

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 17 MAY 2018

ITEM 9.14 SF2460 170518 LEP & DCP Amendments - Horticulture, Clause 4.2A & Tree Preservation

201/18 **RESOLVED:** (Finlayson/Ainsworth)

- 1 Subject to Paragraph (e) hereof, horticulture in areas zoned R5 will be subject to a development application and any approval shall include inter alia the following provisions:
 - a Where the property adjoins other land zoned RU1 or RU2 but where there is no existing house, no buffer will be required. No horticulture will be carried out within a radius of 100 metres of any existing house, the 100 metres being measured from the house, not the boundary
 - b Where the property adjoins other land zoned R5 which is vacant no horticulture will take place (including erection of netting) within 20 meters of the boundary and that 20 metres shall contain a 10 metre vegetative buffer.
 - c No building envelope shall be permitted to be located within 40 metres of a boundary on the other side of which horticultural activities have been permitted.
 - d When the property adjoins land zoned R5 on which houses are located, no horticulture will be permitted within a radius of 50 metres of that house (such radius measured from the house) and there shall be a vegetative buffer provided along the boundary of the said radius within the land where horticulture is to take place.
 - e No development application will be necessary in respect of any horticultural activity in respect of a crop having a productive duration of less than twelve months.
- 2 The applicant will ensure that any operations on the property requiring the use of chemicals shall be under the supervision of a person who is the holder of a Farm Safety Management Certificate and an Agricultural Chemical Users Certificate.
- 3 No bird netting shall be erected in any area zoned R5 of a colour other than black.
- 4 S149 Certificates issued by Council will be amended accordingly so that potential purchasers of property are put on notice of these requirements
- 5 That Council defer any decision on regulating horticulture in the RU1 and RU2 zones until the outcome of a similar proposal put forward by the Bellingen Shire Council is determined by the Minister.
- 6 That Council support the amendments to regulate tree clearing in the Pearl Estate and the proposed changes to Clause 4.2A in relation to the erection of dwellings.

For the Motion: Crs Hoban, Ainsworth, Finlayson, Jenvey, Jones, Reed, Smyth and Wilson
Total (8)

Against the Motion: Nil
Total (0)

Item 9.15 was dealt with earlier in the meeting.

ITEM 9.16 SF688 170518 Project 'Protecting and Connecting Coastal Habitat Corridors at
