



# **Penrith Local Environmental Plan No 201 (Rural Lands) Amendment No 10**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (P03/00407/S69)

DIANE BEAMER, M.P.,

Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

## 2004 No 252

Clause 1 Penrith Local Environmental Plan No 201 (Rural Lands) Amendment No 10

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### **Penrith Local Environmental Plan No 201 (Rural Lands) Amendment No 10**

under the

Environmental Planning and Assessment Act 1979

#### **1 Name of plan**

This plan is *Penrith Local Environmental Plan No 201 (Rural Lands) Amendment No 10*.

#### **2 Aim of plan**

The aim of this plan is to permit development for the purpose of a wholesale and retail plant nursery and produce store on certain land at Kemps Creek.

#### **3 Land to which plan applies**

This plan applies to Lot X DP 421633 Mamre Road, Kemps Creek, as shown edged by a heavy black line on the map marked “Penrith Local Environmental Plan No 201 (Rural Lands) Amendment No.10—Mamre Road, Kemps Creek” deposited in the office of the Council of the City of Penrith.

#### **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.

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## Schedule 1 Amendment

(Clause 4)

### Clause 42

Insert after clause 41:

#### 42 Development of certain land at Mamre Road, Kemps Creek

- (1) This clause applies to land at Mamre Road, Kemps Creek, being land shown edged heavy black on the map marked "Penrith Local Environmental Plan No 201 (Rural Lands) Amendment No 10".
- (2) Despite any other provision of this plan, a person may, with the consent of the Council, carry out development on the land to which this clause applies for the purposes of a produce store and wholesale and retail plant nursery.
- (3) The Council must not grant consent to the carrying out of such development unless:
  - (a) the Council has taken into consideration whether the development would adversely affect the existing or future service and safety levels of roads into and out of the development site, and
  - (b) vehicular access into the development site is via the signal-equipped intersection of Mamre Road and Baker's Lane.
- (4) In this clause:

***produce store*** means a building or place, not exceeding 650m<sup>2</sup> in gross floor area with an attached awning not exceeding 330m<sup>2</sup>, that is used for the sale by retail or storage of:

  - (a) grain, or
  - (b) stock feed, or
  - (c) fertilizer, or
  - (d) veterinary medicine,

and includes any ancillary office or toilet facilities.

## 2004 No 252

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Schedule 1      Amendment

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***wholesale and retail plant nursery*** means a building or place used for any one or more of the following purposes:

- (a) the growing and retail selling of plants, where the growing and propagation area does not exceed 1,600m<sup>2</sup>,
- (b) the storage of nursery items within a shade house,
- (c) the storage and retail selling of bulk landscape supplies including sand, mulch and compost, and materials such as fence rails, posts, gates, logs and firewood.

BY AUTHORITY

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