



New South Wales

Queanbeyan Local Environmental Plan (Poplars) 2013 (Amendment No 1)

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*.

GRAHAM TOWERS

As delegate for the Minister for Planning and Public Spaces

Queanbeyan Local Environmental Plan (Poplars) 2013 (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Queanbeyan Local Environmental Plan (Poplars) 2013 (Amendment No 1)*.

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 following land—

- (a) Ferdinand Lane, Jerrabomberra, being Lots 1–5, DP 1246134,
- (b) Lanyon Drive, Jerrabomberra, being—
 - (i) Lot 2, DP 338637, and
 - (ii) Lot 1, DP 399170, and
 - (iii) Lot 3, DP 819333, and
 - (iv) Lot 12, DP 1135538, and
 - (v) Lot 1, DP 1126721, and
 - (vi) Lot 1, DP 1263364,
- (c) Tompsitt Drive, Jerrabomberra, being—
 - (i) Lot 1, DP 1243031, and
 - (ii) Lot 6, DP 1246134,
- (d) Alderson Place, Tralee, being—
 - (i) Lots 3 and 6, DP 239080, and
 - (ii) Lot 1, DP 313299, and
 - (iii) Lot 1, DP 323002, and
 - (iv) Lot 1, DP 333443.

4 Maps

The maps adopted by *Queanbeyan Local Environmental Plan (Poplars) 2013* 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 (Poplars) 2013

[1] Clause 1.1 Name of Plan

Omit “(Poplars)”. Insert instead “(West Jerrabomberra)”.

[2] Clause 1.2(1)

Omit “known as “The Poplars””. Insert instead “at West Jerrabomberra”.

[3] Clause 1.2(2)(a)

Omit “The Poplars” wherever occurring. Insert instead “West Jerrabomberra”.

[4] Clauses 1.2(2)(b) and (c)

Omit “Poplars” wherever occurring. Insert instead “West Jerrabomberra”.

[5] Clause 2.1 Land use zones

Insert in appropriate order—

Rural Zones

RU2 Rural Landscape

Industrial Zones

IN2 Light Industrial

[6] Land Use Table, Zone RU2

Insert in appropriate order in the Land Use Table—

Zone RU2 Rural Landscape

1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To maintain the rural landscape character of the land.
- To provide for a range of compatible land uses, including extensive agriculture.

2 Permitted without consent

Environmental protection works; Extensive agriculture; Home-based child care; Home occupations

3 Permitted with consent

Agriculture; Airstrips; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Building identification signs; Business identification signs; Cellar door premises; Cemeteries; Community facilities; Crematoria; Dwelling houses; Entertainment facilities; Environmental facilities; Farm buildings; Farm stay accommodation; Flood mitigation works; Function centres; Helipads; Home businesses; Home industries; Information and education facilities; Landscaping material supplies; Markets; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Roads; Roadside

stalls; Rural industries; Rural supplies; Secondary dwellings; Transport depots; Veterinary hospitals; Water supply systems

4 Prohibited

Any development not specified in item 2 or 3

[7] Land Use Table, Zone IN2

Insert in appropriate order in the Land Use Table—

Zone IN2 Light Industrial

1 Objectives of zone

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To support and protect industrial land for industrial uses.

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Boat building and repair facilities; Business premises; Car parks; Centre-based child care facilities; Community facilities; Depots; Flood mitigation works; Function centres; Garden centres; Hardware and building supplies; Health consulting rooms; Industrial retail outlets; Industrial training facilities; Information and education facilities; Kiosks; Light industries; Markets; Medical centres; Mortuaries; Neighbourhood shops; Oyster aquaculture; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Roads; Self-storage units; Signage; Specialised retail premises; Take away food and drink premises; Tank-based aquaculture; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres

4 Prohibited

Pond-based aquaculture; Any other development not specified in item 2 or 3

[8] Land Use Table, Zone B7

Insert “Places of public worship;” in alphabetical order in item 3.

[9] Clause 5.10(1)(a)

Omit “the land known as “The Poplars””. Insert instead “West Jerrabomberra”.

[10] Clause 6.8

Insert after clause 6.7—

6.8 Flood planning

- (1) The objectives of this clause are as follows—
 - (a) to minimise the flood risk to life and property associated with the use of land,
 - (b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,
 - (c) to avoid significant adverse impacts on flood behaviour and the environment.
- (2) This clause applies to—
 - (a) land identified as “Flood planning area” on the Flood Planning Map, and
 - (b) other land at or below the flood planning level.
- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—
 - (a) is compatible with the flood hazard of the land, and
 - (b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and
 - (c) incorporates appropriate measures to manage risk to life from flood, and
 - (d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and
 - (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.
- (4) A word or expression used in this clause has the same meaning as it has in the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005, unless it is otherwise defined in this clause.
- (5) In this clause—

flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.

[11] Schedule 1 Additional permitted uses

Omit clause 1. Insert instead—

1 Use of land at Lanyon Drive, Jerrabomberra

- (1) This clause applies to certain land at Lanyon Drive, Jerrabomberra being part of Lot 1, DP 1263364 and marked “1” on the Additional Permitted Uses Map.
- (2) Development for the purposes of an educational establishment is permitted with development consent.

[12] Schedule 5 Environmental heritage

Omit “(When this Plan was made this Schedule was blank)”. Insert instead—

Suburb	Item name	Address	Property description	Significance	Item number
Jerrabomberra	Stone faced brick structure	360A Lanyon Drive	Part Lot 6, DP 239080	Local	I1

[13] Dictionary

Omit “Poplars” wherever occurring. Insert instead “West Jerrabomberra”.

[14] Dictionary

Insert in alphabetical order—

Additional Permitted Uses Map means the Queanbeyan Local Environmental Plan (West Jerrabomberra) 2013 Additional Permitted Uses Map.

[15] Dictionary, definition of “Heritage Map”

Omit “[Not applicable. See Schedule 5.]”.