

Queanbeyan Palerang Region SI LEP for North Tralee to rezone land to IN2, B7, RU2, E2 and RE2 Zones (852 Jobs)

Proposal Title :	Queanbeyan Palerang Region SI LEP for North Tralee to rezone land to IN2, B7, RU2, E2 and RE2 Zones (852 Jobs)		
Proposal Summary :	Queanbeyan Palerang Regional Council seeks to amend Queanbeyan LEP 1991 and Queanbeyan LEP 1998 to create a stand-alone SI LEP that will rezone rural land primarily for business and industrial land uses. The planning proposal incorporates the following draft zones; - IN2 Light Industrial Zone with no minimum lot size (29.25 hectares), - B7 Business Park Zone with no minimum lot size (9.62 hectares), - RU2 Rural Landscape Zone with no minimum lot size (10.72 hectares), - E2 Environmental Conservation Zone with no minimum lot size (6.17 hectares) and - RE2 Private Recreation Zone with no minimum lot size (1.24 hectares). The stand-alone SI LEP seeks to include other LEP maps and local clauses as outlined in the section 'Explanation of Provisions'.		
PP Number :	PP_2017_QPREG_002_00	Dop File No :	17/04180

Proposal Details

Date Planning Proposal Received :	16-Mar-2017	LGA covered :	Queanbeyan-Palerang Regic
Region :	Southern	RPA :	Queanbeyan-Palerang Regional
State Electorate :	MONARO	Section of the Act :	55 - Planning Proposal
LEP Type :	Precinct		

Location Details

Street :	360A Lanyon Road		
Suburb :	North Tralee	City :	Queanbeyan
		Postcode :	2620
Land Parcel :	Lot 1 DP 323002, Lot 1 DP 333443, Lot 1 DP 313299, Lot 6 DP 239080 and Lot 3 DP 239080.		

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DoP Planning Officer Contact Details

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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
MDP Number :		Date of Release :	
Area of Release (Ha) :	39.00	Type of Release (eg Residential / Employment land) :	Employment Land
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	852

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 :

Supporting notes

Internal Supporting Notes : **The planning proposal carries on from a previous proposal PP_2014_QUEAN_003_00 submitted by the former Queanbeyan City Council in 2014 that proposed zoning land at North Tralee for employment land uses (B7 Business Park Zone). The previous proposal intended deferring land within the site because it was potentially flood prone land.**

The current planning proposal lodged by Queanbeyan Palerang Regional Council is being processed as a new planning proposal for the following reasons:

1. The previous planning proposal was a result of transitioning a rezoning proposal that was initiated under the previous plan making provisions of the Environmental Planning &

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Assessment Act 1979 into the new system. However no formal Gateway Determination was issued under these arrangements making it unclear how to issue an altered Gateway to accommodate the revised planning proposal.

2. The current 2017 planning proposal varies significantly from the 2014 proposal as follows;

- The previous exhibited draft zone plan for the planning proposal indicated that a substantial area of the site was to be deferred. There are no deferred areas in the current proposal because Council and the proponent have undertaken additional flood studies to identify flood prone land that is now proposed to be zoned RU2 Rural Landscape Zone and E2 Environmental Conservation Zone. The flood prone land will also be identified by a Flood Planning Map and flood provisions in the draft LEP.
- An IN2 Light Industrial Zone (29.25 ha) will now provide the majority of the employment lands within the site. A smaller B7 Business Park Zone (9.62 ha) is proposed to be applied to land at the south-eastern section of the site.
- The planning proposal now identifies an E2 Environmental Conservation Zone (6.17 ha) that is proposed to be applied to sensitive land along Jerrabomberra Creek.
- The planning proposal now identifies land to be zoned RE2 Private Recreation Zone (1.24 ha). The RE2 Private Recreation Zone will be applied to land to the north western section of the site adjacent to the NSW/ACT border. This land also adjoins land zoned RE2 Private Recreation Zone under the LEP applied to the Poplars site (employment lands) to the north.
- The planning proposal now includes an additional parcel of land to the south east, i.e. Lot 3 DP 239080 (4,850 square metres) that is proposed to be zoned B7 Business Park Zone.

External Supporting
Notes :

Adequacy Assessment

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

Is a statement of the objectives provided? Yes

Comment : The planning proposal clearly states that its primary objective is to rezone land for employment related purposes (business and light industrial) and that the site will also be zoned to reflect environmental constraints (riparian land and flood prone land).

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

Is an explanation of provisions provided? Yes

Comment : The planning proposal clearly states that the following maps and provisions will form part of the stand-alone SI LEP:

ZONING MAP (draft Land Zoning Map provided).

Employment Lands

- IN2 Light Industrial Zone
- B7 Business Park Zone

Environmental, Open Space and Flood Prone Land

- E2 Environmental Conservation Zone (Jerrabomberra Creek and riparian area)
- RE2 Private Recreation Zone (in close proximity to the NSW/ACT border).
- RU2 Rural Landscape Zone and E2 Environmental Conservation Zone (flood prone land).

MINIMUM LOT SIZE

- No minimum lot size is proposed, including land to be zoned RU2 Rural Landscape Zone.

OTHER LEP MAPS

The following maps will accompany the draft LEP:

- Height of Buildings Map,
- Flood Planning Map,
- Floor Space Ratio Map,
- Riparian Land and Watercourse Map,
- Land Application Map,
- Land Reservation and Acquisition Map, and
- Visual and Acoustic Buffer Map.

CLAUSES

The planning proposal indicates that the following clauses will be included in the draft LEP:

- Earthworks,
- Riparian land and watercourses,
- Flood planning,
- Airspace operations,
- Development in areas subject to aircraft noise,
- Essential services, and
- Visual, noise, and vibration issues associated with land adjoining the Hume Industrial Area and Goulburn/Bombala Railway Line similar to a clause applied in the Queanbeyan LEPs for Poplars and South Tralee.

There will be no clause in the draft LEP triggering the need for the Secretary to certify that there are satisfactory arrangements in place for the provision of state designated public infrastructure. This is consistent with the stand alone SI LEP for the employment lands for the adjoining Poplars site to the north.

COMMENTS AND RECOMMENDATIONS IMPLEMENTATION

There are already two standard instrument LEPs specifically applying to land at South Jerrabomberra;

- Queanbeyan LEP (South Tralee) 2012 - development for housing and
- Queanbeyan LEP (Poplars) 2013 - employment lands.

An amendment to the Queanbeyan LEP (Poplars) 2013 is a better option for implementing the planning proposal because it already contains the majority of the provisions and LEP Maps that can be amended to accommodate the proposal.

The Queanbeyan LEP (Poplars) 2013 can also be amended to include proposed new provisions, i.e. flood maps and provisions and insert land use tables for the IN2 Light Industrial Zone and RU2 Rural Landscape Zone.

It is recommended that the planning proposal be implemented by an amendment to the Queanbeyan LEP (Poplars) 2013 to avoid creating another separate standard instrument LEP for employment lands in the South Jerrabomberra URA.

Lot Size Map

It is standard practice to apply a minimum lot size for land proposed to be zoned RU2 Rural Landscape Zone because dwellings are usually permitted with consent in this zone. Rural zoned land and flood prone land with no minimum lot size could be subdivided to create a number of lots of any size for the purpose of erecting a dwelling house or for other permitted uses. This would be inconsistent with the objectives of the zone and the intent of the planning proposal to minimise development within flood prone land.

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Recommendation: A condition be included with the Gateway Determination requiring the planning proposal be revised to apply an appropriate lot size to the proposed RU2 Rural Landscape Zone to minimise the density of lots and permitted development within these areas.

Land Use Table

The planning proposal does not include a draft land use table or information outlining the permitted and prohibited land uses within each of the zones.

Queanbeyan LEP (Poplars) 2013 already includes the B7 Business Park Zone, RE2 Private Recreation Zone and E2 Environmental Conservation Zone but not the IN2 Light Industrial Zone and RU2 Rural Landscape Zone.

The planning proposal should be revised to ensure transparency on the intended permitted and prohibited uses in each zone during community consultation.

Recommendation: A condition be included with the Gateway Determination requiring the planning proposal be revised to indicate the proposed permitted and prohibited land uses for each of the proposed zones.

Other Maps

Although the planning proposal has indicated that a number of other LEP maps will be included in the draft LEP it has not included any of these maps for community consultation. The planning proposal should be amended to include the proposed LEP maps.

Recommendation: A condition be included with the Gateway Determination requiring the planning proposal be revised to illustrate all of the proposed draft LEP maps.

Updated Planning Proposal

Council should provide the Department with the updated planning proposal prepared in accordance with the recommended conditions of the Gateway Determination. This will ensure the Department has an updated planning proposal for its records and that it is available to the public on the Department's LEP Tracker.

Recommendation: A condition be included with the Gateway Determination requiring that Council provide the Department of Planning and Environment with a copy of the updated planning proposal for our records, including the LEP Tracker.

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

1.1 Business and Industrial Zones

1.2 Rural Zones

1.5 Rural Lands

2.1 Environment Protection Zones

2.3 Heritage Conservation

3.4 Integrating Land Use and Transport

3.5 Development Near Licensed Aerodromes

4.3 Flood Prone Land

4.4 Planning for Bushfire Protection

5.1 Implementation of Regional Strategies

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

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

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

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

If No, explain :

1.1 BUSINESS AND INDUSTRIAL ZONES: This Direction does apply to the planning proposal as it will affect land within an existing or proposed business or industrial zone.

The proposal is considered to be consistent with this Direction.

1.2 RURAL ZONES: This Direction does apply to the planning proposal as it will affect land within an existing or proposed rural zone.

The proposal is considered to be inconsistent with this Direction as it proposes to rezone land from a rural zone to a business and industrial zone and contains provisions that will increase the permissible density of land within a rural zone (other than an existing town or village).

The 'Queanbeyan Residential and Economic Strategy 2015-2031' identifies the need for 130 hectares of employment land required up to 2031. The strategy includes land at North Tralee to meet demand for employment lands in Queanbeyan. The Strategy was endorsed by the Deputy Secretary on the 27 June 2016.

RECOMMENDATION: The Secretary can be satisfied that the inconsistency is justified by a strategy that gives consideration to the objective of the Direction, identifies the subject land, and has been approved by the Secretary of the Department.

1.5 RURAL LANDS: This Direction does apply to the planning proposal as it will affect land within an existing or proposed rural or environmental protection zone/proposes to change the existing minimum lot size on land within a rural zone.

The proposal is considered to be consistent with this Direction because it is consistent with both the Rural Planning Principles and Rural Subdivision Principles listed in the SEPP (Rural Lands) 2008.

2.1 ENVIRONMENT PROTECTION ZONES: This Direction does apply to the planning proposal as it will affect land within an environment protection zone or land otherwise identified for environment protection purposes.

The proposal is considered to be consistent with this Direction because it proposes applying an environmental protection zone to environmentally sensitive land along Jerrabomberra Creek.

2.3 HERITAGE CONSERVATION: This Direction may apply to the planning proposal as it may affect an items of environmental heritage significance.

Council is currently is seeking further information on the merits of listing the former canteen at the Fraser Park Speedway as a local heritage item. If the item is of heritage significance it will be included in the final LEP.

The planning proposal should be amended if Council decides to include the former canteen as a local heritage item.

The proposal is considered to be consistent with this Direction.

RECOMMENDATION

Council is required to amend the planning proposal prior to community consultation if it decides to include the former canteen as a local heritage item in the LEP.

3.4 INTEGRATING LAND USE AND TRANSPORT: This Direction does apply to the planning proposal as it will create/alter/remove a zone/provision relating to urban land (including land zoned for residential, business, industrial, village or tourist purposes).

The proposal is considered to be consistent with this Direction. The proposed business and industrial area will be located in close proximity to residential development and it is intended that public transport will service the area in the future.

3.5 DEVELOPMENT NEAR LICENSED AERODROMES: This Direction does apply to the planning proposal as it will create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome (Canberra Airport).

The site is wholly located within the ANEF 20 contour and partly within the ANEF 25 contour.

The planning proposal states that no residential development is proposed under the draft zones and, consistent with the Direction,

- the relevant model clauses will be inserted into SI LEP on aircraft noise and aircraft operations, and
- Council will be consulting with the Commonwealth Department of Transport and Regional Services and Canberra Airport.

Rather than create a SI LEP to enable development for employment lands in North Tralee it is recommended that the planning proposal be implemented by amending Queanbeyan LEP (Poplars) LEP 2013. Queanbeyan LEP (Poplars) 2013 is an existing SI LEP for employment lands in the South Jerrabomberra URA and already contains provisions on aircraft noise.

The planning proposal however proposes rezoning 10.72 hectares of the site to an RU2 Rural Landscape Zone (RU2 Zone) with no minimum lot size. Although Council has not provided a proposed land use table for each of the zones it is likely that dwellings will be permissible in the RU2 Zone potentially permitting the creation of a number of lots with a dwelling entitlement on land affected by the ANEF 20 and ANEF 25 contour. It is recommended that a condition be included with the Gateway Determination requiring the planning proposal be revised to apply an appropriate lot size to the proposed RU2 Rural Landscape Zone to minimise the density of potential lots that could be created within these areas.

The planning proposal further indicates that any inconsistency with the Direction has been justified by a strategy endorsed by the Secretary of the Department of Planning and Environment. The 'Queanbeyan Residential and Economic Strategy 2015-2031' identifies the need for 130 hectares of employment land required up to 2031. The strategy includes North Tralee to meet demand for employment lands in Queanbeyan and it was endorsed by the Deputy Secretary on the 27 June 2016.

Conclusion

The proposal is considered to be inconsistent with this Direction because Council has not yet consulted with the Department of the Commonwealth responsible for aerodromes and the lessee of the aerodrome and there is potential for subdivision for residential development within the RU2 Rural Landscape Zone because this land has no minimum lot size.

RECOMMENDATION:

1. A condition be included with the Gateway determination requiring the planning proposal be revised to;
 - apply an appropriate lot size to the proposed RU2 Rural Landscape Zone to minimise the density of lots and permitted development within these areas.
 - include a statement that the planning proposal will be implemented by amending Queanbeyan LEP (Poplars) LEP 2013.

2. A condition be included in the Gateway determination requiring Council to consult with the Commonwealth Department of Infrastructure and Regional Development (Aviation).

3. The Secretary can be satisfied that the inconsistency is justified;

- when the planning proposal is revised as required by condition 1. above,
- Council consults with the Commonwealth Department of Infrastructure and Regional Development (Aviation) in accordance with condition 2. above, and
- by a strategy that gives consideration to the objective of the Direction and is approved by the Secretary of the Department.

4.3 FLOOD PRONE LAND: This Direction does apply to the planning proposal as it will create, remove or alter a zone or a provision that affects flood prone land.

The planning proposal indicates that the proposal is consistent with this Direction because flood prone land will be zoned RU2 Landscape Zone and E2 Environmental Conservation Zone. It further states that "any inconsistency is considered to be of a minor significance only".

Council and the proponent have undertaken a number of investigations and assessments to determine the flood planning level for the site to enable Council to accurately delineate flood prone land to be zoned RU2 Rural Landscape Zone and E2 Environmental Management Zone. These documents have been submitted as part of the planning proposal.

However the planning proposal proposes rezoning flood prone land to an RU2 Rural Landscape Zone (RU2 Zone) with no minimum lot size. Although Council has not provided a proposed land use table for each of the zones it is likely that dwellings will be permissible in the RU2 Zone. Applying 'no minimum lot size' potentially permits the creation of a number of lots with a dwelling entitlements on flood prone land. It is therefore recommended that a condition be included with the Gateway determination requiring the planning proposal be revised to apply an appropriate lot size on land proposed as RU2 Rural Landscape Zone to minimise the permissible density of residential lots within this zone.

RECOMMENDATION:

1. A condition be included with the Gateway Determination requiring the planning proposal be revised to apply an appropriate lot size to the proposed RU2 Rural Landscape Zone to to minimise the permissible density of residential lots within the flood planning area.
2. The Secretary can be satisfied that the inconsistency is justified when the planning proposal is revised as required by condition 1 above.

4.4 PLANNING FOR BUSHFIRE PROTECTION: This Direction does apply to the planning proposal as it will affect/is in close proximity to land mapped as bushfire prone land.

At this stage of the Planning Proposal, it is neither consistent nor inconsistent as the Direction requires consultation with the NSW Rural Fire Service post Gateway determination and prior to exhibition. Council has confirmed that it intends to consult with the Commissioner of the NSW Rural Fire Service.

RECOMMENDATION: The Secretary can be satisfied that the requirements of the Direction have been met provided a condition is included in the Gateway determination that consultation must be undertaken with the NSW Rural Fire Service in accordance with the Direction.

5.1 IMPLEMENTATION OF REGIONAL STRATEGIES: This Direction does apply to the planning proposal as the Sydney-Canberra Corridor Regional Strategy applies to the land.

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The Regional Strategy states that only new areas which are/will be identified in the final versions of the 'Queanbeyan City Council Residential and Economic Strategy 2031 (as amended)' that is endorsed by the Department will be supported.

The 'Queanbeyan Residential and Economic Strategy 2015-2031' identifies the need for 130 hectares of employment land required up to 2031 and the strategy includes North Tralee to meet demand for employment lands in Queanbeyan. The Strategy was endorsed by the Deputy Secretary on the 27 June 2016.

The proposal is considered to be consistent with this Direction.

SEPP 55 REMEDIATION OF LAND

Attachment 1 of the the planning proposal indicates that a preliminary site investigation was carried out as part of the preparation of a local environmental study in 2005. The investigation indicated that some locations on the site have been exposed to historical uses that may have introduced potential contaminants associated with the former speedway (buried rubbish and oil/fuel spill). Council has been requested the proponent to undertake further investigations of these areas prior to the planning proposal being finalised.

The Planning proposal has addressed the issue of land contamination and is consistent with the intent of the SEPP.

RECOMMENDATION

That the planning proposal be amended prior to community consultation if Council receives further information in accordance with the response to SEPP 55 in Attachment 1 of the planning proposal.

SEPP (RURAL LANDS) 2008

The planning proposal is considered to be consistent with this SEPP because it is consistent with both the Rural Planning Principles and Rural Subdivision Principles listed in the SEPP (Rural Lands) 2008.

Mapping Provided - s55(2)(d)

Is mapping provided? Yes

Comment : The planning proposal provides maps that clearly show the proposed zones to be applied to the subject land.

The planning proposal does not include maps showing the effect on land of the following proposed draft LEP maps;

- Height of Buildings Map
- Flood Planning Map
- Floor Space Ratio Map
- Riparian Land and Watercourse Map
- Land Application Map
- Land Reservation and Acquisition Map, and
- Visual and Acoustic Buffer Map.

The planning proposal does not intend including a Lot Size Map as part of the SI LEP for the site and therefore all of the proposed zones will have no minimum lot size.

COMMENT

The planning proposal should include maps to illustrate the effect of the other proposed draft LEP maps on land within the site.

It is standard practice to apply a minimum lot size for land proposed to be zoned RU2 Rural Landscape Zone because dwellings are usually permitted with consent in this zone. Rural zoned land could be subdivided to create a number of lots of any size for the purpose of erecting a dwelling house or for other permitted uses if a lot size is not

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applied to the land. This would be inconsistent with the objectives of the zone and the intent of the planning proposal because the RU2 Zone is to be applied to flood prone land and land affected by the 20 and 25 ANEF Contour (Aircraft Noise).

RECOMMENDATION:

1. A condition be included with the Gateway Determination requiring the planning proposal be revised to apply an appropriate lot size to the proposed RU2 Rural Landscape Zone to minimise the potential permitted density of lots that could be created within these environmentally sensitive areas.

2. A condition be included with the Gateway Determination requiring the planning proposal be revised to illustrate all of the proposed draft LEP Maps as part of community consultation.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : The planning proposal indicates that community consultation will be undertaken for a period of 28 days.

RECOMMENDATION: That community consultation be undertake for a minimum of 28 days.

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? **No**

If No, comment : The planning proposal should be amended to include the following information for community consultation;

- a statement that the planning proposal will be implemented by an amendment to Queanbeyan LEP (Poplars) 2013;
- proposed uses that would comprise a land use table for each of the proposed zones;
- a minimum lot size for the proposed RU2 Rural Landscape Zone to minimise the potential permitted density of lots that could be created within environmentally sensitive areas; and
- additional maps to the proposed Land Zoning Map to illustrate the effect of the proposed LEP Maps.

Gateway conditions can be applied to require a revised planning proposal to address these matters prior to community consultation.

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : The majority of land in Queanbeyan City is covered by a SI LEP, Queanbeyan LEP 2012 (QLEP 2012).

The proposed draft stand-alone SI LEP for the North Tralee site will rezone land identified as a 'deferred matter' under QLEP 2012 and currently zoned Rural under two non-standard instrument LEPs:

- Queanbeyan LEP 1991,
- Queanbeyan LEP 1998.

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There are already two standard instrument LEPs specifically applying to the South Jerrabomberra URA.

- Queanbeyan LEP (Poplars) 2013) - Employment lands;
- Queanbeyan LEP (South Tralee) 2012 - housing development.

An amendment to the Queanbeyan LEP (Poplars) 2013 is a better option for implementing the planning proposal because it already contains the majority of the provisions and LEP Maps that can be amended to accommodate the proposal.

It is recommended that the planning proposal be implemented by an amendment to the Queanbeyan LEP (Poplars) 2013 to avoid creating another separate standard instrument LEP for employment lands in the South Jerrabomberra URA.

Assessment Criteria

Need for planning proposal :

The planning proposal to rezone the land for employment generating development is the only way to implement an adopted local strategy, the 'Queanbeyan Residential and Economic Strategy 2015-2031, that has been endorsed by both Council and the Department.

Consistency with strategic planning framework :

QUEANBEYAN RESIDENTIAL AND ECONOMIC STRATEGY 2015-2013

The 'Queanbeyan Residential and Economic Strategy 2015-2031 identifies the need for 130 hectares of employment land required up to 2031. The strategy includes land in North Tralee to meet demand for employment lands in Queanbeyan. The Strategy was endorsed by the Deputy Secretary on the 27 June 2016.

SYDNEY CANBERRA CORRIDOR REGIONAL STRATEGY 2006-2031

The Regional Strategy states that only new areas which are/will be identified in the final versions of the 'Queanbeyan City Council Residential and Economic Strategy 2031 (as amended)' that is endorsed by the Department will be supported. The planning proposal is therefore consistent with the regional strategy.

Environmental social economic impacts :

ECONOMIC AND SOCIAL IMPACTS

The planning proposal seeks to implement the economic benefits of rezoning the subject land to generate employment opportunities (business and light industrial zones). It is unlikely that the proposal will generate any significant adverse economic or social impacts.

ENVIRONMENT

The planning proposal has been the result of ecological, natural heritage and flood studies that have provided the basis of delineating the zone boundaries. The RU2 Rural Landscape Zone and E2 Environmental Conservation Zone have been used to avoid inappropriate development in environmentally sensitive areas (riparian and flood prone areas). It is unlikely that the planning proposal and draft LEP will have any significant environmental impact.

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Assessment Process

Proposal type : **Precinct** Community Consultation Period : **28 Days**

Timeframe to make LEP : **12 months** Delegation : **DDG**

Public Authority : **Office of Environment and Heritage**
 Consultation - 56(2)(d) : **NSW Department of Primary Industries - Agriculture**
NSW Rural Fire Service
Transport for NSW - Roads and Maritime Services
Other

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

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

If no, provide reasons : **The matter should proceed subject to Council preparing a revised planning proposal for reasons outlined in this report to;**
- include a statement that the proposal is to be implemented by an amendment to Queanbeyan LEP (Poplars) 2013;
- provide more information on the proposed draft LEP; and
- apply a minimum lot size to land proposed to be zoned RU2 Landscape Zone to minimise residential subdivision.

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

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

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

If Yes, reasons : **The Department has not included a clause on satisfactory arrangements for state infrastructure for the Poplars precinct, adjoining land that has already been zoned for commercial development.**

The planning proposal submitted by Council also intends that no provisions will be inserted into the stand-alone SI LEP relating to satisfactory arrangements for State infrastructure, consistent with the LEP applying to the adjoining Poplars business precinct.

A recommendation to implement the North Tralee employment lands proposal by amending the Queanbeyan LEP (Poplars) 2013 is consistent with Council's intent to exclude North Tralee from requiring certification from the Secretary regarding satisfactory arrangements for State Infrastructure.

Documents

Document File Name	DocumentType Name	Is Public
QPRC Planning Proposal North Tralee March 2017.pdf	Proposal	Yes
Attachment 3 - Indicative Zoning Map.pdf	Proposal	Yes
Attachment 4 - Draft Zoning Map North Tralee.pdf	Proposal	Yes

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Council Report and Minutes 14 December 2016.pdf	Proposal	Yes
Council Report and Minutes 26 October 2016.pdf	Proposal	Yes
Covering_Letter_March_2017.pdf	Proposal Covering Letter	Yes
North Tralee Local Environmental Study Addendum - Appendices - August 2015.pdf	Study	Yes
North Tralee Local Environmental Study Addendum - August 2015.pdf	Study	Yes
North Tralee Local Environmental Study Addendum January 2017.pdf	Study	Yes
WMA Water Review of Brown Consulting Studies for Jerrabomberra Creek February 2016.pdf	Study	Yes
WMA Water Review Updated Modelling by Calibre September 2016.pdf	Study	Yes

Planning Team Recommendation

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

- S.117 directions:
- 1.1 Business and Industrial Zones
 - 1.2 Rural Zones
 - 1.5 Rural Lands
 - 2.1 Environment Protection Zones
 - 2.3 Heritage Conservation
 - 3.4 Integrating Land Use and Transport
 - 3.5 Development Near Licensed Aerodromes
 - 4.3 Flood Prone Land
 - 4.4 Planning for Bushfire Protection
 - 5.1 Implementation of Regional Strategies

Additional Information : The Executive Director Regions, Southern at the Department of Planning and Environment as delegate of the Minister for Planning, approve under section 56(2) of the EP&A Act that a local environmental plan to rezone land at North Tralee to IN2 Light Industrial Zone, B7 Business Park Zone, RU2 Rural Landscape Zone, RE2 Private Recreation Zone and E2 Environmental Conservation Zone should proceed subject to the following conditions:

1. Prior to undertaking community consultation the Planning Proposal is to be amended to include:
 - a statement that the proposal will be implemented by an amendment to Queanbeyan Local Environmental Plan (Poplars) 2013.
 - the permissible and prohibited land uses within the proposed zones;
 - an appropriate minimum lot size (Lot Size Map) that minimizes the subdivision potential of land proposed to be zoned RU2 Rural Landscape Zone;
 - the decision by Council on listing the former canteen at Fraser Park Speedway as a local heritage item;
 - any additional information Council may receive on land contamination in accordance with the response to State Environmental Planning Policy 55 Remediation of Land outlined in Attachment 1 of the Planning Proposal; and
 - all the proposed draft LEP Maps.
2. The revised planning proposal and draft LEP Maps are to be submitted to the Director Regions, Southern prior to Community Consultation for our records.
3. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of 28 days; and
 - (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 LEPs (Department of Planning and Environment 2016).

4. Consultation is required with the following public authorities (or accredited authorities) under section 56(2)(d) of the Act and to comply with the requirements of relevant s117 Directions:

- NSW Rural Fire Service (s117 Direction 4.4 Planning for Bushfire Protection)
- Office of Environment and Heritage
- WaterNSW
- NSW Roads and Maritime Services
- John Holland Rail Pty Ltd (accredited private rail operator)
- Transport for NSW – NSW Trains
- Canberra Airport
- ACT Government - Environment and Planning Directorate
- Commonwealth Department of Infrastructure and Regional Development (Aviation)

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

6. The time-frame for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

7. The final LEP maps shall be prepared in accordance with the requirements of the Department's "Standard Technical Requirements for Spatial Datasets and Maps" Vers: 1.0 November 2015.

117 DIRECTIONS

1. The Planning Proposal's inconsistencies with Section 117 Directions 1.2 Rural Zones, 3.5 Development near Licensed Aerodromes and 4.3 Flood Prone Land are justified in accordance with the terms of the Direction and recommended conditions of the Gateway determination. No further approval is required in relation to these Directions.

DELEGATION

Determine not to issue Council with an Authorisation to use its delegation for plan making because Council intends implementing the planning proposal with a separate standard instrument LEP and the subject site adjoins the NSW/ACT border.

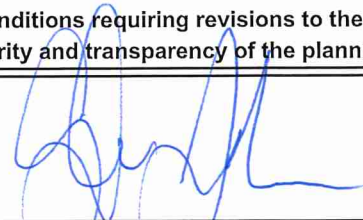
The Department is also continuing its discussions with Council, NSW RMS and Village Building Company on traffic modelling and access to the South Jerrabomberra URA.

Supporting Reasons :

Gateway conditions requiring revisions to the planning proposal are being imposed to improve clarity and transparency of the planning proposal for community consultation.

Signature:

Printed Name:


Graham J. J. J.

Date:

11 May 2017