later act**) if:
 - a) An act (the **earlier act**), took place before the later act and on or before 23 December 1996 (the earlier act) being notification of Reserves 62949 (Memorial Park) that took effect on 25 September 1981; 61951 (part Wade Park) that took effect on 4 July 1930; 63981 (part Wade Park) that took effect on 16 June 1933; 65511 (part Wade Park) that took effect on 4 October 1935; 159006 (Yenda Flora and Fauna Park) that took effect on 25 October 1991; and 240000 (Yenda Retirement Village) that took effect on 1 August 1986; and
 - b) The earlier acts were valid (including because of Division 2 or 2A); and
 - c) The earlier acts;
 - i. Were done by the Crown in right of the Commonwealth, a State or Territory; or
 - ii. consisted of the making, amendment or repeal of legislation by the Commonwealth, a State or Territory; and
 - d) The earlier acts, contained, made or conferred a reservation, proclamation, dedication, condition, permission or authority (the reservations) under which the whole or part of any land or waters was to be used for a particular purpose; and
 - e) The later acts are done in good faith;
 - i. Under or in accordance with the reservation; or
 - ii. In the area covered by the reservation, so long as the act's impact on native title is no greater than the impact that any act that could have been done under or in accordance with the reservation would have had.
- 4) The adoption of YCR Plan of Management authorises leases, licences, permits and other estates for purposes:
 - As referred to in Section 4.4 of the YCR PoM
 - Consistent with the Reserves' categorisation, zoning and reserve purposes, and

- Consistent with the provisions of the *Local Government Act 1993*.

This authorisation is subject to obtaining further native title manager's advice, where the land remains relevant land and is not excluded land.

The authorised leases, licences and other estates will or may affect native title, however, they will comply with the applicable provisions of the *Native Title Act 1993* being valid future acts under section 24JA.

- 5) Should native title not prove to be extinguished by a prior act, any native title holders may be entitled to compensation for the act listed in (1) in the event of a determination that native title exists in the land, and Council may be liable to indemnify the State in the payment of any compensation.

C. Crown Land Affected

The land subject to the YCR PoM is Crown Land under the *Crown Land Management Act 2016* (CLMA). This Crown lands are listed in Table 1 showing the purposes the land is reserved and the legislation employed in the reservation process.

Table 1 – Crown Land affected

(A) Reserve No	(B) Lot / Sec / DPs	(C) Purpose – Gazette Date	(D) Part of Reserve Affected	(E) Legislative Basis
R. 62949	An area within the boundaries of Section 10, Village of Yenda, exclusive of the area occupied by the Yenda Domestic Water Supply Services Reservoir and area used for the purpose of a Meteorological Station	Public Park – 25 September 1931 (See Tag A)	Part Section 10 and now known as Lot 701 DP 1030376, Village of Yenda	Section 28 Crown Lands Consolidation Act 1913
R. 61951	Within the boundaries of Portion 881 containing an area of 50acres 0roods 14perches (i.e., approx. 19.05ha)	Public Recreation – 4 July 1930 (See Tag B)	Part Portion 881 (predominantly being the north-eastern part)	Section 28 Crown Lands Consolidation Act 1913
R. 63981	Containing an area of 35acres 3roods 15perches formerly adjoining the south-western boundary of Portion 881 but now included in that Portion) (i.e., approx. 14.37ha)	Public Recreation (Addition) – 16 June 1933 (See Tag C)	Part Portion 881 (predominantly being the north-western part)	Section 28 Crown Lands Consolidation Act 1913

R. 65511	Containing an area of 8 acres 1 rood 21 perches formerly adjoining the south-easterly boundary of Portion 881 but now included in that Portion (i.e., approx. 4.24ha)	Public Recreation (Addition) – 4 October 1935 (See Tag D)	Part Portion 881 along its southern boundary (i.e., adjoining the northern boundary of Lot 1991 DP 1201582)	Section 28 Crown Lands Consolidation Act 1913
R. 159006	Lot 1241 DP 821503, Parish Stanbridge	Environmental Protection – 25 October 1991 (See Tag E)	Whole of Lot 1241 DP 821503, Parish of Stanbridge	Section 87 Crown Lands Act 1989
R. 240000	Allotments 21, 22, 23, 24 and 25, Section 11, Village of Yenda	Charitable Organisations – 1 August 1986 (See Tag F)	Whole of Allotments 21, 22, 23, 24 and 25, Section 11, Village of Yenda	Section 28 Crown Lands Consolidation Act 1913

- 1) Notification of Memorial Park in respect of Reserve 62949 on 25 September 1931 (Refer **Tag A**).
- 2) The Council of the Shire of Wade was appointed as Trust Manager of Reserve 62949 on 11 December 1931 (Refer **Tag A.1**).
- 3) Notification of part Wade Park in respect of Reserve 61951 on 4 July 1930 (Refer **Tag B**).
- 4) The Council of the Shire of Wade was appointed as Trust Manager of Reserve 61951 on 3 October 1930 (Refer **Tag B.1**).
- 5) Notification of part Wade Park in respect of Reserve 63981 on 16 June 1933 (Refer **Tag C**).
- 6) The Council of the Shire of Wade was appointed as Trust Manager of Reserve 63981 on 25 August 1933 (Refer **Tag C.1**).
- 7) Notification of part Wade Park in respect of Reserve 65511 on 4 October 1935 (Refer **Tag D**).
- 8) The Council of the Shire of Wade was appointed as Trust Manager of Reserve 65511 on 6 December 1935 (Folio 4685) (Refer **Tag D.1**).
- 9) Vesting of Lands under the Public Trusts Act 1897 – Proclamation in respect of Reserves 61951, 63981 & 65511 on 10 December 1965 (Refer **Tag D.2**).
- 10) Notification of Yenda Flora and Fauna Park in respect of Reserve 159006 on 25 October 1991 (Refer **Tag E**).
- 11) Griffith City Council was appointed as Corporation to manage the Yenda Flora and Fauna Park Trust in respect of Reserve 159006 on 25 October 1991 (Refer **Tag E.1**).
- 12) Establishment of Yenda Retirement Village in respect of Reserve 240000 on 1 August 1986 (Refer **Tag F**).

- 13) Griffith City Council was appointed as Corporation to manage the Yenda Retirement Village Trust in respect of Reserve 240000 on 7 August 1992 (Refer **Tag F.1**).
- 14) Notification of Reserve 58212 (prior to Reserve 240000) on 31 July 1925 (Refer **Tag F.2**).
- 15) Appointment of Trustees in respect of Reserve 58212 on 23 July 1926 (Refer **Tag F.3**).
- 16) Revocation of Reserve 58212 on 15 May 1981 (Refer **Tag F.4**).
- 17) Notification of Closed Road (Affecting Section 11 prior to Notification of Reserve 240000) on 30 April 1982 (Refer **Tag F.5**).
- 18) Griffith was proclaimed as a municipality as the City of Griffith on 1 July 1987 (Refer **Tag G**).
- 19) Acquisition of Easements affecting Memorial Park in respect of Reserve 62949 and Yenda Retirement Village in respect of Reserve 240000 on 27 September 1985 (Refer **Tag H**).
- 20) The Griffith City Council Crown Reserves Reserve Trust was established and appointed trustee of Reserves 62949, 61951, 159006 and 240000, only on 16 December 1994 (Folios 7436 and 7437). Griffith City Council was appointed as Reserve Trust Manager in the same notice (Refer **Tag I**).

Following various legislative changes in the management of Crown land, Griffith City Council is now Crown Land Manager of Reserves 62949, 61951, 63981, 65511, 159006 and 240000 for the purposes of the *Crown Land Management Act 2016*.

- 21) Copies of Crown Plans are shown at **Tag J**.
- 22) Copy of DP629664 affecting part of Section 10, Village of Yenda (Easement proposed to be acquired affecting Memorial Park (Refer **Tag K**).
- 23) Searches of the National Native Tribunal Registers on 4 March 2022 indicated: -
 - That there is no current Native Title Application (claim) over the subject lands,
 - No determination of native title has yet been made,
 - No Indigenous Land Use Agreement has been registered affecting Reserves 62949, 61951, 63981, 65511, 159006 and 240000.
- 24) We are not aware of any compulsory acquisitions of native title or future act protection determinations which would impact Reserves 62949, 61951, 63981, 65511, 159006 and 240000.
- 25) We are not aware of any Native Title Certificates under the *CLMA* having been issued.
- 26) For the purposes of Section 8.7(1) of the *CLMA*:
 - Reserves are *relevant land*,
 - None of Reserves 62949, 61951, 63981, 65511, 159006 and 240000 are *excluded land* (#), and
 - Griffith City Council is the *Responsible Person*.

Relevant land and excluded land are defined in Section 8.1 of the Crown Lands Management Act 2016.

D. Does the proposed act affect native title?

The relevant act, the adoption of the YCR PoM, may occur at some further stage and authorises further acts which may affect native title.

- 1) The YCR PoM authorises use for the following purposes without further approval.
 - Amenities
 - Car parking
 - Community events (fundraising/charity events, special events)
 - Community Services
 - Drainage
 - Education Services
 - Emergency use
 - Landscaping
 - Maintenance of buildings
 - Maintenance of utility services
 - Maintenance of floodways, cycle ways and vehicular access ways)
 - Paths
 - Public utility infrastructure
 - Remediation works
 - Temporary structures (i.e., marquees, tents, stages)
- 2) The YCR PoM authorises impacting acts for development being:
 - Repair, demolition or erection of any new buildings or infrastructure (as necessary) to support the use and meet the needs of the respective areas for public recreation, sportsground and general community use.
 - Drainage works (as applicable).
 - Upgrade of internal roadworks or installation of new internal roadworks or footpaths (as applicable).
 - Upgrade to playgrounds, BBQ facilities and associated shelters and seating; upgrade to existing or erection of new grandstand seating at Wade Park.
 - Upgrade or installation (as applicable) of any necessary landscaping to support broader community and user-group usage of the Reserves.
 - Maintenance and/or upgrade of parking facilities and amenities (as required).
 - Upgrade or installation of fencing as appropriate.
 - Installation of regulatory, interpretive and cultural signage as appropriate.
- 3) The YCR PoM authorises further impacting acts being leases, licences, permits or other estates for activities associated with the conducting of activities as indicated under Section 4.4 of the PoM.
 - a) Consistent with the Reserve's categorisation, zoning and reserve purpose
 - Building identification signs
 - Car parks
 - Community facilities
 - Emergency establishments
 - Entertainment facilities
 - Environmental facilities
 - Environmental protection works
 - Flood mitigation works
 - Food and drink premises
 - Information and education facilities

- Kiosks
- Markets
- Recreation areas
- Recreation areas (indoor)
- Recreation facilities (outdoor)
- Roads
- Signage
- Water recreation structures
- Water recycling facilities
- Water supply systems

E. Land Status

Table 1 shows the current reserve status of the land.

The relevant act is not a past act for the purposes of the *Native Title Act 1993*.

F. Future Act Regime

- (1) Subdivision B – E do not apply. There are no existing Indigenous Land Use Agreements in place over any of the affected land.
- (2) Subdivision F does not apply. No non—claimant application has been previously made.
- (3) Subdivision G does not apply. The relevant act is unrelated to primary production.
- (4) Subdivision H does not apply. The relevant act does not relate to the management or regulation of surface and subterranean water, living aquatic resources or airspace.
- (5) Subdivision I does not apply.
- (6) Subdivision JA does not apply. The relevant act does not relate to public housing.
- (7) Subdivision J applies to the reserve listed in Table 2 showing the requirements to satisfy Subdivision J and how that requirement is satisfied.

Table 2 – Requirements for an Act to be valid under Subdivision J – Reserves 62949, 61951, 63981, 65511, 159006 and 240000

Requirement	Section	Comment
There is a valid earlier act that took place before the later act and on or before 23 December 1996.	24JA(1)(a)	<u>Requirement satisfied</u> The Gazette date for the affected lands took place on or before 23 December 1996 (see column C of Table 1)
The earlier act was valid (including because of Division 2 or 2A).	24JA(1)(b)	<u>Requirement satisfied</u> The reservation was valid. A reservation under Section 28 <i>Crown Lands Consolidation Act 1913</i> and Section 87 <i>Crown Lands Act 1989</i> was valid if the Minister notified the reservation or dedication in the Gazette.
The earlier act was done by the Crown in the right of the Commonwealth, a State or Territory; or consisted of the making or repeal of legislation.	24JA(1)(c)	<u>Requirement satisfied</u> The earlier act was undertaken by either the Governor or the responsible State Minister, i.e. <ul style="list-style-type: none"> • WF Dunn, Minister for Agriculture (Reserve 62949)

		<ul style="list-style-type: none"> • HVC Thorby, Minister for Agriculture (Reserve 61951) • Hugh Main, Minister for Agriculture (Reserve 63981 and 65511) • Garry West, Minister for Conservation and Land Management (Reserve 159006) • Janice Crosio, Minister for Water Resources (Reserve 240000)
The earlier act contained, made or conferred a reservation, proclamation, dedication, condition, permission or authority (the reservation) under which the whole or part of any land or waters was to be used for a particular purpose.	24JA(1)(d)	<u>Requirement satisfied</u> The earlier act was for a particular purpose being: - <ul style="list-style-type: none"> • Public Park (Reserve 62949) • Public Recreation (Reserve 61951) • Public Recreation (Addition) Reserves 63981 and 65511) • Environmental Protection (159006) • Charitable Organizations (240000)
The later act is done in good faith: <ol style="list-style-type: none"> Under or in accordance with the reservation; or In the area covered by the reservation, so long as the act's impact on Native Title is no greater than the impact that any act that could have been done under or in accordance with the reservation would have had. 	24JA(1)(e)	<u>Requirement satisfied</u> <i>Development</i> In my opinion the potential for further improvement or development described in D. 2) has no greater impact on native title under or in accordance with the reservations <i>Uses</i> Similarly, the permitted uses listed in D. 1) will be either consistent with the reserves purpose(s) or will have no greater impact than the impact that any act that could have been done under or in accordance with the reservation(s) would have had. <i>Tenures</i> The issuing of leases, licences, permits or other estates as listed in D. 3) in my opinion will be either consistent with the reserve purposes or will have no greater impact than the impact that any act that could have been done under or in accordance with the reservations would have had.

G. Further Native Title Manager Advice

The YCR PoM authorises leases, licences, permits or other estates as listed in D. 3).

Further native title manager advice will be required prior to issuing approval for future acts listed at D. 3).

The YCR PoM authorises easements to be approved subject to the provisions of the *Native Title Act 1993* and further Crown Land Manager advice. In addressing the *Native Title Act 1993*, Council may need to utilise subdivision FA or negotiate an ILUA at that stage.

H. Consequences

- 1) The acts are valid and the non-extinguishment principle applies.

- 2) In the event of a future native title determination where native title is found to exist, native title holders may be entitled to compensation. Compensation will be payable by the State in respect of the works. Council may be liable to indemnify the State for such compensation.
- 3) Under Subdivision J of the future act provisions of the *Native Title Act 1993*, notification and the right to comment is required if the relevant act consists of the construction or establishment of a public work.

As the proposed act in (A) above does not involve the construction or establishment of a public work, Council is not required to notify in accordance with Section 24JB (6) of the *Native Title Act 1993*.

Tag A

Reserve 62949 – Notification - Copy of Government Gazette 25 September 1931 (Folio 3340)

(4782) Water Conservation and Irrigation
Commission's Office,
Sydney, 25th September, 1931.

RESERVE FROM SALE AND LEASE GENERALLY.

IT is hereby notified that, in pursuance of the provisions of the 28th and 29th sections of the Crown Lands Consolidation Act, 1913, and the 3rd section of the Irrigation (Amendment) Act, 1916, as amended by the 4th section of the Irrigation (Amendment) Act, 1918, the Crown Lands hereunder described shall be reserved from sale for the public purpose hereinafter specified, and reserved and exempted from lease generally, and they are hereby reserved and exempted accordingly.

W. F. DUNN, Minister for Agriculture.

For Public Park.

CENTRAL DIVISION.

MIRROOL No. 1 IRRIGATION AREA.

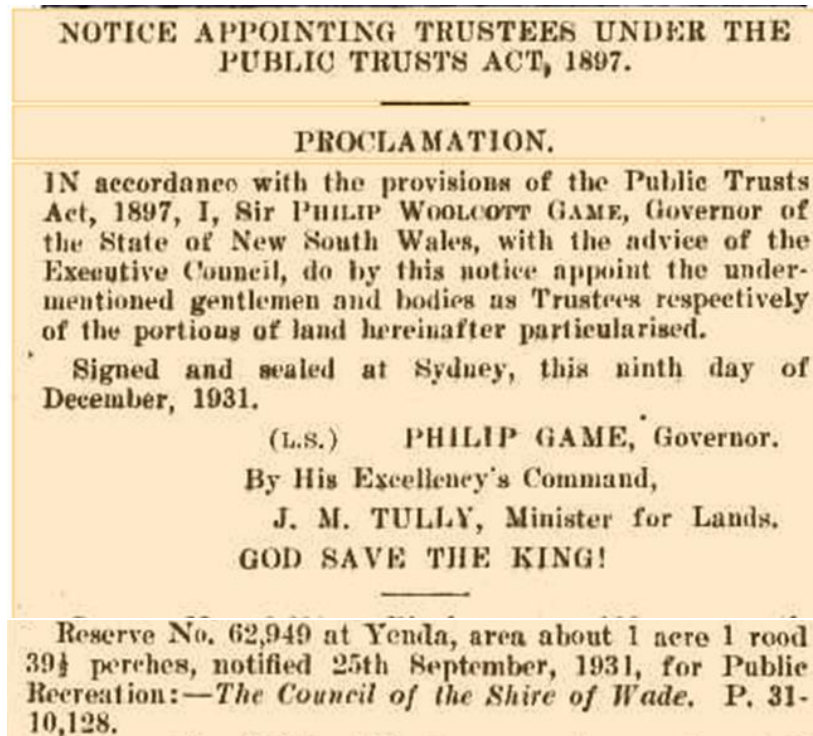
LAND DISTRICT OF MIRROOL; WADE SHIRE.

No. 62,949 from sale (62,950 from lease generally). Parish of Stanbridge, county of Cooper, containing an area of 1 acre 1 rood 39½ perches approximately. The Crown Lands within the boundaries of section 10, village of Yenda, exclusive of the area occupied by the Yenda Domestic Water Supply Service Reservoir and area used for the purpose of a Meteorological Station. The land reserved is shown by green colour on plan catalogued 131-58 at the office of the Water Conservation and Irrigation Commission at Sydney.

(W.C. & I.C. 1931-6,868; M.O. 1931-6,264)

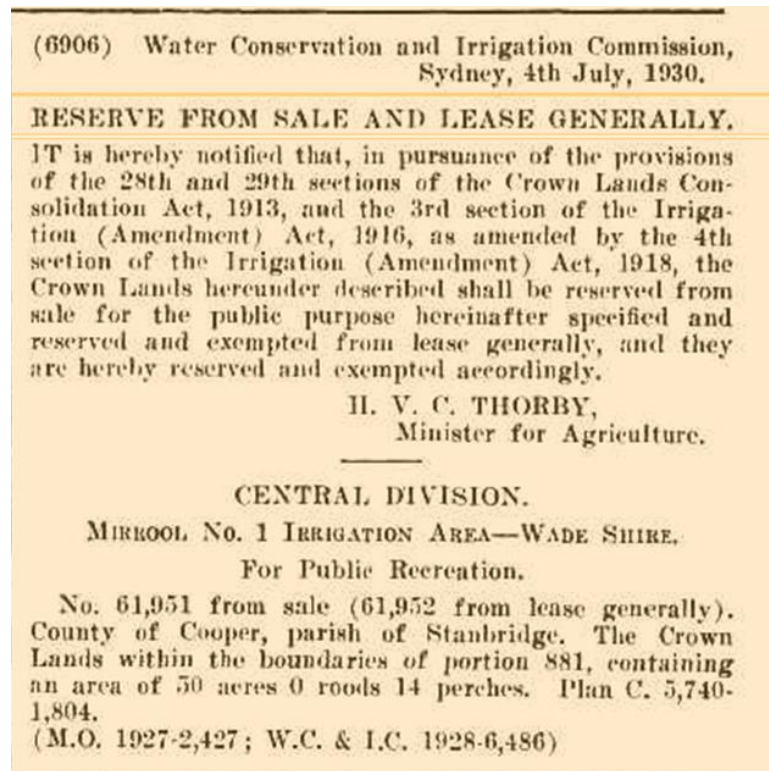
Tag A.1

Reserve 62949 – Appointment of Trustee - Copy of Government Gazette 11 December 1931 (Folio 4125)



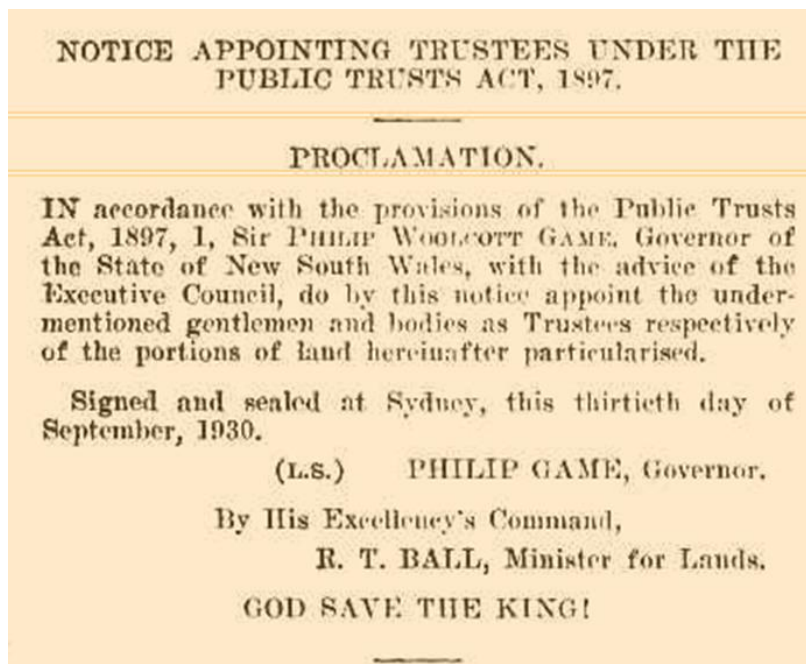
Tag B

Reserve 61951 – Notification - Copy of Government Gazette 4 July 1930 (Folio 2653)



Tag B.1

**Reserve 61951 – Appointment of Trust Manager – Copy of Government Gazette 3 October 1930
(Folio 3915)**



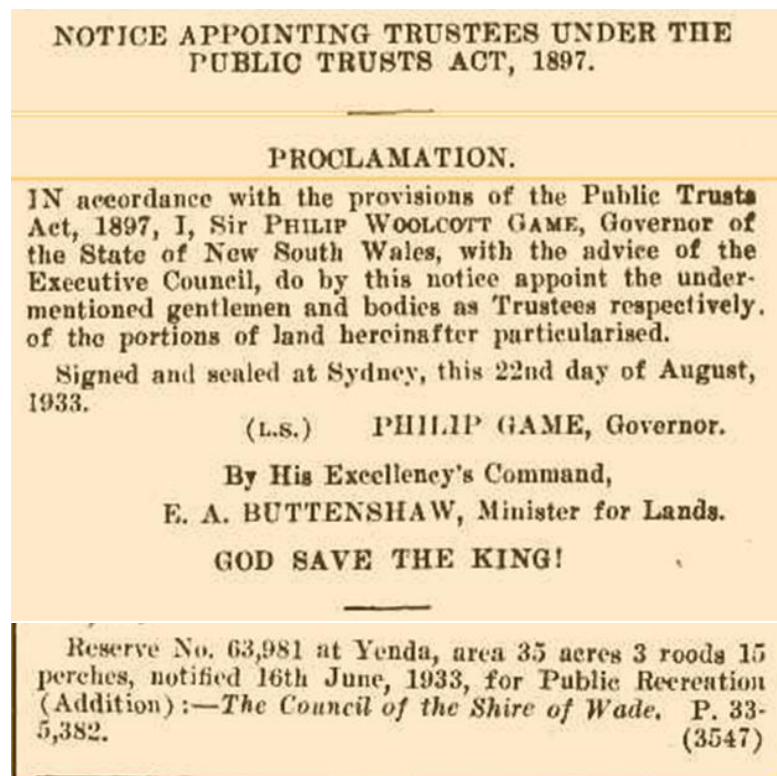
Tag C

Reserve 63981 – Notification (Addition) - Copy of Government Gazette 16 June 1933 (Folio 2063)

(2729)	Water Conservation and Irrigation Commission's Office, Sydney, 16th June, 1933.
RESERVE FROM SALE AND LEASE GENERALLY.	
IT is hereby notified that, in pursuance of the 28th and 29th sections of the Crown Lands Consolidation Act, 1913, and the 3rd section of the Irrigation (Amendment) Act, 1916, as amended by the 4th section of the Irrigation (Amendment) Act, 1918, the Crown Lands hereunder described shall be reserved from sale for the public purpose hereinafter specified, and reserved and exempted from lease generally, and they are hereby reserved and exempted accordingly.	
HUGH MAIN, Minister for Agriculture.	
CENTRAL DIVISION.	
MIRROOL No. 1 IRRIGATION AREA; WADE SHIRE.	
FOR PUBLIC RECREATION (ADDITION).	
No. 63,981 from sale (63,982 from lease generally). County of Cooper, parish of Stanbridge, containing an	
area of 35 acres 3 roods 15 perches. The Crown Lands formerly adjoining the south-western boundary of portion No. 881 but now included in that portion. Plan C. 5,935-1,804. (W.C. & I.C. 32-6,754; M.O. 32-7,184)	

Tag C.1

Reserve 63981 – Appointment of Trust Manager – Copy of Government Gazette 25 August 1933
(Folios 3123 & 3124)



Tag D

Reserve 65511 – Notification (Addition) - Copy of Government Gazette 4 October 1935 (Folio 3948)

(6463) Water Conservation and Irrigation
Commission's Office,
Sydney, 4th October, 1935.

RESERVE FROM SALE AND LEASE GENERALLY.

IT is hereby notified that, in pursuance of the 28th and 29th sections of the Crown Lands Consolidation Act, 1913, and the 3rd section of the Irrigation (Amendment) Act, 1916, as amended by the 4th section of the Irrigation (Amendment) Act, 1918, the Crown Lands hereunder described shall be reserved from sale for the public purpose hereinafter specified and reserved and exempted from lease generally, and they are hereby reserved and exempted accordingly.

HUGH MAIN, Minister for Agriculture.

CENTRAL DIVISION.

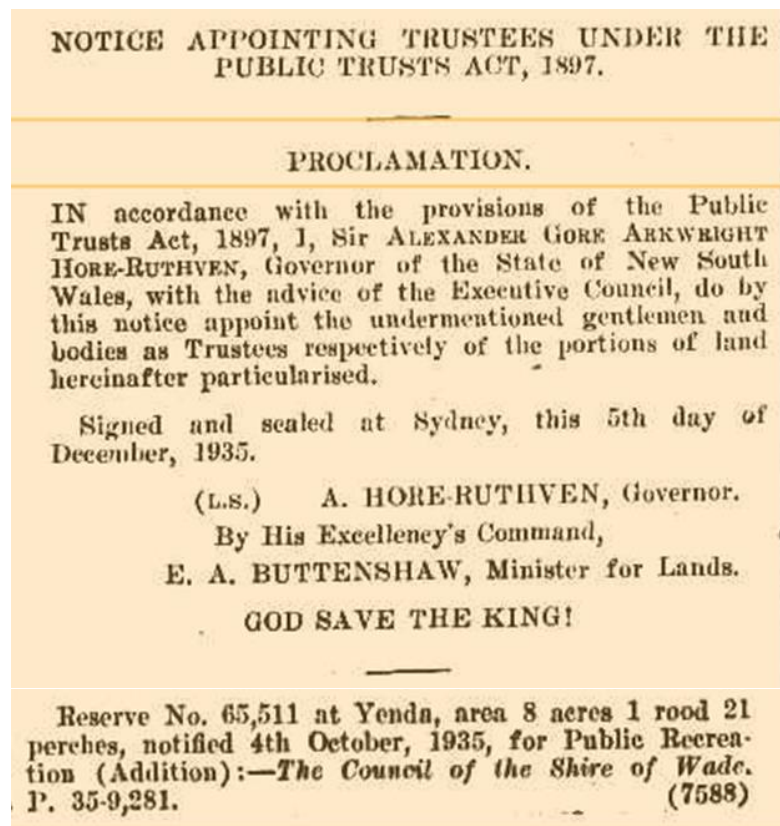
MIRROOL NO. 1 IRRIGATION AREA; WADE SHIRE.

For public recreation (addition).

No. 65,511 from sale (65,512 from lease generally).
County of Cooper, parish of Stanbridge, containing an area of 8 acres 1 rood 21 perches. The Crown Lands formerly adjoining the south-eastern boundary of portion No. 881, but now included in that portion. Plan C. 5,935-1,804.
(W.C. & I.C. 32-5,754)

Tag D.1

Reserve 65511 – Appointment of Trust Manager – Copy of Government Gazette 6 December 1935 (Folio 4685)



Tag D.2

Reserves 61951, 63981 & 65511 – Vesting of Lands under the Public Trust Act – Copy of Government Gazette 10 December 1965 (Folios 4144 & 4145)**NOTICE VESTING LAND IN TRUSTEES UNDER THE PUBLIC TRUSTS ACT, 1897.—PROCLAMATION**

WHEREAS by notifications published in the New South Wales Government Gazettes Nos 85, 92 and 173 of 4th July, 1930, 16th June, 1933, and 4th October, 1935, respectively, the lands respectively described in the Schedule hereto were, in pursuance of the 28th and 29th sections of the Crown Lands Consolidation Act, 1913, reserved from sale and lease generally, respectively, for the purpose of Public Recreation, Public Recreation (Addition) and Public Recreation (Addition); and whereas by notification published in the New South Wales Government Gazette No. 156 of 3rd December, 1965, Reserves numbered 61952, 63982 and 65512 from lease generally were revoked; and whereas The Council of the Shire of Wade is the present Trustee of the said lands; and whereas it is desired to vest the said lands in the said Trustee in accordance with the provisions of section 3 of the Public Trusts Act, 1897, as hereinafter mentioned: Now, therefore, I, the Honourable Sir KENNETH WHISTLER STREET, Lieutenant-Governor of the State of New South Wales, with the advice of the Executive Council, do, by this notice, vest the said lands described in the Schedule hereto in the said The Council of the Shire of Wade and its successors, as Trustee for an estate in fee simple, in accordance with the provisions of section 3 of the Public Trusts Act, 1897, to hold respectively for the purpose of Public Recreation, Public Recreation (Addition) and Public Recreation (Addition), subject to the condi-

tions and provisos and with the powers following: Provided that the said estate shall immediately cease and determine upon the revocation of the whole or any part of the said reservations so far as regards the lands comprised in such revocation: Provided also that the said trustee shall not be capable of alienating, charging, or in any way disposing of the said lands or any part thereof except in manner following, that is to say: the said trustee shall have power, subject to the written consent of the Minister for Conservation being first had and obtained, to lease the whole or any part of the said lands at such rent for such purposes during such term and subject to such provisions and conditions as the said Minister in writing approves, and subject to any statutes, ordinances, rules and regulations now or hereafter made and relating to the management and control of the said lands: Provided lastly that every lease shall contain a proviso that it shall cease and determine immediately upon the revocation of the whole or any part of the said reservations so far as regards the lands comprised in such revocation. (W.C. and I.C. 65-1,608; M.I.A. 50C7807)

Schedule

CENTRAL DIVISION; COUNTY OF COOPER; PARISH OF STANBRIDGE; MIRROOL No. 1 IRRIGATION AREA; SHIRE OF WADE

FOR PUBLIC RECREATION

The Crown lands within the boundaries of portion 881 containing an area of 50 acres 0 roods 14 perches and being Reserve No. 61951 from Sale for Public Recreation as notified in Government Gazette No. 85 of 4th July, 1930, page 2653.

FOR PUBLIC RECREATION (ADDITION)

The Crown lands containing an area of 35 acres 3 roods 15 perches formerly adjoining the south-western boundary of portion 881 but now included in that portion, and being Reserve No. 63981 from Sale for Public Recreation (Addition) as notified in Government Gazette No. 92 of 16th June, 1933, page 2063.

FOR PUBLIC RECREATION (ADDITION)

The Crown lands containing an area of 8 acres 1 rood 21 perches formerly adjoining the south-eastern boundary of portion 881 but now included in that portion, and being Reserve No. 65511 from Sale for Public Recreation (Addition) as notified in Government Gazette No. 173 of 4th October, 1935, page 3948.

Signed and sealed at Sydney, this seventeenth day of November, one thousand nine hundred and sixty-five.

(L.S.) K. W. STREET, Lieutenant-Governor.

By His Excellency's Command,

JACK G. BEALE, Minister for Conservation.

(6615)

GOD SAVE THE QUEEN!

Tag E

Reserve 159006 – Notification - Copy of Government Gazette 25 October 1991 (Folio 9090)

RESERVATION OF CROWN LAND	
Pursuant to Section 87 of the Crown Lands Act, 1989, the Crown land specified in Column 1 of the Schedule hereunder is reserved as specified opposite thereto in Column 2 of the Schedule.	
GARRY WEST MP Minister for Conservation and Land Management Sydney - 25th October, 1991	
SCHEDULE	
<u>COLUMN 1</u>	<u>COLUMN 2</u>
Land District: Mirrool Griffith City Council; Parish - Stanbridge County - Cooper; Village - Yenda; Lot 1241 D.P. 821503; Area - 16.39 hectares File No. GH91R6	Reserve No. 159006 for the public purpose of Environmental Protection
ESTABLISHMENT OF RESERVE TRUST	
Pursuant to Section 92(1) of the Crown Lands Act, 1989, the reserve trust specified in Column 1 of the Schedule hereunder is established under the name stated in that Column and is appointed as trustee of the reserve specified opposite thereto in Column 2 of the Schedule.	
GARRY WEST MP Minister for Conservation and Land Management Sydney - 25th October, 1991	

Tag E.1

Reserve 159006 – Appointment of Corporation to Manager Reserve Trust – Copy of Government Gazette 25 October 1991 (Folios 9090 & 9091)

APPOINTMENT OF CORPORATION TO MANAGE RESERVE TRUST

Pursuant to Section 95 of the Crown Lands Act, 1989, the corporation specified in Column 1 of the Schedule is appointed to manage the affairs of the reserve trust specified opposite thereto in Column 2, which is trustee of the reserve referred to in Column 3 of the Schedule.

GARRY WEST, M.P.
Minister for Conservation and
Land Management
Sydney - 25th October, 1991

SCHEDULE

<u>COLUMN 1</u>	<u>COLUMN 2</u>	<u>COLUMN 3</u>
Griffith City Council	Yenda Flora and Fauna Park Trust	Reserve No. 159006 for the public purpose of Environmental Protection notified in the Gazette of this day. File No. GH91R6

Tag F

Reserve 240000 – Notification - Copy of Government Gazette 1 August 1986 (Folio 3761)

(2081)	Sydney, 1st August, 1986.
RESERVE FROM SALE	
IN pursuance of the provisions of section 28, Crown Lands Consolidation Act 1913, I declare that the Crown land described hereunder shall be reserved from sale for the public purpose specified and such land is reserved accordingly.	
JANICE CROSIO, Minister for Water Resources.	
<hr/>	
<i>Land District—Mirrool; Shire—Griffith</i>	
CHARITABLE ORGANIZATIONS	
No. 240000 Parish of Stanbridge, County of Cooper, allotments 21, 22, 23, 24 and 25, section 11, Village of Yenda, of about 3 804 square metres.	
(W.R.C. 76-420; 55-C155.)	

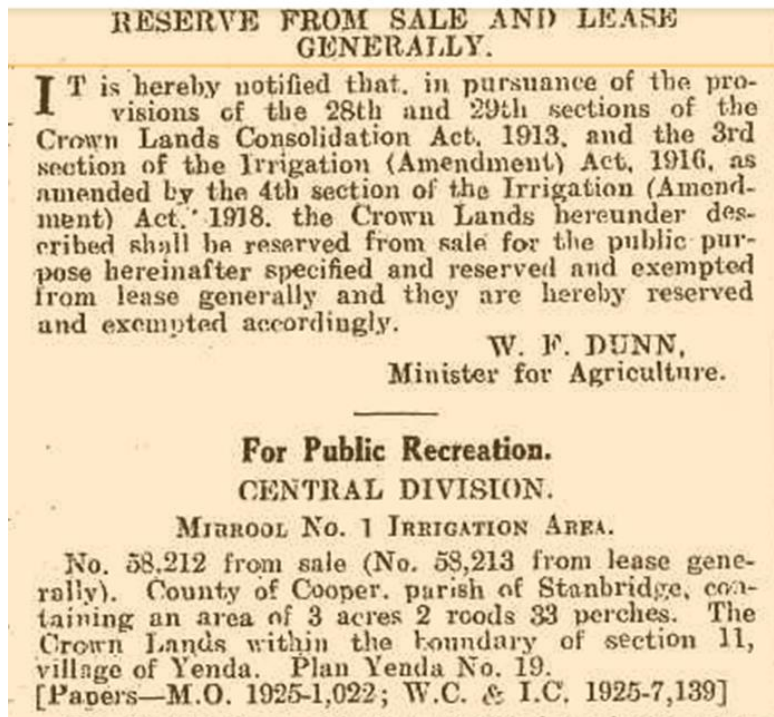
Tag F.1

Reserve 240000 – Appointment of Corporation to Manager Reserve Trust – Copy of Government Gazette 7 August 1992 (Folio 5551)

7 August 1992		OFFICIAL NOTICES		5551	
ESTABLISHMENT OF RESERVE TRUST		APPOINTMENT OF CORPORATION TO MANAGE RESERVE TRUST			
PURSUANT to Section 92 (1) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder is established under the name stated in that Column and is appointed as trustee of the reserve specified opposite thereto in Column 2 of the Schedule.		PURSUANT to Section 95 of the Crown Lands Act 1989, the Corporation specified in Column 1 of the Schedule hereunder is appointed to manage the affairs of the reserve trust specified opposite thereto in Column 2, which is trustee of the reserve referred to in Column 3 of the Schedule.			
GARRY WEST, M.P., Minister for Conservation and Land Management.		GARRY WEST, M.P., Minister for Conservation and Land Management.			
Sydney, 7th August, 1992.		Sydney, 7th August, 1992.			
SCHEDULE		SCHEDULE			
COLUMN 1	COLUMN 2	COLUMN 1	COLUMN 2	COLUMN 3	
Yenda Retirement Village Trust.	Reserve No. 240000 for charitable organisation notified in <i>Government Gazette</i> of 1st August, 1986. File No. GH92 R 8.	Griffith City Council.	Yenda Retirement Village Trust.	Reserve No. 240000 for charitable organisation notified in <i>Government Gazette</i> of 1st August, 1986. File No. GH92 R 8.	

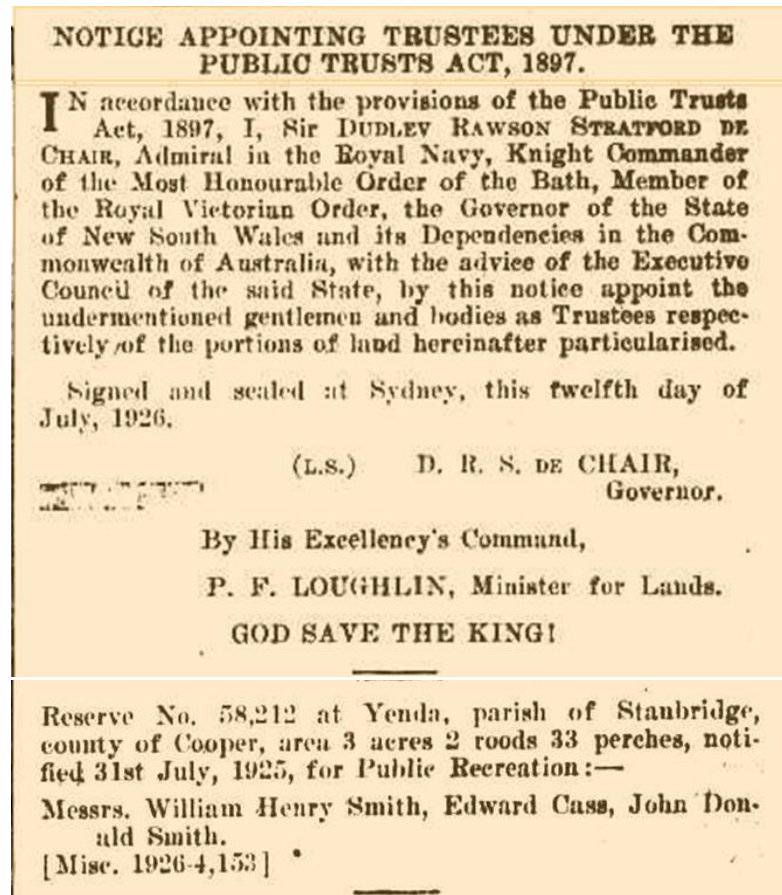
Tag F.2

Reserve 58212 – Notification of Section 11 for Public Recreation prior to Reserve 240000 – Copy of Government Gazette 31 July 1925 (Folio 3390)



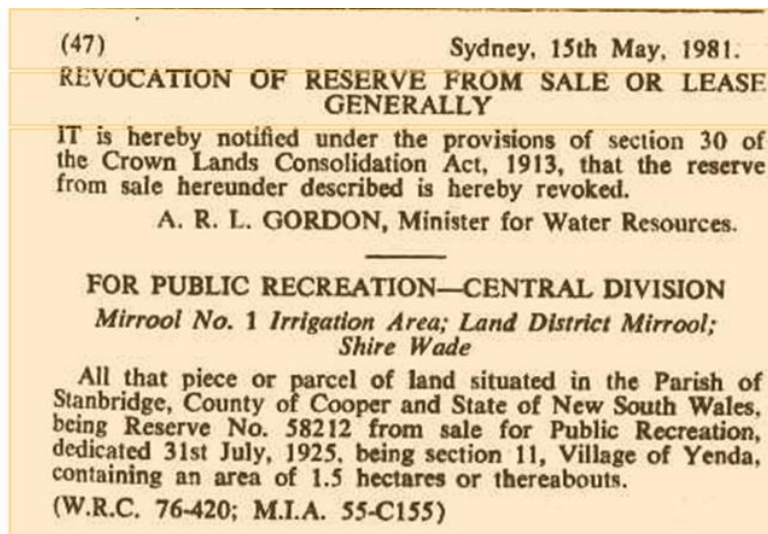
Tag F.3

Reserve 58212 – Appointment of Trustee – Copy of Government Gazette 23 July 1926 (Folio 3253)



Tag F.4

Reserve 58212 – Revocation – Copy of Government Gazette 15 May 1981 (Folio 2673)



Tag F.5

Notification of Closed Road (Affecting Section 11 prior to the Notification of Reserve 240000) –
Copy of Government Gazette 30 April 1982 (Folio 1942)

(9772)

Sydney, 30th April, 1982.

NOTIFICATION OF CLOSING OF ROADS

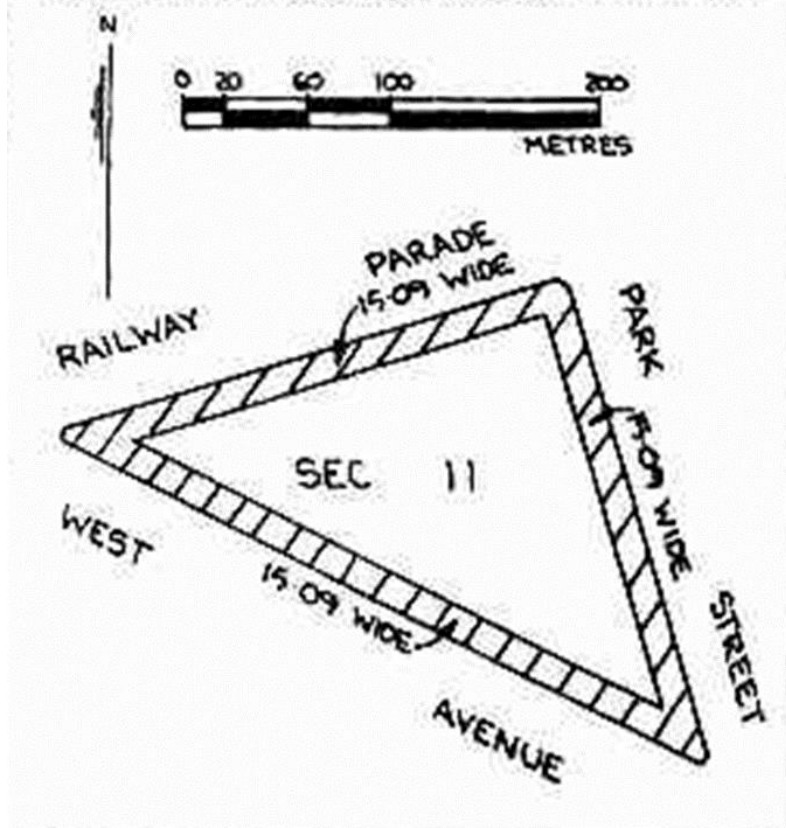
IN pursuance of the provisions of the Public Roads Act, 1902, the roads hereunder specified are closed and the lands comprised therein are freed and discharged from any rights of the public or any person to the same as highways.

A. R. L. GORDON, Minister for Lands.

Descriptions

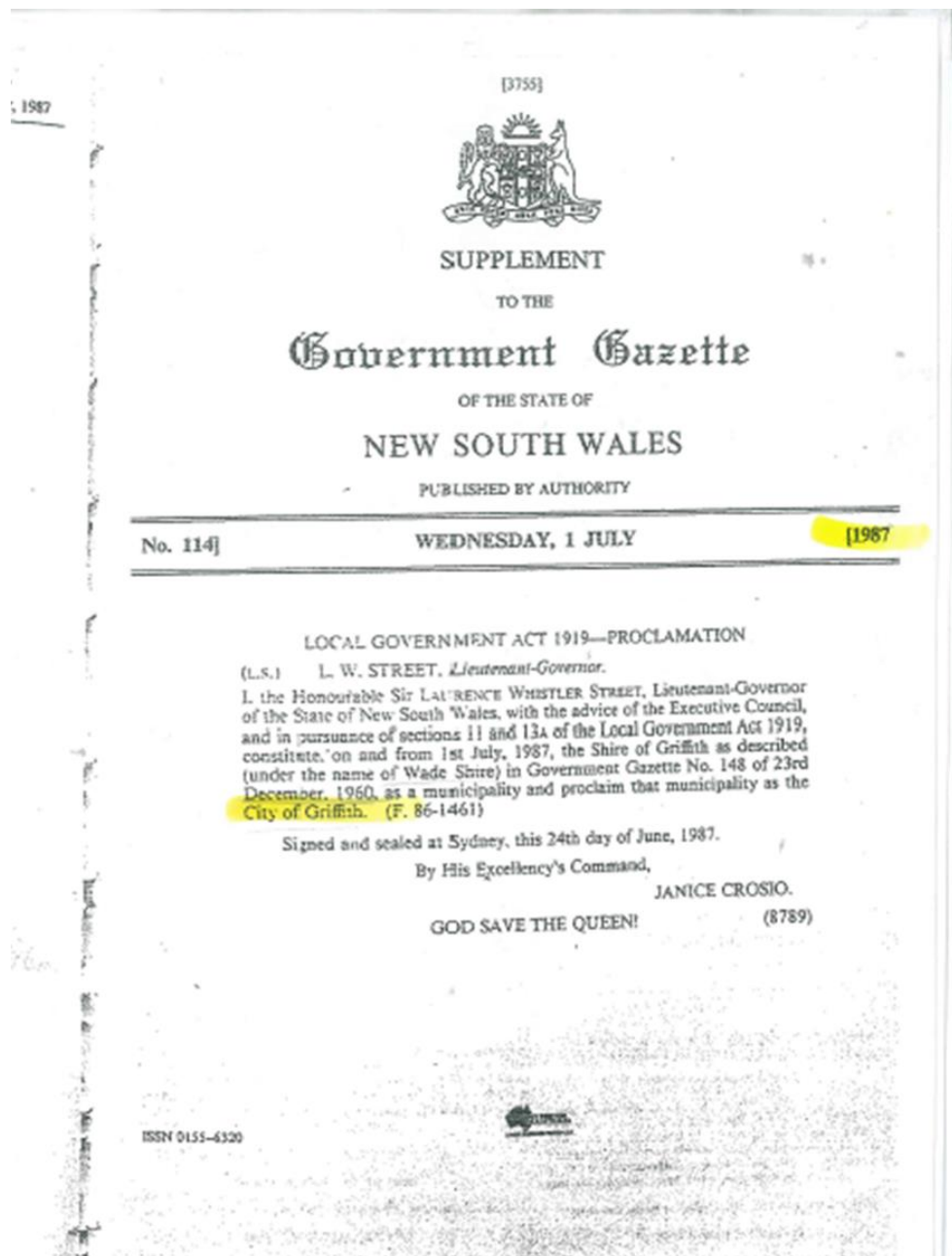
Land District—Mirrool; Shire—Griffith

The parts of West Avenue, Park Street and Railway Parade, Yenda, shown by hatching on diagram hereunder, Village Yenda, Parish Stanbridge, County Cooper. HY81 H 1751.



Tag G

Proclamation of City of Griffith - Copy of Government Gazette of 1 July 1987 (Folio 3753)



Tag H

Acquisition of Easements affecting Reserves 62949 and 240000 – Copy of Government Gazette 27 September 1985 (Folio 5135)

<p>PUBLIC WORKS ACT, 1912</p> <p>YENDA SEWERAGE</p> <p>ACQUISITION OF LAND AND EASEMENTS</p> <p>IT is hereby notified and declared by His Excellency the Lieutenant-Governor that the land described in the First Schedule hereto and the easements or rights described in the Second Schedule hereto are as to so much of the said land as is Crown land hereby appropriated and are as to so much of the said land as is private property hereby resumed under Division 1 of Part V of the Public Works Act, 1912, for the purpose of Yenda Sewerage and it is hereby further notified that the land and easements or rights are vested in the Minister for Public Works and Ports.</p> <p>Dated at Sydney, this 18th day of September, 1985.</p> <p>L. W. STREET, Lieutenant-Governor.</p> <p>By His Excellency's Command, L. J. BRERETON, Minister for Public Works and Ports.</p>
<p>FIRST SCHEDULE</p> <p>All that piece or parcel of land situate in the Shire of Griffith, Parish of Stanbridge and County of Cooper, being lot 1 Deposited Plan 629664, and having an area of 240 square metres or thereabouts. (S.B. 29557. R).</p> <p>All that piece or parcel of land situate in the Shire of Griffith, Parish of Stanbridge and County of Cooper, being lot 1, Deposited Plan 629667, and having an area of 4.059 hectares or thereabouts. (S.B. 29556. R).</p> <p>SECOND SCHEDULE</p> <p>Easements or rights to use in any manner for the construction and maintenance of works the surface of land and the subsoil or undersurface of land, and without limiting the generality of the foregoing purpose to use any of the strata beneath the surface for tunnels or pipes for the conveyance of sewage being:</p> <p>All that piece or parcel of land situate in the Shire of Griffith, Parish or Stanbridge and County or Cooper, being the site of proposed easement 4 metres wide for sewerage rising main shown in Deposited Plan 636294. (S.B. 30160)</p> <p>All that piece or parcel of land situate in the Shire of Griffith, Parish of Stanbridge and County of Cooper, being the site of proposed easement 3 metres wide for sewerage rising main shown in Deposited Plan 636295. (S.B. 30161. R).</p>

Tag I

16 December 1994 (Folio 7436 & 7437) – Establishment of Reserve Trust and Appointment of Trust Manager

**ESTABLISHMENT OF A RESERVE TRUST AND
APPOINTMENT OF TRUST MANAGER**

- (1) PURSUANT to section 92 (3) of the Crown Lands Act 1989, the reserve trust which is the trustee of a reserve specified in Column 1 of the Schedule at the date hereof is dissolved.
- (2) PURSUANT to section 92 (1) of the Crown Lands Act 1989, the reserve trust specified in Column 2 of the Schedule is established under the name stated in that column and is appointed as trustee of the reserves specified in Column 1 of the Schedule.
- (3) PURSUANT to section 95 of the Crown Lands Act 1989, the Corporation specified in Column 3 of the Schedule is appointed to manage the affairs of the reserve trust specified in Column 2.

GEORGE SOURIS, M.P.,
Minister for Land and Water Conservation.

—
SCHEDULE

COLUMN 1

Reserve 159006 at Yenda for the purpose of environmental protection, notified in the *Government Gazette* of 25th October 1991 (name of reserve trust: Yenda Flora and Fauna Park Trust).

Reserve 240000 at Yenda for the purpose of charitable organisations, notified in the *Government Gazette* of 1st August 1986 (name of reserve trust: Yenda Retirement Village Trust).

Reserve 61951 at Yenda for the purpose of public recreation, notified in the *Government Gazette* of 4th July 1930.

Reserve 62949 at Yenda for the purpose of public park, notified in the *Government Gazette* of 25th September 1931.

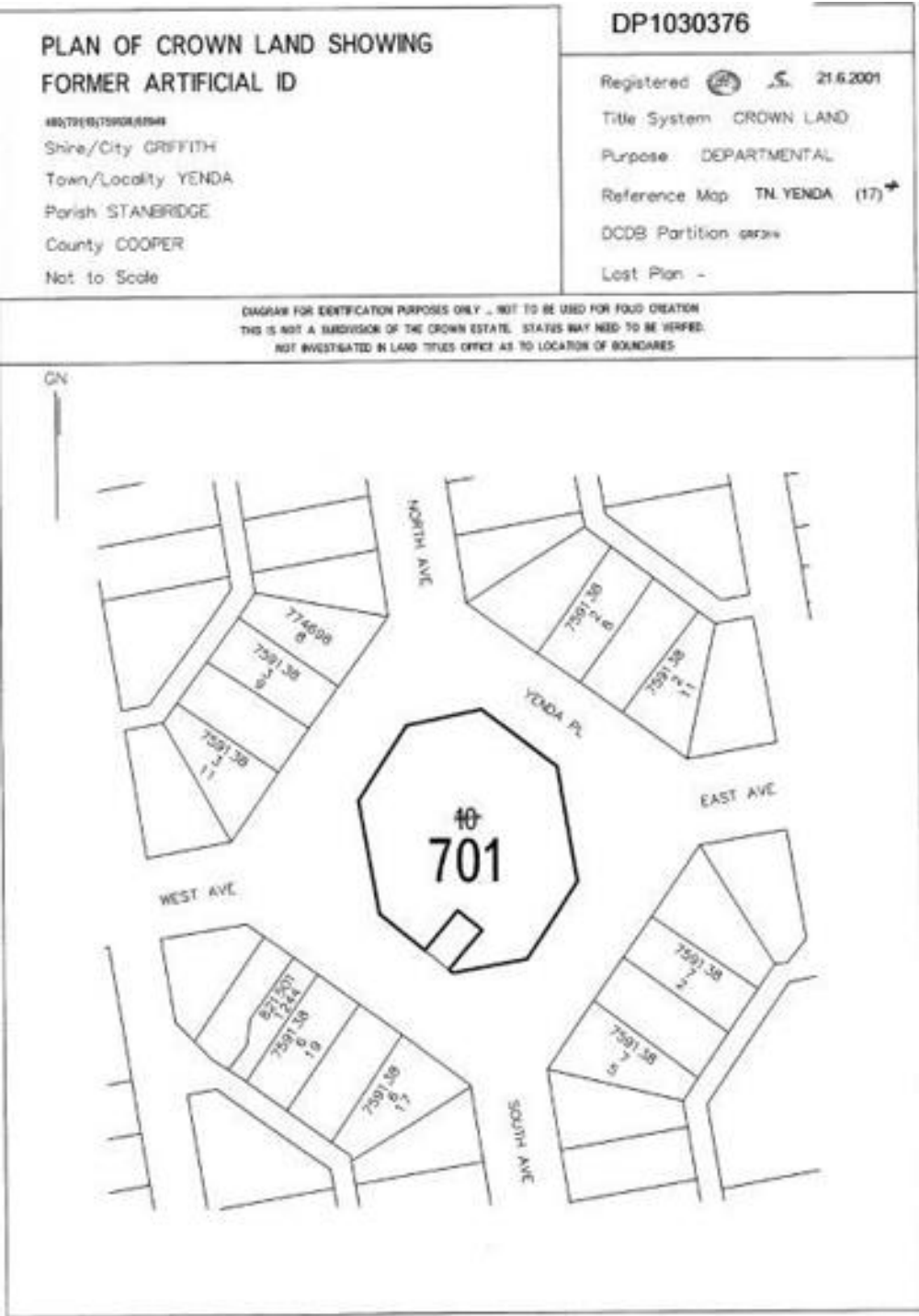
COLUMN 2

Griffith City Council Crown Reserves Reserve Trust.

COLUMN 3

Griffith City Council.

Tag J
Crown Plan - Reserve 62949 - Lot 701 DP 1030376





Department of Planning and Environment

Our ref: LBN22/789, DOC22/102564

Daphne Bruce
Corporate Property Officer & Native Title Coordinator
Griffith City Council
PO Box 485
GRIFFITH NSW 2680
By email: daphne.bruce@griffith.nsw.gov.au
Cc: admin@griffith.nsw.gov.au

14 October 2022

Subject: Griffith City Council draft Plan of Management – Community Services Precinct (Kookora & Benerembah Streets) Crown Reserves 78167, 88209 & 240007

Dear Ms Bruce

Thank you for submitting the draft Plan of Management (PoM) for Community Services Precinct (Kookora & Benerembah Streets) Crown Reserves 78167, 88209 & 240007 on 26 May 2022, and an amended version on 10 Oct 2022.

I have reviewed the draft PoM and as a delegate for the Minister for Lands and Water, I consent to council to adopt the PoM under clause 70B of the Crown Land Management Regulation 2018. Council can now progress to public exhibition, subject to the following changes:

- Add a statement in Section 4.4 'Express Authorisations' addressing the tendering requirements under the LG Act for tenures greater than 5 years (other than to not for profit).
- Re-word Section 2.7 'Process of Preparing this Plan of Management' to reflect requirement for Council to obtain Ministers consent to adopt the PoM regardless of whether there is a change of categorisation or not.

If the PoM is amended after public exhibition (except for minor editorial and formatting changes), Council must resubmit the draft PoM for Minister's consent to adopt. With the amended PoM, please provide the following documents:

- a table of PoM amendments, or tracked changes
- summary report of submissions from public exhibition (if any)
- council reports on the proposed adoption (if any)

If there are no amendments to the PoM, please provide a copy of the adopted PoM. All documents must be sent to council.clm@crowland.nsw.gov.au.

Please remember, an adopted PoM authorises the lawful use and occupation of Crown land. Council must ensure that any activities planned on the reserve are expressly authorised in the adopted PoM and native title obligations are met.

Department of Planning and Environment



If you have any further questions or need assistance, please contact the Council Crown Land Management Team at council.clm@crowmland.nsw.gov.au.

Yours sincerely,



Matthew Hutchens
A/Principal Policy and Project Manager
Department of Planning and Environment – Crown Lands



COMMUNITY SERVICES PRECINCT (KOOKORA & BENEREMBAH STREETS)

CROWN RESERVES 78167, 88209 & 240007

PLAN OF MANAGEMENT



Plan of Management Report prepared by
Melva Robb
Consultant
Griffith City Council
GRIFFITH NSW 2680

October 2022

RESPONSIBLE OFFICER					
REVIEWED BY:					
DATE ADOPTED:					
RESOLUTION NO: (IF RELEVANT)					
REVIEW DUE DATE:					
REVISION NUMBER					
PREVIOUS VERSIONS:		DESCRIPTION OF AMENDMENTS	AUTHOR/ EDITOR	REVIEW/ SIGN OFF	MINUTE NO (IF RELEVANT)

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1.0 EXECUTIVE SUMMARY

The Community Services Precinct Plan of Management covers an area located in and adjacent to Kookora & Benerembah Streets, Griffith that provides community-based services allowing for social inclusion, catering to disadvantaged community members undergoing adverse life events. The services are operated by government and non-government providers.

Multiple buildings across four sites (totalling an area of 3.593 hectares) provide a range of services including crisis accommodation and counselling services for women and children (Linking Communities Network Ltd. formerly known as Griffith Women's Refuge); Barnabas House that provides crisis accommodation particularly for singles and couples (under the umbrella of LifeSource Church) (all within Reserve 78167); and the Griffith Base Hospital Aged Day Respite Centre (Reserve 88209) that provides a range of rehabilitation services for mobility compromised and elderly members of the community.

Griffith Neighbourhood House Community Centre (Reserve 240007) (located at the corner of Benerembah Street and Kuttamulla Avenue and in nearby proximity to other service suppliers), has until recently, housed a range of community-based organisations. Organisations associated with the centre relocated to a new purpose-built location in Olympic Street, Griffith during October 2021. The building is presently vacant and further assessment on its future will be required. Playgroup services at 'The Cubby House' located in a separate building on site, remains operational.

The respective areas are further described in [Section 2.2 – Land to which this Plan Applies](#) and are shown in [Annexure 1 'Map of Reserves' \(pg. 38\)](#). The Reserves are more specifically referred to in [Annexure 2 'Schedule of Lands and Infrastructure' \(pg. 39\)](#).

This Plan of Management is required to be prepared in accordance with Section 3.23 of the *Crown Land Management Act 2016* and Section 36 of the *Local Government Act 1993*.

This PoM examines the current character and use together with the future needs of the lands and their relationship to the surrounding lands and community within which they are located. The Plan establishes a clear direction for future development, planning and resource management of the land by Council.

The Reserves in this PoM are all categorised as being: -

- **General Community Use**

The categorisation of the lands is consistent with the Reserves' respective purposes of 'Homes for the Aged', 'Accommodation', 'Charitable Organisations', 'Access' and 'Community Purposes' and the lands have been developed accordingly.

2.0 Introduction

Griffith City is a thriving regional capital located in the Murrumbidgee Irrigation Area with a vibrant lifestyle and diverse economy; embracing community, heritage, culture and the environment. The estimated population of Griffith City Council in 2020 was 27,155.

Located in the Riverina, Griffith is 584km from Sydney, 458 km from Melbourne and 358km from Canberra; and is the largest regional centre in the Western Riverina region. Griffith is located in the heart of Wiradjuri Nation – the largest nation of Aboriginal and Torres Strait Islander people in Australia.

Griffith City Council is responsible for the care and control of many parcels of community land. With the introduction of the *CLMA 2016* on 1 July 2018, Council will manage the Crown Reserves for which they are the appointed Crown Land Manager under the provisions of the *LGA 1993*.

Figure 1 – Locality diagram

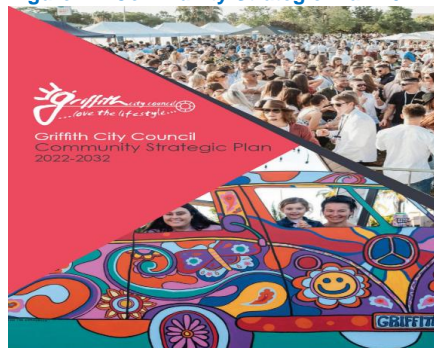


2.1 Corporate Objectives

Griffith City Council has a positive future being acknowledged as a predominant major regional centre. Council's Mission Statement is –

1. To respond to the needs of the community and deliver in an economical manner those services which are the responsibility of Local Government.
2. To provide Local Government administration that is dedicated, accountable and committed to the improvement of the quality of life and the economic well-being of the citizens of the City of Griffith.

Figure 2 – Community Strategic Plan 2022-2032



The Community Strategic Plan ‘*Community Strategic Plan 2022-2032*’ endorsed 22 March 2022 identifies the community’s priorities and aspirations for the future and provides strategies for achieving these goals. The community vision for Griffith, adopted in 2017 is:

"Griffith is a thriving and innovative regional capital with a vibrant lifestyle and diverse economy. We embrace our community, heritage, culture and the environment".

The Community Strategic Plan is made up of four themes. The four key themes relevant to this PoM are:

Figure 3 – Community Strategic Plan – Objectives and Strategies

- 1. Leadership-**
 - a. Developing an engaged and informed community through the provision of clear, accessible and relevant information;
 - b. Working together to achieve goals by developing and maintaining partnerships with community, government and non-government agencies to benefit our community, maximising opportunities to secure external funding for partnerships, projects, and the Mayor and Councillors who represent the community providing strong and proactive leadership.
 - c. Planning and leading with good governance to undertake Council activities within a clear framework of strategic planning policies, procedures and service standards; and ensuring Council's financial sustainability through effective, transparent and accountable financial management.
- 2. Love the Lifestyle-**
 - a. Griffith is a great place to live providing a safer community that encourages inclusivity that celebrates social and cultural diversity; promotes accessibility to services; improves access to local health services; and promotes reconciliation and embraces our Wiradjuri heritage and culture.
- 3. Growing our City-**
 - a. Growing our economy through strategic land use planning and management to encourage investment in the region; and supports diversity in housing options.
 - b. Provide and manage assets and services through maintenance of a range of quality infrastructure, assets, services and facilities; and the mitigation against the impact of natural disasters.
- 4. Valuing our Environment-**
 - a. Enhancing the natural and built environment through respectful planning, balanced growth and sustainable design; the delivery of projects to protect and improve biodiversity, biosecurity and sustainability; and improved sustainable land use.
 - b. Using and managing our resources wisely through the reduction of energy consumption and greenhouse gas emissions; and implementation of programs to improve sustainability.

The 'Community Strategic Plan 2022-2032' document aligns with the NSW State Plan, Riverina Regional Plan and RAMJO priorities. The plan is central to what the community does as a whole and;

- Defines the long-term vision our community is working towards
- Identifies the partnerships for reaching that vision
- Sets out principles and values that will guide our community
- Provides a long-term structure to define what will be done.

The Council managed Crown Reserves incorporated in the Community Services Precinct, link with other community service organisations throughout Griffith with referral between these facilities from both non-government and government run service providers. Collectively, these organisations assist disadvantaged members of the community to obtain various means of crisis accommodation and have access to affiliated organisations' programs to improve social inclusion and maintain community connectedness.

2.2 Land to Which this Plan Applies

This PoM covers three Crown Reserves owned by The State of New South Wales (as Crown Land) and managed by Griffith City Council as Crown Land Manager under the *CLMA 2016* as shown in Table 1 below. Further details are provided in [Annexure 2 \(refer pg. 39\)](#).

The respective and various purposes all accord with the areas' categorisation as 'General Community Use'.

Table 1 – Land included in this PoM

Management Type	Crown Reserve No.	Name	Purpose	Date of Gazette # Trustee appointment	Lot/DP	Area
Crown Reserve	78167	Community Services Groups	Homes for the Aged	9 December 1955 & appointed Trustee - 13 January 1956	4/864407	2.8446 ha
			Accommodation	Additional purpose 4 March 2011	4/864407	
	88209	Griffith Base Hospital Aged Day Respite Centre	Charitable Organisations	28 May 1971 & appointed Trustee - 3 September 1971	3/125/758476	.562 ha
			Charitable Organisations	Addition to reserve 14/07/1995	7023/1023980	2668m2
			Access	Additional purpose 17 November 2017	3/125/758476 & 7023/1023980	
	240007	Neighbourhood House Community Centre	Community Purposes	15 July 1988	1/1082412	.1866 ha

2.3 Lands excluded from the Plan

The following Table identifies land that has been excluded from this PoM.

Table 2 – Lands excluded from this PoM

Crown Reserve No.	Name	Lot/DP	Purpose	Comments
Pt. 81439	Kookora Street Park	1/127/758476	Public Recreation; Proposed additional purpose 'Community Purposes'	DPE – Crown Lands approved "Kookora Street Park PoM". Category amended to 'General Community Use' to allow construction of a Community School. The balance of reserve R81439 is subject to a further Plan of Management.
-	-	5/864407	Freehold	Owned by New South Wales Land and Housing Corporation and operated in conjunction with Lot 4 DP 864407

2.4 Owner of the Land

This PoM incorporates land that is owned by the State of New South Wales (as Crown land) and managed by Griffith City Council as Crown Land Manager under the *CLMA 2016* as identified in Table 1 above.

The Council of the Shire of Wade was appointed Trust Manager in respect of Reserve 78167 on 13 January 1956 and Reserve 88209 on 3 September 1971.

In respect of Reserve 240007 (Lot 1 DP 1082412), Griffith City Council was appointed as Trust Manager in the Gazette of 15 July 1988.

Griffith City Council Crown Reserves Reserve Trust (Griffith City Council) was appointed Trustee of Reserves 78167, 88209 and 240007 on 16 December 1994.

The management and use of Reserve 78167 (Lot 4 DP 864407 - Community Services Group); Reserve 88209 (Lot 3 Section 125 DP 758476 and Lot 7023 DP 1023980 - Griffith Base Hospital Aged Day Respite Centre); and Reserve 240007 (Lot 1 DP 1082412 - Neighbourhood House Community Centre), are subject to the provisions of the *CLMA 2016*, and are not subject to any condition, restriction or covenant imposed by the owner.

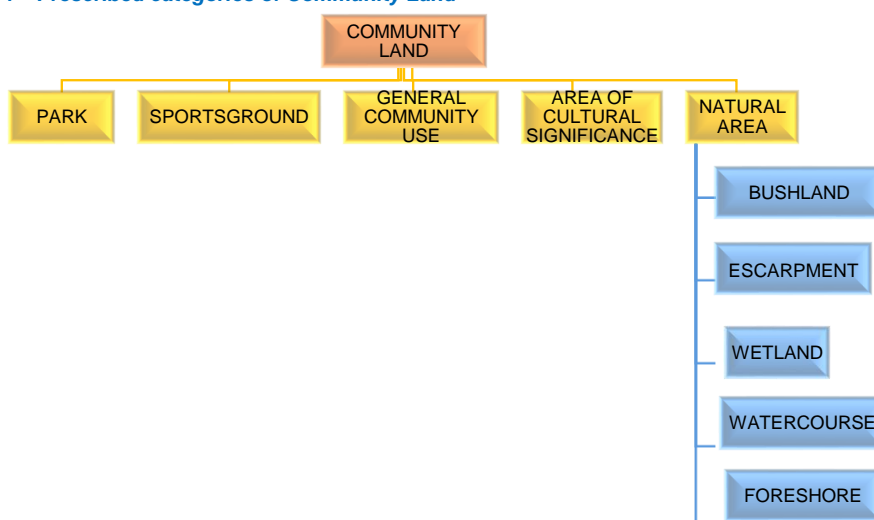
2.5 Categorisation of Reserves

All community land is required to be categorised as one or more of the following categories.

Section 36 of the Local Government Act defines five categories of community land referred to in Figure 4 below and described more broadly as:

- **Park** – for areas primarily used for passive recreation.
- **Sportsground** – for areas where the primary use is for active recreation involving organised sports or the playing of outdoor games.
- **General community use** – for all areas where the primary purpose relates to public recreation and the physical, cultural, social, and intellectual welfare or development of members of the public. This includes venues such as community halls, scout and guide halls, and libraries.
- **Cultural significance** – for areas with Aboriginal, aesthetic, archaeological, historical, technical, research or social significance.
- **Natural area** – for all areas that play an important role in the area's ecology. This category is further subdivided into bushland, escarpment, foreshore, watercourse and wetland categories.

Figure 4 – Prescribed categories of Community Land



With the introduction of the *CLMA 2016*, Council is to manage dedicated or reserved Crown land held under their management control as community land under section 3.21 of the Act.

Under section 3.23(2) of the *CLMA 2016*, Council Crown Land Managers must assign to all Crown land under their management, one or more initial categories of 'Community Land' referred to above. The category is to relate most closely to the purpose(s) for which the land is dedicated or reserved.

For the purpose of section 3.23 of the *CLMA 2016*, the PoM for "Community Services Precinct (Kookora & Benerembah Streets)", is a 'first Plan'.

The degree to which the reserve purpose relates to the assigned category of the land is important for ongoing management of the land as Council must obtain Native Title Manager advice as to the validity of the activities that they wish to undertake on the land prior to dealing with the land.

Both the *Aboriginal Land Rights Act (ALR) 1983* and the *Commonwealth Native Title Act (NTA (C'th)) 1993* recognises the intent of the original reserve purpose of the land so that a complying activity can be considered lawful or validated.

On Crown land, Native Title rights and interest must be considered unless:

- Native Title has been extinguished; or
- Native Title has been surrendered; or
- Determined by a court to no longer exist.

Examples of acts which may affect Native title on Crown land reserves managed by Council include: -

- The construction of new buildings and other facilities such as toilet blocks, walking tracks, tennis courts, grandstands and barbeques,
- The construction of extensions to existing buildings,
- The construction of new roads or tracks,
- Installation of infrastructure such as powerlines, sewerage pipes, etc.,
- The issue of a lease or licence,
- The undertaking of earthworks.

Council applied for the categorisation of all the Council Managed Crown Reserves as:

- **'General Community Use'**

The above category closely relates to the Reserves' respective purposes of 'Homes for the Aged', 'Accommodation', Charitable Organisations', 'Access' and 'Community Purposes'.

These categories were respectively approved by the Minister administering the *CLMA 2016* in relation to the reserves, and Council does not propose to alter the categories by this Plan of Management.

Activities on the Reserves will need to reflect the intent of the public purpose and will be assessed for compliance with relevant Local Government and Crown Lands legislation, including assessment of the activity under the *NTA 1993 (C'th)* and registered claims under the *ALRA 1983*.

2.6 Purpose of this Plan of Management

The purpose of this PoM is to:

- Develop a Plan of Management to provide a strategic framework for Council to guide sustainable development, land use and management of community lands contained in the Community Services Precinct (Kookora & Benerembah Streets) Plan.
- Meet and contribute to Council's broader strategic goals and vision as set out in the Community Strategic Plan 'Community Strategic Plan 2022-2032'.
- Provide a management framework that supports a variety of community use options for long-term viability.
- Ensure consistent management that supports a unified approach to meeting the expectations of the local community.

2.7 Process of Preparing this Plan of Management

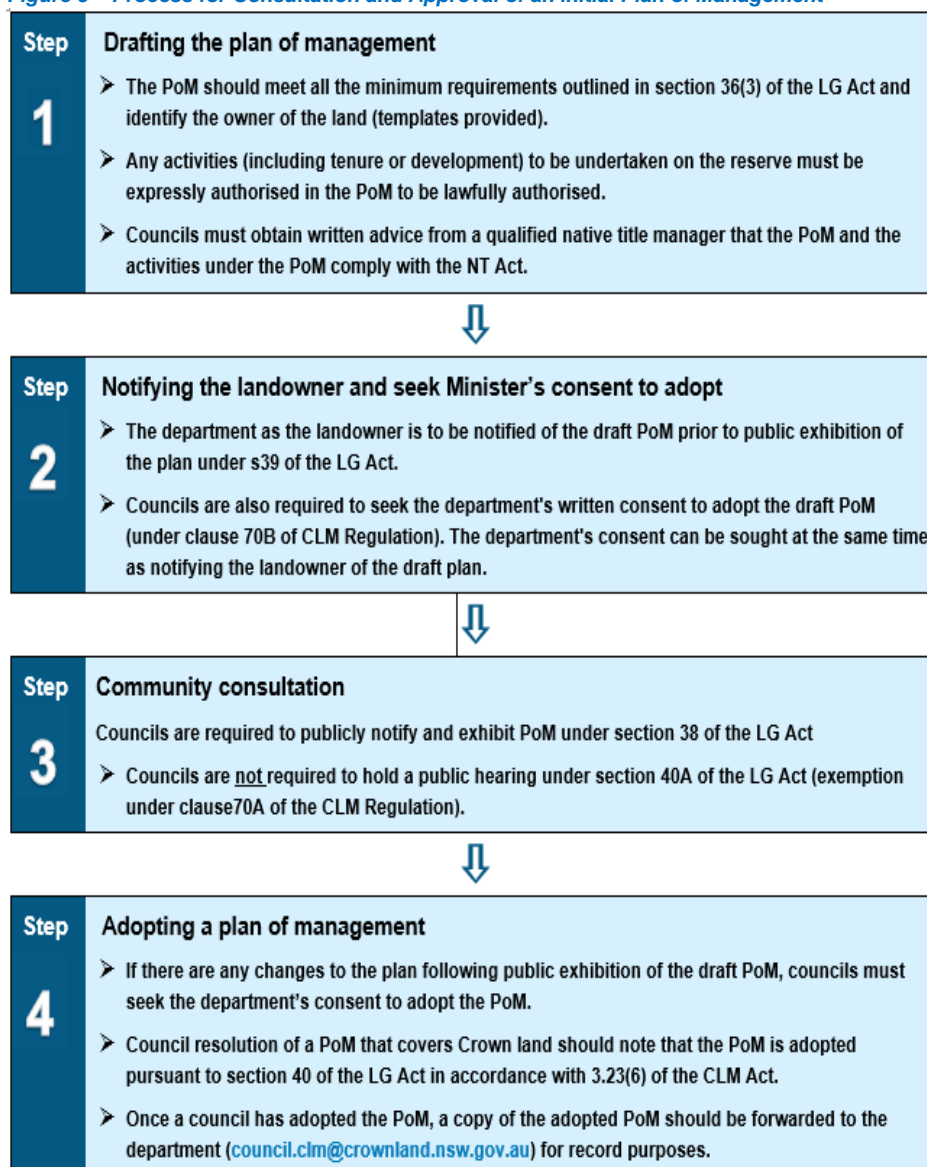
The process for preparing a PoM for Council managed Crown reserves is shown in Figure 5 "**Four key steps when preparing and adopting the first PoM for Crown Reserves**".

Council is required to submit the draft PoM to NSW Department of Planning & Environment, as representative of the owner of the land under section 39 of the *LGA 1993*. This process occurs prior to a public exhibition and community consultation of the Plan of Management.

If after public consultation there is no change to the categorisation and no additional purpose or only minor changes, no additional Ministers consent is required. Council can proceed to adopt the PoM under 70B of the Crown Land Management Regulation 2018.

If Council proposes a change in the categorisation of the land or an additional purpose or major changes to the PoM, following public consultation, the plan must be referred again to the Minister administering the *CLMA 2016* for consent to adopt the PoM.

Figure 5 – Process for Consultation and Approval of an initial Plan of Management



2.8 Change and Review of Plan of Management

This PoM will require regular review in order to align with community values and expectations and to reflect changes in Council priorities.

Whilst the guidelines and principles outlined in the Plan may be suitable at present, the Plan should be reviewed from time to time to confirm its relevance.

Council has determined that it will review the PoM within 5 years of its adoption.

The community will have an opportunity to participate in reviews of this PoM.

2.9 Community Consultation

Consultation with the community is an important part of the preparation of this PoM.

Consultation gives Council a better understanding of the range of local issues affecting the use and enjoyment of the land to which this PoM applies and gives all sectors of the community the chance to have an input into the direction of policy development being undertaken by Council.

In preparation of the initial Draft PoM, consultation was undertaken with representatives of various user groups/licencees, stakeholders and identified Council Departments who have provided relevant information.

Community consultation is also offered as a result of the development application process in line with Council's Griffith Community Participation Plan of 16 December 2019 (in response to Section 2.23 of the *Environmental Planning and Assessment Act 1979*).

3.0 LEGISLATIVE FRAMEWORK

This section describes the legislative framework applying to the land covered under this PoM.

3.1 Local Government Act 1993

Community land must be managed according to the provisions of the *Local Government Act 1993* and the *Local Government (General) Regulation 2021 [NSW] (LG Regulations)*.

The Local Government Act 1993 requires all Council owned land to be classified as either Operational or Community land. Community land is defined as land that must be kept for the use of the general community and must not be sold. Under the *Local Government Act 1993*, Community land is required to be managed in accordance with a PoM and any other laws regulating the use of the land.

This PoM has been prepared in accordance with the *Local Government Act 1993* using the land categories approved by the Minister administering the *CLMA 2016* where lands are Council Managed Crown Reserves.

Council must also consider the guidelines under Clause 101 of the *LG Regulations* for categorisation of community land when preparing PoMs.

Clause 106 of the guidelines states that the land should be categorised as general community use under section 36(4) of the Act if the land –

- (a) May be made available for use for any purpose for which community land may be used, whether by the public at large or by specific sections of the public, and
- (b) Is not required to be categorised as a natural area under section 36A, 36B or 36C of the Act and does not satisfy the guidelines under sections 102-105 of this Regulation for categorisation as a natural area, a sportsground, a park or an area of cultural significance.

The minimum requirements for a PoM for community land is set out in Section 36(3) of the *Local Government Act 1993* and must identify the following:

- (a) the category of the land,
- (b) the objectives and performance targets of the plan with respect to the land,
- (c) the means by which the council proposes to achieve the plan's objectives and performance targets,
- (d) the manner in which the council proposes to assess its performance with respect to the plan's objectives and performance targets, and may require the prior approval of the council to the carrying out of any specified activity on the land.

3.2 Crown Land Management Act 2016

Crown reserves are Crown land set aside on behalf of the community for a wide range of public purposes, including environmental and heritage protection, recreation and sport, open space, community halls, special events and government services.

Crown land is governed by the *CLMA 2016*, which provides a framework for the state government, local councils and members of the community to work together to provide care, control and management of Crown reserves.

Under the *CLMA 2016*, as Council Crown land managers, Councils manage Crown land as if it were public land under the *Local Government Act 1993*. However, it must still be managed in accordance with the purpose of the land and cannot be used for an activity incompatible with its purpose – for example, Crown land assigned the purpose of 'environmental protection' cannot be used in a way that compromises its environmental integrity.

Division 3.4 of the *CLMA 2016* specifically relates to Crown land managed by Councils and **Division 3.6** of the said Act, refers to Plans of Management and other plans.

Council's must also manage Crown land in accordance with the objects and principles of Crown land management outlined in the *CLMA 2016* and set out below. The objects and principles are the key values that guide Crown land management to benefit the community and to ensure that Crown land is managed for sustainable, multiple uses. Section 1.4 of the *CLMA 2016* states:

"For the purposes of this Act, **the principles of Crown land management** are –

- (a) that environmental protection principles be observed in relation to the management and administration of Crown land, and
- (b) that the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible, and
- (c) that public use and enjoyment of appropriate Crown land be encouraged, and
- (d) that, where appropriate, multiple use of Crown land be encouraged, and
- (e) that, where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained in perpetuity, and
- (f) that Crown land be occupied, used, sold, leased, licenced or otherwise dealt with in the best interests of the State consistent with the above principles."

Crown land management compliance

In addition to management and use of Crown reserves that are aligned with the purpose of the reserve, there are other influences over Council management of Crown reserves. For example, Crown land managers may have conditions attached to any appointment instruments, or Councils may have to comply with specific or general Crown land management rules that may be published in the NSW Government Gazette. Councils must also comply with any Crown land regulations that may be made.

3.3 Zoning and Planning Controls

The *Environmental Planning and Assessment Act 1979 (EPA Act)* establishes the statutory framework for environmental and land use planning in NSW.

The Griffith City Council *Local Environmental Plan (2014) (GLEP)* is the current planning instrument. Refer to the website – <https://pp.planningportal.nsw.gov.au/publications/environmental-planning-instruments/griffith-local-environmental-plan-2014>

Under the current *GLEP (2014)*, the Community Services Groups (Reserve 78167), Griffith Base Hospital Aged Day Respite Centre (Reserve 88209) and Neighbourhood House Community Centre (Reserve 240007) are all zoned **B4 – Mixed Use**. The zoning of this area fits the current use of the parcels of land within this PoM categorised as General Community Use.

Refer to the *GLEP (2014)* for permissible and prohibited development in this zone.

3.3.1 State Environmental Planning Policy (Transport & Infrastructure) 2021

This Policy – *SEPP (Transport & Infrastructure) 2021* – commenced on 1 March 2021 and provides that certain types of works do not require development consent by a public authority, other agencies or authorised person.

Division 12 of the *SEPP (Transport & Infrastructure) 2021* defines parks and public reserves which this Policy covers, i.e., Crown land within the meaning of the *CLMA 2016* including a public reserve but not including a reserve that is dedicated or reserved for a public cemetery.

Section 2.73 (2) (c) of the Policy provides that in respect of land reserved within the meaning of the *CLMA 2016*, development for any purpose can be carried out without consent by or on behalf of the Secretary, a Crown land manager of the land, the Ministerial Corporation or the Minister administering the *CLMA 2016*, if the development is for the purposes of implementing a PoM adopted for the land under the *CLMA 2016* in to such land or in accordance with the *Local Government Act 1993* in relation to Crown land managed by a Council.

The types of development that may comply with the provisions of *Section 2.73 (2) (c)* of *SEPP (Transport & Infrastructure) 2021* are set out in Table 7 (pg. 31).

Section 2.73 (3) of the Policy provides for a range of construction or maintenance works that are applicable under this Policy which may be carried out by or on behalf of a public authority in connection with a public reserve.

3.3.2 Other Relevant Legislation and Policies

In addition to the requirements of the *CLMA 2016* and the *Local Government Act 1993*, there are a number of other pieces of legislation and Government Policies that are relevant to the ongoing management of the respective Crown reserves and Council owned community lands including:

- *Aboriginal Land Rights Act 1983 (ALRA 1983)*;
- *Companion Animals Act 2016*;
- *Disability Discrimination Act 1992*;
- *Environmental Planning and Assessment Act 1979 (EP&A Act 1979)*;
- *Native Title Act 1993 (NTA 1993 (C'th))*;
- *Pesticides Act 1999*;
- *State Environmental Planning Policies (SEPP's)*

3.3.3 Council Plans and Policies

As Council Policies may change from time to time, refer to Griffith City Council's website for relevant Plans and Policies impacting on the Reserves –
<https://www.griffith.nsw.gov.au/council-policies>

4.0 DEVELOPMENT AND USE

4.1 History

Site of Barnabas House Crisis Accommodation

The site of Barnabas House Crisis Accommodation was initially The Smith Family Aged self-care units constructed from the mid 1950's through to the late 1970's – early 1980's providing self-managed low-cost housing for singles and couples.

Following the Smith Family's vacation of the site, the Baptist Churches of New South Wales Property Trust was approved by Council to enter into a licence of the land and buildings. The licence was subsequently relinquished.

Council sought Expressions of Interest (EOI) and two Applications were received. Council resolved to accept the EOI from LifeSource Church who now continue to operate as Barnabas House.

Griffith Linking Communities Network Ltd. (formerly Kulkuna Cottage Women's Refuge)

The original building was relocated from Rossies Supermarket carpark to the Crown land site approximately 40 years ago. State Government funding, fundraising and considerable in-kind contributions have provided further additions. No new additions or improvements have occurred for approximately 20 years.

In 2014, the Government introduced new legislation whereby the single agency of Kulkuna Cottage Women's Refuge came under the banner of Linking Communities Network Ltd. (LCN Ltd). Laguna Youth Accommodation also merged into the new agency.

While LCN Ltd provides support for women, youth, men and families providing a broad range of services including Advocacy Services, Sustaining Tenancies in Social Housing Program, Youthlinks Program, Links for Women Program etc., for the purpose of this PoM, LCN Ltd.'s primary focus is in supporting women with or without dependent children escaping domestic and family violence.

A licence with LCN Ltd on the balance of Lot 4 DP 864407 for the development of new facilities, will focus more broadly on social housing issues impacting on many individuals (men, women and youth) who currently face homelessness. However, as the Women's Refuge currently sits at 100% occupancy, the original facility will continue to service the needs of women and children requiring emergency accommodation.

Griffith Neighbourhood House

Recorded in "A community heritage study prepared for Griffith City Council and NSW Heritage Office" (PR Kabaila (2005)), the original Neighbourhood House building was the Police Station established in 1922.

The 'cell and attached stables' were believed to have been in use until at least 1927 prior to a more permanent Police Station site being identified (former buildings in Ulong Street, Griffith). Pioneer Park Museum acquired the gaol as a result of development on the Benerembah Street site. This area of the site has been replaced with the buildings of The Cubby House.

4.2 Current Use of Land & Structures on adoption of Plan

Infrastructure on all sites is described in [Annexure 2 \(pg. 39\)](#).

Community Services Group

Reserve 78167 comprising Lot 4 DP 864407 includes both the site of Linking Communities Network Ltd. (LCN Ltd.) area of the initial Kulkuna Cottage Women's Refuge and Barnabas House that provide a combination of crisis and social housing that meets the needs of people on low incomes who have suffered from domestic and family violence or are, or have potential to be homeless.

A vacant area within Lot 4 (approximately 9696m²) located between the existing accommodation services is proposed for future development by LCN Ltd. (described further in [Section 4.3 – Permissible and Future Uses](#)).

Part of the Women's Refuge is located on adjoining freehold Lot 5 DP 864407 which is surrounded by Lot 4 DP 864407 as shown in [Annexure 1 \(pg. 38\)](#). Lot 154 DP 1199109 adjoining the generally northern boundary of Reserves 78167 and 88209 is owned by Murrumbidgee Irrigation Limited.

Linking Communities Network Ltd. is a registered Community Housing Provider, a Registered Charity and a Public Benevolent Institution. The area operated by LCN Ltd. comprises a conglomerate of buildings being the communal Refuge, therapy room and playground for 'crisis accommodation' of up to a 3-month period. (*The freehold Lot 5 DP 864407 is used for 'transitional accommodation' up to a 12-month period with the facilities operating as one*). The current facilities have capacity to house a maximum of 18 women and children).

Current funding by the State Government to LCN Ltd. is provided to employ staff (operating 24/7) and support programs for its clients. No funding is provided for building maintenance. Subsequently, building maintenance together with food, clothing, linen and furniture for use by clients is provided through community donations, in-kind contributions and other fund-raising/gifting opportunities. (**Pers. Comment** Kirrilly Salvestro 26 November 2021).

Barnabas House operates from what was previously known as Smith Family Homes for the Aged. Accommodation is generally short-term, i.e., 3-6 months, however extensions are available due to scarcity of accommodation options for people in the low-income bracket. Barnabas House covers costs of electricity; water usage; and other outgoings with rental being moderately priced.

Barnabas House (under the umbrella of Griffith's LifeSource Church) operates short-term crisis accommodation across 9 dual-occupancy buildings catering for singles, couples and families. One building currently operates as an 'Op-shop' to assist in the raising of funds for on-going improvements to the site. There is also an administrative building/meeting room, playground and community garden.

Barnabas House currently operates at 100% occupancy rate accepting patrons who are new to town and unable to immediately find housing; patrons who have no available housing (e.g., their own home has burnt down); they have lost jobs and can no longer pay rent; or are referred from other 'at capacity' crisis accommodation providers, i.e., Kulkuna Cottage Women's Refuge; Salvation Army hostel; Southern Riverina Youth Support Services etc.

While Barnabas House covers the buildings' out-going expenses, it is not known what amount is redirected back into building maintenance and improvements.

A Building Condition Report was provided by Stanton Dahl Architects in 2010 following the vacation of the Smith Family. The Building Report was prepared for the Baptist Church who had intended to provide on-going management of the site at that time. A further Report was provided by Steven Murray Architect on 24 December 2015 following transfer of the Licence from Baptist Church to LifeSource Church.

At that time, it was concluded that the premises had not altered significantly from the initial Report that stated a number of repairs were required throughout the property.

The degree of building repairs or current buildings' condition has not been established through preparation of this PoM. Although it has been indicated that no further Condition Report is required until the Lease to LifeSource Church expires, a current Report would be advantageous.

A new playground was installed in 2020 as the previous playground infrastructure had excessive termite damage (a likely result of poor on-site drainage that was identified in the 2010 Building Condition Report).

Figure 6 - Views of LCN Ltd (Women's Refuge and vacant area of Lot 4 DP 864407)



Figure 7 - Views of Barnabas House Crisis Accommodation





Griffith Base Hospital (GBH) Aged Day Respite Centre

Reserve 88209 comprising Lot 3 Section 125 DP 758476 and Lot 7023 DP 1023980 originally comprised two buildings of similar design, utilised by Ningana Enterprises Incorporation (NEI) (referred to as Hostel 1 (building fronting Kookora Street) and Hostel 2 (building to the rear of the site). NEI provided accommodation for its client base, i.e., adults with physical and intellectual disabilities (operating in conjunction with NEI's other accommodation sites located on freehold land).

Council purchased the Hostel 2 building from NEI in 1989.

This building is now under Licence by Murrumbidgee Local Health District (MLHD). MLHD provides aged care assessment and transitional aged care rehabilitation services funded through the NSW Government for clients referred from both the public and private hospital systems. The services cater for up to ten people. **(Pers. Comment Anne Bond 26 November 2021).**

Hostel 1 had continued to be used for accommodation into the early 2000's. However, with the building being in dire need of repair, in lieu of upgrading the building, alternate land was found for a new fit-for-purpose building. NEI subsequently demolished this hostel building and the site was cleared in 2016.

Accordingly, there is available space for another community service provider or other organisation, to erect a new building. Longer-term, it is intended that services provided by GBH Aged Day Respite Centre will be returned to the main hospital following major upgrades (time-frame not known).

The GBH Aged Day Respite Centre building externally, is showing wear and tear. The roof-line has an internal drainage point covered by shade cloth. There is evidence of dry-rot and wood damage within the building. There are no external gutters and subsequently, wooden shingles and edging is showing signs of damage. Drainage from Kookora Street is also likely to impact on the building with minimal road drainage evident. Refer to photos at Figure 10.

Figure 8 - Location of existing and former buildings within Reserve 88209



Lot 7023 DP 1023980 provides for an area of access and parking adjacent to Lot 3 Section 125 that extends through Lot 1 Section 127 DP 758476 (Kookora Street Park proposed for a Community School); and also adjoins Murrumbidgee Irrigation's freehold Lot 154 DP 1199109 (being part of the main canal that extends from Griffin Avenue to Dickson Road) and referred to Figure 9.

Figure 9 – Access and parking adjacent to Lot 3 Section 125 DP 758476

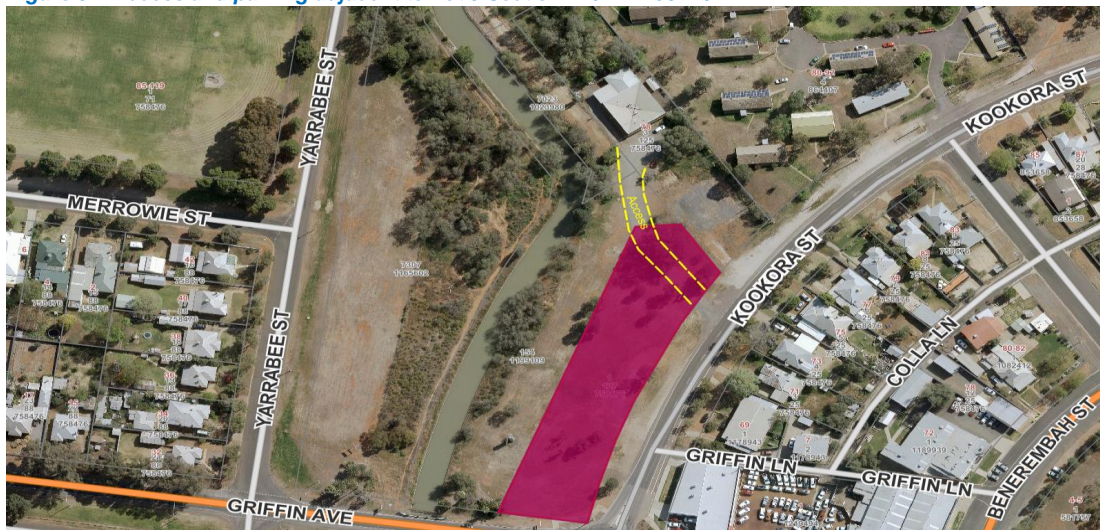


Figure 10 - External Views of (GBH) Aged Day Respite Centre



Figure 11 - Internal Views of (GBH) Aged Day Respite Centre





Neighbourhood House Community Centre

Reserve 240007, as previously mentioned, the main building, Neighbourhood House Community Centre was vacated in October 2021. All of the existing community service providers relocated to the new building in Olympic Street (part Crown Reserve 85064 gazetted for Public Recreation and Community Purposes).

To the rear of the main building and fronting Kuttamulla Avenue, is “The Cubby House” that is used by a number of Playgroups.

There is no current condition report available for these buildings.

Council authorises its contractor to undertake inspection 5 yearly for the purpose of an asbestos report. The most recent inspection was undertaken late 2021. Asbestos has been identified in a number of buildings. Subsequently any future improvements will require consideration of the Report prior to any works being carried out.

Figure 12 – Views of vacant Neighbourhood House Community Centre and The Cubby House



4.3 Permissible and Future Uses

Community land is valued for its important role in the social, intellectual, spiritual and physical enrichment of residents, workers, and visitors to the Griffith City Council area.

Griffith City Council encourages a wide range of uses of community land and intends to facilitate uses which increase the activation of its land, where appropriate.

The general types of uses which may occur on community land categorised as 'General Community Use' and the forms of development generally associated with such uses, are set out in Table 3 following. The facilities on community land may change over time, reflecting the needs of the community and the growing need for community-based services to support various low-socio economic community members who have a range of societal needs.

LCN Ltd. is proposing to further develop the vacant area of Lot 4 DP 864407 with additional buildings to increase its capacity to provide critical emergency social housing for Griffith and the wider community.

While the original buildings will continue to cater for women and children of domestic violence, it is envisioned that the new buildings will provide emergency social housing for men, women and youth experiencing or potentially experiencing homelessness. This will increase LCN Ltd. capacity in providing housing for up to 47 residents and represents an invaluable facility in Griffith.

Accordingly, Council resolved on 13 October 2020 to enter into a 5-year licence agreement with LCN Ltd. over the vacant area to permit construction of 18 social housing units and associated infrastructure on the land. A Development Application has been approved by Council. A condition of the Licence provides that LCN Ltd will undertake subdivision of Lot 4 thereby permitting Council to enter into a longer-term Lease Agreement due to the extent of proposed development.

LCN Ltd. has expressed a need for a longer-term Lease as both State and Federal Government Funding opportunities have neither endorsed nor approved their Funding Applications, specifically on the basis of length of term of tenure held with Council. Funding institutions have indicated a preferred length of term as 30-40 years. (**Pers. Comment** Kirrilly Salvestro 26 November 2021).

This would support the long-term opportunities in providing gaps in existing homelessness and the void between 'social' housing and 'affordable' housing that currently exists within the community.

Other organisations (yet to be identified) may utilise areas of land within this precinct PoM to provide alternate accommodation needs and support existing charitable organisations.

Table 3 – Permissible use and development of community land categorised as General Community Use by Council

General Community Use	
Purpose/Use such as...	Development to facilitate uses, such as...
Providing a location for, and supporting, the gathering of groups for a range of social, cultural or recreational purposes. Providing multi-purpose buildings (e.g., community halls and centres) with specialised community uses such as <ul style="list-style-type: none"> Casual or informal recreation 	Development for the purposes of social, community, cultural and recreational activities – such as libraries, childcare centres, youth services, aged services, men's sheds, health services, sports. Development includes: <ul style="list-style-type: none"> Provision of buildings or other amenity areas to facilitate use and enjoyment by the community

<ul style="list-style-type: none"> • Meetings (including for social, recreational, educational or cultural purposes) • Functions • Concerts, including all musical genres • Performances (including film and stage) • Exhibitions • Fairs and parades • Workshops • Leisure or training classes • Childcare (e.g., before and after school care, vacation care) • Designated group use (e.g., scout and girl guide use) • Educational centres, including libraries, information and resource centres • Entertainment facilities <p>NB: Some of the uses listed above may require a permit from the council.</p>	<ul style="list-style-type: none"> • Development (particularly within buildings) for the purposes of addressing the needs of a particular group • Landscaping and finishes, improving access, amenity and the visual character of the general community area • Water-saving initiatives such as rain gardens • Energy-saving initiatives such as solar lights and solar panels • Carparking and loading areas • Advertising structures and signage (such as A-frames and banners) that: <ul style="list-style-type: none"> ▪ Relate to approved uses/activities ▪ Are discreet and temporary ▪ Are approved by the Council • Locational, directional and regulatory signage
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4.4 Express authorisation of leases and licences and other estates

Under section 46(1)(b) of the LG Act, leases, licences and other estates formalise the use of community land. A lease, licence or other estate may be granted to organisations and persons, community groups, sports clubs and associations, non-government organisations, charities, community welfare services, non-profit organisations and government authorities.

The lease or licence must be for uses consistent with the reserve purpose(s), the assigned categorisation and zoning of the land, be in the best interests of the community as a whole, and enable, wherever possible, shared use of community land.

Any lease or licence proposal will be individually assessed and considered, including the community benefit, compatibility with this PoM and the capacity of the community land itself and the local area to support the activity.

A lease is normally issued where exclusive control of all or part of an area by a user is proposed. In all other instances a licence or short-term licence or hire agreement will be issued.

This plan of management **expressly authorises** the issue of leases, licences and other estates over the land covered by the plan of management, in accordance with section 46(1)(b) of the LG Act.

Council will undertake a tendering process for tenures greater than five years except where it satisfies Division 1 of Part 3 Section 55 i.e., to non profit organisations.

Any authorised tenure or other estate must be consistent with the various purposes of the respective Reserves; consistent with the core objectives prescribed by Section 36I (categorisation of General Community Use); for a permitted purpose listed in the LG Act 1993 or the Local Government (General) Regulation 2021 [NSW]; will not prevent the land from being transferred in the event that an Aboriginal Land Claim is granted; and will not materially harm the use of the land for any of the purposes for which the lands were reserved.

This PoM expressly authorises the issue of leases, licences and other estates over the land categorised as General Community Use listed in Table 4 below.

Table 4 - Leases, licences and other estates and purposes for which they may be granted

Type of tenure arrangement	Maximum term	Purpose for which tenure may be granted
Lease	Up to 21 years. Minister's approval required for longer terms.	<ul style="list-style-type: none"> Accommodation Child care or vacation care Health or medical practitioners associated with the relevant facility (e.g., nutrition, physiotherapy, crisis and other accommodation, rehabilitation services) Educational purposes including educational classes, workshops Cultural purposes Recreational purposes including fitness classes, games etc. Commercial retail uses associated with the facility (e.g., hire of physical aides etc.)
Licence	Up to 21 years	<ul style="list-style-type: none"> Accommodation Social purposes (including child care, vacation care) Education purposes including educational classes, workshops. Recreational purposes including fitness classes, games etc Sale of goods or services that are ancillary to community land use and reserve purpose (e.g., Op-shop selling clothing/furniture and other goods to meet accommodation purposes and assist people from disadvantage and isolation) Commercial retail uses associated with the facility (e.g., hire of physical aides etc.)
Short-term Licence	Up to 12 months	<ul style="list-style-type: none"> Public speeches, meetings, seminars and presentations including educational programs Community Service-based displays and exhibitions etc. Engaging in an appropriate trade or business delivering a public address, community event, market and similar activities
Other estates		This PoM allows the council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of the council or public utility provider on the community land in accordance with the <i>LG Act</i> .
Leases/licences	Up to 30 years	A maximum term of 30 years may be granted for leases/licences of community land with Ministers consent s.46(3) and s.47(8) AA of the <i>LG Act</i> .

The following Table lists current Tenures granted by Council however does not exclude future Tenures of other estates from being granted.

Table 5 - Existing Tenures granted by Council as at the date of this PoM

Reserve (Lot/DP)	Licencee / User Group	Purpose of Tenure	Term of Tenure
R.78167 (4/864407)	Linking Communities Network Ltd	Vacant area of Lot 4 for construction and use of 18 Social Housing Units and associated infrastructure	1/1/2021 – 31/12/2025 - Proposed longer-term Lease on subdivision of the land and construction of new units, to a maximum term of 30 years consistent with the <i>LG Act</i> and on Ministers approval.
	LifeSource Church Inc.	Part Lot 4 for Crisis Accommodation	20/3/2016 – 20/03/2026
	Linking Communities Network Ltd	Part Lot 4 for Women's Refuge Accommodation	1/09/2020 – 31/08/2030
R.88209 (3/125/758476 & 7023/1023980)	Murrumbidgee Local Health District	Aged Day Respite Centre (subject to future funding and / or return of services to the Griffith Base Hospital site)	01/01/2021 – 31/12/2024
R.240007 (1/1082412)	Neighbourhood House (vacated main building)	Currently untenured.	Title currently indicates expiry of current Lease on 30/06/2025. Title pending amendment.

	The Cubby House	<ul style="list-style-type: none"> • Sprinkles Playgroup operating 2 mornings per week • Griffith Aboriginal Medical Service Inc. operating 2 mornings per week. 	
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Direction of Funds

Any income produced from the Reserves, i.e., as per the approved Tenure, will be distributed to manage either these lands or other community land in a fashion determined by Council.

4.5 Easements

A Notation on Certificate of Title 7023 DP 1023980 (part Reserve 88029) identifies DP 618184: Proposed easement. DP 618184 shows 'easement for rising main 5 (metres) wide – 2483m²'. Certificate of Title Identifier 1/618184 is registered in the name of Council of the Shire of Griffith.

There are no easements affecting any other lands contained within this PoM.

4.6 Native Title Assessment

Further to *Section 2.5 – Categorisation of Reserves* and reference to Native Title Assessment, Council is required under the provisions of the *CLMA 2016*, to undertake steps to identify whether the activity proposed on Crown land will affect Native Title. Council must further consider what provisions of the *NTA 1993 (C'th)* will validate the activity; and what procedures should be taken in relation to a particular activity prior to its commencement. Council must also have regard for any existing claims made on the land under the *NSW Aboriginal Land Rights Act 1983 (ALR Act)*.

The activity must be authorised through *Part 2 Division 3 of the NTA 1993 (C'th)*.

Council must obtain written advice from its Native Title Manager in relation to certain activities and acts carried out on Crown land where the land is not excluded land, in accordance with native title legislation and applicable to works and activities to be undertaken at any or all of the Reserves contained within this PoM.

4.7 Aboriginal Land Claims

There are currently no Aboriginal Land Claims (ALC) affecting any of the Reserves comprised within this PoM.

However, should there be an ALC lodged in respect of any of these lands, any proposed works or development on the affected land, or the issue of tenures authorised by this PoM should not proceed if:

- The proposed activity could prevent the land being transferred to an ALC claimant in the event that any undetermined claim is granted.
- The proposed activity could impact or change the physical/environmental condition of the land, unless:
 - a) Council has obtained written consent from the claimant Aboriginal Land Council to carry out the proposed work or activity, and/or

- b) Council has obtained a written statement from the Aboriginal Land Council confirming that the subject land is withdrawn (in whole or part) from the land claim.

A search of the Office of Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) on 8 December 2021 provided no results for any sites registered on the lands contained within this PoM.

No Aboriginal places have been declared in or near any of the Lots identified in this PoM.

Prior to the undertaking of any works identified in this PoM, AHIMS searches will be undertaken to ensure due diligence in accordance with the NSW National Parks and Wildlife Act 1974 (NPWS Act) and the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (where present). Works may require an Aboriginal Heritage Impact Permit (AHIP).

5.0 Basis of management

Griffith City Council intends to manage its community land to meet:

- assigned categorisation of community land
- the LG Act guidelines and core objectives for community land set out in Table 6
- the council's strategic objectives and priorities
- development and use of the land outlined in Chapter 6 Part 2 Division 2 of the *LG Act 1993*.

5.1 Core Objectives for management of Community land

The management of community land is government by the categorisation of the land, its purpose and the core objectives of the category.

For the purpose of this PoM, the category of General Community Use is defined in the *Local Government (General) Regulation 2021, Part 4 Division 1* – Guidelines for the categorisation of community land as:

Table 6 – Categories of land as defined in the Section 106 Local Government Regulation

Guidelines – from the Local Government (General) Regulation 2021 [NSW]	Core objectives – from the <i>Local Government Act 1993</i>
Clause 106 – General Community Use: Land that may be made available for use for any purpose for which community land may be used, and does not satisfy the definition of natural area, sportsground, park or area of cultural significance.	Category General Community Use (Section 36I): <ul style="list-style-type: none">• to promote, encourage and provide for the use of the land• to provide facilities on the land, to meet the current and future needs of the community and of the wider public –<ul style="list-style-type: none">(a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and(b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

6.0 MANAGEMENT FRAMEWORK FOR CATEGORIES OF LAND

6.1 Management Issues

Management of the lands takes into consideration the reserves' purpose and the purpose for which the lands are classified and categorised.

Council recognises the importance of Reserves and community owned land that are valued by its users and visitors to the Griffith City area. Management of the Reserves including Council employees, Tenure holders and volunteers are valuable in ensuring the long-term and on-going use and maintenance of the respective reserves in supporting various community services. Table 7 below provides Council's general management issues and guidelines.

Table 7 – Management Issues and Guidelines

Maintenance and/or demolition of infrastructure	As required following routine inspections by Council and Licencees / users and / or identified in relevant reports and in accordance with Council's Asset Management and Risk Management Policies.
Car Parks	Car-parking areas are provided to accommodate user / visitor attendance at the various facilities.
Watering and landscape management	Watering and management of the landscaped areas is the responsibility of respective Licencee / user groups (or Council in the event that the areas are not under Licence). Watering shall be undertaken as required and according to specific water restrictions that may be in place from time to time.
Vandalism	Vandalism will be addressed at the time of occurrence and Council should be notified at that time. Vandalism may include issues such as unauthorised vehicle access; damage to infrastructure; graffiti or rubbish dumping or any other damage to Council property or other damage resultant from unauthorised activities referred to in PG-CP-314 "Vandalism, Graffiti and Rubbish Dumping - Reward".
Erection of buildings and other infrastructure	The erection of necessary buildings to provide a range of community services (as existing or necessary in the future), if allowed by this Plan of Management, will be under authorisation of Council's Development Application processes and subject to Department of Planning & Environment – Crown Lands 'Landowner Consent' unless satisfied by SEPP (Transport & Infrastructure) 2021 approval. The demolition of any building may also be subject to the same approval.
Weeds	Weed management practices will be undertaken by Council staff in accordance with guidelines to ensure amenability of a Reserve unless the area is operated under tenure. Where a tenure is in place, it will be that tenure holder's responsibility to manage the site in accordance with Council's practices.
Signs	Signage is both regulatory and interpretive in accordance with Standard AS 2342-1992.
Trees	Council's Tree Preservation Order PG-CP-401 must be adhered to and Council must be consulted prior to the removal of any trees for any purpose.
Drainage	Drainage has previously been a factor in relation to damage to buildings located specifically within Reserve 78167 (as per Building Condition Reports 2012 & 2015). Drainage works may be a consideration in the short and long-term to protect existing infrastructure from further damage. Other drainage issues may be a factor and accordingly require investigation/rectification as necessary.
Rubbish	Tenure holders will ensure that any excess rubbish is removed from the site and that the areas are kept in a neat and tidy condition.
Length of Term of Lease	Limitation of <i>CLMA 2016</i> provides maximum term of Lease (or Licence) for not-for-profit and community groups as 21 years. <i>Section 47 LG Act 1993</i> also limits the length of term of Leases and Licences to 21 years unless Minister's Consent is obtained. LCN Ltd. raised concerns about obtaining successful grants for significant infrastructure which require tenure of 30+ years. Minister's consent to a longer term lease may be sought in the future.

6.2 Plan Implementation

The following action plan sets out the requirements under Section 36 of the *LG Act 1993* with respect to:

- The category of the land
- The objectives and performance targets of the plan with respect to the land
- The means by which the council proposes to achieve the plan's objectives and performance targets,
- The manner in which the council proposes to assess its performance with respect to the plan's objectives and performance targets.

Table 8 below, sets out key objectives and performance targets for management of the land.

Responsibility: Griffith City Council (GCC)

Table 8 – Objectives and performance targets of this Plan of Management

Performance Target	Actions	Priority	Performance Indicator
LEGISLATIVE			
To ensure that relevant legislation is complied with in relation to preparation of the PoM.	1. The Plan is prepared in accordance with Native Title Manager advice, the <i>LGA 1993</i> , the <i>CLMA 2016</i> , <i>NTA 1993 (C'th)</i> and <i>ALRA 1983</i> (as applicable)	High	<ul style="list-style-type: none"> • The Plan is reviewed by Council's Native Title Manager and approved by Department of Planning & Environment – Crown Lands. • Council exhibits and adopts the PoM subject to community comments being addressed. (Where significant changes to the PoM are required, the PoM will be re-referred to Council and the Department).
MANAGEMENT			
Provide quality facilities; assess the current facilities, condition and use of the land in accordance with community expectations and needs	2. Consultation and development in accordance with Council's Strategies and Policies. 3. Ensure that maintenance is undertaken by Lessee/Licencee (as applicable) to meet required service levels inclusive of buildings, grounds, trees and other infrastructure.	On-going	<ul style="list-style-type: none"> • Assets (current and future) are managed in accordance with prescribed Council standards and community expectations. • Community consultation in regards to meeting future community needs. • Maintenance service levels meet requirements of adopted budgets (where necessary). • Review tenure conditions (as applicable).
Provide appropriate term of tenure suitable to development proposal.	4. Council considers relevant applications for long term tenure (greater than 21 years on Ministers approval).	High	<ul style="list-style-type: none"> • Providers may enter into a long term tenure (where appropriate).

Asset Management Plan in place to maintain and enhance the Reserves	5. Ensure current Asset Management Plans are in place (Council and Tenure Holders as applicable). 6. Demolition of infrastructure where considered necessary.	On-going	<ul style="list-style-type: none"> • Tenure Holders implement an Asset Management Plan. • Asset renewal is considered in 10-year financial planning (where applicable). • Tenure holders plan relevant asset management requirements according to respective Asset Management Plan (as applicable). • Council demolishes buildings/infrastructure to meet future planning & community use requirements.
Address vandalism	7. Prompt action	On-going	<ul style="list-style-type: none"> • Reduction in vandalism recorded by Council and Tenure Holders. • Introduction of anti-vandalism measures (as applicable) • Feedback from community is positive and negative feedback acted upon as necessary
INFRASTRUCTURE			
Provide appropriate infrastructure for various accommodation purposes to meet emergency housing and other housing opportunities.	8. Obtain a current Building Condition Report for Barnabas House Crisis Accommodation. 9. Obtain a current Building Condition Report for Kulkuna Cottage Women's Refuge (Crown land area only).	High / On-going	<ul style="list-style-type: none"> • Review of respective Building Condition Reports and identification of any major defects. • Drainage needs of Barnabas House don't negatively impact on building infrastructure. • Installation of BBQ and / or playground equipment. • Program a maintenance plan of respective facilities (in conjunction with Lessee/Licencee holders as necessary). • Installation of new purpose-built accommodation and associated infrastructure to support needs of LCN Ltd or other organisations as necessary. • Where applicable, plan and budget for improvements. • Source appropriate funding opportunities to resource maintenance (as applicable). • Development Approval decisions are made promptly and DPE Crown Lands or other approvals as necessary, are obtained.
Provide appropriate facilities for community groups to meet	10. Obtain a current Building Condition Report for infrastructure on the former Neighbourhood House Community Centre and The Cubby House building.	On-going	<ul style="list-style-type: none"> • Facilities for community needs meet demand. • Program a maintenance plan of buildings (as necessary) in conjunction with Lessee/Licencee holders.

	11. Facilitate user groups through issue of applicable tenure. 12. Ensure Tenure Holder(s)' capacity to meet required expenses including rent and on-going maintenance. 13. Ensure relevant Tenure conditions are being adhered to. 14. Approve appropriate Development of Reserves for General Community Use. 15. Ensure appropriate parking facilities available to meet user needs.		<ul style="list-style-type: none"> • Upgrade or installation of BBQ and / or playground equipment together with landscaping (as necessary). • Where applicable, plan for and budget for improvements. • Source appropriate funding opportunities to resource maintenance (as applicable). • Development Approval decisions are made promptly and DPE Crown Lands or other approvals as necessary, are obtained.
ENVIRONMENT			
Respective Reserves are free of weeds and rubbish; buildings and lands are well maintained.	16. All facilities are maintained to a high standard (Council and Tenure Holders to implement as applicable). 17. On-going inspection and assessment of infrastructure in accordance with Council and Government WHS legislation. 18. Risk assessment is undertaken in relation to any proposed repairs / demolition of buildings (i.e., potential asbestos contamination). 19. Review drainage works (Barnabas House only).	On-going	<ul style="list-style-type: none"> • All facilities are maintained to meet service levels and continue to comply with Australian Standards • Community feedback is positive and negative feedback acted upon as necessary
Manage environmental and user safety.	20. On-going inspection and assessment of infrastructure in accordance with Council and Government WHS legislation. 21. Consider the safety of the community in the maintenance of areas and use of chemical control.	On-going	<ul style="list-style-type: none"> • Audit process for safety and condition reporting working well • Staff are appropriately trained in safe handling and use of appropriate chemicals for the land • No unauthorised use of facilities • Feedback from the community is positive and negative feedback is acted upon where necessary
USE OF THE RESERVES			
Signs.	22. Review signs and follow guidelines provided by Statewide Mutual Signs as Remote Supervision.	On-going	<ul style="list-style-type: none"> • Continually monitor all signs are legible and current and renewed as necessary.
Provide adequate lighting to the areas.	23. Examine existing and future lighting requirements meet safety needs of users.	On-going	<ul style="list-style-type: none"> • Continue to monitor lighting is in working order and provides user safety. • Feedback from the community is positive and negative feedback is acted upon where necessary
Access and Parking.	24. Provide adequate parking areas to respective Reserves to service needs of its users.	On-going	<ul style="list-style-type: none"> • Continue to monitor that access and parking requirements meet the needs of visitors and users. • Internal road networks of Barnabas House don't impact on drainage of the site.

			<ul style="list-style-type: none"> • Access and parking facilities to GBH Aged Day Respite Centre are maintained to meet user requirements (responsibility of Licencee). • Feedback from visitors and the community is positive and negative feedback acted upon as necessary.
Installation of Infrastructure, new buildings and building improvements.	25. Ensure that infrastructure, works and buildings or works are authorised in accordance with necessary Council and other Departmental Approvals.	On-going	<ul style="list-style-type: none"> • Council/Tenure Holders obtain all necessary Approvals (including Native Title Manager advice and DPE Crown Lands).

7.0 References

Crown Land Management Act 2016

<https://legislation.nsw.gov.au/view/html/inforce/current/act-2016-058#sec.3.22> sourced on 22 November 2021

Department of Planning & Environment – Crown Lands (NSW)

<https://trade.maps.arcgis.com/apps/webappviewer/index.html?id=99ed087615f24ab8aacc619ef3507155> sourced on 29 October 2021

<https://pp.planningportal.nsw.gov.au/publications/environmental-planning-instruments/griffith-local-environmental-plan-2014> sourced on 3 November 2021

Griffith City Council

<https://www.griffith.nsw.gov.au/council-policies> sourced on 3 November 2021

<https://www.griffith.nsw.gov.au/guiding-griffith-2040> sourced on 8 November 2021

Adopted Delivery Plan & Operational Plan 2021-22

https://issuu.com/griffithcitycouncil/docs/july_2020_-_delivery_plan_operational_plan_20-21 sourced on 9 November 2021

NSW Legislation

<https://pp.planningportal.nsw.gov.au/publications/environmental-planning-instruments/griffith-local-environmental-plan-2014> sourced on 29 October 2021

https://legislation.nsw.gov.au/view/whole/html/inforce/current/epi-2014-0137#pt-cg1.Zone_B4 sourced on 2 November 2021

Local Government Act 1993

http://www5.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/s47.html sourced on 29 November 2021

Linking Communities Network Ltd

<https://www.griffith.nsw.gov.au/community-services-directory/organisation.asp?id=4&m=p&org=CSD-HKL-81-75-56> sourced on 29 November 2021

<https://www.acnc.gov.au/charity/4e8a5e77652ed7ae50d6af52e95294b2> sourced on 29 November 2021

Local Government Act 1993

<https://legislation.nsw.gov.au/view/whole/html/inforce/current/act-1993-030> sourced on 16 November 2021

<https://legislation.nsw.gov.au/view/html/inforce/current/sl-2021-0460/lh> sourced on 16 November 2021

NSW Government Gazettes

<https://trove.nla.gov.au/newspaper/?type=gazette> sources 8 November 2021

<https://legislation.nsw.gov.au/gazette> sourced on 9 November 2021

8.0 ANNEXURES

- 1) Map - Reserves of Community Services Precinct (Kookora & Benerembah Streets) PoM
- 2) Schedule of Lands & Infrastructure – Community Services Precinct (Kookora & Benerembah Streets) PoM
- 3) Site Plan of Barnabas House (extract from 2010 Building Condition Report)

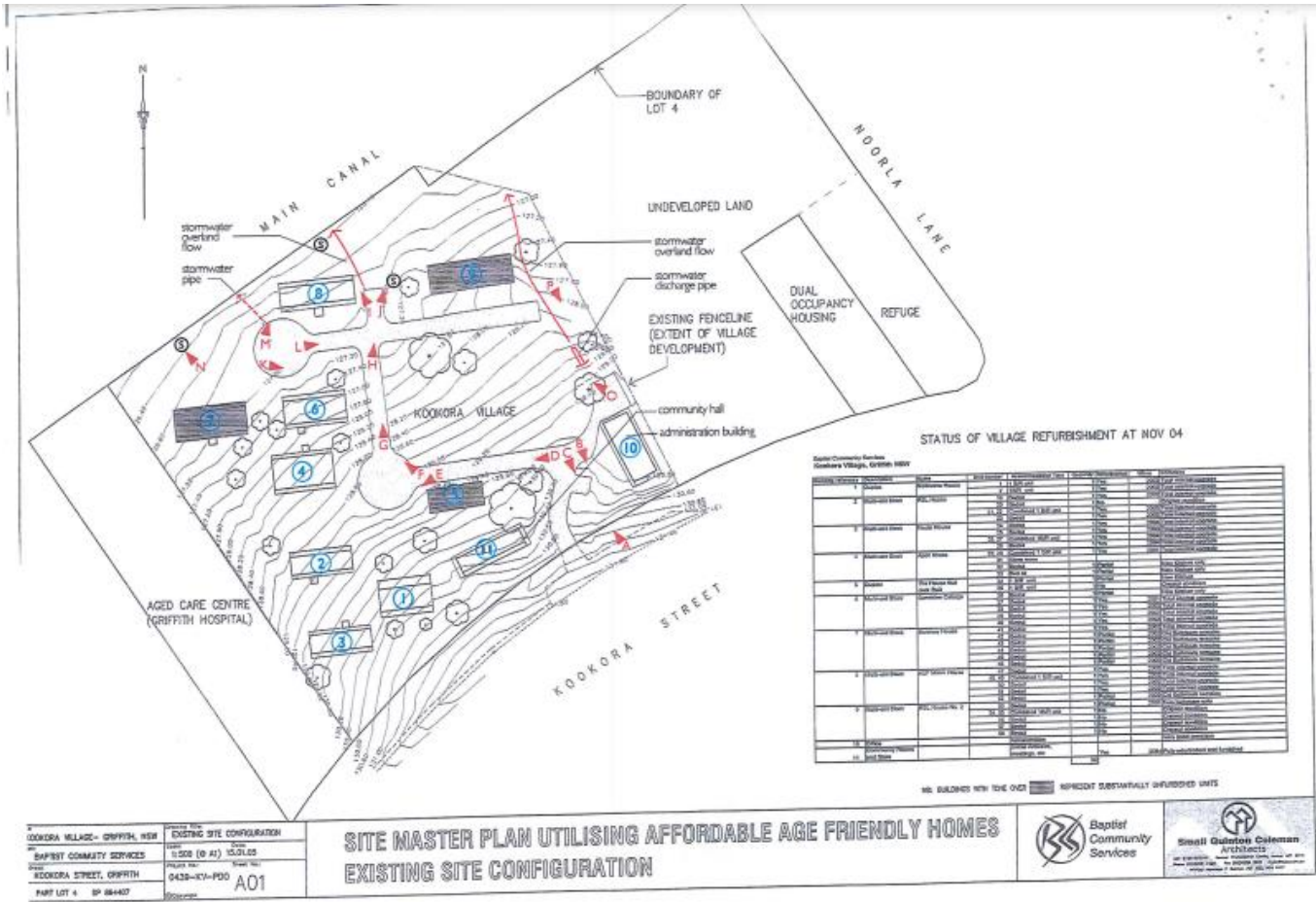
**ANNEXURE 1 – MAP – RESERVES OF COMMUNITY SERVICES PRECINCT
(KOOKORA & BENEREMBAH STREETS) PLAN OF MANAGEMENT**



ANNEXURE 2 - SCHEDULE OF LANDS & INFRASTRUCTURE – COMMUNITY SERVICES PRECINCT (KOOKORA & BENEREMBAH STREETS) PLAN of MANAGEMENT

SCHEDULE OF LANDS & INFRASTRUCTURE - COMMUNITY SERVICES PRECINCT (KOOKORA & BENEREMBAH STREETS) PoM								
RESERVE NO.	RESERVE NAME	CROWN	DATE OF GAZETTE	PURPOSE	CATEGORY	LOT/DP	AREA	COMMENTS/INFRASTRUCTURE
78167	Community Services Group (including Griffith Women's Refuge & Barnabas House)	Crown	9/12/1955 4/03/2011	Homes for the Aged Accommodation	General Community Use	4/864407	2.8446 ha	
88209	Griffith Base Hospital Aged Day Respite Centre	Crown	28/05/1971 #	Charitable Organisations	General Community Use	3/125/758476 & 7023/1023980	.562 ha	
240007	Neighbourhood House Community Centre	Crown	15/07/1988	Community Purposes	General Community Use	1/1082412	.187 ha	Neighbourhood House: Fibro/weatherboard cottage; Carport lg. colourbond shed; 2x small garden shed; The Cubby House: ? Building with ramp access; small play cubby house; 2x small garden sheds; separately fenced from main building. Landscaped gardens; surround mesh perimeter fencing; respective signage (The Cubby House sign is illegible).

ANNEXURE 3 – SITE PLAN OF BARNABAS HOUSE (extract from 2010 Building Condition Report)



General Amendment to Griffith Local Environmental Plan 2014

03 January 2023

Griffith City Council



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APPENDIX 4 – Contamination Assessments for SSA's 1, 6 and 15.

APPENDIX 5 – Justification for Rezoning Additional Residential Land

1 Objectives and Outcomes

In 2014 the Griffith Local Environmental Plan (2014) was gazetted. This Planning Proposal consists of general housing keeping amendments, rezoning of lands in accordance with strategic plans, correction of mapping errors, amendments to clauses and the addition of new clauses to support development and the protection of the environment. More specifically, these amendments relate to:

- Correcting minor anomalies, discrepancies and mapping errors that were created during the preparation of the Griffith Local Environmental Plan 2014 (GLEP 2014).
- Re-zoning of land identified in various planning strategies including:
 - Griffith Housing Strategy 2019
 - Griffith Local Strategic Planning Statement 2020
 - Griffith Large Lot Residential Supply and Demand Analysis and Strategy 2022 (Griffith Large Lot Strategy)
- Various additions to permissible uses in commercial and industrial zones
- Reduction of minimum lot sizes in various locations in accordance with the Griffith Large Lot Residential Supply and Demand Analysis and Strategy 2021

The amendments are considered necessary to ensure the GLEP 2014 is consistent with Griffith City Council (Council's) and the Department of Planning and Environment's (the Department's) strategic policy and planning directions and to support affordable housing and additional large lot residential.

The amendments are expected to have the following benefits:

- Realise some of the planning visions and directions in the LSPS.
- Increase supply of residential and mixed-use development in close proximity to the CBD.
- Reduce land use conflict at the urban rural fringes.
- Modernise the LEP to include place-based controls and provisions to support and guide development.

2 Explanation of Provisions

The Planning Proposal contains two different types of amendments:

- General amendments that are changes to provisions in the Griffith Local Environmental Plan 2014 (GLEP 2014) that can apply to the whole Local Government Area (LGA).
- Site specific amendments (SSA) that apply to one location including zoning amendments, alterations to minimum lot sizes and additional permitted uses.

2.1 General Amendments

The proposed general amendments to the GLEP 2014 do not relate to a specific site and generally apply to all development or land covered by the Environmental Planning Instrument (EPI). The following proposed amendments are considered to be generally consistent with the Standard Instrument (Local Environmental Plan) Order 2006 and the relevant Ministerial Directions.

1. Controls Relating to Secondary Dwellings on Land in a Rural Zone

On 18 December 2020, the Standard Instrument (Local Environmental Plans) Amendment (Secondary Dwellings) Order 2020 was published. An optional clause was created to control the size and location of secondary dwellings under clause 5.5 in rural zones. Secondary dwellings are permissible with consent in the RU1 – Primary Production and RU4 – Primary Production Small Lots. To ensure the size and location of secondary dwellings are controlled in rural zones, it is Griffith City Council's intention to adopt the Standard Instrument Clause with the 120 sq. m. and 50% thresholds. As such, the following clause is proposed:

If development for the purposes of a secondary dwelling is permitted under this Plan on land in a rural zone—

(a) the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater—

(i) 120 square metres, or

(ii) 50% of the total floor area of the principal dwelling, and

(b) the distance between the secondary dwelling and the principal dwelling must not exceed 300 metres.

2. Permitting Artisan Food and Drink Industry

In 2018, the Standard Instrument (Local Environmental Plans) Order 2006 (SI) was amended to create a new definition for uses such as craft breweries, distillers and cheesemakers to be referred to as *artisan food and drink premises*:

artisan food and drink industry means a building or place the principal purpose of which is the making or manufacture of boutique, artisan or craft food or drink products only. It must also include at least one of the following:

- (a) a retail area for the sale of the products,
- (b) a restaurant or cafe,
- (c) facilities for holding tastings, tours or workshops.

Note. See clause 5.4 for controls in industrial or rural zones relating to the retail floor area of an artisan food and drink industry.

Unfortunately, during the amendments, the Department did not permit Council to nominate zones to which these uses would be appropriate. The types of producers which are included in this definition would support Griffith's tourism in a variety of areas including business zones and industrial zones.

Craft microbreweries, gin distillers, cheesemakers and other forms of artisan food and drink premises (AFDP) are located in E1-Local Centre zones and other business zones in regional centres and successfully operate and support the local economy:

- Thirsty Crow Brewery, Wagga Wagga (B3 – transitioning to E1)
- Albury Brewhouse, Albury (B3 – transitioning to E1)
- Mudgee Brewing Company (B3 – transitioning to E1)
- Archie Rose Gin Distillery, Rosebery (B7 – Transitioning to E3)

Prior to the creation of the definition, several Council's would permit the use as a food and drink premises with ancillary manufacture of artisan or craft food and drinks or as an innominate use in some instances. It was evident that a new definition was required to reflect this emerging use. Planning Circular PS 18-008, issued in 31 August 2018 provided this definition.

Currently light industries and AFDP are permissible in the MU4 – Mixed Use, E4 – General Industrial, E3 – Productivity Support, RU6 – Transition and RU5 – Village. Council proposes to add AFDP as a nominated 'permissible with consent' definition in the following zones:

- RU1 – Primary Production
- RU4 – Primary Production Small Lots
- E1 – Local Centre

Council believes as many localities in Griffith should support these types of use including:

- Rural zones to support the existing and emerging agritourism sector in Griffith.
- Business zones including the E1 – Local Centre zone to increase the variety of entertainment and tourism options in Banna Avenue which would support the retail sector and the vibrancy of the precinct. AFD's of their nature being a light industry cannot create an impact on the amenity of the locality including residential receivers. As such, any noise and odours produced would need to be mitigated. Council also believes placing this definition as a nominated use in the E1- Local Centre zone would send a message to residents and developers that AFD's can be developed in these areas subject to a development application.

3. Permitting Neighbourhood Supermarkets

Also in the 2018 SI amendment, a new definition for Neighbourhood Supermarket was introduced in the GLEP 2014:

neighbourhood supermarket means premises the principal purpose of which is the sale of groceries and foodstuffs to provide for the needs of people who live or work in the local area.

***Note:** See clause 5.4 for controls relating to the gross floor area of neighbourhood supermarkets. Neighbourhood supermarkets are a type of shop—see the definition of that term in this Dictionary.*

Unfortunately, during the amendments, the Department did not permit Council to nominate zones to which these would be appropriate. It is considered that this type of land use would be suited to the R1 – General Residential Zone and the proposed R3 – Medium Density Residential to provide small supermarkets near residential areas which would be expected to increase ease of access to food and to support walkability.

4. Insert R3 – Medium Density Residential Zone

The Planning Proposal seeks to rezone some lands to the north of the CBD in the Wakaden Street precinct to R3 – Medium Density Residential to identify these lands for higher density development including residential flat buildings. This area includes the existing freight terminal owned by Pacific National with an area of 5 ha.

1 Objectives of zone

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types including residential flat buildings within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that a high level of residential amenity is achieved and maintained.*

- *To enable and enhance a high level of streetscape and urban design in the area.*

2 Permitted without consent

Environmental protection works; Home-based child care; Home occupations

3 Permitted with consent

Attached dwellings; Boarding houses; Business premises; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Group homes; Home businesses; Home industries; Hostels; Kiosks; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Restaurants or cafes; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Shop top housing; Tank-based aquaculture; Any other development not specified item 2 or 4.

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Function centres; Funeral homes; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Hotel or motel accommodation; Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Recreation facilities (major); Registered clubs; Research stations; Resource recovery facilities; Restricted premises; Retail premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Wharf or boating facilities; Wholesale supplies.

SSA10 in Section 2.2 provides further justification and constraints analysis for the rezoning of the precinct to R3 Medium Density Residential.

2.2 Site Specific Amendments

This section provides the details of the proposed site-specific amendments.

Background of Amendments

As part of the lead up and public consultation necessary to produce the mandated Local Strategic Planning Statement in 2020, Griffith City Council called for submissions and sought public input to guide the growth and development of Griffith over the next 25 years. For a period of 40 days, Council engaged with the community, key stakeholders, industry groups and aboriginal parties through meetings, workshops and online presentations. It was indicated in the notification and exhibition documentation that Council would consider submissions requesting alternative zoning of individual sites and localities through this process to inform general amendments to the Griffith Local Environmental Plan 2014. This approach has historically been used by Council to support rezoning proposals with strategic merit during a comprehensive exhibition process rather than receiving individual Planning Proposals which are costly and time consuming for all parties. As the Department can appreciate, this Planning Proposal is the culmination of a journey in which the public have been informed and consulted.

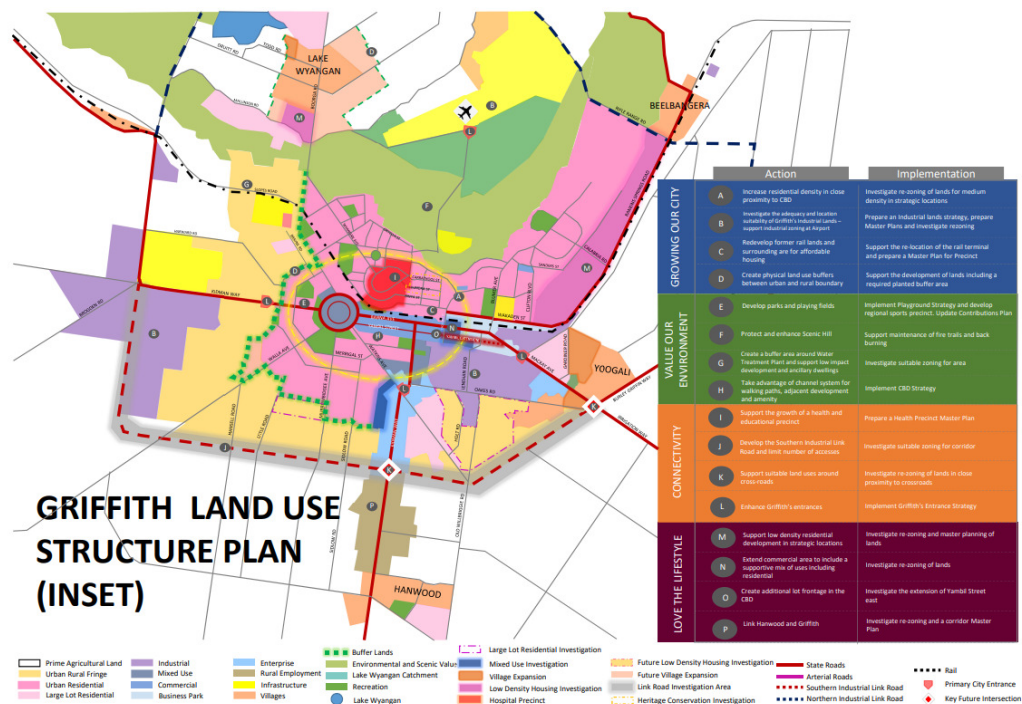


Figure 1: Griffith LSPS Structure Plan

SSA1 – Mallinson Road

Subject Land:

Lot 115 DP751743, Lot 727 DP46245, Lot 726 DP46245, Lot 284 DP1196929, part of Lot 265 DP1196782 and a portion of the Mallinson Road Reserve (Mallinson Road) Lake Wyangan (refer to **Figure 2**).

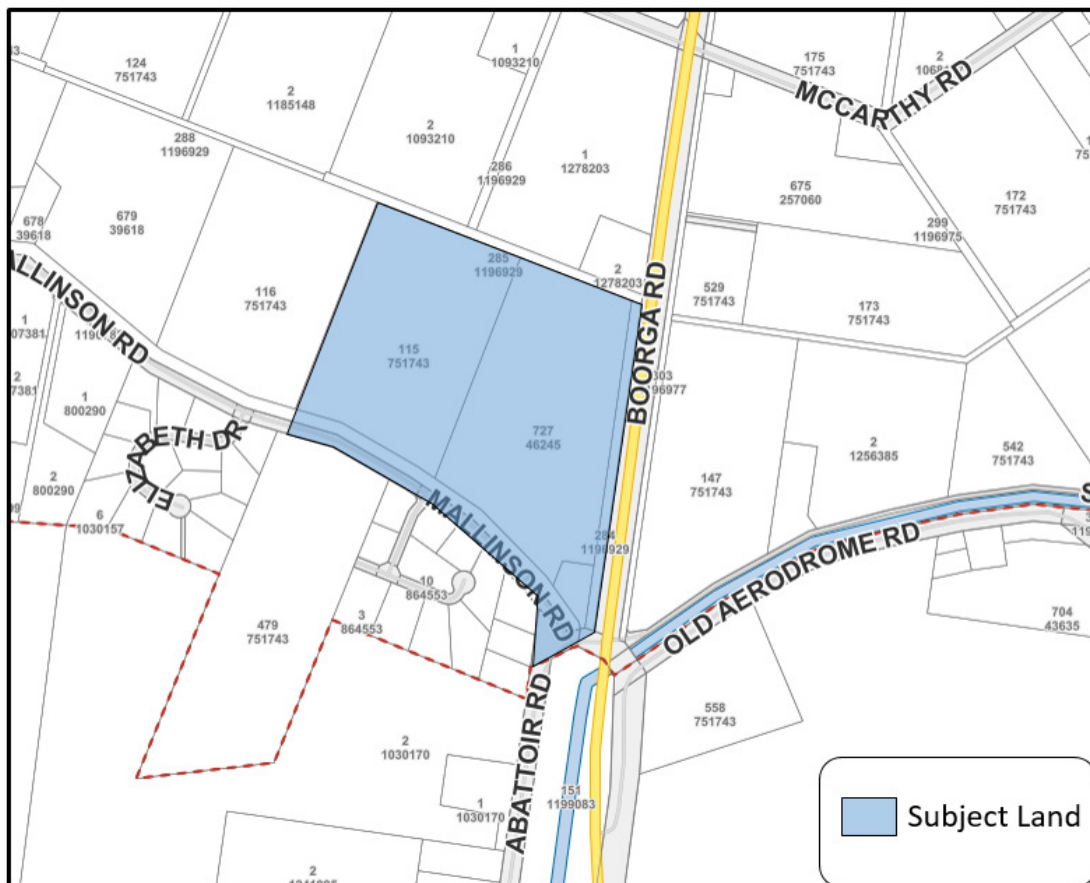


Figure 2: SSA 1 - Mallinson Road

Existing Zoning and Minimum Lot Size

RU4 (Primary Production Small Lots) with a minimum lot size of 5 ha.

Proposal:

Amend zoning to R5 – Large Lot Residential and reduce minimum lot size to 4000 m² without connection to sewer and 2000 m² with a connection to sewer in accordance with the Griffith Large Lot Strategy. Insert an Area D in column 1 of clause 4.1(3A) and a 2,000 square meters in Column 2.

- Amend LZN_003C as depicted in **Figure 3**.

- Amend LSZ_003C as depicted in **Figure 3**.

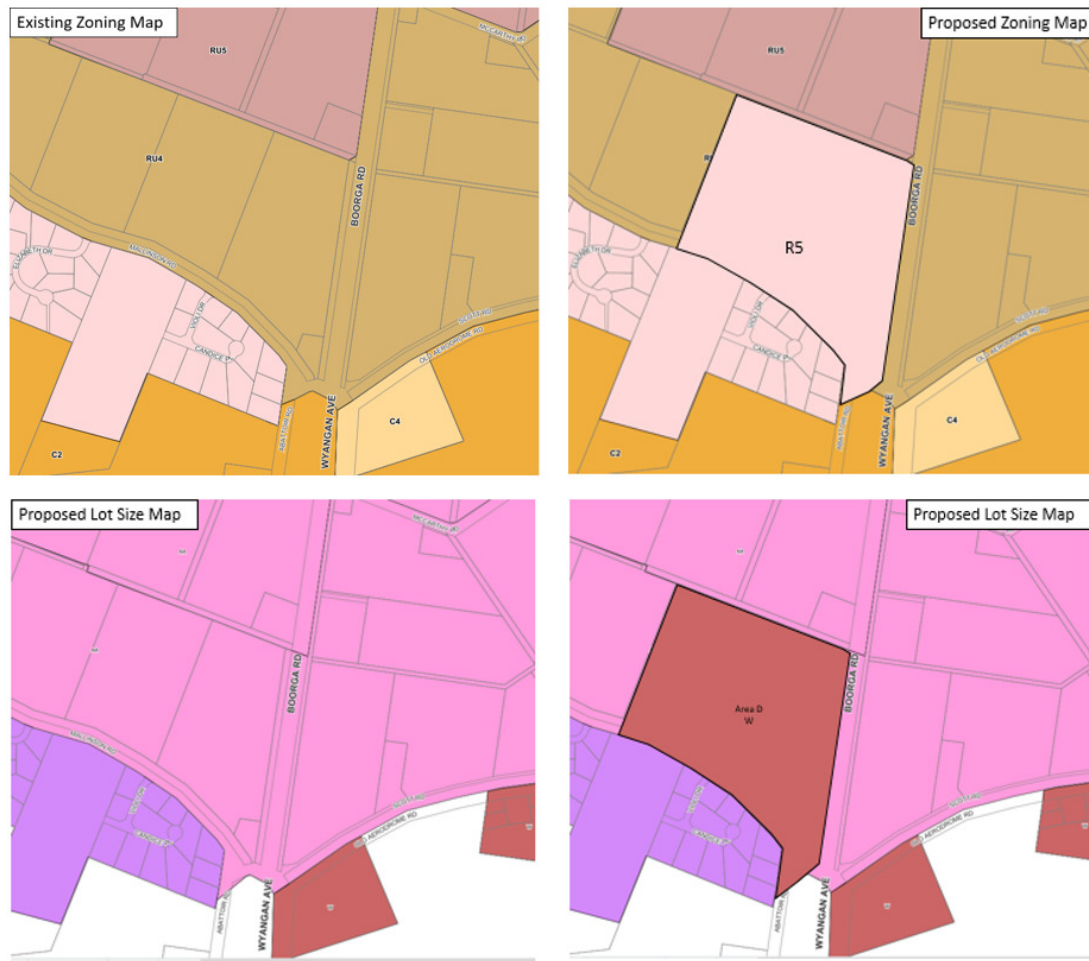


Figure 3: SSA1 - Existing and Proposed Zoning and Lot Size Maps

Strategic Assessment

Background

The Mallinson Road SSA1 site was envisioned for Rural Residential development in Griffith Growth Strategy 2030 (GS 2030) back in 2001. The site was then identified for “General Expansion – Rural Residential” to be released between 2006 and 2010 and then zoned 1(d) in the 2002 GLEP. However, due to the approval and re-zoning of the former ‘Sunset Waters Lands’ (Lot 610 DP751743, Lot 309 DP751743, Lot 102 and Lot 104 DP1018460), which created an over-supply of rural residential lots, the lands were instead zoned RU4 – Primary Production Small Lots.

The owners of the two larger lots have prepared a subdivision design for the development which has been catered for in the Lake Wyangan Master Plan. Council has previously resolved

to permit development of the site utilising AWTs units (for the disposal of wastewater) rather than extending Council sewerage network to the site. The site was envisioned in the master planning exercise to be developed as a transition between the Griffith urban area and the expanded village of Lake Wyangan. The Planning Proposal would achieve this vision as Stage 1 of the Master Plan area is developed. The following is an excerpt from the Council report which sought the adoption of the Lake Wyangan Master Plan:

It should be noted that any existing active development consents within the area would not be impacted by the endorsement of the Master Plan. Further, Council has previously resolved to support the development of Lot 727 DP 46245 and Lot 115 DP 751743 on Mallinson Road for Large Lot Residential development (further addressed in attachment 5 – Council's response to submissions). These lands were also identified in the Griffith Local Strategic Planning Statement for Low Density Residential development. As such, development of these lands outside the sequencing or servicing requirements of the Master Plan may be possible should the lands be rezoned as part of the comprehensive amendments to the Griffith Local Environmental Plan 2014 underway presently and expected to be exhibited later this year.

The site is surrounded by predominantly rural residential development and future village expansion lands to the north, east and west. The realignment of Mallinson Road has been envisioned by the Master Plan and would support the development of the lands. The location of larger allotments in this location has been envisioned to transition from the urban areas of Griffith to the expanded Lake Wyangan Village.

Constraints

Flooding

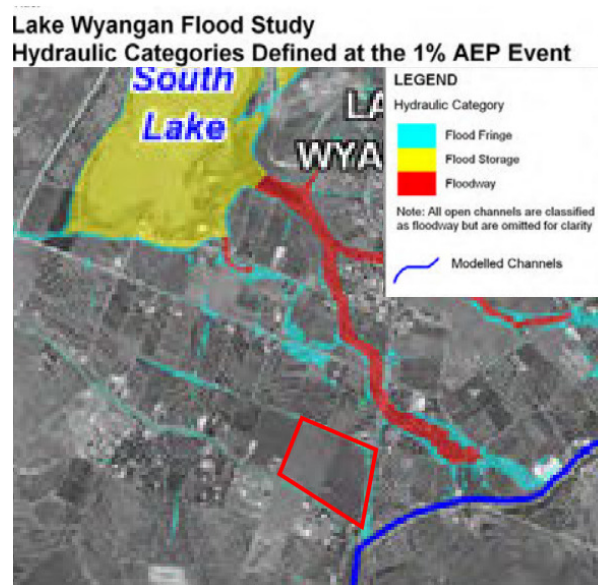


Figure 4: SSA 1 - Flood Affectation

The site is located within the Lake Wyangan Flood Study 2012 planning area. A portion of the site is considered flood prone for the 1 in 100 year flood event. This area is located adjacent to existing drainage channels and is classified as 'flood fringe'. Future dwellings within this area would be required to be constructed above the flood planning level. Due to the minor nature of flooding on the land, a flood emergency plan would not be required.

Contamination

The site has historically been utilised for agriculture including horticulture. A Limited Phase 2 Site Investigation was completed for these lands which determined the site did not contain levels of contamination above adopted criteria for residential development. The Assessment is provided at Appendix 4

Water and Sewer Services

- The site is within Council DSP for water and sewer.
- Council's reticulated water service is available in Mallinson Road and has capacity to support the development
- Sewer could be extended to site as part of the Lake Wyangan Master Plan.
- Development could proceed on AWTs units. A Land Capability Assessment has been prepared for the land. The site is considered suitable for the onsite treatment of wastewater.

Road Infrastructure

Mallinson Road is to be realigned as part of the Lake Wyangan Growth area. A new connection to Boorga Road with the site was been proposed. These intersection and road works would be carried out as part of the development of the site and Growth Area. Mallinson Road is a local road with sufficient capacity to support the future development of the site.

Land Use Conflict

The active farming operations to the south would be developed in the short term as part of the Lake Wyangan Growth Area. The active viticulture operation to the west is a small scale operation which is part of the Lake Wyangan Master Plan area and would be developed in the future for large lot residential as part of the Stage 2 release.

Other Constraints

- The site is not considered bushfire prone
- The site does not contain any vegetation and is a cleared paddock and considered highly degraded.

Site Specific Merit

- The site is located in close proximity to the Griffith CBD (3 km).
- The site is also located in an R5 precinct along Mallinson Road.

- The site can drain to existing drainage channels to the south.
- The landowners have coordinated a street network and lot layout for the two lots which was adopted in the Lake Wyangan Master Plan endorsed by Council.

Strategic Merit

- The site was previously designated for rural residential development in the 2001 GS 2030 Land Use Strategy.
- The site was identified in the Griffith LSPS for low density housing investigation.
- The Site has been identified as Candidate Site 1 in the Griffith Large Lot Strategy with capacity to provide an additional 36 lots in an area historically identified and development for rural residential lots.
- The pattern of development proposed, being lots between 2000 m² (with sewer connection) and 4000 m² (without sewer connection) is similar to the existing development patterns on the south side of Mallinson Road which were subdivided between 1990 and 2010 with a lot size ranging from 3000 m² to 1 ha.
- The Master Plan for the Lake Wyangan Growth Area adopted by Council identifies these lands as being developed for Large Lot Residential purposes.

SSA2 – Oakes Road

Subject Land:

Land to the south of Oakes Road and Eipper Road and along Watkins Avenue (refer to **Figure 5**)

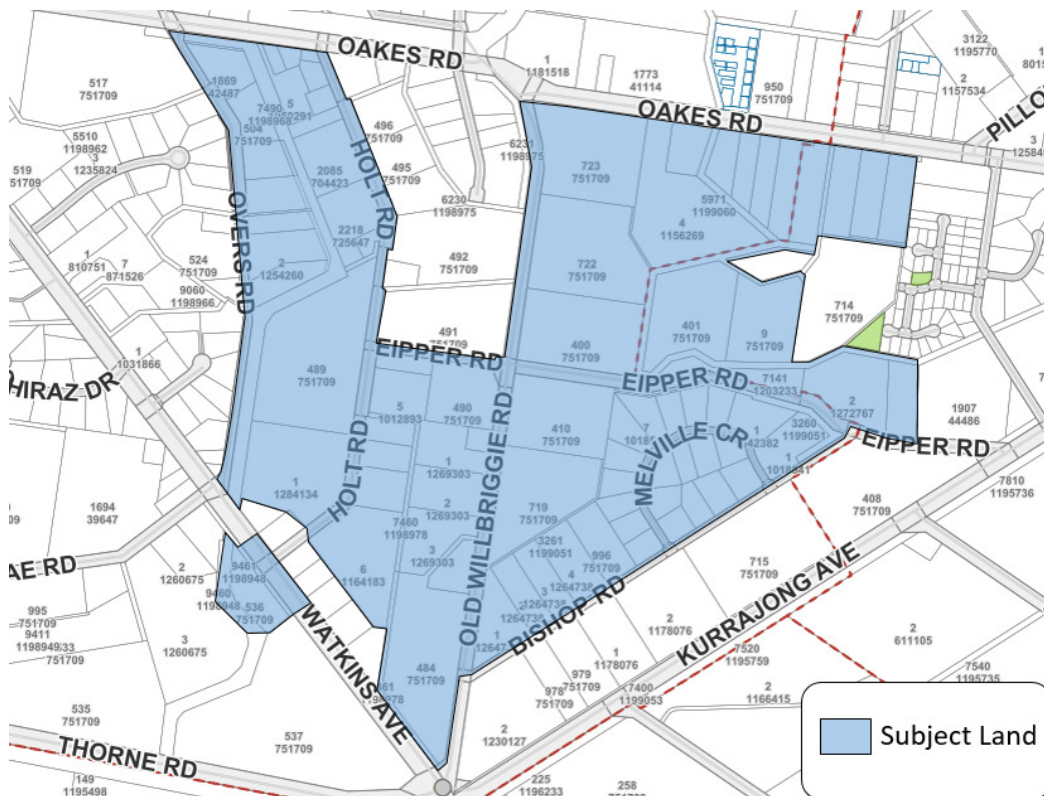


Figure 5: SSA2 – Oakes Road Location

Existing Zoning and Minimum Lot Size

RU4 (Primary Production Small Lots) with a minimum lot size of 1 ha.

Proposal

Amend zoning to R5 – Large Lot Residential and reduce minimum lot size to 4000 m² without connection to sewer and 3000 m² with a connection to sewer in accordance with the Griffith Large Lot Strategy.

- Amend LZN_004A as depicted in **Figure 6**
- Amend LSZ_004A as depicted in **Figure 6**

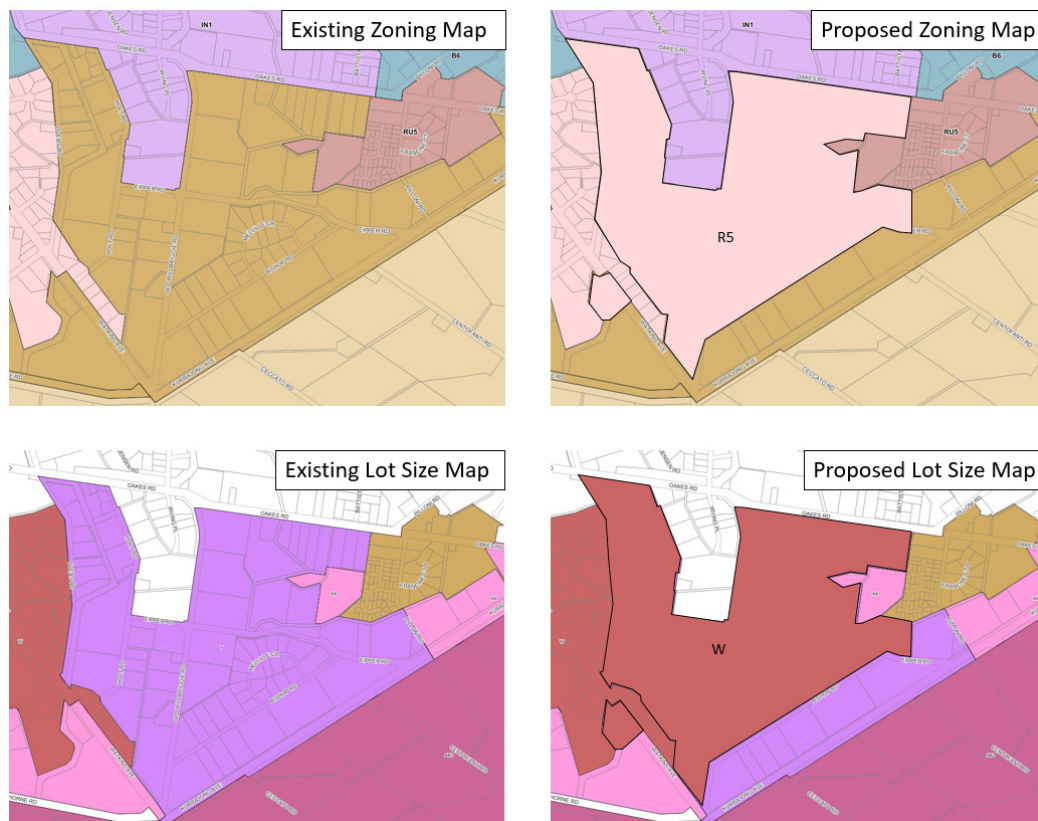


Figure 6: SSA2 - Existing and Proposed Zoning and Lot Size Maps

Strategic Assessment

Background

SSA 2 is located in close proximity to the Griffith urban area. The site contains several rural residential sized allotments with single dwellings, some small citrus orchards and several larger (2ha -5ha) vacant underutilised lots. The site is located in proximity to part of the Jensen Road Industrial area. The Griffith LSPS identified these lands for Large Lot Investigation as the area is in close proximity to the Griffith CBD and other employment lands and the existing fragmented nature of the land holdings makes sustainable agricultural operations difficult to achieve.

Some of the owners of larger parcels have prepared subdivision plans in the past because until 2002, the area was zoned 1 (C) Rural Residential (which is the equivalent to the present R5 – Large Lot Residential zone). Several of the owners have suggested that they were not well informed of the rezoning of the site to 1(h) Rural Small Holdings which occurred in 2002. Prior to 2002, several of the land holdings in the area were subdivided for rural residential development including Melville Crescent and lots with frontage to Oakes Road and Watkins Avenue.

Development Applications for the future subdivision of the land holdings within the site would need to be accompanied by a Detailed Site Investigation for contamination and a Land Capability Assessment for effluent disposal utilizing AWTS units. The sustainable disposal of effluent would be a contributing factor in lot size selection for this area. Buffers around industrial lands may need to be provided as well subject to the design and assessment of a development application

Constraints

Flooding

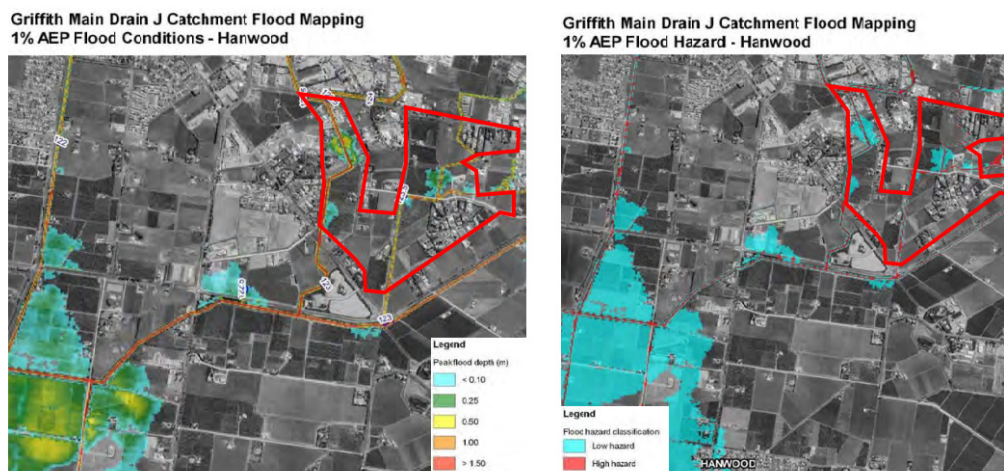


Figure 7: SSA 2 Flood Mapping

The site is located within the Griffith Main Drain J and Mirrool Creek Flood Study 2021 planning area. A portion of the site is considered flood prone for the 1 in 100 year flood event. This area is located adjacent to existing drainage channels and is classified as 'low hazard with approximate depths of water under 500 mm. Future dwellings within this area would be required to be constructed above the flood planning level. Depending on the location and the flood affectation of a particular site, Council may require a site specific flood assessment to be prepared with future development applications for residential subdivision.

Contamination

Based on the site history and site inspection, potential contaminants at the site are likely to be those associated with pesticide and herbicide application. Therefore any contamination is expected to be in surface materials from direct application and over spray from adjacent properties. Council has approved several subdivisions and rezoned lands previously used for horticulture including the entire developed Collina area (refer to Appendix 4). Site investigations for these development applications indicated that lands were capable of being developed for residential purposes. The SEPP 55 Guidelines under 4.12 states that rezoning's that cover a large area can proceed without contamination assessments.

As part of a development application for the subdivision of the lots within SSA 2 for additional residential dwellings, an applicant will be required to carry out a detailed Stage 2 Site Investigation of the site. As such, Council considers that the lands will be suitable in their present condition or after remediation of surface pesticides (should it be required) for residential purposes.

Water and Sewer Services

- The SSA is outside Council's DSP area for sewer, but within DSP area for water.
- Council's reticulated water service is available throughout the area.
- As part of future development applications for development on land within the area a land capability assessment would need to be provided to support the location of an AWTS on site sewerage management system.

Road Infrastructure

Roads within the area are mainly sealed local roads under the control of Council – with the exception of Eipper Road which is not sealed. These roads have low volumes of traffic and are generally suited to large lot residential development. Council's Southern Industrial Link Road is located to the south of the area. As part of future development applications for residential uses in proximity to the Link Road would need to consider the impact of road noise and the NSW Road Noise Policy. However, the boundaries of the SSA have been sited to ensure at least 150-200 m setback from the Link Road.

Land Use Conflict

There are industrial lands located to the north of the SSA. There is some potential for land use conflict around the boundaries of the zone. However, the existing industries and uses operating in this location do so without impacting the amenity of existing residential receivers in close proximity. As part of future development applications for the lands around the industrial area, the potential impact of the nearby operations would need to be considered in the siting of dwellings and building envelopes.

Other Constraints

- The site is not considered bushfire prone.
- The site has scattered vegetation, but the majority of the land holdings are highly degraded from past agricultural uses and void of native vegetation.

Site Specific Merit

- The site is located in close proximity to the Griffith CBD and would act as a transition area between urban and Village areas and the Southern Industrial Link Road to the south.
- The site contains a mixture of lot sizes and most of the agricultural uses have been abandoned.

Strategic Merit

- The site has been identified for large lot residential development in the Griffith Local Strategic Planning Statement.
- The site has been identified for large lot residential development in the Griffith Large Lot Strategy.
- The site was previously zoned 1 (c) Rural Residential in the 1994 GLEP. In 2002, Council rezoned the lands to 1 (h) – Rural Small Holdings which permitted a 1 ha minimum lot size.
- There are some larger parcels which are ideal for development and the landowners have progressed subdivision designs.
- The present zoning, being for primary production is not considered suitable given the SSA's close proximity to urban areas, the existing size of the land holdings and the presence of several dwellings in the locality.

SSA3 – Rae Road

Subject Land:

Lot 994 and 995 DP 751709 and a portion of Rae Road (refer to **Figure 8**)

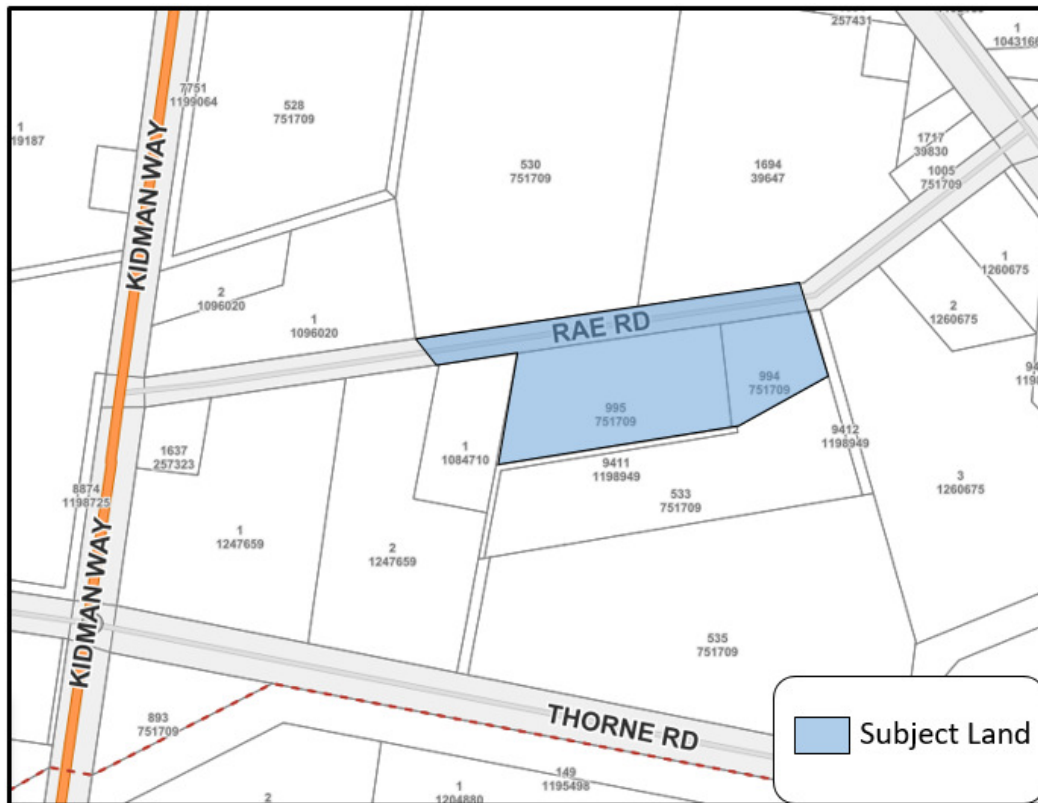


Figure 8: SSA3 - Rae Road Location

Existing Zoning and Minimum Lot Size

RU4 (Primary Production Small Lots) with a minimum lot size of 5 ha.

Proposal

Amend zoning to R5 – Large Lot Residential and reduce minimum lot size to 4000 m² without connection to sewer and 3000 m² with a connection to sewer in accordance with the Griffith Large Lot Strategy.

- Amend LZN_004A as depicted in **Figure 9**.
- Amend LSZ_004A as depicted in **Figure 9**.



Figure 9: SSA3 - Existing and Proposed Zoning and Lot Size Maps

Strategic Assessment

Background

SSA 3 is located on Rae Road adjacent to the existing R5 zoned lands on the northern side of Rae Road and along Watkins Avenue. The site contains two lots legally described as Lot 994 and 995 DP 751709 with an area of 2.85 ha and around 280 m of frontage to Rae Road. The land is presently zoned RU4 – Primary Production Small Lots. The owner has requested the site be rezoned to R5- Large Lot Residential with a minimum lot size of 4000 m².

Constraints

Flooding

The site is located within the Griffith Main Drain J and Mirrool Creek Flood Study 2021 planning area. The site is not considered to be flood prone for the 1 in 100 year flood event. However, a portion of the site is within the flood planning area.

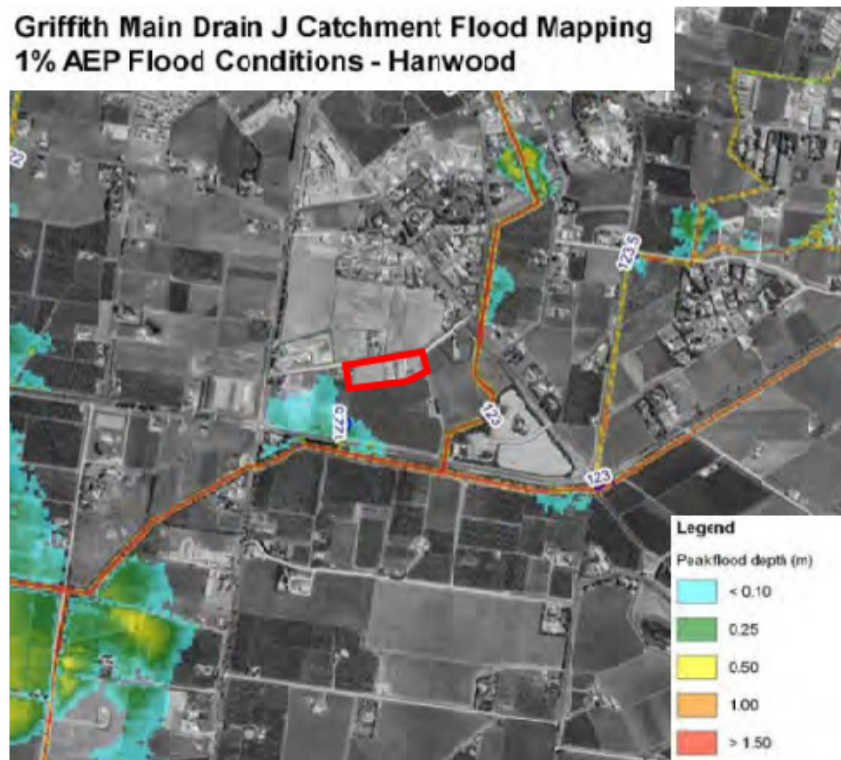


Figure 10: SSA 3 Flood Mapping

Contamination

A portion (1.6 ha) of the site appears to have been previously utilised for the growing of lucerne. Although agriculture is listed in Table 1 of the SEPP 55 Guidelines as a potential contaminating use, the size a scale of any previous operations on a portion of the site would not be expected to cause levels of pesticide and herbicide application that would be above the relevant criteria for residential use. As part of any future development application for the residential development of the site a Stage 2 – Detailed Investigation would be required to be submitted.

Water and Sewer Services

The site is located within Council's DSP for water. Council's reticulated water infrastructure is located in Rae Road and is connected to the both of the lots within SSA3. Council's sewer infrastructure is not located in the area. Future development of the site could proceed with on-site sewage management systems similar to the large lot residential subdivisions to the north.

Road Infrastructure

Rae Road is a local Council unsealed road. This road may need to be upgraded as part of future development.

Land Use Conflict

There are some active small agricultural operations to the south of the site which are presently used for the production of lucerne and other rotational crops. The siting of future dwellings on the site would need to consider the ongoing operation of the farm holding.

Other Constraints

- The site is not considered bushfire prone
- The site does not contain native vegetation.

Site Specific Merit

- The site does not contain any constraints which would impact the development of additional R5 allotments
- The site is located in close proximity to the Griffith CBD (2.3km)
- The site is void of native vegetation.

Strategic Merit

- The site has been identified for large lot residential development in the Griffith Large Lot Strategy
- The site is located adjacent to other R5 zoned lands
- Existing zoning not representative of existing lot size and location.

SSA4 – Foreshaw Avenue

Subject Land:

Land to the south of Foreshaw Avenue to Brace Road, bounded to the east by Murrumbidgee Avenue and to the west by Little Road (refer to **Figure 11**).

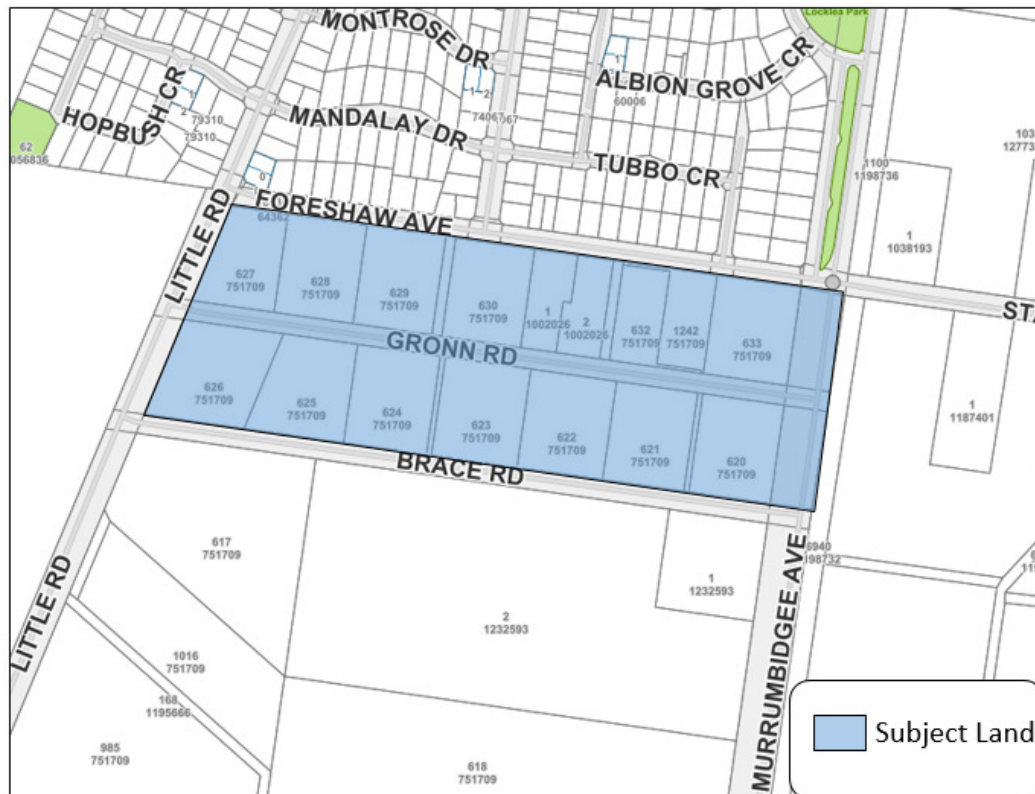


Figure 11: SSA4 – Foreshaw Avenue Location

Existing Zoning and Minimum Lot Size

RU4 (Primary Production Small Lots) with a minimum lot size of 5 ha.

Proposal

Amend zoning to R5 – Large Lot Residential and reduce minimum lot size to 4000 m² without connection to sewer and 3000 m² with a connection to sewer in accordance with the Griffith Large Lot Strategy.

- Amend LZN_004A as depicted in **Figure 12**.
- Amend LSZ_004A as depicted in **Figure 12**.

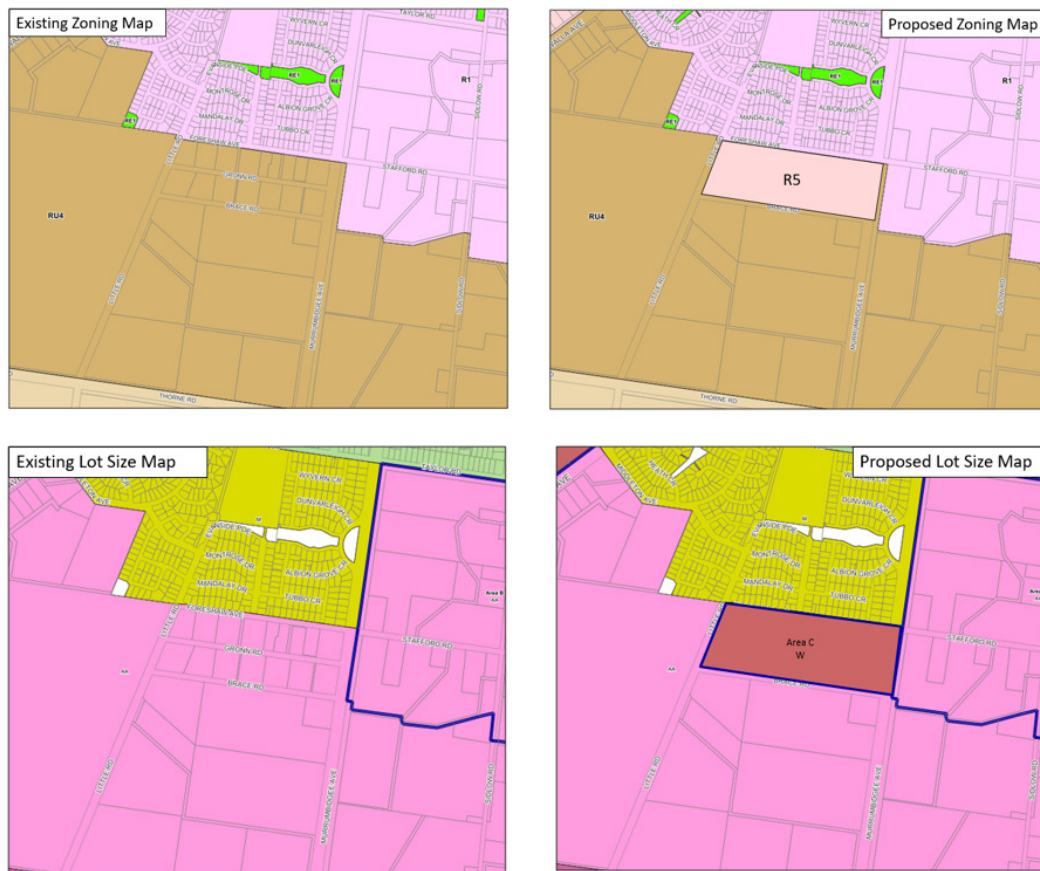


Figure 12: SSA4 - Existing and Proposed Zoning and Lot Size Maps

Strategic Assessment

Background

The candidate site is located between Foreshaw Road and Brace Road. The site contains a number of lots with an average area of around 0.8 ha. The majority of these lots contain a single dwelling, however, some are vacant and some contain two dwellings. Submissions received for these lands requested a rezoning to R5 – Large Lot Residential and a reduction in the minimum lot size in this area to 3000 – 4000 m². A portion of these lands were zoned Rural Residential in the 1994 GLEP. In 2002, the lands were rezoned to 1(d) General Expansion – Residential. In 2014, Growing Griffith: Beyond 2030 and the 2014 GLEP rezoned the lands back to a rural zone.

Council's water services are available and connected to the area. Council's sewer service is not available to the area, however, it could be extended from Murrumbidgee Estate to the north.

The Griffith Large Lot Strategy estimated that there is a potential for an additional eight large lot residential lots in this area considering existing lot sizes, location of existing buildings and land uses.

Constraints

Flooding

The site is located within the Griffith Main Drain J and Mirrool Creek Flood Study 2021 planning area. The site is not considered to be flood prone for the 1 in 100 year flood event. However, a portion of the site is within the flood planning area.

Griffith Main Drain J Catchment Flood Mapping 1% AEP Flood Function - Hanwood



Figure 13: SSA4 Flood Map

Contamination

SSA4 includes some holdings which are presently or have historically been used for horticulture. Some of the landholdings contain other potentially contaminating uses including the storage and repair of light vehicles. The SEPP 55 Guidelines under 4.12 states that rezoning's that cover a large area can proceed without contamination assessments. As part of any future development application for the residential development of the site a Stage 2 – Detailed Investigation would be required to be submitted.

Water and Sewer Services

Council's water infrastructure is located in Gronn Road and Foreshaw Avenue. Council's sewer infrastructure is located at the rear of lots on the northern side of Foreshaw Avenue. Future development of the site could proceed with on-site sewage management systems should the extension of Council's sewer from Murrumbidgee Estate be unfeasible.

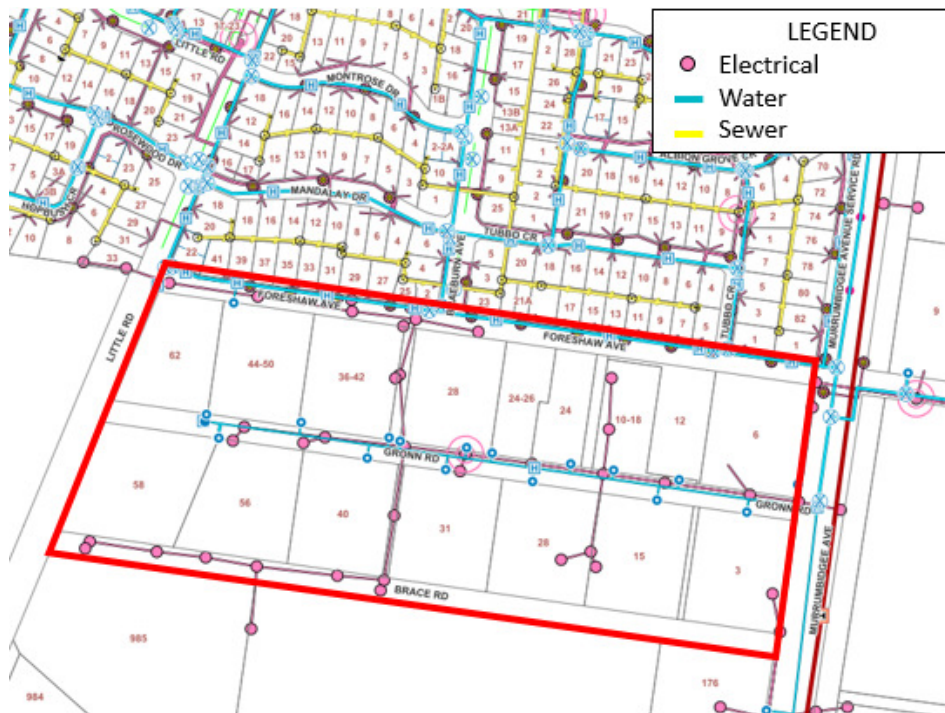


Figure 14: SSA4 - Services Plan

Road Infrastructure

SSA4 is located with access to Foreshaw Avenue (sealed with kerb and gutter on north side), Gronn Road, Murrumbidgee Avenue and Little Road which are all Council roads. Some of the roads are not sealed which would be a consideration in the assessment of a development application for the future development of sites on these lots. A consideration in the assessment of future development applications for either the subdivision of land or new dwellings would be the potential for land use conflict. Restrictive building envelopes and vegetative buffers can be required in the siting and design of future subdivision in this area.

Other Constraints

- The site is not considered bushfire prone
- The site only contains scattered native vegetation. The removal of any vegetation to facilitate future development would be a consideration in the assessment of development applications including the requirements of SEPP (Biodiversity and Conservation) 2021 and the Biodiversity Conservation Act 2016.

Site Specific Merit

- The site is located within the serviced areas of Griffith for water and sewer.
- The site is located in close proximity to Griffith's CBD. The showgrounds and City Park are within 1.5 km.
- The site has good frontage to existing roads to support some additional lots.
- The zoning of the land to R5 could act as a buffer between the operational farms to the south and Murrumbidgee Estate to the north.

Strategic Merit

- The site was previously zoned 1 (c) Rural Residential in the 1994 GLEP.
- The site was previously identified as "Low Density Residential Expansion" in GS2030 and in 2002 Council rezoned the lands to 1 (d) – General Expansion (Residential).
 - As such the site has been previously strategically identified for residential purposes in LEP's and land use strategies.
- The site was identified as "Future low density housing investigation area" in the Griffith LSPS
- The site has been identified for large lot residential development in the Griffith Large Lot Strategy.
- Existing zoning is not representative of existing lot sizes and location.

Strategic Assessment

The lands along the south side of Mallinson Road have been developed historically for large lot residential subdivisions with lot sizes of 4000 m² without connection to Council's sewer system.

The Griffith LEP 2002 did not contain minimum lot size maps, however a clause was provided for development on the former 1(c) Rural Residential Zone:

16 Subdivision in Zones 1 (c) and 7 (c)

(1) Objective: To ensure that the semi-rural character and environmental values of the locality are protected.

(2) Consent may be granted to the subdivision of land in Zone 1 (c) or 7 (c) for residential purposes only if:

(a) each lot will be connected to a reticulated water supply system, or a tank water supply will be provided to the satisfaction of the consent authority, and

(b) the consent authority is satisfied that each lot to be created will be capable of accommodating adequate facilities for the treatment and disposal of sewage by a wastewater disposal system approved by the Council or will be connected to a reticulated sewerage system, and

(c) in the case of a lot to be connected to a reticulated sewerage system, the area of the lot will be not less than 0.3 hectare, and

(d) in the case of a lot not to be connected to a reticulated sewerage system, the area of the lot will be not less than 1 hectare, unless it has a smaller area in accordance with the Council's On-Site Sewage Management Plan.

Council's On-site Sewage Management Plan permits rural residential subdivision to 4000 m² should a Land Capability Assessment be provided with the development application which concludes the lot size is sufficient to cater for an on-site sewage management system. Several of the subdivisions along Mallinson Road were subdivided utilising this clause and adherence to Council's On-site Sewage Management Plan. Other lands previously zoned 1(c) in the 2002 LEP were transitioned to Area C 'W' permitting lot sizes at 4000m² if Council's sewer system was not available to the site.

During the drafting of the Griffith LEP in 2014 the lands were erroneously identified as having a minimum lot size of 1 ha. It is therefore recommended that this error be rectified through this planning proposal.

SSA6 – Rose Road

Subject Land:

Land to the west of Rose Road and Harward Road for a depth of 100 m, including:

- Lot 1790 DP41291 (29 Brayne Road)
- Lot 1791 DP41291 (1290 Brayne Road)
- Part of Lot 149 DP1195355 (Murrumbidgee Irrigation drainage canal)
- Lot 809 DP751709 (1291 Harward Road)
- Lot 818 DP751709 (1291 Harward Road)
- Lot 1101 DP1010206 (425 Kidman Way)
- A portion of Harward Road



Figure 17: SSA6 - Subject Lands

Existing Zoning and Minimum Lot Size

RU4 – Primary Production Small Lots with a minimum lot size of 5 ha.

Proposal

Amend zoning to R1 – General Residential for the land fronting Rose Road and Harward Road for a depth of 45 metres to permit around 30 new residential allotments. To act as a buffer

between the operational farms to the west and the new lots, the remainder of the land holdings would be zoned R5 – Large Lot Residential with a minimum lot size of 1.5 ha, which would permit around five lots (see **Figure 19**).

- Amend LZN_003C as depicted in **Figure 18**
- Amend LZN_004A as depicted in **Figure 18**
- Amend LSZ_003C as depicted in **Figure 18**
- Amend LSZ_004A as depicted in **Figure 18**.

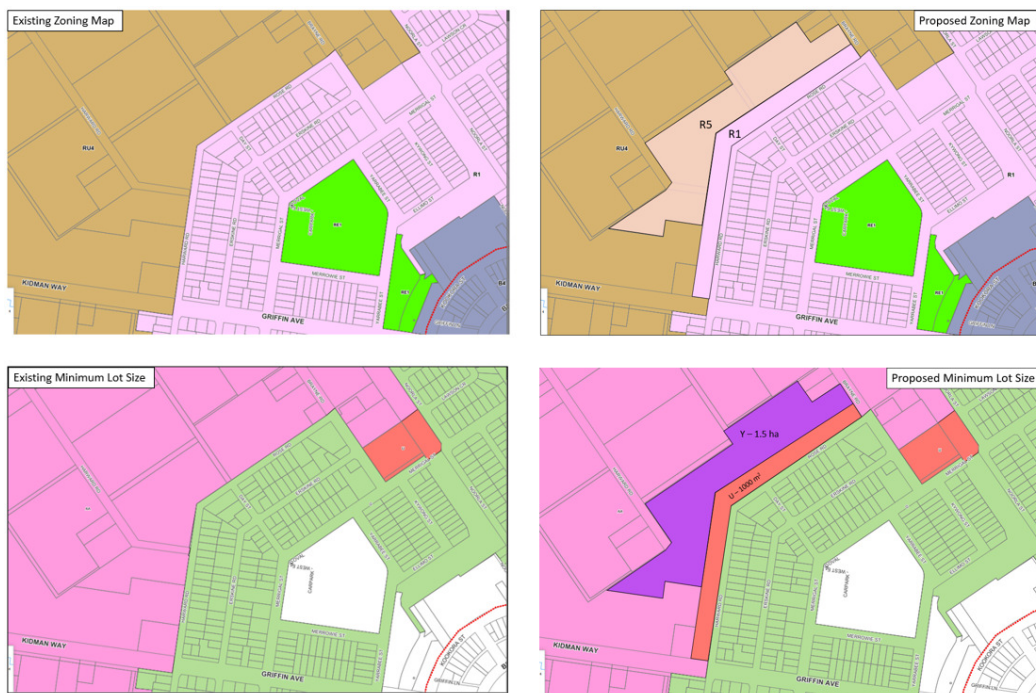


Figure 18: SSA6 Existing and Proposed Zoning and Minimum Lot Size

Split Lot Clause

The proposal would include the creation of a split zone. Therefore a split zone minimum lot size clause is required. The following split zone clause has been drafted based on a similar clause in the Cooma Monaro LEP 2013.

4.1C Minimum subdivision lot sizes for certain split zones

(1) The objectives of this clause are as follows—

(a) to provide for the subdivision of lots that are within more than one zone but cannot be subdivided under clause 4.1,

(b) to ensure that the subdivision occurs in a manner that promotes suitable land use and development.

(2) This clause applies to each lot (an original lot) that contains land in more than one zone.

(3) Despite clause 4.1, development consent must not be granted to subdivide an original lot to create other lots (the resulting lots) unless—

(a) one of the resulting lots will contain—

(i) land in a residential zone that has an area that is not less than the minimum size shown on the Lot Size Map in relation to that land, and

(ii) all of the land in all other zones that was in the original lot, and

(b) all other resulting lots will contain land that has an area that is not less than the minimum size shown on the Lot Size Map in relation to that land.

(4) For the purposes of calculating an area of land under subclause (3), any access handle used for the purpose of providing vehicular access from the lot to a road is not to be included.

(5) Despite subclause (3), development consent may be granted to subdivide an original lot if—

(a) the lots to be created from the subdivision will each contain land in one zone, or

(b) the lots to be created from the subdivision will each contain land in more than one zone and any land in a residential zone will have an area that is not less than the minimum size shown on the Lot Size Map in relation to that land.

(6) A lot created under subclause (5) (b) must not be subdivided under this clause.

Strategic Assessment

Background

SSA6 is located along Harward Road and Rose Road in West Griffith zoned RU4 – Primary Production Small Lots. A developer driven Planning Proposal was submitted to Council in February 2019 for Lot 1791 DP 41291. This Proposal was sent to the Department of Planning and Environment who raised concerns regarding land use conflict and some other issues including that it lacked strategic merit.

The site contains a number of lots which are to the immediate west of the extent of the Griffith urban area. The Griffith LSPS identified the need for a physical buffer between existing small

vineyard and citrus farms and the existing West Griffith urban areas to mitigate or avoid land use conflict:

ACTION 4.2B – CREATE PHYSICAL LAND USE BUFFERS BETWEEN URBAN AND RURAL ZONES AND SUPPORT STRATEGIC REZONING OF LANDS (SHORT TERM)

At the edge of Griffith's urban areas there are stark boundaries between horticulture and viticulture plantings and urban residential neighbourhoods. To decrease this existing impact, some development of existing farms at the urban-rural fringe should be supported to include buffer areas and uses to decrease this land use conflict. This includes lands at the western extent of Griffith along Harward Road and Rose Road. Structure Planning or Master Planning for new release areas should also include buffer areas.

As part of the future development of these lands a 20-30 m wide vegetative buffer adjacent to the farming operations would be required to be planted and maintained with native species with heights exceeding 8 metres at maturity on the proposed lands to be zoned R5 – Large Lot Residential. The R5 zoned land area would be utilised for 1.5 ha + allotments as shown on **Figure 19**.

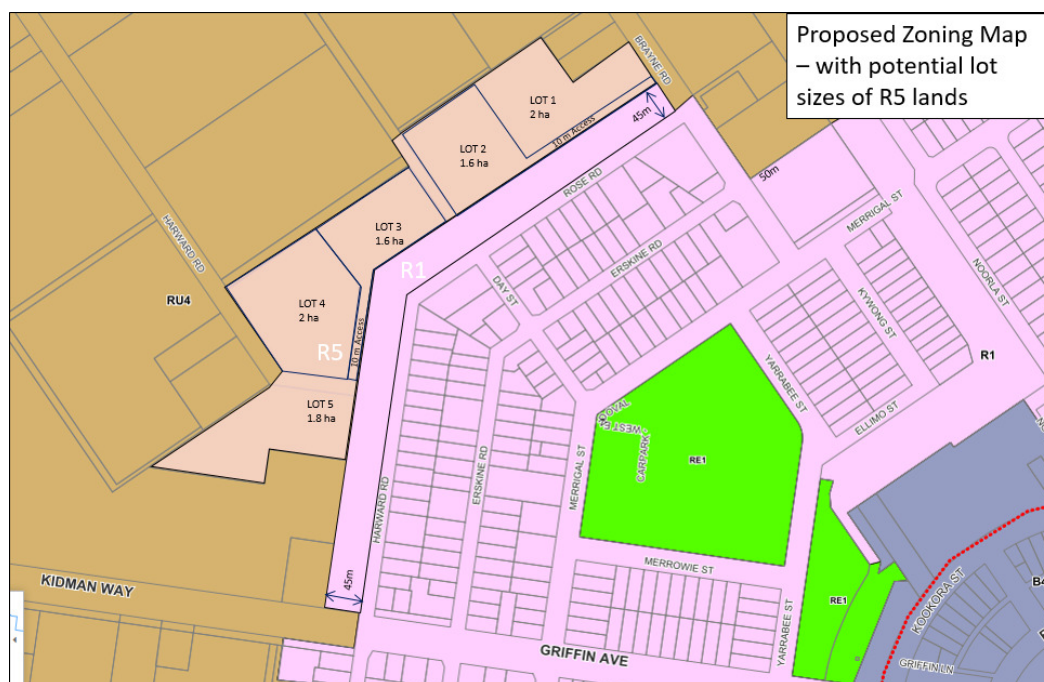


Figure 19: SSA6 - Potential Lot Layout of the Proposed R5 Land

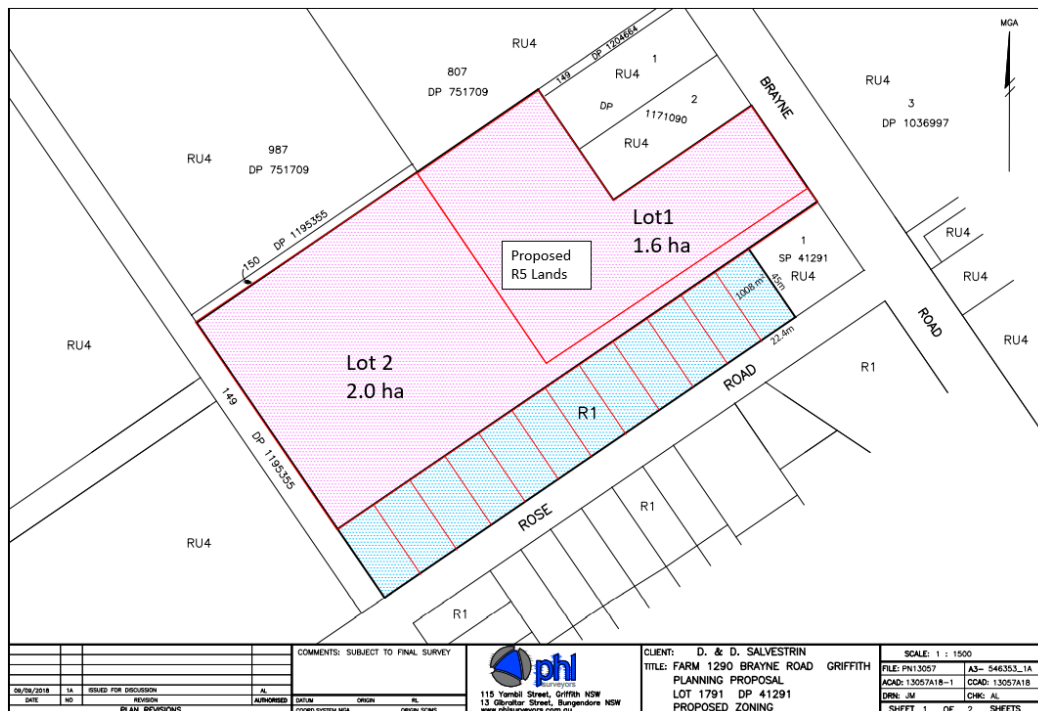


Figure 20: Potential Future Lot Layout for Lot 1791 DP 41291

Habitable buildings would be required to be located to the front of the lots near Harward Road / Rose Road. Development Applications for the future subdivision of the land holdings within the site would need to be accompanied by a Detailed Site Investigation for contamination and detailed servicing plan. However, a representative Site Investigation has been provided at Appendix 4 which details the lands can be developed for residential purposes.

Constraints

Flooding

The site is located within the Griffith Main Drain J and Mirrool Creek Flood Study 2021 planning area. The site is not considered to be flood prone for the 1 in 100 year flood event.

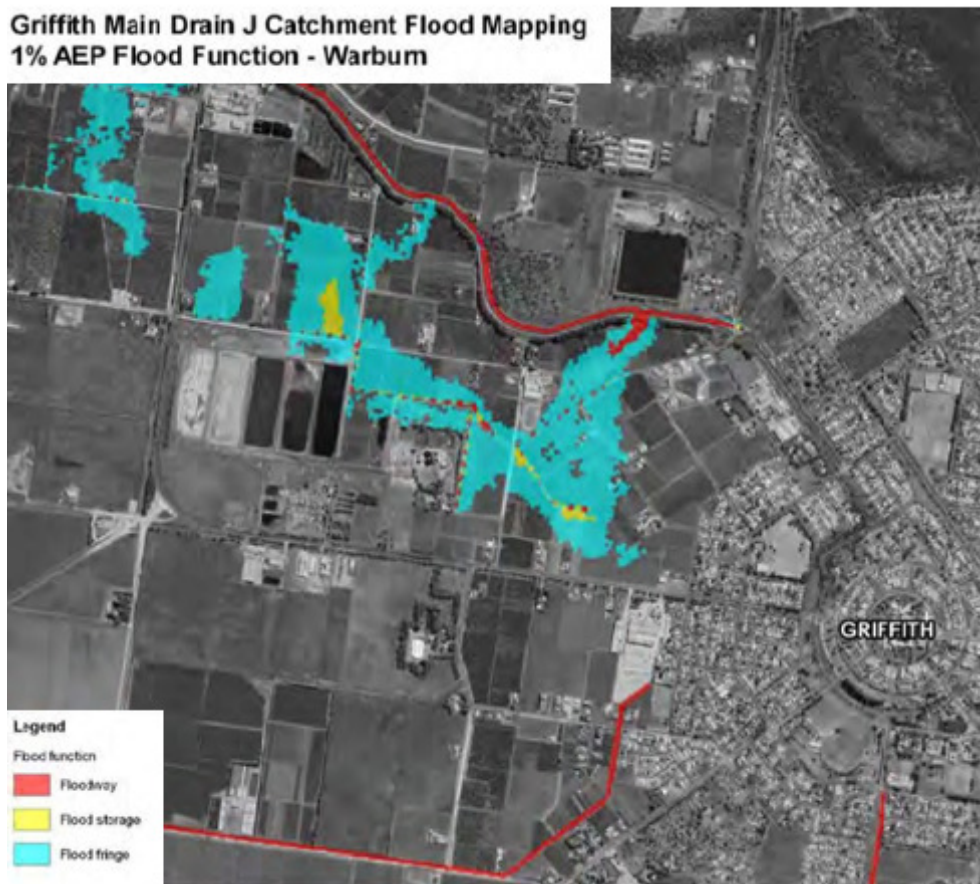


Figure 21: SSA 6 Flood Map

Contamination

SSA 6 has historically been utilised for agriculture including horticulture. A Limited Phase 2 Site Investigation was completed for Lot 1791 DP 41291 which determined the site did not contain levels of contamination above the adopted criteria for residential development. The Assessment is provided at Appendix 4.

Water and Sewer Services

Griffith City Council's sewer infrastructure is located in Erskine Road and Harward Road and at the rear of the lots with frontage to Rose Road and Harward Road. The proposed R1 area could be serviced from this infrastructure via a pressurized sewer system with grinder pumps and boundary kits installed for each lot. The detailed design of this system would be the subject of a future development application for the development of the SSA. The R5 zoned lands would utilise on-site sewage management systems for the disposal of sewerage.

Council's water infrastructure is located in Rose Road, Brayne Road and Harward Road.

Essential Energy's electrical supply is available in Rose Road and Harward Road and Brayne Road.

Road Infrastructure

The road network in proximity to the site includes:

- Rose Road – a sealed Council local Road
- Harward Road – a sealed Council local Road
- Brayne Road – a sealed Council collector Road

The R1 lands would have direct frontage to Rose Road / Harward Road. This road has an 18 m wide road reserve with an 8 m carriageway. There is kerb and gutter on the eastern side of the road. As part of the future development of the western side of the road within the proposed R1 zoned lands kerb and guttering would be required.

Land Use Conflict

The site and the lands to the west are utilised for mainly viticulture (growing of grapes). The proposal includes the siting of R5 zoned land with a minimum lot size of 1.5 ha to act as a buffer between the proposed R1 zoned lands and the active farming operations.

The site is also in close proximity to a winery owned by Calabria Wines. In recent years, this winery has only been used for wine storage, cellar door premises and tourist events as the business has purchased two other wineries where they do all the crushing and production. There are several other dwellings in close proximity to the winery including along Brayne Road, in Parkinson Cr and Lawson Cr and within Moor Pl. Council records do not show any complaints being raised regarding the operation of the winery causing amenity issues in recent years as it has been transitioned for predominantly storage purposes.

Other Constraints

- The site is not identified as prone to salinity in the Griffith LEP, however the farming areas in Griffith have the potential to experience salinity. Salinity management plans are utilised to address potential salinity issues in these areas.
- Stormwater drainage is available in Rose Road and Harward Road for the lots in the proposed R1 zone to connect into. Lots in the proposed R5 zone could drain to the existing Murrumbidgee Irrigation drainage channels
- The site is not bushfire prone.
- There is no native vegetation on the site.

Site Specific Merit

The SSA is located at the urban rural periphery of Griffith with direct access to Council's sealed road network. The site is flat and generally void of native vegetation. The site is also located in close proximity to commercial and recreation areas including:

- The West End Sports Precinct which has recently been redeveloped and is Griffith's premier sports precinct.
- The site is located within 2 km from Griffith's CBD including supermarkets and services.
- The site has capacity to support around 20-25 additional urban allotments with a R5 buffer to existing farming operations on an existing sealed Council road.
- The proposal replicates the urban edge on the southern side of the Kidman Way with urban lots on the western side of Harward Road.
- The site has access to Council's urban stormwater network and MI's drainage system.

Strategic Assessment

The Griffith LSPS identified the need for a physical buffer between existing small vineyard and citrus farms and the existing West Griffith urban areas:

ACTION 4.2B – CREATE PHYSICAL LAND USE BUFFERS BETWEEN URBAN AND RURAL ZONES AND SUPPORT STRATEGIC REZONING OF LANDS (SHORT TERM)

At the edge of Griffith's urban areas there are stark boundaries between horticulture and viticulture plantings and urban residential neighbourhoods. To decrease this existing impact, some development of existing farms at the urban-rural fringe should be supported to include buffer areas and uses to decrease this land use conflict. This includes lands at the western extent of Griffith along Harward Road and Rose Road. Structure Planning or Master Planning for new release areas should also include buffer areas.

The lands were also reviewed as part of the Griffith Large Lot Strategy. The proposal includes the use of R5 zoned lands between the R1 zoned lots and the active farming operations. Vegetative buffers would be required to be installed as part of future development of the R5 zoned lands (see **Figure 22**). Adequate building envelopes for five additional R5 lifestyle lot dwellings would be catered for and act to buffer the existing and expanded Griffith urban area from the farming operations to the west.

A portion of Lot 1101 DP1010206 (425 Kidman Way) has been proposed to be rezoned to an employment lands zoning. Council is presently preparing an Employment Lands Strategy and this lot would be considered should additional employment lands in this locality be required.

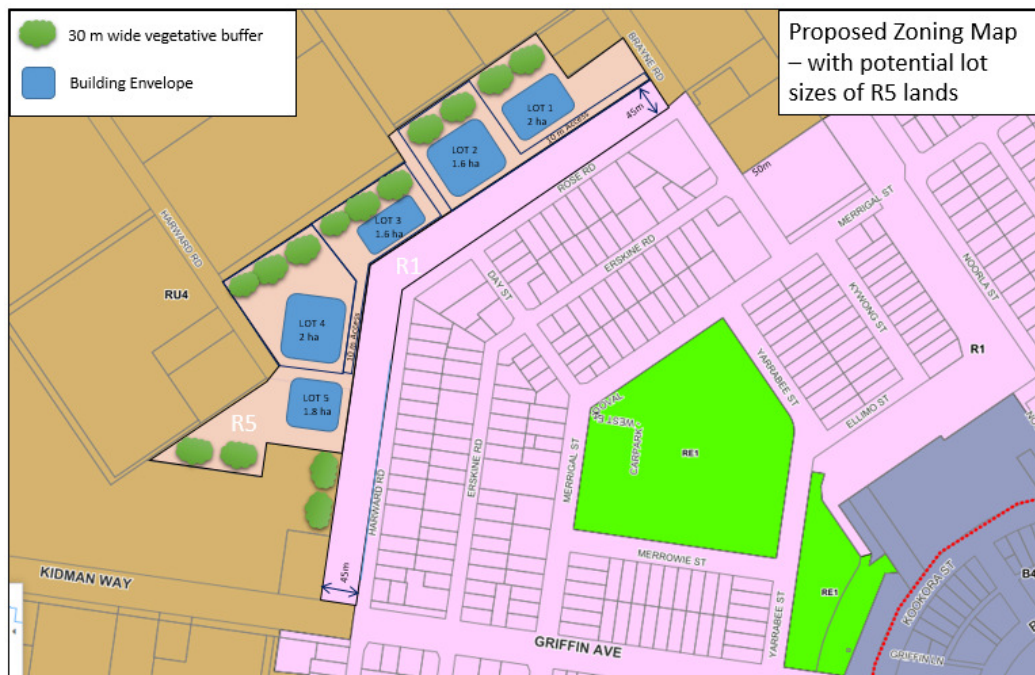


Figure 22: Indicative Lot Layout for R5 Zoned lands with building envelopes and 30 m wide vegetative buffer

The site could provide additional residential lots in a location close to services, the Griffith CBD, regional recreational facilities and public schools (Griffith Public School) and High Schools (Murrumbidgee Regional High School).

The Griffith Residential Development Control Plan requires dwellings on R5 zoned land to be setback 40 m from land zoned RU1 and RU4 (see section 7(f) of the DCP). Within the setback area, the DCP also requires the installation of buffer plantings with a height at maturity of over 6 m (see Section 7(h) of the DCP) and the submission of a landscaping management plan to ensure the trees are irrigated and dead or dying trees are replaced. As such, there are sufficient controls in the DCP to ensure a buffer adjacent to the active farming operations is established on the proposed R5 zoned land.

A Strategic Justification for the rezoning of additional lands for R1 – General Residential is provided at Appendix 5.

SSA7 – Walla Avenue

Subject Land:

Lot 2 DP790173 (148 Walla Avenue) Griffith and a portion of Collins Road.



Figure 23: SSA 7 Subject Land

Existing Zoning and Minimum Lot Size

R5 – Large Lot Residential with a minimum lot size of 4000 m² for lots not connected to Council's sewer and 3000m² for lots connected to sewer.

Proposal

Amend zoning to R1 – General Residential with a minimum lot size of 600 m² in accordance with the Griffith Large Lot Strategy.

- Amend LZN_004A as depicted in **Figure 24**.
- Amend LSZ_004A as depicted in **Figure 24**.

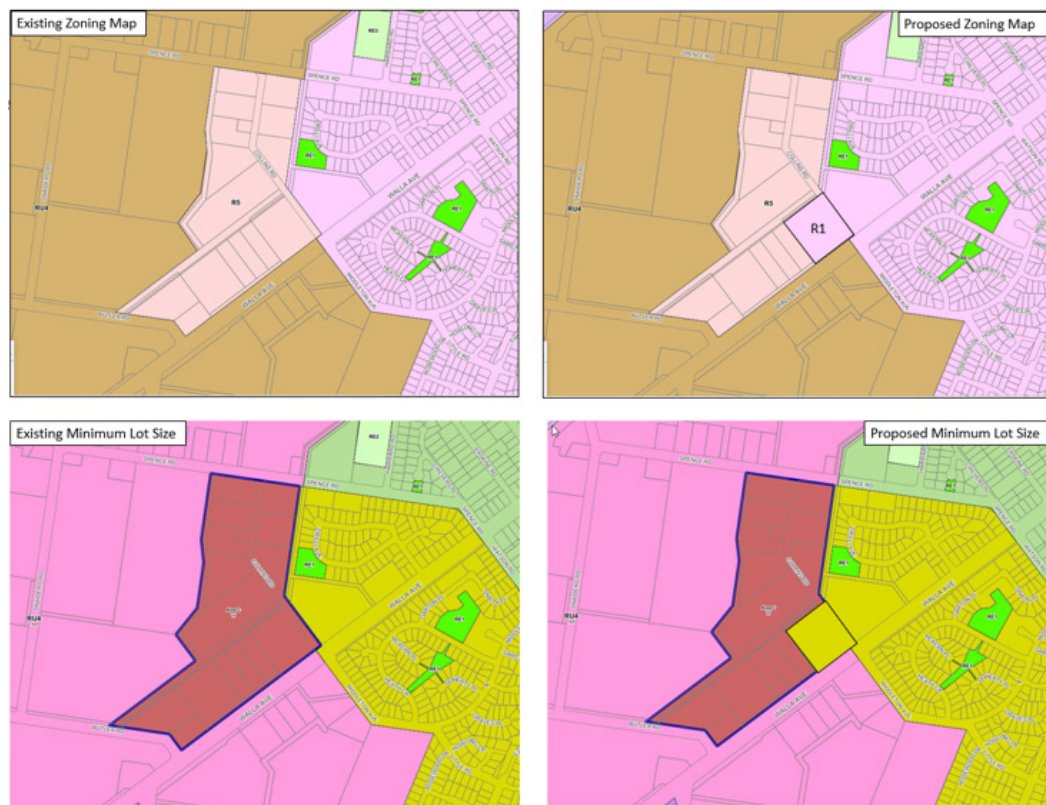


Figure 24: SSA7 Existing and Proposed Zoning and Minimum Lot Size

Strategic Assessment

Background

SSA 7 is located in the south-western extent of the Griffith Urban area and is presently zoned R5 – Large Lot Residential. The site is legally described as Lot 2 DP790173 and has an area of 1.83 ha with 150 m of frontage to Collins Road and Walla Avenue. The site is presently zoned R5-Large Lot Residential. The site is located 1.8 km from Griffith's CBD (Banna Avenue).

The owners have requested a rezoning to R1-General Residential with a minimum lot size of 600m². MI's drainage network is located to the north of the site. The site presently contains some citrus plantings.

Council's water service is available and connected to the site. Council's sewer service is available to the site and located in Walla Avenue. The site is located within the Water and Sewer Development Servicing Plan areas for Griffith.

Constraints

Flooding

The site is located within the Griffith Main Drain J and Mirrool Creek Flood Study 2021 planning area. The site is not considered to be flood prone for the 1 in 100 year flood event.

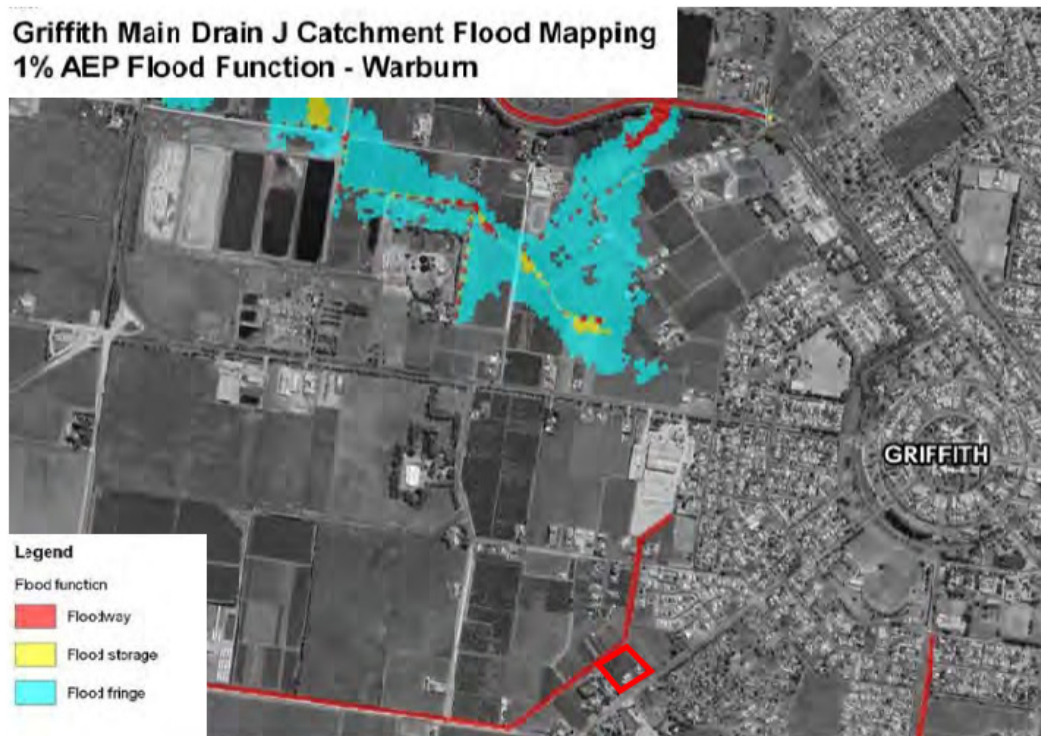


Figure 25: SSA7 Flood Map

Contamination

A portion of the site has been used historically for horticulture. Based on the site history and site inspection, potential contaminants at the site are likely to be those associated with pesticide and herbicide application. Therefore any contamination is expected to be in surface materials from direct application and over spray from adjacent properties. Council has approved several subdivisions and rezoned lands previously used for horticulture including the entire developed Collina area (refer to Appendix 4). Site investigations for these development applications indicated that lands were capable of being developed for residential purposes.

As part of a development application for the subdivision of the lots within SSA 7 for additional residential dwellings, an applicant will be required to carry out a detailed Stage 2 Site Investigation of the site. As such, Council considers that the lands will be suitable in their present condition or after remediation of surface pesticides (should it be required) for residential purposes.

Water and Sewer Services

The site is located within Council's DSP for both water and sewer. Council's reticulated sewer network is located in Walla Avenue. Council's water service is connected to the site. As part of a future development application for the development of the site, Council's water and sewer services would need to be extended within the site from the Walla Avenue and Collins Road.

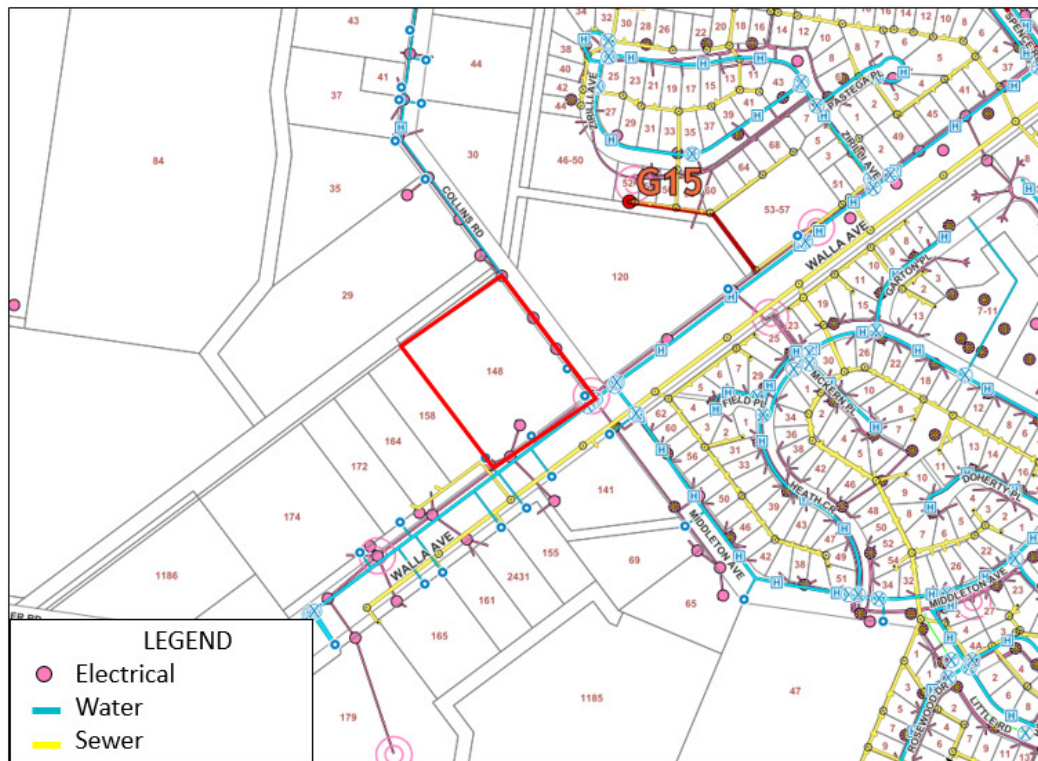


Figure 26: SSA 7 Services Map

Road Infrastructure

The site is located at the corner of Collins Road and Walla Avenue which are both Council owned bitumen sealed local roads. Walla Avenue is a collector road providing access to the Griffith CBD via Kookora Street. Kerb and guttering would be required to be established as part of future development applications for the site.

Land Use Conflict

The site is surrounded by residential zoned lands to the north, east and west. Lands to the south are zoned RU4. Some of the lands zoned R5 surrounding the site are presently used for small farming operations. The size and scale of these operations would not be expected to impact the future use of the site for residential purposes considering a 23 m channel separates the site. The site is located around 275 m from a winery. The winery is located to the south-west of the site and is separated by a number of other dwellings and vegetation. The potential impacts of road traffic noise would need to be considered as part of future development applications for the development of the site.

Other Constraints

- The site is not bushfire prone.
- There is no native vegetation on the site.
- Stormwater from any future development would be directed to the existing drainage channel system.

Site Specific Merit

The site is located at the urban rural periphery of Griffith with direct access to Council's sealed road network. The site is flat and generally void of native vegetation. The site is also located in close proximity to commercial and recreation areas including:

- The Griffith Showgrounds and City Park are within 1 km.
- The site is located within 1.8 km from Griffith's CBD including supermarkets and services.
- The site has capacity to support around 20 additional urban allotments with a R5 buffer to existing farming operations on an existing sealed Council road.
- The site can be serviced by existing Council infrastructure in the surrounding road network.
- The site has access to Council's urban stormwater network and MI's drainage system.
- The site has dual frontage to sealed Council roads.
- The site does not contain any native vegetation.
- Council's has extensive experience with horticultural sites which are cleared and utilised for residential development. The majority of Griffith's growth areas including Collina and Lake Wyangan have historically been used for horticulture. Site investigations for these development applications indicated that lands were capable of being developed for residential purposes and contaminants were well below the relevant thresholds (see Appendix 4).

Strategic Merit

- The site was identified in the Griffith Large Lot Strategy as being suited to urban residential development.
- The site could provide additional residential lots in a location close to services, the Griffith CBD, regional recreational facilities and public schools (Griffith Public School) and High Schools (Murrumbidgee Regional High School) which is generally supported by the Griffith Housing Strategy by providing additional land for potential affordable housing options. The site is located in an area historically available for

affordable housing options including lower cost housing options, social housing and Community Housing Provider housing in Pioneer to the east. Historically, houses and lots in Zirilli Avenue are more affordable than in other growth or release areas in Griffith such as Collina.

- A Strategic Justification for the rezoning of additional lands for R1 – General Residential is provided at Appendix 5.

SSA 8 – East of Crossing Street

Subject Land:

Land to the east of Crossing Street and to the north of Twigg Street including:

Lot 1 DP1041175, Lot 1 DP406416, Lot 1 DP120448, Lot 1142 DP751709, Lot 2 DP1108945, Lot 1 DP1108945, Lot 6 DP751709, Lot 1 DP717234, Lot A DP446117, Lot 1 DP545723, Lot 2 DP545723, Part of Lot 1 DP851962, Lot 2232 DP821502, a portion Crossing Street and Banna Avenue.

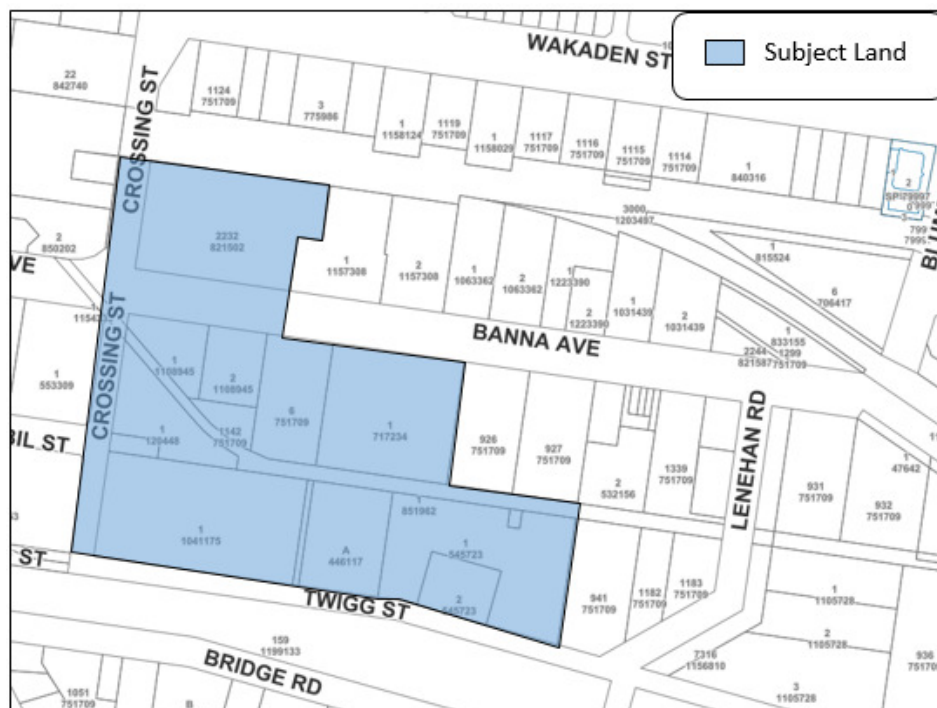


Figure 27: SSA 8 Subject Land

Existing Zoning and Minimum Lot Size

E3 – Productivity Support with no minimum lot size

Proposal

Amend Zoning to MU1 – Mixed Use and insert a site-specific clause requiring the master planning of the area prior to major development occurring.

- Amend LZN_004A as depicted in **Figure 28**.



Figure 28: SSA8 Existing and Proposed Zoning

Site Specific Clause

Development of certain land to the east of Crossing Street in Griffith

- (1) *This clause applies to the following land to the east of Crossing Street in Griffith—*
 - Lot 1 DP1041175, Lot 1 DP406416, Lot 1 DP120448, Lot 1142 DP751709, Lot 2 DP1108945, Lot 1 DP1108945, Lot 6 DP751709, Lot 1 DP717234, Lot A DP446117, Lot 1 DP545723, Lot 2 DP545723, Part of Lot 1 DP851962 and Lot 2232 DP821502
- (2) *This clause applies to development for the purposes of residential accommodation*
- (3) *Development consent must not be granted for residential accommodation to which this clause applies unless a development control plan that provides for the matters in subclause (4) has been prepared for the land.*
- (4) *The development control plan must provide for the following—*
 - a) *a staging plan for the timely and efficient release of land, making provision for necessary infrastructure and sequencing,*
 - b) *an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,*
 - c) *controls to ensure the land is used for a mixture of employment and residential uses,*
 - d) *stormwater and water quality management controls,*
 - e) *detailed urban design and landscaping controls,*
 - f) *detailed servicing plans including water and sewer,*
 - g) *suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.*

Comparable Landuse Use Table

	Zone E3 Productivity Support	Zone MU1 Mixed Use
Permitted with consent	Animal boarding or training establishments; Boat building and repair facilities; Building identification signs; Business identification signs; Business premises; Centre-based child care facilities; Community facilities; Depots; Function centres; Garden centres; Hardware and building supplies; Hotel or motel	Amusement centres; Boarding houses; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Information and education facilities; Light industries; Local distribution premises; Medical

	<p>accommodation; Industrial retail outlets; Industrial training facilities; Information and education facilities; Landscaping material supplies; Light industries; Local distribution premises; Markets; Mortuaries; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Research stations; Respite day care centres; Roads; Rural supplies; Seniors housing; Service stations; Serviced apartments; Shop top housing; Shops; Specialised retail premises; Storage premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Wholesale supplies; Any other development not specified in item 2 or 4</p>	<p>centres; Oyster aquaculture; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Registered clubs; Residential accommodation; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Vehicle repair stations; Any other development not specified in item 2 or 4</p>
Prohibited	<p>Agriculture; Air transport facilities; Airstrips; Biosolids treatment facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Group homes; Heavy industrial storage establishments; Helipads; Highway service centres; Home businesses; Home occupations (sex services); Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Residential accommodation; Resource recovery facilities; Restricted premises; Roadside stalls; Sewage treatment plants; Sex services premises; Tourist and visitor accommodation; Waste disposal facilities; Water recreation structures; Water treatment facilities; Wharf or boating facilities</p>	<p>Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Home occupations (sex services); Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Recreation facilities (major); Research stations; Resource recovery facilities; Rural industries; Rural workers' dwellings; Sewage treatment plants; Sex services premises; Transport depots; Truck depots; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water supply systems; Wharf or boating facilities</p>

Strategic Assessment

Background

The site has been strategically identified for mixed use development in Griffith's LSPS and Griffith's Housing Strategy. The site is located within the Griffith CBD with easy access to services and shops including shopping precincts and supermarkets. The site contains a number of vacant lots and underutilised sites including:

- Former Murrumbidgee Irrigation Workshop site at the corner of Crossing Street and Banna Avenue (55-71 Banna Avenue) – 1.85 ha.
- Former Ricegrowers site at 36-48 Banna Avenue – 4 ha.
- Former Rawlinson and Brown building and site (50-56 Banna Avenue) - .8 ha
- Essential Energy compound (9 Twigg Street) – 2.11 ha

The majority of the site is vacant and there is some vegetation scattered around the area. A former rail line traverses through the centre of the site. Council's LSPS has envisioned that as part of the master planning of this area, Yambil Street would be extended through the site utilising this former rail line and some surrounding land to provide for the required width of a road reserve. The Yambil Street extension would also provide additional frontage for the site to Council's road network. The main frontage of the site is to Banna Avenue which is a classified road under the control of TfNSW. It is expected that as part of the future master planning of the site, the number of access points to Banna Avenue would be limited.

The site is presently connected to Council's water and sewer network and Council's drainage infrastructure is located in Banna Avenue and Twigg Street. The site has been predominantly vacant and underutilised since past uses have ceased operation.

Constraints

Flooding

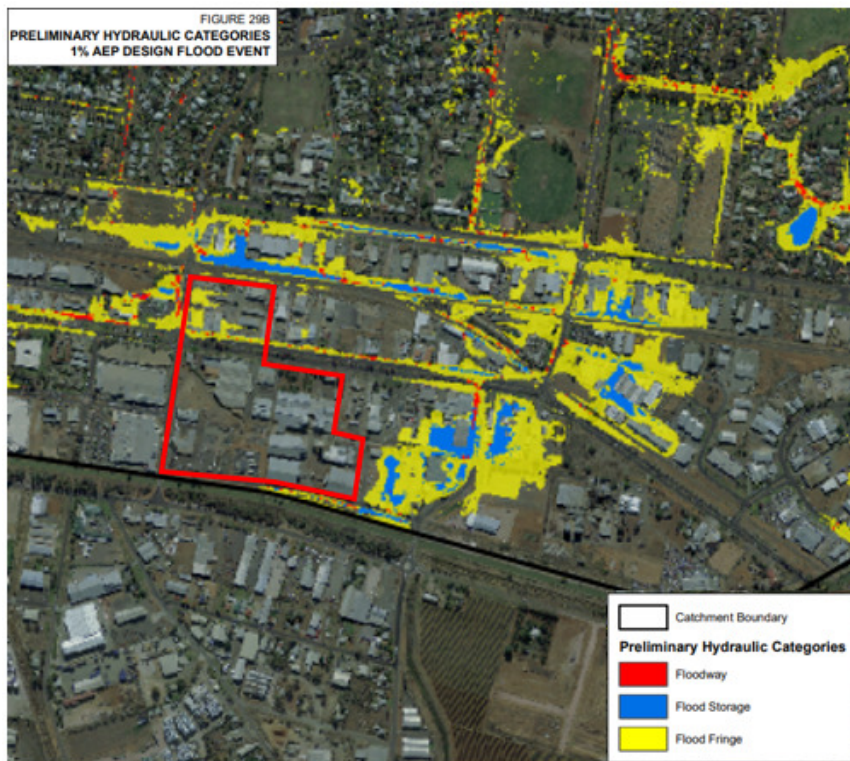


Figure 29: SSA8 Flood Map

The site is captured in the Griffith CBD Overland Flow Flood Study 2012. A portion of the site is considered flood prone for the 1 in 100 year flood event. The flood categorization of the affectation is flood fringe. Development on the site could proceed ensuring the require flood heights are above the flood planning level.

Contamination

The site is considered potentially contaminated from past uses including an MI workshop and the former Ricegrowers site. A Preliminary Environmental Site Assessment prepared by Aitken and Rowe was prepared for the former Ricegrowers site which recommended the removal of two underground storage tanks (UST's) and remediation of soils around this area (refer to Appendix 4). The UST's were removed and a validation report prepared. Other areas of the site also have potential for contamination, however to require a detailed site investigation of every lot within the site is not considered feasible for this Planning Proposal.

SEPP 55 Guidelines in section 4.1.2 suggests that for generalised rezoning's which cover a large area the rezoning should be allowed to proceed, provided there are measures in place to ensure the potential for contamination are assessed once detailed proposals are made. This approach is appropriate in this instance as the potential future uses of different lots will vary from light industrial to residential and therefore the level of assessment and potential remediation could alter based on the specific development proposal.

Water and Sewer Services

The site is located within Council's DSP for both water and sewer. Council's reticulated sewer network is located within the site. Council's water service is connected to the site. Essential Energy's Electrical network runs through the site, including a large substation.

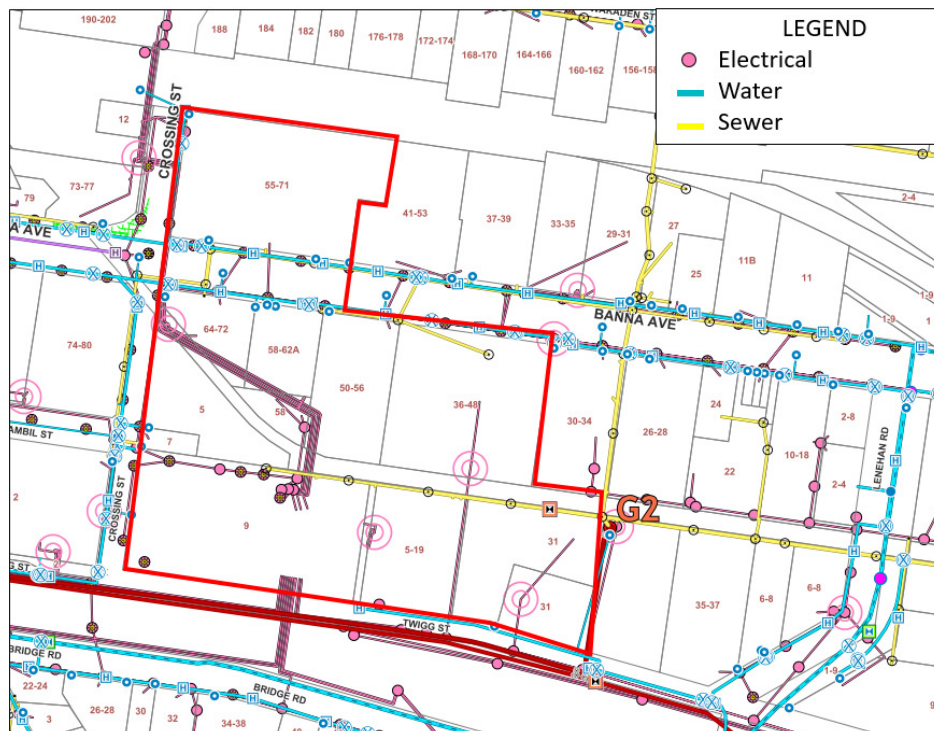


Figure 30: SSA8 Services Plan

Road Infrastructure

The site is surrounded by the local and regional road network, including:

- Banna Avenue – a Classified Road under the control of TfNSW
- Twigg Road – a local road under the control of Council.
- Crossing Street – a Classified Road under the control of TfNSW
- Yambil Street – a local road under the control of Council.

A new internal road network would be planned as part of the master planning of the site. As discussed previously the extension of Yambil Street into the site would allow additional frontage for the site and connect Crossing Street to Lenehan Road.

Land Use Conflict

A Lowe's fuel depot is located to the east of the site on 30-34 Banna Avenue. The potential hazards and risk of this use would need to be considered as part of the future development of the nearby lands depending on the proposed use and in accordance with SEPP (Resilience and Hazards) 2021. Essential Energy's substation is located on 9 Twigg Street. Adequate

buffers from this substation would need to be considered in the master planning of the site and as part of future development applications.

Other Constraints

- The site is not bushfire prone.
- The site is relatively flat with limited fall which would need to be considered in the master planning process to inform the preparation of the site specific DCP.

Site Specific Merit

The site is located within the Griffith CBD in close proximity to employment uses, services and shops. The site is flat and generally void of native vegetation. The site is also located in close proximity to commercial and recreation areas including:

- The CBD footpath network is available to the site and provides direct pedestrian access to the commercial core to the west and East Griffith to the north.
- The site has capacity to support shop top housing and a mixture of employment generating uses.
- The site can be serviced by existing Council infrastructure in the surrounding road network.
- The site has access to Council's urban stormwater network.
- The site has dual frontage to sealed Council roads – Banna Avenue, Twigg Road and Crossing Street.
- The site does not contain any native vegetation.

Strategic Merit

The site has been identified in the Griffith LSPS for mixed use development.

Strategy 1.1 - Implement the recommendations of the Griffith Housing Strategy 2020

ACTION 1.1A – INCREASE RESIDENTIAL DENSITY CLOSE TO THE CBD (SHORT TERM)

Strategic re-zoning of lands near the CBD for mixed-use development including the areas identified on the Structure Plan to the east of Crossing Street.

ACTION 1.1B – UPDATE DEVELOPMENT CONTROLS (SHORT TERM)

A new Residential Development Control Plan (DCP) has been adopted by Council to facilitate some of the recommendations of the Housing Strategy. However, Griffith still lacks a comprehensive DCP and there are still active DCP's which were drafted in the early 90's. All of Griffith's development controls must be modernised similar to the Residential DCP including controls to develop the commercial areas of Griffith and new mixed-use areas.



The site has also been identified in the Griffith Housing Strategy for mixed use development (Strategy 5 on pg. 16 and Strategy 6 on pg. 17). The rezoning would also assist in providing some of the 1,160 affordable housing units which are projected to be needed by 2036 in Griffith in the Housing Strategy. This brownfield site represents a great opportunity for Griffith to achieve several of the recommendations in the Housing Strategy and the LSPS and increase the density of residents living and working in the CBD. Also, a mixed use development would allow residents to potentially live, work and access services within the same site. This type of development, although common in larger regional centres, has not eventuated in Griffith to date.

SSA 09 – Former Penfolds Site

Subject Land:

18A and 20-22 Mackay Avenue, 59-61 and 55-57 Twigg Street which covers the former Penfolds Wines site legally described as: Lots 935, 936, 946 and 947 DP751709. The site has an area of 4.5 ha with frontage to Mackay Avenue.



Figure 31: SSA 09 Subject Lands (with Addresses)

Existing Zoning and Minimum Lot Size

IN1 – General Industrial with no minimum lot size.

Proposal

Rezoning the subject lands from E4 – General Industrial to E3 - Productivity Support.

- Amend LZN_004A as depicted in **Figure 32**.

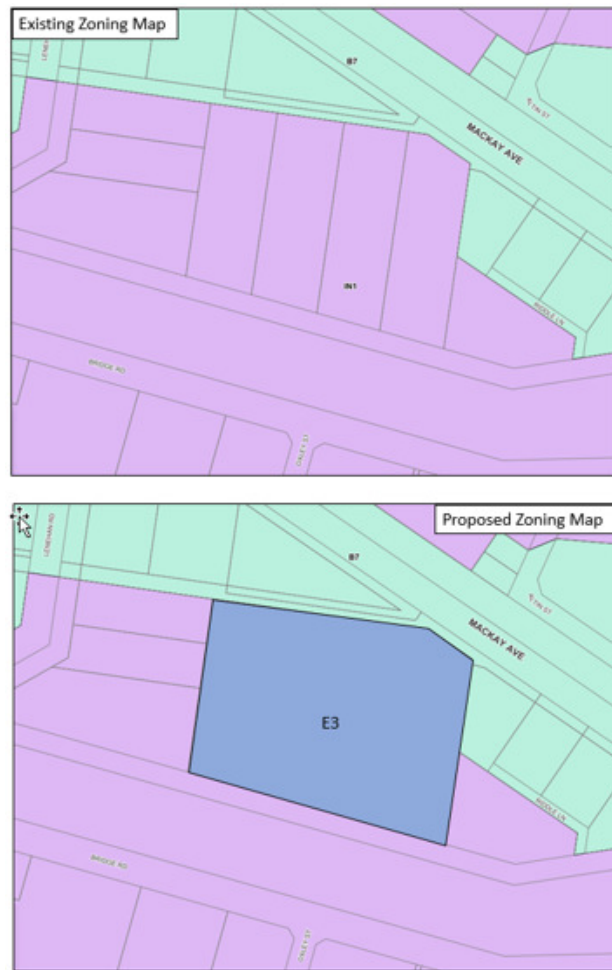


Figure 32: SSA 09 - Existing and Proposed Zoning Maps

Comparable Landuse Use Table

	Zone E4 General Industrial	Zone E3 Productivity Support
Permissible with consent	Building identification signs; Business identification signs; Depots; Freight transport facilities; Garden centres; General industries; Goods repair and reuse premises; Hardware and building supplies; Industrial retail outlets; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Liquid fuel depots; Local distribution premises; Neighbourhood shops; Oyster aquaculture; Plant nurseries; Roads; Rural supplies; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution	Animal boarding or training establishments; Boat building and repair facilities; Building identification signs; Business identification signs; Business premises; Centre-based child care facilities; Community facilities; Depots; Function centres; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Industrial retail outlets; Industrial training facilities; Information and education facilities; Landscaping material supplies; Light industries; Local distribution premises; Markets; Mortuaries; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Plant nurseries; Recreation

	centres; Any other development not specified in item 2 or 4	areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Research stations; Respite day care centres; Roads; Rural supplies; Seniors housing; Service stations; Serviced apartments; Shop top housing; Shops; Specialised retail premises; Storage premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Wholesale supplies; Any other development not specified in item 2 or 4
Prohibited	Agriculture; Air transport facilities; Airstrips; Amusement centres; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Charter and tourism boating facilities; Commercial premises; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Heavy industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Registered clubs; Residential accommodation; Respite day care centres; Tourist and visitor accommodation; Water recreation structures; Wharf or boating facilities	Agriculture; Air transport facilities; Airstrips; Biosolids treatment facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Group homes; Heavy industrial storage establishments; Helipads; Highway service centres; Home businesses; Home occupations (sex services); Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Residential accommodation; Resource recovery facilities; Restricted premises; Roadside stalls; Sewage treatment plants; Sex services premises; Tourist and visitor accommodation; Waste disposal facilities; Water recreation structures; Water treatment facilities; Wharf or boating facilities

Strategic Assessment

Background

The former Penfolds winery site is a local heritage item I18. The following is an excerpt from the Griffith Heritage Study 2004 regarding the establishment of the winery on the site:

“Attracted by McWilliams success and by the possibilities of arranging grower contracts, Frank Penfold Hyland visited the area during the First World War and, in the Hanwood Hall, addressed young men who had just returned from the war, advising them to take up viticulture in the area. Penfolds, he said, were prepared to build a modern winery at Griffith to process grapes, and would help in any way to establish the culture of the vine in the district. In earnest of the Company's good faith he offered an eight years' contract to growers for all grapes produced, at a minimum of £8 a ton. His faith in the venture was amply demonstrated by his readiness to sink a large sum in the building of a winery and distillery. This was in an area where wine grapes had not as yet been grown, and where irrigation methods would be used, without the advantage of previous experience, in the production of grapes.”

“Penfolds began their Griffith winery in 1920 and encouraged the planting of wine grapes in Yenda by offering eight-year contracts to returned soldier settlers.”

“The first vintage at Griffith winery was made in 1921. Penfolds went through a period of great expansion after the First World War. By 1929 the Griffith winegrowing area had advanced so rapidly that it was necessary to extend the winery and distillery buildings, and this was done in time for the 1930 vintage. But Penfolds eight-year grower contracts, offered in 1922, were not renewed in a period that coincided with the Depression.”

The winery has been closed for several years and the western portion of the site was used for decades as a rice mill for Ricegrowers (now SunRice). The rice mill ceased operation in the 80's and the entire site has been vacant and derelict since. The present owner stores vehicles and materials on the site. The architectural and historical importance of the main winery buildings is presently masked by the other derelict buildings on the site. The site is one of the most visible sites at the entrance of Griffith from Yoogali. The owner of the land has proposed to rezone the land to a commercial zone to permit tourist and visitor accommodation and other uses. The industrial zoning and the permitted uses are not considered conducive to the adaptive reuse of the former winery building or support the visions of Griffith's Entrance Strategy.

Constraints

Flooding

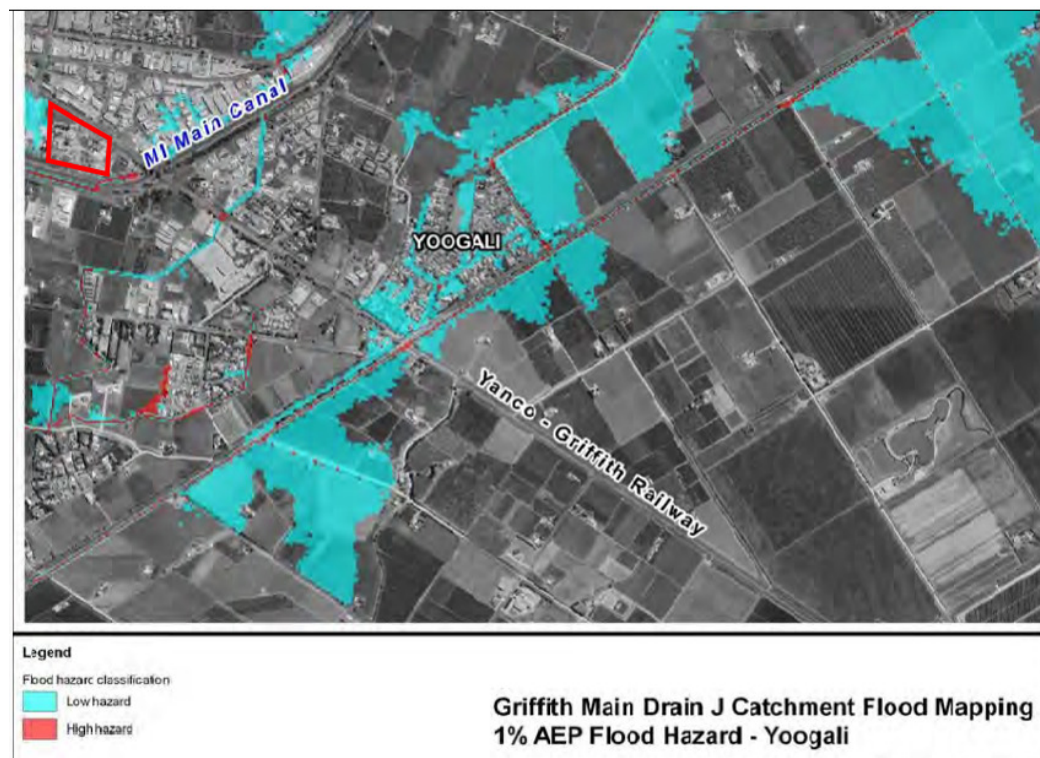


Figure 33: SSA9 Griffith Main Drain J Catchment Flood Study Update 2021 Flood Map

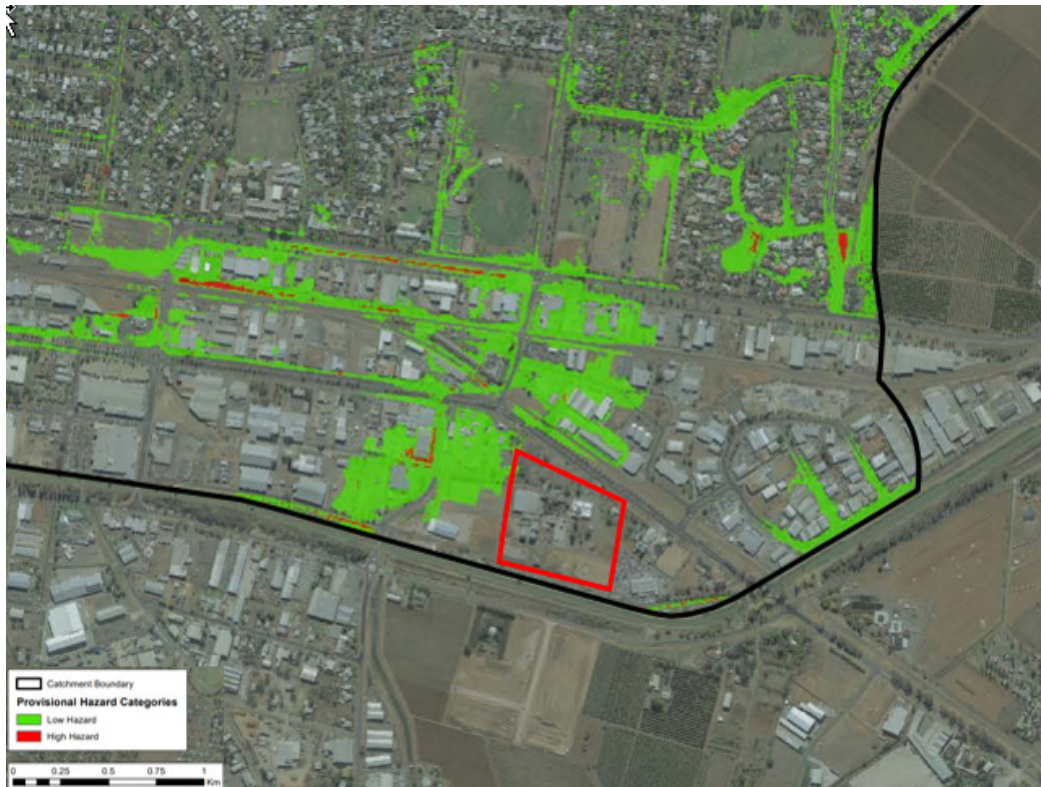


Figure 34: SSA 9 Griffith CBD Overland Flow Floodplain Risk Management Study Flood Map

The site is located within the investigation areas for the Griffith Main Drain J Catchment Flood Study Update 2021 and the Griffith CBD Overland Flow Floodplain Risk Management Study and Plan 2013. The site is not considered flood prone for the 1 in 100 year flood event.

Contamination

The site has been previously used for a winery and a rice mill. The site is presently used for the storage of vehicles, trucks, plant and equipment and materials. The site is therefore potentially contaminated.

SEPP 55 Guidelines in section 4.1.2 suggests that for generalised rezoning's which cover a large area, the rezoning should be allowed to proceed, provided there are measures in place to ensure the potential for contamination are assessed once detailed proposals are made. This approach is appropriate in this instance as the potential future uses of the site are unknown and therefore the level of assessment and potential remediation could alter based on the specific development proposal. Also, it is expected that the buildings would need to be removed from the site to carry out a comprehensive assessment of potential contamination on the site.

Water and Sewer Services

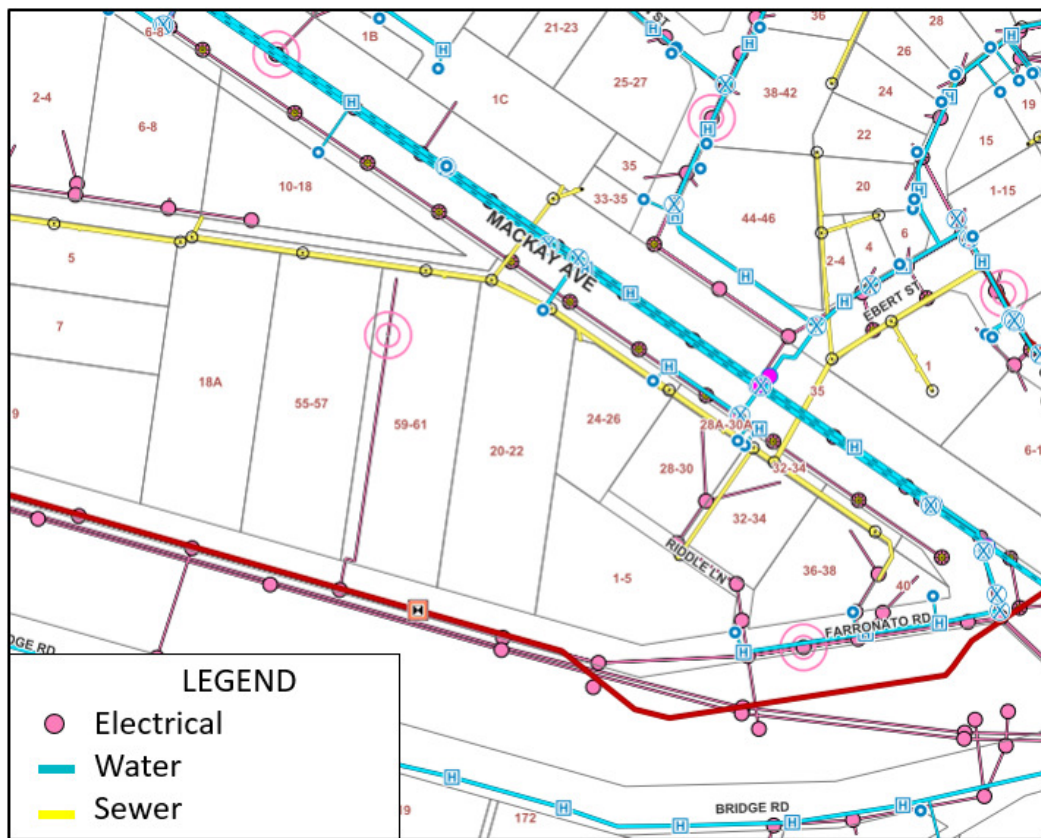


Figure 35: SSA9 Services Plan

Council's sewer main is located at the frontage of the four allotments and runs along Mackay Avenue. The sewer infrastructure is connected to the site. Council's water main is located in Mackay Avenue and is connected to the site. Essential Energy's infrastructure is connected to the site and located in Mackay Avenue and also adjacent to Main Drain J to the south of the site.

Road Infrastructure

The site has around 70 m of frontage to Mackay Avenue which is a Classified Road under the control of TfNSW. The site presently has two unsealed driveways to Mackay Avenue.

Land Use Conflict

The proposal includes the rezoning of the site to E3 – Productivity Support which would allow for a range of commercial and light industrial uses. Depending on the future use of the site, land use conflict may be possible. To the west of the site are two rural supplies buildings. A fuel depot is located to the north-west of the site. These uses each have the potential to conflict with future uses. The level of impact of these uses acting in close proximity to the site will depend on the proposed future use of the site. The potential land use conflict of surrounding

uses would be a consideration in the assessment of future development applications. The requirements of SEPP 33 (Hazards and Resilience) 2021 would be considered at this time.

Site Specific Merit

- The site is situated at the northern extent of the existing industrial area. The site is separated from the majority of the industrial area by Main Drain J.
- The site is located adjacent to other E3 zoned lands along Mackay Avenue.
- The site represents an important landmark at the entrance of Griffith from Yoogali and the Burley Griffin Way. The present permitted uses being industrial in nature are not well suited to a visually appealing redevelopment.
- The site contains a heritage item (former Penfolds Winery) which is linked to the wine producing history of the region. The adaptive reuse of this site would be more suited to a commercial zoning.
- The site is connected to Council's water and sewer services.
- The site has access to Mackay Avenue which connects to the Griffith CBD to the west and Burley Griffin Way and Irrigation Way to the east.

Strategic Merit

- The Griffith Entrance Strategy contains the following issue regarding the Mackay Avenue entrance to Griffith: *Inconsistent setback frontage, poor building forms and the visual bulk of buildings are visually obtrusive and compromise streetscape character along the entrance.*
 - The proposed rezoning would permit the site to be utilised for commercial uses which would allow for the reuse of the existing heritage item for commercial or tourism purposes. The removal of the rice mill buildings and the various trucks, vehicles and materials stored on the site would improve the streetscape character.
- The site has been underutilised, derelict and has sat vacant for several years. The proposed rezoning of the site could entice redevelopment and

SSA 10 – Wakaden Precinct

Subject Land:

Lands surrounding Wakaden Street, known in Council's Residential Development Control Plan as Central Griffith (North) Precinct. The DCP permits the highest density, FSR and minimum parking requirements in this Precinct.

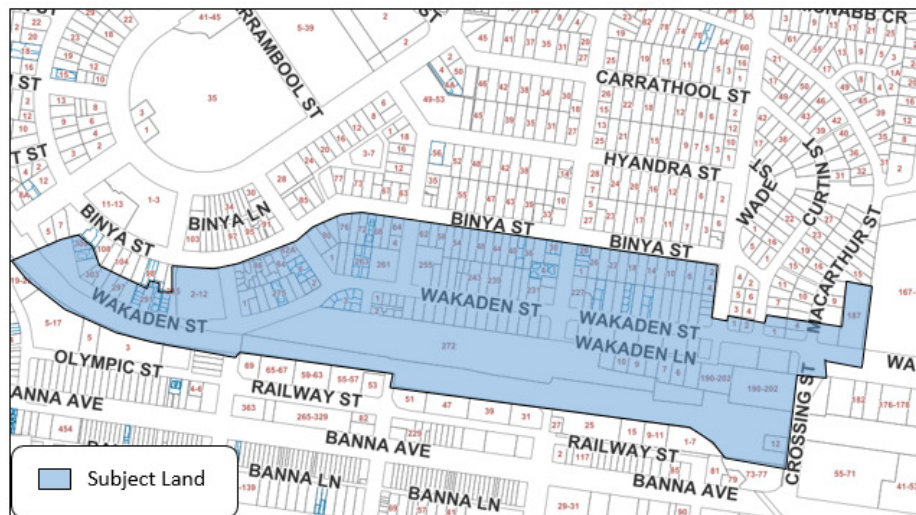


Figure 36: SSA 10 - Wakaden Street Precinct

Existing Zoning and Minimum Lot Size

The subject lands are presently zoned R1- General Residential with a minimum lot size of 300 m².

Proposal

Rezone the subject lands from R1 to R3 – Medium Density Residential. No amendment to the minimum lot size is proposed.

- Amend LZN_004A as depicted in **Figure 37**.

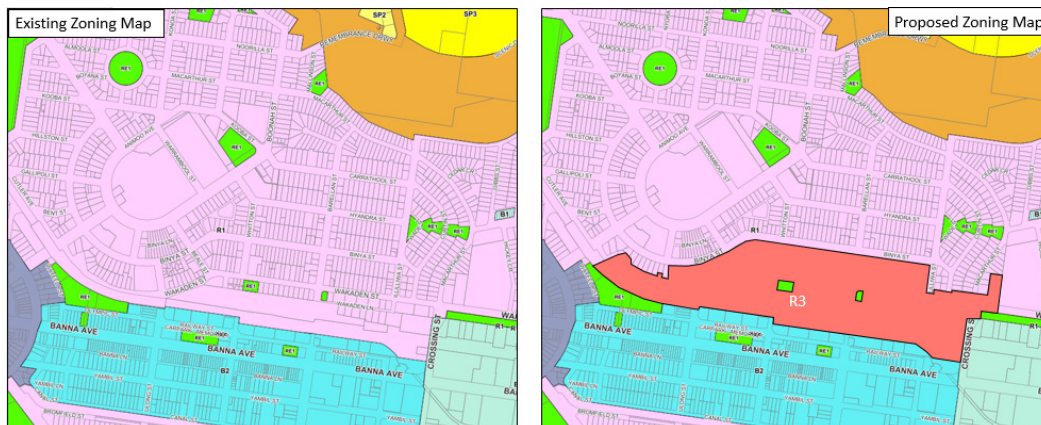


Figure 37: SSA 10 - Existing and Proposed Zoning Maps

Strategic Assessment

Background

The Griffith Residential Development Control Plan 2020 describes the existing and future character of the precinct as follows:

Existing Character

The Central Griffith (North) precinct is located to the north of the Griffith CBD. The Precinct contains a mixture of residential accommodation including single dwellings, dual-occupancies and multiple dwelling housing on lot sizes averaging around 1100 m² with 20 m frontages. The railway and terminal are located on large tracts of land at the southern end of the precinct. Some commercial uses including a supermarket and registered club are located in the Precinct as well as an ambulance station and RFS Administrative building. Several under-developed or underutilised lots are scattered throughout the Precinct. Wakaden Street is the main collector road in the Precinct and is a key east-west corridor for residents accessing the CBD.

Future Character

The projected future character of the Precinct is to be redeveloped with medium density units with an emphasis on affordable housing. A higher FSR has been allocated to the Precinct to promote higher densities. Underutilised lots with frontage to Wakaden Street should be a preferred location for multi-storey residential flat buildings and boarding houses. Binya Street should be preferred locations for multiple dwelling housing, dual occupancies and single storey boarding houses. The existing rail terminal lands should be redeveloped for medium density housing once the freight terminal is relocated.

One of the main purpose of the re-zoning is to identify these lands for medium-density development and promote the development of vacant land for residential flat buildings and the redevelopment of lots for higher density residential. The Housing Strategy includes the

following commentary and recommendation regarding the Precinct, previously referred as Wakaden North:

Rationale – Wakaden North Precinct

*Similar to other areas, this precinct contains a large number of older residential flat buildings that pre-date the 1999 DCP, with more recent development consisting of multi dwelling housing, likely due to DCP constraints discussed earlier. There are more limited opportunities for redevelopment within the existing Precinct boundaries. However, additional redevelopment opportunities could be obtained by **extending the precinct north to Binya Street**, which is within 400 metres of the current B2 zoned area.*

Strategy 7

*Council will seek to facilitate the development of Residential flat buildings and Multi dwelling housing in **Wakaden North Precinct** (zoned R1) through supporting amendments to controls in the DCP as follows:*

- *Extending the Precinct north to Binya St, rezoning the entire precinct to medium density residential to solidify the strategy to promote higher densities.*

Constraints

Flooding

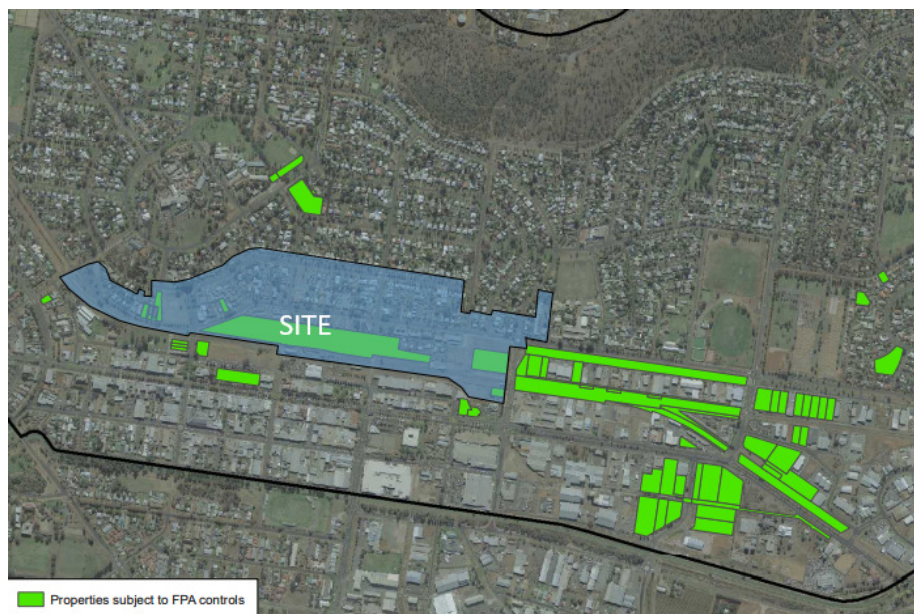


Figure 38: SSA10 - Flood Map

The site is located within the area covered by the CBD Overland Flood Study 2012. Some of the lots within the site are considered flood prone and subject to Flood Planning Area (FPA) Controls. As part of the future development of these sites, a flood study would be required to be submitted with a development application. The flood study would need to consider the

requirements of the Clause 5.21 and 5.22 of the Griffith LEP. Development would need to be designed to ensure additional detrimental flood impacts on neighbouring site are avoided

Contamination

The Precinct spans dozens of sites including existing and former rail yards and an operational rail terminal. The lots previously used for railway purposes could potentially be contaminated. The entire precinct is presently zoned R1 – which permits a range of residential accommodation and some other uses. The proposal does not increase the potential for sensitive uses to locate on lots within the site. The majority of the lots within the site would not be considered to be potentially contaminated from historical uses as this area has been a residential precinct since the 1940's and prior to that was untouched land.

SEPP 55 Guidelines in section 4.1.2 suggests that for generalised re-zonings which cover a large area, the rezoning should be allowed to proceed, provided there are measures in place to ensure the potential for contamination are assessed once detailed proposals are made. This approach is appropriate in this instance as the potential built forms of different lots will vary (some may proposed underground parking etc.) and therefore the level of assessment and potential remediation could alter based on the specific development proposal. As previously stated

Water and Sewer Services

Council's water and sewer services are available throughout the Precinct. Electrical infrastructure is available throughout the Precinct.

Road Infrastructure

Wakaden Street is the main arterial road in the Precinct.

Land Use Conflict

The site contains an active freight terminal. Council's strategic plans are to relocate this freight terminal to Wumbugal with Leeton Shire Council as a partner. The lands are presently zoned R1 – General Residential and can be developed for residential development presently. The proposed rezoning would not increase the potential for land use conflict with the freight terminal and the operation of the rail line itself. As part of future development applications for residential development on vacant lands or redevelopment of developed lands in proximity to the rail line or freight terminal would need to have consideration to rail related noise impacts in accordance with Clause 2.100 of SEPP (Transport and Infrastructure) 2021:

Impact of rail noise or vibration on non-rail development

(1) This section applies to development for any of the following purposes that is on land in or adjacent to a rail corridor and that the consent authority considers is likely to be adversely affected by rail noise or vibration—

(a) residential accommodation,

(b) a place of public worship,

(c) a hospital,

(d) an educational establishment or centre-based child care facility.

(2) Before determining a development application for development to which this section applies, the consent authority must take into consideration any guidelines that are issued by the Secretary for the purposes of this section and published in the Gazette.

(3) If the development is for the purposes of residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded—

(a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10.00 pm and 7.00 am,

(b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.

Strategic Merit

- The area was identified in the Griffith Housing Strategy as a key location to provide additional unit development including build to rent and strata title development.
- The area is adjacent to the Griffith CBD, close to schools and the Griffith Base Hospital.
- The area has been identified as part of the Griffith Hospital Precinct Master Plan for High Density and Medium Density residential including supportive accommodation for hospital workers.
- The Site has been identified in the Griffith Residential Development Control Plan for development with an FSR of 2.5:1 which is the highest allowable FSR in Griffith.
- The zoning would solidify the strategic direction of Council in supporting higher densities in the locality.

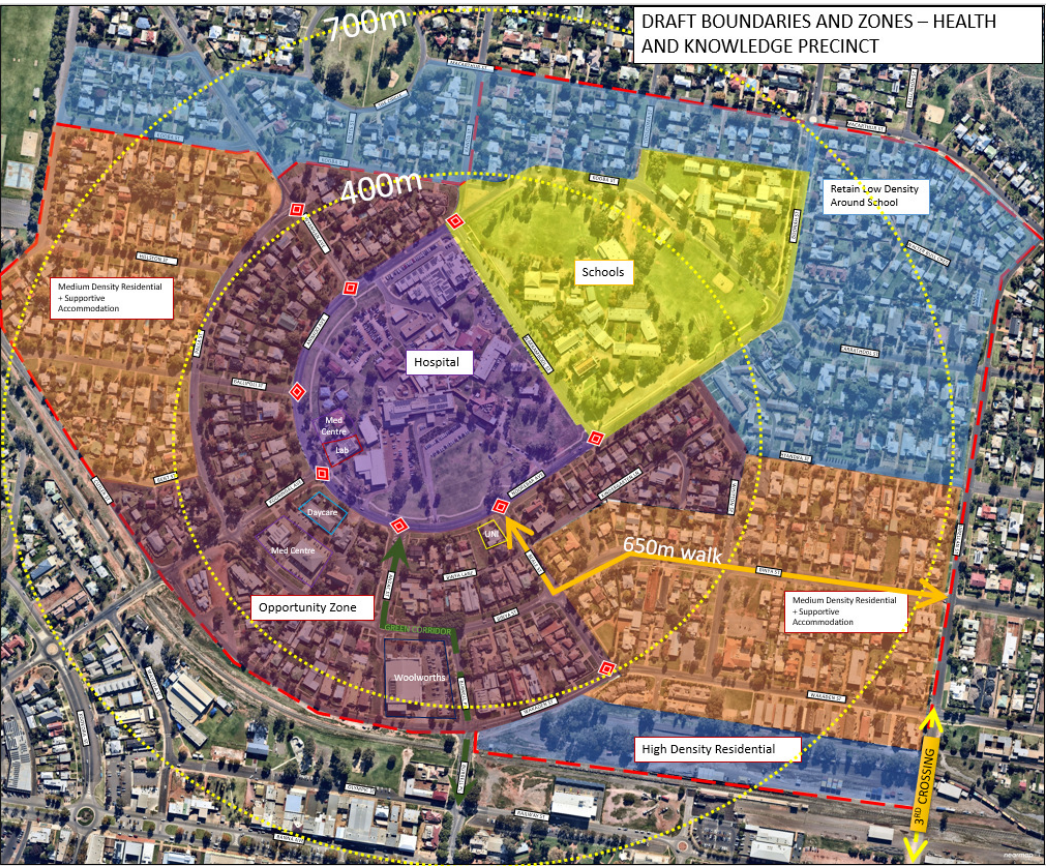


Figure 39: Draft Health and Knowledge Precinct Plan

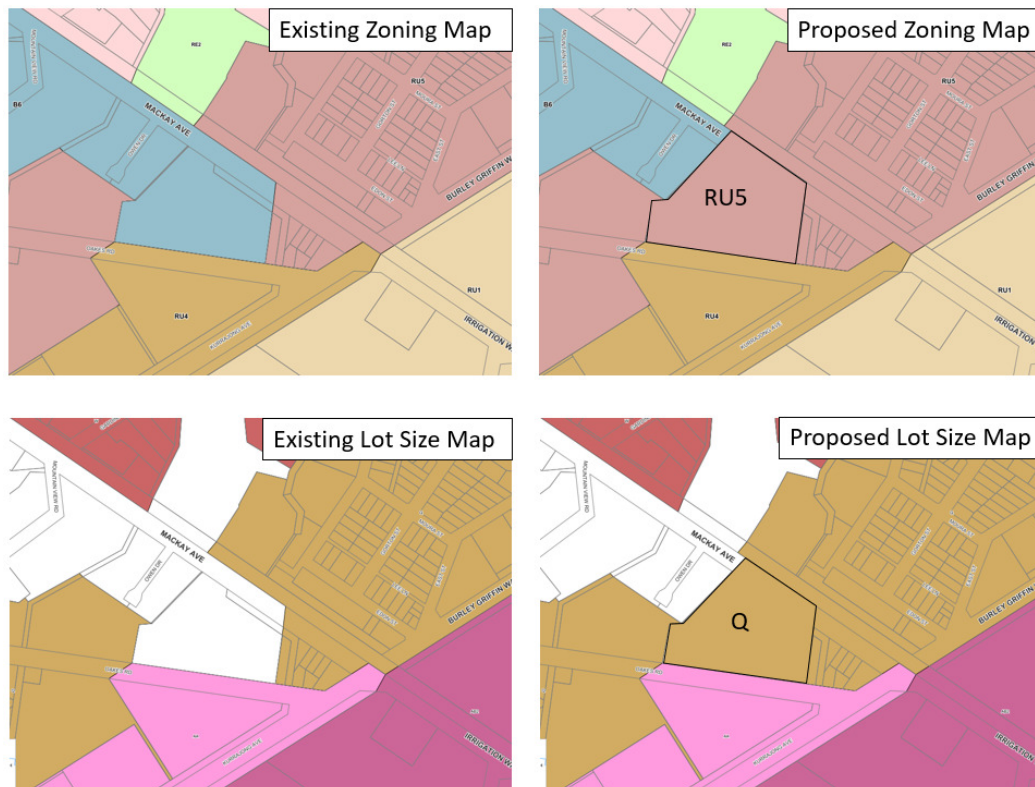


Figure 41: Existing and Proposed Zoning and Minimum Lot Size Maps

Strategic Assessment

Background

The site is located adjacent to the Village of Yoogali and adjacent to a nursing home to the west. The current owners are seeking to develop the site for Seniors Housing to be provided to NDIS supported individuals. The current zoning permits Seniors Housing, but clause 89 of SEPP (Housing) 2021 requires the use of the ground floor of a building which faces an existing street to not be used for residential purposes.

The site was identified in the Griffith LSPS for Village Expansion.

Constraints

Flooding

The site is covered by the Griffith Main Drain J and Mirrool Creek Flood Study. The site is not considered flood prone for the 1 in 100 year flood event. The site would be subject to Council's Floor Heights Policy, requiring development to be above the flood planning level.

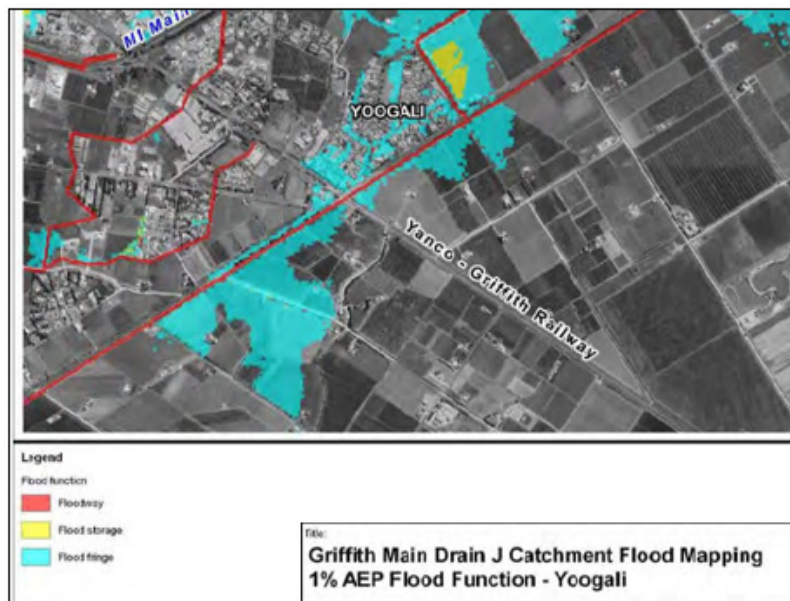


Figure 42: Flood Map

Contamination

A portion of the site has been used historically for growing lucerne. Based on the site history and site inspection, potential contaminants at the site are likely to be those associated with potential pesticide and herbicide application. Therefore any contamination is expected to be in surface materials from direct application. Council has approved several subdivisions and rezoned lands previously used for past agricultural purposes including the entire developed Collina area (refer to Appendix 4). Site investigations for these development applications indicated that lands were capable of being developed for residential purposes.

As part of a development application for the development of the site for any residential purposes, an applicant will be required to carry out a detailed Stage 2 Site Investigation of the site. As such, Council considers that the lands will be suitable in their present condition or after remediation of surface pesticides (should it be required) for residential purposes.

Water and Sewer Services

The site is located within Council's water and sewer DSP areas. The site has access to Council's water and sewer infrastructure in the surrounding road network. Essential Energy's electrical supply is connected to the site. As part of the future development of this site, upgrades to this infrastructure would be required.

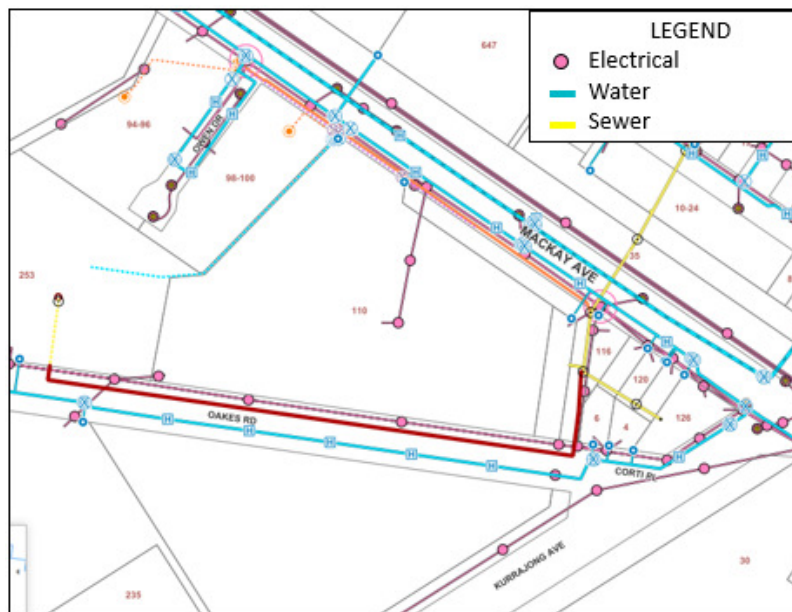


Figure 43: Services Map

Road Infrastructure

The site has access to Mackay Avenue and Oakes Road. Mackay Avenue is an Arterial road under the control of Council. Oakes Road is a Collector road also under the control of Council. The site has an existing access to Mackay Avenue via single driveway. Development for Seniors Housing would be required to utilise Oakes Road to provide access to an internal road network to avoid additional accessways to Mackay Avenue.

Land Use Conflict

The site is located to the east of a commercial area on Owen Drive which contains a car dealership and a veterinary hospital. The remainder or vacant area of 98-100 Mackay Avenue has been approved for three commercial / light industrial buildings. These uses would not be expected to have an amenity impact on the future development of the site for potential residential purposes for the following reasons:

- The veterinary hospital is fully enclosed with no outdoor holding areas.
- The car dealership contains its mechanic workshop at the western frontage of the building and away from the site
- The rear yards of the three proposed commercial buildings would only be used for storage and no heavy vehicle movements would be permitted on the eastern boundary of 98-100 Mackay Avenue.

- Adequate setbacks from Mackay Avenue can be provided to avoid road noise impacts due to the location of a 15 m wide supply reserve owned by Murrumbidgee Irrigation which limits the proximity of future buildings to Mackay Avenue.

Other Constraints

- The site is not bushfire prone.
- There is some limited native vegetation on the site which was utilised as a buffer area for the dwelling. An assessment of this vegetation in accordance with the relevant legislation would be required as part of a future development application for the site.
- Stormwater from any future development would be directed to the existing drainage channel system.

Site Specific Merit

- The site is strategically located adjacent to the existing Yoogali Village. Pedestrian access to the village and the services available including shops, schools and recreational facilities (gym, pool and futsal courts at Griffith Post School Options) can be provided through additional footpaths on Mackay Avenue and Oakes Road / Kurrajong Avenue connecting to a new intersection (constructed by TfNSW) which contains pedestrian crossing infrastructure (at the intersection of Burley Griffin Way, Mackay Avenue and Kurrajong Avenue).
- The site is flat, with limited vegetation and good access to services and Council's road network.
- The site is located adjacent to an existing Nursing Home and the future use of the site for Seniors Housing would be compatible with this use.
- The site is located 2.3 km from the Griffith CBD.
- The site is not burdened by any hazards which would impact development including flooding, bushfire or environmental constraints.

Strategic Merit

- The site has been identified for village expansion in the Griffith LSPS.
- There is a lack of Seniors Housing available in Griffith especially catering for NDIS supported individuals.
- The site is located immediately adjacent to Village zoned lands to the east and west. The zoning of the site to RU5 would effectively connect the Yoogali Village. The new pedestrian signalised crossing over MacKay Avenue would support pedestrian movement from the south to the north and the facilities and services available in commercial area of Yoogali.

- The zoning of the site presently permits Seniors Housing as a nominated use. SEPP (Housing) 2021 restricts the use of ground floors of buildings facing a road for uses other than residential. The rezoning of the site would permit the entire site to be utilised for Seniors Housing.

SSA 12 – Beelbangera

Subject Land:

- Lot 1 DP716154 (Winery Road) Beelbangera.
- Lot 647 DP725659 (Winery Road) Beelbangera

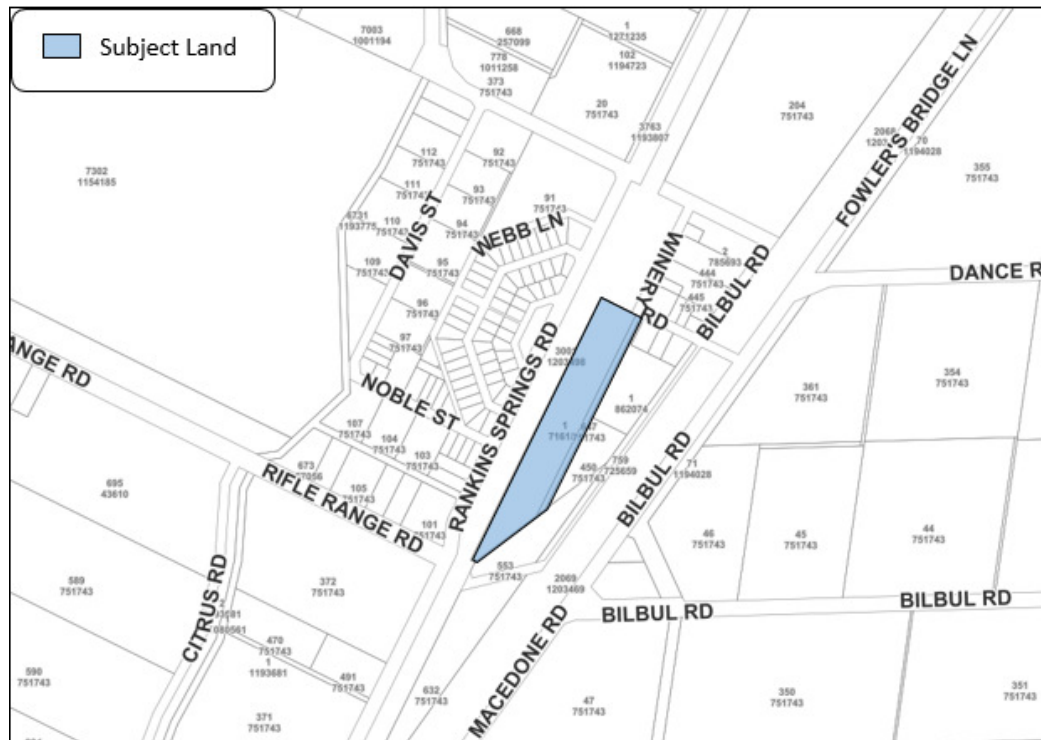


Figure 44: SSA 12 Subject Lands

Existing Zoning and Minimum Lot Size

The subject lands are presently zoned RU4 – Primary Production Small Lots with a minimum lot size of 5 ha.

Proposal

Amend zoning to RU5 Village to rectify an error in the mapping of the 2014 GLEP.

- Amend LZN_003D as depicted in **Figure 45**.
- Amend LSZ_003D as depicted in **Figure 45**.

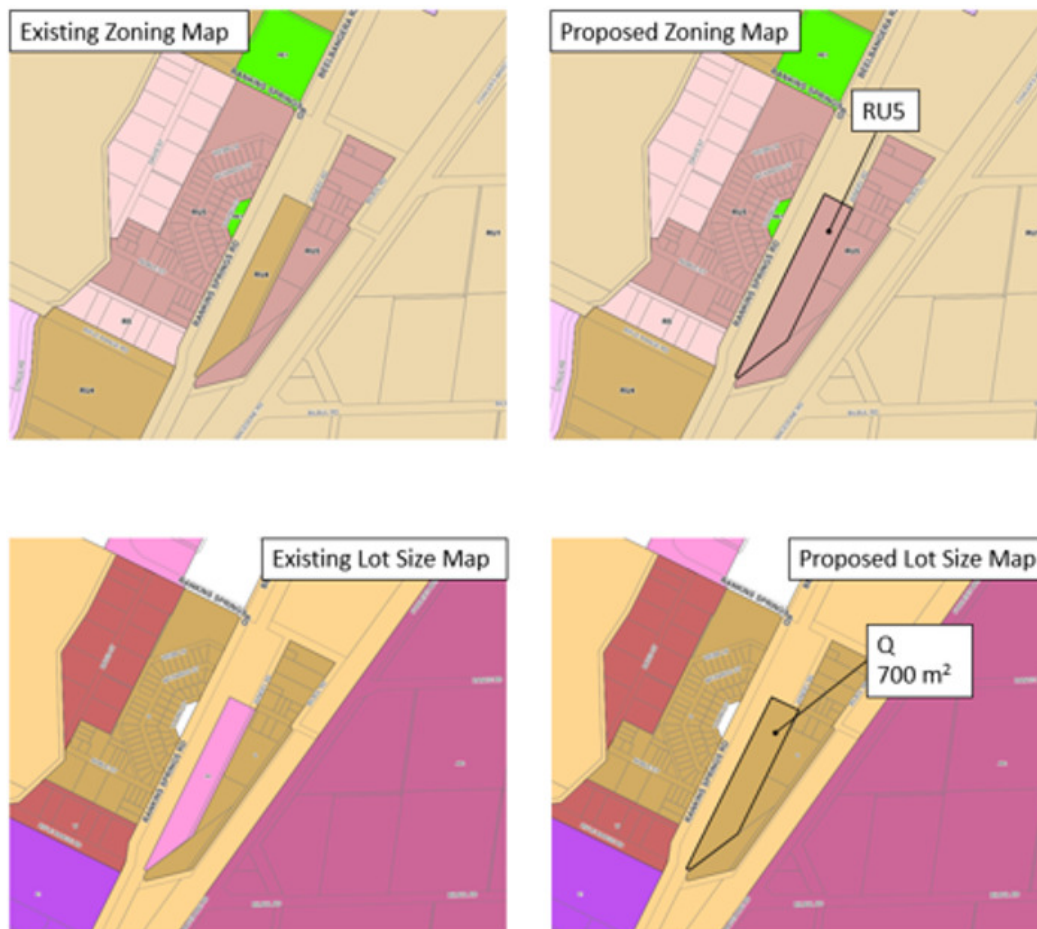


Figure 45: Existing and Proposed Zoning and Minimum Lot Size

Strategic Assessment

Background

The site is located in the village of Beelbanger on Winery Road. The site is 4.34 ha and is located adjacent to the railway. The site was previously owned by McWilliams Wines, but was originally owned by the Rail Authority. And formed part of the Railway Reserve. There is no record that the site had been used historically for any rail purposes or infrastructure. As the site was considered part of the Railway Reserve it was considered unzoned land in the Griffith LEP 2002. During the transition exercise to the Standard Instrument, the lands, being privately owned needed to be transitioned into an alternative zone. During the mapping exercise for the 2014 LEP, the site was transitioned to an RU4 zone which does not align to adjoining land use zones. The site is generally flat and contains some native vegetation. Access to the site is available from Winery Road. Calabria Wines purchased McWilliams Wines in 2020 and is the present owner of the site. Calabria Wines have requested the site be zoned RU5 – Village similar to their other land holdings to the east and the remainder of the village to the west.

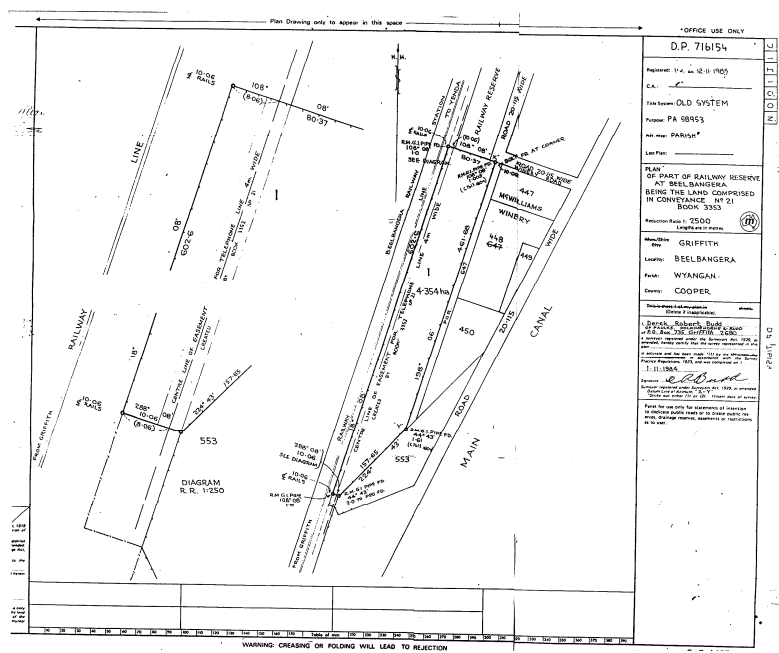


Figure 46: Deposited Plan - 716154

Constraints
Flooding

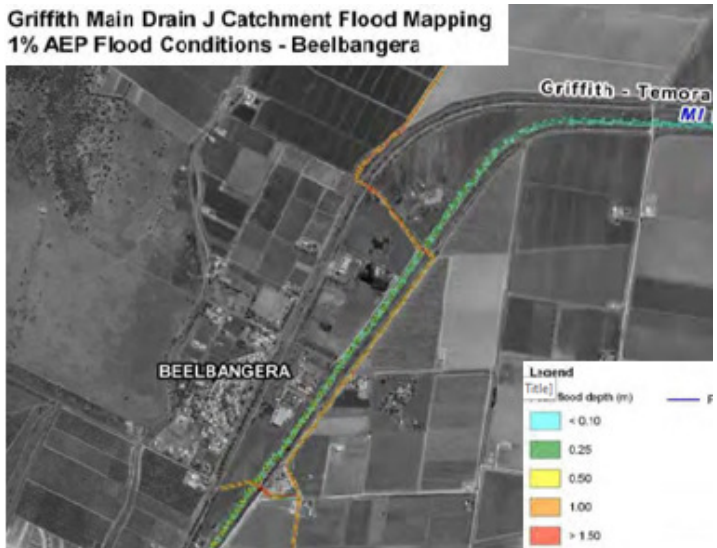


Figure 47: Flood Map

The site is covered by the Griffith Main Drain J and Mirrool Creek Flood Study. The site is not considered flood prone for the 1 in 100 year flood event. The site would be subject to Council's Floor Heights Policy, requiring development to be above the flood planning level.

Contamination

The site formerly formed part of the rail reserve, but Council's records do not show that the site was utilised for rail related purposes or infrastructure.

Water and Sewer Services

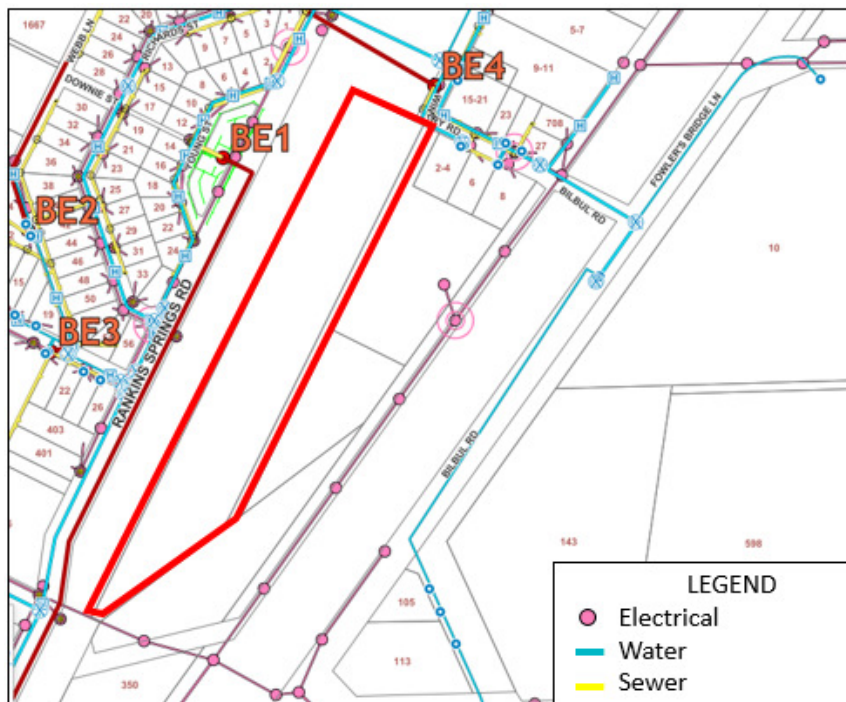


Figure 48: SSA14 Services Map

Council's water and sewer services are located in Winery Road. Essential Energy's infrastructure is located in Winery Road and at the southern boundary of the site.

Road Infrastructure

Winery road is a sealed two way Council road which connects to Rankins Springs Road to the north and Bilbul Road to the east.

Land Use Conflict

The site is located adjacent to the railway. As part of future development applications for residential development on vacant lands or redevelopment of developed lands in proximity to the rail line or freight terminal would need to have consideration to rail related noise impacts in accordance with Clause 2.100 of SEPP (Transport and Infrastructure) 2021:

Impact of rail noise or vibration on non-rail development

(1) This section applies to development for any of the following purposes that is on land in or adjacent to a rail corridor and that the consent authority considers is likely to be adversely affected by rail noise or vibration—

- (a) residential accommodation,*
- (b) a place of public worship,*
- (c) a hospital,*
- (d) an educational establishment or centre-based child care facility.*

(2) Before determining a development application for development to which this section applies, the consent authority must take into consideration any guidelines that are issued by the Secretary for the purposes of this section and published in the Gazette.

(3) If the development is for the purposes of residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded—

- (a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10.00 pm and 7.00 am,*
- (b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.*

Other Constraints

- Calabria Wines utilise the adjacent sheds for the storage of wine and plant which would not be expected to have an amenity impact on potential future sensitive uses on the site.
- The site is not bushfire prone.
- There is some limited native vegetation on the site. An assessment of this vegetation in accordance with the relevant legislation would be required as part of a future development application for the site.
- Stormwater from any future development would be directed to the existing drainage channel system.

Site Specific Merit

- The site is located adjacent to village uses to the north, east and west.
- The site is not located in a RU4 precinct.
- The RU4 zoning does not reflect the former or current use of the site or the adjoining land use zones.

- The site is located in close proximity to Council services to support a variety of uses.
- The potential impact of the railway would need to be considered as part of future development applications for the site in accordance with SEPP (Transport and Infrastructure) 2021.

Strategic Merit

- It is considered that during the standard instrument transitioning exercise in 2014, the site should have been zoned to reflect the neighbouring zone typologies rather than an alternative zoning.
- The site was identified as part of the existing Beelbangera Village in the Griffith Land Use Strategy: (LUS) Beyond 2030.

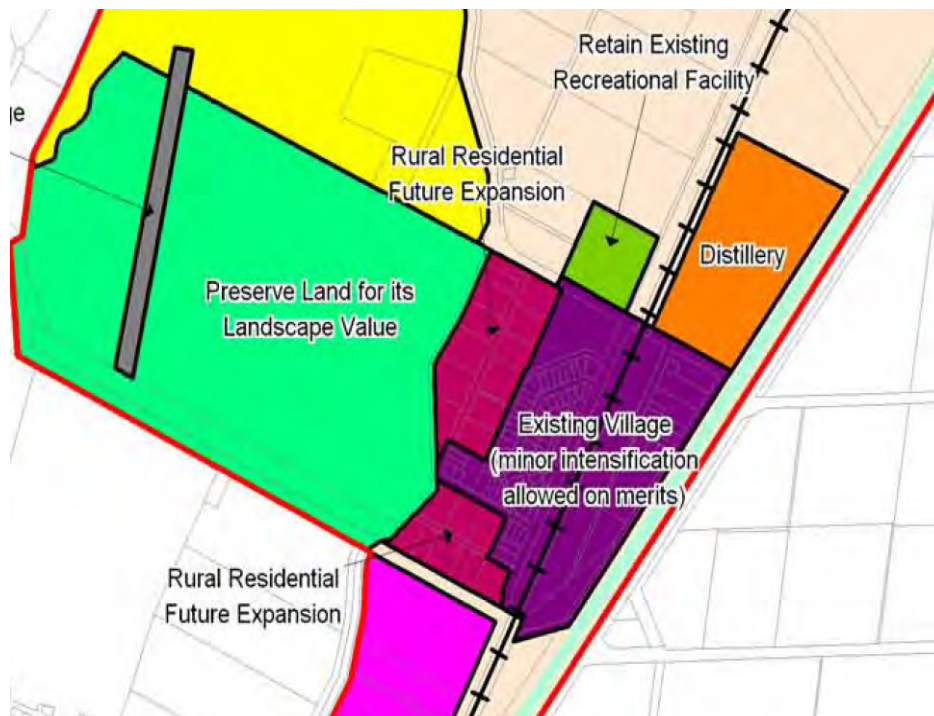


Figure 49: Griffith Land Use Strategy: Beyond 2030

- The site was identified as part of the existing Beelbangera Village in the Structure Plans in the Griffith LSPS.

SSA 13 – Former Matron’s House and Nurses’ Quarters at Base Hospital

Subject Land:

Griffith Base Hospital – Lot 35 DP1043580 – 35 Noorebar Avenue, Griffith NSW.

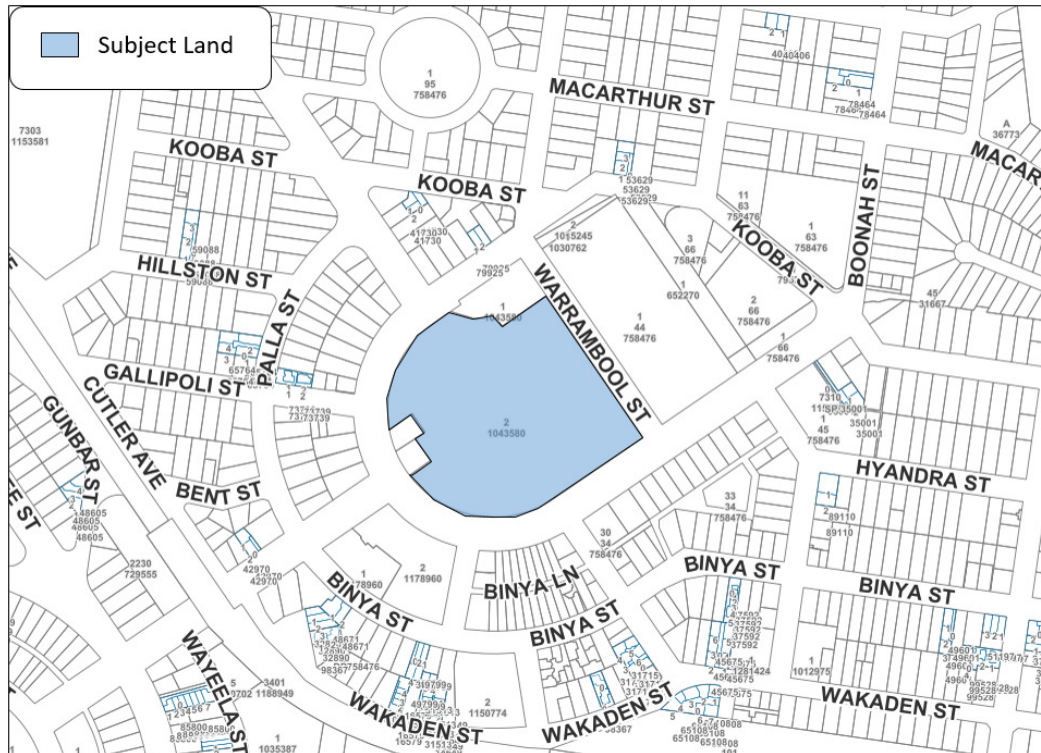


Figure 50: SSA 15 Subject Lands

Existing Heritage Mapping

The site is identified in Schedule 3 of the GLEP as a local Heritage Item I2.

Proposal

Remove the item from Schedule 3 and amend HER 004A to remove the item from the map

Strategic Assessment

The heritage item was generally identified as recommended item #69 “Base Hospital, portions of older building” in the Griffith Heritage Study 2004. During the drafting of the GLEP 2014, Council created a panel of local professionals to review the recommendations of the Heritage Study and propose items to be included in Schedule 3 of the GLEP. As part of this exercise the Former Matron’s House and Nurses’ Quarters were identified as the two

older buildings within the Base Hospital grounds that should be protected by a Heritage designation.



Between 2018 - 2021, NSW Health Infrastructure demolished both buildings. As the buildings do not exist anymore, there is no reason to have them identified as a heritage item.

SSA 14 – Boorga Road

Subject Land:

Lot 1 and 2 DP848433, 12 DP1233350, Lot 3 and 4 DP1281086 and Lot 279 DP1196899 and part of Jones Road Reserve (Boorga Road and Jones Road) Lake Wyangan.

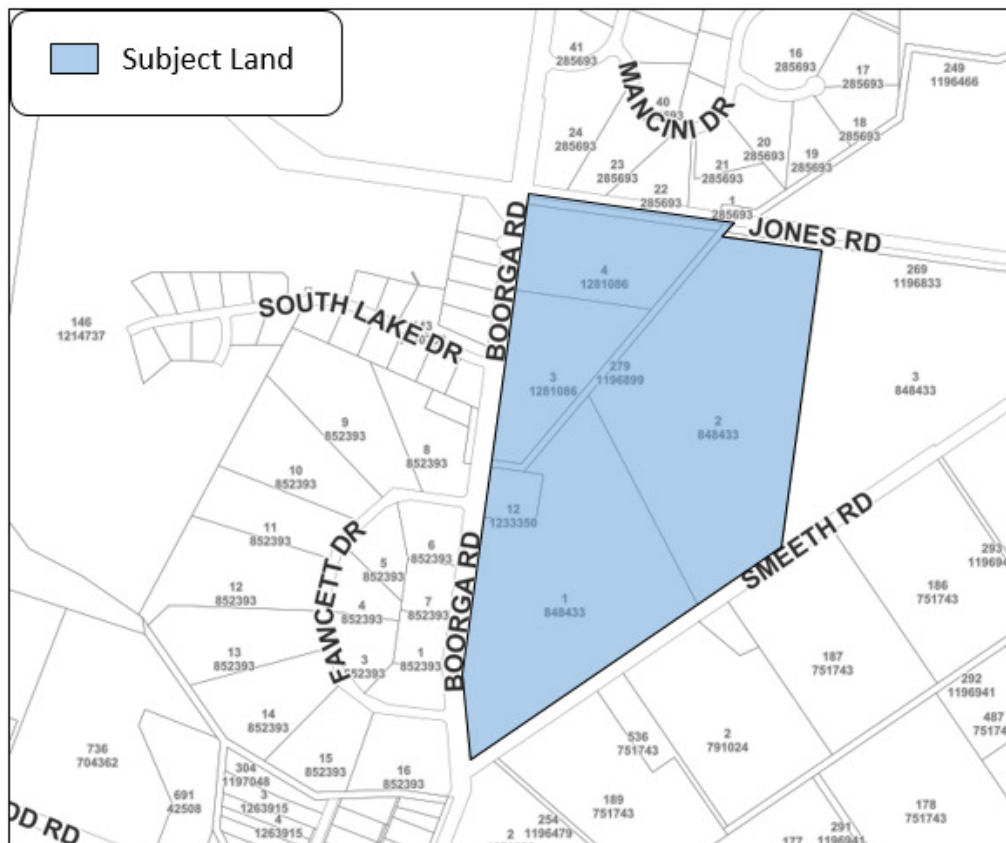


Figure 51: SSA 16 Subject Lands

Existing Zoning and Minimum Lot Size

The subject lands are presently zoned RU4 – Primary Production Small Lots with a minimum lot size of 5 ha.

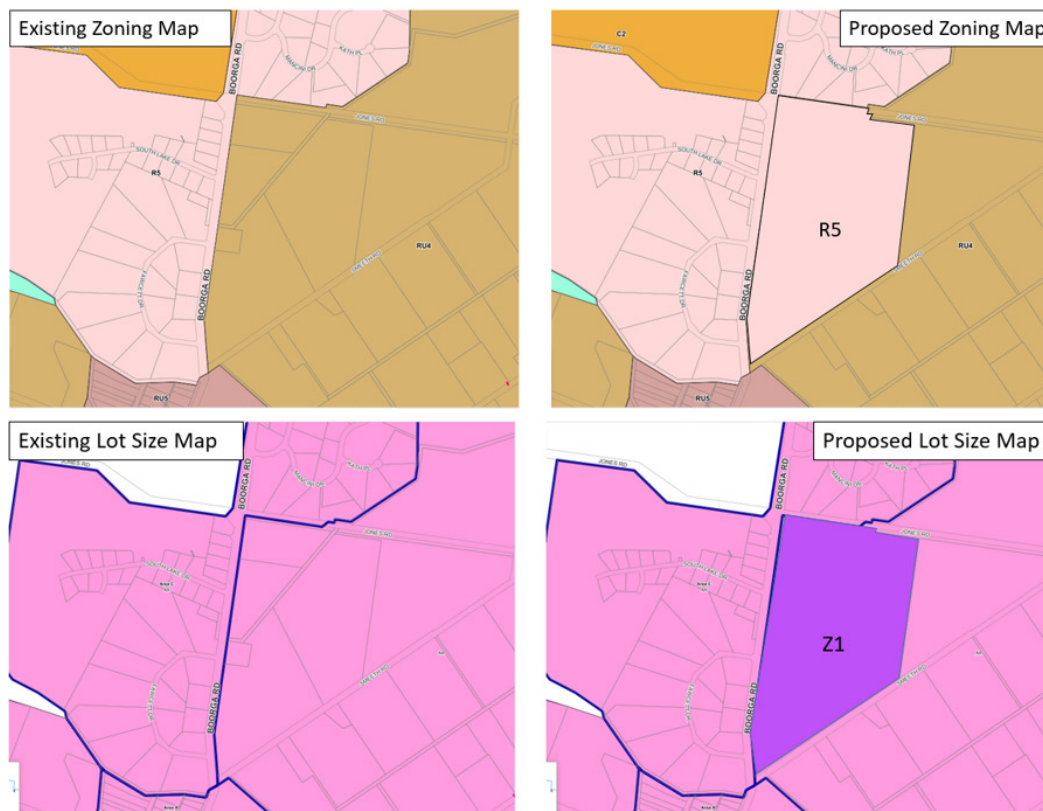


Figure 52: Existing and Proposed Zoning and Minimum Lot Size

Proposal

Amend zoning to R5 – Large Lot Residential and minimum lot size to 2ha.

- Amend LZN_003C as depicted in **Figure 52**.
- Amend LSZ_003C as depicted in **Figure 52**.

Strategic Assessment

Background

The site is located to the north of the Lake Wyangan Growth area and is presently zoned RU4 – Primary Production Small Lots. The site is surrounded to the north and west by rural lifestyle lots which have an area of between 1 ha and 5 ha. Council's reticulated water service is available to the site. The site is outside the boundaries of the Griffith Development Servicing Plan area for sewerage. A portion of the site along Smeeth Road is considered flood prone. The lands are underutilized and not planted for intensive plant agriculture like the other farms to the south and east.

Constraints

Flooding

The site is covered by the Lake Wyangan Flood Study and Management Plan 2012. Smeeth Road contains a channel which conveys water from the east towards South Lake. A portion of Smeeth Road and the site is considered flood prone. The flood hazard category on the site is considered low hazard for the 1 in 100 year flood event. The flood affectation of a portion of the site would be required to be considered as part of future development applications. The siting of any dwellings outside the flood prone areas would be required.

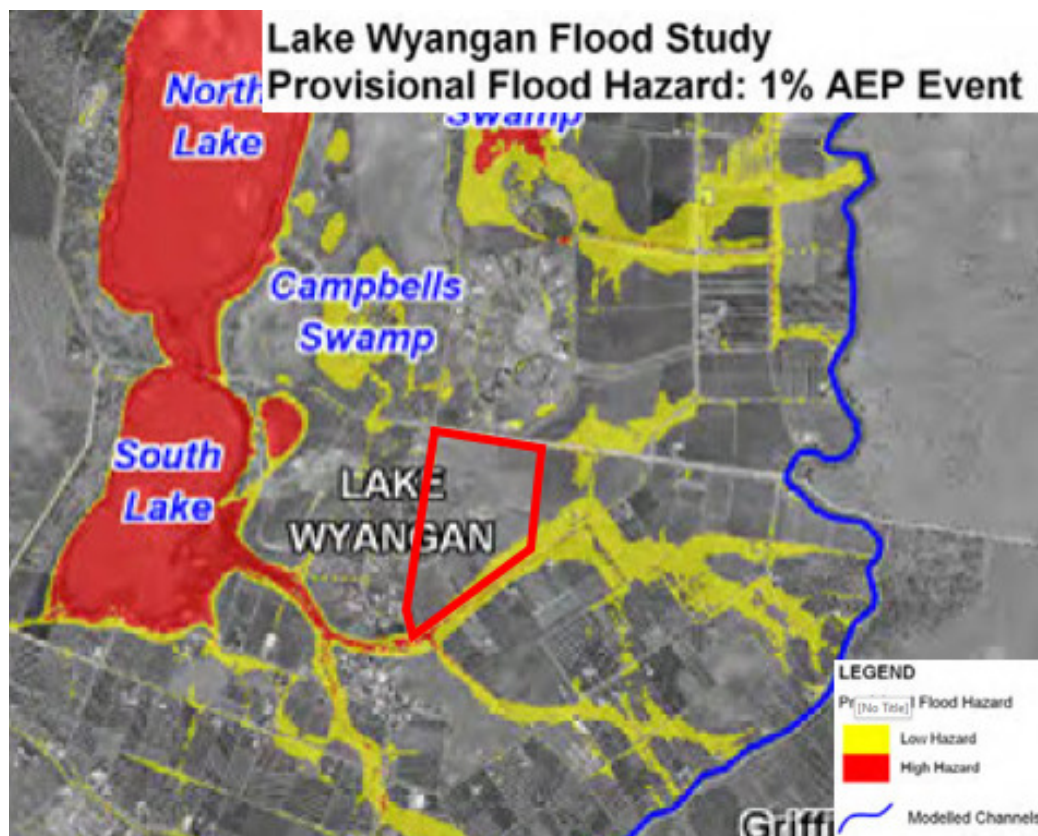


Figure 53: SSA16 Flood Map

Contamination

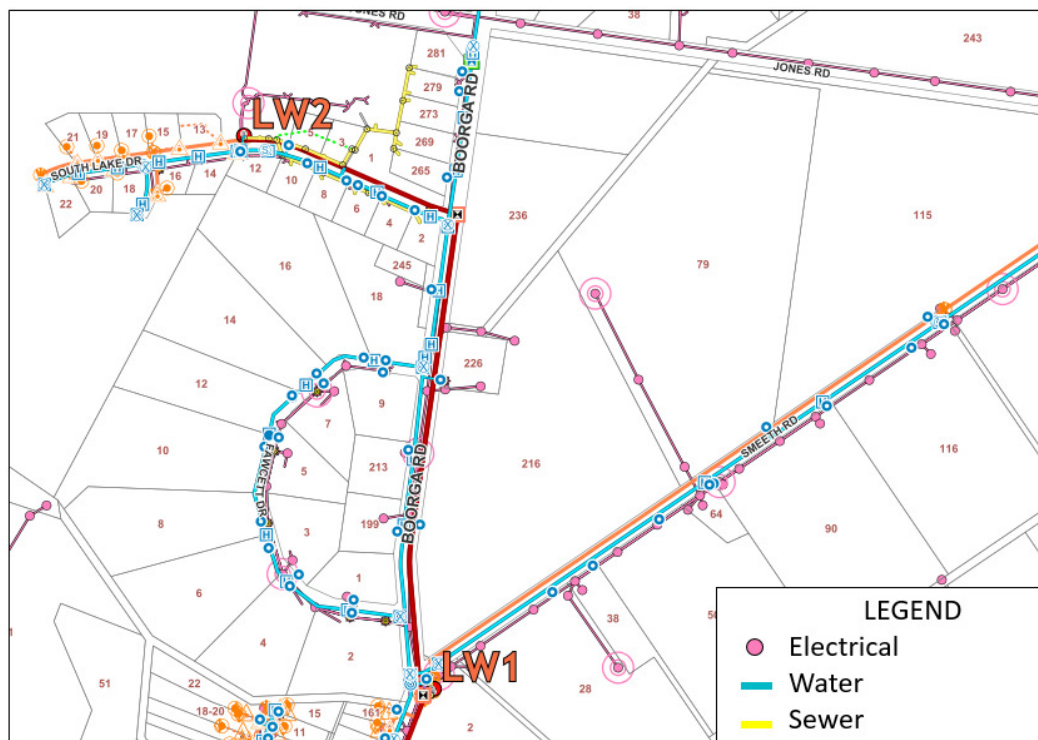
A portion of the site has been used historically for growing lucerne. Other areas of the site have been used as hobby farms for horses. Based on the site history and site inspection, potential contaminants at the site are likely to be those associated with potential pesticide and herbicide application for growing rotational crops. Therefore any contamination is expected to be in surface materials from direct application. Council has approved several subdivisions and rezoned lands previously used for past agricultural purposes including the entire developed Collina area (refer to Appendix 4). Site investigations for these development applications indicated that lands were capable of being developed for residential purposes.

As part of a development application for the development of the site for any residential purposes, an applicant will be required to carry out a detailed Stage 2 Site Investigation of the site. This assessment could focus on the curtilage of the proposed dwelling rather than the entire site as it is expected that some landowners would continue to have hobby farms and small paddocks for cropping / vegetable gardens. As such, Council considers that the lands will be suitable in their present condition or after remediation of surface pesticides (should it be required) for residential purposes.

Water and Sewer Services

Council's potable water network is located in Boorga Road and Smeeth Road. Council's sewer network is located in Boorga Road. However, the infrastructure is a rising main which cannot be accessed for the future development of the site. The lifestyle lots to the north and west utilise on-site septic systems for effluent disposal.

Essential Energy's infrastructure is located in Smeeth Road, Boorga Road and Jones Road.



Road Infrastructure

Jones Road is part of Council's Northern Industrial Bypass Route. Future dwellings would be required to be located away from Jones Road and Boorga Road in consideration of road traffic noise. Boorga Road is a local distributor road which provides access to Griffith to the south. Smeeth Road is also a local Council road which connects to Boorga Road at the southern extent of the site.

Land Use Conflict

As discussed above, road traffic would need to be considered in the siting of future dwellings on the site. The proximity to operational viticulture to the east would also need to be considered in the siting of buildings.

Other Constraints

- The site is not considered bushfire prone.
- Murrumbidgee Irrigation's drainage channel is located in Smeeth Road and through the site (Lot 279 DP1196899).

Site Specific Merit

- The site is located adjacent to other lands utilised for lifestyle allotments with hobby farms and vegetable gardens ranging in size from 1 ha to 5 ha.
- The site is void of native vegetation other than the trees around the dwelling at 216 Boorga Road and 226 Boorga Road.
- The site is located to the north of the Lake Wyangan Growth Area in an area dominated by R5 – Large Lot Residential land holdings.
- The site is located 4.4 km from the Griffith Hospital and 5 km from the Griffith CBD.

Strategic Merit

- The site has been identified as a candidate site for additional lifestyle lots in the Griffith Large Lot Strategy.
- There is an identified demand and lack of supply of lifestyle lots similar to those along Fawcett Drive to the west and Mancini Place to the north.
- The use of the site for lifestyle lots would add to the existing R5 precinct which does not contain any lots for sale. The few lots on Mancini Drive which are vacant were purchased from the original developer in the early 2000's.
- The site was previously identified for Rural Residential Expansion in Growth Strategy 2030 in 2002.

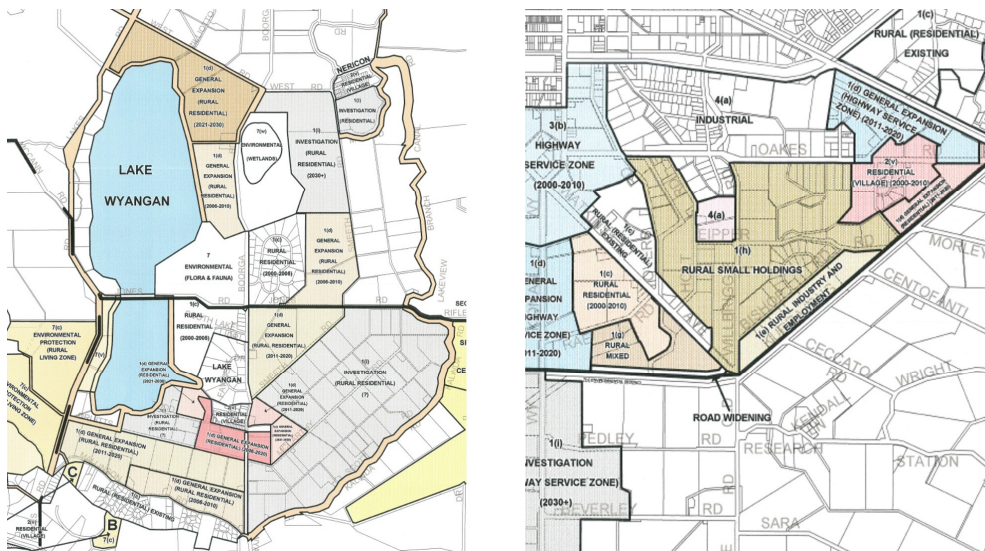


Figure 54: Griffith Growth Strategy 2030 (2002)

SSA 15 – Calabria Road

Subject Land:

The subject land is located at the corner of Rankin Springs Road and Calabria Road including, Lot 1-3 DP1258641 and Lot 1 DP802981.



Figure 55: SSA 16 Subject Lands

Existing Zoning and Minimum Lot Size

The site is presently zoned RU4 – Primary Production Small Lots with a minimum lot size of 3 ha.



Figure 56: SSA17 Existing and Proposed Minimum Lot Size

Proposal

Amend the minimum lot size to 1 ha and rezone the lands to R5-Large Lot Residential

- Amend LSZ_003D as depicted in **Figure 56**

Strategic Assessment

Background

The candidate site is located on Calabria Road to the east of Collina. The site is presently zoned RU4 Primary Production with a minimum lot size of 3 ha. The owner has requested a reduction in the minimum lot size to 1 ha to permit the realization of the master plan developed for the site (see **Figure 57**).

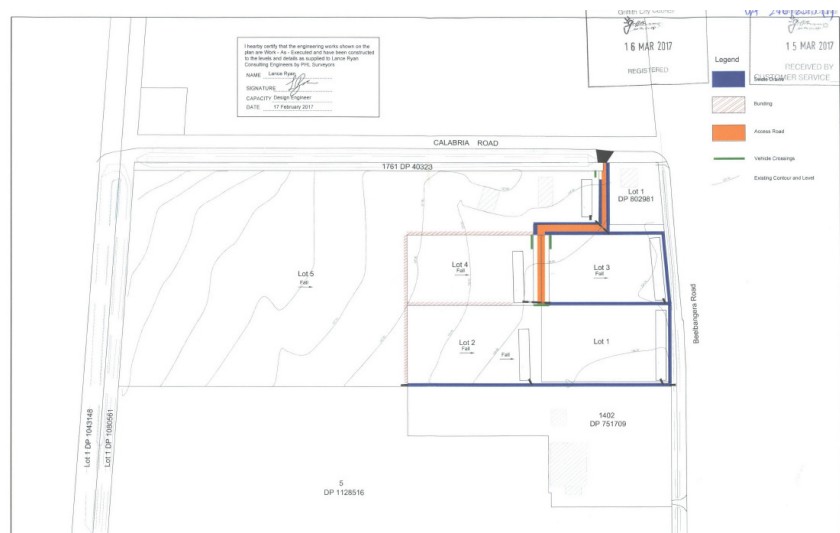


Figure 57: SSA17 Calabria Road Master Plan

The owners have proposed to reduce the minimum lot size of the site to permit the subdivision of Lot 3 DP 1258641 into three lots including one lot for the existing dwelling and two new lifestyle lots. The two new lots have already been catered for in the master planning of the site (see **Figure 57**).

Constraints

Flooding

The site is covered by the Griffith Main Drain J and Mirrool Creek Flood Study. The site is considered flood prone for the 1 in 100 year storm event. The site is considered 'low hazard'.

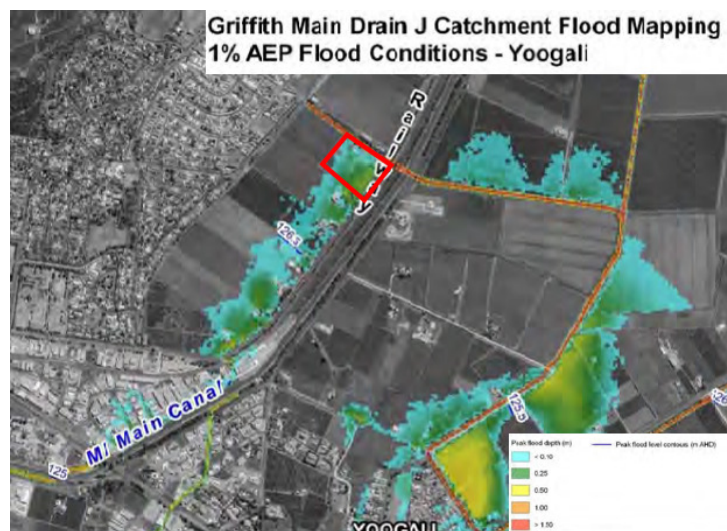


Figure 58: SSA 15 Flood Map

The flood affectation of the locality was a consideration in the master planning of the site and the establishment of two subdivided lots (Lot 1 and 2 DP1235330) under DA 246/2015. Each lot has been provided with onsite detention areas to cater for the 1 in 100 year storm event and discharge water into the channel along Rankins Springs Road. These arrangements have been approved by Council as part of DA 246/2015. The construction of the dwellings on each lot are required to meet Council's Flood Height Policy. The flood affectation of the land is suitable for the development of 1 ha allotments.

Contamination

Aitken and Rowe Testing Laboratories prepared a Stage 2 Investigation of the site for DA 246/2015 which found that the levels of contaminants was well bellowing any screening threshold and residential development could proceed without remediation (See **Appendix 4**).

Water and Sewer Services

Council's potable water main is located in Rankins Springs Road. The existing lots are connected to the water main. Provision has been made to connect the additional allotments

as well. Council's sewer infrastructure is not available to the site at present. The existing dwellings and any future dwellings would be required to install an AWTs system for the disposal of sewerage.

Road Infrastructure

Access to the site is gained from Calabria Road via a single internal road which connects to the existing and future lots. Calabria Road is a local Council road which connects to Rankins Springs Road, a Classified Road under the control of TfNSW to the east and Citrus Road to the west.

Land Use Conflict

To the west of the site is lands utilised for the cultivation of rotational crops. The size of the proposed allotments would cater for sufficient buffer areas between the agricultural operations and future dwellings. To the north of the site are lands subject to an approve development application for a manufactured home estate. To the east of the site is Rankins Springs Road. The proposed size of the allotments would be sufficient to provide setbacks of dwellings from the road to decrease the potential for road noise impacts. To the south of the site is a depot utilised for the storage of plant and equipment related to a crane business on 103 Rankins Springs Road (Lot 1402 DP751709). The storage of plant and equipment would not be expected to cause amenity impacts to future residents.

Other Constraints

- The site is not considered bushfire prone.

Site Specific Merit

- The site has been master planned for the additional 1 ha allotments.
- The master plan has taken into account the flood affectation of the land to develop a conveyance and detention system approved by Council to facilitate additional large lot housing. The stormwater system has been constructed.

Strategic Merit

- The site has been identified for additional rural lifestyle allotments in the Griffith Large Lot Strategy.
- The site will provide additional large lots in close proximity to the Griffith urban area compatible with the flood affectation of the land.

SSA 16 – Tharbogang Wetland

Subject Land

Tharbogang Wetland – Lot 187 DP756035

Existing Zoning and Minimum Lot Size

E2 Environmental Conservation

Proposal

Add the Tharbogang wetland to WET_003



Figure 59: Existing and Proposed Wetland Map

Strategic Assessment

The Tharbogang Wetland has not been identified on the LEP Wetland Map and therefore clause 7.6 of the LEP does not apply to the lands.

SSA 17 – Gardiners Road

Subject Land:

Lot 389 and 1092 DP751709 and Lot 1972 DP44528 and a portion of the McCormack Road Reserve.

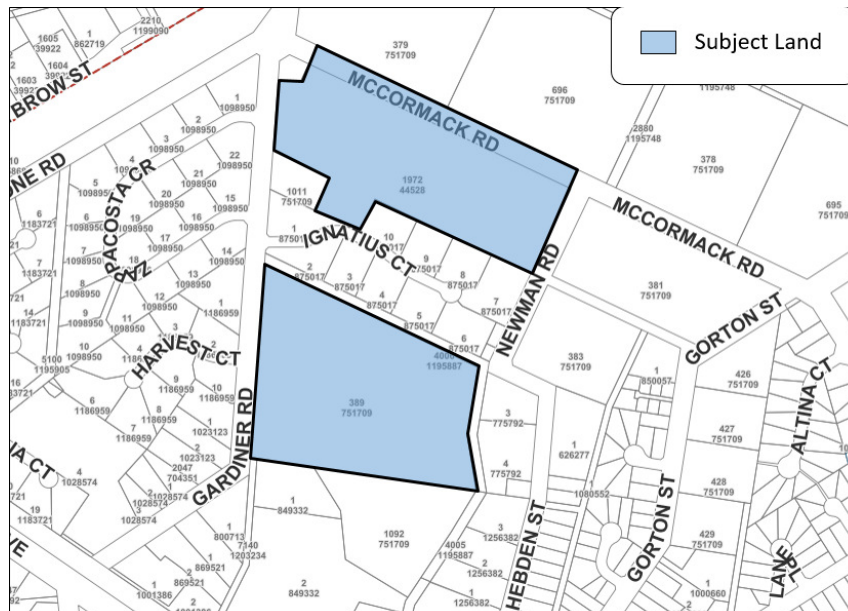


Figure 60: SSA17 - Subject Lands

Existing Zoning and Minimum Lot Size

R5 – Large Lot Residential with a minimum lot size of 3000 m² should the lot be connected to Council's reticulated sewer network or 4000 m² should no connection be available.

Proposal

Amend zoning to RU5 – Village and reduce minimum lot size to Area A - 700m² should the site be connected to Council's reticulated sewer network or 4000 m² should no connection be available (see **Figure 61**). An Urban Release Layer enacting Part 6 of the LEP (see **Figure 62**) would be established. Council has historically utilised this clause to ensure master planning of infrastructure is carried out as per clause 6.2 and 6.3 and a suitable contribution plan is produced. The Growth Areas of Lake Wyangan, Collina and Harwood are being developed successfully under Part 6 of the LEP.

- Amend LZN_004A as depicted in **Figure 61**.
- Amend LSZ_004A as depicted in **Figure 61**.
- Amend LZN_004C as depicted in **Figure 61**.
- Amend LSZ_004C as depicted in **Figure 61**.

- Amend URA_004A as depicted in **Figure 62**.

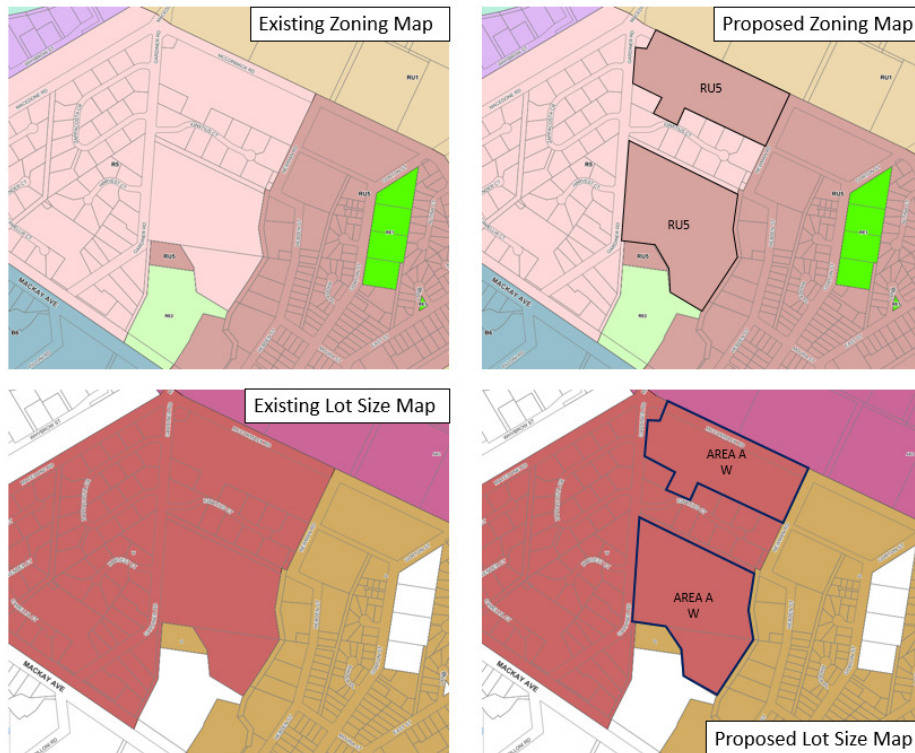


Figure 61: SSA17 – Existing and Proposed Zoning and Lot Size Maps

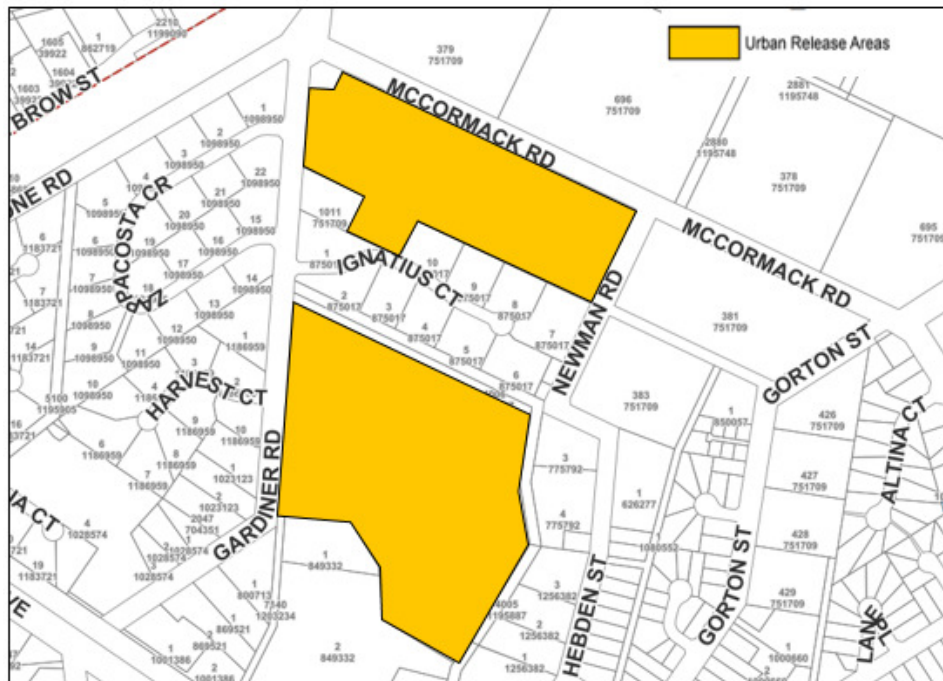


Figure 62: SSA 17 Urban Release Map

Strategic Assessment

Background

The site is located on Gardiner Road adjacent to the Yoogali Village. The Griffith LSPS proposed to rezone these lands to RU5 Village to achieve a planning priority of 'Growing the Village's' and provide suitably located and sized growth areas for Yoogali.

The SSA site includes three lots: Lot 389 and 1092 DP751709 and Lot 1972 DP44528. The candidate site is located to the west of the Yoogali Village separated by other vacant lot on Hebden Street which are presently zoned RU5. The site is within Council's Development Servicing Plan for Water and Sewer. Council's reticulated water service is available in Gardiner Road, while Council's sewer service is located in Hebden Street including a pump station.

Constraints

Flooding

The site is covered by the Griffith Main Drain J and Mirrool Creek Flood Study. A small portion of 1972 DP44528 is considered flood prone for the 1 in 100 year storm event. The flood category of the flood affectation is considered 'flood fringe'. As part of the master planning of the SSA in accordance with Part 6 of the LEP, the flood affectation of the land would be considered. Also, any proposed dwelling or building located at this portion of the site would be subject to Council's Floor Height Policy, requiring the development to be above the flood planning level – being the 1 in 100 year level plus a 500 mm freeboard.

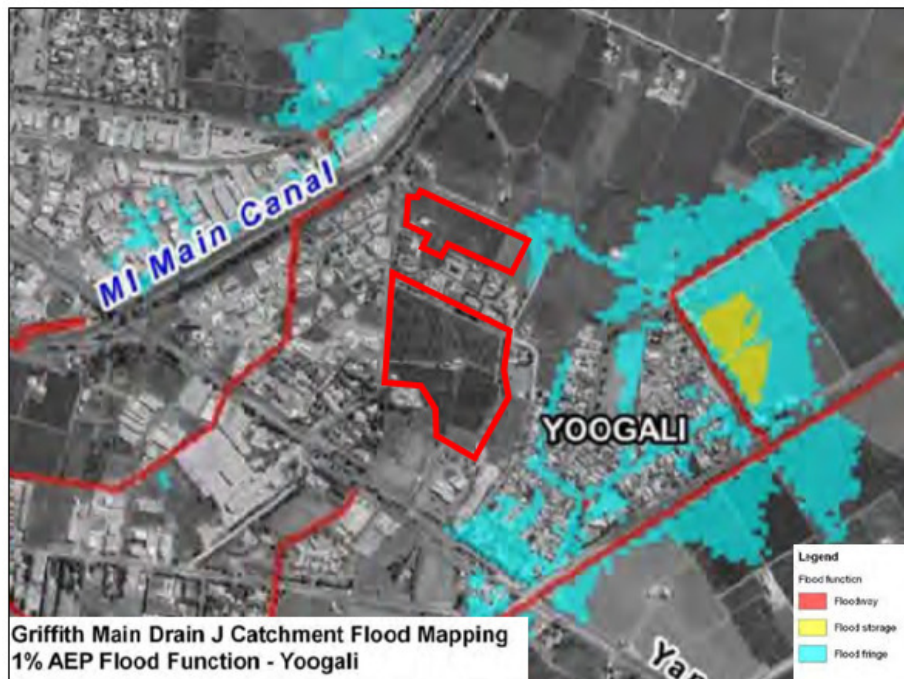


Figure 63: SSA 17 Flood Map

Contamination

Based on the site history being utilised for horticulture, potential contaminants at the site are likely to be those associated with pesticide and herbicide application. Therefore any contamination is expected to be in surface materials from direct application and over spray from adjacent properties. Council has approved several subdivisions and rezoned lands previously used for horticulture including the entire developed Collina area. Site investigations for these development applications indicated that lands were capable of being developed for residential purposes (refer to **Appendix 4**).

The potential contamination of the site will be a consideration in the master planning exercise for the SSA to satisfy Part 6 of the LEP. Further, as part of a development application for the subdivision of the lots within SSA 17 for additional residential dwellings, an applicant will be required to carry out a detailed Stage 2 Site Investigation of the site. As such, Council considers that the lands will be suitable in their present condition or after remediation of surface pesticides (should it be required) for residential purposes.

Road Infrastructure

The SSA has direct access to Gardiner Road which is a Council owned and controlled sealed road which provides access to the regional road network to the south via an intersection with Mackay Avenue which is a TfNSW Classified Road. Gardiner Road also connects to McCormack Road to the north via a 'T' intersection. McCormack Road is a Council owned and controlled sealed road which provides access to the regional road network to the south-east

via a 'T' intersection with Burley Griffin Way which is a TfNSW Classified Road. As part of the master planning exercise to satisfy Part 6 of the LEP, investigations and Traffic Assessments would be required to understand if any upgrades to intersections or the existing road network are necessary to ensure compliance with Council's Engineering Standards and Austroads where relevant.

Land Use Conflict

The site is surrounded by existing residential development and the Yoogali Village. To the north of McCormack Road are existing horticulture farming operations. Consideration of appropriate buffers between the SSA and these operations would be required as part of the master planning exercise to appease Part 6 of the LEP. There are no industries or other uses in the locality which would conflict with the potential future residential development of the SSA.

Water and Sewer Services

The site is located within Council's water and sewer DSP areas. The site has access to Council's water infrastructure in the surrounding road network. Councils' sewer network is located in close proximity to the site. As part of the master planning exercise to appease Part 6 of the LEP, design for the sewerage network to service the site will be required.

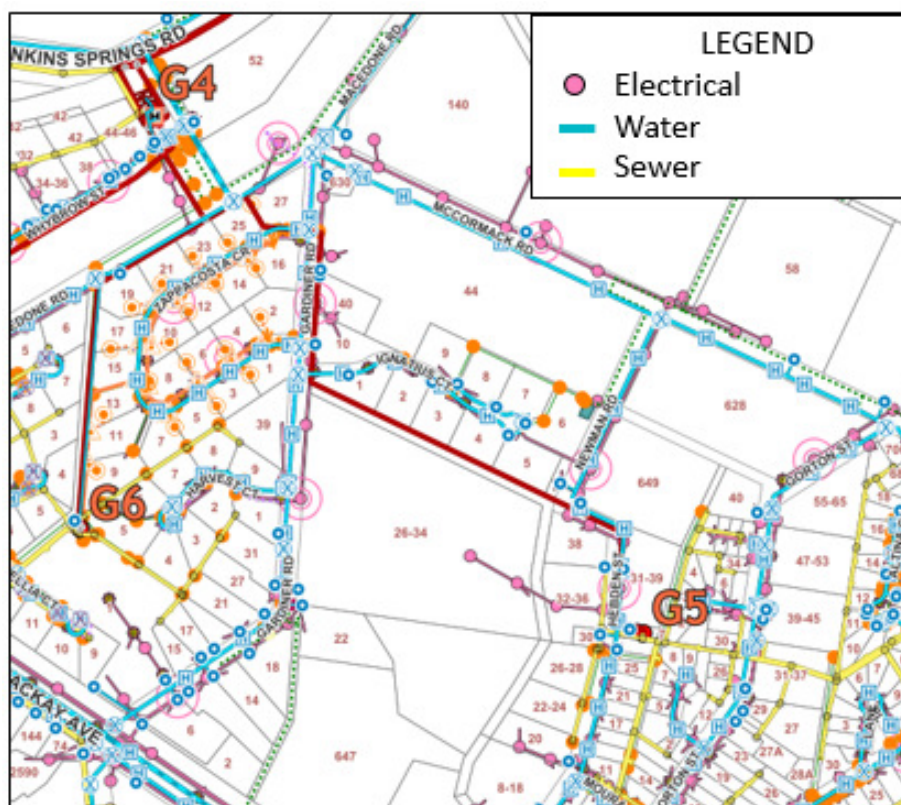


Figure 64: SSA Infrastructure Map

Essential Energy's electrical supply is connected to the site. As part of the future development of this site, upgrades to this infrastructure would be required.

Other Constraints

- The site is not considered bushfire prone land.
- There are existing dwellings and outbuildings on the site. Should the owners wish to retain these buildings, the subdivision design would have to account for this.
- There is no native vegetation located on the site.
- Council's stormwater drainage network is located in Gardiner Road. MI's drainage infrastructure is located to the north and east of Lot 389 and 1092 DP751709.

Site Specific Merit

- The site is located adjacent to the existing Yoogali Village and in close proximity to Griffith's CBD (2.6 km).
- The site is flat with good access to Council's road network.
- Only a small portion of the site is considered flood prone which would not limit development potential.

Strategic Merit

- The site has been identified for village expansion in the Griffith LSPS.
- The site is located immediately adjacent to Village zoned lands to the east.
- The site would cater for additional growth areas for the Yoogali village which would meet the intent of Planning Priority 13 to revitalize and grow the villages and more specifically Action 13.1A and B:

ACTION 13.1A – INVESTIGATE THE REZONING OF LANDS IN YOOGALI (SHORT TERM)

Yoogali is strategically located at the crossroads of several key roads including: Irrigation Way, Burley Griffin Way, Mackay Avenue and the new SILR which connects to the Kidman Way to the west. Council will facilitate the zoning of lands around these crossroads for commercial, village and business corridor purposes.

ACTION 13.1B – PROMOTE DEVELOPMENT OF VACANT INFILL LANDS IN YOOGALI (SHORT TERM)

Yoogali is well connected to both water and sewer infrastructure and has good connections to Griffith's arterial road network. Pockets of land in Yoogali between the existing Village and Gardiner Road which are zoned R5 should be zoned RU5 – Village to increase the serviced housing supply in the village. Council should prepare a Master Plan for the village expansion areas to ensure development occurs in a coordinated and efficient manner and is supported by DSP's and contribution plans.

- The site is presently zoned for residential purposes. The proposed rezoning would increase the development potential of the site to allow for additional village lots in Yoogali. A justification for the rezoning of the site to increase residential development potential has been provided in **Appendix 5**.

2.3 Section A - Need for the Planning Proposal

Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

The Planning Proposal contains both general amendments (GA's) and site specific amendments (SSA's). The general amendments are the result of the following:

- The outcomes and recommendations of the Growing Griffith to 2045 Project (see Appendix 1).
- Implementation of strategies or actions in the Local Strategic Planning Statement (LSPS)
- Over seven years of the implementation of the GLEP 2014 and issues identified by Council staff and the public.
- A review of a number of other LEP's in similar sized regional Council's for best practice clauses to implement in Griffith.

The Site-Specific amendments are the result of the following:

- Correcting errors or omissions in the GLEP 2014
- Implementation of strategies, or actions in the LSPS
- Implementation of recommendations in the Griffith Housing Strategy 2019
- Implementation of recommendations in the Griffith Large Lot Residential Supply and Demand Analysis and Strategy 2022.

Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. A Planning Proposal is the only way of achieving the objectives or intended outcomes.

2.4 Section B – Relationship to the Strategic Planning Framework

Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

Riverina Murray Regional Plan 2036

The key directions in the Riverina Murray Regional Plan 2036 (Regional Plan) relevant to the proposed amendments are outlined below with a detailed discussion where necessary. In general, the Planning Proposal is consistent with the Regional Plan.

Direction 1: Protect the region's diverse and productive agricultural land

Actions

1.1 Develop a regional agricultural development strategy that:

- 1.1.1 maps important agricultural land;*
- 1.1.2 identifies emerging opportunities for agriculture; and*
- 1.1.3 sets direction for local planning of agricultural development.*

1.2 Protect important agricultural land identified in the regional agricultural development strategy from land use conflict and fragmentation, and manage the interface between important agricultural lands and other land uses.

1.3 Minimise biosecurity risks by undertaking risk assessments, taking into account biosecurity plans and applying appropriate buffer areas.

Commentary:

No regional agricultural development strategy has been prepared, however it is considered that the Planning Proposal would not result in land use conflict or fragmentation.

Direction 2: Promote and grow the agribusiness sector

Actions

2.1 Encourage agribusiness diversification by reviewing local plans and removing restrictive land use zonings and outdated land use definitions.

2.2 Provide opportunities to improve support to agriculture through better guidance on protecting agricultural land and managing the interface with other land uses.

2.3 Facilitate investment in the agricultural supply chain by protecting assets, including freight and logistics facilities, from land use conflict arising from the encroachment of incompatible land uses.

Commentary:

- As part of the preparation of this Planning Proposal a comprehensive review of the GLEP was carried out including zone objectives, prohibited and permissible uses and land use definitions. The rural zones in the GLEP permit a wide range of rural based uses which promote agribusiness diversification, including rural industries, warehouses, depots and rural supplies uses to encourage agribusiness diversification. The existing zone objectives of the rural zones are considered appropriate and support agribusiness diversification as well.
- The main freight and logistics terminal is set to be relocated from the Griffith CBD in the near future. The existing terminal causes land use conflict and the Griffith LSPS envisions the redevelopment of this area for high density residential and mixed use development.

- SSA 10 – Wakaden Precinct is located in close proximity to the existing freight terminal. An assessment of the potential land use conflict of the terminal operating near residential development is provided in Section 2.2. However, it should be acknowledged that the precinct is presently zoned R1- General Residential consistent with all urban residential areas in Griffith permitting residential development including residential flat buildings. The Precinct is presently identified in the Griffith Residential Development Control Plan for the highest FSR in Griffith. The Griffith Housing Strategy recommends this precinct be zoned to R3-Medium Density Residential to recognise the higher density potential of the precinct,

Direction 3: Expand advanced and value-added manufacturing

Actions

- 3.1 Promote investment in advanced and value-added manufacturing by removing restrictive land use zonings and outdated land use definitions in local plans.*
- 3.2 Protect advanced and value-added manufacturing industries and associated infrastructure from land use conflict arising from the encroachment of inappropriate and incompatible land uses.*
- 3.3 Encourage co-location of related advanced and value-added manufacturing industries to maximise efficiency and infrastructure use, decrease supply chain costs, increase economies of scale and attract further investment.*

Commentary:

The Planning Proposal and the proposed zoning amendments would not increase land use conflict with value-adding manufacturing industries. Griffith City Council and PSA Consulting are presently preparing an Employment Lands Strategy to inform potential rezoning's for employment purposes including manufacturing.

Direction 4: Promote business activities in industrial and commercial areas

Relevant Actions

- 4.3 Protect industrial land, including in the regional cities (Bomen, Nexus and Tharbogang) from potential land use conflicts arising from inappropriate and incompatible surrounding land uses.*

Commentary:

The Planning Proposal would not be expected to increase potential land use conflicts with the future heavy industry area in Tharbogang along the Kidman Way zoned E5 – Heavy Industry. None of the SSA's are within 1.5 km's of the E5 zoned area.

Griffith City Council and PSA Consulting are presently preparing an Employment Lands Strategy to inform potential rezoning's for employment purposes including manufacturing.

Should a SSA site be located in proximity to industrial zone lands an assessment of potential conflicts has been carried out in section 2.2 of the Planning Proposal.

Direction 7: Promote tourism opportunities

Relevant Actions

7.2 Enable opportunities for tourism development and associated land uses in local plans.

7.3 Target experiential tourism opportunities and tourism management frameworks to promote a variety of accommodation options.

Commentary

- **GA 2** proposes to add Artisan food and drink industry as permissible with consent in a number of zones which would increase the potential for experiential tourism in Griffith.

Direction 10: Sustainably manage water resources for economic opportunities

Relevant Actions

10.4 Protect land in the Murray, Murrumbidgee, Coleambally and Lowbidgee irrigation areas from the encroachment of inappropriate and incompatible land uses that limit the economic potential of these areas.

Commentary

The Planning Proposal does not propose to rezone lands within the RU1 zone for incompatible uses. The RU4 Zone is utilised in Griffith as a transition zone between urban zones and the RU1 zone. Some RU4 lands at the boundaries of the urban areas of Griffith and the Villages are proposed to be zoned to R5 – Large Lot Residential or R1 – General Residential, however these lands are not in close proximity to the RU1 zone and adequate buffers can be developed to protect intensive agricultural operations in the RU4 zone. The potential for land use conflict between active agricultural operations and future residential uses has been assessed for each SSA in section 2.2 of the Planning Proposal.

Direction 13: Manage and conserve water resources for the environment

Relevant Actions

13.1 Locate, design, construct and manage new developments to minimise impacts on water catchments, including downstream and groundwater sources.

Commentary

As part of the preparation of future development applications for the development on land to which this Planning Proposal relates, Applicant's would be required to consider the potential impact of the development on water catchments and groundwater.

Direction 15: Protect and manage the region's many environmental assets

Relevant Actions

- 15.1 *Protect high environmental value assets through local plans.*
- 15.2 *Minimise potential impacts arising from development in areas of high environmental value, and consider offsets or other mitigation mechanisms for unavoidable impacts.*

Commentary

The Planning Proposal does not include the rezoning of any lands which have high environmental value assets, are zoned as an "E" zone or have a terrestrial biodiversity layer over the SSA.

Direction 16: Increase resilience to natural hazards and climate change

Relevant Actions

- 16.1 *Locate developments, including new urban release areas, away from areas of known high biodiversity value, high bushfire and flooding hazards, contaminated land, and designated waterways, to reduce the community's exposure to natural hazards.*

Commentary

- Biodiversity
 - The Planning Proposal does not include the potential for future development on land with high biodiversity value. The majority of the candidate sites are highly disturbed by past commercial and agricultural practices and contain little or no native vegetation. A review of the potential biodiversity impacts of the development of each SSA is provided in Section 2.2.
- Bushfire
 - None of the lands proposed to be rezoned or otherwise dealt with in this Planning Proposal are considered bushfire prone.
- Flooding
 - Some of the lands proposed to be rezoned are considered to be within the Flood Planning Area and subject to flood related development controls. None of the lands proposed to be rezoned are within areas of high hazard including floodway's. An assessment of each SSA and the flood affectation of the land has been carried out in section 2.2 of this Planning Proposal. It was concluded that the potential future development of each SSA could be accommodated subject to compliance of any future developments with Council's Floor Height Policy and relevant Flood Study and Management Plan.

- Contaminated land
 - Council considers that some of the land proposed to be rezoned could be potentially contaminated from mainly past agricultural uses (SSA1, 2, 4, 6, 7, 11, 14, 15 and 17). Contamination investigations have been provided at Appendix 4 for some of the SSA sites which are also considered representative of other SSA's site due to the similar use of the sites for horticulture and viticulture.
 - Other SSA's including SSA 8 and 9 were previously used for potentially contaminating industries SEPP 55 Guidelines in section 4.1.2 suggests that for generalised rezoning's which cover a large area the rezoning should be allowed to proceed, provided there are measures in place to ensure the potential for contamination are assessed once detailed proposals are made. This approach is appropriate in this instance as the potential future uses of different lots will vary from light industrial to potentially residential and therefore the level of assessment and potential remediation could alter based on the specific development proposal.
 - As part of the future development of these lands, detailed site investigations would be required to be carried out in accordance with SEPP 55 and Council's Contaminated Lands Policy. An assessment of each SSA in terms of potential contamination has been provided in Section 2.2.

Direction 18: Enhance road and rail freight links

Relevant Actions

18.3 Assess the viability of local bypasses and identify and protect future bypass corridors in strategies.

18.5 Protect freight and transport corridors from the encroachment of incompatible land uses.

Commentary

- The Planning proposal does not propose to rezone any lands with frontage to the Southern Industrial Link Road (SILR).
- SSA 14 includes the reduction of the minimum lot size on some lands adjacent to the northern link road at Jones Road. The proposed lot size at 2 ha would allow for large setbacks from Jones Road to avoid issues with road noise in accordance with the NSW Road Noise Policy. To establish the required setback for any dwellings in close proximity to Jones Road a noise assessment against the NSW Road Noise Policy would be required.

Direction 22: Promote the growth of regional cities and local centres

Relevant Actions

- 22.1 Coordinate infrastructure delivery across residential and industrial land in the regional cities.

Commentary

- The infrastructure requirements of each SSA site have been considered in Section 2.2.
- SSA 17 proposes an Urban Release Overlay to enact Part 6 of the Griffith LEP. Council has historically utilised this clause to ensure master planning of infrastructure is carried out as per clause 6.2 and 6.3 and a suitable contribution plan and DCP is produced and endorsed to ensure the equitable and efficient development of land in Griffith. The Growth Areas of Lake Wyangan, Collina and Hanwood are being developed successfully under Part 6 of the LEP.

Direction 25: Build housing capacity to meet demand

Relevant Actions

- 25.2 *Facilitate increased housing choice, including townhouses, villas and apartments in regional cities and locations close to existing services and jobs.*
- 25.3 *Align infrastructure planning with land release areas to provide adequate infrastructure.*
- 25.4 *Locate higher-density development close to town centres to capitalise on existing infrastructure and to provide increased housing choice.*

Commentary

- Griffith City Council adopted a Housing Strategy in 2019 which includes several recommendations to support increased housing choice, affordable housing and higher densities of residential accommodation in and around the Griffith CBD. One of the main purposes of this Planning Proposal is to facilitate recommendations within the Housing Strategy, including:
 - *Strategy 6 – rezoning lands around the CBD to Mixed Use*
 - *Strategy 7 – rezoning the former Wakaden North Precinct to R3 – Medium Density Residential*
- SSA 8 has been proposed to be rezoned to MU4 to permit a mixture of uses including residential flat buildings and other smaller units to increase the amount of residents living in close proximity to the CBD.

- SSA 10 contains the Wakaden North Precinct and is proposed to be rezoned R3 – Medium Density Residential to reflect the recommendations in the Housing Strategy.
- The Planning Proposal also proposes the rezoning of some additional residential lands. A justification for the rezoning of SSA 6, 7, 11 and 17 despite the Housing Strategy identifying there is sufficient residential lands presently zoned is provided in Appendix 5

Direction 26: Provide greater housing choice

Relevant Actions

- 26.1 Remove planning barriers to provide a range of low-care and independent seniors' accommodation options across the region.*
- 26.2 Promote opportunities for retirement villages, nursing homes and similar housing needs of seniors in local land use strategies.*
- 26.3 Locate new housing for seniors in close proximity to existing services and facilities, and on land free from hazards.*

Commentary

- Seniors housing is permissible in several zones in Griffith.
- The developers of SSA 11 are proposing to construct seniors housing adjacent to Scalabrini Village – Aged Care Accommodation to create a housing for seniors and people with disability precinct. The present zoning restricts Seniors Housing to shop top housing adjacent to existing roads (Mackay Avenue). The rezoning of the SSA to village would connect the Yoogali Village and permit the site to be utilised for low to medium density seniors housing. The site is located in close proximity to services in the Yoogali Village and easily accessible to the Griffith CBD.

Direction 27: Manage rural residential development

Relevant Actions

- 27.1 Enable new rural residential development only where it has been identified in a local housing strategy prepared by council and approved by the Department of Planning and Environment.*
- 27.2 Locate new rural residential areas:*
 - *in close proximity to existing urban settlements to maximise the efficient use of existing infrastructure and services, including roads, water, sewerage and waste services and social and community infrastructure.*
 - *to avoid or minimise the potential for land use conflicts with productive, zoned agricultural land and natural resources; and to avoid areas of*

high environmental, cultural and heritage significance, important agricultural land or areas affected by natural hazards.

- *to avoid areas of high environmental, cultural and heritage significance, important agricultural land or areas affected by natural hazards*

Commentary

- The Griffith Large Lot Strategy was prepared to ensure this direction and the relevant actions were appeased. It was necessary to draft such a strategy as the Griffith Housing Strategy 2019 did not assess the supply, demand or locational analysis of large lot residential lands.
- The Griffith Large Lot Strategy is attached to this Planning Proposal as Appendix 4 and includes an analysis of each SSA site to avoid land use conflict with agricultural land and to avoid areas of environmental, cultural and heritage significance. Additional assessment of each SSA which proposes an R5 zoning has been provided in Section 2.2

Will the Planning Proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

One of the key purposes of this Planning Proposal is to implement some of the short term strategies and actions in the LSPS. The key strategies in the LSPS relevant to the proposed amendments are outlined below with a detailed discussion where necessary.

Strategy 1.1 - Implement the recommendations of the Griffith Housing Strategy 2019

Commentary

- One of the main purposes of the Planning Proposal is to facilitate the recommendations of the LSPS including implementing the recommendations of the Griffith Housing Strategy 2019.

Strategy 1.3 – Remove impediments to development near Griffith's CBD

Commentary

- The Planning Proposal includes the rezoning of lands around the CBD to B4 - Mixed Use (refer to SSA 8) which would permit a range of uses including residential flat buildings and shop top housing, shopping centres and other commercial uses.
- A locality specific clause has been proposed for this area to ensure master planning occurs to inform and control future development. The master plan would provide:
 - A local street network including the extension of Yambil Street
 - Services plans
 - Landscaping and urban design requirements

- Building envelopes and location of residential and commercial uses, ensuring a mixture is proposed.

Strategy 2.1 – Maintain and revitalize commercial areas

Commentary

- The Planning Proposal would not impact the achievement of the LSPS strategy.

Strategy 2.2 – Identify new industrial lands and support the expansion of rural industrial areas

Commentary

- The Planning Proposal would not impact the achievement of the LSPS strategy.

Strategy 3.1 – Develop around the Southern Industrial Link Road (SILR)

Commentary

- The Planning Proposal does not propose the rezoning of additional employment lands. Council is in the process of preparing an Employment Lands Strategy. Following the preparation of this Strategy it is expected that additional employment lands could be identified along the SILR and in other areas.

Strategy 3.3 – Protect key water and sewer infrastructure

Commentary

- The Planning Proposal does not propose the rezoning of land in close proximity to Council's Water and Sewerage Treatment Plants. SSA 6 along Rose Road and Harward Road is located over 1.5 km from the sewerage treatment plant.

Strategy 4.2 – Support the development of the urban – rural fringe with planted buffers

Commentary

- The Planning Proposal includes the rezoning of land at the western boundary of the Griffith urban area (SSA6). The lands would be developed for additional residential lots with a proposed R5 zone with a minimum lot size of 1.5 ha to act as a buffer between residential lots and operational farms to the west. These lots would contain vegetative buffers between the active agricultural operations and the R1 lots with frontage to Harward Road / Rose. This rezoning provides for additional lots within the urban area of Griffith to 'round out' West Griffith and utilise the bitumen sealed Harward Road / Rose for additional dwellings.

Strategy 6.1 – Conserve existing native vegetation

Commentary

- The Planning Proposal would not impact the achievement of this LSPS strategy.

Strategy 6.2 – Protect areas of biodiversity importance

Commentary

- The SSA sites are not located in areas of biodiversity importance.

Strategy 9.2 – Zone lands to take advantage of key transportation corridors and entrances to Griffith and Villages

Commentary

- The Planning Proposal does not propose the rezoning of additional employment lands. Council is in the process of preparing an Employment Lands Strategy to identify lands along the SILR to rezone to take advantage of the transportation corridor. A separate Planning Proposal will be submitted once an Employment Lands Strategy is prepared.

Strategy 10.1 – Create additional road connections in Griffith's core

Commentary

- The Planning Proposal would not impact the achievement of the LSPS strategy. The Planning Proposal includes the rezoning of lands to the west of Crossing Street to Mixed Use to achieve the recommendations of the Housing Strategy and increase the population of residents in a mixed use setting in close proximity to the CBD. A site specific clause would be utilised to ensure the lands are developed in accordance with a master plan. The master plan could achieve this Strategy by proposing the extension of Yambil Street to the east (as depicted in the LSPS Structure Plan – see **Figure 65**).

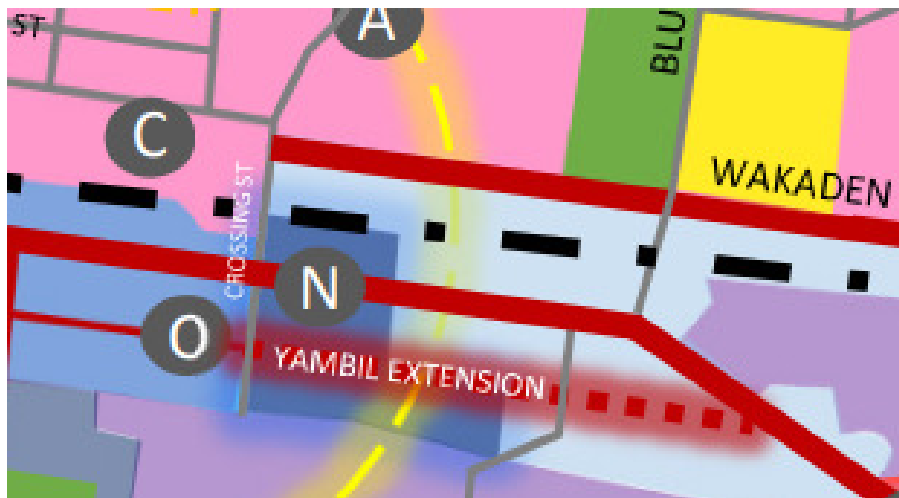


Figure 65 - LSPS Structure Plan - Yambil Street Extension

Strategy 11.2 – Promote housing diversity to be implemented in new developments

Commentary

- The Planning Proposal includes the rezoning of lands in close proximity to the CBD to support residential flat buildings, boarding houses, co-living housing, build-to-rent housing and housing for seniors and people with disabilities in a mixed use setting which would create commercial spaces to provide services for residents.

Strategy 11.3 – Ensure land is available for a range of residential development on varied lot sizes

Commentary

- The Planning Proposal would not impact the achievement of the LSPS strategy.

Strategy 12.1 – Griffith as a regional sports centre

Commentary

- The Planning Proposal would not impact the achievement of the LSPS strategy.

Strategy 12.2 – Celebrating the arts and culture

Commentary

- GA 2 proposes a clause to ensure that events on public land can be carried out without development consent.

Strategy 13.1 – Provide new growth areas in Yoogali

Commentary

- The Planning Proposal includes the rezoning of three parcels of land to RU5 – Village which is consistent with the Strategy. These areas would act as growth areas for the villages and would be supported by a master planning exercise.

Is the planning proposal consistent with applicable State Environmental Planning Policies?

SEPP	Overview	Applicable?
State Environmental Planning Policy (Biodiversity and Conservation) 2021	<p>This SEPP contains:</p> <ul style="list-style-type: none"> planning rules and controls for the clearing of native vegetation in NSW on land zoned for urban and environmental purposes that is not linked to a development application. the land use planning and assessment framework for koala habitat. provisions which establish a consistent and co-ordinated approach to environmental planning and assessment along the River Murray. provisions seeking to protect and preserve bushland within public open space zones and reservations. provisions which aim to prohibit canal estate development. provisions to support the water quality objectives for the Sydney drinking water catchment. provisions to protect the environment of the Hawkesbury-Nepean River system. provisions to manage and improve environmental outcomes for Sydney Harbour and its tributaries. provisions to manage and promote integrated catchment management policies along the Georges River and its tributaries. provisions which seek to protect, conserve and manage the World Heritage listed Willandra Lakes property. 	Not relevant.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	BASIX is short for Building Sustainability Index. It's a requirement of sustainability created by the NSW Government to ensure water and energy efficiency in residential buildings. BASIX has been around since 2004 and implements environmentally friendly solutions to create sustainable living.	Not Relevant.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	The SEPP contains requirements for development to be considered exempt or complying, planning pathways to achieve construction and occupation where relevant and conditions to guide development.	Not Relevant.

SEPP	Overview	Applicable?
State Environmental Planning Policy (Industry and Employment) 2021	<p>This SEPP contains planning provisions:</p> <ul style="list-style-type: none"> • applying to employment land in western Sydney. • for advertising and signage in NSW. 	Not Relevant
State Environmental Planning Policy (Housing) 2021	<p>The State Environmental Planning Policy (Housing) 2021 (Housing SEPP) incentivises the supply of affordable and diverse housing in the right places and for every stage of life.</p> <p>The Housing SEPP helps support the economic recovery of the home building sector in NSW following the COVID-19 pandemic.</p>	Relevant. See below
State Environmental Planning Policy (Planning Systems) 2021	<p>The Planning systems SEPP:</p> <ul style="list-style-type: none"> • identifies State or regionally significant development, State significant Infrastructure, and critical State significant infrastructure. • provides for consideration of development delivery plans by local Aboriginal land councils in planning assessment. • allows the Planning Secretary to elect to be the concurrence authority for certain development that requires concurrence under nominated State environmental planning policies. 	Not Relevant.
State Environmental Planning Policy (Precincts—Central River City) 2021	<p>This SEPP contains planning provisions for precinct planning, which is a form of strategic planning applied to a specified geographic area. The precincts in this SEPP are located in the Central River City. This city is based the strategic planning vision of the 'three cities' regions identified in the Greater Sydney Region Plan – A Metropolis of Three Cities.</p>	Not Relevant.
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	<p>This SEPP contains planning provisions for precinct planning, which is a form of strategic planning applied to a specified geographic area. The precincts in this SEPP are located in the Eastern Harbour City. This city is based the strategic planning vision of the 'three cities' regions identified in the Greater Sydney Region Plan – A Metropolis of Three Cities.</p>	Not Relevant.
State Environmental Planning Policy (Precincts—Regional) 2021	<p>This SEPP contains planning provisions for precinct planning, which is a form of strategic planning applied to a specified geographic area. The precincts in this SEPP are located in Regional NSW outside the Greater Sydney Region Plan.</p>	Not Relevant.
State Environmental Planning Policy (Precincts—Western Parkland City) 2021	<p>This SEPP contains planning provisions for precinct planning, which is a form of strategic planning applied to a specified geographic area. The precincts in this SEPP are located in the Western Parkland City. This city is based the strategic planning vision of the 'three cities' regions identified in the Greater Sydney Region Plan – A Metropolis of Three Cities.</p>	Not Relevant.

SEPP	Overview	Applicable?
State Environmental Planning Policy (Primary Production) 2021	<p>This SEPP contains planning provisions:</p> <ul style="list-style-type: none"> to manage primary production and rural development including supporting sustainable agriculture. for the protection of prime agricultural land of state and regional significance as well as regionally significant mining and extractive resources. 	Relevant. See below.
State Environmental Planning Policy (Resilience and Hazards) 2021	<p>This SEPP contains planning provisions:</p> <ul style="list-style-type: none"> for land use planning within the coastal zone, in a manner consistent with the objects of the Coastal Management Act 2016. to manage hazardous and offensive development. which provides a state-wide planning framework for the remediation of contaminated land and to minimise the risk of harm. 	Relevant. See below.
State Environmental Planning Policy (Resources and Energy) 2021	<p>This SEPP contains planning provisions:</p> <ul style="list-style-type: none"> for the assessment and development of mining, petroleum production and extractive material resource proposals in NSW. which aim to facilitate the development of extractive resources in proximity to the population of the Sydney Metropolitan Area by identifying land which contains extractive material of regional significance. 	Not Relevant.
State Environmental Planning Policy (Transport and Infrastructure) 2021	<p>This SEPP contains planning provisions:</p> <ul style="list-style-type: none"> for infrastructure in NSW, such as hospitals, roads, railways, emergency services, water supply and electricity delivery. for child-care centres, schools, TAFEs and Universities. planning controls and reserves land for the protection of three corridors (North South Rail Line, South West Rail Link extension and Western Sydney Freight Line). the land use planning and assessment framework for appropriate development at Port Kembla, Port Botany and Port of Newcastle. 	Relevant. See below

State Environmental Planning Policy (Housing) 2021 (Housing SEPP)

The Housing SEPP has the key principles of:

- enabling the development of diverse housing types, including purpose-built rental housing
- encouraging development of housing that will meet the needs of more vulnerable members of the community
- promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services.

Commentary

The Griffith Housing Strategy 2019 was developed to investigate ways to increase affordable housing stock in Griffith. The Housing Strategy identified that Griffith lacked affordable housing options, seniors housing and alternative accommodation types including boarding houses and manufactured home estates. The Housing Strategy included several recommendations to facilitate housing development and meet the above noted principles. The following SSA's are directly the result of recommendations from the Housing Strategy:

SSA 8 - Mixed Use - amend zoning from B7 to B4 to increase the permanent population and encourage the provision of affordable housing in mixed use areas through shop top housing and residential flat buildings. This area is directly adjacent to the Griffith CBD and contains large lots capable of being developed as a mixed use precinct with shop fronts along Banna Avenue and residential accommodation to the rear of sites

It is considered that the Planning Proposal directly aligns with the Housing SEPP by providing additional lands for a variety of housing choices.

Additional R1-General Residential lands have been proposed in SSA 6,7,11 and 17. SSA 11 is proposed to be developed for Seniors Housing which is presently permissible within the zone, but is restricted at the ground level of buildings facing a street (in accordance with the provisions of the SEPP). The planning proposal would remove this restriction by rezoning the land to RU5 – Village. As such, the planning proposal would not necessarily increase the potential housing supply in Griffith, but would reduce some imposts to developing the site for Seniors Housing.

The additional residential supply of land catered for by SSA 6, 7, and 17 has been justified in Appendix 5.

State Environmental Planning Policy (Transport and Infrastructure) 2021

The SEPP Aims to facilitate the effective delivery of infrastructure across the State such as hospitals, roads, railways, emergency services, water supply and electricity delivery. The SEPP also specifies exempt and complying development controls to apply to the range of development types listed in the SEPP.

Commentary

Some of the lands proposed to be rezoned are located on or near Classified Roads. TfNSW will be formerly consulted with after Gateway Determination. However, it is not considered that the proposed rezoning of land would in itself increase the traffic generation of future uses in most cases.

The Planning Proposal is not inconsistent with the SEPP.

State Environmental Planning Policy (Resilience and Hazards) 2021

The SEPP contains the matters that must be considered when assessing the development of a potentially contaminated site.

Commentary

The Planning Proposal would rezone some lands which have previously been used for uses which are included in Table 1 of the SEPP 55 Guidelines to permit some additional sensitive uses. Several of the SSA sites were previously used for horticulture or viticulture. Limited Phase 2 Site Investigations have been provided for three of the SSA sites which did not find an elevated levels of contaminants (refer to Appendix 4). These investigations are considered to be representative of horticulture and viticulture landholdings at the Griffith urban-rural fringe.

Other lands to the east of Crossing Street are proposed to be zoned B4 – Mixed Use which would permit some forms of residential development or other sensitive uses. However, the existing zoning of the lands being B7 – Business Park does allow for sensitive uses including Seniors Housing and shop top housing, places of public worship, day-care centres and educational establishments. As such, the rezoning of these lands wouldn't in itself increase the potential for sensitive uses to occupy the lands. Council would consider a detailed site investigation and potential remediation action plan as part of any development application for the future development of the site.

SEPP 55 Guidelines in section 4.1.2 suggests that for generalised re-zonings which cover a large area, the rezoning should be allowed to proceed, provided there are measures in place to ensure the potential for contamination are assessed once detailed proposals are made.

Council is satisfied that a robust consideration of the potential for contamination on each candidate site would be required as part of any master planning or future development applications in accordance with the SEPP and Council's Contaminated Land Management Policy.

State Environmental Planning Policy (Primary Production) 2021

The SEPP has several aims which are relevant to this Planning Proposal, including:

- (a) to facilitate the orderly economic use and development of lands for primary production,*
- (b) to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources,*

(c) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,

(d) to simplify the regulatory process for smaller-scale low risk artificial waterbodies, and routine maintenance of artificial water supply or drainage, in irrigation areas and districts, and for routine and emergency work in irrigation areas and districts,

(e) to encourage sustainable agriculture, including sustainable aquaculture,

(f) to require consideration of the effects of all proposed development in the State on oyster aquaculture,

(g) to identify aquaculture that is to be treated as designated development using a well-defined and concise development assessment regime based on environment risks associated with site and operational factors.

Commentary

The Planning Proposal is not considered to be contrary to any of the above aims. The Planning Proposal does not propose to rezone lands from RU1 – Primary Production nor does it include additional growth areas which would impact prime agricultural land located in the RU1 – Primary Production zone. The RU4 – Primary Production Small Lots zone has been utilised as a buffer zoning between RU1 zoned land containing large farming operations and urban and village areas. Council has considered the potential for land use conflict and the protection of important agricultural lands in the rezoning of SSA sites from RU4 – Primary Production to other zones in Section 2.2.

Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The following table assesses the compliance of the general amendments (GA1 etc.) and site-specific amendments (SSA1 etc.) and provides commentary, evidence and supporting information where necessary.

Ministerial Direction	Requirements	Compliance / Comments
1.1 Implementation of the Minister's Planning Principles	<p>Objective</p> <p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> (a) give legal effect to the Minister's Planning Principles and ensure the document, including the concept of sustainable development, is given regard in the assessment of planning proposals, and (b) support improved outcomes through consideration of planning principles that are relevant to the particular planning proposal. <p>Application</p> <p>This direction applies to all relevant planning proposal authorities when preparing a planning proposal.</p> <p>Direction 1.1</p> <ul style="list-style-type: none"> (1) In the preparation of a planning proposal the planning authority must have regard to the Minister's Planning Principles and give consideration to specific planning principles in the Minister's Planning Principles that are relevant to the preparation of the planning proposal. (2) Where there is an inconsistency between a specific planning principle in the Minister's Planning Principles and any other Ministerial Direction under section 9.1 of the <i>Environmental Planning and Assessment Act 1979</i> the Ministerial Direction should be followed to the extent of that inconsistency. 	<ul style="list-style-type: none"> • The Ministerial Directions were considered in preparing the Planning Proposal where relevant.
1.2 Implementation of Regional Plans	<p>Objective</p> <p>The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.</p> <p>Application</p> <p>This direction applies to a relevant planning authority when preparing a planning proposal for land to which a Regional Plan has been released by the Minister for Planning and Public Spaces.</p> <p>Direction 1.2</p> <ul style="list-style-type: none"> (1) Planning proposals must be consistent with a Regional Plan released by the Minister for Planning and Public Spaces. <p>Consistency</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary), that:</p> <ul style="list-style-type: none"> (a) the extent of inconsistency with the Regional Plan is of minor significance, and (b) the planning proposal achieves the overall intent of the Regional Plan and does not undermine the achievement of the Regional Plan's vision, land use strategy, goals, directions or actions. 	<ul style="list-style-type: none"> • A review of the Planning Proposal against the Riverina Murray Regional Plan is provided at Section 3.2 of this Planning Proposal. The Planning Proposal is consistent with the Regional Plan.

<p>1.3 Development of Aboriginal Land Council land</p>	<p>Objective</p> <p>The objective of this direction is to provide for the consideration of development delivery plans prepared under Chapter 3 of the <i>State Environmental Planning Policy (Planning Systems) 2021</i> when planning proposals are prepared by a planning proposal authority.</p> <p>Application</p> <p>This direction applies to all relevant planning proposal authorities when preparing a planning proposal for land shown on the Land Application Map of chapter 3 of the <i>State Environmental Planning Policy (Planning Systems) 2021</i>.</p> <p>Note: When this direction was made, chapter 3 of the <i>State Environmental Planning Policy (Planning Systems) 2021</i> applied only to land in the Central Coast local government area.</p> <p>Direction 1.3</p> <p>(1) When preparing a planning proposal to which this direction applies, the planning proposal authority must take into account:</p> <p>(a) any applicable development delivery plan made under the chapter 3 of the <i>State Environmental Planning Policy (Planning Systems) 2021</i>; or</p> <p>(b) if no applicable development delivery plan has been published, the interim development delivery plan published on the Department's website on the making of this direction.</p> <p>Note: Development delivery plans must be published in the Gazette or the NSW planning portal.</p> <p>Consistency</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are of minor significance.</p>	<p>N/A</p>
<p>1.4 Approval and Referral Requirements</p>	<p>Objective</p> <p>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p> <p>Application</p> <p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>Direction 1.4</p> <p>(1) A planning proposal to which this direction applies must:</p> <p>(a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and</p> <p>(b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of:</p> <p>i. the appropriate Minister or public authority, and</p> <p>ii. the Planning Secretary (or an officer of the Department nominated by the Secretary), prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act, and</p> <p>(c) not identify development as designated development unless the relevant planning authority:</p> <p>i. can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the</p>	<ul style="list-style-type: none"> • The Planning Proposal does not include additional clauses which require concurrence from government agencies. • The Planning Proposal does not identify additional development as designated development.

		<p>class of development is likely to have a significant impact on the environment, and</p> <p>ii. has obtained the approval of the Planning Secretary (or an officer of the Department nominated by the Secretary) prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act.</p> <p>Consistency</p> <p>A planning proposal must be substantially consistent with the terms of this direction.</p> <p>Note: In this direction “public authority” has the same meaning as section 1.4 of the EP&A Act.</p>	
1.5	Site Provisions	<p>Objective</p> <p>The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.</p> <p>Application</p> <p>This direction applies to all relevant planning authorities when preparing a planning proposal that will allow a particular development to be carried out.</p> <p>Direction 1.5</p> <p>(1) A planning proposal that will amend another environmental planning instrument in order to allow particular development to be carried out must either:</p> <p>(a) allow that land use to be carried out in the zone the land is situated on, or</p> <p>(b) rezone the site to an existing zone already in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or</p> <p>(c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</p> <p>(2) A planning proposal must not contain or refer to drawings that show details of the proposed development.</p> <p>Consistency</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are of minor significance.</p>	<p>A site specific planning control is proposed for SSA 8 which is proposed to be rezoned to MU4 – Mixed Use. Council considers a site specific clause for this site is important as it is a large landholding on a strategic site in Griffith and a coordinated approach to development is required.</p> <p>Development of certain land to the east of Crossing Street in Griffith</p> <p>(5) <i>This clause applies to the following land to the east of Crossing Street in Griffith—</i></p> <ul style="list-style-type: none"> o <i>Lot 1 DP1041175, Lot 1 DP406416, Lot 1 DP120448, Lot 1142 DP751709, Lot 2 DP1108945, Lot 1 DP1108945, Lot 6 DP751709, Lot 1 DP717234, Lot A DP446117, Lot 1 DP545723, Lot 2 DP545723, Part of Lot 1 DP851962 and Lot 2232 DP821502</i> <p>(6) <i>This clause applies to development for the purposes of residential accommodation</i></p> <p>(7) <i>Development consent must not be granted for residential accommodation to which this clause applies unless a development control plan that provides for the matters in subclause (4) has been prepared for the land.</i></p> <p>(8) <i>The development control plan must provide for the following—</i></p> <ul style="list-style-type: none"> h) <i>a staging plan for the timely and efficient release of land, making provision for necessary infrastructure and sequencing,</i> i) <i>an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,</i> j) <i>controls to ensure the land is used for a mixture of employment and residential uses,</i> k) <i>stormwater and water quality management controls,</i> l) <i>detailed urban design and landscaping controls,</i> m) <i>detailed servicing plans including water and sewer,</i> n) <i>suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.</i> <p>Council believes the clause is not contrary to the ministerial direction as it would:</p> <ul style="list-style-type: none"> • allow the land use to be carried out in the zone the land is situated on.

		<ul style="list-style-type: none"> no additional development standards are proposed by the site specific clause. the clause does not refer to any drawings
1.6 Parramatta Road Corridor Urban Transformation Strategy		N/A
1.7 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan		N/A
1.8 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan		N/A
1.9 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan		N/A
1.10 Implementation of Glenfield to Macarthur Urban Renewal Corridor		N/A
1.11 Implementation of the Western Sydney Aerotropolis Plan		N/A
1.12 Implementation of Bayside West Precincts 2036 Plan		N/A
1.13 Implementation of Planning Principles for the Cooks Cove Precinct		N/A
1.14 Implementation of St Leonards and Crows Nest 2036 Plan		N/A

1.15 Implementation of Greater Macarthur 2040		N/A
1.16 Implementation of the Pyrmont Peninsula Place Strategy		N/A
1.17 North West Rail Link Corridor Strategy		N/A
3.1 Conservation Zones	<p>Objective</p> <p>The objective of this direction is to protect and conserve environmentally sensitive areas.</p> <p>Application</p> <p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p>	N/A
3.2 Heritage Conservation	<p>Objective</p> <p>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>Application</p> <p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>Direction 3.2</p> <p>(1) A planning proposal must contain provisions that facilitate the conservation of:</p> <ul style="list-style-type: none"> (a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area, (b) Aboriginal objects or Aboriginal places that are protected under the <i>National Parks and Wildlife Act 1974</i>, and (c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people. <p>Consistency</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that:</p> <ul style="list-style-type: none"> (a) the environmental or indigenous heritage significance of the item, area, object or place is conserved by existing or draft environmental planning instruments, legislation, or regulations that apply to the land, or (b) the provisions of the planning proposal that are inconsistent are of minor significance. 	<p>SSA 13 proposes to remove local Heritage Item I2 from Schedule 3 of the GLEP.</p> <p>The heritage item was generally identified as recommended item #69 “Base Hospital, portions of older building” in the Griffith Heritage Study 2004. During the drafting of the GLEP 2014, Council created a panel of local professionals to review the recommendations of the Heritage Study and propose items to be included in Schedule 3 of the GEP. As part of this exercise the Former Matron’s House and Nurses’ Quarters were identified as the two older buildings within the Base Hospital grounds that should be protected by a Heritage designation.</p> <p>Between 2018 - 2021, NSW Health Infrastructure demolished both buildings. As the buildings do not exist anymore, there is no reason to have them as a heritage item.</p>
3.3 Sydney Drinking Water Catchments		N/A

3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs		N/A
3.5 Recreation Vehicle Areas		N/A
4.1 Flooding	<p>Objectives</p> <p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> (a) ensure that development of flood prone land is consistent with the NSW Government's FloodProne Land Policy and the principles of the <i>Floodplain Development Manual 2005</i>, and (b) ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land. <p>Application</p> <p>This direction applies to all relevant planning authorities that are responsible for flood prone land when preparing a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.</p> <p>Direction 4.1</p> <ul style="list-style-type: none"> (1) A planning proposal must include provisions that give effect to and are consistent with: <ul style="list-style-type: none"> (a) the NSW Flood Prone Land Policy, (b) the principles of the Floodplain Development Manual 2005, (c) the Considering flooding in land use planning guideline 2021, and (d) any adopted flood study and/or floodplain risk management plan prepared in accordance with the principles of the Floodplain Development Manual 2005 and adopted by the relevant council. (2) A planning proposal must not rezone land within the flood planning area from Recreation, Rural, Special Purpose or Conservation Zones to a Residential, Business, Industrial or Special Purpose Zones. (3) A planning proposal must not contain provisions that apply to the flood planning area which: <ul style="list-style-type: none"> (a) permit development in floodway areas, (b) permit development that will result in significant flood impacts to other properties, (c) permit development for the purposes of residential accommodation in high hazard areas, (d) permit a significant increase in the development and/or dwelling density of that land, (e) permit development for the purpose of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate, (f) permit development to be carried out without development consent except for the purposes of exempt development or agriculture. Dams, drainage canals, levees, still require development consent, (g) are likely to result in a significantly increased requirement for government spending on emergency management services, flood mitigation and emergency response measures, which can include but are not limited to the provision of road infrastructure, flood mitigation infrastructure and utilities, or (h) permit hazardous industries or hazardous storage establishments where hazardous materials cannot be effectively contained during the occurrence of a flood event. (4) A planning proposal must not contain provisions that apply to areas between the flood planning area and probable 	<ul style="list-style-type: none"> • Some of the sites which are subject to rezoning are located within the Flood Planning Area. The potential flood affectation of each SSA has been assessed in Section 2.2. Griffith City Council has prepared several Floodplain Risk Management Studies and Plans for various catchments within the LGA. These studies contain development controls to guide or restrict development on lands within the flood planning area. Only minor development is permissible within the floodway in accordance with the Plans. • The Planning Proposal proposes to rezone some lands within the flood planning area to Residential, Village and Employment Lands. Therefore, the Planning Proposal is not consistent with direction 4.1(2). • The Planning Proposal does not contain provisions in and of themselves which would permit the development listed in Direction 4.1(3). However, the proposed SSA's would facilitate development as described in Direction 4.1(3) as part of future development applications. Therefore, the Planning Proposal could be considered to be inconsistent with Direction 4.1 <p>Consistency</p> <p>Griffith City Council has prepared the following floodplain risk management studies or plans which have been endorsed by Council:</p> <ul style="list-style-type: none"> • Aerodrome Overland Flow Flood Study (2010) • Aerodrome Overland Flow Floodplain Risk Management Study and Plan (2011) • CBD Overland Flow Flood Study (2012) • CDB Overland Flow Floodplain Risk Management Study and Plan (2013) • Lake Wyangan Flood Study (2012) • Lake Wyangan Floodplain Risk Management Study and Plan (2013) • Griffith Main Drain J and Mirrool Creek Flood Study Update 2021 Vol 1

		<p>maximum flood to which Special Flood Considerations apply which:</p> <p>(a) permit development in floodway areas,</p> <p>(b) permit development that will result in significant flood impacts to other properties,</p> <p>(c) permit a significant increase in the dwelling density of that land,</p> <p>(d) permit the development of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate,</p> <p>(e) are likely to affect the safe occupation of and efficient evacuation of the lot, or</p> <p>(f) are likely to result in a significantly increased requirement for government spending on emergency management services, and flood mitigation and emergency response measures, which can include but not limited to road infrastructure, flood mitigation infrastructure and utilities.</p> <p>(5) For the purposes of preparing a planning proposal, the flood planning area must be consistent with the principles of the Floodplain Development Manual 2005 or as otherwise determined by a Floodplain Risk Management Study or Plan adopted by the relevant council.</p> <p>Consistency</p> <p>A planning proposal may be inconsistent with this direction only if the planning proposal authority can satisfy the Planning Secretary (or their nominee) that:</p> <p>(a) the planning proposal is in accordance with a floodplain risk management study or plan adopted by the relevant council in accordance with the principles and guidelines of the <i>Floodplain Development Manual 2005</i>, or</p> <p>(b) where there is no council adopted floodplain risk management study or plan, the planning proposal is consistent with the flood study adopted by the council prepared in accordance with the principles of the <i>Floodplain Development Manual 2005</i> or</p> <p>(c) the planning proposal is supported by a flood and risk impact assessment accepted by the relevant planning authority and is prepared in accordance with the principles of the <i>Floodplain Development Manual 2005</i> and consistent with the relevant planning authorities' requirements, or</p> <p>(d) the provisions of the planning proposal that are inconsistent are of minor significance as determined by the relevant planning authority.</p>	<ul style="list-style-type: none"> Griffith Main Drain J and Mirrool Creek Flood Study Update 2021 Vol 2 Griffith Main Drain J and Mirrool Creek Flood Study 2015 Vol 1 Griffith Main Drain J and Mirrool Creek Flood Study 2015 Vol 2 - Part 1 Griffith Main Drain J and Mirrool Creek Flood Study 2015 Vol 2 - Part 2 Griffith Main Drain J and Mirrool Creek Flood Study 2015 Vol 2 - Part 3 Griffith Main Drain J and Mirrool Creek Flood Study 2015 Vol 2 - Part 4 Griffith Main Drain J and Mirrool Creek Floodplain Risk Management Study and Plan (2015) <p>The Planning Proposal is considered to be in accordance with these Studies or Plans and some of the rezoning's are of minor significance. An assessment of each SSA taking into consideration the flood affectation of the land has been provided in section 2.2 of the Planning Proposal.</p> <p>Any future development on rezoned land which is within the flood planning areas would be subject to the controls in the LEP including Clause 5.21. Development would also be designed and sited in accordance with the flood related development controls in Council's DCP, the Studies and Plans and various policies including Council's Floor Height Policy which requires all habitable development to have a floor height in accordance with Clause 5.21 of the GLEP within the flood planning area and at 410 mm above natural ground level for all areas outside the flood planning area. It is considered that Council's planning regime contains sufficient controls to appease the Direction including with the LEP, DCP, Floodplain Risk Management Studies and Plans and Council Policies and to ensure that future development of SSA sites does not create flood related issues. It should be noted that no SSA is located within a floodway or a high hazard area.</p>
4.3	Planning for Bushfire Protection	<p>Objectives</p> <p>The objectives of this direction are to:</p> <p>(c) protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and</p> <p>(d) encourage sound management of bush fire prone areas.</p> <p>Application</p> <p>This direction applies to all local government areas when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to, land mapped as bushfire prone land.</p>	<p>None of the lands subject to rezoning are considered bushfire prone land.</p>

		<p>This applies where the relevant planning authority is required to prepare a bush fire prone land map under section 10.3 of the EP&A Act, or, until such a map has been certified by the Commissioner of the NSW Rural Fire Service, a map referred to in Schedule 6 of that Act.</p> <p>Direction 4.3</p> <p>(1) In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 3.34 of the Act, and prior to undertaking community consultation in satisfaction of clause 4, Schedule 1 to the EP&A Act, and take into account any comments so made.</p> <p>(2) A planning proposal must:</p> <ol style="list-style-type: none"> have regard to <i>Planning for Bushfire Protection 2019</i>, introduce controls that avoid placing inappropriate developments in hazardous areas, and ensure that bushfire hazard reduction is not prohibited within the Asset Protection Zone (APZ). <p>(3) A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:</p> <ol style="list-style-type: none"> provide an Asset Protection Zone (APZ) incorporating at a minimum: <ol style="list-style-type: none"> an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road, for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the <i>Rural Fires Act 1997</i>), the APZ provisions must be complied with, contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks, contain provisions for adequate water supply for firefighting purposes, minimise the perimeter of the area of land interfacing the hazard which may be developed, introduce controls on the placement of combustible materials in the Inner Protection Area. <p>Consistency</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the council has obtained written advice from the Commissioner of the NSW Rural Fire Service to the effect that, notwithstanding the non-compliance, the NSW Rural Fire Service does not object to the progression of the planning proposal.</p>	
4.4	Remediation of Contaminated Land	<p>Objective</p> <p>The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.</p> <p>Application</p> <p>This direction applies when a planning proposal authority prepares a planning proposal that applies to:</p> <ul style="list-style-type: none"> land that is within an investigation area within the meaning of the <i>Contaminated Land Management Act 1997</i>, land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out, the extent to which it is proposed to carry out development on it for residential, educational, recreational or childcare purposes, or for the purposes of a hospital – land: 	<p>The ministerial Direction has been considered by Council as follows:</p> <ul style="list-style-type: none"> Section 2.2 contains a Site Constraints Analysis of each SSA which considers if the sites are potentially contaminated from past uses referred to Table 1 of the SEPP 5 Guidelines. Appendix 4 contains contamination assessments for some of the sites which have been used historically for horticultural farms including soil sampling which shows that the lands are suitable for residential development. These are considered representative for all the sites which have or had previously been used for horticulture - including SSA 1, 2, 3, 4, 5, 6, 7, 14, 15 and 17

	<p>i. in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and</p> <p>ii. on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).</p> <p>Direction 4.4</p> <p>(1) A planning proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land to which this direction applies if the inclusion of the land in that zone would permit a change of use of the land, unless:</p> <p>(a) the planning proposal authority has considered whether the land is contaminated, and</p> <p>(b) if the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and</p> <p>(c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning proposal authority is satisfied that the land will be so remediated before the land is used for that purpose.</p> <p>In order to satisfy itself as to paragraph 1(c), the planning proposal authority may need to include certain provisions in the local environmental plan.</p> <p>(2) Before including any land to which this direction applies in a particular zone, the planning proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.</p> <p>Note: In this direction, contaminated land planning guidelines means guidelines under clause 3 of Schedule 6 to the EP&A Act.</p>	<ul style="list-style-type: none"> SSA 8 would be rezoned and a site specific clause inserted into the LEP requiring the master planning of the area prior to development occurring. The master planning exercise would include an assessment of potential contamination in accordance with the Hazards SEPP and Council's Contaminated Lands Guidelines. Council is satisfied that as part of a development application for the development of any lands in the SSA's that the Applicant would need to appease the requirements of the Hazards SEPP and Council's Contaminated Lands Guidelines.
4.5 Acid Sulfate Soils		N/A
4.6 Mine Subsidence and Unstable Land		N/A
5.1 Integrating Land Use and Transport	<p>Objectives</p> <p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>(d) supporting the efficient and viable operation of public transport services, and</p> <p>(e) providing for the efficient movement of freight.</p> <p>Application</p> <p>This direction applies to all relevant planning authorities when preparing a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.</p> <p>Direction 5.1</p> <p>(1) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are</p>	<p>Direction 5.1 and Improving <i>Transport Choice – Guidelines for planning and development (DUAP 2001)</i> were considered in the drafting of the Planning Proposal and the strategies and plans which provide the strategic merit for the rezoning's. It is not considered that the proposed SSA's are inconsistent with the guidelines. Most of the SSA's are considered infill areas which have good connections to the local and regional road network, pedestrian and cycling infrastructure and local transport services</p> <p>In drafting the Planning Proposal a copy of <i>The Right Place for Business and Services – Planning Policy (DUAP 2001)</i> was not found online and could not be considered.</p> <p>The Planning Proposal is generally consistent with Direction 5.1.</p>

	<p>consistent with the aims, objectives and principles of:</p> <p>(a) <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and</p> <p>(b) <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).</p> <p>Consistency</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p> <ol style="list-style-type: none"> gives consideration to the objective of this direction, and identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Industry and Environment which gives consideration to the objective of this direction, or</p> <p>(d) of minor significance.</p>	
5.2 Reserving Land for Public Purposes	<p>Objectives</p> <p>The objectives of this direction are to:</p> <p>(f) facilitate the provision of public services and facilities by reserving land for public purposes, and</p> <p>(g) facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</p> <p>Application</p> <p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>Direction 5.2</p> <p>(1) A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Planning Secretary (or an officer of the Department nominated by the Secretary).</p> <p>(2) When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>, the relevant planning authority must:</p> <ol style="list-style-type: none"> reserve the land in accordance with the request, and include the land in a zone appropriate to its intended future use or a zone advised by the Planning Secretary (or an officer of the Department nominated by the Secretary), and identify the relevant acquiring authority for the land. <p>(3) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal relating to the use of any land reserved for a public purpose before that land is acquired, the relevant planning authority must:</p> <ol style="list-style-type: none"> include the requested provisions, or 	<ul style="list-style-type: none"> The Planning Proposal does not create, alter or reduce existing zonings or reservations of land for public purposes

	<p>(b) take such other action as advised by the Planning Secretary (or an officer of the Department nominated by the Secretary) with respect to the use of the land before it is acquired.</p> <p>(4) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must rezone and/or remove the relevant reservation in accordance with the request.</p> <p>Consistency</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that:</p> <p>(a) with respect to a request referred to in paragraph (4), further information is required before appropriate planning controls for the land can be determined, or</p> <p>(b) the provisions of the planning proposal that are inconsistent with the terms of this direction are of minor significance.</p>	
5.3 Development Near Regulated Airports and Defence Airfields	<p>Objectives</p> <p>The objectives of this direction are to:</p> <p>(h) ensure the effective and safe operation of regulated airports and defence airfields;</p> <p>(i) ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity; and</p> <p>(j) ensure development, if situated on noise sensitive land, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.</p> <p>Application</p> <p>This direction applies to all relevant planning authorities when preparing a planning proposal that will create, alter or remove a zone or a provision relating to land near a regulated airport which includes a defence airfield.</p> <p>Direction 5.3</p> <p>(1) In the preparation of a planning proposal that sets controls for development of land near a regulated airport, the relevant planning authority must:</p> <p>(a) consult with the lessee/operator of that airport;</p> <p>(b) take into consideration the operational airspace and any advice from the lessee/operator of that airport;</p> <p>(c) for land affected by the operational airspace, prepare appropriate development standards, such as height controls.</p> <p>(d) not allow development types that are incompatible with the current and future operation of that airport.</p> <p>(2) In the preparation of a planning proposal that sets controls for development of land near a core regulated airport, the relevant planning authority must:</p> <p>(a) consult with the Department of the Commonwealth responsible for airports and the lessee/operator of that airport;</p> <p>(b) for land affected by the prescribed airspace (as defined in clause 6(1) of the <i>Airports (Protection of Airspace) Regulation 1996</i>, prepare appropriate development standards, such as height controls.</p> <p>(c) not allow development types that are incompatible with the current and future operation of that airport.</p> <p>(d) obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal seeks to allow, as permissible with consent, development that would constitute a controlled activity as defined in section 182 of the <i>Airports Act 1996</i>. This permission must be obtained prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act.</p> <p>(3) In the preparation of a planning proposal that sets controls for the development of land near a defence airfield, the</p>	N/A

	<p>relevant planning authority must:</p> <p>(a) consult with the Department of Defence if:</p> <ol style="list-style-type: none"> the planning proposal seeks to exceed the height provisions contained in the <i>Defence Regulations 2016 – Defence Aviation Areas</i> for that airfield; or no height provisions exist in the <i>Defence Regulations 2016 – Defence Aviation Areas</i> for the airfield and the proposal is within 15km of the airfield. <p>(b) for land affected by the operational airspace, prepare appropriate development standards, such as height controls.</p> <p>(c) not allow development types that are incompatible with the current and future operation of the airfield.</p> <p>(4) A planning proposal must include a provision to ensure that development meets <i>Australian Standard 2021 – 2015, Acoustic- Aircraft Noise Intrusion – Building siting and construction</i> with respect to interior noise levels, if the proposal seeks to rezone land:</p> <ol style="list-style-type: none"> for residential purposes or to increase residential densities in areas where the Australian Noise Exposure Forecast (ANEF) is between 20 and 25; or for hotels, motels, offices or public buildings where the ANEF is between 25 and 30; or for commercial or industrial purposes where the ANEF is above 30. <p>(5) A planning proposal must not contain provisions for residential development or to increase residential densities within the 20 Australian Noise Exposure Concept (ANEC)/ANEF contour for Western Sydney Airport.</p> <p>Consistency</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <ol style="list-style-type: none"> justified by a strategy approved by the Planning Secretary, which: <ol style="list-style-type: none"> gives consideration to the objectives of this direction; and identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction; or in accordance with the relevant Regional Plan prepared by the Department of Planning, Industry and Environment and Environment which gives consideration to the objectives of this direction. 	
5.4	Shooting Ranges	N/A
6.1	Residential Zones	<p>The Griffith Housing Strategy 2019 contained several recommendations which Council is working to achieve. This Planning Proposal attempts to address the following recommendations:</p> <ul style="list-style-type: none"> Council will actively promote and support the development of high quality, 'New Generation' Boarding Houses in locations within 400 metres of B2 or B4 zoning in Griffith, including through educational workshops with developers and the community, publication of guidelines, production of promotional material, and favourable consideration of compliant applications.

	<p>Direction 6.1</p> <p>(1) A planning proposal must include provisions that encourage the provision of housing that will:</p> <ul style="list-style-type: none"> (a) broaden the choice of building types and locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, and (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and (d) be of good design. <p>(2) A planning proposal must, in relation to land to which this direction applies:</p> <ul style="list-style-type: none"> (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and (b) not contain provisions which will reduce the permissible residential density of land. <p>Consistency</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <ul style="list-style-type: none"> (a) justified by a strategy approved by the Planning Secretary which: <ul style="list-style-type: none"> i. gives consideration to the objective of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Industry and Environment which gives consideration to the objective of this direction, or (d) of minor significance. 	<ul style="list-style-type: none"> • Rezoning the area between the southside of Yambil Street and Canal Street and northside of Olympic/Railway Streets from B2 to B4, thus providing a clear signal of Council's intent for this area; • Preparing a planning proposal including an assessment of the adequacy of land zoned B2 in the Precinct and the economic case for the rezoning selected areas to B4, noting that the Background Paper contains relevant data to support the case; • Considering rezoning of a portion of land immediately east of Crossing Street from B7 to B4 or B3. • Council will seek to facilitate the development of Residential flat buildings and Multi dwelling housing in Wakaden North Precinct (zoned R1) through supporting amendments to controls in the DCP as follows: <ul style="list-style-type: none"> ◦ Extending the Precinct north to Binya St, which is within 400 metres of the B2 zoned area, and maintaining the R1 zoning. rezoning the entire precinct to medium density residential to solidify the strategy to promote higher densities; <p>The Planning Proposal encourages the provision of housing by promoting mixed use zoned land within and in close proximity to Griffith's CBD with good existing connections to all required services. SSA 17 is proposed to have an Urban Release Area overly which will require arrangements to be made for the adequate provision of services and road infrastructure.</p> <p>A justification for the zoning of additional R1 – General residential and RU5 – Village zoned land is provided at Appendix 5 to appease this ministerial direction. However, the potential development potential of the rezonings would only add an additional 170 dwellings or lots, which is considered of minor significance considering the existing size and expected growth of the LGA.</p> <p>The Planning Proposal is considered to be generally consistent with Direction 6.1.</p>
6.2 Caravan Parks and Manufactured Home Estates	<p>Objectives</p> <p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> (d) provide for a variety of housing types, and (e) provide opportunities for caravan parks and manufactured home estates. <p>Application</p> <p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p>	<p>The Planning Proposal does not propose to increase or decrease the zones or locations in which caravan parks and manufactured home estates are permissible.</p>

	<p>This direction does not apply to Crown land reserved or dedicated for any purposes under the <i>CrownLand Management Act 2016</i>, except Crown land reserved for accommodation purposes, or land dedicated or reserved under the <i>National Parks and Wildlife Act 1974</i>.</p> <p>Direction 6.2</p> <p>(1) In identifying suitable zones, locations and provisions for caravan parks in a planning proposal, the relevant planning authority must:</p> <ul style="list-style-type: none"> (a) retain provisions that permit development for the purposes of a caravan park to be carried out onland, and (b) retain the zonings of existing caravan parks, or in the case of a new principal LEP zone the land in accordance with an appropriate zone under the <i>Standard Instrument (Local Environmental Plans) Order 2006</i> that would facilitate the retention of the existing caravan park. <p>(2) In identifying suitable zones, locations and provisions for manufactured home estates (MHEs) in a planning proposal, the relevant planning authority must:</p> <ul style="list-style-type: none"> (a) take into account the categories of land set out in Schedule 6 of <i>State Environmental Planning Policy (Housing)</i> as to where MHEs should not be located, (b) take into account the principles listed in clause 9 Schedule 5 of <i>State Environmental Planning Policy (Housing)</i> (which relevant planning authorities are required to consider when assessing and determining the development and subdivision proposals), and (c) include provisions that the subdivision of MHEs by long term lease of up to 20 years or under the <i>Community Land Development Act 1989</i> be permissible with consent. <p>Consistency</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary that the provisions of the planning proposal that are inconsistent are:</p> <ul style="list-style-type: none"> (a) justified by a strategy approved by the Planning Secretary which: <ul style="list-style-type: none"> i. gives consideration to the objective of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Industry and Environment which gives consideration to the objective of this direction, or (d) of minor significance. 	
7.1 Business and Industrial Zones	<p>Objectives</p> <p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> (a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and (c) support the viability of identified centres. <p>Application</p> <p>This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).</p>	<p>The Planning Proposal does not propose to rezone any lands from an Employment Lands zone to a non-employment lands zone.</p> <p>SSA 8 proposes to rezone land from one Employment Lands zone to another – B4 – Mixed Use based on recommendations in the Griffith Housing Strategy and the Griffith LSPS.</p> <p>SSA 09 proposes to rezone the former Penfolds Winery, a local Heritage Item, from IN1 General Industrial to B7 – Business Park which would permit a key site at a main vehicular entrance to Griffith to be redeveloped for commercial uses while maintaining the historical significance of the site.</p>

	<p>Direction 7.1</p> <p>(1) A planning proposal must:</p> <ul style="list-style-type: none"> (a) give effect to the objectives of this direction, (b) retain the areas and locations of existing business and industrial zones, (c) not reduce the total potential floor space area for employment uses and related public services in business zones, (d) not reduce the total potential floor space area for industrial uses in industrial zones, and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Planning Secretary. <p>Consistency</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <ul style="list-style-type: none"> (a) justified by a strategy approved by the Planning Secretary, which: <ul style="list-style-type: none"> i. gives consideration to the objective of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or (b) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Industry and Environment which gives consideration to the objective of this direction, or (d) of minor significance. 	<p>SSA 11 therefore reduces the potential floor space in Griffith for industrial. This is considered of minor significance.</p> <p>The Planning Proposal is considered to be generally consistent with Direction 7.1.</p>
7.2 Reduction in non-hosted short-term rental accommodation period	<p>Objective</p> <p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> (d) mitigate significant impacts of short-term rental accommodation where non-hosted short-term rental accommodation period are to be reduced, and (e) ensure the impacts of short-term rental accommodation and views of the community are considered. <p>Application</p> <p>This direction applies to Byron Shire Council when the council prepares a planning proposal to identify or reduce the number of days that non-hosted short-term rental accommodation may be carried out in parts of its local government area.</p> <p>Direction 7.2</p> <p>(1) The council must include provisions which give effect to the following principles in a planning proposal to which this direction applies:</p> <ul style="list-style-type: none"> (a) non-hosted short term rental accommodation periods must not be reduced to be less than 90 days (b) the reasons for changing the non-hosted short-term rental accommodation period should be clearly articulated (c) there should be a sound evidence base for the proposed change, including evidence of the availability of short-term rental accommodation in the area (or parts of the area) in the 12 months preceding the proposal, relative to the amount of housing in the area, and trend data on the availability of short-term rental accommodation over the past 5 years. 	N/A

	<p>(d) the impact of reducing the non-hosted short-term rental accommodation period should be analysed and explained, including social and economic impacts for the community in general, and impacted property owners specifically.</p> <p>Consistency</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary that the provisions of the planning proposal that are inconsistent are of minor significance.</p>	
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	<p>Objectives</p> <p>The objectives for managing commercial and retail development along the Pacific Highway are to:</p> <ul style="list-style-type: none"> (f) protect the Pacific Highway's function, that is to operate as the North Coast's primary inter- and intra-regional road traffic route, (g) prevent inappropriate development fronting the highway, (h) protect public expenditure invested in the Pacific Highway, (i) protect and improve highway safety and highway efficiency, (j) provide for the food, vehicle service and rest needs of travellers on the highway, and (k) reinforce the role of retail and commercial development in town centres, where they can best serve the populations of the towns. <p>Application</p> <p>This direction applies when a relevant planning authority prepares a planning proposal for land within those council areas on the North Coast that the Pacific Highway traverses, being those council areas between Port Stephens Shire Council and Tweed Shire Council, inclusive, and that applies to land in the vicinity of the existing and/or proposed alignment of the Pacific Highway.</p> <p>Direction 7.3</p> <ul style="list-style-type: none"> (1) A planning proposal that applies to land located on "within town" segments of the Pacific Highway must provide that: <ul style="list-style-type: none"> (a) new commercial or retail development must be concentrated within distinct centres rather than spread along the highway; (b) development with frontage to the Pacific Highway must consider impact the development has on the safety and efficiency of the highway; and (c) for the purposes of this paragraph, "within town" means areas which, prior to the draft local environmental plan, have an urban zone (e.g.: "village", "residential", "tourist", "commercial", "industrial", etc) and where the Pacific Highway speed limit is less than 80km/hour. (2) A planning proposal that applies to land located on "out-of-town" segments of the Pacific Highway must provide that: <ul style="list-style-type: none"> (a) new commercial or retail development must not be established near the Pacific Highway if this proximity would be inconsistent with the objectives of this direction; (b) development with frontage to the Pacific Highway must consider the impact the development has on the safety and efficiency of the highway; and (c) for the purposes of this paragraph, "out-of-town" means areas which, prior to the draft local environmental plan, do not have an urban zone (e.g.: "village", "residential", "tourist", "commercial", "industrial", etc) or are in areas where the Pacific Highway speed limit is 80km/hour or greater. (3) Notwithstanding the requirements of paragraphs (1) and (2), the establishment of highway service centres may be permitted at the localities listed in Table 1, provided that Roads and Maritime Services is satisfied that the highway service centre(s) can be safely and efficiently integrated into the Highway interchange(s) at those localities. For the 	N/A

purposes of this paragraph, a highway service centre has the same meaning as is contained in the *Standard Instrument (Local Environmental Plans) Order 2006*.

Table 1: Highway service centres that can proceed

Town	Locality
Chinderah	Chinderah Bay Road interchange (southbound) Western side of highway at Tweed Valley Way interchange (northbound)
Ballina	Teven Road interchange
Maclean	Southern interchange
Woolgoolga	Northern interchange at Arrawarra
Nambucca Heads	Nambucca Heads interchange
Kempsey	South Kempsey interchange
Port Macquarie	Oxley Highway interchange (both sides of the Pacific Highway)
Taree	Old Bar Road interchange
Tomago	In the vicinity of Tomago Road / South Heatherbrae

Consistency

A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are of minor significance.

8.1 Mining, Petroleum Production and Extractive Industries

Objective

The objective of this direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.

Application

This direction applies to all relevant planning authorities when preparing a planning proposal that would have the effect of:

- (a) prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or
- (b) restricting the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.

Direction 8.1

- (1) In the preparation of a planning proposal affected by this direction, the relevant planning authority must:
 - (a) consult the Secretary of the Department of Primary Industries (DPI) to identify any:
 - i. resources of coal, other minerals, petroleum or extractive material that are of either State or regional

N/A

	<div>significance, and</div> <div><div>ii. existing mines, petroleum production operations or extractive industries occurring in the area subject to the planning proposal, and</div></div> <div><div>(b) seek advice from the Secretary of DPI on the development potential of resources identified under (1)(a)(i), and</div></div> <div><div>(c) identify and take into consideration issues likely to lead to land use conflict between other land uses and:</div><div><div>i. development of resources identified under (1)(a)(i), or</div><div>ii. existing development identified under (1)(a)(ii).</div></div></div> <div>(2) Where a planning proposal prohibits or restricts development of resources identified under (1)(a)(i), or proposes land uses that may create land use conflicts identified under (1)(c), the relevant planning authority must:</div> <div><div>(a) provide the Secretary of DPI with a copy of the planning proposal and notification of the relevant provisions,</div><div>(b) allow the Secretary of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and</div><div>(c) include a copy of any objection and supporting information received from the Secretary of DPI with the statement to the Planning Secretary (or an officer of the Department nominated by the Secretary before undertaking community consultation in satisfaction of Schedule 1 to the Act.</div></div> <div>Consistency</div> <div>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary), that the provisions of the planning proposal that are inconsistent are of minor significance.</div>																																	
9.1 Rural Zones	<div>Objective</div> <div>The objective of this direction is to protect the agricultural production value of rural land.</div> <div>Application</div> <div>This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).</div> <div>Direction (1)(a) applies to all relevant planning authorities.</div> <div>Direction (1)(b) only applies in the following local government areas:</div> <div><table><tr><td>Ashfield</td><td>Campbelltown</td><td>Hurstville</td><td>Mosman</td></tr><tr><td>Auburn</td><td>Canada Bay</td><td>Kogarah</td><td>Newcastle</td></tr><tr><td>Bankstown</td><td>Canterbury</td><td>Ku-ring-gai</td><td>North Sydney</td></tr><tr><td>Baulkham Hills</td><td>City of Sydney</td><td>Lake Macquarie</td><td>Parramatta</td></tr><tr><td>Blacktown</td><td>Fairfield</td><td>Lane Cove</td><td>Willoughby</td></tr><tr><td>Blue Mountains</td><td>Gosford</td><td>Leichhardt</td><td>Wollondilly</td></tr><tr><td>Botany Bay</td><td>Hawkesbury</td><td>Liverpool</td><td>Woollahra</td></tr><tr><td>Burwood</td><td>Holroyd</td><td>Manly</td><td>Wollongong</td></tr></table></div>	Ashfield	Campbelltown	Hurstville	Mosman	Auburn	Canada Bay	Kogarah	Newcastle	Bankstown	Canterbury	Ku-ring-gai	North Sydney	Baulkham Hills	City of Sydney	Lake Macquarie	Parramatta	Blacktown	Fairfield	Lane Cove	Willoughby	Blue Mountains	Gosford	Leichhardt	Wollondilly	Botany Bay	Hawkesbury	Liverpool	Woollahra	Burwood	Holroyd	Manly	Wollongong	<div>The Planning Proposal includes the rezoning of rural lands to residential.</div> <div>Consistency</div> <div>The lands proposed to be rezoned from a rural zone to a residential zone are justified by a strategy or study as identified in or are of minor significance including:</div> <div>SSA 1 – Griffith Large Lot Residential Strategy – pg. 41-44</div> <div>SSA 2 - Griffith Large Lot Residential Strategy - pg. 41-44</div> <div>SSA 3 - Griffith Large Lot Residential Strategy – pg. 41-44</div> <div>SSA 4 - Griffith Large Lot Residential Strategy – pg. 41-44</div> <div>SSA 12 – minor significance and to correct an error in mapping</div> <div>SSA 14 - Griffith Large Lot Residential Strategy – pg. 41-44</div> <div>SSA 15 - Griffith Large Lot Residential Strategy – pg. 41-44</div>
Ashfield	Campbelltown	Hurstville	Mosman																															
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Burwood	Holroyd	Manly	Wollongong																															

	<p>Camden Hornsby Marrickville Wyong</p> <p>Hunters Hill</p> <p>Direction 9.1</p> <p>(1) A planning proposal must:</p> <p>(a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</p> <p>(b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).</p> <p>Consistency</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p> <p>i. gives consideration to the objectives of this direction, and</p> <p>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or</p> <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Industry and Environment which gives consideration to the objective of this direction, or</p> <p>(d) is of minor significance.</p>	
9.2 Rural Lands	<p>Objective</p> <p>The objectives of this direction are to:</p> <p>(a) protect the agricultural production value of rural land,</p> <p>(b) facilitate the orderly and economic use and development of rural lands for rural and related purposes,</p> <p>(c) assist in the proper management, development and protection of rural lands to promote the social, economic and environmental welfare of the State,</p> <p>(d) minimise the potential for land fragmentation and land use conflict in rural areas, particularly between residential and other rural land uses,</p> <p>(e) encourage sustainable land use practices and ensure the ongoing viability of agriculture on rural land,</p> <p>(f) support the delivery of the actions outlined in the NSW Right to Farm Policy.</p> <p>Application</p> <p>This direction applies when a relevant planning authority prepares a planning proposal for land outside the local government areas of Lake Macquarie, Newcastle, Wollongong and LGAs in the Greater Sydney Region (as defined in the <i>Greater Sydney Commission Act 2015</i>) other than Wollondilly and Hawkesbury, that:</p> <p>(a) will affect land within an existing or proposed rural or conservation zone (including the alteration of any existing rural or conservation zone boundary) or</p> <p>(b) changes the existing minimum lot size on land within a rural or conservation zone.</p>	<p>The Planning Proposal will effect land within an existing rural zone and proposed to change some of the existing minimum lot sizes within a rural zone including SSA 1, 2, 3, 4, 5, 6, 12, 14 and 15</p> <p>Consistency</p> <p>The lands proposed to be rezoned from a rural zone or proposed to have a reduced minimum lot size have been justified by a Strategy / Study as identified in Section 2.2 which gives consideration to the direction, identifies the lands subject to the Planning Proposal or is of minor significance. The Griffith Housing Strategy 2019 and the Griffith Large Lot Strategy 2022 are provided in Appendix 2 and 3.</p>

Note: Reference to a rural or conservation zone means any of the following zones or their equivalent in a non-Standard LEP: RU1, RU2, RU3, RU4, RU6, C1, C2, C3, C4.

Direction 9.2

- (1) A planning proposal must:
- (a) be consistent with any applicable strategic plan, including regional and district plans endorsed by the Planning Secretary, and any applicable local strategic planning statement
 - (b) consider the significance of agriculture and primary production to the State and rural communities
 - (c) identify and protect environmental values, including but not limited to, maintaining biodiversity, the protection of native vegetation, cultural heritage, and the importance of water resources
 - (d) consider the natural and physical constraints of the land, including but not limited to, topography, size, location, water availability and ground and soil conditions
 - (e) promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities
 - (f) support farmers in exercising their right to farm
 - (g) prioritise efforts and consider measures to minimise the fragmentation of rural land and reduce the risk of land use conflict, particularly between residential land uses and other rural land use
 - (h) consider State significant agricultural land identified in chapter 2 of the *State Environmental Planning Policy (Primary Production) 2021* for the purpose of ensuring the ongoing viability of this land
 - (i) consider the social, economic and environmental interests of the community.
- (2) A planning proposal that changes the existing minimum lot size on land within a rural or conservation zone must demonstrate that it:
- (a) is consistent with the priority of minimising rural land fragmentation and land use conflict, particularly between residential and other rural land uses
 - (b) will not adversely affect the operation and viability of existing and future rural land uses and related enterprises, including supporting infrastructure and facilities that are essential to rural industries or supply chains
 - (c) where it is for rural residential purposes:
 - i. is appropriately located taking account of the availability of human services, utility infrastructure, transport and proximity to existing centres
 - ii. is necessary taking account of existing and future demand and supply of rural residential land.

Note: where a planning authority seeks to vary an existing minimum lot size within a rural or conservation zone, it must also do so in accordance with the Rural Subdivision Principles in clause 5.16 of the relevant Local Environmental Plan.

Consistency

A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:

- (a) justified by a strategy approved by the Planning Secretary and is in force which:
 - i. gives consideration to the objectives of this direction, and
 - ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or
- (b) is of minor significance.

9.3 Oyster Aquaculture	<p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> (g) ensure that 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area are adequately considered when preparing a planning proposal, and (h) protect 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oysters and oyster consumers. <p>Application</p> <p>This direction applies to any relevant planning authority when preparing a planning proposal in 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area as identified in the <i>NSW Oyster Industry Sustainable Aquaculture Strategy</i> (2006) ("the Strategy"), when proposing a change in land use which could result in:</p> <ul style="list-style-type: none"> (a) adverse impacts on a 'Priority Oyster Aquaculture Area' or a "current oyster aquaculture lease in the national parks estate", or (b) incompatible use of land between oyster aquaculture in a 'Priority Oyster Aquaculture Area' or a "current oyster aquaculture lease in the national parks estate" and other land uses. <p>Direction 9.3</p> <ul style="list-style-type: none"> (1) In the preparation of a planning proposal the relevant planning authority must: <ul style="list-style-type: none"> (a) identify any 'Priority Oyster Aquaculture Areas' and oyster aquaculture leases outside such an area, as shown on the maps to the Strategy, to which the planning proposal would apply, (b) identify any proposed land uses which could result in any adverse impact on a 'Priority Oyster Aquaculture Area' or oyster aquaculture leases outside such an area, (c) identify and take into consideration any issues likely to lead to an incompatible use of land between oyster aquaculture and other land uses and identify and evaluate measures to avoid or minimise such land use in compatibility, (d) consult with the Secretary of the Department of Primary Industries (DPI) of the proposed changes in the preparation of the planning proposal, and (e) ensure the planning proposal is consistent with the Strategy. (2) Where a planning proposal proposes land uses that may result in adverse impacts identified under (1)(b) and (1)(c), the relevant planning authority must: <ul style="list-style-type: none"> (a) provide the Secretary of DPI with a copy of the planning proposal and notification of the relevant provisions, (b) allow the Secretary of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and (c) include a copy of any objection and supporting information received from the Secretary of DPI with the statement to the Planning Secretary before undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act. <p>Consistency</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are of minor significance.</p>	N/A
9.4 Farmland of State and Regional Significance	<p>Objectives</p> <p>The objectives of this direction are to:</p>	N/A

on the NSW Far North Coast	<div><div><div>(i) ensure that the best agricultural land will be available for current and future generations to grow food and fibre,</div><div>(j) provide more certainty on the status of the best agricultural land, thereby assisting councils with their local strategic settlement planning, and</div><div>(k) reduce land use conflict arising between agricultural use and non-agricultural use of farmland as caused by urban encroachment into farming areas.</div></div><div><div>Application</div><div><p>This direction applies when a relevant planning authority prepares a planning proposal for land within Ballina Shire, Byron Shire, Kyogle Shire, Lismore City, Richmond Valley and Tweed Shire local government areas, except land identified as “urban growth areas” mapped in the <i>North Coast Regional Plan 2036</i> when preparing a planning proposal, that applies to land:</p><div><div>(a) mapped as<div><div>i. State significant farmland, or</div><div>ii. regionally significant farmland, or</div><div>iii. significant non-contiguous farmland,</div></div></div><div>(b) on the set of four maps held in the Department of Planning, Industry and Environment marked “Northern Rivers Farmland Protection Project, Final Map 2005 (Section 117(2) Direction)”; and</div></div></div><div><div>Direction 9.4</div><div><p>(1) A planning proposal must not:</p><div><div>(a) rezone land identified as “State Significant Farmland” for urban or rural residential purposes.</div><div>(b) rezone land identified as “Regionally Significant Farmland” for urban or rural residential purposes.</div><div>(c) rezone land identified as “significant non-contiguous farmland” for urban or rural residential purposes.</div></div></div></div><div><div>Consistency</div><div><p>A planning proposal may be inconsistent with the terms of this direction only if council can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the planning proposal is consistent with:</p><div><div>(a) the <i>North Coast Regional Plan 2036</i>, or</div><div>(b) Section 4 of the report titled <i>Northern Rivers Farmland Protection Project - Final Recommendations</i>, February 2005, held by the Department of Planning, Industry and Environment.</div></div></div></div></div></div>
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2.5 Section C – Environmental, Social and Economic Impact

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The Planning Proposal does not pose any adverse impact on the critical habitat or threatened species, populations or ecological communities or their habitats.

Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The Planning Proposal does not intentionally pose any environmental impacts.

Has the planning proposal adequately addressed any social and economic effects?

It is envisaged that the amendments proposed as part of this Planning Proposal will have a positive impact on the overall social and economic wellbeing of the Griffith LGA by ensuring that the GLEP 2014 is an up to date plan that is consistent with State planning policies and Councils strategic planning framework.

2.6 Section D – Infrastructure (Local, State and Commonwealth

Is there adequate public infrastructure for the planning proposal?

A site constraints analysis of each site is provide at Section 2.2. Adequate infrastructure is available or is planned to be provided to facilitate the development of each site subject to rezoning.

2.7 Section E – State and Commonwealth Interests

What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

State authorities will be consulted with as part of the gateway process, however, the Planning Proposal is not expected to impact the functioning of these authorities or their infrastructure. Should the Department of Primary Industries make comments or opinions in relation to land subject of rezoning based on the consultation draft State Significant Agricultural Land map, these comments or opinions should not be further considered.

3 Maps

Refer to Section 2.2 for all maps.

4 Community Consultation

As part of the Growing Griffith to 2045 project, which included the drafting of the LSPS, an extensive consultation exercise was carried out (See Appendix 1). Community consultation also occurred in the drafting of the Griffith Large Lot Strategy. Following Gateway Determination, an extensive public exhibition and consultation exercise would be carried out regarding the Planning Proposal.

Council considers that a twenty eight (28) day public exhibition period is appropriate in this instance which is in accordance with Griffith's Community Participation Plan. Notification of the exhibited planning proposal will include:

- A newspaper advertisement (Area News) that circulates in the area affected by the planning proposal.
- The websites of Griffith City Council and the Department of Planning, and Environment.
- Letter to affected landholders regarding mapping amendments.
 - The written notice would include:
 - Provide a brief description of the objectives or intended outcomes of the planning proposal.
 - Indicate the land that is the subject of the planning proposal.
 - State where and when the planning proposal can be inspected.
 - Provide sufficient details that will enable members of the community to make a submission. Exhibition material:
 - The planning proposal, in the form approved for community consultation by the Secretary of the Department of Planning, Industry and Environment.
 - The Gateway determination.

During the Public Exhibition period, a community consultation session will be provided on Zoom, facebook live and in public to ensure direct consultation is provided.

5 Project Timeline

The proposed timeline for the completion of the planning proposal is as follows:

Estimated Completion	Plan Making Steps
April 2022	Report Planning Proposal to Council
December 2023	Gateway determination issued by Department of Planning, Industry and Environment
February 2023	Government agency and public consultation
April 2023	Report all submissions and final Planning Proposal to Council
May 2023	Opinion sought from Parliamentary Counsel's Office Preparation of LEP Map sheets
July 2023	Making and notification of the LEP.

Appendix 1 – Growing Griffith to 2045 Project

Call for Submissions

<https://www.griffith.nsw.gov.au/growing-griffith-to-2045-project>

LSPS Exhibition Business Paper with Submissions

https://businesspapers.griffith.nsw.gov.au/Open/2020/08/CO_25082020_ATT_1273_EXCLUDED.PDF

LSPS Endorsement Business Paper

https://businesspapers.griffith.nsw.gov.au/Open/2020/09/CO_29092020_AGN_1372_AT_EXTRA.PDF
[Fer 2020 \(nsw.gov.au\)](https://www.nsw.gov.au)

Appendix 2 – Griffith Housing Strategy 2019

<https://www.griffith.nsw.gov.au/griffith-housing-strategy>

Appendix 3 – Griffith Large Lot Supply and Demand Analysis and Strategy 2022

<https://www.griffith.nsw.gov.au/page.asp?f=RES-UUI-46-30-12>

Appendix 4 – Contamination Assessments for SSA 1, 6 and 15

<https://apps.planningportal.nsw.gov.au/prweb/PRRestService/DocMgmt/v1/PublicDocuments/DATA-WORKATTACH-FILE%20PEC-DPE-EP-WORK%20PP-2022-3697!20221018T042642.071%20GMT>

Appendix 5 – Strategic Justification for Rezoning Additional R1 – General Residential Land

Background

Griffith is in a housing crisis along with the remainder of regional NSW. Griffith is growing and there is a substantial demand for housing of all types in several areas of the LGA. Council believes the development of our existing growth areas in Collina and Lake Wyangan (and future release areas in Hanwood and Yenda presently in a master planning exercise) should not be solely relied on to address these shortages and other serviced areas in close proximity to Griffith and the villages should be rezoned to prompt and facilitate urban residential development.

The Griffith Housing Strategy was developed in 2018 and mainly focused on housing affordability and did not closely analyse candidate sites or the potential for the rezoning of land for single detached dwellings closer to the CBD and at the fringes of Griffith. The Housing Strategy also did not assess or analyse the land banking which has occurred in Griffith since the gazettal of the then Griffith LEP in 1994 and the lack of development on large parcels of residential zoned lands for decades in some instances. Instead the strategy focused on facilitating density and smaller units in close proximity to the CBD.

Council has completed or is working towards the completion of several of the recommendations in the Housing Strategy to support increased density in and around the CBD with some take up in recent years. Council has even partnered with a CHP to deliver over 60 homes to ease the burden of affordable housing in the LGA as part of the Griffin Green Affordable Housing Project. Council has also approved a number of medium density residential developments in the centre of Griffith and supported and approved development applications for boarding houses.

Since the drafting of the Housing Strategy there has been a number of factors that have impacted Griffith's housing supply and demand for housing, including:

- Population growth pressures not previously accounted for in State and local population projections
 - The Department has adjusted the annual population increase in Griffith to 0.78%
 - Council believes this forecast is not an adequate representation of the potential population growth in Griffith and has provided a detailed analysis of other factors which must be considered in projections to the Department.
 - The 2021 census has shown that Griffith grew by an average of approximately 1% between 2016 and 2021.

- There is a significant demand for employees to fill positions in every sector or employment in Griffith
- Lack of development on land zoned for 400 homes in Collina due to issues surrounding Aboriginal Land Claims.
- The impacts of COVID with metropolitan residents seeking a tree change and single detached dwellings with private open spaces.
- Lack of development on other zoned residential land due to land banking or use of the land for other purposes including agriculture.
 - The Housing Strategy did not discount zoned land which has not been developed for several years from the overall supply of R1-General Residential land. There are some large parcels of land which have sat undeveloped for decades which are counted in Griffith's residential land supply.
- Master planning requirements for large urban release areas which takes a substantial amount of time to get right. For instance, the Lake Wyangan Growth area has involved the planning of a new town with urban roads and a drainage network which is highly constrained. Essentially Council needs to meticulously plan an entire new town to commence the release of lands. For lands at the periphery of the urban area or infill lands, this process would not be required.
- The Housing Strategy did not assess or recognise that there was an existing housing shortage in Griffith in 2018 with multiple families living in single dwellings, workers living in illegal co-living housing with six bunk beds to a room, employers unable to hire staff as they could not find housing for them and issues with poor housing stock unsuitable for habitation. The Strategy did account for homelessness and adjusted for an additional 140 dwellings, but did not account for the factors listed above.
- The Regional Housing Taskforce report was release and the introduction of the Regional Housing Fund to:
 - unblock and accelerate new housing capacity in regional NSW,
 - bring forward construction and the opportunity for jobs, and
 - support investment in critical infrastructure and high-quality public and open spaces.
- In Collina, Griffith's main urban release area, which the Housing Strategy relies on to cater for the population growth, the price of land has increased from \$110, 000 - \$140,000 in 2018 to \$220,000 to \$280,000 in 2022, effectively doubling land prices in four years.

The result of these factors, the impacts of COVID, construction staff shortages and the increase in prices for materials has led to massive increase in housing and land prices since 2018 and housing shortages. Council believes there is enough strategic justification to rezone some additional lands to R1 – General Residential and RU5 – Village to prompt development. The following provides an assessment of the existing growth area housing supply in Griffith, the present and future demand for

housing and the development potential of the candidate sites (referred to as SSA's throughout this planning proposal) to understand if the proposed rezoning's would support the delivery of required housing for a planning horizon of 14 years to 2036.

Updated Residential Supply Analysis

The Griffith Housing Strategy 2019 relied on the Forecast.Id data for Griffith to establish that an additional 1744 dwellings would be required up to 2036. The Housing Strategy focused on initiatives to entice the development of additional one to two bedroom units in multiple dwelling housing or residential flat buildings in urban areas near the CBD. The Housing Strategy also proposed strategies to promote other forms of more affordable residential development including manufactured home estates, boarding houses and caravan parks. Council has been progressively working through these initiatives, however, there remains a high demand for single detached residential development lots in the LGA.

The Housing Strategy did not contain an analysis of the existing growth areas in Griffith and historical development patterns to better understand the likelihood these areas would be developed in the planning horizon of 14 years. The following table provides a review of existing zoned growth areas which have been released for development between 1994 and 2014.

Table 1: Growth Area Supply Analysis.

Zoned Site	Lot Potential	Year Zoned	Include in Supply
Areas Actively Under Development or Master Planning			
New Collina	400	2014	400
Lake Wyangan (Stage 1)	700	2014	700
Hanwood (Stage 1)	150	2014	150
Master Planning Yet to Commence			
Yenda (Stage 1)	200	Yet to be released	100
Zoned Land Undeveloped Since 1994			
South Griffith	650 Lots (50ha)	1994	0
North Griffith	110 Lots (8.3 ha)	1994	0
Old Collina	400 lots as per Master Plan	1994	0
Total Supply			1350

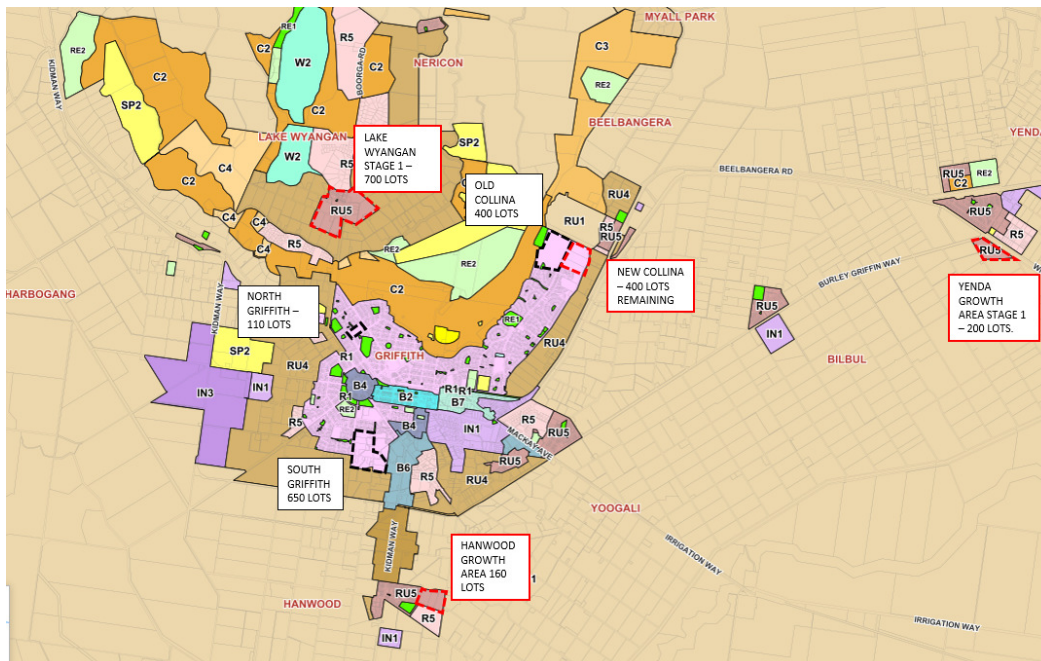


Figure 66: Growth Areas with Lot Potential

The following commentary is provided to justify the adjustment of the potential supply of developable areas based on the development history of the growth area and other factors

- South Griffith – The growth area was originally zoned in 1994 and has sat largely undeveloped since then. It represents an ideal site for development, but there are some constraints which have posed financial concerns to potential developers including:
 - The flat nature of the area and the requirement to import fill to the site
 - Provision of a sewer pump station and achieving a suitable location to facilitate the development of the entire precinct.
 - The irrigation channel system that goes through the site and the requirements to fill in and stabilise these areas prior to development.
 - Upgrade of road widths required to meet Council and Austroads standards.
- North Griffith – The undeveloped lot in North Griffith was released as part of a Growth Area in 1994 along Wyangan Avenue. The remainder of the former farms have been fully developed, however the landowner of Lot 2 DP 835403, has continued to run the orange orchard from the site.
- Old Collina – The growth area was part of the original release of the north-eastern portion of Collina by the then Department of Housing. These lands were transferred to the Local Aboriginal Land Council from the NSW State government in 2019 pursuant to an Aboriginal Land Agreement.

Based on the length of time these lands have been released and other factors identified above, Council has proposed to exclude the lands from residential land supply calculations and look to rezone

candidate sites to prompt development in close proximity to urban and village areas outside the designated growth areas of Collina, Lake Wyangan, Hanwood and Yenda. It should be noted that these lands would remain zoned R1 – General Residential and could proceed to be developed should the constraints be overcome or the owners pursue a development proposal.

Population Forecasts and Housing Need

The Griffith Housing Strategy utilised Griffith's Forecast id population projections to project dwelling needs to 2036. Forecast id forecasted that Griffith's population would increase by 0.73% per year to 2036 utilising 2016 and earlier census data. The Housing Strategy established that based on this population growth an additional 1744 dwellings would be required by 2036.

Table 2: Forecasted Dwelling Types Required based on 2021 Population Data (source: Id. Forecasting)

Type of Dwelling	% in 2021	Total Lot or Dwelling Yield
Separate House	82.7	1440
Medium Density	15.1	261
High Density	0.3	5
Caravans etc.	0.9	15
Other	0.6	10
Total Dwellings Forecasted		1744

As is evident from Table 2, based on the 2021 housing trends data from Griffith, out of the forecasted 1744 units required in Griffith to 2036 (based on the analysis in the Housing Strategy), **1440** would be separate house (single detached dwelling). As Council looks to increase the supply of affordable housing options close to the Griffith CBD, it is also imperative that land is available to meet the demands of single detached dwellings or dual-occupancies. It is apparent that individuals, couples and families moving to Griffith are predominantly seeking to live in single detached dwellings. As people move to regional areas there is often an expectation that they would be able to attain a larger dwelling with more lot area than the major urban centres. To ensure that Griffith is catering for the expected needs of incoming residents it is essential that enough land is provided for single detached dwellings as well as higher density unit development.

Proposed Rezoning Development Potential

The General Amendment Planning Proposal has identified four Candidate Sites (also referred to as Site Specific Amendment sites (SSA)) for rezoning to R1 – General Residential or RU5 - Village within a 4 km radius of the Griffith city centre. These sites are located within Council's Development Servicing Plan for both water and sewer and have good access to Council's local road network.



Figure 67: Location of Proposed Candidate Site to R1 - General Residential

Three of these sites are presently zoned R5 – Large Lot Residential and hold development potential for 3000 – 4000 m² lots. A comparison of the existing development potential of each site and the potential development potential is provided in Table 3:

- The development potential for the site in Yoogali was calculated based on a lot yield of 75% with the balance utilised for roads, stormwater, open space and to account for the curtilage of the two existing farm dwellings to be located on a single larger lot.
- For Mackay Avenue, the land owners are actively developing the site for Seniors Housing to be used for people with disabilities. Seniors Housing is permissible in the existing zone (E3 – Productivity Support Zone). However SEPP (Housing) 2021 restricts the use of ground floors of buildings facing a road for uses other than residential and permits Seniors Housing in a shop top formation. The rezoning of the site would permit the entire site to be utilised for Seniors Housing.
- The development potential of the site at Walla Avenue was established based on an 80% lot yield of the site area not consumed by the existing buildings.
- For Rose Road, the development potential of the site was based on the length of frontage to Rose Road / Harward Road being 720 m with each lot having a frontage of 24 m. The analysis provided in Table 3 identifies that the proposed rezoning's would increase development potential of the sites by an estimated 170 lots.

Table 3: Development Potential of Candidate Sites

Candidate Site	Existing Development Potential (Lots)		Proposed Development Potential (Lots)		Balance
Yoogali	43 Lots		183		140
Mackay Avenue	Seniors permissible	Housing	Seniors permissible	Housing	No Change
Walla Avenue	5 lots		15		10
Rose Road	0		30		30
TOTAL					170

Updated Population Projections

The Housing Strategy acknowledged that Griffith required 1744 dwelling units to satisfy the expected growth pressures of a population projection of 0.73%. Since this time, the State government has revised their population projections for Griffith to 0.78% which is higher than Griffith's forecasts. Based on the 2021 Census released earlier this year, Forecast Id is now adjusting the population forecasts for Griffith which are expected by December 2022. However, based on the 2021 census, Griffith grew by 0.98% between 2016 and 2021.

Based on the adjusted NSW projections and the realized growth of Griffith between 2016 and 2021, additional dwelling units above the 1744 previously forecasted would be expected to be required to 2036.

Conclusions and Recommendations

Griffith's growth areas which are actively being developed are expected to deliver 1350 single detached dwellings within the planning horizon used in the Housing Strategy (up to 2036) which does not meet the expected demand of 1440 single detached dwellings. A shortfall of 90 single detached dwellings has been projected. The Planning Proposal and the development potential of the candidate sites would potentially achieve a total dwelling yield of 170 single detached dwellings by 2036 which would address this projected shortfall. Council considers the 80 additional dwellings proposed to be released would be justified to meet the housing needs resulting from the adjustments in population projections not considered in the Housing Strategy. Council therefore seeks the Department's support for the proposed rezoning's in the planning proposal.



Department of Planning and Environment

Gateway Determination

Planning proposal (Department Ref: PP-2022-3697): Griffith LEP 2014 – General Amendment.

I, the Director, Western Region at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Griffith Local Environmental Plan 2014 for general amendment should proceed subject to the following conditions:

1. Prior to community and agency consultation the planning proposal is to be updated to:

- Amend Item 15 – SSA10 Wakaden Precinct to clarify that existing zone RE1 Public Recreation will be retained within this precinct.
- Amend Item 11- SSA6 Rose Road to include the proposed planning mechanism to ensure that the intent for a (20-30m) buffer situated on the proposed zone R5 land occurs as part of future development of the site.
- Prepare and include a comparable Land Use Table between the current zones and proposed zones for Item 13-SSA8 and Item 14-SSA9 to compare land use permissibility and prohibitions. Landowners in the areas of 13-SSA8, 14-SSA9 and 15-SSA10 are to be individually notified of the proposed changes.
- Amend Item 17 – SSA12 to include Lot 647 DP 725659 as proposed zone RU5 Village.
- Amend Item 20 - SSA15 Calabria Road to remove reference to the intent to rezone land and to proceed with change to minimum lot size only.
- Clearly indicate the proposed amendments to Map WET__003 (Item 21-SSA16).
- Amend Section 5 Project Timeline to reflect the Gateway determination of the proposal and subsequent milestones for finalisation in 9 months.

Council is to seek approval from the Department of Planning and Environment – Western Region office prior to community and agency consultation.

2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:

- (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2022) and must be made publicly available for a minimum of 28 days; and
- (b) the planning proposal 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 *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2022).

3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:

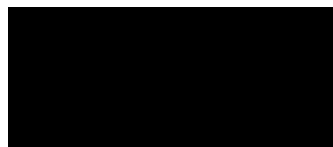
- Department of Primary Industries – Agriculture

- Transport for NSW
- NSW Rural Fire Service
- Department of Planning and Environment – Biodiversity, Conservation and Science Directorate

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the 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 Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
 - (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
6. The LEP should be completed within nine (9) months from the Gateway determination.

Dated 23rd day of December 2022.



Garry Hopkins
Director, Western Region
Local and Regional Planning
Department of Planning and Environment

Delegate of the Minister for Planning

PP-2022-3697 (IRF22/3636)



IRF22/3636

Gateway determination report – PP-2022-3697 – Griffith LEP 2014 – General Amendment

Various items and sites

December 22



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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
Griffith General Amendment Planning Proposal – GLEP 2014 – Version 2
Griffith Council Report General Amendment – Griffith Local Environmental Plan 2014 26 April 2022
Griffith General Amendment Planning Proposal – GLEP 2014 – Appendix 4

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2 Planning proposal

2.1 Overview

Table 2 Planning proposal details

LGA	Griffith
PPA	Griffith City Council
NAME	Griffith LEP 2014 – General Amendment
NUMBER	PP-2022-3697
LEP TO BE AMENDED	Griffith LEP 2014 (GLEP)
ADDRESS	Various
DESCRIPTION	Various
RECEIVED	18/10/2022
FILE NO.	IRF22/3636
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
DWELLINGS/JOBS	418/unknown

2.2 Objectives of planning proposal

The proposal contains two types of amendments being general amendments that apply across the Griffith LGA (adopt Standard Instrument clause relating to secondary dwellings on rural land, adopt zone R3 Medium Density Residential, permit artisan food and drink industry in three additional zones, permit neighbourhood supermarket in two additional zones) and site-specific amendments (rezone land and/or amend the minimum lot size on 17 sites - Items 6 -22).

The objectives of the planning proposal are outlined on page 4 of the planning proposal as follows:

- Correcting minor anomalies, discrepancies and mapping errors that were created during the preparation of the Griffith Local Environmental Plan 2014 (GLEP).
- Re-zoning of land identified in various planning strategies including:
 - Griffith Housing Strategy 2019
 - Griffith Local Strategic Planning Statement 2020
 - Griffith Large Lot Residential Supply and Demand Analysis and Strategy 2022 (Griffith Large Lot Strategy)
- Various additions to permissible uses in commercial and industrial zones

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- Reduction of minimum lot sizes in various locations in accordance with the Griffith Large Lot Residential Supply and Demand Analysis and Strategy 2021.

The amendments are expected to have the following benefits:

- Contribute to delivery of planning priority 1 in the LSPS relating to increasing urban density and housing affordability and redevelopment of the former railway land in the CBD.
- Increase supply of residential land in Griffith and surrounding villages of Lake Wyangan and Yoogali.
- Support emerging industries (artisan food and drink industry) and lifestyle choices (secondary dwellings on rural land and neighbourhood supermarkets) by amending planning controls.

The objectives of this planning proposal are clear and adequate.

2.3 Explanation of provisions

The planning proposal seeks to amend the Griffith LEP 2014 in accordance with the changes outlined below:

1.3.1 General Amendments: -

Item 1 – Controls relating to secondary dwellings on land in a rural zone

Adopt standard instrument clause 5.5 Controls relating to secondary dwellings on land in a rural zone. Council intends to adopt the clause with the floor area threshold being the greater of (i) 120 m² or (ii) 50% of the total floor area of the principal dwelling. The distance between the secondary dwelling and the principal dwelling must not exceed 300 metres.

Item 2 – Permit artisan food and drink industry (AFDI)

Permit AFDI in zones RU1 Primary Production, RU4 Primary Production Small Lots and B2 Local Centre (future E1 Local Centre).

Item 3 – Permit neighbourhood supermarkets

Permit small neighbourhood supermarkets in zones R1 General Residential and R3 Medium Density Residential.

Item 4 - R3 Medium Density Residential zone

Adopt zone R3 Medium Density Residential (this will include amendment to the legend on all LZN maps). In addition to the Standard Instrument objectives for the zone Council intends to adopt additional objectives relating to residential amenity, streetscape and urban design.

The proposed land use table for zone R3 Medium Density Residential is the same as the current zone R1 General Residential, with the exception that local distribution premises (currently prohibited in zone R1 General Residential) will be permitted. Local distribution premises means a building or place used for handling of items (whether goods or material) pending their delivery to people and businesses in the local area, but from which no retail sales are made.

This amendment relates to Council's intent to rezone residential land north of CBD in Wakaden Street precinct from zone R1 General Residential to zone R3 Medium Density Residential with minimum lot size of 300m². This area includes an existing freight terminal and is further discussed in this report (see Item 15 - SSA10).

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Item 5 – Minimum subdivision lot sizes for certain split lots

Adopt clause regarding minimum subdivision lot sizes for certain split zones (similar to Tamworth Regional LEP 2010 clause 4.1B).

This clause is necessary to enable development of land at Rose Road, addressed as Item 11-SSA6 of this report.

Item 5A – Split zone clause for Item 11- Rose Road

As result of the proposed changes to land at Rose Road a model split zone clause will be required to facilitate the proposed future subdivision of the land.

Item 5B – Site specific clause for Item 13 – East of Crossings Street

The intent is the insert of a precinct specific clause to ensure that master planning and a Development Control Plan with specific considerations is in place prior to development of this land. The proposed draft clause is indicative only and will be subject to Parliamentary Counsel drafting. The intent is supported.

The Department has no objection to the above proposed general amendments Items 1 to 5B.

1.3.2 Site specific amendments

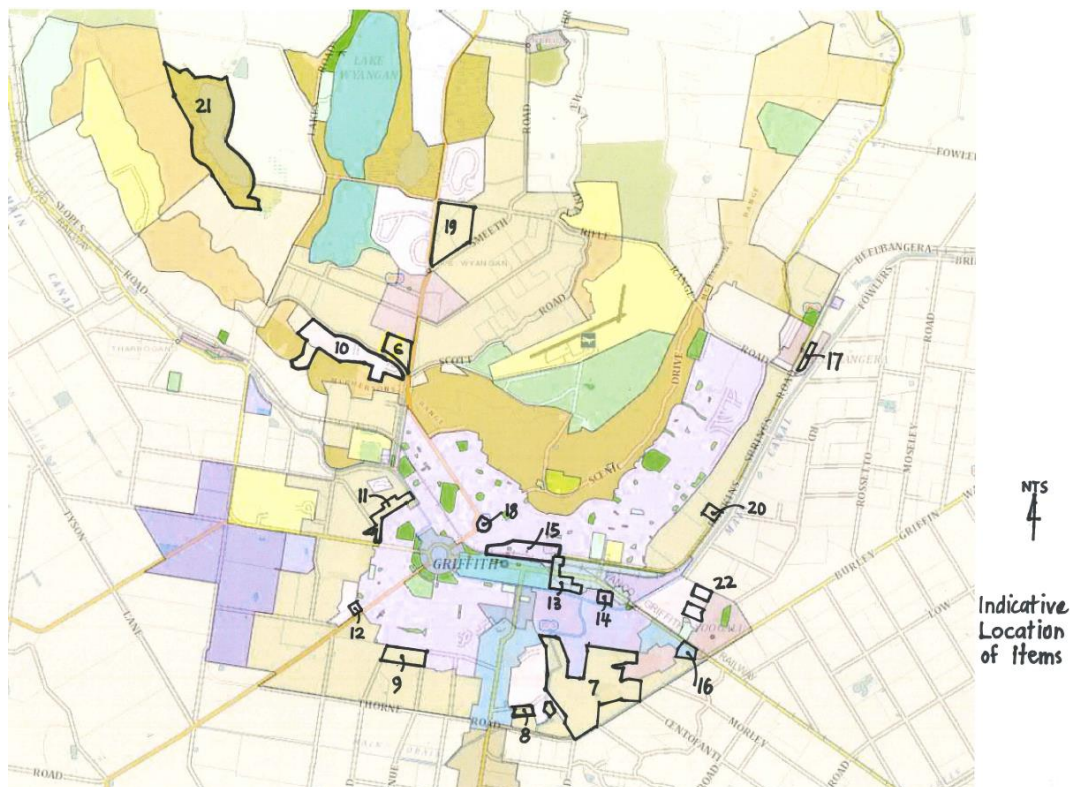


Figure 1. Indicative location of site-specific items as discussed below

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Item 6 – SSA1 Mallinson Road (refer to Figures 2 and 3)

SSA1 Mallinson Road, Lake Wyangan		
	Current	Proposed
Site area	Approx.18.2ha	Refer to Figures 2 and 3
Zone	RU4 Primary Production Small Lots	R5 Large Lot Residential
Minimum lot size	5ha	4000m ² without connection to sewer 2000m ² if connected to sewer
Number of dwellings	3 potential	36 lots (source: Large Lot Residential – Supply and Demand Analysis and Strategy)
LEP Amendments		Rezone to R5 with mls of 4000m ² and amend clause 4.1(3A) to include reference to new 'Area D' to allow 2000m ² subdivision.
Map Amendments		LZN_003C LSZ_003C

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SSA1 Mallinson Road, Lake Wyangan	
Background	<ul style="list-style-type: none"> • The proposal is consistent with Griffith LSPS in that the land is identified for future low density housing investigation. • This is Candidate Site 1 in Griffith Large Lot Residential – Supply and Demand Analysis and Strategy (Feb 2022). • The Strategy recommends rezoning the land to R5 Large Lot Residential and reduce MLS to 4000m² without connecting to sewer and 2000m² with connection to sewer. • The land is identified as Area 5 in Lake Wyangan Village Masterplan (2020). Identified as residential land with a minimum lot size of 2000m². • Lake Wyangan is 5km north of Griffith; the Masterplan identifies recreational opportunities, good road connectivity, small farms surround the village and large farms to the south. Frost control fans operate in proximity to the area, land use conflict is mitigated through the Griffith Frost Control Fan Local Policy (2022). • A portion of site (Lot 272 DP 46245) currently planted to citrus orchard. A dwelling is situated on this lot. The other lot (Lot 115 DP 751743) is vacant. See Figures 2 and 3 below. • Council advised the land is partially affected by 1 in 100 year flood event (low hazard) as identified in the Lake Wyangan Flood Study. The north-eastern boundary of the site is affected by flooding. Existing Council flood controls will apply to future development of the land, • Council advise the land can be connected to water and sewerage services.
Ministerial Directions	<ul style="list-style-type: none"> • Ministerial Direction 4.1 – Flooding applies as a part of the land is affected by flooding. The proposal does not change the existing flood provisions and the nature of future development can be assessed at Development Application stage. The proposal is consistent with this Direction. • Ministerial Direction 4.4 Remediation of Contamination Land - Council advise that a preliminary contamination assessment has been undertaken and the land can be made suitable for future residential development. The proposal is consistent with this Direction. • Ministerial Directions 9.1 Rural Zones and 9.2 Rural Lands apply as rural land is being rezoned to zone R5. At this time the proposal is inconsistent with this Direction even though the land use change is identified in the Griffith local strategies. Consultation with DPI- Agriculture will be required and the inconsistency will need to be addressed by Council prior to finalisation.

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SSA1 Mallinson Road, Lake Wyangan

Recommendation

- Support proposal and proceed.
- The flood impact is indicated as being minor. Flood free building envelopes can be provided on the land. Current flood controls will apply.
- Potential land use conflict with surrounding citrus orchards and frost fans.
- Rezoning out of sequence, refer to the Lake Wyangan Masterplan.
- The land is part of a strategic future residential land precinct.
- Consult with DPI- Agriculture

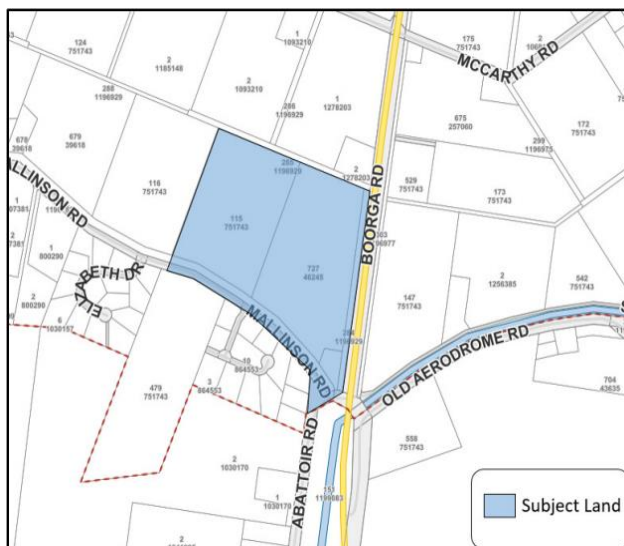


Figure 2. SSA1 Mallinson Road, Lake Wyangan (source: page 10 planning proposal)

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Figure 3. SSA1 Mallinson Road, Lake (source: ePlanning Spatial Viewer)

Item 7 – SSA2 Oakes Road (refer to Figure 4)

SSA2 Oakes Road		
	Current	Proposed
Site area	Approx. 139ha	See Figure 4
Zone	RU4 Primary Production Small Lots	R5 Large Lot Residential
Minimum lot size	1ha	4000m ² without connection to sewer 3000m ² if connected to sewer
Number of dwellings	Approx. 140	Additional 64 lots if all land holdings were further developed (source: Large Lot Residential – Supply and Demand Analysis and Strategy) Note: Large Lot Residential – Supply and Demand Analysis and Strategy includes 20 lots in calculation of potential future supply

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SSA2 Oakes Road		
LEP Amendments		<p>Change zone to R5 with mls of 4000m²</p> <p>Amend clause 4.1(3A) to include reference to 'Area C' to allow 3000m² subdivision</p>
Map Amendments		<p>LZN_004A</p> <p>LSZ_004A</p>
Background	<ul style="list-style-type: none"> • The land is south of Oakes Road and Eipper Road along Watkins Avenue, adjoining Yoogali Village (south) and southern Griffith City. • The proposal is consistent with Griffith LSPS in that the land is identified for large lot residential investigation. • The land is identified as Candidate Area 2 in the in the Griffith Large Lot Residential – Supply and Demand Analysis and Strategy and identified for large lot residential uses. • The proposal is consistent with the Strategy as it recommends to rezone to R5 Large Lot Residential and reduce MLS to 4000m² without connecting to sewer and 3000m² with connection to sewer. • Current land uses include existing (35 lots) small lots used for rural residential purposes (1000m²-3000 m²) from pre-GLEP which were developed when land was zone Rural 1(c), horticulture and residential land uses. • No sewer connection – proposed on site effluent disposal • Council's LSPS identifies a Southern Industrial Link Road located near the southern boundary of the site. There is potential for traffic noise impacts, although the subject land is set back from the proposed link road. • The site adjoins land zoned IN1 General Industrial being transport related and manufacturing, located near the north of the site. There is potential land use conflict between the industrial and proposed residential use. • Council advise the land is partially affected by 1 in 100 year flood event (low hazard) as identified in the Griffith Main Drain J and Mirrool Creek Flood Study. Peak flood depth on the site is identified as <0.50m. Flood affected land is predominantly in two areas of the site, a portion in the north-east and a portion in the eastern area. 	

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SSA2 Oakes Road	
Ministerial Directions	<ul style="list-style-type: none">• Ministerial Direction 4.1 – Flooding applies as a part of the land is affected by flooding. The proposal does not change the existing flood provisions and the nature of future development can be assessed at Development Application stage. The proposal is consistent with this Direction.• Ministerial Direction 4.4 Remediation of Contamination Land - Council advise that a preliminary contamination assessment has been undertaken for residential use and the land can be made suitable for future residential development. Detailed investigations will be required when the land is to be developed for housing. The proposal is consistent with this Direction.• Ministerial Directions 9.1 Rural Zones and 9.2 Rural Lands apply as rural land is being rezoned to zone R5. At this time the proposal is inconsistent with this Direction even though the land use change is identified in the Griffith local strategies. Consultation with DPI- Agriculture will be required and the inconsistency will need to be addressed by Council prior to finalisation.
Recommendation	<ul style="list-style-type: none">• Proceed• Part of the land is flood affected• Consult with DPI - Agriculture• Potential land use conflict with Southern Industrial Link Road and adjoining industrial land. Consult with TfNSW.

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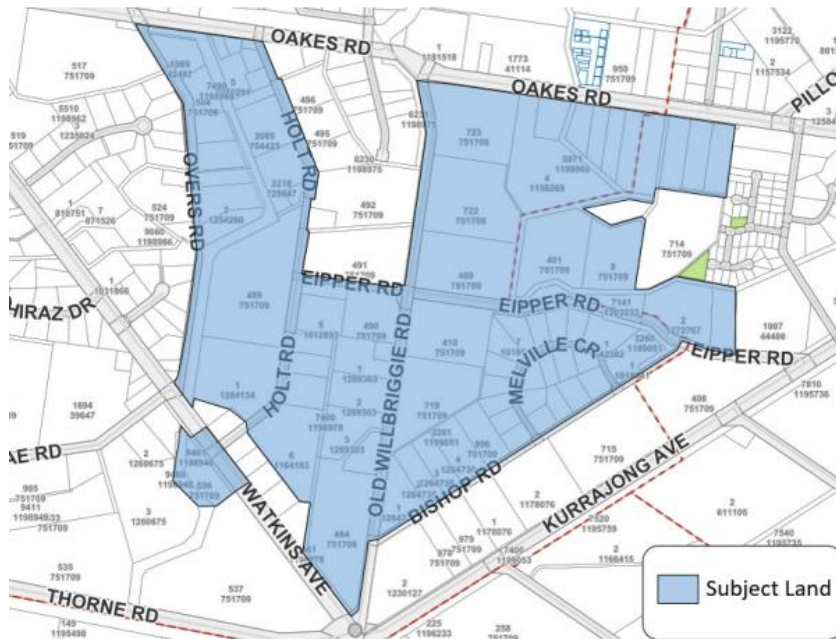


Figure 4. SSA2 Oakes Road (source: page 15 planning proposal)

Item 8 – SSA3 Rae Road (refer to figure 5)

SSA3 Rae Road		
	Current	Proposed
Site area	Approx. 2.85ha	
Zone	RU4 Primary Production Small Lots	R5 Large Lot Residential
Minimum lot size	5ha	4000m ² without connection to sewer 3000m ² if connected to sewer
Number of dwellings		4 lots (source: Large Lot Residential – Supply and Demand Analysis and Strategy)
LEP Amendments		Change zone to R5 with mls of 4000m ² Amend clause 4.1(3A) to include reference to 'Area C' to allow 3000m ² subdivision

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SSA3 Rae Road		
Map Amendments		LZN_004A LSZ_004A
Background	<ul style="list-style-type: none"> Identified as Candidate Site 8 in the Griffith Large Lot Residential – Supply and Demand Analysis and Strategy The Strategy recommends the land be zoned R5 Large Lot Residential with a minimum lot size of 4000m² without connection to sewer and 3000m² with connection to sewer. Current land use is residential purposes and horticulture; an existing dwelling is located on each of the two subject lots. There is currently no sewer connection – on site effluent disposal is proposed. Council water service is available and connected to the site. Land adjoining to the south is actively used for horticultural purposes. A part of the site is with the 1 in 100 year flood event (flood fringe) as identified in the Griffith Main Drain J and Mirrool Creek Flood Study. Peak flood depth on the site in a 1 in 100 year flood event is <0.10. Potential land use conflict issues with adjoining agricultural use requires careful siting of future dwellings. 	
Ministerial Directions	<ul style="list-style-type: none"> Ministerial Direction 4.1 – Flooding applies as a part of the land is affected by flooding. The proposal does not change the existing flood provisions and the nature of future development can be assessed at Development Application stage. The proposal is consistent with this Direction. Ministerial Direction 4.4 Remediation of Contamination Land. Council advise that part of the land may be potentially contaminated and Council is satisfied the land can be remediated if required. Detailed investigations will be required when the land is to be developed for housing. At this time the proposal is consistent with this Direction. Ministerial Directions 9.1 Rural Zones and 9.2 Rural Lands apply as rural land is being rezoned to zone R5. At this time the proposal is inconsistent with this Direction even though the land use change is identified in the Griffith local strategies. Consultation with DPI- Agriculture will be required and the inconsistency will need to be addressed by Council prior to finalisation. 	

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SSA3 Rae Road

Recommendation

- Proceed
- Consult with DPI- Agriculture
- Consider future intended use of land south of the site and north of Thorne Road. There is site specific merit in zoning this land R5 Large Lot Residential, consistent with surrounding land uses (see Figures 5 and 6).

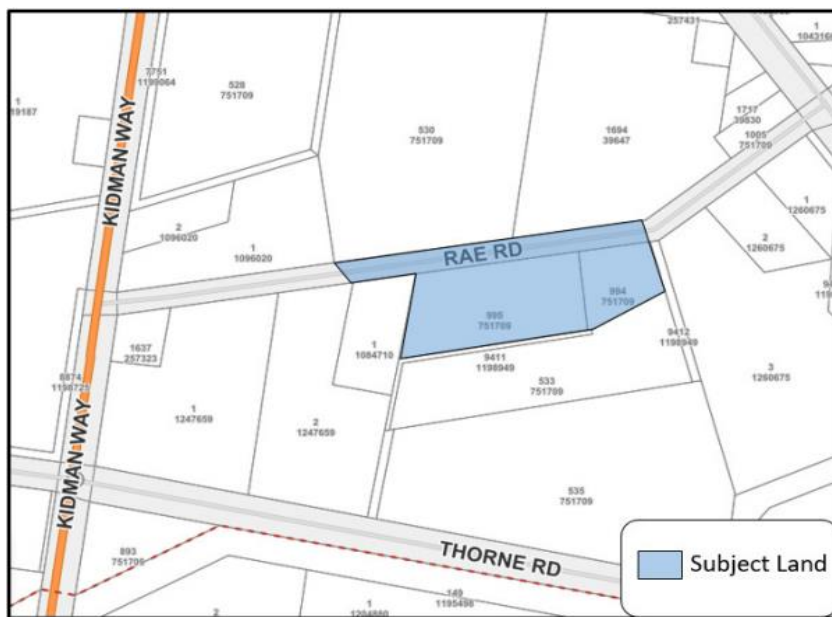


Figure 5. SSA3 Rae Road (source: page 20 planning proposal)

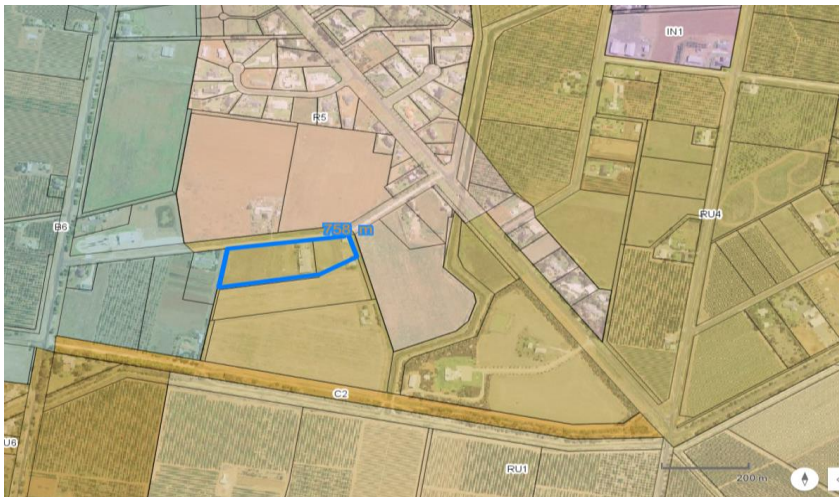


Figure 6. SSA3 Rae Road showing surrounding land use zones (source: ePlanning Spatial viewer)

Gateway determination report – PP-2022-3697 – Griffith LEP 2014 – general amendment

Item 9 – SSA4 Foreshaw Avenue (refer to Figures 7 and 8)

SSA4 Foreshaw Avenue		
	Current	Proposed
Site area	Approx. 13.18ha	
Zone	RU4 Primary Production Small Lots	R5 Large Lot Residential
Minimum lot size	5ha	4000m ² without connection to sewer 3000m ² if connected to sewer
Number of dwellings	16 existing lots, 15 dwellings	8 additional lots, considering existing lot sizes, buildings and land uses (source: Large Lot Residential – Supply and Demand Analysis and Strategy)
LEP Amendments		Change zone to R5 with mls of 4000m ² Amend clause 4.1(3A) to include reference to 'Area C' to allow 3000m ² subdivision
Map Amendments		LZN_004A LSZ_004A

Gateway determination report – PP-2022-3697 – Griffith LEP 2014 – general amendment

SSA4 Foreshaw Avenue	
Background	<ul style="list-style-type: none"> The land is identified as Candidate Area 10 in the Griffith Large Lot Residential – Supply and Demand Analysis and Strategy. The proposal is consistent with the Strategy which recommends rezone to R5 Large Lot Residential and reduce MLS to 4000m² without connecting to sewer and 3000m² with connection to sewer. A portion of the land was zoned Rural Residential in Griffith LEP 1994, in 2002 land was rezoned 1(d) General Expansion - Residential. Griffith LEP 2014 zoned land RU4 Primary Production Small Lots. The current land use is large lot residential; 15 of the 16 existing lots contain a single dwelling. Land adjoining to south and west is actively used for agriculture. There is potential for land use conflict with the adjoining agricultural land. There is currently no sewer connection – on site effluent disposal is proposed. Council water service is available and connected to the site. Part of the site is within the 1 in 100 year flood event (flood fringe) as identified in the Griffith Main Drain J and Mirrool Creek Flood Study. The land may be potentially contaminated.
Ministerial Directions	<ul style="list-style-type: none"> Ministerial Direction 4.1 – Flooding applies as a part of the land is affected by flooding. The proposal does not change the existing flood provisions and the nature of future development can be assessed at Development Application stage. The proposal is consistent with this Direction. Ministerial Direction 4.4 Remediation of Contamination Land. Council advise that part of the land may be potentially contaminated and Council is satisfied the land can be remediated if required. Detailed investigations will be required when the land is to be developed for housing. At this time the proposal is consistent with this Direction. Ministerial Directions 9.1 Rural Zones and 9.2 Rural Lands apply as rural land is being rezoned to zone R5. At this time the proposal is inconsistent with this Direction even though the land use change is identified in the Griffith local strategies. Consultation with DPI- Agriculture will be required and the inconsistency will need to be addressed by Council prior to finalisation.

Gateway determination report – PP-2022-3697 – Griffith LEP 2014 – general amendment

SSA4 Foreshaw Avenue

Recommendation

- Proceed
- With consideration of the existing residential land use on the site, potential land use conflict as a result of the proposal is considered minor.
- Consult with DPI-Agriculture

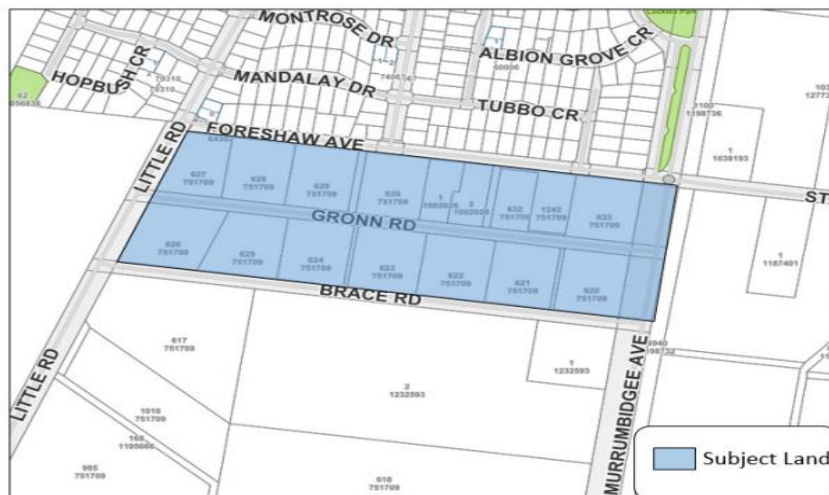


Figure 7. SSA4 Foreshaw Avenue (source: page 24 planning proposal)



Figure 8. SSA4 Foreshaw Avenue showing surrounding land use zones (source: ePlanning Spatial Viewer)

Gateway determination report – PP-2022-3697 – Griffith LEP 2014 – general amendment

Item 10 – SSA5 – Mallinson Road minimum lot size (refer to Figures 9 and 10)

SSA5 Mallinson Road minimum lot size		
	Current	Proposed
Site area	Approx. 6.8ha	
Zone	R5 Large Lot Residential and C4 Environmental Living	R5 Large Lot Residential and C4 Environmental Living
Minimum lot size	1ha without connection to sewer 3000 m ² if connected to sewer	4000m ² without connection to sewer 3000m ² if connected to sewer
Number of dwellings	Approximately 89 lots	Additional 36 lots zone R5 Additional >30 lots zone C4
LEP Amendments		Amend mls to 4000 m ² Amend clause 4.1(3A) to include reference to 'Area C' to allow 3000m ² subdivision
Map Amendments		LSZ_003C LSZ_003A
Background	<ul style="list-style-type: none"> • No change to zoning – change to mls only • Council advise that during the drafting of Griffith LEP this land was identified as having a minimum lot size of 1ha (without connection to sewer). The proposal is to change the minimum lot size to 4000m² (without connection to sewer). • The proposal is referenced in Appendix 1 of the Griffith Large Lot Residential – Supply and Demand Analysis as a drafting error in the LEP. The Strategy recommends the minimum lot size be changed to 1ha. • There are two undeveloped lots within the area zoned R5 Large Lot Residential; a potential for 36 additional dwellings at 4000m². • There is potential for >30 additional lots on land zoned C4 Environmental Living however this may be reduced given: <ul style="list-style-type: none"> ○ The land is partially Bushfire prone. ○ Part of land identified with Terrestrial Biodiversity. 	

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SSA5 Mallinson Road minimum lot size

Ministerial Directions	<ul style="list-style-type: none"> Ministerial Direction 4.3 Planning for Bushfire Protection – this Direction applies as the land is indicated to be bushfire prone. Consultation with NSW RFS is required. Ministerial Direction 4.4 Remediation of Contamination Land. Council advise that part of the land may be potentially contaminated and Council is satisfied the land can be remediated if required. Detailed investigations will be required when the land is to be developed for housing. At this time the proposal is consistent with this Direction.
Recommendation	<ul style="list-style-type: none"> Proceed The proposal is consistent with the Strategy. Consult with NSW RFS and BCD



Figure 9. Mallinson Road (Source: page 29 planning proposal)



Figure 10. Mallinson Road (Source: ePlanning Spatial Viewer)

Gateway determination report – PP-2022-3697 – Griffith LEP 2014 – general amendment

Item 11 – SSA6 Rose Road (refer to Figures 11 and 12)

SSA6 Rose Road		
	Current	Proposed
Site area	Approx. 13.45ha	
Zone	RU4 Primary Production Small Lots	R1 General Residential (for a depth of 45 metres from Rose Road) Remainder of land R5 Large Lot Residential
Minimum lot size	5ha	Land zoned R1: 1000m ² Land zoned R5: 1.5ha
Number of dwellings	2 existing dwellings	30 new lots: 25 Lots in zone R1 General Residential 5 lots in zone R5 Large Lot Residential
LEP Amendments		Rezone R1 General Residential and R5 Large Lot residential and change MLS (1000m ² and 1.5ha). Adopt clause regarding minimum subdivision lot sizes for certain split zones (refer to Tamworth Regional LEP 2012 clause 4.1B)
Map Amendments		LZN_003C LZN_004A LSZ_003C LSZ_004A

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SSA6 Rose Road	
Background	<ul style="list-style-type: none"> The land is situated outside of the western urban fringe of Griffith city, which roughly follows Rose Road (refer to Figure 12). A planning proposal was submitted to Council in February 2019 seeking to amend the zone and minimum lot zone on a 1.2ha strip of land fronting Rose Road (Lot 1791 DP 41291 - northern part of subject site) to R1 General Residential with a 1000m² minimum lot size. This proposal did not proceed at Gateway due to lack of strategic merit. Further strategic justification has now been provided in the Griffith Large Lot Residential – Supply and Demand Analysis and Strategy. The land proposed to be zone R1 General Residential is described in the proposal as being land to the west of Rose Road and Harward Road for a depth of 45m. The remaining land to a depth of 100m is proposed to be zone R5 Large Lot Residential. This proposal proposes a transition between zones R1 and RU4.
Strategic merit	<ul style="list-style-type: none"> The land intended to be zoned R1 General Residential is identified as Candidate Site 5 in the Griffith Large Lot Residential – Supply and Demand Analysis and Strategy. The Strategy does not refer to the proposal to zone land R5 Large Lot Residential. Griffith Housing Strategy 2019 identified demand for an additional 1744 dwellings by 2036. Appendix 5 of the proposal includes an updated residential supply analysis taking into consideration updated population projections, current growth pressures and acknowledgment that constrained zoned land should not be included as future supply. In summary, the analysis identified 1350 lots planned to be released by 2036. There is therefore demand for an additional 90 lots.

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SSA6 Rose Road	
Site specific merit	<ul style="list-style-type: none"> • The land use conflict concerns related to this proposal include the site's proximity to: <ul style="list-style-type: none"> - agricultural land (west of site) - Calabria Wines (adjoining proposed R5 zone north of site): manufacturing facility, cellar door and function centre - Sewage Treatment Plant/Water Reclamation Plant (900m west of site) and land zoned IN3 Heavy Industrial. The land is not within the potential buffer area of the Sewage Treatment Plant (Source: Griffith Local Strategic Planning Statement 2020) - Real Juice (800m west of site): juice processing facility • The proposal states the intent of the proposed R5 Large Lot Residential zone is to create a physical buffer between existing small vineyard and citrus farms and the existing West Griffith urban areas to mitigate and avoid land use conflict. • The Griffith Large Lot Residential – Supply and Demand Analysis and Strategy recommends the land be zoned R1 General Residential and includes a requirement for a 30m wide native vegetation buffer between residential development and agricultural land to mitigate potential land use conflict. The proposal states that this (20-30m) buffer would be situated on the proposed R5 land. The proposed planning mechanism to ensure this intent occurs is to be provided in the planning proposal prior to exhibition. • The proposed R1 land can be connected to water and sewer with access to Rose Road. • The proposed R5 land can be connected to water. On-site sewage management systems are proposed for disposal of sewerage on mls of 1.5ha. • Rose Road is constructed and can be used for higher density residential use.
Ministerial Directions	<ul style="list-style-type: none"> • Ministerial Direction 4.4 Remediation of Contamination Land - Council advise that preliminary contamination assessment has been undertaken for Lot 1791 that demonstrates the land can be suitable for future housing. • Ministerial Directions 9.1 Rural Zones and 9.2 Rural Lands apply as rural land is being rezoned to zone R5. At this time the proposal is inconsistent with this Direction even though the land use change is identified in the Griffith local strategies. Consultation with DPI- Agriculture will be required and the inconsistency will need to be addressed by Council prior to finalisation.

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SSA6 Rose Road

Recommendation

- Proceed.
- The proposal is inconsistent with LSPS Priority 4 to “protect Griffith’s prime agricultural lands and lessen the land use conflict”. Potential land use conflicts are identified with existing agricultural and industrial land uses. The proposed vegetation buffer and careful location of dwellings on the land may assist in mitigating this impact.
- The additional supply of lots zoned R1 General Residential are adequately justified in Appendix 5 of the proposal.
- The additional supply of 5 lots zoned R5 Large Lot Residential will contribute to the identified demand for 70 additional Large Lot Residential lots over the next ten years and are of minor consequence to the overall supply and demand of rural residential lots in Griffith.
- Consult with DPI-Agriculture



Figure 11. Rose Road (source: page 31 planning proposal)

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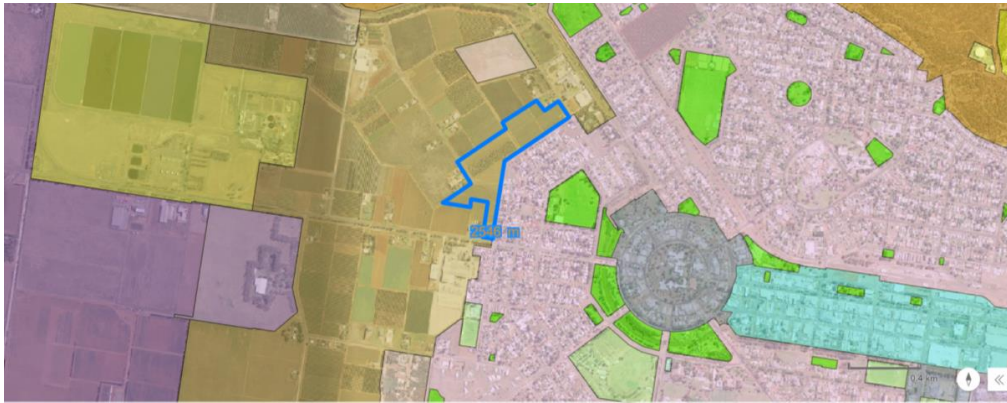


Figure 12. Rose Road showing surrounding land use zones (Source: ePlanning Spatial Viewer)

Item 12 – SSA7 Walla Avenue (refer to Figures 13 and 14)

SSA7 Walla Avenue		
	Current	Proposed
Site area	Approx. 1.8ha	
Zone	R5 Large Lot Residential	R1 General Residential
Minimum lot size	4000m ² without connection to sewer 3000m ² if connected to sewer	600m ²
Number of dwellings		20 lots (an additional 10 dwellings)
LEP Amendments		Rezone land R1 General Residential with a minimum lot size of 600m ² .
Map Amendments		LZN_004A LSZ_004A

Gateway determination report – PP-2022-3697 – Griffith LEP 2014 – general amendment

SSA7 Walla Avenue	
Background	<ul style="list-style-type: none"> The land is identified as Candidate Site 7 in the Griffith Large Lot Residential – Supply and Demand Analysis and Strategy The Strategy recommends the land be zone R1 General Residential similar to the land to the north. Land currently contains citrus plantings and five structures (possibly 2-3 dwelling and sheds, see Figure 13) Council water service is available and connected to the site. Council sewer service is available to the site.
Ministerial Directions	<ul style="list-style-type: none"> Ministerial Direction 4.4 Remediation of Contamination Land. Council advise that part of the land may be potentially contaminated and Council is satisfied the land can be remediated if required. Detailed investigations will be required when the land is to be developed for housing. At this time the proposal is consistent with this Direction.
Recommendation	<ul style="list-style-type: none"> Proceed The additional supply of lots zoned R1 General Residential are adequately justified in Appendix 5 of the proposal. The future use of the site for residential purposes is compatible with adjoining land zoned R1 General Residential to the north, and adjoining residential land uses on land zoned R5 Large Lot Residential and RU4 Primary Production Small Lots to the west and south.



Figure 13. Walla Avenue (source: page 40 planning proposal)

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Figure 14. Aerial image of Walla Avenue (accessed 17/11/2022 ePlanning Spatial Viewer)

Item 13 – SSA8 East of Crossings Street (refer to Figure 15)

SSA8 East of Crossing Street		
	Current	Proposed
Site area	Approx. 1.3ha	
Zone	B7 Business Park (future E3 Productivity and Support)	B4 Mixed Use (future MU1 Mixed Use)
Minimum lot size	-	-
Number of dwellings		Not known
LEP Amendments		Rezone land B4 Mixed Use. Site specific clause: Development of certain land to the east of Crossing Street in Griffith, require a development control plan for the area prior to development for the purpose of residential accommodation
Map Amendments		LZN_004A

Gateway determination report – PP-2022-3697 – Griffith LEP 2014 – general amendment

SSA8 East of Crossing Street	
Background	<ul style="list-style-type: none"> • Council's LSPS and Housing Strategy support the intent of this proposal, which is to increase residential density close to the CBD through strategic rezoning of land near the CBD for mixed use development. This site is specifically listed in Action 1.1A of the LSPS and in Strategy 5 of the Housing Strategy. • The site contains a number of vacant and underutilised buildings including the former Murrumbidgee Irrigation Workshop, former Ricegrowers site, Rawlinson and Brown building and site, Essential Energy compound (including a substation at 9 Twigg Street). • A former rail line traverses the site. • The site fronts Banna Avenue which is a classified road (referral to TfNSW). Crossing Street adjoins the western boundary of the site which is also a Classified Road. • Council advise part of the site is affected by the 1 in 100 year flood event (flood fringe) as identified in the Griffith CBD Overland Flow Study 2012. • Proposed site specific provision to coordinate development. • Site specific merit: Underutilised central location, CBD footpath network available to site, capacity to support shop top housing and mixture of employment generating uses. Potential to redevelop this area.
Ministerial Directions	<ul style="list-style-type: none"> • Ministerial Directions 1.4 Site Specific provisions - The proposal intends for a site-specific clause to be adopted, requiring master planning for the area to be completed prior to its development. The Delegate of the Secretary can be satisfied at this time that the inconsistency is of minor of significance. • Ministerial Direction 4.1 – Flooding applies as a part of the land is affected by flooding. The proposal does not change the existing flood provisions and the nature of future development can be assessed at Development Application stage. The proposed uses are similar in terms of sensitivity to flooding. The proposal is consistent with this Direction. • Ministerial Direction 4.4 Remediation of Contamination Land. Council advise that part of the land may be potentially contaminated and Council is satisfied the land can be remediated subject to detailed investigations at the development stage. At this time the proposal is consistent with this Direction. • Ministerial Direction 7.1 Business and Industrial zones – the proposal is consistent.

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SSA8 East of Crossing Street

Recommendation

- Proceed
- Consistent with LSPS
- Prior to community consultation Council is to prepare a comparable Land Use Table between current zone B7 and proposed MU1 to compare land use permissibility and prohibitions. Landowners in this area are to be individually notified of the proposed changes.
- Consult with TfNSW

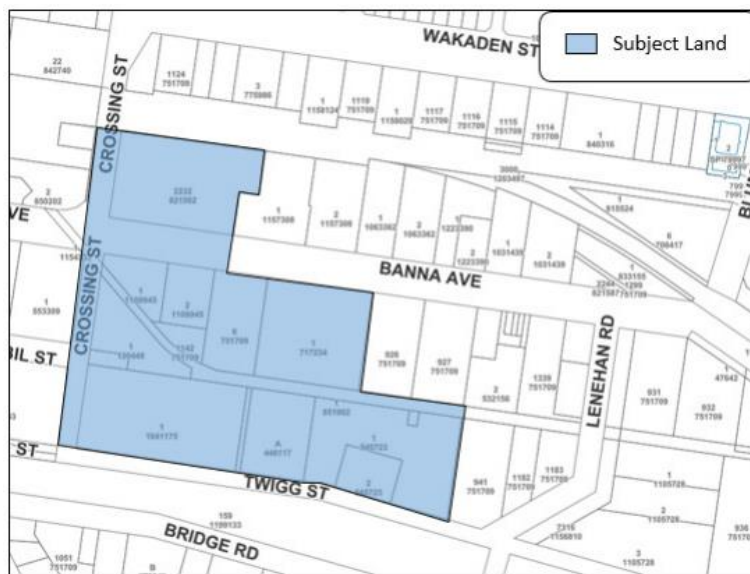


Figure 15. East of Crossings Street (source: page 46 planning proposal)

Item 14 – SSA9 Former Penfolds site (refer to Figure 16)**SSA9 Former Penfolds Site**

	Current	Proposed
Site area	Approx. 4.8ha	
Zone	IN1 General Industrial	B7 Business Park (future E3 Productivity Support – mix of industrial, commercial, creative, warehousing and emerging new industries that need larger floor space)
Minimum lot size	-	-

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SSA9 Former Penfolds Site		
Number of dwellings	-	-
LEP Amendments		Rezone land B7 Business Park. (Transition to E3 Productivity Support)
Map Amendments		LZN_004A
Background	<ul style="list-style-type: none"> The land is known as the Former Penfold winery site. The former Penfold winery site is Local Heritage Item I18. A vacant and derelict rice mill remains on site from former use in 1980's. Potential contamination assessment will need to be undertaken at Development Application stage for more sensitive land uses. The site is one of the most visible sites on the entry to Griffith from the village of Yoogali. Reuse of the site is consistent with the vision of Griffith's Entrance Strategy. Site has frontage to Mackay Avenue which is a Classified Road (referral to TfNSW) 	
	<ul style="list-style-type: none"> Ministerial Direction 7.1 Business and Industrial zones – the proposal is consistent. 	
Recommendation	<ul style="list-style-type: none"> Proceed Prior to community consultation Council is to prepare a comparable Land Use Table between current zone B7 and proposed E3 Productivity Support to compare land use permissibility and prohibitions. Landowners in this area are to be individually notified of the proposed changes. Consult with TfNSW. 	

Gateway determination report – PP-2022-3697 – Griffith LEP 2014 – general amendment



Figure 16. Former Penfolds Site (source: page 53 planning proposal)

Item 15 – SSA10 Wakaden Precinct (refer to Figures 17 and 18)

SSA10 Wakaden Precinct		
	Current	Proposed
Site area	Approx. 36ha	
Zone	R1 General Residential	R3 Medium Density Residential
Minimum lot size	300m ²	300m ² (no change proposed)
Number of dwellings		
LEP Amendments		FSR 2.5:1 is implemented through Council's DCP
Map Amendments		LZN_004A

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SSA10 Wakaden Precinct

Background

- The land is the known as the Central Griffith (North) Precinct; the DCP permits the highest density, FSR and minimum parking requirements in this precinct
- The land contains a mixture of residential accommodation, commercial uses including a supermarket and registered club, an ambulance station a Rural Fire Service administration building.
- The precinct covers existing and former railyards and an operation rail terminal. Council's strategic plans are to relocate this freight terminal to Wumbulgal. It is understood that this relocation process is progressing.
- The intended future character of the precinct is medium density residential with an emphasis on affordable housing.
- The Housing Strategy, strategy 7 is to facilitate the development of residential flat buildings and mutli dwelling housing in Wakaden North Precinct, extending the precinct north to Binya Street and rezoning to medium density residential to permit additional land uses.
- The proposed land use table for zone R3 Medium Density Residential is the same as the current zone R1 General Residential, with the exception that local distribution premises (currently prohibited in zone R1 General Residential) will be permitted. Local distribution premises means a building or place used for handling of items (whether goods or material) pending their delivery to people and businesses in the local area, but from which no retail sales are made.
- Wakaden Street is the main collector road into the precinct and is a key east-west corridor for residents accessing the CBD.
- Local Heritage Item I16 Railway Station buildings is situated in this precinct.
- The area is identified in the Griffith Hospital Precinct Masterplan for high density and medium density residential accommodation (and opportunity zone) including supportive accommodation for hospital workers.
- Council advise that some parts of the land are subject to Flood Planning Area controls.
- FSR controls are via Council's DCP
- Council advise that the existing RE1 Public Recreation land within this precinct is to be retained

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SSA10 Wakaden Precinct	
Ministerial Directions	<p>Ministerial Direction 3.2 Heritage Conservation - Heritage item I16 Railway station buildings is situated in this precinct. The proposal does not detract from the conservation of the item or place. The proposal is consistent with this Direction.</p> <p>Ministerial Direction 4.1 – Flooding applies as a part of the land is affected by flooding. The proposal does not change the existing flood provisions and the nature of future development can be assessed at Development Application stage. The proposal is consistent with this Direction.</p> <p>Ministerial Direction 6.1 Residential zones – the proposal is consistent.</p>
Recommendation	<ul style="list-style-type: none"> • Proceed • TfNSW advised that even if freight terminal is moved there would still be freight movement at the CBD location. Residential development adjoining the railway could be incompatible with this land use. • Landowners in this area are to be individually notified of the proposed changes. • Consult with TfNSW.

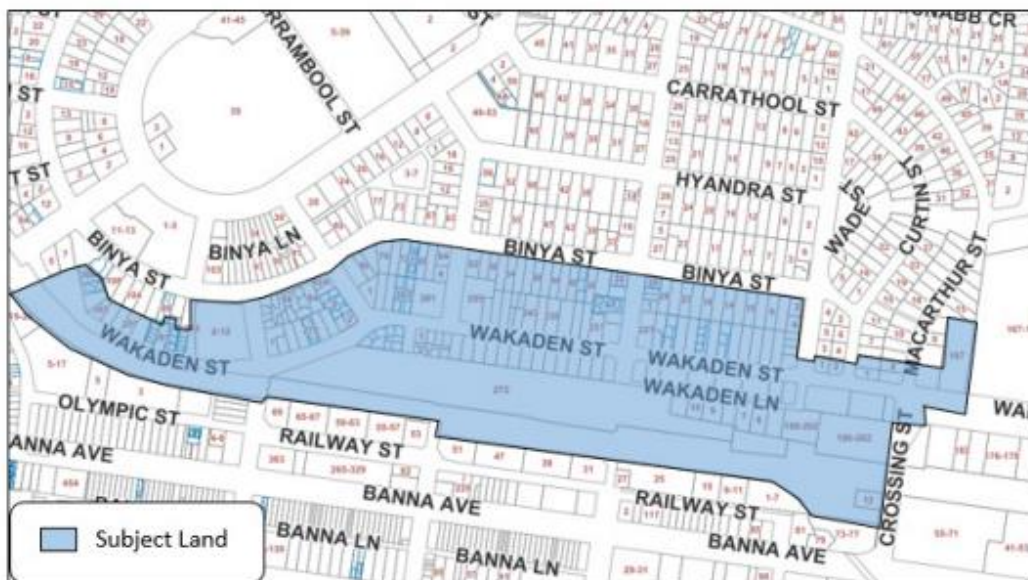


Figure 17. Wakaden Precinct (Source: page 59 planning proposal)

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Figure 18. Wakaden Precinct (source: ePlanning Spatial Viewer)

Item 16 – SSA11 Mackay Avenue (refer to Figures 19 and 20)

SSA11 Mackay Avenue		
	Current	Proposed
Site area	Approx. 4.4ha	
Zone	B6 Enterprise Corridor (future E3 Productivity Support)	RU5 Village
Minimum lot size	-	700m ²
Number of dwellings	-	Potential for >60 dwellings (though intention for site to be developed for Seniors Housing)
LEP Amendments		Rezone land RU5 Village and amend minimum lot size to 700m ²
Map Amendments		LZN_004A LZN_004C LSZ_004A LSZ_004C

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SSA11 Mackay Avenue	
Background	<ul style="list-style-type: none"> The site is adjacent to the village of Yoogali. This proposal was initiated for the purpose of facilitating development of Seniors Housing on the site (the current zoning permits Seniors Housing (SEPP Housing 2021) although requires that the use of the ground floor of a building which faces an existing street to not be used for residential purposes. The site was identified in the Griffith LSPS for Village expansion. Site serviced by Council's water and sewer
Ministerial Directions	<ul style="list-style-type: none"> Ministerial Direction 7.1 Business and Industrial zones – this Direction applies because the proposal is to remove a business/employment zone. However, it is proposed to zone the land RU5 Village which is a flexible zone that will still permit employment and industry. The proposal is therefore consistent with this Direction.
Recommendation	<ul style="list-style-type: none"> Proceed Proposed zoning consistent with LSPS. Proposed zone will allow development of Seniors Housing under the SEPP Housing 2021. The potential additional supply of 60 lots is not considered in Appendix 5 of the proposal, as the proposal intends the land be developed for Seniors Housing.



Figure 19. Mackay Avenue (source: page 65 planning proposal)

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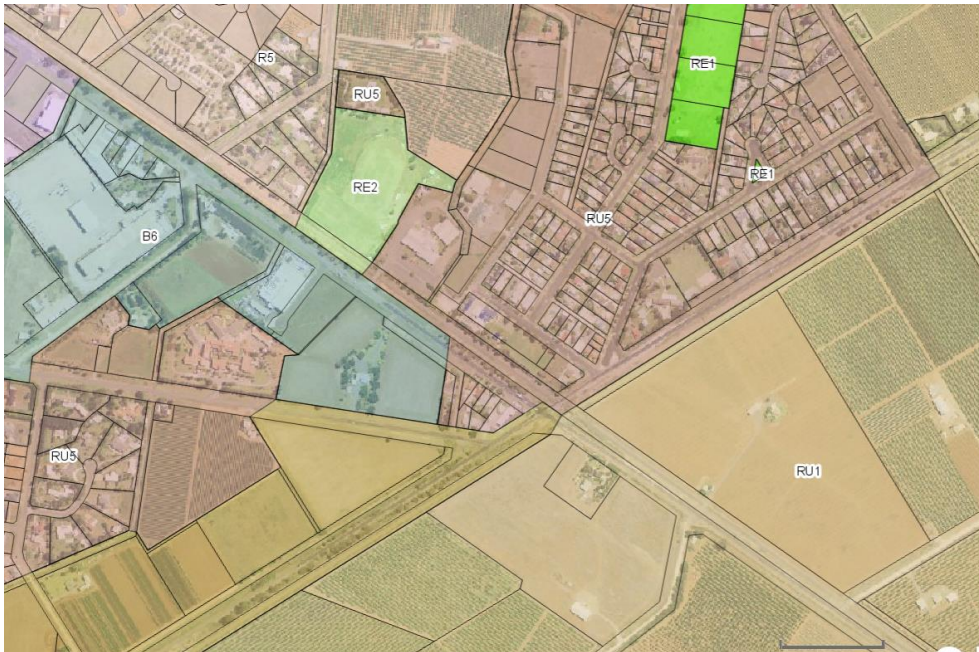


Figure 20. Mackay Avenue (source: ePlanning Spatial Viewer)

Item 17 – SSA12 Beelbanger (refer to Figure 21)

SSA12 Beelbanger		
	Current	Proposed
Site area	Approx. 4.34ha	
Zone	RU4 Primary Production Small Lots	RU5 Village – Lot 647 DP 725659 is to be included.
Minimum lot size	5ha	5ha
Number of dwellings	8	No change
LEP Amendments		Change zone to RU5 Village and amend minimum lot size to 700m ²
Map Amendments		LZN_003D LSZ_003D

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SSA12 Beelbangera	
Background	<ul style="list-style-type: none"> The intent of this proposal is to zone the land RU4 Primary Production Small Lots with a minimum lot size of 5ha. Griffith Land Use Strategy: Beyond 2030 identified the land as part of the existing village of Beelbangera, the Strategy notes minor intensification is allowed on merit. The site was previously owned by the Rail Authority and more recently by McWilliams Wines. The proposal states that Council has no record that the site was used for any rail purposes or infrastructure. Land adjoining the site to the east, and to the west on the other side of the railway line is zoned RU5 Village. The proposed zoning is consistent with surrounding land use. There are no known environmental constraints that would limit future development of the land for residential use. The site is located adjacent to the railway (SEPP Transport and Infrastructure 2021 is relevant for considerations regarding noise impacts). Council water and sewer services are located in close proximity to the site, on Winery Road. The proposal states that the site can be serviced. Council advise that Lot 647 DP725659 is be included in this amendment.
Ministerial Directions	<ul style="list-style-type: none"> Ministerial Directions 9.1 Rural Zones and 9.2 Rural Lands the proposal is inconsistent with these Directions as it is proposed to rezone RU4 land to zone RU5. The delegate of the Secretary can be satisfied that the inconsistency is of minor significance due the Griffith Land Use Strategy: Beyond 2030 identifying the land as part of the existing village of Beelbangera and that the size and location of the land is not suitable for agriculture.
Recommendation	<ul style="list-style-type: none"> Proceed Amend proposal to include Lot 647 DP 725659

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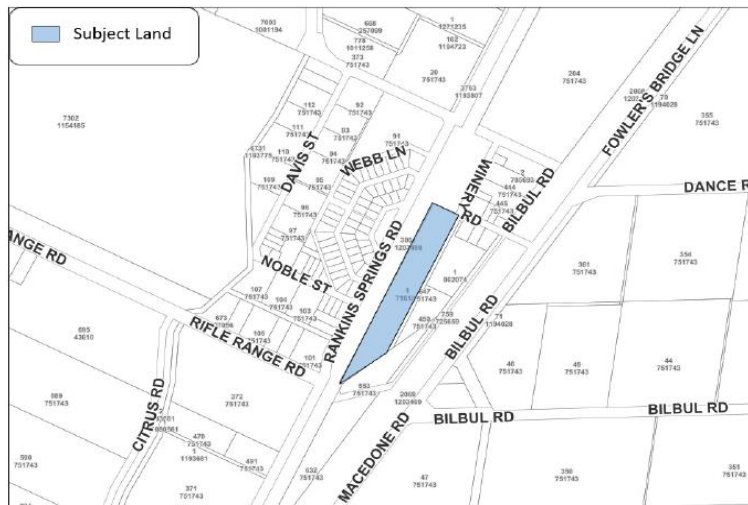


Figure 21. Lot 1 DP 716154 Winery Road, Beelbangera (source: page 71 of planning proposal)

Item 18 – SSA13 Former Matron's house and Nurses' Quarters at base Hospital (refer to Figure 22)

SSA13 Former Matron's house and Nurses Quarters at base hospital		
	Current	Proposed
Site area		
Zone	R1 General Residential	No change
Minimum lot size	300m ²	No change
Number of dwellings		-
LEP Amendments		Schedule 5 – remove Heritage Item I2
Map Amendments		HER_004A

Gateway determination report – PP-2022-3697 – Griffith LEP 2014 – general amendment

SSA13 Former Matron's house and Nurses Quarters at base hospital

Background	<ul style="list-style-type: none"> The intent of this proposal is to remove Local Heritage Item I2 from Schedule 5 of the Griffith LEP 2014, and remove the item from the relevant map The Heritage Item was generally identified as Item 69 Base Hospital portion of older buildings in the Griffith Heritage Study 2004. As part of the drafting of Griffith LEP 2014, the Former Matron's Quarters and Nurses Quarters were identified as the two older buildings within the Base Hospital grounds that would be protected. Council advise that between 2018 and 2021, NSW Health and Infrastructure demolished both buildings.
Ministerial Directions	<ul style="list-style-type: none"> Ministerial Direction 3.2 Heritage Conservation – the Delegate of the Secretary can be satisfied that the inconsistency is of minor significance as the heritage item buildings have been demolished.
Recommendation	<ul style="list-style-type: none"> Proceed

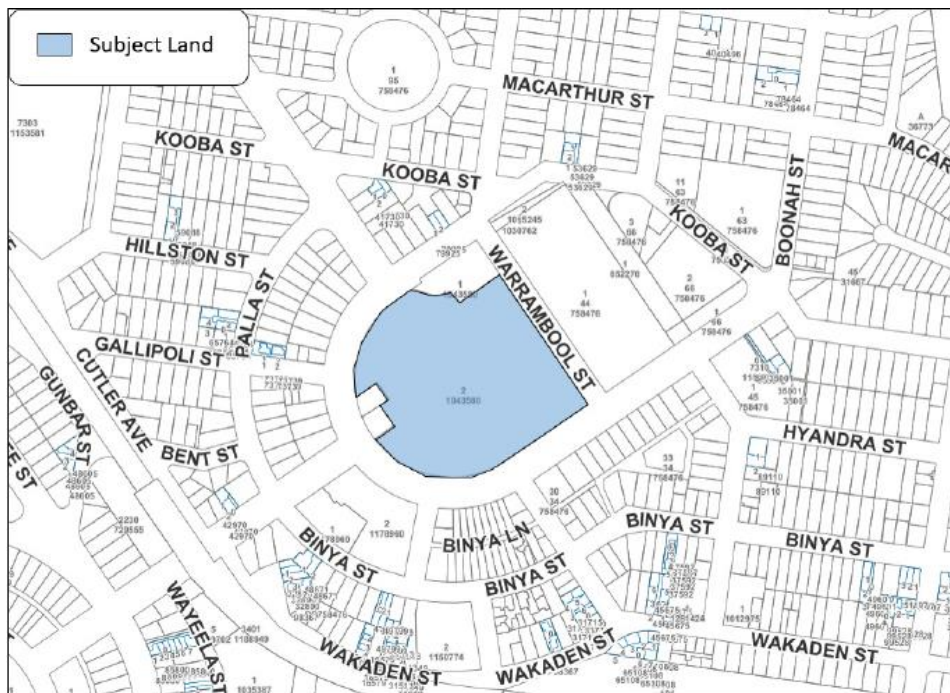


Figure 22. Site of Former Matron's House and Nurses' Quarters at Base Hospital (source: page 77 of planning proposal)

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Item 19 – SSA14 Boorga Road (refer to Figure 23)

SSA14 Boorga Road		
	Current	Proposed
Site area	Approx. .52ha (LLR Strategy)	
Zone	RU4 Primary Production Small Lots	R5 Large Lot Residential
Minimum lot size	5ha	2ha
Number of dwellings		15-20 lots (RU4)
LEP Amendments		
Map Amendments		LZN_003C LSZ_003C
Background	<ul style="list-style-type: none"> The site is located north of the Lake Wyangan Growth area. The site is identified as Candidate Site 6 in the Griffith Large Lot Residential – Supply and Demand Analysis and Strategy. The Strategy recommends the minimum lot size be amended from 5ha to 2ha. The Strategy does not reference amending the zone, though states that large lifestyle lots in this locality would be in keeping with the surrounding land uses and zoning. Land to the west and north is zoned R5 Large Lot Residential. The site is adjacent to other land used for rural lifestyle purposes ranging in size from 1 ha to 5 ha. Smeeth Road contains a channel (Murrumbidgee Irrigation's drainage channel) which conveys water from the east towards South Lake (Lot 2 DP 1196899). A portion of Smeeth Road is flood prone (Lake Wyangan Flood Study and Management Plan 2012). Council advise that Jones Road, which adjoins the northern boundary of the site, is part of Council's Northern Industrial Bypass Route therefore potential traffic noise impacts. Council reticulated water service is available to the site. The site is outside of the Griffith Development Servicing Plan area for sewerage. Onsite sewer disposal will be required. 	

Gateway determination report – PP-2022-3697 – Griffith LEP 2014 – general amendment

SSA14 Boorga Road	
Ministerial Directions	<ul style="list-style-type: none">• Ministerial Direction 4.1 – Flooding applies as part of the land is affected by flooding. The proposal does not change the existing flood provisions and the nature of development can be assessed at Development Application stage• Ministerial Direction 4.4 Remediation of Contamination Land - Council advise that similar preliminary contamination assessment have been undertaken and the land can be made suitable for future residential development. Detailed investigations will be undertaken when land is developed for housing.• Ministerial Directions 9.1 Rural Zones and 9.2 Rural Lands apply as rural land is being rezoned to zone R5. At this time the proposal is inconsistent with this Direction even though the land use change is identified in the Griffith local strategies. Consultation with DPI- Agriculture will be required and the inconsistency will need to be addressed by Council prior to finalisation.
Recommendation	<ul style="list-style-type: none">• Proceed• The proposal is consistent with the Griffith Large Lot Residential – Supply and Demand Analysis and Strategy.• Consult with DPI – Agriculture.

Gateway determination report – PP-2022-3697 – Griffith LEP 2014 – general amendment

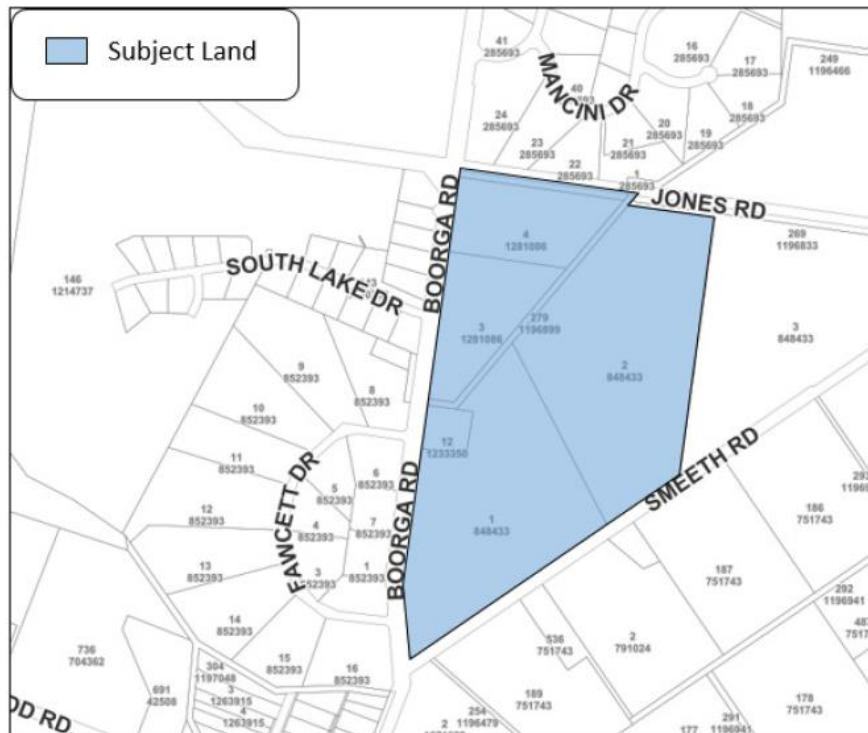


Figure 23. Boorga Road, Lake Wyangan (source: page 79 of planning proposal)

Item 20 – SSA15 Calabria Road (refer to Figures 24 and 25)

SSA15 Calabria Road		
	Current	Proposed
Site area	Approx. 2.87ha (source: Griffith Large Lot Residential – Supply and Demand Analysis and Strategy)	
Zone	RU4 Primary Production Small Lots	R5 Large Lot Residential

Gateway determination report – PP-2022-3697 – Griffith LEP 2014 – general amendment

SSA15 Calabria Road		
Minimum lot size	3ha	1ha
Number of dwellings	1	3
LEP Amendments		LEP Map
Map Amendments		LSZ_003D LZN_003D
Background	<ul style="list-style-type: none"> The site is identified as Candidate Site 3 in the Griffith Large Lot Residential – Supply and Demand Analysis and Strategy. The Strategy references an amendment to the minimum lot size to 1ha. It does not reference amending the zone to R5 Large Lot Residential. The landowner has prepared a subdivision plan for the site into three lots (one for the existing dwelling and two additional lots). Council advise land to the north is subject to an approved DA for a manufactured home estate. The site is affected by the 1 in 100 year flood event (low hazard) – Griffith Main Drain J and Mirrol Creek Flood Study. Council advise that previous work undertaken for DA 246/2015 addresses the flood impacts. A site investigation has been carried out regarding contamination which found the site is suitable for residential development. Existing lots are connected to Council water services. Sewer infrastructure is not available to the site. On-site sewerage management systems are proposed. Rankin Springs Road is a Classified Road (referral to TfNSW required) 	

Gateway determination report – PP-2022-3697 – Griffith LEP 2014 – general amendment

SSA15 Calabria Road	
Ministerial Directions	<ul style="list-style-type: none"> Ministerial Direction 4.1 – Flooding applies as part of the land is affected by flooding. The proposal does not change the existing flood provisions and the nature of development can be assessed at Development Application stage Ministerial Direction 4.4 Remediation of Contamination Land - Council advise that similar preliminary contamination assessment have been undertaken and the land can be made suitable for future residential development. Detailed investigations will be undertaken when land is developed for housing. Ministerial Directions 9.1 Rural Zones and 9.2 Rural Lands apply as rural land is being rezoned to zone R5. At this time the proposal is inconsistent with this Direction even though the land use change is identified in the Griffith local strategies. Consultation with DPI- Agriculture will be required and the inconsistency will need to be addressed by Council prior to finalisation.
Recommendation	<ul style="list-style-type: none"> Council has agreed to retain zone RU4 at this time and this area will be reassessed strategically in the future. The proposal is inconsistent with surrounding zoning (refer to Figure 25). There is lack of strategic merit for the proposal. Appendix 5 of the proposal does not address supply and demand for land zoned R5 Large Lot Residential. The Large Lot Residential Strategy recommends allowing MLS change to 1ha – no change to zoning Proceed with change to mls, do not proceed with amendment to zone. Council should consider an appropriate zone with consideration given to the intended future use of the site and surrounding area. Consult with TfNSW and DPI Agriculture

Gateway determination report – PP-2022-3697 – Griffith LEP 2014 – general amendment

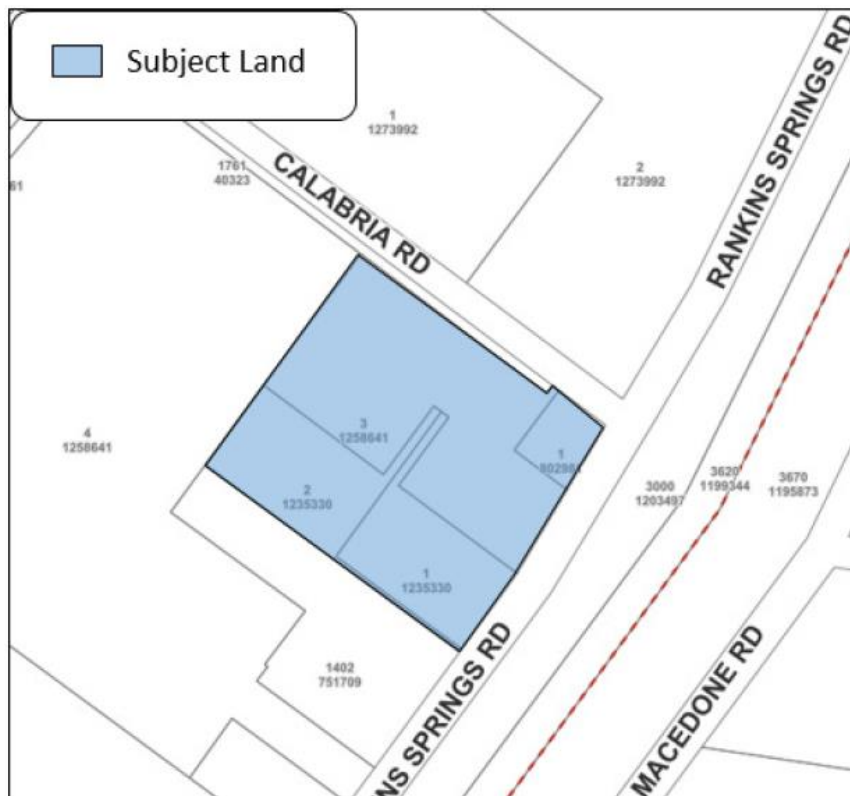


Figure 24. Calabria Road (source: page 85 of planning proposal)



Figure 25. Calabria Road (source: ePlanning Spatial Viewer)

Gateway determination report – PP-2022-3697 – Griffith LEP 2014 – general amendment

Item 21 – SSA16 Tharbogang Wetland (refer to Figure 26)

SSA16 Tharbogang Wetland		
	Current	Proposed
Site area		
Zone	E2 Environmental Conservation	No change
Minimum lot size	-	No change
Number of dwellings		-
LEP Amendments		Label map
Map Amendments		WET_003
Background	<ul style="list-style-type: none"> The intent of the proposal is to identify Tharbogang Wetland on map WET_003 Griffith LEP 2014 Clause 7.6 will then apply to the site Note the maps in the PP are incorrectly labelled. The 'existing wetland map' should be titled 'proposed wetland map' and vice versa. 	
Ministerial Directions	<ul style="list-style-type: none"> Ministerial Direction 3.1- Conservation Zones – the proposal is consistent. 	
Recommendation	<ul style="list-style-type: none"> Proceed. 	

Gateway determination report – PP-2022-3697 – Griffith LEP 2014 – general amendment

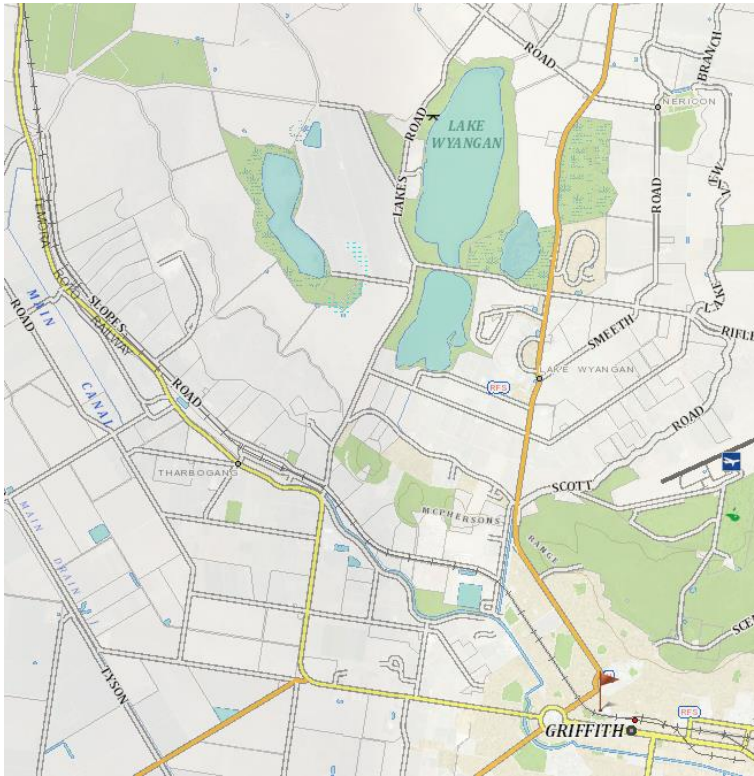


Figure 26. Tharbogang Wetland (west of Lake Wyangan) (source: ePlanning spatial viewer)

Item 22 – SSA17 Gardiners Road (refer to Figure 27)

SSA17 Gardiners Road		
	Current	Proposed
Site area	Approx. 17ha (Strategy)	
Zone	R5 Large Lot Residential	RU5 Village
Minimum lot size	4000m ² if not connected to sewer 3000m ² if connected to sewer	4000m ² if not connected to sewer 700m ² if connected to sewer
Number of dwellings		140 additional lots (source: planning proposal)
LEP Amendments		Proposed Urban Release Area

Gateway determination report – PP-2022-3697 – Griffith LEP 2014 – general amendment

SSA17 Gardiners Road		
Map Amendments		LZN_004A LSZ_004A LZN_004C LSZ_004C URA_004
Background	<ul style="list-style-type: none"> The site is identified as Candidate Site 4 in the Griffith Large Lot Residential – Supply and Demand Analysis and Strategy. The intent of the proposal is to deliver planning priority of the LSPS, 'growing the Villages' and to provide suitably located and sized growth areas for Yoogali. Council intends for the site to be identified as an Urban Release Area to ensure master planning of the site prior to development The site is located adjacent to Yoogali Village. The current land use on site is predominantly horticulture. The Griffith LSPS identifies the land as RU5 village zoning. Council's water and sewer are available to the site. The site is partially flood prone (1 in 100 year event, flood fringe, Griffith Main Drain J and Mirrool Creek Flood Study) Land potentially contaminated by previous land use (SEPP 55 applicable) Referral to TfNSW required regarding access to Burley Griffin Way and Mackay Avenue (Classified Roads). 	
Ministerial Directions	<ul style="list-style-type: none"> Ministerial Direction 4.1 – Flooding applies as part of the land is affected by flooding. The proposal does not change the existing flood provisions and the nature of development can be assessed at Development Application stage Ministerial Direction 4.4 Remediation of Contamination Land. Council advise that part of the land may be potentially contaminated. Detailed investigations will be required when the land is to be developed for housing. At this time the proposal is inconsistent with this Direction. Council needs to undertake further investigation to be satisfied that the land is suitable for future housing prior to exhibition. 	
Recommendation	<ul style="list-style-type: none"> Proceed. Consult with TfNSW. The additional supply of lots zoned RU5 Village are adequately justified in Appendix 5 of the proposal. 	

Gateway determination report – PP-2022-3697 – Griffith LEP 2014 – general amendment

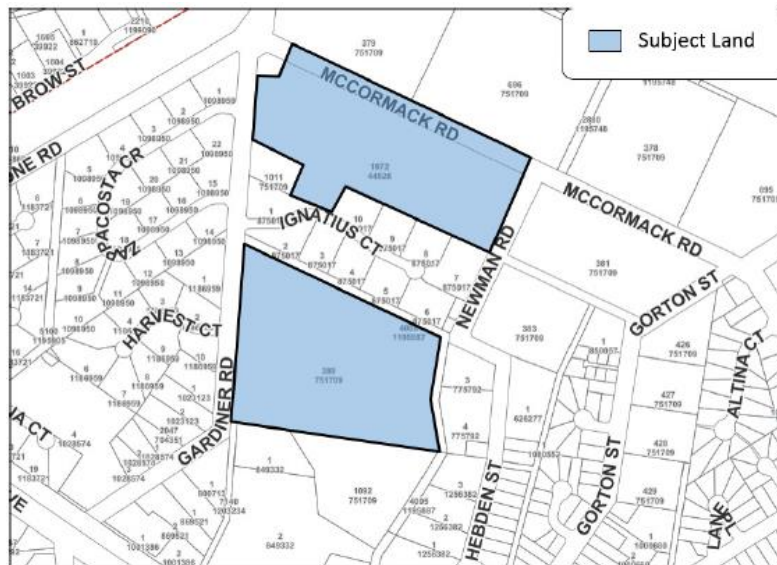


Figure 27. Gardiners Road (source: page 91 of planning proposal)



Figure 27. Gardiners Road (source: ePlanning Spatial Viewer)

Gateway determination report – PP-2022-3697 – Griffith LEP 2014 – general amendment

2.4 Site description and surrounding area

The proposal relates to various sites as identified and discussed in section 1.3.

2.5 Mapping

The planning proposal includes mapping showing the proposed changes to the GLEP maps. Prior to exhibition of the planning proposal, the maps are to be updated as below to ensure the maps are suitable for community consultation.

- Item 15 – SSA10 – clarify that existing zone RE1 Public Recreation will be retained within this precinct.
- Amend Item 17 – SSA12 to include Lot 647 DP 725659 as proposed zone RU5 Village.
- Amend Item 20 - SSA15 Calabria Road to remove reference to the intent to rezone land and to proceed with change to minimum lot size only.
- Clearly indicate the proposed amendments to Map WET__003 (Item 21-SSA16).

3 Need for the planning proposal

Q1. Is the planning proposal a result of an assured local strategic planning statement, or Department approved local housing strategy, employment strategy or strategic study or report?

The planning proposal covers a range of items and is a result of a review by Council. The items are in accordance with strategic work undertaken by Council or justified as part of this planning proposal.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The planning proposal is the best mechanism to achieve Council's intended objectives and outcomes.

4 Strategic assessment

4.1 Regional Plan

The following table provides an assessment of the planning proposal against relevant aspects of the Riverina Murray Regional Plan 2036 and draft Riverina Murray Regional Plan 2041.

Table 3 Regional Plan assessment

Regional Plan Objectives	Justification
--------------------------	---------------

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Riverina Murray Regional Plan 2036 (RMRP 2036)	<p>Griffith is identified as one of the three Regional Centres in the Riverina Murray Region.</p> <p>Council has adequately addressed the RMRP 2036.</p> <p>The following directions of the Riverina Murray Regional Plan 2036 are relevant to this proposal:</p> <p>Direction 1 – Protect the region’s diverse and productive agricultural land- although a local strategy has been adopted by Council to change land from RU4 to R5 for sites Item 8 – SSA3, Item 10 – SSA- 5 and Item 14 – SSA-9 further consultation with DPI- Agriculture is required.</p> <p>Direction 25 Building housing capacity to meet demand</p> <p>Direction 26 Provide greater housing choice</p> <p>Direction 27 Manage rural residential development</p>
Draft Riverina Murray Regional Plan 2041 (dRMRP2041)	<p>The proposal is generally consistent with the dRMRP2041 with the issue of agricultural land as identified by DPI- Agriculture requiring further consultation</p>

4.2 Local

The proposal states that it is consistent with the following local plans and endorsed strategies.

Table 4 Local strategic planning assessment

Local Strategies	Justification
Local Strategic Planning Statement	<p>The proposal is generally consistent with the LSPS as discussed with each Item in section 1.3 above and in Council’s planning proposal.</p>

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Large Lot
Residential –
Supply and
Demand Analysis
and Strategy

This proposal seeks to implement the recommendations of the Large Lot Residential – Supply and Demand Analysis and Strategy (prepared by Kelly McNicol for Griffith City Council 8 February 2022).

The purpose of the Strategy is to examine the supply and demand of land zoned R5 Large Lot Residential in the Griffith Local Government Area, and to provide recommendations regarding candidate sites identified in the drafting of the Griffith LSPS.

Key points from the Strategy include:

- Griffith Housing Strategy did not review land zoned R5 Large Lot Residential, low density residential land and rural lifestyle/small holdings lots. Hence the need for the Large Lot Residential Strategy to consider this.
- The analysis undertaken in preparing the strategy looked at broad suitability of candidate sites for large lot residential use.
- It is Council's intention that the Strategy assist in providing the strategic basis to inform a planning proposal to rezone candidate sites.
- In Griffith, land zone R5 is primarily located on the urban fringe of the city and villages.
- Supply of land zoned R5 has been static since 2002.
- Historically, land zone R5 has had a minimum lot size of between 3000m²-4000m² for fully serviced land and 4000m²-5000m² for unserviced land.
- The Strategy identifies 10 candidate sites for rezoning to R1 General Residential, R5 Large Lot Residential and RU5 Village.
- Data shows on average 25 lots per year are created on land zone R5 and on average 20 lots zoned R5 are developed
- Demand for lots zoned R5 is increasing, estimated demand is between 20-25 lots per year. Up to 250 lots are required to meet demand over the next 10 years. Based on current supply of 180 lots, an additional 70 lots are required to meet demand.

The Strategy aims to provide strategic justification for the site specific amendments included in this planning proposal. The Strategy would benefit from further strategic consideration of land use on the urban fringe to ensure land identified for future rural residential development adequately considers land use conflict and impacts relating to fragmentation and loss of agricultural land. Further consultation with Department of Primary Industries – Agriculture is required to satisfy the Minister's 9.1 Directions.

The Strategy recommendations have the potential to deliver a total of 70-114 new rural residential lots, which aligns with the demand for rural residential lots over the next ten years as identified in part 6.5 of the Strategy.

The recommendations of the Strategy were adopted by Council in February 2022.

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Griffith Land Use Strategy – Beyond 2030	<p>The Griffith Land Use Strategy – Beyond 2030 informed and provided the strategic context for the preparation of the Griffith LEP 2014.</p> <p>The Strategy identified there was surplus land for the purpose of rural residential development; no additional supply of land zone R5 Large Lot Residential was zoned in Griffith LEP 2014.</p> <p>Several sites zoned R5 Large Lot Residential remain undeveloped. Council has excluded these sites from the residential land supply calculations for the purpose of the Planning Proposal. The Planning Proposal, in Appendix 5, provides commentary on these sites as follows:</p> <ul style="list-style-type: none"> - Zoned undeveloped land since 1994 includes South Griffith (650 lots/50ha), North Griffith (110 lots/8.3ha), Old Collina (400 lots). The total potential supply of dwellings on this land is 1350. - These sites are identified in Figure 67 of the planning proposal, page 150. - Constraints limiting the development of these sites are listed as servicing being unfeasible, site fill requirements relating to the irrigation channel on site are unfeasible, landowners desire to continue operating citrus orchard on site and landowner intention for use of land (land owned by the LALC).
Griffith Housing Strategy	<p>The Housing Strategy 2019 provided a comprehensive review of housing needs, with a focus on affordable housing.</p> <p>The Housing Strategy acknowledges that Griffith requires 1744 dwellings to 2036.</p> <p>Appendix 5 of the planning proposal states the growth areas that are being actively developed in Griffith have the potential to provide 1350 dwellings.</p> <p>There is demand for at least an additional 90 single dwellings to 2036. This planning proposal intends to provide 170 new single dwellings to the supply.</p> <p>The additional 80 dwellings are justified from the adjustment in population projections not considered in the Housing Strategy.</p>

4.3 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions are discussed in each item in section 1.3 above.

4.4 State environmental planning policies (SEPPs)

The planning proposal addresses relevant SEPPs.

5 Site-specific assessment

A summary of the site-specific assessment of matters associated with the candidate sites is included in section 1.3 above.

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6 Consultation

6.1 Community

Council proposes a community consultation period of 28 days.

The exhibition period proposed is considered appropriate, and forms to the conditions of the Gateway determination.

6.2 Agencies

It is recommended the following agencies be consulted on the planning proposal and given 30 days to comment:

- NSW RFS to address Direction 4.4 Planning for Bushfire Protection for Item 10.
- TfNSW with regarding to development fronting a Classified Road or traffic generating development for Items 7, 1, 14, 15, 20 and 22.
- DPI - Agriculture to consider inconsistencies with Section 9.1 Directions 9.1 Rural Zones and 9.2 Rural Land as identified by Council when it adopted the Large Lot Residential Supply and Demand Analysis and Strategy on 22 February 2022. Consultation with DPI- Agriculture is relevant to sites identified in DPI- Agriculture letter dated 13 December 2021.
- BCD- for sites where there is biodiversity present.
- No consultation is required with DPE- Water
- The existing flood provisions are not changing and where sites are affected by flooding it is deemed as minor and can be assessed in detail at the Development Application stage.
- In terms of contamination Council advise it is satisfied that where land is potentially contaminated it can be remediated for the future use.

7 Timeframe

Council proposes a 12 month time frame to complete the LEP.

The Department supports the time frame of 9 months to ensure it is completed in line with its commitment to reduce processing times. The project timeframe for the planning proposal will need to be adjusted to reflect the 9 months timeframe prior to community consultation.

8 Local plan-making authority

While the planning proposal contains a range of items, they are all of local significance that Council can deal with. The Department recommends that Council be authorised to be the local plan-making authority for this proposal.

9 Assessment summary

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

- The planning proposal is based on general amendments and site specific amendments as identified in local strategies.

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- The proposal provided for land use change and identified land use change for large lot residential development.
- Provides for land use change for key sites.
- Consultation is required with specified agencies prior to finalisation to assist in satisfying inconsistencies with section 9.1 Ministerial Directions.

Based on the assessment outlined in this report, the proposal must be updated prior to consultation to:

1. Prior to community and agency consultation the planning proposal is to be updated to:

-
- Amend Item 15 – SSA10 Wakaden Precinct to clarify that existing zone RE1 Public Recreation will be retained within this precinct.
- Amend Item 11- SSA6 Rose Road to include the proposed planning mechanism to ensure that the intent for a (20-30m) buffer situated on the proposed zone R5 land occurs as part of future development of the site.
- Prepare and include a comparable Land Use Table between the current zones and proposed zones for Item 13-SSA8 and Item 14-SSA9 to compare land use permissibility and prohibitions. Landowners in the areas of 13-SSA8, 14-SSA9 and 15-SSA10 are to be individually notified of the proposed changes.
- Amend Item 17 – SSA12 to include Lot 647 DP 725659 as proposed zone RU5 Village.
- Amend Item 20 - SSA15 Calabria Road to remove reference to the intent to rezone land and to proceed with change to minimum lot size only.
- Clearly indicate the proposed amendments to Map WET__003 (Item 21-SSA16).
- Amend Section 5 Project Timeline to reflect the Gateway determination of the proposal and subsequent milestones for finalisation in 9 months.

Council is to seek approval from the Department of Planning and Environment – Western Region office prior to community and agency consultation.

2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2022) and must be made publicly available for a minimum of 28 days; and
 - (b) the planning proposal 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 *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2022).
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
 - Department of Primary Industries – Agriculture
 - Transport for NSW
 - NSW Rural Fire Service

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- Department of Planning and Environment – Biodiversity, Conservation and Science Directorate

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the 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 Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
 - (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
6. The LEP should be completed within nine (9) months from the Gateway determination.

10 Recommendation

It is recommended the delegate of the Secretary:

- Note that the inconsistency with section 9.1 Directions 4.3 Planning for Bushfire Protection, 9.1 Rural Zones and 9.2 Rural Lands are unresolved and require consultation with NSW RFS and DPI- Agriculture.
- Note that the inconsistency with section 9.1 Direction 1.4 Site specific provision is of minor significance and no further work is required.

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

1. Prior to community and agency consultation the planning proposal is to be updated to:
 - Amend Item 15 – SSA10 Wakaden Precinct to clarify that existing zone RE1 Public Recreation will be retained within this precinct.

Gateway determination report – PP-2022-3697 – Griffith LEP 2014 – general amendment

- Amend Item 11- SSA6 Rose Road to include the proposed planning mechanism to ensure that the intent for a (20-30m) buffer situated on the proposed zone R5 land occurs as part of future development of the site.
- Prepare and include a comparable Land Use Table between the current zones and proposed zones for Item 13-SSA8 and Item 14-SSA9 to compare land use permissibility and prohibitions. Landowners in the areas of 13-SSA8, 14-SSA9 and 15-SSA10 are to be individually notified of the proposed changes.
- Amend Item 17 – SSA12 to include Lot 647 DP 725659 as proposed zone RU5 Village.
- Amend Item 20 - SSA15 Calabria Road to remove reference to the intent to rezone land and to proceed with change to minimum lot size only.
- Clearly indicate the proposed amendments to Map WET__003 (Item 21-SSA16).
- Amend Section 5 Project Timeline to reflect the Gateway determination of the proposal and subsequent milestones for finalisation in 9 months.

Council is to seek approval from the Department of Planning and Environment – Western Region office prior to community and agency consultation.

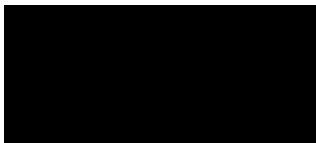
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (c) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2022) and must be made publicly available for a minimum of 28 days; and
 - (d) the planning proposal 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 *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2022).
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
 - Department of Primary Industries – Agriculture
 - Transport for NSW
 - NSW Rural Fire Service
 - Department of Planning and Environment – Biodiversity, Conservation and Science Directorate

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the 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 Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:

Gateway determination report – PP-2022-3697 – Griffith LEP 2014 – general amendment

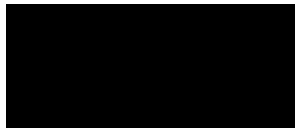
- (d) the planning proposal authority has satisfied all the conditions of the gateway determination;
 - (e) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
 - (f) there are no outstanding written objections from public authorities.
6. The LEP should be completed within nine (9) months from the Gateway determination.



(Signature)

23 December 2022 (Date)

Wayne Garnsey
Manager, Western Region



(Signature)

23 December 2022 (Date)

Garry Hopkins
Director, Western Region

Assessment officer

Jessica Holland
Manager, Western Region
58526800



Department of Planning and Environment

PP-2022-3697/IRF22/3636

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

Attention: Kelly McNicol, Contract Strategic Planner

Dear Mr Stonestreet

Planning proposal (PP-2022-3697) to amend Griffith Local Environmental Plan 2014 - General Amendment.

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information provided by Council on 16 December 2022 for general amendments to the Griffith Local Environmental Plan 2014.

As delegate of the Minister for Planning, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

I have also agreed, as delegate of the Secretary, the inconsistency of the planning proposal with Ministerial 9.1 Direction 1.4 Site Specific Provisions is justified in accordance with the terms of the Direction. No further approval is required in relation to this Direction.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of Ministerial 9.1 Directions 4.3 Planning for Bushfire Protection, 9.1 Rural Zones and 9.2 Rural Lands. Council should ensure this occurs prior to the Local Environmental Plan (LEP) being made.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed LEP is to be finalised on or before 9 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Department of Planning and Environment.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2022) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Tim Collins to assist you. Mr Collins can be contacted on 58526800.

Yours sincerely



23 December 2022

Garry Hopkins
Director, Western Region
Local and Regional Planning

Encl: Gateway determination



Department of Planning and Environment

PP-2022-3697/DOC23/17044

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

Attention: Kelly McNicol, Contract Strategic Planner

Dear Mr Stonestreet

Planning proposal (PP-2022-3697) to amend Griffith Local Environmental Plan 2014 - General Amendment - documentation to satisfy condition 1 – proceed to public exhibition

I refer to your correspondence dated 4 January 2023 in relation to the subject planning proposal (PP-2022-3697) for amendment to Griffith LEP 2014 – general amendment.

Gateway condition 1 of the Gateway determination issued on 23 December 2022 required the planning proposal to be updated prior to proceeding to public exhibition.

I have reviewed the information provided and agree that condition 1 of the Gateway determination has been generally satisfied to allow the proposal to progress to public exhibition, subject to the following points being addressed:

- Amend Item 20 - SSA15 Calabria Road to remove reference to the intent to rezone land and to proceed with change to minimum lot size only.
- Confirm, and update the planning proposal if required to ensure the planning proposal refers to the correct lot/DP for the additional land included in SSA 12.

Following the planning proposal being amended to reflect the above-mentioned points, Council may proceed to public exhibition.

The community consultation package is to include the revised planning proposal documentation, Gateway determination dated 23 December 2022 and a copy of this letter.

Please note that the timeline to complete this LEP amendment is 23 September 2023. The Department will work with Council and monitor the progress of this proposal.

Should you have any enquiries about this matter, please contact me for assistance. I can be contacted on 02 5852 6806

Yours sincerely



12 January 2023

Tim Collins
A/Manager, Western Region
Local and Regional Planning
Department of Planning and Environment