



Planning Proposal No. 9

Rezone and alter lot size standards for part of 10541 New England Highway and 33-125 Saumarez Road, Armidale, and include additional permitted uses on parts of these properties

November 2017

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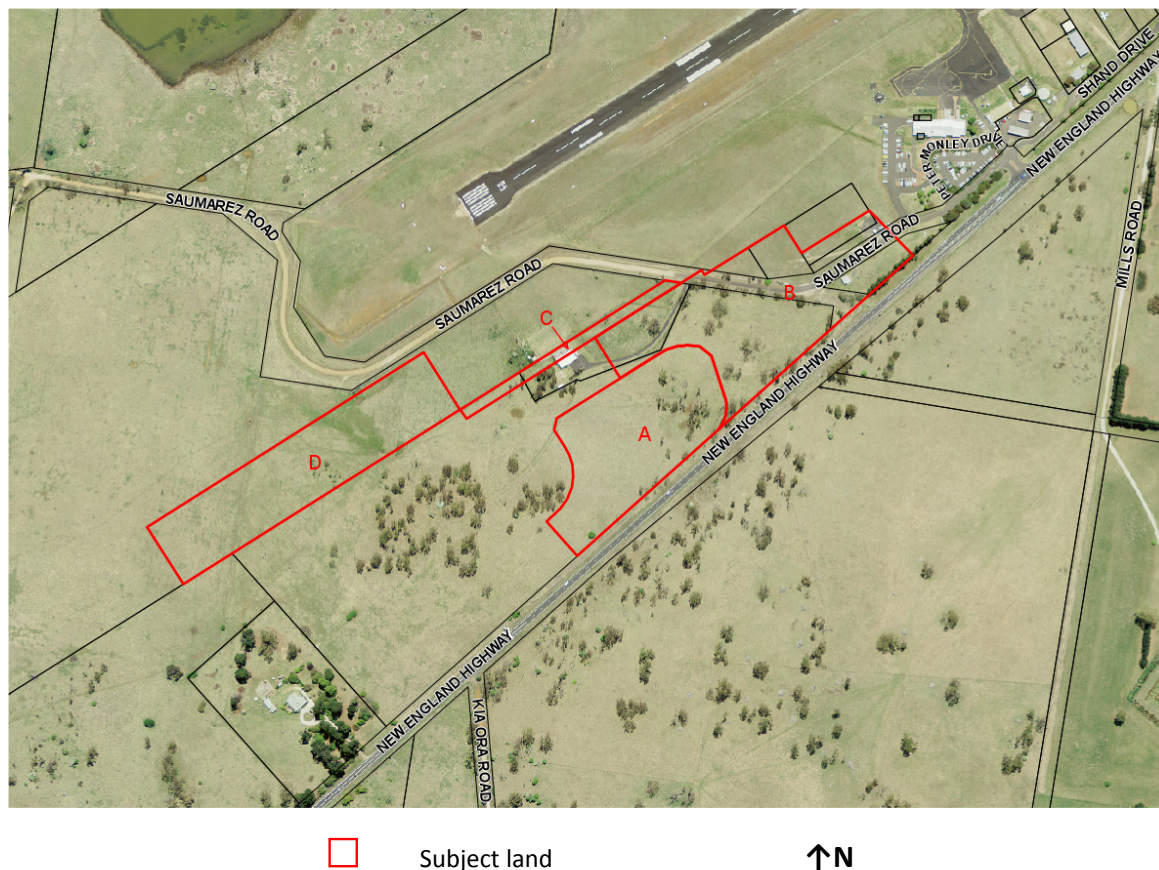
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INTRODUCTION

The Planning Proposal seeks to amend Armidale Dumaresq Local Environmental Plan 2012 (ADLEP 2012).

The land subject of the Planning Proposal is part of 10541 New England Highway and 33-125 Saumarez Road, Armidale, and is located south-west of the Armidale Regional Airport terminal and carpark. The land subject of the Planning Proposal is approximately 10.2 hectares and comprises four areas (A, B, C and D) as shown in Figure 1.

Figure 1: Land subject of Planning Proposal (aerial photograph, 2011-2012)



The subject land is part of a precinct that council's *Airport Regional Airport Master Plan* (December 2016) identified for future light industrial, business park and aviation related enterprises as well as services and activities to serve tourists and the travelling public, being a transport museums, tourist information kiosk and hotel or motel accommodation.

The precinct is subject of development application (DA-46-2017) for a 72 lot subdivision, which was granted consent by the Northern Joint Regional Planning Panel on 17 October 2017. The development application also includes construction of a new roundabout on the New England Highway and dedication of adjoining land to the south-west as environmental offset land. The approved subdivision plan for the precinct is shown in Figure 2.

While the approved subdivision complies with the planning controls in ADLEP 2012 and lots may be created, not all of the proposed future land uses as shown on the subdivision plan are currently permitted. At present land within the precinct may be developed for light industrial enterprises or airport related facilities and services. However, the proposed uses for the purpose of a business park, hotel or motel

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accommodation, or transport museum are currently not permitted. The approved plan also proposes to reconfigure some of the land within the precinct where light industrial and airport related developments will be able to be carried out. The purpose of the Planning Proposal is to amend ADLEP 2012 to facilitate future development of the land consistent with the *Armidale Regional Airport Masterplan* and the approved subdivision plan for DA-46-2017.

The property description, ownership and classification under the *Local Government Act 1993* of Areas A, B, C and D are shown in Table 1.

Table 1: Size, property description and ownership for land subject of the Planning Proposal.

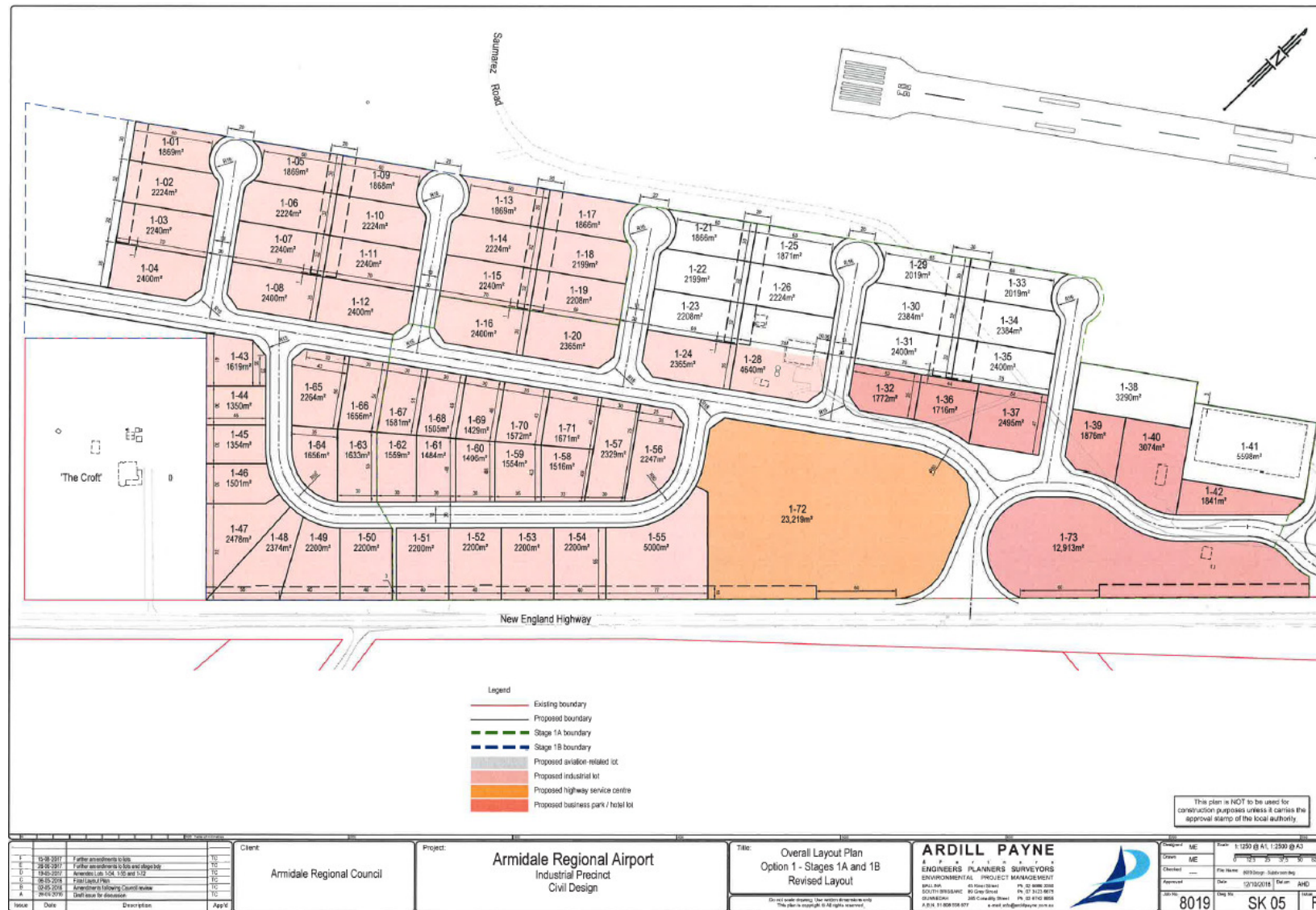
Area	Size (approx)	Property description	Ownership & classification
A	2.81 ha	Part Lot 2 DP 1198787 33-125 Saumarez Road, Armidale	Armidale Regional Council Operational
B	3.86 ha	Part Lot 1 and Lot 2 DP 1196697 Part Lot 1 and Part Lot 2 DP 1198787 33-125 Saumarez Road, Armidale 10541 New England Highway, Armidale	Armidale Regional Council Operational
C	0.38 ha	Part Lot 1 and Part Lot 2 DP 1198787 33-125 Saumarez Road, Armidale 10541 New England Highway, Armidale	Armidale Regional Council Operational
D	3.13 ha	Part Lot 19 DP 817347 33-125 Saumarez Road, Armidale	Armidale Regional Council Operational

All of the parcels in Table 1 are classified as Operational land under the *Local Government Act 1993* (LG Act), except for a crown public road located in Area B. Control of the road was formally transferred to council upon publication in the NSW Government Gazette on 11 August 2017. Since the transfer, council has commenced procedures to close the road and classify the land as Operational under the LG Act.

The land to be dedicated as environmental offset land, comprising Lot 3 DP 1198787 and Part Lot 21 DP 817347, 33-125 Saumarez Road, Armidale, is also owned by council and classified as Operational land under the LG Act.

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Figure 2. Subdivision layout – Airport Precinct (Development Application DA-46-2017)



PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The land subject of the Planning Proposal is on or next to Armidale Regional Airport, south of Armidale, as shown in Figure 1.

Four areas (A, B, C and D) make up the land subject of the Proposal. These areas are part of a larger precinct that has been identified in the *Armidale Regional Airport Masterplan* (2016) for light industrial, business park and aviation related enterprises as well as facilities and activities to serve the travelling public. The objective of the Planning Proposal is to amend Armidale Dumaesq LEP 2012 (ADLEP 2012) to enable future development of the precinct in accordance with the *Armidale Regional Airport Masterplan* (December 2016) and a subdivision plan for the precinct that has been granted development consent (DA-46-2017). The subdivision plan, which is shown in Figure 2, informs the proposed future uses and boundaries of the land subject of the Planning Proposal.

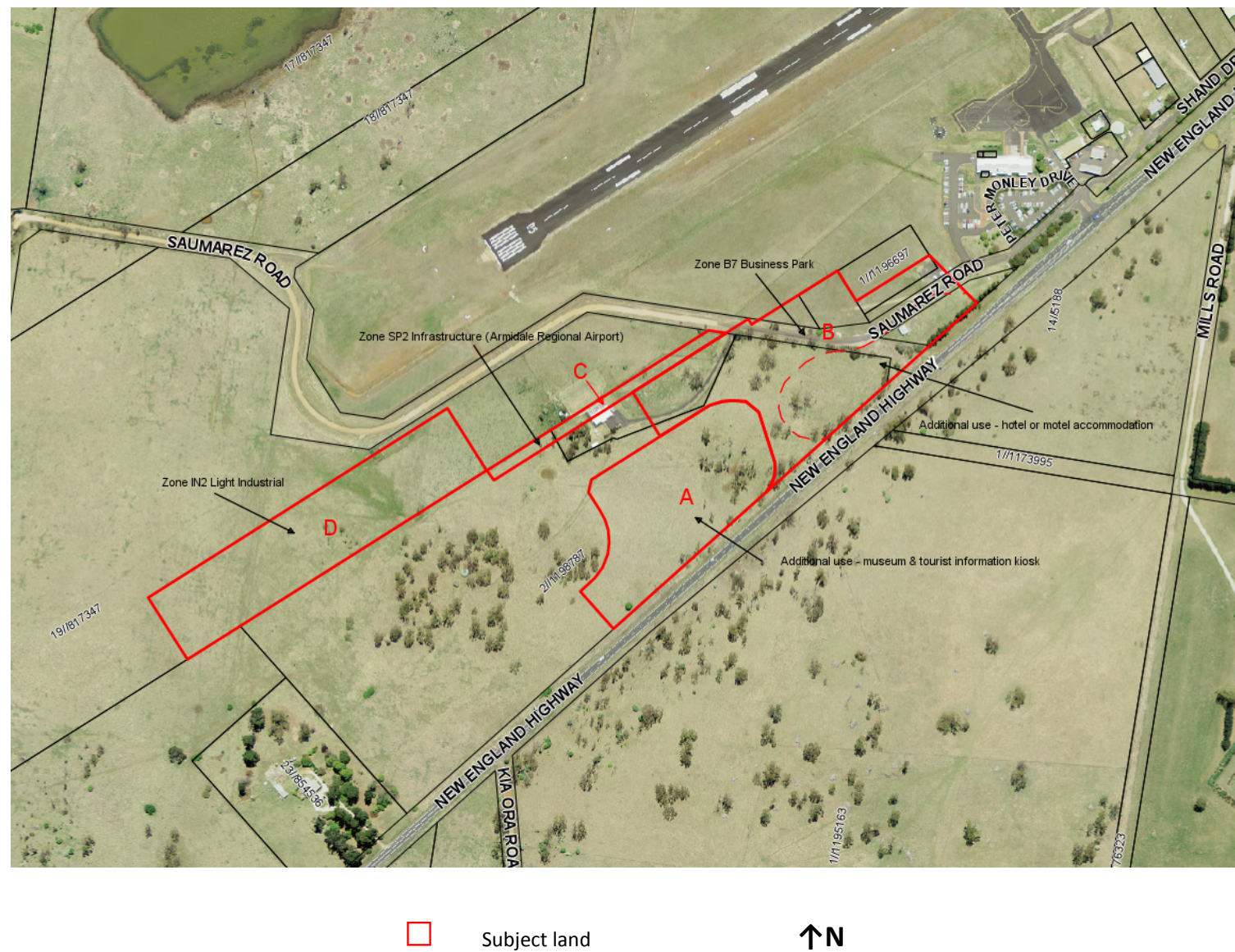
The intended outcomes for each area are:

- **Area A:** Light industrial type land uses are currently permitted on the land and the Planning Proposal seeks to allow additional permitted uses for the purposes of a transport museum and a tourist information kiosk. The Planning Proposal will enable a museum and visitor information kiosk to be developed within Area A along with light industrial developments currently permitted on the land.
- **Area B:** The land in Area B currently has a split zoning so that light industrial and airport related developments are permitted on different parts of the land. It is intended to rezone the land to permit a range of uses generally found in business parks and to allow an additional permitted use over part of Area B for the purpose of hotel or motel accommodation. The Planning Proposal will enable Area B to be developed as a business park, with part of it being able to be used for hotel or motel accommodation.
- **Area C:** Light industrial type land uses are currently permitted in Area C. It is intended to rezone this land to allow for airport related development, particularly given its proximity to the airport runway and other facilities.
- **Area D:** Airport related development is presently permitted on this land. It is proposed to rezone this land to allow light industrial development. Area D adjoins land along its south-eastern boundary that is already zoned for light industrial development. The Planning Proposal will enable Area D, which is no longer required exclusively for airport related land uses, to be developed as part of the light industrial area.

The proposed changes to Areas A, B, C and D are shown in Figure 3.

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Figure 3. Land subject of Planning Proposal – proposed changes



PART 2 - EXPLANATION OF PROVISIONS

The current zonings and minimum lot size (MLS) standards applying to Areas A, B, C and D under ADLEP 2012 are as follows:

- Area A: zoned IN2 Light Industrial with a MLS of 1,000m².
- Area B: zoned part IN2 Light Industrial and part SP2 Infrastructure (Air Transport Facility) with a MLS of 1,000m² applying to the land zoned IN2. No MLS applies to the land zoned SP2 Infrastructure.
- Area C: zoned IN2 Light Industrial with a MLS of 1,000m².
- Area D: zoned SP2 Infrastructure (Air Transport Facility) with no MLS.

The current land zonings and lot size standards under ADLEP 2012 are shown in Attachments 1 and 3, respectively.

The objectives of the Planning Proposal will be achieved by amending ADLEP 2012 as follows for each area subject of the proposal:

Area A

- Amending Schedule 1: Additional Permitted Uses by including the following:

5 Use of certain land in Zone IN2, Saumarez Road, Armidale

- (1) This clause applies to land in Armidale in Zone IN2 Light Industrial, identified as “Item 5” on the Additional Permitted Uses Map.
 - (2) Development for the purposes of information and education facilities is permitted with development consent.
- Amending the Additional Permitted Uses Map to include land in Area A and identifying the land as “Item 5” on the Map. The proposed change to the Additional Permitted Uses Map is shown in Attachment 5.

Area B

- Amending the Land Zoning Map by zoning the land B7 Business Park as shown in Attachment 2.
- Amending the Lot Size Map so that no lot size applies, as shown in Attachment 4.
- Amending Schedule 1: Additional Permitted Uses by including the following:

6 Use of certain land in Zone B7, Saumarez Road and New England Highway, Armidale

- (1) This clause applies to land in Armidale in Zone B7 Business Park, identified as “Item 6” on the Additional Permitted Uses Map.
 - (2) Development for the purposes of hotel or motel accommodation is permitted with development consent.
- Amending the Additional Permitted Uses Map to include certain land in Area B and identifying the land as “Item 6” on the Map. The proposed change to the Additional Permitted Uses Map is shown in Attachment 5.

Area C

- Amending the Land Zoning Map by zoning the land SP2 Infrastructure (Air Transport Facility) as shown in Attachment 2.

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- Amending the Lot Size Map so that no lot size applies, as shown in Attachment 4.

Area D

- Amending the Land Zoning Map by zoning the land IN2 Light Industrial as shown in Attachment 2.
- Amending the Lot Size Map by introducing a minimum lot size standard of 1,000m², as shown in Attachment 4.

PART 3 - JUSTIFICATION

Section A. Need for the planning proposal.

Q1. Is the planning proposal a result of any strategic study or report?

The Planning Proposal has been informed by the *Armidale Regional Airport Master Plan* (Armidale Regional Council, 2016), which was adopted by council on 20 December 2016.

The Master Plan notes (page 1) that “available land within the airport precinct presents an excellent opportunity to grow general aviation, the visitor economy and to drive economic development” and identifies a comprehensive upgrade of the airport terminal, apron, runway and vehicle parking as well as development projects aimed at driving economic and employment growth.

The proposed airport upgrades in the Master Plan do not require amendments to ADLEP 2012 as they are on land appropriately zoned for those purposes, i.e. SP2 Infrastructure (Airport Transport Facility). The development projects identified in the Master Plan to drive growth include providing fully serviced lots for business offices, commercial development, a highway service centre, a hotel/motel as well as for aviation related businesses requiring direct access to the main runway. Amendments to ADLEP 2012, as outlined in the Planning Proposal, will be required to implement projects identified by the Master Plan.

The Master Plan (page 8) includes a draft subdivision layout for land southwest of the airport terminal and carpark that identifies areas suitable for aviation related development, industrial lots, a business park, airport hotel, transport museum, highway service centre and a visitor information kiosk. Further details of the intended development of the precinct include (pages 10-11):

- a B6 zoning will allow development of an airport hotel, museum, highway service centre, visitor information kiosk and civil building precinct.
- the proposed ‘aviation related’ industrial lots are intended to accommodate aviation businesses that need access to the airport taxiways and main runway. These lots will have road and airside/taxiway access and it is anticipated they will be for aircraft operators as well as businesses such as airfreight, aircraft and engine maintenance, avionics, fuel sales, aircraft sales/acquisition and painting and upholstery.
- industrial lots will range in size from 1,540m² to more than 5,420m² and will suit any commercial or light industrial businesses
- a specialist ‘business park’ providing office accommodation and civil buildings, will also offer a more visually attractive entry to the Airport terminal area.

The draft subdivision layout in the Master Plan has since been refined and the final version (August 2017) is shown in Figure 2. A development application (DA-46-2017) for the subdivision was granted consent by the Northern Joint Regional Planning Panel on 17 October 2017.

The approved subdivision plan provides the boundaries for where different types of land uses will be located and consequently informs the proposed boundaries for the rezonings, alterations to lot size standards and additional permitted uses in the Planning Proposal. In relation to the suggested B6 Enterprise Corridor zone in the Master Plan, the B7 Business Park zone is considered to better reflect the character of the area envisaged by the Master Plan and has been included instead in the Planning Proposal (refer to Question 2 for further details).

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Alternative approaches to achieving the intended outcomes of the Planning Proposal were considered for each area as outlined below. After considering the alternative approaches, it was concluded that the Planning Proposal provides the best means of achieving the intended outcomes for Areas A, B, C and D.

Area A

It is proposed to retain the current IN2 zoning over Area A but allow 'information and education facilities' as an additional permitted use. The provision will enable a proposed transport museum and visitor information centre or kiosk to be located in Area A, preferably next to or in association with a highway service centre. An 'information and education facility' is defined under ADLEP 2012 as 'a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like'.

The alternative approaches considered were:

- Permitting with consent, information and education facilities in the land use table for IN2. The effect of this approach would be to permit information and education facilities on all land zoned IN2 within Armidale and its surrounds. This is not considered to be a desirable outcome as not all types of information and education facilities are likely to be compatible with light industrial uses, particularly in established industrial areas.
- Rezoning the land to a zoning where information and education facilities are permitted with consent under ADLEP 2012. The zones where these facilities are permitted are RU1 Primary Production, RU4 Primary Production Small Lots, RU5 Village, R1 General Residential, R2 Low Density Residential, R5 Large Lot Residential, B3 Commercial Core, B4 Mixed Use, B7 Business Park, RE1 Public Recreation, RE2 Private Recreation, E3 Environmental Management and E4 Environmental Living. Given the attributes of Area A, including its relatively small size, and the proximity of future light industrial land uses and airport operations, it is not considered appropriate to zone the land rural, residential, business (B3 or B4), recreation or environmental protection. The Planning Proposal zones Area B to B7. Zoning Area A to B7 to enable an information and education facility would provide an excess of B7 zoned land in the locality and not allow for any association with a future highway service centre, which is prohibited in the B7 zone.

Area B

It is proposed to zone Area B to B7 Business Park, remove any lot size standard applying to the land and allow hotel or motel accommodation as an additional permitted use over part of Area B.

Consideration was given to zoning Area B to B6 Enterprise Corridor, particularly as hotel or motel accommodation is a mandatory permitted use with consent in the B6 zone under the Standard (LEP) Instrument. However, the B7 zoning is considered to better reflect the intended outcomes for Area B than a B6 zoning for the following reasons:

- The Department of Planning *Practice Note PN 11-002: Preparing LEPs using the Standard Instrument: standard zones* provides an overview on the general purpose of each zone in the Standard LEP Instrument.

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For the B6 zone, the Practice Note indicates that the zone is generally intended to be applied to land where commercial (office, business and retail premises) or industrial development is to be encouraged along main roads and that some residential accommodation as part of a mixed use development may be included in the zone if considered appropriate. The intended purpose for land in Area B does not include residential development or a wide range of retail premises. While Area B adjoins the New England highway, development within the area will not have direct access to the highway.

The Practice Note indicates that the B7 zone is generally intended for land that primarily accommodates office and light industrial uses, including high technology industries, and that business parks perform vital economic and employment roles in a certain region. The zone permits a range of services that support the day-to-day needs of workers, and child care centres and neighbourhood shops are included in the mandatory permitted uses in the zone. While child care centres are permitted in the zone, they are permitted subject to consent and the suitability of such types of development in proximity to an airport would need to be evaluated should a development application be lodged. The Practice Note also advises that the B7 zone should mainly be used for larger campus-style business parks, not isolated office buildings. The proposed B7 zoning will apply to a small precinct that is likely to include some light industrial development - not isolated office buildings.

- The objectives of the B7 zone are more in keeping with the intended character of the area than the B6 zone. The objectives of the B7 zone focusses on providing a range of office and light industrial uses that encourage employment opportunities and provide facilities or services to meet the day to day needs of workers in the area. The objectives of the B6 zone include providing a range of retail uses but limiting retail activities in order to maintain the economic strengths of centres. It is not intended to have a range of retail uses in the airport precinct other than where they support the day to day needs of workers, eg take-away food and drink premises, or they are ancillary to a permitted use.
- As hotel or motel accommodation is prohibited in the B7 zone under ADLEP 2012 it is proposed to introduce an additional permitted use for hotel or motel accommodation over part of Area B. It is not considered appropriate to include hotel or motel accommodation as a permitted use with consent in the land use table for the B7 zone as this type of development would be permitted on all land zoned B7 under ADLEP 2012. This would include all land in Area B as well as land towards the University of New England on Madgwick Drive (refer to Question 4 for further details). The B7 zoned land on Madgwick Drive is not well located to serve the needs of the travelling public, eg it is not on a major road or in proximity to transport connections (eg airport, railway or bus stations).

Area C

It is proposed to zone Area C to SP2 Infrastructure (Air Transport Facility) and remove any lot size standard applying to the land.

Area C is part of the precinct that has been identified for aviation related uses and when subdivided will provide lots with both road and airside/taxiway access. Area C is currently zoned IN2 Light Industrial which allows for many of the uses that are anticipated for this area. However, not all light industries permitted in the IN2 zone would require airside/taxiway access. The proposed SP2 zoning seeks to protect the future specialised use of this land for aviation related uses. It is also considered appropriate not to have a lot size standard applying to the land as requirements may vary depending on the proposed use and any constraints associated with operation of the airport. All SP2 zoned land under ADLEP 2012, which is zoned for a range of

infrastructure purposes, does not have a lot size standard applying to it and the Planning Proposal is consistent with this general approach.

Area D

It is proposed to zone Area D to IN2 Light Industrial and to introduce a lot size standard of 1,000m².

Area D is proposed to be used for light industrial purposes and an IN2 zoning is considered the best means of achieving this objective. A MLS of 1,000m² applies to most land zoned IN2 under ADLEP 2012 and the Planning Proposal is consistent with the approach taken elsewhere with land zoned for these purposes.

Section B. Relationship to strategic planning framework.

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

The *New England North West Regional Plan 2036* (NSW Government, August 2017) will guide the NSW Government's land use planning priorities and decisions in the region up to 2036. The Plan provides an overarching framework to guide subsequent and more detailed land use plans, development proposals and infrastructure funding decisions.

The goals of the Regional Plan are:

1. A strong and dynamic regional economy
2. A healthy environment with pristine waterways
3. Strong infrastructure and transport networks for a connected future
4. Attractive and thriving communities.

For each goal the Regional Plan identifies directions and associated actions to assist in achieving the goal.

Table 2 identifies directions and actions in the Regional Plan that are directly relevant to the Planning Proposal and indicates whether the Proposal is considered to be compliant with the Plan. The following lists those directions or actions that the Planning Proposal is considered to be non-compliant with, all of which are considered to be justified for the reasons outlined in the respective comments:

- Action 3.2 Limit urban and rural residential development on important agricultural land, including mapped Biophysical Strategic Agricultural Land, unless it is in a strategy that is:
 - agreed between council and the Department of Planning and Environment; and
 - consistent with the guidelines for councils on important agricultural land.

Comment: Area D and part of Area C are within a larger area of land mapped as Biophysical Strategic Agricultural Land that extends north and west of the Airport. Both parcels are located in the airport precinct and their use based on the current and proposed zonings are for airport related or industrial uses. The Planning Proposal in effect is likely to have minimal, if any, impact on the agricultural productivity of Areas C and D.

- Action 9.1 Deliver precinct plans to provide a holistic vision and planning framework for the regional cities.

Comment: The Planning Proposal and the precinct as shown in Figure 5: *Armidale Regional City Growth Precincts* of the NENW Regional Plan differ as follows:

- The boundaries of the airport and industrial land vary slightly

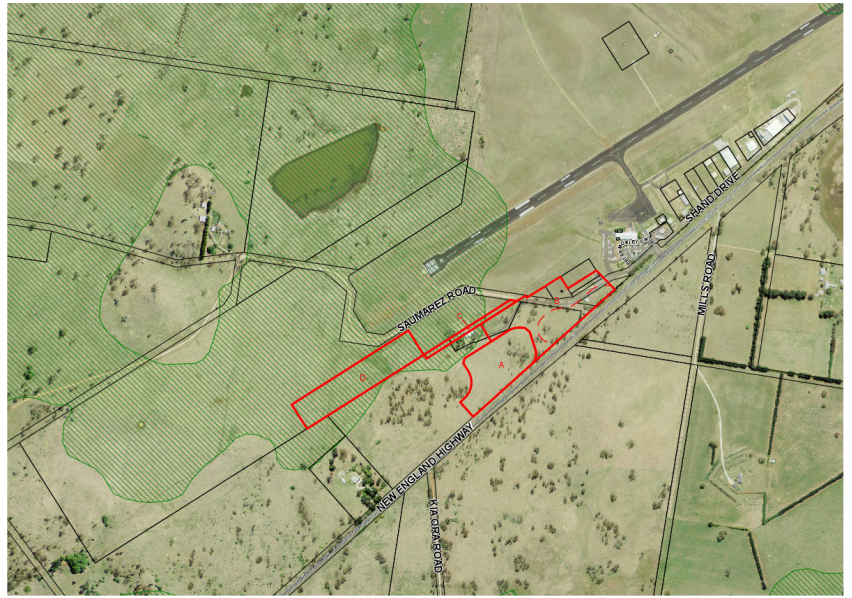
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- The Planning Proposal introduces a B7 business park zoning and additional uses for a transport museum and hotel or motel accommodation
- It is proposed to use much of the land south of the Airport precinct as a biodiversity offset area so this land will no longer be available for industrial or employment purposes.

The total area of land shown as industrial/employment area in Figure 5 of the Regional Plan and currently zoned IN2 is 66.6ha. The *Armidale Industrial Land Study* (AECgroup, 2013), which was endorsed by the Director-General of the Department of Planning and Infrastructure, estimated that 35.3ha of this land was useable. The effect of the Planning Proposal will be to decrease the supply of useable IN2 zoned land at the Airport Site by approximately 2.48ha or 7.0%. Furthermore, some of the IN2 zone will be rezoned to enable other employment related development, such as a business park and tourist attractions and facilities. For further details regarding the *Armidale Industrial Land Study* refer to the response to Question 4.

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Table 2. Compliance of Planning Proposal with New England North West Regional Plan 2036

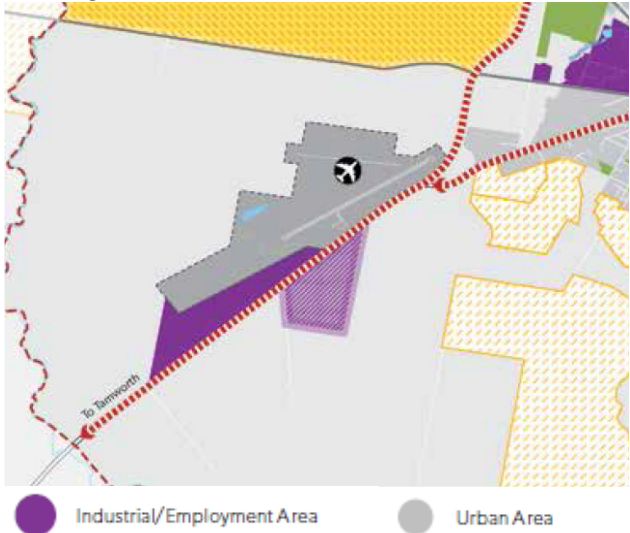
GOAL 1: A STRONG AND DYNAMIC REGIONAL ECONOMY			
Direction	Action	Compliance	Comments
1: Expand the agribusiness and food processing sectors	1.2 Promote the expansion of agribusiness and associated value-adding activities through local plans.	Yes	The Planning Proposal is consistent with encouraging agribusiness, in particular by facilitating transport and logistics activities in the airport precinct. The <i>Armidale Regional Airport Master Plan</i> notes (page 11) that the proposed aviation related lots with both road and airside/taxiway access will be suitable for activities such as airfreight operations. The growth in regional horticulture may see the export of such products directly into Asia (page 11). The location of transport and logistic activities in the airport precinct will assist in protecting these facilities from future land use conflict and encroachment of incompatible land uses.
2. Building agricultural productivity	2.3 Promote investment in the agricultural supply chain through local plans by protecting these assets from land use conflict and the encroachment of incompatible land uses.	Yes	
3. Protect and enhance productive agricultural lands	<p>3.2 Limit urban and rural residential development on important agricultural land, including mapped Biophysical Strategic Agricultural Land, unless it is in a strategy that is:</p> <ul style="list-style-type: none"> • agreed between council and the Department of Planning and Environment; and • consistent with the guidelines for councils on important agricultural land. 	No, but justified	<p>All of Area D and part of Area C in the Planning Proposal are mapped Biophysical Strategic Agricultural Land as shown (hatched) below.</p> 

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GOAL 1: A STRONG AND DYNAMIC REGIONAL ECONOMY			
Direction	Action	Compliance	Comments
3. Protect and enhance productive agricultural lands, <i>cont'd</i>	Action 3.2 , <i>cont'd</i>		Areas D and part C are part of a larger area of BSA land that extends north and west of the Airport. Both parcels are located in the airport precinct and their use based on the current and proposed zonings are for airport related or industrial uses. The Planning Proposal in effect is likely to have minimal, if any, impact on the agricultural productivity of Areas C and D.
	3.3 Manage the interface between important agricultural lands and other land uses by incorporating controls in local plans that manage compatibility between land uses, and undertaking land use conflict risk assessments where potential conflicts are identified through rezoning processes.	Yes	The location of Areas A, B, C and D between the New England Highway and Airport land reduces the likelihood of land use conflicts with agricultural activities in the locality which are predominantly grazing.
4. Sustainably manage mineral resources	<p>4.1 Consult with the NSW Division of Resources and Geoscience when assessing applications for land use changes (strategic land use planning, rezoning and planning proposals) and new developments or expansions.</p> <p>4.2 Protect areas of mineral and energy resource potential through local strategies and local environmental plans.</p>	Yes	<p>The Mineral Resources Audit of Armidale Dumaresq prepared by the Geological Survey of NSW (Division of Resources and Industry, NSW Trade and Investment) does not identify the subject land or land in the locality as having an identified or potential resource or being located in a buffer zone or transition area.</p> <p>NSW Trade and Investment – Resources & Energy were consulted on the <i>Armidale Industrial Land Study</i> in 2012 and advised that as the proposed industrial sites were urban, near urban or abut airport lands no significant issues arise that are of concern to their Mineral Resources Branch. A copy of the letter, dated 29 August 2012, is included in Attachment 6.</p>
6. Deliver new industries of the future	6.1 Encourage green industries by reviewing local plans to ensure land use zonings reflect industry requirements.	Yes	Future development of the airport precinct seeks to provide employment land for activities including high technology research and development activities with access to transport and freight corridors.

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GOAL 1: A STRONG AND DYNAMIC REGIONAL ECONOMY			
Direction	Action	Compliance	Comments
7. Build strong economic centres	7.1 Develop local growth management strategies and use local plans to reinforce regional cities and centres as the primary locations for commerce, housing, tourism, social activity and regional services.	Yes	The Planning Proposal is not consistent with the <i>Armidale Industrial Lands Study</i> (AECGroup, 2013) but the inconsistency is considered to of minor significance and therefore justified (refer to the response to Question 4 for details).
	7.5 Promote an appropriate mix of land uses and prevent the encroachment of sensitive uses on employment land through local planning controls.		Development of a precinct associated with the airport that provides for a business park as well as tourist facilities and attractions will assist in reinforcing Armidale as a regional city.
	7.6 Deliver an adequate supply of employment land through local growth management strategies and local environmental plans.		The landuse tables for the IN2, B7 and SP2 zones and provisions in ADLEP 2012 specifically relating to development in the airport buffer zone assist in preventing the encroachment of sensitive uses on employment land.
8. Expand tourism and visitor opportunities	8.1 Facilitate tourism and visitor accommodation and supporting land uses where appropriate through local growth management strategies and local plans.	Yes	The Planning Proposal will permit hotel or motel accommodation in Area B next to the proposed new entrance to the Airport off the New England Highway. Other land uses proposed in the <i>Armidale Regional Airport Master Plan</i> that will support tourism include a highway service centre and a car museum and visitor information kiosk. It is intended that the museum and kiosk will be located in Area A, possibly in association with a highway service centre.

GOAL 1: A STRONG AND DYNAMIC REGIONAL ECONOMY			
Direction	Action	Compliance	Comments
9. Coordinate growth in the cities of Armidale and Tamworth	9.1 Deliver precinct plans to provide a holistic vision and planning framework for the regional cities.	No, but justified	<p>Land subject of the Planning Proposal is part of an area shown in Figure 5: <i>Armidale Regional City Growth Precincts</i> of the Regional Plan (page 30), as being either in the urban (Airport) area or an industrial/employment area.</p> <p>Figure 5 – Armidale Regional City Growth Precincts of the New England North West Regional Plan 2036 - extract</p>  <p>The Planning Proposal and the precinct as shown in the Regional Plan differ as follows:</p> <ul style="list-style-type: none"> • The boundaries of the airport and industrial land vary slightly • The Planning Proposal introduces a B7 business park zoning and additional uses for a transport museum and hotel or motel accommodation • It is proposed to use much of the land south of the Airport precinct as a biodiversity offset area so this land will no longer be available for industrial or employment purposes.

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GOAL 1: A STRONG AND DYNAMIC REGIONAL ECONOMY			
Direction	Action	Compliance	Comments
9. Coordinate growth in the cities of Armidale and Tamworth, cont'd	9.1 Deliver precinct plans to provide a holistic vision and planning framework for the regional cities, <i>continued</i>		The differences between the Regional Plan and the Planning Proposal are considered to be of minor significance as overall there will be a decrease of 2.48 ha of IN2 zoned land in the precinct which represents a reduction of 7% of the developable land available. For further details refer to the response to Question 4 regarding the <i>Armidale Industrial Land Study</i> .
GOAL 2: A HEALTHY ENVIRONMENT WITH PRISTINE WATERWAYS			
Direction	Action	Compliance	Comments
10. Sustainably manage and conserve water resources	10.8 Ensure local plans manage water catchment areas and groundwater sources to avoid potential development impacts.	Yes	The land subject of the Planning Proposal does not comprise riparian land and is not in the vicinity of a watercourse.
11. Protect areas of potential high environmental value	11.1 Focus development to areas of least biodiversity sensitivity and implement the 'avoid, minimise, offset' hierarchy to biodiversity and areas of high environmental value.	Yes	The land subject of the Planning Proposal is not mapped as having high environmental value in the Regional Plan. However, endangered ecological communities are present on some of the land subject of the Planning Proposal and a biodiversity offset area is proposed on adjoining land south-west of the precinct (refer to the response to Question 7).
GOAL 3: STRONG INFRASTRUCTURE AND TRANSPORT NETWORKS FOR A CONNECTED FUTURE			
Direction	Action	Compliance	Comments
13. Expand emerging industries through freight and logistics connectivity	<p>13.1 Implement local planning controls to protect freight and logistics facilities from encroachment of sensitive land uses.</p> <p>13.4 Locate freight and logistics facilities to maximise existing infrastructure, support future industrial development and capitalise on inter-regional connections and external markets.</p>	Yes	<p>Given that the precinct is bound by the New England Highway and the airport, it is unlikely there will be any encroachment on freight and logistics facilities by sensitive land uses.</p> <p>Freight facilities in the airport precinct will maximise existing infrastructure, support future industrial development in the precinct and capitalise on inter-regional connections and external markets accessible by road and air transport.</p>

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GOAL 3: STRONG INFRASTRUCTURE AND TRANSPORT NETWORKS FOR A CONNECTED FUTURE			
Direction	Action	Compliance	Comments
14. Enhance transport and infrastructure networks	14.1 Protect freight and utility infrastructure and corridors through local plans and strategies to protect network opportunities and distribution from incompatible land uses or land fragmentation.	Yes	<p>The proposal, which is largely consistent with the <i>Armidale Industrial Land Study</i>, involves freight transport facilities.</p> <p>Land in the precinct:</p> <ul style="list-style-type: none"> • is relatively flat and free from physical constraints • does not adjoin an urban area or sensitive land uses where land use conflict may limit operations, and • is capable of being serviced by required infrastructure. <p>Access to the precinct from the New England Highway will be via a new roundabout. Proposed future uses in the precinct are not unduly sensitive to noise associated traffic on the New England Highway.</p>
	14.2 Minimise the impact of development on the regional and state road network and rail corridors by identifying buffer and mitigation measures.		
Direction	Action	Compliance	Comments
15. Facilitate air and public transport infrastructure	15.1 Promote aviation-related employment opportunities and precincts.	Yes	<p>The <i>Armidale Regional Airport Master Plan</i> identifies land adjoining the airport for airport-related lots which will have road and airside/taxiway access. It is anticipated the lots will be used for aircraft operators as well as businesses such as airfreight, aircraft and engine maintenance, avionics, fuel sales, aircraft sales/acquisition and painting and upholstery. The proposed rezoning of Area C in the Planning Proposal will allow development of this land for airport-related employment.</p> <p>Land subject of the Planning Proposal is within the Airport Buffer area under ADLEP 2012. The provisions for development of land within the buffer seek to ensure the effective and on-going operation of the airport. Other clauses in the ADLEP 2012 that restrict development that is likely to be incompatible with the ongoing operation of the airport relate to noise and height limitations (refer to response to Question 8).</p>
	15.2 Protect airports from the encroachment of incompatible development.		

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GOAL 3: STRONG INFRASTRUCTURE AND TRANSPORT NETWORKS FOR A CONNECTED FUTURE			
Direction	Action	Compliance	Comments
15. Facilitate air and public transport infrastructure	15.3 Provide public transport to major services and employment areas where the size of the urban area has the potential to generate sufficient demand.	Yes	Land subject of the Planning Proposal is located on the urban fringe, approximately 6km from the Armidale Central Business District. Access is available by road. There are no existing pedestrian or designated cycleway links to the precinct. A privately owned bus service runs along the New England Highway between Uralla and Armidale. Taxi services are available between the Airport and Armidale. The demand for improved bus services and a cycleway link as a result of the Planning Proposal is unlikely to be greater than the demand associated with the current IN2 and SP2 zonings of the land, particularly as some of the land is intended to be developed for use by the travelling public, eg highway service centre, transport museum and hotel or motel accommodation.
16. Coordinate infrastructure delivery	16.1 Undertake detailed infrastructure service planning to establish that land can be feasibly and economically serviced prior to rezoning.	Yes	Infrastructure such as reticulated water supply and sewerage systems, drainage, NBN, power, waste services and roads (including a roundabout on the New England Highway) have been or are capable of being provided to the land subject of Planning Proposal (refer to the response to Question 10 for further information).

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GOAL 4: ATTRACTIVE AND THRIVING COMMUNITIES			
Direction	Action	Compliance	Comments
17. Strengthen community resilience	<p>17.1 Develop local plans and economic strategies that:</p> <ul style="list-style-type: none"> raise the profile of the area and awareness of opportunities for employment, business development and quality of life; target opportunities for younger demographics; and foster collaboration with business sectors to develop employment opportunities that can attract and retain younger people and professional and skilled workers. 	Yes	<p>The Planning Proposal is consistent with the <i>Armidale Regional Airport Master Plan</i> which aims to grow general aviation, the visitor economy and to drive economic development.</p> <p>Council has prepared the <i>Draft Armidale Region Economic Development Strategy 2017-2025</i> (SC Lennon & Associates). The Draft Strategy capitalises on industry sectors which drive the Armidale Region's economy being: Agri-business, Tourism and Education. Four economic development strategy themes have been identified:</p> <ol style="list-style-type: none"> A region of choice for smart and sustainable agri-business A globally-connected 'knowledge region' A skilled workforce and dynamic regional business sector A premium regional visitor destination for tourism and events. <p>Priorities for implementation in the Draft Strategy that are directly relevant to the Planning Proposal and the Regional Plan include:</p> <ul style="list-style-type: none"> Facilitate partnerships between council and other key stakeholders to progress implementation of the <i>Armidale Regional Airport Master Plan</i> with a focus on development of the new and upgraded runway as a priority. Engage with major airlines to secure more flights to Armidale Prepare a business case for the Armidale Regional Airport Employment Precinct to accommodate light industry and secure funding for its development. Articulate and promote the Armidale Region's competitive advantages including its world-class communication infrastructure (the NBN), Armidale Regional Airport and its strategic location between Brisbane and Sydney. This information should feed directly into an investment attraction strategy and prospectus. Collaborate with the Armidale Region's service providers to review and assess ongoing initiatives to address youth and Indigenous youth unemployment and disengagement. In light of the review, prepare a regional strategy to renew and extend key initiatives using information acquired from the latest 'best practice' case studies.

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GOAL 4: ATTRACTIVE AND THRIVING COMMUNITIES			
Direction	Action	Compliance	Comments
23. Collaborate with Aboriginal communities to respect and protect Aboriginal culture and heritage	23.4 Undertake Aboriginal cultural heritage assessments to inform the design of planning and development proposals so that impacts to Aboriginal cultural heritage are avoided and appropriate heritage management mechanisms are identified.	Yes	<p>An <i>Aboriginal Cultural Heritage Site Assessment Report</i> (Cohen Cultural Consultancy, 2015) was undertaken for most of the precinct and included Area A, part Area B and Area C of the Planning Proposal. The assessment, which involved Armidale Aboriginal Elders surveying the land, concluded that there is no evidence remaining on the land of any sites or artefacts of significance to the Anaiwan (Nganyaywana) people of the Northern Tablelands of the New England Area or to the Gumbaynggirr Nation. The report recommended that when future ground disturbances are initiated, that Aboriginal community monitors be present to determine the significance of any Aboriginal sites or cultural artefacts found and that acknowledgement signage be erected for the traditional owners of the land.</p> <p>The Planning Proposal recommends that an Aboriginal cultural heritage assessment be undertaken for Area D, subject to a Gateway Determination (refer to the response to Question 8 for further information).</p>

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Q4. Is the planning proposal consistent with a Council's local strategy or other local strategic plan?

The *New England Development Strategy* (WorleyParsons, 2010) was prepared for Uralla Shire, Walcha and the former Armidale Dumaresq and Guyra Shire councils. The Strategy outlines key land use policies and principles for the council areas and provided the planning context for preparing Standard LEP Instruments for each local government area. The Strategy, which has a timeframe up to 2032, was adopted by the councils and endorsed by the Director-General of the Department of Planning and Infrastructure.

The *New England Development Strategy* (NEDS) includes zoning recommendations for the provision of industrial and commercial lands in Armidale.

Industrial lands

The NEDS (page 39) recommended that the findings and recommendations of the then commissioned *Armidale Bulky Goods Retail and Industrial Lands Study* (SGS Economics and Planning, 2010) be incorporated into Council's Draft Standard Instrument LEP.

The *Armidale Bulky Goods Retail and Industrial Lands Study* (SGS Economics and Planning, 2010) was subsequently replaced by the *Armidale Industrial Land Study* (AECgroup, 2013), which was adopted by Council and the Director-General of the Department of Planning and Infrastructure. The *Armidale Industrial Land Study* (AILS) recommended the following industrial zonings for land within Armidale in order to satisfy expected demand up to 2038.

Future Industrial Land Proposals, as approved by DP&I April 2013, (AILS, p.48)

Site	Size (ha)	Useable ¹ (ha)	Zoning
Airport Site	66.5ha	35.3ha	IN2
Airport East Site	53.6ha	53.6ha	IN2
West Armidale Expansion - West	19.3ha	3.4ha	IN2 ²
Existing West Armidale Precinct	Existing	Existing	IN2 ²
Acacia Park North Extension	TBD	TBD	IN1
Total	139.4ha	92.3ha	

¹ Preliminary estimate based on previous flood studies and topographical maps.

² With LEP provisions to allow for bulky goods retailing with consent.

Source: AECgroup

Part of the land subject of the Planning Proposal is within the 'Airport Site' identified in the AILS, as shown in Figure 4.

The Airport Site was zoned 4(b) Industrial (Highway) in Armidale Dumaresq LEP 2008 and given the equivalent zoning of IN2 in Council's Standard Instrument LEP (ADLEP 2012), consistent with the AILS recommendations.

The Planning Proposal is inconsistent with the AILS as it proposes to:

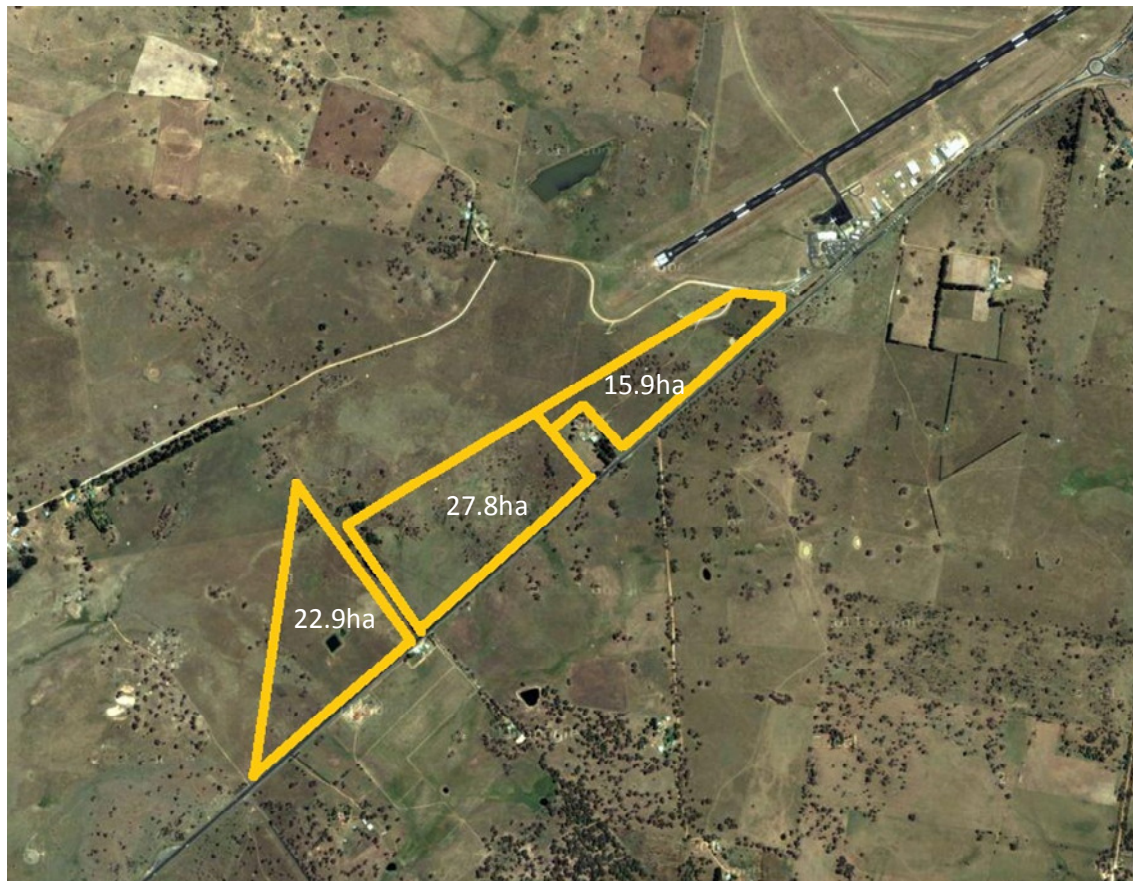
- allow a museum on part of the land in Area A, which will retain its IN2 zoning but include the additional permitted use for a museum. A museum is a type of information and education facility which is not normally permitted in the IN2 zone. It is anticipated that approximately 5,000m² of land will be required within Area A for a transport museum. This will have the effect of reducing the amount of IN2 zoned land by 0.5ha. It is also proposed to include a tourist information kiosk as part

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of the highway service centre development in Area A, but this unlikely to impact significantly on the supply of available IN2 zoned land.

- introduce a B7 zoning to provide approximately 3.86 ha of land for development of a business park, with 1.29 ha of this land also having the additional permitted use for hotel or motel accommodation (Area B). This will involve rezoning approximately 2.21 ha of IN2 land and 1.65ha of SP2 land to B7.
- rezone approximately 0.38 ha (Area C) from IN2 to SP2.
- rezone approximately 3.13ha from SP2 to IN2 (Area D).

Figure 4: Airport Site (Armidale Industrial Land Study, AECgroup 2013)



Development of the precinct as shown in Figure 2 of the Planning Proposal will involve the removal of all vegetation on the land, including endangered ecological communities. It is proposed to offset this loss by using approximately 38ha of adjoining land to the south-west as a biodiversity offset area (refer to Question 7 for details). The proposed offset area is zoned IN2 in accordance with the AILS. The loss of some of this land for industrial purposes is acknowledged in the AILS, which indicated there may be constraints for future development of land within the Airport Site and estimated that only 35.3ha of the 66.5ha industrially zoned land would actually be developable for that purpose. Future zoning of the biodiversity offset land will be considered as part of preparing a vegetation management plan. If the biodiversity offset land is to be rezoned, for example to an environment protection zone, this would be subject to a future Planning Proposal.

A summary of the proposed changes in the amount of IN2 zoned land available at the Airport Site as a result of the Planning Proposal is provided in Table 3.

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Table 3. Proposed changes to area of IN2 zoned land

Area	Current zoning	Proposed zoning and additional use	Change to IN2 zoned land (hectares)
A	IN2	IN2 and information and education facility	-0.50 ha
B	Part IN2, part SP2	B7 and hotel or motel accommodation	-2.21 ha
C	IN2	SP2	-0.38 ha
D	SP2	IN2	+3.31 ha
Biodiversity offset land	IN2	Part IN2 and part environment protection zone or other provision	-38.0ha
Total =			-37.78ha

The total area of land zoned IN2 at the Airport Site is 66.6ha, of which 35.3ha was considered by the AILS to be useable. The effect of the Planning Proposal will be to decrease the supply of useable IN2 zoned land at the Airport Site by approximately 2.48ha or 7.0%. The reduction in the amount of useable IN2 zoned land in Armidale as a result of this Planning Proposal is considered to be minimal and not sufficient to effect the implementation of the AILS' recommendations.

Any inconsistency between the Planning Proposal and the AILS is considered to be of minor significance and therefore justified.

Commercial lands

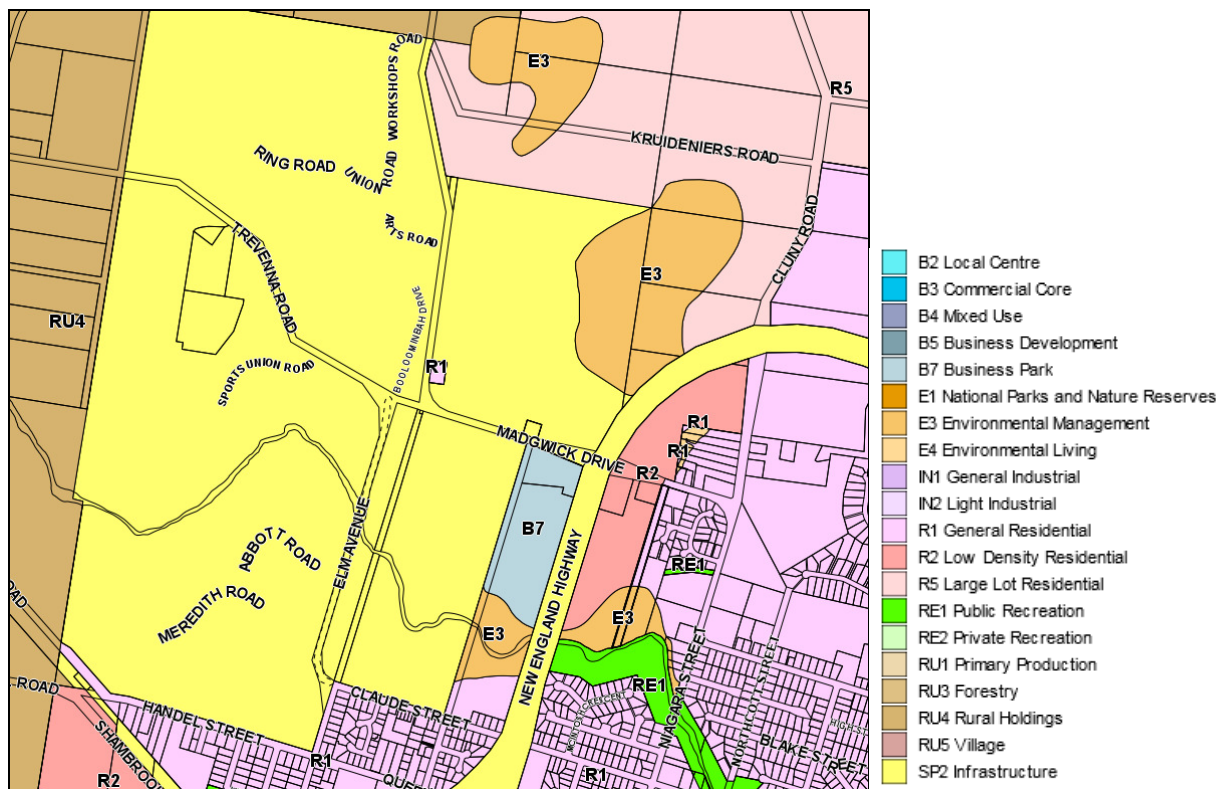
The NEDS did not identify an additional business park zoning at the Airport and therefore the proposed B7 zoning of Area B is not consistent with the strategy. However, the inconsistency is considered to be of minor significance for the reasons outlined below, and therefore justified.

The NEDS (p. 42) recommended that the Armidale Dumaresq LEP 2008 (LEP 2008) zonings for commercial land be endorsed in ADLEP 2012. LEP 2008 had two commercial zonings – a General Business zone which applied to the central business area of Armidale and 10(a) Enterprise zoning that applied to land on the northern and southern sides of Madgwick Drive, west of the New England Highway. The equivalent zoning under ADLEP 2012 for the 10(a) Enterprise zone is B7 Business Park. Only the 10(a) zoned land south of Madgwick Drive was carried through into ADLEP 2012 and is shown in Figure 5. Land to the north of Madgwick Drive was rezoned from 10(a) Enterprise to SP2 Infrastructure (Educational Establishment) under ADLEP 2012. Land currently zoned B7 in Armidale has an area of 8.6ha, of which only 1.8ha has been developed to date. The B7 zoning of the land has been in place partly to provide land for business development opportunities that complement the nearby University of New England.

The Planning Proposal rezones approximately 3.86ha of land at the airport to B7, of which 1.29ha has been identified for hotel or motel accommodation. This in effect results in 2.57ha of land being available for business park development. Allowing for an additional 2.57ha of B7 zoned land near the Airport is unlikely to have an adverse impact on the supply and demand of B7 zoned land in Armidale. The current land on Madgwick Drive and the proposed land at the Airport precinct are likely to provide for different types of development opportunities based on their respective locations and potential synergies with the University or the Airport.

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Figure 5: Land currently zoned B7 Business Park, Armidale Dumaresq LEP 2012



Q5. Is the planning proposal consistent with applicable state environmental planning policies?

Consideration of whether the Planning Proposal is consistent with applicable State Environmental Planning Policies (SEPPs) is provided in Attachment 7. The Planning Proposal is considered to be consistent with applicable SEPPs except SEPP No. 55 *Remediation of Land* and SEPP No. 64 *Advertising and Signage*.

- SEPP No. 55 *Remediation of Land* – The matter of potentially contaminated land and the application of the SEPP is considered in detail under Question 8 of the Planning Proposal. Based on a preliminary site investigation for contamination, part of Area D is considered to be potentially contaminated as a result of a past orchard on most of the land. In Area D the Planning Proposal rezones the land from SP2 Infrastructure (Air Transport Facility) to IN2 Light Industrial.

While the proposed rezoning will permit a broader range of permitted uses on the land, the nature of the types of development permitted in the SP2 and IN2 zones is considered to be similar, except for TAFE establishments which are permitted in the IN2 zone under the SEPP *Educational Establishments and Child Care Facilities 2017*. TAFE establishments are a type of education establishment which is identified in the *Managing Contaminated Land Planning Guidelines* as a use where there is a greater risk to human health. It is therefore recommended, subject to a Gateway Determination, that further investigations be carried out in accordance with the *Managing Contaminated Land Planning Guidelines* for that part of Area D previously used as an orchard.

- SEPP No. 64 *Advertising and Signage* - Clause 31 of the SEPP provides that where a draft LEP makes provision for or with respect to signage or advertising within 250 metres of a classified road, council should consult with NSW Roads and Maritime Services (RMS). Areas A, B and C in the Planning Proposal are within 250 metres of the New England Highway, which is a classified road under the *Roads Act 1993*. Under ADLEP 2012 business and building identification signs and advertisements

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are permitted in the B7 and IN2 zones. In the SP2 zone, signs and advertisements are permitted where they are ordinarily incidental or ancillary to development for the purpose of an air transport facility. For the Planning Proposal to be consistent with the SEPP it is recommended that the RMS be consulted in accordance with clause 31, subject to a Gateway Determination.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s. 117 directions)?

Consideration of whether the Planning Proposal is consistent with applicable Ministerial Directions (s.117 directions) is provided in Attachment 8.

In summary, the Planning Proposal is considered to be consistent with applicable s.117 directions, except for the following:

- *Direction 1.1 Business and Industrial zones:* The Planning Proposal does not retain the area and location of the existing IN2 zoning at the Airport precinct. There is an overall decrease of approximately 2.48ha, or 7%, of useable IN2 zoned land under the Planning Proposal. The inconsistency between the Planning Proposal and the direction is considered to be of minor significance and is therefore justified.
- *Direction 3.5 Development Near Licensed Aerodromes:* Council has not as yet consulted with the Department of the Commonwealth responsible for aerodromes nor obtained permission for permitting development that could encroach above the Obstacle Limitation Surface for the airport. In order for the Planning Proposal to be consistent with the direction it is recommended that council consult with the Department of the Commonwealth responsible for aerodromes.
- *Direction 5.10 Implementation of Regional Plans:* The direction requires a Planning Proposal to be consistent with a Regional Plan released by the Minister for Planning. The Planning Proposal is considered to be consistent with relevant actions in the New England North West Regional Plan except for Actions 3.2 and 9.1.

The inconsistencies between the Planning Proposal and the direction are justified as the differences are considered to be of minor significance and the Planning Proposal is not considered likely to undermine the vision, land use strategy, goals, directions or actions of the Regional Plan, for the reasons outlined below.

Action 3.2 Limit urban and rural residential development on important agricultural land, including mapped Biophysical Strategic Agricultural Land, unless it is in a strategy that is:

- agreed between council and the Department of Planning and Environment; and
- consistent with the guidelines for councils on important agricultural land.

Comment: Areas D and part C are part of a larger area of land mapped as Biophysical Strategic Agricultural Land that extends north and west of the Airport. Both parcels are located in the airport precinct and their use based on the current and proposed zonings are for airport related or industrial uses. The Planning Proposal in effect is likely to have minimal, if any, impact on the agricultural productivity of Areas C and D.

Action 9.1: *Deliver precinct plans to provide a holistic vision and planning framework for the regional cities.*

Comment: land subject of the Planning Proposal is shown in Figure 5: *Armidale Regional City Growth Precincts* of the Regional Plan (page 30), as being either in the Airport area or an

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industrial/employment area. The Planning Proposal and the precinct as shown in Figure 5 of the Regional Plan differ as follows:

- The boundaries of the airport and industrial land vary slightly
- The Planning Proposal introduces a B7 business park zoning and additional uses for a transport museum and hotel or motel accommodation
- It is proposed to use much of the land south-west of the Airport precinct as a biodiversity offset area so this land will no longer be available for industrial or employment purposes.

Overall there will be a decrease of 2.48 ha of useable IN2 zoned land which represents 7% of the developable land available in the precinct. The overall impact on the supply of industrially zoned land in Armidale is considered to be minimal. Furthermore, the proposed business park and tourist attractions and facilities will also enable employment generating developments to be carried out.

Section C. Environmental, social and economic impact.

Q7. 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?

Future development of the precinct will involve the removal of all existing vegetation in Areas A, B, C and D.

Biodiversity assessments and advice in relation to future development of the precinct were carried out prior to the commencement of the *Biodiversity Conservation Act 2017* (BC Act) on 25 August 2017. The assessments included all land subject of the Planning Proposal (except for Area D and part of Area B north of Saumarez Road) as well as council owned land to the south-west proposed for biodiversity offsets. The land to the south-west proposed for offsets comprises Lot 3 DP 1198787 and part Lot 21 DP 817347.

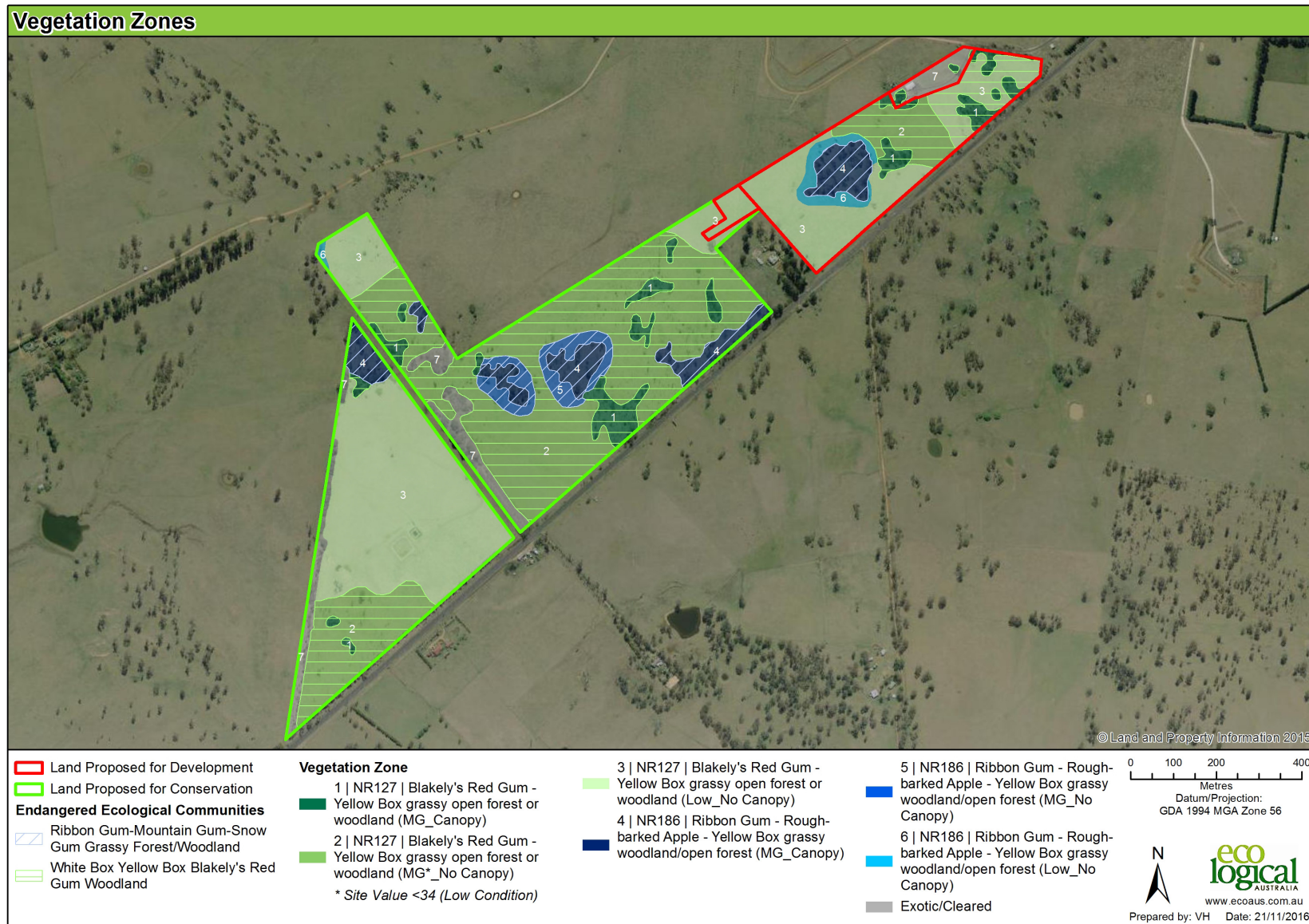
The part of Area B that has not been subject of a biodiversity assessment has been largely cleared of native vegetation with much of it developed for airport related purposes such as carparking and a car hire business. Under the circumstances the likelihood of biodiversity values being present is considered to be very low. However, Area D has not been disturbed to the same extent, being covered in grasses with a few trees and mainly used for grazing. It is recommended that a biodiversity assessment of Area D be carried out, subject to a Gateway Determination.

As noted above, the following information on biodiversity assessments that have been undertaken and proposed biodiversity offsets applies to most of the airport precinct and includes Areas A, that part of Area B south of Saumarez Road and Area C.

Consultants Eco Logical Australia (March 2016) prepared a preliminary biodiversity offset review for council based on an analysis of desktop mapping, the result of previous flora and fauna assessments undertaken by EnviroAg (2012, 2013 and 2015) and a rapid field assessment of the lots proposed for assessment. Eco Logical Australia (June 2016) subsequently carried out a Biodiversity Assessment to determine whether a formal Biocertification or a traditional impact assessment approach with a less formal offset arrangement would be a suitable option. Land subject of the Biodiversity Assessment is shown in Figure 6.

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Figure 6. Land subject of Biodiversity Assessment (Eco Logical Australia, 2016)



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The Biodiversity Assessment involved:

- Validating and mapping the extent of Biometric Vegetation Types (BVTs) and ecological communities listed under the NSW *Threatened Species Conservation Act 1995* (TSC Act) and the Commonwealth *Environment Protection and Biodiversity Act 1999* (EPBC Act).
- Undertaking Assessments of Significance (7 part tests) in accordance with s5A of the *Environmental Planning and Assessment Act 1979* (EPA Act) to determine whether the loss of ecological communities listed under the TSC Act is likely to result in a significant effect. Similarly, apply the significant impact criteria and determine whether a referral is required under the EPBC Act for listed ecological communities.
- Stratifying the BVTs into vegetation zones as defined under Biodiversity Certification Assessment Methodology (BCAM) and undertaking a plot and transect survey including where appropriate, paddock tree calculations to determine the current site value of each vegetation zone.
- Using the plot data to undertake a biodiversity offset assessment using the Biocertification credit calculator to determine the number of ecosystem credits required to offset the impact of vegetation clearance and the number of credits generated from conserving biodiversity on the proposed offset lands and determine whether an improve or maintain outcome can be achieved.

The Biodiversity Assessment found:

- The native vegetation of the Study Area consisted of two distinct vegetation communities which conformed to the following BVTs:
 - NR127 Blakely's Red Gum – Yellow Box grassy open forest or woodland of the New England Tablelands (plant community type 704)
 - NR186 Ribbon Gum – Rough-barked Apple – Yellow Box grassy woodland/open forest of the New England Tablelands Bioregion and NSW North Coast Bioregion (plant community type 1099).
- Two endangered ecological communities (EECs) listed as endangered in the TSC Act occur in the Study Area being:
 - White Box-Yellow Box-Blakely's Red Gum Woodland
 - Ribbon Gum-Mountain Gum-Snow Gum Grassy Forest/Woodland of the New England Tableland Bioregion.
- No threatened ecological communities as listed on the EPBC Act occur in the Study Area.
- No threatened plant species listed on either the TSC Act or EPBC Act were recorded during the survey and given the highly degraded understorey in the impact area, with a long history of grazing and dominance by perennial weeds, it is highly unlikely that potential species, eg Austral Toadflax, would occur on site.
- EnviroAg (2012, 2013 and 2015) assessed that part of the site provided potential habitat for the threatened fauna species Powerful Owl, Little Eagle, Red Goshawk and Koala. Eco Logical Australia noted that In accordance with the BCAM, only impacts to habitat for Koala and Red Goshawk (species credit species) would require offsets if confirmed on site. Impact offsets may not be required for these species as the BCAM allows the removal of threatened species from further consideration if records of the species presence are old or the habitat features are of poor quality for that species. The site is unlikely to provide significant habitat for Koala or Red Goshawk.

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- The Assessments of Significance for the proposed removal of the EECs concluded that the loss of the endangered vegetation is not likely to have a significant impact on these communities due to the small area proposed to be removed, the relatively poor condition and isolation of the vegetation and the presence of larger, better-condition patches of the same EECs nearby.
- The results of the biodiversity offset assessments for ecosystem credits found there is a surplus of credits available from the offset lands under 90% or 100% conservation measures, as summarised in Table 4.
 - Clearance of 4.1 ha Blakely's Red Gum – Yellow Box grassy open forest or woodland of the New England Tableland Bioregion on the land impacted by proposed development requires 89 ecosystem credits. An area of 29.16 ha of the same vegetation is available on offset lands. Conservation of 29.16 ha of the same vegetation under a 100% conservation measure will generate 236 credits, or under a 90% conservation measure 213 credits.
 - Clearance of 1.51 ha of Ribbon Gum - Rough-barked Apple – Yellow Box grassy woodland/open forest requires 45 ecosystem credits. An area of 5.76ha of the same vegetation is available on offset land. Conservation of 5.76 ha of the same vegetation under a 100% conservation measure will generate 55 credits, or under a 90% conservation measure 49 credits.

Table 4: Biodiversity offset assessment for ecosystem credits (Eco Logical Australia, June 2016)

Vegetation Type	NR127 Blakely's Red Gum - Yellow Box grassy open forest or woodland of the New England Tableland Bioregion	NR186 Ribbon Gum - Rough-barked Apple - Yellow Box grassy woodland/open forest of the New England Tableland Bioregion and NSW North Coast Bioregion
Area of vegetation type certified	4.1	1.51
Number of credits required	89	45
Area of vegetation type offset	29.16	5.76
Number of credits created (funded/ managed)	236	55
Number of credits created (managed)	213	49
Number of credits created (PI*)	60	14
Credit Balance 100%	147	10
Credit Balance 90%	124	4
Credit Balance 25%	-29	-31

* PI = Planning Instrument

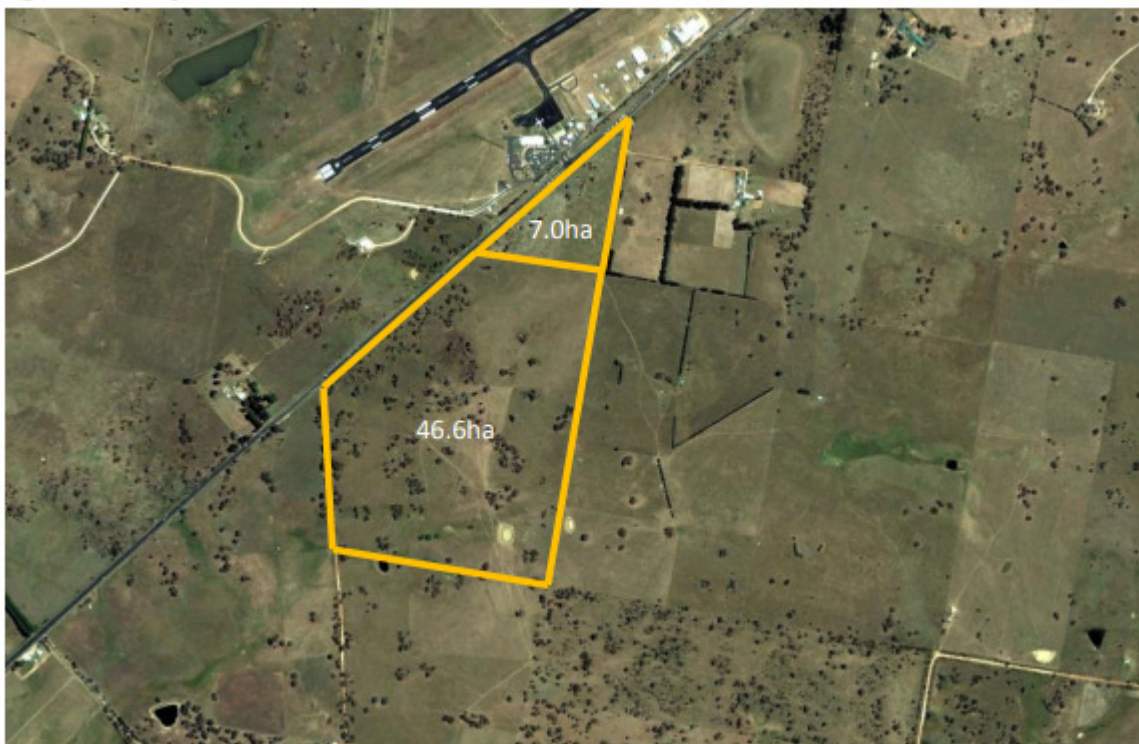
- The report advised that should council wish to pursue a non-formal biodiversity offset, the Stage 1 Biodiversity Assessment has shown that using the BCAM, the loss of vegetation may be offset under a 100% or 90% conservation measure. A 100% consideration measure may entail entering offset lands into a Biodiversity Banking Agreement, or a 90% conservation measure may entail managing the offset land as community land in accordance with a Plan of Management under the *Local Government Act 1993*.

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A copy of the Eco Logical Biodiversity Assessment (June 2016) was referred to the Office of Environment and Heritage (OEH). In response to comments provided by OEH (12 September 2016) revised vegetation mapping was prepared by Eco Logical Australia (refer to Figure 6) and forwarded to OEH.

OEH was also advised that the proposed rezoning of the Airport East site from RU4 to IN2 (refer to Figure 7) was also considering using some of the biodiversity offset land south-west of the airport precinct, which is owned by council, to offset the loss of biodiversity as a result of future development of the land for industrial uses. The rezoning of the Airport East site is subject to Planning Proposal No 7 and future development of the land proposes to remove all vegetation on the site. Any arrangement for development of the Airport East site and use of council's land for biodiversity offsets will be subject of a Voluntary Planning Agreement (VPA) between council and the proponent for Planning Proposal No 7, with a draft VPA to be exhibited with Planning Proposal No 7.

Figure 7. Airport East Site (Armidale Industrial Land Study, AECgroup, 2013)



OEH suggested to council (20 February 2017) that while there is no legal requirement for the offset site to be protected and managed in accordance with a BioBanking Agreement, that the owner of the offset land consider making such an application for such an agreement. If this should not be a viable option, OEH would be satisfied with the rezoning of the offset site to E3 Environmental Management to reflect its conservation value, along with a commitment to the preparation of an accompanying Vegetation Management Plan to be implemented in perpetuity.

It is proposed to prepare a Vegetation Management Plan which will include identifying areas that should be zoned for environment protection purposes. Any rezoning will be subject to a separate Planning Proposal. At its meeting on 25 October 2017 council decided in regard to development application DA46-2017, which was approved by the Northern Joint Regional Planning Panel on 17 October 2017, that council pay biobanking/vegetation offsets vegetation management to its general fund with the amounts and timing specified in the council resolution.

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Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Bushfire hazard

The land subject of the Planning Proposal is not identified as bush fire prone land on Council's Bush Fire Prone Land Map, certified by the Commissioner of the NSW Rural Fire Service. The nearest bush fire prone land is located approximately 1,015 metres south of Area B.

Operation of Armidale Regional Airport

The land subject of the Planning Proposal is located within the 'Airport Buffer Area' identified on the ADLEP 2012 Buffer Map. Clause 6.5 of ADLEP 2012 seeks to maintain a safe and effective operational environment around the Airport and includes matters for consideration when assessing applications for development. The effect of the Planning Proposal on the operation of the Airport can be managed at the development application stage under Clause 6.5 of ADLEP 2012, which includes matters that must be considered for development on land within the buffer.

Future development of the land subject of the Planning Proposal would also be subject to Clauses 6.3 and 6.4 of ADLEP 2012. Clause 6.3 *Airspace Operations* requires council to consult with the relevant Commonwealth body responsible for development approvals where a proposed development will penetrate the Limitation or Operations Surface for the Airport. A preliminary review of the Obstacle Limitation Surface (OLS) Plan and contours for land subject of the Planning Proposal indicates that structures up to at least 18 metres in height should be able to be erected in Areas A and B without penetrating the OLS. Structures at least 6 metres in height should be able to be erected in Areas C and D without penetrating the OLS, except along Area D's north-western boundary. All future development applications for building works will be required to consider the provisions of Clause 6.3 of ADLEP 2012.

Clause 6.4 *Development in areas subject to aircraft noise* in ADLEP 2012 seeks to prevent certain noise sensitive developments from being located near the Airport. The clause applies to development near the Airport and on land that is in an ANEF contour of 20 or greater. All land subject of the Planning Proposal is outside the 20 ANEF contour, except for approximately 790m² on the north-western corner of Area D. The Planning Proposal will not result in an increase in the number of residential dwellings in the precinct. The following considers the noise sensitivity of likely future development on land subject of the Planning Proposal:

- Future development of land within Areas C and D will be for light industrial or airport related uses that are not considered to be particularly noise sensitive type developments.
- Future development of land within Area A will be for light industrial purposes as well as an information and education facility. It is anticipated that a transport museum will be located within Area A.
- Future development of land within Area B will be for business park purposes as well as hotel or motel accommodation. The types of development permitted in the proposed B7 zone include office premises, light industries (including high technology industries), warehouse or distribution centres, carparks, take-away food and drink premises, garden centres, neighbourhood shops and veterinary hospitals. None of these types of development are considered to be particularly noise sensitive. Other uses permitted in the B7 zone such as child care centres, community facilities and public administration buildings are, like hotel or motel accommodation, potentially likely to be more sensitive to noise associated with the airport. However, these developments will be located outside the 20 ANEF contour and consideration of any noise related issues would be evaluated along with other aspects of the development and/or site suitability as part of a future development application.

Planning Proposal No. 9

Visual amenity – gateway to Armidale

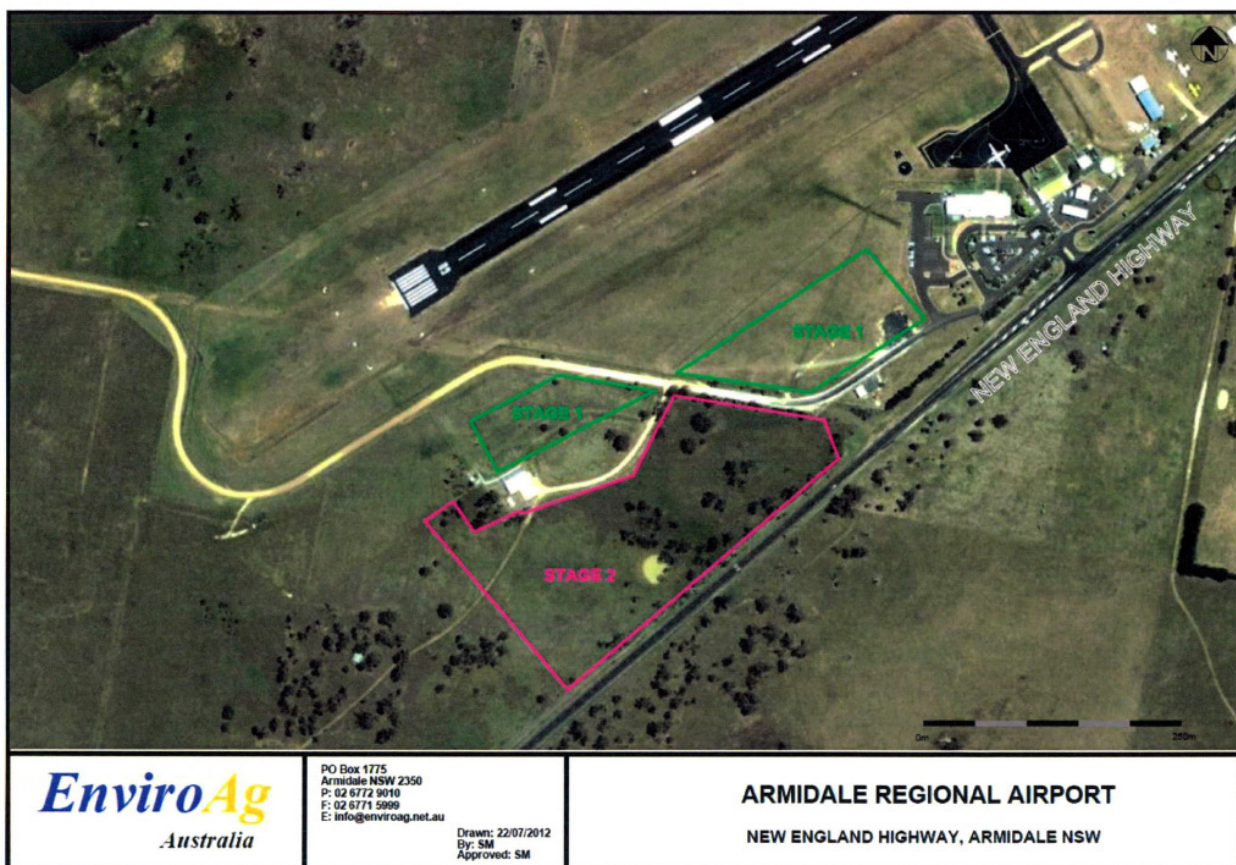
The Airport and adjoining precinct are part of the southern gateway to Armidale. The Planning Proposal has the potential to improve the visual appearance of the entrance to Armidale, particularly for Areas A and B which are adjacent to and highly visible from the New England Highway. The Planning Proposal seeks to implement the *Armidale Regional Airport Master Plan*, which proposes that a highway service centre and transport museum be developed in Area A and that Area B be developed as a business park with hotel or motel accommodation on land adjoining the highway.

Area B, which will retain its IN2 Industrial zoning, will also be subject to Chapter 5.2 *Industrial Development* of Armidale Dumaesq Development Control Plan 2012 (DCP 2012) which provides guidelines (eg landscaping buffers, building setbacks and external building materials) to reduce the visual impact of industrial development on the southern gateway to Armidale. The guidelines in DCP 2012 will apply to proposals subject of a development application. As new industrial and commercial buildings, including additions, on land in a (airport) buffer are not complying development under *SEPP Exempt and Complying Development Codes 2008*, most future development will require a development application and be subject to the visual amenity guidelines in DCP 2012.

Potentially contaminated land

A *Preliminary Site Investigation for Contamination* (EnviroAg Australia, 4 April 2012, Project Document No. 23375.55454) was conducted over land identified as Stages 1 and 2 in Figure 8.

Figure 8. Land subject of Preliminary Site Investigation for Contamination (EnviroAg Australia, 2012)



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Stages 1 and 2 of the preliminary investigation include the following land subject of the Planning Proposal:

- All of Area A
- All of Area B except that part between Saumarez Road and the New England Highway
- A small part of the south-western corner of Area C.

The report found the main potentially contaminating activity associated with land in Stages 1 and 2 was the past installation and operation of an underground fuel storage tank (UST). The inspection of the land identified the approximate location of the former UST and associated infrastructure in the southernmost corner of the northern section of Stage 1. Based on the report, the former UST is located in Area B of the Planning Proposal, north east of the additional uses area proposed for hotel and motel accommodation.

Since the preliminary investigation was undertaken, a covered carparking facility and car hire rental business have been constructed in proximity to the location of the UST. Both developments were granted consent. In conclusion, the only part of Area B that was identified as being potentially contaminated by the preliminary report was as a result of the UST and that land has since been developed. Based on an inspection of the remainder of Stages 1 and 2 land, the preliminary investigation did not detect any evidence that contaminating activities had occurred onsite, or that any contamination was likely to be present in the remainder of Stages 1 and 2.

Since the EnviroAg preliminary investigation was completed, a stockpile area has been located in part of Area B south of Saumarez Road. The material comprises excavated natural material from the construction of the parallel taxiway at the Airport and was tested in 2015 by an independent firm in order to identify appropriate uses. The testing found that the material complies with ENM criteria but it does have naturally occurring Chromium VI above the threshold for certain uses. Council sought advice from 3E Environmental consultants on permissible uses for the material and the material is being progressively removed from the land to be used for purposes identified in the advice.

While Area D is not included in the land subject of the *Preliminary Site Investigation for Contamination* (EnviroAg Australia, 4 April 2012) Figure 4 of the report indicates that much of Area D was previously used as an orchard. A review of historical aerial photographs (page 12 of the report) indicates that an orchard was established on the land as from at least the 1940s and that it was progressively removed over the following 60 years. Figure 4 in the Preliminary Report, which shows an aerial photograph reconstruction from the 1940s, is reproduced in Figure 9 of this Planning Proposal. The aerial photograph in 1994 indicates that few trees were remaining.

SEPP No. 55 *Remediation of Land* provides a Statewide planning approach to the remediation of contaminated land. The SEPP is supported by the *Managing Contaminated Land Planning Guidelines* (DUAP, 1998). Table 1 of the Guidelines lists current or past activities that may cause contamination of land and it includes horticultural activities.

Clause 6 *Contamination and remediation to be considered in zoning or rezoning proposal* of the SEPP provides that a Planning Proposal is not to include land used for a purpose in Table 1 in a particular zone if the inclusion of the land in the zone would permit a change of use of the land, unless council has considered whether the land is contaminated, and if it is contaminated whether the land is suitable in its contaminated state or will be suitable after remediation for the purposes for which the land will be permitted to be used. Clause 6 also requires that prior to including the above land in a particular zone, council 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 *Managing Contaminated Land Planning Guidelines*.

Figure 9. Aerial photograph, 1940s (Preliminary Site Investigation for Contamination, Figure 4)

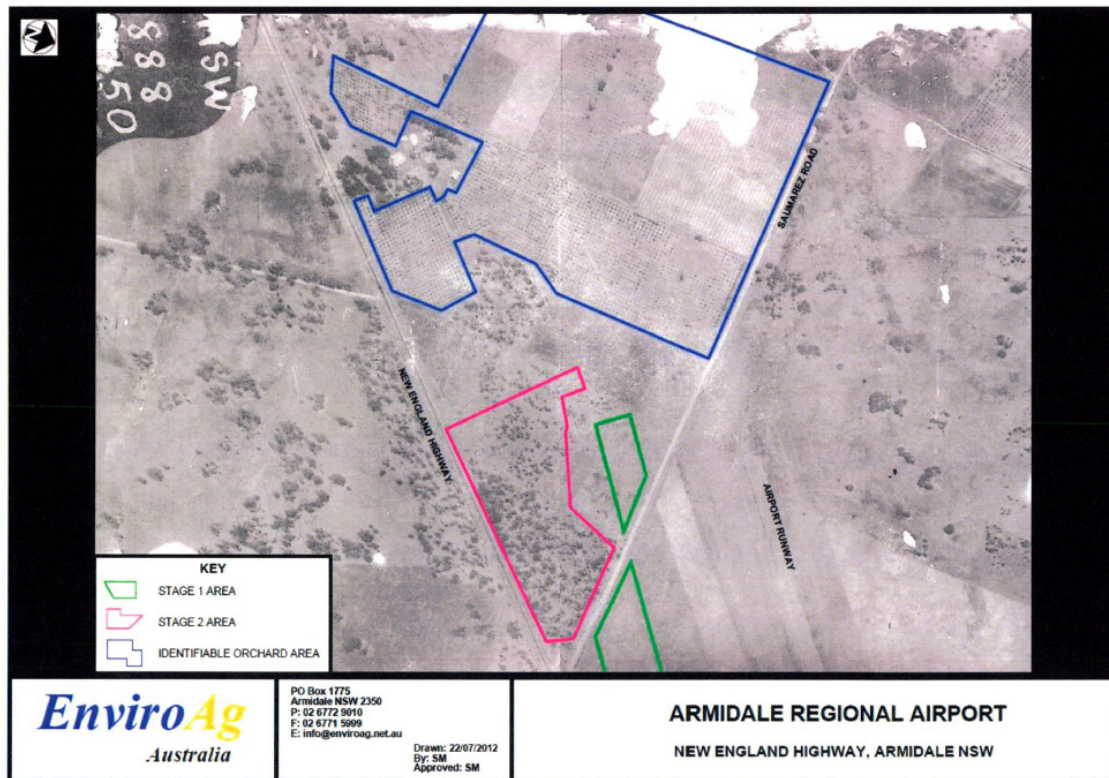


Figure 4: Aerial photograph reconstruction, circa 1940s

The following considers whether the Planning Proposal involves a change of use on land that is potentially contaminated in Area D. The *Managing Contaminated Land Planning Guidelines* notes that if the land is proposed to be developed for residential, educational, recreational or childcare purposes the risk to human health is higher under those uses than most other uses.

In Area D the Planning Proposal rezones the land from SP2 Infrastructure (Air Transport Facility) to IN2 Light Industrial. Currently an airport, heliport, associated communication and air traffic control facilities or structures and development ordinarily incidental or ancillary to an air transport facility are permitted. Under the proposed IN2 zoning, developments such as light industries, some retail premises (eg hardware and building supplies, timber yards), service stations, rural industries, storage premises, freight transport facilities and transport depots are permitted. In terms of more sensitive land uses, the IN2 zone prohibits residential accommodation, educational establishments, recreational facilities (other than indoor recreation facilities) and centre-based child care facilities. However, under the SEPP *Educational Establishments and Child Care Facilities 2017*, TAFE establishments are permitted in the IN2 zone.

While the proposed rezoning will permit a broader range of permitted uses on the land, the nature of the types of development permitted in the SP2 and IN2 zones is considered to be similar, except for TAFE establishments which is a type of development identified in SEPP No 55 *Remediation of Land* as a use where there is a greater risk to human health. It is therefore recommended, subject to a Gateway Determination, that further investigations be carried out in accordance with the *Managing Contaminated Land Planning Guidelines* for that part of Area D previously used as an orchard.

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Q9. Has the planning proposal adequately addressed any social and economic effects?

Aboriginal cultural heritage

An *Aboriginal Cultural Heritage Site Assessment Report* (Cohen Cultural Consultancy, 2015) was undertaken for the Armidale Airport Stage 1 Industrial Precinct. Land subject of the assessment included Area A, part Area B and Area C.

The assessment, which involved Armidale Aboriginal Elders surveying the land, noted that the site has been very highly impacted by farming practices, specifically a former orchard, buildings, roads and fence lines and at the time of the survey the ground was covered with high grass and trees making it very difficult to find and identify any Aboriginal artefacts. The assessment concluded that there is no evidence remaining on the land of any sites or artefacts of significance to the Anaiwan (Nganyaywana) people of the Northern Tablelands of the New England Area or to the Gumbaynggirr Nation.

The report recommended that when future ground disturbances are initiated on the precinct site, that Aboriginal community monitors be present to determine the significance of any Aboriginal sites or cultural artefacts found and that acknowledgement signage be erected for the traditional owners of the land.

It is noted that the Aboriginal cultural heritage assessment did not include Area D or that part of Area B north of Saumarez Road. The part of Area B that has not been subject of the assessment has been heavily modified with much of it developed for airport related purposes, such as carparking and a car hire business. However, Area D has not been modified significantly, being covered in grasses with a few trees and mainly used for grazing. It is recommended that an Aboriginal cultural heritage assessment of Area D be carried out, subject to a Gateway Determination.

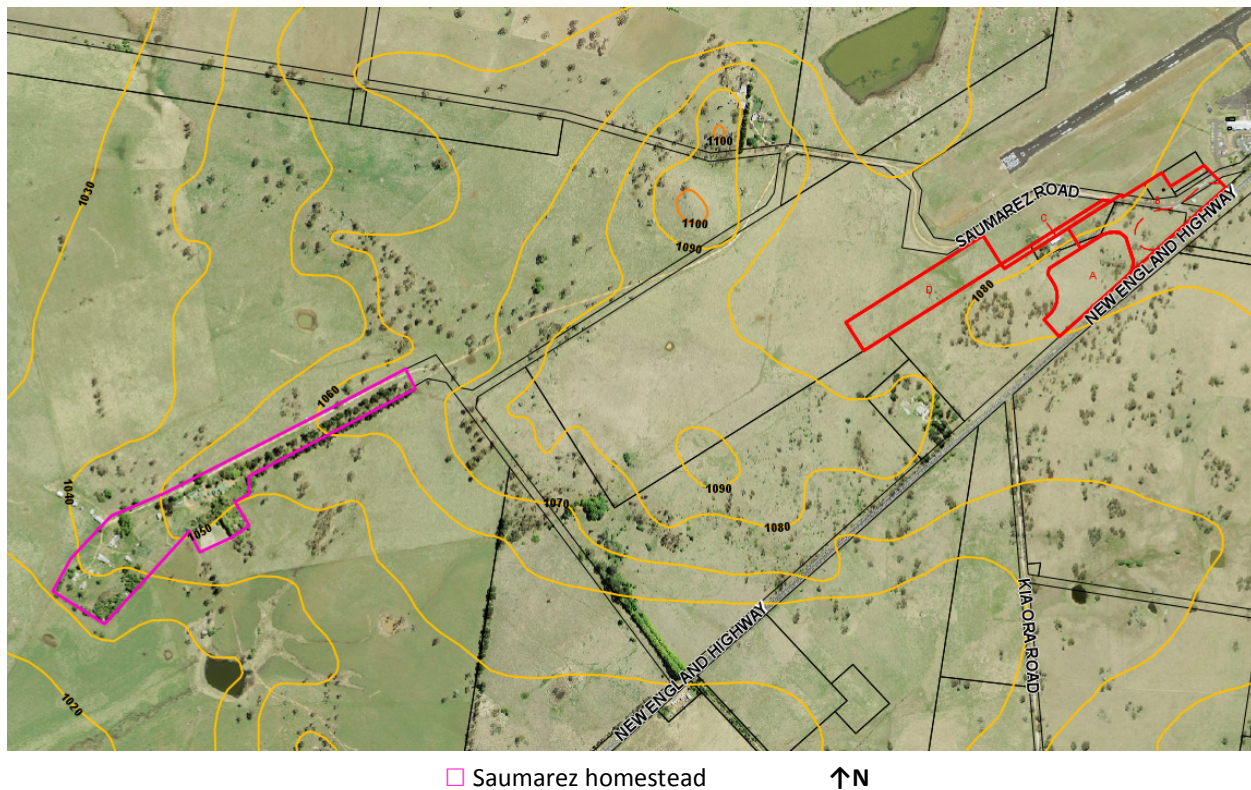
European heritage items

There are no heritage items listed in ADLEP 2012 present on land subject of the Planning Proposal. The nearest heritage item is Saumarez Homestead at 230 Saumarez Road, which is listed on the State Heritage Register. The item comprises the homestead, outbuildings, gardens, grounds and driveway. The driveway entrance to Saumarez and the homestead are located approximately 1 km and 1.5km respectively, west of Area D.

The land subject of the Planning Proposal is not expected to have an adverse visual impact on Saumarez homestead, particularly given the topography with the homestead being located at a lower elevation of approximately 30m than the airport precinct, as shown in Figure 9.

The Planning Proposal does however include changes affecting road access to Saumarez homestead from the New England Highway. Currently access from the highway to Saumarez homestead is via the airport. The new access will be via the proposed roundabout and will initially pass through Areas A and B. The proposed uses in Areas A and B, which will form the gateway to the precinct, comprise a business park, hotel or motel accommodation, highway service centre and museum developments. These proposed uses are not considered likely to detract from the visual amenity of the access to the homestead. The access will then proceed through the proposed industrial area of the precinct. The consent for the subdivision DA46-2017 requires suitable plantings along the road to Saumarez Homestead to improve the visual amenity of the access to the heritage item.

Figure 9. Location of Saumarez homestead and land subject of Planning Proposal (10m contours)



Economic and social effects

The *Armidale Regional Airport Master Plan* outlines the opportunities provided by the airport and its precinct to drive economic growth. In relation to the Planning Proposal, the Masterplan identified land outside the airspace protection zone at the airport as offering major development potential for tourism, civil buildings and commercial development. The economic benefit resulting from implementation of the Master Plan will be employment land. The Master Plan notes:

- The visitor economy represents a significant and growing component of the regional economy (5%). Aside from the upgrade of the terminal building two new museums are proposed, featuring vintage automobiles and historical aircraft and a highway service centre and airport hotel will further increase airport visitation while serving both air travellers and motorists travelling on the New England Highway (page 2).
- The availability of the NBN and direct air travel to Sydney and other capital cities supports the continuing growth in professional services and information technology. These capabilities enable the potential relocation to Armidale of Sydney and nationally based government and non-government service providers (page 3).
- Proposed aviation related lots with both road and airside/taxiway access will be suitable for activities such as airfreight operations. The growth in regional horticulture may see the export of such products directly into Asia (page 11).
- A specialist 'business park' providing office accommodation and civil buildings will offer a more visually attractive entry to the Airport terminal area (page 11).

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- Future development of the existing general aviation land is constrained by the physical boundaries of the runway/taxiways to the north and the New England Highway to the south. The Airport has a number of established and successful general aviation operators, offering jet and helicopter charter, fixed wing and helicopter maintenance, flight training, aerial spraying, fire fighting and a range of sightseeing tours and adventures. It is proposed that future development of the general aviation area is limited to business/professional operators and that the 'private aviation' facilities currently in this area be re-located to a new private aviation precinct to be established on the western boundary of the airport. The creation of the private aviation area will include re-location of the existing aero club (page 11). There exists the opportunity for the aero club to become a Fixed Base Operator (FBO) offering a range of services to private aviation. The availability of a quality, service-oriented FBO facility will be a key driver of interest in private aviation and visitation to the airport (page 14).
- Tourism, recreational and support facilities include a highway service centre, visitor information kiosk, car museum, airport hotel and air museum (pages 18-21). These facilities will provide employment opportunities and inject income into the local economy.

The Planning Proposal seeks to implement the above aspects of the Master Plan and in so doing, aims to contribute to local economic growth and diversity. Future development of the airport precinct is unlikely to have an adverse impact on the viability of the commercial centre of Armidale. While office premises are permitted in the proposed B7 zone, retail development is limited.

In terms of existing development on land subject of the Planning Proposal, Council's Companion Animals Shelter is located south of Saumarez Road, with access to the shelter passing through Area B and part of the shelter building itself being located in Area C. Under the current IN2 zoning of Area C, animal boarding or training establishments are permitted with consent. Under the proposed SP2 zoning this type of development is prohibited. However, ongoing operation and future development of the animal shelter, such as alterations, would be permitted subject to the existing uses provisions in the EPA Act or clause 5.3 *Development near zone boundaries* in ADLEP 2012, noting in relation to the latter that the animal shelter is within 20m of the proposed IN2 zone boundary.

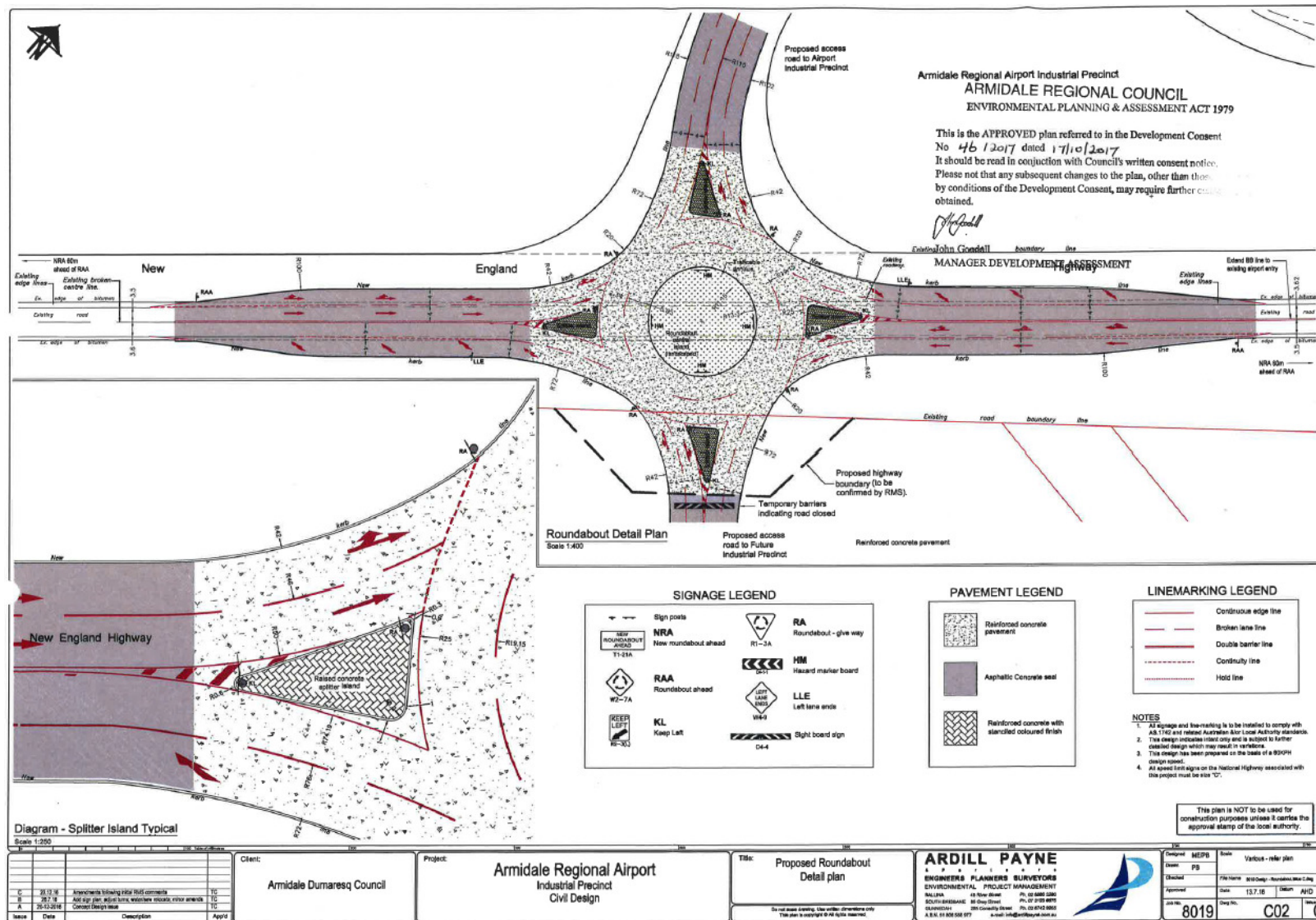
Section D. State and Commonwealth interests.

Q.10 Is there adequate public infrastructure for the planning proposal?

Roads infrastructure

The *Armidale Regional Airport Industrial Lands Vehicle Access Management Strategy Traffic Study* (GTA consultants, 2014) was prepared to assess various vehicle access options from the New England Highway to future industrial development in the vicinity of the Airport. The Study considered several options that could provide access to the proposed industrial area east of the New England Highway, Armidale Regional Airport and the adjoining precinct and the RMS identified and endorsed its preferred option. The plan of the proposed roundabout was included in the development application (DA-46-2017) for the subdivision of the airport precinct, which was granted consent on 17 October 2017, and the approved plan is shown in Figure 10. The development consent requires the roundabout to be completed in accordance with the requirements of the RMS prior to release of the subdivision certificate for the first stage of the subdivision.

Figure 10. Approved plan for roundabout on New England Highway (Development Application DA-46-2017)



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The *Armidale Industrial Land Study* (AECgroup, 2013) notes that there is an opportunity for council to share infrastructure costs with the owner/developer of the Airport East Site identified in the Study and that such a partnership would reduce the costs of both developments and improve the viability of the projects. The rezoning of the Airport East Site from RU4 Primary Production Small Lots to IN2 Light Industrial is currently subject of Planning Proposal No 7. A Gateway Determination was issued for Planning Proposal No 7 on 12 October 2015. Council and the owner of the Airport East Site are proposing to enter into a Voluntary Planning Agreement that shall include contributions towards the construction of the roundabout. A draft VPA will be publicly exhibited with Planning Proposal No 7 as part of the community consultation.

Water and Sewer

Reticulated water and sewer infrastructure has recently been constructed to service the Armidale Regional Airport and its precinct.

Telecommunications and Electricity

Power and NBN high speed internet infrastructure is available to the Airport and its precinct. Delivery mains to the area will have sufficient supply for the proposed development of the precinct.

Waste Management

Council has approval for a new regional landfill with capacity to serve current and projected domestic, commercial and industrial waste.

Public Transport

The Airport Precinct is not serviced by a designated bus service. An existing bus service travels past the airport precinct completing a round trip that departs from Uralla for Armidale, Monday to Friday. The local taxi service currently provides services to the airport precinct on a booking basis. Development of the subject site will create a new employment hub and may require additional public transport infrastructure. Consultation with local bus operators to consider the provision of bus services and associated infrastructure would require consideration as development occurs.

Social Infrastructure

It is intended that development of the land subject of the Planning Proposal will increase job opportunities and contribute to population growth. Armidale is well serviced with social infrastructure including several public and private schools, University and TAFE College, a regional Hospital and other health support services.

Emergency Services

The airport precinct is located within 10 minutes travel time from Ambulance/Hospital Services, NSW Fire Services, NSW Rural Fire Service and State Emergency Service. The NSW Rural Fire Service has recently expanded its operations at the airport.

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Q.11 What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination?

The following identifies the State and Commonwealth agencies to be consulted and outlines the particular land use issues or site conditions which have triggered the need for the referral.

State or Commonwealth agency	Need for referral
Commonwealth Department responsible for aerodromes	Section 117 Direction 3.5 <i>Development Near Licensed Aerodromes</i>
NSW Roads and Maritime Services	SEPP No. 64 <i>Advertising and Signage</i>
Office of Environment and Heritage	Biodiversity assessments (refer to Question 7 for further information) Aboriginal cultural heritage assessment (refer to Question 8 for further information)

The following State agencies have been consulted prior to preparing this Planning Proposal:

- NSW Trade and Investment – Resources & Energy were consulted on the AILS in 2012 and advised that as the proposed industrial sites were urban, near urban or abut airport lands no significant issues arise that are of concern to their Mineral Resources Branch. A copy of the letter (dated 29 August 2012) is included in Attachment 6.
- Office of Environment and Heritage provided advice (correspondence dated 20 February 2017) on the proposed offsetting of biodiversity loss as a result of future development of the airport precinct and the Airport East Site subject of Planning Proposal No 7.

PART 4 – MAPPING

Maps and figures are provided in relevant sections of the Planning Proposal, including:

Figure 3 Land subject of the Planning Proposal – proposed changes (aerial photograph 2011-2012)

Attachment 1 Current Land Zoning Map

Attachment 2 Proposed Land Zoning Map

Attachment 3 Current Lot Size Map

Attachment 4 Proposed Lot Size Map

Attachment 5 Additional Permitted Uses Map.

PART 5 – COMMUNITY CONSULTATION

The community consultation proposed to be undertaken in relation to the Planning Proposal is:

- Public exhibition of the Planning Proposal to take place for a period of 28 days by giving written notice of the Planning Proposal:
 - in a local Armidale newspaper;
 - on Council's website at www.armidale.nsw.gov.au; and
 - in writing to adjoining landowners.
- Public exhibition of the Planning Proposal in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and the Gateway Determination.

At this time it is considered unlikely that a Public Hearing will be required for the Planning Proposal.

PART 6 – PROJECT TIMELINE

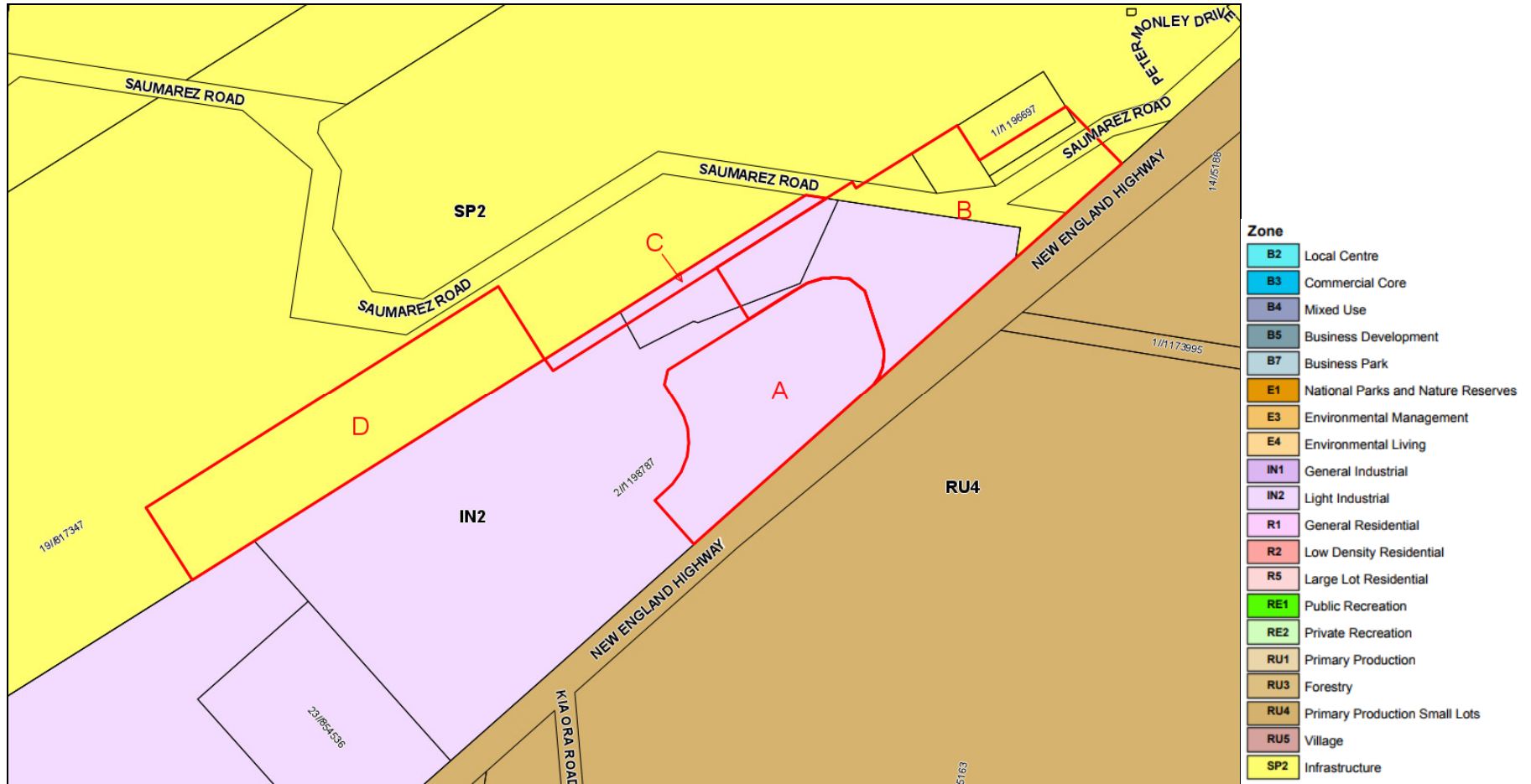
The anticipated project timeline for completion of the Planning Proposal is outlined in Table 5. The timeline is based on council not using its local plan making delegations in this instance.

Table 5. Project timeline

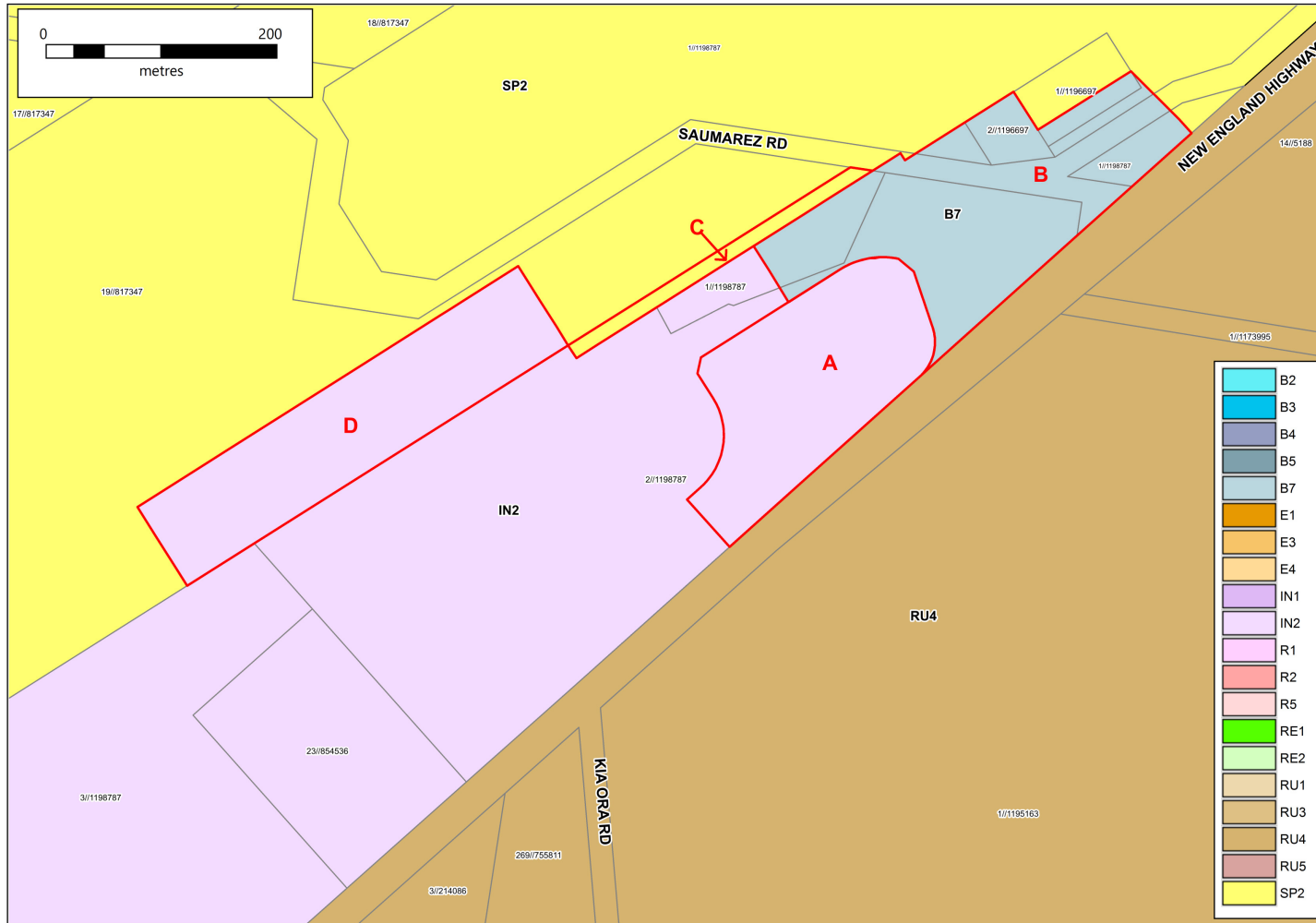
Task	Anticipated Timeframe
Anticipated commencement date (date of Gateway Determination)	By end of December 2017
Anticipated timeframe for completion of required technical information	By mid February 2018
Timeframe for government agency consultation (pre and post exhibition as required by Gateway Determination)	Pre-exhibition: end of February 2018 to mid March 2018 Post exhibition: completed by end of May 2018
Commencement and completion dates for public exhibition period	1-30 April 2018
Timeframe for consideration of submissions	By mid June 2018
Timeframe for the consideration of a proposal post exhibition	Council meeting in July 2018
Date of submission to the Department to finalise the LEP	31 July 2018

At this time it is considered unlikely that a Public Hearing will be required for the Planning Proposal.

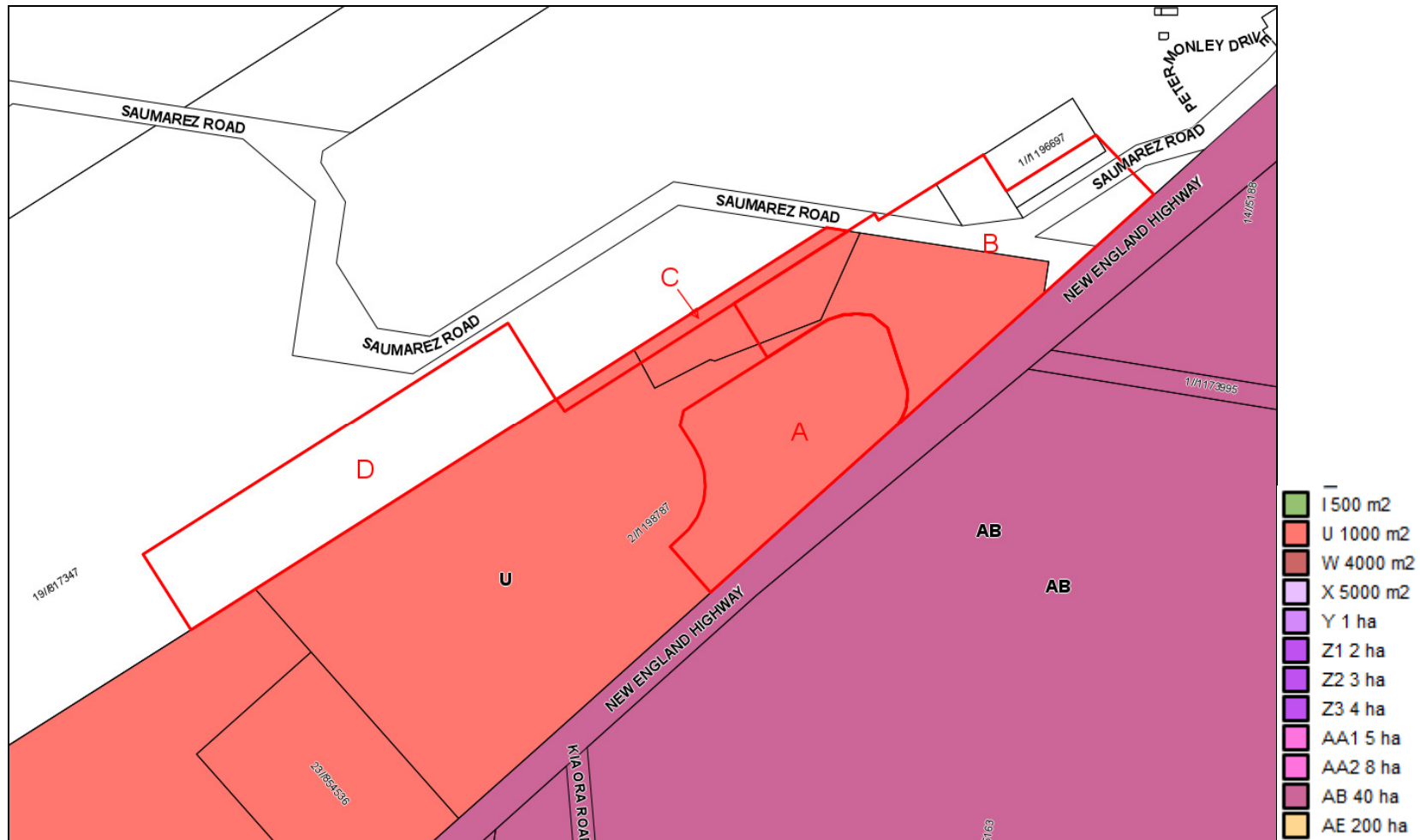
ATTACHMENT 1: CURRENT LAND ZONING MAP



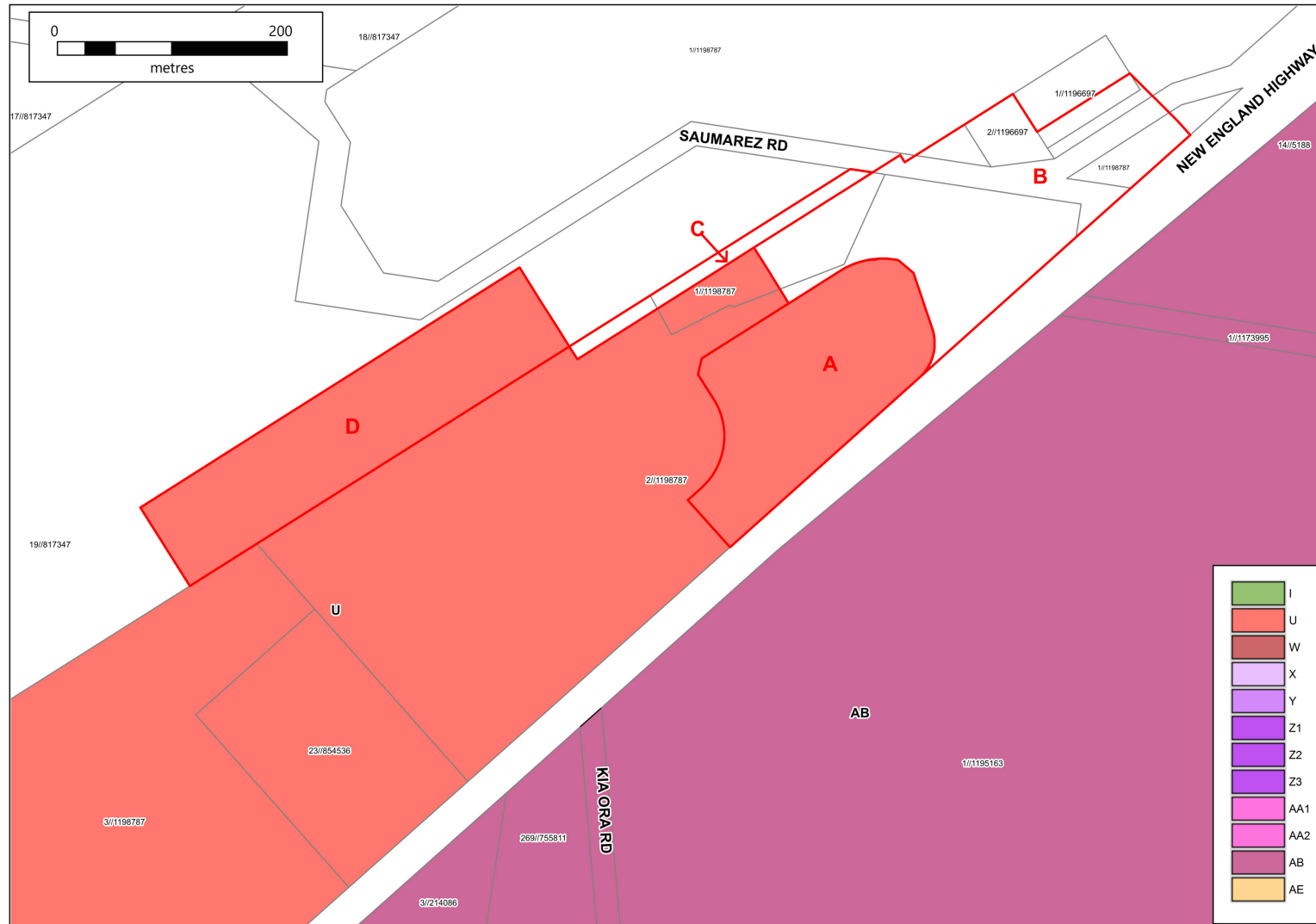
ATTACHMENT 2 : PROPOSED LAND ZONING MAP



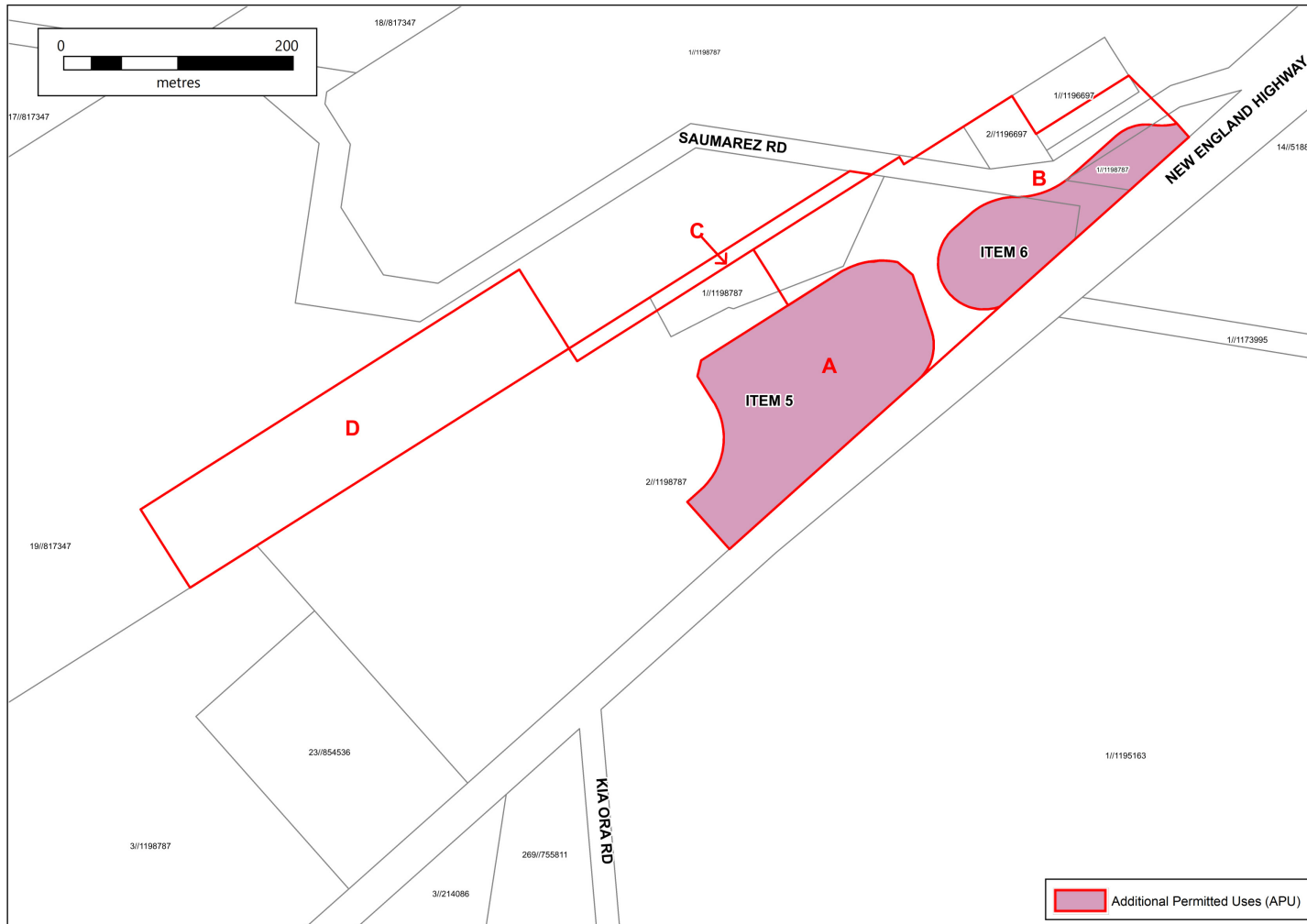
ATTACHMENT 3: CURRENT LOT SIZE MAP



ATTACHMENT 4: PROPOSED LOT SIZE MAP



ATTACHMENT 5: PROPOSED ADDITIONAL PERMITTED USES MAP



**ATTACHMENT 6: CORRESPONDENCE: NSW TRADE & INVESTMENTS – RESOURCES AND ENERGY
(dated 29 August 2012)**



Our Ref: V12/3698
Your Ref: A11/5340

29th August 2012

The General Manager
Armidale Dumaresq City Council
PO Box 75A
Armidale NSW 2350

Attn: Mr H. Ritch

Dear Sir/Madam,

Re: Armidale Industrial Land Study

I refer to your letter of 2nd August 2012. Thank you for the opportunity to comment and for supplying a digital copy of the associated outline map.

This is a response from NSW Trade & Investment – Mineral Resources Branch. The Department of Primary Industries, incorporating advice from Agriculture, Fisheries and Forests NSW will respond separately.

Mineral Resources Issues

As the subject land is essentially urban, near urban or abuts airport lands, no significant issues arise that are of concern to NSW Trade & Investment – Mineral Resources Branch.

For further information regarding mineral issues please contact Mr Jeff Brownlow in the Department's Armidale Office (Tel 02 6738 8513 or email jeff.brownlow@industry.nsw.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'David C. Brown'.

Team Leader Land Use

NSW Department of Trade and Investment, Regional Infrastructure and Services
RESOURCES & ENERGY DIVISION
PO Box 344 Hunter Region Mail Centre NSW 2310
Tel: 02 4931 6666 Fax: 02 4931 6726
ABN 51 734 124 190
www.dtriris.nsw.gov.au

ATTACHMENT 7: APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES

SEPP	Consistent	Comment
No. 21 Caravan Parks	Yes	The SEPP requires development consent for caravan parks (including camping grounds) and subdivision of caravan parks for lease purpose where they are permitted in a zone. Under ADLEP 2012 caravan parks are prohibited in the B7, IN2 and SP2 (Air Transport Facility) zones.
No. 30 Intensive Agriculture		<p>The SEPP:</p> <ul style="list-style-type: none"> • requires development consent for cattle feedlots and piggeries above thresholds specified in the Policy • includes mushroom composting facilities and works in the definition for a rural industry • identifies the matters that council must take into consideration when assessing development applications for cattle feedlots or piggeries. <p>Intensive livestock agriculture is prohibited in the B7, IN2 and SP2 (Air Transport Facility) zones under ADLEP 2012.</p>
No. 33 Hazardous and Offensive Development	Yes	<p>Light industries are permitted with consent in the B7 and IN2 zones and storage premises are permitted with consent in the IN2 zone but prohibited in the B7 zone. The aims of the SEPP include:</p> <ul style="list-style-type: none"> • To render ineffective a provision of an LEP that prohibits a storage facility on the ground that the facility is hazardous or offensive if it is not a hazardous or offensive storage establishment as defined in the Policy • To ensure that in determining whether a development is a hazardous or offensive industry any measures proposed to be employed to reduce the impact of the development are taken into account • To require advertising of applications to carry out any such development. <p>The provisions of the SEPP will apply should a development application be submitted for a potentially hazardous or offensive industry or storage establishment.</p>
No. 36 Manufactured Home Estates	Yes	The SEPP permits with consent manufactured home estates on land where caravan parks are permitted, if the land meets locational criteria in the SEPP. Caravan parks are prohibited in the B7, IN2 and SP2 (Air Transport Facility) zones under ADLEP 2012.
No. 44 Koala Habitat Protection	Yes	<p>The SEPP aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline. Under clause 15 of the SEPP council should survey the land within its area to identify areas of potential koala habitat and core habitat and include core koala habitat within an environmental protection zone or apply special LEP provisions to control development of that land. Council has not undertaken a survey of land in its area to identify areas of potential and core habitat and does not have special provisions in LEP 2012. However, where a planning proposal identifies core koala habitat on a site, consideration could be given to zoning</p>

		<p>that part of the site environment protection or introducing special LEP provisions.</p> <p>EnviroAg (2012, 2013 and 2015) assessed that part of the site provided potential habitat for the Koala. However, proposed development of the land will involve removal of all native vegetation and provision of a biodiversity offset area on adjoining land to the south-west. Eco Logical Australia (2016) noted that in accordance with the Biodiversity Certification Assessment Method (BCAM), impacts to habitat for Koala would require offset if confirmed on site. However, the BCAM allows the removal of threatened species (including the Koala) from further consideration if records of the species presence are old or the habitat features are of poor quality. Eco Logical Australia noted that the site is unlikely to provide significant habitat for Koala and, therefore, offset assessments for the Koala were not undertaken.</p>
No. 55 Remediation of Land	No	<p>The SEPP provides a Statewide planning approach to the remediation of contaminated land.</p> <p>The matter of potentially contaminated land and the application of the SEPP is considered under Question 8 of the Planning Proposal. in the</p> <p><i>Clause 6 Contamination and remediation to be considered in zoning or rezoning proposal</i> of the SEPP provides that a Planning Proposal is not to include land used for a purpose in Table 1 of the <i>Managing Contaminated Land Planning Guidelines</i> (DUAP, 1998) in a particular zone if the inclusion of the land in the zone would permit a change of use of the land, unless council has considered whether the land is contaminated, and if it is contaminated whether the land is suitable in its contaminated state or will be suitable after remediation for the purposes for which the land will be permitted to be used. Clause 6 also requires that prior to including the above land in a particular zone, council is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with <i>Managing Contaminated Land Planning Guidelines</i>.</p> <p>Based on a preliminary site investigation for contamination, part of Area D is considered to be potentially contaminated as a result of a past orchard on most of the land. Horticultural activities is included in Table 1 of the <i>Managing Contaminated Land Planning Guidelines</i>, which lists current or past activities that may cause land contamination.</p> <p>It is proposed to rezone Area D from SP2 Infrastructure (Air Transport Facility) to IN2 Light Industrial. Currently an airport, heliport, associated communication and air traffic control facilities or structures and development ordinarily incidental or ancillary to an air transport facility are permitted. Under the proposed IN2 zoning, developments such as light industries, some retail premises (eg hardware and building supplies, timber yards), service stations, rural industries, storage premises, freight transport facilities and transport depots are permitted. In terms of more sensitive land uses, the IN2 zone prohibits residential accommodation, educational establishments, recreational facilities (other than indoor recreation facilities) and centre-based child care facilities. However, under the</p>

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		<p>SEPP <i>Educational Establishments and Child Care Facilities</i> 2017, TAFE establishments are permitted in the IN2 zone.</p> <p>While the proposed rezoning will permit a broader range of permitted uses on the land, the nature of the types of development permitted in the SP2 and IN2 zones is considered to be similar, except for TAFE establishments which is a type of development identified in the <i>Managing Contaminated Land Planning Guidelines</i> as a use where there is a greater risk to human health. It is therefore recommended, subject to a Gateway Determination, that further investigations be carried out in accordance with the <i>Managing Contaminated Land Planning Guidelines</i> for that part of Area D previously used as an orchard.</p>
No. 62 Sustainable Aquaculture	Yes	The SEPP aims to encourage sustainable aquaculture in the State and amongst other matters makes aquaculture development, including pond and tank based aquaculture, permissible in certain zones under the Standard Instrument LEP.
No. 64 Advertising and Signage	No	<p>The SEPP aims to improve the amenity of urban and natural settings by managing the impact of outdoor advertising. The SEPP identifies different types of signs, their permissibility and matters for consideration when assessing development applications.</p> <p>Under ADLEP 2012 business and building identification signs and advertisements are permitted in the B7 and IN2 zones. In the SP2 zone signs and advertisements are permitted where they are ordinarily incidental or ancillary to development for the purpose of an air transport facility. Clause 31 of the SEPP provides that where a draft LEP makes provision for or with respect to signage or advertising within 250 metres of a classified road, council should consult with the RMS. Areas A, B and C in the Planning Proposal are within 250 metres of the New England Highway which is a classified road under the <i>Roads Act 1993</i>. The Planning Proposal recommends that the RMS be consulted in accordance with clause 31 of the SEPP, subject to a Gateway Determination.</p>
Housing for Seniors or People with a Disability 2004	Yes	<p>The SEPP aims to encourage the provision of housing that will increase the supply and diversity of residences that meet the needs of seniors or people with a disability, make efficient use of existing infrastructure and services and be of good design.</p> <p>Clause 4 identifies land to which the SEPP applies which includes land zoned for urban purposes if development for the purpose of a hospital is permitted. The SEPP would apply to land in the B7 zone as hospitals are permitted in the zone under the Infrastructure 2007 SEPP. Although seniors housing would be permitted in the B7 zone such a development would still need to satisfy other requirements of the SEPP including design principles and providing support services for seniors or people with a disability.</p>

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SEPP	Consistent	Comment
Mining, Petroleum Production and Extractive Industries 2007	Yes	<p>The SEPP provides for the management and development of mining, petroleum production and extractive resources. The SEPP identifies development that is permitted with or without consent as well as the procedures and matters for consideration in relation to development applications.</p> <p>The types of development that may be carried out with consent under the SEPP include the following:</p> <ul style="list-style-type: none"> • underground mining on any land – therefore underground mining is permitted with consent on all land subject of the Planning Proposal. • mining where development for the purposes of agriculture or industry may be carried out – therefore mining is permitted with consent under the SEPP in the B7 and IN2 zones (where light industry is permitted). • extractive industry where development for the purposes of agriculture or industry may be carried out – therefore extractive industry is permitted with consent under the SEPP in the B7 and IN2 zones (where light industry is permitted).
Infrastructure 2007	Yes	<p>The SEPP relates to infrastructure development carried out by or on behalf of a public authority and identifies exempt development and development that may be carried out with or without consent.</p> <p>The SEPP includes provisions for an Air transport facility which means ‘an airport, or a heliport that is not part of an airport, and includes associated communication and air traffic control facilities or structures’. Under the SEPP, the following development may carried out by or on behalf of a public authority:</p> <ul style="list-style-type: none"> • For the purpose of an airport without consent on land in SP2 zone • For the purpose of a heliport without consent on land in IN2 or SP2 zones • For the following purposes, if the development is ancillary to the air transport facility, with consent on land within the boundaries of the existing air transport facility: <ul style="list-style-type: none"> ○ passenger terminals ○ facilities for the receipt, forwarding or storage of freight ○ hangars for aircraft storage, maintenance and repair ○ premises for retail, business, recreational, residential or industrial uses.
Exempt and Complying Development Codes 2008	Yes	<p>The SEPP aims to provide streamlined assessment processes for development that complies with specified development standards and includes exempt and complying development codes that have State-wide application.</p> <p>Under the SEPP the Commercial and Industrial (New Buildings and Additions) Code for complying development does not apply to land within a buffer. All land subject of the Planning Proposal is located within the Airport Buffer Area. Therefore, the Commercial and Industrial (New Buildings and Additions) Code will not apply to land subject of the Planning Proposal.</p>

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SEPP	Consistent	Comment
State and Regional Development 2011	Yes	The SEPP identifies State significant development and development that is State significant infrastructure and critical State significant infrastructure, and confers functions on joint regional planning panels to determine development applications.
Vegetation in Non-Rural Areas 2017	Yes	<p>The SEPP applies to vegetation in non-rural areas and aims to protect the biodiversity values of trees and other vegetation and to preserve amenity through the preservation of trees and other vegetation.</p> <p>The SEPP outlines when a permit from council is required to clear vegetation and when the clearing of native vegetation requires an approval from the Native Vegetation Panel.</p>
Educational Establishments and Child Care Facilities 2017	Yes	<p>The aim of the SEPP is to facilitate the effective delivery of educational establishments and early education and care facilities across the State. The SEPP includes provisions for exempt and complying development. However a requirement for development to be complying development is that the land is not located within a buffer area. All land subject of the Planning Proposal is within the Airport Buffer Area and, therefore, educational establishments and centre-based child care facilities are not complying development under the SEPP.</p> <p>Educational establishments and centre-based child care facilities are permitted in the following zones under the respective environmental planning instruments:</p> <ul style="list-style-type: none"> • centre-based child care facilities are permitted in the B7 zone under ADLEP 2012 • schools and universities are permitted in the B7 and SP2 zones under the SEPP • TAFE establishments are permitted in the B7, IN2 and SP2 zones under the SEPP.

ATTACHMENT 8: APPLICABLE MINISTERIAL DIRECTIONS (SECTION 117 DIRECTIONS)

1. Employment and Resources

Direction	Consistent	Comments
1.1 Business and Industrial Zones	No, but justified.	<p>The following lists the matters under Part 4 of the direction that a Planning Planning must do and comments are provided for each matter:</p> <p>4(a) Give effect to the objectives of this direction. <i>Comments:</i> The objectives of the direction are to:</p> <ul style="list-style-type: none"> • Encourage employment growth in suitable locations, • Protect employment land in business and industrial zones, and • Support the viability of identified centres. <p>The Planning Proposal implements the <i>Armidale Regional Airport Master Plan 2016</i> which seeks to promote economic development. The proposed locations are considered suitable (refer to the responses to Questions 7, 8 and 9 in the Planning Proposal for details). The Planning Proposal will rezone some existing IN2 land to SP2 for aviation related uses and overall there will be a reduction in the supply of useable IN2 zoned land in the precinct of 2.48ha, or 7%. However, some of the IN2 zoned land will be rezoned to B7 which will provide for employment generating developments. The proposed changes in zoning for IN2 and SP2 zoned land and the introduction of a B7 zone is considered unlikely to adversely affect the viability of the Armidale CBD or the existing B7 zoned land on Madgwick Drive (refer to the response for Question 4 for further information). The Planning Proposal is considered to give effect to the objectives of the direction.</p> <p>4(b) Retain the areas and locations of existing business and industrial zones. <i>Comments:</i> The Planning Proposal does not retain the area and location of the existing IN2 zoning at the Airport precinct. The location of IN2 zoned land proposes to be changed resulting in a reduction of useable IN2 zoned land in the precinct of 2.48ha which is considered to be relatively minor.</p> <p>4(c) Not reduce the total potential floor space area for employment uses and related public services in business zones. <i>Comments:</i> The Planning Proposal does not reduce the total potential floor space for employment uses and related public services in business zones.</p> <p>4(d) Not reduce the total potential floor space area for industrial uses in industrial zones. <i>Comments:</i> The Planning Proposal will result in a reduction of 2.48ha of useable industrially zoned land and thereby reduce total potential floor space for industrial uses in the IN2 zone. However, the reduction in area, and therefore potential floor space, is considered to be relatively minor. Furthermore, light industrial uses are permitted in the proposed B7 zone which will apply to some land currently zoned IN2.</p> <p>The Planning Proposal is inconsistent with parts 4(b) & 4(d) of the direction but the inconsistency is considered to be of minor significance and therefore justified.</p>

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Direction	Consistent	Comments
1.3 Mining, Petroleum Production and Extractive Industries	Yes	<p>Under the SEPP <i>Mining, Petroleum Production and Extractive Industries 2007</i> underground mining and extractive industries are permitted in the B7 and IN2 zones (refer to Attachment 7).</p> <p>In terms of whether there are resources of State or regional significance on the land subject of the proposal, the Mineral Resources Audit of Armidale Dumaresq prepared by Geological Survey of NSW (Division of Resources and Industry, NSW Trade and Investment) does not identify the subject land or land in the locality as having an identified or potential resource or being located in a buffer zone or transition area.</p> <p>NSW Trade and Investment – Resources & Energy were consulted on the <i>Armidale Industrial Land Study</i> in 2012 and advised that as the proposed industrial sites were urban, near urban or abut airport lands no significant issues arise that are of concern to their Mineral Resources Branch. A copy of the letter, dated 29 August 2012, is included in Attachment 6.</p> <p>The Planning Proposal is unlikely to restrict the potential development of mineral resources and extractive materials.</p>

2. Environment and Heritage

Direction	Consistent	Comments
2.1 Environment Protection Zones	Yes	<p>The objective of this direction is to protect and conserve environmentally sensitive areas. The direction requires a Planning Proposal to include provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p>It is intended that development of the land subject of the Planning Proposal will involve the removal of all vegetation on the land. This land is part of a larger area that will be cleared during development. Biodiversity assessments have been undertaken for Areas A, part Area B and Area C and a biodiversity offset site on adjoining land to the south-west has been identified. The means of protecting the proposed offset site will be subject of a Vegetation Management Plan which will include any future proposed environment protection zoning for the offset area. The Planning Proposal recommends that a biodiversity assessment be carried out for Area D, subject to a Gateway Determination (refer to the response to Question 7 for further details).</p>
2.3 Heritage Conservation	Yes	<p>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and Aboriginal cultural heritage significance.</p> <p>ADLEP 2012 includes the provisions from the Standard Instrument LEP for protecting European and Aboriginal cultural heritage. The Planning Proposal does not propose to alter these provisions. Land subject of the Planning Proposal is not identified as a heritage item or being located within a heritage conservation area.</p> <p>An <i>Aboriginal cultural heritage assessment</i> (Cohen Cultural Consultancy, 2015) of Area A, part Area B and Area C concluded there is no evidence remaining on the land of any sites or artefacts of significance to the Anaiwan (Nganyaywana) people of the Northern Tablelands or to the</p>

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		<p>Gumbaynggirr Nation. The report recommended that when future ground disturbances are initiated that Aboriginal community monitors be present to determine the significance of any Aboriginal sites or cultural artefacts found and that acknowledgement signage be erected for the traditional owners of the land.</p> <p>The Planning Proposal recommends that an Aboriginal cultural heritage assessment be undertaken for Area D, subject to a Gateway Determination (refer to the response to Question 8 for further details).</p>
2.4 Recreation Vehicle Areas	Yes	The Planning Proposal does not enable the land subject of the Planning Proposal to be developed for the purpose of a recreation vehicle area as 'recreation facilities (major and outdoor)' are prohibited in the B7, IN2 and SP2 (Air Transport Facility) zones.

3. Housing, Infrastructure and Urban Development

Direction	Consistent	Comments
3.2 Caravan Parks and Manufactured Home Estates	Yes	The Planning Proposal does not alter the permissibility of caravan parks and manufactured home estates on land subject of the Planning Proposal. Under ADLEP 2012 caravan parks are prohibited in the B7, IN2 and SP2 (Air Transport Facility) zones.
3.3 Home Occupations	Yes	The Planning Proposal does not alter the current provisions in ADLEP 2012 that permit home occupations to be carried out in dwelling houses without the need for development consent.
3.4 Integrating Land Use and Transport		<p>Part 4 of the direction requires a Planning Proposal to locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and <i>the Right Place for Business and Services – Planning Policy</i> (DUAP 2001).</p> <p>Transport choice means choosing how people travel – being able to choose whether to walk, cycle, use public transport or private cars.</p> <p>The relevant objectives of the direction for this Planning Proposal is to locate businesses which generate transport demand in locations that offer a choice of transport; increase opportunities for people to make fewer and shorter trips; and provide for the efficient movement of freight.</p> <p>Land subject of the Planning Proposal is located on the urban fringe, approximately 6km from the Armidale Central Business District. Access is available by road. There are no existing pedestrian or designated cycleway links to the land. A privately operated bus service runs past the Airport precinct between Uralla and Armidale. Taxi services are available between the Airport and Armidale. The most convenient access currently available for future employees and clients is by private motor vehicle. Monitoring of the demand for transport services would need to be undertaken as development occurs to identify if improved bus services and a cycleway link to the precinct are needed.</p> <p><i>The Right Place for Business and Services</i> notes that industrial zones in urban fringe locations are suitable for businesses with significant freight movements and low employment densities. These types of uses are</p>

		permitted in the IN2 zone and will benefit from their location with direct access to the New England Highway. Other potential businesses that are likely to benefit from locating in the precinct are those that will use air freight facilities.
3.5 Development Near Licensed Aerodromes	No	<p>Land subject of the Planning Proposal is on or adjoins Armidale Regional Airport.</p> <p>Part 4(a) of the direction requires council to consult with the Department of the Commonwealth responsible for aerodromes and the lessee of the aerodrome where a Planning Proposal sets controls for the development of land in the vicinity of a licensed aerodrome. The proposed rezonings and alterations to lot size standards in the Planning Proposal will change controls applying to the land. Council has not yet consulted with the Commonwealth department responsible for aerodromes as part of preparing the Planning Proposal. It is not necessary to consult with the lessee of the Airport as it is owned and operated by council.</p> <p>Parts 4(b) of the direction requires council to take into consideration the OLS. Part 4(c) of the direction requires council, for land affected by the OLS, to prepare appropriate development standards, such as height restrictions, and allow as permissible with consent development types that are compatible with the operation of an aerodrome. The Planning Proposal has considered the OLS (refer to the response to Question 8) and identifies land where structures may be restricted so as not to penetrate the OLS. The Planning Proposal does not propose development standards as ADLEP 2012 already includes Clause 6.3 <i>Airspace Operations</i> which requires the consent authority to consult with the relevant Commonwealth department where a proposed development will penetrate the OLS for the Airport. The permitted development types in the Planning Proposal are considered to be compatible with the operation of the Airport. The land subject of the Planning Proposal is within the Airport Buffer and any future development will be subject to Clause 6.5 <i>Development within a Designated Buffer</i> of ADLEP 2012 (refer to Question 8).</p> <p>Part 4(d) requires council to obtain permission from the Commonwealth department responsible for aerodromes for a Planning Proposal where it allows development with consent that would encroach above the OLS. It is estimated that structures between approximately 2m and 6m high on part of Area D, which is proposed to be zoned IN2, would penetrate the OLS.</p> <p>Part (5) relates to the rezoning of land to allow noise sensitive developments where the ANEF exceeds 20. Part of Area D, which is proposed to be zoned IN2, is within ANEF 20. The Planning Proposal does not propose to rezone land for residential purposes, schools, hospitals, churches, theatres, hotels, motels, offices or public buildings on land where the ANEF exceeds 20.</p> <p>In summary, the Planning Proposal is considered to be inconsistent with Parts 4(a) and 4(d) of the direction. In order to comply with the direction it is recommended that council consult with and obtain the permission of the Commonwealth department responsible for aerodromes regarding the Planning Proposal to satisfy Parts 4(a) and 4(d) of the direction.</p>

5. Regional Planning

Direction	Consistent	Comments
5.10 Implementation of Regional Plans	No, but justified	<p>The direction requires that a Planning Proposal be consistent with a Regional Plan released by the Minister for Planning.</p> <p>The <i>New England North West Regional Plan 2036</i> was released by the Minister for Planning in August 2017. The response to Question 3 in the Planning Proposal considers relevant goals, directions and actions of the Regional Plan and whether the Planning Proposal is consistent with the plan. The Planning Proposal is considered to be consistent with relevant actions in the Regional Plan except for Actions 3.2 and 9.1. However, the inconsistencies are justified as the differences are considered to be of minor significance and the Planning Proposal is not considered likely to undermine the vision, land use strategy, goals, directions or actions of the Regional Plan, as outlined below.</p> <ul style="list-style-type: none"> • Action 3.2 Limit urban and rural residential development on important agricultural land, including mapped Biophysical Strategic Agricultural Land, unless it is in a strategy that is: <ul style="list-style-type: none"> ○ agreed between council and the Department of Planning and Environment; and ○ consistent with the guidelines for councils on important agricultural land. <p><i>Comment:</i> Areas D and part C are part of a larger area of land mapped as Biophysical Strategic Agricultural Land that extends north and west of the Airport. Both parcels are located in the airport precinct and their future use based on the current and proposed zonings are for airport related or industrial uses. The Planning Proposal in effect is likely to have minimal, if any, impact on the agricultural productivity of Areas C and D.</p> <ul style="list-style-type: none"> • Action 9.1: <i>Deliver precinct plans to provide a holistic vision and planning framework for the regional cities.</i> <p><i>Comment:</i> land subject of the Planning Proposal is shown in Figure 5: <i>Armidale Regional City Growth Precincts</i> of the Regional Plan (page 30), as being either in the Airport area or an industrial/employment area. The Planning Proposal and the precinct as shown in Figure 5 of the Regional Plan differ as follows:</p> <ul style="list-style-type: none"> ○ The boundaries of the airport and industrial land vary slightly ○ The Planning Proposal introduces a B7 business park zoning and additional uses for a car museum and hotel or motel accommodation ○ It is proposed to use much of the land south of the Airport precinct as a biodiversity offset area so this land will no longer be available for industrial or employment purposes. <p>The <i>Armidale Industrial Land Study</i> estimated that of the 66.5ha of land at the Airport Site, 35.3ha was useable. Overall there will be a decrease of 2.48 ha of useable IN2 zoned land which represents 7% of the developable land available in the precinct. The overall impact on the supply of industrially zoned land in Armidale is considered to be minimal.</p>

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6. Local Plan Making

Direction	Consistent	Comments
6.1 Approval and Referral Requirements	Yes	<p>The Planning Proposal does not:</p> <ul style="list-style-type: none"> include provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority does not identify development as designated development.
6.2 Reserving Land for Public Purposes	Yes	<p>The Planning Proposal does not create, alter or reduce existing zonings or reservations of land for public purposes.</p>
6.3 Site Specific Provisions	Yes	<p>The objective of the direction is to discourage unnecessarily restrictive site specific planning controls. The Planning Proposal seeks to amend ADLEP 2012 to allow an information and education facility in Area A and hotel or motel accommodation in Area B. The boundaries of Areas A, B, C and D are based on the <i>Armidale Regional Airport Master Plan</i> and a subsequent subdivision development application (DA-46-2017) largely based on the Master Plan.</p> <p>Part 4 of the direction requires a Planning Proposal to:</p> <ul style="list-style-type: none"> (a) allow the particular types of development to be carried out in the zone the land is situated on; or (b) rezone the site to an existing zone already applying in the LEP that allows for the particular types of development without imposing any additional development standards or requirements; or (c) allow the particular types of development on relevant land without imposing any development standards or requirements in addition to those already contained in the LEP. <p>The Planning Proposal considers the alternative approaches in (a) – (c) above and concludes that the approach in Part 4(c) is considered the most appropriate (refer to the response to Question 2 for details). The Planning Proposal is consistent with Part 4(c) as it proposes to allow information and education facilities in Area A and hotel or motel accommodation in part of Area B and does not include any additional development standards or requirements in relation to these types of development.</p> <p>The Planning Proposal does not contain or refer to drawings that show details of the information and education facility or the hotel or motel accommodation and is therefore consistent with Part 5 of the direction.</p>