

APPENDIX 1

Aerial maps of E1 Local Centre zoned precincts identified in Clause 7.12.

Clause 7.12
E1 Zones

Aerial Map

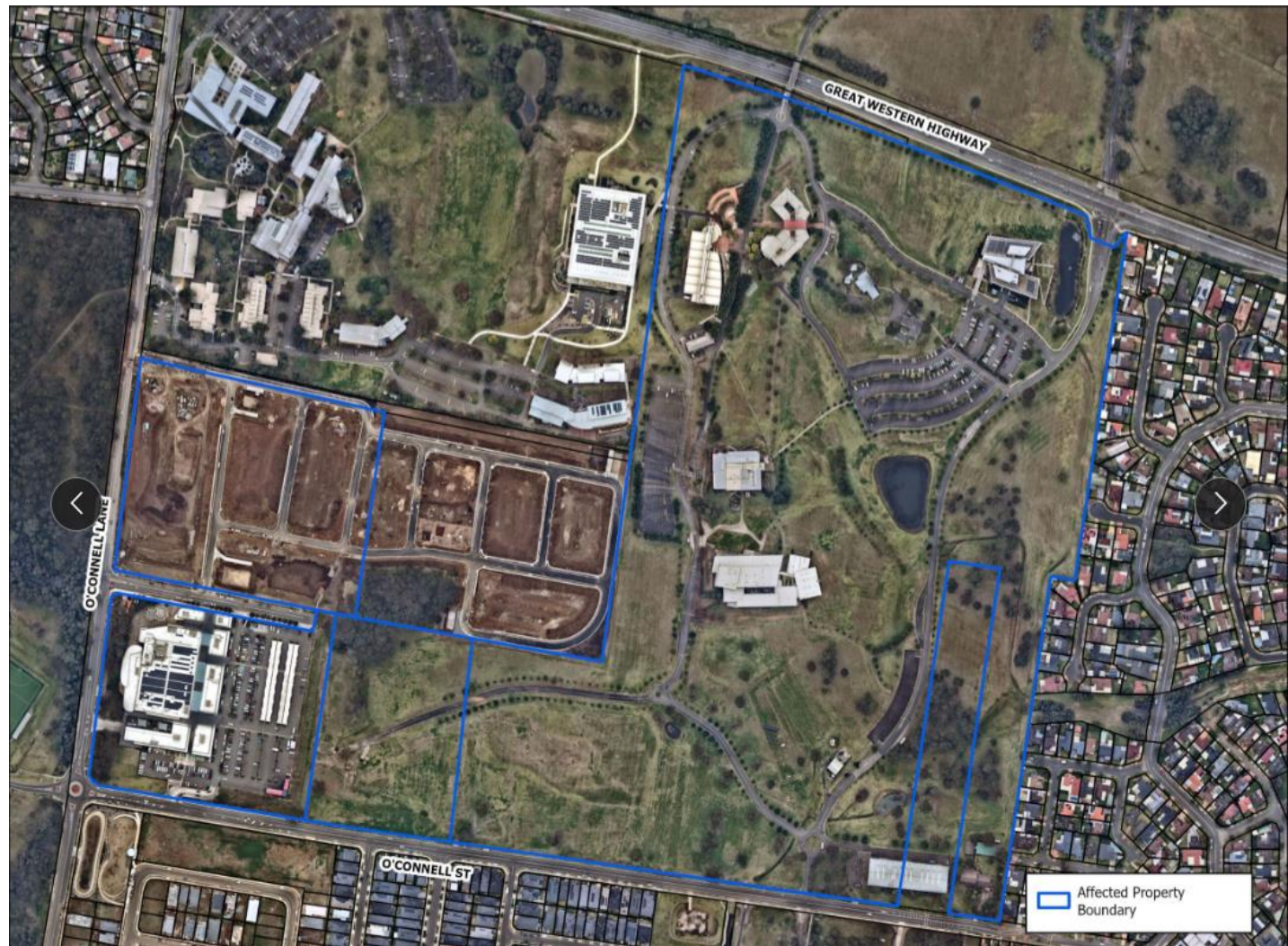
31 Moore Street, St
Clair



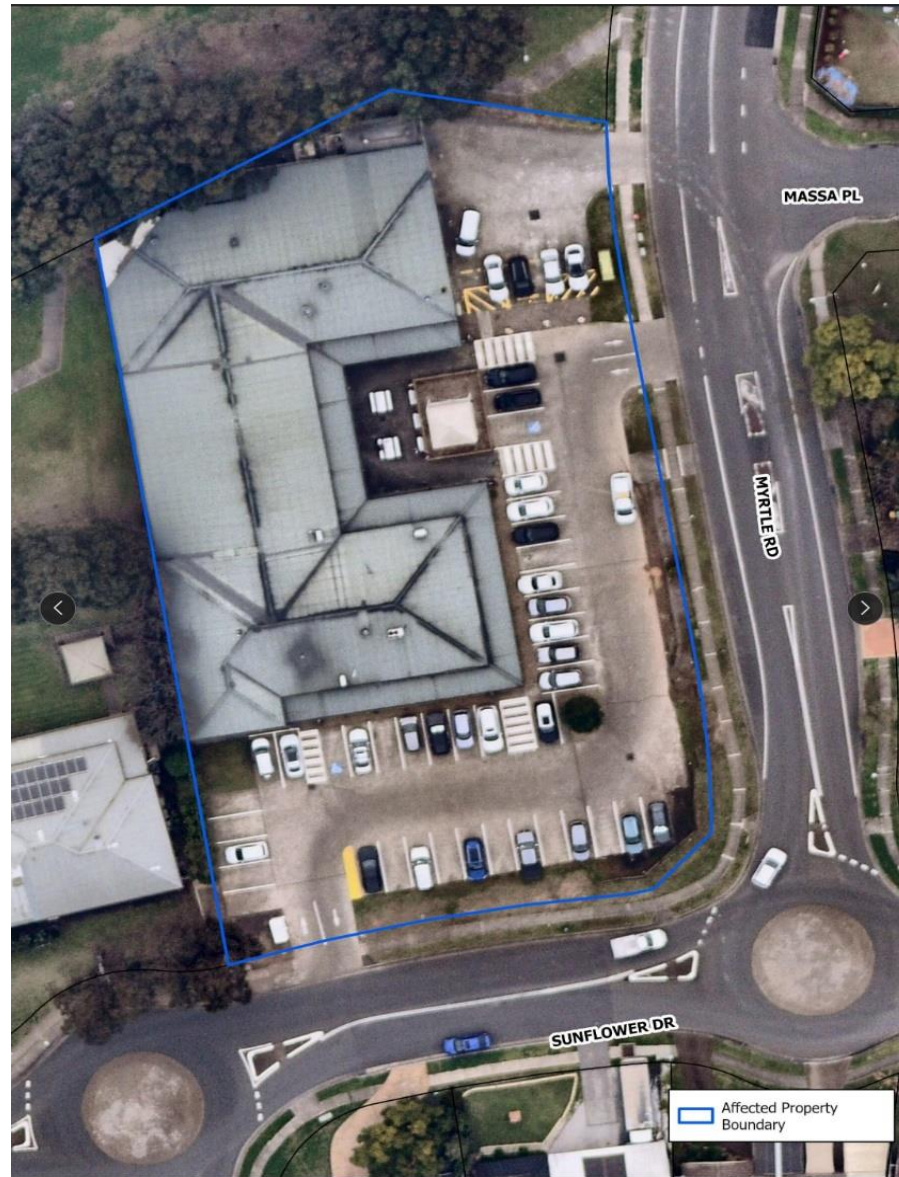
37 Cook Parade



46–66 O'Connell Street,
Caddens, Lot 3, DP
1103503 and
Lot 1,2,3 DP1268507 (
Land ID 103209,
103210, 103211)



182–186 Sunflower
Drive, Claremont
Meadows, Lot 3202, DP
813518



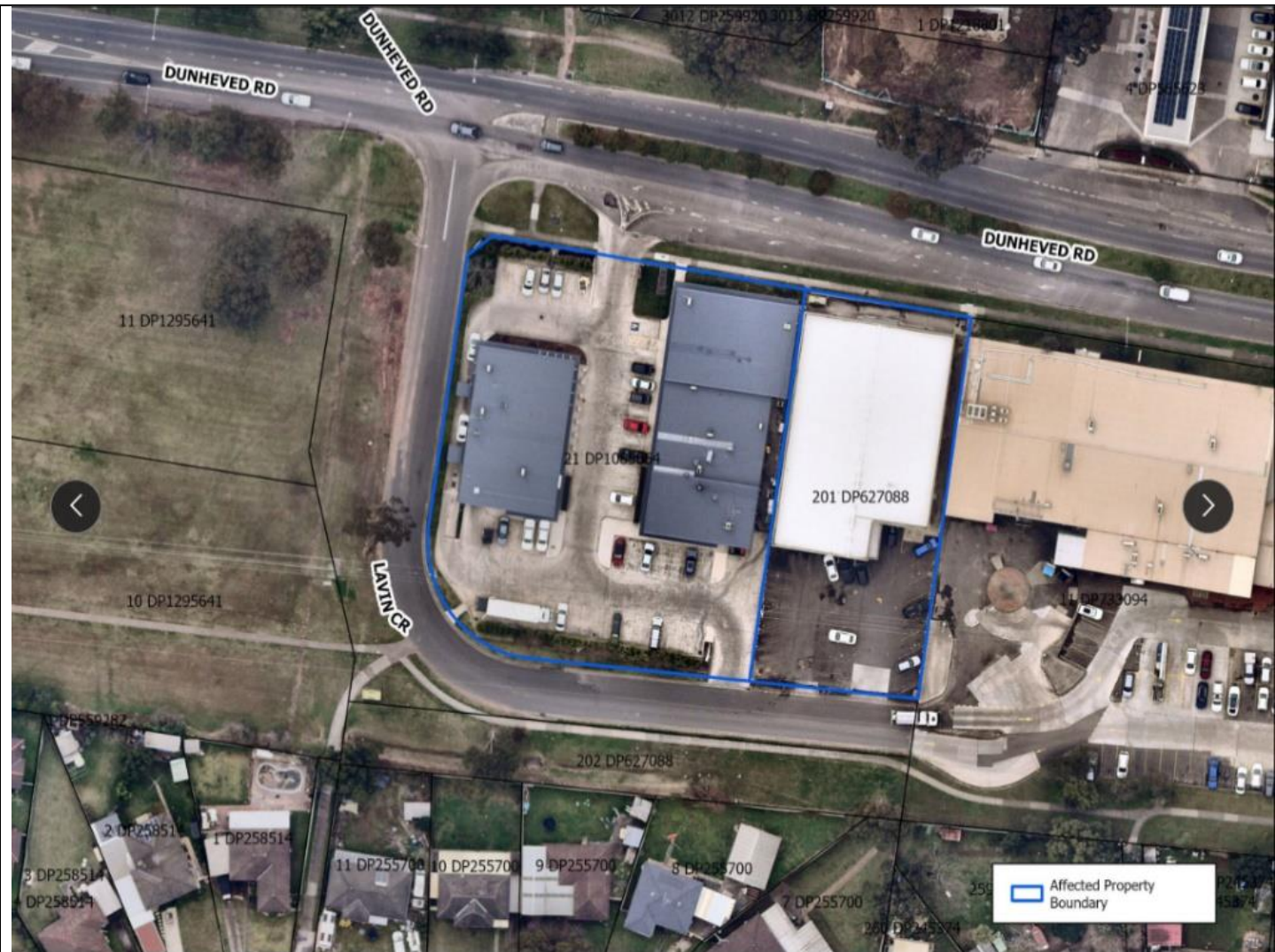
180–190 Swallow Drive,
Erskine Park, Lot 100,
DP 1134907



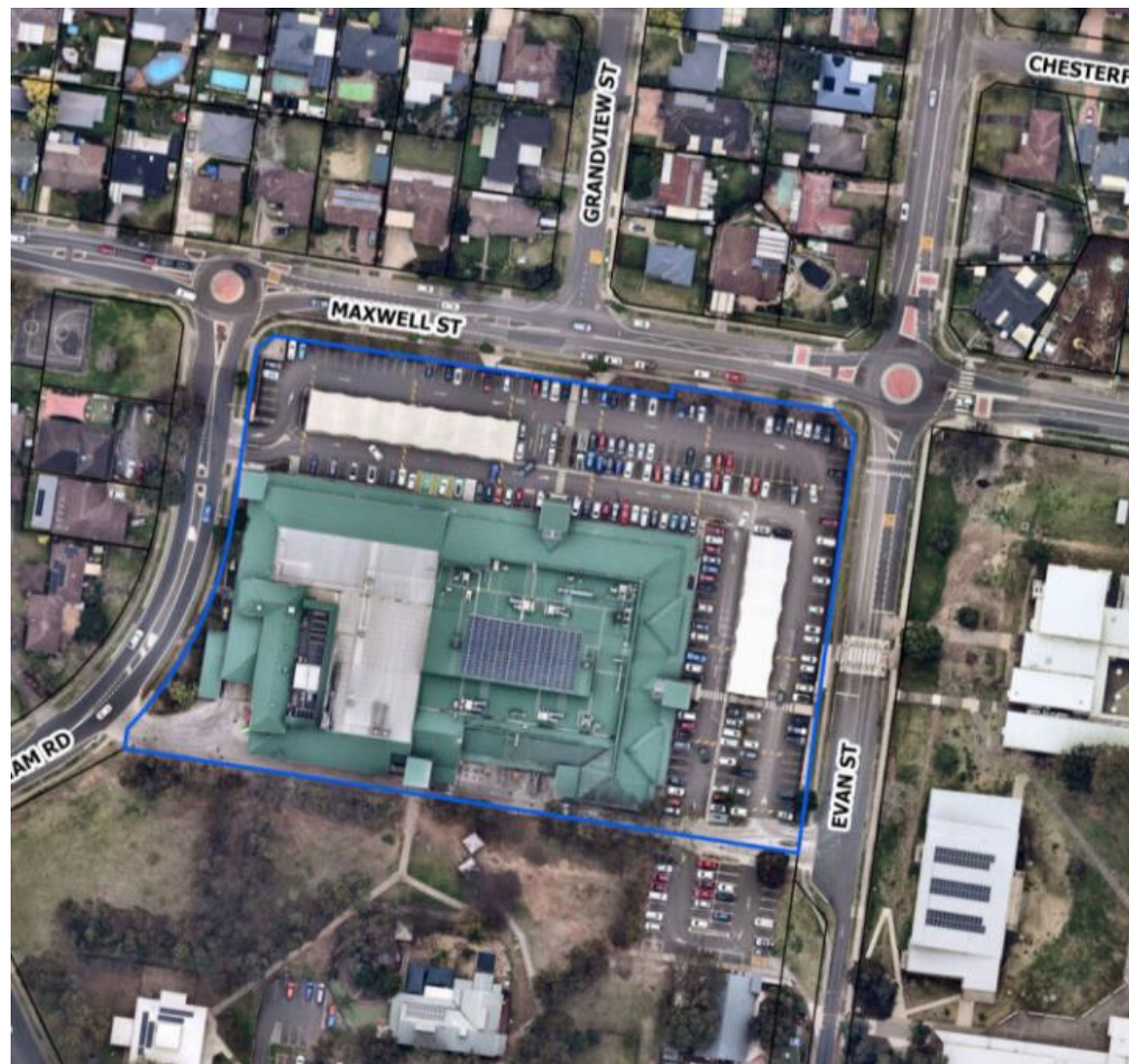
11 Caloola Avenue
Penrith and 35 & 41
Kareela Ave, Penrith
Lots 1-3, DP 530855



**Lot 21 Lavin Crescent,
Werrington County,
being Lot 21, DP
1085064 and 201
Dunheved Road,
Werrington County,
being Lot 201, DP
627088**



2 Birmingham Road,
South Penrith, Lot 12
DP 1120280



APPENDIX 2

Extract from Green Grid Strategy – Project 4.4
Werrington Creek.

CATALYST PROJECT 4.4: WERRINGTON CREEK

Shared path and creek restoration from Victoria Street, under Penrith Rail line corridor to Cosgrove Crescent



LEGEND

- 1 Potential shared path to Victoria St and Werrington Creek open space network to the north
- 2 Creek restoration to extend to Victoria St
- 3 Existing pedestrian bridge
- 4 Shared path link under train line
- 5 Restoration of creek alignment to eliminate erosion to create a biodiverse environment
- 6 Shared path linked to Great Western Highway
- 7 Potential signalised crossing to link to Werrington Creek open space corridor to the south

Note: Projects require refinement through design development in response to Key Stakeholder engagement.

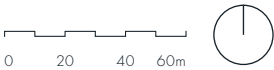


Figure 58. Concept Plan - Shared path connection and creek restoration to connect under train line to improve pedestrian link between Werrington and Kingswood



Figure 59. Existing View - Looking north at train line over drainage culverts with Great Western Highway beyond



Figure 60. Naturalized drainage channel with shared path to Great Western Highway

APPENDIX 3

Employment Lands Strategy

https://www.penrithcity.nsw.gov.au/images/documents/employment_lands_strategy_final_2021_v3_accessible.pdf

APPENDIX 4

Green Grid Strategy

https://hdp-au-prod-app-penr-yoursay-files.s3.ap-southeast-2.amazonaws.com/1216/4531/8224/Final_Penrith_Green_Grid_Strategy-compressed.pdf

APPENDIX 5

Consistency with State Environmental Policies

CONSISTENCY WITH STATE ENVIRONMENTAL PLANNING POLICIES (SEPPs)

Employment Zones Review Stage 2

State Environmental Planning Policy	PROPOSED LEP 2010 AMENDMENT					
	ITEM 1		ITEM 2		ITEM 3	
	Remove Clause 7.12 Maximum gross floor areas for commercial premises.		Introduce a Height of Buildings control for all lots within the E1 Local Centre in Leonay and Lemongrove, Penrith		Rezone Council owned land at 79 Great Western Highway Kingswood to RE1 Public Recreation	
	Relevant	Consistent	Relevant	Consistent	Relevant	Consistent
SEPP (Biodiversity and Conservation) 2021						
Chapter 2 – Vegetation in Non-rural Areas	Yes	Yes	Yes	Yes	Yes	Yes
Chapter 6 – Water Catchments	No	N/A	No	N/A	No	N/A
Chapter 13 – Strategic Conservation Planning	No	Yes	No	N/A	Yes	Yes
SEPP (Exempt and Complying Development Codes) 2008	No	N/A	No	N/A	Yes	Yes
SEPP (Housing) 2021						
Chapter 2 – Affordable Housing	No	N/A	No	N/A	No	N/A
Chapter 3 – Diverse Housing	No	N/A	No	N/A	No	N/A
Chapter 4- Design of Residential Apartment Development	No	N/A	No	N/A	No	N/A
Chapter 5 – Transport Oriented Development	No	N/A	No	N/A	No	N/A
SEPP (Industry and Employment) 2021						
Chapter 2 – Western Sydney Employment Area	No	N/A	No	N/A	No	N/A
Chapter 3 – Advertising and Signage	Yes	Yes	Yes	Yes	No	N/A
SEPP (Planning Systems) 2021						
Chapter 2 – State and Regional Development	No	N/A	No	N/A	No	N/A
Chapter 3 – Aboriginal Land	No	N/A	No	N/A	No	N/A
SEPP (Precincts – Western Parkland City) 2021						
Chapter 2 – State Significant Precincts	No	N/A	No	N/A	No	N/a
Chapter 4 – Western Sydney Aerotropolis	No	N/A	No	N/A	No	N/A
Chapter 5 – Penrith Lakes Scheme	No	N/A	No	N/A	No	N/A

State Environmental Planning Policy	PROPOSED LEP 2010 AMENDMENT					
	ITEM 1		ITEM 2		ITEM 3	
	Remove Clause 7.12 Maximum gross floor areas for commercial premises.		Introduce a Height of Buildings control for all lots within the E1 Local Centre in Leonay and Lemongrove, Penrith		Rezone Council owned land at 79 Great Western Highway Kingswood to RE1 Public Recreation	
	Relevant	Consistent	Relevant	Consistent	Relevant	Consistent
Chapter 6 – St Marys	No	N/A	No	N/A	No	N/A
SEPP (Primary Production) 2021						
Chapter 2 – Primary Production and Rural Development	No	N/A	No	N/A	No	N/A
SEPP (Resilience and Hazards) 2021						
Chapter 3 – Hazardous and Offensive Development	No	N/A	No	N/A	No	N/A
Chapter 4 – Remediation of Land	No	N/A	No	N/A	Yes	*
SEPP (Resources and Energy) 2021						
Chapter 2 – Mining, Petroleum Production and Extractive Industries	No	N/A	No	N/A	No	N/A
Chapter 3 – Extractive Industries in Sydney Area	No	N/A	No	N/A	No	N/A
SEPP (Sustainable Buildings) 2022						
Chapter 2 – Standards for Residential Development – BASIX	No	N/A	No	N/A	No	N/A
Chapter 3 – Standards for Non-residential Development	Yes	Yes	Yes	Yes	No	N/A
SEPP (Transport and Infrastructure) 2021						
Chapter 2 – Infrastructure	Yes	Yes	Yes	Yes	No	N/A
Chapter 3 – Educational Establishments and Child Care Facilities	Yes	Yes	No	N/A	No	N/A
Chapter 4 – Major Infrastructure Corridors	No	N/A	No	N/A	No	N/A

* See detailed comment in Planning Proposal Part 3 Section B Qu 6 Table 8

State Environmental Planning Policy	PROPOSED LEP 2010 AMENDMENT							
	ITEM 4		ITEM 5		ITEM 6		ITEM 7	
	Permit <i>service stations</i> in E4 General Industrial zone.		Update property description and mapping for Schedule 1 site in Cranebrook.		Introduce an additional permitted use for certain land zoned E4 General Industrial at Castlereagh Road Penrith, to allow vehicle sales or hire premises,		Remove certain land uses from Clause 38 that are permissible under State Environmental Planning Policies (SEPP)	
	Relevant	Consistent	Relevant	Consistent	Relevant	Consistent	Relevant	Consistent
SEPP (Biodiversity and Conservation) 2021								
Chapter 2 – Vegetation in Non-rural Areas	Yes	Yes	No	N/A	No	N/A	No	N/A
Chapter 6 – Water Catchments	No	N/A	No	N/A	No	N/A	No	N/A
Chapter 13 – Strategic Conservation Planning	No	N/A	No	N/A	Yes	Yes	Yes	Yes
SEPP (Exempt and Complying Development Codes) 2008	Yes	Yes	No	N/A	Yes	Yes	Yes	Yes
SEPP (Housing) 2021								
Chapter 2 – Affordable Housing	No	N/A	No	N/A	No	N/A	No	N/A
Chapter 3 – Diverse Housing	No	N/A	No	N/A	No	N/A	No	N/A
Chapter 4- Design of Residential Apartment Development	No	N/A	No	N/A	No	N/A	No	N/A
Chapter 5 – Transport Oriented Development	No	N/A	No	N/A	No	N/A	No	N/A
SEPP (Industry and Employment) 2021								
Chapter 2 – Western Sydney Employment Area	No	N/A	No	N/A	No	N/A	N/A	N/A
Chapter 3 – Advertising and Signage	Yes	Yes	No	N/A	Yes	Yes	No	N/A
SEPP (Planning Systems) 2021								

State Environmental Planning Policy	PROPOSED LEP 2010 AMENDMENT							
	ITEM 4		ITEM 5		ITEM 6		ITEM 7	
	Permit <i>service stations</i> in E4 General Industrial zone.		Update property description and mapping for Schedule 1 site in Cranebrook.		Introduce an additional permitted use for certain land zoned E4 General Industrial at Castlereagh Road Penrith, to allow vehicle sales or hire premises,		Remove certain land uses from Clause 38 that are permissible under State Environmental Planning Policies (SEPP)	
	Relevant	Consistent	Relevant	Consistent	Relevant	Consistent	Relevant	Consistent
Chapter 2 – State and Regional Development	No	No	No	N/A	No	N/A	No	N/A
Chapter 3 – Aboriginal Land	No	N/A	No	N/A	No	N/A	No	N/A
SEPP (Precincts – Western Parkland City) 2021								
Chapter 2 – State Significant Precincts	No	N/A	No	N/A	No	N/A	No	N/A
Chapter 4 – Western Sydney Aerotropolis	No	N/A	No	N/A	No	N/A	N/A	N/A
Chapter 5 – Penrith Lakes Scheme	No	N/A	No	N/A	No	N/A	N/A	N/A
Chapter 6 – St Marys	No	N/A	No	N/A	No	N/A	N/A	N/A
SEPP (Primary Production) 2021								
Chapter 2 – Primary Production and Rural Development	No	N/A	No	N/A	No	N/A	No	N/A
SEPP (Resilience and Hazards) 2021								
Chapter 3 – Hazardous and Offensive Development	No	N/A	No	N/A	No	N/A	No	N/A
Chapter 4 – Remediation of Land	Yes	*	No	N/A	No	N/A	No	N/A
SEPP (Resources and Energy) 2021								
Chapter 2 – Mining, Petroleum Production and Extractive Industries	No	N/A	No	N/A	No	N/A	No	N/A
Chapter 3 – Extractive Industries in Sydney Area	No	N/A	No	N/A	No	N/A	No	N/A
SEPP (Sustainable Buildings) 2022								
Chapter 2 – Standards for Residential Development – BASIX	No	N/A	No	N/A	No	N/A	No	N/A
Chapter 3 – Standards for Non-residential Development	No	N/A	No	N/A	Yes	Yes	Yes	Yes

State Environmental Planning Policy	PROPOSED LEP 2010 AMENDMENT							
	ITEM 4		ITEM 5		ITEM 6		ITEM 7	
	Permit <i>service stations</i> in E4 General Industrial zone.		Update property description and mapping for Schedule 1 site in Cranebrook.		Introduce an additional permitted use for certain land zoned E4 General Industrial at Castlereagh Road Penrith, to allow vehicle sales or hire premises,		Remove certain land uses from Clause 38 that are permissible under State Environmental Planning Policies (SEPP)	
	Relevant	Consistent	Relevant	Consistent	Relevant	Consistent	Relevant	Consistent
SEPP (Transport and Infrastructure) 2021								
Chapter 2 – Infrastructure	No	N/A	No	N/A	No	N/A	Yes	Yes.
Chapter 3 – Educational Establishments and Child Care Facilities	No	N/A	No	N/A	No	N/A	Yes	Yes
Chapter 4 – Major Infrastructure Corridors	No	N/A	No	N/A	No	N/A	No	N/A

* See detailed comment in Planning Proposal Table 8

APPENDIX 6

Consistency with Local Planning Directions

CONSISTENCY WITH SECTION 9.1 LOCAL PLANNING DIRECTIONS

Employment Zones Review Stage 2

Local Planning Direction	PROPOSED LEP 2010 AMENDMENT		
	ITEM 1	ITEM 2	ITEM 3
	Remove Clause 7.12 Maximum Gross Floor Area for Commercial Premises	Introduce a Height of Buildings control for all lots within the E1 Local Centre in Leonay and Lemongrove, Penrith	Rezone Council owned land at 79 Great Western Highway Kingswood to RE1 Public Recreation
	Comment	Comment	Comment
Focus Area 1: Planning Systems			
1.1 Implementation of Region Plans	Consistent.	Consistent.	Inconsistent. *
1.2 Development of Aboriginal Land Council land	N/A	N/A	N/A
1.3 Approval and Referral Requirements	Consistent.	Consistent.	Consistent.
1.4 Site Specific Provisions	Consistent	Consistent	Consistent
1.4A Exclusion of Development Standards from Variation	N/A	N/A	N/A
Focus Area 1: Planning Systems – Place-based			
1.10 Implementation of the Western Sydney Aerotropolis Plan	N/A	N/A	N/A
Note: all other directions do not apply to Penrith LGA			
Focus Area 3: Biodiversity and Conservation			
3.1 Conservation Zones	N/A	N/A	N/A
3.2 Heritage Conservation	Consistent.	Consistent.	Consistent.
3.3 Sydney Drinking Water Catchments	N/A	N/A	N/A
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	N/A	N/A
3.5 Recreation Vehicle Areas	N/A	N/A	Consistent
3.6 Strategic Conservation Planning	N/A	N/A	N/A
3.7 Public Bushland	Consistent	N/A	Consistent
Note: all other directions do not apply to Penrith LGA			
Focus Area 4: Resilience and Hazards			
4.1 Flooding	N/A	N/A	*
4.2 Coastal Management	N/A	N/A	N/A
4.3 Planning for Bushfire Protection	Consistent.	Consistent.	Consistent.
4.4 Remediation of Contaminated Land	N/A	N/A	*
4.5 Acid Sulfate Soils	N/A	N/A	N/A
4.6 Mine Subsidence and Unstable Land	N/A	N/A	N/A
Focus Area 5: Transport and Infrastructure			
5.1 Integrating Land Use and Transport	N/A	N/A	Consistent
5.2 Reserving Land for Public Purposes	N/A	N/A	Consistent
5.3 Development Near Regulated Airports and Defence Airfields	N/A	N/A	N/A
5.4 Shooting Ranges	N/A	N/A	N/A
5.5 High Pressure Dangerous Goods Pipelines	N/A	N/A	N/A

Focus Area 6: Housing			
6.1 Residential Zones	N/A	N/A	N/A
6.2 Caravan Parks and Manufactured Home Estates	N/A	N/A	N/A
Focus Area 7: Industry and Employment			
7.1 Employment Zones	Consistent	N/A	Inconsistent. *
7.2 Reduction in non-hosted short-term rental accommodation period	N/A to LGA	N/A to LGA	N/A to LGA
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A to LGA	N/A to LGA	N/A to LGA
Focus Area 8: Resources and Energy			
8.1 Mining, Petroleum Production and Extractive Industries	N/A	N/A	N/A
Focus Area 9: Primary Production			
9.1 Rural Zones	N/A	N/A	N/A
9.2 Rural Lands	N/A	N/A	N/A
9.3 Oyster Aquaculture	N/A	N/A	N/A
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	N/A to LGA	N/A to LGA	N/A to LGA

***See detailed response in Planning Proposal document Table 9**

* Local Planning Direction	PROPOSED LEP 2010 AMENDMENT			
	ITEM 4	ITEM 5	ITEM 6	ITEM 7
	Permit <i>service stations</i> in E4 General Industrial zone.	Update property description and mapping for Schedule 1 site in Cranebrook.	Introduce an additional permitted use for certain land zoned E4 General Industrial at Castlereagh Road Penrith, to allow vehicle sales or hire premises,	Remove certain land uses from Clause 38 that are permissible under State Environmental Planning Policies (SEPP)
	Comment	Comment	Comment	Comment
Focus Area 1: Planning Systems				
1.1 Implementation of Region Plans	Consistent.	Consistent.	Consistent.	Consistent.
1.2 Development of Aboriginal Land Council land	N/A	N/A	N/A	N/A
1.3 Approval and Referral Requirements	Consistent.	Consistent.	Consistent.	Consistent.
1.4 Site Specific Provisions	Consistent	Consistent	Consistent	Consistent.
1.4A Exclusion of Development Standards from Variation	N/A	N/A	N/A	N/A
Focus Area 1: Planning Systems – Place-based				
1.10 Implementation of the Western Sydney Aerotropolis Plan	N/A	N/A	N/A	N/A
<i>Note: all other directions do not apply to Penrith LGA</i>				
Focus Area 3: Biodiversity and Conservation				
3.1 Conservation Zones	N/A	N/A	N/A	Consistent.
3.2 Heritage Conservation	Consistent.	Consistent.	Consistent.	Consistent.
3.3 Sydney Drinking Water Catchments	N/A	N/A	N/A	N/A
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	N/A	N/A	N/A
3.5 Recreation Vehicle Areas	N/A	N/A	N/A	Consistent.
3.6 Strategic Conservation Planning	N/A	N/A	N/A	N/A
3.7 Public Bushland	N/A	N/A	N/A	Consistent.
<i>Note: all other directions do not apply to Penrith LGA</i>				
Focus Area 4: Resilience and Hazards				
4.1 Flooding	*	N/A	Consistent	Consistent.
4.2 Coastal Management	N/A	N/A	N/A	N/A
4.3 Planning for Bushfire Protection	Consistent.	Consistent.	Consistent.	Consistent.
4.4 Remediation of Contaminated Land	*	N/A	N/A	N/A
4.5 Acid Sulfate Soils	N/A	N/A	N/A	N/A
4.6 Mine Subsidence and Unstable Land	N/A	N/A	N/A	N/A
Focus Area 5: Transport and Infrastructure				
5.1 Integrating Land Use and Transport	N/A	N/A	N/A	Consistent.
5.2 Reserving Land for Public Purposes	N/A	N/A	N/A	N/A
5.3 Development Near Regulated Airports and Defence Airfields	N/A	N/A	N/A	N/A
5.4 Shooting Ranges	N/A	N/A	N/A	N/A
5.5 High Pressure Dangerous Goods Pipelines	N/A	N/A	N/A	N/A
Focus Area 6: Housing				
6.1 Residential Zones	N/A	N/A	N/A	N/A
6.2 Caravan Parks and Manufactured Home Estates	N/A	N/A	N/A	N/A



* Local Planning Direction	PROPOSED LEP 2010 AMENDMENT			
	ITEM 4	ITEM 5	ITEM 6	ITEM 7
	Permit <i>service stations</i> in E4 General Industrial zone.	Update property description and mapping for Schedule 1 site in Cranebrook.	Introduce an additional permitted use for certain land zoned E4 General Industrial at Castlereagh Road Penrith, to allow vehicle sales or hire premises,	Remove certain land uses from Clause 38 that are permissible under State Environmental Planning Policies (SEPP)
	Comment	Comment	Comment	Comment
Focus Area 7: Industry and Employment				
7.1 Employment Zones	Consistent	N/A	Consistent	Consistent.
7.2 Reduction in non-hosted short-term rental accommodation period	N/A to LGA	N/A to LGA	N/A to LGA	N/A to LGA
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A to LGA	N/A to LGA	N/A to LGA	N/A to LGA
Focus Area 8: Resources and Energy				
8.1 Mining, Petroleum Production and Extractive Industries	N/A	N/A	N/A	N/A
Focus Area 9: Primary Production				
9.1 Rural Zones	N/A	N/A	N/A	N/A
9.2 Rural Lands	N/A	N/A	N/A	N/A
9.3 Oyster Aquaculture	N/A	N/A	N/A	N/A
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	N/A to LGA	N/A to LGA	N/A to LGA	N/A to LGA

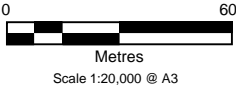
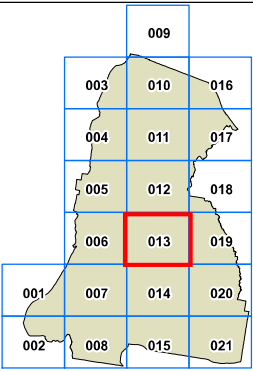
*See detailed response in Planning Proposal document Table 9

APPENDIX 7

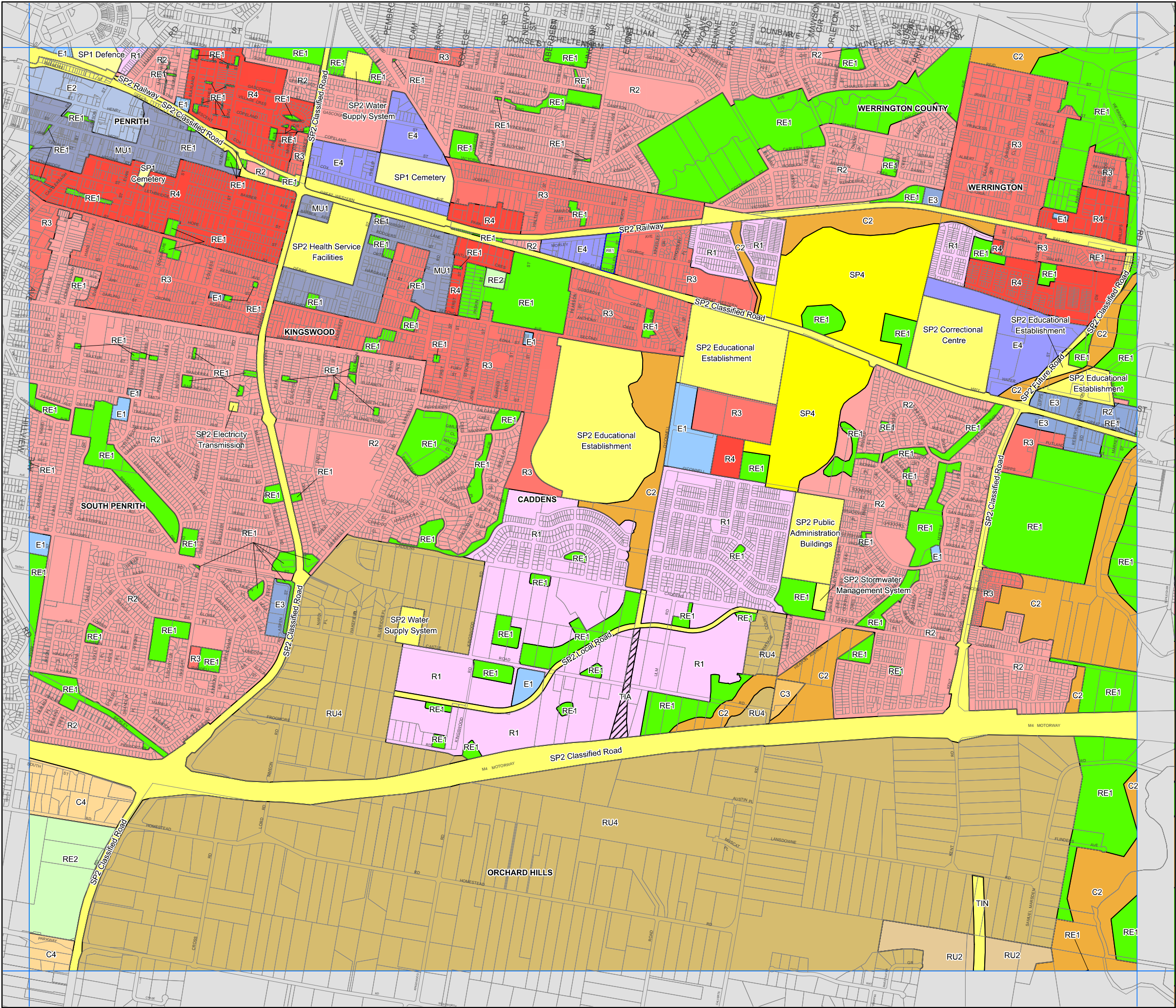
Proposed Penrith LEP 2010 map tiles

Land Zoning Map - Sheet LZN_013

- Zone**
- C1 National Parks and Nature Reserves
 - C2 Environmental Conservation
 - C3 Environmental Management
 - C4 Environmental Living
 - E1 Local Centre
 - E2 Commercial Centre
 - E3 Productivity Support
 - E4 General Industrial
 - MU1 Mixed Use
 - 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
 - RU4 Primary Production Small Lots
 - RU5 Village
 - SP1 Special Activities
 - SP2 Infrastructure
 - SP3 Tourist
 - SP4 Enterprise
 - W1 Natural Waterways
 - W2 Recreational Waterways
 - DM Deferred Matter
 - INE SEPP (Industry and Employment) 2021
 - TIN SEPP (Transport and Infrastructure) 2021
 - WPC SEPP (Precincts - Western Parkland City) 2021
-  Transport Investigation Area (Refer to Clause 7.32)
- Cadastre**
-  Cadastre 09/09/2024 © Spatial Services



Projection: GDA 1994
MGA Zone 56



Lot Size Map -
Sheet LSZ_013

Minimum Lot Size (sq m)

- B

220
- E

300
- F

400
- G

450
- K1

550
- K2

560
- M

600
- O

650
- 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

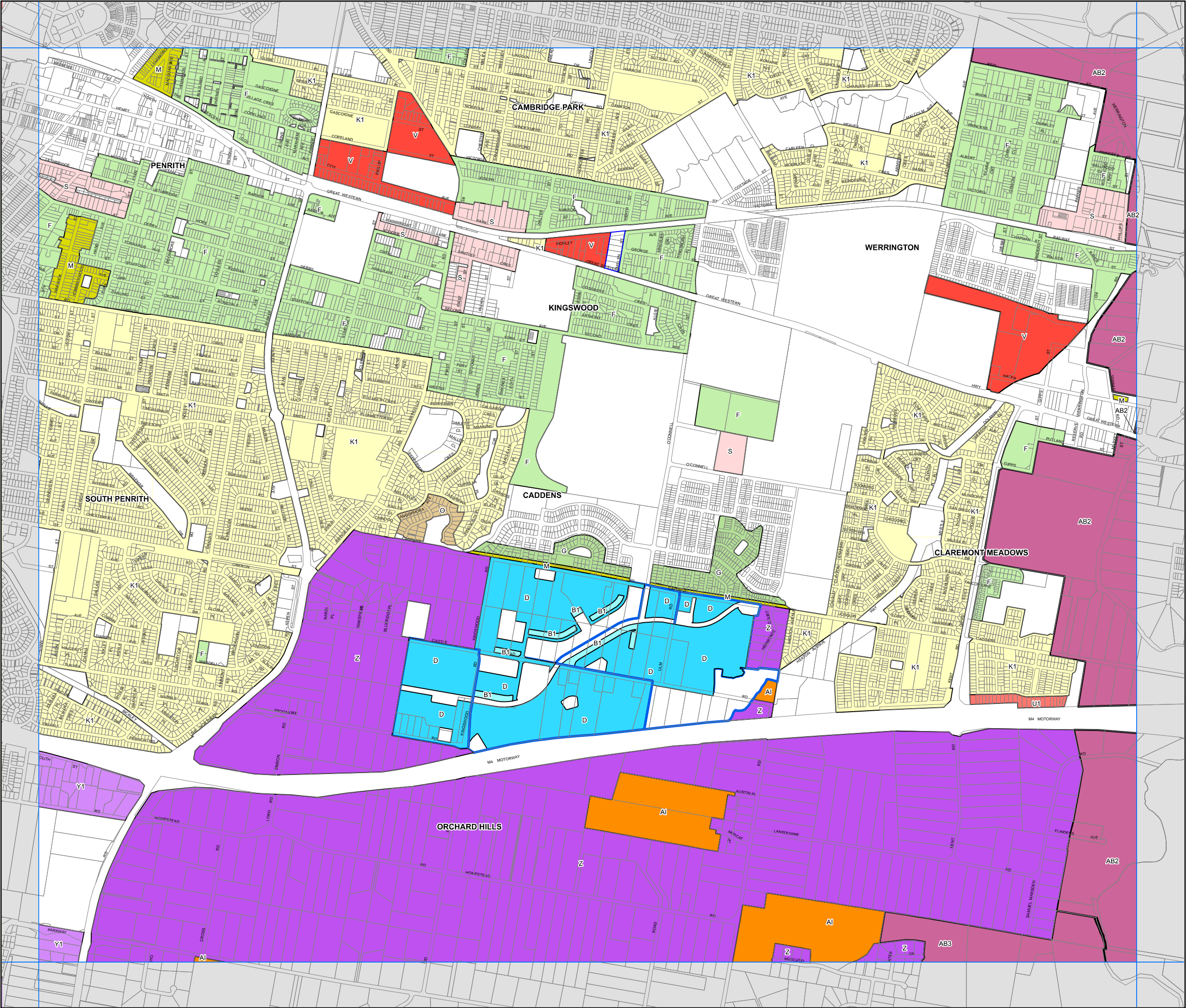
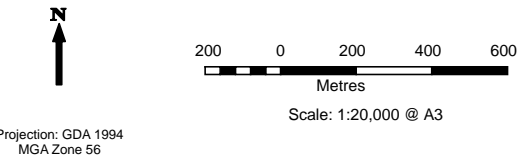
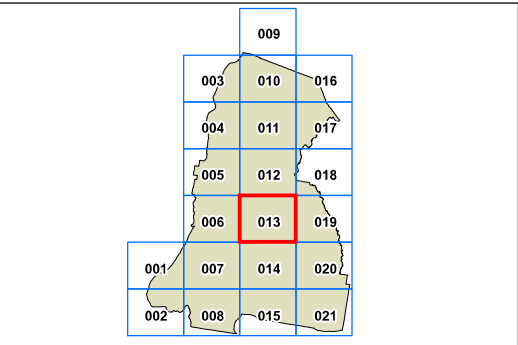
200000 (20 ha)
- AB3

400000 (40 ha)
- AI

1000000 (1000 ha+)
- Refer to Clause 7.16, 7.19, 7.21 & 7.31

Cadastre

- Cadastre 09/09/2024 © Spatial Services



Height of Buildings Map -
Sheet HOB_006

Maximum Building Height (m)

- A

0
- C

5
- I

8.5
- J

9
- K

10
- M1

12
- M2

12.5
- O

15
- P

18
- Q1

19
- Q2

20
- R

21
- S

24
- T

27
- U

32
- V

38
- Y

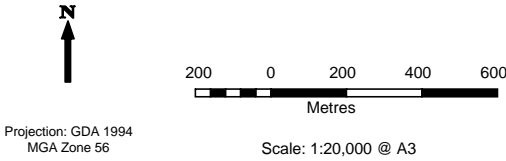
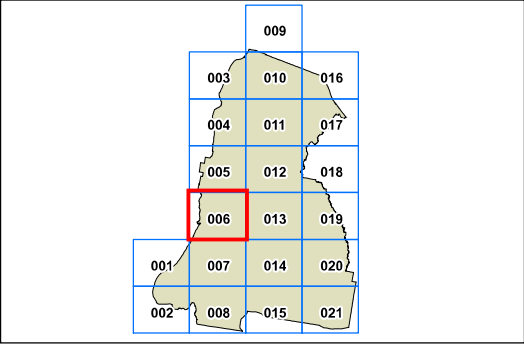
50
- Z

56
- AA

61
- AB

80
- Refer to Clause 7.16, 8.2 & 9.7

Cadastre
Cadastre 16/09/2024 © Spatial Services



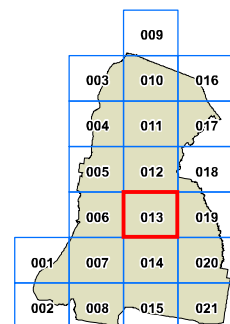
Height of Buildings Map - Sheet HOB_013

Maximum Building Height (m)

A	0
C	5
I	8.5
J	9
K	10
M1	12
M2	12.5
O1	15
O2	16
P	18
Q1	19
Q2	20
R	21
S	24
T	27
U	32
V	38
Y	50
Z	56
AA	61
AB	80
Refer to Clause 7.16, 7.16a, 7.20a, 8.2 & 9.7	

Cadastral

Cadastral 09/09/2024 © Spatial Services

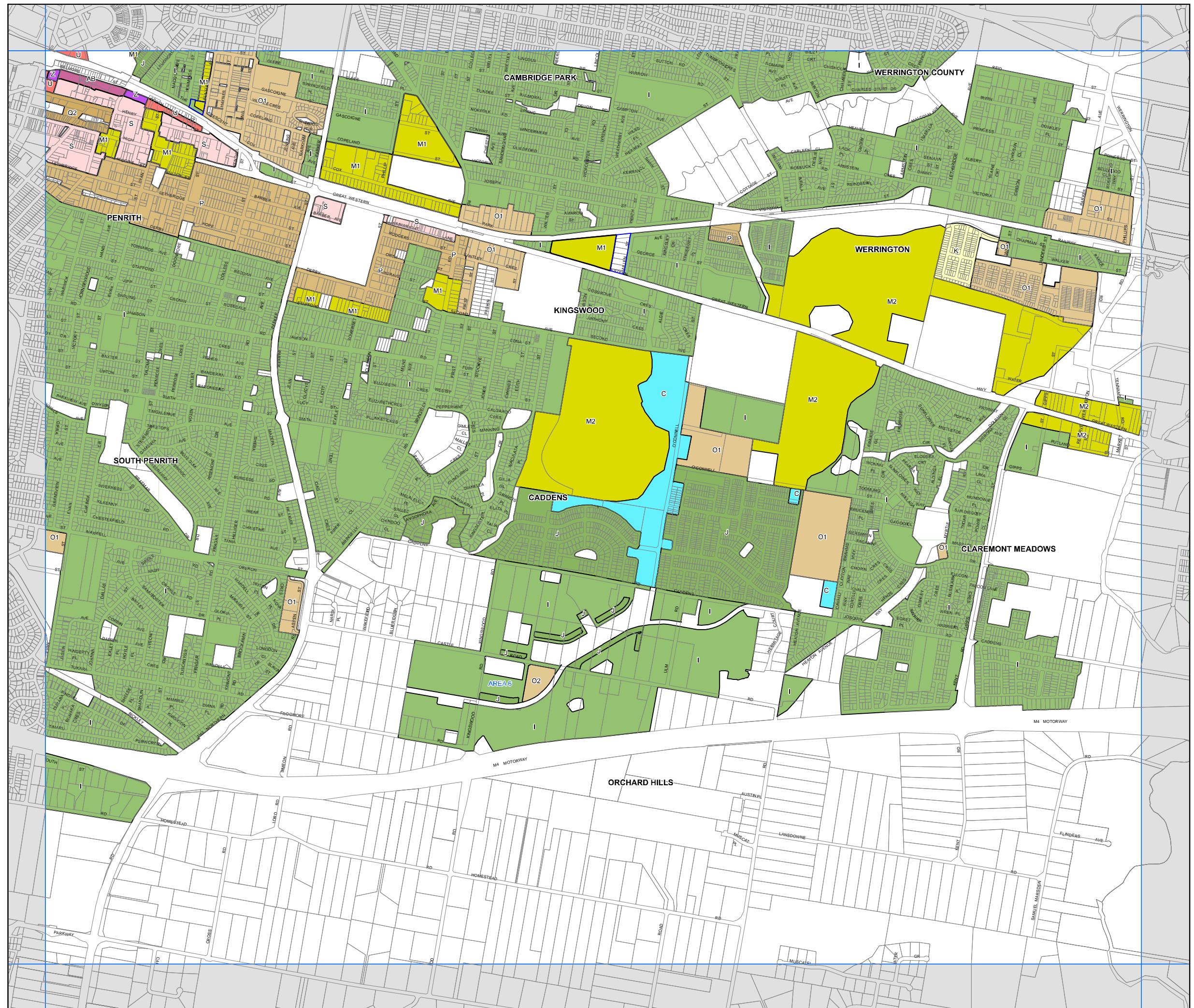


200 0 200 400 600
Metres

Projection: GDA 1994
MGA Zone 56

Scale: 1:20,000 @ A3

Map identification number:
6350_COM_HOB_013_020_20240909



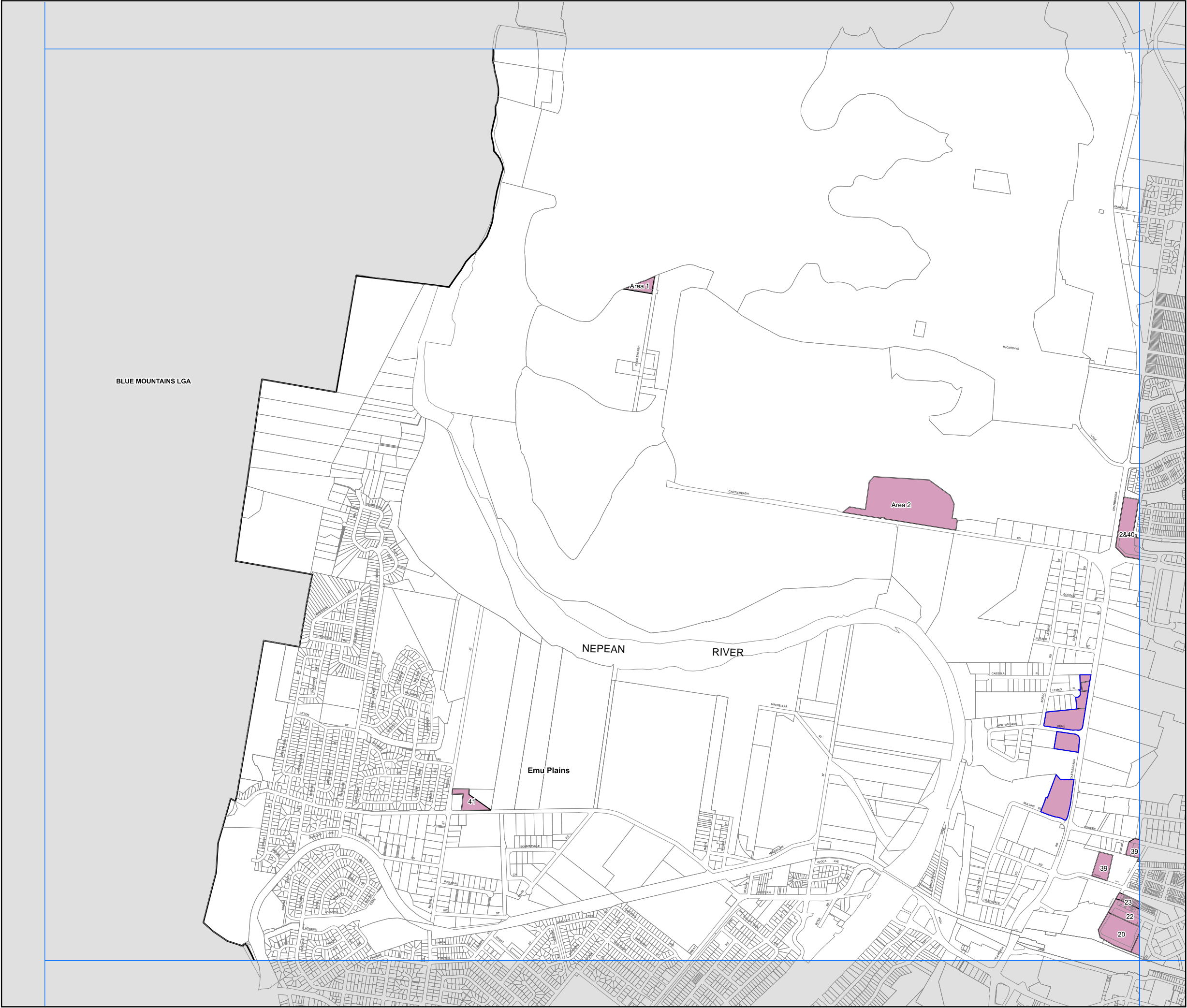
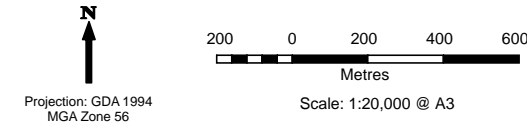
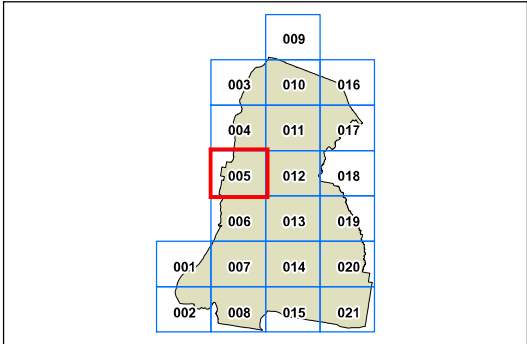
Additional Permitted Uses Map -
Sheet APU_005

Additional Permitted Uses

Refer to Schedule 1

Cadastre

Cadastre 09/09/2024 © Spatial Services



Penrith Local
Environmental
Plan 2010

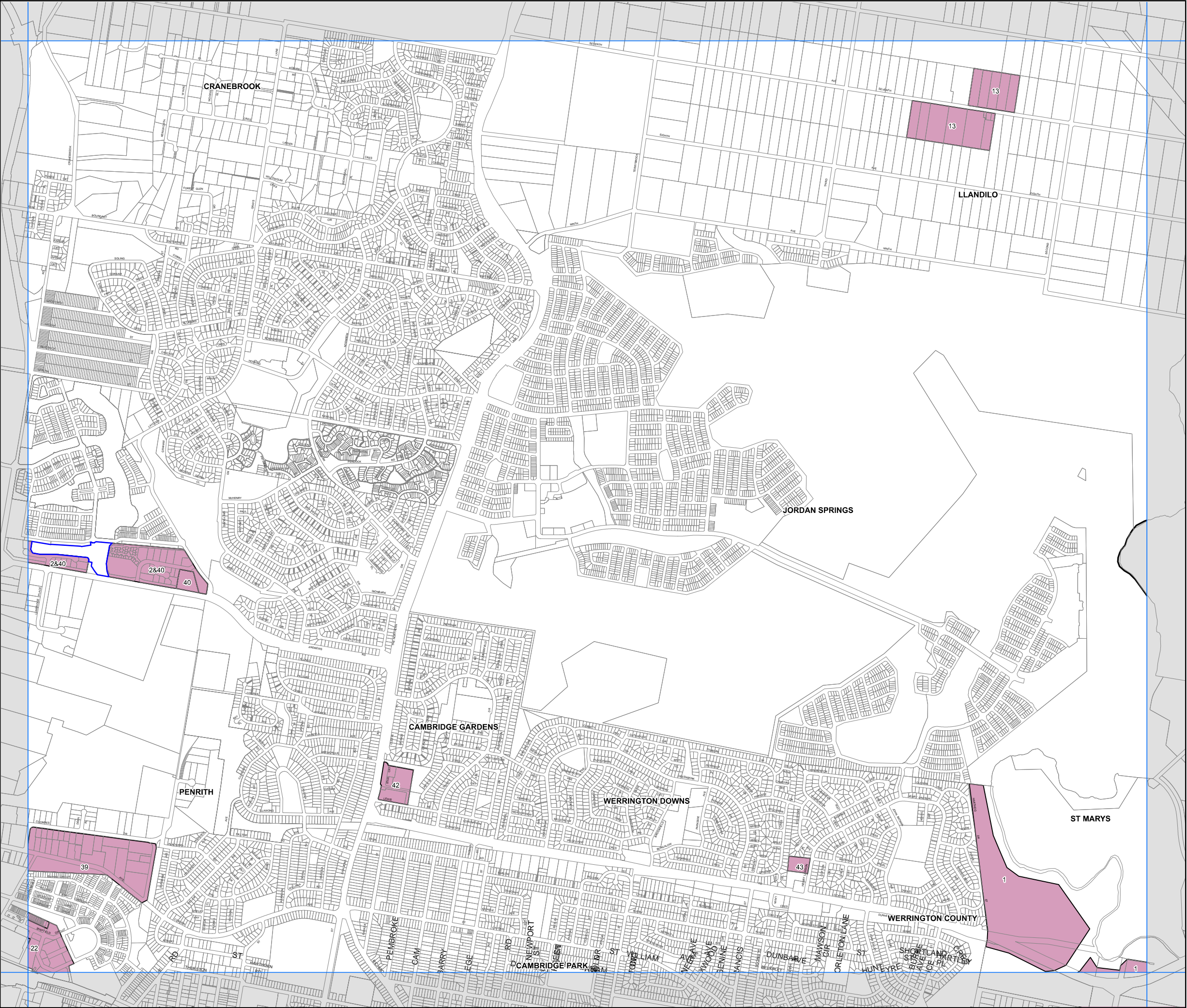
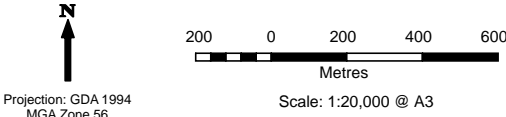
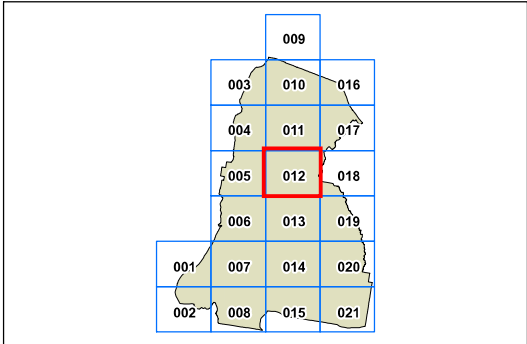
Additional Permitted Uses Map -
Sheet APU_012

Additional Permitted Uses


Refer to Schedule 1

Cadastre

Cadastre 09/09/2024 © Spatial Services



Additional Permitted Uses

 Refer to Schedule 1

Cadastre

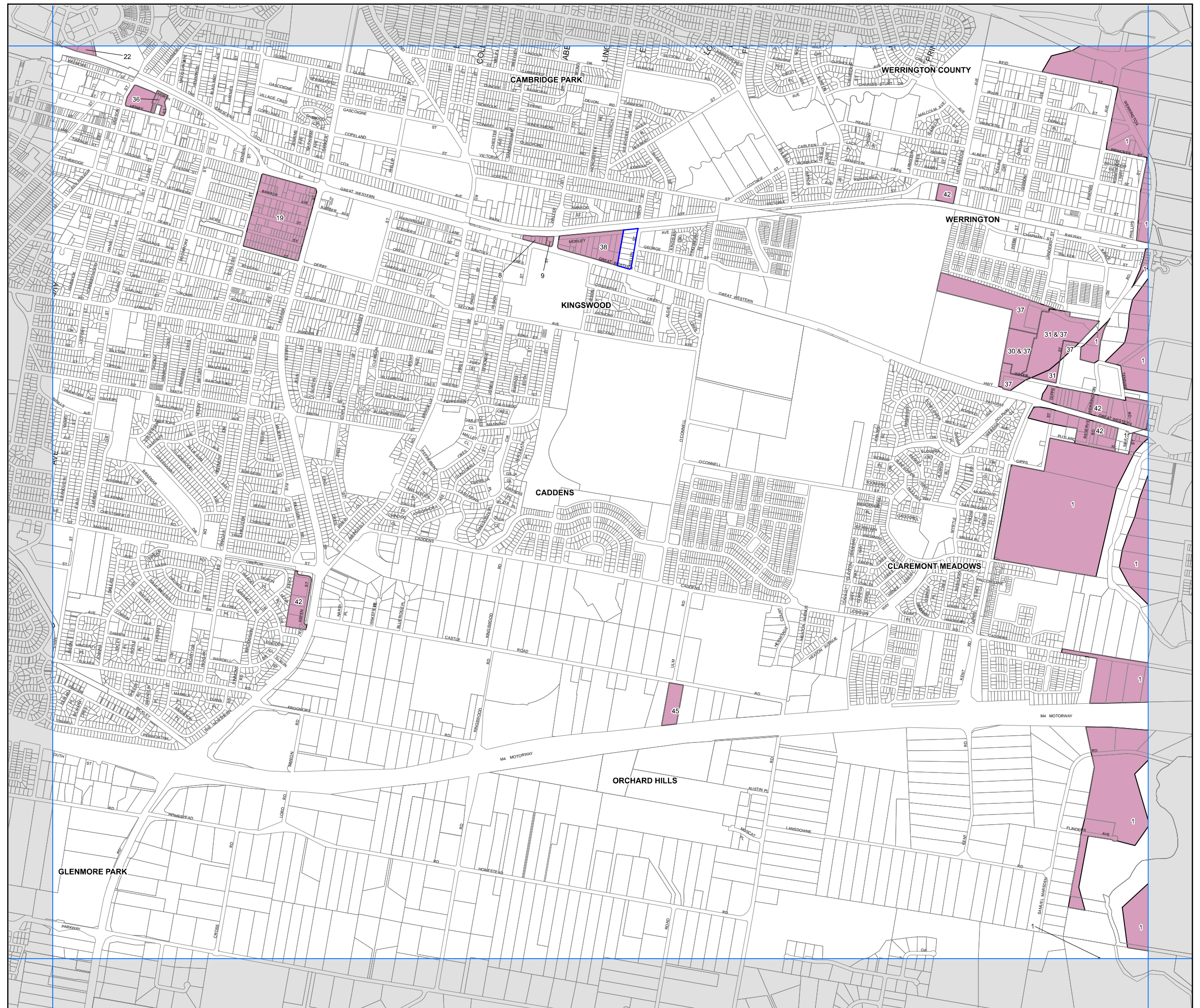
 Cadastre 09/09/2024 © Spatial Services



Projection: GDA 1994
MGA Zone 56

Scale: 1:20,000 @ A3

Map identification number:
6350_COM_APU_013_020_20240909







APPENDIX 8

Penrith Local Planning Panel Advice

Panel Advice provided pursuant to Section 2.19 of the EP&A Act 1979

The Panel has considered the Employment Zones Review Planning Proposal and the preliminary assessment prepared by Council officers and provides the following advice:

1. The Planning Proposal is generally supported for the following reasons:
 - a. The Planning Proposal is consistent with the Greater Sydney Region Plan and Western City District Plan.
 - b. The Planning Proposal is consistent with Penrith's Employment Lands Strategy, Green Grid Strategy and Local Strategic Planning Statement.
 - c. This Planning Proposal addresses various anomalies in the new Employment zones as a result of the 'direct translation' and seeks to apply consistency.
2. It is recommended that the Planning Proposal be progressed through the Gateway process.
3. The Panel encourages council to consider provision for vehicle sales or hire premises as part of the forthcoming LEP review.

Donna Rygate - Chair 	Bruce Simpson – Expert 
Patrick Hurley – Expert 	Harold Dulay – Community Representative 

APPENDIX 9

Council report and minutes

5 Planning Proposal - Employment Zones Review

Compiled by: Clare Tregenza, Planner
Abdul Cheema, City Planning Coordinator

Authorised by: Christine Gough, Head of City Planning
Andrew Jackson, Director Planning and Regulatory Services

Outcome	<i>We plan and shape our growing City</i>
Strategy	<i>Undertake strategic planning that will ensure balanced growth and liveability</i>
Principal Activity	<i>Facilitate appropriate land use outcomes for our city that are consistent with our Local Strategic Planning Statement</i>

Procedural note: Section 375A of the Local Government Act 1993 requires that a division be called in relation to this matter.

Executive Summary

Council has initiated a Planning Proposal that seeks to amend the Penrith Local Environmental Plan (LEP) 2010 to align with the outcomes of a review of its employment lands. The objectives of this Planning Proposal are to:

- make housekeeping amendments and correct anomalies within the LEP,
- respond to relevant actions within the Council's adopted Employment Lands Strategy and Green Grid Strategy,
- address submissions made to the Department of Planning, Housing and Infrastructure (DPHI), during their public exhibition of the Employment Zones Reform (2022), that were out of scope of Council's adopted 'direct translation approach' to this reform,
- implement the recommendations of Council's review of employment lands across the LGA.

The intended outcomes of the Planning Proposal are to:

- removed Clause 7.12 Maximum gross floor areas for commercial premises,
- ensure all E1 Local Centre zones have a height of buildings control,
- protect environmentally sensitive areas within employment zoned land in Kingswood,
- permit service stations within the E4 General Industrial zone,
- correct obsolete property descriptions and update mapping for E4 General Industrial zoned land at Cranebrook,
- introduce an additional permitted use for certain land zoned E4 General Industrial at Castlereagh Road Penrith, to allow vehicle sales or hire premises,
- remove certain land uses from Clause 38 that are permissible under State Environmental Planning Policies (SEPP).

Background

In late 2020, DPHI engaged with Penrith City Council and other councils on its intention to refine the zoning framework for employment lands. The reforms aimed to:

- remove widespread limitations on businesses that wish to establish, innovate or expand, and
- support the long-term economic recovery of NSW by increasing job creation and productivity, and the consolidation of business and industrial zones (a recommendation of the Productivity Commission's White Paper).

The Employment Zones Reform saw a translation of existing Business (B) and Industrial (I) zones to new Employment (E) zones. This process was initiated and managed by DPHI.

In November 2021 Council received its zone translation of LEP 2010 from DPHI, with the expectation that this would be reviewed and endorsed by Council by March 2022. DPHI's timeframe significantly impacted Council's ability to undertake a comprehensive review of the translation at that time. Therefore, a two-staged approach to this reform was developed.

Stage 1: Broadly adopt a 'direct translation' approach as part of the DPHI implementation. The outcome was minimal policy changes unless there were clear land use conflicts or where DPHI's secondary zone translation was more relevant. Council's intention in undertaking the review was to ensure affected property owners would maintain their development potential as a result of the translation. Stage 1 of the Employment Zones Reform was finalised in December 2022, with changes to the Standard Instrument LEP and LEP 2010.

Stage 2: Council undertakes a comprehensive review of the new employment zones framework at a later stage to ensure that the new framework is applied appropriately across the LGA with strong rationale. This would avoid any delay and allow DPHI's timeframes for finalisation to be met. This Planning Proposal represents Stage 2 of the Employment Zones Reform.

Stage 2 excluded land zoned under a SEPP, SP4 Tourist zones, SP3 Enterprise zones, the St Marys town centre and Penrith city centre as this will be addressed via an alternative planning process.

Planning Proposal – Proposed Amendments

The Planning Proposal is provided as Attachment 1 to this report. The proposed amendments included in the Planning Proposal are outlined below:

1. Remove Clause 7.12 Maximum gross floor area of commercial premises

The Planning Proposal seeks to remove this clause from the Part 7 Additional local provisions.

This clause applies to eight (8) E1 Local Centre zoned precincts. Most of these sites are fully developed, with three (3) E1 zoned precincts vacant or partially vacant. The clause was informed by historical Interim Development Orders (now repealed) and LEP controls dating back to the 1980's (that were consolidated in the Penrith LEP 2010 as part of the LEP Standard Instrument amendment), before major infrastructure initiatives like the Western Sydney Airport and Metro rail link, and prior to job targets being set for our local government area (LGA).

Across the LGA there are 29 E1 zoned precincts. Development in E1 zoned precincts that are not captured by the clause are assessed by relying on E1 zone objectives, existing LEP mechanisms and Development Control Plan (DCP) controls. Given the historical nature of the Clause 7.12 controls, the extent of development in these precincts and existing LEP and DCP controls that are in place, it is considered appropriate for the Clause 7.12 controls to be removed from the LEP, allowing all E1 zoned precincts to be assessed consistently across the LGA and provide development flexibility.

2. Introduce a Height of Buildings control for all lots within the E1 Local Centre zone in Leonay and Lemongrove, Penrith

The Planning Proposal seeks to correct an anomaly in LEP 2010 and apply a height of buildings control to E1 Local Centre zoned precincts in Leonay (8.5m) and Lemongrove (Penrith) (9m – 12m). This will result in all E1 zoned precincts having a height of buildings control in the LEP.

The E1 Local Centre zone includes the translation of previously zoned B1 Neighbourhood Centre and B2 Local Centre zones. Submissions to DPHI's Employment Zones Reform public exhibition raised concern around 'up-zoning' of land previously zoned B1 to E1, and that the centres hierarchy should not be undermined by unintended consequences of up-zoning of former B1 precincts to E1. The application of an appropriate height of building for all E1 Local Centres ensures there are existing LEP controls to guide development that respond to the location and scale of surrounding development.

For the Lemongrove site, the proposed height for the western lot is 9m. This lot falls within a heritage conservation area and is adjacent to a low-density residential zone (R2). For the remaining Lemongrove lots the proposed height is 12m, to align with adjacent heights of 12m and 15m. The zone adjacent to this area is high density residential (R4) and permits shop top housing.

3. Rezone Council owned land at 79 Great Western Highway Kingswood to RE1 Public Recreation

The Planning Proposal seeks to rezone certain land at 79 Great Western Highway from E4 General Industrial to RE1 Public Recreation. The intended outcome is to ensure environmentally sensitive land in this location is appropriately zoned and supports future restoration works and recreation uses on this land as identified in Council's Green Grid Strategy.

This E4 precinct in Kingswood is approximately 5.4 hectares in total. The proposed amendment seeks to rezone 1.6 hectares (30%) of this area to a RE1 Public Recreation zone. The proposed rezoning area is Council owned and is part of a current greening and restoration project that has seen over 5,000 trees planted. Activation of this land for employment or industrial purposes is unlikely, as the land has been identified in the Council's Green Grid Strategy as a Catalyst Project, and the land is constrained by flooding.

This amendment also proposes the removal of the subject land from the height of buildings layer, additional permitted uses layer and the minimum lot size layer consistent with the approach taken for RE1 Public Recreation zones across the LGA.

Local Strategic Planning Statement

The relevant Planning Priorities in the Local Strategic Planning Statement are:

- Planning Priority 18: Connect our green and blue grid, and
- Planning Priority 21: Cool our city.

This amendment is consistent with Planning Priority 18 and 20, as:

- it aligns with Council's adopted Green Grid Strategy Catalyst Project 4.4: Werrington Creek,
- it will result in future proofing the land by applying the most appropriate zone and preparing the site for when project funding, design and stakeholder engagement is further refined,

rezoning the land to RE1 supports efforts to connect our green and blue grid. Connecting our bushland and waterways are essential for habitat and ecological health. Open spaces are important for recreation, exercise, and social interaction. By providing a connected green grid we can support walking, cycling and better access to these green spaces.

Employment Lands Strategy

The relevant action in Council's Employment Lands Strategy is:

- Action 8 – Protecting and enhancing environmentally sensitive areas within employment precincts in line with the Green Grid Strategy.

This amendment is consistent with Action 8 as it will result in an outcome where land identified as important to provide green link connections is protected. Council has commenced significant restoration and tree planting efforts on this site, enhancing this area and preparing it as a future green link.

Green Grid Strategy

The relevant priority in Council's Green Grid Strategy is:

- 4.4 Werrington Creek, shared path and creek restoration from Victoria Street, under Penrith Rail Line Corridor to Cosgrove Crescent.

This amendment is consistent with Project 4.4, as rezoning the land to RE1 supports efforts to connect our green and blue grid. The Green Grid Strategy provides the basis for recognising and highlighting the existing green infrastructure (bushland, waterways, open and recreation space), as well as developing opportunities to reinforce this network with new green links.

4. Permit service stations in E4 General Industrial zone

The planning proposal seeks to amend LEP 2010 to permit *service stations* in the E4 General Industrial zone. The intended outcome is to allow this use to support industrial and nearby residential populations, and formalise the existing situation that sees a large number of service stations already established in the E4 zone across the LGA. This matter was raised in submissions. It is considered a minor amendment and has strategic merit.

5. Correct obsolete property descriptions and update mapping for E4 General Industrial zoned land at Cranebrook

The planning proposal seeks to amend LEP 2010 to:

- update property descriptions for sites identified in Schedule 1 Additional Permitted Uses - Clause 2 to respond to subdivision approvals in the area, and
- remove the application of Schedule 1 Additional Permitted Uses Clause 38 for land that is part of the lake system in Waterside estate, Cranebrook.

Both changes are housekeeping amendments and are considered appropriate given recent subdivisions and to acknowledge land forming part of the lake system within the Waterside estate does not align with the additional permitted uses identified in Clause 38.

6. Introduce an additional permitted use for certain land zoned E4 General Industrial fronting Castlereagh Road, Penrith to allow *vehicle sales or hire premises*

The intention of this amendment is to:

- formalise the existing situation that sees vehicle sales or hire premises established on certain E4 zoned land fronting Castlereagh Road, Penrith,
- permit this use (currently permissible in E1, E2, E3 and MU1 zones) in locations with appropriate access and visibility.

It is considered appropriate to formalise this use on the subject land. LEP 2010 currently permits this use in the E3 Productivity Support zone in locations along the Great Western Highway Kingswood, Mulgoa Road at Jamisontown and on smaller sites across the LGA. The subject land provides good accessibility to the site for customers and larger logistical traffic movements.

7. Remove certain land uses from Additional Permitted Use Clause 38, that are permissible under State Environmental Planning Policies (Transport and Infrastructure) 2021.

The intended outcome of this amendment is to remove land uses from Schedule 1 Additional Permitted Use *Clause 38 Use of certain land at Werrington, Kingswood, Penrith, Cranebrook, Orchard Hills and Emu Plains* as follows:

- Electricity generating works,
- Resource recovery facilities,
- Waste or resource transfer stations and
- Service stations.

This is a housekeeping amendment to remove land uses from an additional permitted use clause:

- that are permitted with consent under SEPP (Transport and Infrastructure) 2021, and
- to align with Item 4, that will insert service stations into the E4 General Industrial land use table, thereby rendering its inclusion in Clause 38 obsolete.

Local Planning Panel Advice

On 25 September 2024, the Planning Proposal was presented to the Local Planning Panel to obtain advice. The advice provided is to be taken into consideration in Council's preparation of the Planning Proposal.

The Local Planning Panel advised the following:

- 1) The Planning Proposal is generally supported for the following reasons:
 - a) The Planning Proposal is consistent with the Greater Sydney Region Plan and Western City District Plan.
 - b) The Planning Proposal is consistent with Penrith's Employment Lands Strategy, Green Grid Strategy and Local Strategic Planning Statement.
 - c) This Planning Proposal addresses various anomalies in the new Employment zones as a result of the 'direct translation' and seeks to apply consistency.
- 2) It is recommended that the Planning Proposal be progressed through the Gateway process.
- 3) The Panel encourages Council to consider provision for vehicle sales or hire premises as part of the forthcoming LEP review.

The Local Planning Panel's advice is provided as Attachment 2 to this report.

Conclusion

Council has initiated a Planning Proposal that seeks to amend LEP 2010 to align with the outcomes of a review of its employment lands. The Planning Proposal is consistent with the Greater Sydney Region Plan, the Western City District Plan, and Council's Employment Lands Strategy, Green Grid Strategy and Local Strategic Planning Statement. The Planning Proposal addresses various anomalies in the new Employment zones as a result of the 'direct translation' and seeks to apply consistency.

Financial Implications

There are no financial implications for Council associated with this report.

Risk Implications

There are no financial implications for Council associated with this report.

RECOMMENDATION

That:

1. The information contained in the report on Planning Proposal - Employment Zones Review be received.
2. Council endorse the Planning Proposal provided as Attachment 1 to proceed through the Department of Planning, Housing and Infrastructure's Gateway process for Local Environmental Plan amendments.
3. Council officers forward the Planning Proposal to the Minister for Planning with a request to issue a Gateway Determination. The submission will include a request to issue Council with Delegation for plan making authority.
4. The General Manager be granted delegation to make any necessary changes to the Planning Proposal referred to in resolution 2:
 - prior to Council's submission of the Planning Proposal to the Minister for Planning to request a Gateway Determination;

-
- as a result of negotiated changes sought by the Department of Planning, Housing and Infrastructure in the lead up to issuing a Gateway Determination; and
 - prior to public exhibition in response to the conditions of the Gateway Determination or negotiation with State agencies.
5. Council publicly exhibits the Planning Proposal for a period specified in the Gateway Determination and in accordance with the community consultation requirements of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000.
 6. A further report be presented to Council following the public exhibition.

ATTACHMENTS/APPENDICES

- | | | |
|--------------------------------|----------|----------------------|
| 1. Planning Proposal | 86 Pages | Attachments Included |
| 2. Local Planning Panel Advice | 1 Page | Attachments Included |

of the Master Plan, noting coordination of State services (utilities upgrades etc.) is required to accommodate the anticipated growth.

5. The General Manager be granted delegation to make any typographical or administrative changes to the Master Plan and/or Explanation of Intended Effects, as required, consistent with the strategic intent.
6. Submitters be advised of Council's decision.

The AMENDMENT was WITHDRAWN.

The MOTION was PUT.

The MOTION was CARRIED.

5 Planning Proposal - Employment Zones Review

41 RESOLVED on the MOTION of Councillor Libby Austin seconded Councillor Hollie McLean

That:

1. The information contained in the report on Planning Proposal - Employment Zones Review be received.
2. Council endorse the Planning Proposal provided as Attachment 1 to proceed through the Department of Planning, Housing and Infrastructure's Gateway process for Local Environmental Plan amendments.
3. Council officers forward the Planning Proposal to the Minister for Planning with a request to issue a Gateway Determination. The submission will include a request to issue Council with Delegation for plan making authority.
4. The General Manager be granted delegation to make any necessary changes to the Planning Proposal referred to in resolution 2:
 - prior to Council's submission of the Planning Proposal to the Minister for Planning to request a Gateway Determination;
 - as a result of negotiated changes sought by the Department of Planning, Housing and Infrastructure in the lead up to issuing a Gateway Determination; and
 - prior to public exhibition in response to the conditions of the Gateway Determination or negotiation with State agencies.
5. Council publicly exhibits the Planning Proposal for a period specified in the Gateway Determination and in accordance with the community consultation requirements of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000.
6. A further report be presented to Council following the public exhibition.

In accordance with Section 375A of the Local Government Act 1993, a DIVISION was then called with the following result:

For**Against**

Councillor Todd Carney
Councillor Ross Fowler OAM
Councillor Libby Austin
Councillor Kirstie Boerst
Councillor Robin Cook
Councillor Glenn Gardiner
Councillor Sabbie Kaur
Councillor Hollie McLean
Councillor John Thain
Councillor Edwin Mifsud
Councillor Reece Nuttall
Councillor Vanessa Pollak
Councillor Faithe Skinner
Councillor Garion Thain

6 Planning Proposal for the Reclassification of 3 Sites – St Marys

42 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Garion Thain

That:

1. The information contained in the report on Planning Proposal for the Reclassification of 3 Sites – St Marys be received.
2. Council endorse the Planning Proposal provided as Attachment 2 to proceed through the Department of Planning, Housing and Infrastructure's Gateway process for Local Environmental Plan amendments.
3. Council officers forward the Planning Proposal to the Minister for Planning with a request to issue a Gateway Determination.
4. The General Manager be granted delegation to make any necessary changes to the Planning Proposal referred to in resolution 2:
 - prior to Council's submission of the Planning Proposal to the Minister for Planning to request a Gateway Determination;
 - as a result of negotiated changes sought by the Department of Planning, Housing and Infrastructure in the lead up to issuing a Gateway Determination; and
 - prior to public exhibition in response to the conditions of the Gateway Determination or negotiation with State agencies.
5. Council publicly exhibits the Planning Proposal for a period specified in the Gateway Determination and in accordance with the community consultation requirements of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000.