



New South Wales

Penrith Local Environmental Plan 2010 (Amendment No 3)

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*.

CRAIG BUTLER, ASSISTANT GENERAL MANAGER, PENRITH CITY COUNCIL
As delegate for the Minister for Planning

Penrith Local Environmental Plan 2010 (Amendment No 3)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Penrith Local Environmental Plan 2010 (Amendment No 3)*.

2 Commencement

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

3 Land to which Plan applies

This Plan applies to the land to which *Penrith Local Environmental Plan 2010* applies and to Lot 21, DP 1151724, being 17–53 Caddens Road, Kingswood (being land currently deferred from that Plan).

4 Maps

Each map adopted by *Penrith Local Environmental Plan 2010* that is specified in Column 1 of the following table is declared by this Plan to be amended or replaced, as the case requires, by the map specified opposite in Column 2 of the table as approved by the Minister on the making of this Plan:

Column 1	Column 2
Name of map being amended or replaced	Name of amending or replacement map
Penrith Local Environmental Plan 2010 Land Application Map (6350_COM_LAP_001_120_20130121)	Penrith Local Environmental Plan 2010 Land Application Map (6350_COM_LAP_001_120_20140417)
Penrith Local Environmental Plan 2010 Clause Application Map (6350_COM_CAP_002_080_20130228)	Penrith Local Environmental Plan 2010 Clause Application Map (6350_COM_CAP_002_080_20131204)
Penrith Local Environmental Plan 2010 Land Zoning Map (6350_COM_LZN_013_020_20120511)	Penrith Local Environmental Plan 2010 Land Zoning Map (6350_COM_LZN_013_020_20140204)
Penrith Local Environmental Plan 2010 Lot Size Map (6350_COM_LSZ_013_020_20100511)	Penrith Local Environmental Plan 2010 Lot Size Map (6350_COM_LSZ_013_020_20140204)
Penrith Local Environmental Plan 2010 Floor Space Ratio Map	Penrith Local Environmental Plan 2010 Floor Space Ratio Map (6350_COM_FSR_013_020_20140324)

Column 1	Column 2
Name of map being amended or replaced	Name of amending or replacement map
Penrith Local Environmental Plan 2010 Height of Buildings Map (6350_COM_HOB_013_020_20100510)	Penrith Local Environmental Plan 2010 Height of Buildings Map (6350_COM_HOB_013_020_20140204)

Schedule 1 Amendment of Penrith Local Environmental Plan 2010

[1] Clause 1.8 Repeal of planning instruments applying to land

Insert after clause 1.8 (1A):

(1B) *Sydney Regional Environmental Plan No 25—Orchard Hills* is repealed.

[2] Clause 2.1 Land use zones

Insert before “R5 Large Lot Residential” under the heading “**Residential Zones**”:

R2 Low Density Residential

[3] Land Use Table

Insert after the matter relating to Zone RU5 Village:

Zone R2 Low Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To promote the desired future character by ensuring that development reflects features or qualities of traditional detached dwelling houses that are surrounded by private gardens.
- To enhance the essential character and identity of established residential areas.
- To ensure a high level of residential amenity is achieved and maintained.

2 Permitted without consent

Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental protection works; Exhibition homes; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Information and education facilities; Neighbourhood shops; Places of public worship; Recreation areas; Residential care facilities; Respite day care centres; Roads; Secondary dwellings; Shop top housing

4 Prohibited

Any development not specified in item 2 or 3

[4] Clause 4.1A

Insert after clause 4.1:

4.1A Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings

- (1) Development consent may be granted to development on a lot in a zone shown in Column 2 of the Table to this clause for a purpose shown in Column 1 of the Table opposite that zone, if the area of the lot is equal to or greater than the area specified for that purpose and shown in Column 3 of the Table.

Column 1	Column 2	Column 3
Dual occupancy (attached)	Zone R2 Low Density Residential	650 square metres
Dual occupancy (detached)	Zone R2 Low Density Residential	750 square metres

- (2) Despite any other provision of this plan, development consent must not be granted for a dual occupancy on an internal lot in Zone R2 Low Density Residential.

[5] Clause 6.10 Villages of Mulgoa and Wallacia

Omit clause 6.10 (5).

[6] Dictionary

Insert in alphabetical order:

internal lot means a lot the only means of access to which is an access corridor (a hatchet-shaped lot) or a right-of-carriageway over another lot.