



**PLANNING VOTES FROM THE MINUTES OF THE ORDINARY MEETING OF KEMPSEY SHIRE COUNCIL**

20 December 2016 commencing at 9.00am.

**ITEM 13.17 KLEP 2013 AMENDMENT 14 – PLANNING PROPOSAL – BOUNDARY ADJUSTMENTS AND DWELLING ENTITLEMENTS**

Contact Person: Robert Pitt - Director Sustainable Environment | File: KLEP2013-AM-14

**PURPOSE**

To advise of the outcomes of the Consultation/Public Exhibition for the Planning Proposal for Draft Kempsey LEP Amendment No 14.

To amend Kempsey Local Environmental Plan 2013 (KLEP 2013) in relation 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.

**2016.304 RESOLVED:**

*Moved: Cl. Shields  
Seconded: Cl. McGinn*

**That Council exercise delegation from the NSW Department of Planning and Environment to make the LEP Amendment.**

**2016.300 RESOLVED:**

*Moved: Cl. Shields  
Seconded: Cl. McGinn*

**That recommendations in items 13.14 to 13.21, 18.1 and 20.1 be adopted.**

**A Division resulted in the following votes.**

**F = Voted For**

**A = Voted Against**

Baxter	F	Campbell	F	McGinn	F	Morris	F
Patterson	F	Saul	F	Shields	F	Williams	F

**ITEM 13.1 KEMPSEY CINEMA DEVELOPMENT APPLICATION**

Contact Person: Robert Pitt - Director Sustainable Environment | File: T6-16-293 F12/1129-03 F12/1377 LA31574

**PURPOSE**

To determine the development application for additions to the Kempsey Central shopping centre for the purpose of a cinema complex.

**2016.311 RESOLVED**

*Moved: Cl. McGinn  
Seconded: Cl. Patterson*

That consent be granted subject to the conditions recommended by the independent assessor as detailed in ([Appendix A - Page 1](#)) to this report with the deletion of point 7.

A Division resulted in the following votes.

F = Voted For

A = Voted Against

Baxter	F	Campbell	F	McGinn	F	Morris	F
Patterson	F	Saul	F	Shields	F	Williams	F

**ITEM 13.2 PLANNING PROPOSAL BERANGHI ROAD, CRESCENT ROAD**

Contact Person: Robert Pitt – Director Sustainable Environment

File: RZ-16-4 KLEP2013-AM-16 LA12909

**PURPOSE**

To amend Kempsey Local Environmental Plan (KLEP) 2013 to rezone land in South Kempsey from RU2 - Rural Landscape and E2 – Environmental Conservation to E2 – Environmental Conservation and E3 – Environmental Management.

**2016.313 RESOLVED**

*Moved: Cl. Shields  
Seconded: Cl. Williams*

That the Planning Proposal and associated documentation 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

Baxter	F	Campbell	F	McGinn	F	Morris	F
Patterson	F	Saul	F	Shields	F	Williams	F

**ITEM 13.3 CONTINUED USE OF EXISTING SECONDARY DWELLING**

Contact Person: Robert Pitt – Director Sustainable Environment

File: T6-15-014 LA15262

**PURPOSE**

To approve an application for a secondary dwelling requiring a variation greater than 10% to the separation distance development standard under *Kempsey Local Environmental Plan (KLEP) 2013*.

Applicant: Toorumbee Creek Pastoral Co Pty Ltd  
Property: Lot 20 DP752413, Moparrabah  
Zone: RU1 Primary Production Zone

**2016.314 RESOLVED**

*Moved: Cl. Saul  
Seconded: Cl. McGinn*

- 1 That the variation sought to the separation distance development standard in clause 4.2E(3)(c) of KLEP 2013 be supported; and
- 2 That development consent be granted to development application T6-15-14 for the continued use of an existing secondary dwelling at Lot 20 DP 752413, Moparrabah, subject to the conditions contained in [\(Appendix D - Page 381\)](#).

A Division resulted in the following votes.

F = Voted For  
A = Voted Against

Baxter	F	Campbell	F	McGinn	F	Morris	F
Patterson	F	Saul	F	Shields	F	Williams	F