

South Jerrabomberra Planning Proposal - Queanbeyan City Council

Proposal Title :	South Jerrabomberra Planning Proposal - Queanbeyan City Council		
Proposal Summary :	To rezone additional lands at South Jerrabomberra for residential and other appropriate uses. The proposal amends Queanbeyan LEP (South Tralee) 2012 by including additional lands and renamed Queanbeyan LEP (South Jerrabomberra) 2013.		
PP Number :	PP_2013_QUEAN_001_00	Dop File No :	13/13743

Proposal Details

Date Planning Proposal Received :	16-Aug-2013	LGA covered :	Queanbeyan
Region :	Southern	RPA :	Queanbeyan City Council
State Electorate :	MONARO	Section of the Act :	55 - Planning Proposal
LEP Type :	Precinct		

Location Details

Street :			
Suburb :	Jerrabomberra	City :	Queanbeyan
		Postcode :	2620
Land Parcel :	Lot 1 DP 1023430; Lots 176 & 148 DP 754912; Part Lots 1-2 & Lot 3 DP 1001136		

DoP Planning Officer Contact Details

Contact Name :	Martin Brown
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RPA Contact Details

Contact Name :	David Carswell
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DoP Project Manager Contact Details

Contact Name :	
Contact Number :	
Contact Email :	

Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	Sydney-Canberra Corridor Regional Strategy	Consistent with Strategy :	Yes

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MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	Residential
No. of Lots :	1,000	No. of Dwellings (where relevant) :	1,000
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment : **Whilst meetings were held with registered lobbyists when South Tralee was rezoned in 2012, there have been no specific representations or meetings in respect of this planning proposal.**

Supporting notes

Internal Supporting Notes : **The proposal seeks to rezone those remaining lands, identified in the 'Queanbeyan Residential and Economic Strategy 2031', but outside the ANEF 20 for Canberra Airport, to residential and other suitable uses.**

External Supporting Notes : **The proposal seeks to rezone additional land at South Jerrabomberra located outside the ANEF 20 for Canberra Airport for residential development and other suitable uses.**

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The statement of objectives is appropriate.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The explanation of provisions is appropriate.**

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

1.2 Rural Zones

2.1 Environment Protection Zones

3.1 Residential Zones

3.4 Integrating Land Use and Transport

3.5 Development Near Licensed Aerodromes

5.1 Implementation of Regional Strategies

Is the Director General's agreement required? **Unknown**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

**SEPP No 55—Remediation of Land
SEPP (Rural Lands) 2008**

e) List any other matters that need to be considered :

Some of the land proposed to be rezoned is currently zoned E2 Environmental Conservation - largely due to the land previously being zoned for scenic protection under the former LEP. Accordingly a biodiversity study will be necessary to inform the planning proposal.

Have inconsistencies with items a), b) and d) being adequately justified? **Unknown**

If No, explain :

Any inconsistencies with the above matters are justified by the 'Queanbeyan Residential and Economic Strategy 2031' and will be further determined by required studies as the planning proposal progresses.

It should be noted that s117 Direction 1.5 Rural Lands applies as the planning proposal seeks to increase development intensity on rural or environmental protection zones. Any inconsistency is justified by the endorsed local strategy.

In addition s117 Direction 4.4 Planning for Bushfire Protection applies and Council's commitment to refer this to the NSW Rural Fire Service prior to exhibition satisfies the requirements of that Direction.

Mapping Provided - s55(2)(d)

Is mapping provided? **No**

Comment : **No maps at this time, however, appropriate maps will need to be prepared.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council has proposed informal consultation with key NSW and ACT agencies before any formal exhibition including:**
NSW - NSW Office of Environment and Heritage, the relevant Servicing Authorities, the NSW Rural Fire Service, NSW Police and NSW Ambulance Service, NSW Department of Housing and NSW Education and Communities;
ACT - ACT Chief Ministers Department and the ACT Environment and Sustainable Development Directorate; and
Commonwealth - Commonwealth Department of Infrastructure and Transport.

Formal exhibition of 28 days is proposed and considered appropriate given the above level of prior consultation.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP :

Principle LEP notified 23/11/2012

Assessment Criteria

Need for planning proposal :	The planning proposal is required to rezone those remaining lands located outside the ANEF 20 for Canberra Airport and as identified under the Queanbeyan Residential and Economic Strategy 2031 for predominantly residential and other suitable urban uses. Necessary to meet dwelling targets under Sydney-Canberra Corridor Regional Strategy.
Consistency with strategic planning framework :	As noted, consistent with both Queanbeyan Residential & Economic Strategy 2031 and Sydney-Canberra Corridor Regional Strategy.
Environmental social economic impacts :	Biodiversity studies to be prepared. Council also intends to carry out studies in respect of Air Quality, Cultural/Heritage, Urban Capability, Stormwater Management, Noise, Contamination, Visual Assessment and Traffic. Will provide opportunities for new housing and community facilities.

Assessment Process

Proposal type :	Precinct	Community Consultation Period :	28 Days
Timeframe to make LEP :	24 months	Delegation :	RPA
Public Authority Consultation - 56(2)(d) :	Office of Environment and Heritage Transport for NSW		

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons : **Queanbeyan Council has specifically requested not to be authorised to use the Minister for Planning and Infrastructure's delegations. However, given that the planning proposal is implementing the DG endorsed 'Queanbeyan Residential and Economic Strategy 2013', and based on the Council's level of experience it is considered appropriate to authorise the Council to use its delegations.**

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

Flora

Fauna

Heritage

Bushfire

Air Quality

Other - provide details below

If Other, provide reasons :

Urban capability, Traffic, Visual assessment, Stormwater management, Contamination, Noise. Considered necessary for greenfield site.

Identify any internal consultations, if required :

No internal consultation required

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Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Queanbeyan City Council_16-08-2013_Draft Planning Proposal to rezone additional residential land in South Jerrabomberra_.pdf	Proposal Covering Letter	Yes
Council Report Planning Proposal for Land in South Jerrabomberra.pdf	Proposal Covering Letter	Yes
Draft Planning Proposal for land at South Jerrabomberra.pdf	Proposal	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **1.2 Rural Zones**
 2.1 Environment Protection Zones
 3.1 Residential Zones
 3.4 Integrating Land Use and Transport
 3.5 Development Near Licensed Aerodromes
 5.1 Implementation of Regional Strategies

Additional Information : **It is recommended that the Deputy Director General as delegate of the Minister for Planning and Infrastructure determine under section 56(2) of the EP&A Act, that an amendment to Queanbeyan LEP (South Tralee) 2012 to;**

rezone additional lands at South Jerrabomberra in Queanbeyan for residential and other appropriate uses;

should proceed subject to the following conditions:

1. Prior to public exhibition, studies of the subject land should be undertaken in respect of:

- **Bushfire,**
- **Air Quality,**
- **Heritage,**
- **Urban Capability,**
- **Stormwater Management,**
- **Noise,**
- **Contamination,**
- **Visual Impacts, and**
- **Traffic**

2. Community consultation:

(a) should be undertaken for a minimum of 28 days under section 56(2) of the EP&A Act;
(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of 'A Guide to preparing local environmental plans' for proponents and councils (Department of Planning and Infrastructure April 2013).

3. Consultation should be undertaken with:

- **NSW Office of Environment & Heritage (proposal and studies);**
- **Transport for NSW (proposal and studies);**
- **NSW Rural Fire Service (s117 Direction 4.4 Planning for Bushfire Protection);**
- **ACT Government (in respect of any cross-border planning matters).**

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that it will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

4. No public hearing is required to be held into the matter under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing.

5. The timeframe for completing the LEP is to be 24 months from the week following the date of the Gateway Determination.

6. Council has provided a timeframe that suggests 12 months for completion but does not detail key milestones. A more detailed timeline is required identifying key milestones, including the commissioning and completion of necessary studies, that is achievable within the 24 month time frame.

6. Council be authorised to use the Minister's plan making delegation under sections 59(2),(3)&(4) of the Environmental Planning and Assessment Act 1979.

7. SECTION 117 DIRECTIONS - It is recommended that:

(a) The Director General can be satisfied that any inconsistencies between the planning proposal and s117 Directions 1.2 Rural Zones, 1.5 Rural Lands; 2.1 Environment Protection Zones, 3.1 Residential Zones, 3.4 Integrating Land Use and Transport, 3.5 Development Near Licensed Aerodromes and 5.1 Regional Strategies are justified by the Director General endorsed 'Queanbeyan Residential & Economic Strategy 2031'; Council's intent to prepare additional studies to inform the planning proposal; or are of minor significance in the circumstances.

(b) The Director General can be satisfied that Council's intention to consult with NSW Rural Fire Service prior to consultation satisfies any inconsistency with Direction 4.4 Planning for Bushfire Protection.

8. The planning proposal is considered to be consistent with all relevant SEPPs or any inconsistencies with the Rural Lands SEPP are justified by the Queanbeyan Residential & Economic Strategy 2031.

Supporting Reasons :

This is a planning proposal that implements Queanbeyan Council's Director General endorsed 'Queanbeyan Residential & Economic Strategy 2031' to enable urban development of appropriate land.

Signature:



Printed Name:

MARK PARKER
Local Planning Manager

Date:

30th August 2013