



New South Wales

# **Queanbeyan Local Environmental Plan (South Tralee) 2012 (Amendment No 3)**

under the

**Environmental Planning and Assessment Act 1979**

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

**DAVID CARSWELL, SERVICE MANAGER, LAND USE PLANNING,  
QUEANBEYAN PALERANG REGIONAL COUNCIL**  
As delegate for the local plan-making authority

## **Queanbeyan Local Environmental Plan (South Tralee) 2012 (Amendment No 3)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of Plan**

This Plan is *Queanbeyan Local Environmental Plan (South Tralee) 2012 (Amendment No 3)*.

### **2 Commencement**

This Plan commences on the day on which it is published on the NSW legislation website.

### **3 Land to which Plan applies**

This Plan applies to the land to which *Queanbeyan Local Environmental Plan (South Tralee) 2012* applies.

### **4 Maps**

The maps adopted by *Queanbeyan Local Environmental Plan (South Tralee) 2012* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this Plan.

### **5 Maps under Queanbeyan Local Environmental Plan 2012**

The maps adopted by *Queanbeyan Local Environmental Plan 2012* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this Plan.

## **Schedule 1      Amendment of Queanbeyan Local Environmental Plan (South Tralee) 2012**

**[1]    Clause 1.1 Name of Plan**

Omit “(South Tralee)”. Insert instead “(South Jerrabomberra)”.

**[2]    Clauses 1.2 (1), (2) (b) and (c) and 5.10 (1) (a)**

Omit “South Tralee” wherever occurring. Insert instead “South Jerrabomberra”.

**[3]    Clause 1.2 (2) (a)**

Omit “to rezone certain land at South Tralee”.

**[4]    Clause 1.2 (2) (a)**

Insert “within South Jerrabomberra” after “urban development”.

**[5]    Clause 1.2 (2) (g)**

Insert after clause 1.2 (2) (f):

- (g) to ensure development does not exceed the capacity of infrastructure to service the land.

**[6]    Clause 2.1 Land Use Zones**

Omit “R1 General Residential”. Insert instead “R2 Low Density Residential”.

**[7]    Land Use Table**

Omit the matter relating to Zone R1 General Residential.

**[8]    Land Use Table, Zone R2**

Insert in appropriate order in the Land Use Table:

### **Zone R2 Low Density Residential**

**1    Objectives of zone**

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that infrastructure can adequately service proposed residential development in the area.

**2    Permitted without consent**

Home occupations

**3    Permitted with consent**

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Caravan parks; Centre-based child care facilities; Community facilities; Dwelling houses; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Home industries; Information and education facilities; Jetties; Moorings; Neighbourhood shops; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities

(outdoor); Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Water recreation structures; Water reticulation systems

#### **4 Prohibited**

Any development not specified in item 2 or 3

#### **[9] Clause 4.1A Exceptions to minimum subdivision lot size**

Omit the clause.

#### **[10] Clause 7.6**

Insert after clause 7.5:

#### **7.6 Riparian land and watercourses**

- (1) The objective of this clause is to protect and maintain the following:
  - (a) water quality within watercourses,
  - (b) the stability of the bed and banks of watercourses,
  - (c) aquatic and riparian habitats,
  - (d) ecological processes within watercourses and riparian areas.
- (2) This clause applies to all of the following:
  - (a) land identified as “Riparian land” on the Riparian Lands and Watercourses Map,
  - (b) land identified as “Watercourse” on that map,
  - (c) all land that is within 40 metres of the top of the bank of each watercourse on land identified as “Watercourse” on that map.
- (3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider:
  - (a) whether or not the development is likely to have any adverse impact on the following:
    - (i) the water quality and flows within the watercourse,
    - (ii) aquatic and riparian species, habitats and ecosystems of the watercourse,
    - (iii) the stability of the bed and banks of the watercourse,
    - (iv) the free passage of fish and other aquatic organisms within or along the watercourse,
    - (v) any future rehabilitation of the watercourse and riparian areas, and
  - (b) whether or not the development is likely to increase water extraction from the watercourse, and
  - (c) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:
  - (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
  - (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or

- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

**[11] Schedule 1 Additional permitted uses**

Omit clause 2.

**[12] Dictionary**

Omit “(South Tralee)” wherever occurring in the definitions of *Floor Space Ratio Map*, *Height of Buildings Map*, *Heritage Map*, *Land Application Map*, *Land Reservation Acquisition Map*, *Land Zoning Map*, *Local Clauses Map*, *Lot Size Map* and *Urban Release Area Map*.

Insert instead “(South Jerrabomberra)”.

**[13] Dictionary**

Insert in alphabetical order:

*Riparian Lands and Watercourses Map* means the Queanbeyan Local Environmental Plan (South Jerrabomberra) 2012 Riparian Lands and Watercourses Map.