



IRF 25/2248

Gateway determination report – PP-2024-1370

Additional Permitted Uses – Seniors and Multi-dwelling
Housing in South Jerrabomberra

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Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Council Planning Report - Council meeting 23 July 2025
ACT Govt Scoping Proposal Response
RJP State Rezoning Team Comments email
Air Quality and Odour Assessment 24 March 2024

Noise Assessment Report 24 January 2023

Bushfire Assessment Report 9 July 2024

Aboriginal Cultural Heritage Assessment Report Feb 2016

Remediation Management Plan 9 January 2016

Ecological Constraints Report 25 July 2023

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Queanbeyan Palerang
PPA	Queanbeyan Palerang Regional Council
NAME	Additional Permitted Uses – Seniors and Multi-dwelling Housing, South Jerrabomberra (200 dwellings)
NUMBER	PP-2024-1370
LEP TO BE AMENDED	Queanbeyan Palerang Regional LEP 2022
ADDRESS	21 Alpine Ash Way and 5 Melliodora Place Tralee
DESCRIPTION	Lot 1 and 4 DP1306143
RECEIVED	25/07/2025
FILE NO.	EF25/15602
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are to enable senior housing and multi dwelling housing as additional permitted uses on land at 21 Alpine Ash Way and 5 Melliodora Place, Tralee. In addition, it is proposed to amend the height of building controls on the subject land from 12m to 8.5m.

The objectives of this planning proposal are clear and adequate.

The planning proposal notes the intended outcomes are to:

- Contribute to the support of land for diverse housing options for seniors and affordable dwellings (multi dwelling housing).
- Achieve a minimum 10 per cent provision of affordable dwellings for the proposed multi dwelling housing site.
- Multi dwelling housing will be retained as affordable dwellings for a minimum period of 15 years.
- Affordable housing will be rented to eligible households at rates which would be in accordance with the National Affordable Rental Scheme (NARS) and managed by a registered community housing provider.

1.3 Explanation of provisions

The planning proposal seeks to amend the Queanbeyan Palerang Regional LEP 2022 as per the changes below:

- Amend Schedule 1 Additional permitted uses, to include the subject site and corresponding additional permitted uses:

28 Use of certain land at 21 Apline Ash Way Tralee

(1) This clause applies to Lot 1 DP 1306143, 21 Apline Ash Way Tralee, identified as Item 9 on the Additional Permitted Uses Map.

(2) The following development is permitted with development consent on land described in clause 28(1) of this Schedule:

(a) development for the purposes of seniors housing.

29 Use of certain land at 5 Melliodora Close Tralee

(1) This clause applies to Lot 4 DP 1306143, 5 Melliodora Close Tralee, identified as Item 10 on the Additional Permitted Uses Map.

(2) The following development is permitted with development consent on land described in clause 29(1) of this Schedule:

(a) development for the purposes multi dwelling housing.

(3) The maximum building height to which this clause applies is 8.5m.

(4) Development consent must not be granted to development to which clause 29(2)(a) applies unless the consent authority is satisfied that—

(a) for a period of at least 15 years from the issue of the occupation certificate—

(i) 10 per cent of dwellings will be used for the purposes of affordable housing, and

(ii) the development will be managed by a registered community housing provider, and

(b) a restriction will be registered in accordance with the Conveyancing Act 1919, section 88E, before the date of the issue of the occupation certificate, against the title of the property relating to the development that will ensure that the requirements of paragraph 4(a) are met.

(5) Subclause (4) does not apply to development on land owned by a public authority or to a development application made by, or on behalf of, a public authority or a registered community housing provider.

(6) A word or expression used in this clause has the same meaning as in State Environmental Planning Policy (Housing) 2021 unless it is otherwise defined in this Plan.

- Additional Permitted Uses Map - Sheet APU_001B to include the site on Schedule 1; and
- Amend the Height of Buildings Map – Sheet HOB_001B to reduce the maximum height of buildings on the site from 12m to 8.5m.

Department comment

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

However, the Department notes that the planning proposal has identified the wrong site address being 138 Environa Drive, Environa and this is required to be updated to refer to 21 Alpine Ash Way and 5 Melliodora Place, Tralee as shown above.

1.4 Site description and surrounding area

The subject site, being Lots 1 and 4 DP1306143, is situated within the South Jerrabomberra Urban Release Area (URA), adjacent to the NSW / ACT border, 8 kilometres from Queanbeyan City Centre and 18 kilometres from Canberra City Centre.

As identified in Figure 1, the vast majority of the site is zoned RE2 Private Recreation with a small portion zoned R2 Low Density Residential in the south west corner. The land is part of a 250m buffer corridor between the South Jerrabomberra residential precinct to the east and the Hume Industrial Estate to the west across the railway line / ACT border. It is noted that the buffer is zoned RE2 Private Recreation and E1 Local Centre which is yet to be developed. The buffer is also further protected via clause 7.19 and associated map (LOC_001B) in the QPRC LEP 2022 which aims to minimise the impact of noise, vibration and other emissions on development near the Hume Industrial Area, and the Goulburn to Bombala Railway Line.

At the northern end of the URA, the subject site is bordered by stormwater ponds to the north, RU2 Rural Landscape zoned land to the east and Environa Drive, the railway and beyond the Hume Industrial Estate to the west.

Adjacent to south, there are significant developed R2 residential lots, with further undeveloped, R2 zoned land beyond that further to the south.



Figure 1 Subject site (source: Planning Portal)

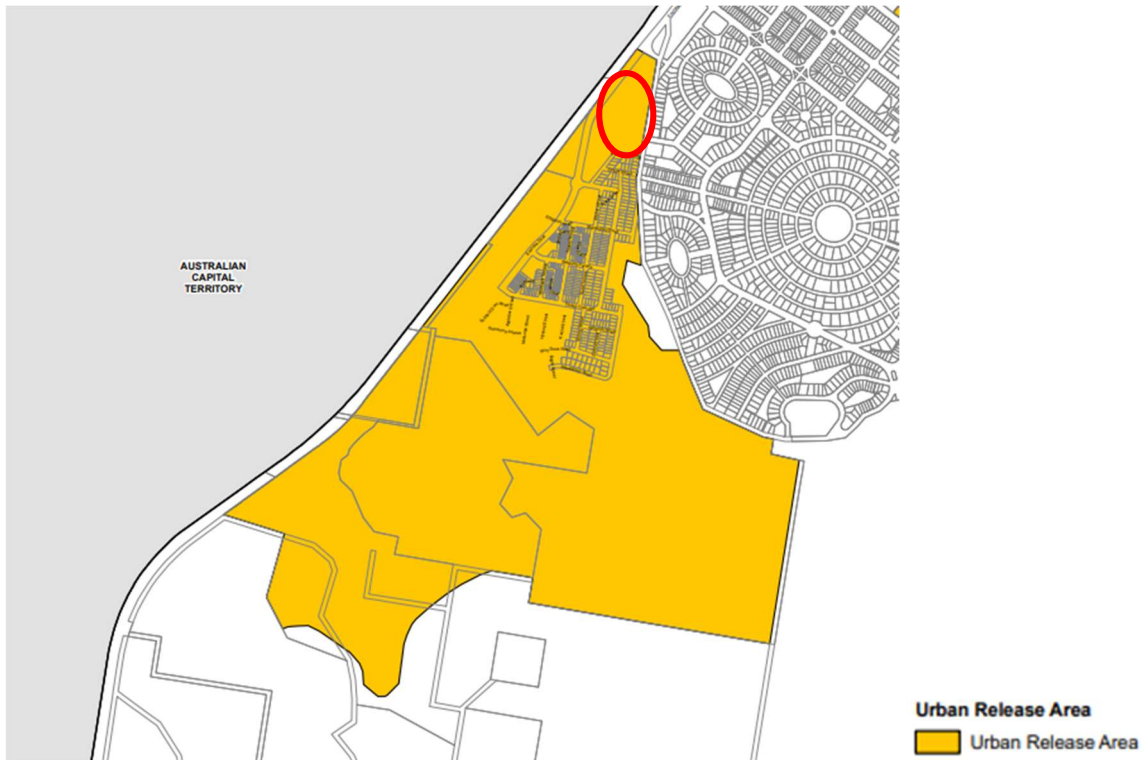


Figure 2 Urban Release Area Map (source: NSW Legislation)

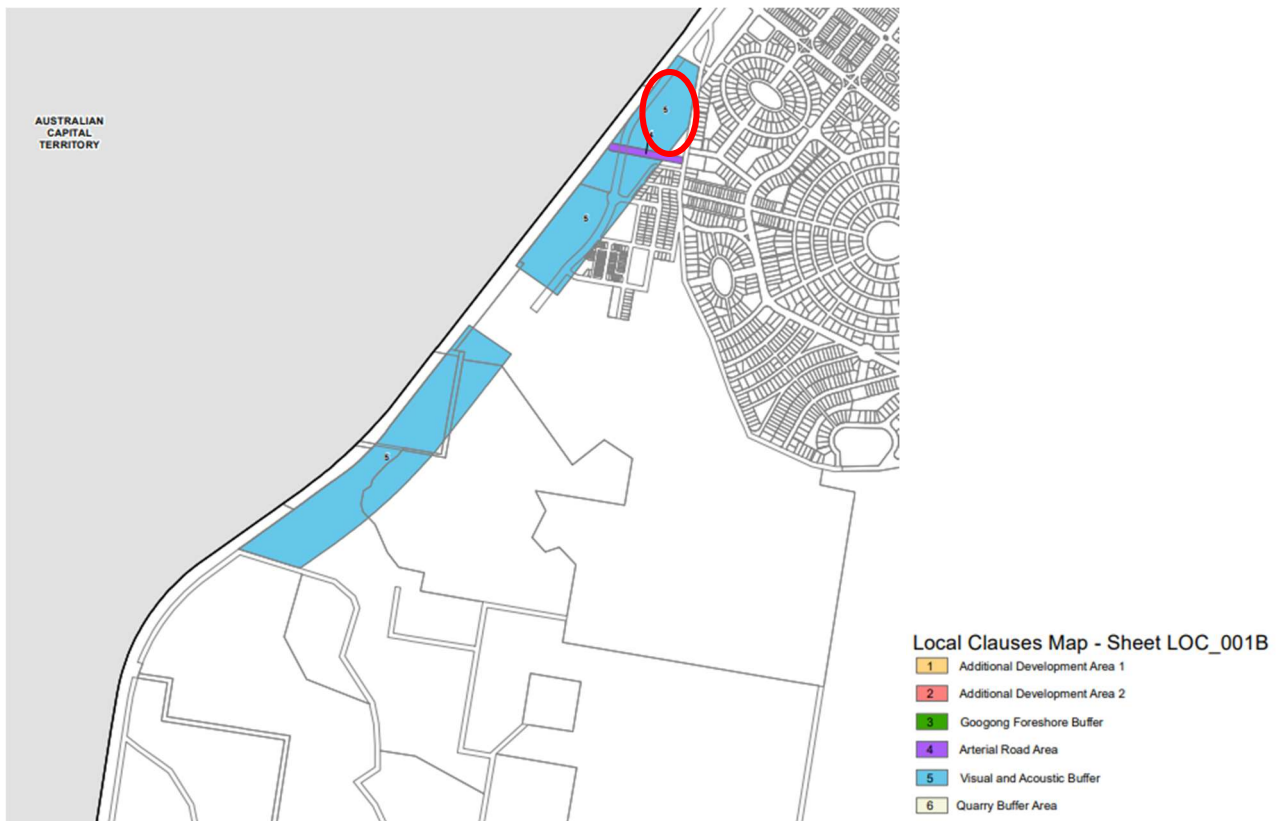


Figure 3 Visual and Acoustic Buffer Map (source: NSW Legislation)

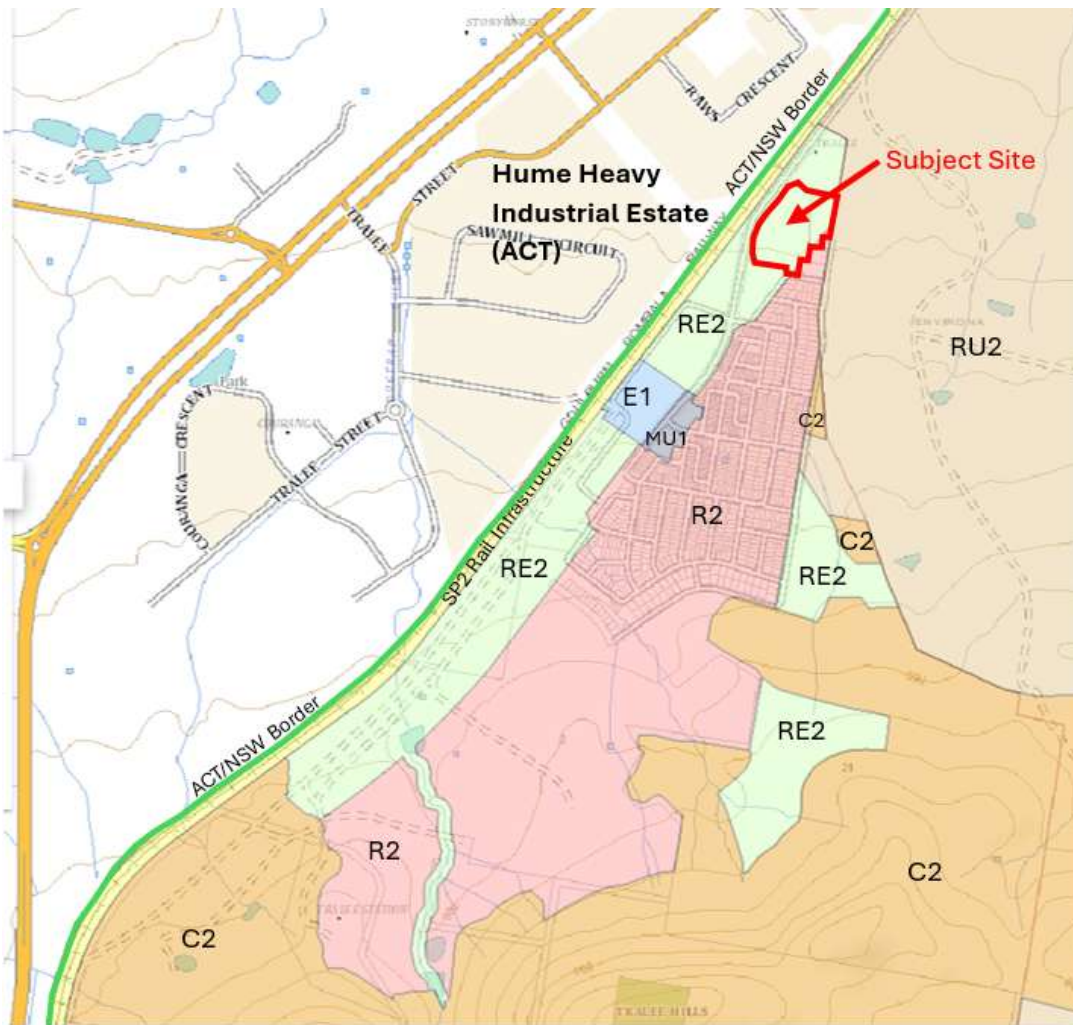


Figure 4 Site context (source: NSW Planning Portal + report author mark up)



Figure 5 Surrounding Development/Built form (Nearmap)

1.5 Mapping

The planning proposal includes mapping showing the zoning, and current and proposed building height and additional permitted uses of the subject land.

However, it is noted that the maps are not adequate for consultation and would require refinement so the site can be easily identified.



Figure 6 Current Additional Permitted Uses Map - Sheet APU_001B

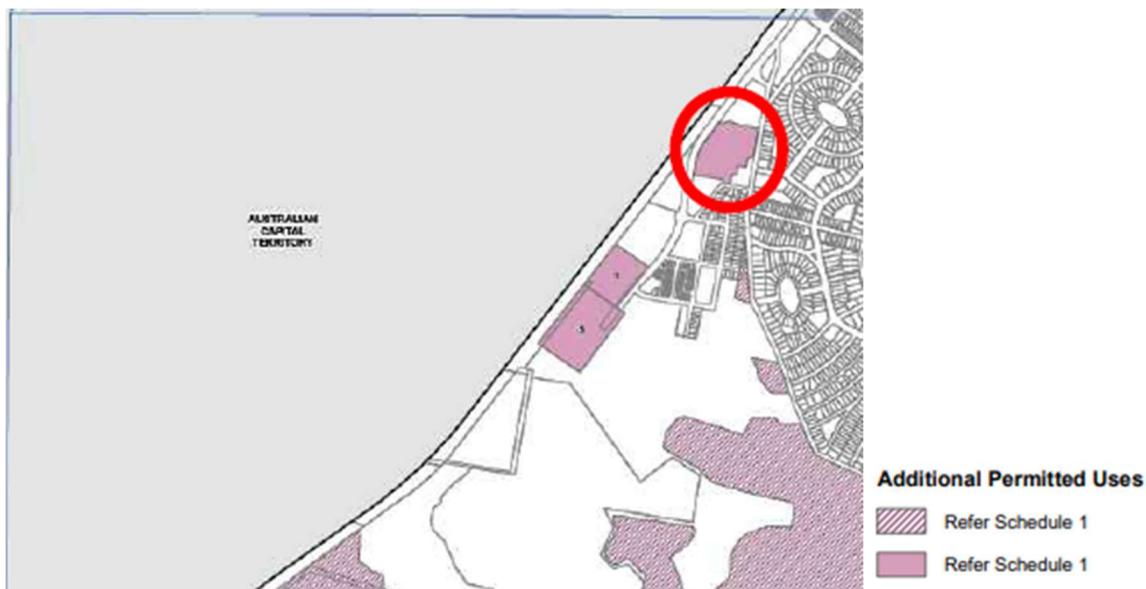


Figure 7 Proposed Additional Permitted Uses Map – Sheet APU_001B (change circled in red)

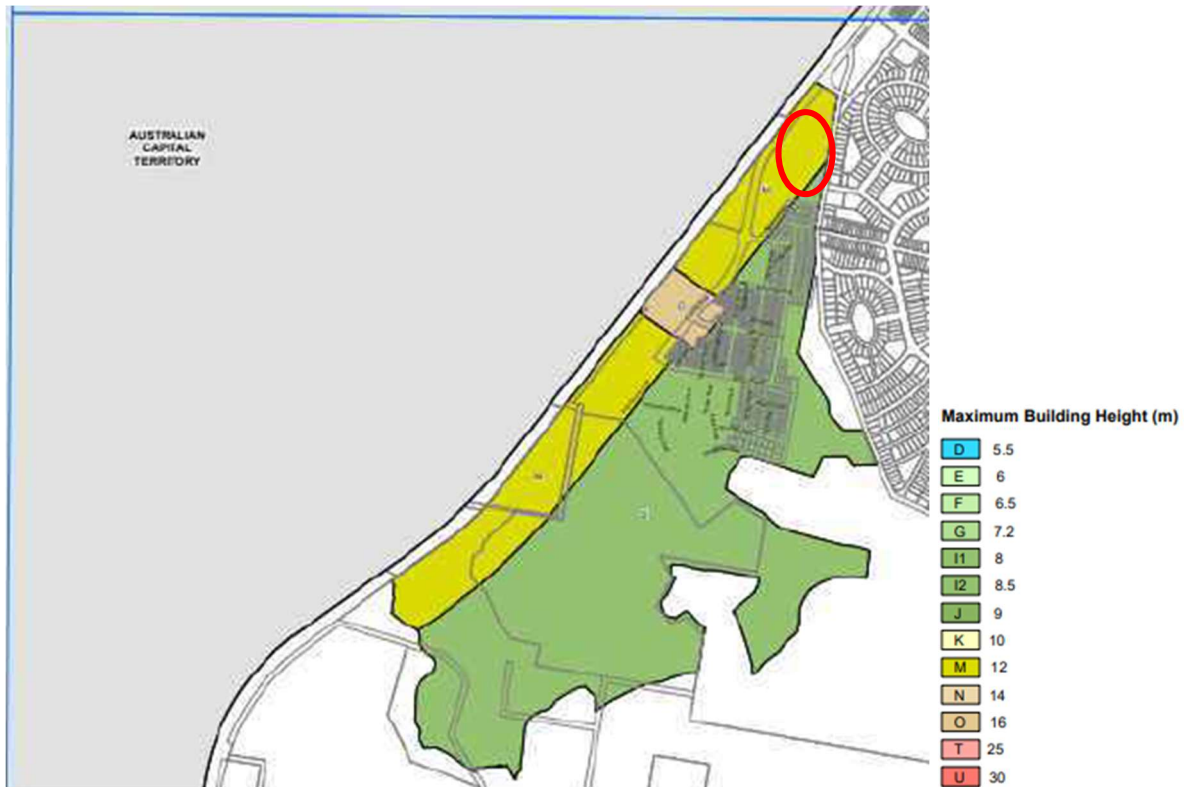


Figure 8 Existing Height of Buildings Map – Sheet HOB_001B

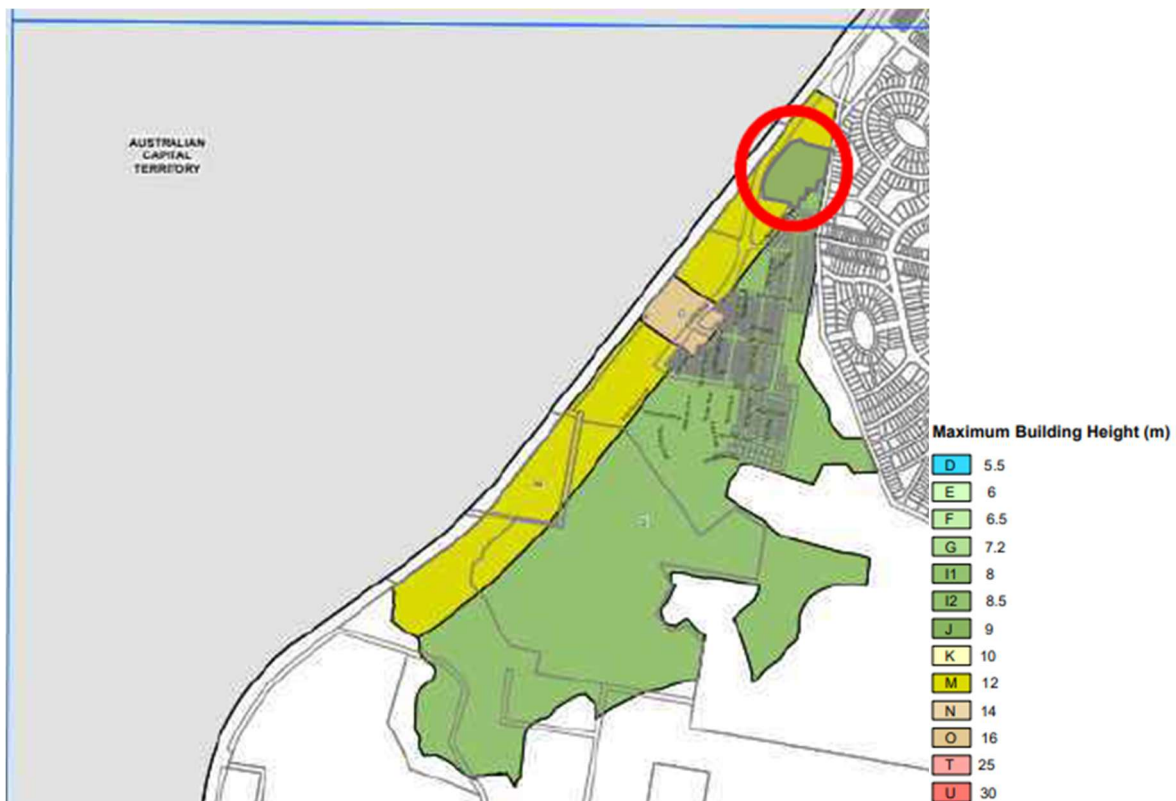


Figure 9 Proposed Height of Buildings Map – Sheet HOB_001B (change circled in red)

2 Need for the planning proposal

The planning proposal is proponent initiated and not the direct result of any specific strategic study or report. The proposal states that it will increase housing opportunities within the local government area, specifically for seniors housing and multi dwelling housing (Infill Affordable) therefore meets the strategic objectives of the Queanbeyan-Palerang Local Strategic Planning Statement (LSPS).

As shown below, the proposed seniors housing and multi-dwelling housing are both prohibited land uses within the applicable RE2 Private recreation zone. As such, a planning proposal is required to permit the proposed uses on the site.

Queanbeyan Palerang Regional LEP 2022

Zone RE2 Private Recreation

1 Objectives of zone

- *To enable land to be used for private open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To protect and enhance the scenic and environmental resources of the land.*
- *To ensure the scale and character of development is compatible with the established land uses of the locality.*

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Building identification signs; Business identification signs; Camping grounds; Car parks; Caravan parks; Centre-based child care facilities; Community facilities; Entertainment facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Function centres; Information and education facilities; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restaurants or cafes; Roads; Take away food and drink premises; Water recreation structures; Water recycling facilities

4 Prohibited

Any development not specified in item 2 or 3

The planning proposal considers additional permitted uses are preferable to achieve the intended outcomes as it would enable the proposed uses but also not allow all land uses permitted within the R2 zone on the subject land.

The R2 zone was not considered suitable to facilitate seniors housing as the site could not meet requirements relating to suitable land grading for senior resident access and proximity to the town centre and bus stops.

The planning proposal also explores the use of clause 5.3 Development Near Zone Boundaries to extend development permitted within 20m of the R2 boundary however this did not result in the intended outcomes. Alternate approval pathways including the SEPP (Housing) 2021 and State Significant Development were also considered, however the existing planning controls do not apply to these pathways.

Department comment

The Department notes that the planning proposal quotes the former B1 Neighbourhood Centre zone which is now known as an E1 Local Centre zone. The E1 zone does not permit multi-dwelling housing but permits shop top housing and remains undeveloped.

Inserting additional permitted uses to the RE2 zone would permit the proposed development but the proposed uses are not compatible with the RE2 zone objectives which do not recognise residential development.

3 Strategic assessment

3.1 Regional Plan

The following tables provide an assessment of the planning proposal against relevant aspects of the South East and Tablelands Regional Plan (2036) and the draft South East and Tablelands Regional Plan 2041.

Table 4 Regional Plan assessment

Regional Plan Objectives	Justification
Direction 22: Build socially inclusive, safe and healthy communities	While the planning proposal can be argued to be partly consistent with this Direction as it would increase housing diversity at a location within the expanding South Jerrabomberra URA, the health and safety impacts of the adjoining industrial uses on future residents need to be thoroughly considered before it can be considered to be consistent.
Direction 24: Deliver greater housing supply and choice	The planning proposal identifies consistency with the following: - Action 24.3 Promote increased housing choice including townhouses, villas and apartment in strategic centres and locations close to existing services and jobs - Action 24.4 – Promote opportunities for retirement villages, nursing homes and similar housing for seniors in local housing strategies. DPHI agrees that the planning proposal seeks to provide increased housing choice/diversity and housing for Seniors within the South Jerrabomberra URA and in this regard, is consistent with this regional plan direction and actions. However, the Direction outlines the importance of local housing strategies in identifying and planning for housing need and that these strategies should be consistent with the Memorandum of Understanding (MOU) between the NSW and ACT Governments. Council's planning report has identified that the proposal is inconsistent with its applicable housing strategies in that: <i>Decisions around the most suitable locations for new housing must consider the compatibility of land uses, as well as the availability of road connections and service infrastructure. Other considerations include protecting areas that contain important resources and minimising the potential for land use conflict.</i> Noting the proximity of the subject site to the ACT Hume Industrial Estate, and that the 250m buffer zone was applied as a result of strategic planning for the South Jerrabomberra URA and aims to address land use conflict by restricting development within the buffer, the proposal is inconsistent with the regional plan in this regard.

Regional Plan Objectives	Justification
	The buffer is further protected via clause 7.19 Development near Hume Industrial Area and Goulburn to Bombala Railway Line and associated map (LOC_001B) in the QPRC LEP 2022. The objective of the clause is to minimise the impact of noise, vibration and other emissions on development near the Hume Industrial Area, and the Goulburn to Bombala Railway Line. Development consent must not be granted unless Council considers: - the impact of noise from nearby land uses, having regard to proposed noise mitigation measures, - the visual impact of the Hume Industrial Area and Goulburn to Bombala Railway Line on the development, - the impact of noise, vibrations and other emissions on the development from nearby industrial land uses and associated activities.
Direction 25: Focus housing growth in locations that maximise infrastructure and services, in particular	Action 25.1 – Focus future settlement to locations that: - Maximise existing infrastructure and services and minimise the need for new services. - Prioritise increased densities within existing urban areas. - Prioritise new release areas that are an extension of existing strategic and local centres. The proposal notes the site will be located within the South Jerrabomberra URA and will utilise existing infrastructure and services which are already in place. DPHI appreciates that the land can be serviced.
Direction 27: Deliver more opportunities for affordable housing	The planning proposal supports the provision of more affordable housing opportunities through the provision of increased housing diversity, supply and a different built form to what is currently available within the south Jerrabomberra URA. It is also proposed that 10% of the multi dwelling housing is affordable housing.

Table 5 Draft Regional Plan assessment

Regional Plan Objectives	Justification
Objective 15: Promote business and employment opportunities in strategic locations	The draft regional plan recognises the South Jerrabomberra Regional Job Precinct as one of five regionally significant employment areas. It identifies for the precinct: <i>opportunities associated with the Poplars innovation precinct, defence, space, cyber-security, information technology and scientific research sectors will grow to leverage access to the ACT through Queanbeyan.</i> It further states that: <i>employment-based land uses, such as manufacturing, industry and research facilities, should be clustered with complementary and similar land uses to protect public amenity and safety.</i> The draft plan contains <i>Strategy 15.4 Support development that is aligned with South Jerrabomberra Regional Job Precinct masterplan.</i> The proposal is not consistent with the draft Regional Plan as it is not aligned with the South Jerrabomberra Regional Job Precinct Master Plan due to the site being located within an open space and recreation corridor which serves as a buffer to the Hume Industrial Estate.

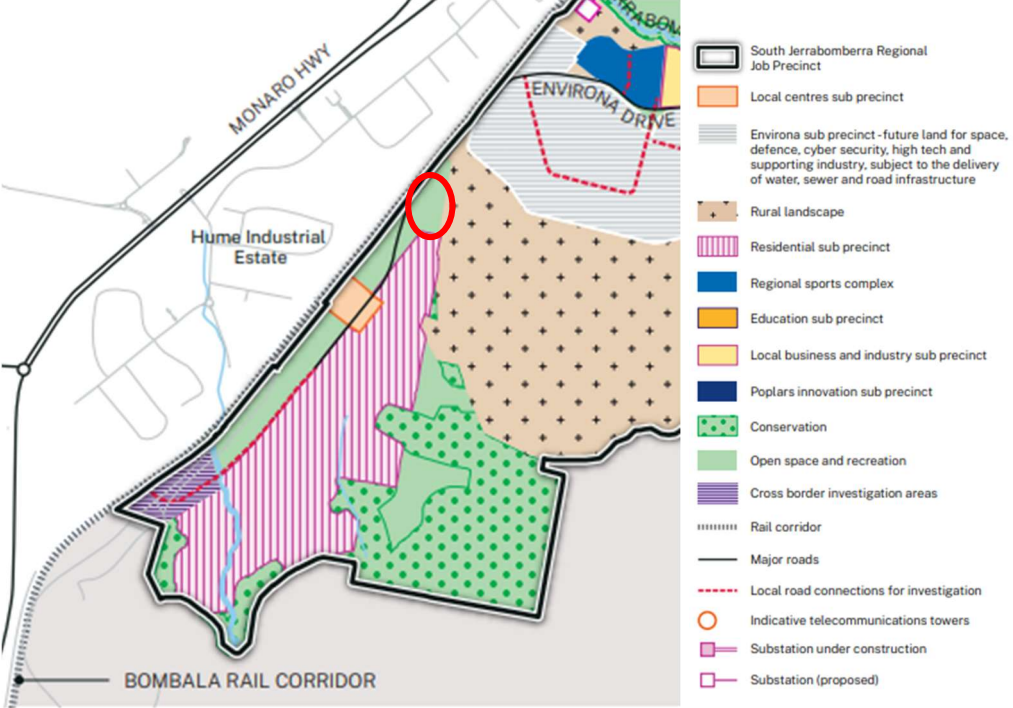
Regional Plan Objectives	Justification
Objective 17: Plan for a supply of housing in appropriate locations	The planning proposal identifies that it is consistent with this objective. However, the site is not considered to be an appropriate location for housing as it is a strategic buffer between residential and industrial development and therefore the planning proposal is inconsistent with the objective. The proposal is also inconsistent with Strategy 17.2 which requires strategic planning and local plans to <i>ensure the potential impacts of existing industrial and agricultural uses, such as on air quality, noise and water quality, are considered when planning for new housing or other sensitive land uses.</i>
Objective 18: Plan for more affordable, low-cost and social housing	The planning proposal identifies that it is consistent with this objective as the planning proposal provides for housing in an appropriate location. Reports have been provided to demonstrate that the potential impacts of the existing industrial zoning in the ACT will be minimal. The location of proposed residential development is not appropriate, being within a strategic buffer between residential and industrial development and therefore the planning proposal is inconsistent with the objective.

3.2 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. DPHI considers the proposal is inconsistent with a number of strategies as shown in the table below:

Table 6 Local strategic planning assessment

Local Strategies	Justification
QPRC Local Strategic Planning Statement (LSPS)	The following LSPS planning priorities apply to the proposal: - Planning Priority 3 – We will continue the ongoing revitalisation of Queanbeyan CBD, suburban centres and rural villages. - Planning Priority 4 – We will promote Queanbeyan-Palerang's identity and the growth of our economy, including tourism as a destination of choice. - Planning Priority 8 – We ensure future planning for the region is well coordinated and provides for its sustainable management. - Planning Priority 11 – We undertake planning to ensure infrastructure is prepared for future growth. DPHI acknowledges that the planning proposal is creating potential for more affordable and diverse housing opportunities in proximity to a growing urban area, and within proximity to an emerging town centre. However, and as identified in the Council report, the planning proposal conflicts with Action 4.8.13 of the LSPS as it places residents within an established buffer area to industry which raises significant concerns from the ACT Government in relation to land use conflict. 4.8.13 <i>Support the provision of adequate buffer areas between the urban areas of the ACT and adjoining land uses within NSW in order to achieve compact and efficient growth, avoid land-use conflict, protect rural and environmentally important areas and maintain the setting and approaches to the nation's capital.</i>

Local Strategies	Justification
QPRC Affordable Housing Strategy 2023	The planning proposal identifies the QPRC Affordable Housing Strategy as being applicable. Whilst the planning proposal seeks to provide a portion of affordable housing and more diverse housing products, it seeks to provide this within a buffer area established to avoid land use conflict with the adjacent Hume industrial area.
South Jerrabomberra Regional Job Precinct Master Plan (2025)	The South Jerrabomberra Regional Job Precinct Master Plan (SJRMP) was finalised in March 2025. As shown in Figure 10 below, the site is located within an open space and recreation corridor which serves as a buffer to the Hume Industrial Estate. The Master Plan states the <i>'corridor of open space separates the South Jerrabomberra Residential sub precinct from the Hume industrial estate to provide a transition from industry to residential and protect residential amenity'</i>. The Hume Industrial Estate contains future high-tech, space, defence, and light industry uses and will be the main emission sources that will impact air quality, odour, and noise for residents in South Jerrabomberra. Air, noise, and odour risk impacts are influenced by the local terrain, wind distribution patterns and flows, and these impacts generally occur closer to the source. The Open Space and Recreation sub precinct acts as the transition and amenity buffer between the industry and residents.  Figure 10 South Jerrabomberra Regional Job Precinct Master Plan Consultation with DPHI State Rezoning team concluded that the proposal does not align with the SJRMP for the following reasons: • The RJP planning process and technical studies did not find the location suitable for residential development due to the proximity of the Hume Industrial Estate in the ACT. • A 250m wide RE2 Private Recreation zoned corridor already existed prior to the SJRMP between industry and resident development to provide transition and amenity. Minor adjustments only to the corridor were made through the SJRMP. • ACT Government submission noted the Estate permits both heavy and hazardous industries. The full development and uses within the estate have not been realised and encroachment by residential development may preclude permitted uses in the future.

Local Strategies	Justification
	- The ACT submission requested a larger 500m buffer. - Clause 7.19 of QPLEP 2022 requires the consent authority to consider the visual and acoustic impacts from nearby industrial land uses and associated activities - Clause 7.27 of QPLEP 2022 requires the consent authority to consider the South Jerrabomberra RJP Master Plan. DPHI considers the proposal to be inconsistent with the recently finalised Master Plan. It would create an undesirable precedent for erosion of the buffer and is likely to result in increased land use conflicts over time.
Queanbeyan City Council Residential and Economic Strategy 2015-2031	The proposal is not strategically supported in the Queanbeyan Residential and Economic Strategy 2031. The Strategy states in relation to South Jerrabomberra “A buffer area will also be required between industrial zoned land in the ACT known as Hume, the railway line and the subject site.”
South Tralee Essential Infrastructure Planning Agreement (2018)	The site is located on land identified as sports field and therefore the proposed residential use of the land is not supported by this agreement.

3.3 Section 9.1 Ministerial Directions

The planning proposal’s consistency with particularly relevant section 9.1 Directions is discussed below:

Table 7 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
1.1 Implementation of Regional Plans	Inconsistency not justified	As outlined earlier in Section 3.1 of this report, the proposal, whilst seeking to provide additional housing diversity/choice, is partly inconsistent with the South East and Tablelands Regional Plan.
4.3 Planning for Bushfire Protection	Yes	Part of the subject land is mapped as bushfire prone. The Scoping proposal consultation with RFS flagged the need for a Bush Fire Report to support the planning proposal. A bushfire report has been prepared to support the proposal and concludes that the land is capable of supporting the built form and complying with the PFBP requirements.
4.4 Remediation of Contaminated Land	Yes	The planning proposal refers to a Remediation Management Plan (2016) prepared to support the South Tralee Residential Development which concludes that the subject land is not considered to involve contamination.

5.1 Integrating Land Use and Transport	Yes	The proposal is not inconsistent with this Direction as it seeks to provide additional housing within close proximity to a developing urban release area. However, there is a current dwelling cap in place for the URA until a second road access is identified/constructed. The additional 200 dwellings proposed would have implications on the development of existing zoned residential areas until the dwelling cap is removed.
6.1 Residential Zones	Yes	The objectives of this direction are to: (a) encourage a variety and choice of housing types to provide for existing and future housing needs, (b) make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) minimise the impact of residential development on the environment and resource lands The planning proposal is consistent as it proposes to increase supply of seniors and multi-dwelling housing within South Jerrabomberra URA.
7.1 Employment Zones	Not relevant – but inconsistent	While this Direction is not applicable to the proposal as it does not relate to the zones identified in the Direction, it is noted that the Direction contains the following objectives: (a) encourage employment growth in suitable locations, (b) protect employment land in employment zones, These objectives are not met by the proposal as the ACT has identified the Hume Industrial Estate as being suitable for employment growth and as the proposal does not seek to protect this employment land, rather it seeks to allow a sensitive use within the buffer.

3.4 State environmental planning policies (SEPPs)

The planning proposal is consistent with relevant SEPPs.

The planning proposal notes that Clause 4.6 of SEPP (Resilience and Hazards) requires the consideration of land contamination in any subsequent development application/assessment process. Further, it notes consistency as contamination reports and subsequent remediation of lands were undertaken as part of the South Jerrabomberra URA works.

3.5 Environmental

The planning proposal concludes that the proposal is unlikely to trigger any additional adverse environmental impacts and is supported by a number of studies including ecology, noise, air quality, aboriginal heritage, bushfire and visual impacts.

The following table provides an assessment of the potential environmental impacts associated with the proposal.

Table 9 Environmental impact assessment

Environmental Impact	Assessment
Noise	The acoustic report supporting the proposal concludes that the relevant noise standards are achieved within the Hume Industrial Estate, and associated noise levels at the subject site comply without requiring additional acoustic upgrades for subsequent building construction. However, the report notes that: <i>‘Activities within the Hume Industrial Precinct and vehicles on the surrounding road network are the dominant sources of permanent noise in the area.’ And that ‘The assessment has only considered the current environment in the vicinity of the noise monitoring locations and not any potential noise emissions associated with future activity that would occur as operations at the industrial expands. Noise from future industrial operations within the Hume Industrial Precinct would be required to comply with the ACT zone noise standards including those at the NSW Land.’</i> It is understood that the intention of the buffer is to ensure that there is an acceptable level of amenity between sensitive land uses (including residential) and the industrial activities into the future noting that these uses will change over time and may intensify.
Air Quality / Odour	The proposal is supported by an Air Quality / Odour Assessment Report, which notes that the Downer Asphalt Plant and Capital Asphalt plant in the adjoining Hume Industrial Area in the ACT are the key existing risk to air quality/odour within proximity to the subject land. The Council planning report notes concerns around the reporting times and methodology, as well as outlining only current land uses are considered. The potential future land uses permissible within the heavy industrial zone also need to be considered. DPHI notes the concerns raised by ACT Govt during the scoping proposal stage, regarding the development for residential purposes within the buffer area (250m) to the Hume Industrial Area as it risks exposing future residents to negative health and amenity impacts, as well as impacting on land uses within the Hume Industrial Area.
Visual Impacts	The Visual Impact Analysis supporting the planning proposal concludes that there is existing planting providing sufficient visual screening of the Hume Industrial Area.
Aboriginal Cultural Heritage	The planning proposal includes reference to an Aboriginal Cultural Heritage Study which concludes that the subject site does not involve cultural significant aboriginal heritage.

In relation to noise and air quality/odours, it is clearly not possible to foresee and understand the potential impacts on residents from all future industrial uses that may occur adjoining the site.

The buffer currently in place seeks to address this issue and provides a level of protection through physical separation between land uses which the proposal would erode.

3.6 Social and economic

The following table provides an assessment of the potential social and economic impacts associated with the proposal.

Table 10 Social and economic impact assessment

Social and Economic Impact	Assessment
Town centre viability	The proposal notes that an increase in residents living in proximity to the town centre will support the local economy. While this is the case, there is also the opportunity under the current recreational zoning to attract large numbers of visitors to the site, as it permits a range of commercial and recreational opportunities.
Land use conflict	The proposal seeks to permit residential land uses within a recreational zone. The recreational zone was established through strategic planning as a buffer zone between residential land uses and the operations of the Hume Industrial Estate in the ACT. The ACT Government has raised significant concerns regarding the potential limitation on existing, and future land uses within the industrial area, and the amenity of future residents should residential development be allowed within this established buffer zone.
Employment	The proposal discusses the positive economic impact of the additional short-term jobs in the local building/construction industry.

3.7 Infrastructure

The planning proposal discusses how resultant multi dwelling and seniors housing developments will include the provision of utilities including sewer and water services, electrical and communications infrastructure. It outlines how existing services are available for connection to the subject site, and that the potential development yield is accounted for under the overall dwelling cap for South Jerrabomberra. The proposal concludes that there is adequate public infrastructure available, and that it is not expected to require the provision of, or increase the demand for, public facilities and services.

Further, the proposal notes an existing State Planning Agreement that covers the South Jerrabomberra URA (SJURA), and how the proponent intends that this agreement will be applied to the subject site.

DHPI notes concerns raised in the Council report regarding this planning proposal, particularly in relation to the 1500 dwelling cap that is applied to the SJURA due to traffic constraints, and notes that the 200 dwellings proposed will reduce the development potential of existing, undeveloped R2 zoned land within the URA by 200 dwellings until a second access road is able to be achieved into the ACT. As such, while a different form of residential development is proposed, more dwellings will not result from the proposal due to the cap.

4 Consultation

4.1 Community

The planning proposal is not being recommended to proceed to a community consultation.

4.2 Agencies

The planning proposal is not recommended to proceed to agency consultation.

4.2.1 ACT Government comments

A scoping proposal was referred to ACT Government agencies for comment ahead of the planning proposal being lodged and considered by Council. The ACT Government does not support the proposal and raises significant concerns which remain unresolved.

The ACT emphasizes the need for a continuous buffer along the ACT-NSW border to protect residents from the impacts of industry. Heavy industry is permitted in Hume and any residential development within the 250 meter wide buffer could result in negative health impacts and compromise the future functionality of the industrial area.

The Hume industrial area is the only one of its kind in the ACT and the employment and economic contribution to the ACT and the broader capital region is significant.

The proposal would be inconsistent with ACT Separation Distance Guidelines for Air Emissions being 1000m. The proposal would be within the 1000m separation distance requirement, with specific reference to an existing asphalt plant. The ACT EPA stated that it receives complaints related to odour from residents in relation to the asphalt plants and facilities at Hume.

The proposal creates an undesirable precedent of allowing sensitive uses within a designated buffer area.

5 Timeframe

No timeframe is required as the planning proposal is not being recommended to proceed.

6 Local plan-making authority

The planning proposal is not recommended to proceed and therefore nomination of a local plan-making authority is not required.

7 Assessment summary

The RE2 zone has been strategically applied and in place for some time to restrict sensitive land uses in proximity to the Hume Industrial Estate. It aims to reduce the potential for land use conflict and to protect the operation of a significant industrial area, which includes heavy industries.

The planning proposal is not supported for the following reasons:

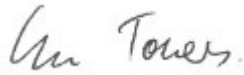
- The planning proposal is inconsistent with the local and regional strategic planning
- The proposal does not demonstrate that it is compatible with the existing and future functioning of the Hume Industrial Area.
- Residential development as proposed does not align with the zone objectives of the RE2 Private Recreation zone within the QPRC LEP 2022.
- The proposal sets an undesirable precedent for proposals for other sensitive uses within the buffer area that would erode the effectiveness of the buffer.

The housing benefits of the proposal are acknowledged. However, other housing opportunities exist at South Jerrabomberra. Significant employment opportunities and industrial land supply exist within the Hume Industrial Estate which must be protected. The proposal does not demonstrate that it will not result in land use conflicts with Hume Industrial Estate into the future.

Should Council wish to pursue permitting residential or other land uses not currently permissible within the RE2 zoned buffer area, a strategic review of the entire buffer area should be undertaken in consultation with and agreed to by the ACT Government.

8 Recommendation

It is recommended the delegate of the Minister determine that the planning proposal should not proceed for the reasons outlined above.



10/10/25

Graham Towers

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21/10/2025

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