



**Queanbeyan  
City Council**

# **Planning Proposal to Rezone Land at North Tralee**

**Ref: SF090103**

**C1430799**

# Planning Proposal to Rezone Land at North Tralee

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## Introduction

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.

It is now proposed to defer the flood prone land 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 the relevant requirements under the Minister's Section 117 direction.

Further work will be carried out to determine the requirements for a noise buffer on the eastern side of the development site. Other investigations may include consideration of the possible siting of sports field within the flood plain to be run by a private organisation.

The site is located at 360A Lanyon Road and includes the following lots:

Lot 1 DP 323002  
Lot 1 DP 313299  
Lot 6 DP 239080

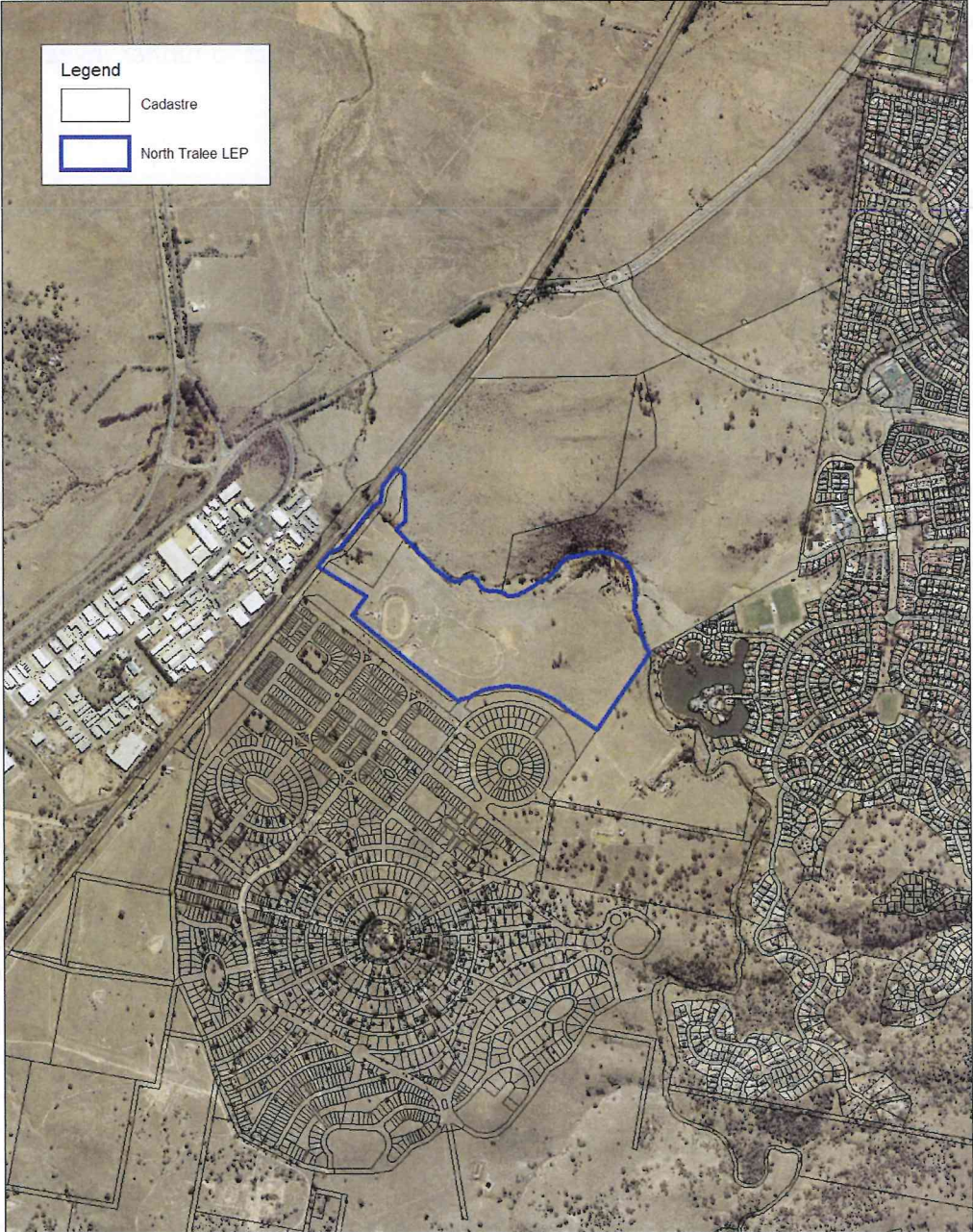
The area subject to the planning proposal is shown on Map 1 on the next page.



# Planning Proposal to Rezone Land at North Tralee

Map 1: Land Subject to the Planning Proposal

## North Tralee



Disclaimer:  
Map NOT guaranteed to be free from Omission or Commission.  
Data only valid at date of printing.

Scale 1: 20,000 at A4 size

Print Date: 03 February 2009

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All land is currently Greenfield and is currently zoned 1(a) (Rural A Zone) under the Queanbeyan Local Environmental Plan 1998.

It is proposed to rezone this land for employment and other uses. A buffer area will be provided to be provided between the employment lands and the existing urban area of Jerrabomberra located to the east of the site. This is to be subject to further investigation prior to consultation.

## **Part 1 Objectives and Intended Outcomes**

The objective of the planning proposal is to provide for additional employment lands to meet the future demand in accordance with the Queanbeyan *Residential and Economic Strategy 2031*. This strategy identified that the supply of employment lands will be exhausted in the short term and the adopted strategy identified the need to create 130ha of additional employment lands to support continued economic development.

The purpose of the Planning Proposal is to rezone the subject land from 1(a) (Rural A Zone) to employment and other appropriate uses.

It is proposed that the land which is flood prone be deferred from the rezoning to allow further investigations at a later stage. This reduces the area to be rezoned to approximately 15 ha. However some of this area may be used for private recreational uses although this is subject to further negotiations with the developer with the possible exception of the eastern buffer which will necessitate further investigation. This is yet to be done.

## **Part 2 Explanation of Provisions**

This Planning Proposal will be given effect through the Queanbeyan Local Environmental Plan (North Tralee) 2014.

A significant range of studies have been undertaken for the site and a Local Environmental study has been prepared which has been updated over time. Proposed land use zones will be based on the Local Environmental Study. Recommended zones for the site seek to ensure that the environmental qualities of the site are preserved. The recommended zone for the employment lands is a B7 zone. This allows for a suitable range of employment lands zones and is compatible with the zoning at the Poplars.

## **Part 3 Justification**

### **Section A – Need for the planning proposal**

The planning proposal is required rezone the land at North Tralee which is outside the 1 in 100 ARI flood zone for employment lands as identified in the *Queanbeyan Residential and Economic Strategy 2031*. This approach is consistent with Section 117 direction 4.3 Flood Prone Land in that rezoning of any flood prone land is not proposed.

#### **1) Is the planning proposal a result of any strategic study or report?**

The planning proposal is contained within the amended *Residential Economic Strategy 2031* Map found in the Appendices at:

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[http://www.planning.nsw.gov.au/plansforaction/pdf/qbyn\\_res\\_econ\\_strategy\\_2031\\_addendum\\_report\\_dec08.pdf](http://www.planning.nsw.gov.au/plansforaction/pdf/qbyn_res_econ_strategy_2031_addendum_report_dec08.pdf)

This map was endorsed by the Department of Planning and Infrastructure in December 2008 and the land was identified as having potential for employment lands uses. It is also supported by a draft local environmental study (see attached).

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

The planning proposal is the best means of delivering the intended outcomes of the *Queanbeyan Residential and Economic Strategy 2031* for this area. Similar to the rezoning of the land at Poplars, it is better to progress the rezoning as a stand-alone planning proposal. The site is quite distinct in regard to its size, location and site characteristics and the best way to progress the rezoning is by means of a stand-alone LEP.

## **Section B – Relationship to strategic planning framework**

## **3) Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?**

The *Sydney Canberra Corridor Regional Strategy 2006-2031* is the relevant regional strategy. The planning proposal is consistent with the Strategy.

These include actions identified under the Economic Development and Employment Growth such as:

- *Local strategies and local environmental plans will ensure that major regional centres are the focus for the majority of new employment land release in the local government area.*
- *Local strategies and local environmental plans will identify and safeguard appropriate and adequate land for employment purposes consistent with meeting the type of demand outlined in Table 1 – Additional Employment Lands. This is to include consideration of measures such as minimising land fragmentation; appropriate land use zoning and sequencing/staging provisions.*
- *Local environmental plans are to incorporate appropriate provisions to facilitate employment growth in the nominated major regional centres, towns and villages, including as home-based employment.*

The planning proposal gives effect to the above actions and will create additional employment lands. Land at the Poplars (just north of this site) has already been rezoned for employment lands and rezoning land at North Tralee is the logical extension of these employment lands. The draft LEP will rezone the land to enable uses such as employment and other appropriate use to ensure the economic sustainability of Queanbeyan. This is considered to be particularly appropriate given that the supply of suitable land within the LGA is extremely limited.

## **4) Is the planning proposal consistent with a council's local strategy, or other local strategic plan?**



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As previously noted, the proposal is consistent with the *Queanbeyan Residential and Economic Strategy 2031*, as twice endorsed by the then Department of Planning.

**5) Is the planning proposal consistent with applicable State Environmental Planning Policies?**

The planning proposal is not considered to be inconsistent with any SEPPs (refer to Attachment 1).

**6) Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?**

The planning proposal is not considered to be inconsistent with any s117 directions (refer to Attachment 1).

## **Section C – Environmental, social and economic impact**

**7) Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

A study into the ecology and natural heritage of the North Tralee site was carried out as part of the background local environmental study. The study concluded that most of the site has been cleared of native vegetation and been sown with pasture plants and used extensively for cultivation and stock grazing. The disused Frazer Park Speedway and associated infrastructure occupies the western half of the site. The report states that overall the site is in poor ecological condition and is considered to have low conservation significance. Council has previously considered this structure and resolved to support its demolition subject to appropriate records being kept.

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

It is unlikely that there are any other environmental effects as a result of this planning proposal.

**9) Has the planning proposal adequately addressed any social and economic effects?**

The proposal seeks to create additional employment lands in accordance with the principles of the *Queanbeyan Residential and Economic Strategy 2031*. Rezoning of the site will ensure Queanbeyan's economic sustainability and deliver the relevant outcomes and actions of the *Sydney-Canberra Corridor Regional Strategy 2006-2031*.

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## Section D – State and Commonwealth interests

### 10) Is there adequate public infrastructure for the planning proposal?

Access to the site will be provided via a new road from Tompsitt Drive which will create a connection from Poplars through to the proposed employment lands at North Tralee. A concept development application for this road link has been lodged with Council. Other infrastructure requirements will be resolved as the development of the site progresses.

#### Part 4 Mapping

Relevant maps for North Tralee will be prepared in accordance with the requirements and guidelines of NSW Planning and Infrastructure.

#### Part 5 Community Consultation

It is intended to publicly exhibit the draft plan for a period of 28 days.

Relevant Government Agencies have already been consulted under Section 62 of the previous provisions of the *Environmental, Planning and Assessment Act, 1979*. All agency comments were addressed in the Local Environmental Study prepared on behalf of Council.

#### Part 6 Project Timeline

It is anticipated that the planning proposal will take up 12 months to finalise.

#	Action	Estimated Timeline	Responsibility
1	Date of Gateway Determination	May 2014	NSW Planning and Infrastructure
2	Anticipated completion of further technical information	June 2014	Council
3	Government agency consultation	Previously completed	N/A
4	Public exhibition period	June/July 2014	Council
5	Date of Public Hearing (if applicable)	N/A	N/A
6	Consideration of submissions	August/September 2014	Council
7	Assessment of proposal post-exhibition	October 2014	Council
8	Report to Council	November 2014	Council
9	Final Planning Proposal prepared	December 2014	Council
10	Submission to Department for finalisation of LEP	January 2015	Council

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#	Action	Estimated Timeline	Responsibility
11	Anticipated date Council will forward the final Planning Proposal to NSW P&I for notification	February 2015	Council
12	Anticipated date LEP will be notified	March 2015	Parliamentary Counsel's Office and NSW P&I



# Planning Proposal to Rezone Land at North Tralee

## Attachment 1

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	YES	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	NO			Not applicable
30	Intensive Agriculture	NO			Not applicable
33	Hazardous and Offensive Development	YES	YES	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.
44	Koala Habitat Protection	YES	YES	YES	This SEPP will apply to all development of the land to which the PP applies. Ecological Assessments indicate that the study area does not contain any Koala feed trees and is not considered to contain either potential or core Koala habitat.
55	Remediation of Land	YES	YES	YES	This SEPP will apply to all development of the land to which the PP applies. A preliminary site investigation was carried out as part of the LES in 2005. This report found that the site contains some potential contaminants. Detailed site investigations and assessment will be required prior to any development of the land.
-	SEPP (Affordable Rental Housing) 2009	YES	YES	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.

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SEPP No.	SEPP Title	Applicable	Relevant	Consistent	Comment
-	SEPP (Building Sustainability Index: BASIX) 2004	NO	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	YES	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	NO			Not applicable as the rezoning proposal is not for residential land uses.
-	SEPP (Infrastructure) 2007	YES	YES	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	YES	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	NO	NO	YES	This PP will not affect the operation of this SEPP
-	SEPP (Rural Lands) 2008	NO	NO	YES	This SEPP is not applicable to Queanbeyan. This PP will not affect the operation of this SEPP.
-	SEPP (State and Regional Development) 2011	YES	YES	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 (Urban	NO			Not applicable.

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SEPP No.	SEPP Title	Applicable	Relevant	Consistent	Comment
	Renewal) 2010				

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## Attachment 2



# Planning Proposal to Rezone Land at North Tralee

## 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
<p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> <li>a) encourage employment growth in suitable locations,</li> <li>b) protect employment land in business and industrial zones, and</li> <li>c) support the viability of identified strategic centres.</li> </ul>	<p>A planning proposal must:</p> <ul style="list-style-type: none"> <li>a) give effect to the objectives of this direction,</li> <li>b) retain the areas and locations of existing business and industrial zones,</li> <li>c) not reduce the total potential floor space area for employment uses and related public services in business zones,</li> <li>d) not reduce the total potential floor space area for industrial uses in industrial zones, and</li> <li>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.</li> </ul>	<p>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:</p> <ul style="list-style-type: none"> <li>1) justified by a strategy which:                             <ul style="list-style-type: none"> <li>a) gives consideration to the objective of this direction, and</li> <li>b) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and</li> <li>c) is approved by the Director-General of the Department of Planning, or</li> </ul> </li> <li>2) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or</li> <li>3) in accordance with the relevant Regional Strategy or Sub-Regional</li> </ul>	<p>Yes it is consistent</p> <p>The planning proposal is consistent with the objectives of this direction as the proposal seeks to rezone the land for employment purposes. The proposal will not impact on existing employment zone. The proposed rezoning will support the viability of the existing centre.</p>

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		Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or of minor significance.	
<b>1.2 Rural Zones</b>			
<p>The objective of this direction is to protect the agricultural production value of rural land.</p>	<p>A planning proposal must:</p> <p>a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</p>	<p>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:</p> <p>a) justified by a strategy which:</p> <ol style="list-style-type: none"> <li>i. gives consideration to the objectives of this direction,</li> <li>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and</li> <li>iii. is approved by the Director-General of the Department of Planning, or</li> </ol> <p>b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or</p> <p>c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the</p>	<p>Yes it is consistent</p> <p>This planning proposal does not include land within a rural zone and therefore is consistent as there is no agricultural production value to warrant protection. The planning proposal site is consistent with the endorsed Residential and Economic Strategy 2031 which recognised this land as having the potential for employment uses.</p>



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		Department of Planning which gives consideration to the objective of this direction, or d) is of minor significance.	
<b>1.3 Mining, Petroleum Production and Extractive Industries</b>			
<p>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.</p> <p>This direction applies when a relevant planning authority prepares a planning proposal that would have the effect of:</p>	<p>In the preparation of a planning proposal affected by this direction, the relevant planning authority must:</p> <p>a) consult the Director-General of the Department of Primary Industries (DPI) to identify any:</p> <ul style="list-style-type: none"> <li>i. resources of coal, other minerals, petroleum or extractive material that are of either State or regional significance, and</li> <li>ii. existing mines, petroleum production operations or extractive industries occurring in the area subject to the planning proposal, and</li> </ul> <p>b) seek advice from the Director-General of DPI on the development potential of resources identified under (a)(i) above, and</p> <p>c) identify and take into consideration issues likely to lead to land use conflict between other land uses and :</p> <ul style="list-style-type: none"> <li>i. development of resources identified under (a)(i) above, or</li> <li>ii. existing development identified</li> </ul>	<p>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.</p>	<p>The site is not known to contain any significant mineral resources.</p>
<ul style="list-style-type: none"> <li>a) prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or</li> <li>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.</li> </ul>			



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	<p>under a) (ii) above.</p> <p>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:</p> <ul style="list-style-type: none"> <li>a) provide the Director-General of DPI with a copy of the planning proposal and notification of the relevant provisions,</li> <li>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</li> <li>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.</li> </ul>		
<b>1.5 Rural Lands</b>			
<p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> <li>a) protect the agricultural production value of rural land,</li> <li>b) facilitate the orderly and economic development of</li> </ul>	<p>A planning proposal to which clauses 3(a) or 3(b) apply must be consistent with the Rural Planning Principles listed in <i>State Environmental Planning Policy (Rural Lands) 2008</i>.</p> <p>A planning proposal to which clause 3(b) applies must be consistent with the Rural</p>	<p>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</p>	<p>The land subject to this planning proposal has little agricultural value and is zoned for currently zoned 1(a) (Rural A Zone) under the <i>Queanbeyan Local Environmental Plan 1998</i>.</p>



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<p>rural lands for rural and related purposes.</p> <p>This direction applies when:</p> <p>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</p> <p>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.</p>	<p>Subdivision Principles listed in <i>State Environmental Planning Policy (Rural Lands) 2008</i>.</p> <p><b>Note:</b> <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>.</p>	<p>proposal that are inconsistent are:</p> <p>a) justified by a strategy which:</p> <ul style="list-style-type: none"> <li>i. gives consideration to the objectives of this direction,</li> <li>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites, and</li> <li>iii. is approved by the Director-General of the Department of Planning and is in force, or</li> </ul> <p>b) is of minor significance.</p>	
<b>ENVIRONMENT AND HERITAGE</b>			
<b>2.1 Environment Protection Zones</b>			
<p>The objective of this direction is to protect and conserve environmentally sensitive areas.</p> <p>This direction applies when a relevant planning authority prepares a planning proposal.</p>	<p>A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p>A planning proposal that applies to land within an environment protection zone or 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</p>	<p>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:</p> <p>a) justified by a strategy which:</p> <ul style="list-style-type: none"> <li>i. gives consideration to the</li> </ul>	<p>The proposal is consistent with the direction as the land proposed to be rezoned is not environmentally sensitive.</p>

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	<p>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 "Rural Lands".</p>	<p>objectives of this direction,</p> <ul style="list-style-type: none"> <li>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and</li> <li>iii .is approved by the Director-General of the Department of Planning, or</li> </ul> <p>b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or</p> <p>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</p> <p>d) is of minor significance.</p>	
<b>2.3 Heritage Conservation</b>			
<p>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>This direction applies when a relevant planning authority prepares a planning proposal.</p>	<p>A planning proposal must contain provisions that facilitate the conservation of:</p> <ul style="list-style-type: none"> <li>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</li> </ul>	<p>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:</p> <ul style="list-style-type: none"> <li>a) the environmental or indigenous heritage significance of the item, area, object or place is conserved</li> </ul>	<p>A cultural heritage assessment was undertaken which included assessment of both Aboriginal and European Heritage and any items identified as places of heritage significance will be identified in the LEP.</p>



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	<p>the environmental heritage of the area,</p> <p>b) Aboriginal objects or Aboriginal places that are protected under the <i>National Parks and Wildlife Act 1974</i>, and</p> <p>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.</p>	<p>by existing or draft environmental planning instruments, legislation, or regulations that apply to the land, or</p> <p>b) the provisions of the planning proposal that are inconsistent are of minor significance.</p>	
<b>2.4 Recreation Vehicle Areas</b>			
<p>The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.</p> <p>This direction applies when a relevant planning authority prepares a planning proposal.</p>	<p>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>):</p> <p>a) where the land is within an environmental protection zone,</p> <p>b) where the land comprises a beach or a dune adjacent to or adjoining a beach</p> <p>c) 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:</p> <p>i. the provisions of the guidelines entitled <i>Guidelines for Selection, Establishment and Maintenance of Recreation Vehicle Areas, Soil</i></p>	<p>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:</p> <p>a) justified by a strategy which:</p> <p>i. gives consideration to the objective of this direction, and</p> <p>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular</p>	<p>The planning proposal is consistent with the direction as it will not enable land to be developed for the purpose of a recreational vehicle area within an environmental protections zone.</p>

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	<p>Conservation Service of New South Wales, September, 1985, and</p> <p>ii. 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></p>	<p>site or sites), and</p> <p>iii. is approved by the Director-General of the Department of Planning, or</p> <p>b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>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</p> <p>d) of minor significance.</p>	
<h3>3.4 Integrating Land Use and Transport</h3>			
<p>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:</p> <p>a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> <p>b) increasing the choice of available transport and reducing dependence on cars, and</p>	<p>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:</p> <p>a) <i>Improving Transport Choice – Guidelines for planning and development (DUAP 2001)</i>, and</p> <p>b) <i>The Right Place for Business and Services – Planning Policy (DUAP 2001)</i>.</p>	<p>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:</p> <p>a) justified by a strategy which:</p> <p>i. gives consideration to the objective of this direction, and</p> <p>ii. identifies the land which is the subject of the planning proposal (if the planning</p>	<p>Consistent</p> <p>Access to the employment lands at North Tralee will be via a new northern entry road from Tompsitt Drive which will link the employment lands at the Poplars with the employment lands at North Tralee. A concept development application for this road connection has been lodged with Council.</p>



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<p>c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>d) supporting the efficient and viable operation of public transport services, and</p> <p>e) providing for the efficient movement of freight.</p> <p>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.</p>		<p>proposal relates to a particular site or sites), and</p> <p>iii. is approved by the Director-General of the Department of Planning, or</p> <p>iv. justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>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</p> <p>vi. of minor significance.</p>	
<p><b>3.5 Development Near Licensed Aerodromes</b></p>			
<p>The objectives of this direction are:</p> <p>a) to ensure the effective and safe operation of aerodromes, and</p> <p>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</p> <p>c) to ensure development for</p>	<p>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:</p> <p>a) consult with the Department of the Commonwealth responsible for aerodromes and the lessee of the aerodrome,</p> <p>b) take into consideration the Obstacle Limitation Surface (OLS) as defined by that Department of the Commonwealth,</p>	<p>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:</p> <p>a) justified by a strategy which:</p> <p>i. gives consideration to the objectives of this direction, and</p>	

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<p>residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.</p> <p>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.</p>	<p>c) for land affected by the OLS:</p> <ul style="list-style-type: none"> <li>(i) prepare appropriate development standards, such as height, and</li> <li>(ii) allow as permissible with consent development types that are compatible with the operation of an aerodrome</li> </ul> <p>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.</p> <p>A planning proposal must not rezone land:</p> <ul style="list-style-type: none"> <li>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</li> <li>b) for schools, hospitals, churches and theatres where the ANEF exceeds 20, or</li> <li>c) for hotels, motels, offices or public buildings where the ANEF exceeds 30.</li> </ul> <p>A planning proposal that rezones land:</p> <ul style="list-style-type: none"> <li>a) for residential purposes or to increase residential densities in areas where the ANEF is between 20 and 25, or</li> <li>b) for hotels, motels, offices or public</li> </ul>	<ul style="list-style-type: none"> <li>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and</li> <li>iii. is approved by the Director-General of the Department of Planning, or</li> <li>b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</li> <li>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</li> <li>d) of minor significance.</li> </ul>	
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# Planning Proposal to Rezone Land at North Tralee

	<p>buildings where the ANEF is between 25 and 30, or</p> <p>c) for commercial or industrial purposes where the ANEF is above 30, must include a provision to ensure that development meets AS 2021 regarding interior noise levels.</p>		
<b>HAZARD AND RISK</b>			
<b>4.3 Flood Prone Land</b>			
<p>The objectives of this direction are:</p> <p>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> (including the <i>Guideline on Development Controls on Low Flood Risk Areas</i>).</p> <p>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.</p> <p>A planning proposal must not contain provisions that apply to the flood planning areas which:</p> <p>a) permit development in floodway areas,</p> <p>b) permit development that will result in significant flood impacts to other properties,</p> <p>c) permit a significant increase in the</p>	<p>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>).</p> <p>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.</p> <p>A planning proposal must not contain provisions that apply to the flood planning areas which:</p> <p>a) permit development in floodway areas,</p> <p>b) permit development that will result in significant flood impacts to other properties,</p> <p>c) permit a significant increase in the</p>	<p>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:</p> <p>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</p> <p>b) the provisions of the planning proposal that are inconsistent are of minor significance.</p>	<p>Yes it is consistent.</p> <p>The land which is proposed to be rezoned is outside the 1:100 ARI flood zone and land within the flood zone is deferred.</p>

## Planning Proposal to Rezone Land at North Tralee

<p>flood prone land.</p>	<p>development of that land,</p> <p>d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or</p> <p>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.</p> <p>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).</p> <p>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).</p>		
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# Planning Proposal to Rezone Land at North Tralee

4.3 Planning for Bushfire		
<p>The objectives of this direction are:</p> <ul style="list-style-type: none"> <li>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</li> <li>b) to encourage sound management of bush fire prone areas.</li> </ul> <p>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.</p>	<p>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,</p> <p>A planning proposal must:</p> <ul style="list-style-type: none"> <li>a) have regard to <i>Planning for Bushfire Protection 2006</i>,</li> <li>b) introduce controls that avoid placing inappropriate developments in hazardous areas, and</li> <li>c) ensure that bushfire hazard reduction is not prohibited within the APZ.</li> </ul> <p>A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:</p> <ul style="list-style-type: none"> <li>d) provide an Asset Protection Zone (APZ) incorporating at a minimum: <ul style="list-style-type: none"> <li>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</li> </ul> </li> </ul>	<p>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.</p> <p>Yes it is consistent.</p> <p>Under this direction Council is required to consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination prior to undertaking a community consultation.</p>



## Planning Proposal to Rezone Land at North Tralee

	<ul style="list-style-type: none"> <li>ii. an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road,</li> <li>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,</li> <li>iv. contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks,</li> <li>v. contain provisions for adequate water supply for firefighting purposes,</li> <li>vi. minimise the perimeter of the area of land interfacing the hazard which may be developed,</li> <li>vii. introduce controls on the placement of combustible materials in the Inner Protection Area.</li> </ul>		
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# Planning Proposal to Rezone Land at North Tralee

5. REGIONAL PLANNING			
5.1 Implementation of Regional Strategies			
<p>The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.</p> <p>This direction applies to land contained within the Sydney–Canberra Corridor Regional Strategy</p>	<p>Planning proposals must be consistent with a regional strategy released by the Minister for Planning.</p>	<p>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:</p> <ul style="list-style-type: none"> <li>a) is of minor significance, and</li> <li>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.</li> </ul>	<p>Yes it is consistent.</p> <p>The proposed planning proposal does not undermine the achievement of the vision, land use strategy, policies outcomes or actions of the Sydney-Canberra Corridor Regional Strategy. It provides for employment growth in this corridor as envisaged by these strategies.</p>
6. LOCAL PLAN MAKING			
6.1 Approval and Referral Requirements			
<p>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p> <p>This direction applies when a relevant planning authority prepares a planning proposal.</p>	<p>A planning proposal must:</p> <ul style="list-style-type: none"> <li>a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and</li> <li>b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the</li> </ul>	<p>A planning proposal must be substantially consistent with the terms of this direction.</p>	<p>Yes it is consistent.</p> <p>The planning proposal does not seek to include further provisions in respect to concurrence, consultation or referral of development applications to a Minister or public authority.</p>

# Planning Proposal to Rezone Land at North Tralee

	<p>relevant planning authority has obtained the approval of:</p> <ul style="list-style-type: none"> <li>i. the appropriate Minister or public authority, and</li> <li>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</li> </ul> <p>c) not identify development as designated development unless the relevant planning authority:</p> <ul style="list-style-type: none"> <li>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</li> <li>ii. has obtained the approval of 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.</li> </ul>		
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# Planning Proposal to Rezone Land at North Tralee

6.2 Reserving Land for Public Purposes	
<p>The objectives of this direction are:</p> <p>a) to facilitate the provision of public services and facilities by reserving land for public purposes, and</p> <p>b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</p> <p>This direction applies when a relevant planning authority prepares a planning proposal</p>	<p>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).</p> <p>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:</p> <p>a) reserve the land in accordance with the request, and</p> <p>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</p> <p>c) identify the relevant acquiring authority for the land.</p> <p>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</p> <p>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:</p> <p>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</p> <p>b) the provisions of the planning proposal that are inconsistent with the terms of this direction are of minor significance.</p> <p>Yes it is consistent.</p> <p>The planning proposal will not create, alter or reduce existing zones or reservations of land for public purposes. Planning for state and local infrastructure as well as environmental considerations will form part of the planning process and where appropriate additional land will be reserved for public purposes.</p>



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	<p>must:</p> <p>a) include the requested provisions, or</p> <p>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.</p> <p>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.</p>		
<p><b>6.3 – Site Specific Provisions</b></p>			
<p>The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.</p> <p>This direction applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out</p>	<p>A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:</p> <p>a) allow that land use to be carried out in the zone the land is situated on, or</p> <p>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</p> <p>c) allow that land use on the relevant land</p>	<p>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.</p>	<p>Yes it is consistent.</p> <p>The planning proposal intends to rezone land that is consistent with the zones in the Standard Instrument, and will not require site specific development standards or requirements.</p>

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	<p>without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</p> <p>A planning proposal must not contain or refer to drawings that show details of the development proposal.</p>		
<b>7. METROPOLITAN PLANNING</b>			
<b>7.1 Implementation of the Metropolitan Plan for Sydney 2036. This Direction does not apply.</b>			



