

16 November 2015

Ms Linda Davis
Acting General Manager
Southern Region
NSW Planning & Environment
P O Box 5475
Wollongong NSW 2520

Dear Ms Davis

RE: Pre-Gateway Review – PGR_2015_Quean_001_00

I refer to your correspondence of 26 October 2016 regarding the above request for a Pre-Gateway Review and thank you for the opportunity to comment.

Council has considered a rezoning proposal for the subject land (known as 3R Kavanagh Street, Jerrabomberra) on three occasions over the last seven years, and having had regard to relevant planning matters on each occasion, decided not to progress a formal planning proposal for the site.

A rezoning proposal was initially considered in 2008 as part of the preliminary community consultation undertaken during the development of *Queanbeyan Local Environmental Plan 2012*. At that time, Council undertook a series of inspections and workshops in respect of land proposed for rezoning, including the subject site, and determined at that time the land was not suitable for rezoning as proposed, primarily due to the environmental values associated with the site.

In 2009 further correspondence was received from the proponent requesting Council reconsider the matter. The Council's Strategic Planning Team determined that no new information had been provided since the previous request and the proponent was advised a formal planning proposal would not be progressed.

A further submission was received in respect of rezoning the site in December 2014. This was reported to the Council at its meeting of 17 December 2014 where the Council resolved the matter should not proceed to a planning proposal, again primarily due to the sites environmental constraints. A copy of the minutes of that meeting are attached.

The previous applications to rezone this land have not been supported for a variety of strategic and environmental reasons. These are summarised below:

1. The proposal is not consistent with the *Sydney-Canberra Corridor Regional Strategy 2006-31* which encourages the retention of highly attractive scenic landscapes. Although the pre-Gateway proposal indicates that the rezoning will allow for limited development of the site in a site responsive manner, the proposal will result in a loss of a scenic high amenity area.
2. The rezoning enquiry is not consistent with the *Queanbeyan Tomorrow Community Vision 2021*. One of the aims of the Vision is to minimise the impact of urban development on natural areas and to ensure that these are sensitive to the natural topography (including scenic qualities) with the goal to strengthen areas where no or limited development is allowed. This was arrived at after extensive community consultation and was again confirmed when the Vision was revisited with further public consultation in 2011.
3. The site is highly visible forming an important wooded ridgeline and backdrop to many residents of both Queanbeyan and the ACT and can be viewed from both the east and west of the City. These objectives are reiterated in the endorsed *Queanbeyan Residential and Economic Strategy 2031*.
4. The proposed rezoning is inconsistent with Section 117 Directions 2.1 Environmental Protection Zones in that the proposed rezoning would reduce the environmental protection standards that apply to the land in a manner that is neither consistent with an endorsed strategy/study or of a minor nature. The proposed rezoning would result in land currently zoned E2 Environmental Conservation being rezoned to E4 Environmental Living thus lowering the environmental protection standards applying to the land. Section 117 Direction 3.1 Residential Zones also states that draft LEPs should make efficient use of existing infrastructure and services and reduce the consumption of land for housing on the urban fringe. The site is located on the rural urban fringe and the topography of the site will make servicing the site difficult.
5. Council previously considered a rezoning request for this site when *Queanbeyan Local Environmental Plan 2012* was being drafted. Whilst the applicants submit that the site is of low ecological value, the site has high scenic value and is part of an important biodiversity corridor. With appropriate land management practices put in place the site can be improved and so maintain an important ecological part of Queanbeyan's bushland and the iconic Mount Jerrabomberra.
6. The site will be difficult to service due to the topography. Preliminary comments from Council's Development Infrastructure Directorate confirms previous advice stating that access from Southbar Road is not supported and the site, whilst serviceable, may prove difficult and costly to economically service. Natural flow paths would need to be maintained on the site or at least demonstrated that they can be diverted with no impact to existing flow paths and/or related ecological damage.
7. There is a real possibility that if supported, other nearby landowners of undeveloped and largely vegetated lands would seek to use development on this site as an argument to allow development of other private lands. Representations to this effect were made as part of submissions into *Queanbeyan Local Environmental Plan 2012*.
8. The site is part of an old paper subdivision within a highly visible and naturally vegetated area of Queanbeyan. There is another paper subdivision in Queanbeyan known as Curtis Estate (with in excess of 600 lots created in the 1920's) of similar visibility and bushland character. Any development of the subject land could be seen as a precedent for development of land at Curtis Estate. Similar to the subject site, Curtis Estate was considered in the context of *Queanbeyan Local Environmental Plan 2012* and subject to various enquiries and discussions over the years in regard to a possible planning proposal to allow development.

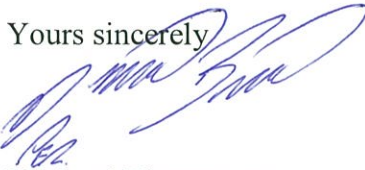
Development of the subject site would be a precedent for the development Curtis Estate and other privately owned lands currently zoned E2 Environmental Conservation, and considered unsuitable for development.

Council at its recent Planning and Development Review Committee meeting of 11 November 2015 unanimously resolved to make a strong submission in respect of the Pre-Gateway Review supporting its previous opposition to any rezoning of the subject lands for residential development. At this meeting Council also requested that any submission raise the issue of the potential precedent that any rezoning of the subject site would have on other similar privately owned land.

It is also noted the Department is seeking further information from the applicant. Council would request access to this additional information to inform any future submission to the Joint Regional Planning Panel (JRPP) on this matter. If this matter proceeds to the JRPP for determination, Council would also request an opportunity to make a further verbal submission to expand on the points raised in this letter.

Please contact Mr David Carswell, Executive Manager – Strategic Planning on (02) 6285 6276 if you wish to discuss this matter in the meantime.

Yours sincerely



Michael Thompson

Director

Environment, Planning & Development

- Enc:
1. Council Report and Minutes 17 December 2014
 2. Attachments and Photos 17 December 2014