Planning Proposal To Rezone Land At South Jerrabomberra

May 2018

Queanbeyan-Palerang Regional Council

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Contents

Introduction **4**
Part 1 - Objectives or Intended Outcomes **6**
Part 2 - Explanation of Provisions **6**
Part 3 - Justification **12**
Section A - Need for the planning proposal 12
Section B - Relationship to strategic planning framework 13
Section C - Environmental, social and economic impact 16
Section D - State and Commonwealth interests 17
Part 4 – Mapping **18**
Part 5 - Community Consultation **18**
Part 6 - Project Timeline **19**

Introduction

Queanbeyan-Palerang Regional Council has prepared this planning proposal in order to zone land at South Jerrabomberra for residential, commercial, open space and environmental conservation uses. This will be done as an amendment to the existing *Queanbeyan Local Environmental Plan (LEP) (South Tralee) 2012*, which will also be subsequently renamed to *Queanbeyan LEP (South Jerrabomberra) 2018* when the plan is made.

It is also intended to zone those lands under the *Queanbeyan LEP (South Tralee) 2012* that were previously deferred by the Minister for Planning when the LEP was made in 2012. Parts of *Queanbeyan LEP 2012* will also be amended by the Planning Proposal to the extent it applies to land covered by this proposal. Parts of *Queanbeyan LEP 1998* and *Yarrowlumla LEP 2002* will also be repealed to the extent they apply to land covered by this proposal.

The amendment seeks to finalise the zoning and development framework for the South Jerrabomberra urban release area in order to deliver a maximum of 1,500 new dwellings. The planning proposal is intended to zone existing and proposed residential lands at South Jerrabomberra to R2 Low Density Residential. It will also accompanied by appropriate Lot Size Maps to ensure the intended maximum number of proposed dwellings is not exceeded. The maximum number of proposed dwellings has been determined by the capacity of the intersection for Lanyon/Tompsitt Drive that will service the release area.

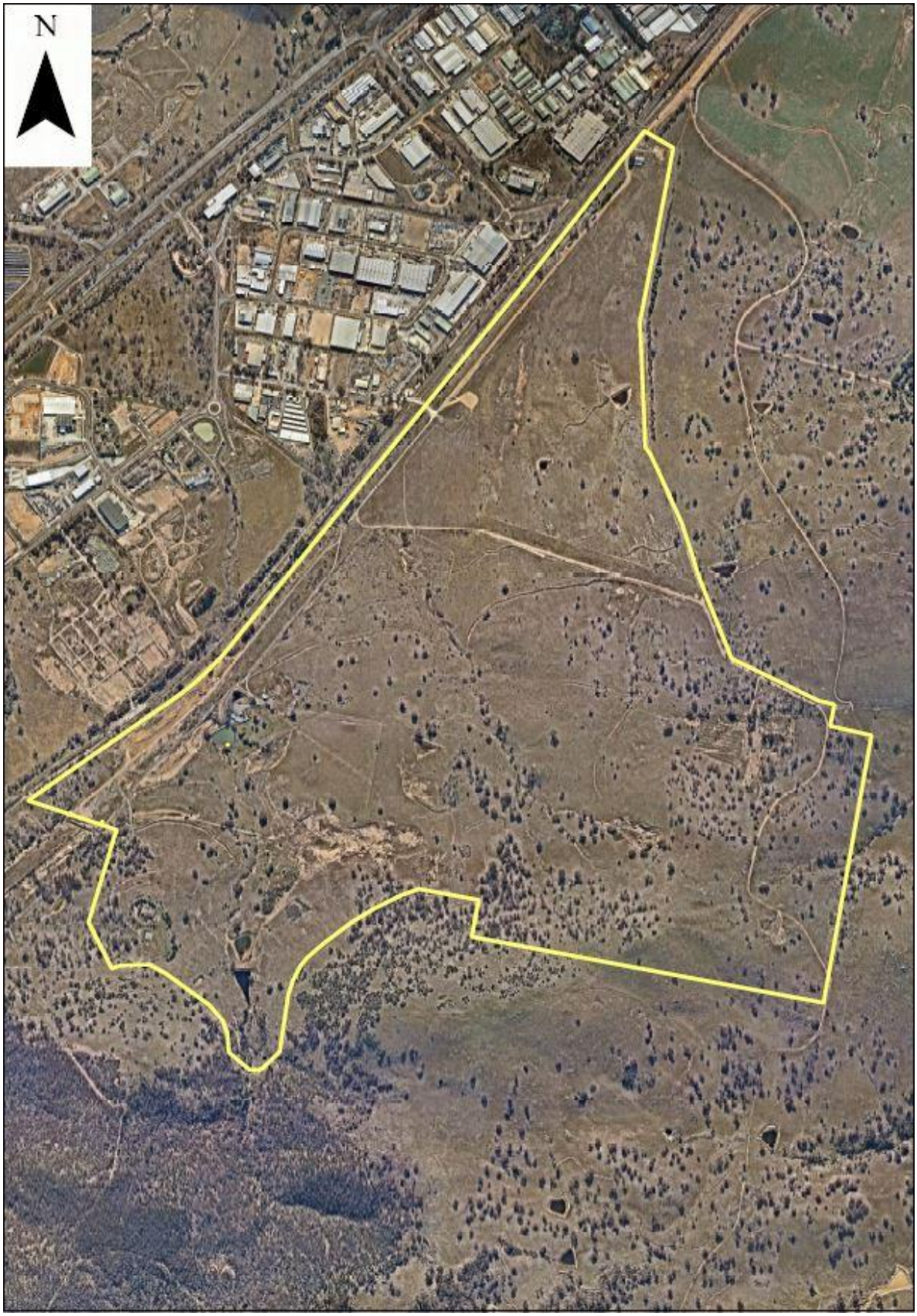
The additional lands to be zoned under this planning proposal are known as Forrest/Morrison and Tralee Station. Only part of Tralee Station is included in the proposal. As noted, the planning proposal will also include the land to which the existing Queanbeyan *(South Tralee) LEP 2012* currently applies.

The land subject to this planning proposal comprises the following lots:

- Lot 1 DP 1023430,
- Lot 176 DP 754912,
- Lot 148 DP 754912,
- Lot 181 DP 754912,
- Part Lot 2 DP 1001136,
- Lot 3 DP 1001136,
- Lots 4-6 DP 130629,
- Lots 1-5 DP 224095,
- Lot 1 DP 651918,
- Part Lot 226 DP 665411,
- Lots 1-3 and Lot 5 DP 1007339,
- Part Lot 4, Part Lot 6 and Part Lot 7 DP 1007339,
- Lots 1-2 DP 1006051,
- Part Lot 2 DP 1039904,
- Lot 1 DP 1039904,
- Part Lot 1 and Lot 2 DP 114030,
- Lot 1 DP 1207483,
- Lot 1 DP 1207487, and
- Lot 1 DP 1207489

The entire area subject to the planning proposal is shown in **Map 1** on the next page.

Map 1: Land Subject to the Planning Proposal



The land is currently greenfield and is subject to four environmental planning instruments:

- *Yarrowlumla Local Environmental Plan 2002,*
- *Queanbeyan Local Environmental Plan 2012*,
- *Queanbeyan Local Environmental Plan (South Tralee) 2012*, and
- *Queanbeyan Local Environmental Plan 1998*.

The subject land known as South Tralee is currently zoned for residential, commercial, open space and environmental conservation under *Queanbeyan LEP (South Tralee) 2012* and two deferred areas remain zoned rural under the *Queanbeyan LEP 1998*.

It is intended that the additional land to be rezoned in South Jerrabomberra under this planning proposal will be zoned for residential, open space and environmental conservation based on land capability studies that were undertaken as a condition of the original Gateway determination and prior to public exhibition. A buffer area of 250 metres is also proposed between the subject site and industrial land in the Australian Capital Territory (ACT) known as Hume.

Part 1 - Objectives or Intended Outcomes

The objective of the planning proposal is to provide for additional dwellings and other appropriate land uses in the South Jerrabomberra area to meet residential demand in accordance with Queanbeyan's *Residential and Economic Strategy 2031*. The intended outcome is to deliver a suitable supply of housing to meet the growing needs of the Queanbeyan-Palerang Local Government area into the future.

As noted, the amendment seeks to finalise the zoning and development framework for the South Jerrabomberra urban release area in order to deliver a maximum of 1,500 new dwellings. The planning proposal is intended to ensure existing and proposed residential lands at South Jerrabomberra are zoned R2 Low Density Residential and are accompanied by appropriate Lot Size Maps that ensure the maximum number of proposed dwellings is not exceeded.

The maximum number of dwellings proposed for each site are:

1. South Tralee – 750 dwellings,
2. Forrest/Morrison – 500 dwellings, and
3. Tralee Station – 250 dwellings.

The planning proposal also seeks to ensure land with significant environmental values is appropriately zoned, and, that suitable buffers are established between proposed residential development and existing industrial development at Hume in the ACT.

The planning proposal also seeks to minimise the number of planning instruments applying to the area by directly amending the existing South Tralee LEP and its application to the land. Accordingly all the proposed residential development at South Jerrabomberra will be covered under this single plan.

Part 2 - Explanation of Provisions

<u>Renaming *Queanbeyan LEP (South Tralee) 2012* to *Queanbeyan LEP (South Jerrabomberra) 2018* and increasing area of land the plan applies to.</u>

As noted, this planning proposal will be given effect through an amendment to *Queanbeyan LEP 2012* and *Queanbeyan LEP (South Tralee) 2012)*. The Land Application Map will be extended to also cover Forrest/Morrison and parts of Tralee Station. The existing deferred areas under

Queanbeyan (South Tralee) 2012 will also be removed and will now be zoned RE2 Private Recreation. The plan will also be renamed *Queanbeyan LEP (South Jerrabomberra) 2018*.

The respective Land Application Maps (LAP) will also need to be amended as they apply to the land. The proposed LAP for South Jerrabomberra is shown below.

Proposed LAP

<u>Rezoning additional land (Forrest/Morrison and part Tralee Station) for residential, open space and environmental conservation uses.</u>

Zones for the land have been predominantly determined by background studies undertaken by Council and as required by the Department of Planning and Environment in the previous Gateway determination.

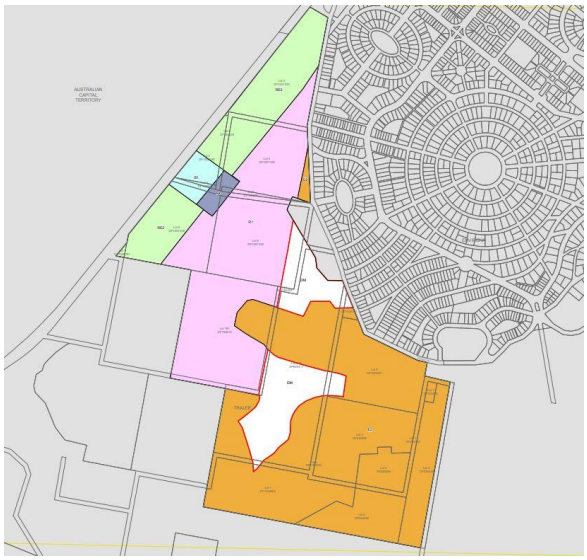
Newly proposed residential areas at Forrest/Morrison and part Tralee Station will be zoned R2 Low Density Residential under the plan. Other parts of Forrest/Morrison and part Tralee Station will be zoned RE2 Private Recreation and E2 Environmental Conservation.

Existing R1 General Residential land at South Tralee under *Queanbeyan LEP (South Tralee) 2012* will be zoned to R2 Low Density Residential in order to reduce the range of residential accommodation types that can be developed and to restrict these to ‘dwelling houses’ only.

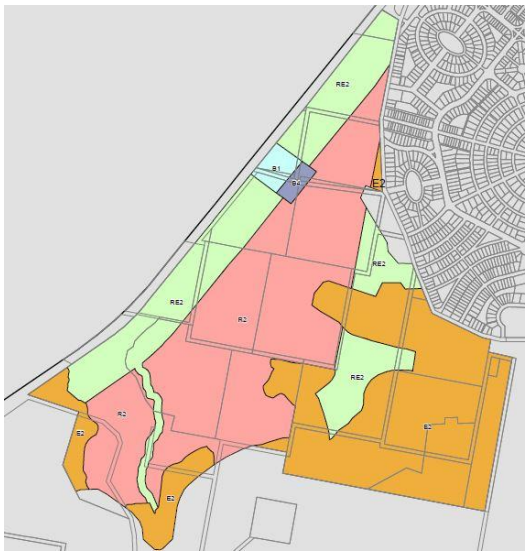
The existing 250 metre buffer of RE2 Private Recreation between the proposed residential land at South Tralee and industrial development at Hume in the ACT, is proposed to be extended to cover all land fronting Hume under this Planning Proposal. The majority of the land outside the buffer will still allow for a significant area of residential land on both Forrest/Morrison and Tralee Station that will provide for the 500 dwellings and 250 dwellings respectively identified for each parcel. This is also considered consistent with the existing 250 metre buffer at South Tralee required by the State Government when that land was rezoned.

The existing and proposed land use zones at South Jerrabomberra are shown below.

Existing Zones



Proposed Zones



<u>Amending Existing Lot Size Maps under *Queanbeyan (South Tralee) LEP 2012*</u>

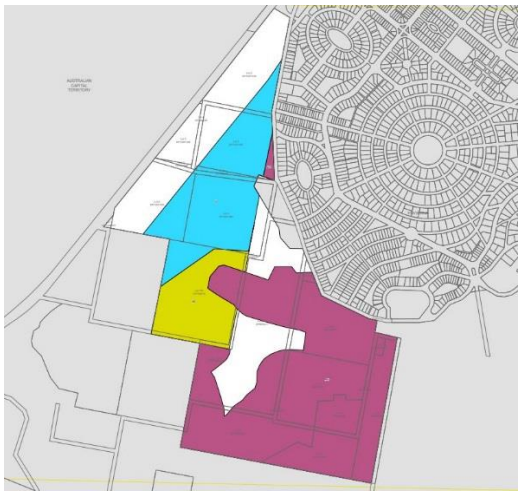
The Planning Proposal will also introduce new lot sizes for the urban release area. The existing Lot Size Maps (LSZ) under *Queanbeyan LEP (South Tralee) 2012* will be amended to ensure the development does not exceed the 750 dwellings identified for the site.

The newly proposed residential areas at both Forrest/Morrison and Tralee Station will also have appropriate minimum lot sizes to ensure dwelling targets are not exceeded.

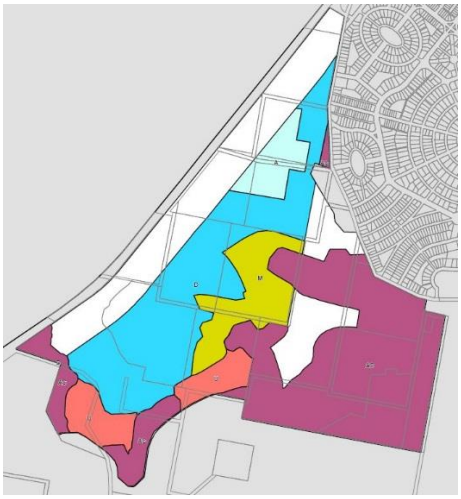
This planning proposal provides for lot sizes of 130m², 330m², 600m² and 1000m² across the release area.

The existing and proposed lot sizes at South Jerrabomberra are shown below.

Existing Lot Sizes



Proposed Lot Sizes



Zoning deferred land under *Queanbeyan (South Tralee) LEP 2012* to RE2 Private Recreation

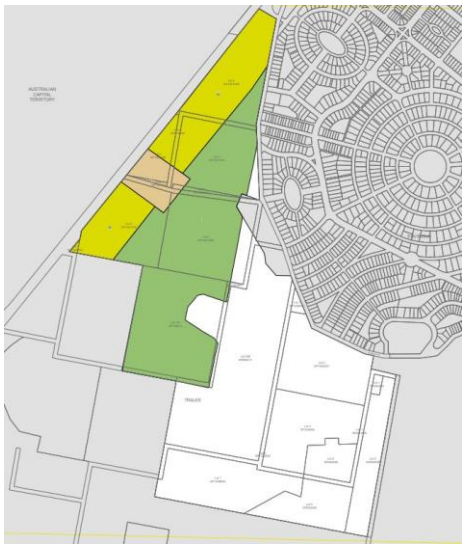
When *Queanbeyan LEP (South Tralee) 2012* was made by the Minister for Planning, the Minister chose to defer proposed R1 General Residential Land that was located within the Australian Noise Exposure Forecast 20 contour for Canberra Airport. As such this land remains zoned 7(b) Environmental Protection B under *Queanbeyan LEP 1998*.

As noted, it is intended to now give this land an appropriate zoning to remove its deferred status. The land was proposed to be zoned R1 General Residential prior to it being deferred by the Minister in 2012, however is now proposed to zone the land RE2 Private Recreation. This is shown on the previously illustrated zoning maps.

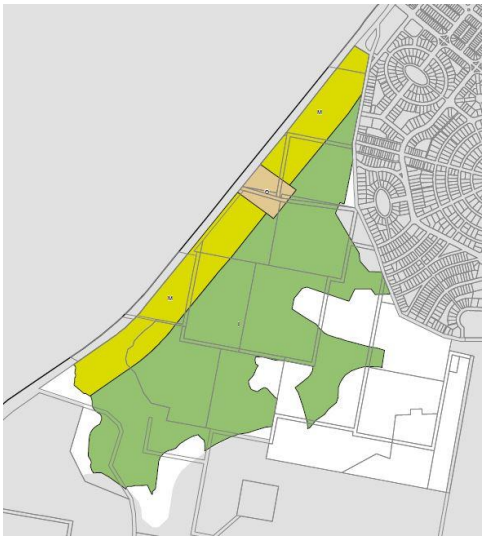
Height of Buildings Maps

The existing Height of Building (HOB) Maps will be extended to cover the additional areas and apply a maximum height of 8.5m to the newly proposed residential land and eastern open space land. The private open space acting as a buffer to Hume will have a height of 12 metres.

Existing Height of Building Map



Proposed Height of Building Map

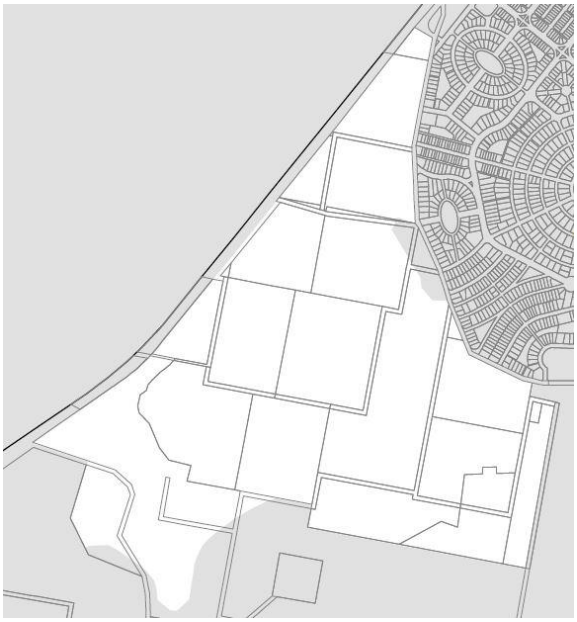


Land Reservation Acquisition Map

The existing Land Reservation Acquisition (LRA) Map will be extended to cover the additional area with no land identified for reservation or acquisition at this time. See below.

Existing LRA Map

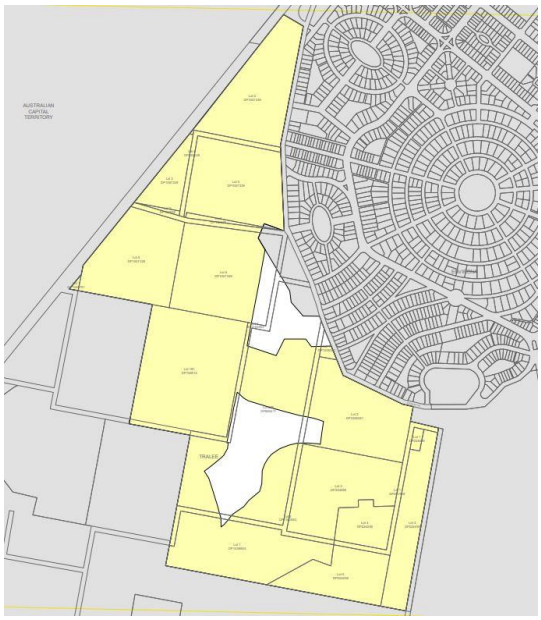
Proposed LRA Map



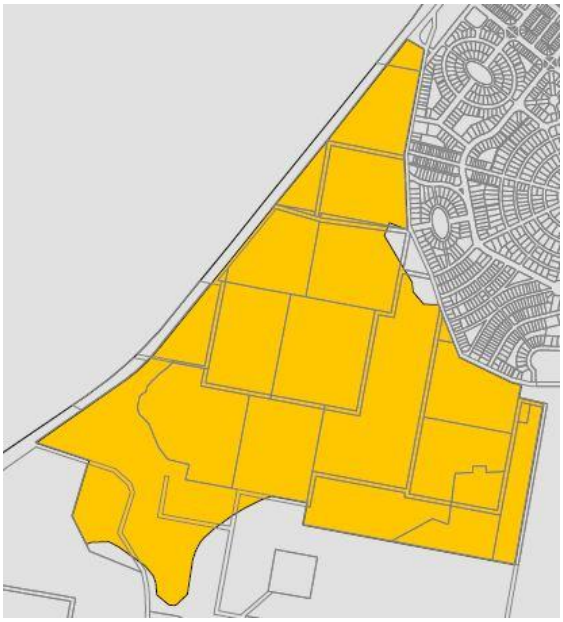
Urban Release Area Map

The existing Urban Release Area (URA) Map will be extended to cover the additional area. See below.

Existing URA Map



Proposed URA Map



Local Clauses Map

The existing Local Clauses (LOC) Map will be extended to cover the additional proposed area. See below.

Existing LOC Map

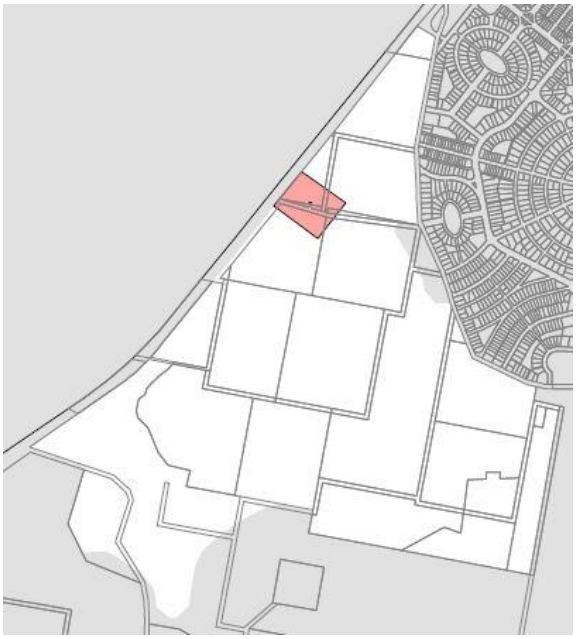
Proposed LOC Map

Floor Space Ratio Map

The existing Floor Space Ration (FSR) Map will be extended to cover the additional proposed area. See below.

Existing FSR Map

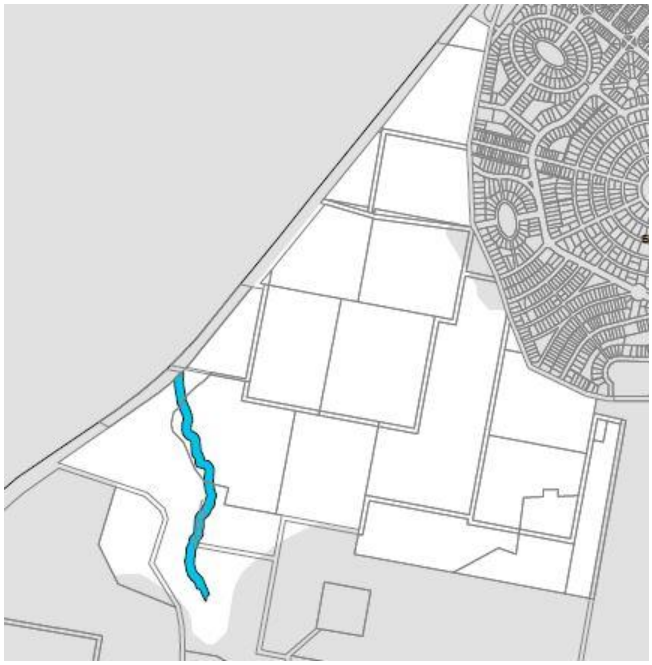
Proposed FSR Map



New Riparian Land and Watercourses Map

Given that a creek runs through the newly proposed areas to the south (Dog Trap Gully), a new Riparian Lands and Watercourses Map has been prepared for that land. See below.

Proposed Riparian Land and Watercourse Map



Draft versions of all new maps are shown at **Appendix A**. Note the maps are draft at this time and will be prepared consistent with the relevant mapping guidelines before being finalised.

Other Changes

It is envisaged few changes will be required to the existing written instrument for *Queanbeyan LEP (South Tralee) 2012* apart from:

- the replacement of the R1 General Residential zone with the R2 Low Density Residential zone (it is intended to insert the land use table for R2 Low Density Residential from *Queanbeyan LEP 2012*),
- inserting the model clause for Riparian Lands and Watercourses, and
- the renaming of the plan to *Queanbeyan LEP (South Jerrabomberra) 2018*.

Part 3 - Justification

Section A - Need for the planning proposal

The planning proposal is required to rezone lands identified as having potential for urban uses under the *Queanbeyan Residential and Economic Strategy 2031*.

1) Is the planning proposal a result of any strategic study or report?

The planning proposal land is identified in the *Queanbeyan Residential and Economic Strategy 2015 - 2031* as endorsed by the Secretary of the Department of Planning & Environment. A copy of the Strategy can be found at https://www.qprc.nsw.gov.au/Building-Development/Planning-Zoning/Studies-strategies#section-4.

2) Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The planning proposal is the only means of delivering the intended outcomes of the *Queanbeyan Residential and Economic Strategy 2015 - 2031* for this area.

It is also better to progress development in this area as one planning proposal (as opposed to different landowners/developers of adjoining land being involved and progressing each area independently).

Infrastructure and servicing will determine development staging in line with the Structure Plan for South Jerrabomberra which looks at servicing the development in a southerly direction from the north.

Section B - Relationship to strategic planning framework

3) Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including any exhibited draft plans or strategies)?

The *South East and Tablelands Regional Plan 2036* is the relevant regional strategy. The planning proposal is considered to be consistent with the Strategy. This strategy states that the Queanbeyan-Palerang Local Government Area is expected to require an additional 12,050 dwellings by the year 2036. The plan identifies growth areas at Googong and South Jerrabomberra.

Housing objectives are:

- *Coordinate the delivery of infrastructure for new release areas.*
- *Provide further opportunities for residential development where it is supported by a strategic approach to housing.*

The land proposed to be rezoned is an extension to the proposed area of South Tralee which is already rezoned for urban uses and so complies with the above objectives by providing for the coordinated approach to the delivery of services and infrastructure in this part of Queanbeyan.

Progressing the planning proposal for South Jerrabomberra will provide for additional residential development in accordance with the *Queanbeyan Residential and Economic Strategy 2015 – 2031.*

4) Is the planning proposal consistent with a council's local strategy, or other local strategic plan?

As previously noted, the draft plan is considered to be consistent with the *Queanbeyan Residential and Economic Strategy 2015 - 2031*.

5) Is the planning proposal consistent with applicable State Environmental Planning Policies?

The planning proposal is not considered to be inconsistent with any SEPPs at this time, however further assessment of contamination potential will be undertaken to ensure consistency with SEPP 55 – Remediation of Land.

SEPP 55 - Remediation of Land	This SEPP applies to all development of the land to which the PP applies. A Phase One Environmental Site Assessment has been undertaken and the potential for significant contamination is considered to be low throughout the majority of the area. However there are some areas of unknown fill material on parts

	of Forrest/Morrison and Tralee Station that cannot be precluded from containing any contaminated material. Accordingly a more detailed examination of these specific areas proposed for residential development will be undertaken prior to finalising the planning proposal. This will confirm the suitability of these areas for residential development and ensure consistency with the SEPP.
SEPP (Rural Lands) 2008	The PP is not considered to be inconsistent with this SEPP. Due consideration has been given to rural activities on this land in the *Queanbeyan Residential and Economic Strategy*.

6) Is the planning proposal consistent with applicable Ministerial Directions (Section 9.1 directions)?

The planning proposal is not considered to be inconsistent with any s 9.1 directions.

Direction 1.2 Rural Zones

The objective of this direction is to protect the agricultural production value of rural land. This planning proposal does not include land within a rural zone. Further there are no significant agricultural production values that warrant protection. In addition, the planning proposal is consistent with an endorsed *Queanbeyan Residential and Economic Strategy 2015 – 2031* by the Department of Planning and Environment.

Direction 1.5 Rural Lands

The land subject to this planning proposal has little agricultural value and is zoned for environmental protection/conservation. The land which was found to have little environmental value in the Biodiversity Study has also a low agricultural production value given that it will be fragmented. The endorsed *Queanbeyan Residential and Economic Strategy 2015 – 2031* recognised the land with little biodiversity value as having the potential for residential uses. A significant portion of the Study Area will be retained for environmental conservation purposes and is consistent with this Direction.

Direction 2.1 Environmental Protection Zones

The objective of this direction is to protect and conserve environmentally sensitive areas. The planning proposal seeks to rezone some areas currently zoned for environmental protection, however the proposal also seeks to ensure other land with significant environmental values is appropriately zoned.

The Biodiversity Study prepared by EcoLogical Australia has assessed the conservation value of the ecologically sensitive areas within the Study Area. The protection of the high and moderate conservation areas in an E2 Environmental Conservation zone, together with mitigation and management measures, would satisfy the requirements of this Direction. These measures include:

- Concentrating development in areas of low conservation significance
- Protecting the majority of the high conservation areas
- Protecting areas of moderate conservation significance where areas of high and moderate conservation value would be removed, then appropriate offsets would need to be provided
- strategically re-establish the connectivity between the remnant vegetation on either side of the airstrip
- establishing appropriate buffer zones to minimise impacts to areas of moderate and high conservation significance.

The implementation of these measures through amendments to *Queanbeyan Local Environmental Plan (South Tralee) 2012* and the *South Jerrabomberra Development Control Plan 2014* enable the rezoning to satisfy the Direction.

Direction 2.3 Heritage Conservation

Archaeological surface survey has revealed a moderate and high likelihood of Aboriginal relics being found through the centre and northern part of the Study Area. Additional excavations and testing will be undertaken as part of the work required to lodge a development application at the Study Area. This additional work and the lodgement of an Aboriginal Heritage Impact Permit (AHIP) will provide certainty over the future of any Aboriginal deposits within the Study Area. The work will also assist in the design and location of future open spaces.

Direction 3.1 Residential Zones

The objectives of this direction are:

(a) To encourage a variety of housing types to provide for existing and future housing needs;
(b) To make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services; and
(c) To minimise the impact of residential development on the environment and resource lands

The planning proposal is consistent with this direction in that it will provide for a variety of housing types and lot sizes to meet future housing needs. South Jerrabomberra is the logical extension to the existing urban area and can be serviced by infrastructure.

Direction 3.4 Integrating Land Use and Transport

The objective of this direction is to ensure that urban structures, building forms, land uses locations, development designs, subdivision and street layouts achieve the following planning objectives:

(d) Improving access to housing, jobs and services by walking, cycling and public transport; and
(e) Increasing the choice of available transport and reducing dependence on cars; and
(f) Reducing travel demand including the number of trips generated by development and the distances travelled, especially by car; and
(g) Supporting the efficient and viable operation of public transport services; and
(h) Providing for the efficient movement of freight.

The location of the proposed residential uses will encourage walking to the neighbourhood centre located in South Tralee. The proposed future zone of R2 Low Density Residential will enable the creation of a neighbourhood shop, of no more than 100sqm, to be located within the neighbourhood.

Further the *South Jerrabomberra Development Control Plan 2014* requires that consideration be given to an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists. This clause will apply to the Study Area and will ensure that the land use and the design of transport networks are integrated.

The planning proposal meets the objective of this direction in that any development proposed for South Jerrabomberra will provide access to housing, jobs and services.

Direction 4.4 Planning for Bushfire Protection

The objectives of this direction are to:

(i) Protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas; and
(j) To encourage sound management of bush fire prone areas.

The Bushfire Constraints and Management Report concludes that the Study Area can support future residential development outside of the Environmental Conservation zones and their buffers. Consultation with the RFS is required as a condition of the previous gateway determination. The amended planning proposal will also be referred to the RFS. Any development proposal will be required to comply with the Planning for Bushfire guidelines produced by the RFS.

Direction 5.10 Implementation of Regional Plans

The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.

The *South East and Tablelands Regional Plan 2036* is the relevant regional strategy. The planning proposal is considered to be consistent with the Strategy. This strategy states that the Queanbeyan Palerang Local Government Area is expected to require an additional 12,050 dwellings by the year 2036. The plan identifies growth areas at Googong and the proposed South Jerrabomberra.

The planning proposal is consistent with the objective and is compatible with the vision, land use strategy and policies of this regional plan.

In addition as stated in the letter from the Department of Planning and Infrastructure which accompanied the original Gateway determination of September 2013, any inconsistencies are considered to be justified by the *Queanbeyan Residential and Economic Strategy 2031*.

Section C - Environmental, social and economic impact

7) Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. Council has undertaken significant studies in respect of biodiversity values on the site. This has been done in close consultation with the Office of Environment and Heritage.

All areas identified as having significant environmental values are proposed to be zoned E2 Environmental Conservation.

8) Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The key environmental issues centre around the protection of biodiversity values on the site. As required by the previous Gateway Determination a study on the biodiversity (flora and fauna) was carried out.

The areas of high potential archaeological deposits will be retained by imposing an E2 Environmental Conservation in the north-eastern part of the Forrest Morrison land parcel, and where any Aboriginal relics are found through the centre and northern part of the area as part of the work required to lodge a development application the lodgement of an Aboriginal Heritage

Impact Permit (AHIP) will provide certainty over the future of any Aboriginal deposits within the Study Area. The work will also assist in the design and location of future open spaces.

Potential noise impacts from the Hume industrial will be mitigated with a 250m proposed buffer which is consistent with the buffer for South Tralee.

With regard to potential aircraft noise, it will be a requirement that all development must meet the noise requirements set out in Table 3.3 of AS2021-2015.

Council also intends to have further investigation carried out in respect of areas of potential contamination identified under previous studies. That is the only new study proposed at this time.

Studies on other environmental issues have been undertaken as required by the previous Gateway Determination issued in September 2013. Technical reports prepared are addressing the following issues:

- Bushfire
- Air Quality
- Cultural Heritage
- Urban Capability
- Stormwater Management
- Noise
- Contamination
- Landscape Character and Visual Assessment
- Traffic and transport impacts.

Council intends to exhibit all of these studies (including the additional proposed contamination study) during any public exhibition of the planning proposal.

9) Has the planning proposal adequately addressed any social and economic effects?

The planning proposal seeks to increase the supply of housing in Queanbeyan-Palerang LGA. This is consistent with the principles of the *Queanbeyan Residential and Economic Strategy 2015 - 2031*.and the *South East and Tablelands Regional Plan 2036.*

Council has recently adopted a Local Infrastructure Contributions Plan in respect of the provision of infrastructure for South Jerrabomberra, including community facilities and open space.

Section D - State and Commonwealth interests

10) Is there adequate public infrastructure for the planning proposal?

A concept Development Application for the Northern Entry Road has been approved providing access from Tompsitt Drive. The provision of infrastructure has been addressed via the *South Jerrabomberra Local Infrastructure Contributions Plan 2018*.

It is intended a satisfactory arrangements clause will be included in any final LEP to address State and/or Territory infrastructure issues.

11) What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

The previous Gateway determination of September 2013 required consultation with the following public authorities:

- Office of Environment and Heritage

- Transport NSW
- NSW Rural Fire Service
- ACT Government

Responses provided by the respective agencies at that time indicated there were no issues that should prevent the planning proceeding, noting the ACT Government reinforced its view that the existing 250m buffer for the South Tralee LEP should be applied for the entire length of Hume. This has now been done.

These same agencies will be consulted again in respect of this planning proposal given there have been changes to the proposed zonings, lot sizes and buffer areas since that time.

Part 4 – Mapping

As discussed previously, the planning proposal will amend all relevant map sheets under *Queanbeyan LEP 2012* and *Queanbeyan LEP (South Tralee) 2012* as required to provide for the additional land uses. This includes:

- Land Zonings Maps,
- Lot Size Maps,
- Land Application Maps,
- Height of Building Maps,
- Land Acquisition Reservation Maps,
- Urban Release Area Maps,
- Floor Space Ratio Maps
- Riparian Land and Watercourses Maps, and
- Local Clauses Maps.

Draft versions of all maps are shown at Appendix A.

As noted, it is intended that the planning proposal will be an amendment to *Queanbeyan LEP (South Tralee) 2012*.

Accordingly the relevant maps for South Tralee will need to be amended as necessary to accommodate any zoning or other mapping changes. Any maps will be prepared consistent with the Department of Planning and Environment's relevant guidelines and in consultation with the Department's GIS unit.

Part 5 - Community Consultation

It is intended to publicly exhibit the draft plan for a period of 28 days.

The draft plan has been the subject of significant consultation with public authorities over the previous several years. Council now intends to further consult with the following agencies in respect of the planning proposal:

- Office of Environment and Heritage
- Transport NSW
- NSW Rural Fire Service
- ACT Government

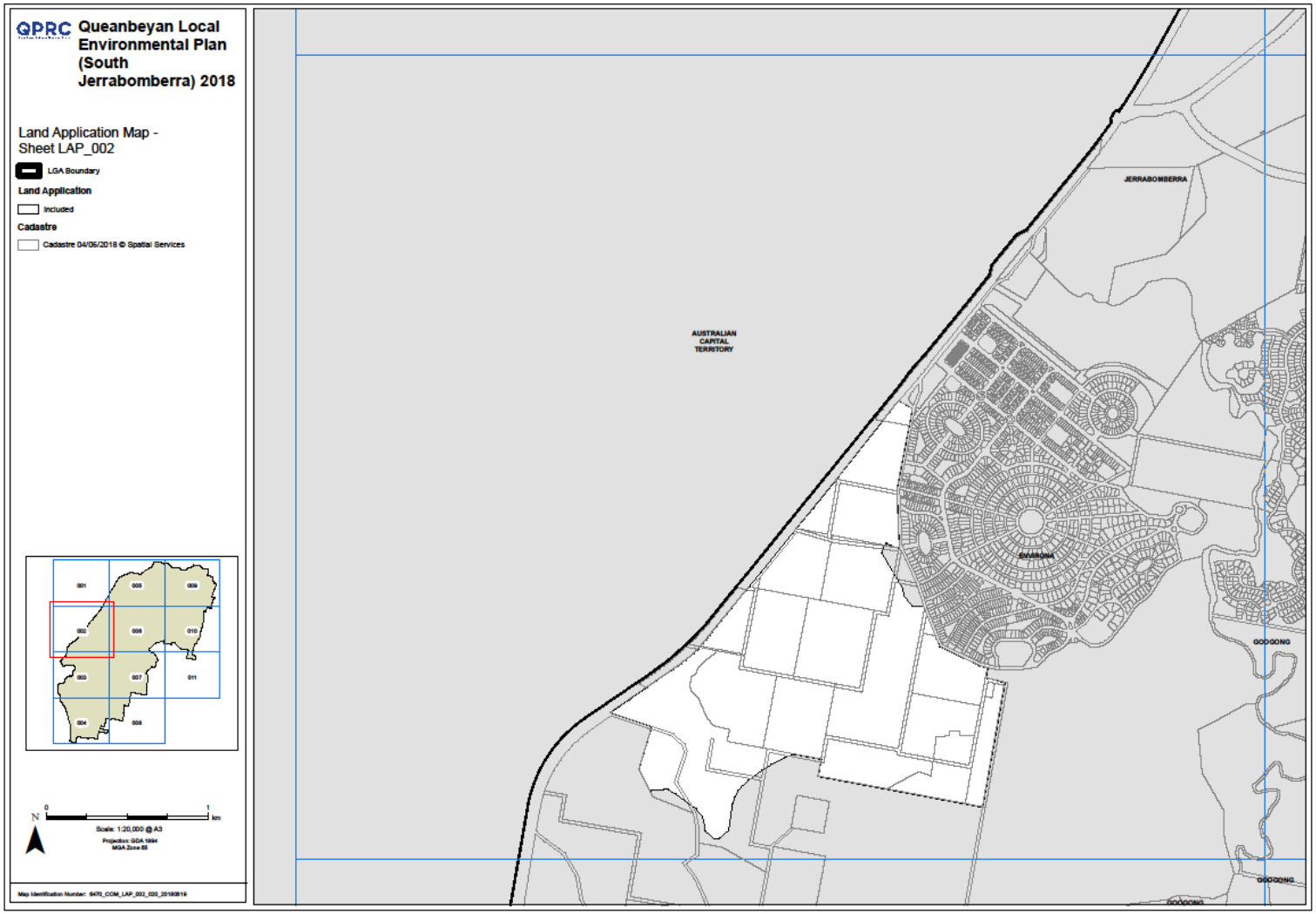
Part 6 - Project Timeline

It is anticipated the planning proposal may take up to 12 months to finalise. An indicative project timeline is provided below.

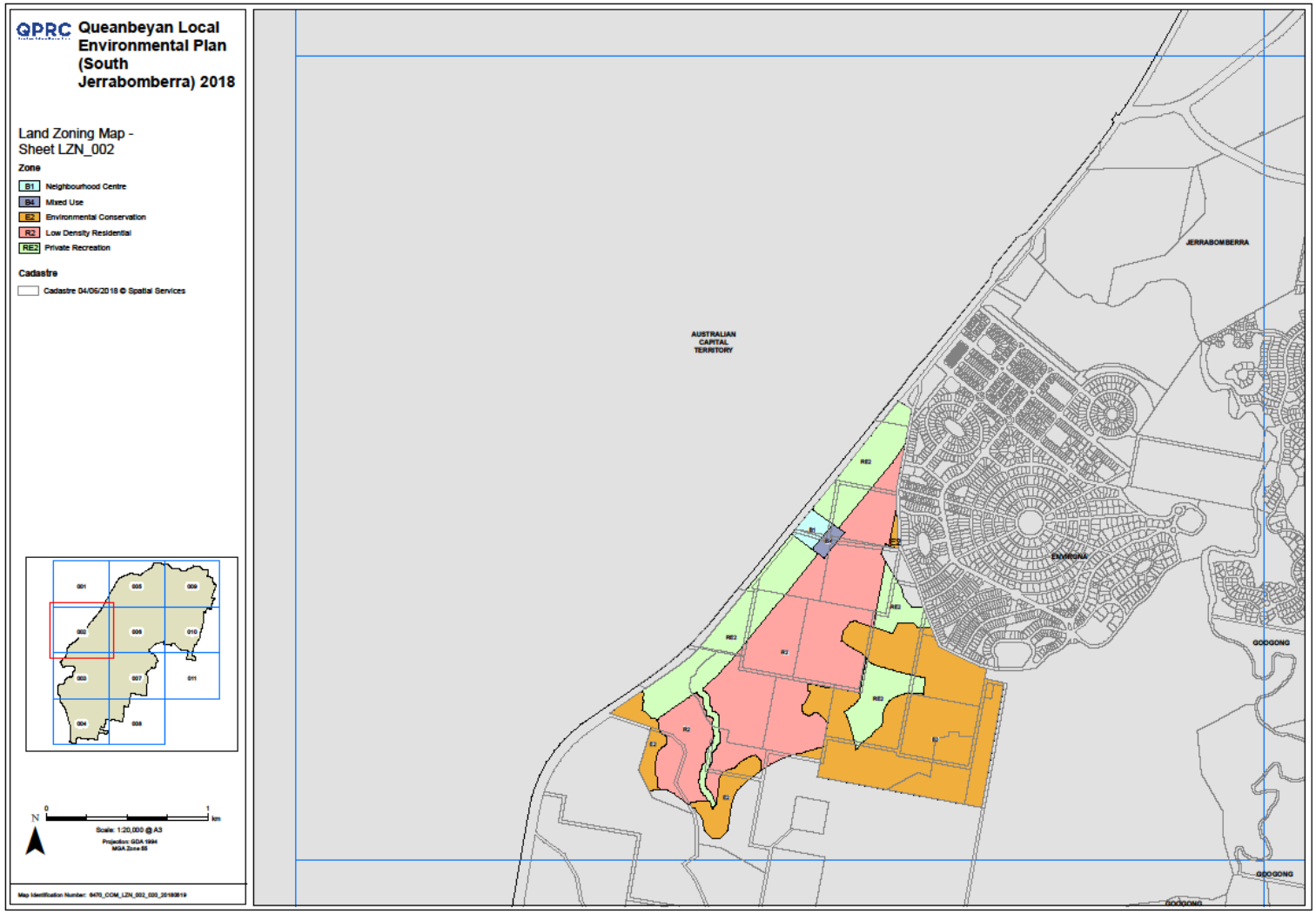
Action	Timeframe
Agency consultation	August 2018
Public exhibition	September 2018
Consideration of submissions and Report to Council	October 2018
Parliamentary Counsel Opinion and DPE GIS Mapping Liaison	November - December 2018
Plan Finalised by Minister (or delegate)	February 2019

Appendix A

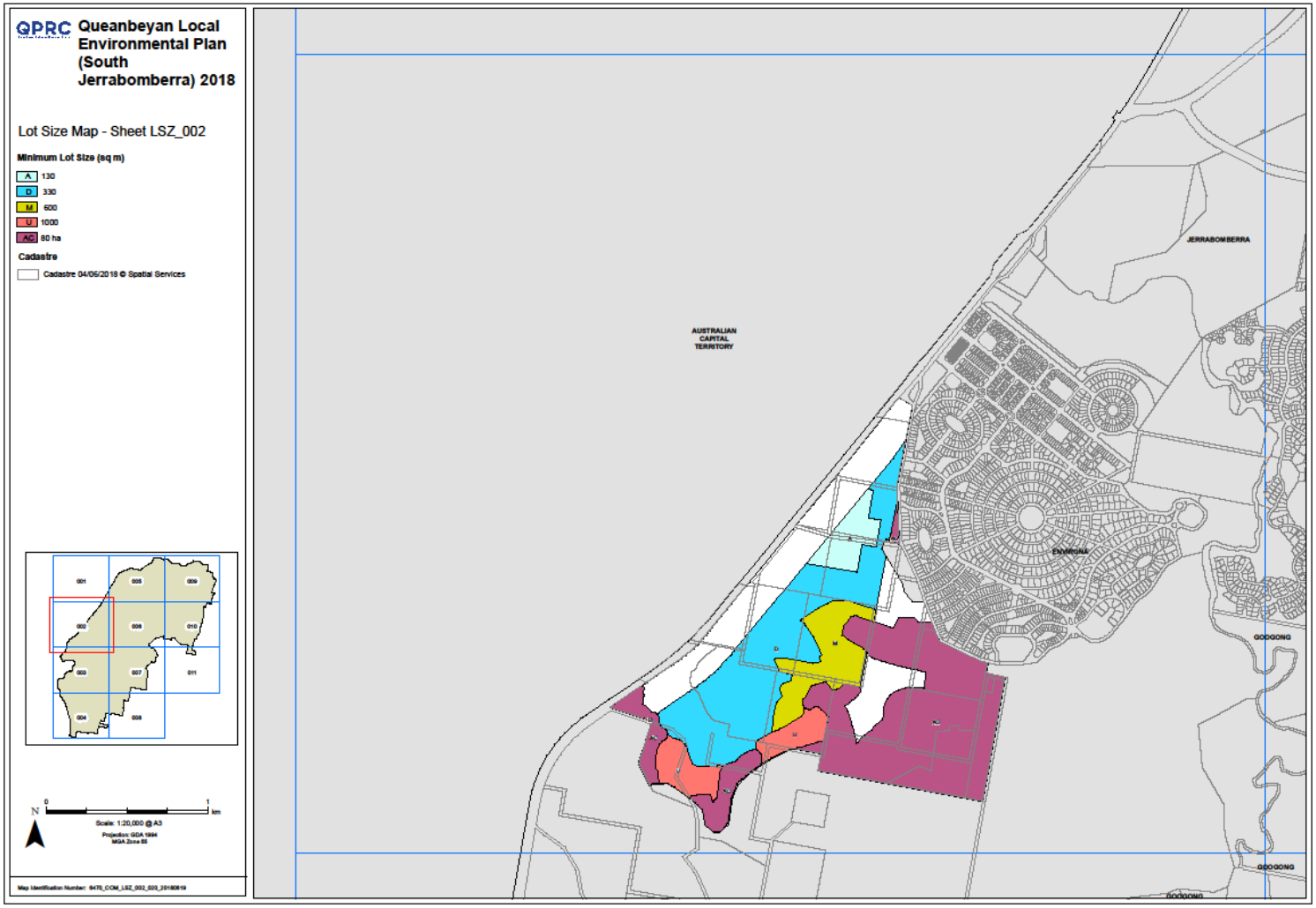
Land Application Map



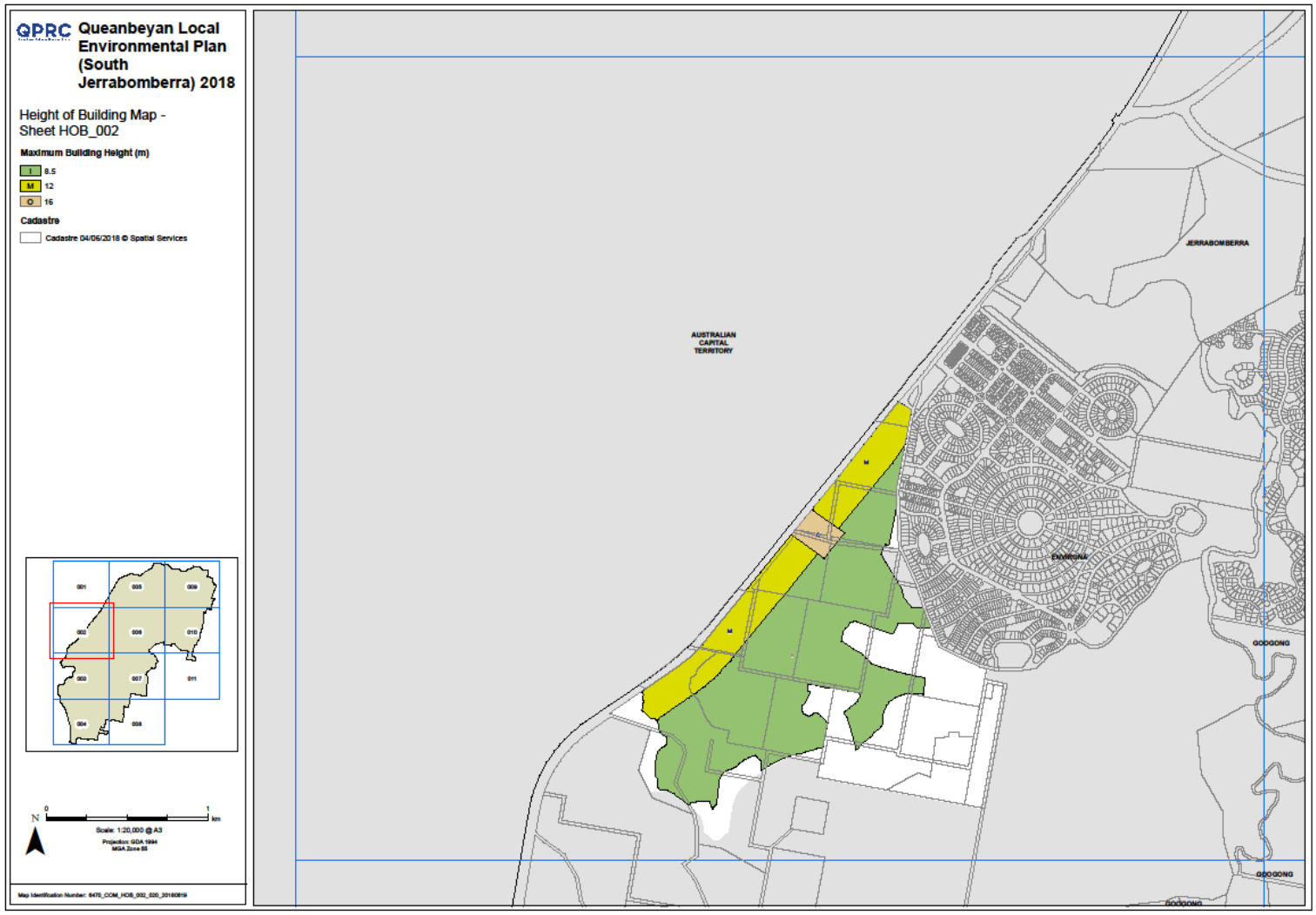
Land Zoning Map



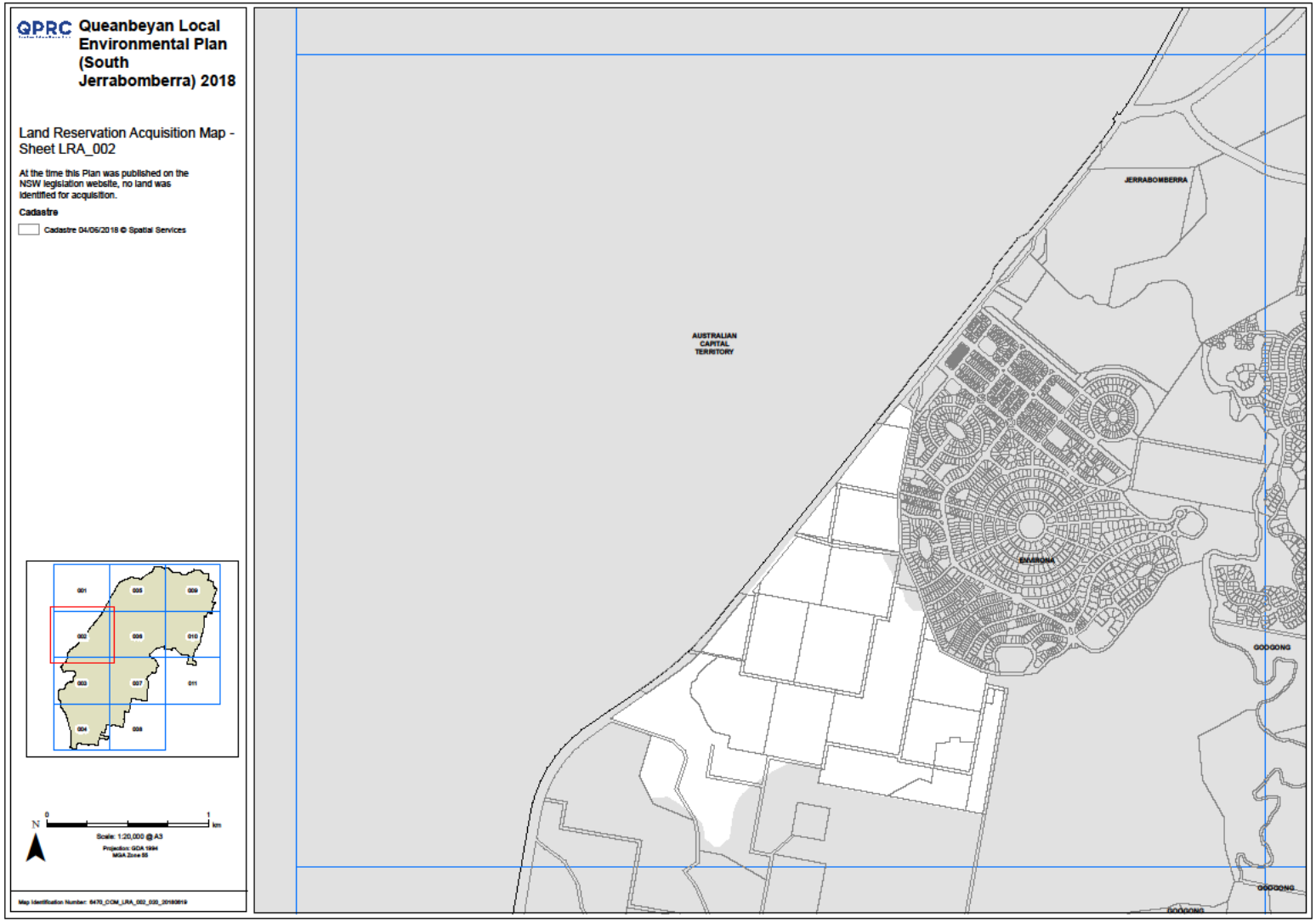
Lot Size Map


QPRC
Queanbeyan Local Environmental Plan (South Jerrabomberra) 2018
Lot Size Map - Sheet LSZ_002
Minimum Lot Size (sq m)
A 130
D 330
M 600
U 1000
AC 80 ha
Cadastre
Cadastre 04/06/2018 © Spatial Services
N
0
1
km
Scale: 1:20,000 @ A3
Projection: GDA 1994
MGA Zone 55
Map Identification Number: 6470_COM_LSZ_002_020_20180619
AUSTRALIAN CAPITAL TERRITORY
JERRABOMBERRA
GOOGONG

Height of Buildings Map

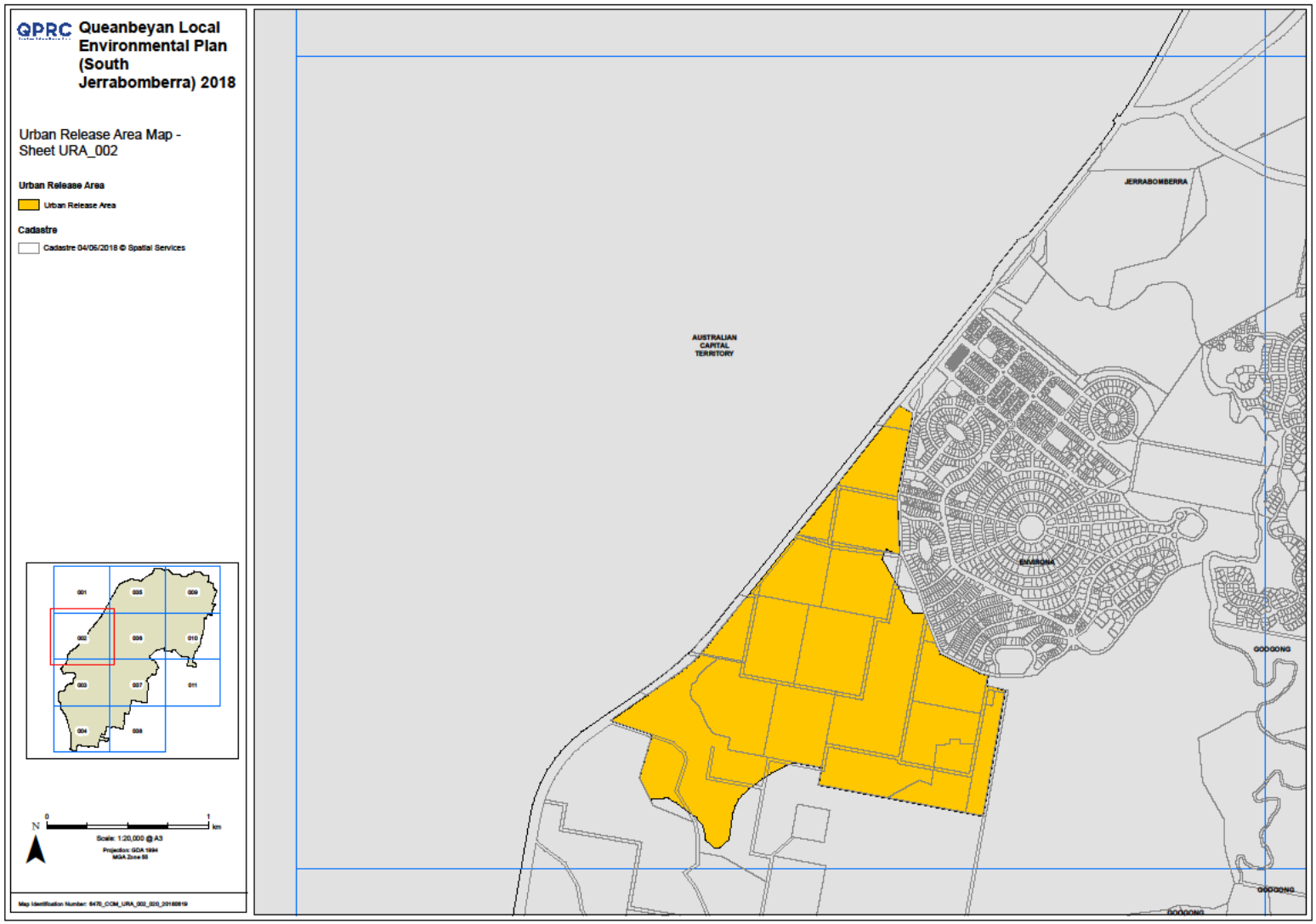


Land Reservation Acquisition Map

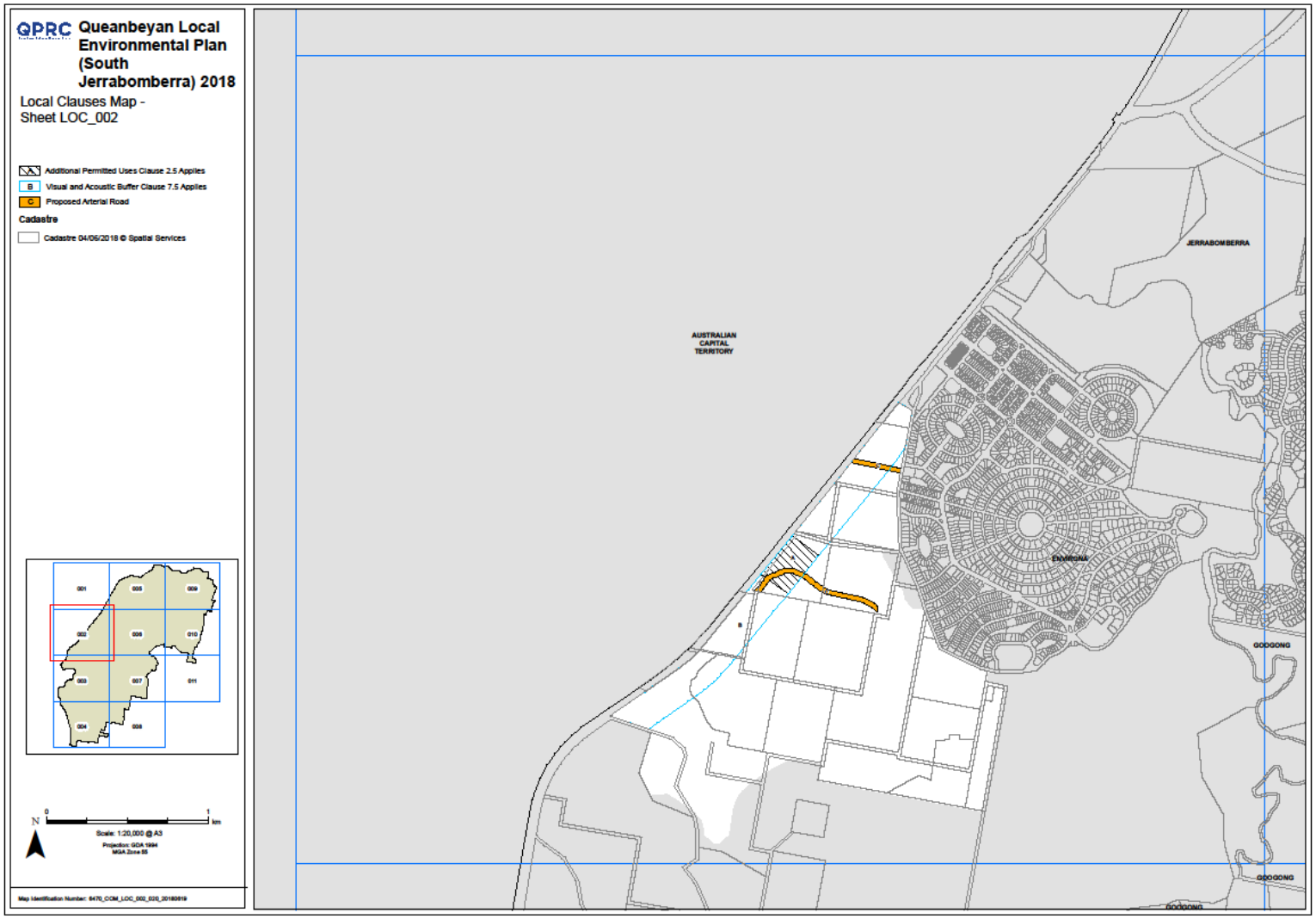
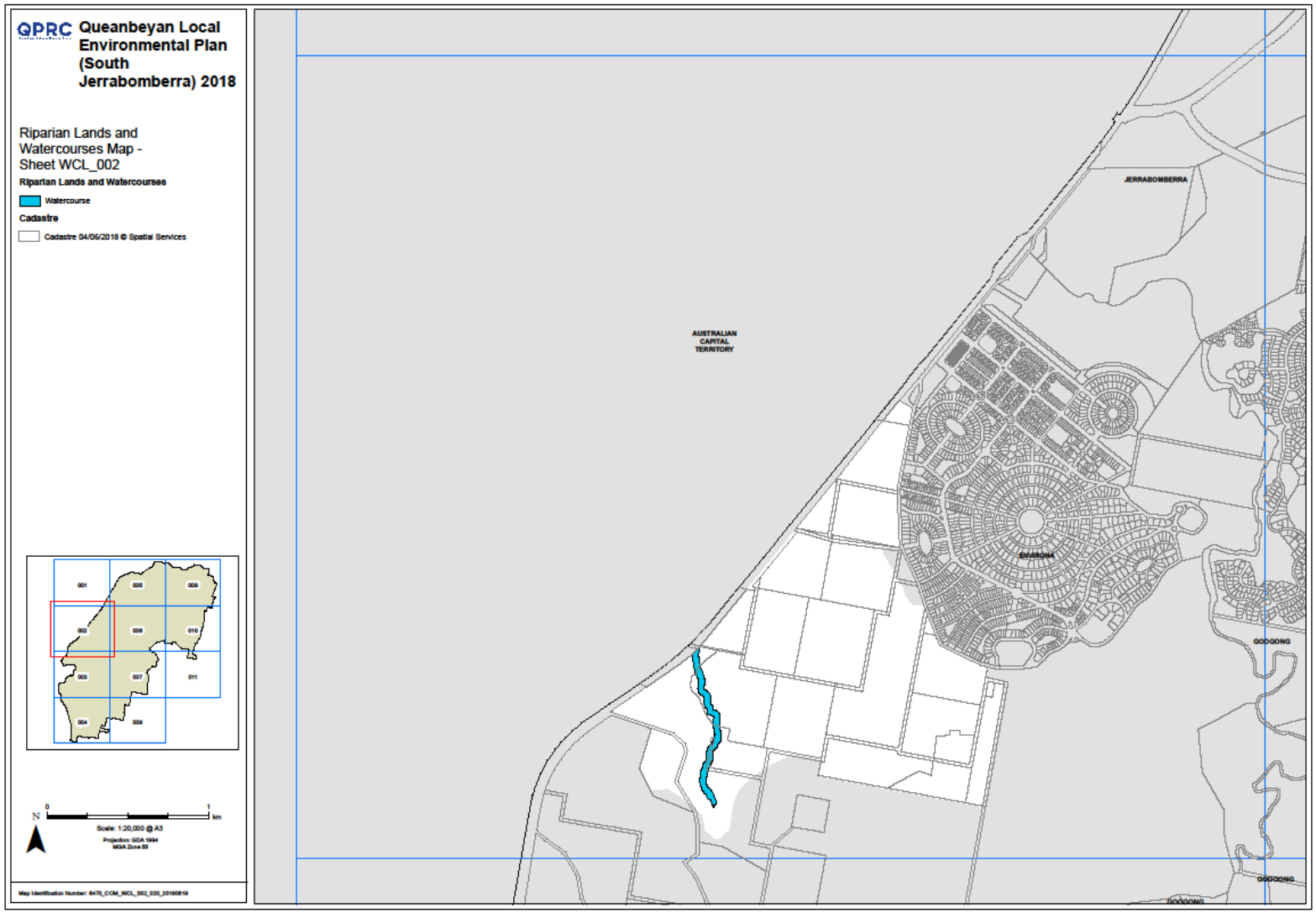


Floor Space Ratio Map

Urban Release Area Map



Local Clauses Map



Riparian Lands and Watercourses Map