



New South Wales

Penrith Local Environmental Plan No 267

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*. (SRW0000717)

FRANK SARTOR, M.P.,
Minister for Planning

2006 No 755

Clause 1 Penrith Local Environmental Plan No 267

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under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Penrith Local Environmental Plan No 267*.

2 Aims of plan

This plan aims to update references in several principal plans to development control plans that have now been incorporated into *Penrith Development Control Plan 2006*, which was recently adopted by Penrith City Council, and to effect minor law revision.

3 Land to which plan applies

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

4 Amendment of Penrith Local Environmental Plan No 188

Penrith Local Environmental Plan No 188 is amended by omitting from clause 16 (1) (d) the words “the *Glenmore Park Eastern Hamlets Development Control Plan*” and by inserting instead the words “section 6.20 (Glenmore Park Eastern Hamlets) of Part 6 (Site and Area Specific Controls) of *Penrith Development Control Plan 2006* (as adopted by the council on 21 August 2006)”.

5 Amendment of Penrith Local Environmental Plan No 201 (Rural Lands)

Penrith Local Environmental Plan No 201 (Rural Lands) is amended as set out in Schedule 1.

6 Amendment of Penrith Local Environmental Plan No 255—Exempt and Complying Development

Penrith Local Environmental Plan No 255—Exempt and Complying Development is amended as set out in Schedule 2.

7 Amendment of Penrith Local Environmental Plan 1996 (Industrial Land)

Penrith Local Environmental Plan 1996 (Industrial Land) is amended as set out in Schedule 3.

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

Penrith Local Environmental Plan 1998 (Lakes Environs) is amended by omitting paragraph (b) of the definition of **tree** from Schedule 1 and by inserting instead the following paragraph:

- (b) individual trees, gardens or native vegetation listed in Section 2.8 (Significant Trees and Gardens) of Part 2 (City Wide General Controls) of *Penrith Development Control Plan 2006*, as adopted by the Council on 21 August 2006.

9 Amendment of Penrith Local Environmental Plan 1998 (Urban Land)

Penrith Local Environmental Plan 1998 (Urban Land) is amended as set out in Schedule 4.

10 Amendment of Penrith Local Environmental Plan 2002 (Villages of Mulgoa and Wallacia)

Penrith Local Environmental Plan 2002 (Villages of Mulgoa and Wallacia) is amended by omitting paragraph (b) of the definition of **tree** from Schedule 2 and by inserting instead the following paragraph:

- (b) individual trees, gardens or native vegetation listed in Section 2.8 (Significant Trees and Gardens) of Part 2 (City Wide General Controls) of *Penrith Development Control Plan 2006*, as adopted by the Council on 21 August 2006.

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Schedule 1 Amendment of Penrith Local Environmental Plan No 201 (Rural Lands)

Schedule 1 Amendment of Penrith Local Environmental Plan No 201 (Rural Lands)

(Clause 5)

[1] Clause 11 Subdivision within Zones Nos 1 (a), 1 (b), 1 (c), 5 (d) and 7

Omit “the instrument entitled *Penrith City Rural Development Control Plan*, being a development control plan adopted by the Council on 6 August, 1991” from clause 11 (2) (c).

Insert instead “Section 4.9 (Rural Development) of Part 4 (Land Use Based Controls) of *Penrith Development Control Plan 2006*, as adopted by the council on 21 August 2006”.

[2] Clause 35 Development of certain land at Badgery’s Creek

Omit “the *Luddenham Equestrian Estate Development Control Plan*” from clause 35 (5).

Insert instead “Section 6.1 (Luddenham Equestrian Estate (Twin Creeks)) of Part 6 (Site and Area Specific Controls) of *Penrith Development Control Plan 2006* (as adopted by the council on 21 August 2006)”.

Schedule 2 Amendment of Penrith Local Environmental Plan No 255—Exempt and Complying Development

(Clause 6)

[1] Clause 7 What is exempt and complying development?

Omit “*Penrith Development Control Plan—Exempt and Complying Development* as approved by the Council on 6 September 1999 and amended by the Development Control Plan approved by the Council on 1 March 2004” wherever occurring in clause 7 (1) and (2).

Insert instead “Part 5 (Exempt and Complying Development) of *Penrith Development Control Plan 2006*, as adopted by the Council on 21 August 2006”.

[2] Clause 7 (3)

Omit “*Penrith Development Control Plan—Exempt and Complying Development* as approved by the Council on 6 September 1999 and amended by the Development Control Plan approved by the Council on 1 March 2004”.

Insert instead “Part 5 (Exempt and Complying Development) of *Penrith Development Control Plan 2006*, as adopted by the Council on 21 August 2006”.

[3] Clause 7 (4)

Omit “*Penrith Development Control Plan—Exempt and Complying Development*”.

Insert instead “Part 5 (Exempt and Complying Development) of *Penrith Development Control Plan 2006*”.

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Schedule 3 Amendment of Penrith Local Environmental Plan 1996 (Industrial Land)

Schedule 3 Amendment of Penrith Local Environmental Plan 1996 (Industrial Land)

(Clause 7)

[1] Clause 25 Development of land at Wolseley Street, Jamisontown

Omit “*Penrith Landscape Development Control Plan (7 May 2002)*” from clause 25 (2) (b).

Insert instead “Section 2.6 (Landscape) of Part 2 (City Wide General Controls) of *Penrith Development Control Plan 2006* (as adopted by the council on 21 August 2006)”.

[2] Schedule 1 Definitions

Omit paragraph (b) of the definition of *tree*. Insert instead:

- (b) individual trees, gardens or native vegetation listed in Section 2.8 (Significant Trees and Gardens) of Part 2 (City Wide General Controls) of *Penrith Development Control Plan 2006*, as adopted by the council on 21 August 2006.

Schedule 4 Amendment of Penrith Local Environmental Plan 1998 (Urban Land)

(Clause 9)

[1] Clause 35 Development of land at North Penrith

Renumber paragraphs (i), (ii), (iii), (iv), (v), (vi) and (vii) of the definition of *Heritage Interpretation Strategy* in clause 35 (5) as paragraphs (a), (b), (c), (d), (e), (f) and (g), respectively.

[2] Clause 35 (5)

Renumber paragraphs (i), (ii), (iii) and (iv) of the definition of *Heritage Management Plan* as paragraphs (a), (b), (c) and (d), respectively.

[3] Clause 35 (5)

Omit “the *Development Control Plan—North Penrith Urban Investigation Area*” from paragraph (c) (as renumbered by item [2]) of the definition of *Heritage Management Plan*.

Insert instead “Section 6.28 (North Penrith) of Part 6 (Site and Area Specific Controls) of *Penrith Development Control Plan 2006*, as adopted by the council on 21 August 2006”.

[4] Clause 36 Thornton Hall and land in the vicinity

Omit “the *Development Control Plan—North Penrith Urban Investigation Area*” from clause 36 (4) (d).

Insert instead “Section 6.28 (North Penrith) of Part 6 (Site and Area Specific Controls) of *Penrith Development Control Plan 2006*, as adopted by the council on 21 August 2006”.

[5] Schedule 2 Definitions

Omit paragraph (b) of the definition of *tree*. Insert instead:

- (b) individual trees, gardens or native vegetation listed in Section 2.8 (Significant Trees and Gardens) of Part 2 (City Wide General Controls) of *Penrith Development Control Plan 2006*, as adopted by the council on 21 August 2006.