

# **Planning Proposal**

## **For Cemetery and Memorial Park**

**Lot 2 DP 112382 and Lot 126 DP 754881**  
**Old Cooma Road, Queanbeyan**



# Planning Proposal for Cemetery and Memorial Park

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# Planning Proposal for Cemetery and Memorial Park

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## Introduction

The Queanbeyan Lanyon Drive Cemetery is expected to reach capacity within the next five years. As a consequence, Queanbeyan-Palerang Regional Council (QPRC) needs to identify a new site to accommodate cemetery uses that will meet the needs of the growing population into the future.

Council has now purchased a parcel of land to the south of the Googong urban release area with a view to examining its potential for such uses into the future.

Whilst Council has undertaken some preliminary geotechnical and vegetation studies for the site, further detailed studies are required in respect of the land's biodiversity values, potential impacts on the amenity of nearby residents, archaeology and hydrology before any decision can be made to proceed with a cemetery in this location.

Accordingly, Council has prepared this planning proposal to allow for a combined cemetery and memorial park on the subject land, currently zoned E4 Environmental Living. This requires the definition of 'cemetery' to be added to Schedule 1 Additional Permitted Uses as this land use is otherwise prohibited in the E4 Environmental Living zone. This will be done as an amendment to the *Queanbeyan Local Environmental Plan 2012*.

The aerial photo of the subject land is shown below in Figure 1.

**Figure 1 Aerial showing subject site**



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The 36.4ha site subject to this planning proposal is triangular in shape and lies some 6km south of Queanbeyan on the eastern side of Old Cooma Road, at the Burra Road intersection. It includes the following lots:

- Lot 2 DP 112382
- Lot 126 DP 754881

The property is presently used for grazing and other agricultural uses and has been farmed since the 1800s. An existing cottage is located near the centre of the site. Church Creek drains NW through the site, with several other smaller tributaries draining into it. The land starts to elevate along the NE Burra Road boundary of the site.

The surrounding land is predominantly zoned for environmental living purposes with a minimum lot size of 6ha. A community title development known as 'Mount Campbell' which comprises dwellings on smaller rural lots is located west of the site and accessed from Evans Road. The area to the north between the Googong Township and the subject site is zoned RU2 Rural Landscape part of which is identified as a 'future investigation area' for urban development in the *Queanbeyan Residential and Economic Strategy 2015-2031*.

As required by Section 3.33 of the *Environmental Planning and Assessment Act 1979*, this Planning Proposal includes the following:

- a statement of the objectives or intended outcomes of the proposed instrument;
- an explanation of the provisions that are to be included in the proposed instrument;
- the justification for those objectives, outcomes and provisions and the process for their implementation (including whether the proposed instrument will comply with relevant directions under section 9.1); and
- details of the proposed community consultation.



## Part 1 - Objectives or Intended Outcomes

The intended outcome of the planning proposal is to provide for a cemetery and other associated uses on the subject land consistent with the topography, environmental values and urban capability of the site.

## Part 2 - Explanation of Provisions

This planning proposal will be given effect through an amendment to *Queanbeyan Local Environmental Plan 2012*.

It is proposed to amend Schedule 1 'Additional permitted uses' to include the subject land and adding the land use 'cemetery' as set out below. This would also require the renumbering of additional uses beyond this new entry.

### **11 Use of certain land at 1187 and 1241 Old Cooma Road, Googong**

1. *This clause applies to land at 1187 and 1241 Old Cooma Road, Googong, being Lots 2 DP 112382 and Lot 126 DP 754881.*
2. *Development for the purposes of 'cemetery' is permitted with consent.*

No amendments to any maps are proposed at this time.

In the event the proposed cemetery and associated uses are approved in the future, Council would look to then apply a more appropriate zone to the site such as SP1 – Cemetery (similar to other existing cemeteries in Queanbeyan). In the event the cemetery and associated uses do not proceed into the future, it is likely the land will continue to be used for E4 Environmental Living.

## Part 3 - Justification

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

The planning proposal is required to amend *Queanbeyan Local Environmental Plan 2012* by adding the land use term 'cemetery' to Schedule 1 Additional Permitted Uses.

Over the past 8 years, the former Queanbeyan City Council has been reviewing the need for a new cemetery to supplement the existing Lanyon Drive Cemetery. Council has now identified the need for a new cemetery as the existing Queanbeyan cemetery is nearing its capacity with approximately four years left remaining. This matter is included in Council's 2013 - 2017 Delivery Plan.

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

The former Queanbeyan City Council's Integrated Plans sets out the approach as to how it develops its budgets and corporate plans. The Integrated Planning and Reporting Framework is comprised of a hierarchy of plans – a Community Strategic Plan, a Delivery Program and an Operational Plan. These plans were informed by the Community Vision 2012 which sets out the community's priorities.

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The Community Strategic Plan 2013 – 23 sets out the key directions identified by the community. One such key direction is *4.1 Undertake planning to ensure infrastructure is prepared for future growth*. The location of a site for a new cemetery is identified as a strategy to achieve this key direction.

As such identifying a site for a new cemetery was also identified as a major project in Council's 2013 - 2017 Delivery Program with construction planned for 2017 - 18. This timeframe has been delayed.

At its meeting of 28 June 2017 (Resolution 171/17) Council's Administrator resolved to progress the proposed cemetery project in its planning and assessment, stakeholder and community engagement processes. The first of these processes is to prepare a planning proposal pursuant to s3.33 of the *Environmental Planning and Assessment Act 1979*.

A draft Cemeteries Strategy has been prepared and will be finalised when it has been endorsed by the new council when elected.

The planning proposal is not considered to be inconsistent with the former *Queanbeyan City Council's Residential and Economic Strategy 2031* which was reviewed in 2015.

Investigations were carried out during 2014 - 2015 and following a workshop with councillors in July 2015 two potential localities were identified in the Burra and Carwoola areas. The Burra location was considered superior, due to its better access for a large proportion of the Queanbeyan, Jerrabomberra and Googong populations (including future residential investigation lands to the south).

## **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 considered to be the best manner to progress the intended use of the site.

It is also considered best to progress the investigations as to the suitability of a cemetery and memorial park in this area as a standalone planning proposal as it will involve a number of detailed specialist studies and considerable community engagement.

The planning proposal will also require studies covering geotechnical information and traffic impacts to ensure that the site can be serviced adequately in terms of appropriate infrastructure.

## **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)?**

Yes, the planning proposal is considered to be consistent with the relevant regional plan being the *South East and Tablelands Regional Plan 2036 (July 2017)*.

Actions identified under the plan include:-

- Direction 8: Protect important agricultural land – the planning proposal subject site is not located on important agricultural land.
- Direction 14: Protect important environmental assets – the planning proposal site avoids areas of known high conservation value as identified in the Biodiversity Study 2008 which informed the environmental zonings contained in the *Queanbeyan Local*

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*Environmental Plan 2012.* As part of the planning proposal a detailed biodiversity study will be undertaken to ensure that any development of a memorial park will protect areas of high conservation value and avoid habitats of threatened or endangered species.

- Direction 21: Increase access to health and education services – the planning proposal complies with this direction in that it identifies an appropriate site that appears suitable after preliminary investigations for such a cemetery consistent with Action 21.4 ‘Identify appropriate sites for cemeteries and crematoria in local strategies’.

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

As previously noted, the draft plan is considered to be consistent with the *Queanbeyan Residential and Economic Strategy 2031*.

The planning proposal is consistent with Council’s Community Strategic Plan 2013 – 2023 which sets out the key strategic directions identified by the community. One such key direction is 4.1 ‘Undertake planning to ensure infrastructure is prepared for future growth’. The location of a site for a new cemetery is identified as a strategy to achieve this key direction.

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

The planning proposal is not considered to be inconsistent with any SEPPs.

In respect of SEPP 55 – Remediation of Land, Council has reviewed its records found no indication of any known contamination on the subject lands. The site is not proposed to be used for any sensitive uses such as residential, educational, health, recreational or child care uses in this instance.

## **6) Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?**

Each applicable and relevant s9.1 Ministerial Direction is listed at Appendix 1 confirming whether it is consistent or not. Council is of the view any inconsistencies can be justified or are of minor significance only.

## **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?**

The land subject of this planning proposal is zoned E4 Environmental Living. It permits certain development including low impact rural residential uses in recognition of the rural and bushland character of the locality.

The majority of the subject site is considered of generally low conservation value however, a detailed biodiversity study will be needed across the subject lands to confirm the ecological values of the site. This will need to comply with relevant legislative and agency requirements.

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



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A key environmental issue will centre around potential biodiversity on the site and the protection of this. The undertaking of this type of study is considered to be a priority and will be required to be carried out during the months of October/November this year to identify appropriate species.

Other environmental effects will also need to be considered through appropriate studies/reviews. These include:

- Cultural Heritage
- Flora and Fauna
- Geotechnical
- Hydrology
- Traffic and transport impacts
- Visual and noise assessment
- Social impact assessment

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

The provision of a new cemetery is needed given that the Queanbeyan Lanyon cemetery is nearing capacity. The risk of not providing such a facility would mean that the wider Queanbeyan community would have to travel to other end of life facilities including those over the border in the ACT.

Council has also resolved (171/17) that an independent social impact assessment should be prepared if the planning proposal proceeds as part of the planning process.

## **Section D - State and Commonwealth interests**

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

As noted above infrastructure requirements for the site will need to be resolved as the planning proposal progresses. There will be increases in traffic at specific times which will be slow moving. It is anticipated that a new access to the site from Old Cooma Road will be required. Old Cooma Road itself is being upgraded to accommodate the new development at Googong and the proposed cemetery can make use of this resource.

The traffic impact study will seek to address any constraints on the road network.

## **Part 4 – Mapping**

As noted, it is intended that the planning proposal will be an amendment to *Queanbeyan LEP 2012* by way of adding the land use terms ‘cemetery’ to Schedule 1 Additional Permitted Uses. Accordingly no LEP map changes are proposed at this time.

## **Part 5 - Community Consultation**

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

Council will also have an independent social impact assessment undertaken should the planning proposal proceed that will be done prior to community consultation and will be exhibited alongside all the other background studies.

Council intends to consult with the following agencies in respect of the planning proposal:

1. NSW Office of Environment and Heritage,

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2. Rural Fire Service, and
3. NSW Police.

The proposed community consultation will include a community meeting to be held at Fernleigh Park Community Hall.

Should the planning proposal proceed the new Council also has the option of holding a public hearing at the conclusion of the community consultation period. This will be further determined at that time.

### Part 6 - Project Timeline

Given the significant studies that are required to inform any draft amendment to the LEP, it is anticipated the planning proposal will take 12 months to finalise. An indicative timeframe is set out below.

Action	Timeframe
Gateway received	June 2018
Undertake studies	October - July 2018
Agency and community consultation	August - October 2018
Report to Council	November – December 2018
Submit to DPE to finalise	December 2018



# **Appendix 1 – Applicable Section 9.1 Directions**

## Appendix 1 – Applicable Section 9.1 Directions

1.1 Rural Zones			
Objective	What a relevant planning authority must do if this direction applies	Consistency	Response
The objective of this direction is to protect the agricultural production value of rural land.	<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> <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, 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</p>	<p>Consistent.</p> <p>The subject land is not zoned for rural purposes rather is zoned for environmental living.</p> <p>It is not proposed to rezone the land in this instance.</p> <p>The planning proposal will not result in the loss of any significant agricultural land.</p>

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		Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or  d) is of minor significance.	
<b>1.5 Rural Lands</b>			
<b>Objective</b>	<b>What a relevant planning authority must do if this direction applies</b>	<b>Consistency</b>	<b>Response</b>
<p>The objectives of this direction are to:</p> <p>a) protect the agricultural production value of rural land,</p> <p>b) facilitate the orderly and economic development of 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>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 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>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>gives consideration to the objectives of this direction,</li> <li>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>is approved by the Director-General of the Department of Planning and is in force, or</li> </ol> <p>b) is of minor significance.</p>	<p>Consistent.</p> <p>The land subject to this planning proposal is zoned E4 Environmental Living.</p> <p>There are no significant agricultural values that would prevent the planning proposal proceeding.</p> <p>There is no intention to alter the boundaries of the existing zone or to reduce the minimum lot size for land.</p> <p>There is no inconsistency with either the Rural Planning Principles or the Subdivision Principles set out in <i>State Environmental Planning Policy (Rural Lands) 2008</i>.</p>



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2.1 Environment Protection Zones			
Objective	What a relevant planning authority must do if this direction applies	Consistency	Response
<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 not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 "<i>Rural Lands</i>".</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> <ul style="list-style-type: none"> <li>a) justified by a strategy which: <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, or</li> </ul> </li> <li>b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives 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> </ul>	<p>Consistent.</p> <p>The planning proposal is considered to be consistent with this direction as it does not propose to rezone any known environmentally sensitive area.</p> <p>Council will be undertaking a biodiversity study of the subject land to determine the exact values of the site. The planning proposal may be revisited depending on the outcomes of that study.</p>

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		d) is of minor significance.	
<b>2.3 Heritage Conservation</b>			
<b>Objective</b>	<b>What a relevant planning authority must do if this direction applies</b>	<b>Consistency</b>	<b>Response</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 the environmental heritage of the area,</li> <li>b) Aboriginal objects or Aboriginal places that are protected under the <i>National Parks and Wildlife Act 1974</i>, and</li> <li>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.</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 by existing or draft environmental planning instruments, legislation, or regulations that apply to the land, or</li> <li>b) the provisions of the planning proposal that are inconsistent are of minor significance.</li> </ul>	<p>Consistent.</p> <p>There are no known heritage values on the site.</p> <p>Regardless, a detailed archaeological/cultural study will be undertaken as part of the planning proposal to determine any indigenous or non-indigenous heritage on the site.</p>

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3.1 Residential Zones			
Objective	What a relevant planning authority must do if this direction applies	Consistency	Response
<p>The objectives of this direction are:</p> <ul style="list-style-type: none"> <li>a) encourage a variety and choice of housing types to provide for existing and future housing needs,</li> <li>b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</li> <li>c) to minimise the impact of residential development on the environment and resource lands.</li> </ul>	<p>A planning proposal must include provisions that encourage the provision of housing that will:</p> <ul style="list-style-type: none"> <li>a) broaden the choice of building types and locations available in the housing market, and</li> <li>b) make more efficient use of existing infrastructure and services, and</li> <li>c) reduce the consumption of land for housing and associated urban development on the urban fringe, and</li> <li>d) be of good design.</li> </ul> <p>A planning proposal must, in relation to land to which this direction applies:</p> <ul style="list-style-type: none"> <li>a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</li> <li>1) not contain provisions which will reduce the permissible residential density of land.</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>a) justified by a strategy which: <ul style="list-style-type: none"> <li>i) gives consideration to the objective of this direction, and</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> </ul> </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> </ul>	<p>Consistent.</p> <p>This direction potentially applies as it would allow for environmental living land to be used for another purpose.</p> <p>However, given the minimum lot size is 6 hectares for this land, it would only accommodate a maximum of 4-5 further houses in any event.</p> <p>Any inconsistency is considered to be of minor significance in the circumstances.</p>

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		d) of minor significance.	
3.4 Integrating Land Use and Transport			
Objective	What a relevant planning authority must do if this direction applies	Consistency	Response
<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> <ul style="list-style-type: none"> <li>a) improving access to housing, jobs and services by walking, cycling and public transport, and</li> <li>b) increasing the choice of available transport and reducing dependence on cars, and</li> <li>c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</li> <li>d) supporting the efficient and viable operation of public transport services, and</li> <li>e) providing for the efficient movement of freight.</li> </ul> <p>This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a</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> <ul style="list-style-type: none"> <li>a) <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and</li> <li>b) <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).</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>a) justified by a strategy which: <ul style="list-style-type: none"> <li>i. gives consideration to the objective of this direction, and</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> <li>iv. justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</li> <li>v. in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning</li> </ul> </li> </ul>	<p>Consistent.</p> <p>The planning proposal provides for a cemetery in an area that is serviced by Old Cooma Road that is being upgraded to accommodate new development at Googong. Old Cooma Road gives access to the Monaro Highway in the ACT and to the proposed Ellerton Drive Extension which is being built for the efficient circulation of traffic for the expanded population of Queanbeyan.</p>

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zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.		which gives consideration to the objective of this direction, or  vi. of minor significance.	
<b>4.4 Planning for Bushfire</b>			
<b>Objective</b>	<b>What a relevant planning authority must do if this direction applies</b>	<b>Consistency</b>	<b>Response</b>
<p>The objectives of this direction are:</p> <p>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</p> <p>b) to encourage sound management of bush fire prone areas.</p> <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> <p>a) have regard to <i>Planning for Bushfire Protection 2006</i>,</p> <p>b) introduce controls that avoid placing inappropriate developments in hazardous areas, and</p> <p>c) ensure that bushfire hazard reduction is not prohibited within the APZ.</p> <p>A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:</p> <p>d) provide an Asset Protection Zone (APZ) incorporating at a minimum:</p> <p>i. an Inner Protection Area bounded by a perimeter road or reserve which</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 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>Consistent.</p> <p>The subject land is not identified as being bushfire prone. However the uncleared land to the north west, of Mount Campbell is bushfire prone which is in the vicinity of the subject site.</p> <p>However, the proposal potentially reduces any bushfire threat given there would be fewer permanent residences in the area if the proposed cemetery and memorial park proceeds.</p> <p>Although it will be necessary to consult with the Rural Fire Service it is considered unlikely there would be any issues of non-compliance in this instance.</p>



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	<p>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</p> <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 fire fighting 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</li></ul>		
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	materials in the Inner Protection Area.		
<b>5.10 Implementation of Regional Plans</b>			
<b>Objective</b>	<b>What a relevant planning authority must do if this direction applies</b>	<b>Consistency</b>	<b>Response</b>
The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.	Planning proposals must be consistent with the Regional Plan released by the Minister for Planning.	<p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Secretary of the Department of Planning and Environment (or an officer of the Department nominated by the Secretary), that the extent of inconsistency with the regional strategy:</p> <p>a) is of minor significance, and</p> <p>b) the planning proposal achieves the overall intent of the Regional Plan and does not undermine the achievement of its vision, land use strategy, goals, directions or actions.</p>	<p>Consistent.</p> <p>The planning proposal is consistent with the <i>South East Tablelands Regional Plan 2036</i> in identifying appropriate sites for cemeteries and crematoria in local strategies. A draft cemeteries strategy has been prepared by Council.</p>
<b>6.3 Site Specific Provisions</b>			
<b>Objective</b>	<b>What a relevant planning authority must do if this direction applies</b>	<b>Consistency</b>	<b>Response</b>
<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</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>	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>Consistent.</p> <p>This planning proposal seeks to allow a cemetery and associated uses to be permitted with consent by requiring these land uses to be</p>

## Planning Proposal for Cemetery and Memorial Park

that will allow a particular development to be carried out	<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 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>	the provisions of the planning proposal that are inconsistent are of minor significance.	<p>listed in Schedule 1 Additional Permitted Uses.</p> <p>The planning proposal does not seek to impose any additional development standards or requirements into the existing LEP in respect of the subject land.</p> <p>In the event the proposed cemetery and memorial park proceed, Council will look to rezone the site similar to other existing cemeteries in Queanbeyan.</p>
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