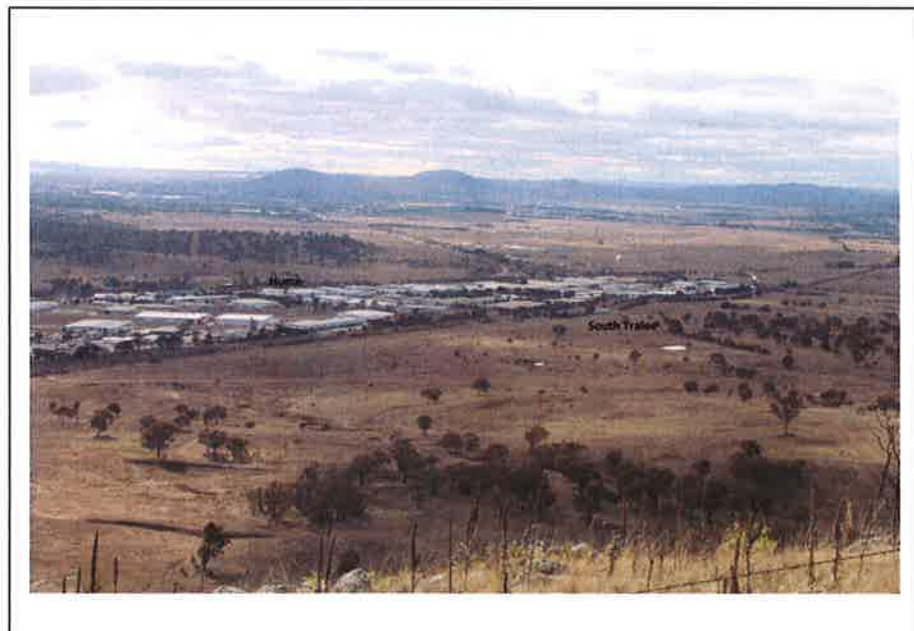




Planning Proposal to amend Queanbeyan Local Environmental Plan (South Tralee) 2012



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Description of the Planning Proposal

Introduction

Queanbeyan Local Environmental Plan (South Tralee) 2012 (QLEP (ST) 2012) was gazetted on 9 November 2012 as an urban release area. That plan included local clause 7.5 'Land in the vicinity of Dunns Creek Road'.

The clause was included within *QLEP (ST) 2012* to ensure that any development within the proposed road corridor for Dunns Creek Road as outlined on the Local Clause Map has regard to visual and acoustic impacts, vibrations and other emissions from any future construction of a road, and that any development will not compromise, restrict or otherwise prevent the future use of land as a road.

In response to anticipated increased traffic movements between newly released land developments in South Jerrabomberra, Queanbeyan City Council is currently examining the construction of Dunns Creek Road to provide an additional access link between Tralee (Monaro Highway) and Googong (Old Cooma Road) as part of the overall road network for the southern area of Queanbeyan. The total length of the road is estimated somewhere in the order of 7.2 - 8.3 km long. These investigations commenced in 2007 and are currently still ongoing with the development options narrowing down to a point of selecting a preferred route.

The western end of the proposed Dunns Creek Road has several alternate routes all of which will be located near and through the proposed South Jerrabomberra subdivision area. The amended local clause map will identify the alternate routes within the *QLEP (ST) 2012* area. The proposed location of the amended Dunn's Creek Road alignment options is partly within Zone R1 – General Residential and partly within Zone RE2 Private Recreation under the *QLEP (ST) 2012*. Development for the purposes of a road is permissible with consent in each of these zones.

Dunns Creek Road has been included in Queanbeyan's Traffic Studies and Traffic Models to allow for the future planning of Queanbeyan's road network.

Following further investigations by Council and detailed engineering assessment by the proponents of the potential road alignment within South Tralee, Council resolved on 8 October 2014 to:

- *Prepare a planning proposal to alter the position of Dunn's Creek Road as shown on the Local Clauses Map of Queanbeyan Local Environmental Plan (South Tralee) 2012.*

Part 1 - Objective

This planning proposal has been prepared to amend the local clause map of *QLEP (ST) 2012* by altering the alignment of the Dunns Creek Road corridor to that alignment subject of the Staged Development Application 263-2013 for the conceptual development of South Tralee. The revised alignment is the result of a detailed design assessment for proposed development at South Tralee.

The Staged Development Application was approved by the Joint Regional Planning Panel on 18 May 2015. This planning proposal would result in an amendment to the *QLEP (ST) 2012*

to incorporate the recently approved arterial road connections with either connection facilitating the possible construction of Dunns Creek Road if required in the long term.

Part 2 - Outcomes

This planning proposal would result in an amendment to the *QLEP (ST) 2012* to incorporate the recently approved arterial road connections within South Tralee with either connection facilitating the possible construction of Dunns Creek Road if required in the long term.

The planning proposal would result in an amendment to the Local Clause Map and Clause 7.5.

Part 3 - Justification

Section A – Need for the Planning Proposal

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

This planning proposal follows strategic investigations in response to anticipated increased traffic movements in newly released land developments in South Jerrabomberra. This being a need to construct an arterial road, between Tralee (Monaro Highway) and Googong (Old Cooma Road) as part of the overall road network for the southern area of Queanbeyan.

The planning proposal would not result in any zone amendments and is limited to the amendments to the Local Clause Map and Clause 7.5 as outlined in this planning proposal.

In this regard amendments to Council's strategies relating to South Tralee are not required. The proposed re-alignment of arterial road connections reflects detailed site design assessment and current investigations of potential Dunns Creek Road alignments.

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

This planning proposal is the best means of achieving the objectives and intended outcomes as it provides for two options to achieve a possible arterial road connection. The amended clause will be triggered only when any development is proposed on land within the vicinity of the proposed roads as shown on the amended Local Clause Map. The additional matters that the consent authority must take into consideration include noise, vibration and visual impact before granting development consent to any development.

Following a detailed engineering assessment of the road alignment the proponents have submitted to Council the following constraints of the current LEP alignment:

- 1. The alignment crosses the site where the topography is at its steepest with cross slopes in the range of 15 to 23%. This leads to excessive cut and fill to form the road with resultant embankments on each side of the roadway and poor quality aesthetics in a suburban residential setting. Land take would be a minimum of 60 metres and potentially 70 metres compared with 29 metres in the proposed alternate location on flatter land. If Dunns Creek Road does not become an arterial road then the reserve width could be reduced 21 metres as currently proposed and still accommodate 6000 VMPD. This is 50% more than the maximum projected traffic flow if Sheppard Street is adopted for cross border movement.*

2. *The site is dominated by outcropping dacitic rock which is particularly hard and durable. Hence the cost of any excavation will be prohibitive. The ACT had similar conditions in the Chisholm/Gilmore subdivisions requiring major earthworks including blasting for even the shallower sewer trenches due to the rock hardness.*
3. *The alignment runs through the area of the proposed subdivision that includes all the larger blocks. Due to the slopes and extent of earthworks in constructing Dunns Creek Road it would be necessary to provide grade separated (ie a bridge) access to the southern part of the Estate rendering those blocks not viable.*

Having considered the above matters Council is of the opinion that the amended road alignments present feasible options to be reflected in the QLEP (ST) 2012.

3. Is there a net community benefit?

The amended alignment and design of the proposed arterial road through South Tralee is intended to preserve the role of the arterial road to provide an additional access link between Tralee (Monaro Highway) and Googong (Old Cooma Road) as part of the overall road network for the southern area of Queanbeyan.

It is intended that the proposed arterial road will have no direct access from individual lots, be of suitable road reserve width to accommodate a future bus route, designed to accommodate future through traffic and accordingly a satisfactory level of service as a future arterial road, and provide convenient access to a number of key destinations servicing the wider South Jerrabomberra catchment including primary school and the South Jerrabomberra local centre.

Section B – Relationship to Strategic Planning Framework

1. Is the planning proposal consistent with the objectives and actions contained within the applicable regional, sub-regional strategy or local strategy?

This Planning Proposal does not propose any amendments to existing zones under Queanbeyan LEP 2012 South Tralee, and land will be retained as current R1 General Residential zone which is consistent with the objectives and actions contained within the Sydney – Canberra Corridor Regional Strategy 2006-31.

The Sydney – Canberra Corridor Regional Strategy 2006-31 recognises the Queanbeyan Residential and Economic Strategy 2031 and incorporates the spatial arrangements and recommendations of that strategy. The Sydney – Canberra Regional Strategy 2006-31 has been endorsed by NSW Government and reflects NSW State planning policy for the Region.

2. Is the planning proposal consistent with Council's Community Strategic Plan?

The planning proposal is consistent with Council's Community Strategic Plan and in particular implements Theme 4.4 "Continue to investigate improvements to local road network - Feasibility study of Dunns Creek Road".

3. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The planning proposal is consistent with applicable State Environmental Planning Policies as outlined in Appendix C.

4. Is the planning proposal consistent with applicable Minister Directions (s.117 Directions)?

The planning proposal is consistent with applicable State Environmental Planning Policies as outlined in Appendix D.

Section C – Environmental, Social and Economic Impact

1. Is there any likelihood that critical habitat or threatened species, population or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

This Planning Proposal does not propose any change to land use zones. In preparing the *QLEP (ST) 2012* considered impacts on critical habitat or threatened species, population or ecological communities, or their habitats were negotiated at the time and land was zoned accordingly including land zoned E2 – Environmental Conservation.

This Planning Proposal is consistent with the Environmental Assessment undertaken by Queanbeyan City Council in relation to the Staged development for the conceptual development of South Tralee urban release area (DA 263-2013) as outlined in JRPP (Southern Region) Business Paper – Item 1 – 15 December 2014. That assessment concluded in relation to the proposed conceptual development:

The proposed development of South Tralee is not likely to have a significant effect on any threatened species, populations or communities listed under the Threatened Species Conservation Act 1995, or their habitats, and the preparation of a Species Impact Statement (SIS) is not required.

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

This Planning Proposal does not propose any change to land use zones. Queanbeyan LEP 2012 South Tralee considered impacts on critical habitat or threatened species, population or ecological communities, or their habitats and zoned land accordingly.

The proposed road re-alignment as approved by the Joint Regional Planning Panel on 18 May 2015 will require further assessment of subdivision and residential design for the urban and rural interface in accordance with South Jerrabomberra DCP. The DCP includes provisions which address the urban and rural interface and bushfire management at subdivision stage. The bushfire asset protection zones are to be included within the Zone R1 General Residential land which will provide a buffer.

The relevant DCP clauses are provided below:

4.5 Bushfire Management

Objectives:

1) Consider bushfire protection and management issues in land use planning and development decisions, to provide a safer environment for the community.

Controls:

a) A perimeter road should be used where required for bushfire mitigation enclosing all lots within the southern section of South Jerrabomberra.

- b) Maintain a 20m wide separation between the estate boundary and lots are to be provided in accordance with the distances specified in the Planning for Bushfire Guidelines 2006.*
- c) Provide at least two access points to the site to minimise travel times for fire services.*

4.6.2 Additional Controls for Buffer Land and Land on the Urban/Non-Urban Interface

Objectives:

- 1) The interface between new development, rural lands, environmental conservation zones and areas of high biodiversity value should consider appropriate transitions and design solutions which minimise any adverse impacts from development on these areas.*
- 2) Ensure the potential for land use conflict is considered at subdivision stage.*

Controls:

- a) Low density development is to be located at the perimeter of urban development. Subdivision at the interface shall comprise suitable lot sizes which reflect the site constraints.*
- b) Landscaping on land at the interface shall not include any weed or invasive species.*
- c) Development shall be setback a suitable distance from adjoining rural and environmental land to avoid potential land use conflict.*
- d) Where required, buffers are to be incorporated to address land use conflict. Such buffers are to be sited within the development site.*
- e) In circumstances where the proposed buffer does not satisfactorily deal with conflicts or impacts the proposed development must incorporate further measures to ensure that those impacts are addressed.*

3. How has the planning proposal adequately addressed any social and economic effects?

The planning proposal adequately addresses any social and economic effects as an arterial road alignment will be retained to ensure, should it be required in future, the construction of Dunns Creek Road which will provide an additional access link between Tralee (Monaro Highway) and Googong (Old Cooma Road) as part of the overall road network for the southern area of Queanbeyan providing both social and economic benefits.

It is intended that the proposed arterial road will have no direct access from individual lots, be of suitable road reserve width to accommodate a future bus route, designed to accommodate future through traffic and accordingly a satisfactory level of service as a future arterial road, and provide convenient access to a number of key destinations servicing the wider South Jerrabomberra catchment including primary school and the South Jerrabomberra local centre.

Section D – State and Commonwealth Interest

1. Is there adequate public infrastructure for the planning proposal?

This planning proposal aims to facilitate public infrastructure. This planning proposal responds to strategic transport investigations which have regard to anticipated increased traffic movements between newly released land developments in South Jerrabomberra, and the link between Tralee (Monaro Highway) and Googong (Old Cooma Road) as part of the overall road network for the southern area of Queanbeyan.

2. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

There has been no gateway determination at this stage.

Part 4 - Mapping

Amended Local Clause Maps have been prepared as outlined in Appendix B

Part 5 - Community Consultation

There has been no community consultation at this stage. It is not anticipated that this planning proposal needs to be exhibited for more than 14 days.

Consultation with state government agencies may include the NSW Roads and Maritime Services.

Part 6 - Project Timeline

Task	Anticipated 2015 timeframes
Report to Council (PDRC)	8 October 2014
Planning Proposal preparation	June-August 2015
Gateway Determination	August-September 2015
Public Exhibition	September-October 2015
Report to Council including considerations of submissions	November 2015
Submission to Department to finalise the LEP	December 2015

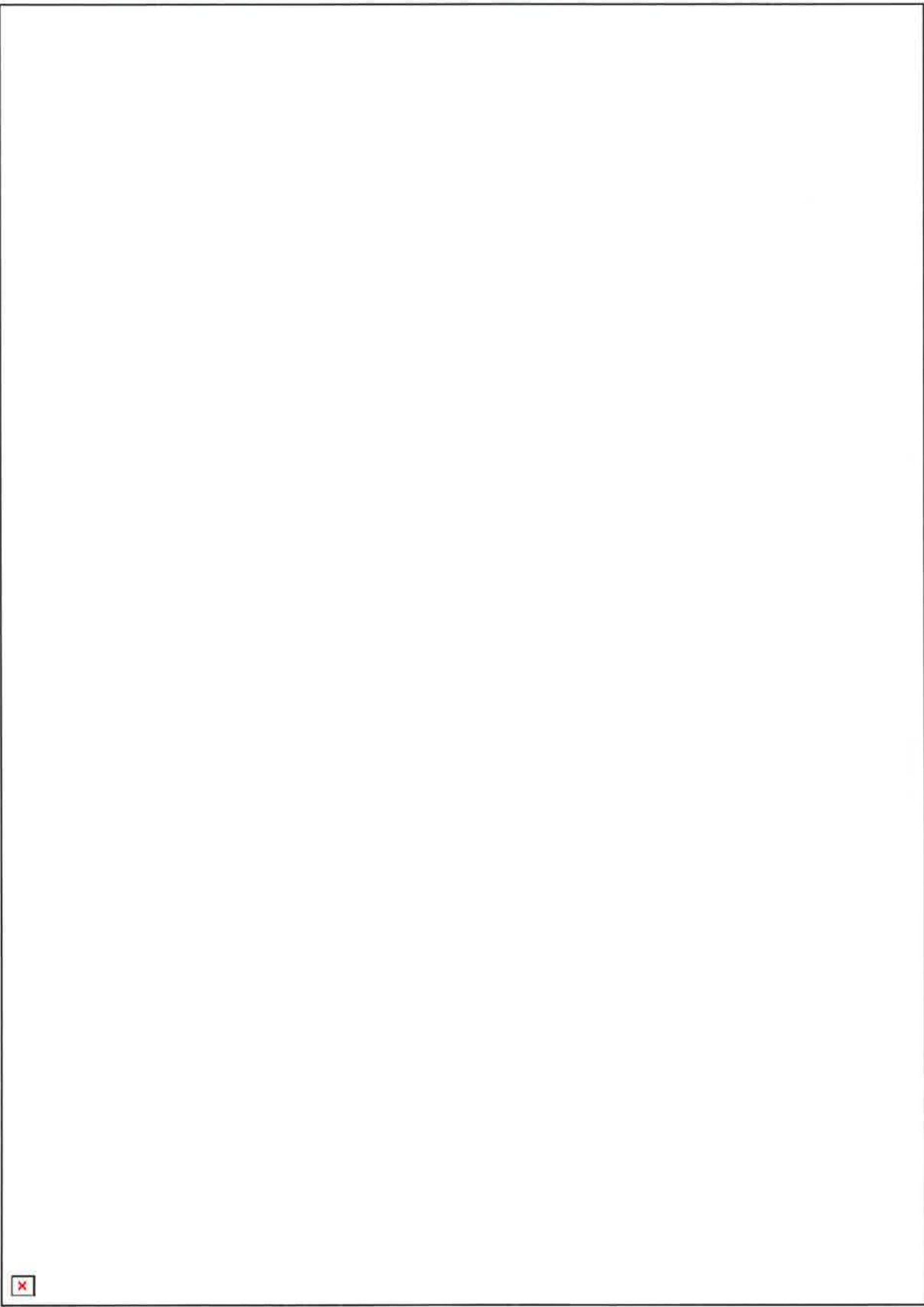
Appendix A – Instructions to Amend QLEP 2012

Replace clause 7.5 of Queanbeyan Local Environmental Plan (South Tralee) 2012 with the following:

7.5 Land in vicinity of Proposed Arterial Roads

- (1) This clause applies to land identified as “Proposed Arterial Road” on the Local Clauses Map.
- (2) The objectives of this clause are to:
 - (a) minimise any visual or acoustic impacts on development proposed in the vicinity of the land to which this clause applies, and
 - (b) ensure that development proposed in the vicinity of that land will not compromise, restrict or otherwise prevent the future use of that land as an arterial road.
- (3) Despite any other provision of this Plan, the consent authority must not grant consent to any development within 30 metres of the land to which this clause applies unless the consent authority has assessed the following matters:
 - (a) the impact of noise, vibrations and other emissions from any future construction and the ongoing use of that land as an arterial road, and
 - (b) if the proposed development is subdivision, whether or not the development would prejudice or otherwise restrict the future construction (including the provision of any public utility infrastructure) and operation of the proposed arterial road.
- (4) Should the consent authority be of the opinion that the use of land identified as “Proposed Arterial Road” on the Local Clauses Map is not required for the purposes of an arterial road then the provisions of this clause do not apply.

Appendix B – Maps as Amended





Appendix C – State Environmental Planning Policies

The following relevant Environmental Planning Instruments (EPI) have been considered in the preparation of this planning proposal:

SEPP No.	SEPP Title	Applicable	Relevant	Consistent	Comment
1	Development Standards	Yes	No	Yes	This SEPP will apply to all development of the land to which the PP applies. This PP will not affect the operation of the SEPP.
21	Caravan Parks	Yes	No	Yes	This SEPP will apply to all development of the land to which the PP applies. This PP will not affect the operation of the SEPP.
30	Intensive Agriculture	Yes	No	Yes	This SEPP will apply to part of the land to which the PP applies. This PP will not affect the operation of the SEPP.
33	Hazardous and Offensive Development	Yes	No	Yes	This SEPP will apply to all development of the land to which the PP applies. This PP will not affect the operation of the SEPP.
36	Manufactured Home Estates	Yes	No	Yes	This SEPP will apply to part of the land to which the PP applies. This PP will not affect the operation of the SEPP.
44	Koala Habitat Protection	Yes	No	Yes	This SEPP will apply to all development of the land to which the PP applies. This PP will not affect the operation of the SEPP.
55	Remediation of Land	Yes	No	Yes	This SEPP will apply to all development of the land to which the PP applies. This PP will not affect the operation of the SEPP.
64	Advertising and Signage	Yes	No	Yes	This SEPP will apply to part of the land to which the PP applies. This PP will not affect the operation of the SEPP.
65	Design Quality of Residential Flat Development	Yes	No	Yes	This SEPP will apply to part of the land to which the PP applies. This PP will not affect the operation of the SEPP.
-	SEPP (Affordable	Yes	No	Yes	This SEPP will apply to part of the land to which the PP applies. This PP

SEPP No.	SEPP Title	Applicable	Relevant	Consistent	Comment
	Rental Housing) 2009				will not affect the operation of the SEPP.
-	SEPP (Building Sustainability Index: BASIX) 2004	Yes	No	Yes	This SEPP is not relevant in relation to the PP will not affect the operation of the SEPP. It will be relevant at future development application.
-	SEPP (Exempt and Complying Development Codes) 2008	Yes	No	Yes	This SEPP will apply to all development of the land to which the PP applies. This PP will not affect the operation of the SEPP at future stages, post rezoning.
-	SEPP (Housing for Seniors or People with a Disability) 2004	Yes	No	Yes	This SEPP will apply to part of the land to which the PP applies. This PP will not affect the operation of the SEPP.
-	SEPP (Infrastructure) 2007	Yes	No	Yes	This SEPP will apply to all development of the land to which the PP applies. This PP will not affect the operation of the SEPP.
-	SEPP (Major Development) 2005	Yes	No	Yes	This SEPP will apply to all development of the land to which the PP applies. This PP will not affect the operation of the SEPP.
-	SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Yes	No	Yes	This SEPP will apply to all development of the land to which the PP applies. This PP will not affect the operation of this SEPP.
	SEPP (Miscellaneous Consent Provisions) 2007	Yes	No	Yes	This SEPP will apply to all development of the land to which the PP applies. This PP will not affect the operation of this SEPP.
-	SEPP (Rural Lands) 2008	Yes	Yes	Yes	This SEPP will apply to part of the land to which the PP applies. This PP will not affect the operation of this SEPP.
-	SEPP (State and Regional Development) 2011	Yes	No	Yes	This SEPP will apply to all development of the land to which the PP applies. This PP will not affect the operation of the SEPP.

Appendix D – Section 117 Directions

EMPLOYMENT AND RESOURCES

1.1 Business and Industrial Zones

S117 Direction Objectives	What a relevant planning authority must do if this direction applies	Consistency	Response
The objectives of this direction are to: a) encourage employment growth in suitable locations, b) protect employment land in business and industrial zones, and c) support the viability of identified strategic centres.	A planning proposal must: a) give effect to the objectives of this direction, b) retain the areas and locations of existing business and industrial zones, c) not reduce the total potential floor space area for employment uses and related public services in business zones, d) not reduce the total potential floor space area for industrial uses in industrial zones, and e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.	A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: 1) justified by a strategy which: a) gives consideration to the objective of this direction, and b) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and c) is approved by the Director-General of the Department of Planning, or 2) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or 3) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives	Consistent – The Planning Proposal does not alter the areas and locations of existing business and industrial zones, or reduce the total potential floor space area for employment and industrial uses.

			consideration to the objective of this direction, or of minor significance.	
1.2 Rural Zones				
Objective	What a relevant planning authority must do if this direction applies	Consistency	Response	
The objective of this direction is to protect the agricultural production value of rural land.	A planning proposal must: a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.	A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: a) justified by a strategy which: i. gives consideration to the objectives of this direction, ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and iii. is approved by the Director-General of the Department of Planning, or b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the	Consistent – The Planning Proposal does not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.	

			Department of Planning which gives consideration to the objective of this direction, or d) is of minor significance.	
1.3 Mining, Petroleum Production and Extractive Industries				
Objective	What a relevant planning authority must do if this direction applies	Consistency	Response	
The objective of this direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development. This direction applies when a relevant planning authority prepares a planning proposal that would have the effect of: a) prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or b) restricting the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.	In the preparation of a planning proposal affected by this direction, the relevant planning authority must: a) consult the Director-General of the Department of Primary Industries (DPI) to identify any: i. resources of coal, other minerals, petroleum or extractive material that are of either State or regional significance, and ii. existing mines, petroleum production operations or extractive industries occurring in the area subject to the planning proposal, and b) seek advice from the Director-General of DPI on the development potential of resources identified under (a)(i) above, and c) identify and take into consideration issues likely to lead to land use conflict between other land uses and : i. development of resources identified under (a)(i) above, or	A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), that the provisions of the planning proposal that are inconsistent are of minor significance.	Consistent – The Planning Proposal does not alter the QLEP 2012 landuse zones.	

	ii. existing development identified under a) (ii) above. Where a planning proposal prohibits or restricts development of resources identified under (a)(i), or proposes land uses that may create land use conflicts identified under (c), the relevant planning authority must: a) provide the Director-General of DPI with a copy of the planning proposal and notification of the relevant provisions, b) allow the Director-General of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and c) include a copy of any objection and supporting information received from the Director-General of DPI with the statement to the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) before undertaking community consultation in satisfaction of section 57 of the Act.		
1.4	Oyster Aquaculture – Not applicable		
1.5	Rural Lands		
Objective	What a relevant planning authority must do if this direction applies	Consistency	Response
The objectives of this direction are to: a) protect the agricultural	A planning proposal to which clauses 3(a) or 3(b) apply must be consistent with the Rural Planning Principles listed in State <i>Environmental Planning Policy (Rural</i>	A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-	Consistent – The Planning Proposal does not alter the QLEP 2012 landuse zones.

production value of rural land, b) facilitate the orderly and economic development of rural lands for rural and related purposes. This direction applies when: a) a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural or environment protection zone (including the alteration of any existing rural or environment protection zone boundary) or b) a relevant planning authority prepares a planning proposal that changes the existing minimum lot size on land within a rural or environment protection zone.	Lands) 2008. A planning proposal to which clause 3(b) applies must be consistent with the Rural Subdivision Principles listed in <i>State Environmental Planning Policy (Rural Lands) 2008</i> . Note: <i>State Environmental Planning Policy (Rural Lands) 2008</i> does not require a relevant planning authority to review or change its minimum lot size(s) in an existing LEP. A relevant planning authority can transfer the existing minimum lot size(s) into a new LEP. However, where a relevant planning authority seeks to vary an existing minimum lot size in an LEP, it must do so in accordance with the Rural Subdivision Principles listed in <i>State Environmental Planning Policy (Rural Lands) 2008</i> .	General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: a) justified by a strategy which: i. gives consideration to the objectives of this direction, ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites, and iii. is approved by the Director-General of the Department of Planning and is in force, or b) is of minor significance.	
ENVIRONMENT AND HERITAGE			
2.1 Environment Protection Zones			
Objective	What a relevant planning authority must do if this direction applies	Consistency	Response
The objective of this direction is to protect and conserve environmentally sensitive areas. This direction applies when a relevant planning authority prepares a planning proposal.	A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas. A planning proposal that applies to land within an environment protection zone or	A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General)	Consistent – The Planning Proposal does not rezone the QLEP 2012 E2 Environmental Conservation zones.

	land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 “<i>Rural Lands</i>”.	that the provisions of the planning proposal that are inconsistent are: a) justified by a strategy which: i. gives consideration to the objectives of this direction, ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and iii. is approved by the Director-General of the Department of Planning, or b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or d) is of minor significance.	
2.2	Coastal Protection – Not applicable		

2.3 Heritage Conservation			
Objective	What a relevant planning authority must do if this direction applies	Consistency	Response
The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. This direction applies when a relevant planning authority prepares a planning proposal.	A planning proposal must contain provisions that facilitate the conservation of: a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area, b) Aboriginal objects or Aboriginal places that are protected under the <i>National Parks and Wildlife Act 1974</i>, and c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.	A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that: a) the environmental or indigenous heritage significance of the item, area, object or place is conserved by existing or draft environmental planning instruments, legislation, or regulations that apply to the land, or b) the provisions of the planning proposal that are inconsistent are of minor significance.	Consistent – The Planning Proposal does not alter the QLEP 2012 landuse zones.
2.4 Recreation Vehicle Areas			
Objective	What a relevant planning authority must	Consistency	Response

	do if this direction applies		Not Applicable
The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles. This direction applies when a relevant planning authority prepares a planning proposal.	A planning proposal must not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the <i>Recreation Vehicles Act 1983</i>): - where the land is within an environmental protection zone, - where the land comprises a beach or a dune adjacent to or adjoining a beach - where the land is not within an area or zone referred to in paragraphs (a) or (b) unless the relevant planning authority has taken into consideration: - the provisions of the guidelines entitled <i>Guidelines for Selection, Establishment and Maintenance of Recreation Vehicle Areas, Soil Conservation Service of New South Wales, September, 1985</i>, and - the provisions of the guidelines entitled <i>Recreation Vehicles Act, 1983, Guidelines for Selection, Design, and Operation of Recreation Vehicle Areas, State Pollution Control Commission, September 1985</i>.	A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: - justified by a strategy which: - gives consideration to the objective of this direction, and - identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and - is approved by the Director-General of the Department of Planning, or - justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or - in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or - of minor significance.	

3.1 Residential Zones			
Objective	What a relevant planning authority must do if this direction applies	Consistency	Response
The objectives of this direction are: a) encourage a variety and choice of housing types to provide for existing and future housing needs, b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and c) to minimise the impact of residential development on the environment and resource lands.	A planning proposal must include provisions that encourage the provision of housing that will: a) broaden the choice of building types and locations available in the housing market, and b) make more efficient use of existing infrastructure and services, and c) reduce the consumption of land for housing and associated urban development on the urban fringe, and d) be of good design. A planning proposal must, in relation to land to which this direction applies: a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and 4) not contain provisions which will reduce the permissible residential density of land.	A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the department of Planning (or an officer of the Department nominated by the Director –General) that the provisions of the planning proposal that are inconsistent are: a) justified by a strategy which: i) gives consideration to the objective of this direction, and ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and iii) is approved by the Director-General of the Department of Planning, or b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or c) in accordance with the relevant Regional Strategy or Sub-	Consistent – The Planning Proposal does not alter the QLEP 2012 landuse zones.

			Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or d) of minor significance.	
3.2 Caravan Parks and Manufactured Home Estates – Not applicable				
3.3 Home Occupations – Not applicable				
3.4 Integrating Land Use and Transport				
Objective	What a relevant planning authority must do if this direction applies	Consistency	Response	
The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: a) improving access to housing, jobs and services by walking, cycling and public transport, and b) increasing the choice of available transport and reducing dependence on cars, and c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and	A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of: a) <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and b) <i>The Right Place for Business and Services – Planning Policy (DUAP 2001)</i>.	A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: a) justified by a strategy which: i. gives consideration to the objective of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and iii. is approved by the Director-General of the Department of Planning, or	Consistent – The Planning Proposal does not alter the QLEP 2012 landuse zones.	

d) supporting the efficient and viable operation of public transport services, and e) providing for the efficient movement of freight. This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.		iv. justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or v. in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or vi. of minor significance.	
3.5 Development Near Licensed Aerodromes			
Objective	What a relevant planning authority must do if this direction applies	Consistency	Response
The objectives of this direction are: a) to ensure the effective and safe operation of aerodromes, and b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and c) to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure	In the preparation of a planning proposal that sets controls for the development of land in the vicinity of a licensed aerodrome, the relevant planning authority must: a) consult with the Department of the Commonwealth responsible for aerodromes and the lessee of the aerodrome, b) take into consideration the Obstacle Limitation Surface (OLS) as defined by that Department of the Commonwealth, c) for land affected by the OLS: (i) prepare appropriate development standards, such as height, and (ii) allow as permissible with consent	A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: a) justified by a strategy which: i. gives consideration to the objectives of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular	Consistent – The Planning Proposal does not alter the QLEP 2012 landuse zones.

Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise. This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.	d) obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal proposes to allow, as permissible with consent, development that encroaches above the OLS. This permission must be obtained prior to undertaking community consultation in satisfaction of section 57 of the Act. A planning proposal must not rezone land: a) for residential purposes, nor increase residential densities in areas where the ANEF, as from time to time advised by that Department of the Commonwealth, exceeds 25, or b) for schools, hospitals, churches and theatres where the ANEF exceeds 20, or c) for hotels, motels, offices or public buildings where the ANEF exceeds 30. A planning proposal that rezones land: a) for residential purposes or to increase residential densities in areas where the ANEF is between 20 and 25, or b) for hotels, motels, offices or public buildings where the ANEF is between 25 and 30, or c) for commercial or industrial purposes where the ANEF is above 30, must include a provision to ensure that development meets AS 2021 regarding	development types that are compatible with the operation of an aerodrome iii. is approved by the Director-General of the Department of Planning, or b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or d) of minor significance.	site or sites), and
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	interior noise levels.		
3.6 Shooting Ranges – not applicable			
HAZARD AND RISK			
4.1 Acid Sulphate Soils – not applicable			
4.2 Mine Subsidence and Unstable Land – not applicable			
4.3 Flood Prone Land			
Objective	What a relevant planning authority must do if this direction applies	Consistency	Response
The objectives of this direction are: a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i>, and b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land. This direction applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects	A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i> (including the <i>Guideline on Development Controls on Low Flood Risk Areas</i>). A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone. A planning proposal must not contain provisions that apply to the flood planning areas which: a) permit development in floodway areas, b) permit development that will result in significant flood impacts to other properties, c) permit a significant increase in the	A planning proposal may be inconsistent with this direction only if the relevant planning authority can satisfy the Director-General (or an officer of the Department nominated by the Director-General) that: a) the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or b) the provisions of the planning proposal that are inconsistent are of minor significance.	Consistent – The Planning Proposal does not alter the QLEP 2012 landuse zones.

flood prone land.	development of that land, d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development. A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General). For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).	
4.4 Planning for Bushfire		

Objective	What a relevant planning authority must do if this direction applies	Consistency	Response
The objectives of this direction are: a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and b) to encourage sound management of bush fire prone areas. This direction applies when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to land mapped as bushfire prone land.	In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 56 of the Act, and prior to undertaking community consultation in satisfaction of section 57 of the Act, and take into account any comments so made, A planning proposal must: a) have regard to <i>Planning for Bushfire Protection 2006</i>, b) introduce controls that avoid placing inappropriate developments in hazardous areas, and c) ensure that bushfire hazard reduction is not prohibited within the APZ. A planning proposal must, where development is proposed, comply with the following provisions, as appropriate: d) provide an Asset Protection Zone (APZ) incorporating at a minimum: i. an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and ii. an Outer Protection Area managed	A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the council has obtained written advice from the Commissioner of the NSW Rural Fire Service, to the effect that, notwithstanding the non-compliance, the NSW Rural Fire Service does not object to the progression of the planning proposal.	Consistent – The Planning Proposal does not alter the QLEP 2012 landuse zones. Future development shall comply with clause 4.5 – Bushfire Management of South Jerrabomberra DCP.

	for hazard reduction and located on the bushland side of the perimeter road, iii. for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the Rural Fires Act 1997), the APZ provisions must be complied with, iv. contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks, v. contain provisions for adequate water supply for fire fighting purposes, vi. minimise the perimeter of the area of land interfacing the hazard which may be developed, vii. introduce controls on the placement of combustible materials in the Inner Protection Area.		
5. REGIONAL PLANNING			
5.1 Implementation of Regional Strategies			

Objective	What a relevant planning authority must do if this direction applies	Consistency	Response
The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies. This direction applies to land contained within the Sydney–Canberra Corridor Regional Strategy	Planning proposals must be consistent with a regional strategy released by the Minister for Planning.	A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), that the extent of inconsistency with the regional strategy: a) is of minor significance; and b) the planning proposal achieves the overall intent of the regional strategy and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions.	The Planning Proposal is consistent with The Sydney – Canberra Corridor Regional Strategy 2006-31
5.2	Sydney Drinking Water Catchment – Not applicable		
5.3	Farmland of State and Regional Significance on the NSW Far North Coast – Not applicable		
5.4	Commercial and Retail development along the Pacific Highway, North Coast – Not applicable		
5.5 5.6 5.7	Revoked		
5.8	Second Sydney Airport: Badgerys Creek – Not applicable		
5.9	North West Rail Link Corridor Strategy – Not applicable		
6. LOCAL PLAN MAKING			
6.1	Approval and Referral Requirements		

Objective	What a relevant planning authority must do if this direction applies	Consistency	Response
The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development. This direction applies when a relevant planning authority prepares a planning proposal.	A planning proposal must: a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of: i. the appropriate Minister or public authority, and ii. the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), prior to undertaking community consultation in satisfaction of section 57 of the Act, and c) not identify development as designated development unless the relevant planning authority: i. can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, and ii. has obtained the approval of the	A planning proposal must be substantially consistent with the terms of this direction.	Consistent

	Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.		
6.2 Reserving Land for Public Purposes			
Objective	What a relevant planning authority must do if this direction applies	Consistency	Response
The objectives of this direction are: a) to facilitate the provision of public services and facilities by reserving land for public purposes, and b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition. This direction applies when a relevant planning authority prepares a planning proposal	A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General). When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms Compensation) Act 1991, the relevant planning authority must: a) reserve the land in accordance with the request, and b) include the land in a zone appropriate to its intended future use or a zone advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), and	A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that: a) with respect to a request referred to in paragraph (7), that further information is required before appropriate planning controls for the land can be determined, or b) the provisions of the planning proposal that are inconsistent with the terms of this direction are of minor significance.	Consistent – The Planning Proposal does not alter the QLEP 2012 landuse zones or reservations.

	c) identify the relevant acquiring authority for the land. When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal relating to the use of any land reserved for a public purpose before that land is acquired, the relevant planning authority must: a) include the requested provisions, or b) take such other action as advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) with respect to the use of the land before it is acquired. When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must rezone and/or remove the relevant reservation in accordance with the request.		
6.3 Site Specific Provisions			
Objective	What a relevant planning authority must do if this direction applies	Consistency	Response
The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:	A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning	Consistent – The Planning Proposal does not alter the QLEP 2012 landuse zones.

This direction applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out	a) allow that land use 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 environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended. A planning proposal must not contain or refer to drawings that show details of the development proposal.	(or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.	
7. METROPOLITAN PLANNING			
7.1	Implementation of the Metropolitan Plan for Sydney 2036. – Not applicable		

