



Ref: KLEP2013-AM-12

BL:BL

13 July 2016

Mr Craig Diss
Planning and Environment
Locked Bag 9022
GRAFTON NSW 2460

Dear Mr Diss

PLANNING PROPOSAL DRAFT KEMPSEY LEP 2013 AMENDMENT NO 12 – REZONE LOTS 8, 108 and 186 DP754441 and Lot 1 DP1191860 MARIA RIVER FROM RU1, RU2 AND E2 TO E1 (NATIONAL PARKS AND RESERVES) - REQUEST FOR GATEWAY DETERMINATION

Reference is made to the above Planning Proposal.

On 21 June 2016 Council resolved:

That the Planning Proposal and associated documentation be submitted to the Minister for Planning for consideration of issuing a "gateway" determination pursuant to Section 56 of the Environmental Planning and Assessment Act 1979;

In accordance with this Council Resolution a consideration for a Gateway Determination is requested.

The intent of the Planning Proposal is to amend the Kempsey Local Environmental Plan 2013 to rezone three land parcels, that have been acquired by NSW National Parks and Wildlife Service from E2 and RU2 to E1 – *National Parks and Reserves*. The Planning Proposal also intends to amend the Kempsey Local Environmental Plan 2013 (KLEP2013) to correct an error of KLEP2013 and rezone portion of a land parcel that was zoned 8(a) in the LEP 1987, to E1 – *National Parks and Reserves*. This is to correct an error that occurred in the KLEP2013 that changed the zoning from 8(a) in the LEP 1987 to E2 in the KLEP2013.

The amendment to the KLEP2013 is a request from the NSW Office of Environment and Heritage (see attached copy of the letter of request from OEH).

As such, it is recommended that the referrals mentioned above form a condition of the gateway determination. The details outlining Council's desire for the referral of the planning proposal and provision of this additional information are further outlined in the tables under the 'justification for the planning proposal', 'State Environmental Planning Policies' and 'Ministerial Section 117 Directions' sections of the Council report.

Please find enclosed the Planning Proposal, Council Report associated with the proposed Amendment, and a completed information checklist.

It is also requested that the Secretary issue Council with a written authorisation to exercise its plan making delegations in relation to this proposal. Attached is the completed Evaluation Criteria for the Delegation of Plan Making Functions.



In addition, an indicative timeframe for completion has been provided in the table below.

LEP Amendment Steps	Estimated Project Timing
Submit Planning Proposal to DP&E	June/July 2016
Receive Gateway determination	August/September 2016
Authority consultation - pre-exhibition*	September/October 2016
Preparation of materials for public exhibition & authority consultation	October/November 2016
Public exhibition of Planning Proposal & government authority consultation	November/December 2016
Review and consideration of submissions	December/January 2016/2017
Council report preparation	January/February 2017
Public submissions report and draft LEP amendment to Council for adoption	February/March 2017
Submission to the department to finalise the LEP	March/April 2017
Submit request for drafting of LEP to Parliamentary Counsel's Office^	April/May 2017
Forward to the department for notification	May/June 2017
* If required	
^ If delegated	

Should you require any additional information please do not hesitate to contact the undersigned on (02) 6566 3200, or by email on **bill.larkin@kempsey.nsw.gov.au**.

Yours faithfully

Bill Larkin
Environmental Strategies Officer
SUSTAINABLE ENVIRONMENT