



New South Wales

## **Kempsey Local Environmental Plan 1987 (Amendment No 72)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.  
(G00/00110/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Urban Affairs and Planning

Sydney, 30th July 2001.

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## **Kempsey Local Environmental Plan 1987 (Amendment No 72)**

### **1 Name of plan**

This plan is *Kempsey Local Environmental Plan 1987 (Amendment No 72)*.

### **2 Aims of plan**

This plan aims to permit, with the consent of Kempsey Shire Council, the carrying out of development for commercial purposes on the land to which this plan applies, being land within the Special Uses “B” Zone under *Kempsey Local Environmental Plan 1987* and known as the former railway stationmaster’s cottage at Kempsey.

### **3 Land to which plan applies**

This plan applies to Lot 2, DP 840248, and known as No 5 Kemp Street, Kempsey, as shown edged heavy black on the map marked “Kempsey Local Environmental Plan 1987 (Amendment No 72)” deposited in the office of Kempsey Shire Council.

### **4 Amendment of Kempsey Local Environmental Plan 1987**

*Kempsey Local Environmental Plan 1987* is amended by inserting after clause 59 the following clause:

#### **60 Development of land at No 5 Kemp Street, Kempsey**

- (1) This clause applies to Lot 2, DP 840248, and known as the former railway stationmaster’s cottage, No 5 Kemp Street, Kempsey, as shown edged heavy black on the map marked “Kempsey Local Environmental Plan 1987 (Amendment No 72)”.
- (2) Despite any other provision of this plan, a person may, but only with the consent of the Council, carry out development for commercial purposes on the land to which this clause applies, subject to subclause (3).

- (3) The Council may only grant such consent:
- (a) if the development does not involve alterations to the fabric or structure of the building situated on the land which are considered significant in the opinion of the Council, and
  - (b) following consideration by the Council of the impact of the development on the heritage values of the adjoining West Kempsey Civic Group (as listed in Schedule 3 to the *North Coast Regional Environmental Plan*).