



PP\_2012\_KEMPS\_002\_00/IRF18/3320

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

Dear Mr Milburn

**Planning proposal PP\_2012\_KEMPS\_002\_00 – Alteration of Gateway determination**

I refer to your letter seeking an authorisation to be the local plan-making authority in order to make the plan to finalise planning proposal PP\_2012\_KEMPS\_002\_00 for the rezoning of land at Gilbert Cory Drive, South West Rocks.

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 8 October 2012 for PP\_2012\_KEMPS\_002\_00 (as since altered). The Alteration of Gateway determination is enclosed.

In relation to the inconsistency of the above proposal with section 9.1 Direction 4.4 Planning for Bushfire Protection, I have considered this matter, and as a delegate of the Secretary, I have agreed that the inconsistency is justified in accordance with the terms of the Direction.

Council can now proceed to finalise the proposal once it receives a Parliamentary Counsel opinion confirming that the LEP can legally be made.

If you have any questions in relation to this matter, I have arranged for Mr Paul Garnett to assist you. Mr Garnett can be contacted on 6641 6607.

Yours sincerely

28-6-2018

**Jeremy Gray**  
**Director Regions, Northern**  
**Planning Services**

Encl: Alteration of Gateway determination