



File: 15.001
PP04/2014

Mr A Albury
Regional Director, Western Region
NSW Department of Planning and Environment
PO Box 58
Dubbo NSW 2830

13 April 2016

Dear Ashley

**Narromine Local Environmental Plan 2011 - Planning Proposal for Narromine
Aerodrome - (PP-22016-NARRO-006)**

I refer to the Planning proposal for the Narromine Aerodrome (your reference PP-22016-NARRO-006) and to the Department's determination that the planning proposal should proceed subject to conditions.

Please accept this submission as Council's response to the conditions of the determination.

1. Clarification of the land uses being sought for the proposal

The proposal seeks to rezone the site from zone SP2 to zone SP1 (Business Premises, Residential, Tourist and Visitor Accommodation - Incidental with Aviation). The rationale for this is detailed in Council's Planning Proposal and includes identified demand for the proposed additional ancillary uses. The list of proposed prohibited land uses under the SP1 zone is included within the Planning Proposal. This list was determined by Council in conjunction with detailed consultation with the Aerodrome Users Group, and is suitably restrictive so that the potential permissible land uses for which the rezoning is sought are targeted.

As per the zone definition and proposed land use table, all proposed permissible land uses must be incidental or ancillary to the principal use of the site being for aviation. It is hoped that this new zone will expand upon the permissible uses at the Aerodrome which under the current SP2 zoning are somewhat limited, ill-explained or captured in the prohibited list. Please refer to the proposed zoning table overleaf:

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Draft Land Use Table

Zone SP1 Special Activities (Business Premises, Residential, Tourist and Visitor Accommodation, Incidental with Aviation)

1 Objectives of zone

- To provide for special land uses that are not provided for in other zones.
- To provide for sites with special natural characteristics that are not provided for in other zones.
- To facilitate development that is in keeping with the special characteristics of the site or its existing or intended special use, and that minimises any adverse impacts on surrounding land.

2 Permitted without consent

Nil

3 Permitted with consent

The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose.

4 Prohibited

Amusement centres, Animal boarding or training establishments, Attached dwellings, Backpackers accommodation, Boarding houses, Boat building and repair facilities, Boat launching ramps, Boat sheds, Cellar door premises, Cemetery, Charter & tourism boating facilities, Child care centres, Correctional centres, Crematorium, Dual occupancies, Eco-tourist facilities, Entertainment facilities, Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Funeral homes; Garden centres; Group homes; Hardware and building supplies; Health services facilities; Heavy industrial storage establishments; Heavy industries; Highway service centres; Home based child care; Home occupation (sex services); Hostels; Jetties; Landscaping material supplies; Marinas; Mooring pens; Mooring; Mortuaries; Multi dwelling housing; Neighbourhood shops; Open cut mining; Places of public worship; Plant nurseries; Port facilities; Pubs; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential flat buildings; Respite day care centres; Restricted premises; Rural industries; Rural supplies; Rural workers dwellings; Secondary dwellings; Self storage units; Semi-detached dwellings; Seniors housing; Service stations; Serviced apartments; Sex services premises; Timber yards; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Water recreation structures; Wharf or boating facilities; Wholesale supplies.

2. Details as to how Narromine Shire Council intends to control business/retail/Industrial land uses from relocating out of the Narromine Business Centre and industrial areas to the proposed land zone SP1 Special Activities. This is to include criteria and guidelines how Council will assess and ensure that such land uses are incidental to aviation

Council has carefully considered the need to ensure that any additional land uses within the proposed SP1 zone remain incidental or ancillary to the principal use of the site for aviation purposes. This is in recognition of the need to protect and preserve the existing central business and commercial area as well as the established industrial area. It has been determined that the most appropriate means by which to meet the intent and objectives of the SP1 zone is via incorporation of specific development control objectives and performance standards within the current Narromine Development Control Plan 2011 (DCP). This is to be achieved by amendment to Chapter 5(f) of the DCP. If required by the Department, the proposed DCP amendments can be publicly exhibited concurrent with the Planning Proposal.

In determining the suitability of the new SP1 zone and the types of permissible land uses proposed, Council had regard to the availability of currently zoned land within Narromine suitable for the land uses envisaged for the aerodrome. This assessment was undertaken given the objective of Council to ensure that the change in zoning of the aerodrome site, should it proceed, does not adversely affect development options for the existing business and industrial zoned lands. The assessment concluded that:

- In the drafting of the SP1 zone objectives and range of permissible land uses, which combined restrict additional land uses to being either incidental or ancillary with aviation, Council can ensure that there will be no direct competition between future aerodrome site development and the existing business and industrial areas;
- The proposed reinforcing of the SP1 zone objectives and provisions via the DCP amendments will further protect the existing business and industrial areas;
- Desktop assessment and site inspections have identified that there is limited vacant commercial or business zoned land within the Narromine CBD. Within the CBD there is a very low shop and commercial premises vacancy rate, attributed to the sustainability of commerce within the town. Council can assist with maintaining the viability of the CBD by providing for future redevelopment of properties, infill development and property redevelopment;
- The draft LEP provides that a significant majority of industrial land uses are prohibited from the aerodrome site. The principal available industrial land within Narromine is the part developed estate within the south-east section of

Narromine. This estate which is zoned IN1 was developed by Council. A remaining undeveloped lot accessed from Macquarie Drive has recently been sold to a private developer group. Council is generally supportive of the development of this land for appropriate uses in accordance with the IN1 zoning provisions. The restrictions proposed within the SP1 zone as detailed above will ensure that the development options and demand for future use of the IN1 zone will not be diminished.

Whilst the drafting of the DCP amendments is yet to be finalised, the following proposed extracts are provided, highlighting the key planned additional objectives and performance criteria. Please note that Council is also preparing additional provisions relating to heritage conservation.

Amendment to Chapter 5(f) - Narromine Aerodrome

Land Zoned SP1 under Narromine LEP 2011 (amendment No:)

1. Introduction

A section of the Narromine Aerodrome site has been rezoned to SP1 under amendment No: 16 to Narromine LEP 2011. (insert map). The SP1 zoning allows for development with consent of the mapped lands for a variety of business premises, residential development, tourist development and restricted industrial development where any proposed use is incidental or ancillary to the principal use of the site for aviation.

In addition to the general and specific objectives and controls within Section 5(f) of the DCP, the following additional provisions are also applicable for the SP1 zoned land.

2. Additional Objectives for the SP1 Zoned Land

- To ensure that all future land uses as provided for within the SP1 zoning are for the purpose of aviation or are demonstrated to be incidental or ancillary to the use of the subject property for aviation;
- To ensure that any ancillary uses of the land will not adversely affect the current and potential use of the site and surrounding lands for aviation related activities;
- To ensure that any ancillary business, commercial or industrial uses do not adversely impact upon the current operations of the B2 - Local Centre (Narromine CBD) and IN1 General Industrial zoned areas;
- To establish specific development controls and performance criteria for which all new development within the SP1 zone must comply.

3. Development Application Requirements

In addition to the standard details required to be submitted with any development application for the development of the aerodrome land, the following additional requirements apply:

- Details of any current use of the subject site for aviation purposes and including the lawfulness of any such use;
- Details of any proposed incidental or ancillary uses to the use of the site for aviation purposes including such information to demonstrate that the proposed use(s) are incidental or ancillary and are required to support the principal existing or proposed use of the site for aviation;
- Details to demonstrate that any proposed incidental or ancillary development(s) will not adversely affect the use of the site or other sites within the SP1 zoned land for the purposes of aviation. In respect of any proposed residential accommodation or tourist development the assessment must specifically address the potential for conflict between residents/tourists and existing commercial, industrial and aviation uses;
- Details of advertising or business identification signs on buildings, particularly where the building faces the Mitchell Highway or is otherwise visible from an arterial road.
- Details identifying the servicing requirements of the proposal including:
 - Traffic generation and the capacity of the existing road network to accommodate the additional traffic movements;
 - Demand requirements for water, sewer, power and telecommunication services and capacity of the existing systems to accommodate.

4. Development Guidelines

Note: the Acceptable Solutions in the table below represent one way to meet the corresponding Performance Criteria. Applicants that choose not to, or that cannot, meet an Acceptable Solution must demonstrate how they meet the corresponding Performance Criteria.

Performance Criteria	Acceptable Solution
Proposed development must be for the purpose of aviation or be clearly incidental or ancillary to an existing lawful use of the site for aviation	No Acceptable Solution is prescribed: demonstrate how the proposal achieves the Performance Criteria
Incidental or ancillary developments must not affect the principal uses of the SP1 land for aviation	A land use conflict risk assessment must accompany any application for ancillary development.
Commercial, business and industrial development must not adversely affect	Application must demonstrate that the use of the site is appropriate within the

the established hierarchy of the B2 - Local Centre zoned land and the IN1 - General Industrial zoned land within Narromine	SP1 zone and that the proposal is not better suited for placement within the existing B2 and IN1 zones; Application must demonstrate the need for the incidental or ancillary use to be within the SP1 land rather than within the B2 and IN1 zoned land.
Any proposed residential accommodation or tourist development must not result in the potential for land use conflict with established aviation, commercial or industrial uses.	A land use conflict risk assessment must accompany any application for residential or tourist development; Application must demonstrate that the proposed residential accommodation or tourist development will be compatible with other uses of the site and those of the surrounding lands and that the potential for conflict between residents/tourists and existing commercial, industrial and aviation uses will be minor.

3. Details of consultation with the Civil Aviation Safety Authority (CASA) and National Airports Safeguarding Advisory Group (NASAG) with regard to the Obstacle Limitation Surface and noise Impacts.

Council has undertaken additional consultation with CASA as well as consultation with NASAG.

Attached are the responses for both agencies and note that they raise no objection to the rezoning subject to maintaining the required maximum height limits. A ground survey, overlaid with the Obstacle Limitation Surfaces survey undertaken for the adjacent Skypark subdivision identified that with a maximum building height of 10 metres, all buildings will remain below the height limitations. The height limit restriction is contained within the DCP provisions and will be maintained and enforced.

Given the responses from CASA and NASAG, Council considers that this matter has been sufficiently addressed.

4. Detail of the proposed tenure and the intention for the subdivision of the land.

The current zoning of the land provides for the subdivision of the aerodrome land the subject of the proposed LEP amendment. This provision is not proposed to be altered. the site is owned by Council and is listed as 'operational land' under the *Local Government Act 1993*.

Accordingly, under the current and proposed zoning, Council has the ability to effect the subdivision of the land and the disposal of lots thereby created to private

individuals, businesses, companies etc. The subdivision of the land, should Council in future propose such, would likely be via Torrens title with the securement of suitable easements, rights of carriageway etc. Alternate forms of subdivision such as strata subdivision and community title subdivision, whilst potentially available to Council are not preferred.

At present Council owns all land parcels at the Aerodrome currently zoned SP2, except for one lot privately owned by individuals with an aviation-related business operating on the site. Council does not foresee any potential conflicts or issues with subdividing and offering torrens title lots for sale on the Aerodrome for the following reasons:

- The abovementioned privately owned lot has not caused Council any issues following it's creation and sale in
- The overriding land use zone and permitted uses at the Aerodrome remain the same
- Council will give careful consideration to the relevant safety matters associated with an active recreational Aerodrome
- Active airside and it's efficient operation and the security associated with it remain protected within Council's Asset Management Plan for the Aerodrome
- Developments proposed at the Aerodrome will still be required to comply with Council's adopted Strategic and Masterplan for the Aerodrome (which permits and encourages torrens title subdivisions to stimulate development at the Aerodrome).

With any future subdivision of the land, Council will ensure that the effective operation of the aerodrome, required accesses, services etc are not adversely affected and that future development and service provision is not compromised. It is in Council's best interests that future operations at the Aerodrome are not compromised whilst allowing the site's potential to be maximised with appropriately designed and managed development opportunities.

I trust the above advice addresses the matters raised by your Department and subject to your confirmation Council intends to proceed with the community consultation, agency referral and public exhibition of the Planning Proposal in accordance with the Gateway Determination as soon as possible.

Please contact the undersigned to discuss if required on 02 6889 9954.

Yours faithfully



Vas Roberts

**Director Corporate, Community
and Regulatory Services**



Australian Government
Civil Aviation Safety Authority

AIRSPACE AND AERODROME REGULATION

CASA Ref: F15/6699-63

13 April 2016

Mrs Vas Roberts
Director Corporate, Community & Regulatory Services
Narromine Shire Council
PO Box 115
Narromine NSW 2821

Dear Mrs Roberts,

Draft planning proposal for Narromine Aerodrome – change of zoning

Thank you for the opportunity to comment on the draft planning proposal for Narromine Aerodrome to change the zoning of a 22.8 hectare site of the 322 hectare aerodrome.

You advised the proposal is to change from the current zoning of SP2 (airport facilities) to SP1 Special Activities (Business Premises, Residential, Tourist and Visitor Accommodation, Incidental with Aviation).

The document states that buildings on the rezoned site will remain 'below the height limitations', which we assume is a reference to the Obstacle Limitation Surfaces (OLS) for the aerodrome. It also states that further consultation with CASA will be held during the exhibition period and any specific controls required will be incorporated into Council's Development Control Plan.

CASA has not identified any safety concerns based on the material provided to date. However, we understand that part of the site is close to the threshold of RWY 04/22. CASA would be therefore be pleased to engage with Council during the exhibition period to consider the detail of the proposal.

CASA recommends that prior to the exhibition period, Council should refer to the National Airports Safeguarding Framework (NASF) Guidelines relating to:

- building generated windshear and turbulence;
- wildlife strikes;
- distractions from lighting; and
- intrusions into protected airspace.

Please call me on 131757 if you have any questions.

Yours sincerely,

Dilip Mathew
Manager Aerodromes