



New South Wales

# **Bathurst Regional Local Environmental Plan 2014 (Amendment No 23)**

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*.

**TIM COLLINS**

As delegate for the Minister for Planning and Public Spaces

## **Bathurst Regional Local Environmental Plan 2014 (Amendment No 23)**

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### **1 Name of plan**

This plan is *Bathurst Regional Local Environmental Plan 2014 (Amendment No 23)*.

### **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 to which *Bathurst Regional Local Environmental Plan 2014* applies

## **Schedule 1      Amendment of Bathurst Regional Local Environmental Plan 2014**

**[1]    Schedule 2 Exempt development**

Omit “(within the meaning of the *Environmental Planning and Assessment Regulation 2000*)” wherever occurring in clauses 11.2(14) and 12.2(13).

Insert instead “, within the meaning of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*”.

**[2]    Schedule 2, clause 25.2(2)(a1)**

Insert after clause 25.2(2)(a)—

- (a1)    must be set back from a side or rear boundary by at least the same amount as the depth of the cut or the height of the fill,

**[3]    Schedule 3 Complying development**

Insert before Part 2, Division 1—

**1.1A    Construction works**

If Council property is damaged by construction works, the person having the benefit of the complying development certificate must, before an occupation certificate is issued—

- (a)    repair the damage to the Council’s satisfaction, or
- (b)    pay the reasonable costs of repairing the damage, if directed by the Council.

**[4]    Schedule 3, clauses 1.1(1)(a), 3.1(1)(a) and 4.1(1)(a)**

Omit the paragraphs.

**[5]    Schedule 3, clauses 1.1(1), 3.1(1) and 4.1(1)**

Omit “and bond” wherever occurring.

**[6]    Schedule 3, clauses 1.1(1), note, 3.1(1), note and 4.1(1), note**

Omit the notes.

**[7]    Schedule 3, clauses 1.5, note 1, 3.5, note 1 and 4.5, note 1**

Omit Note 1 wherever occurring.

**[8]    Schedule 3, clauses 1.5, 3.5 and 4.5**

Renumber Note 2 and Note 3 as Note 1 and Note 2, wherever occurring.