



IRF25/1136

Gateway determination report – PP-2025-792

Queanbeyan Palerang Housekeeping Amendment

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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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1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Queanbeyan Palerang
PPA	Queanbeyan Palerang Regional Council
NAME	Queanbeyan Palerang Housekeeping Amendment
NUMBER	PP-2025-792
LEP TO BE AMENDED	Queanbeyan Palerang LEP 2022
ADDRESS	Various Locations
DESCRIPTION	Various Lots
RECEIVED	28/04/2025
FILE NO.	IRF25/ 1136 EF25/6402
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:

- Address various minor administrative errors and anomalies relating to land zoning and associated planning controls and maps.
- Update Schedule 5 (Environmental heritage) heritage item descriptions generally as a result of subdivisions changing the property description or area affected,
- Introduce a new aim for the LEP relating to climate change resilience.
- Add a land use (Street Art) to Schedule 2 (Exempt development).

The objectives of this planning proposal are clear and adequate.

1.3 Explanation of provisions

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

- Amend Clause 1.2 Aims of Plan to include to ensure development reduces human influence on the climate and consider the impacts of climate change

- Amend Schedule 2 (Exempt Development) to allow ‘Street art’ and include to a range of matters for consideration
- Amend Schedule 5 (Environmental heritage) and associated maps
 - o I140 – Amend property description from Lots 32 and 34 Section 5 DP758152 to Lot 35 Section 5 DP758152 and Part Lot 32 Section 5 DP758152 and update Heritage mapping accordingly.
 - o I163 – Amend property description from Lot 1 714762 to Lot 2 DP1271457 and update Heritage mapping accordingly.
 - o I183 – Amend property description from Lot 14, Section 1, DP758183 to Lot 1 DP1275589 and update Heritage mapping accordingly.
 - o I185 – Amend property description from Lot 1 DP827246 to Lot 2 DP1275589 and update Heritage mapping accordingly.
 - o I209 – Amend property description from Lot 10 DP758183 to Lot 2 DP1274294 and update Heritage mapping accordingly.
 - o I263 – Amend property description from Railway Land adjacent to Lots 155, 194 and 319 DP754870, Lot 1 DP189797, Lot 1 DP36902 to Lot 4425 DP1217100. The address is also to be updated from 1 Captains Flat Road, Captains Flat to 3 Copper Creek Road, Captains Flat, and update Heritage mapping accordingly.
 - o I423 – Remove the heritage listing from Schedule 5 and remove associated mapping
 - o I347 – Amend associated map to correctly identify the location of the item
- Correct the zoning for 4161 Kings Highway, Monga (Lot 5 DP755948) from C1 (National Parks and Nature Reserves) to RU1 (Primary production) and amend the respective Lot size and Secondary dwelling and dual occupancy maps accordingly
- Rezone land at Kings Highway, Monga including Lot 2 DP791798, Lots 16, 17, 18, 22, 23, 29, 30 and 31 DP755948 from RU1 (Primary Production) to C1 (National Parks and Nature Reserves) and amend respective Lot size, Height of Buildings and Secondary Dwelling and Dual Occupancy maps accordingly.
- Schedule 1 (Additional Permitted Uses)
 - o Item 12 – Amend the property address from Lot 3 DP827344 Lot 3 1289562.
 - o Item 14 – Amend the Property description from part of Lot 1 DP1263364 Lanyon Drive, Jerrabomberra to Part of Lot 1 DP1281781 and Lot 2 DP1277158.

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

1.4 Site description and surrounding area

The planning proposal is a ‘housekeeping’ amendment involving a range of relatively minor amendments, and also the introduction of a new Aim and within the LEP. Therefore, the planning proposal applies broadly to the entire Queanbeyan Palerang LGA as well as a number of site-specific amendments as described in the provisions above.

1.5 Mapping

The planning proposal includes mapping showing the proposed changes to the Heritage, Land zoning, Minimum lot size, Height of building and Secondary dwelling/dual occupancy maps. These maps are considered suitable for community consultation. Council will need to generate LEP standard mapping ahead of finalising the subsequent LEP amendment should it proceed.

2 Need for the planning proposal

The planning proposal states that the proposal is generally not based on the results of any endorsed LSPS, strategic study or report except the proposed additional LEP aim resulting from the Council’s recently adopted Climate Change Resilience Policy. The proposal has primarily been

prepared considering the operational needs of the QPRLEP 2022 and is the result of numerous minor administrative anomalies and including errors following subdivision of land with heritage items and registration of land titles.

DPHI acknowledges that the proposed amendments are largely administrative and seek to correct incorrect address details, rectify zoning anomalies associated with national parks and to implement a new aim derived from a Council strategic initiative. A housekeeping planning proposal is considered the best and only means to achieve the intended objectives/outcomes.

3 Strategic assessment

3.1 Regional Plan

The following table provides an assessment of the planning proposal against relevant aspects of the South East and Tablelands Regional Plan 2036 (SETRP 2036) and Draft SETRP 2041.

The planning proposal identifies that it is generally consistent with the following Directions/Actions in the SETRP 2036, in particular:

Direction 9 – Grow Tourism in the Region

Direction 17 Mitigate and Adapt to Climate Change

- Action 17.2 Support councils to assess and respond to impacts and opportunities with a changing climate

Direction 23 – Protect the region's heritage

- Action 23.3 Conserve heritage assets during local strategic planning and development.

DPHI affirms that the proposal, largely administrative and minor, is not inconsistent with the SETRP 2036, nor the Draft SETRP 2041.

3.2 Local

The proposal states that it is not the result of any local plans and endorsed strategies, however is also consistent with the strategic direction and objectives of Council's Local Strategic Planning Statement's (LSPS) planning priorities listed below:

- Planning Priority 1 – We build on and strengthen our community and cultural life and heritage
- Planning Priority 3 – We will continue the ongoing revitalisation of the 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 the future planning for the region is well coordinated and provides for its sustainable management.
- Planning Priority 12 – Our Council is efficient, innovative and actively seeking to partnership to deliver outcomes to the community.

Further, the proposal outlines consistency with the Council's Community Strategic Plan 2042, specifically in areas of culture and the arts, heritage conservation, climate change and resilience.

DPHI considers the minor amendments proposal to be consistent with Council strategic planning.

3.3 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below where required:

Table 7 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
3.1 Conservation Zones	No	<p>The planning proposal involves the rezoning of land at Lot 5 DP755948 4161 Kings Highway Monga, currently zoned C1 (National Parks and Nature Reserves). The inconsistency is considered minor/justified as the land is privately owned and was incorrectly zoned as a National Park and this proposal to rezone the land to RU1 consistent with surrounding privately owned land. Simultaneously the applicable lot size, and secondary dwelling dual occupancy maps will be amended accordingly. The land has mapped environmental constraints, and these will be retained under the LEP.</p> <p>The DPHI considers the inconsistency with this Direction to be justified as of minor significance for the reasons stated above.</p>
3.2 Heritage Conservation	Yes	<p>The planning proposal involves amendments of heritage maps and heritage item descriptions in Schedule 5 following subdivisions and or to correct errors.</p> <p>DPHI considers that the proposal is consistent with this Direction.</p>
4.1 Flooding	Yes	<p>The planning proposal applies to land subject to flooding.</p> <p>DPHI acknowledges the largely administrative nature of the proposed amendments, the proposal is considered consistent with this Direction.</p>
4.3 Planning for Bushfire Protection	To be determined after consultation with RFS	<p>The planning proposal involves the rezoning of land from C1 to RU1 and other proposed provisions likely subject to bushfire risk. Whilst the rezoning is not likely to see a change in land use, consultation with the RFS is required to satisfy the Direction.</p> <p>A condition is to be placed on the Gateway Determination requiring consultation with the NSW RFS in accordance with the Direction prior to community consultation.</p>
9.2 Rural Land	Yes	<p>The planning proposal involves the rezoning of land at Lot 2 DP791798 Kings Highway, Monga from RU1 Primary Production to C1 National Parks and Nature Reserves.</p>

	<p>NSWNPWS advised Council that the land is in their ownership and was reserved on 3 December 2021 as part of the Budawang National Park.</p> <p>DPHI considers that the proposal is consistent with this Direction in this regard.</p>
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3.4 State environmental planning policies (SEPPs)

A number of SEPPs apply to land subject to this planning proposal. Noting the minor nature of the changes proposed by Council, it is not considered that the outcomes of the planning proposal will have any impact on the operation of applicable SEPPs as they relate to any future development on land subject to this planning proposal.

4 Site-specific assessment

4.1 Environmental

Apart from Item number 11 identified in the planning proposal (Rezone land from C1 to RU1), the plan represents largely administrative changes, and in this regard no Environmental impacts are foreseen.

The rezoning relates to private land that is incorrectly zoned as a National Park. The rezoning seeks to zone the land according to its ownership and consistent with the other private land holdings in the vicinity. It is not anticipated that this will create any adverse impacts on the environment and other provisions within the LEP relating to environmental protection continue to operate and apply regarding future land use and managing environmental impacts.

4.2 Social and economic

The proposal largely represents administrative changes only to the LEP and is unlikely to cause any adverse social or economic impacts. The accurate recording of heritage conservation items in Schedule 5, correct application of national park zones and the inclusion of a new LEP Aim to support climate change resilience is considered to have positive social impacts.

Further, the proposal seeks to formalise street art as exempt development, and when undertaken with permission from the land owner. This provision will contribute to the social values of the community and improved public spaces and amenity.

4.3 Infrastructure

Noting the nature of the proposed amendments to the LEP, the provision of local and or state infrastructure is not considered relevant to this proposal.

5 Consultation

5.1 Community

Council proposes a community consultation period of 28 days.

The exhibition period proposed is considered appropriate, and forms to the conditions of the Gateway determination.

5.2 Agencies

Council has noted previous consultation public agencies including Crown Lands and NSW NPWS and nominated them to be consulted about the planning proposal.

It is recommended the following agencies be consulted on the planning proposal and given 30 working days to comment:

- Heritage NSW
- NSW National Parks and Wildlife Service
- NSW RFS

6 Timeframe

Council proposes a 6 month time frame to complete the LEP.

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as a basic

The Department recommends an LEP completion date of 16 January 2026 in line with its commitment to reducing processing times and with regard to the benchmark timeframes. A condition to the above effect is recommended in the Gateway determination.

It is recommended that if the gateway is supported it is accompanied by guidance for Council in relation to meeting key milestone dates to ensure the LEP is completed within the benchmark timeframes.

7 Local plan-making authority

Council has advised that it would like to exercise its functions as a local plan-making authority.

As the site/planning proposal is considered to be a relatively minor housekeeping amendment, the Department recommends that Council be authorised to be the local plan-making authority for this proposal.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- The planning proposal generally includes a range of administrative changes to the LEP to update heritage listings with accurate property description information.
- to appropriately align land zonings with land ownership/land use,
- to introduce a new LEP aim to further consider climate change and resilience
- The proposal is generally consistent with all relevant strategic planning documents

9 Recommendation

It is recommended the delegate of the Secretary:

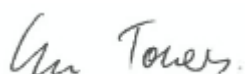
- Agree that any inconsistencies with section 9.1 Directions 3.1 Conservation Zones is minor/justified
- Note that the consistency with section 9.1 Directions 4.3 Planning for Bushfire Protection is unresolved and requires consultation with the NSW RFS Commissioner prior to community consultation to satisfy the Direction.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to conditions.

The following conditions are recommended to be included on the Gateway determination:

1. Prior to community consultation, consultation is required with the following public authorities:
 - NSW RFS
2. Consultation is required with the following public authorities:
 - Heritage NSW
 - NSW National Parks and Wildlife Service
3. The planning proposal should be made available for community consultation for a minimum of 20 working days.

Given the nature of the planning proposal, it is recommended that the Gateway authorise council to be the local plan-making authority and that an LEP completion date of 16 January 2026 be included on the Gateway.



27/5/25

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