



Kempsey Local Environmental Plan 1987 (Amendment No 74)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (G00/00144/S69)

DIANE BEAMER, M.P.,

Minister Assisting the Minister for Infrastructure
and Planning (Planning Administration)

2003 No 355

Clause 1 Kempsey Local Environmental Plan 1987 (Amendment No 74)

Kempsey Local Environmental Plan 1987 (Amendment No 74)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Kempsey Local Environmental Plan 1987 (Amendment No 74)*.

2 Aims of plan

This plan aims:

- (a) to rezone the land to which this plan applies from Zone No 1 (c) (the Rural (Small Holdings) "C" Zone) to Zone No 2 (a) (the Residential "A" Zone) under *Kempsey Local Environmental Plan 1987*, and
- (b) to provide that Kempsey Shire Council must not grant consent to development of the land unless it has considered a stormwater and sedimentation management plan relating to land.

3 Land to which plan applies

This plan applies to land situated in the local government area of Kempsey, being Lot 506, DP 827889, Phillip Drive, South West Rocks, as shown edged heavy black and letter "2 (a)" on the map marked "Kempsey Local Environmental Plan 1987 (Amendment No 74)" deposited in the office of Kempsey Shire Council.

4 Amendment of Kempsey Local Environmental Plan 1987

Kempsey Local Environmental Plan 1987 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Interpretation

Insert in appropriate order in the definition of *the map* in clause 5 (1):

Kempsey Local Environmental Plan 1987 (Amendment
No 74)

[2] Clause 63

Insert after clause 62:

63 Development of land at Phillip Drive, South West Rocks

- (1) This clause applies to Lot 506, DP 587889, Phillip Drive, South West Rocks, as shown edged heavy black and lettered “2 (a)” on the map marked “Kempsey Local Environmental Plan 1987 (Amendment No 74)”.
- (2) The Council must not grant consent to the development of the land to which this clause applies unless it has considered a stormwater and sedimentation management plan which will ensure, to the satisfaction of the Council, that:
 - (a) the stream riparian environments and the integrity of the downstream wetland under the provisions of *State Environmental Planning Policy No 14—Coastal Wetlands* and Saltwater Lagoon will be protected from the potential impacts of residential development, and
 - (b) sand and topsoil exposed during the development process will be protected from the impacts of wind erosion.