



## PLANNING VOTES OF THE ORDINARY MEETING OF KEMPSEY SHIRE COUNCIL

9 August 2016 commencing at 9.01am.

### 13 STAFF REPORTS

Councillor McGinn declared a non-pecuniary significant interest in item for the reason that she lives on Belmore River and retired from the Chamber.

#### ITEM 13.1 INCREASE IN ANNUAL EXTRACTION RATE AT THE EXISTING SAND QUARRY, 153 TEA TREE LANE, BELMORE RIVER

Contact Person: Robert Pitt – Director Sustainable Environment

File: T6-06-85

#### PURPOSE

Reporting that an amended application has been received to modify a development consent to increase the annual extraction rate at an existing quarry for a two (2) year period, for which objections have been received.

Applicant: Mr J.P. Phillips  
Subject Land: Lot 1321 DP785874, 153 Tea Tree Lane, Belmore River  
Zone: RU1 Primary Production and E2 Environmental Conservation

2016.184 RESOLVED

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

- 1 That development consent T6-06-85 (Rev02) be modified to:
  - a increase the annual extraction rate at the existing quarry from a maximum of 20,000 cubic metres per annum to a maximum extraction of 40,000 cubic metres per annum for a maximum two (2) year period; and
  - b restrict truck movements to 12 laden truck loads per approved operating day averaged over a calendar month with a maximum of 20 laden truck loads per approved operating day;

at Lot 1321 DP 758874, 153 Tea Tree Lane, Belmore River subject to the conditions contained in [\(Appendix A - Page 1\)](#).
- 2 That the objectors be advised of Council's decision.

The Mayor noted that the forgoing resolution was passed UNANIMOUSLY.

A Division resulted in the following votes.

F = Voted For  
A = Voted Against

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

Councillor McGinn returned to the Chamber.

### ITEM 13.3 KLEP 2013 AMENDMENT 14 – PLANNING PROPOSAL – BOUNDARY ADJUSTMENTS AND DWELLING ENTITLEMENTS

Contact Person: Robert Pitt – Director Sustainable Environment

File: KLEP2013-AM-14

#### PURPOSE

Reporting that a Planning Proposal has been prepared to amend Kempsey Local Environmental Plan 2013 (KLEP 2013) related to the boundary adjustment and dwelling entitlement provisions of *Part 4 – Principle Development Standards* contained in clauses 4.2C and 4.2A respectively of KLEP 2013. Council's endorsement is sought to refer the Planning Proposal to the Department of Planning and Environment (DP&E) requesting a Gateway Determination to proceed with the amendment.

2016.186

#### RESOLVED

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

That the Draft Planning Proposal and associated documentation related to the boundary adjustment and dwelling entitlement provisions in Kempsey Local Environmental Plan 2013 be submitted to the Minister for Planning for consideration of issuing a "gateway" determination pursuant to Section 56 of the *Environmental Planning and Assessment Act 1979*.

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		