



New South Wales

PARLIAMENTARY COUNSEL

Opinion

Environmental Planning and Assessment Act 1979
Proposed Kempsey Local Environmental Plan 2013 (Amendment No 15)

Your ref: B. Potts, PP_2017_KEMPS_001_00_16_15407
Our ref: MA e2017-163.d04

In my opinion the attached draft environmental planning instrument may legally be made.

When the environmental planning instrument is made, a map cover sheet that lists the final form of the maps adopted by the instrument should be signed by the person making the instrument.

A handwritten signature in black ink, consisting of a stylized 'D' followed by a horizontal line and a small flourish.

(D COLAGIURI)
Parliamentary Counsel

22 August 2017



New South Wales

Kempsey Local Environmental Plan 2013 (Amendment No 15)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

Minister for Planning

Kempsey Local Environmental Plan 2013 (Amendment No 15)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Kempsey Local Environmental Plan 2013 (Amendment No 15)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to certain land adjoining, or in the vicinity of, Lachlan Street, South Kempsey, including the land to which clause 7 of Schedule 1 to *Kempsey Local Environmental Plan 2013* applies.

4 Maps

The maps adopted by *Kempsey Local Environmental Plan 2013* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

Schedule 1 Amendment of Kempsey Local Environmental Plan 2013

[1] Clause 2.1 Land use zones

Insert “B4 Mixed Use” in appropriate order under the heading **Business Zones**.

[2] Land Use Table

Insert after Zone B3 Commercial Core:

Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To facilitate the development of a mix of local-scale facilities and services that do not detract from the core commercial functions of the Kempsey central business district.
- To ensure that new buildings make a positive contribution to the streetscape and public domain.
- To permit appropriate light industrial uses and industrial retail uses compatible with the character of the precinct.

2 Permitted without consent

Building identification signs; Home-based child care; Home businesses; Home occupations

3 Permitted with consent

Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Light industries; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition villages; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Recreation facilities (major); Resource recovery facilities; Rural industries; Sewage treatment plants; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Waste disposal facilities; Water

recreation structures; Water recycling facilities; Water treatment facilities; Wharf or boating facilities

[3] Schedule 1 Additional permitted uses

Omit clause 7.