



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

16 December 2014 commencing at 9.04am.

### ITEM 3 PROPOSED TWO STOREY DWELLING AND SWIMMING POOL

#### REPORT SUMMARY

Development application T6-13-203 for a two-storey dwelling and swimming pool is reported to Council for determination as the applicant is seeking a variation greater than 10% to the height development standard under Kempsey Local Environmental Plan (KLEP) 2013.

#### MOVED:

*Moved: Cl. Green  
Seconded: Cl. Morris*

- 1 That the KLEP 2013 variation to the height development standard be supported.
- 2 That the proposed variations to the front setback, the upper level side setbacks, and excavations under KDCP 2013 be supported.
- 3 That the development is modified by way of a condition on any consent granted to lower the finished level of the lawn and pool area by at least 1 metre to bring the proposal into compliance with the fill requirements under KDCP 2013 and to protect the amenity of adjoining properties.
- 4 That development consent be granted to development application T6-14-203 for a dwelling and swimming pool at 1 Korogora Street, Crescent Head subject to the conditions contained in [\(Appendix C - Page 5\)](#).
- 5 That the objector be advised of Council's decision.

#### COMMITTEE OF THE WHOLE

2014.309 RESOLVED:

*Moved: Cl. Morris  
Seconded: Cl. Shields*

That Council move into Committee of the Whole for discussions related to item 3.

2014.310 RESOLVED:

*Moved: Cl. Green  
Seconded: Cl. Morris*

That the Council Meeting be resumed.

2014.311 RESOLVED:

*Moved: Cl. Patterson*

*Seconded: Cl. Kesby*

- 1 That the KLEP 2013 variation to the height development standard be supported.
- 2 That the proposed variations to the front setback, the upper level side setbacks, and excavations under KDCP 2013 be supported.
- 3 That the development is modified by way of a condition on any consent granted to lower the finished level of the lawn and pool area by at least 1 metre to bring the proposal into compliance with the fill requirements under KDCP 2013 and to protect the amenity of adjoining properties.
- 4 That development consent be granted to development application T6-14-203 for a dwelling and swimming pool at 1 Korogora Street, Crescent Head subject to the conditions contained in [\(Appendix C - Page 5\)](#).
- 5 That the objector be advised of Council's decision.
- 6 That clause 2 d from the consent conditions be deleted

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				

## ITEM 15 DETERMINATION OF MODIFICATION TO DA T6-12-372 REV 2

I intend to move the following motion at the ordinary meeting to be held Tuesday, 16 December 2014.

### REPORT SUMMARY

The proposed amendment to DA T6-12-372 has resulted in objections from members of the local community in Dulconghi Heights Estate. These community members consider that the proposed amendment is substantial in nature, not minor as considered by council staff and represents a considerable change to the nature of the originally approved development.

**MOVED:**

*Moved: Cl. Green  
Seconded: Cl. Morris*

**That the proposed amendment (modified DA T6-12-372 Rev 2) to the development of a tourist facility at 10 Penn Place Dulconghi Heights Estate be referred to Council for determination.**

**The MOTION was PUT to the Meeting and was LOST.**

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

**F = Voted For**

**A = Voted Against**

<b>Campbell</b>	<b>A</b>	<b>Green</b>	<b>F</b>	<b>Kesby</b>	<b>A</b>	<b>McGinn</b>	<b>A</b>	<b>Morris</b>	<b>F</b>
<b>Patterson</b>	<b>A</b>	<b>Saul</b>	<b>A</b>	<b>Shields</b>	<b>A</b>				