



New South Wales

Penrith Local Environmental Plan (Orchard Hills) 2005

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. (SRW0000027/S69)

FRANK SARTOR, M.P.,
Minister for Planning

2006 No 149

Clause 1 Penrith Local Environmental Plan (Orchard Hills) 2005

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1 Name of plan

This plan is *Penrith Local Environmental Plan (Orchard Hills) 2005*.

2 Aims of plan

This plan aims to allow, with the development consent of the Council of the City of Penrith, the carrying out of development for the purposes of an educational establishment on the land to which this plan applies.

3 Land to which plan applies

This plan applies to land situated in the City of Penrith, known as Lot 502, DP 866791, Wentworth Road, Orchard Hills, as shown edged heavy black on Sheet 1 of the map marked “Penrith Local Environmental Plan (Orchard Hills) 2005” and deposited in the office of the Council of the City of Penrith.

4 Amendment of Sydney Regional Environmental Plan No 25—Orchard Hills

Sydney Regional Environmental Plan No 25—Orchard Hills is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 4)

Schedule 2 Development for certain additional purposes

Insert under the heading “Wentworth Road” after “Lot 501, DP 866791 (Nos 338–356)—Educational establishment” the following matter:

Lot 502, DP 866791—Educational establishment, including community use of the establishment’s facilities (whether or not for financial gain), but only if the consent authority is satisfied that:

- (a) no more than 1,300 students will be enrolled at the educational establishment (located on this site and the adjoining Lot 501, DP 866791) at any one time, and
- (b) the rural viewscape and character of the site is protected by the location of buildings, recreation areas and ancillary structures generally as shown on Sheet 2 of the map marked “Penrith Local Environmental Plan (Orchard Hills) 2005”, which establishes the following areas and uses for those areas:
 - (i) Area One (School extension area)—to be used for the purposes of substantial structures, car parking and main access roads,
 - (ii) Area Two (Active recreation area)—to be used for the purposes of active recreation facilities, including sports fields and minor or ancillary structures,
 - (iii) Area Three (Transmission easement)—to be used primarily for passive recreation and drainage infrastructure, with some encroachment of playing fields acceptable provided that Transgrid or any other relevant authority has given written approval for the encroachment, and
- (c) the relevant requirements of the document entitled *Planning for Bushfire Protection* (ISBN 0 9585987 8 9, published by Planning & Environment Services, NSW Rural Fire Service in co-operation with the former Department of Urban Affairs and Planning, and dated December 2001) have been met in the design and siting of all buildings on the site, and

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Schedule 1 Amendment

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- (d) the proposed development will allow the existing water course on the site to be relocated and rehabilitated without the use of pipes or other engineering devices:
 - (i) to emulate a naturally functioning stream with a minimum riparian width of 10 metres along both sides of the watercourse (measured from the top of the bank), and
 - (ii) to provide vegetated habitat refuges (terrestrial and aquatic), and
 - (iii) to facilitate the treatment of stormwater runoff outside the riparian corridor before it enters the watercourse.

BY AUTHORITY