



LEETON SHIRE COUNCIL

Preserving the Past, Enhancing the Future

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CM/EF11-103/11



6 May 2011



PDU000283

Regional Manager
Western Region
Department of Planning and Infrastructure
PO Box 58
DUBBO NSW 2830

Dear Ms Grey

SUBJECT: PLANNING PROPOSAL FOR 106 KURRAJONG AVENUE, LEETON

Council resolved at its meeting held 27 April 2011 to prepare a planning proposal for Lot 3, Section 12, DP 758606, 106 Kurrajong Avenue, Leeton to rezone the land from Residential 2(c) to Special Business 3(b) under Leeton Local Environmental Plan No 4, and forward the planning proposal to the Department of Planning. A copy of Council's report and resolution is attached.

Currently a vacant house is located on the land. The proposal for redevelopment includes the demolition of the cottage and the erection of a funeral home, including mortuary, viewing and function rooms, chapel and offices with off street car parking.

Council is seeking the rezoning to permit the development on this site as there is not an existing commercial site available to be redeveloped of this use. The existing funeral home in Leeton only provides for offices and viewing rooms and the community through the Community Strategic Plan has expressed the desire for services to be provided in Leeton.

The planning proposal has been handed to the Regional Manager on Thursday 5 May 2011.

If you require further information please contact the undersigned or Chris Milne on (02) 69530919.

Yours Faithfully

ECM Stoneman
MANAGER PLANNING &
DEVELOPMENT SERVICES

106 Kurrajong Avenue Aerial Photograph



LEETON SHIRE COUNCIL
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Map Zoom: 0.3632 km

Comments

About this Document

This map has been created for the purpose of showing basic locality information over Leeton Shire Council. Property boundary line network data is supplied by State Government. Any error should be reported to the GIS Section, Leeton Shire Council.

Disclaimer

This map is a representation of the information currently held by Leeton Shire Council. While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions. Any feedback on omissions or errors would be appreciated.

LATE REPORT

Planning & Development Services Division

10 DEVELOPMENT AND BUILDING CONTROLS	Environmental Health &
PROPOSED REZONING AT 106	Building Surveyors Report
KURRAJONG AVENUE, LEETON	EF10/503
	1020563

INTRODUCTION

Council has been approached by Allan and Cheryl Turner of Les Watkins and Sons Pty Ltd with a request to rezone Lot 3, Section 12, DP 758606, 106 Kurrajong Avenue, Leeton from 2(c) Residential under Local Environmental Plan No 4 to 3(b) Special Business.

BACKGROUND

The purpose of the request to rezone the land is to relocate the existing funeral home practice from its current location at 57 Kurrajong Avenue, Leeton to the subject site, 106 Kurrajong Avenue. The subject site offers a considerable sized block with good position and multiple accesses which is desirable for the businesses vehicles, customers and facilities.

COMMENT

At present the operation of a funeral home on the subject site is a prohibited use under the 2(c) Residential zoning and a rezoning to 3(b) Special Business under the new "gateway" determination system would be required.

The preparation of a "planning proposal" is the first step in preparing an LEP for the new "gateway" determination system established by the Department of Planning in 2009. A planning proposal must contain the objectives, an explanation of the provisions, the justification for the proposal and the details of any community consultation to be undertaken.

The planning proposal is prepared by Council and sent to the Department of Planning for a "gateway" determination. The gateway determination indicates whether or not the proposal can continue for Community, State and Commonwealth consultation and subsequently for final adoption.

In the future planned general review of Council's Local Environmental Plan it was intended to rezone existing Residential 2(c) zoned land in Kurrajong Avenue to General Business 3(b) providing scope for further commercial development and providing a consistent land use for the Kurrajong Avenue area. A Plan showing the existing Kurrajong Avenue zones is attached.

LATE REPORT

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(Cont'd)	1020563

The site at 106 Kurrajong Avenue appears to be suitable for the establishment of a Funeral Home, subject to Council considering a formal development application and the site generally for commercial purposes would be consistent with land adjacent to the south along Kurrajong Avenue.

RECOMMENDATION

That Council resolve to prepare a planning proposal and forward it to the Department of Planning for "gateway" determination for the rezoning of 106 Kurrajong Avenue, Leeton from 2(c) Residential under Leeton Local Environmental Plan No 4 to 3(b) Special Business as per the objectives and provisions detailed below.

Objective: To enable the redevelopment of 106 Kurrajong Avenue, Leeton for commercial premises.

Explanation of the Provisions: Amendment of the Leeton Local Environmental Plan No 4 map in accordance with the proposed zoning map shown in attachment 1.

ATTACHMENT 1



- NOTES:
- HATCHED AREA DENOTES SUBJECT SITE FOR REZONING.
 - 2(C)* INDICATES A SITE ZONED AS 2(C) RESIDENTIAL BUT WITH A PROVISION FOR THE ALLOWANCE OF A MEDICAL CENTRE.

		LEETON SHIRE COUNCIL Planning & Development 21-25 Queensland Pk, Leeton N.S.W. 2705 Telephone: (08) 8532 3611 Fax: (08) 8503 3337		DRAWN: CH DATE: 27/4/17	TITLE: 106 KURRAJONG AVENUE	DATE: 27/4/17	SCALE:	SHEET NO.: 1	DRAWING NO.: XXXX
				PREPARED: CH DATE: 27/4/17	DETAILS: 27/4/17	CHECKED: CH DATE: 27/4/17	DESIGNED: CH DATE: 27/4/17	NTS: A3	PROPOSED REZONING

- 11/140 **Resolved** that Council make necessary application to the Minister and the Governor to acquire the land described as Lot 8, Section 1, DP 758606, Parish of Willimbong, County of Cooper, Town of Leeton, and that this acquisition is being undertaken as per Section 186 of the Local Government Act 1993. Purchase arrangements to be undertaken as per the terms of the Land Acquisition (Just Terms Compensation) Act 1991.

(O'Callaghan/Weston)

- 9 DA 44/2011 – Request for Variation of The Minimum Lot Size –
For the Erection of a Residential Dwelling at 1-3 Fig Street Leeton
Owner – Mrs JS Norton 1015944 – EF10/210

Note: Cr B Arnold declared a Pecuniary Conflict of Interest in this matter as he will be building a home for the applicant on the land and left the Library meeting room at 9.20pm and took no part in discussion and voting.

- 11/141 **Resolved** that Council support the objection under State Environmental Planning Policy No. 1 "Development Standards" for the erection of a residential dwelling on an allotment with a total area of 1155m² on the grounds that it is unreasonable to require strict compliance with the development standard pertaining to minimum Lot sizes and represents a minor variation to the Development Standard.

(O'Callaghan/Doig)

Note: Cr Arnold returned to the Library meeting room at 9.21pm.

LATE REPORT

- 11/142 **Resolved** that the Late Report for Environmental & Community Services be accepted as an urgent item and dealt with immediately.

(Davidson/Weston)

- 10 Development and Building Controls – EF10/503
Proposed Rezoning at 106 Kurrajong Avenue Leeton - 1020563

- 11/143 **Resolved** that Council prepare a planning proposal and forward it to the Department of Planning for "gateway" determination for the rezoning of 106 Kurrajong Avenue Leeton from 2(c) Residential under Leeton Local Environmental Plan No. 4 to 3(b) Special Business as per the objectives and provisions detailed below.

Objective: To enable the redevelopment of 106 Kurrajong Avenue, Leeton for commercial premises.

Explanation of the Provisions: Amendment of the Leeton Local Environmental Plan No. 4 map in accordance with the proposed zoning map shown in Attachment 1 of the report.

(O'Callaghan/Weston)

STATEMENTS BY COUNCILLORS

1 Cr Emerson Doig

Noted that despite the school holidays there was an excellent attendance at the Anzac Day Service.

2 Cr George Weston

Noted that the Independent Report on the proposed sale of SunRice has been released with the Report supporting the sale.

3 Cr Paul Maytom

- Cr Maytom endorsed Cr Doig's comments regarding the Anzac Day service and also noted that the Dawn Service had been well attended.
- Commented that a number of Hot Air Balloonists had visited Leeton during the Easter weekend and noted that the past two weekends had been extremely busy with many visitors coming to town utilising the services and contributing to the local economy.
- Stephen Joyce attended a Sustainable Communities meeting recently with good outcomes for several rural/regional communities regarding solar energy, with 55 jobs being created at Nyngan. AusChina is looking to invest \$6B in renewable energy and Council should continue to look at opportunities and avenues that may become available in the future.

4 Director Engineering & Technical Services

Director Engineering & Technical Services advised that a slurry sealing of the parking areas in Pine Avenue and Kurrajong Avenue is programmed for Friday 29 April 2011 and possibly Saturday 30 April 2011. Businesses will be advised of the work.

Note: P Kennedy, J Richardson, C Milne, J Clyne and V Harrison left the meeting at this time.