



New South Wales

Penrith Local Environmental Plan 2010 (Amendment No 30)

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*.

CATHERINE VAN LAEREN

As delegate for the Minister for Planning and Public Spaces

Penrith Local Environmental Plan 2010 (Amendment No 30)

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1 Name of plan

This plan is *Penrith Local Environmental Plan 2010 (Amendment No 30)*.

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.

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 4.1 Minimum subdivision lot size

Insert after clause 4.1(3)—

- (3A) In calculating the size of a battle-axe lot, the area of the access laneway must not be included.

[2] Clause 4.1(4A)–(4C)

Omit the subclauses.

[3] Clause 4.1B

Insert after clause 4.1AB—

4.1B Minimum subdivision lot size for land in Zones R2 and R3

- (1) Development consent must not be granted for the subdivision of land in Zone R2 Low Density Residential unless each resulting lot will have—
- (a) for a battle-axe lot—a width of at least 15m and an area of at least 650m², or
- (b) otherwise—a width of at least 15m.
- (2) Development consent must not be granted for the subdivision of land in Zone R3 Medium Density Residential unless each resulting lot will have—
- (a) for a battle-axe lot—a width of at least 15m and an area of at least 450m², or
- (b) otherwise—a width of at least 12m.
- (3) In calculating the size of a battle-axe lot, the area of the access laneway must not be included.
- (4) This clause does not apply to land identified as “Glenmore Park Stage 3” on the Clause Application Map.

[4] Clause 4.6 Exceptions to development standards

Insert “7.16A(2) or (3),” after “7.7,” in clause 4.6(8)(ca).

[5] Clause 5.1 Relevant acquisition authority

Insert in appropriate order in clause 5.1(2), table—

Zone SP2 Infrastructure and marked “Educational establishment”	Department of Education
Zone C2 Environmental Conservation and marked “Local open space”	Council

[6] Clause 6.3A

Insert after clause 6.3—

6.3A Concurrence of Planning Secretary

- (1) Development consent must not be granted to development on land in an urban release area unless the consent authority has obtained the concurrence of the Planning Secretary.

- (2) In deciding whether to grant concurrence, the Planning Secretary must consider the following—
 - (a) the impact of the development on the relevant planning matters,
 - (b) the steps taken to address the impacts, including whether a planning agreement has been, or will be, entered into to improve or contribute to the relevant planning matters.
- (3) In this clause—

relevant planning matters means the following—

 - (a) transport and traffic management,
 - (b) water cycle management,
 - (c) land used for public open space or recreational purposes.

[7] Clause 7.16A

Insert after clause 7.16—

7.16A Glenmore Park Stage 3

- (1) The objectives of this clause are as follows—
 - (a) to provide for a transition of lot sizes between the urban areas of Glenmore Park and the surrounding rural landscape and Mulgoa Nature Reserve,
 - (b) to restrict the maximum dwelling yield for certain land.
- (2) This clause applies to land identified as “Glenmore Park Stage 3” on the Clause Application Map.
- (3) Development on land specified in the table to this subclause must not result in more dwellings on the land than the maximum number of dwellings specified opposite.

Land identified on Lot Size Map	Zone	Maximum number of dwellings
Area 6	Zone R2	463
Area 6	Zone R3	172
Area 7	Zone R2	177
Area 8	Zone R2	294
Area 9	Zone R2	50
Area 9	Zone R3	27
Area 10	Zone R2	122
Area 10	Zone R3	52
Area 11	Zone R2	477
Area 11	Zone R3	261
Area 12	Zone R2	58

- (4) Development consent must not be granted to development for the purposes of a dual occupancy on a lot in Zone C4 Environmental Living unless the area of the lot is at least 8,000m².

- (5) Development consent must not be granted for the subdivision of land in Zone R3 Medium Density Residential unless a single development application proposes both of the following—
 - (a) the subdivision of the land,
 - (b) the erection of an attached dwelling or a dwelling house on each lot resulting from the subdivision.
- (6) The maximum height of a building on land identified as “Area 4” on the Height of Buildings Map is 12.5m if—
 - (a) the building is a dwelling house or dual occupancy, and
 - (b) the land has a slope of more than 1 in 8.
- (7) Development consent must not be granted to development for the purposes of multi dwelling housing on a corner lot on land in Zone R3 Medium Density Residential and identified as “Area 11” on the Lot Size Map unless—
 - (a) the lot has an area of at least 360m², and
 - (b) the development involves the erection of no more than 3 dwellings on the lot, and
 - (c) 1 of the dwellings is located above a garage that fronts a rear lane.

[8] Schedule 1 Additional permitted uses

Insert at the end of the schedule, with appropriate clause numbering—

Use of certain land at 35–89 Chain-O-Ponds Road, Mulgoa

- (1) This clause applies to land identified as “44” on the Additional Permitted Uses Map.
- (2) Development for the purposes of business premises used as a sales office for a land release area or housing estate is permitted with development consent.
- (3) This clause ceases to have effect on 31 May 2028.

[9] Dictionary

Omit the definition of *battle-axe lot*. Insert instead—

battle-axe lot means a lot that has access to a road by an access laneway.