



South Jerrabomberra Regional Job Precinct

Discussion Paper

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Acknowledgment of Country

We acknowledge Country and pay respects to the Ngunnawal and Ngambri people as the Traditional Owners and Custodians of the land and waters on which the South Jerrabomberra Regional Job Precinct is situated and connected to via a broader landscape.

We recognise their continued connection to Country and that this connection can be seen through stories of place and cultural practices such as art, songs, dances, storytelling and caring for the natural and cultural landscape of the area.

We also recognise the continuing living culture of Aboriginal people, and the significance of the area as a resource gathering location and travel route. We recognise the contemporary stories of displacement and the cultural significance of Ngunnawal and Ngambri in the continued journey of self-determination in Australia.

We acknowledge all the people who have and will contribute their stories of South Jerrabomberra and their connection to this place. We recognise the importance of telling the First story, first. All other stories of place come from and are woven into the First Story. We recognise the importance of truth telling, a reckoning and the telling of the whole story.

We acknowledge that the land on which the South Jerrabomberra precinct stands was, is and always will be Aboriginal land.

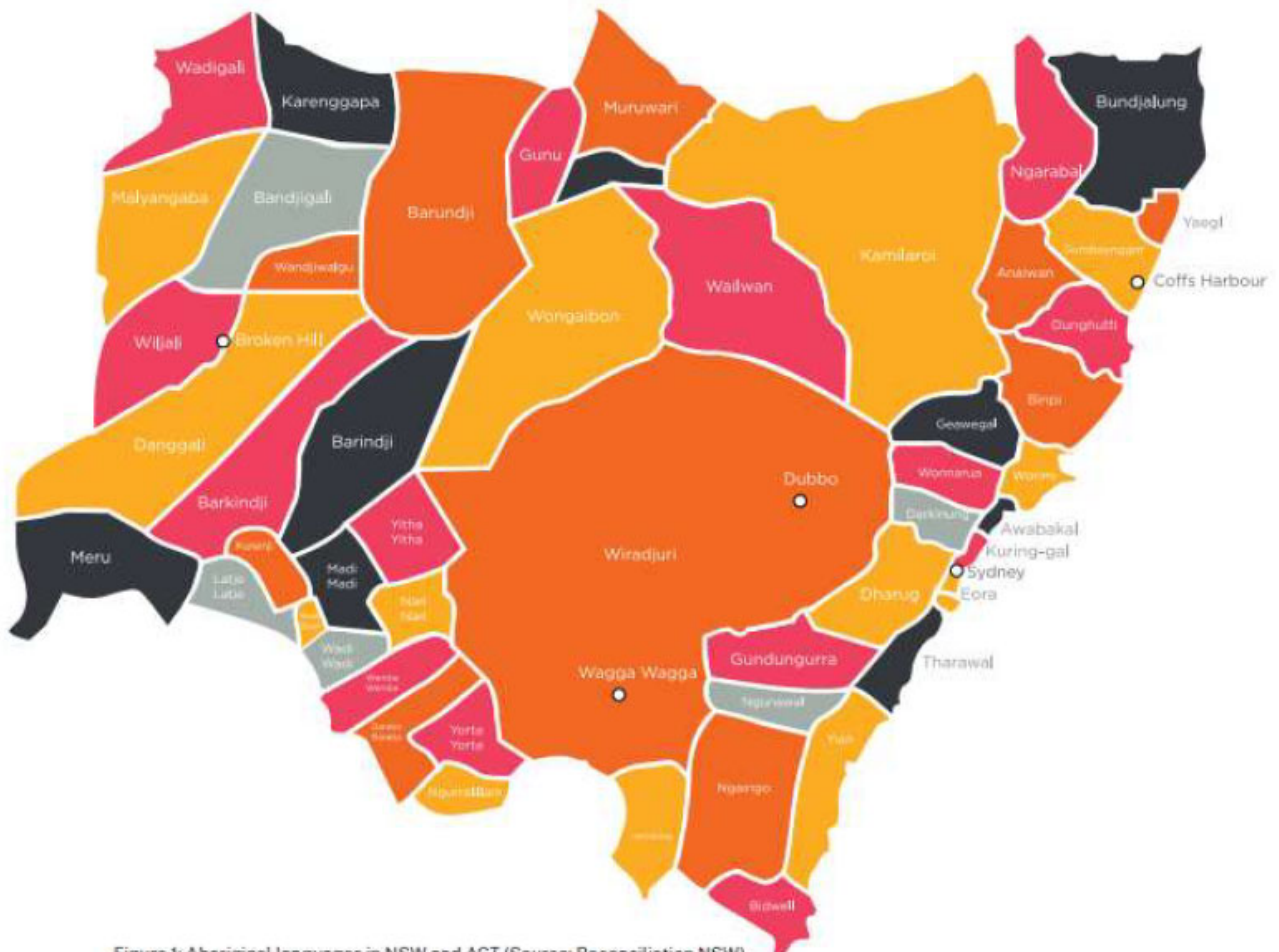


Figure 1: Aboriginal languages in NSW and ACT (Source: Reconciliation NSW).

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Have your say

The Department of Planning and Environment welcomes your feedback on the proposed amendment to the Queanbeyan-Palerang Regional Local Environmental Plan 2022 (QP LEP 2022).

Your feedback is invited on this *discussion paper* for the South Jerrabomberra Regional Job Precinct master plan.

The Department will publish all individual submissions and a consultation summary report once it has assessed and analysed the submissions.

You can view the discussion paper (Explanation of Intended Effects), the South Jerrabomberra Regional Job Precinct Draft Master Plan and supporting documents at www.planningportal.nsw.gov.au/draftplans/exhibition/south-jerrabomberra-regional-job-precinct.

To make a submission online please follow the steps below:

- a. Read our Privacy Statement and decide whether to include your personal information in your submission.
- b. Fill in the online submission form. Your submission can either be typed or uploaded as a PDF and should include:
 - i. the name of the proposal (Queanbeyan-Palerang LEP Amendments, South Jerrabomberra Regional Job Precinct master plan, or a combination)
 - ii. a brief statement on whether you support or object to the proposal
 - iii. the reasons why you support or object to the proposal.
- c. Ensure you disclose reportable political donations. Anyone lodging submissions must declare reportable political donations (including donations of \$1,000 or more) made in the previous two years.
- d. Agree to our online statement and lodge your submission.

You may also lodge your submission via post by sending it to:

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Key Sites and Regional Assessment
Department of Planning and Environment, Locked Bag 5022, Parramatta NSW 2124

All submissions will be made public in line with our objective to promote an open and transparent planning system. If you do not want your name or other personal identifying details published, please state this clearly at the top of your submission.

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1. Purpose of this Discussion Paper

This Discussion Paper should be read in conjunction with the South Jerrabomberra draft Master Plan (September 2023). The intent is for the South Jerrabomberra Master Plan to be adopted by the Minister of Planning and Public Spaces and be enacted through a Ministerial Direction and the *Queanbeyan-Palerang Local Environmental Plan 2022* (QP LEP 2022) to direct future planning proposals and development applications.

The discussion paper amendments seek to ensure that land zones are consistent with proposed future land uses, and recent conservation and employment reform. South Jerrabomberra was deferred from the recent employment reforms and this paper ensures that zoning within the precinct is consistent with NSW employment reform.

Rezoning of additional land within the precinct is recommended to be deferred until cross border road connections, and water and sewerage infrastructure constraints have been resolved to the satisfaction of Queanbeyan-Palerang Council and ACT Government. As such the Discussion Paper is a 'first step' amendment to the planning framework, and future amendments will be led by council in conjunction with the provision of infrastructure.

Proposed amendments to Queanbeyan-Palerang Local Environmental Plan 2022

This discussion paper outlines proposed amendments to the QP LEP 2022. Amendments to the QP LEP 2022 are required to enable the development of the South Jerrabomberra Regional Job Precinct (South Jerrabomberra precinct). The proposed changes to the QP LEP 2022 will include identifying the 'South Jerrabomberra precinct' on the Land Zoning Map and will introduce or amend standards and controls to enable development of land within the precinct.

Section 1 outlines the location and context of the South Jerrabomberra precinct, section 2 discusses the regional job precinct program and section 3 details the proposed amendments, which include the introduction of new planning provisions that align with the direction and recommendations identified in the South Jerrabomberra precinct master plan.

South Jerrabomberra Regional Job Precinct planning framework

There are two key elements within the NSW planning framework that will guide planning outcomes for the South Jerrabomberra precinct. These are described in **Table 1**:

1. **The Queanbeyan-Palerang LEP 2022** - guides development outcomes through the provision of land uses, zoning, and development controls, and
2. **The South Jerrabomberra Development Control Plan 2015** (DCP 2015) - sets out detailed planning and design guidelines.

The proposed amendments to the QP LEP 2022 have been designed to support the vision for the South Jerrabomberra precinct as described in the master plan and to implement the relevant findings of the supporting technical studies.

1.1 The South Jerrabomberra Regional Job Precinct

The South Jerrabomberra precinct covers approximately 950 hectares of land and is located about 5.5km south-west of the Queanbeyan CBD and 10km southeast of Canberra's CBD. The South Jerrabomberra precinct borders the Australian Capital Territory (ACT), including the established Hume industrial estate. An operational but disused section of the Bombala railway runs along the western boundary of the South Jerrabomberra Precinct. The established residential suburbs of Jerrabomberra adjoin the site to the east and north.

In 2006 land within the South Jerrabomberra precinct was identified for investigation for residential and employment land supply and in 2013 Queanbeyan-Palerang Council and the Department of Planning and

Environment established the South Jerrabomberra Structure Plan which provided direction for the delivery of housing and jobs within the precinct. Subsequently, land within the South Jerrabomberra precinct was rezoned for residential and employment land and \$23 million was invested by the NSW Government for the construction of Environa Drive, the main arterial road through the precinct. This has enabled the development of the following sub precincts:

- Poplars Innovation sub precinct
- Education sub precinct (construction of a high school is underway)
- Regional sports complex sub precinct (construction is underway)
- Local centre (North Polars retail) sub precinct
- Residential (South Jerrabomberra) sub precinct

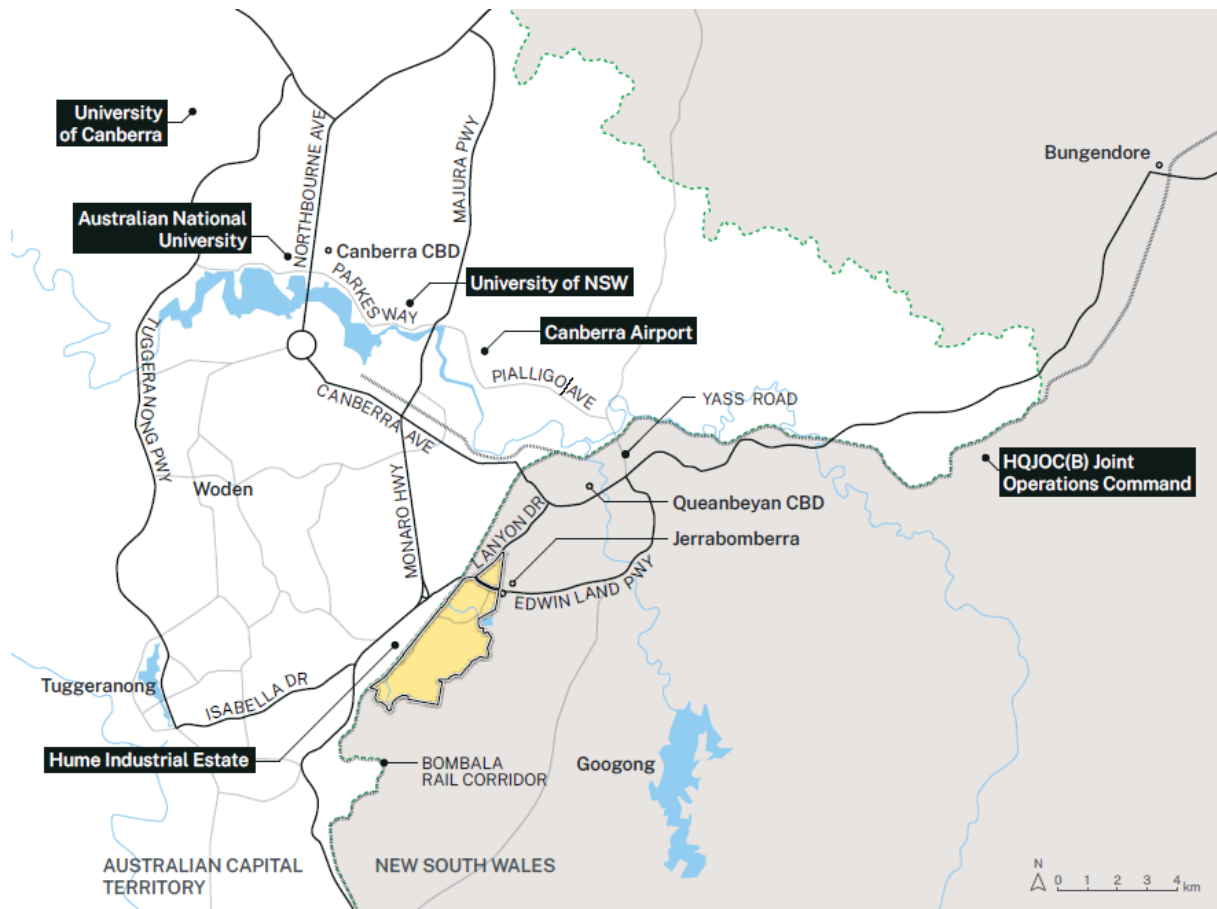


Figure 1: South Jerrabomberra Regional Job Precinct site and context

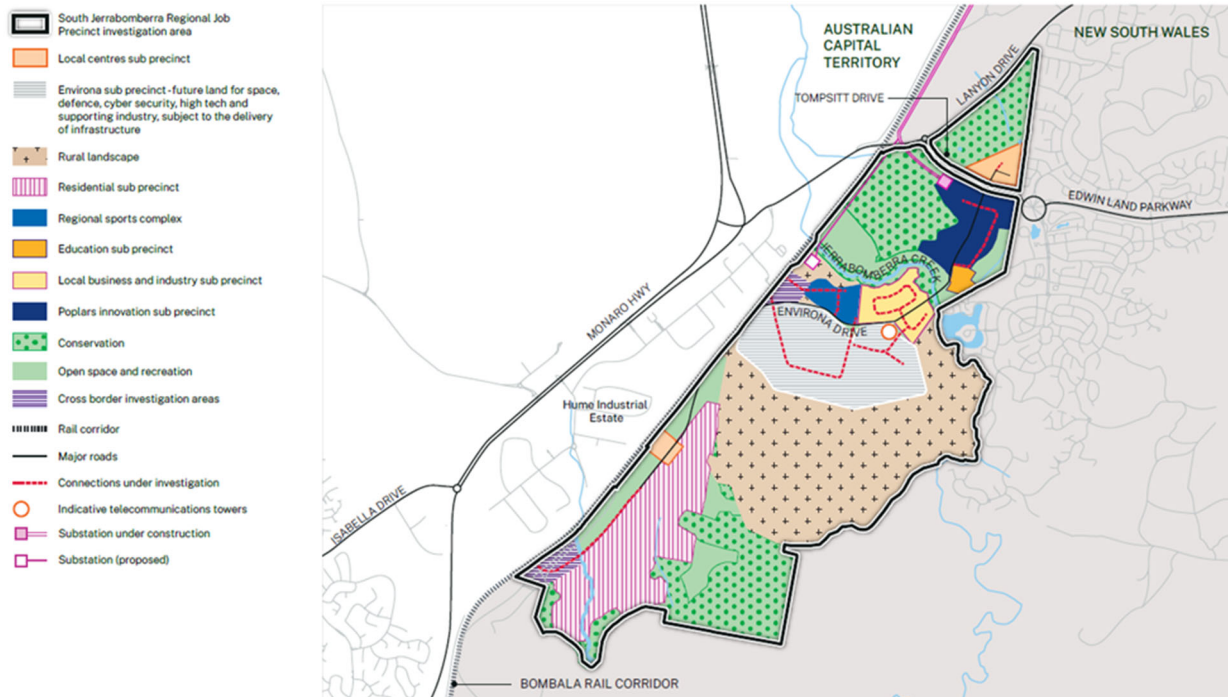


Figure 2: South Jerrabomberra Regional Job Precinct master plan

2. Regional Job Precincts

2.1 The Regional Job Precincts initiative

Regional Job Precincts aim to tailor planning controls to support regional economic development and engine industries to create jobs in regional NSW. The precincts cover a diverse range of locations and investment opportunities and were selected based on site suitability and potential to deliver economic benefits to their regions. Regional Job Precincts are planned in Albury, Richmond Valley, South Jerrabomberra, and the Namoi region.

2.2 Key agencies involved in Regional Job Precincts

The NSW Government is working closely with Queanbeyan-Palerang Regional Council, ACT Government, and relevant agencies to remove barriers to business setting-up and scaling-up in the South Jerrabomberra precinct. The NSW Department Planning and Environment, Department of Regional NSW and Queanbeyan-Palerang Regional Council are building on the long-term strategic planning work already completed at a state and local level.

The Regional Job Precincts initiative is a collaboration between the following key agencies:

- **Queanbeyan-Palerang Regional Council** is a key partner in the development of the South Jerrabomberra precinct draft master plan. Council will retain their regulatory and approval role for development in the South Jerrabomberra precinct and Council will have a central role in co-ordinating existing and future infrastructure. Council's advocacy and influence will play a key role in realising the vision of the South Jerrabomberra precinct.
- **The Department of Regional NSW** is the lead agency for the Regional Job Precincts program. Overseeing the funding and planning of each Regional Job Precinct. The Department of Regional NSW has worked closely with the Department of Planning and Environment,

Queanbeyan-Palerang Regional Council and the ACT government to prepare the technical studies required to develop a master plan and planning framework for each precinct. The Department of Regional NSW has and is committed to working closely with the community and ensure ongoing engagement with public and key stakeholders.

- **The NSW Department of Planning and Environment** is responsible for supporting the development and implementation of any required changes to the planning framework.
- **The ACT-NSW Government’s** Memorandum of Understanding recognises the mutual benefits and increased opportunities of collaboration and a regional approach to achieving outcomes and better service delivery for communities on either side of the border and to support the growth of the Capital subregion.

2.3 South Jerrabomberra draft Master Plan

As outlined in the South Jerrabomberra Draft Master Plan (2023) the precinct is unique to other employment and industrial precincts, as it has potential to leverage from investment and development occurring within the Capital subregion, including the significant State and Federal Government investment in the space, defence, and cyber security industries, as well as existing infrastructure, lower operating costs, and access to a technical and highly skilled workforce.

The South Jerrabomberra precinct investigations included a range of technical assessments and preparation of a master plan. The proposed changes to QP LEP 2022 described in this discussion paper will support the vision for the South Jerrabomberra precinct.

3. Proposed Planning Changes

The intent is for the Minister to adopt the South Jerrabomberra Master Plan to ensure that any future changes to the local environmental plan or development consent is informed by the master plan. This will be actioned by:

- amending Local Planning Directions within “Focus are 1: Planning Systems – Place-based”, under sections 9.1(2) of the *Environmental Planning and Assessment Act 1979* by introducing the South Jerrabomberra Master Plan. This will ensure that future development within the precinct must consider the South Jerrabomberra Master Plan.
- introducing a clause to the *Queanbeyan-Palerang Local Environmental Plan 2022* requiring the consent authority to consider the South Jerrabomberra Master Plan prior to granting development consent.

3.1 Land the South Jerrabomberra Regional Job Precinct applies to

It is proposed to amend the *Queanbeyan-Palerang Local Environmental Plan 2022* to introduce new controls for the development of land within the South Jerrabomberra precinct. The land identified as the South Jerrabomberra precinct is illustrated in Error! Reference source not found.4.

3.2 Land use and zoning

3.2.1 Land use strategy

Current land use zoning

Land within the South Jerrabomberra precinct is primarily used for industrial, business, residential,

environmental conservation, open space, and rural purposes. The land is zoned a mix of IN2 Light Industrial, B7 Business Park, B1 Local Centre, B4 Mixed Use, RU2 Rural Landscape, RE2 Private Recreation, R2 Low Density Residential and E2 Environmental Conservation. The current zoning is illustrated in **Figure 4**.

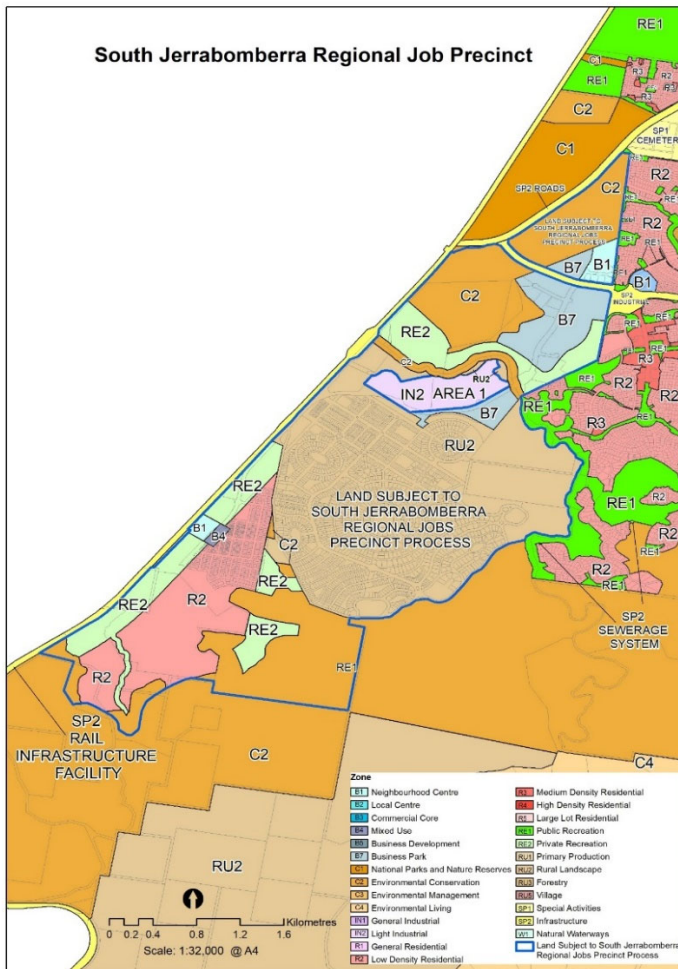


Figure 4 – Current land use zoning – South Jerrabomberra Regional Job Precinct

Intended Land Use Strategy

The intended land use strategy for the South Jerrabomberra precinct is to clarify the intent of the precinct and the intended land uses, acknowledge the future potential for land within the precinct to be utilised for employment uses, and to ensure the precinct aligns with the recent employment zone reform. The strategy also seeks to protect Jerrabomberra Creek and its riparian corridor, Aboriginal and European heritage and recognise and protect the Regional Sports Precinct as a community facility. The land use strategy also seeks to complement other industrial precincts in the Capital sub region to avoid competition and maintain flexibility on a regional scale.

The NSW Employment Land Reform took effect on 26 April 2023. Land within the South Jerrabomberra Regional Job precinct was deferred from this process to enable the master planning for South Jerrabomberra to determine employment zones for the precinct. As directed by the master plan, land within the precinct will transition from industrial and business zones to employment zones to align with the rest of NSW.

Technical assessments have been carried out to inform the South Jerrabomberra precinct master plan and this discussion paper. These technical studies provide the basis for the proposed land use strategy and implementation through the QP LEP 2022.

The conceptual land use strategy is illustrated in **Figure 55**.

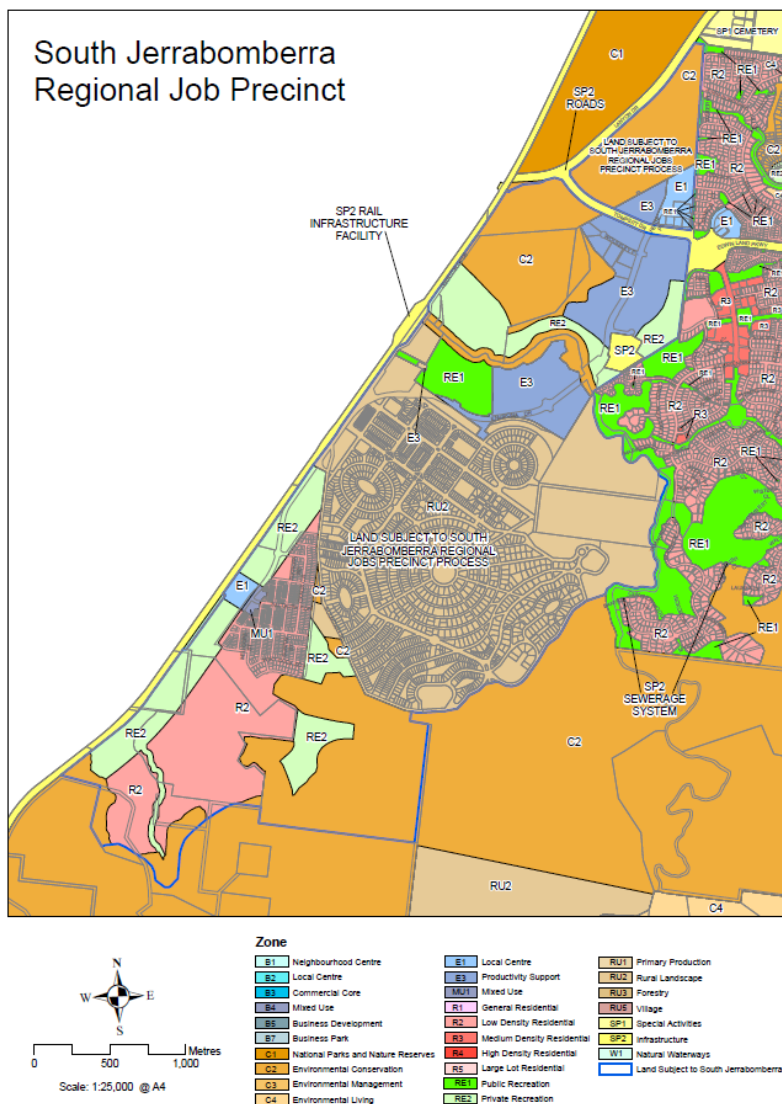


Figure 5 – Proposed land use zoning – South Jerrabomberra Regional Job Precinct

The intent of the land use strategy is to introduce provisions into the QP LEP 2022 to drive development and manage land use within the South Jerrabomberra precinct, as follows:

- Rezoning of existing industrial and business zones to the equivalent employment zones
- Rezone two pockets of RU2 Rural Landscape zone land adjoining Jerrabomberra Creek to C2 Environmental Conservation
- Rezone the land on which the Regional Sports complex is situated to RE1 Public Recreation
- Amend the boundaries of the proposed E1 Local Centre and RE1 Public Recreation zone in the South Jerrabomberra residential sub precinct to align with low density housing allotments created by the residential subdivision
- Building heights, floor space ratios and minimum lot sizes may be amended where land has been rezoned to align with the new zoning
- Identify land zoned C2 Environmental Conservation on the Terrestrial Biodiversity map subject to clause 7.2 Terrestrial Biodiversity
- Include the stone arch gateway, two pairs of stone pillars and a rock garden associated with the

original Environa homestead as local heritage items under Schedule 5 Environmental Heritage

- Remove the hatching shown on the Additional Permitted Uses map (APU map) associated with Schedule 1 Additional permitted uses, clause 22 Use of certain land at Queanbeyan, that allows development for the purposes of extensive agriculture from areas of high conservation values in the northern part of the precinct
- Extend the visual and acoustic buffer to areas of land where the buffer is not currently applied, along the western boundary that adjoins the Hume Estate and Goulburn to Bombala Railway to ensure consistency
- Remove Area 1 from the Land Zoning Map as Area 1 is proposed to be rezoned E3 Productivity. Consequently clause 7.23 Replacement of lawfully erected dwelling houses in zones E1 and E4 will no longer apply to this land
- General amendments to improve the legibility of the QP LEP 2022, such as removing the paper subdivision from the Land Zoning Map and amending incorrect Lot and DP numbers.

Rezoning of land

The following land zoning amendments are proposed:

- Amend Schedule 1 to the *Standard Instrument (Local Environmental Plans) Order 2006* to remove the deferral to 26 April 2025 of the South Jerrabomberra Regional Jobs Precinct from the implementation of the employment zone reforms to allow for the rezoning of existing industrial and business zones to the equivalent employment zones.
- In line with Employment Zone Reform, which took effect on 26 April 2023, land within the South Jerrabomberra precinct was deferred to allow the South Jerrabomberra Regional Job Precinct master planning process to determine the appropriate employment zones for the precinct. As directed by the master plan, land in the precinct zoned IN2 Light Industrial, B7 Business Park, B1 Local Centre and B4 Mixed Use will transition to either E1 Local Centre, E3 Productivity Support or MU Mixed Use.
- Two pockets of land along Jerrabomberra Creek are proposed to be rezoned from RU2 Rural Landscape to C2 Environmental Conservation to ensure the land zoning is consistent the use of the land.
- The Queanbeyan Regional Sports complex site will be rezoned RE1 Public Recreation to ensure the land zoning aligns with the sites use as a public recreation facility.
- Amend land zonings to ensure residential lot boundaries align with the R1 General Residential zone.
- Rezone the land the school is situated on to align with the sites use as a school.

3.2.3 Local provisions and additional permitted uses

Protection of Aboriginal cultural heritage

Aboriginal Cultural Heritage sites within the South Jerrabomberra precinct will be managed in consultation with local Aboriginal representatives. They will be protected, maintained, and enhanced to preserve the significance of sites, culturally significant vegetation, and artefacts. Existing protections under the *National Parks and Wildlife Act 1974* (NSW) will continue to apply.

It is recommended that the South Jerrabomberra DCP 2015 is updated to require consultation with relevant Aboriginal stakeholders, Aboriginal Cultural Heritage be considered at the development application stage and Aboriginal heritage to be incorporated into the design, development, and place naming to ensure the Precinct has a sense of Aboriginal culture and its value.

European Heritage

A stone arch gateway, two pairs of stone pillars and a rock garden associated with the original Environa homestead located within the site have been identified as having European heritage values. To protect and conserve the environmental heritage values of these items they are proposed to be included under Schedule 5 Environmental Heritage in the QP LEP 2022.

Biodiversity and vegetation

Biodiversity and vegetation values were assessed and mapped as part of planning for the precinct and vegetation has been categorised into being of low, medium, and high biodiversity values.

Land zoned C2 Environmental Conservation is proposed to be mapped as comprising terrestrial biodiversity and will be subject to terrestrial biodiversity controls to protect, manage and restore native flora and fauna and to avoid adverse impacts from development. The South Jerrabomberra DCP 2015 will support the protection of biodiversity across the Precinct through the inclusion of development principles, design guidance and controls.

Additionally, to protect, manage and restore land identified as having high biodiversity values in the northern part of the precinct, it will no longer be considered suitable for extensive agriculture to be a permitted use. Consequently, the hatching shown on the APU map associated with Schedule 1 Additional permitted uses, clause 22 Use of certain land at Queanbeyan, that allows development for the purposes of extensive agriculture from land within the precinct will be removed.

Bushfire

Queanbeyan-Palerang Regional Council maintains a map identifying areas of bushfire prone land in the local government area. The bushfire prone land map is the trigger for the consideration of bush fire protection measures for new development, consistent with *Planning for Bush Fire Protection 2019* (NSW Rural Fire Service) and *Australian Standard 3959-2009 – Construction of buildings in bush fire prone areas*. A bushfire safety authority is to be issued for development specified under section 100B(1) of the *Rural Fires Act 1997* (NSW).

It is proposed to continue to rely on the existing map for the identification of bushfire risk and application of relevant policies, and not replicate this work in the South Jerrabomberra precinct.

Flooding

Queanbeyan-Palerang Regional Council maintains a map identifying areas of flood prone land in the local government area. The flood prone land map is the trigger for the consideration of flood protection measures. It is proposed to continue to rely on the existing map for the identification of flood risk and the application of relevant policies and planning controls to guide development within the South Jerrabomberra precinct.

3.2.4 Miscellaneous amendments

A number of minor amendments are proposed to improve the legibility and accuracy of the QP LEP 2022, including:

- removing the historic Environa paper subdivision. Paper subdivisions are areas that were historically planned as future towns, however with the introduction of planning controls in the 1960's, many of these are on land not suitable for the envisaged development and are unlikely to ever be realized and consequently are lot divisions on paper only. The paper subdivision is inconsistent with the future development of the precinct and is proposed to be removed to reduce confusion
- amending references to incorrect Lot and DP references
- remove Area 1 from the Land Zoning Map, subject to clause 7.23 as the land is not proposed to be zoned E1 Local Centre or E4 General Industrial, and there are no existing dwellings situated in

Area 1

- the existing visual and acoustic buffer identified on the Local Clauses Map and subject to clause 7.19 Development near Hume Industrial Area and Goulburn to Bombala Railway line is proposed to be extended along the entire length of the Hume Industrial Estate
- remove the Additional Permitted Use for the development of a single education establishment from Lot 2 DP 1277158 as the land zone has been amended to ensure the use of school is permitted on the site.

3.2.5 Development control plan

To align with the findings of the technical studies and strategic work undertaken as part of the South Jerrabomberra precinct planning, the draft masterplan recommends Council considers updating its South Jerrabomberra Development Control Plan (DCP). Updates to the DCP will ensure the planning framework includes controls to ensure the provision of adequate infrastructure, support the management of risk, and enhance, protect, or conserve areas of biodiversity and heritage values.

3.2.6 Infrastructure arrangements and contributions

Infrastructure will be funded through a combination of section 7.11 and section 7.12 charges under the *Environmental Planning and Assessment Act 1979* (EP&A Act), section 64 charges under the *Local Government Act 1993* (water and sewer), and through other potential funding mechanisms. The funding mechanism options to be adopted for the South Jerrabomberra precinct are subject to further review by Queanbeyan- Palerang Regional QP LEP 2022, development consent will not be granted to development unless the consent authority is satisfied that services essential for the proposed development are available or that adequate arrangements have been made to make them available.

3.2.7 Other licences and approvals

Processes, approvals, and licenses required under other legislation, such as the *Protection of the Environment Operations Act 1997* (NSW), *Biodiversity Conservation Act 2016* (NSW), the *Roads Act 1993* (NSW) and the *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth) will continue to be required. Provisions under Chapter 3 *Hazardous and offensive development* and Chapter 4 *Remediation of land of State Environmental Planning Policy (Resilience and Hazards) 2021* will continue to apply.

The *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) identifies certain high-impact development (e.g. likely to generate pollution) or development that is located in or near an environmentally sensitive area (e.g. wetland) as 'designated development'. This development is required to be the subject of an Environmental Impact Statement and publicly exhibited for a minimum of 28 days.

There will be no changes to scheduled activities that require an environment protection licence under the *Protection of the Environment Operations Act 1997* (NSW) or the relevant controls under Chapter 3 *Hazardous and Offensive Development* and Chapter 4 *Remediation of Land of State Environmental Planning Policy (Resilience and Hazards) 2021*. Where certain development is no longer considered designated, such development may continue to require an environment protection licence (integrated development) to operate and the relevant controls under *State Environmental Planning Policy (Resilience and Hazards) 2021* continue to apply.

Further mitigation measures may be required through relevant performance criteria in the South Jerrabomberra Regional Job Precinct Development Control Plan.

3.2.8 Savings and transitions provisions

A savings and transitions provision is proposed for development where a development application has been lodged but not yet determined. This allows for those developments to be determined as per the

controls that were in force at the time the development application was lodged.

3 Other Legislation and Policies

4.1 Legislation that will continue to apply

The intent is that the following key legislation and environmental planning instruments will continue to apply to the South Jerrabomberra precinct, amongst others:

Biodiversity Conservation Act 2016 (NSW)

Heritage Act 1977 (NSW)

Local Land Services Act 2013 (NSW)

Protection of the Environment Operations Act 1997 (NSW)

Water Act 1912 (NSW)

State Environmental Planning Policy (Biodiversity and Conservation) 2021

State Environmental Planning Policy (Exempt and Complying Development) 2008

State Environmental Planning Policy (Industry and Employment) 2021

State Environmental Planning Policy (Planning Systems) 2021

State Environmental Planning Policy (Resources and Energy) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Transport and Infrastructure) 2021

Biodiversity Conservation Act 2016 (NSW)

All land use zones will be subject to *Local Land Services Act 2013* and the *Biodiversity Conservation Act 2016* provisions.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 *Vegetation in non-rural areas* of *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (Biodiversity and Conservation SEPP) works together with the *Biodiversity Conservation Act 2016* and the *Local Land Services Amendment Act 2016* to create a framework for the regulation of land clearing, and preservation of trees and other vegetation in NSW.

Chapter 2 of the Biodiversity and Conservation SEPP only applies to land zoned SP2 Infrastructure and C3 Environmental Management within the South Jerrabomberra precinct.

State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3 *Advertising and signage* of *State Environmental Planning Policy (Industry and Employment) 2021* (Industry and Employment SEPP) provides development approval considerations for advertising and signage, where approval pathways exist in other environmental planning instruments, such as the QP LEP 2022.

State Environmental Planning Policy (Planning Systems) 2021

Chapter 2 *State and regional development* of *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP) identifies the thresholds or circumstances where development applications would be considered regionally significant or State significant.

Schedule 1 of the Planning Systems SEPP lists State significant development categories determined by thresholds based on metrics such as capital investment value. Schedule 6 of the Planning Systems SEPP

lists regionally significant development categories determined by thresholds based on metrics such as capital investment value or where potential conflicts of interest or other complexities are expected.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 3 *Hazardous and offensive development of State Environmental Planning Policy (Resilience and Hazards) 2021* (Resilience and Hazards SEPP) provides definitions for 'hazardous' industry and 'offensive industry'. The chapter then makes development assessment requirements for these industries and provides a process for dealing with 'potentially' hazardous or offensive industries.

The planning and development process is subject to the EP&A Act, Chapter 4 *Remediation of Land* of the Resilience and Hazards SEPP, and the Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land (SEPP 55 Guidelines). Development for the purpose of remediation cannot be complying development and will be required to be conducted as development without consent or require a development application.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

The *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* will continue to apply to the South Jerrabomberra precinct in addition to exempt and complying development specified in the QP LEP 2022.

This allows for the creation of precinct-specific exempt or complying development provisions, where required, while retaining the flexibility to support the nature and diversity of land uses envisaged for the South Jerrabomberra precinct.