



**PARLIAMENTARY COUNSEL**

---

*Opinion*

Environmental Planning and Assessment Act 1979  
Proposed Cootamundra Local Environmental Plan 2013 (Amendment No 1)

Your ref: Jan Godman  
Our ref: VH e2014-280-d04

---

In my opinion the attached draft environmental planning instrument may legally be made.

When the environmental planning instrument is made, a map cover sheet that lists the final form of the maps adopted by the instrument should be signed by the person making the instrument.

A handwritten signature in black ink, consisting of a stylized 'D' followed by a horizontal line and a small flourish.

(D COLAGIURI)  
Parliamentary Counsel  
12 November 2014



New South Wales

## **Cootamundra Local Environmental Plan 2013 (Amendment No 1)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister for Planning, make the following local environmental plan under the  
*Environmental Planning and Assessment Act 1979.*

Minister for Planning

A handwritten signature in black ink, appearing to read 'Ken Trehewey'.

KEN TREHEWEY  
GENERAL MANAGER, COOTAMUNDRA SHIRE COUNCIL  
AS A DELEGATE OF MINISTER FOR PLANNING  
21 NOVEMBER 2014

## **Cootamundra Local Environmental Plan 2013 (Amendment No 1)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of Plan**

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

### **2 Commencement**

This Plan commences on the day on which it is published on the NSW legislation website.

### **3 Land to which Plan applies**

- (1) To the extent this Plan removes a heritage item known as Begley's Store, the Plan applies to land at 30 Hibernia Street, Stockinbingal, being Lot 1, DP 110542.
- (2) To the extent this Plan rezones land from Zone R1 General Residential to Zone IN2 Light Industrial, the Plan applies to the following land:
  - (a) land at 2 Sutton Street, Cootamundra, being Lots 1–4, DP 724913 and Lot 1, DP 948674,
  - (b) land at 29 Yass Road, Cootamundra, being Lot 1, DP 530890.
- (3) To the extent this Plan deals with lot sizes for dual occupancies, multi dwelling housing and residential flat buildings, the Plan applies to all land in Zone R1 General Residential and Zone R3 Medium Density Residential.
- (4) To the extent this Plan permits development with consent for the purposes of a service station, the Plan applies to land in Zone B3 Commercial Core and Zone IN2 Light Industrial.

### **4 Maps**

The maps adopted by *Cootamundra Local Environmental Plan 2013* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

## **Schedule 1      Amendment of Cootamundra Local Environmental Plan 2013**

### **[1]    Land Use Table**

Omit "Service stations;" from item 4 of the matter relating to Zone B3 Commercial Core and Zone IN2 Light Industrial.

### **[2]    Clause 4.1A**

Insert after clause 4.1AA:

#### **4.1A    Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings**

- (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.

| <b>Column 1</b>           | <b>Column 2</b>                                                         | <b>Column 3</b>     |
|---------------------------|-------------------------------------------------------------------------|---------------------|
| Dual occupancy (attached) | Zone R1 General Residential<br>or Zone R3 Medium Density<br>Residential | 700 square metres   |
| Dual occupancy (detached) | Zone R1 General Residential<br>or Zone R3 Medium Density<br>Residential | 850 square metres   |
| Multi dwelling housing    | Zone R1 General Residential<br>or Zone R3 Medium Density<br>Residential | 1,000 square metres |
| Residential flat building | Zone R1 General Residential<br>or Zone R3 Medium Density<br>Residential | 1,000 square metres |

### **[3]    Schedule 5 Environmental heritage**

Omit all matter relating to item I74.