

PP-2023-2105

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

Via email: council@kempsey.nsw.gov.au
marnie.jeffrey@kempsey.nsw.gov.au

12 June 2024

Dear Mr Milburn

Kempsey Local Environmental Plan 2013 (Amendment No 33)

I refer to the proposal to amend the Kempsey Local Environmental Plan 2013 to implement building heights to various sites in South West Rocks.

I am pleased to advise that as the Minister for Planning and Public Space's delegate, I have made the plan under section 3.36(2)(a) of the *Environmental Planning and Assessment Act 1979*, and under section 3.24(5) it will take effect when published on the NSW Legislation website.

It should be noted that as the Minister for Planning and Public Space's delegate, I made changes when finalising the plan to address matters raised in submissions. These changes included:

- imposition of an 11m building height (rather than an 8.5m building height) to the South West Rocks Country Club, the South West Rocks Surf Life Saving and Lot 2 DP 1091323, Phillip Drive;
- identification of these sites on a "Key Sites" Map;
- introduction of a design excellence clause as a local provision to apply to land identified on the Key Sites Map; and
- inclusion of a savings provision for any development application/s lodged but not finally determined over any of the land subject to this planning proposal prior to finalisation of the LEP.

I note that the application of an 11m height limit to these key sites is consistent with those heights that already apply to the commercial areas of South West Rocks, as well as limited R3 Medium Density Residential areas in John Shaw Close and Mitchell Street. The design excellence clause will also ensure that any future development of these sites fully addresses and compliments the character of South West Rocks.

Should you have any enquiries about this matter, I have arranged for Ms Kate Campbell to assist you. Ms Campbell can be contacted on 5778 1401.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D Thompson', with a long horizontal flourish extending to the right.

14/06/2024

Daniel Thompson
Acting Executive Director
Local Planning and Council Support