



PLANNING VOTES of the Ordinary meeting of Kempsey Shire Council 17 July 2018 commenced at 09:01 am

13.6 ACQUISITION OF LAND - REPLACEMENT OF SALEYARDS CREEK ROAD BRIDGE

Officer Robert Fish, Director Operations & Planning
File No F18/1983, LA11563
Attachments 1. Copy of D P 1239823 [13.6.1]

PURPOSE

A report to consider the payment of compensation for the acquisition of land required for the realignment of the bridge spanning Saleyards Creek at West Kempsey.

2018.174

MOVED: Cl Morris

RESOLVED:

SECONDED: Cl Saul

That:

1. Council pay compensation in the amount of \$4,000 (GST exclusive) to the owners of Lot 1 DP623073 for the acquisition of part Lot 1 DP623073, more particularly described as Lot 4 in plan of acquisition DP1239823.
2. Council delegate authority to the General Manager to sign:
 - a. the Contract for Sale/Deed of Acquisition
 - b. Land Registry Services Transfer Form
 - c. Revenue NSW Purchaser Declaration Form
 - d. letter to Revenue NSW seeking exemption from the payment of stamp duty.
3. on completion of the acquisition, pursuant to Section 10 of the Roads Act 1993, Lot 4 DP1239823 be dedicated as public road.

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

AGAINST: nil

13.7 CLASSIFICATION OF LAND CONTAINING SEWER INFRASTRUCTURE

Officer Robert Fish, Director Operations & Planning

File No F18/1650, LA21684
Attachments 1. Copy of Council Report 16 August 2011 [13.7.1]
2. Copy of DP1166488 [13.7.2]

PURPOSE

A report to commence the process of classifying land recently purchased by Council.

2018.175

MOVED: CI Morris

RESOLVED:

SECONDED: CI Saul

That:

1. pursuant to Section 34 of the Local Government Act 1993 public notice be given for a minimum period of 28 days of the draft resolution "It is intended to classify Lot 1 DP1166488 (land at the southern end of East Street, Kempsey) as operational land".
2. any submissions made in response to the draft resolution be considered by Council prior to adopting a land classification.

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

AGAINST: nil

13 STAFF REPORTS

13.1 PLANNING PROPOSAL - GILBERT CORY STREET, SOUTH WEST ROCKS

Officer Bill Larkin, Environmental Strategies Officer
File No KLEP2013-AM-3
Attachments 1. Alteration of Gateway June 2018 [13.1.1]

PURPOSE

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

Proposal: Rezone land at Gilbert Cory Street, South West Rocks from RU2 Rural Landscape and E2 Environmental Conservation to R1 General Residential and E2 Environmental Conservation.
Location: Lot 10 DP754396 Gilbert Cory Street, South West Rocks
Proponent: Hunterwatt Projects Pty Ltd
Status: Planning proposal lodged, gateway determination issued, draft Planning Agreement prepared and exhibited, community consultation undertaken

The next stage is the making of the amending local environmental plan (LEP).

2018.181

MOVED: CI Patterson

RESOLVED:

SECONDED: CI Morris

That:

- 1. the planning proposal which seeks to rezone Lot 10 DP754396 Gilbert Cory Street, South West Rocks from RU2 Rural Landscape and E2 Environmental Conservation to R1 Residential and E2 Environmental Conservation, be progressed to making the amending local environmental plan, to be described as KLEP 2013 (Amendment 3).**
- 2. the draft Planning Agreement be finalised and executed by the General Manager.**
- 3. Parliamentary Counsel's Office be requested to draft the legal instrument, KLEP 2013 (Amendment 3), under s 3.36(1) of the EP&A 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 3).**
- 5. upon the making of KLEP 2013 (Amendment 3), the Department of Planning & Environment be requested to notify the plan on the NSW Legislation webpage.**

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

AGAINST: CI Hauville