



New South Wales

Bathurst Regional (Interim) Local Environmental Plan 2005 (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning and Infrastructure, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(11/03699)

TOM GELLIBRAND

As delegate for the Minister for Planning and Infrastructure

Bathurst Regional (Interim) Local Environmental Plan 2005 (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Bathurst Regional (Interim) Local Environmental Plan 2005 (Amendment No 5)*.

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 all land to which *Bathurst Regional (Interim) Local Environmental Plan 2005* applies.

Schedule 1 Amendment of Bathurst Regional (Interim) Local Environmental Plan 2005

[1] Clause 20 What is exempt and complying development?

Omit “20 April 2005” from clause 20 (2).

Insert instead “16 February 2011”.

[2] Clause 20 (3)

Omit the subclause. Insert instead:

- (3) Development to which the relevant development control plan applies is exempt or complying development only if it complies with the development standards and other requirements applied to the development respectively by:

- (a) *Bathurst Regional Council Development Control Plan—Exempt Development* as adopted by the Council on 20 April 2005, and
- (b) *Bathurst Regional Council Development Control Plan—Complying Development* as adopted by the Council on 16 February 2011.

[3] Clause 20, note

Insert at the end of the clause:

Note. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* also specifies certain exempt and complying development. See clause 1.9 of that Policy, which sets out when that Policy prevails over this clause.