

Appendix 8

Extracts of LEP 2010 and DCP 2014

Penrith Local Environmental Plan 2010

Current version for 25 February 2015 to date (accessed 29 April 2015 at 09:42)

[Land Use Table](#) > [Zone B4](#)

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Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.
- To create opportunities to improve public amenity.
- To provide a wide range of retail, business, office, residential, community and other suitable land uses.

2 Permitted without consent

Home occupations

3 Permitted with consent

Amusement centres; Boarding houses; Car parks; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Function centres; Home-based child care; Home businesses; Hostels; Hotel or motel accommodation; Information and education facilities; Medical centres; Mortuaries; Multi dwelling housing; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Seniors housing; Serviced apartments; Sex services premises; Shop top housing; Signage; Veterinary hospitals

4 Prohibited

Rural workers' dwellings; Any other development not specified in item 2 or 3



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[Part 2](#) > [Clause 2.5](#)

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2.5 Additional permitted uses for particular land

- (1) Development on particular land that is described or referred to in Schedule 1 may be carried out:
 - (a) with development consent, or
 - (b) if the Schedule so provides—without development consent,
in accordance with the conditions (if any) specified in that Schedule in relation to that development.
- (2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.

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[Part 4](#) > [Clause 4.1](#)

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4.1 Minimum subdivision lot size

- (1) The objectives of this clause are as follows:
 - (a) to ensure that lot sizes are compatible with the environmental capabilities of the land being subdivided,
 - (b) to minimise any likely impact of subdivision and development on the amenity of neighbouring properties,
 - (c) to ensure that lot sizes and dimensions allow developments to be sited to protect natural or cultural features including heritage items and retain special features such as trees and views,
 - (d) to regulate the density of development and ensure that there is not an unreasonable increase in the demand for public services or public facilities,
 - (e) to ensure that lot sizes and dimensions are able to accommodate development consistent with relevant development controls.
- (2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.
- (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.
- (4) This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.
- (4A) Despite subclause (3), development consent must not be granted for the subdivision of land in Zone R2 Low Density Residential unless each lot to be created by the subdivision would have:
 - (a) if it is a standard lot—a minimum width of 15 metres, or
 - (b) if it is a battle-axe lot—a minimum width of 15 metres and a minimum area of 650 square metres.
- (4B) Despite subclause (3), development consent must not be granted for the subdivision of land in Zone R3 Medium Density Residential unless each lot to be created by the subdivision would have:

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Part 4 ➤ Clause 4.3

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4.3 Height of buildings

- (1) The objectives of this clause are as follows:
 - (a) to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality,
 - (b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development and to public areas, including parks, streets and lanes,
 - (c) to minimise the adverse impact of development on heritage items, heritage conservation areas and areas of scenic or visual importance,
 - (d) to nominate heights that will provide a high quality urban form for all buildings and a transition in built form and land use intensity.
- (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

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[Part 4](#) > [Clause 4.4](#)

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4.4 Floor space ratio

- (1) The objectives of this clause are as follows:
 - (a) to ensure that buildings are compatible with the bulk and scale of the existing and desired future character of the locality,
 - (b) to minimise the adverse impact of development on heritage conservation areas and heritage items,
 - (c) to regulate density of development and generation of vehicular and pedestrian traffic,
 - (d) to provide sufficient floor space for high quality development.
- (2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.

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[Part 5](#) > [Clause 5.2](#)

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5.2 Classification and reclassification of public land

- (1) The objective of this clause is to enable the Council to classify or reclassify public land as “operational land” or “community land” in accordance with Part 2 of Chapter 6 of the Local Government Act 1993.

Note. Under the Local Government Act 1993, “public land” is generally land vested in or under the control of a council (other than roads, Crown reserves and commons). The classification or reclassification of public land may also be made by a resolution of the Council under section 31, 32 or 33 of the Local Government Act 1993. Section 30 of that Act enables this Plan to discharge trusts on which public reserves are held if the land is reclassified under this Plan as operational land.

- (2) The public land described in Part 1 or Part 2 of Schedule 4 is classified, or reclassified, as operational land for the purposes of the Local Government Act 1993.
- (3) The public land described in Part 3 of Schedule 4 is classified, or reclassified, as community land for the purposes of the Local Government Act 1993.
- (4) The public land described in Part 1 of Schedule 4:
- (a) does not cease to be a public reserve to the extent (if any) that it is a public reserve, and
 - (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants that affected the land before its classification, or reclassification, as operational land.
- (5) The public land described in Part 2 of Schedule 4, to the extent (if any) that it is a public reserve, ceases to be a public reserve when the description of the land is inserted into that Part and is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except:
- (a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 4, and
 - (b) any reservations that except land out of the Crown grant relating to the land, and
 - (c) reservations of minerals (within the meaning of the Crown Lands Act 1989).

Note. In accordance with section 30 (2) of the Local Government Act 1993, the approval of the Governor to subclause (5) applying to the public land concerned is required before the description of the land is inserted in Part 2 of Schedule 4.

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Part 7 > Clause 7.5

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7.5 Protection of scenic character and landscape values

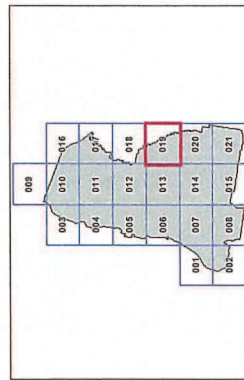
- (1) The objectives of this clause are as follows:
 - (a) to identify and protect areas that have particular scenic value either from major roads, identified heritage items or other public places,
 - (b) to ensure development in these areas is located and designed to minimise its visual impact.
- (2) This clause applies to land identified as “Land with scenic and landscape values” on the Scenic and Landscape Values Map.
- (3) Development consent must not be granted for any development on land to which this clause applies unless the consent authority is satisfied that measures will be taken, including in relation to the location and design of the development, to minimise the visual impact of the development from major roads and other public places.

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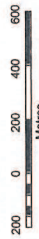
- Zone**
- B1 Neighbourhood Centre
 - B2 Local Centre
 - B3 Commercial Core
 - B4 Mixed Use
 - B5 Business development
 - B6 Enterprise Corridor
 - B7 Business Park
 - E1 National Parks and Nature Reserves
 - E2 Environmental Conservation
 - E3 Environmental Management
 - E4 Environmental Living
 - IN1 General Industrial
 - IN2 Light Industrial
 - R1 General Residential
 - R2 Low Density Residential
 - R3 Medium Density Residential
 - R4 High Density Residential
 - R5 Large Lot Residential
 - RE1 Public Recreation
 - RE2 Private Recreation
 - RU1 Primary Production
 - RU2 Rural Landscape
 - RU3 Primary Production Small Lots
 - V1 Village
 - SP1 Special Activities
 - SP2 Infrastructure
 - SP3 Tourist
 - W1 Natural Waterways
 - W2 Recreational Waterways
 - DM1 Deferred Matter
 - WSEA SEPP (Western Sydney Employment Area) 2009
 - SM SREP No. 30 - St Marys

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N



Projection: GDA 1994
 MGR Zone 56

Scale: 1:20,000 @ A3

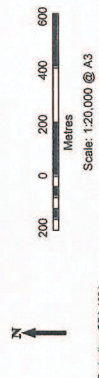
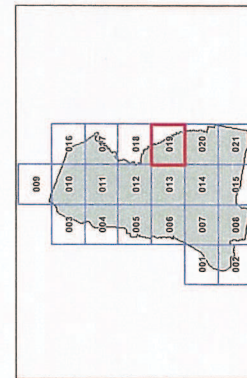
**Lot Size Map -
 Sheet LSZ_019**

Minimum Lot Size (sq m)

F	400
G	450
K1	550
K2	560
M	600
R	750
S	800
U1	1000
U2	1200
V	2000
W	4000
X	6000
Y1	10000 (1 ha)
Y2	12500 (1.25 ha)
Z	20000 (2 ha)
AB1	100000 (10 ha)
AB2	200000 (20 ha)
AB3	400000 (40 ha)
AL	1000000 (1000 ha+)
	Refer to Clause 7.16, 7.19 & 7.21

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Projection: GDA 1994
 MGA Zone 56

BLACKTOWN LGA

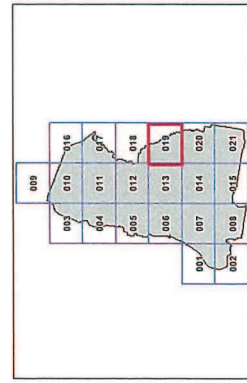
Floor Space Ratio Map - Sheet FSR_019

Maximum Floor Space Ratio (n:1)

- A 0
- B 0.4
- D 0.5
- H 0.7
- I 0.75
- N 1
- O 1.1
- S1 1.5
- S2 1.6
- T 2
- U 2.5
- V 3
- W 3.5
- X 4

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 MGA Zone 56



Height of Buildings Map - Sheet HOB_019

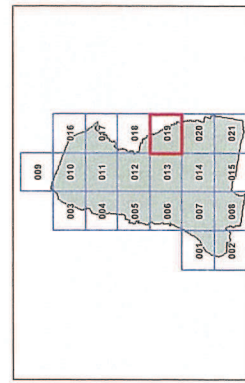
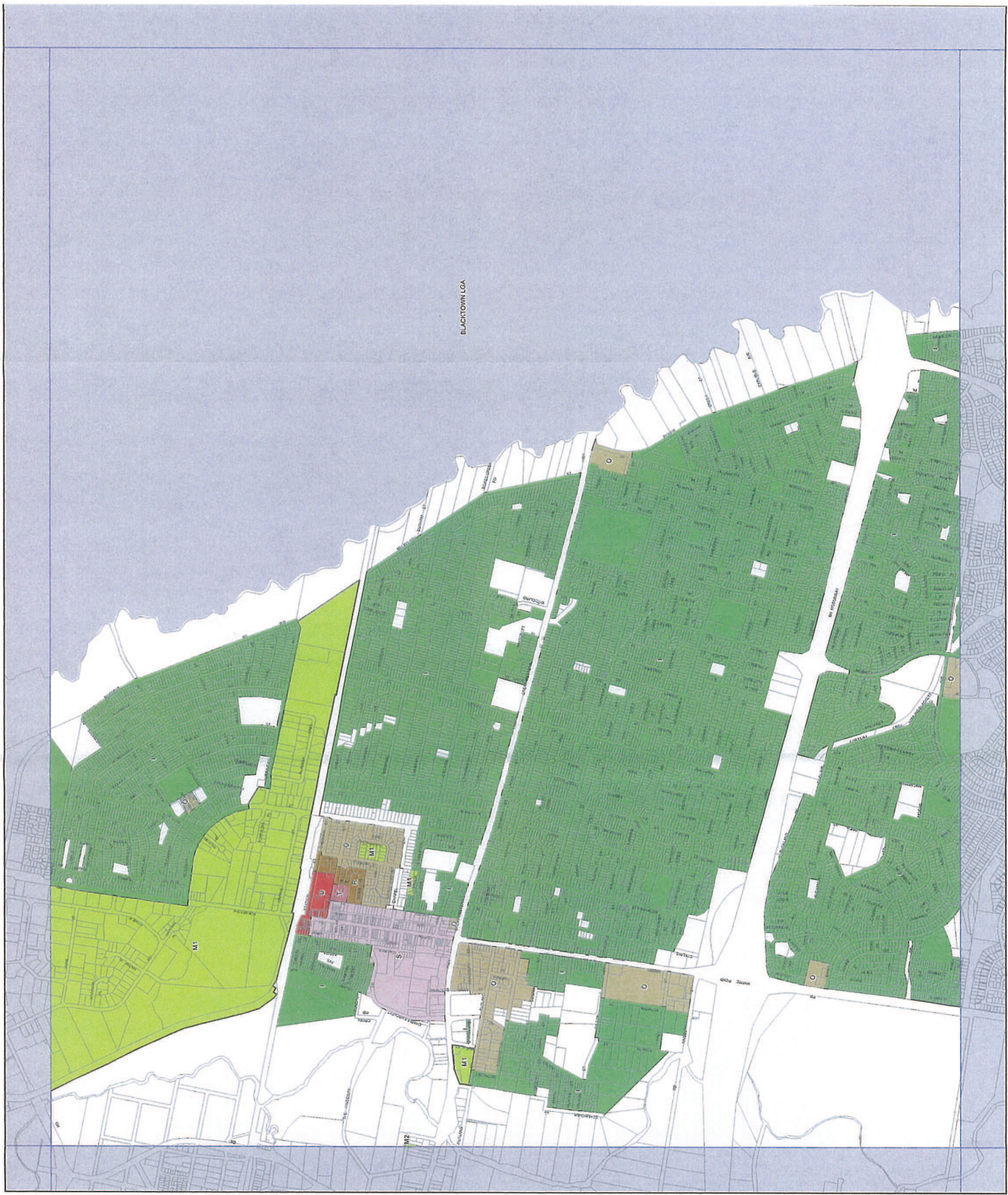
Maximum Building Height (m)

A	0
B	5
C	8.5
D	9
E	10
F	12
G	12.5
H	15
I	18
J	19
K	20
L	21
M	24
N	27
O	32
P	55
Q	80
R	
S	
T	
U	
V	
W	
X	
Y	
Z	
AA	

Refer to Clause 7.16, 8.2 and 8.4

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MGA Zone 56
Scale: 1:20,000 @ A3

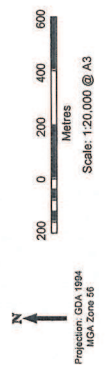
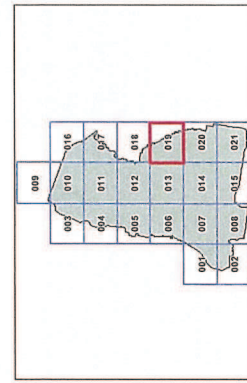
Scenic and Landscape Values Map - Sheet SLV_019

- Land with Scenic and Landscape Values
- Vistas of heritage items

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BLACKTOWN LGA

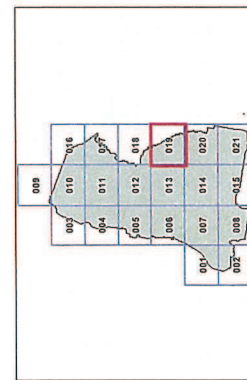


**Natural Resources Sensitivity Land
 Map - Sheet NRL_019**

 Natural Resources Sensitive Land

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