

10.3 PLANNING PROPOSAL 02/2019 - TEMPORARY EVENTS**File Number:** 427006**Responsible Officer:** Tony Meppem, Director Development and Economic Growth**Author:** Cara Stoltenberg, Town Planner**Attachments:** 1. Planning Proposal 2-2019 - Temporary Events**DELIVERY PROGRAM ALIGNMENT****2. Environment**

Objective 2.1 We will maintain our open spaces, natural environment and heritage for future generations

Strategy 2.1.3 Passive recreational open spaces are well maintained and accessible for public use

EXECUTIVE SUMMARY

The objectives and intended outcomes of this planning proposal are:

1. To enable certain Temporary Events and development associated with Temporary Events on land zoned RE1 Public Recreation and/or any public roads to be undertaken without development consent;
2. To remove duplication of the approvals process under the *Local Government Act 1993*, the *Roads Act 1993* and the *Environmental Planning and Assessment Act 1979* as it relates to temporary events and development associated with Temporary Events by not requiring development approval to be granted under the *Environmental Planning and Assessment Act 1979*.

RECOMMENDATION

That Council:

1. **Endorse the Planning Proposal to amend the provisions of the Narrabri Local Environmental Plan 2012 to enable Temporary Events and development associated with Temporary Events on land zoned RE1 Public Recreation and/or any public roads within the Shire to be undertaken without Development Consent and forward the Planning Proposal to the Department of Planning and Environment with a request for a Gateway Determination.**
2. **Notify the Department of Planning and Environment of its intention to use the plan making power delegated to Council by the Department to make the proposed amendment to Narrabri Local Environmental Plan 2012.**
3. **Delegate to the General Manager any necessary amendments required to the Planning Proposal as a result of considerations by the Department of Planning and Environment or as a result of the Gateway Determination.**

BACKGROUND

The preparation of a planning proposal is the first step in the NSW Department of Planning and Environment's ("DPE") Gateway Process, the process for making or amending local environmental plans.

The attached planning proposal recommends an amendment to the *Narrabri Local Environmental Plan 2012 ("LEP")* to enable Temporary Events and development associated with Temporary Events on land zoned RE1 Public Recreation and/or any public roads within the Shire to be undertaken without Development Consent. The planning proposal also removes duplication of the approvals process under the *Local Government Act 1993*, the *Roads Act 1993* and the *Environmental Planning and Assessment Act 1979*.

CURRENT SITUATION

The existing approval pathway for anyone wanting to hold an event on land within the Shire such as circuses, involves multiple applications and fees including the lodgment of a development application, as well as a local approval, and in some instances a section 138 Roads Act approval. It is considered that numerous different applications are unnecessary and an amendment to the LEP 2012 is the only method to reduce the requirement for multiple applications and the most effective means of permitting Temporary Events within public reserves and roads without multiple approvals.

The requirement for approval to be obtained under the *Local Government Act 1993* and the *Roads Act 1993* will remain.

The planning proposal is attached for Council's consideration.

Council can resolve to:

- a) Adopt the planning proposal and seek to make the proposed amendment to the LEP;
- or
- b) Reject the planning proposal and seek not make the proposed amendment to the LEP.

If Council resolves to adopt the attached planning proposal, then it would be sent to the DPE who would indicate if it considers the planning proposal suitable for exhibition. The DPE may also place conditions on any approval for exhibition, stipulate the timeframe and terms of that exhibition and require consultation with any public authorities that it deems necessary.

The estimated time frame for the LEP 2012 amendment process is outlined in the planning proposal; attached to this report.

FINANCIAL IMPLICATIONS

Nil.

STATUTORY AND POLICY IMPLICATIONS

This matter may result in the amendment of the LEP. The planning proposal is an environmental planning instrument, a statutory legal document affecting land use within the Narrabri Shire Local Government Area.

CONSULTATION

External Consultation

- NSW Department of Planning and Environment.

Internal Consultation

- Design Services Manager.
- Community Facilities Manager.