



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

Via email: ksc@kempsey.nsw.gov.au
Peter.Orr@kempsey.nsw.gov.au

Dear Mr Milburn

**Planning proposal PP_2013_KEMPS_001_00 – Alteration of Gateway
Determination**

I refer to your correspondence seeking a Gateway alteration to undertake a number of amendments to PP_2013_KEMPS_001_00 as well as an extension of time to complete the planning proposal.

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 6 June 2013 for PP_2013_KEMPS_001_00 (since altered). The Alteration of Gateway determination is enclosed. The Alteration of Gateway determination also reflects Council's request for amendments to help address comments from the NSW Biodiversity & Conservation Division.

Council will still need to obtain the agreement of the Secretary to comply with the requirements of section 9.1 Directions 1.3 Mining, Petroleum Production and Extractive Industries and 4.4 Planning for Bushfire Protection. Council should ensure this occurs prior the plan being made.

It is understood that Council will also be amending its Development Control Plan (DCP) to identify that a vegetation management plan is required before development consent can be granted to subdivide the subject land. This DCP amendment will reinforce the associated proposed change to Clause 4.2D of Kempsey LEP 2013. It is recommended that the preparation and consideration of the vegetation management plan be undertaken in consultation with the NSW Biodiversity & Conservation Division.

Considering the substantial period of time since the initial Gateway determination was issued and to ensure that the Department is informed as to the status of planning proposal as it progresses, it is requested that Council submit a monthly progress report within three working days of the end of each month.

If you have any questions in relation to this matter, I have arranged for Ms Kate Campbell, Planning Officer, from the Department of Planning, Industry and Environment, Northern Region office, to assist you. Ms Campbell can be contacted on 5778 1401.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Gray', is positioned above the printed name and title.

18-8-2020

Jeremy Gray
Director, Northern Region
Local and Regional Planning

Encl: Alteration of Gateway determination