

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**

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.

Panel Recommendation

Recommendation Date : **05-Sep-2013**

Gateway Recommendation : **Passed with Conditions**

Panel

Recommendation :

The planning proposal should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to update the project timeline within the planning proposal to include all relevant information consistent with Section 2.6 Part 6 of the A Guide to Preparing Planning Proposals, including the proposed timeframe for the completion of additional information as identified below.

2. Additional information regarding the below matters is to be placed on public exhibition with the planning proposal:

- biodiversity, flora and fauna
- bushfire
- air quality, noise, visual impacts
- heritage
- urban capability
- stormwater management
- contamination
- traffic

3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental

Planning and Assessment Act 1979 ("EP&A 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 & Infrastructure 2013).

4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

- Office of Environment and Heritage
- Transport for NSW
- NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire Protection)
- ACT Government

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 EP&A 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 timeframe for completing the LEP is to be 24 months from the week following the date of the Gateway determination.

Plan making delegations

The Minister delegated his plan making powers to councils in October 2012. It is noted that Council has now accepted this delegation, however has asked not to use its delegation for the making of this plan. Council should be issued with plan making delegation because the proposal is implementing the endorsed Queanbeyan Residential and Economic Strategy 2031.

Signature:



Printed Name:

NEIL SIMON

Date:

17/9/13