

# Resolutions

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## Current Date Range

**1st Jan 2022 to 31st Dec 2022**

## Applied Filters

**Minute Types:** A Planning Resolution

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ORDINARY COUNCIL MEETING - 15 FEBRUARY 2022

[9.2 KLEP2013-AM-33 - 600 Macleay Valley Way, South Kempsey](#)

**2022.22 RESOLVED (Cr Patterson/Cr Riddington):**

**That council:**

1. delegate the general manager the authority to execute the planning agreement relating to 600 Macleay Valley Way, South Kempsey;
2. on execution of the planning agreement, progress to make the amendment to the local environmental plan, described as KLEP 2013 (Amendment 33), for the planning proposal which applies to 600 Macleay Valley Way, South Kempsey;
3. request the Parliamentary Counsel's Office to draft the legal instrument, KLEP 2013 (Amendment 33), under s 3.36(1) of the *Environmental Planning and Assessment Act 1979* to give effect to the final planning proposal;
4. endorse the general manager to exercise delegation from the Minister for Planning to make the amending instrument, KLEP 2013 (Amendment 33); and
5. upon the making of KLEP 2013 (Amendment 33), the Department of Planning, Industry & Environment be requested to notify the plan on the NSW Legislation webpage.

**CARRIED UNANIMOUSLY (8 / 0)**

**FOR:** Cr Bain, Cr Craigie, Cr Fergusson, Cr Freeman, Cr Hauville, Cr Patterson, Cr Riddington and Cr Wyatt

**AGAINST:** Nil

ORDINARY COUNCIL MEETING - 15 MARCH 2022

[9.3 Planning Proposal PP-2021-7403 - Rosedale Avenue, South West Rocks](#)

**2022.49 RESOLVED (Cr Patterson/Cr Freeman):**

**That council:**

1. submit the Planning Proposal, which seeks to permit the minor realignment of LEP mapping layers consistent with existing development approvals at Lot 801 DP1270742 Rosedale Avenue South, South West Rocks, to the Minister for Planning for Gateway consideration pursuant to section 3.34 of the *Environmental Planning and Assessment Act 1979*;
2. request the Secretary of the Department of Planning and Environment to issue council with written authorisation to exercise plan making delegations in relation to this proposal; and
3. undertake, subject to the Gateway determination, community consultation for the planning proposal as required.

**CARRIED (7 / 2)**

**FOR:** Cr Bain, Cr Campbell, Cr Fergusson, Cr Freeman, Cr Hauville, Cr Patterson and Cr Riddington

**AGAINST:** Cr Craigie and Cr Wyatt

ORDINARY COUNCIL MEETING - 26 APRIL 2022

[9.5 KLEP2013 - Employment Zones Reforms](#)

**2022.63 RESOLVED (Cr Campbell/Cr Freeman):**

That council:

1. endorse the translation of the Employment Zones land use tables for the *Kempsey Local Environmental Plan 2013*;
2. take the necessary steps to assist the Department of Planning and Environment in the public exhibition of the translation of the existing *Standard Instrument Principal Local Environmental Plan 2006* zones into the new zones; and
3. receive a further report at the conclusion of the public exhibition period.

**CARRIED UNANIMOUSLY (9 / 0)**

**FOR:** Cr Bain, Cr Campbell, Cr Craigie, Cr Fergusson, Cr Freeman, Cr Hauville, Cr Patterson, Cr Riddington and Cr Wyatt

**AGAINST:** Nil

ORDINARY COUNCIL MEETING - 26 APRIL 2022

[9.4 Planning Proposal PP-2021-7144 – 1022 Crescent Head Road, Crescent Head](#)

**2022.67 RESOLVED (Cr Freeman/Cr Patterson):**

That council:

1. submit the planning proposal which seeks to amend the *Lot Size Map* at Lot 17 DP 818185, 1022 Crescent Head Road Crescent Head, to the Minister for Planning for gateway consideration pursuant to section 3.34 of the Environmental Planning and Assessment Act 1979;
2. request that the Secretary of the Department of Planning and Environment to issue council with written authorisation to exercise plan making delegations in relation to this proposal; and
3. undertake, subject to the gateway determination, community consultation for the planning proposal as required.

**CARRIED UNANIMOUSLY (9 / 0)**

**FOR:** Cr Bain, Cr Campbell, Cr Craigie, Cr Fergusson, Cr Freeman, Cr Hauville, Cr Patterson, Cr Riddington and Cr Wyatt

**AGAINST:** Nil

ORDINARY COUNCIL MEETING - 17 MAY 2022

[9.7 Voluntary Planning Agreement Maxus Gardens 334-356 Gregory Street, South West Rocks](#)

**2022.86 RESOLVED (Cr Patterson/Cr Bain):**

That council:

1. receive the proposed planning agreement relating to 334-356 Gregory Street, South West Rocks;
2. authorise public notification of the proposed planning agreement for a minimum period of not less than 28 days; and
3. delegate to the general manager the authority to execute the agreement if he is satisfied that there are no further changes required following the notification period.

**CARRIED UNANIMOUSLY (6 / 0)**

**FOR:** Cr Bain, Cr Fergusson, Cr Freeman, Cr Hauville, Cr Patterson and Cr Wyatt

**AGAINST:** Nil

ORDINARY COUNCIL MEETING - 30 AUGUST 2022

[9.3 Planning Agreement for a Park at Crescent Head](#)

**2022.147 RESOLVED (Cr Patterson/Cr Butterfield):**

That Council:

1. receive the proposed Planning Agreement relating to Lot 2 DP1276195, Crescent Head;
2. authorise public notification of the proposed Planning Agreement for a period of 28 days; and
3. delegate to the General Manager the authority to execute the agreement if he is satisfied that there are no further changes required following the public notification period.

**CARRIED UNANIMOUSLY (9 / 0)**

**FOR:** Cr Bain, Cr Butterfield, Cr Fergusson, Cr Hauville, Cr Patterson, Cr Riddington, Cr Ring, Cr Saul and Cr Wyatt  
**AGAINST:** Nil

**ORDINARY COUNCIL MEETING - 30 AUGUST 2022**

[9.2 Planning Proposal PP-2021-7144 – 1022 Crescent Head Road, Crescent Head](#)  
**2022.146 RESOLVED (Cr Saul/Cr Fergusson):**

**That Council:**

1. endorse the progression of this planning proposal, which applies to Lot 17 DP 818185, 1022 Crescent Head Road, Crescent Head, to the making of the amendment to the Kempsey Local Environmental Plan (KLEP) 2013;
2. request the Parliamentary Counsel's Office to draft the legal instrument under s3.36(1) of the Environmental Planning and Assessment Act 1979 to give effect to the final planning proposal;
3. authorise the General Manager to exercise delegation from the Minister for Planning to make the amending instrument; and
4. request the Department of Planning and Environment to notify the plan on the NSW Legislation webpage upon the making of the KLEP 2013 amendment.

**CARRIED UNANIMOUSLY (9 / 0)**

**FOR:** Cr Bain, Cr Butterfield, Cr Fergusson, Cr Hauville, Cr Patterson, Cr Riddington, Cr Ring, Cr Saul and Cr Wyatt  
**AGAINST:** Nil

**ORDINARY COUNCIL MEETING - 20 SEPTEMBER 2022**

[9.1 DA2200380 - Continued Use Of An Existing Shed As A Detached Dual Occupancy - Yarrahapinni](#)  
**2022.169 RESOLVED (Cr Saul/Cr Fergusson):**

That development consent be granted, subject to deferred commencement conditions, to development application DA2200380 for the continued use of an existing shed as a detached dual occupancy house at Lot 310 DP618104, 195 Barbers Lane, Yarrahapinni, subject to the conditions contained in the draft consent conditions.

**CARRIED UNANIMOUSLY (8 / 0)**

**FOR:** Cr Bain, Cr Butterfield, Cr Fergusson, Cr Hauville, Cr Patterson, Cr Riddington, Cr Saul and Cr Wyatt  
**AGAINST:** Nil

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**ORDINARY COUNCIL MEETING - 15 NOVEMBER 2022**

[9.3 DA2200497 - Continued Use of an Existing Shed as a Detached Dual Occupancy House at Toorooka](#)  
**2022.209 RESOLVED (Cr Patterson/Cr Saul):**

That Council grant development consent for DA2200497 for the continued use of an existing shed as a detached dual occupancy house at Lot 60 DP752431, 690 Warbro Brook Road, Toorooka subject to the conditions contained in the attached Draft Conditions of Development Consent.

**CARRIED UNANIMOUSLY (9 / 0)**

**FOR:** Cr Bain, Cr Butterfield, Cr Fergusson, Cr Hauville, Cr Patterson, Cr Riddington, Cr Ring, Cr Saul and Cr Wyatt  
**AGAINST:** Nil

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ORDINARY COUNCIL MEETING - 13 DECEMBER 2022

[10.3 Multi-Purpose Sporting Pavillion - Austral Street, Kempsey \(DA2100191\)](#)

**2022.233 RESOLVED (Cr Patterson/Cr Bain):**

**That Council grant consent subject to the conditions recommended by the independent assessor as detailed in Attachment 1 – Draft Conditions of Development Consent to this report.**

**CARRIED UNANIMOUSLY (8 / 0)**

**FOR:** Cr Bain, Cr Butterfield, Cr Fergusson, Cr Hauville, Cr Patterson, Cr Ring, Cr Saul and Cr Wyatt

**AGAINST:** Nil

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