

## Appendix 2 - PP 2021 – 4118: 170 Russell Street Emu Plains (Old Bathurst Road)

### Penrith LEP 2010 Additional Clauses Table

Additional Permitted Use Clause		
170 Russell Street Emu Plains Lot 1 DP1273251	<p><b>Use of certain land at 1 – 4 Old Bathurst Road, Emu Plains</b></p> <ol style="list-style-type: none"><li>1. This clause applies to land at 170 Russell Street, Emu Plains, being Lot 1, DP1273251, that is identified as “36” on the Additional Permitted Uses Map.</li><li>2. Development for the purposes of amusement centres, centre-based child care facilities, community facilities, crematoria, educational establishments, electricity generating works, function centres, hotel or motel accommodation, medical centres, recreation facilities (indoor), resource recovery facilities, respite day care centres, service stations, vehicle sales or hire premises, veterinary hospitals and waste or resource transfer stations is permitted with development consent</li></ol>	<p>As IN2 sites are being translated to E4, the IN2 zone will no longer exist. As the new E4 zone will be a direct translation of the existing IN1 zone, Additional Permitted Uses will need to be added to Schedule 1 for sites currently zoned IN2 Light Industrial to ensure their existing permissible land uses are retained.</p> <p>This will ensure a direct translation that provides continuity and certainty of permissibility for land currently zoned IN2, while minimising the potential for land use conflicts or compatibility issues in the new E4 zone.</p>

## Local Provisions Clause

Council has required that an Additional LEP Local Provision be introduced in relation to filling of the site.

In Part 7 (Additional local provisions), a provision is to be introduced, being sub-clause 7.30 to read as follows:

***7.30 Development on land at 170 Russell Street, Emu Plains (Lot 1 DP 1273251)***

*Prior to the erection of buildings on the site, flood mitigation and filling works consistent with the endorsed flood impact assessment report and filling strategy, which support Planning Proposal PP-2021-4118, are to be completed to Council's satisfaction.*

This clause will ensure endorsed flood mitigation works are completed as endorsed under the Planning Proposal.