



New South Wales

# **Narrabri Local Environmental Plan 2012 (Amendment No 15)**

under the

**Environmental Planning and Assessment Act 1979**

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

**DANIEL BOYCE, EXECUTIVE MANAGER PLANNING AND ENVIRONMENT  
NARRABRI SHIRE COUNCIL**  
As delegate for the local plan-making authority

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### **1 Name of Plan**

This Plan is *Narrabri Local Environmental Plan 2012 (Amendment No 15)*.

### **2 Commencement**

This Plan commences on the day on which it is published on the NSW legislation website.

### **3 Land to which Plan applies**

This Plan applies to certain land to which *Narrabri Local Environmental Plan 2012* applies.

## Schedule 1      **Amendment of Narrabri Local Environmental Plan 2012**

### **Clause 6.3**

Omit the clause. Insert instead—

#### **6.3    Airspace operations**

- (1) This clause applies in relation to a development application if the proposed development is on land shown on the Obstacle Limitation Surface Map for which an obstacle limitation surface is identified and the consent authority is satisfied the proposed development will penetrate the obstacle limitation surface.
- (2) Before deciding whether to grant development consent for the application, the consent authority must—
  - (a) consult the relevant Commonwealth body about the application, and
  - (b) give the relevant Commonwealth body a period of not less than 28 days within which to consider and comment on the application.
- (3) The consent authority may grant development consent for development referred to in subclause (1) if—
  - (a) the relevant Commonwealth body is satisfied the proposed development will not penetrate the obstacle limitation surface as shown on the Obstacle Limitation Surface Map, or
  - (b) the relevant Commonwealth body is satisfied the proposed development will penetrate the obstacle limitation surface as shown on the Obstacle Limitation Surface Map but—
    - (i) does not object to the consent authority granting development consent, or
    - (ii) does not object to the consent authority granting development consent subject to stated conditions.
- (4) However, if the consent authority grants development consent for an application to which subclause (3)(b)(ii) applies, the consent authority must grant the development consent subject to the conditions stated by the relevant Commonwealth body as far as practicable.
- (5) The consent authority must not grant development consent for development referred to in subclause (1) if the relevant Commonwealth body—
  - (a) is satisfied the development will penetrate the obstacle limitation surface as shown on the Obstacle Limitation Surface Map, and
  - (b) objects to development consent being granted.
- (6) In this clause—

***Obstacle Limitation Surface Map*** means the Obstacle Limitation Surface Map for Narrabri Airport prepared by the operators of Narrabri Airport and approved by the relevant Commonwealth body or relevant Commonwealth Minister.

***relevant Commonwealth body*** means the body responsible for development decisions relating to Narrabri Airport under Commonwealth legislation.

***relevant Commonwealth Minister*** means the Minister responsible for development decisions relating to Narrabri Airport under Commonwealth legislation.