

## ORDINARY MEETING

### 10. REPORTS FOR DETERMINATION

Meeting Date: 10 December 2024

### 10. REPORTS FOR DETERMINATION

#### 10.1. PLANNING DECISIONS

##### 10.1.1. CP - Kemsley Park Planning Proposal (95498, 124414)

Directorate: City Planning

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Councillor McMahon declared a less than significant non-pecuniary interest in this Item, being that she leases and lives in a property in Redbank. She remained in the Chamber and participated in the discussion and voting on this matter.

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Jock Douglas, Mitul Haque and Matt Cooper addressed the Council, speaking for the recommendation contained in the business paper.

Matilda Julian and Jeanette Hayden addressed the Council, speaking against the recommendation contained in the business paper.

#### MOTION

A MOTION was moved by Councillor Wheeler, seconded by Councillor Lyons-Buckett:-

That Council refuse the Planning Proposal LEP002/24 – Kemsley Park Grose Vale Road, Grose Vale because the Proposal is:-

1. Inconsistent housing targets and Hawkesbury Housing Strategy 2020.
2. Inconsistent with Metropolitan Rural Lands provisions.
3. Inconsistent with Ministerial Planning Direction 5.1: the proposal does not improve access to housing through walking, cycling or public transport and will increase dependence on cars, the number of car trips and the distances travelled.
4. Inconsistent with Ministerial Planning Direction 6.1: the proposal does not broaden the choice of building types and locations available in the housing market, reduce the consumption of land for housing and associated urban development on the urban fringe, and is not consistent with a Regional Strategy or Plan or District Planning.
5. Inconsistent with Ministerial Direction 9.1: the proposal seeks to rezone land from rural to residential and contains provisions that will increase the permissible density of land within a rural zone.
6. Inconsistent with Ministerial Direction 9.2: the proposal is not consistent with any strategy or plan, does not adequately protect environmental values, minimise the fragmentation of rural land or reduce the risk of land conflict, and does not consider the social, economic and environmental interests of the community.
7. Unable to adequately be assessed for stormwater and flood impacts on Redbank Creek as the Flood Study is still in draft form.
8. Not supported by adequate transport infrastructure and will have a deleterious impact on traffic and quality of life of existing residents.

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9. Likely to increase urban heat impacts and runoff due to increased hard surfaces.
10. Not in the public interest.

**AMENDMENT**

An AMENDMENT was moved by Councillor Lyons-Buckett, seconded by Councillor Zamprogno:-

That Council defer consideration of the Planning Proposal LEP002/24 – Kemsley Park, 322 Grose Vale Road, Grose Vale for further discussion.

<b>For the Amendment:</b>	Councillors Djuric, Lyons-Buckett, Wheeler and Zamprogno.
<b>Against the Amendment:</b>	Councillors Sheather, Creed, Dogramaci (Abstained), Kotlash, McMahon, Reardon, and Veigel.
<b>Absent:</b>	Nil.

The Amendment was LOST.

**MOTION**

A MOTION moved by Councillor Wheeler, seconded by Councillor Lyons-Buckett:-

That Council refuse the Planning Proposal LEP002/24 – Kemsley Park Grose Vale Road, Grose Vale because the Proposal is:-

1. Inconsistent housing targets and Hawkesbury Housing Strategy 2020.
2. Inconsistent with Metropolitan Rural Lands provisions.
3. Inconsistent with Ministerial Planning Direction 5.1: the proposal does not improve access to housing through walking, cycling or public transport and will increase dependence on cars, the number of car trips and the distances travelled.
4. Inconsistent with Ministerial Planning Direction 6.1: the proposal does not broaden the choice of building types and locations available in the housing market, reduce the consumption of land for housing and associated urban development on the urban fringe, and is not consistent with a Regional Strategy or Plan or District Planning.
5. Inconsistent with Ministerial Direction 9.1: the proposal seeks to rezone land from rural to residential and contains provisions that will increase the permissible density of land within a rural zone.
6. Inconsistent with Ministerial Direction 9.2: the proposal is not consistent with any strategy or plan, does not adequately protect environmental values, minimise the fragmentation of rural land or reduce the risk of land conflict, and does not consider the social, economic and environmental interests of the community.
7. Unable to adequately be assessed for stormwater and flood impacts on Redbank Creek as the Flood Study is still in draft form.

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8. Not supported by adequate transport infrastructure and will have a deleterious impact on traffic and quality of life of existing residents.
9. Likely to increase urban heat impacts and runoff due to increased hard surfaces.
10. Not in the public interest.

**For the Motion:** Councillors Djuric, Lyons-Buckett, Wheeler and Zamprogno.

**Against the Motion:** Councillors Sheather, Creed, Dogramaci (Abstained), Kotlash, McMahon, Reardon, and Veigel.

**Absent:** Nil.

The Motion was LOST.

### MOTION

A MOTION was moved by Councillor Creed, seconded by Councillor Veigel.

### *Refer to RESOLUTION*

## 238 RESOLUTION

RESOLVED on the motion of Councillor Creed, seconded by Councillor Veigel.

That:

1. Council support Planning Proposal (LEP002/24) Kemsley Park, 322 Grose Vale Road, Grose Vale and forward the Planning Proposal to the Department of Planning, Housing and Infrastructure for a Gateway Determination.
2. The Flood Evacuation and Bushfire Safety Report be updated.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a Council or Committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which are as follows:

**For the Motion:** Councillors Sheather, Creed, Reardon, Veigel, Kotlash, and McMahon.

**Against the Motion:** Councillors Djuric, Dogramaci (Abstained), Lyons-Buckett, Wheeler and Zamprogno.

**Absent:** Nil.

A Rescission Motion has been received in regard to this matter.