

File: MW 15.001
Date: 23 November 2015

Mr A Albury
Department of Planning and Environment
PO Box 58
DUBBO NSW 2830

Dear Mr Albury,

Re: Planning Proposal 04/2014: Change zoning of Narromine Aerodrome from SP2 to SP1

In accordance with section 56(1) of the Environmental Planning and Assessment Act 1979, Council now forwards to the Department of Planning and Environment the abovementioned Planning Proposal for a gateway determination by the Minister or delegate.

Planning Proposal 03/2014 intends to change the zoning at the Narromine Aerodrome from SP2 to SP1 to allow a greater range of permissible uses on the site whilst still reinforcing the core role of this precinct, being a recreational/commercial Aerodrome. This planning proposal is the result of lengthy discussions between Council, the Narromine Aerodrome Users and stakeholders and Council's Consultant, Stephen Fletcher and Associates.

Council is requesting to use the plan making powers previously delegated to Council for this LEP amendment to make the plan following public exhibition.

Please find the following **enclosed** documents to accompany the planning proposal:

1. Planning Proposal and associated attachments
2. Report and resolution in relation to this item to Council's ordinary meeting on 11 November 2015
3. Evaluation Criteria for the delegation of plan making functions

Please contact the undersigned if you require any further information regarding this matter.

Yours faithfully,



Melissa Ward
Manager of Planning

8. PLANNING PROPOSAL 04/2014: REZONE AERODROME SITE FROM SP2 TO SP1, INITIAL GATEWAY REQUEST (Cont'd) (File No. 15.001)

Background

Council instigated Planning Proposal 04/2014 in July 2014 with expressions of interest sent to relevant planning consultants to prepare the Planning Proposal. Stephen Fletcher of Stephen Fletcher and Associates was engaged to prepare Council's proposal. From here, consultations were held with Council and Aerodrome stakeholders in early 2015 to finetune the direction of the rezoning proposal which involved changing the future zone from B4 to SP1. This change was put into effect by a Council resolution on 12 November 2014 as follows:

1. That Council amend the Narromine Aerodrome Strategic and Master Plan in accordance with the annotations made to the document attached to the report;
2. That Council draft a planning proposal to rezone part of the Narromine Aerodrome to include an SP1 Special Activities zone, which permits development for the purposes of Business Premises, Residential, Tourist and Visitor Accommodation, Incidental with Aviation.

Council's consultant endured a period of illness in the middle months of 2015, hence the delays in submission of the planning proposal to Council.

Attachment No 3 shows the final planning proposal and related plans.

Issues

Consultation with Aerodrome stakeholders and Council in November/December 2014 and March 2015 identified a number of issues with future uses at the Aerodrome. The most valuable feedback was transformed into changes recommended in this current proposal, including a change from the initial B4 Business zoning to SP1 as resolved in December 2014.

Main points raised:

- Protection of aviation related businesses
 - Providing for hangars and aircraft maintenance facilities
 - Ensure permissible uses complement one another
 - Ensure access to taxiways is available
 - Ensure the OLS (Obstacle Limitation Surface) is maintained
 - Adequate buffer zones from adjoining hazardous uses to be provided
- Although the above list is not exhaustive, these are the points which have zoning and land use implications relevant to this stage of the process, hence why they are reproduced here.

**8. PLANNING PROPOSAL 04/2014: REZONE AERODROME SITE FROM SP2 TO SP1,
INITIAL GATEWAY REQUEST (Cont'd) (File No. 15.001)**

Assessment

(a) Legal Implications Including Directives and Guidelines

As this rezoning application has to follow a legal process in amending the LEP, no adverse implications are envisaged.

(b) Financial Implications/Considerations

Planning proposals are usually a fee-for-service where Council charges applicants fees for the work involved. As this proposal has been directed by Council, costs incurred by consultants have been covered in allocated budgets for consultancies. There will be future costs involved with any proposal by Council for subdivision at the Aerodrome following this rezoning. This will be a matter for Council to decide upon in future budgets and delivery programs.

(c) Policy Provisions – Council Policy and Practice

The only Council Policy put into practice with this amendment of the LEP is the Flood Policy. The Flood Policy relates to most lots with close proximity to the town and river and any developments resulting from this proposal would be required to comply with this policy.

In addition to the Flood Policy is a requirement for Council to consider flooding specific to this site when a rezoning is proposed. Lyall and Associates have been engaged and provided this Flood Investigation, which is shown in **Attachment No 4**

This flood investigation describes floodwaters entering this site in a 1% event from the Town Cowal and the Macquarie River via the Warren Road area. Depths of flow are between 100mm and 400mm with low flow velocities. Impacts on flooding behaviour for the remainder of the Aerodrome (post-development of the hangar lots) are most noticeable on the southern boundary of the Aerodrome in the range of 100-200mm. This is not considered excessive and should not preclude the development of this precinct. This is expanded upon in the Planning Proposal attachment.

(d) Strategic Implications – Implications for Long Term Plans/Targets

In December 2013 Council adopted the Narromine Aerodrome Strategic and Master plan which was a revision of the prior two Aerodrome Strategies. Community consultation carried out for this Planning Proposal has identified some conflicting intentions for the Plan and as such, the Aerodrome Strategic and Master plan has been amended to incorporate the intent of this Planning Proposal and the future direction for the Aerodrome.

8. PLANNING PROPOSAL 04/2014: REZONE AERODROME SITE FROM SP2 TO SP1, INITIAL GATEWAY REQUEST (Cont'd) (File No. 15.001)

The major changes for the Master plan involve removing references to a new B4 Mixed Use zone and IN1 General Industrial zone as this was not considered appropriate or incidental to the major use of this site as an Aerodrome. The changes to the Aerodrome Master plan have been reported to this same meeting and it is hoped the changes can be exhibited at the same time as or prior to this Planning Proposal. It is therefore intended that the information contained in this Planning Proposal will mirror the recommendations of the Aerodrome Strategic & Master plan.

Other implications for long term targets include:

- This Planning Proposal will allow a more varied use of land associated with Aviation at the Aerodrome, including support-businesses and visitor and tourism-related operators
- This proposal will support employment opportunities with businesses compatible with the Aerodrome able to establish, fostering opportunities for local flow-on effects (Action 13.4.1 of Sub-Regional Land Use Strategy 2009)
- This proposal is a direct result of Outcome E2.2.4 of the Council's adopted Delivery Program, being 'Maintain aerodrome infrastructure to increase viability and sustainability of aerodrome operations'.

(e) Options

Council has the options of supporting or not supporting this proposal. Given the extensive community consultation and work carried out on this proposal to date, it is recommended that this proposal be supported for submission to the gateway.

Discussion/Comments

The current SP2 zoning at the Aerodrome lacks flexibility in controls to allow for appropriate new business, tourist and incidental residential developments. The proposed SP1 zoning will allow for such new developments and expansions of existing businesses to occur where they are incidental to the core focus for this precinct, being an Aerodrome.

A division of the vote is required to be called whenever a motion for a planning decision is put at a meeting of the Council –Section 375A of the Local Government Act.

That Council support Planning Proposal 04/2014 and forward all relevant documents to the Department of Planning and Environment requesting a gateway determination.

CORPORATE, COMMUNITY AND REGULATORY SERVICES REPORT (Cont)**5. NSW WEEDS ACTION PLAN 1520 (File No. 98.012)**

RESOLVED Crs Ellis/Davies that Council write to the Hon Niall Blair MLC and the Local Member Hon Troy Grant to express Council's concerns in regard to the reduction of funding, not only on Council's Noxious Weeds operations but also on Council's obligations under the Noxious Weeds Act.

2015/316**6. NSW IN-HOME CHILD CARE SERVICES (File No. 94.044)**

RESOLVED Crs Lambert/McCutcheon that the information be noted.

2015/317**7. NARROMINE AERODROME STRATEGIC AND MASTER PLAN: REVIEW (File No. 12.029)**

RESOLVED Crs Lambert/Carney that Council:

1. Adopt the Narromine Aerodrome Strategic and Master Plan 2013 as revised, and
2. Place the Master Plan on public exhibition for 28 days prior to reporting back to Council for final adoption.

A Division of the vote was called.

The vote for the motion was unanimous.

There were no votes against the motion.

2015/318**8. PLANNING PROPOSAL 04/2014: REZONE AERODROME SITE FROM SP2 TO SP1, INITIAL GATEWAY REQUEST (File No. 15.001)**

RESOLVED Crs Lambert/McCutcheon that Council support Planning Proposal 04/2014 and forward all relevant documents to the Department of Planning and Environment requesting a gateway determination.

A Division of the vote was called.

The vote for the motion was unanimous.

There were no votes against the motion.

2015/319**9. REVOTE OF BUDGET FUNDS (File No. 11.006)**

RESOLVED Crs Lambert/Collins that Council revote \$3,000 from the economic development funds budget to capital works to purchase a portable shade shelter for Council events.

2015/320

Request for Initial Gateway Determination

Relevant Planning Authority Details

Name of Relevant Planning Authority: Narromine Shire Council
Contact Person: Melissa Ward
Contact Phone and Email: P: 6889 9954
E: mward@narromine.nsw.gov.au

Planning Proposal Details - Attachments

1. **LAND INVOLVED**
Lot 44 DP 1209533, Mitchell Highway, Narromine
2. **MAPS**
Location map showing the land affected by the proposed draft plan in the context of the LGA

Existing zoning map showing the existing zoning of the site and surrounding land and proposed zoning change for the site/s
3. **PHOTOS and other visual material**
Aerial photos of land affected by the Planning Proposal
Photos of land involved and surrounding land uses
4. **COMPLETE PLANNING PROPOSAL**
5. **PLANNING PROPOSAL HAS BEEN SUPPORTED BY COUNCIL**
Council has considered the written planning proposal prior to sending it to the Department of Planning
Council has resolved to send the written planning proposal to the Department of Planning

Signed for and on behalf of the Relevant Planning Authority



DATE 23 November 2015

ATTACHMENT 4 – EVALUATION CRITERIA FOR THE DELEGATION OF PLAN MAKING FUNCTIONS

Checklist for the review of a request for delegation of plan making functions to councils

Local Government Area:Narromine Shire Council

Name of draft LEP:03/2014

Address of Land (if applicable): Lot 44 DP 1209533, Narromine Aerodrome, Mitchell Highway. Narromine

Intent of draft LEP: Rezone Lot 44 DP 1209533 from SP2 to SP1

Additional Supporting Points/Information: See enclosed documentation

Evaluation criteria for the issuing of an Authorisation (Note: where the matter is identified as relevant and the requirement has not been met, council is attach information to explain why the matter has not been addressed)	Council response		Department assessment	
	Y/N	Not relevant	Agree	Not agree
Is the planning proposal consistent with the Standard Instrument Order, 2006?	Yes			
Does the planning proposal contain an adequate explanation of the intent, objectives, and intended outcome of the proposed amendment?	Yes			
Are appropriate maps included to identify the location of the site and the intent of the amendment?	Yes			
Does the planning proposal contain details related to proposed consultation?	Yes			
Is the planning proposal compatible with an endorsed regional or sub-regional planning strategy or a local strategy endorsed by the Director-General?	Yes - Sub-Regional Land Use Strategy			
Does the planning proposal adequately address any consistency with all relevant S117 Planning Directions?	Yes - in planning proposal			
Is the planning proposal consistent with all relevant State Environmental Planning Policies (SEPPs)?	Yes - in planning proposal			
Minor Mapping Error Amendments	Y/N			
Does the planning proposal seek to address a minor mapping error and contain all appropriate maps that clearly identify the error and the manner in which the error will be addressed?		N/A		
Heritage LEPs	Y/N			
Does the planning proposal seek to add or remove a local heritage item and is it supported by a strategy/study endorsed by the Heritage Office?	No			
Does the planning proposal include another form of endorsement or support from the Heritage Office if there is no supporting strategy/study?	No, however as the site is heritage listed, the LEP heritage provisions			

	remain the same and any changes to currently listed buildings on site will be subject to heritage assessment.			
Does the planning proposal potentially impact on an item of State Heritage Significance and if so, have the views of the Heritage Office been obtained?		N/A		
Reclassifications	Y/N			
Is there an associated spot rezoning with the reclassification?	Yes			
If yes to the above, is the rezoning consistent with an endorsed Plan of Management (POM) or strategy?	Yes - the proposal is congruous with the recently adopted Narromine Aerodrome Strategic and Master Plan			
Is the planning proposal proposed to rectify an anomaly in a classification?	No			
Will the planning proposal be consistent with an adopted POM or other strategy related to the site?	Yes - the Aerodromes Draft Asset Management Plan 2015			
Will the draft LEP discharge any interests in public land under section 30 of the Local Government Act, 1993?	No			
If so, has council identified all interests; whether any rights or interests will be extinguished; any trusts and covenants relevant to the site; and, included a copy of the title with the planning proposal?		N/A		
Has the council identified that it will exhibit the planning proposal in accordance with the department's Practice Note (PN 09-003) Classification and reclassification of public land through a local environmental plan and Best	Yes			

Practice Guideline for LEPs and Council Land?				
Has council acknowledged in its planning proposal that a Public Hearing will be required and agreed to hold one as part of its documentation?	Yes			
Spot Rezoning	Y/N			
Will the proposal result in a loss of development potential for the site (ie reduced FSR or building height) that is not supported by an endorsed strategy?		No		
Is the rezoning intended to address an anomaly that has been identified following the conversion of a principal LEP into a Standard Instrument LEP format?		No		
Will the planning proposal deal with a previously deferred matter in an existing LEP and if so, does it provide enough information to explain how the issue that lead to the deferral has been addressed?		No		
If yes, does the planning proposal contain sufficient documented justification to enable the matter to proceed?	N/A			
Does the planning proposal create an exception to a mapped development standard?		No		
Section 73A matters				
Does the proposed instrument a. correct an obvious error in the principal instrument consisting of a misdescription, the inconsistent numbering of provisions, a wrong cross-reference, a spelling error, a grammatical mistake, the insertion of obviously missing words, the removal of obviously unnecessary words or a formatting error?; b. address matters in the principal instrument that are of a consequential, transitional, machinery or other minor nature?; or c. deal with matters that do not warrant compliance with the conditions precedent for the making of the instrument because they will not have any significant adverse impact on the environment or adjoining land? (NOTE – the Minister (or Delegate) will need to form an Opinion under section 73(A)(1)(c) of the Act in order for a matter in this category to proceed).		No		

NOTES