

Planning Proposal:

Cootamundra Local Environmental Plan 2013 (Amendment No. 7)

Part 1 – Objectives or Intended Outcomes

The planning proposal seeks to amend the Cootamundra Local Environmental Plan 2013 (the LEP) to promote business development along a main road and to support the retail and social viability of the Cootamundra central business district by allowing for nonretail commercial development and associated employment to be located away from the central business district.

Part 2 – Explanations of Provisions

The proposed outcome will be achieved by including a new land use zone in the LEP being the B6 – Enterprise Corridor that will:

1. Allow for more flexible and market responsive development opportunities.
2. Mitigate traffic impacts on local and state roads by establishing an enterprise “precinct”.
3. Includes consideration of
 - Types of development not ordinary permissible on available sites around Cootamundra,
 - Encouraging redevelopment of a disused area,
 - Allowing for a range of employment options, and
 - Creating a vibrant precinct of urban renewal at the northern entry to Cootamundra.

The intended B6 – Enterprise Corridor land use table for the LEP can be found in Appendix A.

It is proposed that the B6 – Enterprise Corridor be applied to the area highlighted in figure 1 which encompasses existing IN2 – Light Industrial, R1 – General Residential, R3 – Medium Density Residential, SP1 – Special Activities and RU1 – Primary Production Zones. Appendix B details zoning map changes.

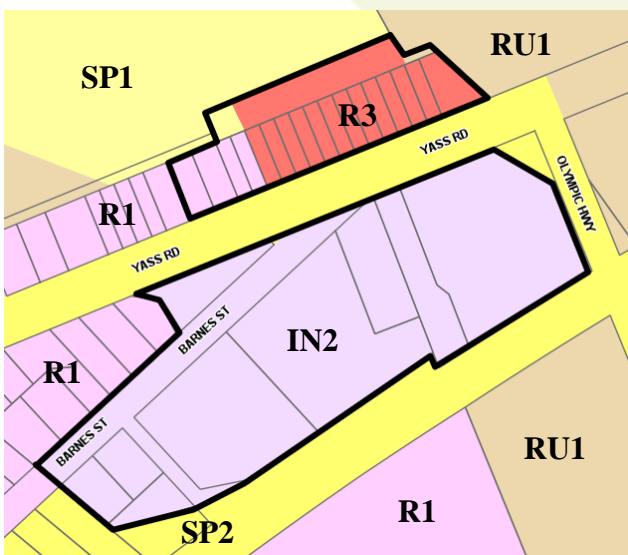


Figure 1

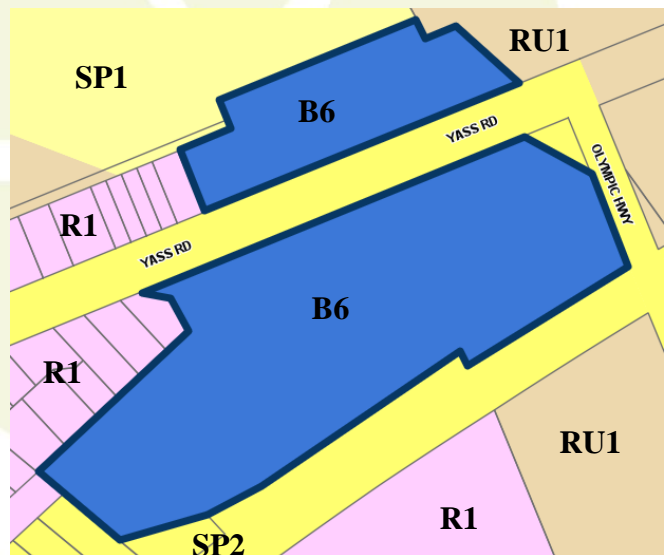
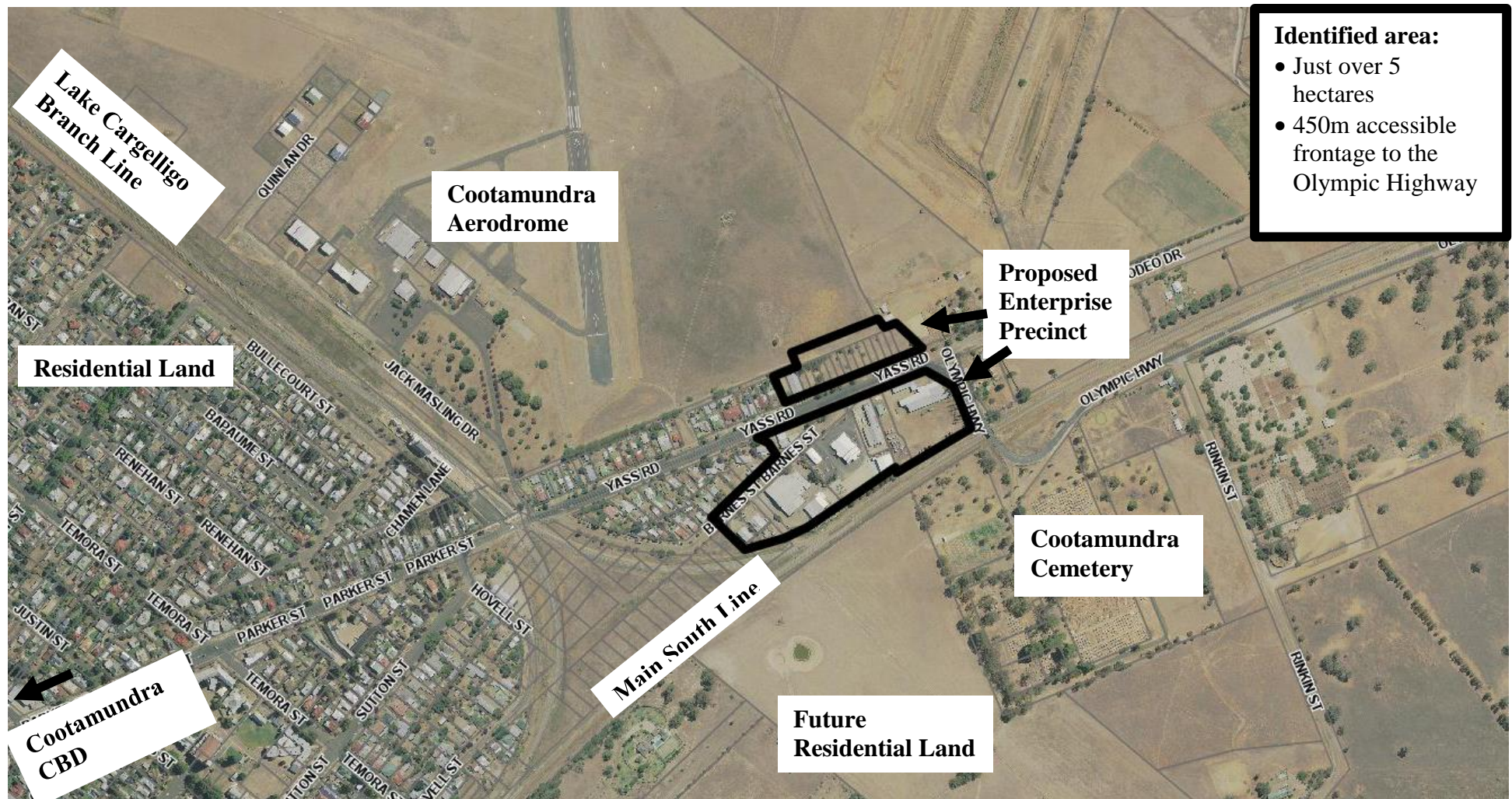


Figure 2

It is proposed that the area to be zoned B6 – Enterprise Corridor (figure 2) have no minimum lot size apply.



Part 3 – Justification

Section A – Need for the Planning Proposal

Is the planning proposal the result of any strategic study or report?

The planning proposal results from observed land use trends and opportunity:

- Creating opportunities for land uses not currently available or economical in Cootamundra.
- Council initiative to diversify the local economy to provide a range of employment opportunities.
- Assist in the disposal of redundant operational Council land.
- Council has been approached by a developer who wish to undertake a variety of land uses on a single site including a liquid fuel depot, service station, take away food and drink premises and office premises – this mixture of land uses as a single development lends itself to the objectives of the B6 – Enterprise Corridor zone.

Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

While site specific and spot rezoning could be an option to allow for development not ordinarily permissible in the area defined in figure 1, such an ad hoc approach to development is not rational in the long term. Furthermore, such an approach would be dependent on a developer identifying their desire to develop in Cootamundra as opposed to having zoned land readily available to be taken advantage of by opportunistic developers.

By creating a precinct and introducing the B6 – Enterprise Corridor Zone, Council is able to take a long term view of traffic management works which are needed to support such development. Development not ordinary viable as a standalone operation is able to flourish with complimentary land uses undertaken within proximity.

By establishing a dedicated area for businesses which would not ordinary be suitable in the central business district due to bulk and scale, Council ensures that there are adequate sites for the majority of land uses in Cootamundra and promotes diversification in the local economy.

An enterprise corridor in Cootamundra is only viable along the Olympic Highway, which due to residential development and heritage pressures, offers only the northern precinct of Yass Road (figure 1) as an appropriate area for a combination of mixed use, bulky goods and highway services.

Section B – Relationship to Strategic Planning Framework

Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

The regional strategy for Cootamundra-Gundagai Regional Council is *The Riverina-Murray Regional Plan 2036*. This planning proposal directly supports a number of directions and priority actions identified in the Plan including:

Direction 4: Promote business activities in industrial and commercial areas

4.2. Promote specialised employment clusters and co-location of related employment generators in local plans.

By introducing the B6 – Enterprise Corridor zone into the LEP and using it to create an enterprise precinct, Council seeks to diversify local employment opportunities by creating a hub which can be easily accessed by the people of Cootamundra through vehicular or pedestrian means. This means that not having access to a vehicle is not a barrier for residents employed in this precinct as it is serviced by a pedestrian network and there is potential to create a dedicated cycleway. This is particularly important for removing barriers to people on low incomes and integrating those in poor socioeconomic situations into the workforce.

Creating an enterprise precinct will assist in encouraging existing businesses in this area to expand and new businesses to develop with complimentary competition driving more visits to this area.

4.4. Encourage the consolidation of isolated, unused or underused pockets of industrial zoned land to create new development opportunities over the long term.

The site is a mixture of disused industrial sites with poor vehicle access, existing businesses and undeveloped land. Historically the conversion of disused industrial land is costly and time consuming. In a town like Cootamundra, such costs make development unviable. By introducing a flexible zone such as the B6 – Enterprise Corridor, Council is increasing the commercial opportunities available to owners of these sites and while still allowing for existing uses and encouraging their expansion. The B6 – Enterprise Corridor would create new development opportunities and improve the amenity of the northern entry to Cootamundra.

4.5. Monitor the supply and demand of employment and industrial land in regional cities to inform the planning and coordination of utility infrastructure to support new development.

Council regularly receives feedback that industrial land and sites for bulky goods developments are scarce and almost non-existent from real estate agents and land developers. Heavy industrial sites are beginning to become available to the east of Cootamundra, but the need for light industrial sites in conjunction with bulky goods premises remains a deficit with restrictions on local roads areas currently zoned light industrial sites are difficult to access. Bulky goods premises, such as furniture shops and warehouse outlets tend to take up valuable space in the central business district and cannot expand. Furthermore, there are limited sites available or with adequate access for highway services

such as service stations and take away food and drink premises. By creating a precinct for such activity, Council is able to create an overall traffic movement plan and complete required upgrades to the sewer and water network to achieve this, where previously provision of infrastructure would have been solely the responsibility of the developer.

Direction 18: Enhance road and rail freight links

18.4. Identify, coordinate and prioritise the delivery of local and regional road projects that help support the regional freight network.

In rezoning this area, Council would create a transport movement plan which would plan necessary road works to service development on both sides of the Olympic Highway to ensure that the movement along the designated highway remains unrestricted.

18.5. Protect freight and transport corridors from the encroachment of incompatible land uses.

The creation of the B6 – Enterprise Corridor precinct would act as a norther barrier to further residential expansion of Cootamundra, ensuring that the function and movement along the Olympic Highway remains the same or better.

Direction 28: Deliver healthy built environments and improved urban design

28.4. Incorporate water sensitive urban design in new development.

The site has no formal stormwater network and the development of a precinct would increase the impervious area, thereby increasing the stormwater load. Because of this, when considering road upgrades Council will implement water sensitive urban design principles where practical. Additionally, a clause will be added to the Cootamundra Development Control Plan 2013 Chapter 3 – Business and Industrial Development which will require that water sensitive gardens be used as a minimum landscaping requirement and that landscaping be incorporated into internal site stormwater drainage to improve water quality prior to discharge into Council's network.

Is the planning proposal consistent with the local council's local strategy, or other local strategic plan?

The proposal is consistent with the Cootamundra Local Environmental Plan 2013, with the land currently designated for light industrial use, providing an opportunity for the reuse and expansion of an underused area along a major road. The land currently zoned for medium residential development is vacant and was proposed to be used in conjunction with the Cootamundra Aerodrome, however residential development connected to airport activities is now able to be located along Quinlan Drive and Jack Masling Drive, which provide better access to runway facilities.

The proposed land uses directly support the implementation of the *Cootamundra Land Use Strategy 2011 – Industrial*, by protecting the existing industrial areas and providing alternate sites for bulky goods premises which have been taking up commercial and heavy industrial land.

Is the planning proposal consistent with the applicable state environmental planning policies?

The proposal has been assessed as being consistent with all applicable State environmental Planning Policies in particular:

- SEPP 33 – Hazardous and Offensive Development;
- SEPP 55 - Contaminated Land;
- SEPP 64 – Advertising and Signage;
- SEPP (Exempt and Complying Development Codes) 2008;
- SEPP (Infrastructure) 2007; and
- SEPP (Rural Lands) 2008.

These SEPPs and others which are development relevant will be reassessed in accordance with any subsequent development application lodged with Council.

Is the planning proposal consistent with applicable Ministerial Directions (s117 directions)?

Relevant s117 directions that impact or are applicable to this planning proposal are listed below. The planning proposal is generally consistent with the relevant s117 directions.

Table 1: s117 Directions

Direction Title	Direction Objectives	Consistency
1.1. Business and Industrial Zones	<p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> - Encourage employment growth in suitable locations, - Protect employment land in business and industrial zones, and - Support the viability of identified centres. 	This direction applies to this proposal as it seeks to rezone an industrial zone and is consistent with the requirements of this direction as rezoning to B6 – Enterprise Corridor will retain the existing land uses and not diminish their function nor will a reduction in potential floor space occur.
1.5. Rural Lands	<p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> - Protect the agricultural value of rural land, - Facilitate the orderly and economic development of rural lands for rural and related purposes. 	This direction is considered in this planning proposal as it seeks to rezone 130m ² of land zoned RU1 – Primary Production. This land is required to be included in this planning proposal as it is within a former laneway area which provided the depth required for development on the lots fronting Yass Road. Council would require a boundary realignment consistent with proposed zone boundaries before any future development takes place. The intention of this planning proposal is not inconsistent with direction 1.5. Rural Lands.
3.1. Residential Zones	<p>The objectives of this direction are:</p> <ul style="list-style-type: none"> - To encourage a variety and choice of housing types to provide for existing and future housing needs, - To make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and 	This direction applies as this proposal seeks to rezone R3 – Medium Density Residential land to B6 – Enterprise Corridor land. The existing residential land is vacant and has never been developed. Inconsistency with this direction is justified in that the proposed B6 – Enterprise Corridor is consistent with the Riverina-Murray Regional Plan 2036 and is considered by Council to be of minor significance as the land has never been development nor serviced for residential development.

	<p>services, and</p> <ul style="list-style-type: none"> - To minimise the impact of residential development on the environment and resource lands. 	
3.5. Development Near Licenced Aerodromes	<p>The objectives of this direction are:</p> <ul style="list-style-type: none"> - To ensure the effective and safe operation of aerodromes, and - To ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and - To ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise. 	<p>This direction applies as this planning proposal seeks to rezone SP1 – Special Activities which is associated with the Cootamundra Aerodrome. In accordance with requirements of this direction, should Gateway Approval be granted, Council will notify the Commonwealth Department of Infrastructure and Regional Development (Aviation Environment).</p> <p>A clause will be added to the Cootamundra Development Control Plan 2013 Chapter 3 – Business and Industrial Development which require that any commercial or industrial development must meet AS 2021 if it is within an ANEF zone which is above 30.</p>
5.10. Implementation of Regional Plans	<p>The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.</p>	<p>The Regional Plan applicable to this planning proposal is the Riverina-Murray Regional Plan 2036. As demonstrated above, this planning proposal speaks specifically to a number of strategic directions with that plan and is not inconsistent with other directions of the plan.</p>
6.1 Approval and Referral Requirements	<p>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p>	<p>The planning proposal is consistent with this direction. The proposed enterprise corridor would be accessed in the majority by vehicles from the Olympic Highway, in accordance with the SEPP (Infrastructure) 2007, Council would refer any development application received for comment. Land adjoining the railway corridor would ordinarily be referred to the Australian Rail and Track Corporation for comment.</p>

Section C - Environmental, Social and Economic Impact

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No critical habitat or threatened species, populations or ecological communities have been identified at the site of this planning proposal and it is expected that the impact of any development in line with this planning proposal will have a negligible impact on the flora and fauna of Cootamundra. The planning proposal is within an urban locality with a pronounced industrial and highway character and context.

Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The planning proposal is within an urban locality with a pronounced industrial and highway character.

The proposed rezoning will result in an increase to the impervious to pervious ratio, which will increase storm water runoff. This will be managed by the creation of a precinct storm water plan which feeds into the existing Council storm water network. Water pollution will be mitigated with water sensitive urban design considered by Council in creation of traffic treatments and landscaping will be required by all new development. This will be implemented with additional clauses in the Cootamundra Development Control Plan 2013.

How has the planning proposal adequately addressed any social and economic effects?

The proposal will likely have a net positive impact and benefit to the economic and social aspects of the community of Cootamundra. Prospective developers will create employment and development opportunities which are consistent with the proposed zoning and work in partnership with proposed roadworks to be undertaken by Council.

Creating an enterprise precinct, will be an investment in future growth and will be an employment generator which will have substantial benefit to the social cohesion of Cootamundra. In recent times, the community has seen a downturn in investment and employment (Manildra Abattoirs ceased operations earlier this year, resulting in a loss of 200 jobs in the Cootamundra community), the development of an enterprise corridor with a number of key existing land owners and interested parties will improve the job security of locals in service, business and light industrial industries as well as demonstrating to investors outside of Cootamundra that Cootamundra is a well serviced and positive community which encourages and supports growth.

Section D - State and Commonwealth Interests

Is there adequate public infrastructure for the planning proposal?

There is adequate public infrastructure available to accommodate this planning proposal. The site will reutilise the existing service connections provided to the site or in the vicinity of the site.

What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal?

Preliminary discussions have been undertaken with the Roads and Maritime Authority regarding the proposed rezoning. Concerns about the sight distances of any new driveways were raised as an issue, with the possible banking of traffic waiting to turn onto sites a problem for the function of the Highway. Noting this advice, Council has decided to take a precinct approach and undertake works which will facilitate turning into sites along both sides of the road. Any works would be proposed and vetted by the Council's Traffic Committee of which the Roads and Maritime Authority is a part of.

Individual developments would be referred to the Roads and Traffic Authority in accordance with SEPP (Infrastructure) 2007 for comment.

No other consultation has been conducted with any other relevant State or Commonwealth Public Authorities, however Council has identified that Australian Rail and Track Authority will be consulted with as an adjoining land owner and the Commonwealth Department of Infrastructure and Regional Development (Aviation Environment) will be consulted with in accordance with the Section 117 Direction 3.5. The Department of Primary Industries may also require notification as 130m² of land zoned RU1 – Primary Production is proposed to be rezoned.

Part 4 – Mapping

The Cootamundra Local Environment Plan 2013 will need to be amended to include the proposed rezoning in accordance with figure 3.

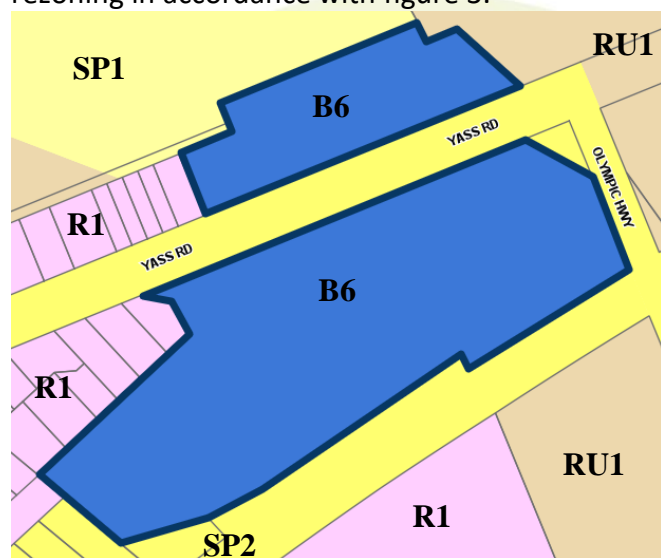


Figure 3

Part 5 – Community Consultation

Following the approval by the Director of the Department of Planning and Environment, Council will place the planning proposal on public exhibition and undertake any community and agency consultation in accordance with conditions of a gateway determination.

Part 6 – Project Timeline

Stage	Timing
Planning Proposal Lodgement	December 2017
Assessment	December 2017 - January 2018
Gateway Determination	January 2018
Revision of Planning Proposal	January - February 2018
Public Exhibition	February - March 2018
Submission to Department and Parliamentary Council to Finalise LEP	March - April 2018
Anticipated date RPA will make the Plan	May 2018

Appendix A

Cootamundra LEP 2013

Zone B6 Enterprise Corridor

1 Objectives of zone

- To promote businesses along main roads and to encourage a mix of compatible uses.
- To provide a range of employment uses (including business, office, retail and light industrial uses).
- To maintain the economic strength of centres by limiting retailing activity.
- To maintain the operation and function of the Olympic Highway.
- To facilitate the development of large scale business premises that do not detract from the core commercial functions of the Cootamundra central business district.

2 Permitted without consent

Roads

3 Permitted with consent

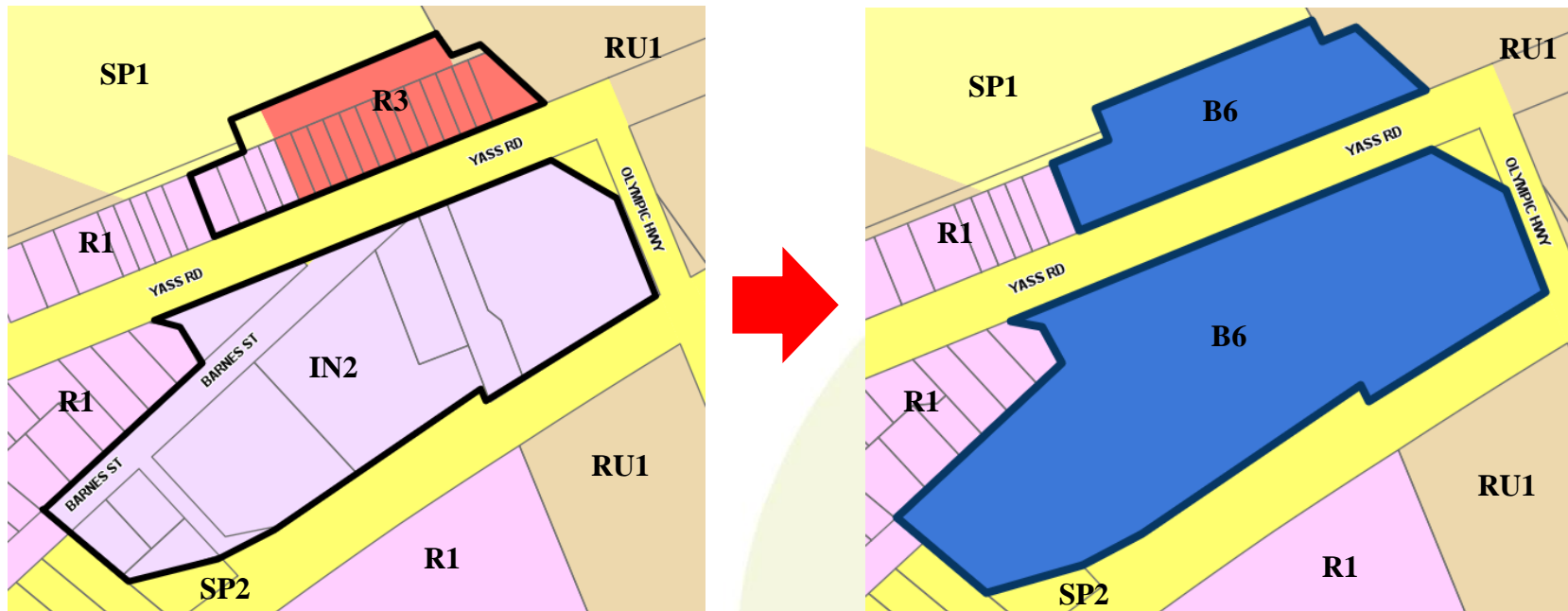
Aquaculture; Bulky goods premises; Business premises; Community facilities; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Landscaping material supplies; Light industries; Liquid fuel depots; Neighbourhood shops; Passenger transport facilities; Plant nurseries; Service stations; Take away food and drink premises; Timber yards; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Camping grounds; Caravan parks; Cemeteries; Correctional centres; Crematoria; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Home occupations (sex services); Industrial training facilities; Industries; Marinas; Mooring pens; Open cut mining; Research stations; Residential accommodation; Restricted premises; Retail premises; Rural industries; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation; Vehicle body repair workshops; Wharf or boating facilities

Appendix 2

Cootamundra LEP 2013 Map changes



The proposed rezoning will rezone the above identified IN2 – Light Industrial, R1 – General Residential, R3 – Medium Density Residential, SP1 – Special Activities and RU1 – Primary Production zone land to B6 – Enterprise Corridor zoned land.



The above identified area is the current minimum lot size map which shows a mixture of minimum lot sizes:

- White = no minimum lot size
- Blue = 300m²
- Green = 400m²
- Beige = 200 ha

This proposal recommends that no minimum lot size apply to the identified area.