

Attachment 1 – Draft Planning Proposal for minor amendments to Queanbeyan Local Environmental Plan 2012.

A. Required for Planning Proposals

A1. Please state the objectives and the intended outcome of your proposal. Include details such as if the planning proposal result in a spot rezoning; if other means of achieving the outcome have been considered and why they were not considered to be appropriate; if the planning proposal is the best means of achieving the objectives or if there is a better way.

Objective: To make two minor amendments to *Queanbeyan Local Environmental Plan 2012 (QLEP 2012)*.

Intended outcomes:

- 1) To amend the *Queanbeyan Local Environmental Plan 2012-Schedule 2- Exempt Development* to include "various types of signage" as exempt development subject to them meeting specified standards (Attachment A).
- 2) To include home businesses and home industries in zones where dwelling houses are permitted RU2, R1, R2, R3, R4 and R5, and home businesses in E3 and E4 zones.

Amendment 1: The first amendment involves including certain types of signage as minor development within Schedule 2 – Exempt Development of the *QLEP 2012* (Attachment A). This will include the development not captured by the *State Environmental Planning Policy (Exempt and Complying Codes) 2008 (Codes SEPP)*. The only form of minor development that will be captured will be the type of signage in line with the Guidelines for *NSW General Exempt Development Code – expansion to include signage*.

The planning proposal is the best means of achieving the objective as it is the only way of ensuring the development that is minor in nature and is not covered within the *Codes SEPP* is captured and enforceable within *QLEP 2012*.

Amendment 2: The second amendment involves the inclusion of home businesses and home industries into zones where dwellings houses are permitted. This is to ensure that these uses are captured by a land use table and can be granted consent. Currently home businesses and home industries are not captured in the relevant land use tables and therefore subject to section 76B of the *Environmental Planning Act 1979* such development is prohibited. This also prohibits home businesses and home industries from being considered as exempt development under the *Codes SEPP*. Inclusion of these land uses will enable them to be captured into the development application process as merit assessment as well as under the exempt provisions of the *Codes SEPP*.

The planning proposal is the best means of achieving the objective as it is the only way to ensure that the uses in relation to home businesses and home industries within the RU2, R1, R2, R3, R4 and R5, and home businesses in E3 and E4 and is captured within the permitted with consent land use table.

A2. Please provide maps of the subject site including current and proposed zones, aerial photographs of the site, and site photos/photomontage

Not applicable.

A3. Government Agencies are required to be consulted about your proposal. Please list the agencies you believe are relevant to comment on your proposal, plus any other stakeholder that should be consulted and preferred means of consultation.

There are no Agencies that need to be consulted during the preparation of this planning proposal. However if supported it should be generally exhibited for comment and during the consultative period the amendments should be drawn to the attention of the Queanbeyan Business Council, the Queanbeyan Development Board (a Council committee with an independent Chair and community members as well as the Heritage Advisory Committee (also a Council committee with community representation).

A4. Please explain the provisions you believe would facilitate your proposal (e.g. a change to the height map, a change to the lot size, an additional clause that could be applied to the land to achieve the objectives).

Amendment 1: The provisions that would facilitate the planning proposal are to amend the *QLEP 2012 Schedule 2 Exempt Development* and add various types of signage and specified standards (Attachment A).

Amendment 2: The second provision to facilitate the amendment to the *QLEP 2012* will be through the inclusion of Home Businesses and Home industries into the permitted with consent land use table for zone RU2, R1, R2, R3, R4 and R5 and Home Businesses into E3 and E4 zone. This will ensure that such land uses are captured and able to be assessed through a merit assessment and be considered under the *Codes SEPP*.

A5. Please provide justification of your proposal and a process for implementation of the proposal (including compliance assessment against S117 Ministerial Directions) – this is best provided as a separate attachment, where the applicable S117's have been identified, and compliance with these, or justification for any inconsistencies has been detailed.

Council will first need to resolve to prepare a LEP amendment through a planning proposal. The planning proposal will be submitted to the Minister of Planning for a Gateway Determination. Council will be advised of matters to attend to before finalising the amendment.

This planning proposal is consistent with the applicable 117 Directions. This is provided as a separate attachment for the submission to the Planning Minister only.

Planning Matters or Issues

To Be
Considered

N/A

B. Strategic Planning Context

B1. Please demonstrate the consistency of the proposal with the Sydney - Canberra Corridor Regional Strategy 2006-31, and in particular its sustainability criteria.

The provisions of the *Sydney - Canberra Corridor Regional Strategy 2006 - 31* are not relevant to the planning proposal.

B2. Please demonstrate the consistency of the proposal with the outcomes and actions of the relevant DG endorsed local strategy that is the *Queanbeyan Residential and Economic Strategy 2031*.

The planning proposal is consistent with the aims and outcomes of the *Queanbeyan Residential and Economic Strategy 2031* as it will aid future business growth, through the ease in erecting certain types of signage minimising the need for minor development applications enabling the opening and promoting of businesses. The planning proposal for the amendment to insert home businesses and home industries into the relevant residential zones is consistent with the *Queanbeyan Residential and Economic Strategy 2031* as it ensures that more land is able to be used for economic purposes.

B3. Please demonstrate the consistency of the proposal with Queanbeyan City Council's Community Strategic Plan, or other local strategic plan (this is best provided as a separate document addressing each plan) which includes the following:

- Queanbeyan City Council Community Strategic Plan
- Queanbeyan Community Vision 2021
- Endorsed Queanbeyan Residential and Economic Strategy 2031
- Queanbeyan Strategic Land Use Plan
- Queanbeyan Biodiversity Study.

The planning proposal is generally consistent with the strategic plans stated above. A separate document addressing each of these has not been prepared as the planning proposal is of a minor nature amending the *QLEP 2012*.

B4. Please demonstrate the consistency of the proposal with applicable state environmental planning policies?

The planning proposal is consistent with applicable *State Environmental Planning Policies (SEPP's)*. A *SEPP* checklist is provided at the back of the document.

C. Site Description/Context

C1. Is there a possibility of setting a significant precedent, particularly an undesirable precedent?

Please provide details. A planning precedent will not be set as a result of the planning proposal. Home businesses and home industries are currently included within other standard instruments within NSW and will not set a precedent if included within the <i>QLEP 2012</i>. Also home industries are currently permissible with consent in RU2, E3 and E4 zones. This should be expanded to include all residential zones so that such uses can be carried out within a dwelling house. The wording for the signage types comes from a discussion paper titled <i>NSW General Exempt Development Code – expansion to include signage</i> dated March 2010. This discussion paper was produced by the Department of Planning NSW with the intention to change the exempt schedule of the adopted standard instruments to include various types of signage which meet specified standards. The inclusion of signage as exempt development may become standardised within all exempt schedules of Standard Instrument Local Environmental Plans.		
D. Traffic and Transport Considerations		
D1. Describe any anticipated local traffic and transport impacts the proposal may have, including but not limited to: - Public transport considerations - Cycle and pedestrian movement considerations - Other relevant considerations. There will be no transport or traffic impacts as a result of the planning proposal.		
D2. Please provide a Transport Management and Accessibility Plan (TMAP) for the proposal (if required). Not applicable.		
E. Environmental Considerations		
E1. Are there any bushfire hazard considerations for this site/proposal? How are they intended to be mitigated? There are no bushfire implications as a result of the planning proposal. The inclusion of home businesses and home industries in the permissible with consent will require a merit assessment if the land use is within bushfire prone land and addressed accordingly.		
E2. Are there issues with acid sulphate soils on the site that must be considered? There are no identified acid sulphate soils within Queanbeyan that need to be considered within the planning proposal.		
E3. Will loss of amenity be avoided? How? There will be minimal impact to the amenity of Queanbeyan as a result of the planning proposal. Any impacts will be assessed on a case by case basis when the need arises.		
E4. Are there any noise impacts that need to be considered both external and as a result of the development? There will be no noise impacts as a result of the planning proposal.		
E5. Will there be any adverse visual/scenic impact, and if so how can they be avoided/mitigated? Please provide details The planning proposal to amend the <i>QLEP 2012</i> will not result in adverse visual/ scenic impact. Issues of visual/scenic impact will be assessed on a case by case basis when the need arises.		
E6. 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? No critical habitats or threatened species will be impacted as a result of the planning proposal.		
E7. Will land use conflict result? If so, please state measures to be implemented to minimise/avoid this. No land use conflict will occur as a result of the planning proposal. Issues of potential land use conflict will be assessed on a case by case basis when the need arises.		

E8. Will water quality be adversely impacted on? How will this be mitigated?		
No water quality will be adversely impacted as a result of the planning proposal.		
E9. Will the proposal require a storm water management plan? (This is not required to be provided unless approval from the DoPI is granted).		
No storm water management plan will be required will as a result of the planning proposal.		
E10. Is the site subject to flooding?		
Flooding is not relevant to the planning proposal.		
E11. Are there land/site contamination issues which much be addressed under SEPP 55?		
Land/ site contamination issues are not relevant to the planning proposal.		
E12. Are there impacts on resources or in regard to sustainable development and/or climate change? If so, what are they and how are they proposed to be dealt with?		
The planning proposal will not impact on resources in regards to sustainable development and/ or climate change.		
F. Urban Design Considerations		
F1. Please provide an existing site plan (buildings, key vegetation, roads etc).		
Not applicable.		
F2. Please provide a building mass/block diagram study (changes in building height and FSR if required).		
Not applicable.		
F3. Please provide a concept plan of the post-zoning development (if known).		
Not applicable.		
F4. Please provide a development yield analysis (potential yield of lots, houses, employment generation).		
Not applicable.		
G. Economic Considerations		
G1. What other economic impacts are anticipated? (Please note an economic impact assessment may be required).		
Except for economic impacts related to staff time and resources, the amendments to the <i>QLEP 2012</i> will not have any relevant economic considerations.		
G2. If retail/commercial development is proposed, please describe how the proposal fits in with the current retail centres hierarchy of Queanbeyan.		
Not applicable.		
H. Social and Cultural Considerations		
H1. Please describe any heritage impacts the proposal is likely to have. (A study may be required at a later date)		
There will be no heritage impacts as a result of the planning proposal.		
H2. Are there any Aboriginal archaeology considerations to be addressed? (A study may be required at a later date)		
Not relevant.		
H3. Are there any European archaeology considerations to be addressed? (A study may be required at a later date)		
Not relevant.		
H4. Does the proposal require open space management? (A plan may be required at a later date)		

Not relevant.		
I. Infrastructure Considerations		
I1. Is there adequate public infrastructure for the planning proposal? • Water • Sewer • Stormwater • Gas • Electricity • Telecommunications.		
Not relevant.		
I2. Please provide details of any additional infrastructure servicing and potential funding arrangements.		
Not relevant.		
J. Miscellaneous/Additional Considerations		
J1. Please list any additional studies/plans that you consider to be relevant to your proposal.		
Not relevant.		
J2. Please submit a description/plan of the development and its components in cases where the draft planning proposal is facilitating a particular development.		
Not relevant.		

SEPP Compliances-

- Amend the *QLEP 2012* to include certain types of “signage” subject to specified standards into Schedule 2 Exempt Development, and
- Amend the *QLEP 2012* to include home businesses and home industries into zones where dwelling houses are permitted specifically home businesses and home industries within the RU2, R1, R2, R3, R4 and R5, and home businesses in E3 and E4.

The following relevant *State Environmental Planning Policies (SEPP's)* has been considered in the preparation of this planning proposal (PP):

SEPP's	Applicable	Relevant	Consistent	Comment
SEPP No-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.
SEPP No 4—Development Without Consent and Miscellaneous Exempt and Complying Development	NO	NO	YES	This SEPP will not apply to land affected by this PP. This PP will not affect the operation of this SEPP
SEPP No 6—Number of Storeys in a Building	YES	YES	YES	This SEPP is applicable as it applies to the state. The PP will not affect the operation of this SEPP.
SEPP No 14—Coastal Wetlands	NO	NO	YES	This SEPP will not apply to land affected by this PP. This PP will not affect the operation of this SEPP.
SEPP No 15—Rural Landsharing Communities	NO	NO	YES	This SEPP is not applicable to Queanbeyan. This PP will not affect the operation of this SEPP.
SEPP No 19—Bushland in Urban Areas	NO	NO	YES	This SEPP is not applicable to Queanbeyan. This PP will not affect the operation of this SEPP.

SEPP No 21—Caravan Parks	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 No 22—Shops and Commercial Premises	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 No 26—Littoral Rainforests	NO	NO	YES	This SEPP is not applicable to Queanbeyan. This PP will not affect the operation of this SEPP.
SEPP No 29—Western Sydney Recreation Area	NO	NO	YES	This SEPP is not applicable to Queanbeyan. This PP will not affect the operation of this SEPP.
SEPP No 30—Intensive Agriculture	YES	NO	YES	Whilst this SEPP is applicable it is not relevant in regard to this PP.
SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)	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 No 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.
SEPP No 36—Manufactured Home Estates	NO	NO	YES	This SEPP is not applicable to Queanbeyan. This PP will not affect the operation of this SEPP.
SEPP No 39—Spit Island Bird Habitat	NO	NO	YES	This SEPP is not applicable to Queanbeyan. This PP will not affect the operation of this SEPP.
SEPP No 44—Koala Habitat Protection (applicable in the former Yarrowlumla Shire and when merged into Queanbeyan the SEPP still applicable)	YES	NO	YES	Whilst this SEPP is applicable it is not relevant in regard to this PP.
SEPP No 47—Moore Park Showground	NO	NO	YES	This SEPP is not applicable to Queanbeyan. This PP will not affect the operation of this SEPP.
SEPP No 50—Canal Estate Development	NO	NO	YES	This SEPP is not applicable to Queanbeyan. This PP will not affect the operation of this SEPP.
SEPP No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	NO	NO	YES	This SEPP is not applicable to Queanbeyan. This PP will not affect the operation of this SEPP.
SEPP No 55—Remediation of Land	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 No 59—Central Western Sydney Regional Open Space and Residential	NO	NO	YES	This SEPP is not applicable to Queanbeyan. This PP will not affect the operation of this SEPP.
SEPP No 60—Exempt and Complying Development	NO	NO	YES	This SEPP is not applicable to Queanbeyan. This PP will not affect the operation of this SEPP.

SEPP No 62—Sustainable Aquaculture	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 No 64—Advertising and Signage	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 No 65—Design Quality of Residential Flat 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.
SEPP No 70—Affordable Housing (Revised Schemes)	NO	NO	YES	This SEPP is not applicable to Queanbeyan. This PP will not affect the operation of this SEPP.
SEPP No 71—Coastal Protection	NO	NO	YES	This SEPP is not applicable to Queanbeyan. This PP will not affect the operation of this SEPP
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.
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.
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.
SEPP (Housing for Seniors or People with a Disability) 2004	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 (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 (Kosciuszko National Park—Alpine Resorts) 2007	NO	NO	YES	This SEPP is not applicable to Queanbeyan. This PP will not affect the operation of this SEPP
SEPP (Kurnell Peninsula) 1989	NO	NO	YES	This SEPP is not applicable to Queanbeyan. This PP will not affect the operation of this 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 SEPP is not applicable to Queanbeyan. This PP will not affect the operation of this SEPP
SEPP (Penrith Lakes Scheme) 1989	NO	NO	YES	This SEPP is not applicable to Queanbeyan. This PP will not affect the operation of this SEPP
SEPP (Port Botany) 2013	NO	NO	YES	This SEPP is not applicable to Queanbeyan. This PP will not affect the operation of this SEPP
SEPP (Rural Lands)	NO	NO	YES	This SEPP is not applicable to

2008				Queanbeyan. This PP will not affect the operation of this SEPP
SEPP 53 (Transitional Provisions) 2011	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 (Sydney Drinking Water Catchment) 2011	NO	NO	YES	This SEPP is not applicable to Queanbeyan. This PP will not affect the operation of this SEPP
SEPP (Sydney Region Growth Centres) 2006	NO	NO	YES	This SEPP is not applicable to Queanbeyan. This PP will not affect the operation of this SEPP
SEPP (Temporary Structures) 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 (Urban Renewal) 2010	YES	YES	YES	This SEPP may apply to land to which the PP applies. This PP will not affect the operation of the SEPP.
SEPP (Western Sydney Employment Area) 2009	NO	NO	YES	This SEPP is not applicable to Queanbeyan. This PP will not affect the operation of this SEPP
SEPP (Western Sydney Parklands) 2009	NO	NO	YES	This SEPP may apply to land to which the PP applies. This PP will not affect the operation of the SEPP.

Attachment A

Schedule 2 Exempt Development Draft signage standards

Signage

(1) In all cases, signs must not:

- a) Cover mechanical ventilation inlet or outlet vents.
- b) Must relate to the lawful use of the land.
- c) Must not incorporate flashing or moving components.
- d) Must not be installed on a heritage item
- e) Must not advertise restricted premises, sex services or sex services premises.

(2) Business identification signs in a residential, rural or environment protection zones – only 1 sign per premises, must not be installed on a heritage item or be located in a heritage conservation area.

- a) Maximum size of 1m² in a residential zone and 1.5m² in all other zones.
- b) Must be secure and stable.
- c) Must not be illuminated
- d) Must be located wholly within the property boundaries of the land to which the sign relates, or be flush mounted to the front fence or front wall of a building so long as the sign does not protrude beyond the physical limits of that fence or building.
- e) Where the sign is also an A-frame sign, it must comply with the A-frame sign requirements.

(3) A-frame signs on private land

- a. must not obstruct access to the land or to any adjacent land.
- b. maximum display area (on each side) of 0.9m².
- c. must be secure and stable.
- d. must be temporary and must be removed at the close of business each day.
- e. No more than one per occupancy

(4) Change of message on existing sign

- a. development consent for the sign must have been previously granted by the consent authority or the sign must have been erected as exempt development.
- b. must not change signage illumination.
- c. new message must comply with any content requirements of any existing development consent.
- d. must not change sign dimensions.

(5) Business Identification signs in business and industrial zones – only 1 sign per premise from the following list, and must comply with the following requirements for each sign type:

a. Fascia signs

Sign attached to the fascia or return of the awning

- i. must be attached to an existing fascia and fixed flush with the fascia.
- ii. must not extend above or below the fascia or return end of the awning.
- iii. must not be illuminated.
- iv. no more than 1 per occupancy
- v. must not compromise the structural adequacy of the awning or render it unsafe.

b. Flush wall signs

Sign attached to the wall of a building other than the transom of a doorway or display window

- i. maximum area of 6m².
- ii. must be securely fixed to an existing wall and not project more than 300mm from the wall.
- iii. must not project above the top of the wall to which it is attached.
- iv. must not be illuminated.
- v. no more than 1 per occupancy.

c. Top hamper signs

Sign attached to the transom of a doorway or the top end of a display window of a ground floor premise

- i. maximum size of 2.5m².

- ii. must be fixed flush to the wall.
- iii. must be securely affixed.
- iv. must not extend below the head of the doorway or window to which they are attached.
- v. must not extend more than 0.2m beyond any building alignment.
- vi. must not be illuminated.

d. Under awning

Sign attached to the underside of an awning other than a fascia or return end

- i. must not be less than 2.6m from the ground or footpath to the underside of the sign.
- ii. maximum length of 2.5m.
- iii. must be securely fixed to awning.
- iv. must not project beyond the awning.
- v. must be erected horizontal to the ground and at right angles to the building.
- vi. must be located at least 3m from any other under awning sign.
- vii. Maximum area of 1.5m^2 and maximum height of 0.5m^2

e. Shop window

- i. must not cover more than 40% of shop window.
- ii. must not be illuminated.
- iii. must be located on ground level facade.

(6) Pole or pylon advertising signs in industrial zones

Signs must comply with the following:

- a) Maximum height of 6m.
- b) Maximum area of advertising panel (per side) of 4m^2 .
- c) Only 1 per premise.
- d) Must be built in accordance with engineer's certification for the structure and footings.
- e) Must be located clear of any sewer main or stormwater main by a minimum distance of 1m from the main centreline or the equivalent invert depth of the main, whichever is the greater.
- f) Must not encroach on any registered easement.
- g) Must not be a flagpole.
- h) Must not obscure sight distance for vehicles entering or leaving the site.

- i) Must only be illuminated during approved operating hours of the business or where no operating hours are approved, between 7am and 10pm.

(7A) Real estate signs

Signs must comply with the following:

- a) Maximum area (per side):
 - i. single dwelling house – 3m².
 - ii. multi dwelling housing of less than 10 dwelling houses – 5m².
 - iii. multi dwelling housing of 10 or more dwelling houses – 10m².
 - iv. commercial or industrial premises – 5m².
 - v. rural property – 10m².
 - vi. subdivision of less than 50 lots in a new subdivision – 10m².
 - vii. subdivision of 50 lots or more in a new subdivision – 20m².
- b) If the sign relates to a proposed building or subdivision, must not be erected until development consent for the building or subdivision has been granted.
- c) Must contain only a notice that the building or site to which it is fixed is for sale or for lease.
- d) Maximum of 1 sign for each property or lot.
- e) Must not be illuminated or flashing.
- f) Must be removed within 14 days of the property being sold or leased, or in the case of subdivisions, when 90% of lots are sold, or within 5 years, whichever occurs first.
- g) Must not interfere with sight distances for vehicles approaching intersections or erected on public land.
- h) Must not result in more than one sign for each parcel of land.

(7B) Real estate exhibition sign

- (a) A free standing sign of a public footway which:
 - i. Has dimensions of not more than 750 millimetres in height or 600 millimetres in width, and
 - ii. Only contains a direction to the location of a property for sale, auction or lease, or of an exhibition home.

(8) Temporary signs

(including signs and banners announcing a local event for religious, educational, cultural, political, social or recreational purposes)

Signs must comply with the following:

- a) Maximum height – 6m above ground level (existing)
- b) Sign must not be higher than any building it is mounted on.
- c) Maximum area – 5m².
- d) Must not be illuminated.
- e) Any sponsors' names or logos must be less prominent than the message.
- f) Must not be displayed earlier than 28 days before an event.
- g) Must not be displayed later than 14 days after an event.
- h) No more than 1 per street frontage.

(9) Temporary Banner signs within Business and Industrial zones

Signs must comply with the following:

- a) Maximum size of 3m².
- b) No more than 1 sign per premise.
- c) Is displayed for a period of not more than 60 days (whether consecutive or non consecutive) in any calendar year.
- d) Installed wholly within the property boundary.
- e) Securely fixed to a building or to the ground.
- f) Made from non-reflective materials and colours.
- g) Must be attached to any existing traffic control signal or traffic directory sign.
- h) Displays a message/promotion/event relating to a business that is lawfully being carried on from the site.

(10) Signs on motor vehicles

Signs must comply with the following:

- a) The sign must be integral part of the vehicle.
- b) The vehicle must be able to be moved lawfully with the sign in place.
- c) The vehicle must not be standing unattended on public land only for the purposes of displaying the sign.
- d) The vehicle must be moved at the close of business each day.
- e) Motor vehicle must be road worthy.

(11) Public signs

Signs must comply with the following:

- a) Constructed by or on behalf of Council or public authority.

- b) Contains a place or identification name, law enforcement signs or gives information about the services or events provided by Council or public authorities.

(12) Street banners and sails on/over Public Roads

Signs must comply with the following:

- a) Designed and constructed by or on behalf of Council or the Roads and Maritime Service.
- b) Erected on approved fixtures and structures
- c) Structurally sound.

(13) Bus shelter advertising

Signs must comply with the following:

- a) Must not extend beyond the perimeter of the bus shelter.
- b) Only one advertising panel per bus shelter, but the panel may have an advertisement on 2 sides.
- c) Must not be illuminated.
- d) Must be erected by or on behalf of the public authority.

(14) Signage within a site

- a) Must not be visible from outside the site

(15) Property Identification signs in Rural and Environmental Zones

- a) Located wholly within the property boundary
- b) Sign not to exceed 1.5 square metres in area or 2 metres in height
- c) Signs not to cause interference with local traffic conditions or impeded line of sights for traffic
- d) Separate Rural Addressing sign may be erected in accordance with Council's requirements. Sign to be erected in a highly visible location on the post adjacent to the property entrance. Only one Rural Address per property is permitted.

117 Direction Responses

No	117 Directions for planning proposal	What a relevant planning authority must do if this direction applies	Consistency	Response
1	1.1 Business and Industrial Zones Objectives 1) The objectives of this direction are to: (2) encourage employment growth in suitable locations, (3) protect employment land in business and industrial zones, and (4) support the viability of identified strategic centres. <i>Comment:</i>	5) A planning proposal must: (6) give effect to the objectives of this direction, (7) retain the areas and locations of existing business and industrial zones, (8) not reduce the total potential floor space area for employment uses and related public services in business zones, (9) not reduce the total potential floor space area for industrial uses in industrial zones, and (10) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.	11) 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: (12) justified by a strategy which: (13) gives consideration to the objective of this direction, and (14) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and (15) is approved by the Director-General of the Department of Planning, or (16) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or (17) in accordance with the	Y ✓ <i>Comment:</i> The planning proposal for the inclusion of signage into the exempt schedule and home business into the residential zones is consistent with column three. As the planning proposal is consistent with the objectives of this direction as it will encourage employment growth within the residential areas and will not impact on existing business and industrial zones. The total potential floor space area for the industrial uses will not be reduced. The proposed home business within residential areas is consistent with the economic strategy for Queanbeyan.

No	117 Directions for planning proposal	What a relevant planning authority must do if this direction applies	Consistency	Response
			relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or (18) of minor significance.	
3	2.1 Environment Protection Zones Objective (19) The objective of this direction is to protect and conserve environmentally sensitive areas. <i>Comment:</i>	(4) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas. (5) 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 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".	(6) 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	Y ✓ <i>Comments:</i> The planning proposal is consistent with column three. The planning proposal will not alter any environmentally sensitive areas and maintains the existing studies and clauses that have been included within the Queanbeyan Local Environmental Plan 2012. The existing environmental protection standards pertained within the Queanbeyan Local Environmental Plan 2012 will remain.

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			(c) planning proposal which gives consideration to the objectives 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 is of minor significance. (d)	

4	2.3 Heritage Conservation Objective (20) The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. <i>Comment:</i>	(1) A planning proposal must contain provisions that facilitate the conservation of: (2) 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, (a) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and (b) 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.	(3) 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. Note: In this direction: “conservation”, “environmental heritage”, “item”, “place” and “relic” have the same meaning as in the <i>Heritage Act 1977</i>. “Aboriginal object”, “Aboriginal area” and “Aboriginal place” have the same meaning as in the <i>National Parks and Wildlife Act 1974</i>. Heritage conservation is covered by a compulsory clause in the Standard Instrument (Local Environmental Plans) Order 2006. A LEP that adopts the Standard Instrument should identify such items, areas, objects or places of environmental heritage significance or indigenous heritage significance as are relevant to the terms of this direction on the Heritage Map and relevant Schedule of the LEP.	Y ✓ The planning proposal is consistent with column 3 and the objectives of the 117 direction. The planning proposal will not alter any of the existing provisions relating to heritage items, aboriginal objects, relics or heritage conservation areas. The controls within the existing Queanbeyan Local Environmental Plan 2012 will remain.
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5	2.4 Recreation Vehicle Areas Objective (4) The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles. <i>Comment:</i>	(5) 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>): (6) where the land is within an environmental protection zone, (7) where the land comprises a beach or a dune adjacent to or adjoining a beach, (8) where the land is not within an area or zone referred to in paragraphs (4)(a) or (4)(b) unless the relevant planning authority has taken into consideration: (ii) the provisions of the guidelines entitled <i>Guidelines for Selection, Establishment and Maintenance of Recreation Vehicle Areas</i>, Soil Conservation Service of New South Wales, September, 1985, and (iii) 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>	(9) 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: (10) justified by a strategy which: (11) gives consideration to the objective of this direction, and (12) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and (13) is approved by the Director-General of the Department of Planning, or (14) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (15) 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 (16) of minor significance.	Y ✓ The planning proposal is consistent with the requirements of column 3. The planning proposal will not enable land to be developed for the purpose of a recreation vehicle area, for the land within an environmental protection zone. There are no sand dunes or beach land within the Queanbeyan area.
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6	3.1 Residential Zones Objectives (17) The objectives of this direction are: (18) to encourage a variety and choice of housing types to provide for existing and future housing needs, (19) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (20) to minimise the impact of residential development on the environment and resource lands. <i>Comment:</i>	(21) This direction applies when a relevant planning authority prepares a planning proposal that will affect land within: (a) an existing or proposed residential zone (including the alteration of any existing residential zone boundary), (b) any other zone in which significant residential development is permitted or proposed to be permitted.	(22) A planning proposal must include provisions that encourage the provision of housing that will: (23) broaden the choice of building types and locations available in the housing market, and (24) make more efficient use of existing infrastructure and services, and (25) reduce the consumption of land for housing and associated urban development on the urban fringe, and (26) be of good design. (27) A planning proposal must, in relation to land to which this direction applies: (28) 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 (29) not contain provisions which will reduce the permissible residential density of land.	Y ✓ The proposal is consistent with the objectives and column 3. The proposal is not proposing further residential land and is for the inclusion of home business into the permissible with consent section. The planning proposal is not proposing any significant residential development and is consistent with the requirements of part b.
8	3.3 Home Occupations Objective (30) The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling	(31) Planning proposals must permit home occupations to be carried out in dwelling houses without the need for development consent.	(32) 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	Y ✓ The planning proposal is consistent with the objectives and column 3, the planning proposal will not alter what is permitted with consent within

	houses. <i>Comment:</i>		(or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent with the terms of this direction are of minor significance. Note: In this direction "home occupation" has the same meaning as it has in the Standard Instrument (Local Environmental Plans) Order 2006.	the Queanbeyan Local Environmental Plan 2012. The proposal will include home business within the permitted use table for residential areas, which is a separately define land use within the standard instrument.
4.3 Flood Prone Land Objectives (33) 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.		(1) 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>). (2) 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. (3) 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 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	(6) 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. Note: "flood planning area", "flood planning level", "flood prone	Y ✓ The controls for flooding with the Queanbeyan Local Environmental Plan 2012 will remain unaltered as a result of the planning proposal. The proposal is consistent with the objectives and column three of the table. As the provisions that currently exist within the Queanbeyan Local Environmental Plan 2012 comply with the Floodplain Development Manual 2005. The proposal is consistent with part (3)(a)-(e) and sections (4) and (5). The planning proposal will allow the inclusion of home business into the permitted with consent table of the residential zones meaning that any future development application for

	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. (4) 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). (5) 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 <i>Guideline on Development Controls on Low Flood Risk Areas</i>) 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).	land" and "floodway area" have the same meaning as in the <i>Floodplain Development Manual 2005</i>.	home business will be subject to the controls within the Queanbeyan Local Environmental Plan 2012. The Queanbeyan Local Environmental Plan 2012 has previously satisfied this section 117 direction and controls have been included within this instrument that address the 117 direction. These controls will not be altered as a result of the proposal.
4.4 Planning for Bushfire Protection Objectives (7) 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	(8) 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, (9) 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	(11) 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,	Y ✓ The controls for bushfire prone land within the Queanbeyan Local Environmental Plan 2012 will remain unaltered as a result of the planning proposal. The proposal is consistent with the objectives and column three of the table. As the provisions that currently exist within the Queanbeyan Local Environmental Plan 2012 comply with the requirements of clause (8),(9) and (10) The

	prone areas.	prohibited within the APZ. (10) A planning proposal must, where development is proposed, comply with the following provisions, as appropriate: (a) 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 for hazard reduction and located on the bushland side of the perimeter road, (b) 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 <i>Rural Fires Act 1997</i>), the APZ provisions must be complied with, (c) contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks, (d) contain provisions for adequate water supply for firefighting purposes, (e) minimise the perimeter of the area of land interfacing the hazard which may be developed, (f) introduce controls on the placement of combustible materials in the Inner Protection Area.	notwithstanding the non-compliance, the NSW Rural Fire Service does not object to the progression of the planning proposal.	planning proposal will allow the inclusion of home business and exempt signage into the permitted with consent table of the residential zones and into exempt schedule 2 . Meaning that any future development for home business home business will require a development application which will be subject to the controls within the Queanbeyan Local Environmental Plan 2012. The Queanbeyan Local Environmental Plan 2012 has previously satisfied this section 117 direction and controls have been included within this instrument that address the 117 direction. These controls will not be altered as a result of the proposal.
5.1 Implementation of Regional Strategies	(13) Planning proposals must be consistent with a regional strategy released by the Minister for Planning.	(14) A planning proposal may be inconsistent with the terms of this direction only	Y ✓	The proposal is consistent

	Objective (12) The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.		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.	with the Sydney- Canberra Corridor Regional Strategy. The planning proposal will aim to provide further business and job opportunities to aim towards the strategy target of 11,250. The proposal will ease the process of providing signage for prospective business through the amendments to the exempt schedule.
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