

Planning Proposal to Rezone Land at North Tralee

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Introduction

North Tralee has been identified as an area with the potential for employment related uses over a number of years. This has been reconfirmed in the recently updated *Queanbeyan Residential and Economic Strategy 2015-2031*.

Due to North Tralee being located within the Australian Noise Exposure Forecast (ANEF) 20 contour for Canberra Airport, is not considered suitable for residential development. The land is however considered appropriate to be rezoned for employment (business and light industrial) related purposes. The land will also be zoned to reflect any environmental constraints on the site.

The site is located at 360A Lanyon Road and includes the following lots:

- Lot 1 DP 323002
- Lot 1 DP 333443
- Lot 1 DP 313299
- Lot 6 DP 239080
- Lot 3 DP 239080

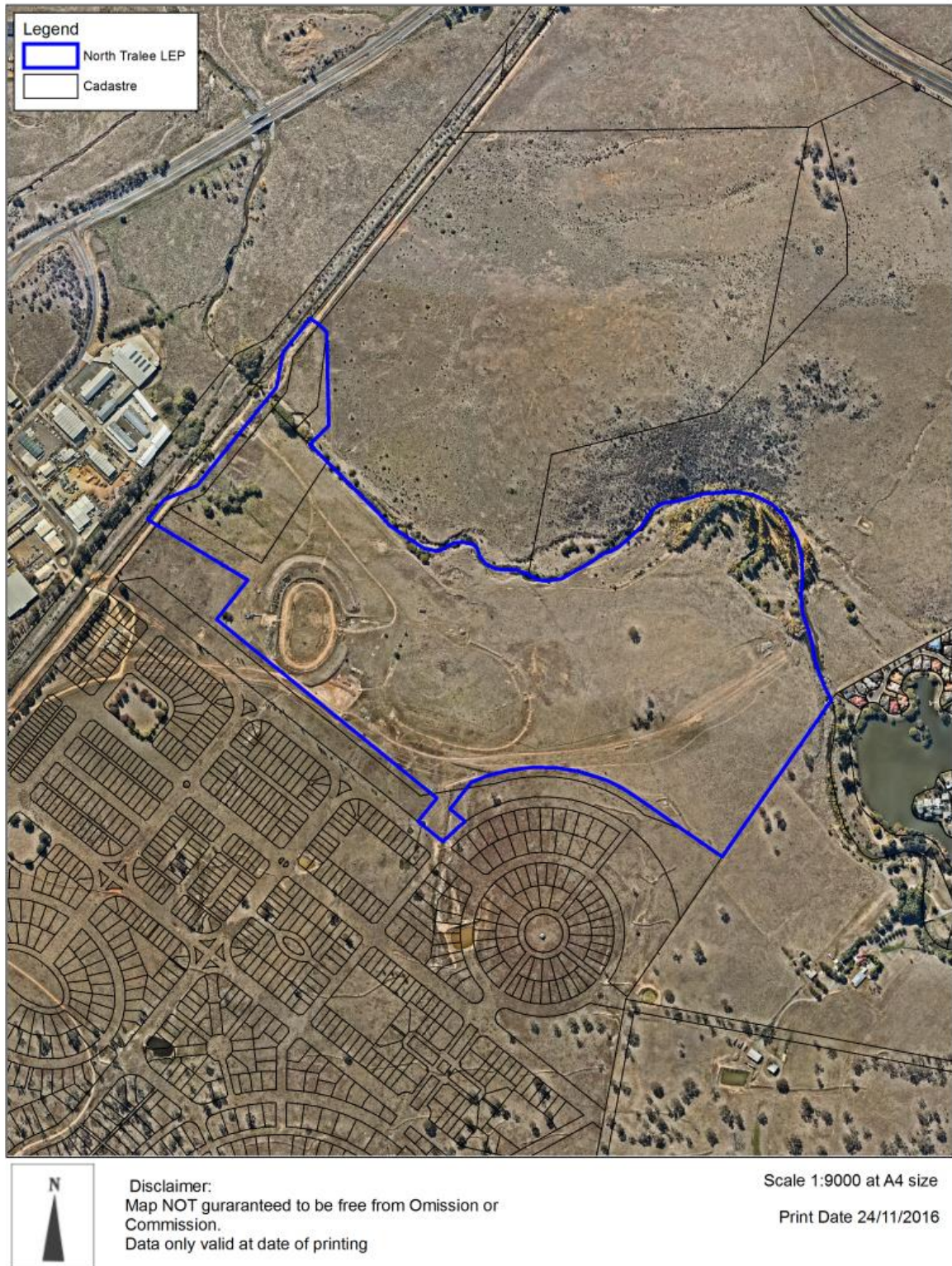
Lot 1 DP 323002 and Lot 1 DP 333443 are zoned 1(a) (Rural A Zone) under *Queanbeyan Local Environmental Plan (LEP) 1991*.

Lot 1 DP 313299, Lot 6 DP 239080 and Lot 3 DP 239080 are currently zoned 1(a) (Rural A Zone) under *Queanbeyan LEP 1998*.

The area subject to the planning proposal is shown on Map 1 on the following page.

Map 1: Land Subject to the Planning Proposal

North Tralee



Part 1 Objectives and Intended Outcomes

The primary objective of the planning proposal is to rezone the land for employment related purposes (business and light industrial) as identified in the *Queanbeyan Residential and Economic Strategy 2015-2031*.

This will provide a supply of employment lands to meet the needs of the local community into the future.

The site will also be zoned to accommodate relevant environmental constraints (riparian land and flood prone land).

Part 2 Explanation of Provisions

As noted, the intent of the planning proposal is to rezone the subject land for employment related purposes. This will be given effect by implementing a standalone Standard Instrument local environmental plan (LEP) for the site (eg, *Queanbeyan Local Environmental Plan (North Tralee) 2017*). An indicative zoning map and draft zoning map for the site are shown at Attachments 3 and 4 respectively.

Employment Zones

The recommended zones for those parts of the site proposed for employment related uses are a combination of IN2 Light Industrial zone and B7 Business Park zone. These zones provide for a suitable range of employment related uses. The proposed IN2 Light Industrial zone has an area of 29.25 ha and the proposed B7 Business Park zone an area of 9.62 ha.

Environmental and Open Space Zoning

As noted, the land will also be zoned to accommodate any environmental constraints on the site. The southern part of the creek bed (Jerrabomberra Creek) will be zoned E2 Environmental Protection with a width of 40 metres from the centreline of the creek bed consistent with the current zoning of the Poplars land to the north. This is to ensure the riparian lands within the subject site are suitably protected and conserved for their environmental values. A small area of land north of the creek will also be zoned E2 Environmental Conservation consistent with the zoning of the Poplars site to the north and ensuring an 80 metre corridor for the entire length of the creek that passes through the site. The total area of land to be rezoned E2 Environmental Conservation under this planning proposal represents an area of 6.17 ha.

A small area of land on the northern side of the creek is also proposed to be RE2 Private Recreation consistent with the existing zoning on the Poplars site to the north and recognising it is largely unsuitable for other uses. This represents an area of 1.24 ha.

Zoning of Flood Affected Land

It is proposed land below the flood planning level (ie, the 1:100 Average Recurrence Interval (ARI) event plus 0.5 metre freeboard) on the southern side of the creek (and located outside the proposed E2 zone) be zoned RU2 Rural Landscape. This is consistent with the existing underlying zone under the *Queanbeyan Local Environmental Plan 1998* (ie, the 1(a) (Rural A Zone) and will allow for the ongoing use of this part of the land for primary industry and related purposes. Accordingly, any flood affected land will retain an underlying rural zone. The proposed RU2 land represents an area of 10.72 ha.

Both the Council and the proponents have previously undertaken studies and investigations in respect of flooding potential on the site. At one time it was proposed that Jerrabomberra Creek be widened to reduce flood affectation, however given the significant environmental

impacts this would have created, Council and State Government agencies have determined all land identified for employment related development must be located outside the flood planning area.

Due to the planning history associated with the area, some of the studies that have been prepared cover all of the current site and some cover only parts of the site. Further, some of these studies have been prepared for the Council whilst others have been prepared for the proponents. In order to ensure Council has independent advice in respect of any flooding of the site and the extent of this flooding, independent advice was sought from a suitably qualified consultancy (WMA Water) to confirm whether the mapping provided by the proponents in previous studies was an appropriate basis to then determine a flood planning level.

One previous study undertaken for the site was *Flood Study and Riparian Corridor Assessment Jerrabomberra Creek January 2010 - Brown Consulting* (the Brown Study) prepared for the proponents in 2010. That study covers the entire site subject to the current planning proposal and included maps that illustrate various flooding events including a 1:100 year ARI flooding event.

Council subsequently engaged WMA Water to undertake the following work:

1. To review the suitability of the parameters and assumptions within the Brown Study.
2. To review previous flood studies and information prepared for the subject land to the extent it assists in informing the correctness of any flooding levels or the findings of the Brown Study, namely:
 - the *Tralee LES Jerrabomberra Creek Flood Study, URS Australia August 2003* prepared for the Council; and
 - Appendix B of the *North Tralee LES 2011* prepared for Council titled *Hydrology and Water Management, Infrastructure Services* as prepared by Northrop Consulting in 2010.
3. To provide a report to Council summarising the results of the review in respect of the likely flooding profile of the land, including a recommendation as to the suitability of the Council using the flooding information in the Brown Study as a basis for determining a suitable flood planning level for the site.

After reviewing the Brown Study, WMA Water concluded (Feb 2016) that while the modelling used by Brown Consulting was reasonable and a suitable basis for determining flood planning levels, some further refinement of the model was desirable to better account for the potential effect of the disused Goulburn-Bombala Railway and associated infrastructure across Jerrabomberra Creek.

This has now been undertaken by Calibre Consulting (formally Brown Consulting) including adding a 0.5 metre freeboard in order to correctly identify the flood planning level. These results were again independently reviewed by WMA Water on Council's behalf. WMA Water subsequently concluded (September 2016) that:

"the assumptions and modelling methods applied have been determined to be generally conservative. This coupled with the characteristics of the control formed by the Railway embankment and the steep terrain on the surrounding floodplain, indicates that the model results are suitable for rezoning assessment purposes when used in conjunction with a 0.5 m freeboard".

Accordingly Council intends to apply the 1:100 ARI plus 0.5 metre freeboard as set out in the WMA Report as the basis for determining where land will be rezoned for employment related purposes.

It is also intended to introduce the model flood planning clause in the LEP.

Other Clauses

Other local clauses will be included in the plan in respect of:

- 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 land adjoining Hume Industrial Area and Goulburn/Bombala Railway Line similar to that that exists in the current plans for the Poplars and South Tralee.

The Department of Planning and Environment has advised a satisfactory arrangements clause in respect of State infrastructure is not required.

Access

It is intended the site will be accessed by the proposed Northern Entry Road (linking north to Tomsitt Drive) when constructed. It is proposed the Northern Entry Road will run along the zoning boundary between the proposed IN2 and B7 zone providing suitable access to both areas.

Part 3 Justification

Section A – Need for the planning proposal

The planning proposal will give effect to the *Queanbeyan Residential and Economic Strategy 2015-2031*. This is to ensure the supply of suitable employment lands into the future.

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

Yes. The site is contained within the *Queanbeyan Residential Economic Strategy 2015-2031*.

<http://www.qcc.nsw.gov.au/Development/Strategic-Land-Use-Planning/Strategic-Land-Use-Planning>

The *Residential and Economic Strategy 2015-2031* was endorsed by the NSW Department of Planning and Environment in July 2016 and the land was identified as having potential for employment lands uses. It is also supported by the local environmental study (and supporting addendums) prepared for the site.

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 the best means of delivering the intended outcomes set out under the *Queanbeyan Residential and Economic Strategy 2031* for this area. Similar to the

rezoning of the land at Poplars, it is considered best to progress the rezoning as a standalone planning proposal at this time.

It is intended this stand-alone plan will be incorporated into the broader comprehensive plan when it is next reviewed.

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)?

The *Sydney Canberra Corridor Regional Strategy 2006-2031* is the relevant regional strategy. The planning proposal is considered to be consistent with the Strategy.

These include actions identified under the Economic Development and Employment Growth such as:

- *Local strategies and local environmental plans will ensure that major regional centres are the focus for the majority of new employment land releases in the local government area.*
- *Local strategies and local environmental plans will identify and safeguard appropriate and adequate land for employment purposes consistent with meeting the type of demand outlined in Table 1 – Additional Employment Lands. This is to include consideration of measures such as minimising land fragmentation; appropriate land use zoning and sequencing/staging provisions.*
- *Local environmental plans are to incorporate appropriate provisions to facilitate employment growth in the nominated major regional centres, towns and villages, including as home-based employment.*

The planning proposal gives effect to the above actions and will create additional employment lands. Land at the Poplars (just north of this site) has already been rezoned for employment lands and rezoning land at North Tralee is a logical extension of these employment lands. The draft LEP will rezone the land to enable uses such as business, light industry and other ancillary uses to ensure the economic sustainability of Queanbeyan. This is considered to be particularly appropriate given that the supply of suitable land within the LGA is extremely limited.

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

As previously noted, the proposal is consistent with the *Queanbeyan Residential and Economic Strategy 2015-2031*, as endorsed by the Department of Planning and Environment.

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

The planning proposal is not considered to be inconsistent with any SEPPs at this time (refer to Attachment 1).

6) Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The planning proposal is not considered to be inconsistent with any s117 directions at this time (refer to Attachment 2). Regardless any inconsistency that exists is considered justified

by the strategy endorsed by the Secretary of the Department of Planning and Environment (*Queanbeyan Residential and Economic Strategy 2015-2031*), the local environmental study prepared for the site, or, is 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?

A study into the ecology and natural heritage of the North Tralee site was carried out as part of the background local environmental study. The study concluded that most of the site has been cleared of native vegetation and been sown with pasture plants and used extensively for cultivation and stock grazing. The disused Fraser Park Speedway and associated infrastructure occupies the western half of the site. The report states that overall the site is in poor ecological condition and is considered to have low conservation significance. Regardless it is intended to rezone riparian areas of the site E2 Environmental Conservation to ensure they are not further degraded by inappropriate uses.

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

It is unlikely that there are any other environmental effects as a result of this planning proposal.

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

The proposal seeks to create additional employment lands in accordance with the principles of the *Queanbeyan Residential and Economic Strategy 2031*. Rezoning of the site will ensure Queanbeyan's economic sustainability and deliver the relevant outcomes and actions of the *Sydney-Canberra Corridor Regional Strategy 2006-2031*.

Section D – State and Commonwealth interests

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

Access to the site will be provided via a new road from Tompsitt Drive which will create a connection from Poplars through to the proposed employment lands at North Tralee. A concept development application for this road link has been lodged with Council. Other infrastructure requirements will be resolved as the development of the site progresses.

The Department of Planning and Environment has advised a satisfactory arrangements clause in respect of State infrastructure is not required.

11) What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

Consultation with public authorities has occurred in the past and the plan has been amended to address the issues raised.

The key issue has been resolving the approach to flood management. Previous proposals by the applicant to extract fill from the creek bed to raise the profile of the flood plain have not been supported. It is now proposed to only rezone those lands located above the flood planning level for employment uses.

Further consultation with public authorities is proposed in respect of the revised plan.

Part 4 Mapping

Relevant maps for North Tralee will be prepared in accordance with the requirements and guidelines of the Department of Planning and Environment. The maps proposed to accompany the draft plan are:

- zoning map,
- height of buildings map,
- flood planning map,
- floor space ratio map,
- riparian land and watercourse maps,
- land application maps,
- land reservation acquisition map, and
- visual and acoustic buffer map.

An indicative and draft zoning map for the site is shown at Attachments 3 and 4.

Part 5 Community Consultation

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

Agency consultation is proposed with the following stakeholders:

- NSW Office of Water
- NSW Department of Primary Industries
- NSW Roads & Maritime Services
- NSW Rural Fire Service
- NSW Office of Environment and Heritage
- John Holland Rail P/L
- Canberra Airport
- ACT Government - Environment and Planning Directorate
- Commonwealth Department of Transport and Regional Services

Part 6 Project Timeline

It is anticipated that the planning proposal will be completed prior to September 2017

#	Action	Estimated Timeline	Responsibility
1	Date of Gateway Determination	March 2017	NSW Planning and Environment
2	Anticipated completion of further technical information and draft LEP maps	March/April 2017	Council

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#	Action	Estimated Timeline	Responsibility
3	Government agency consultation	March/April 2017	Council
4	Public exhibition	March/April 2017	Council
5	Date of Public Hearing (if applicable)	N/A	N/A
6	Consideration of submissions	May 2017	Council
7	Assessment of proposal post-exhibition	May 2017	Council
8	Report to Council	May 2017	Council
9	Mapping and Parliamentary Counsel liaison	June 2017	Council
10	Anticipated date Council will make the plan	July 2017	Council
11	Anticipated date Council will forward the final Planning Proposal to DPE for notification	July 2017	Council
12	Anticipated date LEP will be notified	July 2017	Parliamentary Counsel's Office and DPE

Attachment 1 - Consistency with State Environmental Planning Policies

The following relevant Environmental Planning Instruments (EPIs) have been considered in the preparation of this planning proposal:

SEPP No.	SEPP Title	Applicable	Relevant	Consistent	Comment
55	Remediation of Land	YES	YES	YES	A preliminary site investigation was carried out as part of the Tralee LES in 2005. This report 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 spills). The proponent has been requested to undertake further investigations of these areas prior to the planning proposal being finalised.
-	SEPP (Rural Lands) 2008	YES	YES	YES	The planning proposal is considered to be consistent with both the Rural Planning Principles and the Rural Subdivision Principles listed in the Rural Lands SEPP.

Attachment 2 - Consistency with Section 117(2) Directions

EMPLOYMENT AND RESOURCES			
1.1 Business and Industrial Zones			
S117 Direction Objectives	What a relevant planning authority must do if this direction applies	Consistency	Response
The objectives of this direction are to: a) encourage employment growth in suitable locations, b) protect employment land in business and industrial zones, and c) support the viability of identified strategic centres.	A planning proposal must: a) give effect to the objectives of this direction, b) retain the areas and locations of existing business and industrial zones, c) not reduce the total potential floor space area for employment uses and related public services in business zones, d) not reduce the total potential floor space area for industrial uses in industrial zones, and e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of 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) that the provisions of the planning proposal that are inconsistent are: 1) justified by a strategy which: a) gives consideration to the objective of this direction, and b) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and c) is approved by the Director-General of the Department of Planning, or 2) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or 3) in accordance with the relevant Regional Strategy or Sub-Regional	Applies. The planning proposal is consistent with the objectives of this direction as the proposal seeks to rezone the land for employment purposes. The proposal will not impact on any existing employment zone. The proposed rezoning will support the viability of the existing centre. The planning proposal is consistent with an endorsed strategy approved by the Secretary of the Department of Planning and Environment (<i>Queanbeyan Residential and Economic Strategy 2015-2031</i>).

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		Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or of minor significance.	
1.2 Rural Zones			
The objective of this direction is to protect the agricultural production value of rural land.	A planning proposal must: a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone. b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).	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 Strategy prepared by the Department of Planning which gives	Applies. This planning proposal does propose to rezone land within a rural zone. However the planning proposal is consistent with an endorsed strategy approved by the Secretary of the Department of Planning and Environment (<i>Queanbeyan Residential and Economic Strategy 2015-2031</i>). A local environmental study has also been prepared for the subject lands.

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		consideration to the objective of this direction, or d) is of minor significance.	
1.5 Rural Lands			
The objectives of this direction are to: a) protect the agricultural production value of rural land, b) facilitate the orderly and economic development of rural lands for rural and related purposes. This direction applies when: 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 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.	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>. 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>. Note: <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>.	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 and is in force, or b) is of minor significance.	Applies. This planning proposal does affect land within a rural zone. The planning proposal is considered to be consistent with both the Rural Planning Principles and the Rural Subdivision Principles listed in the Rural Lands SEPP. Regardless the planning proposal is consistent with an endorsed strategy approved by the Secretary of the Department of Planning and Environment (<i>Queanbeyan Residential and Economic Strategy 2015-2031</i>) that identifies the subject land.

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ENVIRONMENT AND HERITAGE

2.1 Environment Protection Zones

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 Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or	Applies. The draft plan proposal seeks to rezone the riparian areas of the site to E2 Environmental Conservation. The proposal is consistent with the direction. Regardless any inconsistency is considered justified by the strategy endorsed by the Secretary of the Department of Planning and Environment (<i>Queanbeyan Residential and Economic Strategy 2015-2031</i>). A local environmental study has also been prepared for the subject lands.
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		d) is of minor significance.	
2.3 Heritage Conservation			
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 significance to Aboriginal culture and people.	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.	Applies. A cultural heritage assessment was undertaken which included assessment of both Aboriginal and European Heritage. Council is continuing to consider the merits of listing the former canteen at the Fraser Park Speedway as a local heritage item. The LES addendum prepared in October 2015 suggested the site should be included as a local heritage item as it was constructed by the original family that owned the property. More recent information suggests this may not be the case. To confirm this the proponent has been requested to prepare a further heritage impact statement in respect of the item. If the item is confirmed to be of local heritage significance it will be included in the final LEP.
3.4 Integrating Land Use and Transport			
The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts	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:	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	Applies Access to the employment lands at North Tralee will be via a new northern entry road from Tomsitt

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achieve the following planning objectives: a) improving access to housing, jobs and services by walking, cycling and public transport, and b) increasing the choice of available transport and reducing dependence on cars, and c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and d) supporting the efficient and viable operation of public transport services, and e) providing for the efficient movement of freight. This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.	a) <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and b) <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).	(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 objective 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 iv. justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or v. 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 vi. of minor significance.	Drive which will link the employment lands at the Poplars with the employment lands at North Tralee. It is intended public transport will service the area in the future. Any inconsistency with this direction is considered justified by the strategy endorsed by the Secretary of the Department of Planning and Environment (<i>Queanbeyan Residential and Economic Strategy 2015-2031</i>). A local environmental study has also been prepared for the subject lands.
3.5 Development Near Licensed Aerodromes			
The objectives of this direction are:	In the preparation of a planning proposal that sets controls for the development of	A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-	Applies.

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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 zone or a provision relating to land in the vicinity of a licensed aerodrome.	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 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	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 consideration to the objective of this direction, or d) of minor significance.	The site is wholly located within the ANEF 20 contour and partly within the ANEF 25 contour. No residential development is proposed under the zoning arrangement. Relevant model clauses for both aircraft noise and aircraft operations will be contained within the draft plan. Council will be consulting with both the Commonwealth Department of Transport and Regional Services and Canberra Airport as required by the direction. Any inconsistency with this direction is considered justified by the strategy endorsed by the Secretary of the Department of Planning and Environment (<i>Queanbeyan Residential and Economic Strategy 2015-2031</i>). A local environmental study has also been prepared for the subject lands.
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	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.		
HAZARD AND RISK			
4.3 Flood Prone Land			
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	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 may be inconsistent with this direction only if the relevant planning authority can satisfy the Director-General (or an officer of the Department nominated by the Director-General) that: a) the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or	Applies. No land below the flood planning level (1:100 ARI plus 0.5 metre freeboard) is proposed to be rezoned for urban purposes. All flood prone land will be zoned E2 Environmental Conservation or RU2 Rural Landscape (consistent with the underlying rural zone at this time). The draft plan is considered consistent with this direction.

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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 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 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	b) the provisions of the planning proposal that are inconsistent are of minor significance.	Regardless any inconsistency is considered to be of minor significance only.
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	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).		
4.4 Planning for Bushfire			
The objectives of this direction are: a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and b) to encourage sound management of bush fire prone areas. 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.	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, A planning proposal must: a) have regard to <i>Planning for Bushfire Protection 2006</i>, b) introduce controls that avoid placing inappropriate developments in hazardous areas, and c) ensure that bushfire hazard reduction is not prohibited within the APZ. A planning proposal must, where development is proposed, comply with the following provisions, as appropriate: d) provide an Asset Protection Zone (APZ) incorporating at a minimum: i. an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard	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.	Applies. Under this direction Council is required to consult with the Commissioner of the NSW Rural Fire Service following receipt of a Gateway determination and prior to undertaking a community consultation. This will be undertaken.

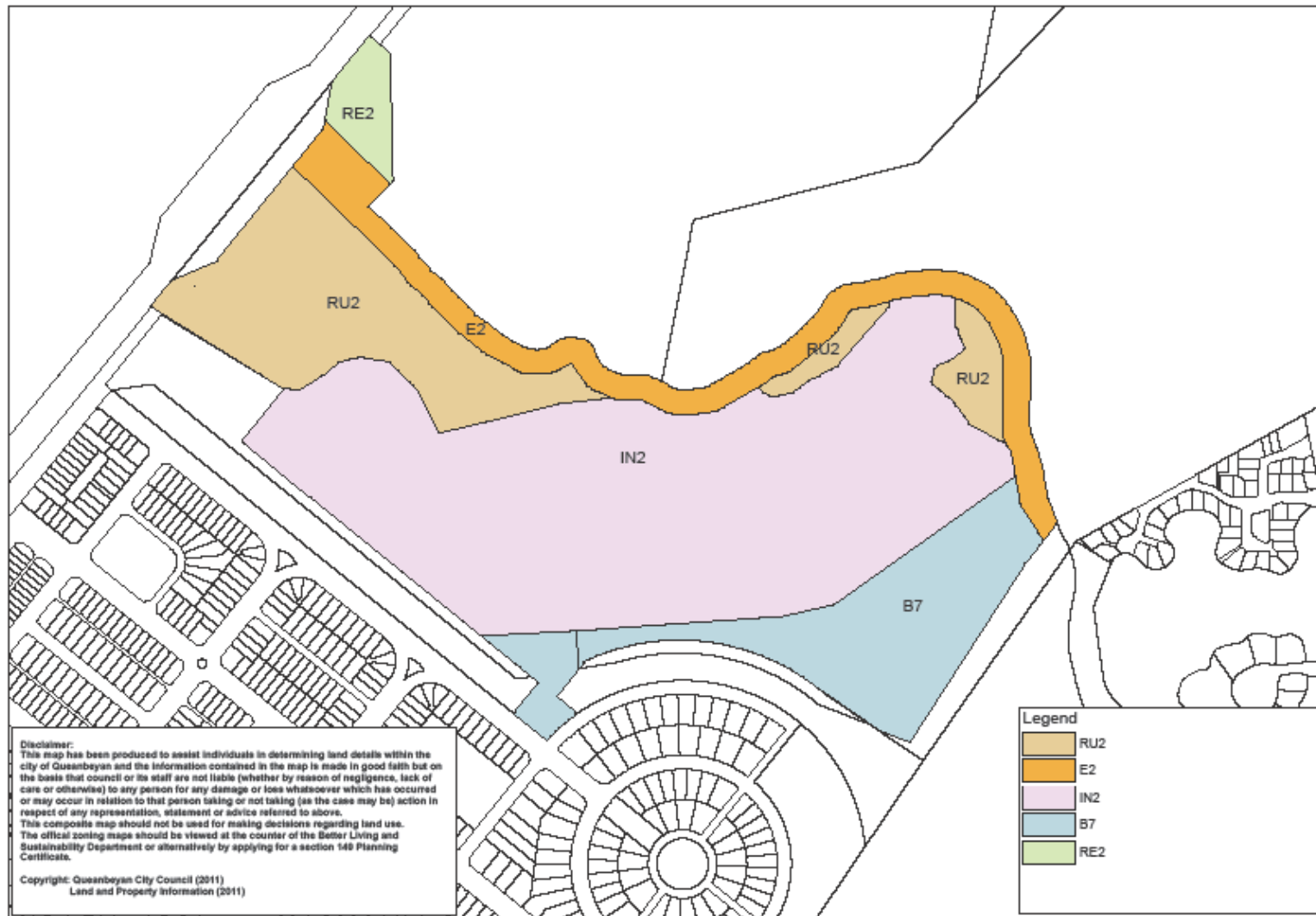
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	side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and ii. an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road, 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, iv. contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks, v. contain provisions for adequate water supply for firefighting purposes, vi. minimise the perimeter of the area of land interfacing the hazard which may be developed, vii. introduce controls on the placement of combustible		
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	materials in the Inner Protection Area.		
5. REGIONAL PLANNING			
5.1 Implementation of Regional Strategies			
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–Canberra Corridor Regional Strategy	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), 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.	Applies. It is considered the draft plan is consistent with this direction. The proposed planning proposal does not undermine the achievement of the vision, land use strategy, policies outcomes or actions of the Sydney-Canberra Corridor Regional Strategy. It provides for employment growth in this corridor as envisaged by these strategies.

Attachment 3 - Indicative Zoning Map



Attachment 4 - Draft Zoning Map

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