



New South Wales

Sydney Regional Environmental Plan No 30—St Marys (Amendment No 2)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following regional environmental plan under the *Environmental Planning and Assessment Act 1979*. (S08/01042)

KRISTINA KENEALLY MP
Minister for Planning

2009 No 75

Clause 1 Sydney Regional Environmental Plan No 30—St Marys (Amendment No 2)

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under the

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1 Name of plan

This plan is *Sydney Regional Environmental Plan No 30—St Marys (Amendment No 2)*.

2 Aims of plan

The aims of this plan are:

- (a) to amend the Heritage Map, Structure Plan and Zoning Map within the meaning of *Sydney Regional Environmental Plan No 30—St Marys* to relocate and consolidate the land zoned Employment and to rezone certain land from the Road and Road Widening zone to the Regional Open Space zone, and
- (b) in limited circumstances to extend the area where the filling of land below the level of the PMF (within the meaning of that plan) may occur if the land is within the Regional Open Space zone or Road and Road Widening zone, and
- (c) to make amendments in the nature of law revision.

3 Land to which plan applies

This plan applies to the land to which *Sydney Regional Environmental Plan No 30—St Marys* applies.

Schedule 1 Amendment of Sydney Regional Environmental Plan No 30—St Marys

[1] Clause 8 What is a precinct plan?

Omit the note to clause 8.

[2] Clause 9 Preparing draft precinct plans

Omit the note to clause 9 (1).

[3] Clause 50 Filling of land

Omit clause 50 (2). Insert instead:

- (2) However, the consent authority may grant consent to the filling of land where it is satisfied that:
 - (a) the proposed development will not be inconsistent with the principles set out in the manual entitled *Floodplain Development Manual: the management of flood liable land* published by the New South Wales Government, and
 - (b) in the case of land identified on the Structure Plan as “potential fill area”, the proposed development will not be inconsistent with the performance objectives of this plan, and
 - (c) in the case of land not identified on the Structure Plan as “potential fill area” but within the Regional Open Space zone or the Road and Road Widening zone, the proposed development is necessary as part of development to be carried out on the land.

[4] Schedule 1 Definitions

Omit the definition of *the Heritage Map*. Insert instead:

the Heritage Map means the map marked “Sydney Regional Environmental Plan No 30—St Marys—Non Aboriginal Items of Heritage”, as amended by the maps, or sheets of maps, marked as follows:

Sydney Regional Environmental Plan No 30—St Marys—Non Aboriginal Items of Heritage (Amendment No 2)

[5] Schedule 1, definition of “the Structure Plan”

Insert in appropriate order:

Sydney Regional Environmental Plan No 30—St Marys—
Structure Plan (Amendment No 2)

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Sydney Regional Environmental Plan No 30—St Marys (Amendment No 2)

Schedule 1 Amendment of Sydney Regional Environmental Plan No 30—St Marys

[6] Schedule 1, definition of “the Zoning Map”

Insert in appropriate order:

Sydney Regional Environmental Plan No 30—St Marys—
Zoning (Amendment No 2)

[7] Schedule 2 Exempt and complying development

Omit “No 3 (a) under *Penrith Local Environmental Plan 1997 (Penrith City Centre)*” from Column 3 of the matter relating to the Urban zone.

Insert instead “B3 Commercial Core or B4 Mixed Use under *Penrith City Centre Local Environmental Plan 2008*”.