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## TWEED SHIRE COUNCIL - MEETING TASK SHEET

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### ACTION ITEM - Council Meeting - 11 December 2024

**TITLE: Planning Proposal PP24/0006 (PP-2024-463) to enable a dwelling house on Lot 1 DP 818394 Clothiers Creek Road, Bogangar**

### STAFF RECOMMENDATION

That for planning proposal PP24/0006 (PP-2024-463) to enable a dwelling house on Lot 1 DP 818394 Clothiers Creek Road, Bogangar:

1. The planning proposal is updated to apply C2 Environmental Conservation as per Figure 2 of this report, with the remainder of the site to be zoned RU2 Rural Landscape, with an additional amendment to the Dwelling Opportunity Map to enable dwelling house on land within the RU2 zone;
2. The updated planning proposal is to be referred to the Department of Planning, Housing and Infrastructure for a Gateway determination;
3. Council is to undertake the process of revoking S88 restriction affecting the subject site;
4. Upon receipt of a Gateway Determination, proceed with the public exhibition in accordance with the Gateway Determination conditions, Council's adopted Community Engagement and Participation Plan, and
5. Following the public exhibition, a further report be brought back to Council for further reconsideration and that addresses submissions received.

### MEETING RESOLUTION

### ALTERNATE MOTION

**Cr Nola Firth**

**Cr Meredith Dennis (Deputy Mayor)**

**PROPOSED** that for planning proposal PP24/0006 (PP-2024-463) to enable a dwelling house on Lot 1 DP 818394 Clothiers Creek Road, Bogangar:

1. The planning proposal is updated to apply C2 Environmental Conservation as per Figure 2 of this report, with the remainder of the site to be zoned RU2 Rural Landscape, with an additional amendment to the Dwelling Opportunity Map to enable dwelling house on land within the RU2 zone;
2. Due to the proximity of high conservation value lands owned by National Parks and Wildlife Service (NPWS) on three sides of this property, Council requests this Planning Proposal with the associated removal of the S88B covenant restriction on building on this site be placed on public exhibition for community consultation and a report be brought back to Council.

The Motion was **Lost**

**VOTE FOR** - Cr Chris Cherry (Mayor), Cr Meredith Dennis (Deputy Mayor), Cr Nola Firth

**VOTE AGAINST** - Cr Rhiannon Brinsmead, Cr Reece Byrnes, Cr Kimberly Hone, Cr James Owen

**ABSENT. DID NOT VOTE** - None

## **AMENDMENT 1**

**Cr Chris Cherry (Mayor)**

**Cr Meredith Dennis (Deputy Mayor)**

**PROPOSED** that Council not proceed with the Planning Proposal and advise the Applicant about the Rezoning Review pathway.

The Motion was **Lost**

**VOTE FOR** - Cr Chris Cherry (Mayor), Cr Meredith Dennis (Deputy Mayor), Cr Nola Firth

**VOTE AGAINST** - Cr Rhiannon Brinsmead, Cr Reece Byrnes, Cr Kimberly Hone, Cr James Owen

**ABSENT. DID NOT VOTE** - None

**Cr James Owen**

**Cr Rhiannon Brinsmead**

**RESOLVED** that for planning proposal PP24/0006 (PP-2024-463) to enable a dwelling house on Lot 1 DP 818394 Clothiers Creek Road, Bogangar:

1. The planning proposal is updated to apply C2 Environmental Conservation as per Figure 2 of this report, with the remainder of the site to be zoned RU2 Rural Landscape, with an additional amendment to the Dwelling Opportunity Map to enable dwelling house on land within the RU2 zone;
2. The updated planning proposal is to be referred to the Department of Planning, Housing and Infrastructure for a Gateway determination;
3. Council is to undertake the process of revoking S88 restriction affecting the subject site;
4. Upon receipt of a Gateway Determination, proceed with the public exhibition in accordance with the Gateway Determination conditions, Council's adopted Community Engagement and Participation Plan, and
5. Following the public exhibition, a further report be brought back to Council for further reconsideration and that addresses submissions received.

The Motion was **Carried**

**VOTE FOR** - Cr Rhiannon Brinsmead, Cr Reece Byrnes, Cr Kimberly Hone, Cr James Owen

**VOTE AGAINST** - Cr Chris Cherry (Mayor), Cr Meredith Dennis (Deputy Mayor), Cr Nola Firth

**ABSENT. DID NOT VOTE** - None