



Planning

Mr A Burgess
General Manager
Kempsey Shire Council
PO Box 78
WEST KEMPSEY NSW 2440

10/18262

Dear Mr Burgess

Conversion of Kempsey LEP 1987 (Draft Amendment No 108) to a Planning Proposal

I refer to your letter dated 29 September 2010, requesting a Gateway Determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) for the Kempsey Local Environmental Plan 1987 (draft Amendment No 108) (the draft LEP).

I am writing to notify you that I have determined (as the delegate of the Director-General) under clause 12(2) of the *Environmental Planning and Assessment Regulation 2000* that the former LEP plan-making provisions cease to apply to the draft LEP. The current provisions of Part 3 of the Act now apply.

Furthermore I have, as the delegate for the Minister for Planning, determined under clause 122 (2) of Schedule 6 of the Act to dispense with the conditions precedent prior to section 57(8) of the Act for the making of this draft LEP. This means that once Council has finalised its consideration of submissions it may forward the proposal to the Department for preparation of the LEP.

Council is required to finalise the LEP within 6 months of the week following the date of this letter. Council's request for the Department to draft and finalise the LEP should be made 6 weeks prior to the projected publication date.

Should you have any queries in regard to this matter, please contact Paul Garnett of the Northern Region Office on 02 6641 6607.

Yours sincerely

18/10/10
Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
(as a delegate of the Minister and the Director-General)