



Planning Proposal
Housekeeping
Amendments to
Queanbeyan Local
Environmental Plan
2012

Reference: SF170205
C1753006

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Introduction

This planning proposal has been prepared to update a number of operational matters in *Queanbeyan Local Environmental Plan (LEP) 2012* (QLEP 2012). These are set out below.

Part 1 – Objectives and Intended Outcomes

The objectives of this planning proposal are to undertake a number of housekeeping amendments to QLEP 2012 to:

1. correct a number of misdescriptions contained in Schedules One and Five to ensure the LEP is accurate,
2. ensure the Flood Planning Area set out in Council's LEP is updated to reflect the most recent information in respect of known flood planning levels,
3. include an additional heritage item that was assessed by Council's Heritage Advisor in September 2015 and recommended for inclusion in Schedule Five of the LEP, and
4. introduce evaporative cooling units (roof mounted) as exempt development.

The intended outcomes of the planning proposal are to amend the *Queanbeyan Local Environmental Plan 2012* (QLEP 2012) to:

1. update a number of incorrect property descriptions contained within Schedule One of QLEP 2012 and as set out at Appendix A,
2. correct an additional development use detailed at Schedule One of QLEP 2012 for item 22 (101 Alderson Place, Tralee) from 'dwelling house' to 'dual occupancy', including confirming the parcel of land upon which the additional development is permissible as set out at Appendix A,
3. amend the Flood Planning Maps currently contained within QLEP 2012 to correctly reflect the 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard as set out in Appendix B,
4. correct a reference in respect of a local heritage item in Schedule Five Environmental Heritage (Item 84) from '1 to 5 Hirst Avenue' to instead read '1 and 5 Hirst Avenue' which was incorrectly listed when the comprehensive LEP was gazetted, and, to also update the relevant property description so it refers to the correct land parcels as set out at Appendix A,
5. include a new local heritage item in Schedule Five Environmental Heritage (Shepherds Ruin - 1291 Old Cooma Road – see Appendix A) and to introduce an accompanying Heritage Map (HER_004) to reflect this proposed listing as set out in Appendix B, and
6. allowing evaporative cooling units (roof mounted) as exempt development by including these at Schedule Two of QLEP 2012 as set out at Appendix A.

Part 2 - Justification

Section A – Need for the Planning Proposal

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

Update incorrect property descriptions in Schedule One of QLEP 2012.

The incorrect property descriptions in Schedule One have been identified by staff during routine administration of the plan rather than through any study or report.

Item 1 - When QLEP 2012 was drafted, part of the relevant property description for 149 Wanna Wanna Road (ie, Lot 87 DP 1051143) was incorrectly described and should have instead referred to 'Lot 16 DP 259432'.

Item 1 - When QLEP 2012 was drafted the relevant property description for 101 Alderson Place as set out in Schedule 1 should have also included Lot 171 DP 1200349 in addition to the other parcels of land for that property.

Item 6 – This item currently refers to '64 Googong Road' however should correctly refer to '36 Googong Road'. This appears to have been an error when the QLEP 2012 was drafted.

Item 8 – This item currently refers to '23 Mol Crescent, Googong' however should refer to '19 Mol Crescent, Googong'. This appears to have been an error when the QLEP 2012 was drafted.

Correct the additional development use at Schedule One detailed for 101 Alderson Place, Tralee from 'dwelling house' to 'dual occupancy'.

This item (item 22) currently refers to additional development for the purposes of a 'dwelling house and farm buildings'. This was done when the QLEP 2012 was drafted in an attempt to ensure previous development options available to the owner were not removed when the subject property was subsequently zoned to E2 Environmental Conservation. This new zoning had the effect of prohibiting both dwellings and farm buildings in the zone, whereas both were permissible with consent prior to the introduction of QLEP 2012.

Accordingly, the landowner would have previously had the capacity to subdivide the property to allow for three dwellings in total given the area of the property (approximately 257 hectares with an 80 hectare subdivision minimum). The landowner made representations to the Council at the time that he wanted to erect one further dwelling house on the property, and that he should also be able to continue to erect farm buildings with consent. Whilst many parts of the property hold significant environmental values, there are also parts of the property that are largely cleared and suitable for agricultural uses. This was considered to be a reasonable request in the circumstances and Council sought to give this effect by permitting the uses under Schedule One of QLEP 2012.

However, Council staff have now determined that the existing reference may not provide for an additional dwelling as envisaged by the landowner given he has confirmed he is seeking to erect the additional dwelling on the same lot of land as the existing dwelling, with a view to it being occupied by a family member and with no intention the new dwelling would be on a separate lot. Accordingly, the reference will now be amended to refer to a 'dual occupancy' development on the specific parcel already containing the existing dwelling house (ie, Lot 1, DP 1001136). Further, to ensure 'farm buildings' can still be carried out with consent anywhere on the holding, it is now intended to insert this as a separate entry that applies to all the land within the holding.

Amend the Flood Planning Maps to reflect the 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.

The proposal to update the Flooding Maps in the LEP is based on the *draft Floodplain Risk Management Study and Plan* prepared for Council in 2008 by Lyall and Associates (Appendix G).

The current Flooding Maps in the LEP were carried forward from the previous LEP and only show those areas within the 1:100 ARI that were identified as 'high hazard' under previous studies. This is inconsistent with the definition of 'flood planning level' within both the LEP and the *NSW Floodplain Development Manual 2005*. The new flood planning levels are already considered by Council when assessing any development and it is considered appropriate the LEP now be updated to reflect.

Accordingly it is intended to update the maps to identify the flood planning level as the 1:100 ARI flood event plus 0.5m freeboard as confirmed by the 2008 Study.

Correct reference in respect of a local heritage item from '1 to 5 Hirst Avenue' to instead read '1 and 5 Hirst Avenue'.

This misdescription in Schedule Five has again been identified by staff during routine administration of the plan rather than through any study or report.

It is incorrect that 3 Hirst Avenue was ever listed as part of a heritage item in Schedule 5 and this appears to have been a drafting error when the existing reference in *Queanbeyan LEP 1998* (ie, 1 and 5 Hirst Avenue) was carried forward into the new LEP. This is also confirmed by 3 Hirst Avenue not being shown on the current heritage maps under QLEP 2012. No amendment to the heritage maps is required for this matter.

Include a new local heritage item Shepherds Ruin - 1291 Old Cooma Road.

The proposal to include an additional heritage item (Shepherds Ruin) is based on a report from Council's Heritage Advisor dated 28 September 2016. A copy of that report is shown at Appendix C.

Accordingly this will be a new local heritage item in Schedule Five of the LEP and a new heritage map prepared to reflect the listing.

Allowing evaporative cooling units (roof mounted) as exempt development.

Schedule Two has been amended to include evaporative cooling units (roof mounted) as exempt development. Currently evaporative cooling units (roof mounted) are only exempt under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* where they are erected in Climate Zone 4 (as identified by the Building Code of Australia) which excludes the former Queanbeyan local government area.

Council has previously received development applications for these developments and considers them to be suitable as exempt development provided they accompanied by similar controls as currently set out in the SEPP. The proposed wording of the clause is set out at Appendix A.

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

The planning proposal seeks to correct a number errors and anomalies in the QLEP 2012 as set out above.

These matters can only be addressed by direct amendment of the LEP which requires a planning proposal.

3. Is there a net community benefit?

The net community benefit in preparing the planning proposal is to ensure that the *QLEP 2012* is correct and up to date and any errors or anomalies that may confuse or complicate future planning matters are addressed.

Providing more up to date flooding information will also assist in informing future development proposals and ensuring clarity around flooding impacts.

Identifying additional local heritage items protects those items from inappropriate development.

The amendment will also provide for additional exempt development which will reduce the need for unnecessary development applications.

Section B – Relationship to Strategic Planning Framework

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

The relevant regional strategy is the *Sydney-Canberra Corridor Strategy 2006-31*. The planning is not considered to be inconsistent with this Strategy. There is no sub-regional strategy that is relevant to the LGA.

The planning proposal is not considered to be inconsistent with the *Queanbeyan Residential and Economic Strategy 2015-2031*.

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

The planning proposal was assessed against the (former) *Queanbeyan City Council Community Strategic Plan 2013-2031*. The following strategies outlined in the table below are considered relevant to this planning proposal:

The administration, regular review and ongoing update of the QLEP 2012 re-inforce these strategies.

Community Strategic Plan 2013-23	LEP Amendments
3.1 Recognise and conserve Queanbeyan's heritage	Correct errors within Schedule Five and add an additional item in Schedule Five
5.1 Implementing the plans Queanbeyan already has - A strategy to achieve this direction is 'review Council plans, policies and strategies to meet changing factors in the community'.	Make minor amendments to QLEP 2012 to removed known errors and anomalies as well as add an additional item in Schedule Five

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

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

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

The planning proposal is not considered to be inconsistent with any section 117 directions. Any inconsistency would be considered to be of minor significance only. An assessment against any potentially applicable section 117 directions is shown at Appendix D.

Section C – Environmental, Social and Economic Impact

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

No

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

No

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

The planning proposal is considered to be a minor amendment to the *QLEP 2012* and will not result in any adverse social and economic effects.

Section D – State and Commonwealth Interest

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

Not applicable

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

Not applicable

Part 3 - Mapping

Draft maps to accompany the planning proposal are shown at Appendix B.

Part 4 - Community Consultation

Council intends to consult with the Office of Environment and Heritage in respect of the flooding and heritage matters relevant to the LEP.

It is intended to publicly exhibit the planning proposal for a 14 days.

Part 5 - Project Timeline

Task	Anticipated timeframes
Report to Council	May 2017
Planning Proposal preparation	June 2017
Gateway Determination	July 2017
Public Exhibition	August 2017
Report to Council including considerations of submissions	September 2017
Submission to Department to finalise the LEP	October 2017

Appendix A – Instructions to Amend QLEP 2012

Schedule 1 - Proposed changes

1 Use of certain land at Carwoola

- (1) This clause applies to the following properties at Carwoola:
 - (a) 149 Wanna Wanna Road, being Lot 16, DP 259432 and Lots 87, 88, 122, 126 and Lot 127, DP 754875,
 - (b) 352 Wanna Wanna Road, being Lot 89, DP 754875,
 - (c) 370 Wanna Wanna Road, being Lot 146, DP 48277,
 - (d) 517 Wanna Wanna Road, being Lot 83, DP 754922.
- (2) Development for the purpose of a dwelling house on each property is permitted with development consent.

6 Use of certain land at 36 Googong Road, Googong

- (1) This clause applies to 36 Googong Road, Googong, being Lot 10, DP 754881.
- (2) Development for the purpose of garden centres, horticulture, landscaping material supplies and plant nurseries is permitted with development consent.

8 Use of certain land at 19 Mol Crescent, Googong

- (1) This clause applies to 19 Mol Crescent, Googong, being Lot 2, DP 826105
- (2) Development for the purpose of a dwelling house is permitted with development consent.

22 Use of certain land at 101 Alderson Place, Tralee

- (1) This clause applies to land at 101 Alderson Place, Tralee, being Lots 3, 5, 6, 8, 9, 11 and 12, DP 17224, Lots 9-11, DP 130626, Lot 100, DP 131036, Lot 1, DP 1001136 and Lot 171, DP 1200349.
- (2) Development for the purpose of farm buildings is permitted with consent.

23 Use of certain land at 101 Alderson Place, Tralee

- (1) This clause applies to land at 101 Alderson Place, Tralee, being Lot 1, DP 1001136.
- (2) Development for the purpose of a dual occupancy is permitted with development consent.

24 Use of certain land at 223A Alderson Place, Tralee

- (1) This clause applies to land at 223A Alderson Place, Tralee, being Lot 2, DP 1039904.
- (2) Development for the purposes of a dwelling house is permitted with development consent.

Schedule 2 Exempt development

Roof mounted evaporative cooling units

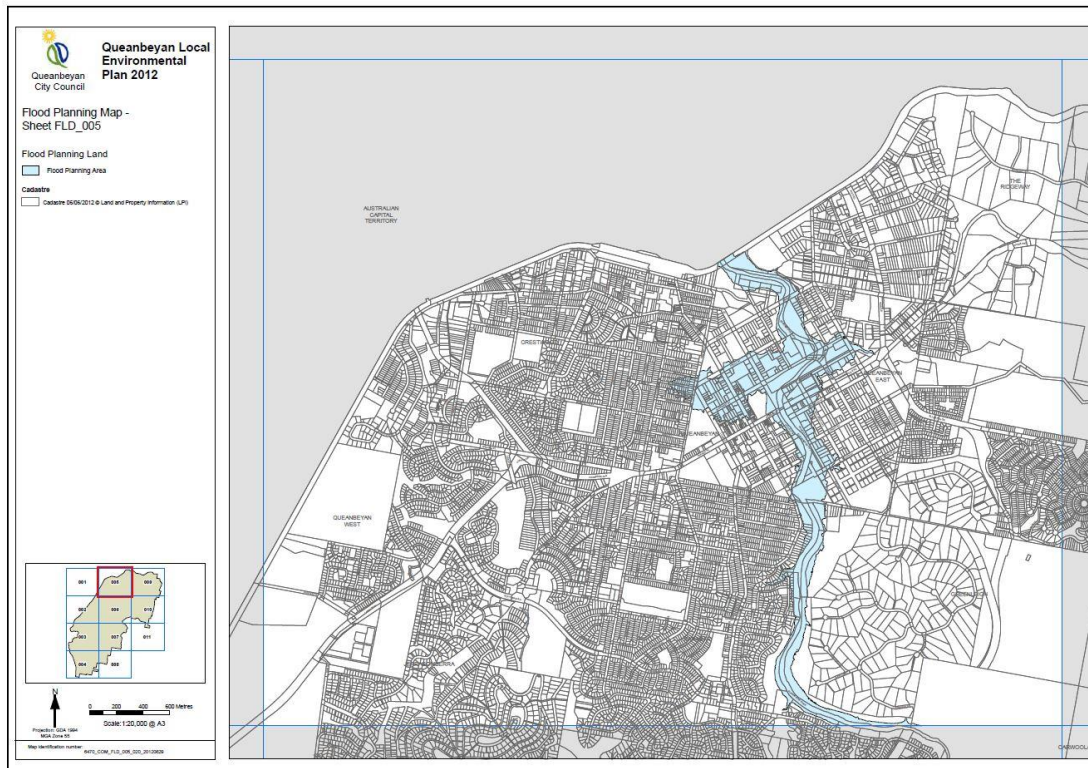
- (1) Must be for residential uses only, and
- (2) Must be located at least 3m from each side boundary, and
- (3) Must be not higher than 1.8m above the highest point of the roof of the building on which it is mounted, and
 - (a) be constructed or installed so that any opening created is adequately weather proofed, and
 - (b) not involve work that reduces the structural integrity of the building, and
- (6) Must be designed so as not to operate:
 - (a) during peak time—at a noise level that is more than 5 dB(A) above the ambient background noise level measured at any property boundary, or
 - (b) during off peak time—at a noise level that is audible in habitable rooms of adjoining residences, and
- (7) Must, if it is located on bush fire prone land—be constructed of non-combustible material and be adequately sealed or protected to prevent the entry of embers, and
- (8) Must, if it is constructed or installed in a heritage conservation area or a draft heritage conservation area—be located in the rear yard and must not be visible from a public road.

Schedule 5 - Additional Heritage Item and Correcting Existing Item

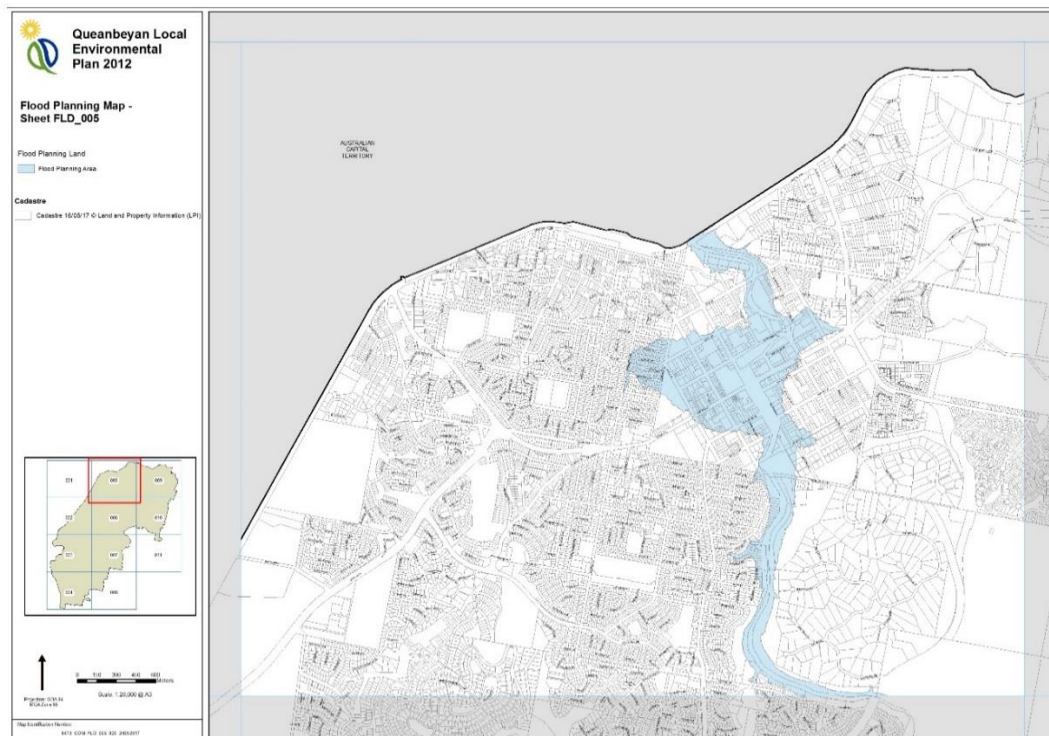
Suburb	Item Name	Address	Property Description	Significance	Item No
Queanbeyan	Group of Houses	1 and 5 Hirst Avenue	Lot 116 and 118, DP 13963	Local	184
Royalla	Shepherds Ruin	1291 Old Cooma Road	Part Lot 1 DP 613054	Local	1179

Appendix B – Current and Proposed Maps

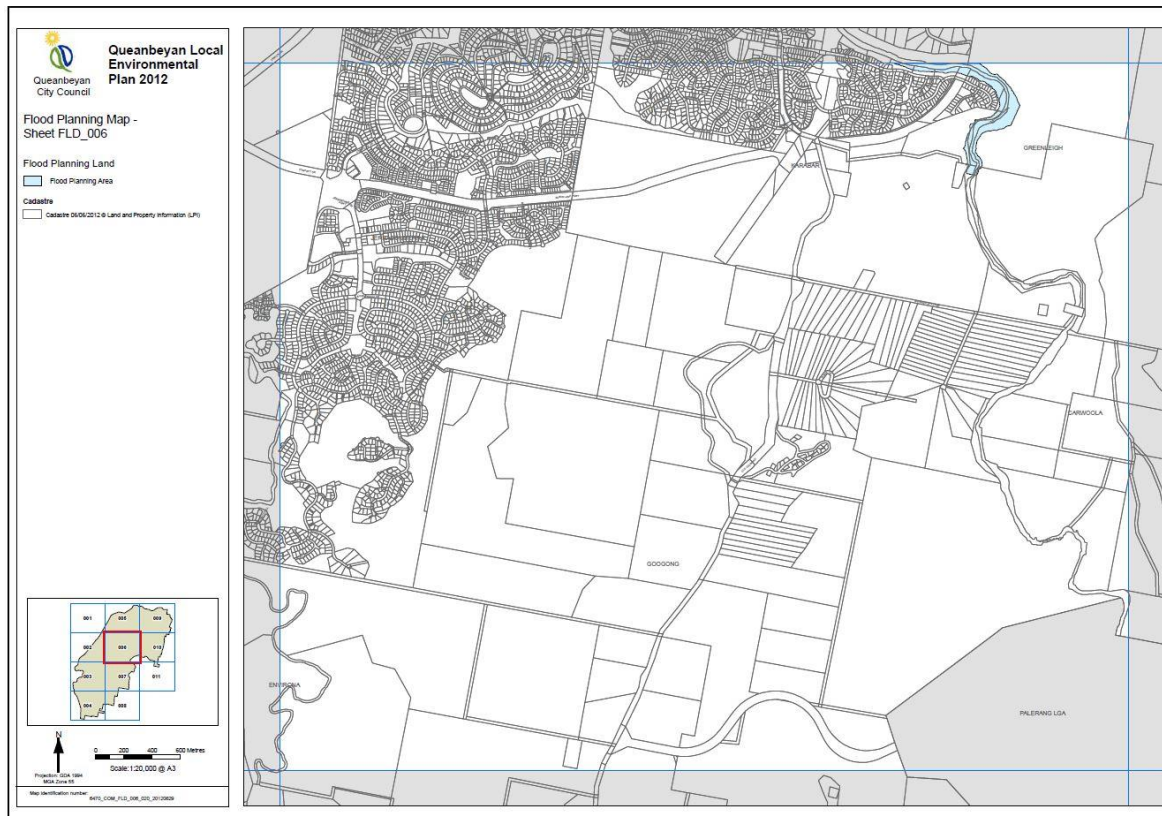
Map 1: Existing Flood Planning Map FLD_005



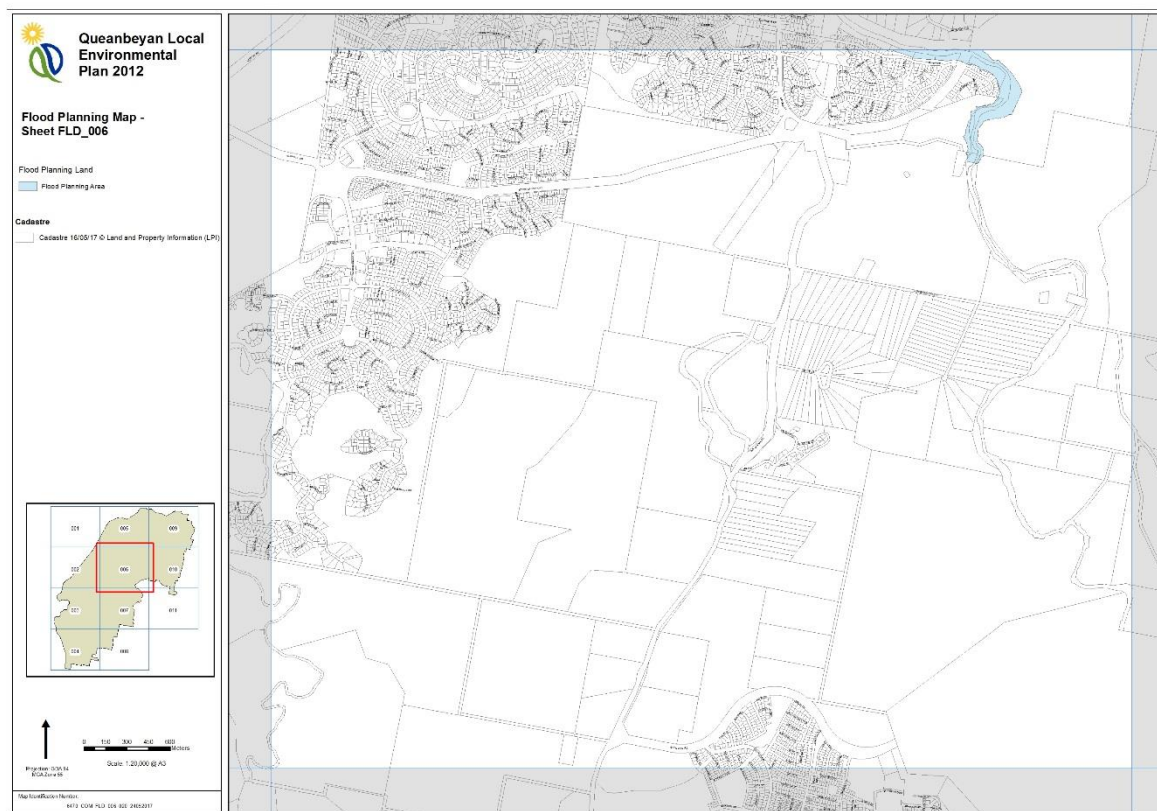
Map 2: Proposed Flood Planning Map FLD_005



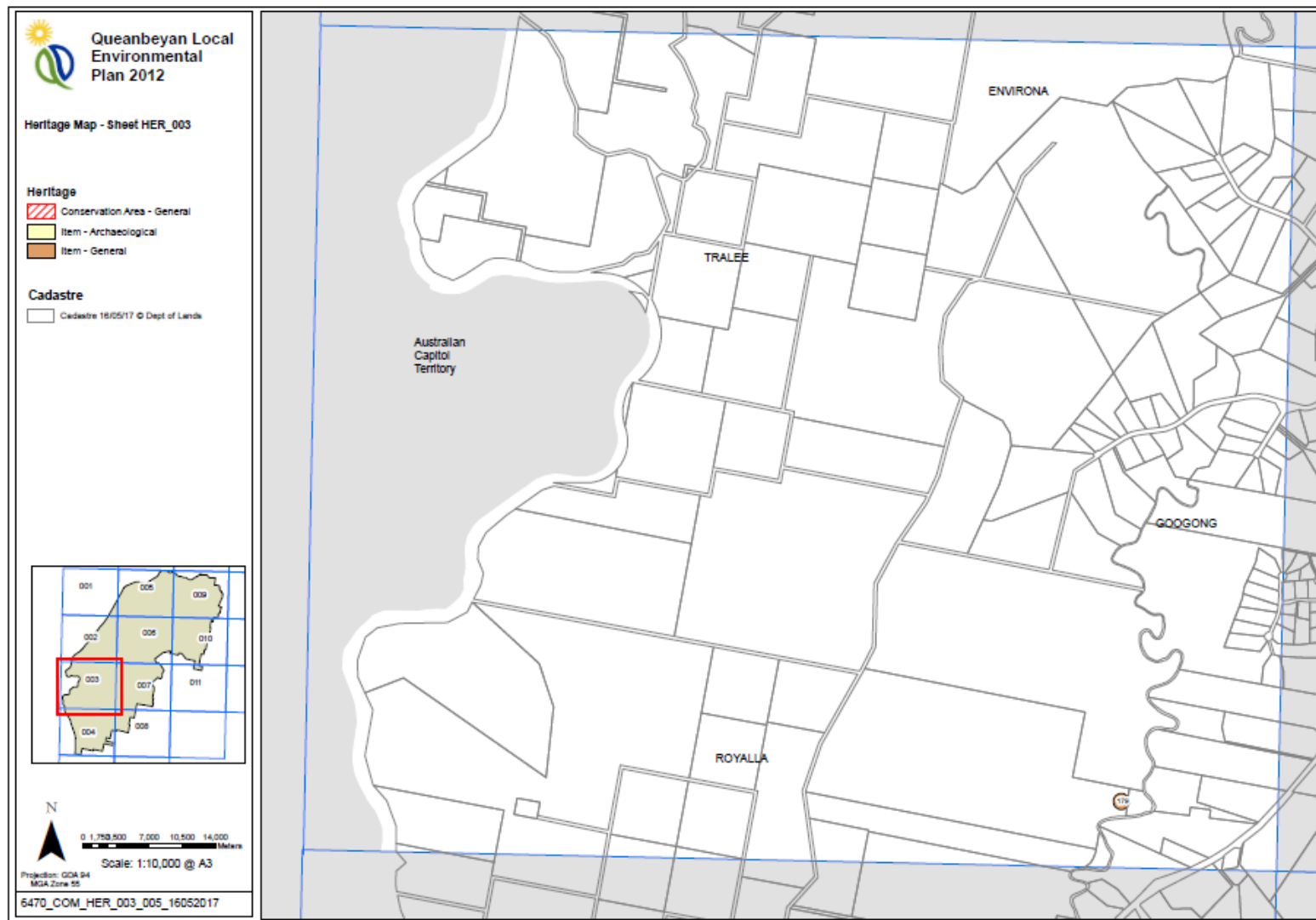
Map 3: Existing Flood Planning Map FLD_006



Map 4: Proposed Flood Planning Map FLD_006



Map 5: Proposed New Heritage Map HER_004 Containing New Heritage Item I179



Appendix C – Heritage Advice

Queanbeyan City Council Heritage Advisory Service

28/9/2015

The General Manager,

Queanbeyan City Council

Shepherds Ruin

Heritage assessment

Physical description

The ruin comprises walls of random rubble stone bedded in a clay or weak lime mortar. The structure is of a single 'room' approximately 4.5 m long x 3.3 m internally with walls approximately 450 mm thick. A 700mm wide opening located roughly in the centre of the east wall is the only entry to the space. What appears to be a former fireplace opening is located in the centre of the south wall. It has been filled in with stone and mortar however a log lintel is still in place. The two end walls (ie the south and north walls) incorporate a shallow gable.

The longer west and east walls are only 1.1 to 1.3 m high, however stones have fallen from the walls and there is no crisp edge or capping, so that the upper edge is somewhat irregular. There is what appears to have been a rough window opening in the east wall adjacent to the doorway.

About two metres from the centre of the west wall is a depression that looks like it may have been a former well, and about five metres from the east is a pile of stone that may have had a function in the structure's previous use.

There is no evidence of a roof or roof structure other than the gabled end walls.

Condition

The ruin appears to be relatively stable, most probably due to its low but thick wall height. There has been some loss of bedding mortar, and there is some indication of structural weakness at the corners however the structure is not in danger of collapse. An animal, probably a wombat, has been burrowing at an internal corner however this had not become a problem at the time of inspection in 2015.

Integrity

Integrity is surprisingly good and there is little evidence that the site has been tampered with since its historic use ended.

History

The history of this site has not been recorded, however Royalla Landcare, who nominated the site for heritage assessment, note that anecdotal information is that the ruin is what remains of a shepherd's hut. The group has been advised that "shepherd's huts were constructed in the past along the landscape and provided shelter and a temporary home to shepherds as they tendered their flocks and moved sheep through the area. Further,

that the huts were constructed from local stone and a canvas roof was erected when the hut was occupied. The canvas roof was re-erected at the next hut when the flock was moved to a fresh grazing area”.

This scenario is quite feasible as it is recorded elsewhere that there was a shepherd’s hut at Mugga Mugga prior to the dwelling that is currently on that site. While the Mugga Mugga shepherd’s hut is understood to have been constructed from timber slabs, it indicates that the practice did occur and it is not unreasonable to consider one would be built in local stone.

There is no doubt that the ruin is of considerable age and used for human occupation, as indicated by its former fireplace. Given the low wall height it is assumed the structure was used on a temporary basis only, in much the same way in which one would use a tent.

The history of land ownership of the site has yet to be investigated and it may be that the research will not confirm the ruin’s specific origins as such information often goes unrecorded. However there has been an informal comment that the ruin may have been used by George Gibbs’ grandparents, although this has yet to be confirmed. The Tuggeranong Parish Map shows the land initially owned by James Gibbs and subsequently passed to Nathaniel H Gibbs. The land portion immediately north of the ruin was owned by ET Gibbs.

Other stone ruins in the area are of higher structural quality and suggest successful pastoral activity along the Jerrabomberra Creek from the mid-19th century. It is recorded that Kenneth McDonald *purchased an area of 1215 acres from the Campbell Estate situated on the Jerrabomberra Creek at Rob Roy. A Large portion of this was Campbell’s grant of 955 acres for which the deeds were issued in 1838.* MacDonald (The Warm Corner, Bruce Moore, page 203).

Assessment

Historic

The ruin is likely to be historically significant for its age and early European occupation of the Jerrabomberra Creek area in the mid-19th century. There is considerable potential for further research of this structure’s relationship to land ownership and practice.

Scientific

The ruin illustrates early vernacular building technologies employed in making basic habitation spaces.

Aesthetic

The use of found-stone walling in a simple form that is located within a natural landscape endows the structure with considerable aesthetic and evocative appeal.

Social

The ruin was nominated by a community group who consider it to be a valuable item. The fact it has not been damaged over the years further indicates its value to subsequent property owners.

Rarity

There are at least three stone ruins in the area, however the other two were once much more substantial, and presumably permanent, structures. The Shepherd’s Ruin is the only structure of its type in the Royalla/Jerrabomberra Creek area known to the nominators.

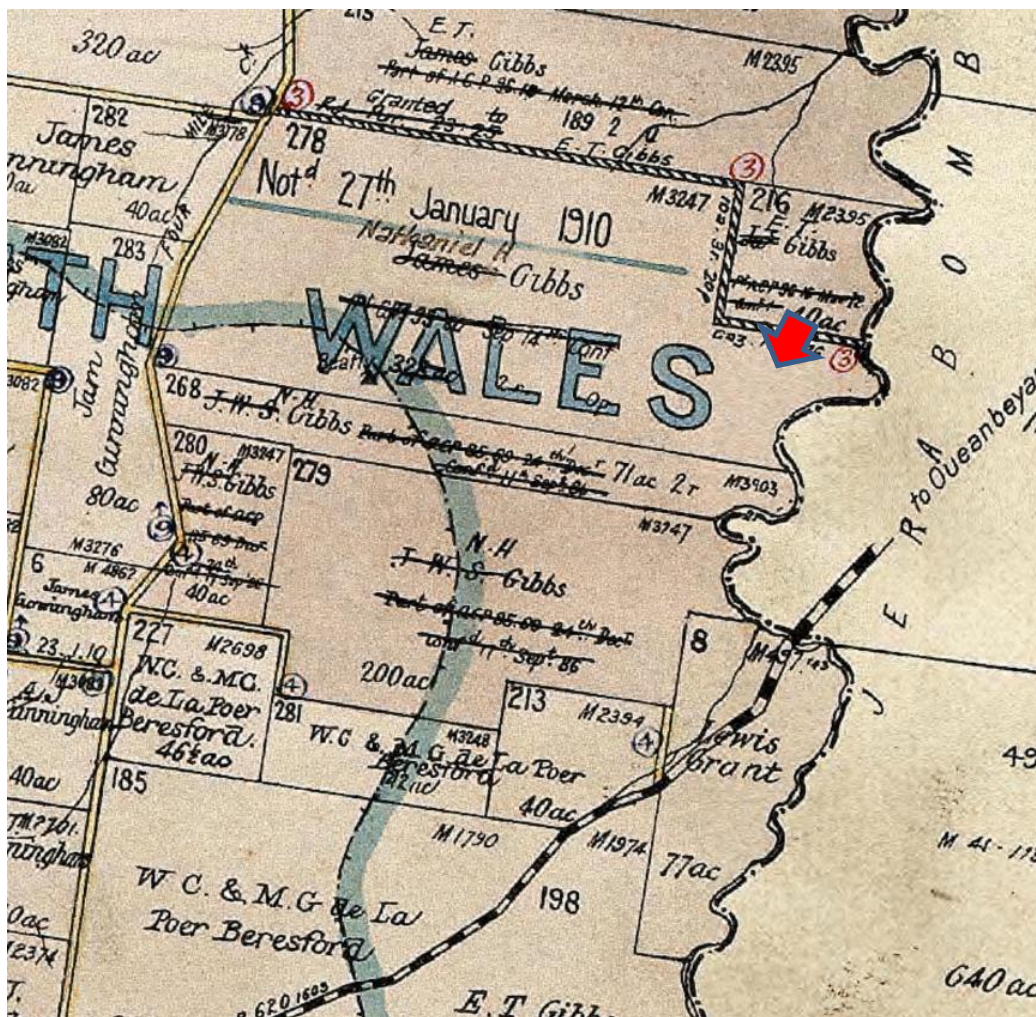
Summary Statement of Significance

The Shepherd's ruin is locally significant for its potential to assist an understanding of the early occupation and use of Jerrabomberra Creek. It is technically interesting for its unusual height, form and vernacular use of field stone, and is aesthetically valued for its attractive patina and surviving rural setting. It also has social value to the group known as Royalla Landcare who nominated it for heritage listing.

Level of significance

Local

Images



Tuggeranong Parish Map. The red arrow marks the location of the Shepherd's Ruin

Appendix D – Section 117 Directions

2.1 Environment Protection Zones			
Objective	What a relevant planning authority must do if this direction applies	Consistency	Response
The objective of this direction is to protect and conserve environmentally sensitive areas. This direction applies when a relevant planning authority prepares a planning proposal.	A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas. A planning proposal that applies to land within an environment protection zone or 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>”.	A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: a) justified by a strategy which: i. gives consideration to the objectives of this direction, ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and - iii .is approved by the Director-General of the Department of Planning, or b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or c) in accordance with the relevant Regional Strategy or Sub-Regional	Consistent.

		Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or d) is of minor significance.	
2.3 Heritage Conservation			
Objective	What a relevant planning authority must do if this direction applies	Consistency	Response
The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. This direction applies when a relevant planning authority prepares a planning proposal.	A planning proposal must contain provisions that facilitate the conservation of: a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area, b) Aboriginal objects or Aboriginal places that are protected under the <i>National Parks and Wildlife Act 1974</i>, and c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage	A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that: a) the environmental or indigenous heritage significance of the item, area, object or place is conserved by existing or draft environmental planning instruments, legislation, or regulations that apply to the land, or b) the provisions of the planning proposal that are inconsistent are of minor significance.	Consistent.

	significance to Aboriginal culture and people.		
3.5 Development Near Licensed Aerodromes			
Objective	What a relevant planning authority must do if this direction applies	Consistency	Response
The objectives of this direction are: a) to ensure the effective and safe operation of aerodromes, and b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and c) to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise. This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a	In the preparation of a planning proposal that sets controls for the development of land in the vicinity of a licensed aerodrome, the relevant planning authority must: a) consult with the Department of the Commonwealth responsible for aerodromes and the lessee of the aerodrome, b) take into consideration the Obstacle Limitation Surface (OLS) as defined by that Department of the Commonwealth, c) for land affected by the OLS: (i) prepare appropriate development standards, such as height, and (ii) allow as permissible with consent development types that are compatible with the operation of an aerodrome d) obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal proposes to allow, as permissible with consent, development that encroaches above the OLS. This permission must be obtained prior to undertaking community	A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: a) justified by a strategy which: i. gives consideration to the objectives of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and iii. is approved by the Director-General of the Department of Planning, or b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives	Consistent.

zone or a provision relating to land in the vicinity of a licensed aerodrome.	consultation in satisfaction of section 57 of the Act. A planning proposal must not rezone land: a) for residential purposes, nor increase residential densities in areas where the ANEF, as from time to time advised by that Department of the Commonwealth, exceeds 25, or b) for schools, hospitals, churches and theatres where the ANEF exceeds 20, or c) for hotels, motels, offices or public buildings where the ANEF exceeds 30. A planning proposal that rezones land: a) for residential purposes or to increase residential densities in areas where the ANEF is between 20 and 25, or b) for hotels, motels, offices or public buildings where the ANEF is between 25 and 30, or c) for commercial or industrial purposes where the ANEF is above 30, must include a provision to ensure that development meets AS 2021 regarding interior noise levels.	consideration to the objective of this direction, or d) of minor significance.	
4.3 Flood Prone Land			
Objective	What a relevant planning authority must do if this direction applies	Consistency	Response

The objectives of this direction are: a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i>, and b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land. This direction applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.	A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i> (including the <i>Guideline on Development Controls on Low Flood Risk Areas</i>). A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone. A planning proposal must not contain provisions that apply to the flood planning areas which: a) permit development in floodway areas, b) permit development that will result in significant flood impacts to other properties, c) permit a significant increase in the development of that land, d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.	A planning proposal 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 <i>Floodplain Development Manual 2005</i>, or b) the provisions of the planning proposal that are inconsistent are of minor significance.	The PP is consistent with this direction. It is a minor amendment to the existing QLEP 2012 to correct an anomaly where the clause in the current LEP makes it clear that the flood planning area includes the 1:100 flood liable land plus the 0.5m freeboard, the map currently does not reflect this. The amendment will correct this anomaly.
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	A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General). For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).		
5.1 Implementation of Regional Strategies			
Objective	What a relevant planning authority must do if this direction applies	Consistency	Response
The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies. This direction applies to land contained within the Sydney–	Planning proposals must be consistent with a regional strategy released by the Minister for Planning.	A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General),	Consistent.

Planning Proposal – Housekeeping Amendments to Queanbeyan LEP 2012

Canberra Strategy	Corridor	Regional		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.	
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