



Gosford Local Environmental Plan No 431

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (N02/00181/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Planning

2002 No 1024

Clause 1 Gosford Local Environmental Plan No 431

Gosford Local Environmental Plan No 431

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Gosford Local Environmental Plan No 431*.

2 Aims of plan

This plan aims to clarify circumstances in which demolition may be carried out in Gosford City local government area.

3 Land to which plan applies

This plan applies to all land in Gosford City local government area.

4 Relationship to other environmental planning instruments

- (1) *Gosford Planning Scheme Ordinance* is amended as set out in Schedule 1.1.
- (2) *Interim Development Order No 122—Gosford* is amended as set out in Schedule 1.2.
- (3) *Gosford Local Environmental Plan No 22* is amended as set out in Schedule 1.3.

Schedule 1 Amendments

(Clause 4)

1.1 Gosford Planning Scheme Ordinance

Clause 26C

Insert after clause 26B:

26C Demolition

- (1) Demolition may be carried out on land to which this Ordinance applies, but only with development consent.
- (2) This clause is subject to any other provision of this Ordinance that:
 - (a) expressly allows demolition to be carried out without development consent (whether or not subject to conditions or restrictions), or
 - (b) expressly allows demolition to be carried out with development consent subject to conditions or restrictions, or
 - (c) expressly prohibits demolition.
- (3) For the purposes of this clause, demolition in a particular zone is not expressly prohibited just because development generally in that zone is prohibited unless it may be carried out with or without development consent.
- (4) This clause ceases to have effect on 31 December 2003.

1.2 Interim Development Order No 122—Gosford

Clause 13A

Insert after clause 13:

13A Demolition

- (1) Demolition may be carried out on land to which this Order applies, but only with development consent.

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Schedule 1 Amendments

- (2) This clause is subject to any other provision of this Order that:
 - (a) expressly allows demolition to be carried out without development consent (whether or not subject to conditions or restrictions), or
 - (b) expressly allows demolition to be carried out with development consent subject to conditions or restrictions, or
 - (c) expressly prohibits demolition.
- (3) For the purposes of this clause, demolition in a particular zone is not expressly prohibited just because development generally in that zone is prohibited unless it may be carried out with or without development consent.
- (4) This clause ceases to have effect on 31 December 2003.

1.3 Gosford Local Environmental Plan No 22

Clause 11A

Insert after clause 11:

11A Demolition

- (1) Demolition may be carried out on land to which this plan applies, but only with development consent.
- (2) This clause is subject to any other provision of this plan that:
 - (a) expressly allows demolition to be carried out without development consent (whether or not subject to conditions or restrictions), or
 - (b) expressly allows demolition to be carried out with development consent subject to conditions or restrictions, or
 - (c) expressly prohibits demolition.
- (3) For the purposes of this clause, demolition in a particular zone is not expressly prohibited just because development generally in that zone is prohibited unless it may be carried out with or without development consent.
- (4) This clause ceases to have effect on 31 December 2003.

BY AUTHORITY
