

5.5 Draft Queanbeyan Local Environmental Plan (North Tralee) (Ref: C1428578; Author: Carswell/Jansen)

Summary

The purpose of this report is to provide an update with regard to the proposed rezoning of land at North Tralee and outline the next steps in regard to the process.

Recommendation

- 1. That Council progress the Draft Local Environmental Plan (North Tralee) as shown on Figure 1 and undertake all necessary actions, including preparing a Planning Proposal and associated actions if required, for the rezoning of the land for employment lands and other associated uses.**
 - 2. That Council agrees to the flood prone land located within the 1 in 100 ARI flood area being deferred.**
 - 3. That Council does not support deferral of the land identified in Figure 1 as buffer zone/open space from the Draft Queanbeyan Local Environmental Plan (North Tralee).**
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Background

North Tralee has been identified as an area with the potential for rezoning for a number of years under the *Queanbeyan Residential and Economic Strategy 2031*. However due to it being within the ANEF 20-25 the land is not suitable for residential development. The land however is generally suitable to be rezoned for employment lands. A Local Environmental Study (LES) was carried out in 2005, with an updated draft LES for Council being finalised in December 2011.

The rezoning has not progressed due to the fact that the site is affected by flooding. In the past a number of options were considered with regard to the floodprone land including filling of the flood plain. This option was not acceptable from an environmental point of view and the relevant Government Departments were not supportive of such an option.

The developers have now requested that the rezoning of the North Tralee employment land be progressed based on:

1. The flood prone land being deferred.
2. The buffer zone as identified in the LES being deferred.

The purpose of deferring the flood prone land is to allow for further investigations at a later stage. This may include a preparation of a flood plain risk management study and plan to meet with the relevant requirements under the Minister's Section 117 direction.

The draft LES also identified a substantial buffer based on environmental noise studies (refer to Figure 1). This buffer was identified to protect the amenity of the urban areas of Jerrabomberra. The purpose of deferring the buffer area would allow the developers to investigate if alternative solutions can be considered which would allow for a reduction in the buffer area (refer to Figure 2).

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However the draft LES has considered this option and rejected it, even with the use of such things as using business parks as a buffer and/or various acoustical treatments.

An adequate noise buffer is required to protect the amenity of residential areas in close proximity to the site. The noise report prepared as part of the draft LES states that it is difficult to support a scenario where the employment land uses are located further to the east of the site (e.g. where the buffer is reduced). If the buffer area is deferred this will create uncertainty with regard to the future rezoning and development of this land. Noise impacts from future development of the site is raised as an issue in the draft LES and consideration of how this will be addressed needs to be included as part of the rezoning of the site and a future development control plan rather than in a piece meal fashion. Deferral of the buffer zone should therefore not be supported.

Process

NSW Planning and Infrastructure have advised that Draft Queanbeyan Local Environmental Plan (North Tralee) may need to proceed under the current part of the *Environmental Planning and Assessment Act 1979* rather than under the previous part where it currently is.

This would require a Planning Proposal to be prepared, a Gateway determination to be issued by the Division and the previous work to be credited.

Consultation

Consultation with Government Agencies was initially undertaken as part of the Section 62 consultation for Poplars, North Tralee and South Tralee. Community Consultation will be carried out as part of the process to finalise this draft Local Environmental Plan.

Compliance or Policy Implications

The draft Local Environmental Plan will be prepared in accordance with the *Environmental Planning and Assessment Act 1979*.

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North Tralee Local Environmental Study

**Figure 1**

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North Tralee Local Environmental Study



Figure 2

5.5 Draft Queanbeyan Local Environmental Plan (North Tralee) (Ref: C1428578; Author: Carswell/Jansen) (Continued)

Attachments

Nil

5.4 South Jerrabomberra Structure Plan 2014

053/14

RESOLVED (Bray/Cregan)

1. That Council endorse the responses/recommendations for each of the issues in Attachment 2.
2. That Council endorse the South Jerrabomberra Structure Plan on the understanding that further traffic analysis will be undertaken.
3. That a southern connection into the ACT at or near Isabella Drive be noted as the preferred long term solution. However this be reconsidered if a Sheppard Street option is more economically efficient and is supported by ACT Authorities.
4. That Council refer the South Jerrabomberra Structure Plan to NSW Planning and Infrastructure for their consideration.

A **DIVISION** was called and resulted as follows:

The 'Ayes' Crs Overall, Whelan, Cregan, Winchester, Taylor, Trajanoski, McLennan and Bray

The 'Nayes' Cr Burfoot

Absent Cr Brown

5.5 Draft Queanbeyan Local Environmental Plan (North Tralee)

Cr Bray declared a conflict of interest in regard to Item 5.5 and departed the chamber.

054/14

RESOLVED (Whelan/Cregan)

1. That Council progress the Draft Local Environmental Plan (North Tralee) as generally shown on Figure 1 and undertake all necessary actions, including preparing a Planning Proposal and associated actions if required, for the rezoning of the land for employment lands and other associated uses.
2. That Council agrees to the flood prone land located within the 1 in 100 ARI flood area being deferred.
3. That in regard to the buffer area in Figure 1 work commissioned by the applicant be reviewed by Council's consultants to determine the final width of the buffer.
4. That Council does not support deferral of the land identified in Figure 1 as buffer zone/open space from the Draft Queanbeyan Local Environmental Plan (North Tralee).

A **DIVISION** was called and resulted as follows:

The 'Ayes' Crs Overall, Whelan, Cregan, Burfoot, Winchester,
Taylor, Trajanoski and McLennan

The 'Nayes' Nil

Absent Crs Brown and Bray

Cr Bray returned to the chamber.

5.6 Recognising the contribution of Senior Citizens to the community through benefits for attending Morning Melodies performances at The Q

055/14

RESOLVED (Bray/McLennan)

That Council approve senior citizens aged 65 years and over who purchase tickets to each of the three Morning Melodies receiving a free ticket to either a preview evening performance or a matinee performance of Council's next in house production 'Sunset Boulevard'.

5.7 Adoption of Fees and Charges for Jerrabomberra Community Centre Extension for 2013/2014

056/14

RESOLVED (Bray/Overall)

That Council adopt the draft Fees and Charges for the Jerrabomberra Community Centre Extension as per the attachment.

5.8 Revitalising Local Government (Oct 2013) Final Report of the NSW Independent Local Government Review Panel

057/14

RESOLVED (Overall/Cregan)

1. That Council agree in-principle to the general thrust of the Panel's report noting that the report is currently with the Minister for consideration.
2. That should the Minister determine the Panel's recommendation that Queanbeyan City and Palerang Council's merge to form a new local government authority in 2017 or such other time as determined by the Minister that Queanbeyan City Council enter into negotiations as a matter of course with Palerang Council to ensure a seamless transition to this new authority.
3. That council support the South East Regional Joint Organisation except for the inclusion of Shoalhaven City Council.