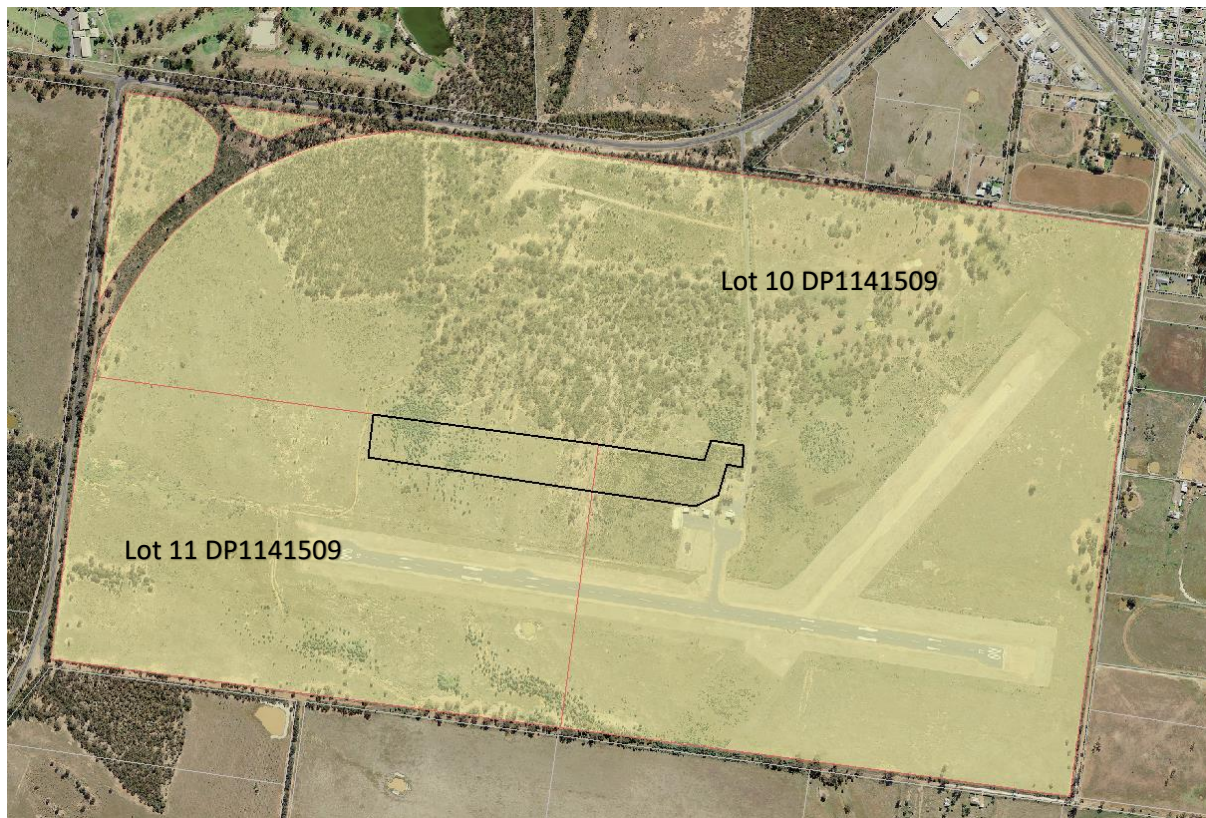


## PLANNING PROPOSAL

This Planning Proposal (PP) was prepared under Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to seek an amendment to the Bland Local Environmental Plan 2011 (Bland LEP). The PP would enable an additional permitted use on land at 13510 Newell Highway, West Wyalong. The West Wyalong Airport is also located on this land.

The subject land is legally described as Lots 10 and 11 DP1141509 as shown in Figure 1.



**FIGURE 1: LAND APPLICATION FOR THIS PP (IDENTIFIED BY BLACK LINE) ON LOTS 10 & 11 DP1141509**

The PP requires the PP Authority, Bland Shire Council (Council) to exercise its function under Division 3.4 of the EP&A Act in relation to the land and amend Schedule 1 of the Bland LEP to include:

***Use of certain land at 13510 Newell Highway, West Wyalong***

- (1) The use would apply to part of Lot 10 DP1141509 and part of Lot 11 DP1141509, Newell Highway, West Wyalong***
- (2) That development for the purpose of a recreation facility (outdoor) be permitted with development consent.***

The PP does not seek to amend the land use zone or development standards applying to the land.

The PP was prepared in accordance with the Local Environmental Planning Making Guideline (DPIE, 2021) and outlines the effect of, and provides justification for, the proposed amendment to the Bland LEP. The PP demonstrates consistency with the applicable regional and local strategic framework,

State Environmental Planning Policies, and the Local Planning Directions under Section 9.1 of the EP & A Act.

### Background

The legal description of the subject land and land ownership is described in Table 1.

<b>Table 1 Subject Land and Land Ownership</b>	
<b>Subject Land</b>	<b>Landholder</b>
13510 Newell Highway, West Wyalong Lots 10 & 11 DP 1141509	Bland Shire Council

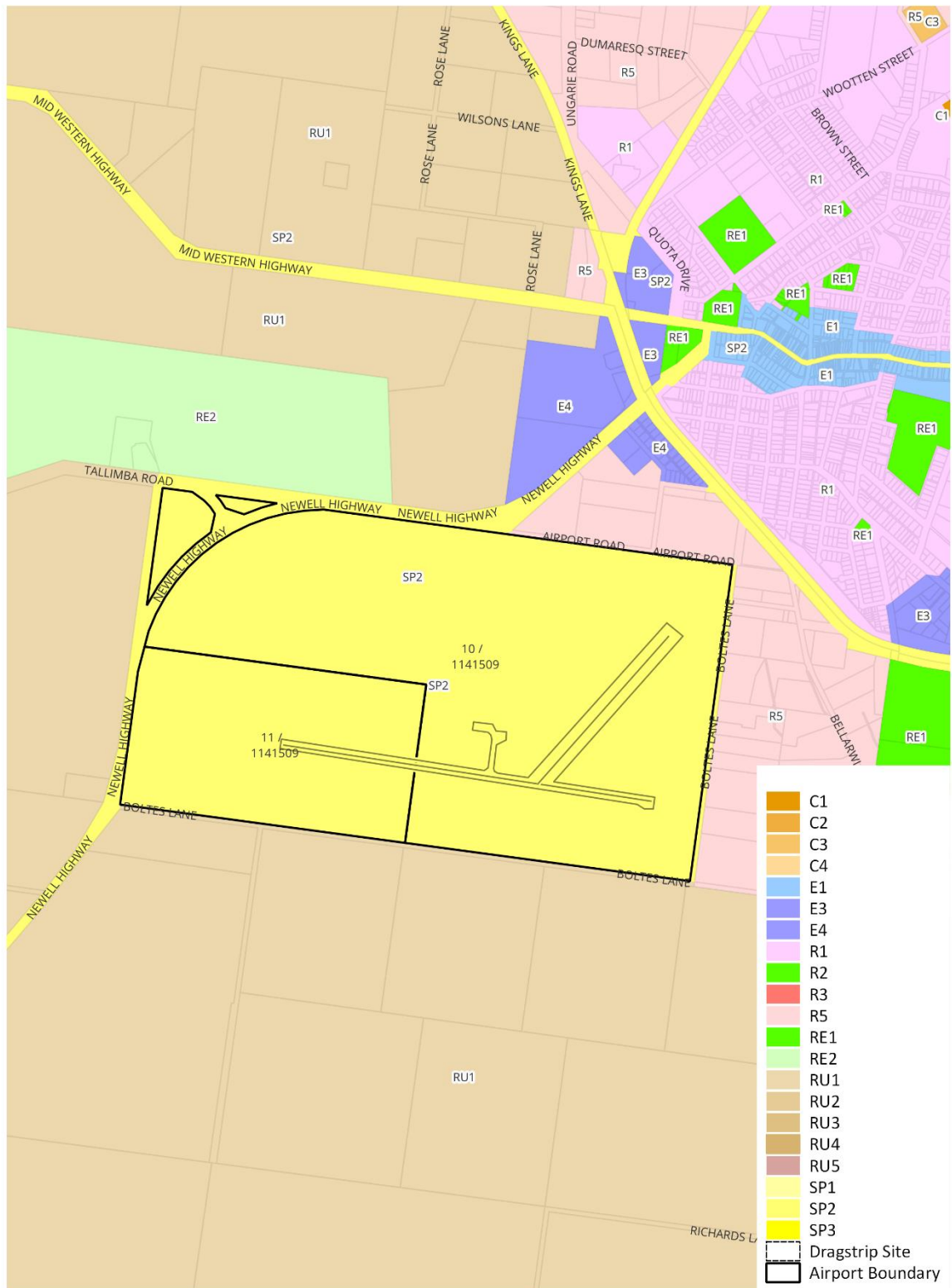
The subject land is located on the Newell Highway approximately 1.5 kilometres south of West Wyalong. The land is the site of the West Wyalong Airport which is in use for commercial operations which includes charter flights for FIFO workers to support the Lake Cowal Gold mine, agricultural aerial spraying operations, recreational aviation including private light aircraft, and emergency services flights which includes Rural Fire service aerial water bombing and Royal Flying Doctors

The land is zoned SP2 Infrastructure (Air Transport Facility) and does not have a minimum lot size for subdivision. The proposed dragstrip is located towards the centre of the subject land as shown in Figure 1 above. The adjoining areas to the south and west of the land are zoned RU1 Primary Production. To the west of the site the land is zoned R5 Large Lot Residential. The West Wyalong Golf Club is located to the north of the site and is zoned RE2 Private Recreation, as shown in Figure 2.

The total area of the land subject to this PP is 318.7 hectares (Lot 10 – 237.8 ha and Lot 11 80.9 ha). The area of land that would be subject to the development of the drag strip is 9.38 hectares). Existing features on the land include the airport terminal, tarmac runway, gravel runway, 3 hangars, refuelling facility and car parking. The facility is also utilised by the local motorsports club (for events such as show and shine) which have approval to run some restricted drag racing activities from the existing runway.

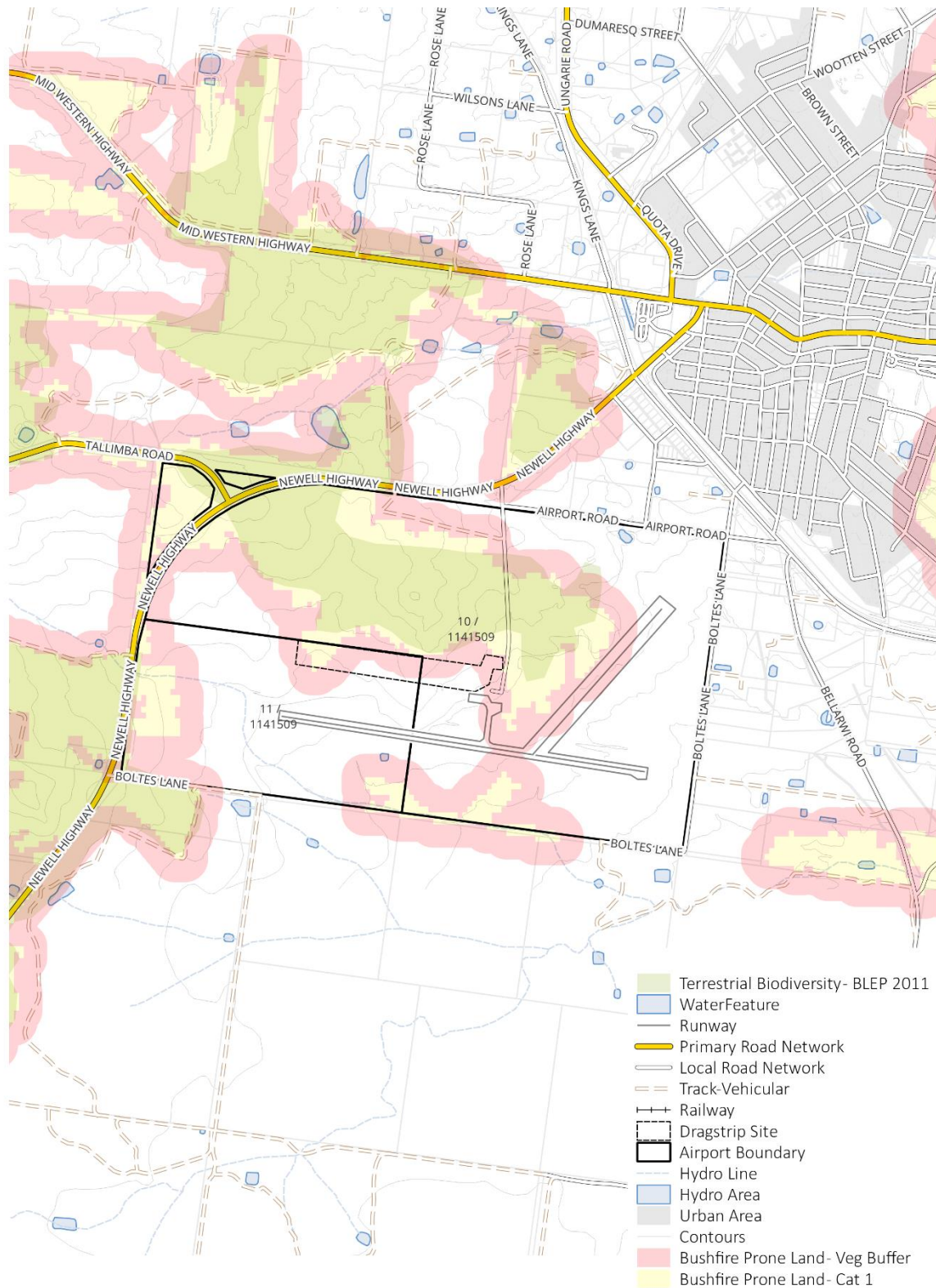
Entry to the Airport site is gained from existing access location on the Newell Highway. A sealed internal access road connects to site facilities (including the proposed dragstrip).

The environmental values of the land are shown in Figure 3. Parts of the site are covered in native vegetation and are mapped as terrestrial biodiversity in the Bland LEP. There are several surface water dams and natural drainage corridors, but the site is not flood prone and there are no significant overland stormwater drainage issues.



**FIGURE 2: ZONING MAP - LOTS 10 & 11 DP1141509**





**FIGURE 3: ENVIRONMENTAL VALUES MAP - LOTS 10 & 11 DP1141509**

## **PART 1 OBJECTIVE OR INTENDED OUTCOMES**

The intent of this PP is to amend the Bland LEP 2011 to enable the development of a recreation facility (outdoor) on part of the subject land.

Furthermore, the PP seeks to achieve the following objectives:

- Provide a unique sports tourism opportunity within the region to attract visitors to the Bland Shire.
- Makes use of under-utilised council owned land. with potential for recreational uses that require open spaces such as motorsport in a safe and controllable manner

## **PART 2 EXPLANATION OF PROVISIONS**

The proposed outcome of the PP would be achieved by amending Schedule 1 Additional permitted uses of the Bland LEP 2011, to insert as an additional item the following:

**3      *Use of certain land at 13510 Newell Highway, West Wyalong***

- 1) This clause applies to Lot 10 and Lot 11 DP1141509, 13510 Newell Highway, West Wyalong, shown as 3 on the Additional Permitted Uses Map.*
- 2) Development for the purpose of a recreation facility (outdoor) is permitted with development consent.*

The proposed outcome of the PP would also include amendment to the Additional Permitted Uses Map within the Bland LEP 2011, to identify the applicable land as shown in Appendix 1.

### 3 JUSTIFICATION

#### 3.1 SECTION A – NEED FOR THE PLANNING PROPOSAL

##### 3.1.1 Is the PP a result of an endorsed LSPS, strategic study or report

The PP is not the result of an endorsed LSPS, strategic study or report. The PP, however, is not inconsistent with:

- Bland Shire Housing Strategy (Habitat Planning, 2022)
- Bland Shire Local Strategic Planning Statement (Bland Shire Council, 2020)
- Bland Community Strategic Plan (Bland Shire Council, 2022)

Specifically, the following provisions show the proposal would be compatible with the Bland Community Strategic Plan 2017 -2027 and the strategic objectives of the Riverina Murray Destination Management Plan 2022 - 2030:

##### **Bland Community Strategic Plan**

- *14.2 Attract a diverse range of visitors to the Shire*
  - The proposed development of a motorsports park on the subject land would provide an opportunity to for the Bland Local Government Area to attract motorsports enthusiasts to the region. The nearest similar facility is located in Shepparton, Victoria.

##### **Riverina Murray Destination Management Plan**

- *Support the development and delivery of contemporary events and festival across the Riverina Murray to attract new visitors*
  - The proposed dragstrip has the potential to attract new visitors to the region. There is the potential of the site to host national events in the future which would attract visitors to the region from across Australia.

It is considered that current permissible uses prevent the best outcomes for the site being realised. Amendment of the Bland LEP 2011 is the only means to deliver the project.

##### 3.1.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

An amendment to Schedule 1 of the Bland LEP 2011 to enable a currently prohibited land use on the subject land is considered the best means to giving effect to the objectives of the PP (and enable determination of a subsequent Development Application consistent with the Concept Design in Appendix A).

The applicable land is within Zone SP2 Infrastructure (Air Transport Facility) under the Bland LEP 2011. The whole site area is over 300 hectares most of which is superfluous to current airport operations.

Rezoning of the land to an alternative zone where both an air transport facility and recreation facility (outdoor) is permissible was considered, however a suitable zone could not be identified, as shown in Table 2 below:

<b>Table 2 Permissibility in Existing Bland LEP zones</b>		
<b>Zone</b>	<b>Recreation Facility (Outdoor)</b>	<b>Air Transport Facility</b>
RU1 Primary Production	Permitted with Consent	Permitted with Consent
RU3 Forestry	Prohibited	Prohibited
RU5 Village	Permitted with Consent	Prohibited
R1 General Residential	Permitted with Consent	Prohibited
R5 Large Lot Residential	Permitted with Consent	Prohibited
E1 Local Centre	Permitted with Consent	Prohibited
E3 Productivity Support	Permitted with Consent	Prohibited
E4 General Industrial	Prohibited	Prohibited
SP2 Infrastructure	Prohibited	Permitted with Consent
RE1 Public Recreation	Permitted with Consent	Prohibited
RE2 Private Recreation	Permitted with Consent	Prohibited
C1 National Parks and Nature Reserves	Prohibited	Prohibited
C3 Environmental Management	Permitted with Consent	Prohibited

The only zone where both uses are permitted with consent is the RU1 Primary Production zone. It is not considered that this zone is appropriate for the future use of the site as an air transport facility. A number of sites were considered for the proposed new recreation facility however as the project is grant funded the purchase of private land was not economically viable.



## 3.2 SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

### 3.2.1 Will the Planning Proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

#### Riverina Murray Regional Plan 2041

The Riverina Murray Regional Plan 2041 (NSW Government 2023) establishes a framework for land uses over the next 20 years for the Riverina and Murray region. The subject land is located within Bland Local Government Area on the northern fringe of the Riverina region. The plan includes objectives, strategies and actions across three themes - environment, communities and places, and the economy to guide land use planning priorities and decision-making. The following provisions from the plan are relevant to the PP, as outlined in Table 33.

<b>Table 33: Considerations under the Riverina Murray Regional Plan 2041</b>	
<b>Part 1 Environment</b>	
<b>Objectives</b>	<b>Comment</b>
1: Protect, connect and enhance biodiversity	<p>A Biodiversity Development Assessment Report (BDAR), prepared by AREA accompanies the PP. A BDAR is required as the current scope of work would require clearing of native vegetation which exceeds the area threshold as provided by section 7.2 of the Biodiversity Conservation Regulation 2017.</p> <p>The BDAR was referred to the NSW Department of Climate Change, Energy, the Environment and Water (Biodiversity, Conservation and Science Group) – hereafter referred to as DECCEW.</p> <p>DECCEW has commented that:</p> <ul style="list-style-type: none"> <li>- The Planning Proposal should be supported by evidence that there is no flood risk for the site.</li> <li>- The BDAR does not properly consider how the proposed development (use of the land for a recreation facility (outdoor)) can be designed and located to avoid and minimise impacts to threatened species.</li> <li>- It is not recommended that the BDAR be provided in support of the anticipated DA for the recreational facility (outdoor) until it has been revised to avoid and minimise impacts to threatened species.</li> </ul> <p>The comments from DECCEW are noted by Council. It is intended to progress the Planning Proposal on the basis of the assessment work completed in the current BDAR.</p> <p>The preparation and lodgement of a DA for the proposed recreation facility (outdoor) will provide Council with an opportunity to revisit the BDAR and ensure potential impacts to</p>

	biodiversity are adequately considered as part of the assessment process.
2: Manage development impacts within riverine environments	Not applicable – the site is not located within or near a riverine environment.
3: Increase natural hazard resilience	The land is mapped as bushfire prone land. Appropriate consultation with the Rural Fire Service will be undertaken as part of the public exhibition of the Planning Proposal.

## Part 2 Communities and Places

Objectives	Comment
4: Support Aboriginal aspirations through land use planning	Not applicable to this proposal – the land is not subject to an Aboriginal Land Claim or Native Title Claim.
5: Ensure housing supply, diversity, affordability and resilience	Not applicable – the proposal does not relate to housing.
6: Support housing in regional cities and their sub-regions	Not applicable – the proposal does not relate to housing.
7: Provide for appropriate rural residential development	Not applicable – the proposal does not relate to rural residential development.
8: Provide for short-term accommodation	Not applicable – the proposal does not relate to short-term accommodation.

9: Plan for resilient places that respect local character	The site is not located within a heritage conservation area and there have been no heritage items identified on the site. Appropriate conditions can be applied as part of a Development Application in relation to the protection of Aboriginal Heritage and Non-Aboriginal Heritage that may be encountered during the construction phase of the development.
10: Improve connections between Murray River communities	Not applicable to the Bland LGA.
11: Plan for integrated and resilient utility infrastructure	The proposed use of the site will not require infrastructure to that already available at the existing air transport facility.

## Part 3 Economy

Objectives	Comment
12: Strategically plan for rural industries	Not applicable – the proposal does not relate to rural industries or rural zoned land.
13: Support the transition to net zero by 2050	Not applicable – the proposal does not relate to renewable energy projects or the South West Renewable Energy Zone.
14: Protecting and promoting industrial and manufacturing land	Not applicable – the proposal does not relate to employment lands

15: Support the economic viability of CBDs and main streets	Not applicable – the proposal will not impact the CBD of West Wyalong.
16: Support the visitor economy	The PP supports Strategy 16.1 by providing a sports tourism facility that will attract visitors to West Wyalong at a regional level with the potential for the staging of National events.
17: Strategically plan for health and education precincts	Not applicable – the proposal does not relate to health or education precincts.
18: Integrated transport and land use planning	Not applicable – the PP will not impact on the use of the air transport facility and will not prevent access to air freight opportunities should they arise.

### 3.2.2 Is the Planning Proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

#### Local Strategic Planning Statement

The Bland Local Strategic Planning Statement (Bland LSPS) is applicable to the subject land. The following themes, planning priorities and actions from the Bland LSPS are relevant to the PP as discussed in Table 4.

<b>Table 4: Considerations under Bland Local Strategic Planning Statement</b>	
<b>Priority 1: Community</b>	
There are no actions identified in this priority that are relevant to this PP	
<b>Priority 2: Economy</b>	
The PP is consistent with the planning priority in that it provides a unique recreational facility which provides an opportunity to attract visitors to the local area and the wider region.	
<b>Priority 3: Agriculture</b>	
There are no actions identified in this priority that are relevant to this PP.	
<b>Priority 4: Environment</b>	
There are no actions identified in this priority that are relevant to this PP.	
<b>Priority 5: Infrastructure</b>	
There are no actions identified in this priority that are relevant to this PP.	

## Bland Community Strategic Plan

The Bland Community Strategic Plan (Bland CSP) is applicable to the subject land. The objective and relevant actions from the Bland CSP are discussed in Table 5.

<b>Table 5: Considerations under the Community Strategic Plan 2017-2027</b>	
<b>Our People – A strong, healthy, connected and inclusive community</b>	
<b>Objective</b>	<b>Comment</b>
1. Health and support services address the needs of the community	Not relevant to this PP.
2. Partner with organisations to strengthen community health and safety	Not relevant to this PP.
3. Nurture a strong sense of community and enrich the cultural life of the residents	Not relevant to this PP.
4. Services are accessible for all residents	Not relevant to this PP.
<b>Our Places – Maintain and improve the Shire's assets and infrastructure</b>	
<b>Objective</b>	<b>Comment</b>
5. Work in partnership with key stakeholders to provide equitable access to Council's road infrastructure, services and facilities	Not relevant to this PP.
6. Manage waste and recycling to improve utilisation of existing resources, including exploring new technologies	Not relevant to this PP.
7. Manage water and sewerage resources	Not relevant to this PP.
8. Public places and facilities are well maintained and easily accessible	Not relevant to this PP.
9. Appropriate programs, plans and budgets are developed, implemented and monitored for the effective and efficient management of Council's assets and infrastructure	Not relevant to this PP.
<b>Our Leadership – A well run Council acting as the voice of the community</b>	
<b>Objective</b>	<b>Comment</b>
10. Quality leadership, governance and management helps develop strong community partnerships	Not relevant to this PP.

11. Provide opportunities for all stakeholders to contribute to Council's decision	Not relevant to this PP.
12. Lead the community	Not relevant to this PP.
13. Develop and maintain a framework of plans and policies that provides open and transparent Council information	Not relevant to this PP.
<b>Our Prosperity – Growing our population and jobs</b>	
<b>Objective</b>	<b>Comment</b>
14. Visitors and tourists are welcomed	Action 14.2- Increase Visitors to the Shire is applicable to this PP. The proposed development of a motorsports park on the subject land would provide an opportunity to for the Bland Local Government Area to attract motorsports enthusiasts to the region. The nearest similar facility is located in Shepparton, Victoria.
15. Bland Shire is promoted as a place to do business	Not relevant to this PP.
16. Work with communities and businesses to use resources in a sustainable way for the future of the Bland Shire	Not relevant to this PP.

### 3.2.3 Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?

There are no further applicable State and regional studies or strategies, other than those addressed elsewhere within this PP.

### 3.2.4 Is the Planning Proposal consistent with applicable SEPPs?

<b>Table 6 Considerations under the relevant State Environmental Planning Policies</b>	
<b>Relevant SEPP</b>	<b>Comment/consistency with SEPP</b>
<b>SEPP (Biodiversity and Conservation) 2021</b>	Applies to this PP.
<b>Chapter 2 Vegetation in non-rural areas</b>	A Biodiversity Development Assessment Report (BDAR), prepared by AREA accompanies the PP. A BDAR is required as the current scope of work would require clearing of native vegetation which exceeds the area threshold as provided by section 7.2 of the Biodiversity Conservation Regulation 2017.  The BDAR was referred to DECCEW.

	<p>DECCEW has commented that:</p> <ul style="list-style-type: none"> <li>- The Planning Proposal should be supported by evidence that there is no flood risk for the site.</li> <li>- The BDAR does not properly consider how the proposed development (use of the land for a recreation facility (outdoor)) can be designed and located to avoid and minimise impacts to threatened species.</li> <li>- It is not recommended that the BDAR be provided in support of the anticipated DA for the recreational facility (outdoor) until it has been revised to avoid and minimise impacts to threatened species.</li> </ul> <p>The comments from DECCEW are noted by Council. It is intended to progress the Planning Proposal on the basis of the assessment work completed in the current BDAR.</p> <p>The preparation and lodgement of a DA for the proposed recreation facility (outdoor) will provide Council with an opportunity to revisit the BDAR and ensure potential impacts to biodiversity are adequately considered as part of the assessment process.</p>
<b>SEPP (Building Sustainability Index: BASIX) 2004</b>	Not relevant to this PP.
<b>SEPP (Exempt and Complying Development Codes) 2008</b>	Not relevant to this PP.
<b>SEPP (Housing) 2021</b>	Not relevant to this PP.
<b>SEPP (Industry and Employment) 2021</b>	Not relevant to this PP.
<b>SEPP No. 65 – Design Quality of Residential Apartment Development</b>	Not relevant to this PP.
<b>SEPP (Planning Systems) 2021</b>	Not relevant to this PP.
<b>SEPP (Precincts – Central River City) 2021</b>	Not applicable to the Bland LGA.
<b>SEPP (Precincts – Eastern Harbour City) 2021</b>	Not applicable to the Bland LGA.
<b>SEPP (Precincts – Regional) 2021</b>	Not applicable to the Bland LGA.
<b>SEPP (Precincts – Western Parkland City) 2021</b>	Not applicable to the Bland LGA.



<b>SEPP (Primary Production) 2021</b>	Not applicable to this PP.
<b>SEPP (Resilience and Hazards) 2021</b>	Applies to this PP.
<b>Ch 4 Remediation of land</b>	<p>A Preliminary Site Investigation (PSI) Report prepared by NGH Consulting dated February 2024 supports the Planning Proposal.</p> <p>The purpose of the PSI was to summarise the history of the site, provide up to date site information, a CSM and recommendations for further investigation.</p> <p>The PSI identified two Areas of the Environmental Concern (AECs), referred to as AEC1 and AEC 2. AEC1 relates to an area within the West Wyalong Airfield (WWA) that was used to stockpile soil, bitumen and gravels during the construction of formalised runways and ancillary facilities. AEC2 relates to a piece of Asbestos Containing Material (ACM) that was found during a site walkover.</p> <p>Aside from the two AEC's, the PSI did not identify any other significant contamination risks for the site that may affect the suitability of the land to accommodate the proposed recreation facility (outdoor).</p> <p>The PSI recommends that:</p> <ul style="list-style-type: none"> <li>- further sampling (and analysis) work be undertaken in relation to AEC1 and an updated report be prepared for consideration as part of the assessment of a Development Application for the proposed recreation facility (outdoor), and</li> <li>- An Unexpected Finds Procedure should be developed for asbestos, prior to the commencement of construction works.</li> </ul> <p>Subject to the implementation of the PSI recommendations as part of the preparation and lodgement of a DA for the recreation facility (outdoor), the Planning Proposal is consistent with the requirements of the SEPP.</p>
<b>SEPP (Resources and Energy) 2021</b>	Not applicable to this PP.
<b>SEPP (Sustainable Buildings) 2022</b>	Not applicable to this PP.
<b>SEPP (Transport and Infrastructure) 2021</b>	Not applicable to this PP.

### 3.2.5 Is the Planning Proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?

The following Ministerial Directions (dated 20 February 2023) are applicable to the PP, as outlined in Table 7.

**Table 7: Consideration of Ministerial Directions**

**Focus Area 1: Planning Systems**

Direction	Comment
1.1 Implementation of Regional Plans	The Riverina Murray Regional Plan is applicable to this proposal. It is considered that the PP achieves the overall intent of the Regional Plan and does not undermine the achievement of the Regional Plan's vision, land use strategy, goals, directions or actions.
1.2 Development of Aboriginal Land Council Land	Not applicable to this PP.
1.3 Approval and Referral Requirements	No new unnecessary referral or concurrent conditions are proposed as part of the PP.
1.4 Site Specific Provisions	This PP seeks to amend the Bland LEP 2011 in order to allow a particular land use to be carried out on the land consistent with subsection (1)(c).

**Focus Area 1: Planning Systems Place-based**

Directions 1.5 to 1.22 are not applicable to the Bland LGA

**Focus Area 2: Design and Place**

At the time of writing this PP, there were no directions issued for Focus Area 2.

**Focus Area 3: Biodiversity and Conservation**

Direction	Comment
3.1 Conservation Zones	<p>Direction 3.1 aims to protect and conserve environmentally sensitive areas.</p> <p>A Biodiversity Development Assessment Report (BDAR), prepared by AREA accompanies the PP. A BDAR is required as the current scope of work would require clearing of native vegetation which exceeds the area threshold as provided by section 7.2 of the Biodiversity Conservation Regulation 2017.</p> <p>The BDAR was referred to DECCEW. DECCEW has commented that:</p> <ul style="list-style-type: none"> <li>- The Planning Proposal should be supported by evidence that there is no flood risk for the site.</li> <li>- The BDAR does not properly consider how the proposed development (use of the land for a recreation facility (outdoor)) can be designed and located to avoid and minimise impacts to threatened species.</li> <li>- It is not recommended that the BDAR be provided in support of the anticipated DA for the recreational facility (outdoor)</li> </ul>

	<p>until it has been revised to avoid and minimise impacts to threatened species.</p> <p>The comments from DECCEW are noted by Council. It is intended to progress the Planning Proposal on the basis of the assessment work completed in the current BDAR.</p> <p>The preparation and lodgement of a DA for the proposed recreation facility (outdoor) will provide Council with an opportunity to revisit the BDAR and ensure potential impacts to biodiversity are adequately considered as part of the assessment process.</p> <p>It is considered that any inconsistency with this direction is of minor significance.</p>
3.2 Heritage Conservation	<p>Direction 3.2 aims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>The PP does not propose changes to the LEP clause or Maps relating to Heritage.</p> <p>All future Development Applications submitted will be required to comply with the relevant provisions within the LEP, <i>National Parks and Wildlife Act 1974</i> and <i>Heritage Act 1977</i>.</p> <p>The Planning Proposal is consistent with this Direction.</p>
3.3 Sydney Drinking Water Catchments	Not applicable to the Bland LGA.
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable to the Bland LGA.
3.5 Recreational Vehicle Areas	Not applicable to this PP.
3.6 Strategic Conservation Planning	Not applicable to the Bland LGA.
3.7 Public Bushland	Not applicable to the Bland LGA.
3.8 Willandra Lakes Region	Not applicable to the Bland LGA.
3.9 Sydney Harbour Foreshores and Waterway Area	Not applicable to the Bland LGA.
3.10 Water Catchment Protection	Not applicable to the Bland LGA.
<b>Focus Area 4: Resilience and Hazards</b>	
<b>Direction</b>	<b>Comment</b>

4.1 Flooding	There are several surface water dams and natural drainage corridors on the land, but the site of the proposed recreation facility (outdoor) is not flood prone and there are no significant overland stormwater drainage issues. The nearest mapped watercourse is located approximately 230 metres to the southwest, which is an unnamed second order waterway under the Strahler Classification System. This waterway feeds into Yiddah Creek, a third order waterway, approximately 1.1 kilometres southeast of the land.
4.2 Coastal Management	Not applicable to the Bland LGA.
4.3 Planning for Bushfire Protection	Part of the land is mapped as being bushfire prone land. The NSW Rural Fire Service will be consulted in accordance with a gateway determination
4.4 Remediation of Contaminated Land	<p>A Preliminary Site Investigation (PSI) Report prepared by NGH Consulting dated February 2024 supports the Planning Proposal.</p> <p>The purpose of the PSI was to summarise the history of the site, provide up to date site information, a CSM and recommendations for further investigation.</p> <p>The PSI identified two Areas of the Environmental Concern (AECs), referred to as AEC1 and AEC 2. AEC1 relates to an area within the West Wyalong Airfield (WWA) that was used to stockpile soil, bitumen and gravels during the construction of formalised runways and ancillary facilities. AEC2 relates to a piece of Asbestos Containing Material (ACM) that was found during a site walkover.</p> <p>Aside from the two AEC's, the PSI did not identify any other significant contamination risks for the site that may affect the suitability of the land to accommodate the proposed recreation facility (outdoor).</p> <p>The PSI recommends that:</p> <ul style="list-style-type: none"> <li>- further sampling (and analysis) work be undertaken in relation to AEC1 and an updated report be prepared for consideration as part of the assessment of a Development Application for the proposed recreation facility (outdoor), and</li> <li>- An Unexpected Finds Procedure should be developed for asbestos, prior to the commencement of construction works.</li> </ul> <p>Subject to the implementation of the PSI recommendations as part of the preparation and lodgement of a DA for the recreation facility (outdoor), the Planning Proposal is consistent with the requirements of Direction 4.4.</p>
4.5 Acid Sulfate Soils	Not applicable to the Bland LGA.
4.6 Mine Subsidence and Unstable Land	Not applicable – the land is not within a declared mine subsidence district. There is no evidence that mining has taken place in the vicinity of the site.

<b>Focus Area 5: Transport and Infrastructure</b>	
<b>Direction</b>	<b>Comment</b>
5.1 Integrating Land Use and Transport	The PP seeks to add recreational facility (outdoor) as an Additional Permitted Use in the current SP2 Infrastructure zone. It is considered that any inconsistency with this direction is of minor significance.
5.2 Reserving Land for Public Purposes	The PP does not seek to reserve land for public purposes.
5.3 Development Near Regulated Airports and Defence Airfields	Council is the operator of the West Wyalong Airport. It is considered that the use of land adjoining the airport is suitable for a drag strip and will not affect the operation of the airport.  Any inconsistency with this direction is of minor significance.
5.4 Shooting Ranges	Not applicable - The subject land is not located in the vicinity of a shooting range.
<b>Focus Area 6: Residential Zones</b>	
6.1 Residential Zones	Not applicable – The subject land is not within an existing or proposed residential zone.
6.2 Caravan Parks and Manufactured	The proposed development is not a caravan park or manufactured home estate.
<b>Focus Area 7: Industry and Employment</b>	
7.1 Business and Industrial Zones	Not applicable – The PP does not affect land in an existing or proposed employment zone.
7.2 Reduction in non-hosted short-term rental accommodation period	Not applicable to the Bland LGA.
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable to the Bland LGA.
<b>Focus Area 8: Resources and Energy</b>	
8.1 Mining, Petroleum Production and Extractive Industries	Mining, Petroleum Production and Extractive Industries are prohibited in the existing SP2 Infrastructure zone of the Bland LEP 2011.
<b>Focus Area 9: Primary Production</b>	
9.1 Rural Zones	Not applicable – the PP does not seek to rezone land from a rural zone.
9.2 Rural Lands	Not applicable – the PP does not seek to rezone land in an existing or proposed rural or conservation zone.
9.3 Oyster Aquaculture	Not applicable to the Bland LGA.

9.4 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable to the Bland LGA.
--	----------------------------------

### **3.3 SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT**

#### **3.3.1 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be affected because of the Planning Proposal?**

A Biodiversity Development Assessment Report (BDAR), prepared by AREA accompanies the PP. A BDAR is required as the current scope of work would require clearing of native vegetation which exceeds the area threshold as provided by section 7.2 of the Biodiversity Conservation Regulation 2017. The BDAR was referred to DECCEW and the following comments were received:

- The BDAR does not properly consider how the proposed development (use of the land for a recreation facility (outdoor)) can be designed and located to avoid and minimise impacts to threatened species.
- It is not recommended that the BDAR be provided in support of the anticipated DA for the recreational facility (outdoor) until it has been revised to avoid and minimise impacts to threatened species.

The comments from DECCEW are noted by Council. It is intended to progress the Planning Proposal on the basis of the assessment work completed in the current BDAR.

The preparation and lodgement of a DA for the proposed recreation facility (outdoor) will provide Council with an opportunity to revisit the BDAR and ensure potential impacts to biodiversity are adequately considered as part of the assessment process.

#### **3.3.2 Are there any other likely environmental effects of the Planning Proposal and how are they proposed to be managed?**

A Preliminary Site Investigation (PSI) Report prepared by NGH Consulting dated February 2024 supports the Planning Proposal. The purpose of the PSI was to summarise the history of the site, provide up to date site information, a CSM and recommendations for further investigation.

The PSI identified two Areas of the Environmental Concern (AECs), referred to as AEC1 and AEC 2. AEC1 relates to an area within the West Wyalong Airfield (WWA) that was used to stockpile soil, bitumen and gravels during the construction of formalised runways and ancillary facilities. AEC2 relates to a piece of Asbestos Containing Material (ACM) that was found during a site walkover.

Aside from the two AEC's, the PSI did not identify any other significant contamination risks for the site that may affect the suitability of the land to accommodate the proposed recreation facility (outdoor).

The PSI recommends that:



- further sampling (and analysis) work be undertaken in relation to AEC1 and an updated report be prepared for consideration as part of the assessment of a Development Application for the proposed recreation facility (outdoor), and
- An Unexpected Finds Procedure should be developed for asbestos, prior to the commencement of construction works.

The potential contamination risks will be managed by ensuring the PSI recommendations are implemented as the preparation and lodgement of a DA for the recreation facility (outdoor).

Aside from potential land contamination, there are no other environmental issues identified on the site. All potential environmental effects associated with any future construction and operation would be addressed at the development application stage.

### **3.3.3 Has the Planning Proposal adequately addressed any social and economic effects?**

The PP is unlikely to result in adverse social or economic impacts.

## **3.4 SECTION D: Infrastructure (Local, State and Commonwealth)**

### **3.4.1 Is there adequate public infrastructure for the Planning Proposal?**

The site has access to a classified road, however, the proposed additional use is not considered to be traffic generating development as provided in Schedule 3 of State Environmental Planning Policy (Transport and Infrastructure) 2021.

The proposal is unlikely to have any significant impacts on the demand for, or provision of, infrastructure.

## **3.5 Section E – State and Commonwealth Interests**

### **3.5.1 What are the views of State and Federal public authorities and government agencies consulted in order to inform the Gateway determination?**

Consultation had not yet been carried out with any State or Commonwealth public agencies or service providers. Consultation will be undertaken in accordance with the requirements of the Gateway Determination.

## **PART 4 Mapping**

The Planning Proposal will result in an amendment to the Additional Permitted Uses Map (Sheet APU\_007D), in the Bland LEP 2011.

The proposed amendment is shown in Appendix 1.

## **PART 5 Community Consultation**

Community consultation will be undertaken by Council in accordance with the conditions of the Gateway Determination.

## PART 6 Project Timeline

The project timeline includes the following:

Table * Project Timeline	
Stage	Timeframe
Consideration by Council	April 2023
Council Decision	October 2023
Gateway Determination	November 2023
Pre-Exhibition	November – July 2024
Commencement and Completion of Public Exhibition Period	August - September 2024
Consideration of Submissions	August – September 2024
Post Exhibition Review and Additional Studies	September - October 2024
Submission to the Department for Finalisation	October 2024
Gazettal of LEP Amendment	November - December 2024

## APPENDIX 1

### Additional Permitted Uses Map

**Planning Proposal**  
Additional Permitted Use, West Wyalong Airport

