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# **A Introduction**

## **1.1 What is the name of this Plan?**

This Plan is known as “Penrith Development Control Plan 2014”.

It has been prepared in accordance with Section 74C of the Environmental Planning and Assessment Act 1979 and clause 16 of the Environmental Planning and Assessment Regulation 2000.

## **1.2 What does the Plan seek to achieve?**

The purpose of this Plan is:

- a) To provide guidance to people wishing to carry out development within the City of Penrith
- b) To promote development which is consistent with Council’s vision for the City of Penrith, namely, one of a sustainable and prosperous region with a harmony of urban and rural qualities with a strong commitment to environmental protection and enhancement.
- c) To ensure development incorporates the principles of sustainable development through the delivery of balanced social, economic and environmental outcomes.
- d) To encourage development which ‘lifts the bar’ in terms of delivering sustainable and healthy communities in the long term.
- e) To foster development that responds appropriately to the natural and built environment, in particular, vegetation, biodiversity corridors, significant waterways, riparian land, significant buildings and gardens, and scenic landscapes and views.
- f) To provide for an urban environment that is active, attractive and safe for residents and visitors.
- g) To ensure the quality of development in the City of Penrith is of a high standard.

## **1.3 Where does the Plan apply?**

This Plan applies to all land within the Penrith Local Government Area. It covers the Land covered by the following Planning Instruments

- Penrith Local Environmental Plan 2010
- Penrith Local Environmental Plan 1991 (Environmental Heritage Conservation)
- Penrith Local Environmental Plan 1998 (Urban Land)
- Penrith Local Environmental Plan No.201 (Rural Lands)
- Penrith Interim Development Order No.13
- Penrith Interim Development Order No.47
- Penrith Interim Development Order No. 93
- State Environmental Planning Policy (Penrith Lakes Scheme) 1989
- State Environmental Planning Policy (Western Sydney Employment Area) 2009
- Sydney Regional Environmental Plan No. 30 – St Marys

## 1.4 Relationship of this Plan to the LEP and other plans and policies

This Plan must be read in conjunction with any environmental planning instrument that applies to the land. An environmental planning instrument includes a State Environmental Planning Policy (SEPP) (including Sydney Regional Environmental Plans (SREPs), now referred to as deemed SEPPs) or a Local Environmental Plan (LEP). Applicants should confirm which SEPPs apply and consider them when determining applicable development controls.

The provisions contained in this Plan supplement the provisions of the relevant environmental planning instrument. If there is any inconsistency between this Plan and relevant environmental planning instrument, the provisions of the relevant environmental planning instrument will prevail.

## 1.5 Repeal of plans

This Plan repeals the following Development Control Plans

- Penrith Development Control Plan 2006
- Penrith Development Control Plan 2010
- Werrington Mixed Use Area Development Control Plan
- Penrith City Centre Development Control Plan 2007
- Orchard Hills Development Control Code No. 1
- Orchard Hills Development Control Code No. 2
- Development Control Code - Orchard Hills subzone C

## 1.6 How is the Plan structured?

The Plan is divided into six parts:

### **Part A Introduction**

This section provides details on the aims and purpose of the Plan and where and how it applies.

### **Part B Development Control Plan Principles**

This section sets out Council's key sustainable development principles that apply to all development and how these principles should be used.

### **Part C Controls applying to all Land Uses**

This section sets out the requirements for a range of issues that apply across the Penrith Local Government Area, including:

- a) Site Planning and Design Principles
- b) Vegetation Management
- c) Water Management
- d) Land Management
- e) Waste Management

- f) Landscape Design
- g) Culture and Heritage
- h) Public Domain
- i) Advertising and signage
- j) Transport, Access and Parking
- k) Subdivision
- l) Noise and Vibration
- m) Infrastructure and Services.

#### **Part D Specific Land Uses / Activities**

This section specifies the requirements relating to various types of land uses, including

- a) Rural Land Uses
- b) Residential Development
- c) Commercial and Retail Development
- d) Industrial Development
- e) Other Land Uses

#### **Part E Key Precincts**

This section details additional requirements relating to specific sites or areas in the City.

#### **Part F Appendices**

This section provides additional information to assist in the preparation of a development application that meets Council's requirements. This includes definitions of terms used, technical information requirements, notification and advertising requirements, and processes for development applications. Unless separately defined in a specific part of this Plan, terms used in this Plan have the same meaning as those adopted by the relevant environmental planning instrument.

Some sections of this Plan contain 'lifting the bar' requirements. 'Lifting the bar' establishes ways in which applicants can demonstrate additional commitment to the key Development Control Plan principles. Demonstration of this commitment may lead to Council considering variation of development controls.

**Other relevant information:** provides a list of additional information sources and legislation for consideration.

## **1.7 Where do I find the relevant controls?**

The layered approach of this Plan means that some parts are relevant to all development, some to specific types of development or activities and some to specific land or precincts. Development may be determined as being either minor or major, with a higher level of submission and assessment required for more complex or larger proposals, or sites which are highly constrained.

- Step 1 → Establish the zoning, permissibility and planning controls that apply to the proposed use and the property under the relevant environmental planning instrument.

- Step 2→ Understand and apply the DCP Principles for Penrith in Part B of this Plan. These principles apply to all development.
- Step 3→ Determine which controls or parts of this Plan apply to your development proposal. Remember some City wide provisions such as flooding, salinity and bushfire will only apply if these natural hazards affect your site.
- Sites identified or located in the vicinity of a heritage item, heritage conservation area or archaeological site will need to consider the Culture and Heritage chapter in Part C of this Plan.
- If you are uncertain whether a section of this Plan applies to your development, you should check that section, or ring Council for assistance.
- Step 4→ Understand the development application process and submission requirements. An overview of the application and assessment process, together with the submission requirements, is provided in Appendix F.
- Notification and advertising, and technical information requirements are also provided in Appendix F.
- In addition, you can check any words or terms you may be unsure of in Appendix F.
- Step 5→ Contact Council if you require further clarification on any aspect of this Plan or for advice on preparing your development application or determining whether your proposal is considered minor or major development.

## 1.8 What is the date of commencement for the Plan?

This Plan was adopted by Penrith City Council on 23 March 2015 and came into effect on 17 April 2015. The following is a list of the amendments to the DCP:

Amendment No.	Chapter	Change	Adopted by Council	Date of commencement
1	E7 Part B, Glenmore Park Stage 2	<ul style="list-style-type: none"> <li>- Lot size range reduced to 450-1000m<sup>2</sup></li> <li>- Setbacks reduced</li> <li>- Amending the maximum dwelling yield in Precinct C to 344 dwellings.</li> </ul>	7 December 2015	19 February 2016  (date of commencement of Amendment 6 to LEP 2010)
2	C5 Waste Management	To broaden the objectives relating to waste management and introduce a number of new controls for medium and high density residential developments	27 June 2016	7 July 2016

3	E11 Part A – Penrith  E11 Part C – 164 Station Street, Penrith	Introduce site-specific controls for 164 Station Street, Penrith.  Remove previous controls for 164 Station Street, Penrith previously located within Part A - Penrith	19 December 2016	12 January 2017
4.1	E6 Erskine Business Park,  C10 Transport, Access and Parking	To align the DCP and the State Significant Development (SSD 6917) consent for the Oakdale South Industrial Area and provide consistency of the built form across the site.	28 May 2018	21 June 2018
4.2	C3 Water Management,  C6 Landscape Design,  C13 Infrastructure and Services, and,  F3 DA Submission Requirements	Update references and information in the DCP to be consistent with Council's <i>Stormwater Drainage Specification for Building Developments</i> policy (adopted November 2016).	28 May 2018	21 June 2018
4.5	D2 Residential Development,  E5 Emu Plains,  E8 Kingswood, and  E15 St Marys / North St Marys	To revise controls at affected locations that will clarify Council's position relating to road construction, land dedication and guide development on affected lots.	28 May 2018	21 June 2018
5	D2 Residential Development  D5 Other Land Uses	To revise controls for Multi Dwelling Housing and introduce controls for Boarding Houses.	10 December 2018	21 December 2018
6	C1 Site Planning and	To revise and update controls, consistent	10 August 2020	3 September 2020

	<p>Design Principles</p> <p>C2 Vegetation Management</p> <p>C8 Public Domain</p> <p>D5 Other Land Uses</p> <p>Removal of F4 Notification and Advertising</p>	<p>with Council policy and legislation updates.</p> <p>To remove F4 Notification and Advertising, as the Community Participation Plan replaces it.</p>		
7	E13 The Riverlink Precinct, Part B – Panthers Penrith Precinct	To align controls for the Panthers Penrith Precinct with Council plan updates.	13 November 2017	23 December 2020
8	E13 Part A - Riverlink Precinct - Winter Sporting Facility	Provide site-specific planning controls for 2 Tench Avenue, Jamisontown	24 May 2021	23 December 2021
9	C14 Urban Heat Management	<p>Introduce a new Urban Heat chapter into the DCP 2014 and provides new cooling measures below:</p> <ul style="list-style-type: none"> <li>• Cooling with landscaping</li> <li>• Cool colours and materials</li> <li>• Cooling through building design</li> <li>• Optimising mechanical heating and cooling</li> </ul> <p>This chapter supplements the LEP 2010 with more detailed planning.</p>	9 May 2022	22 July 2022