

Resolutions

Current Date Range

1st Jan 2021 to 31st Dec 2021

Applied Filters

Minute Types: A Planning Resolution

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ORDINARY COUNCIL MEETING - 26 OCTOBER 2021

[9.1 Planning Proposal to Facilitate the Airport Adventure Park](#)

2021.199 RESOLVED (CI McGinn/CI Patterson):

That Council:

- 1. Following Section 3.34 of the *Environmental Planning and Assessment Act 1979*, submit the attached Planning Proposal to the Minister, seeking a Gateway Determination.**
- 2. Receive a further report on completion of all consultation activities set out in the Gateway Determination.**

CARRIED (5 / 2)

FOR: CI Campbell, CI Baxter, CI McGinn, CI Patterson and CI Saul

AGAINST: CI Hauville and CI Morris

ORDINARY COUNCIL MEETING - 26 OCTOBER 2021

[9.2 Dwelling and Carport - 17 Harold Circuit, Verges Creek DA2100009](#)

2021.211 RESOLVED (CI Patterson/CI McGinn):

That development consent be granted for development application DA210009, which seeks consent for a dwelling and shed at 17 Harold Circuit, Verges Creek, subject to the conditions as attached (Draft Conditions DA210009).

CARRIED (5 / 1)

FOR: CI Campbell, CI McGinn, CI Morris, CI Patterson and CI Saul

AGAINST: CI Hauville

ORDINARY COUNCIL MEETING - 17 AUGUST 2021

[9.3 Planning Proposal - 600 Macleay Valley Way, South Kempsey](#)

2021.153 RESOLVED (CI Patterson/CI Saul):

That:

- 1. The Planning Proposal which seeks to permit the land use highway service centre at 600 Macleay Valley Way, South Kempsey, be submitted to the Minister for Planning for Gateway consideration pursuant to section 3.34 of the *Environmental Planning and Assessment Act 1979*.**
- 2. The Secretary of the Department of Planning and Environment be requested to issue Council with written authorisation to exercise plan making delegations in relation to this proposal.**
- 3. Subject to the Gateway determination, community consultation for the Planning Proposal be undertaken as required.**

CARRIED (7 / 2)

FOR: CI Campbell, CI Baxter, CI McGinn, CI Patterson, CI Saul, CI Shields and CI Williams

AGAINST: CI Hauville and CI Morris

During debate on the previous motion, a point of order was raised by CI McGinn that CI Hauville's speech is not relevant to the gateway determination. The Mayor upheld the point of order and asked CI Hauville to confine his speech to the gateway determination.

During debate on the previous motion, a point of order was raised by CI McGinn that CI Hauville's speech is not relevant to the gateway determination. The Mayor did not uphold the point of order and asked CI Hauville to continue.

During debate on the previous motion, a point of order was raised by CI McGinn that CI Hauville's speech is not relevant to the gateway determination. The Mayor upheld the point of order and asked CI Hauville to confine his speech to the gateway determination.

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ORDINARY COUNCIL MEETING - 20 JULY 2021

[9.2 Draft Biodiversity Strategy - Kempsey Shire](#)

2021.123 RESOLVED (CI Patterson/CI Shields):

That Council:

1. Approve the Draft Biodiversity Strategy for the Kempsey Shire to proceed to public exhibition for 42 days.
2. Receives a further report at the conclusion of the public exhibition period.

CARRIED UNANIMOUSLY (9 / 0)

FOR: CI Campbell, CI Baxter, CI Hauville, CI McGinn, CI Morris, CI Patterson, CI Saul, CI Shields, CI Williams

AGAINST: nil

ORDINARY COUNCIL MEETING - 20 JULY 2021

[9.3 Kempsey CBD Flood Planning](#)

2021.124 RESOLVED (CI McGinn/CI Baxter):

That Council:

1. Adopt amended *Kempsey Development Control Plan 2013 Chapter B7: Flood Hazard Area Management*.
2. Endorse the Flood Mapping and have it made accessible by the public through Council's website.

CARRIED UNANIMOUSLY (9 / 0)

FOR: CI Campbell, CI Baxter, CI Hauville, CI McGinn, CI Morris, CI Patterson, CI Saul, CI Shields and CI Williams

AGAINST: nil

ORDINARY COUNCIL MEETING - 20 JULY 2021

[9.4 Planning Proposal - Neville Morton Drive, Crescent Head](#)

MOVED (CI Saul/CI McGinn):

1. That the planning proposal which applies to a portion of Lot 11 DP1269181 Crescent Head, be progressed to make the amendment to the local environmental plan, described as KLEP 2013 (Amendment 25).
2. That Council staff request the Parliamentary Counsel's Office to draft the legal instrument, KLEP 2013 (Amendment 25), under s 3.36(1) of the Environmental Planning and Assessment Act 1979 to give effect to the final planning proposal.
3. That the General Manager exercise delegation from the Minister for Planning to make the amending instrument, KLEP 2013 (Amendment 25).
4. That upon the making of KLEP 2013 (Amendment 25), the Department of Planning, Industry & Environment be requested to notify the plan on the NSW Legislation webpage.

ORDINARY COUNCIL MEETING - 29 JUNE 2021

9.3 T6-21-102 Attached Dual Occupancy & Subdivision (One Lot into Two Lots) - Ocean Street, South West Rocks

CI Baxter left the Chamber at 12:14 pm.

CI Baxter returned to Chamber at 12:16 pm.

2021.99 RESOLVED (CI Shields/CI Williams):

That Council:

1. Support the requested variation to the building height development standards in Clause 4.3 of KLEP 2013.
2. Grant development consent to T6-21-102 for an attached dual occupancy and subdivision (one lot into two lots), subject to the conditions contained in the attachment (*Attachment – T6-21-102 Recommended Conditions*).

CARRIED (7 / 1)

FOR: CI Campbell, CI Baxter, CI McGinn, CI Morris, CI Saul, CI Shields, CI Williams

AGAINST: CI Hauville

ORDINARY COUNCIL MEETING - 29 JUNE 2021

9.4 T6-20-454 Subdivision (One Lot into Two Lots) - East Street, Crescent Head

CI Williams left the Chamber at 12:17 pm.

CI Williams returned to Chamber at 12:20 pm.

2021.100 RESOLVED (CI Shields/CI McGinn):

That Council:

1. Support the requested variation to the minimum lot size for subdivision standard in Clause 4.1 of KLEP 2013.
2. Grant development consent to T6-20-454 for a two (2) lot subdivision at 24 East Street, Crescent Head, subject to the conditions contained in the attachment (*T6-20-454 Recommended Conditions of Consent*).

CARRIED (6 / 2)

FOR: CI Campbell, CI Baxter, CI McGinn, CI Morris, CI Shields, CI Williams

AGAINST: CI Hauville, CI Saul

ORDINARY COUNCIL MEETING - 20 APRIL 2021

9.4 Planning Proposal - Kempsey CBD Flood Planning

2021.48 RESOLVED (CI Patterson/CI Hauville):

That Council:

1. Act on the recommended changes to the *Kempsey Local Environmental Plan (KLEP) 2013* and *Kempsey Development Control Plan (KDCP) 2013*, as made in the Kempsey CBD Flood Risk Management Study and Plan.
2. Adopt the amendments to Council Policy 1.1 - Development Control Policy and repeal Procedure 1.1.11 - Flood Risk Management.

3. Submit the attached planning proposal to amend KLEP 2013 Clause 7.3 and introduce a Floodplain risk management clause to KLEP 2013 to the Minister for Planning for Gateway consideration pursuant to section 3.34 of the Act.
4. Request written authorisation from the Secretary of the Department of Planning, Industry and Environment to exercise plan making delegations in relation to this proposal.
5. Take the necessary steps to exhibit the planning proposal pursuant to section 3.33 of the Act, expressing the objective and intended outcomes of proposed changes to the *Kempsey Local Environmental Plan 2013* (LEP), and amend *Kempsey Development Control Plan 2013 Chapter B7: Floodplain Management (DCP)* as described in the report, pursuant to section 3.43 of the Act and in accordance with any Gateway determination.
6. Receives a further report at the conclusion of the public exhibition period.

CARRIED UNANIMOUSLY (8 / 0)

FOR: Cl Campbell, Cl Baxter, Cl Hauville, Cl McGinn, Cl Morris, Cl Patterson, Cl Saul, Cl Shields

AGAINST: nil

ORDINARY COUNCIL MEETING - 16 MARCH 2021

[9.3 T6-20-523 Alterations and Additions to Educational Establishment](#)

2021.25 RESOLVED (Cl Saul/Cl Patterson):

That Council:

1. Support the requested variation to the building height development standards in Clause 4.3 of KLEP 2013; and
2. Grant development consent to T6-20-523, subject to the conditions contained in the attachment (*Attachment – T6-20-523 Recommended Conditions*).

CARRIED UNANIMOUSLY (7 / 0)

FOR: Cl Campbell, Cl Baxter, Cl McGinn, Cl Morris, Cl Patterson, Cl Saul, Cl Williams

AGAINST: nil

ORDINARY COUNCIL MEETING - 16 FEBRUARY 2021

[9.1 Serviced Apartments and Commercial Space Development Application - Livingstone Street, South West Rocks - T6-20-357](#)

2021.16 RESOLVED (Cl Shields/Cl Morris):

1. That the requested variation to Clause 4.3 of Kempsey Local Environmental Plan 2013 (KLEP 2013), regarding height of building, is not supported;
2. That Development Application T6-20-357 be Refused, subject to the Reasons for Refusal contained in the attachment (*Attachment T6-20-357 Reasons for Refusal*); and
3. That those who have made a submission be made aware of Council's decision.

CARRIED UNANIMOUSLY (8 / 0)

FOR: Cl Campbell, Cl Baxter, Cl McGinn, Cl Morris, Cl Patterson, Cl Saul, Cl Shields, Cl Williams

AGAINST: nil

ORDINARY COUNCIL MEETING - 16 FEBRUARY 2021

[9.3 Secondary Dwelling - Kinki Spur Road, Yarrhapinni - Modification T6-20-306 \(Rev01\)](#)

2021.18 RESOLVED (Cl Morris/Cl Shields):

That Council:

1. Support the requested variation to Clause 4.2E of KLEP 2013, regarding separation distance.
2. Grant modified Development Consent to T6-20-306 Rev 01, subject to the conditions contained in the attachment (*Attachment – T6-20-306 Rev 01 Recommended Conditions*).

CARRIED UNANIMOUSLY (8 / 0)

FOR: Cl Campbell, Cl Baxter, Cl McGinn, Cl Morris, Cl Patterson, Cl Saul, Cl Shields, Cl Williams

AGAINST: nil