

Cr Doidge declared a pecuniary interest as owner of 72 Parker Street Cootamundra. Cr Doidge left the room at 6:45pm and took no part in the discussion or voting for this item.

**12) PROPOSED AMENDMENT TO COOTAMUNDRA LOCAL ENVIRONMENT PLAN
2013 72 PARKER STREET**

Introduction

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

Discussion

Property Description and Location

The proposed amendment relates to the property comprising Lot 1 in DP 663134, 72 Parker Street Cootamundra. The property is located at the intersection of Parker, Cooper and Morris Streets Cootamundra. **TABLED DOCUMENT 6 FEBRUARY 2015 Pages 29-30.**

(a) Proposal

Council has received a development application (No 2014/125) to construct a new building comprising an office and workshop. The new building will be used for the Atlas Printing Works which will be relocated from the existing printing works premises at No 88 Parker Street Cootamundra. **TABLED DOCUMENT 6 FEBRUARY 2015 Pages 29-30**

(b) Site History

The property was previously used, for many years, as the site of the Caltex Five Ways Service Station. The service station was demolished in 2012 and remediation of the site has been completed.

(d) Cootamundra Local Environmental Plan 2013.

Current Zoning

The property is zoned "B3 Commercial Core" under the Cootamundra Local Environmental Plan 2013 (LEP). The proposed new building will be used for a combination of "light industrial", "retail" and "commercial" uses.

The property is also situated in the Cootamundra Heritage Conservation Area in the LEP.

Whilst the retail/office component is permitted in the B3 Commercial Core zone with the consent of Council, the printing works or "light industrial" component of the business is prohibited.

LEP Definitions

Relevant definitions to this application have been included in the following extract from the LEP Dictionary:

commercial premises means any of the following:

- (a) business premises,
- (b) office premises,
- (c) retail premises.

light industry means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following:

- (a) high technology industry,
- (b) home industry.

Zone objectives

The objectives of the B3 Commercial Core Zone as provided in the Land Use Table to Part 3 of 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.*

Comments

The proposed development is consistent with this objective as the printing works will have a retail/office component. The printing component of the development falls within the definition of a “light industry” and can be considered as being an “other suitable land use” as it is unlikely that the printing works will have an adverse impact on the neighbourhood in terms of noise, hours of operation, processing etc. It is also important to note that the existing printing business that will be relocated to the new premises is situated on a nearby property at No 88 Parker Street and has operated for many years in the business precinct with no known adverse impacts on neighbours. The existing business is also situated in the B3 zone.

- *To encourage appropriate employment opportunities in accessible locations.*

Comments

The proposed development will satisfy this objective in part as the site is situated in an accessible location at the northern entrance to Cootamundra’s main shopping precinct. However, the new premises will not provide any additional employment opportunities.

- *To maximise public transport patronage and encourage walking and cycling*

Comments

The proposed development will have no impact on this objective as it is considered that this objective is not relevant to the Cootamundra local shopping scene. The LEP objectives are mandatory objectives in the Standard LEP for all B3 zones which apply across NSW and the relevance of the objectives varies from one LGA to another.

Other considerations:

In support of the proposed amendment, it is important to note the following:

- (a) The site was previously used for a service station and associated uses and it is considered that the proposed printing works will have less impact on the neighbourhood than the former service station.
- (b) The subject land has undergone remediation and is suitable for commercial or other non residential land uses. As such, the proposed new printing works is a suitable use for the redevelopment of the site.
- (c) The existing printing works business will be relocated from No 88 Parker Street to the subject property at No 72 Parker Street. This property is within close proximity to the current proposal and also situated in the B3 Commercial Core zone.
- (d) The property is situated in the Cootamundra heritage conservation area in the LEP. The proposed new development, as depicted in the tabled documents, will visually enhance a dominant corner site at the northern entrance to the business area of Cootamundra when compared with the previous service station use. **TABLED DOCUMENT 7 FEBRUARY 2015 Page 31.**

Delegation of LEP Plan making process

The General Manager and Council's Planning Officer have delegated authority under Section 59 of the *Environmental Planning and Assessment Act 1979* to make relatively minor amendments to the LEP, subject to consultation with the NSW Department of Planning and Infrastructure through the Gateway Determination process to determine whether the delegation can be used.

Delegation was granted by the Department to Council for Amendment No's 1 and 2 to the LEP and it is recommended that Council seek to use the delegation for this current proposal as it likely to reduce the timeframe for finalisation of the amendment.

RECOMMENDATION

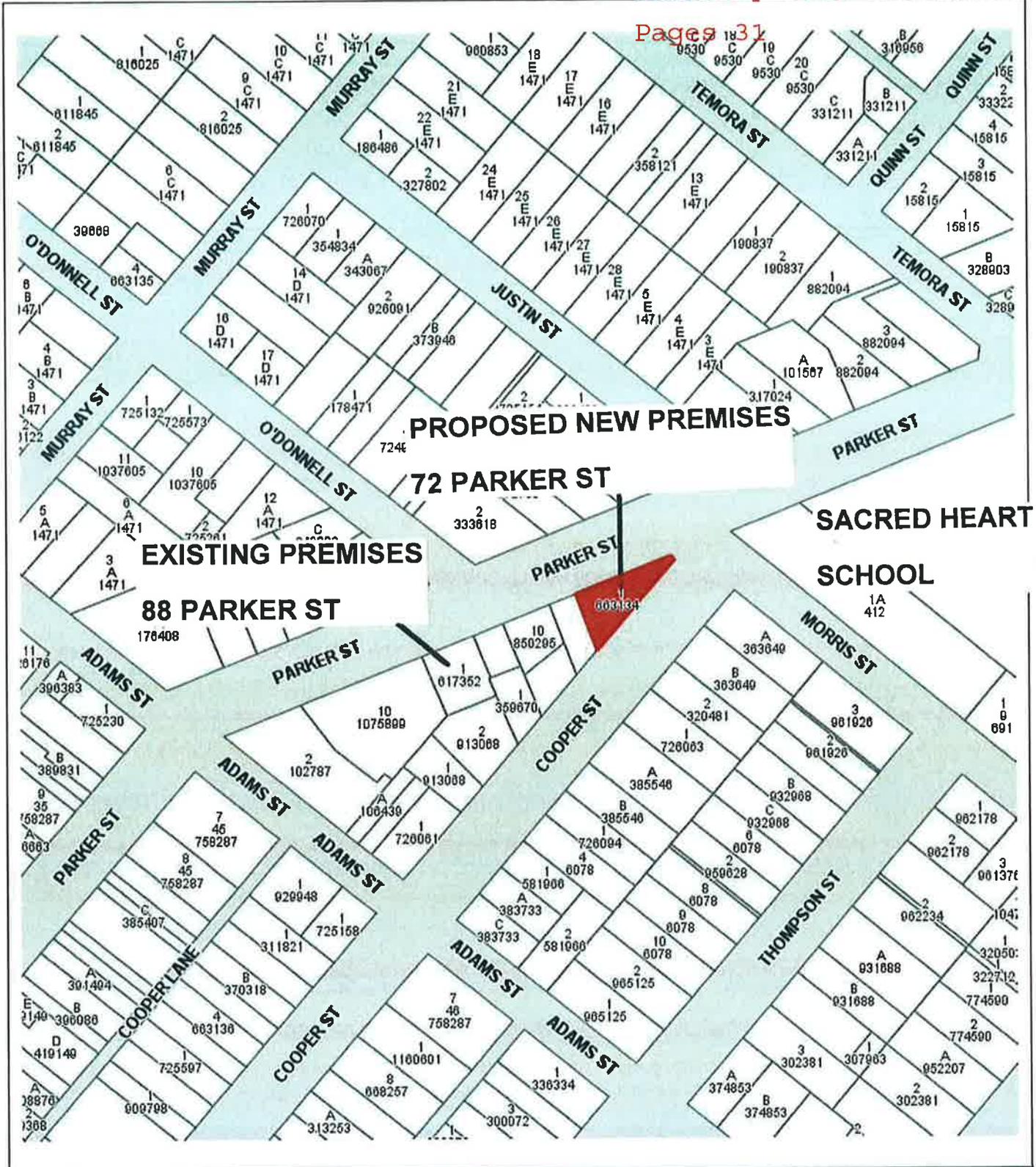
1. That Council prepare a Planning Proposal to amend the Cootamundra LEP 2013 (Amendment No 3) to enable the property comprising Lot 1 in DP 663134, 72 Parker Street Cootamundra to be used for the purpose of a printing works and associated retail and office use.

2. That the proposed amendment to the Cootamundra LEP 2013 be referred to NSW Planning and Infrastructure seeking a gateway determination and authorisation to use Council's delegation under Section 59 of the *Environmental Planning and Assessment Act 1979*.

18/02/15 RESOLVED – Moved: Braybrooks Seconded: Phillips

- 1. That Council prepare a Planning Proposal to amend the Cootamundra LEP 2013 (Amendment No 3) to enable the property comprising Lot 1 in DP 663134, 72 Parker Street Cootamundra to be used for the purpose of a printing works and associated retail and office use.**
- 2. That the proposed amendment to the Cootamundra LEP 2013 be referred to NSW Planning and Infrastructure seeking a gateway determination and authorisation to use Council's delegation under Section 59 of the *Environmental Planning and Assessment Act 1979*.**

Councillor Doidge returned to the meeting at 6.46pm.



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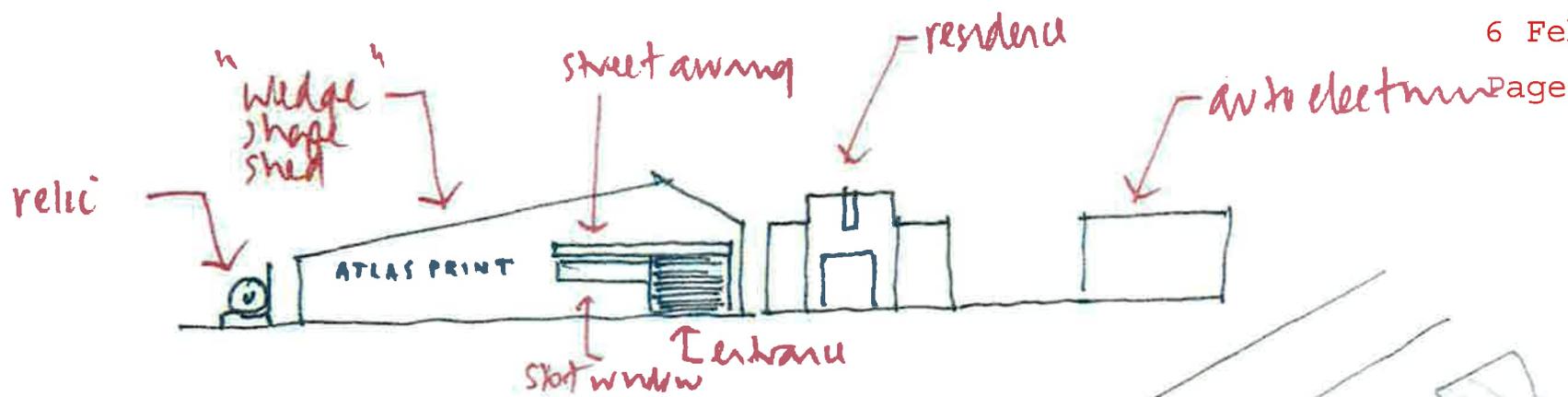
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This map, GDA 94 and MGA 94, both are shown diagonally for the center of the Cootamundra Land Development Area, Property from a spatial ID 200 (renewed) by LPI in March 2015.
Important!
 This map was produced on the GEOCENTRIC DATUM OF AUSTRALIA 1994 (GDA94), which has superseded the Australian Geodetic Datum of 1984 (AGD84). Heights are referred to the Australian Height Datum (AHD) heights. For most practical purposes, GDA94 coordinates and vertical datum (VD94) coordinates based on the 1984 Geoid are the same.

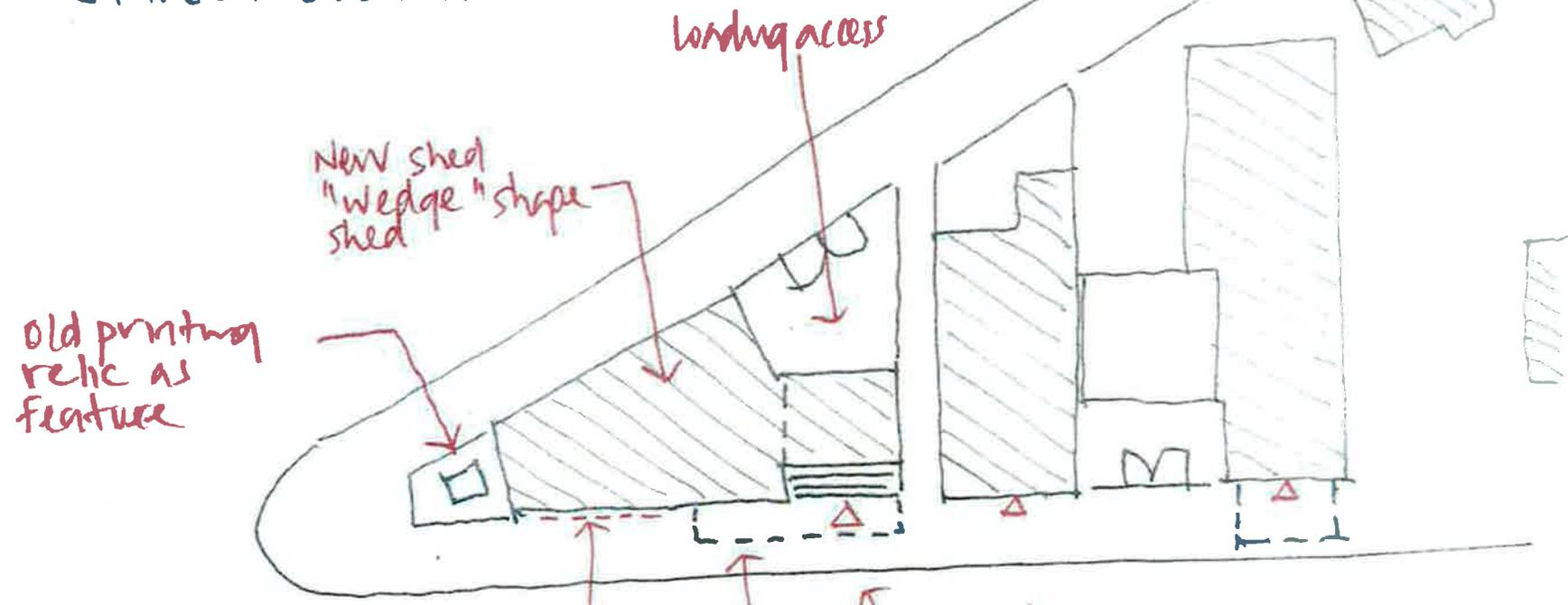
Drawn By: Jan Godman
 Projection: GDA94 / MGA zone 55
 Date: 4/02/2015 9:12 AM

**Location Plan
 Lot 1 DP663134
 72 Parker Street
 Cootamundra**

Map Scale: 1:2475 at A4



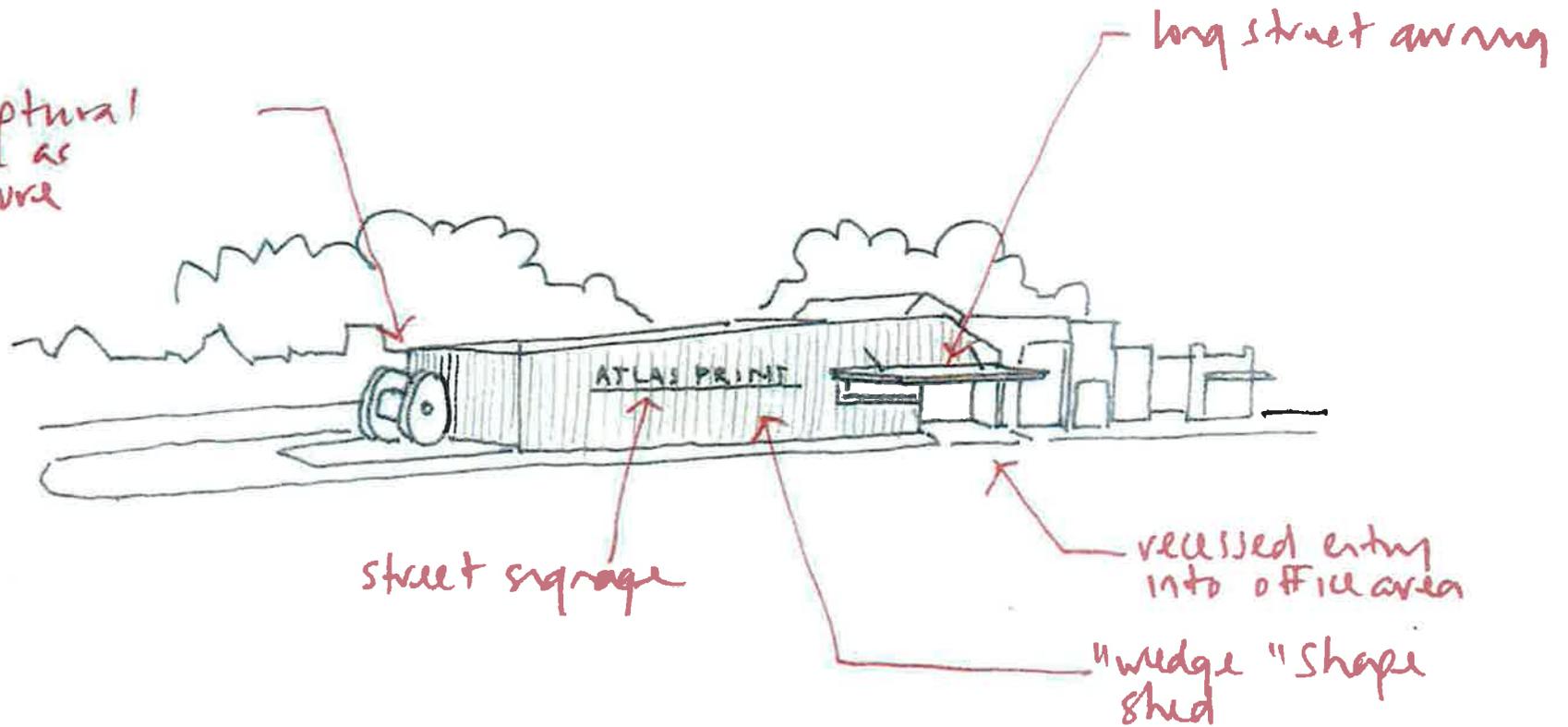
STREET ELEVATION



SITE PLAN

23/12 New Print factory.

sculptural
relief as
feature



$\frac{13}{12}$ Street sketch
 $\frac{14}{14}$ 72 Parker st