



New South Wales

State Environmental Planning Policy Amendment (Penrith Lakes Scheme) 2012

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*.

BRAD HAZZARD, MP
Minister for Planning and Infrastructure

State Environmental Planning Policy Amendment (Penrith Lakes Scheme) 2012

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1 Name of Policy

This Policy is *State Environmental Planning Policy Amendment (Penrith Lakes Scheme) 2012*.

2 Commencement

This Policy commences on the day on which it is published on the NSW legislation website.

3 Repeal of Policy

- (1) This Policy is repealed on the day following the day on which this Policy commences.
- (2) The repeal of this Policy does not, because of the operation of sections 5 (6) and 30 of the *Interpretation Act 1987*, affect any amendment made by this Policy.

Schedule 1 Amendment of Sydney Regional Environmental Plan No 11—Penrith Lakes Scheme

[1] Clause 1

Omit the clause. Insert instead:

1 Name of Policy

This Policy is State Environmental Planning Policy (Penrith Lakes Scheme) 1989.

[2] Clauses 2, 4, 5 (definition of “extractive industry”), 7, 8 (1), (2) (b) (i) and (iii) and (4) (h), 9, 10 (1), 11 (1), 11A (1) and clause 2 (i) of Schedule 2

Omit “plan” wherever occurring. Insert instead “Policy”.

[3] Clause 3 Land to which Policy applies

Omit “This plan”. Insert instead “This Policy”.

[4] Clause 5 Definitions

Omit “plan” where firstly occurring. Insert instead “Policy”.

[5] Clauses 5 and 12

Omit “consent authority” from the definition of *the structure plan* in clause 5 and clause 12 (1) and (2) wherever occurring.

Insert instead “Minister”.

[6] Clause 6 Consent authority

Omit “Plan”. Insert instead “Policy”.

[7] Clause 10 Development for the purposes of roads

Omit “the Roads and Traffic Authority” from clause 10 (2).

Insert instead “Roads and Maritime Services”.

[8] Clause 12 Amendment of the structure plan

Omit “this plan” from clause 12 (3). Insert instead “this Policy”.

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Schedule 1 Amendment of Sydney Regional Environmental Plan No 11—Penrith Lakes
Scheme

[9] Schedule 2 Matters to be included in the statement of environmental effects

Omit “*Sydney Regional Environmental Plan No 11—Penrith Lakes Scheme*”
from clause 1 (a).

Insert instead “*State Environmental Planning Policy (Penrith Lakes Scheme)
1989*”.

Schedule 2 Consequential amendments to environmental planning instruments

2.1 Penrith Local Environmental Plan 1991 (Environmental Heritage Conservation)

[1] Clause 4 Relationship to other environmental planning instruments

Omit “*Sydney Regional Environmental Plan No 11—Penrith Lakes Scheme* or *Sydney Regional Environmental Plan No 13—Mulgoa Valley*, the regional environmental plan” from clause 4 (2).

Insert instead “*State Environmental Planning Policy (Penrith Lakes Scheme) 1989*, the State environmental planning policy”.

[2] Clause 7 Consent authority

Omit “the *Sydney Regional Environmental Plan No 11—Penrith Lakes Scheme*” from clause 7 (2).

Insert instead “*State Environmental Planning Policy (Penrith Lakes Scheme) 1989*”.

2.2 Penrith Local Environmental Plan No 201 (Rural Lands)

Clause 4 Relationship to other environmental planning instruments

Omit clause 4 (1) (e). Insert instead:

- (e) does not affect the operation of State environmental planning policies and does not apply to land to which *State Environmental Planning Policy (Penrith Lakes Scheme) 1989* applies, and

2.3 Penrith Local Environmental Plan No 255—Exempt and Complying Development

Clause 3 Relationship to other environmental planning instruments

Omit “*Sydney Regional Environmental Plan No 11—Penrith Lakes Scheme*” from clause 3 (4) (d).

Insert instead “*State Environmental Planning Policy (Penrith Lakes Scheme) 1989*”.

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Schedule 2 Consequential amendments to environmental planning instruments

2.4 Penrith Local Environmental Plan No 258—Consent for Dwelling Houses and Other Development

Clause 4 Relationship to other environmental planning instruments

Omit “*Sydney Regional Environmental Plan No 11—Penrith Lakes Scheme*” from clause 4 (3) (d).

Insert instead “*State Environmental Planning Policy (Penrith Lakes Scheme) 1989*”.

2.5 State Environmental Planning Policy No 50—Canal Estate Development

Clause 4 Land to which this Policy applies

Omit “*Sydney Regional Environmental Plan No 11—Penrith Lakes Scheme*” from clause 4.

Insert instead “*State Environmental Planning Policy (Penrith Lakes Scheme) 1989*”.

2.6 Sydney Regional Environmental Plan No 9—Extractive Industry (No 2—1995)

Schedule 3

Omit “*Sydney Regional Environmental Plan No 11—Penrith Lakes Scheme*” from clause 3 (b).

Insert instead “*State Environmental Planning Policy (Penrith Lakes Scheme) 1989*”.

2.7 Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)

[1] Clause 2 (2) and clause 3 (b) of Schedule 2

Omit “*Sydney Regional Environmental Plan No 11—Penrith Lakes Scheme*” wherever occurring.

Insert instead “*State Environmental Planning Policy (Penrith Lakes Scheme) 1989*”.

[2] Clause 12 Relationship to other environmental planning instruments

Omit clause 12 (1). Insert instead:

- (1) This plan does not apply to land to which *State Environmental Planning Policy (Penrith Lakes Scheme) 1989* applies.