



New South Wales

Carrathool Local Environmental Plan No 1—Exempt and Complying Development

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*.
(S99/01195/PC)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Sydney, 12th March 2001.

2001 No 204

Clause 1 Carrathool Local Environmental Plan No 1—Exempt and Complying Development

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1 Name of plan

This plan is *Carrathool Local Environmental Plan No 1—Exempt and Complying Development*.

2 Aim of plan

The aim of this plan is to provide for exempt and complying development in the Carrathool local government area and to except that local government area from the application of *State Environmental Planning Policy No 60—Exempt and Complying Development* while continuing its exception from clauses 6–10 of *State Environmental Planning Policy No 4—Development Without Consent*.

3 Land to which plan applies

This plan applies to all land within the Carrathool local government area.

4 Amendment of other environmental planning instruments

- (1) This plan amends *Interim Development Order No 1—Shire of Carrathool* in the manner set out in Schedule 1.
- (2) This plan amends *State Environmental Planning Policy No 60—Exempt and Complying Development* by deleting from Part 2 of Schedule 1 the following:

Carrathool

Schedule 1 Amendments

(Clause 4 (1))

[1] Clause 3

Omit “; the erection or use of a dwelling-house or any other building for a purpose incidental to the use of land for agriculture” from Column II of the Table to clause 3.

[2] Clause 3B

Insert after clause 3A:

3B What is exempt and complying development?

- (1) Development of minimal environmental impact listed as exempt development in Schedule 1 to Development Control Plan No 1 as adopted by the Council on 21 November 2000 is exempt development despite any other provision of this plan.
- (2) Development listed as complying development in Schedule 2 to Development Control Plan No 1 as adopted by the Council on 21 November 2000 is complying development only if:
 - (a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and
 - (b) it is not an existing use, as defined in section 106 of the Act.
- (3) Development is exempt or complying development only if it complies with development standards and other requirements applied to the development by Development Control Plan No 1 as adopted by the Council on 21 November 2000.
- (4) A complying development certificate issued for any complying development is to be subject to the conditions for the development specified in Development Control Plan No 1 adopted by the Council, as in force when the certificate is issued.