



New South Wales

Kempsey Local Environmental Plan 1987 (Amendment No 108)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning and Infrastructure, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(10/18262)

TOM GELLIBRAND

As delegate for the Minister for Planning and Infrastructure

2011 No 441

Clause 1 Kempsey Local Environmental Plan 1987 (Amendment No 108)

Kempsey Local Environmental Plan 1987 (Amendment No 108)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Kempsey Local Environmental Plan 1987 (Amendment No 108)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to Lot 241, DP 752437, 25 Everingham Lane, Frederickton.

Schedule 1 **Amendment of Kempsey Local Environmental Plan 1987**

Clause 71

Insert after clause 70:

71 Development of land at 25 Everinghams Lane, Frederickton

- (1) This clause applies to Lot 241, DP 752437, 25 Everinghams Lane, Frederickton.
- (2) Nothing in this plan prevents the Council from granting consent to the carrying out of development on the land to which this clause applies for the purposes of a crematorium.
- (3) The Council must not grant consent to the development of land to which this clause applies for the purposes of a crematorium unless the Council is satisfied that:
 - (a) vehicular access to the proposed development will be from the north-eastern corner of the land, and
 - (b) the proposed development will include the installation of a suitable on-site waste-water disposal system, and
 - (c) the traffic flow on Collombatti Road will not be adversely affected by the proposed development, and
 - (d) the visual impact of the proposed development on adjoining residences will be minimal, and
 - (e) adjoining residences will not be affected by any emissions from the proposed development, and
 - (f) any cremator in the proposed development will meet the relevant industry standards nominated by the Council.
- (4) In this clause, *crematorium* means a building in which deceased persons or pets are cremated and includes:
 - (a) a building or place used for the interment of the ashes (but not the bodies) of deceased persons or pets, and
 - (b) an associated building for conducting memorial services.