



New South Wales

Penrith Local Environmental Plan 2010 (Amendment No 17)

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*.

JANE GROSE

As delegate for the Minister for Planning and Public Spaces

Penrith Local Environmental Plan 2010 (Amendment No 17)

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1 Name of Plan

This Plan is *Penrith Local Environmental Plan 2010 (Amendment No 17)*.

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 certain land to which *Penrith Local Environmental Plan 2010* applies, being land in Zone SP3 and land to which Part 9 of that Plan 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] Clause 9.1 Objectives of Part

Omit “and type” from clause 9.1(b).

[2] Clause 9.1(c)

Omit the paragraph.

[3] Clause 9.3

Omit the clause. Insert instead—

9.3 Density of retail premises

- (1) Development consent must not be granted for development for the purpose of retail premises unless the consent authority is satisfied that—
 - (a) the total gross floor area of all buildings used for the purposes of retail premises will not exceed 12,500 square metres, and
 - (b) the parts of the development used for retail premises will be integrated with other development on the land, and
 - (c) the development will result in a maximum of 1 square metre of gross floor area used for retail premises for every 10 square metres of gross floor area used for other purposes.
- (2) In addition to other areas excluded by the definition of gross floor area, in this clause the gross floor area of a building does not include the following—
 - (a) space used by or for the purposes of centre management,
 - (b) toilets,
 - (c) space used for common storage,
 - (d) terraces and balconies with outer walls less than 1.5 metres high.

[4] Clause 9.4 Minimum lot size for outlet centres for community title schemes or strata plan schemes

Omit the clause.

[5] Clause 9.7

Insert after clause 9.6—

9.7 Area 5—Maximum residential density

- (1) The objective of this clause is to limit the density of residential development for certain land to which this Part applies.
- (2) This clause applies to land identified as “Area 5” on the Height of Buildings Map.
- (3) Despite clause 4.4, the consent authority may consent to development on land for the purposes of residential accommodation if the consent authority is satisfied that—
 - (a) the total gross floor area of all buildings will not exceed 80,400 square metres, and
 - (b) the land to which this clause applies is not developed for more than 850 dwellings.

[6] Schedule 1 Additional permitted uses

Omit “**at 65, 73, 83, 109 and 123–135 Mulgoa Road and Lot 1 Retreat Road**” from the heading of clause 22.

Insert instead “**in Zone SP3**”.

[7] Schedule 1, clause 22(1)

Omit the subclause. Insert instead—

- (1) This clause applies to land in Zone SP3 Tourist in Penrith that is identified as “21” on the Additional Permitted Uses Map.