
QPRC

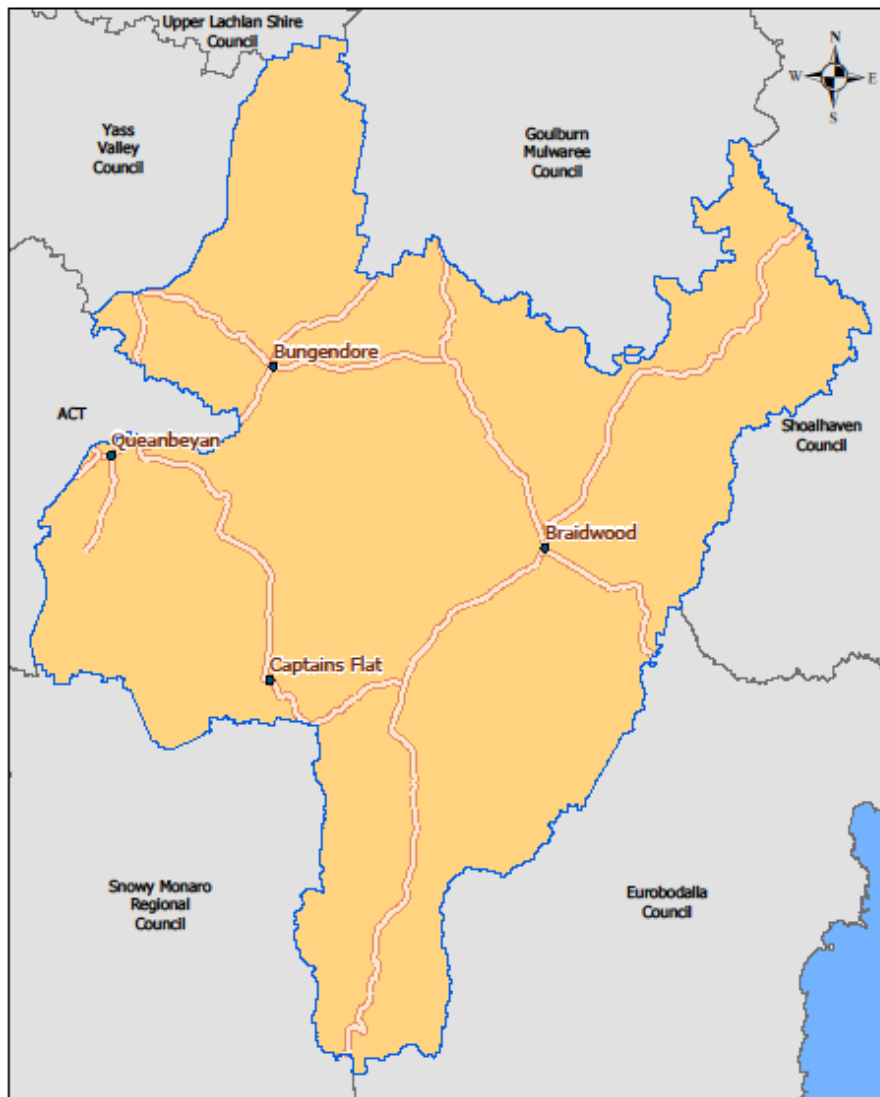


Planning Proposal

Comprehensive Local Environmental Plan

Queanbeyan-Palerang Regional Council

September 2018



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Planning Proposal – QPRC Local Environmental Plan

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Introduction

Purpose

The purpose of this planning proposal is to prepare a new comprehensive Local Environmental Plan (LEP) for the Queanbeyan-Palerang Regional Council area under the *NSW Environmental Planning and Assessment Act 1979*.

The former Queanbeyan City Council and Palerang Council were merged into a single local government area in 2016. As a consequence, Council now needs to combine the respective local environmental plans (LEPs) that applied to the former areas into one comprehensive plan.

The planning proposal seeks to primarily address existing inconsistencies between *Queanbeyan LEP 2012* and *Palerang LEP 2014* in order for the two plans to be combined into a single comprehensive planning instrument. These inconsistencies are largely in respect of permissible development in the land use tables under the two plans, but also include differences in various provisions in some instances.

Figure 1: Map of Queanbeyan-Palerang Regional Council local government area



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As a general approach, Council will be seeking to minimise the number of new policy matters in the proposed comprehensive plan, and seek to transfer existing provisions with as little planning/policy change as possible. Where certain zones or provisions are unique to a particular plan, Council intends to wholly carry forward those provisions into the new plan. It is only where there is some difference in common provisions between the various instruments that changes will be made. Council has now prepared a background paper comparing the respective planning instruments applying to the LGA, the differences between LEPs and Council's intended approach to addressing these. The background paper has been attached to this planning proposal.

As noted, the NSW Government announced the merger of the former Queanbeyan City and Palerang Councils on 12 May 2016. On 12 October 2016, the new Council adopted the following Interim Policy:

Where the former Palerang or Queanbeyan City Councils had an adopted policy on the same matter, those policies apply to their respective Local Government Areas;

Where one of the former Councils had an adopted policy on a given matter, and the other did not, the adopted policy apply to the whole of the new Queanbeyan-Palerang Regional Council Local Government Area.

The proposed approach is considered consistent with that resolution.

Whilst Council is seeking to minimise introducing new policy matters as part of the merger of the two plans, it has given a commitment to the community to also resolve two outstanding planning matters, given commitments made by the former Palerang Council to its community prior to the merger. There are:

1. Addressing representations from some land owners in the Bywong and Wamboin E4 Environmental Living zone (rural residential areas) seeking to change that zoning. This may require some existing areas currently zoned E4 Environmental Living to be converted to an alternative zone, and
2. Addressing a number of requests for additional settlement or subdivision on rural lands which are not currently permissible under the planning instruments. This may result in changes to existing Lot Size Maps in some locations.

Council is currently carrying out a number of strategic planning exercises in respect of both matters. Where possible Council will include any amendments relating to these matters in the draft LEP however, it is not intended to delay the LEP whilst these matters are resolved.

Council has begun to prepare a draft plan and accompanying GIS layers, however the final contents of these will be determined by ongoing Council research, community feedback and engagement with public authorities. Accordingly, Council notes there will likely be a need to refine the planning proposal at a future date when final draft versions of the plan and GIS layers are prepared.

Current Local Environmental Plans

There are currently seven LEPs in force in the Queanbeyan-Palerang LGA. These are:

- *Palerang Local Environmental Plan 2014*
- *Queanbeyan Local Environmental Plan (Poplars) 2013*
- *Queanbeyan Local Environmental Plan (South Tralee) 2012*
- *Queanbeyan Local Environmental Plan 2012*
- *Yarrowlumla Local Environmental Plan 2002*
- *Queanbeyan Local Environmental Plan 1998*
- *Queanbeyan Local Environmental Plan 1991*

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Council is seeking to have all these instruments combined into a single comprehensive plan. However, this will depend on the progress of a number of other planning proposals currently applying to land covered by these various instruments. Some may be removed in the interim as a consequence of these other planning proposals being completed. Again, this will be confirmed by any future updates to this planning proposal.

Part 1 - Objectives or Intended Outcomes

The objective of the planning proposal is to provide for a single comprehensive planning instrument for the Queanbeyan-Palerang Local Government Area (LGA), and, to establish common provisions in respect of land use zone permissibilities and other clauses.

Part 2 - Explanation of Provisions

Consolidating Planning Instruments Applying to Queanbeyan-Palerang

As noted, Council is seeking to consolidate the various planning instruments applying to the LGA whilst minimising the number of new policy issues to be resolved.

This will require various inconsistencies in permissibilities between Land Use Zones to be addressed, and, respective provisions in each plan transferred to a new combined LEP. Council has prepared a background paper to accompany this planning proposal that sets out these changes and Council's intended approach to dealing with each.

Depending on the outcomes of other planning proposals currently being progressed by the Council, all land within the LGA is intended to be covered by this one plan. However, this is to be finally determined as the planning proposal progresses.

Part 3 - Justification

Section A - Need for the planning proposal

The planning proposal is required to initiate the preparation of a new comprehensive LEP.

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

As noted Council has produced a background document comparing the permissibility of zones and local provisions under the respective LEPs applying to the LGA. This has been endorsed by the Council as the agreed approach to rationalising the plans.

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 only means of delivering a new comprehensive LEP for the new local government area.

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 any exhibited draft plans or strategies)?

The *South East and Tablelands Regional Plan 2036* is the relevant regional strategy. The planning proposal is considered to be consistent with the Strategy. An extract of the planning narrative from the Strategy is shown at Appendix A.

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

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The planning proposal is not considered to be inconsistent with any of Council's local strategies.

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. Council will have regard to the content of all SEPPs as the draft plan evolves to ensure consistency.

6) Is the planning proposal consistent with applicable Ministerial Directions (Section 9.1 directions)?

The planning proposal is not considered to be inconsistent with any s9.1 directions. Council will have regard to the content of all 9.1 directions as the draft plan evolves to ensure consistency.

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?

No. As noted it is anticipated there will be few new policy changes introduced in the new combined plan. It is not intended to identify any new land for development or to change any provisions that would increase impacts on the environment.

It is intended to consult the Office of Environment & Heritage and other public authorities whilst preparing the new LEP.

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

Not at this time.

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

No. As noted it is anticipated there will be few new policy changes introduced in the new combined plan.

Section D - State and Commonwealth interests

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

Yes. There should be no additional impacts in any infrastructure as a consequence of the proposed combined plan.

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

Council intends to consult with relevant State and Commonwealth authorities during the preparation of the planning proposal.

Part 4 – Mapping

The respective maps under the existing LEPs will need to be combined into a single set of GIS layers and possibly LEP maps. Any maps will be prepared consistent with the Department of Planning and Environment's relevant guidelines and in consultation with the Department's GIS unit. Council is currently discussing the option of not preparing LEP pdfs

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using only GIS layers with the eBusiness section of the NSW Department of Planning and Environment.

Part 5 - Community Consultation

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

Council intends to consult with the following agencies in respect of the planning proposal:

- NSW Premier and Cabinet
- Office of Environment and Heritage
- NSW Rural Fire Service
- NSW Department of Primary Industries
- NSW Office of Water
- ACT Government
- National Capital Authority

Part 6 - Project Timeline

It is anticipated the planning proposal will take a minimum of **18** months to finalise. An indicative project timeline for this minimum period is provided below.

Action	Timeframe
Agency consultation	March 2019 - April 2019
Public exhibition 28 days	June 2019
Report to Council	October 2019
PC Opinion/Maps	December 2019
Forwarded to DPE/Made by delegate	March 2020

Appendix A - NSW South East and Tablelands Regional Plan

Local Government Narrative for QPRC — page 63

<http://www.planning.nsw.gov.au/~media/Files/DPE/Plans-and-policies/south-east-and-tableland-regional-plan-2017-07.ashx>

Queanbeyan-Palerang

Queanbeyan-Palerang Local Government Area is home to historic towns and villages, productive rural activities, modern urban centres and high quality natural environments. It is adjacent to the ACT and is influenced by the activities of the ACT and Australian governments.

The rural character of Bungendore and Braidwood contrast with the largely suburban character of Queanbeyan. Proximity to Canberra means many residents live in NSW while travelling to the ACT for work. Queanbeyan-Palerang Regional Council has formalised its relationship with the ACT to facilitate joint efforts such as an integrated transport strategy.

Natural areas include pristine streams and forests containing a diversity of flora and fauna, high-value grasslands and woodlands, and important biodiversity corridors linking to the ACT and beyond. High wind paths suit wind farms for renewable energy generation. The increasing interest in solar power generation is similar to that underway in the ACT, as well, interest in wind power continues.

Employment in public administration, defence, transport, professional, scientific and technical services is expected to continue, particularly given the relationship with Canberra. Traditional industries include sheep and cattle grazing, stone fruit production and newer niche rural industries such as viticulture, organic farming, olive production, truffle growing and alpaca breeding.

Queanbeyan-Palerang Local Government Area is expected to require an additional 12,050 dwellings to accommodate 25,050 more people by 2036. Residential growth areas include Googong and Bungendore, and the proposed South Jerrabomberra. The availability of water will continue to influence the amount and location of additional urban development, particularly in areas such as Bungendore.

Priorities

- Work with the ACT Government to improve road and active transport connectivity and public transport integration; manage water, sewage, waste and renewable energy on a regional scale; plan and collaborate on major contiguous developments; plan for infrastructure requirements to support population growth; and support major events.
- Protect and enhance the area's high environmental value lands, waterways and water catchments.

Economy and employment

- Continue to identify opportunities for economic growth flowing from the activities of the ACT, NSW and Australian governments.
- Diversify the agriculture industry, including opportunities for value-added activities and access to national and international markets.
- Encourage small-scale intensive animal production where this can be done without compromising the Sydney Drinking Water Catchment.
- Leverage the area's existing expertise in renewable energy to foster innovative economic development opportunities.

Housing

- Coordinate the delivery of infrastructure for new release areas.
 - Provide further opportunities for residential development where it is supported by a strategic approach to housing.
 - Limit proposals for rural residential development to areas identified through an appropriate strategic planning process.
 - Work with stakeholders to secure suitable services, including water, to support residential development in approved locations.
 - Improve the attractiveness and amenity of main streets in towns and villages while retaining the rural ambience.
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