



New South Wales

Penrith Local Environmental Plan No 201 (Rural Lands) (Amendment No 12)

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*. (SRW0000727/S69)

FRANK SARTOR, M.P.,
Minister for Planning

2007 No 69

Clause 1

Penrith Local Environmental Plan No 201 (Rural Lands) (Amendment No 12)

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(Amendment No 12)**

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Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Penrith Local Environmental Plan No 201 (Rural Lands) (Amendment No 12)*.

2 Aims of plan

This plan aims to amend *Penrith Local Environmental Plan No 201 (Rural Lands)* to allow, with the consent of Penrith City Council, the carrying out of development for the purpose of an advanced waste treatment facility on the land to which this plan applies.

3 Land to which plan applies

This plan applies to Lot 1, DP 542395 and Lot 740, DP 810111, Elizabeth Drive, Luddenham, being land shown edged heavy black on the map marked "Penrith Local Environmental Plan No 201 (Rural Lands) (Amendment No 12)".

4 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.

Schedule 1 Amendment

(Clause 4)

Clause 43

Insert after clause 42:

43 Development of certain land at Elizabeth Drive, Luddenham

- (1) This clause applies to Lot 1, DP 542395 and Lot 740, DP 810111, Elizabeth Drive, Luddenham, being land shown edged heavy black on the map marked “Penrith Local Environmental Plan No 201 (Rural Lands) (Amendment No 12)”.
- (2) Despite any other provision of this plan, a person may, with the consent of the council, carry out development on land to which this clause applies for the purposes of an advanced waste treatment facility.
- (3) The council must not grant consent to the carrying out of such development unless it is satisfied that:
 - (a) the development is not likely to result in a significant impact on the environment in the event of a flood of a 1% annual exceedance probability flood level or greater, and
 - (b) the quality and quantity of stormwater discharged from the development will assist in improving aquatic ecosystem health, through the use of appropriate riparian buffer zones and adoption of “best practice” water sensitive designs.
- (4) In deciding whether or not consent to development as referred to in subclause (2), the council must consider the potential impact of the development on Badgerys Creek.
- (5) In this clause:

1% annual exceedance probability flood level means a flood level that has a 1 in 100 chance of being reached in any one year.

advanced waste treatment facility means a building, group of buildings or place in which putrescible waste, green waste or biosolids are sorted and processed to produce the following:

 - (a) recyclable materials,
 - (b) solid waste Class 2 (within the meaning of the *Environmental Guidelines: Assessment, Classification & Management of Liquid & Non-liquid Wastes* published by the Department of Environment and Conservation),
 - (c) compost which is certifiable to the relevant Australian Standard for wholesale or retail use.

BY AUTHORITY