



PLANNING VOTES OF THE ORDINARY MEETING OF KEMPSEY SHIRE COUNCIL

15 March 2016 commencing at 9.01am.

13 STAFF REPORTS

ITEM 2 TRUCK DEPOT GOULDS LANE CLYBUCCA

REPORT SUMMARY

Reporting that an application has been received to modify Condition 4 of Development Consent T6-14-360 - Truck Depot in order to modify the time frame for which the consent operates from 6 months to 3 years.

Applicant: Hill Top Planners Pty Ltd
Subject Land: Lot 3 DP1101768, 103 Goults Lane, Clybucca
Zone: RU1 Primary Production

WORKSHOP

2016.53 **RESOLVED:** *Moved: Cl. Patterson
Seconded: Cl. Shields*

That Council move into workshop to allow discussion in open Council on item 2.

At this stage 10.18am the meeting adjourned for morning tea and upon resumption at 10.46am all present at the adjournment were in attendance.

MOTION TO RESUME COUNCIL MEETING

2016.54 **RESOLVED:** *Moved: Cl. Patterson
Seconded: Cl. Shields*

That the formal Council meeting be resumed.

MOVED: *Moved: Cl. Morris
Seconded: Cl. Saul*

That the application be refused on the grounds that it adversely impacts the amenity of the neighbourhood.

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The MOTION was PUT to the Meeting and was LOST.

A Division resulted in the following votes.

F = Voted For
A = Voted Against

Campbell	A	Green	A	Kesby	A	McGinn	A	Morris	F
Patterson	A	Saul	F	Shields	A	Williams	A		

2016.55

RESOLVED:

*Moved: Cl. Green
Seconded: Cl. Kesby*

- 1 That Council send a letter to the applicant and the owner of the property advising of alleged breaches to the conditions of the DA and for the applicant to take appropriate action to ensure compliance.
- 2 That the consent be modified as follows:

Condition 4 to read:

The period during which the truck depot may operate from the premises is limited to 10 months from the date of commencement of this development consent, in accordance with s80A(1)(d) of the Environmental Planning and Assessment Act 1979.
- 3 That the objectors be advised of Council's decision.
- 4 That the applicant be advised that a further application for extension would be considered by council following monitoring of the compliance of the operations to inform council on the impacts on the amenity of any further use of the site.

A Division resulted in the following votes.

F = Voted For
A = Voted Against

Campbell	F	Green	F	Kesby	F	McGinn	F	Morris	F
Patterson	F	Saul	F	Shields	F	Williams	F		

ITEM 3 KLEP 2013 AMENDMENT NO.4 – PLANNING PROPOSAL – DUAL OCCUPANCY (DETACHED) AND SECONDARY DWELLINGS IN RU1 PRIMARY PRODUCTION, RU2 RURAL LANDSCAPE, RU4 PRIMARY PRODUCTION SMALL LOTS ZONES AND R5 LARGE LOT RESIDENTIAL

REPORT SUMMARY

Reporting on the outcome of the Consultation/Public Exhibition for the Planning Proposal for Draft Kempsey LEP Amendment No 4 to make Dual Occupancy (Detached) and Secondary Dwellings

permissible with consent in the RU1 Primary Production, RU2 Rural Landscape, RU4 Primary Production Small Lots and R5 General Large Lot Residential zones.

2016.56 RESOLVED: *Moved: Cl. Morris*
Seconded: Cl. Williams

- 1 That the Planning Proposal be amended to incorporate the additional provisions suggested by the Department of Primary Industries
- 2 That the Draft Planning Proposal and associated documentation be forwarded to the Minister for Planning requesting that the plan be made.

A Division resulted in the following votes.

F = Voted For
A = Voted Against

Campbell	F	Green	F	Kesby	F	McGinn	F	Morris	F
Patterson	F	Saul	F	Shields	F	Williams	F		

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