

Narromine Airport - rezone from SP2 to part zone SP1 to permit certain uses incidental to airport

Proposal Title :	Narromine Airport - rezone from SP2 to part zone SP1 to permit certain uses incidental to airport		
Proposal Summary :	To rezone part of Narromine airport to SP1 Special Activities to permit certain uses incidental with aviation. To amend Narromine Local Environmental Plan 2011 – Rezone part of lot 44 DP 1209533 to land zone SP1 Special Activity (Business Premises, Residential and Tourist and Visitor Accommodation incidental to Aviation). This involves inserting an SP1 Special Activity (Business Premises, Residential and Tourist and Visitor Accommodation incidental to Aviation) land use table into the Local Environmental Plan and amend maps to reflect the portion of land being rezoned as well as amend all map sheet legends to reflect the addition of the zone SP1 Special Activity.		
PP Number :	PP_2015_NARRO_006_00	Dop File No :	15/17162

Proposal Details

Date Planning Proposal Received :	27-Nov-2015	LGA covered :	Narromine
Region :	Western	RPA :	Narromine Shire Council
State Electorate :	DUBBO	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	Mitchell Highway		
Suburb :	City :	Postcode :	2821
Land Parcel :	Part Lot 44 DP 1209533 - currently zoned SP2 Air transport facilities		

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DoP Planning Officer Contact Details

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Land Release Data

Growth Centre :	N/A	Release Area Name :	
Regional / Sub Regional Strategy :	N/A	Consistent with Strategy :	Yes
MDP Number :		Date of Release :	
Area of Release (Ha) :	22.80	Type of Release (eg Residential / Employment land) :	Both
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment : **No known non compliance with Code of conduct**

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment : **NO known meetings**

Supporting notes

Internal Supporting Notes : **Narromine airport is an important recreational aviation facility to Narromine, the region, State and has international status. Council's intention is to permit incidental uses to enhance the facility and to attract and keep people in Narromine. While the intent is supported there is concern regarding the potential for leakage of business and industrial uses from Narromine existing business and industrial areas. This concern has been raised with Council in a meeting on 16 December 2015. It is considered that these concerns can be addressed prior to community consultation.**

External Supporting Notes :

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Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : The statement of objectives states the intent of the planning proposal is to allow for a range of uses to facilitate and compliment development that is in keeping with special characteristics of the Narromine Airport. The range of uses identified includes; Business Premises, Residential, Tourist and Visitor Accommodation, incidental with Aviation.

Given the proposed land uses must be ancillary to aviation, rather than air transport facilities, subdivision of land is permitted.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : The intent of the planning proposal is proposed to be achieved by amending the Narromine Local Environmental Plan 2011 to include a SP1 Special Activity zone and Land Use Table to reflect the proposed zoning change. The intent is to permit with consent the following land uses; Business Premises, Residential, Tourist and Visitor Accommodation incidental with Aviation. These land uses are to be reflected in the purpose of the SP1 Land Use zone as annotated on the Land Zoning Map.

This is consistent with the mechanism used elsewhere.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

2.3 Heritage Conservation

* May need the Director General's agreement

3.1 Residential Zones

3.5 Development Near Licensed Aerodromes

4.3 Flood Prone Land

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 :

d) Which SEPPs have the RPA identified?

e) List any other matters that need to be considered :

1.1 Business and Industrial Zones: This Ministerial Direction applies to planning proposals that propose to affect land within an existing or proposed business or industrial zone. While the amendment proposes to allow for business premises, that are incidental to Aviation, the mechanism to allow for this land use relies on the specified purpose of a zone SP1 Special Activity. The amendment does not propose or amend any business or industrial zoned land. Therefore this Ministerial Direction is not relevant to the proposed amendment.

2.3 Heritage Conservation: Ministerial Direction is relevant as the Narromine Aerodrome, item 14, is listed as an item of environmental heritage under schedule 5 of the Narromine Local Environmental Plan 2011. The planning proposal states that development controls will be incorporated into the Narromine Shire Council DCP 2011. The development controls will address design standards aimed at protecting the heritage significance of the site. The proposed heritage controls include:

- Heritage management document or a heritage conservation management plan are to be prepared for any proposed alterations to the fabric of current heritage buildings;
- Design controls specifying building form, scale and materials for any infill development within the curtilage of the heritage items or immediately adjoining;
- Controls relating to external building colours and signage, and
- Heritage impact assessments to be required for infill developments where Council deems the development to potentially impact upon the heritage significance of the site.

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An Aboriginal heritage Information Management System search has been carried out and an Aboriginal heritage item, scared tree was identified. While the item is located on the subject lot, it is not on the portion of land which is subject to the planning proposal.

The proposal does not affect the heritage provisions in the LEP and is therefore consistent with this Direction.

3.1 Residential Zones: This Ministerial Direction applies to planning proposals that propose to affect land within an existing or proposed residential zone. While the amendment proposes to allow for residential land uses incidental to Aviation, the mechanism to allow for this land use relies on the zone SP1 Special Activities nominated purpose. The amendment does not propose or amend any residential zoned land. Therefore this Ministerial Direction is not relevant to the proposed amendment.

3.5 Development Near Licenced Aerodromes: While this Ministerial Direction does not apply to the proposal as the Narromine Airport is registered and not licenced. There is concern however about the impact on height limitations and noise impacts on the proposed development. Therefore Council is to address these issues and consult with the aviation authorities prior to community consultation.

4.3 Flood Prone Land: This Ministerial Direction applies to the planning proposal as it proposes to alter zones on flood prone land. The planning proposal is inconsistent with this Direction as the subject land is mapped as being in a flood planning area. Flooding investigation findings have been provided with the planning proposal which demonstrates that the subject site is not within the flood planning area and that the proposed amendment will not result in any significant flooding impact on any adjoining land. Additionally, the planning proposal is in accordance with the Narromine Floodplain Risk Management Study and Plan 2009. The Acting General Manager Western Region can be satisfied that this inconsistency has been adequately addresses and is of minor significance.

SEPP (Infrastructure) 2007: This SEPP is applicable given the site contains an existing Air Transport Facility. The proposed land uses must be incidental to aviation, and therefore the Air transport related provisions of the SEPP do not apply. This in effect allows for the anticipated future subdivision of the subject site.

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain : **Given residential and hotels/motels land uses are being proposed in the vicinity of the airport, noise and OLS impacts must be considered.**

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **The planning proposal seeks to rezone part of lot 44 DP 1209533 from land zone SP2 Infrastructure to SP1 Special Activities (Business Premises, Residential, Tourist and Visitor Accommodation incidental with Aviation). Suitable site identification maps have been provided sufficient for the purpose of community consultation. The Gateway determination requires Council to provide satisfactory maps in accordance with the Departments 'Standard Technical Requirements for LEP maps' at section 59 stage.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council's proposed community consultation is acceptable. Council intends to publicly exhibit the planning proposal for a period of 28 days.**

Council proposes community consultation that will include notification in the local

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media, details on Council's website and letters to the adjoining property owners.

Any advice provided by the aviation authorities on the planning proposal, as required by the Gateway determination, must be made available during community consultation.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons : The planning proposal is adequate in the information provided to allow for a conditional Gateway determination to be issued. The Gateway determination will require Council to provide additional information with regards to noise and OLS impacts and to clarify the proposed uses and how Council will address incidental uses to aviation.

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Narromine LEP 2011 was notified on 9 December 2011**

Assessment Criteria

Need for planning proposal : The planning proposal is required to allow for the proposed land uses, which includes the inclusion of a new land use zone, SP1 Special Activities, and amending the land zoning map for the subject site.

Consistency with strategic planning framework : The planning proposal is consistent with the Narromine Aerodrome Strategic & Master Plan 2015. Specifically the Master Plan identifies the opportunity for mixed use development of the site. Additional support strategic studies have been carried out including:

- Flood Investigation assessment
- Detailed Site Investigation (Contaminated Land Assessment)
- Assessment of availability of water and sewer supply
- Narromine Aerodrome Stormwater Drainage Strategy
- Heritage assessment of Narromine Aerodrome
- Traffic Impact Assessment.

The proposal is also consistent with the approved Western Council Land Use Strategy.

Environmental social economic impacts : The planning proposal will allow for opportunity to meet demand for additional commercial businesses and accommodation uses incidental to aviation that will enhance future employment opportunities and creating economic growth.

It is not expected that any negative impacts will occur on the adjoining Skypark residential area or the rural residential properties located on Warren Road. The planning proposal states that the DCP will be amended to provide additional development controls relating to such aspects as emissions, lighting, noise, operational hours access and parking and set guidelines for assessing incidental use.

There is no known adverse social impacts are expected to result from the planning proposal.

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Assessment Process

Proposal type : **Consistent** Community Consultation Period : **28 Days**

Timeframe to make LEP : **12 months** Delegation : **Nil**

Public Authority Consultation - 56(2)(d) : **Office of Environment and Heritage - NSW National Parks and Wildlife Service**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Noise and OLS impacts after consultation with the aviation authorities

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
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Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **2.3 Heritage Conservation**
3.1 Residential Zones
3.5 Development Near Licensed Aerodromes
4.3 Flood Prone Land

Additional Information : **1. Prior to undertaking community consultation Council is to submit the following information to the Department of Planning and Environment for approval;**

- o Clarify the land uses being sought for the proposed site.**
- o Details of 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.**
- o Details of consultation with the Civil Aviation Safety Authority and National Airports**

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Safeguarding Advisory Group with regard to the Obstacle Limitation Surface and noise impacts.

- o Detail of the proposed tenure and the intention for the subdivision of the land.

2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 as follows:

(a) the planning proposal must be made publicly available for a minimum of 28 days as described in A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013; and

(b) the relevant planning 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 section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).

3. Consultation is required with the following State Agencies under Section 56 (2)(d) of the EP&A Act and/or to comply with the requirements of relevant section 117 Directions:

- (a) Office of Environment and Heritage,
- (b) Roads and Maritime Services.

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 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 56(2)(e) of the Environmental Planning and Assessment Act, 1979. 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. Prior to submission of the planning proposal under section 59 of the Environmental Planning and Assessment act 1979, the LEP maps must be prepared and be compliant with the Department's 'Standard Technical Requirements for LEP maps'.

6. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

7. Council is not authorised to exercise delegation in this case.

Supporting Reasons :

The planning proposal will allow for opportunity to meet some demand for additional commercial businesses, and will enhance future employment opportunities and creating economic growth
Having regard to the history of the land and the Narromine Aerodrome Strategic & Master Plan recommendations, the proposal should proceed subject to the conditional Gateway determination.

Signature:



Printed Name:

Tim Collins

Date:

18/12/2015

endorsed
WJamsay 18/12/15
TKWR