



New South Wales

Penrith Local Environmental Plan 1998 (Lakes Environs) (Amendment No 1)

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*. (P04/00120/S69)

JOHN HATZISTERGOS, M.L.C.,
Acting Minister for Planning

Penrith Local Environmental Plan 1998 (Lakes Environs) (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Penrith Local Environmental Plan 1998 (Lakes Environs) (Amendment No 1)*.

2 Aims of plan

The aims of this plan are:

- (a) to expand the range of mechanisms for the delivery of housing, and
- (b) to expand the opportunities for residential subdivision, and
- (c) to ensure flooding does not result in structural damage to buildings.

3 Land to which plan applies

This plan applies to the land to which *Penrith Local Environmental Plan 1998 (Lakes Environs)* applies.

4 Amendment of Penrith Local Environmental Plan 1998 (Lakes Environs)

Penrith Local Environmental Plan 1998 (Lakes Environs) is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 9A

Insert after clause 9:

9A Residential development

Notwithstanding any other provision of this plan, development for the purpose of a dwelling is prohibited on any allotment of land that is less than 450 m², unless the dwelling:

- (a) is erected on a lot created before the appointed day, or
- (b) forms part of an integrated development, or
- (c) forms part of multi-unit housing, or
- (d) is housing for older people or people with disabilities.

[2] Clause 11 Subdivision

Omit "1 hectare". Insert instead "450 m²".

[3] Clause 13A

Insert after clause 13:

13A Land affected by the 0.5% AEP (1 in 200 year) Nepean River flood event

- (1) This clause applies to land within Zone No 2 (g) or 2 (h).
- (2) The Council must not grant consent to the carrying out of development on land to which this clause applies unless it is satisfied that modelling and mapping of the 0.5% AEP (1 in 200 year) Nepean River flood event has been undertaken for the land using final landform and development characteristics.
- (3) In relation to any land demonstrated to be affected by the 0.5% AEP (1 in 200 year) Nepean River flood event, the Council must not grant consent to the carrying out of development unless it is satisfied that:
 - (a) the development will not have a significant adverse effect on the characteristics of floods in the area, and
 - (b) the development is not likely to result in any significant risk to the structural integrity of buildings as a result of the flood event, and

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- (c) advice has been received from the State Emergency Service that satisfactory arrangements have been made for a flood evacuation plan for the land, and
- (d) satisfactory arrangements have been made for any increased hazard associated with any incomplete development of the land.

[4] Clause 21

Insert after clause 20:

21 Integrated development

- (1) Despite any other provision of this plan, in relation to a development consent for integrated development that involves the subdivision of land into allotments with an area greater than 300 m² but less than 450 m², consent is not required for that part of the development that comprises the erection of a dwelling house if the dwelling house is of a design approved by the Council in relation to the development concerned.
- (2) The Council must not grant consent for integrated development that involves a subdivision of land that results in any allotment with an area of 300m² or less, unless it is satisfied that the erection of the single dwelling house on each such allotment will take place before the registration of the relevant plan of subdivision.

[5] Schedule 1 Definitions

Omit “, or” from paragraph (a) of the definition of *integrated development*.

Insert instead “, and”.

BY AUTHORITY
