



Mr Craig Milburn
General Manager
Kempsey Shire Council
PO Box 3078
WEST KEMPSEY NSW 2440

Attention: Mr Peter Orr

Via Email Peter.Orr@kempsey.nsw.gov.au
 ksc@kempsey.nsw.gov.au

Dear Mr Milburn

Planning proposal PP_2017_KEMPS_008_00 – Alteration of Gateway Determination

I refer to your correspondence in relation to planning proposal PP_2017_KEMPS_008_00 which seeks to change the minimum lot size for Lot 13 DP 878784, Seams Road, Kundabung from 40 hectares to part 10 and part 20 hectares to enable subdivision of the land.

I note that Council has requested an amendment to the Gateway determination, an extension of time to complete planning proposal, and for the Secretary's agreement that the inconsistencies with section 9.1 Directions 2.1 Environmental Protection Zones, 2.3 Heritage Conservation and 4.4 Planning for Bushfire Protection are justified

I have determined as the delegate of the Minister, in accordance with section 3.34(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated 5 December 2017 for PP_2017_KEMPS_008_00 (since altered). The Alteration of Gateway determination is enclosed.

I have also considered the inconsistencies with above section 9.1 Directions, and as a delegate of the Secretary, I have agreed that the inconsistencies are justified in accordance with the terms of the Direction.

If you have any questions in relation to this matter, I have arranged for Ms Helen Willis to assist you. Ms Willis can be contacted on 5778 1489.

Yours sincerely

1-9-2020

Jeremy Gray
Director, Northern Region
Planning and Assessment

Encl: Alteration of Gateway Determination