

7) PROPOSED AMENDMENTS TO COOTAMUNDRA LOCAL ENVIRONMENTAL PLAN 2013

Cr Palmer declared a pecuniary interest as owner of Lot 1 DP530890; 29 Yass Road Cootamundra. Cr Palmer left the room at 6.56pm and took no part in the discussion or voting of this item.

Introduction

Council, at its meeting held on 14 April 2014, gave consideration to a report regarding proposed minor amendments to the Cootamundra Local environmental Plan 2013.

Following consideration of this report, Council resolved, in part:

“That Council reconsider the motion in May following advertisement of its intention to seek a variation and invitation for further community comment.”

Public notice was subsequently given in the “Cootamundra Herald” inviting submissions from interested persons on minor amendments to the LEP. One submission has been received on this matter and is provided as a separate report. (refer to Item 8).

The report on this matter that was considered at the April 2014 Council meeting is provided again for Council’s consideration:

This report discusses proposed amendments to the Cootamundra Local Environmental Plan 2013.

Discussion

The Cootamundra Local Environmental Plan 2013 came into effect on 26 July 2013. Since the commencement of the LEP it has become apparent that there are some minor amendments that need to be made to the LEP.

Amendment Process

Under the Standard Template legislation, Councils are required to review their Standard LEPs every five years. However, Councils are also able to make amendments to the plan as required.

Depending on the nature of the amendments proposed, NSW Planning and Infrastructure (the Department) may delegate the authority to carry out the amendments to Council. However, Council is first required to consider the proposed

amendments and seek an opinion from the Department under the 'Gateway Process' to determine whether the delegation can be applied.

The gateway process simply means that Council notifies the Department of the proposed amendments and following consideration, the Department advises Council whether the amendments can be dealt with by Council under Ministerial delegation or, whether the amendments are dealt with by the Department or, whether the amendment is not considered appropriate or, additional matters such as required consultation with government agencies, etc. In this way, the gateway process means that councils are aware of whether or not to proceed with the amendments in the early stages of the amendment process.

Delegation of Plan Making Process

Council, at its meeting held on 12 November 2012, was advised of the delegation of Plan making functions to Councils by the Minister for Planning in the making of Local Environmental Plans (LEPs) for some relatively minor amendments to LEPs. Following consideration of this matter Council resolved to formally accept the delegations under Section 59 of the *Environmental Planning and Assessment Act 1979* and grant delegated authority under Section 59 to the General Manager and Council's Planning Officer. However, as stated above, Council is required to consult with the Department through the gateway process to determine whether the delegation can be used.

Proposed amendments

1. Heritage Item

Part 1 of Schedule 5 "Environmental Heritage" in the LEP lists heritage Items which are also identified on the LEP maps. One of these items; being item number 74 known as "Begley's Store" situated at Lot 1 in DP110542, 30 Hibernia Street Stockinbingal, was destroyed by fire and accordingly this item should be removed from both the Schedule and Heritage Map HER_1A . **(Refer to TABLED DOCUMENT 4-MAY-2014 (Page 30)).**

2. IN2 Light Industrial Zone

Prior to finalisation of the LEP, Council prepared an Industrial Lands Strategy to identify areas suitable for inclusion in the industrial zones of the LEP. The Strategy included most of the existing industrial properties that were already used for industrial purposes, with the exception of some properties which were situated in predominantly residential areas or in close proximity to residential areas.

Most of the properties with industrial land uses situated in close proximity to residential development were subsequently included in the IN2 Light Industrial Zones in the LEP; For example, the Barnes Street and Hovel Street industrial areas have been zoned IN2 Light Industrial. **(Refer to TABLED DOCUMENT 5 MAY 2014 (Pages 31-32)).**

The main difference between the IN1 General Industrial and the IN2 Light Industrial zones is that the IN2 zone is generally more restrictive in terms of the land use tables, taking into account the close proximity to residential development.

Since the commencement of the Plan, it has become apparent that two properties currently used for non-residential purposes have been zoned R1 General Residential, where it would be more appropriate to include them in the IN2 Light Industrial Zone. These properties are:

A. Lots 1 – 4 in DP724913 and Lot 1 in DP948674, 2 Sutton Street Cootamundra

This property is situated on the northern end of Sutton Street adjacent to the Cootamundra West Railway line and the intersections of Sutton Street, Hovell Street and Yass Road. The location and zoning of this property is shown in **TABLED DOCUMENT 6 MAY 2014 (Page 33).**

Whilst the site has “existing use” rights to continue operating in the R1 General Residential Zone, the *Environmental Planning & Assessment Act, 1979*, places limitations on the amount of increase in floor area, limiting development to a maximum of 10% expansion of the existing floor space.

The site has been used for many years for the “Coota Producers” business selling farm products such as farm equipment, fertilisers and fencing. Prior to this the site was used as a fuel distribution depot for many years. In the Cootamundra LEP 2013, the land use term “rural supplies” is defined as follows:

“rural supplies” means a building or place used for the display, sale or hire of stockfeeds, grains, seed, fertilizers, veterinary supplies and other goods or materials used in farming and primary industry production.

“Rural supplies” are permitted with consent in the IN2 Light industrial Zone. Given the nature of the business and its location adjoining the railway line and the main roads of Hovell Street and Yass Road, it is considered that this property would be more appropriately zoned IN2 Light Industrial.

B. Lot 1 DP530890; 29 Yass Road Cootamundra

This property is situated at the intersection of Yass Road and Barnes Street and immediately opposite the IN2 Light Industrial Zone in Barnes Street. The location and zoning of this property is shown in **TABLED DOCUMENT 7 MAY 2014 (Page 34).**

This property was a former service station site and was granted approval from Council (DA12-055) for a motor dealership and mechanical workshop in February 2012. This approval also included a caretaker's residence.

The property is currently zoned R1 General Residential. However, given its past and current use, it is considered more appropriate to rezone this land from R1 General Residential to IN2 Light Industrial. In the Cootamundra LEP 2013, the land use term "vehicle repair station" and "vehicle sales or hire premises" are defined as follows:

Vehicle repair station means a building or place use for the purpose of carrying out repairs to, or the selling and fitting of accessories to, vehicles or agricultural machinery, but does not include a vehicle body repair workshop or vehicle sales or hire premises.

Vehicle sales or hire premises means a building or place used for the display, sale or hire of motor vehicles , caravans, boats, trailers, agricultural machinery and the like, whether or not accessories are sold or displayed there.

The motor dealership falls within the definition of "vehicle sales or hire premises" and the mechanical workshop within the definition of "vehicle repair station", both of which are permitted with consent in the IN2 Light industrial Zone.

C. Service Stations in Zone IN2 Light Industrial

Council, at its meeting held on 12 November 2012, gave consideration to a report on submissions made in relation to the Draft Cootamundra LEP 2013.

A submission on the draft Plan was also made by Council staff on a number of matters, including changes to the land use table. One of the recommended changes was that service stations be permitted with consent in the IN2 Light Industrial zone.

Following consideration of this matter, Council resolved that:
service stations be included in item 3 of the land use table in Zone IN2 Light Industrial as being "permitted with consent".

The Department of Planning and Infrastructure was subsequently advised of Council's decision on changes required to the Draft LEP, including this matter.

However, it has been noted that the recommended change to the land use table has been inadvertently omitted in the final Plan. It is important to rectify this anomaly in the LEP as the existing service stations in Cootamundra are situated in the IN2 Light Industrial Zone.

3. Minimum Lot Size for dual occupancy, multi dwelling housing and residential flat buildings

At present the Cootamundra LEP 2013 has a minimum lot size for the subdivision of land for residential development in the R1 General Residential and R3 Medium Density Residential Zones of 450 and 350 square metres, respectively.

However, the LEP does not have specific requirements for minimum lot sizes for dual occupancy, multi dwelling housing and residential flat buildings. It has been noted in Council's assessment of these types of development that larger lots are required than for single dwelling development and it is considered desirable to include an appropriate clause in the LEP to clarify this matter.

The following definitions in the LEP are relevant to this matter:

Dual occupancy (attached) means 2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling.

Dual occupancy (detached) means 2 detached dwellings on one lot of land, but does not include a secondary dwelling.

Multi dwelling housing means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.

Residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.

The Department of Planning and Infrastructure has approved a "model" clause for this type of development standard that Council's can include in LEPs. However, it is the discretion of individual Council's as to whether this clause is included. In addition, the applicable residential zones and the minimum lot sizes are also discretionary.

The proposed clause to be included in the LEP is as follows:

- (1) The objective of this clause is to achieve planned residential density in certain zones.*
- (2) Development consent may be granted to development on a lot in a zone shown in Column 2 of the Table to this clause for a purpose shown in Column 1 of the Table opposite that zone, if the area of the lot is equal to or greater than the area specified for that purpose and shown in Column 3 of the Table.*

Column 1	Column 2	Column 3
<i>Dual occupancy (attached)</i>	<i>R1 General Residential R3 Medium Density Residential</i>	700 m ²
<i>Dual occupancy (detached)</i>	<i>R1 General Residential R3 Medium Density Residential</i>	850m ²
<i>Multi dwelling housing</i>	<i>R1 General Residential R3 Medium Density Residential</i>	1000 m ²
<i>Residential flat building</i>	<i>R1 General Residential R3 Medium Density Residential</i>	1000 m ²

RECOMMENDATION

1. That Council prepare a planning proposal to amend the Cootamundra LEP 2013 as follows:
 - (a) Heritage item number 74 known as “Begley’s Store” situated at Lot 1 in DP110542, 30 Hibernia Street Stockinbingal, be removed from Schedule 5 and Heritage Map HER_1A.
 - (b) Lots 1 – 4 in DP724913 and Lot 1 in DP948674, 2 Sutton Street Cootamundra, be rezoned from R1 General Residential to IN2 Light Industrial and that the LEP Lot Size Maps be amended to remove the land from the 450m² minimum lot size to no minimum lot size.
 - (c) Lot 1 DP530890, 29 Yass Road Cootamundra, be rezoned from R1 General Residential to IN2 Light Industrial and that the LEP Lot Size Maps be amended to remove the land from the 450m² minimum lot size to no minimum lot size.
 - (d) The proposed clause for “Minimum Lot Size for dual occupancy, multi dwelling housing and residential flat buildings” as detailed in item 3 of this report be included in the LEP.
 - (e) That “service stations” be removed from item 4 of the land use table and be included in item 3 “permitted with consent” in Zone IN2 Light Industrial.

- (f) The proposed amendments to the Cootamundra LEP 2013 be referred to NSW Planning and Infrastructure seeking a gateway determination of the proposed amendments.

13/05/14

RESOLVED – Moved: Wight

Seconded: Donnelly

1. That Council prepare a planning proposal to amend the Cootamundra LEP 2013 as follows:

- (g) Heritage item number 74 known as “Begley’s Store” situated at Lot 1 in DP110542, 30 Hibernia Street Stockinbingal, be removed from Schedule 5 and Heritage Map HER_1A.
- (h) Lots 1 – 4 in DP724913 and Lot 1 in DP948674, 2 Sutton Street Cootamundra, be rezoned from R1 General Residential to IN2 Light Industrial and that the LEP Lot Size Maps be amended to remove the land from the 450m² minimum lot size to no minimum lot size.
- (i) Lot 1 DP530890, 29 Yass Road Cootamundra, be rezoned from R1 General Residential to IN2 Light Industrial and that the LEP Lot Size Maps be amended to remove the land from the 450m² minimum lot size to no minimum lot size.
- (j) The proposed clause for “Minimum Lot Size for dual occupancy, multi dwelling housing and residential flat buildings” as detailed in item 3 of this report be included in the LEP.
- (k) That “service stations” be removed from item 4 of the land use table and be included in item 3 “permitted with consent” in Zone IN2 Light Industrial.
- (l) The proposed amendments to the Cootamundra LEP 2013 be referred to NSW Planning and Infrastructure seeking a gateway determination of the proposed amendments.

VOTING RECORD for Minute 13/05/14 – PROPOSED AMENDMENTS TO COOTAMUNDRA LOCAL ENVIRONMENTAL PLAN 2013	
FOR RESOLUTION	AGAINST RESOLUTION
Braybrooks, Chalmers, Doidge, Donnelly, Slattery, Stewart, Wight	Nil
ABSENT	DECLARED INTEREST
Phillips	Palmer

Cr Palmer returned to the meeting at 6.57pm.

8) ADDITIONAL PROPOSED AMENDMENTS TO COOTAMUNDRA LOCAL ENVIRONMENTAL PLAN 2013

Section 458 of the *Local Government Act 1993* states:

458 Powers of Minister in relation to meetings

The Minister may, conditionally or unconditionally, allow a councillor or a member of a council committee who has a pecuniary interest in a matter with which the council is concerned to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:

- (a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or*
- (b) that it is in the interests of the electors for the area to do so.*

Each of the following Councillors have an exemption from the Minister for Local Government under s.458 of the Local Government Act 1993 and may be involved in the discussions and decisions on this matter as it relates to the development of the Local Environment Plan for Cootamundra Shire.

Local Government Act 1993 Section 458 - Special Disclosure of Pecuniary Interests

I, Michael Paul Braybrooks of "Jarrabinda" , Salt Clay Lane Cootamundra NSW 2590 hereby disclose the full nature and extent of my pecuniary interest/s in this Item because of an interest, either of myself or of an associate, in the following properties within the B3 Commercial Core Zone.			
<i>Person(s) affected</i>	<i>Relationship to Councillor</i>	<i>Address of property</i>	<i>Nature of Person Affected's Interest in Property</i>
Michael Paul Braybrooks and Judith Rollston Braybrooks	Self and Spouse	200 Parker Street, Cootamundra being Lot 2 DP 231008	Owners
Michael Paul Braybrooks and Judith Rollston Braybrooks	Self and Spouse	184 Parker Street, Cootamundra being Lot 1 DP 329368	Owners
I, Stephen John Doidge of 74 - 76 Parker Street Cootamundra NSW 2590 hereby disclose the full nature and extent of my pecuniary interest/s in this Item because of an interest, either of myself or of an associate, in the following properties within the B3 Commercial Core Zone.			
<i>Person(s) affected</i>	<i>Relationship to Councillor</i>	<i>Address of property</i>	<i>Nature of Person Affected's Interest in Property</i>
Stephen John Doidge and Ann-	Self and Wife	74 - 76 Parker Street	Owner

Maree Doidge		Cootamundra being Lot 12 DP 850295	
Stephen John Doidge and Ann-Maree Doidge	Self and Wife	88 Parker Street Cootamundra being Lot 1 DP 617352	Owner
John Eddie Doidge	Parent	46 – 50 Wallendoon Street Cootamundra being Lot B DP 376154	Owner

I, **Dennis Thomas Palmer** of **"Bandangan" Berthong Road, Cootamundra NSW 2590** hereby disclose the full nature and extent of my pecuniary interest/s in this Item because of an interest, either of myself or of an associate, in the following properties within the B3 Commercial Core Zone.

<i>Person(s) affected</i>	<i>Relationship to Councillor</i>	<i>Address of property</i>	<i>Nature of Person Affected's Interest in Property</i>
Dennis Thomas Palmer	Owner	27 Yass Road, Cootamundra being Lot 2 DP 530890	Owner
Dennis Thomas Palmer	Owner	29 Yass Road, Cootamundra being Lot 1 DP 530890	Owner
Dennis Thomas Palmer and Frances Linda Palmer	Owner	70 Wallendoon Street, Cootamundra being Lots 1 & 2 DP230412 and Lots A & B in DP 379236	Owner

I, **Craig Stewart** of **55 Cowcumbra Street Cootamundra NSW 2590** hereby disclose the full nature and extent of my pecuniary interest/s in this Item because of an interest, either of myself or of an associate, in the following properties within the B3 Commercial Core Zone.

<i>Person(s) affected</i>	<i>Relationship to Councillor</i>	<i>Address of property</i>	<i>Nature of Person Affected's Interest in Property</i>
Handy One Pty Limited	Employer	105 Parker Street Cootamundra being Lots 3 4 5 Sec A DP 1471a and Lots A B C DP 176408	Owner
Handy One Pty Limited	Employer	54 Murray Street Cootamundra being Lot 6 Sec A DP 1471	Owner

Introduction

This report gives consideration to a submission received on the proposed minor amendments to the Cootamundra Local Environmental Plan 2013 as discussed in Item 32 of the agenda.

Discussion

A submission has been received from Rod Chalmers suggesting that Council consider changes to the land use table in relation to the B3 Commercial Core Zone in the Cootamundra LEP 2013. The submission is included as **TABLED DOCUMENT 8 MAY 2014 (Page 36)** and is as follows:

Propose an amendment to the Cootamundra LEP Zone B3 Commercial Core by removing from section 4 Prohibited, the following items:

Exhibition homes; Highway service centres; Recreation facilities (outdoor); Residential accommodation; Service stations; Vehicle body repair workshops; Vehicle repair stations; Wholesale supplies

Propose an amendment to the Cootamundra LEP Zone B3 Commercial Core by adding to section 3 Permitted with consent, the following items:

Exhibition homes; Highway service centres; Recreation facilities (outdoor); Residential accommodation; Service stations; Vehicle body repair workshops; Vehicle repair stations; Wholesale supplies

Essentially, this submission considers that certain land uses which are currently prohibited in the B3 Zone should be removed from Item 4 of the Land Use Table as “prohibited” and included in item 3 of the Land Use Table as being “permitted with consent”.

Location

The B3 Commercial Core zone applies to the main retail and office precinct in Parker, Wallendoon and Cooper Streets as well as parts of Bourke and Adams Streets between Parker and Cooper Streets. The area within the B3 Zone is shown in **TABLED DOCUMENT 9 MAY 2014 (Page 35)**.

Zone objectives

The objectives of the Zone B3 Commercial Core in the LEP are:

- *To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.*
- *To encourage appropriate employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*

The assessment methodology for any proposed variation to the Land Use tables within a Zone involves:

1. considered of the Zone objective as the primary determinant of any proposed changes, followed by
2. if the proposal fits within the Zone objective, consideration of the details of the definition of the proposed use
3. consideration of the full potential impact of the variation assuming anything allowable by the definition could be the subject of an application.

Definitions

The LEP document provides definitions for the various land use terms that are used in the land use tables. The definitions that are relevant to this submission are provided below.

exhibition home means a dwelling built for the purposes of the public exhibition and marketing of new dwellings, whether or not it is intended to be sold as a private dwelling after its use for those purposes is completed, and includes any associated sales or home finance office or place used for displays.

Comment

An exhibition home is a type of residential accommodation that is principally used by developers to demonstrate the type of housing that will be constructed in a new residential estate and to generate home sales. It is considered unlikely that there would be a need for this type of residential development in the B3 Zone and that it is more appropriate to allow exhibition homes to be constructed in the residential zones.

highway service centre means a building or place used to provide refreshments and vehicle services to highway users. It may include any one or more of the following:

- (a) a restaurant or cafe,
- (b) take away food and drink premises,
- (c) service stations and facilities for emergency vehicle towing and repairs,
- (d) parking for vehicles,
- (e) rest areas and public amenities

Comment

The LEP currently enables highway service centres in the RU5 Village zone. This type of development generally requires large areas of land and is typically found adjacent to main highways such as the service centres on the Hume Highway that include service stations, truck stops and food premises.

It is not considered necessary to allow highway service centres in the B3 Zone as this zone is not adjacent to the main arterial roads in Cootamundra.

However, it should be noted that some of the land uses within this definition, such as restaurants, cafes, and takeaway food and drink premises are currently permitted with consent in the B3 Zone.

recreation facility (outdoor) means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

Comment

Recreation facilities (outdoor), by definition, generally require large parcels of land and are therefore not considered appropriate in the B3 Zone.

However, it should be noted that other types of recreational facilities which are within the definition of *recreation facilities (indoor)*, such as bowling alleys, squash courts and ice rinks, are permitted with consent in the B3 Zone.

residential accommodation means a building or place used predominantly as a place of residence, and includes any of the following:

- (a) attached dwellings,
- (b) boarding houses,
- (c) dual occupancies,
- (d) dwelling houses,

- (e) group homes,
- (f) hostels,
- (g) multi dwelling housing,
- (h) residential flat buildings,
- (i) rural workers' dwellings,
- (j) secondary dwellings,
- (k) semi-detached dwellings,
- (l) seniors housing,
- (m) shop top housing,

but does not include tourist and visitor accommodation or caravan parks.

Comment

At present, the only type of residential development that is permitted in the B3 Zone is ***Shop top housing***.

Shop top housing means one or more dwellings located above ground floor retail or business premises. That is, the only type of residential development permitted in the B3 Zone is a dwelling(s) that is associated with and located above ground floor retail/commercial premises. A new stand alone dwelling is not currently permitted in the B3 zone. The intent of this requirement when the LEP was being drafted was to ensure that the principal purpose of the B3 zone is to remain as a shopping/commercial precinct and that the other types of 'residential accommodation' listed above are better suited to the residential zones in the LEP.

Notwithstanding this requirement, there are still a substantial number of existing dwellings in the B3 Zone which were in existence before the commencement of the new LEP and have existing use rights.

There are also dwellings in Cooper Street which have been used as commercial premises which are no longer required for that use. This is particularly related to medical uses which have and continue to relocate to the Medical Centre.

In this circumstance there is a reasonable argument that these premises should be able to be returned to their original use as 'dwelling houses'. However, the effect of simply including 'dwelling house' in the permitted uses of the B3 Zone would be to allow existing shops within the B3 Zone to also be converted to dwellings. This would be in direct opposition to the original reason for leaving this definition out to ensure the commercial core of Cootamundra retained its commercial nature.

This dilemma has no simple solution. Therefore, over the next month Council staff will investigate with the Department of Planning and Environment alternative ways of varying the dwelling constraints in Cooper Street whilst retaining the basic purpose of the B3 Zone in relation to shops and other commercial premises.

service station means a building or place used for the sale by retail of fuels and lubricants for motor vehicles, whether or not the building or place is also used for any one or more of the following:

- (a) the ancillary sale by retail of spare parts and accessories for motor vehicles,
- (b) the cleaning of motor vehicles,
- (c) installation of accessories,
- (d) inspecting, repairing and servicing of motor vehicles (other than body building, panel beating, spray painting, or chassis restoration),
- (e) the ancillary retail selling or hiring of general merchandise or services or both.

Comment

There are two existing service stations within the B3 Zone; being the Woolworths service station on the corner of Bourke and Murray Streets and the Chambers Garage on the corner of Wallendoon and Sutton Streets. These two service stations have existing use rights to continue as they have been in operation for many years prior to the commencement of the new LEP.

Whilst it is considered that service stations are more appropriately located in an industrial zone, it is also reasonable to provide for services stations as being “permitted with consent” in item 3 of the land use table to the B3 Zone. This will allow for expansion beyond 10% if that is required and deemed acceptable by Council.

vehicle body repair workshop means a building or place used for the repair of vehicles or agricultural machinery, involving body building, panel building, panel beating, spray painting or chassis restoration.

Comment

Vehicle body repair workshops have not been included in the B3 Zone as they are, by definition, predominantly panel beating and spray painting businesses which are more appropriately located in industrial areas away from business and residential development.

vehicle repair station means a building or place used for the purpose of carrying out repairs to, or the selling and fitting of accessories to, vehicles or agricultural machinery, but does not include a vehicle body repair workshop or vehicle sales or hire premises.

Comment

Vehicle repair stations are essentially mechanical repair businesses which can include repairs to large vehicles and machinery and are more appropriately located in industrial zones.

wholesale supplies means a building or place used for the display, sale or hire of goods or materials by wholesale only to businesses that have an Australian Business Number registered under the *A New Tax System (Australian Business Number) Act 1999* of the Commonwealth

Comment

Wholesale supplies premises provide for the storage and distribution of goods at the wholesale level and preclude retail activities. As such, it is considered that *wholesale supplies* are more appropriately located in industrial zones.

RECOMMENDATION

That Council prepare a planning proposal to amend the Cootamundra LEP 2013 as follows:

1. That “exhibition homes”, “highway service centres”, “recreation facility (outdoor)”, “residential accommodation”, “vehicle body repair workshop” “vehicle repair station” and “wholesale supplies” remain in Item 4 of the land use table to Zone B3 Commercial Core as “Prohibited” development.
2. That “service stations” be removed from Item 4 of the land use table and be included in Item 3 “permitted with consent” in Zone B3 Commercial Core.
3. The proposed amendments to the Cootamundra LEP 2013 be referred to NSW Planning and Infrastructure seeking a gateway determination of the proposed amendments.

14/05/14

RESOLVED – Moved: Chalmers Seconded: Donnelly

That Council prepare a planning proposal to amend the Cootamundra LEP 2013 as follows:

1. That “exhibition homes”, “highway service centres”, “recreation facility (outdoor)”, “residential accommodation”, “vehicle body repair workshop” “vehicle repair station” and “wholesale supplies” remain in Item 4 of the land use table to Zone B3 Commercial Core as “Prohibited” development.
2. That “service stations” be removed from Item 4 of the land use table and be included in Item 3 “permitted with consent” in Zone B3 Commercial Core.
3. The proposed amendments to the Cootamundra LEP 2013 be referred to NSW Planning and Infrastructure seeking a gateway determination of the proposed amendments.

VOTING RECORD for Minute 14/05/14 – ADDITIONAL PROPOSED AMENDMENTS TO COOTAMUNDRA LOCAL ENVIRONMENTAL PLAN 2013	
FOR RESOLUTION	AGAINST RESOLUTION
Braybrooks, Chalmers, Doidge, Donnelly, Palmer, Slattery, Stewart, Wight	Nil
ABSENT	DECLARED INTEREST
Phillips	Nil