



New South Wales

Penrith Local Environmental Plan 2010 (Amendment No 23)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

**WARWICK WINN, GENERAL MANAGER
PENRITH CITY COUNCIL**
As delegate for the local plan-making authority

Penrith Local Environmental Plan 2010 (Amendment No 23)

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Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Penrith Local Environmental Plan 2010 (Amendment No 23)*.

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 land to which *Penrith Local Environmental Plan 2010* applies.

4 Maps

The maps adopted by *Penrith Local Environmental Plan 2010* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this Plan.

Schedule 1 Amendment of Penrith Local Environmental Plan 2010

[1] Part 7 Additional local provisions

Insert at the end of the Part—

7.26 Serviced apartments

Development consent must not be granted for development for the purpose of the strata subdivision of a building or part of a building that is or has been used for serviced apartments, unless the consent authority is satisfied that the design quality principles set out in Schedule 1 to *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development* and the design principles of the Apartment Design Guide (within the meaning of that Policy) are achieved for the development as if it were a residential apartment development within the meaning of that Policy.

[2] Clause 8.6 Serviced apartments

Omit the clause.

[3] Schedule 1 Additional permitted uses

Omit clause 16.

[4] Schedule 1

Omit “and community facilities” from clause 29(2).

Insert instead “, community facilities and recreation facilities (indoor)”.

[5] Schedule 2 Exempt development

Insert in alphabetical order in Schedule 2—

Signage—bus shelter advertising (in Zones R1, R2, R3, R4, R5, B1, B2, B3, B4, B5, B6, B7, IN1, IN2, SP1, SP2 and SP3)

- (1) Must not extend beyond the perimeter of the bus shelter.
- (2) A maximum of 2 advertising panels per bus shelter that may comprise an advertisement on 2 sides.
- (3) Must not contain flashing or neon signage.
- (4) Must not obscure pedestrian paths of travel.
- (5) Must be able to increase or decrease the intensity of illumination.
- (6) Illumination must not adversely impact on the amenity of residential dwellings, serviced apartments or other tourist and visitor accommodation.
- (7) Must not be located on land that comprises a heritage item or is within a heritage conservation area.
- (8) Illumination must not adversely impact on the safety of pedestrians, cyclists or drivers of motor vehicles.

[6] Schedule 5 Environmental heritage

Omit “Tallowood Road” from item 36 in Part 1. Insert instead “Tallowood Place”.

- [7] Schedule 5, Part 1, item 76**
Omit the property description. Insert instead “Part Lot 1, DP 650753”.
- [8] Schedule 5, Part 1, item 166**
Omit the address and property description.
Insert instead “Thornton House 33 Mountain View Crescent, Penrith” and “Lot 2032, DP 1181618”, respectively.
- [9] Schedule 5, Part 1, item 172**
Omit the address and property description.
Insert instead “22–24 Lemongrove Road” and “Lot 1C, DP 162091”, respectively.
- [10] Schedule 5, Part 1, item 259**
Omit the property description. Insert instead “Lot 1306, DP 1234327”.
- [11] Schedule 5, Part 1, item 679**
Omit “Lot 1, DP 931531”. Insert instead “Lot 1, DP 931631”.
- [12] Schedule 5, Part 1, items 830 and 846**
Omit the items.
- [13] Schedule 5, Part 1, item 878**
Omit the address and property description.
Insert instead “Lot 2000 Bradley Street” and “Lot 2000, DP 1204777”, respectively.