

APPENDIX 04

Proposed LEP 2010 Part 9 Penrith Panthers Site

9.1 Objectives of Part

The objectives of this Part are as follows:

- (a) to ensure that development of land at Penrith Panthers occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land,
- (b) to limit the density of retail premises on the land,
- (c) to manage the gross floor area of office premises on the land.

9.2 Application of Part

This Part applies to land identified as “Panthers” on the Clause Application Map.

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 will not exceed 12,500 square metres for retail premises, and
 - (b) any part 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 any other purpose.
- (2) In addition to any other area excluded by the definition of gross floor area, in this clause the gross floor area of a building does not include the following:
 - (a) any space used by or for the purposes of centre management,
 - (b) toilets,
 - (c) any space used for common storage,
 - (d) terraces and balconies with outer walls less than 1.5 metres high.

9.4 (Repealed)

9.5 Campus style office development

Development consent must not be granted for development for the purposes of office premises on land identified as “Campus style office development” on the Clause Application Map unless the consent authority is satisfied that:

- (a) the development will not result in a combined gross floor area of all office premises on that land of more than 25,000 square metres, and
- (b) each floor of any building in which the development will be carried out will have a gross floor area of at least 1,500 square metres, and
- (c) the development will not result in office premises being located in more than 5 buildings on that land.

9.6 Development control plan for land to which this Part applies

- (1) Development consent must not be granted for development on land to which this Part applies unless a development control plan that provides for the following matters has been prepared for the land:

- (a) a staging plan for the timely and efficient release of urban land, making provision for necessary infrastructure and sequencing,
 - (b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,
 - (c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,
 - (d) a network of active and passive recreation areas,
 - (e) stormwater and water quality management controls,
 - (f) amelioration of natural and environmental hazards, including bush fire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,
 - (g) detailed urban design controls for significant development sites,
 - (h) measures to encourage higher density living around transport, open space and service nodes,
 - (i) measures to accommodate and control appropriate neighbourhood commercial and retail uses,
 - (j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking,
 - (k) the protection and enhancement of the amenity of residents in the vicinity of the development.
- (2) Subclause (1) does not apply to any of the following developments:
- (a) a subdivision for the purpose of a realignment of boundaries that does not create additional lots,
 - (b) a subdivision of land if any of the lots proposed to be created is to be reserved or dedicated for public open space, public roads or any other public or environment protection purpose,
 - (c) a subdivision of land in a zone in which the erection of structures is prohibited,
 - (d) development on land that is of a minor nature only, if the consent authority is of the opinion that the carrying out of the development would be consistent with the objectives of the zone in which the land is situated.

9.7 Maximum residential development capacity

- (1) The objective of this clause is to limit the maximum residential development capacity potential at a portion of the land to which this Part applies so that no additional residential yield is generated.
- (2) This clause applies to land in the vicinity of Retreat Drive, Penrith, identified as “Area 5” on the Height of Buildings map, being a portion of the land to which this Part applies.
- (3) The land to which this clause applies must not be developed for more than 850 dwellings and 80,400 square metres of residential gross floor area.

Current	Tracked Changes	Proposed
9.1 Objectives of Part The objectives of this Part are as follows: <ul style="list-style-type: none"> (a) to ensure that development of land at Penrith Panthers occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land, (b) to limit the density and type of retail premises on the land, (c) to set a minimum lot size for community title schemes or strata plan schemes on the land, (d) to manage the gross floor area of office premises on the land. 	9.1 Objectives of Part The objectives of this Part are as follows: <ul style="list-style-type: none"> (a) to ensure that development of land at Penrith Panthers occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land, (b) to limit the density and type of retail premises on the land, (c) to set a minimum lot size for community title schemes or strata plan schemes on the land, (d) to manage the gross floor area of office premises on the land. 	9.1 Objectives of Part The objectives of this Part are as follows: <ul style="list-style-type: none"> (a) to ensure that development of land at Penrith Panthers occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land, (b) to limit the density of retail premises on the land, (c) to manage the gross floor area of office premises on the land.
9.2 Application of Part This Part applies to land identified as “Panthers” on the Clause Application Map.	9.2 Application of Part This Part applies to land identified as “Panthers” on the Clause Application Map.	9.2 Application of Part This Part applies to land identified as “Panthers” on the Clause Application Map.
9.3 Density of retail premises (including outlet premises) (1) Development consent must not be granted for development for the purpose of retail premises unless the consent authority is satisfied that: <ul style="list-style-type: none"> (a) the total gross floor area of all buildings will not exceed: <ul style="list-style-type: none"> (i) 12,500 square metres for retail premises other than outlet premises, and (ii) 25,000 square metres for outlet centres, and (b) any part of the development used for retail premises other than outlet centres 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 (excluding outlet centres) for every 10 square metres of gross floor area used for any other purpose. (2) Development consent must not be granted for development for the purpose of outlet centres unless the consent authority is satisfied that development comprising at least 15,000 square metres of gross floor area used for a purpose other than commercial premises or residential accommodation is or will be located on the land. (3) Retail premises are outlet centres if: <ul style="list-style-type: none"> (a) the principal purpose of the building or place is the sale, by one or more retailers, of goods that are surplus, seconds, samples, discontinued stock or the like at prices below the manufacturer’s normal recommended retail prices, and (b) the retail premises attract, or are likely to attract, a substantial number of customers and tourists from outside the local area, and 	9.3 Density of retail premises (including outlet premises) (1) Development consent must not be granted for development for the purpose of retail premises unless the consent authority is satisfied that: <ul style="list-style-type: none"> (a) the total gross floor area of all buildings will not exceed: <ul style="list-style-type: none"> (i) 12,500 square metres for retail premises other than outlet premises, and (ii) 25,000 square metres for outlet centres, and (b) any part of the development used for retail premises other than outlet centres 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 (excluding outlet centres) for every 10 square metres of gross floor area used for any other purpose. (2) Development consent must not be granted for development for the purpose of outlet centres unless the consent authority is satisfied that development comprising at least 15,000 square metres of gross floor area used for a purpose other than commercial premises or residential accommodation is or will be located on the land. (3) Retail premises are outlet centres if: <ul style="list-style-type: none"> (a) the principal purpose of the building or place is the sale, by one or more retailers, of goods that are surplus, seconds, samples, discontinued stock or the like at prices below the manufacturer’s normal recommended retail prices, and (b) the retail premises attract, or are likely to attract, a substantial number of customers and tourists from outside the local area, and 	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: <ul style="list-style-type: none"> (a) the total gross floor area of all buildings will not exceed 12,500 square metres for retail premises, and (b) any part 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 any other purpose. (2) In addition to any other area excluded by the definition of gross floor area, in this clause the gross floor area of a building does not include the following: <ul style="list-style-type: none"> (a) any space used by or for the purposes of centre management, (b) toilets, (c) any space used for common storage, (d) terraces and balconies with outer walls less than 1.5 metres high.

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<p>(c) the retail premises are not bulky goods premises.</p> <p>(4) In addition to any other area excluded by the definition of gross floor area, in this clause the gross floor area of a building does not include the following:</p> <ul style="list-style-type: none"> (a) any space used by or for the purposes of centre management, (b) toilets, (c) any space used for common storage, (d) terraces and balconies with outer walls less than 1.5 metres high. 	<p>(c) the retail premises are not bulky goods premises.</p> <p>(4) In addition to any other area excluded by the definition of gross floor area, in this clause the gross floor area of a building does not include the following:</p> <ul style="list-style-type: none"> (a) any space used by or for the purposes of centre management, (b) toilets, (c) any space used for common storage, (d) terraces and balconies with outer walls less than 1.5 metres high. 	
<p>9.4 Minimum lot size for outlet centres for community title schemes or strata plan schemes</p> <p>The size of any lot resulting from a subdivision of land identified as “Outlet centre” on the Clause Application Map for a strata plan scheme or under the <i>Community Land Development Act 1989</i> must not be less than 25,000 square metres.</p>	<p>9.4 (Repealed) Minimum lot size for outlet centres for community title schemes or strata plan schemes</p> <p>The size of any lot resulting from a subdivision of land identified as “Outlet centre” on the Clause Application Map for a strata plan scheme or under the <i>Community Land Development Act 1989</i> must not be less than 25,000 square metres.</p>	<p>9.4 (Repealed)</p>
<p>9.5 Campus style office development</p> <p>Development consent must not be granted for development for the purposes of office premises on land identified as “Campus style office development” on the Clause Application Map unless the consent authority is satisfied that:</p> <ul style="list-style-type: none"> (a) the development will not result in a combined gross floor area of all office premises on that land of more than 25,000 square metres, and (b) each floor of any building in which the development will be carried out will have a gross floor area of at least 1,500 square metres, and (c) the development will not result in office premises being located in more than 5 buildings on that land. 	<p>9.5 Campus style office development</p> <p>Development consent must not be granted for development for the purposes of office premises on land identified as “Campus style office development” on the Clause Application Map unless the consent authority is satisfied that:</p> <ul style="list-style-type: none"> (a) the development will not result in a combined gross floor area of all office premises on that land of more than 25,000 square metres, and (b) each floor of any building in which the development will be carried out will have a gross floor area of at least 1,500 square metres, and (c) the development will not result in office premises being located in more than 5 buildings on that land. 	<p>9.5 Campus style office development</p> <p>Development consent must not be granted for development for the purposes of office premises on land identified as “Campus style office development” on the Clause Application Map unless the consent authority is satisfied that:</p> <ul style="list-style-type: none"> (a) the development will not result in a combined gross floor area of all office premises on that land of more than 25,000 square metres, and (b) each floor of any building in which the development will be carried out will have a gross floor area of at least 1,500 square metres, and (c) the development will not result in office premises being located in more than 5 buildings on that land.
<p>9.6 Development control plan for land to which this Part applies</p> <p>(1) Development consent must not be granted for development on land to which this Part applies unless a development control plan that provides for the following matters has been prepared for the land:</p> <ul style="list-style-type: none"> (a) a staging plan for the timely and efficient release of urban land, making provision for necessary infrastructure and sequencing, (b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists, (c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed 	<p>9.6 Development control plan for land to which this Part applies</p> <p>(1) Development consent must not be granted for development on land to which this Part applies unless a development control plan that provides for the following matters has been prepared for the land:</p> <ul style="list-style-type: none"> (a) a staging plan for the timely and efficient release of urban land, making provision for necessary infrastructure and sequencing, (b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists, (c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed 	<p>9.6 Development control plan for land to which this Part applies</p> <p>(1) Development consent must not be granted for development on land to which this Part applies unless a development control plan that provides for the following matters has been prepared for the land:</p> <ul style="list-style-type: none"> (a) a staging plan for the timely and efficient release of urban land, making provision for necessary infrastructure and sequencing, (b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists, (c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed

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<p>landscaping requirements for both the public and private domain,</p> <p>(d) a network of active and passive recreation areas,</p> <p>(e) stormwater and water quality management controls,</p> <p>(f) amelioration of natural and environmental hazards, including bush fire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,</p> <p>(g) detailed urban design controls for significant development sites,</p> <p>(h) measures to encourage higher density living around transport, open space and service nodes,</p> <p>(i) measures to accommodate and control appropriate neighbourhood commercial and retail uses,</p> <p>(j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking,</p> <p>(k) the protection and enhancement of the amenity of residents in the vicinity of the development.</p> <p>(2) Subclause (1) does not apply to any of the following developments:</p> <p>(a) a subdivision for the purpose of a realignment of boundaries that does not create additional lots,</p> <p>(b) a subdivision of land if any of the lots proposed to be created is to be reserved or dedicated for public open space, public roads or any other public or environment protection purpose,</p> <p>(c) a subdivision of land in a zone in which the erection of structures is prohibited,</p> <p>(d) development on land that is of a minor nature only, if the consent authority is of the opinion that the carrying out of the development would be consistent with the objectives of the zone in which the land is situated.</p>	<p>landscaping requirements for both the public and private domain,</p> <p>(d) a network of active and passive recreation areas,</p> <p>(e) stormwater and water quality management controls,</p> <p>(f) amelioration of natural and environmental hazards, including bush fire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,</p> <p>(g) detailed urban design controls for significant development sites,</p> <p>(h) measures to encourage higher density living around transport, open space and service nodes,</p> <p>(i) measures to accommodate and control appropriate neighbourhood commercial and retail uses,</p> <p>(j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking,</p> <p>(k) the protection and enhancement of the amenity of residents in the vicinity of the development.</p> <p>(2) Subclause (1) does not apply to any of the following developments:</p> <p>(a) a subdivision for the purpose of a realignment of boundaries that does not create additional lots,</p> <p>(b) a subdivision of land if any of the lots proposed to be created is to be reserved or dedicated for public open space, public roads or any other public or environment protection purpose,</p> <p>(c) a subdivision of land in a zone in which the erection of structures is prohibited,</p> <p>(d) development on land that is of a minor nature only, if the consent authority is of the opinion that the carrying out of the development would be consistent with the objectives of the zone in which the land is situated.</p>	<p>landscaping requirements for both the public and private domain,</p> <p>(d) a network of active and passive recreation areas,</p> <p>(e) stormwater and water quality management controls,</p> <p>(f) amelioration of natural and environmental hazards, including bush fire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,</p> <p>(g) detailed urban design controls for significant development sites,</p> <p>(h) measures to encourage higher density living around transport, open space and service nodes,</p> <p>(i) measures to accommodate and control appropriate neighbourhood commercial and retail uses,</p> <p>(j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking,</p> <p>(k) the protection and enhancement of the amenity of residents in the vicinity of the development.</p> <p>(2) Subclause (1) does not apply to any of the following developments:</p> <p>(a) a subdivision for the purpose of a realignment of boundaries that does not create additional lots,</p> <p>(b) a subdivision of land if any of the lots proposed to be created is to be reserved or dedicated for public open space, public roads or any other public or environment protection purpose,</p> <p>(c) a subdivision of land in a zone in which the erection of structures is prohibited,</p> <p>(d) development on land that is of a minor nature only, if the consent authority is of the opinion that the carrying out of the development would be consistent with the objectives of the zone in which the land is situated.</p>
	<p>9.7 Maximum residential development capacity</p> <p>(1) <u>The objective of this clause is to limit the maximum residential development capacity potential at a portion of the land to which this Part applies so that no additional residential yield is generated.</u></p> <p>(2) <u>This clause applies to land in the vicinity of Retreat Drive, Penrith, identified as "Area 5" on the Height of Buildings map, being a portion of the land to which this Part applies.</u></p> <p>(3) <u>The land to which this clause applies must not be developed for more than 850 dwellings and 80,400 square metres of residential gross floor area.</u></p>	<p>9.7 Maximum residential development capacity</p> <p>(1) The objective of this clause is to limit the maximum residential development capacity potential at a portion of the land to which this Part applies so that no additional residential yield is generated.</p> <p>(2) This clause applies to land in the vicinity of Retreat Drive, Penrith, identified as "Area 5" on the Height of Buildings map, being a portion of the land to which this Part applies.</p> <p>(3) The land to which this clause applies must not be developed for more than 850 dwellings and 80,400 square metres of residential gross floor area.</p>

