



Bathurst Local Environmental Plan 1997 (Amendment No 7)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S03/00629/S69)

DIANE BEAMER, M.P.,

Minister Assisting the Minister for Infrastructure
and Planning (Planning Administration)

2003 No 723

Clause 1 Bathurst Local Environmental Plan 1997 (Amendment No 7)

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Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Bathurst Local Environmental Plan 1997 (Amendment No 7)*.

2 Aims of plan

The aims of this plan are:

- (a) to omit development for the purpose of outbuildings from the list of development that can be carried out without development consent in Zone No 1 (b) and 1 (c) under *Bathurst Local Environmental Plan 1997*, as such development will be exempt development, and
- (b) to make reference to revised development control plans dealing with exempt and complying development in the City of Bathurst, and
- (c) to formalise the process for seeking an exemption from the operation of a provision that requires development consent for development within a heritage conservation area or affecting a heritage item or relic.

3 Land to which plan applies

This plan applies to all land within the City of Bathurst.

4 Amendment of Bathurst Local Environmental Plan 1997

Bathurst Local Environmental Plan 1997 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 6 Zoning control table

Omit “outbuildings with a gross floor area of 30 square metres or less (constructed with exteriors of non-reflective materials),” from item 2 of the matter relating to Zone No 1 (b) in the Table to the clause.

[2] Clause 6, Table

Omit “, outbuildings with a gross floor area of 30 square metres or less (constructed with exteriors of non-reflective materials and in accordance with any relevant development control plan)” from item 2 of the matter relating to Zone No 1 (c).

[3] Clause 19A What is exempt and complying development?

Omit “21 July 1999” wherever occurring. Insert instead “21 May 2003”.

[4] Clause 20 Protection of heritage items, heritage conservation areas and relics

Omit clause 20 (2). Insert instead:

- (2) Development consent is not required by this clause if:
 - (a) the proponent has notified the Council in writing of the proposed development, and
 - (b) the Council has formed the opinion that the proposed development would not adversely affect the heritage significance of the heritage item, relic or heritage conservation area, and
 - (c) the Council has advised the proponent in writing before the development is carried out that it is satisfied that development consent is not required because of the exception created by this subclause.