

**8.7 Exhibition of Planning Proposal to Rezone Land at North Tralee (Ref: C16159531;
 Author: Thompson/Jansen)**

Summary

The Planning Proposal to rezone land at North Tralee from rural to employment and other uses was considered by the former Queanbeyan Council on 9 September 2015 (PDRC 076/15) and placed on exhibition following the Council resolution. As a result of the exhibition further work was required to review the extent of flood affected land. This has now been completed. It is proposed to incorporate this into an updated supplementary report to the original Local Environmental Study and then to re-exhibit the Planning Proposal with supporting documentation.

Recommendation

That Council place the Planning Proposal Report and supporting documents to rezone the land at North Tralee on public exhibition for a minimum period of 28 days.

Background

On 26 March 2014 (Minute No. 054/14) Council resolved to progress the *Draft Local Environmental Plan (North Tralee)* and that all necessary actions be undertaken, including preparing a Planning Proposal and associated actions for the rezoning of the land for employment lands and other associated uses. Council further resolved that the flood prone land located within the 1 in 100 ARI flood area be deferred. In addition Council resolved not to support deferral of the buffer/open space.

A Gateway Determination under Part 3 of the *Environmental Planning and Assessment Act 1979* was received from the NSW Department of Planning and Environment on 28 May 2014 granting approval to proceed to public exhibition to rezone the land for employment lands and associated uses. The Planning Proposal was placed on exhibition from 18 to 30 October 2015 and the need to review the flood data was brought up by the NSW Department of Environment and Heritage during the consultation with government agencies which Council undertook concurrently.

This review has now been done Council has now engaged Willana and Associates to review the revised flood information and update the Local Environmental Study with a supplementary report.

Council has also had further discussions with the developer with a view to including the flood prone land in the rezoning, rather than to defer the land. If the land is deferred this means the previous land zoning of 1(a) (Rural A Zone) under the *Queanbeyan Local Environmental Plan 1998* will continue to apply to any deferred land. However, it is desirable to include this land in the rezoning to a zone which is compatible with the flood prone nature of the land. A compatible zone is RU2 Rural Landscape, although dwelling houses are permitted with consent in this zone in theory, other relevant criteria relating to the flood prone nature of the land will make this non-viable.

A revised map showing the proposed zones is provided in Attachment 1.

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Implications***Legal***

The Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the relevant guidelines issued by the NSW Department of Planning and Environment.

Policy

The finalisation of this Planning Proposal assists with implementing part of the revised *Queanbeyan Residential and Economic Strategy 2031*.

Environmental

Following the Gateway determination further noise studies were carried out by Renzo Tonin and Associates to determine an appropriate buffer and treatment taking into account the distance of residences at Jerrabomberra, proposed zoning and likely land uses, potential building siting and design and also proposed acoustic mounding.

A supplementary report to the Local Environmental Study by Willana and Associates was commissioned in May 2015 to update the findings from the noise studies. The addendum analyses the additional information and incorporates appropriate recommendations for the rezoning of the site. The report concludes that as a result of the investigations into the extent of the open space/buffer zone, giving consideration to the amenity impact of existing residential areas to the east of the site and the desire not to hamper the development of the site, it is considered appropriate to extend the employment lands to the east on the basis that mitigation measures are implemented. The mitigation measures include acoustic mounding, and controls in a future DCP addressing siting of buildings as well as relevant controls in the future Local Environmental Plan requiring mitigation of any potential noise impacts.

Following discussions with the NSW Department of Environment further reviews of the flood prone land were completed to determine the 1 in 100 ARI flood level plus 0.5m freeboard. This is now reflected on the preliminary zoning map.

Asset

The Northern Entry Road traverses North Tralee and once finished, plus any other roads associated with the development of this area, will become vested in Council.

Economic

Rezoning the land for employment purposes will result in new economic activities for the region.

Strategic

The Planning Proposal complies with the revised *Queanbeyan Residential and Economic Strategy 2031* which identifies the land as suitable for employment lands.

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Engagement

The Gateway determination requires that the Planning Proposal Report and relevant background documents be exhibited for a minimum period of 28 days. It is also stipulated that consultation is required with the following agencies:

1. ACT Department of Territory and Municipal Services
2. ACT Planning and Land Authority
3. ACT Chief Ministers Office
4. NSW Office of Environment and Heritage
5. NSW Department of Primary Industries
6. NSW Department of Water
7. NSW Roads and Maritime Services
8. Australian Rail Track Corporation.

The updated Local Environmental Study that informed the planning proposal and an indicative zoning plan will be included as part of the exhibition process.

Financial

The costs associated with the review of the flood data and updating of the Local Environmental Study and supplementary reports were borne by the applicant and Council each paying 50% of the costs. Council's costs also include administrative costs including the costs of public notification. There are also administrative costs associated with re-exhibiting this Planning Proposal which come from the relevant budget.

Resources (including staff)

Resources will include staff resources in placing the Planning Proposal on exhibition, assessing any submissions and reporting back to the Administrator.

Integrated Plan

This is a Delivery Program project.

Conclusion

The site at North Tralee has been identified as suitable for being rezoned for employment lands and other uses in the revised *Queanbeyan Residential and Economic Strategy 2031*. Noise studies and reviews of the flood data have now been completed and the Planning Proposal can now progress to further public exhibition.

Attachments

Attachment 1 Attachment - Council Meeting - 26 October 2016 - Draft North Tralee Zoning Map (*Under Separate Cover*)

- 257/16 **8.5 Development Application 2016.DA.125 - Two Lot Subdivision -172 Foxlow Street, Captains Flat**
- RESOLVED (Overall)**
- The Administrator resolved that:
1. Development application DA.2016.125 for a two lot subdivision and demolition of former medical centre on Lot 18 Section 2 DP 18452, 172 Foxlow Street, Captains Flat be granted conditional approval.
 2. The NSW RFS be forwarded a copy of Council's Notice of Determination.
- 258/16 **8.6 Amendment to Googong Development Control Plan - Neighbourhood Structure Plan for Neighbourhood 2**
- RESOLVED (Overall)**
- The Administrator resolved that Council adopt in principle the amendments to the Googong Development Control Plan and that the DCP be placed on Public Exhibition for a minimum period of 28 days.
- 259/16 **8.7 Exhibition of Planning Proposal to Rezone Land at North Tralee**
- RESOLVED (Overall)**
- The Administrator resolved that Council place the Planning Proposal Report and supporting documents to rezone the land at North Tralee on public exhibition for a minimum period of 28 days.
- 260/16 **8.8 Expanding the coverage of the Special Heritage Fund**
- RESOLVED (Overall)**
- The Administrator resolved that Council amend the Special Heritage Fund Guidelines to:
- a. expand the coverage to also include certain types of items listed in the heritage schedule in the Palerang Local Environmental Plan 2014
 - b. allow funding being limited to one grant of assistance per site per financial year.