



New South Wales

# Wyong Local Environmental Plan 1991 (Amendment No 157)

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*. (N00/00234/S69)

FRANK SARTOR, M.P.,  
Minister for Planning

## 2007 No 129

Clause 1 Wyong Local Environmental Plan 1991 (Amendment No 157)

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## Wyong Local Environmental Plan 1991 (Amendment No 157)

under the

Environmental Planning and Assessment Act 1979

### 1 Name of plan

This plan is *Wyong Local Environmental Plan 1991 (Amendment No 157)*.

### 2 Aims of plan

This plan aims:

- (a) to allow, with the consent of Wyong Shire Council, the carrying out of development on the land to which this plan applies for the purpose of the expansion of an existing factory outlet centre, and
- (b) to increase the maximum gross floor area applying to the factory outlet centre component of the site from 12,200 to 18,000 square metres, and
- (c) to provide additional parking for cars and coaches, and
- (d) to require consent for any such development to be subject to specified conditions, and
- (e) to update the property description of the existing factory outlet centre (from Lot 1071, DP 858034, Lots 4, 10, 16 and 17, DP 5536 and Lot 18, DP 650958 to Lot 10, DP 1038778) and to add an additional parcel of land (Lot 1, DP 213204) to the site.

### 3 Land to which plan applies

This plan applies to land situated in the local government area of Wyong, being Lot 10, DP 1038778 and Lot 1, DP 213204, Bryant Drive, Tuggerah.

### 4 Amendment of Wyong Local Environmental Plan 1991

*Wyong Local Environmental Plan 1991* is amended as set out in Schedule 1.

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## Schedule 1 Amendments

(Clause 4)

**[1] Clause 70**

Insert after clause 69:

**70 Development of certain land—Bryant Drive, Tuggerah**

- (1) This clause applies to Lot 10, DP 1038778 and Lot 1, DP 213204, Bryant Drive, Tuggerah.
- (2) Nothing in this plan prevents a person, with the consent of the Council, from carrying out the following development:
  - (a) factory outlet centre having a gross floor area of not more than 18,000 square metres (excluding pedestrian arcades, public mall areas and colonnades)—on so much of Lot 10, DP 1038778 as is to the west of Bryant Drive, Tuggerah,
  - (b) car and coach parking associated with the development referred to in paragraph (a)—on the remainder of Lot 10, DP 1038778, and Lot 1, DP 213204.
- (3) The Council must not consent to a development application made pursuant to this clause unless a condition is imposed by the Council to the effect that only the things referred to in subclause (5) (a)–(d) may be displayed in or made available for sale from the factory outlet centre.
- (4) Subclause (3) does not limit the kinds of conditions that may be imposed on a development consent, or allow conditions to be imposed on a development consent otherwise than in accordance with the Act.
- (5) For the purposes of this clause, *factory outlet centre* means a building or place used only for the purpose of displaying or making available for sale one or more of the following:
  - (a) products that do not achieve manufacturers' quality control requirements,
  - (b) products that are “end-of-line”, “out-of-season” or “samples”,
  - (c) products that are damaged,
  - (d) food and beverage for consumption by customers and staff, provided their sale is ancillary to the sale of things referred to in paragraph (a), (b) or (c),but does not include a market or trash-and-treasure outlet or the like.

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Schedule 1      Amendments

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**[2]    Schedule 2 Development for certain additional purposes**

Omit the matter relating to land in Bryant Drive, Tuggerah.

BY AUTHORITY

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