PLANNING VOTES OF THE ORDINARY MEETING OF KEMPSEY SHIRE COUNCIL 25 JUNE 2019

9.4 PLANNING PROPOSAL 27 SEAMS ROAD, KUNDABUNG

Officer Peter Orr, Senior Strategic Planning Officer

File No KLEP2013-AM-17

Attachments
1. Gateway determination and delegation [9.4.1 - 6 pages]
2. Public Submissions [9.4.2 - 49 pages]
3. OEH Agency Response [9.4.3 - 6 pages]
4. Forestry NSW Agency Response [9.4.4 - 4 pages]
5. NSW RFS Agency Response [9.4.5 - 1 page]

PURPOSE

To consider the following planning proposal for progression to the next stage of the local plan making process.

Proposal: Amend Kempsey Local Environmental Plan (KLEP) 2013 by changing the minimum lot size for the subject site from 40ha to part 10ha and part 20ha

Location: 27 Seams Road, Kundabung

Proponent: Hopkins Consultants on behalf of Gavin Landini

Status: Community and agency consultation undertaken

Council is to consider the matters raised in the community and agency submissions and decide whether to exercise delegation to make the proposed amendment to KLEP 2013.

2019.482
RESOLVED: MOVED: Cl Saul
SECONDED: Cl Williams

1 That the planning proposal to permit the amendment of the Lot Size Map for land at 27 Seams Road, Kundabung, from 40ha to part 10ha and part 20ha, be progressed to make the amendment to the local environmental plan, described as KLEP 2013 (Amendment 17).

2 Prior to progressing the amendment, the proponent is to first complete the registration of a plan of subdivision to formalise access to Old Coast Road, as required by Condition 5 of the Gateway Determination.

3 On notification of the registration of subdivision, Council staff request the Parliamentary Counsel’s Office to draft the legal instrument, KLEP 2013 (Amendment 17), under s 3.36(1) of the Environmental Planning and Assessment Act 1979 to give effect to the final planning proposal.

4 The General Manager exercise delegation from the Minister for Planning to make the amending instrument, KLEP 2013 (Amendment 17).

5 Upon the making of KLEP 2013 (Amendment 17), the Department of Planning & Environment be requested to notify the plan on the NSW Legislation webpage.
9.5 DEVELOPMENT APPLICATION T6-19-77 - MULTIPLE DWELLINGS (4) AND SUBDIVISION AT SOUTH WEST ROCKS

Officer Shannon Reinhold, Town Planner

File No T6-19-77

Attachments
1. Attachment T 6-19-77 Plans [9.5.1 - 5 pages]
2. Attachment T 6-19-77 Recommended Conditions of Consent [9.5.2 - 10 pages]
3. Attachment T 6-19-77 SEE & Variation Request [9.5.3 - 31 pages]

RESOLVED:

MOVED: Cl Saul
SECONDED: Cl McGinn

1. That the requested variation to Clause 4.1 of Kempsey Local Environmental Plan 2013 (KLEP 2013), minimum lot size for subdivision, be supported; and
2. That Development Consent be granted to T6-19-77, subject to the conditions contained in the attachment (Attachment T6-19-77 Recommended Conditions of Consent).

FOR: Cl Baxter, Cl Saul, Cl Campbell, Cl Hauville, Cl Shields, Cl Williams, Cl McGinn
AGAINST: nil