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| **PDC15/30 Amended Planning Proposal - Former RAAF Stores Depot Site, Lot 11 DP 1050240 Palmer Street, Dubbo**  **Owner/Applicant: Andorra Developments Pty Ltd (ID15/982)** |
| The Council had before it the report dated 11 August 2015 from the Manager City Strategy Services regarding Amended Planning Proposal - Former RAAF Stores Depot Site, Lot 11 DP 1050240 Palmer Street, Dubbo. |
| Moved by Councillor J Walkom and seconded by Councillor K Parker  MOTION  1. That the amended land use zoning regime for Lot 11 DP 1050240, former RAAF Stores Depot site, Palmer Street, Dubbo (as shown in Appendix 1) be adopted by Council as part of an amended Planning Proposal for the former RAAF Stores Depot site.  2. That the request for additional permitted use of shop-top housing in the SP3 Tourist zone, as contained in Appendix 2, be adopted by Council as part of an amended Planning Proposal for the former RAAF Stores Depot site.  3. That the request for additional permitted uses of car parks in the R1 General Residential zone, and bottle shop and neighbourhood shops in the SP3 Tourist zone, not be supported as this would create an unacceptable precedent for the SP3 Tourist zone across the City.  4. That it be noted that Clause 5.10(10) of the Dubbo LEP 2011 provides appropriate heritage conservation incentives that could provide for development of various prohibited uses without the need to amend the Dubbo LEP 2011.  5. That Clause 5.3 Development near Zone Boundaries contained in the Dubbo LEP 2011 be amended to the effect of adding an allowance for a 20 metre variation between the SP3 Tourist and R1 General Residential zones only.  6. That a car wash be accepted by Council as a permissible land use activity in the SP3 Tourist zone as a stand-alone development.  7. That Council requests an amended Gateway Determination from the Department of Planning and Environment to enable the amended Planning Proposal to be placed on public exhibition noting that such Planning Proposal would also include proposals as resolved by Council at its meeting of 26 August 2013 in respect of Lot 502, DP 1152321, Boundary Road, Lot 2 DP 1157422, Wheelers Lane, and Lot 5 DP 1006205, Darling Street, Dubbo previously adopted by Council.  8. That following receipt of an amended Gateway Determination, the Planning Proposal be placed on public display in accordance with the requirements of the Environmental Planning and Assessment Act, 1979 and the conditions of the Gateway Determination.  Moved by Councillor J Walkom and seconded by Councillor R Towney  **AMENDMENT**  **1. That the amended land use zoning regime for Lot 11 DP 1050240, former RAAF Stores Depot site, Palmer Street, Dubbo (as shown in Appendix 1 of the report of the Manager City Strategy Services dated 11 August 2015) be adopted by Council as part of an amended Planning Proposal for the former RAAF Stores Depot site.**  **2. That the request for additional permitted use of shop-top housing in the SP3 Tourist zone, as contained in Appendix 2 of the report of the Manager City Strategy Services dated 11 August 2015, be adopted by Council as part of an amended Planning Proposal for the former RAAF Stores Depot site.**  **3. That the request for additional permitted uses of car parks in the R1 General Residential zone, and bottle shop and neighbourhood shops in the SP3 Tourist zone, not be supported as this would create an unacceptable precedent for the SP3 Tourist zone across the City.**  **4. That it be noted that Clause 5.10(10) of the Dubbo LEP 2011 provides appropriate heritage conservation incentives that could provide for development of various prohibited uses without the need to amend the Dubbo LEP 2011.**  **5. That the Dubbo LEP 2011 be amended to give effect to adding an allowance for a 50 metre variation of zone boundaries between the SP3 Tourist and R1 General Residential zones on Lot 11 DP 1050240, former RAAF Stores Depot site, Palmer Street, Dubbo, only.**  **6. That a car wash be accepted by Council as a permissible land use activity in the SP3 Tourist zone as a stand-alone development.**  **7. That Council requests an amended Gateway Determination from the Department of Planning and Environment to enable the amended Planning Proposal to be placed on public exhibition noting that such Planning Proposal would also include proposals as resolved by Council at its meeting of 26 August 2013 in respect of Lot 502, DP 1152321, Boundary Road, Lot 2 DP 1157422, Wheelers Lane, and Lot 5 DP 1006205, Darling Street, Dubbo previously adopted by Council.**  **8. That following receipt of an amended Gateway Determination, the Planning Proposal be placed on public display in accordance with the requirements of the Environmental Planning and Assessment Act, 1979 and the conditions of the Gateway Determination.**  **The amendment on being put to the meeting was carried. CARRIED**  **The amendment then became the motion and on being put to the meeting was carried.**  **CARRIED**  In accordance with s375A(2) of the Local Government Act 1993, a division was duly called, the following votes on the motion were recorded:   |  |  | | --- | --- | | **FOR** | **AGAINST** | | Councillor Dickerson |  | | Councillor Mohr |  | | Councillor Parker |  | | Councillor Shields |  | | Councillor Smith |  | | Councillor Towney |  | | Councillor Walkom |  | | **Total (7)** | **Total (0)** | |

*Councillor B Kelly declared a pecuniary, significant interest in the matter now before the Council and left the room and was out of sight during the Council’s consideration of this matter. The reasons for such interest are that Councillor B Kelly has family members who own residential land in Dubbo that is currently being, and will be developed into the future; Councillor B Kelly and his wife are shareholders of  a Company that have shares in a company that has acquired residential  land holdings in Dubbo, and Councillor B Kelly is currently co-ordinating the sale of allotments in the family members owned Magnolia and Southlake Estate holdings and the Eykan Holdings land within the Keswick Estate.*