



New South Wales

Kempsey Local Environmental Plan 2013 (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

**CRAIG MILBURN, GENERAL MANAGER
KEMPSEY SHIRE COUNCIL**
As delegate for the local plan-making authority

Kempsey Local Environmental Plan 2013 (Amendment No 1)

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Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Kempsey Local Environmental Plan 2013 (Amendment No 1)*.

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 land at Point Plomer Road and Crescent Head Road, Crescent Head, being Lot 704, DP 749885 and part of Lot 707, DP 1032859, respectively.

4 Maps

The maps adopted by *Kempsey Local Environmental Plan 2013* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this Plan.

5 Amendment of Kempsey Local Environmental Plan 2013

Clause 4.2D

Omit the clause. Insert instead—

4.2D Subdivision of certain land at Crescent Head

- (1) This clause applies to land identified as “Area 1” on the Lot Size Map that is in Zone E3 Environmental Management.
- (2) Development consent must not be granted to subdivision of the land to which this clause applies, unless the consent authority—
 - (a) is satisfied that the land will be adequately managed to ensure the ongoing viability of its natural ecosystems and native vegetation, and
 - (b) has obtained the concurrence of the Planning Secretary.
- (3) In deciding whether to grant concurrence, the Planning Secretary must consider whether the land will be adequately managed to ensure the ongoing viability of its natural ecosystems and native vegetation.