Council Meeting

Wednesday, 5 June 2019 at 6:30pm

Cumberland Council Chambers
Merrylands Service Centre, 16 Memorial Avenue, Merrylands
# Councillor Contact Details

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### Regents Park Ward
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- **Clr Suman Saha** 0419 546 950  Suman.Saha@cumberland.nsw.gov.au
- **Clr Michael Zaiter** 0418 432 797  Michael.Zaiter@cumberland.nsw.gov.au

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For information on Council services and facilities please visit [www.cumberland.nsw.gov.au](http://www.cumberland.nsw.gov.au)
## ORDER OF BUSINESS

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2 Notice of Live Streaming of Council meeting
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Item No: C06/19-98

MINUTES OF THE ORDINARY MEETING OF COUNCIL - 15 MAY 2019

Responsible Division: Finance & Governance
Officer: Director Finance & Governance

RECOMMENDATION

That Council confirm the minutes of the Ordinary Meeting of Council held on 15 May 2019.

ATTACHMENTS

1. Draft Minutes - 15 May 2019
Minutes of the Council Meeting 15 May 2019

Meeting commenced at 6:30pm

Present:
Greg Cummings (Mayor)  Councillor
Glenn Elmore (Deputy Mayor)  Councillor
Ned Attie  Councillor (arrived 6:40pm)
George Campbell  Councillor
Steve Christou  Councillor (arrived 6:32pm)
Paul Garrard  Councillor
Ross Grove  Councillor
Ola Hamed  Councillor
Kun Huang  Councillor
Lisa Lake  Councillor
Joseph Rahme  Councillor (arrived 6:40pm)
Suman Saha  Councillor
Eddy Sarkis  Councillor (arrived 6:32pm)
Michael Zaiter  Councillor
Tom Zreika  Councillor
Hamish McNulty  General Manager
Melissa Attia  Director People & Performance
Daniel Cavollo  Director Environment & Planning
Brooke Endycott  Director Community Development
Peter Fitzgerald  Director Works & Infrastructure
Richard Sheridan  Director Finance & Governance

Also Present:
Charlie Ayoub  Executive Manager Corporate Services
Carol Karaki  Governance Coordinator
Laith Jammal  Governance Administration Officer

Opening Prayer
The opening prayer was read by Pdt Jatinkumar Bhatt from Sri Mandir Hindu Temple.

Acknowledgement of Country
The Mayor, Councillor Cummings opened the Meeting with the following Acknowledgement of Country:

"I would like to acknowledge the traditional owners of this land – the Darug People, and pay my respects to their elders both past and present.”
National Anthem
At this point in the meeting the Mayor, Councillor Cummings asked all of those in attendance to stand for the playing of the Australian National Anthem.

Notice of Live Streaming of Council Meeting
The General Manager, Hamish McNulty advised that the Council meeting was being streamed live on Council’s website and members of the public must ensure their speech to the Council is respectful and use appropriate language.

Apologies/Leave of Absence
Nil

Declarations of Pecuniary & Non Pecuniary Conflicts of Interest
Councillor Cummings declared a non-pecuniary, significant interest in Item C05/19-91 as he is a member of the executive committee of one of the sporting clubs which utilise Holroyd Sportsground.

Confirmation of Minutes
Min.517 C05/19-82 Minutes of the Ordinary Meeting of Council - 1 May 2019

Resolved (Garrard/Christou)
That Council confirm the minutes of the Ordinary Meeting of Council held on 1 May 2019.

Min.518 MM05/19-5 Mayoral Minute – Emergency Services Levy Increase

Resolved (Cummings)
That Council:

a) Write to the NSW Premier and NSW Interim Opposition Leader, NSW Minister for Customer Services, NSW Minister for Emergency Services, Minister for Local Government and Shadow Minister for Local Government, and local state member/s to:

i. Call upon the NSW Government to fund the 12 months of this extra cost rather than requiring councils to find the funds at short notice when budgets have already been allocated;

ii. Explain how this sudden increase will impact council services / the local community;

iii. Highlight that councils were not warned of the increased cost until May 2019, despite the new laws being passed in November 2018;

iv. Explain that the poor planning and implementation of the increase is inconsistent with the Government’s commitment to work in partnership with the sector; and
v. Ask the Government to work with local governments to redesign the implementation of the scheme to ensure it is fairer for councils and communities into the future.

b) Send a copy of the above letter to Local Government NSW.

Public Forum:

Speakers on Items on the Council Meeting Agenda

<table>
<thead>
<tr>
<th>Speaker</th>
<th>Item #</th>
<th>Suburb</th>
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<tbody>
<tr>
<td>Mr Matthew Daniel</td>
<td>C05/19-89 - Planning Proposal for 2 Bachell Avenue, Lidcombe</td>
<td>Caringbah</td>
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Min.519  Items by Exception

Resolved (Sarkis/Christou)
At this time of the meeting, all items on the agenda not called for discussion were moved collectively, as shown:

That item numbers C05/19-83, C05/19-84, C05/19-85, C05/19-86, C05/19-91, C05/19-92, C05/19-93, C05/19-94, C05/19-95, C05/19-96 and C05/19-97 be moved in bulk.

Min.520  C05/19-83 Quarter 3 Performance Report on the 2018-19 Operational Plan and Budget Review Statement

Resolved (Sarkis/Christou)
That Council:
1. Receive the Quarter Three Performance Report on the Operational Plan 2018-19; and
2. Approve the revised estimates of income and expenditure for 2018-19 contained in the Quarterly Budget Review Statement.

Min.521  C05/19-84 Report on Outstanding Council Resolutions

Resolved (Sarkis/Christou)
That Council receive the report.

Min.522  C05/19-85 Investment Report - April 2019

Resolved (Sarkis/Christou)
That Council receive the April 2019 Investment Report.
Resolved (Sarkis/Christou)

That Council:

1. Place the Draft Emergency Relief Fund Guidelines as outlined in Attachment 1 on public exhibition for a period of 28 days.

2. Place the revised Community Grants and Donations Policy as outlined in Attachment 2 on public exhibition for a period of 28 days.

3. Provide a report back to Council following the conclusion of the exhibition period.

Resolved (Sarkis/Christou)

That Council:

1. Place on public exhibition the draft Holroyd Sportsground Plan of Management for a period of 42 days, in accordance with Section 38 of the NSW Local Government Act (1993).

2. Provide a report to Council following the conclusion of the exhibition period detailing the results of submissions made along with a final version of the Plan of Management.

Resolved (Sarkis/Christou)

That Council:

1. Place on public exhibition the draft Holroyd Gardens Park Plan of Management for a period of 42 days, in accordance with Section 38 of the NSW Local Government Act (1993).

2. Provide a report to Council following the conclusion of the exhibition period detailing the results of submissions made along with a final version of the Plan of Management.
Min.526  C05/19-93 Removal of Power Pole at the Intersection of Blaxcell Street and Farnell Street, Granville

Resolved (Sarkis/Christou)

That Council install a speed hump or cushion on the southern approach of the intersection of Blaxcell Street with Farnell Street at Granville to slow approaching traffic, subject to the concurrence of the Cumberland Traffic Committee.

Min.527  C05/19-94 Proposed Acquisition Update - Auburn Road, Auburn

Resolved (Sarkis/Christou)

That Council:

1. Receive and note this report.

2. Continue consultation with the property owner regarding a future purchase of the properties for Council and in the event the property owner wishes to sell at a value aligned with Council's valuation, a report be provided to Council.

3. Rescind the authorisation of expenditure from Section 7.11 (Auburn Section 94 Plan, Auburn Public Domain Fund 2007) and General Revenue Funds (2018/19 Capital Works Program) to acquire the properties at 56 and 58 Auburn Road, Auburn known as Lot 1 and Lot 2 DP 579479.

Min.528  C05/19-95 Property Acquisition - 72 Edgar Street, Auburn

Resolved (Sarkis/Christou)

That Council:

1. Seek to acquire the property located at 72 Edgar Street, Auburn known as Lot 39 DP 8800.

2. Allocate sufficient funds from the Section 7.11 Public Domain Fund of the Auburn Development Contribution Plan 2007 to acquire the property located at 72 Edgar Street, Auburn.

3. Authorise the General Manager to negotiate the acquisition of the property located at 72 Edgar Street, Auburn in accordance with the independent valuation advice received by Council.

4. In the event that the General Manager is unable to secure the property prior to auction, authorise the General Manager or his delegate to bid at the auction for the property located at 72 Edgar Street, Auburn and execute all documents associated with the purchase.
5. Give public notice of its intention to classify the land known as Lot 39 DP 8800 as Community Land in accordance with the provisions of Section 34 of the Local Government Act 1993 and complete if no adverse submissions are received.

6. Allocate funds from the capital budget for the demolition and revegetation of the property following its acquisition.

Min.529 C05/19-96 Cumberland Council - Future Companion Animal Management Requirements

Resolved (Sarkis/Christou)
That Council:

1. Note that Options 1, 2 and 3 are not financially sustainable options for Council based on current budget and expenditure levels.

2. Delegate to the General Manager to liaise further with Blacktown City Council to reach suitable terms to establish an agreement to meet Council’s future companion animal management requirements.

3. Continue to explore alternative options as outlined in the report.

Min.530 C05/19-97 Tender Evaluation Report - Central Gardens All Abilities Playground

Resolved (Sarkis/Christou)
That Council:

1. Accept the Tender Evaluation Panel’s recommendation to award the contract to Paramount Landscaping Pty Ltd (ABN 40 003 530 201) in accordance with Clause 178(1)(a) of the Local Government (General) Regulations 2005, for $1,086,902.57 excluding GST.

2. Delegate to the General Manager the authority to execute the contract and any associated documents.

Min.531 Suspension of Standing Orders

Resolved (Sarkis/Garrard)
That in accordance with Clause 1.6(2) of the Code of Meeting Practice, Council suspend standing orders to allow Item C05/19-89 to be considered at this time of the Meeting.
Resolved (Garrard/Zaiter)

That Council:

1. Prepare a planning proposal for 2 Bachell Avenue, Lidcombe, with the following land use and built form controls:
   a. B5 Business Development Zone;
   b. Floor Space Ratio of 2.5:1;
   c. Height of Building controls of 14 metres at the front of the site and 27 metre for a portion at the rear of the site; and
   d. Removal of Foreshore Building Line that applies to the site.

2. Endorse that the planning proposal be forwarded to the Department of Planning, Industry & Environment for a Gateway Determination.

A division was called, the result of the division required in accordance with Council's Code of Meeting Practice is as follows:

Councilor(s) For the Motion: Attie, Campbell, Cummings, Elmore, Garrard, Grove, Hamed, Huang, Lake, Rahme, Saha, Sarkis, Zaiter and Zreiha.

Councilor(s) Against the Motion: Nil

Councilor Christou left the Meeting at 6:50pm and returned to the Meeting at 6:52pm during the consideration of this item.

Resolved (Campbell/Saha)

That Council place the Draft Sister City and Friendship City Policy on public exhibition for a period of 28 days, with a report to be provided back to Council following the conclusion of the exhibition period subject to the following amendment:

2.b) Promote economic, social or cultural development outcomes for the local community, including but not limited to increased tourism, community participation, educational or learning opportunities, business or trade links, local job creation and cultural exchange.
Resolved  (Attie/Christou)

That Council:

1. Prepare a planning proposal for 100 Woodville Road, Granville, with the following land use and built form controls:
   a. R3 Medium Density Residential;
   b. Floor Space Ratio of 1:1; and
   c. Height of Building control of 12 metres.

2. Endorse that the planning proposal for 100 Woodville Road, Granville, be forwarded to the Department of Planning, Industry & Environment for a Gateway Determination.

Carried Unanimously

C05/19-89 Planning Proposal for 2 Bachell Avenue, Lidcombe

This item was dealt with earlier in the meeting.

Resolved  (Garrard/Elmore)

At this stage of the meeting being 6:55pm, the Mayor advised that in accordance with Section 10a of the Local Government Act 1993 the meeting would move into Closed Session, with the members of the press and public excluded from the closed session and access to the correspondence and reports relating to the items considered during the course of the closed session being withheld. This action was taken as the items listed were within the following provisions under Section 10a of the Local Government Act:-

(2) The matters and information are the following:
(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

In accordance with Council’s Code of Meeting Practice, the Mayor Councillor Cummings asked the members of the public gallery if they wish to make representation prior to the meeting entering into closed session.

Resolved  (Attie/Garrard)

Council returned to Open Session at 7:20pm to resolve the below Confidential Item:

C05/19-90  Planning Agreement for 615 Great Western Highway, Greystanes
Resolved (Lake/Hamed)

That the matter be deferred pending further information being provided to Council.

A division was called, the result of the division required in accordance with Council’s Code of Meeting Practice is as follows:

Councillor(s) For the Motion: Campbell, Christou, Cummings, Elmore, Garrard, Grove, Hamed, Huang, Lake, Rahme, Saha, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Motion: Attie

The Mayor, Councillor Cummings closed the meeting at 7:20pm.
Item No: C06/19-99

LEGAL REPORT

Responsible Division: General Manager
Officer: General Counsel
File Number: T014916/2018
Community Strategic Plan Goal: Transparent and accountable leadership

SUMMARY

This report provides Council with a summary of legal proceedings in which Council is involved.

RECOMMENDATION

That Council receive this report.

REPORT

This report provides Council with a summary of legal proceedings in which Council is involved.

It does not include the following types of legal proceedings:

1. Proceedings that are managed by Council’s insurers;
2. Local Court Proceedings involving an appeal against a parking fine; and
3. Proceedings for the recovery of debts where those proceedings are being run by Council’s external debt collection agency.

The report is current to 24 May 2019. It does not capture changes that have occurred between that date and the date the report is considered by Council.

COMMUNITY ENGAGEMENT

There are no consultation processes for Council associated with this report.

POLICY IMPLICATIONS

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

RISK IMPLICATIONS

There are no risk implications for Council associated with this report.
FINANCIAL IMPLICATIONS

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

CONCLUSION

This is an information report with the Legal Register provided as a confidential attachment.

ATTACHMENTS

1. Legal report (confidential)
Item No: C06/19-100

MAYOR AND COUNCILLOR REMUNERATION 2019/20

Responsible Division: Finance & Governance
Officer: Director Finance & Governance
File Number: HC-06-02-2/03
Community Strategic Plan Goal: Transparent and accountable leadership

SUMMARY

This report outlines the determination made by the Local Government Remuneration Tribunal relating to the fees payable to Mayors and Councillors from 1 July 2019. The report also makes recommendations in relation to annual remuneration for Cumberland Council elected officials.

RECOMMENDATION

That Council:

1. Set the annual Councillor Fee for the period 1 July 2019 to 30 June 2020 at $30,410 in accordance with the provisions of section 248 of the Local Government Act 1993; and

2. Set the annual Mayoral Fee for the period 1 July 2019 to 30 June 2020 at $88,600 in accordance with the provisions of section 249 of the Local Government Act 1993.

REPORT

The Local Government Remuneration Tribunal has made its determination, under section 241 of the Local Government Act 1993, in relation to the annual fees to be paid to Mayors and Councillors for the 2019/20 financial year period.

The Tribunal’s Annual Report and Determination 2019 provides details of the factors taken into account in its determination that an increase of 2.5 percent in fees for Mayors and Councillors is appropriate across the sector. The increases are effective from 1 July, 2019. Further information regarding the factors taken into account to reach the determination of the 2.5 percent increase can be found under Attachment 1 – Local Government Remuneration Tribunal – Annual Report and Determination 2019.

In 2017, the Tribunal made revisions to the categorisation of councils following the formation of amalgamated councils. The Tribunal’s Annual Report and Determination 2017 categorised Cumberland Council as a ‘Metropolitan Large’ council, which remains unchanged in its Annual Report and Determination 2019.
Pursuant to section 241 of the *Local Government Act 1993*, the Tribunal’s 2019 annual determination has set the annual fees to be paid in each of the categories to Mayors and Councillors effective from 1 July 2019. The annual fees for Mayors and Councillors in the ‘Metropolitan Large’ category are as follows:

<table>
<thead>
<tr>
<th>Councillor/Member Annual Fee</th>
<th>Mayor/Chairperson Additional Fee*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum</td>
<td>Maximum</td>
</tr>
<tr>
<td>$ 18,430</td>
<td>$ 30,410</td>
</tr>
<tr>
<td>$ 39,160</td>
<td>$ 88,600</td>
</tr>
</tbody>
</table>

*The Mayor/Chairperson additional fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member in accordance with section 249(2) of the *Local Government Act 1993*.*

This report recommends that Council adopt the maximum annual fees set by the Tribunal on the following basis:

- Substantial increase in geographic and population size of the Local Government Area.
- Substantial increase and responsibilities associated with the annual budget.
- The wide scope, level and range of services delivered by Council.
- Complexity of the Cumberland Local Government Area as a result of the amalgamation process.
- Increased level of time investment required for the Mayor and Councillors to fulfil their civic duties effectively.

Adopting the report recommendations will ensure the remuneration of the Cumberland Council elected officials reflects the increased scope of responsibilities to undertake their civic duties.

**COMMUNITY ENGAGEMENT**

There are no consultation processes for Council associated with this report.

**POLICY IMPLICATIONS**

Mayor and Councillor Remuneration is paid in addition to the expenses and facilities available to Councillors under the adopted *Councillor Expenses and Facilities Policy*.

**RISK IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

The 2019/20 budget for Mayor and Councillor Remuneration will incorporate the adopted remuneration rates as Council has reflected CPI indexation overall in the annual budget.
CONCLUSION

Council has reviewed the Local Government Remuneration Tribunal's *Annual Report and Determination 2019* which determined the fees payable to Mayors and Councillors from 1 July 2019. This report recommends that Council adopt the annual maximum fees payable to Mayors and Councillors for a ‘Metropolitan Large’ council from 1 July 2019, in accordance with the determination made by the Local Government Remuneration Tribunal.

ATTACHMENTS

1. Local Government Remuneration Tribunal - Annual Report & Determination - 2019 📚 📜
DOCUMENTS ASSOCIATED WITH REPORT C06/19-100

Attachment 1

Local Government Remuneration Tribunal - Annual Report & Determination - 2019
Annual report and determination under sections 239 and 241 of the Local Government Act 1993

15 April 2019

NSW Remuneration Tribunals website
Local Government Remuneration Tribunal

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Executive Summary

The Local Government Remuneration Tribunal (the Tribunal) is required to report to the Minister for Planning and Public Spaces by 1 May each year as to its determination of categories of councils and the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

Categories

The Tribunal did not undertake a broad review of the categorisation of councils and considered only those requests where an individual submission was made. The Tribunal found that the current allocation of councils into the current categories is appropriate.

The Tribunal will next consider the model, the criteria applicable to each group and the allocation of councils in detail in 2020. The criteria applicable to each of the categories are published in Appendix 1 of the determination and are unchanged from 2018.

Fees

The Tribunal has determined that the minimum and maximum fees applicable to each category will be increased by 2.5 per cent which is consistent with the government’s policy on wages.
Section 1  Introduction

1. The role of Assessor assisting the Local Government Remuneration Tribunal (the Tribunal), pursuant to section 236 (1) (b) of the Local Government Act 1993 (the LG Act) was undertaken by Mr Ian Reynolds from 1 July 2015 until the expiration of his appointment on 27 November 2018. The Tribunal thanks Mr Reynolds for his contributions over those years.

2. On 28 November 2018, Dr Robert Lang was re-appointed as the Tribunal and Mr Brian Bell PSM was appointed to the role of Assessor assisting the Tribunal pursuant to section 236 (1) (b) of the LG Act. The role of Assessor assisting the Tribunal pursuant to 236 (1) (a) continues to be undertaken by Mr Tim Hurst, CEO, Office of Local Government, Department of Planning and Environment.

Section 2  Background

3. Section 239 of the LG Act provides for the Tribunal to determine the categories of councils and mayoral offices and to place each council and mayoral office into one of those categories. The categories are to be determined at least once every 3 years.

4. Section 241 of the LG Act provides for the Tribunal to determine, not later than 1 May in each year, for each of the categories determined under section 239, the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils.

5. In determining the maximum and minimum fees payable in each of the categories, the Tribunal is required, pursuant to section 242A (1) of the LG Act, to give effect to the same policies on increases in remuneration as those of the Industrial Relations Commission. The current policy on wages is that public sector wages cannot increase by more than 2.5 per cent, and this includes the maximum and minimum fees payable to councillors and mayors and chairpersons and members of county councils.

6. The Tribunal is however able to determine that a council can be placed in another existing or a new category with a higher range of fees without breaching the government’s wage policy pursuant to section 242A (3) of the LG Act.
Local Government Remuneration Tribunal

7. The Tribunal’s determinations take effect from 1 July in each year.

Section 2 2018 Determination

1. The Tribunal considered ten requests for re-categorisation having regard to the case put forward and the criteria for each category. A multi variable approach was adopted in assessing each council against all the criteria (not only population) for the requested category and the relativities within the categories.

2. The Tribunal noted that at the time of making the determination only the population data as of 2016 was available.

3. The Tribunal found that the current categorisation for the ten councils was appropriate and noted that some of those councils seeking to be moved are likely to meet the criteria for re-categorisation in future determinations in the medium term.

4. The Tribunal’s 2018 Determination was made on 17 April 2018 and provided a general increase of 2.5 per cent which was consistent with the Government’s policy on wages.

Section 3 2019 Review

5. The Tribunal wrote to all mayors in December 2018 advising of the commencement of the 2019 Annual Review. In doing so the Tribunal noted that it is only required to review the categories every three years and will next consider the model, the criteria applicable to each group and the allocation of councils in detail in 2020.

6. The Tribunal also stated that it does not intend to alter the groups that apply to individual councils unless there is a very strong case to do so. Any requests for a review should be supported by evidence which would indicate that the council is more appropriately allocated in another category based on the criteria.

7. The Tribunal also wrote to the President of Local Government NSW (LGNSW) in similar terms, and subsequently met with the President and Chief Executive of LGNSW. The Tribunal thanks the President and Chief Executive for making the time to meet with the Tribunal.

8. In response to this review the Tribunal received 20 submissions from individual councils and a submission from LGNSW. Those submissions addressed the allocation of councils into
Local Government Remuneration Tribunal

those categories and fees. The Tribunal also received a submission from a joint organisation requesting that the Tribunal determine the fees for members of the boards of joint organisations. A summary of the matters raised, and the Tribunal's consideration of those matters is outlined below.

Categorisation

9. Ten submissions received from councils requested re-categorisation now and two submissions requested re-categorisation when the Tribunal considers the categories in detail in 2020. Each of the ten requests for re-categorisation now were considered having regard to the case put forward and the criteria for each category.

10. At the time of making the determination the Tribunal had available to it the 30 June 2018 population data released by the Australian Bureau of Statistics (ABS) on 27 March 2019. In reviewing the submissions received the Tribunal also applied a multi variable approach assessing each council against all the criteria (not only population) for the requested category and the relativities within the categories.

11. The Tribunal finds that the allocation of councils into the current categories is appropriate but again notes that some of those councils seeking to be moved are likely to meet the criteria for re-categorisation in future determinations.

12. A few submissions have suggested alternative categorisation models. The Tribunal will consider this in detail in the 2020 review. The Tribunal intends to commence the 2020 annual review earlier than usual to ensure there is time to review the existing model and to examine alternatives. The Tribunal is of the preliminary view that a case may exist to revise the number of categories, and their applicable criteria, particularly for regional and rural councils.

13. A summary of the Tribunal’s findings for each of the 2019 applications for re-categorisation is outlined in the following paragraphs.

Metropolitan Large

14. Canterbury-Bankstown and Penrith have sought re-categorisation to new categories noting that no changes to the categories of councils are planned until 2020. Canterbury-Bankstown has proposed a new categorisation model for consideration in the 2020 review. The proposed model would provide different categories for metropolitan councils. Penrith
Local Government Remuneration Tribunal

has again sought to be re-categorised to a new category - 'Metropolitan Large – Growth Centre'.

15. Both councils may wish to provide further details for consideration in the 2020 annual review.

Metropolitan Medium Councils

16. Inner West has again sought to be re-categorised to Metropolitan Large. The Tribunal outlined in the 2018 determination that Inner West did not demonstrate enough additional criteria to warrant re-categorisation at that time, but with population growth the council would likely be more comparable with other Metropolitan Large councils in the short to medium term.

17. The Tribunal has again considered in detail the features of Inner West having regard to the other criteria for Metropolitan Large councils. The Tribunal finds that Inner West does not provide the same degree of regional servicing or have an equivalent sphere of economic influence as other Metropolitan Large councils. This is supported by development and planning information published by the Greater Sydney Commission.

18. Inner West’s June 2018 population of 198,024 is below the indicative population of other Metropolitan Large councils. Based on existing growth predictions it is likely Inner West will meet the minimum population threshold for inclusion in Metropolitan Large in 2020.

Metropolitan Small Council

19. Willoughby and Camden have sought to be re-categorised to Metropolitan Medium.

20. Willoughby’s June 2018 population of 80,339 is below the indicative population of Metropolitan Medium Councils. The Tribunal outlined in the 2018 determination that Willoughby sought recognition of its scale of operations and businesses and regional significance of its centres and high percentage of non-resident visitors and workers. The Tribunal found the characteristics of the council were more appropriately aligned with those of other Metropolitan Small councils and found no case for it to be re-categorised at that time.

21. Willoughby’s 2019 submission argues there is an over emphasis on resident population and no recognition of the complexity or burden on high volumes of non-resident populations.

22. As previously stated, the Tribunal considers a range of factors (not only population) in determining categories as required under section 240 of the LG Act. The Tribunal has again considered in detail the features of Willoughby having regard to the other criteria for other
Local Government Remuneration Tribunal

Metropolitan Medium councils and finds that Willoughby has not demonstrated the
criteria to warrant inclusion in the Metropolitan Medium group at this time.

23. Camden’s 2018 population of 94,159 is below the indicative population of Metropolitan
Medium councils. The Tribunal has considered the features of Camden having regard to
the other criteria for Metropolitan Medium councils. The Tribunal finds that Camden does
not provide the same degree of regional servicing or have an equivalent sphere of
economic influence as Metropolitan Medium councils. The Tribunal notes however that
the ABS identifies that Camden has the largest and fastest population growth in NSW.
Based on existing growth predictions it is likely Camden will meet the minimum population
threshold for inclusion in Metropolitan Medium in 2020.

Regional Strategic Area Councils

24. Central Coast has sought to be re-categorised to Regional City. The council submits that its
characteristics are more like Newcastle and Wollongong (Regional City) and substantially
different to Lake Macquarie (Regional Strategic Area). The Tribunal finds that Central Coast
has not demonstrated the additional criteria to warrant inclusion in the Regional City
group.

Regional Rural Councils

25. Shellharbour and Port Macquarie have sought re-categorisation to Regional Strategic Area.
26. Shellharbour’s June 2018 population of 72,240 is significantly below the indicative
population of Regional Strategic Area councils. In addition, the submission was not
supported by evidence which would indicate that the council is more appropriately
allocated in another category based on the criteria.

27. Port Macquarie’s June 2018 population of 83,131 is significantly below the indicative
population of Regional Strategic Area councils. The Tribunal finds that Port Macquarie has
not demonstrated the additional criteria to warrant inclusion in the Regional Strategic Area
group.

28. Port Macquarie (as an alternative) and Mid-Coast sought to be re-categorised to a new
category between Regional Strategic Area and Regional Rural. Both councils may wish to
provide further details for consideration in the 2020 annual review.

Rural Councils

29. Muswellbrook and Federation have sought to be re-categorised to Regional Rural.
Local Government Remuneration Tribunal

30. Muswellbrook's June 2018 population of 16,383 and Federation's June 2018 population of 12,462 are well below the indicative population of Regional Rural councils. Both councils have not demonstrated the additional criteria to warrant inclusion in the Regional Rural group.

31. The Tribunal also undertook a review of Hilltops having regard to its 2018 submission and the Tribunals findings that re-categorisation at that time was not warranted:

   “41. Hilltops Council has sought to be re-categorised from Rural to Regional Rural. The new Hilltops Council is an amalgamation of three former councils in the Rural category (Young, Boorowa and Harden). The submission states that the new council has increased complexity of business and should be recognised as Regional Rural.

42. The Tribunal notes that Hilltops has a population of 19,150 (2016) which is just below the indicative population range of Regional Rural councils. The category of Regional Rural currently includes one council – Broken Hill – which has a population similar to that of Hilltops. Broken Hill warrants categorisation as Regional Rural in recognition of the degree of regional servicing it provides to far western NSW. It is not considered that Hilltops provides the same degree of regional services and on that basis re-categorisation is not warranted at this time.”

32. Hilltops’ June 2018 population of 18,782 is below the indicative population range of Regional Rural councils. The Tribunal has reviewed the additional criteria and finds no reason to alter its findings as outlined in the 2018 determination.

Fees

33. The LGNSW submission requested that the Tribunal increase fees by the allowable maximum of 2.5 per cent. The submission also repeated its view that the current arrangement for setting fees is inadequate and does not compensate elected members for the significant workload and range of responsibilities which are expanding. Comparative information was presented in respect to board fees, fees paid to mayors and councillors of councils in Queensland, and salaries for members of Parliament. A report detailing the findings of an independent review conducted on current remuneration paid to councillors and mayors was also provided. The LGNSW submission
Local Government Remuneration Tribunal

also requested that the Tribunal make a recommendation in support of the payment of superannuation.

34. Several submissions sought an increase to the allowable maximum of 2.5 per cent and raised similar issues to LGNSW in respect to the current fees not being adequate compensation for increased responsibilities and workload required to carry out mayoral and councillor duties and non-payment of superannuation. Several submissions also sought an increase significantly higher than the allowable 2.5 per cent or that fees be increased by benchmarking them to Principal CBD fees or population per councillor or using the base salary and allowances for Members of Parliament in the relevant region.

35. Two submissions also raised the matter of fees for deputy mayors. The Tribunal addressed this matter in the 2018 determination and will make no further comment.

36. The Tribunal has considered the submissions received. The Tribunal is mindful that the roles and responsibilities of councillors and mayors in NSW are outlined in the LG Act and notes that they are not necessarily comparable to the roles and responsibilities of councillors and mayors in other states, members of Parliament or members of boards and committees.

37. The Tribunal again notes that some of the other matters raised by submissions are more appropriately dealt with in the context of the current Local Government reform agenda and are outside the Tribunal’s powers.

38. The Tribunal is required to have regard to the Government’s wages policy when determining the increase to apply to the maximum and minimum fees that apply to councillors and mayors. The public sector wages policy currently provides for a cap on increases of 2.5 per cent.

39. The Tribunal has reviewed the key economic indicators, including the Consumer Price Index and Wage Price Index, and had regard to budgetary limitations imposed by the Government’s policy of rate pegging, and finds that the full increase of 2.5 per cent is warranted. The 2.5 per cent increase will apply to the minimum and the maximum of the ranges for all existing categories.
Other matters

40. The submission from LGNSW and several councils have again raised the matter of the non-payment of superannuation. The Tribunal addressed this matter in the 2018 determination as outline below and will make no further comment:

"54. The matter of the non-payment of superannuation has been previously raised in submissions to the Tribunal and is not a matter for the Tribunal to determine. Section 251 of the LG Act confirms that councillors are not employees of the council and the fee paid does not constitute a salary under the Act. The Tribunal notes that the Australian Tax Office has made a definitive ruling (ATO ID 2007/205) that allows councillors to redirect their annual fees into superannuation on a pre-tax basis and is a matter for councils (Ref: Councillor Handbook, Oct 2017, Office of Local Government p.69)."

41. The Tribunal also received a submission from the Canberra Region Joint Organisation (CRJO) although no invitation to do so was issued by the Tribunal. The CRJO has requested that the Tribunal set chair and member fees for joint organisations in the 2019 annual determination.

42. The Tribunal is constituted under Chapter 9, Part 2, Division 4 of the LG Act. The Tribunal’s determinations apply to Councils, Mayors and Councillors within the meaning of Chapter 9 of the LG Act.

43. Joint organisations, including the Board of a joint organisation, are constituted under Chapter 12, Part 7 of the LG Act. The Tribunal’s jurisdiction does not apply to joint organisations, as provided for in section 400ZH(3)(e) of the LG Act.

44. On that basis the Tribunal has no power to consider the CRJO submission and it is a matter that the CRJO may wish to raise with the Minister for Planning and Public Spaces who is the Minister responsible for the LG Act. The Tribunal has written to the CRJO in the above terms.

Conclusion

45. The Tribunal’s determinations have been made with the assistance of the two Assessors - Mr Brian Bell and Mr Tim Hurst. The allocation of councils into each of the categories,
Local Government Remuneration Tribunal

pursuant to section 239 of the LG Act, is outlined in Determination No. 1. The maximum and minimum fees paid to councillors and mayors and members and chairpersons of county councils, pursuant to section 241 of the LG Act, are outlined in Determination No. 2.

The Local Government Remuneration Tribunal

(Signed)

Dr Robert Lang

Dated: 15 April 2019
Section 4  Determinations

Determination No. 1- Determination Pursuant to Section 239 of Categories of Councils and County Councils Effective From 1 July 2019

Table 1:  General Purpose Councils - Metropolitan

<table>
<thead>
<tr>
<th>Principal CBD (1)</th>
<th>Major CBD (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sydney</td>
<td>Parramatta</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Metropolitan Large (8)</th>
<th>Metropolitan Medium (9)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blacktown</td>
<td>Bayside</td>
</tr>
<tr>
<td>Canterbury-Bankstown</td>
<td>Campbelltown</td>
</tr>
<tr>
<td>Cumberland</td>
<td>Georges River</td>
</tr>
<tr>
<td>Fairfield</td>
<td>Hornsby</td>
</tr>
<tr>
<td>Liverpool</td>
<td>Ku-ring-gai</td>
</tr>
<tr>
<td>Northern Beaches</td>
<td>Inner West</td>
</tr>
<tr>
<td>Penrith</td>
<td>Randwick</td>
</tr>
<tr>
<td>Sutherland</td>
<td>Ryde</td>
</tr>
<tr>
<td></td>
<td>The Hills</td>
</tr>
</tbody>
</table>

| Metropolitan Small (11) | |
|-------------------------| |
| Burwood                 | |
| Camden                  | |
| Canada Bay              | |
| Hunters Hill            | |
| Lane Cove               | |
| Mosman                  | |
| North Sydney            | |
| Strathfield             | |
| Waverley                | |
| Willoughby              | |
| Woollahra               | |
## Local Government Remuneration Tribunal

### Table 2: General Purpose Councils – Non-Metropolitan

<table>
<thead>
<tr>
<th>Regional City (2)</th>
<th>Regional Strategic Area (2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Newcastle</td>
<td>Central Coast</td>
</tr>
<tr>
<td>Wollongong</td>
<td>Lake Macquarie</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Regional Rural (37)</th>
<th>Rural (57)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albury</td>
<td>Balranald</td>
</tr>
<tr>
<td>Armidale</td>
<td>Bellingen</td>
</tr>
<tr>
<td>Ballina</td>
<td>Berrigan</td>
</tr>
<tr>
<td>Bathurst</td>
<td>Bland</td>
</tr>
<tr>
<td>Bega</td>
<td>Blayney</td>
</tr>
<tr>
<td>Blue Mountains</td>
<td>Bogan</td>
</tr>
<tr>
<td>Broken Hill</td>
<td>Bourke</td>
</tr>
<tr>
<td>Byron</td>
<td>Brevarra</td>
</tr>
<tr>
<td>Cessnock</td>
<td>Cabonne</td>
</tr>
<tr>
<td>Clarence Valley</td>
<td>Carrathool</td>
</tr>
<tr>
<td>Coffs Harbour</td>
<td>Central Darling</td>
</tr>
<tr>
<td>Dubbo</td>
<td>Cobar</td>
</tr>
<tr>
<td>Eurobodalla</td>
<td>Coolamon</td>
</tr>
<tr>
<td>Goulburn Mulwaree</td>
<td>Coonamble</td>
</tr>
<tr>
<td>Griffith</td>
<td>Coottamundra-Gundagai</td>
</tr>
<tr>
<td>Hawkesbury</td>
<td>Coura</td>
</tr>
<tr>
<td>Kempsey</td>
<td>Dungog</td>
</tr>
<tr>
<td>Kiama</td>
<td>Edward River</td>
</tr>
<tr>
<td>Lismore</td>
<td>Federation</td>
</tr>
<tr>
<td>Lithgow</td>
<td>Forbes</td>
</tr>
<tr>
<td>Maitland</td>
<td>Gilgandra</td>
</tr>
<tr>
<td>Mid-Coast</td>
<td>Glen Innes Severn</td>
</tr>
<tr>
<td>Mid-Western</td>
<td>Greater Hume</td>
</tr>
<tr>
<td>Orange</td>
<td>Gunnedah</td>
</tr>
<tr>
<td>Port Macquarie-Hastings</td>
<td>Gywdyr</td>
</tr>
<tr>
<td>Port Stephens</td>
<td>Hay</td>
</tr>
<tr>
<td>Queanbeyan-Palerang</td>
<td>Hilltops</td>
</tr>
<tr>
<td>Richmond Valley</td>
<td>Inverell</td>
</tr>
<tr>
<td>Shellharbour</td>
<td>Junee</td>
</tr>
<tr>
<td>Shoalhaven</td>
<td></td>
</tr>
<tr>
<td>Singleton</td>
<td></td>
</tr>
<tr>
<td>Snowy Monaro</td>
<td></td>
</tr>
<tr>
<td>Tamworth</td>
<td></td>
</tr>
<tr>
<td>Tweed</td>
<td></td>
</tr>
<tr>
<td>Wagga Wagga</td>
<td></td>
</tr>
<tr>
<td>Wingecarribee</td>
<td></td>
</tr>
<tr>
<td>Wollondilly</td>
<td></td>
</tr>
</tbody>
</table>
## Local Government Remuneration Tribunal

### Table 3: County Councils

<table>
<thead>
<tr>
<th>Water (4)</th>
<th>Other (6)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central Tablelands</td>
<td>Castlereagh-Macquarie</td>
</tr>
<tr>
<td>Goldenfields Water</td>
<td>Central Murray</td>
</tr>
<tr>
<td>Riverina Water</td>
<td>Hawkesbury River</td>
</tr>
<tr>
<td>Rous</td>
<td>New England Tablelands</td>
</tr>
<tr>
<td></td>
<td>Upper Hunter</td>
</tr>
<tr>
<td></td>
<td>Upper Macquarie</td>
</tr>
</tbody>
</table>
Local Government Remuneration Tribunal

Determination No. 2 - Determination Pursuant to Section 241 of Fees for Councillors and Mayors

Pursuant to s.241 of the Local Government Act 1993, the annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July 2019 are determined as follows:

Table 4: Fees for General Purpose and County Councils

<table>
<thead>
<tr>
<th>Category</th>
<th>Councillor/Member Annual Fee</th>
<th>Mayor/Chairperson Additional Fee*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Minimum</td>
<td>Maximum</td>
</tr>
<tr>
<td>General Purpose Councils - Metropolitan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Principal CBD</td>
<td>27,640</td>
<td>40,530</td>
</tr>
<tr>
<td>Major CBD</td>
<td>18,430</td>
<td>34,140</td>
</tr>
<tr>
<td>Metropolitan Large</td>
<td>18,430</td>
<td>30,410</td>
</tr>
<tr>
<td>Metropolitan Medium</td>
<td>13,820</td>
<td>25,790</td>
</tr>
<tr>
<td>Metropolitan Small</td>
<td>9,190</td>
<td>20,280</td>
</tr>
<tr>
<td>General Purpose Councils - Non-metropolitan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regional City</td>
<td>18,430</td>
<td>32,040</td>
</tr>
<tr>
<td>Regional Strategic Area</td>
<td>18,430</td>
<td>30,410</td>
</tr>
<tr>
<td>Regional Rural</td>
<td>9,190</td>
<td>20,280</td>
</tr>
<tr>
<td>County Councils</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rural</td>
<td>9,190</td>
<td>12,160</td>
</tr>
<tr>
<td>Water</td>
<td>1,820</td>
<td>10,140</td>
</tr>
<tr>
<td>Other</td>
<td>1,820</td>
<td>6,060</td>
</tr>
</tbody>
</table>

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).

The Local Government Remuneration Tribunal
(Signed)
Dr Robert Lang
Dated: 15 April 2019
Appendices

Appendix 1 Criteria that apply to categories

**Principal CBD**
The Council of the City of Sydney (the City of Sydney) is the principal central business district (CBD) in the Sydney Metropolitan area. The City of Sydney is home to Sydney’s primary commercial office district with the largest concentration of businesses and retailers in Sydney. The City of Sydney’s sphere of economic influence is the greatest of any local government area in Australia.

The CBD is also host to some of the city’s most significant transport infrastructure including Central Station, Circular Quay and International Overseas Passenger Terminal. Sydney is recognised globally with its iconic harbour setting and the City of Sydney is host to the city’s historical, cultural and ceremonial precincts. The City of Sydney attracts significant visitor numbers and is home to 60 per cent of metropolitan Sydney’s hotels.

The role of Lord Mayor of the City of Sydney has significant prominence reflecting the CBD’s importance as home to the country’s major business centres and public facilities of state and national importance. The Lord Mayor’s responsibilities in developing and maintaining relationships with stakeholders, including other councils, state and federal governments, community and business groups, and the media are considered greater than other mayoral roles in NSW.

**Major CBD**
The Council of the City of Parramatta (City of Parramatta) is the economic capital of Greater Western Sydney and the geographic and demographic centre of Greater Sydney. Parramatta is the second largest economy in NSW (after Sydney CBD) and the sixth largest in Australia.

As a secondary CBD to metropolitan Sydney the Parramatta local government area is a major provider of business and government services with a significant number of organisations relocating their head offices to Parramatta. Public administration and safety has been a growth sector for Parramatta as the State Government has promoted a policy of moving government agencies westward to support economic development beyond the Sydney CBD.

The City of Parramatta provides a broad range of regional services across the Sydney Metropolitan area with a significant transport hub and hospital and educational facilities. The City of Parramatta is home to the Westmead Health and Medical Research precinct which represents the largest concentration of hospital and health services in Australia, servicing Western Sydney and providing other specialised services for the rest of NSW.

The City of Parramatta is also home to a significant number of cultural and sporting facilities (including Sydney Olympic Park) which draw significant domestic and international visitors to the region.
**Local Government Remuneration Tribunal**

<table>
<thead>
<tr>
<th>Metropolitan Large</th>
</tr>
</thead>
<tbody>
<tr>
<td>Councils categorised as Metropolitan Large will typically have a minimum population of 200,000.</td>
</tr>
<tr>
<td>Other features may include:</td>
</tr>
<tr>
<td>- total operating revenue exceeding $200M per annum</td>
</tr>
<tr>
<td>- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities</td>
</tr>
<tr>
<td>- significant industrial, commercial and residential centres and development corridors</td>
</tr>
<tr>
<td>- high population growth.</td>
</tr>
<tr>
<td>Councils categorised as Metropolitan Large will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Metropolitan Medium</th>
</tr>
</thead>
<tbody>
<tr>
<td>Councils categorised as Metropolitan Medium will typically have a minimum population of 100,000.</td>
</tr>
<tr>
<td>Other features may include:</td>
</tr>
<tr>
<td>- total operating revenue exceeding $100M per annum</td>
</tr>
<tr>
<td>- services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities</td>
</tr>
<tr>
<td>- industrial, commercial and residential centres and development corridors</td>
</tr>
<tr>
<td>- high population growth.</td>
</tr>
<tr>
<td>The sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Large councils.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Metropolitan Small</th>
</tr>
</thead>
<tbody>
<tr>
<td>Councils categorised as Metropolitan Small will typically have a population less than 100,000.</td>
</tr>
<tr>
<td>Other features which distinguish them from other metropolitan councils include:</td>
</tr>
<tr>
<td>- total operating revenue less than $150M per annum.</td>
</tr>
<tr>
<td>While these councils may include some of the facilities and characteristics of both Metropolitan Large and Metropolitan Medium councils the overall sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Medium councils.</td>
</tr>
</tbody>
</table>
Local Government Remuneration Tribunal

Regional City
Councils categorised as Regional City will typically have a population above 150,000. These councils are metropolitan in nature with major residential, commercial and industrial areas. These Councils typically host government departments, major tertiary education and health facilities and incorporate high density commercial and residential development.

These councils provide a full range of higher order services and activities along with arts, culture, recreation and entertainment facilities to service the wider community and broader region. These councils typically also contain ventures which have a broader State and national focus which impact upon the operations of the council.

Newcastle City Council and Wollongong City Councils are categorised as Regional City.

Regional Strategic Area
Councils categorised as Regional Strategic Area are differentiated from councils in the Regional Rural category on the basis of their significant population. Councils categorised as Regional Strategic Area will typically have a population above 200,000. These councils contain a mix of urban and rural settlements. They provide a range of services and activities including business, office and retail uses, along with arts, culture, recreation and entertainment facilities to service the wider community. These councils host tertiary education campuses and health facilities.

While councils categorised as Regional Strategic Area may have populations which exceed those of Regional City, they would not typically provide the same range of regional services or have an equivalent sphere of economic influence.

Central Coast Council and Lake Macquarie Council are categorised as Regional Strategic Area.

Regional Rural
Councils categorised as Regional Rural will typically have a minimum population of 20,000.

Other features which distinguish them from other non-metropolitan councils include:

- a major town or towns with the largest commercial component of any location in the surrounding area
- a significant urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages or may be located on or close to the coast with high levels of population and tourist facilities
- provide a full range of higher-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- regional services to the wider community through principal referral hospitals, tertiary education services and major regional airports
- these councils may also attract large visitor numbers to established tourism ventures.
## Local Government Remuneration Tribunal

### Rural
Councils categorised as Rural will typically have a population below 20,000.

Other features which distinguish them from other non-metropolitan councils include:
- one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre
- a limited range of services, facilities and employment opportunities compared to Regional Rural councils
- local economies based on agricultural/resource industries.

### County Councils - Water
County councils that provide water and/or sewerage functions with a joint approach in planning and installing large water reticulation and sewerage systems.

### County Councils - Other
County councils that administer, control and eradicate declared noxious weeds as a specified Local Control Authority under the *Noxious Weeds Act 1993.*
Item No: C06/19-101

RENEWAL AND ESTABLISHMENT OF ALCOHOL-FREE ZONES - STAGE 2

Responsible Division: Community Development
Officer: Director Community Development
File Number: T011739/2018
Community Strategic Plan Goal: A safe and accessible community

SUMMARY

This report recommends the renewal and establishment of 17 Alcohol-Free Zones in Greystanes, Girraween, Guildford, Merrylands, Pendle Hill, South Wentworthville, Toongabbie, Wentworthville and Westmead following a public consultation and notification process in accordance with Section 644 of the Local Government Act 1993.

RECOMMENDATION

That Council:

1. Establish 17 Alcohol-Free Zones in accordance with Section 644 of the Local Government Act 1993 in the areas within Greystanes, Girraween, Guildford, Merrylands, Pendle Hill, South Wentworthville, Toongabbie, Wentworthville and Westmead as outlined in Attachments 1 - 18 of this report for a four year period (13 June 2019 to 12 June 2023).

2. Advise the Cumberland Police Area Command and provide public notice in local newspapers of the establishment of the Alcohol-Free Zones.

REPORT

Background

At the Ordinary Meeting of Council held on 3 April 2019, Council considered a report on the renewal and establishment of Alcohol-Free Zones - Stage 2 across the Cumberland Local Government Area (Item C04/19-42) and resolved (Min.463) that Council:

“1. Commence the mandatory consultation and notification process in accordance with the Local Government Act 1993 for the renewal of existing and proposed additional Alcohol-Free Zones in the Greystanes, Girraween, Guildford, Merrylands, Pendle Hill, South Wentworthville, Toongabbie, Wentworthville and Westmead areas as outlined in this report for a four year period.

2. Receive a further report for consideration at the conclusion of the public consultation and notification process.”
This report provides an overview of the consultation process and recommends the establishment of 17 sites in Greystanes, Girraween, Guildford, Merrylands, Pendle Hill, South Wentworthville, Toongabbie, Wentworthville and Westmead as Alcohol-Free Zones for a four year period commencing 13 June 2019.

Public Consultation and Notification Process

In accordance with Section 644 of the Local Government Act 1993, Council undertook a 30 day public consultation and notification process between 8 April 2019 and 7 May 2019. This included:

- All affected licensees in the Cumberland Police Area Command were notified in writing and written submissions were invited until 4pm, 7 May 2019.
- Advertisements were placed in local newspapers: Parramatta Advertiser (Wednesday 10 April 2019) and The Auburn Review (Tuesday 9 April 2019).
- Notice and maps of the proposed zones were placed on Council’s website and hard copy information was made available at Council customer service centres, libraries and community centres.
- Police from the Cumberland Police Area Command were notified in writing and consultation was undertaken with relevant officers.
- Notice and maps of the proposed zones were available on Council’s ‘Have Your Say’ community engagement website. The page received 73 visits during the public exhibition period, with 13 people downloading the Alcohol Free Zone maps.

Three submissions were received during the public consultation period. One submission provided support for the new Alcohol-Free Zone proposed in the Daniel Street Park Car Park, Greystanes (Zone 30). Another submission was received from Guildford Leagues Club with respect to Zone 31: McCredie Park Car Park, and identified the procedures in place by the Club to patrol the car park and enforce the regulations. The third submission was received from the Cumberland Police Area Command (PAC) in support of this initiative and noted the following:

“Cumberland PAC have nil issues and support the proposed establishment and renewal of existing AFZs [Alcohol-Free Zones] located within the Cumberland PAC patrol. Please inform Police when the AFZs are confirmed and signposted for Police to enforce these AFZs.”

No objections were received during the public consultation period.

Operation of Alcohol-Free Zones

The proposed Alcohol-Free Zones will be established for a period of four years from the commencement date and will operate 24 hours a day. These locations will be enforceable Alcohol-Free Zones under section 644B of the Local Government Act 1993, subject to the installation of the prescribed signage. Enforcement is undertaken by officers of the NSW Police Force. Any person observed to be drinking in an Alcohol-Free Zone may have the alcohol in their possession immediately seized and tipped out or otherwise disposed of.
Establishment of an Alcohol-Free Zone does not prevent the consumption of alcohol in any footpath dining areas that have a liquor licence covering the footpath dining areas.

The installation of new and replacement signage will be undertaken prior to the commencement of the four year period on 13 June 2019.

COMMUNITY ENGAGEMENT

In accordance with Section 644 of the Local Government Act 1993, Council gave public notice of its intention to renew and establish the Alcohol-Free Zones and allowed 30 days for the making and consideration of public submissions. All licenced premises in the affected areas were formally notified. No objections were received. Two community submissions and one police submission were received. The 17 proposed Alcohol-Free Zones are supported by NSW Police.

Council will inform police from the Cumberland PAC when the Alcohol-Free Zone signs are erected to allow Police to patrol and enforce the Alcohol-Free Zones. Council will also place a notice on its website and in local newspapers.

POLICY IMPLICATIONS

Council has complied with the mandatory public consultation and notification process in accordance with the Local Government Act 1993 and Ministerial Guidelines on Alcohol-Free Zones. The Alcohol-Free Zones will be enforceable by the NSW Police under Section 644 of the Local Government Act 1993, subject to the installation of the prescribed signage. There are no Council policy implications for the establishment of Alcohol-Free Zones.

RISK IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Sufficient resourcing has been included for the manufacture and installation of appropriate signage in the adopted 2018/2019 operational budget. There are no further financial implications for Council associated with this report.

CONCLUSION

In accordance with Section 644 of the Local Government Act 1993, Council has completed the mandatory public consultation and notification process for the renewal and establishment of Alcohol-Free Zones. This report recommends the establishment of 17 Alcohol-Free Zones as outlined in Attachment 1 for a four year period.
ATTACHMENTS

1. Designated Alcohol-Free Zones - 13 June 2019 to 12 June 2023
2. ZONE 29 Greystanes Sportsground Car Park
3. ZONE 30 Daniel Street Park Car Park
4. ZONE 24 Nemesia Street Park Car Parks, Greystanes
5. ZONE 25 Darling Street Park Car Parks, Greystanes
6. ZONE 26 Bathurst Street Shopping Centre and Car Park, Greystanes
7. ZONE 27 Greystanes Shopping Centre, Greystanes
8. ZONE 28 Hyland Road, Greystanes
9. ZONE 31 McCredie Park Car Park, Guildford
10. ZONE 32 Merrylands Oval Car Parks, Merrylands
11. ZONE 33 Hilltop Road, Merrylands
12. ZONE 34 Civic Avenue, Pendle Hill
13. ZONE 35 Ted Burge Sportsground Car Park
14. ZONE 36 CV Kelly Park Car Park
15. ZONE 37 Toongabbie Town Centre
16. ZONE 38 Wentworthville Town Centre
17. ZONE 39 Ringrose Park (Monty Bennett Oval) Car Parks, Wentworthville
18. ZONE 40 Westmead
Attachment 1
Designated Alcohol-Free Zones -
13 June 2019 to 12 June 2023
Designated Alcohol-Free Zones - 13 June 2019 to 12 June 2023 (Stage Two)

It is recommended that Council renew the establishment of Alcohol-Free Zones in the public road, car parking areas and adjacent footpaths for the 17 areas listed below (maps are included in Attachments 2 to 18).

The drinking of alcohol is prohibited in an Alcohol-Free Zone.

Alcohol-Free Zones are enforced by the NSW Police. Any person observed to be drinking in an Alcohol-Free Zone may have the alcohol in their possession immediately seized and tipped out or otherwise disposed of.

Greystanes

- Zone 24: Nemesia Street Park Car Parks, Greystanes - Carnation Street, Greystanes (western side) - commencing from the northern boundary of 17 Carnation Street to the intersection with Nemesia Street, Greystanes; Nemesia Street (on the southern side) commencing from the intersection with Carnation Street to the intersection with Hyacinth Street; Car park on the northern side of Nemesia Street Park (accessed via Nemesia Street); Hyacinth Street (eastern side) from intersection with Nemesia Street to northern boundary of 4 Hyacinth Street; Car park on the southern side of Nemesia Street Park (accessed via Gardenia Parade); Gardenia Parade (northern side) from eastern boundary of 72 Gardenia Parade to western boundary of 78 Gardenia Parade.

- Zone 25: Darling Street Park Car Parks, Greystanes - Car park on the southern side of Darling Street Park (accessed via Darling Street); Car park on the northern side of the Darling Street Park (accessed via MacLeay Street).

- Zone 26: Bathurst Street Shopping Centre and Car Park, Greystanes - 41 to 51 Bathurst Street (southern side of Bathurst Street along the frontage of Bathurst Street Shopping Centre) incorporating the adjacent car park.

- Zone 27: Greystanes Shopping Centre, Greystanes - Merrylands Road (on the eastern side) between Cumberland Road and Braeside Road; Braeside Road between Merrylands Road and Terry Street (on the western side) and No. 146 Braeside Road (on the eastern side); Terry Street between Braeside Road and Cumberland Road; Benaud Street Laneway between Benaud Street and Cumberland Road; Cumberland Road between Terry Street and Merrylands Road.

- Zone 28: Hyland Road, Greystanes between 2 and 7 Hyland Road, 100 metres east and south of the Cumberland West Men's Shed.

- Zone 29: Greystanes Sportsground Car Park – Car park on the northern side of Greystanes Sportsground (accessed via Merrylands Road).

- Zone 30: Daniel Street Park Car Park - Car park on the western side of Daniel Street Park (accessed via Virgil Street).
Guildford

- Zone 31: McCredie Park Car Park, Guildford - Car park on the eastern side of McCredie Park (accessed via Tamplin Road and Guildford Leagues Club).

Merrylands

- Zone 32: Merrylands Oval Car Parks, Merrylands - Car parks (servicing the Merrylands Swimming Centre, Merrylands Oval and Merrylands Park Tennis Courts) on the eastern side of Burnett Street.

- Zone 33: Hilltop Road, Merrylands between Clarence Street and the western boundary of 13 Hilltop Road (northern side); Hilltop Road between Clarence Street and the western boundary of 12 Hilltop Road (southern side).

Pendle Hill

- Zone 34: Civic Avenue, Pendle Hill between Pendle Way and Billabong Street including the Civic Park Car park (at the western end of Civic Avenue); Pendle Way, Pendle Hill (eastern side) between Stapleton Street and Joyce Street; Pendle Way (western side) between Gilba Road and Joyce Street; Joyce Street (northern and southern sides) between Pendle Way and Purdie Lane; Purdie Lane between Stapleton Street and Joyce Street incorporating the adjacent car park; Stapleton Street between Pendle Way and Purdie Lane.

South Wentworthville

- Zone 35: Ted Burge Sportsground Car Park and street frontage surrounds, South Wentworthville - Hollywood Street (south side) between Centenary Road and Richmond Street including the adjacent car parking areas; Richmond Street (western side) between Hollywood and Richmond Street; Fairmount Street (northern side) between Centenary Road and Richmond Street.

Girraween

- Zone 36: CV Kelly Park Car Park, Girraween - Car park on the southern side of CV Kelly Park (accessed via Oramzi Road).

Toongabbie

- Zone 37: Toongabbie Town Centre - Portico Parade, Toongabbie between Aurelia Street and Junia Avenue; Aurelia Street between Portico Parade and Octavia Street; "The Portico" being those sections of roads and adjacent footpaths adjacent to the perimeter of Portico Park extending between Portico Parade and Aurelia Street and Portico Parade and Cornelia Road.

Wentworthville

- Zone 38: Wentworthville Town Centre inclusive of:
  - The Kingsway (between Cumberland Highway and Station Street including The Kingsway Car Park);
- Dunmore Street (between the Cumberland Highway and Lane Street including the car parks on the eastern and western sides of the Wentworthville Library and Community Centre (2 - 8 Lane Street), and the car park on the corner of Garfield Street);
- Lane Street (between Dunmore and Veron Street, including the car park at 13 Lane Street, to the rear of the Wentworthville Hotel, described as Lot 29 DP 963);
- Veron Street (between Lane Street and 57 Veron Street);
- Station Street (between The Kingsway and McKern Street);
- Pritchard Street (between Station Street and Garfield Street); and
- Garfield Street (between Dunmore Street and Pritchard Street).

- Zone 39: Ringrose Park (Monty Bennett Oval) Car Parks, Wentworthville - the car park on the eastern side of Monty Bennett Oval (accessed via Cumberland Highway) and the car park on the northern side of Monty Bennett Oval (accessed via Smith Street, adjacent to the Wentworthville Leagues Club Car Park).

Westmead

- Zone 40: The western side of Hawkesbury Road, Westmead adjacent to the frontage of the Oakes Shopping Centre (74 Hawkesbury Road) between Nolan Crescent and Church Avenue and the laneway behind.

It is important to note that Alcohol-Free Zones can only be created for a public road or part of a public road, footpath or public place that is a car park or part of a car park. The prohibition of the consumption of alcohol in other places such as parks and reserves is governed under Section 632A of the Local Government Act 1993 as ‘Alcohol Prohibited Areas’. These do not require approval of Council.

The above locations are all situated in the Cumberland Police Area Command.
DOCUMENTS ASSOCIATED WITH REPORT C06/19-101

Attachment 2
ZONE 29 Greystanes Sportsground Car Park
ALCOHOL FREE ZONES 29
GREYSTANES SPORTSGROUND CAR PARK

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purpose. There is no warranty expressed or implied.

Map projection: UTM
Coordinate System: GDAM2000 Zone 59
File Name: AFZ-Zone 29
DOCUMENTS ASSOCIATED WITH REPORT C06/19-101

Attachment 3
ZONE 30 Daniel Street Park Car Park
ALCOHOL FREE ZONES 24
NEMESIA STREET PARK CAR PARKS, GREYSTANES

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DOCUMENTS ASSOCIATED WITH REPORT C06/19-101

Attachment 5
ZONE 25 Darling Street Park Car Parks, Greystanes
ALCOHOL FREE ZONES 25
DARLING STREET PARK CAR PARKS, GREYSTANES

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DOCUMENTS ASSOCIATED WITH REPORT C06/19-101

Attachment 6
ZONE 26 Bathurst Street Shopping Centre and Car Park, Greystanes.
DOCUMENTS ASSOCIATED WITH REPORT C06/19-101

Attachment 7
ZONE 27 Greystanes Shopping Centre, Greystanes
ALCOHOL FREE ZONES 27
GREYSTANES SHOPPING CENTRE, GREYSTANES
DOCUMENTS ASSOCIATED WITH REPORT C06/19-101

Attachment 8
ZONE 28 Hyland Road, Greystanes
ALCOHOL FREE ZONES 28
HYLAND ROAD, GREYSTANES

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Map projection: UTM
Coordinate System:
GDA94 Zone 59
File Name: AFZ-Zone 28
DOCUMENTS
ASSOCIATED WITH
REPORT C06/19-101

Attachment 9
ZONE 31 McCredie Park Car
Park, Guildford
ALCOHOL FREE ZONES 31
MCCREDIE PARK CAR PAK, GUILDFORD

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Map projection: UTM
Coordinate System: GDAM94 Zone 59
File Name: AFZ - Zone 31
DOCUMENTS ASSOCIATED WITH REPORT C06/19-101

Attachment 10
ZONE 32 Merrylands Oval Car Parks, Merrylands
DOCUMENTS ASSOCIATED WITH REPORT C06/19-101

Attachment 11
ZONE 33 Hilltop Road, Merrylands
ALCOHOL FREE ZONES 33
HILLTOP ROAD, MERRYLANDS
DOCUMENTS ASSOCIATED WITH REPORT C06/19-101

Attachment 12
ZONE 34 Civic Avenue, Pendle Hill
DOCUMENTS ASSOCIATED WITH REPORT C06/19-101

Attachment 13
ZONE 35 Ted Burge
Sportsground Car Park
ALCOHOL FREE ZONES 35
TED BURGE SPORTSGROUND CAR PARK AND STREET
FRONTAGE SURROUNDS, SOUTH WENTWORTHVILLE
DOCUMENTS ASSOCIATED WITH REPORT C06/19-101

Attachment 14
ZONE 36 CV Kelly Park Car Park
DOCUMENTS ASSOCIATED WITH REPORT C06/19-101

Attachment 15
ZONE 37 Toongabbie Town Centre
ALCOHOL FREE ZONES 37
TOONGABBIE TOWN CENTRE
DOCUMENTS
ASSOCIATED WITH
REPORT C06/19-101

Attachment 16
ZONE 38 Wentworthville Town Centre
ALCOHOL FREE ZONES 38
ZONE 38: WENTWORTHVILLE TOWN CENTRE
DOCUMENTS ASSOCIATED WITH REPORT C06/19-101

Attachment 17

ZONE 39 Ringrose Park (Monty Bennett Oval) Car Parks, Wentworthville
ALCOHOL FREE ZONES 39
RINGROSE PARK (MONTY BENNETT OVAL) CAR PARKS,
WENTWORTHVILLE
Item No: C06/19-102

**ADOPTION OF CUMBERLAND CULTURAL PLAN 2019 - 2029 - POST EXHIBITION**

Responsible Division: Community Development
Officer: Director Community Development
File Number: C-37-01/09
Community Strategic Plan Goal: *A great place to live*

**SUMMARY**

This report recommends the adoption of the *Draft Cumberland Cultural Plan 2019-2029* following a period of public exhibition.

**RECOMMENDATION**

That Council adopt the *Draft Cumberland Cultural Plan 2019-2029* as outlined in Attachment 2 of this report.

**REPORT**

At the Ordinary Meeting of Council held on 3 April 2019, Council resolved to place the *Draft Cumberland Cultural Plan 2019-2029* on public exhibition for consultation with the community (Min. 464).

Council received four formal submissions during the public exhibition period. In addition, the Draft Cumberland Cultural Plan 2019-2029 was tabled for discussion at the Cumberland Arts Advisory Committee Meeting. A summary of the submissions received, Committee feedback and Council’s responses are listed in Attachment 1.

Some amendments have been made to the Draft Plan based on the public submissions and Committee feedback. Some of the key changes include:

- The inclusion of case studies and examples such as The Granville Centre that demonstrate actions in the Draft Plan that are currently in progress and will deliver major benefits to Cumberland.
- The inclusion of a Darug language ‘Welcome to Country’ as well as minor wording changes to recognise Cumberland’s living Aboriginal culture.
- Design, text and imagery changes to better showcase arts, culture and creativity in Cumberland.

Many of the submissions and feedback related to the implementation of initiatives that are already incorporated into the strategies and actions in the Draft Plan.
Council has now addressed all public feedback and recommends the *Draft Cumberland Cultural Plan 2019-2029* (in Attachment 2 of this report) be adopted by Council.

**COMMUNITY ENGAGEMENT**


During the public exhibition period, the following community engagement activities were undertaken:

- The Draft Plan was distributed to residents, community groups, committees and key stakeholders who participated in the engagement process to seek additional feedback and comment.
- The Draft Plan, ‘*The State of Culture in Cumberland 2019 Background Report*’ and Community Engagement Report were made available on Council’s ‘Have Your Say’ website.
- The Draft Plan was made available at Council libraries, staffed community centres and customer service centres.
- Promotion of the public exhibition period via Council’s social media channels and distribution of media releases to local papers.
- Advertisement of the public exhibition period via advertisements in the Auburn Review and Parramatta Advertiser on 9 April and 10 April.
- The Draft Plan was also distributed through community and artist networks, and at interagency meetings.

Council received 291 visits to the ‘Have Your Say’ page of the website during the public exhibition period, with 68 people downloading the *Draft Cumberland Cultural Plan 2019 - 2029*.

**POLICY IMPLICATIONS**

This is the first Cultural Plan for Cumberland Council. Actions in the *Draft Cumberland Cultural Plan 2019 - 2029* related to the *Art and Cultural Collection Policy* will be implemented in accordance with the Policy.

**RISK IMPLICATIONS**

As part of Council’s restructure, Council has recently recruited a Gallery and Cultural Services Coordinator who will oversee the implementation of the Cultural Plan and monitor progress.

The Plan will be supported by an annual implementation plan which identifies the priority actions to be implemented with accompanying responsibilities and timeframes. The implementation plan will be developed with input from the Arts Advisory Committee who will also assist with monitoring progress and in the implementation of actions.

Progress against the Plan will be reported quarterly to Council in accordance with Council’s corporate planning and reporting framework. The results will also be reported.
to Council and the community annually as part of the Cumberland Council Annual Report.

A comprehensive review and evaluation of the Plan will be undertaken midway and at the completion of the ten year term in 2029.

**FINANCIAL IMPLICATIONS**

Funding for the implementation of the Cultural Plan has been factored into the Draft 2019/2020 Operational Budget. Some strategies within the Cultural Plan will need to be scoped and costed further in future years. Council will also proactively seek funding and partnerships to support the delivery of actions outlined in the Plan.

**CONCLUSION**

Council has publicly exhibited the *Draft Cumberland Cultural Plan 2019 - 2029* and addressed all public feedback as outlined in Attachment 1 of this report. The *Draft Cumberland Cultural Plan 2019 - 2029* is now recommended for adoption.

**ATTACHMENTS**

1. Summary of Submissions received during the Public Exhibition Period
2. Draft Cumberland Cultural Plan 2019 - 2029
Attachment 1

Summary of Submissions received during the Public Exhibition Period
Draft Cumberland Cultural Plan - Summary of Submissions received during the Public Exhibition Period

Overview
In total, four formal submissions were received during the public exhibition period from community members and organisations. The Draft Cumberland Cultural Plan 2019-2029 was also tabled for discussion at the Cumberland Arts Advisory Committee meeting.

A summary of comments included in the four formal submissions and those recorded during the Arts Advisory Committee is provided in the following table. The table also includes Council responses to the comments as well changes to the Draft Plan and/or actions required.

Table: Summary of Submissions, Responses or Actions Required

<table>
<thead>
<tr>
<th>Summary of Comments / Suggestions raised</th>
<th>Council Response</th>
<th>Changes to Plan and/or Actions Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>One submission outlined support of the priorities identified in the Draft Plan. Submission also included a request for more makers spaces in the area.</td>
<td>The Draft Plan includes a series of actions in relation to providing spaces for arts and cultural use such as makers spaces, including specifically: ‘Action 4.1.6 Protect and create opportunities for creative industries, makers spaces, technology use and education to expand and grow in our town centres, community facilities and industrial areas.’</td>
<td>Plan amendments: No amendments required.</td>
</tr>
<tr>
<td>One submission raised concerns regarding mixed use opportunities with developers often leaving commercial space un-tenanted and suggested that after an appropriate time these spaces be used for art and community purposes.</td>
<td>Opportunities identified for space for artists and community cultural use is supported in the Draft Plan under Priority 4: Improving cultural facilities, spaces and streets (Action 4.1.3, 4.1.6, and Action 3.1.1).</td>
<td>Plan amendments: No amendments required.</td>
</tr>
<tr>
<td>One submission suggested minor changes to the document regarding images, design and references to community gardens on page 19 and 24.</td>
<td>These are minor design and text changes that have been incorporated into the revised Draft Plan.</td>
<td>Plan amendments: Changes made to the document images, descriptions and icons.</td>
</tr>
<tr>
<td>Summary of Comments / Suggestions raised</td>
<td>Council Response</td>
<td>Changes to Plan and/or Actions Required</td>
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<tr>
<td>One submission outlined importance of the Draft Plan’s priorities. Specific comments in relation to importance of opportunities to learn about First Nations peoples, and opportunities for cultural exchange. Specific comments in relation to importance of expression of diversity in festivals, street activity, murals. Specific comments in relation to importance of access to places and spaces for cultural exchange.</td>
<td>Council notes support of the Draft Plan. The areas that have been highlighted are directly supported by the priorities and detailed actions outlined in the Draft Plan.</td>
<td>Plan amendments: No amendments required.</td>
</tr>
<tr>
<td>Committee feedback suggested design and imagery changes including enhancing the quality of images used, and providing more detail in the captions to better showcase stories of arts, culture and creativity.</td>
<td>Design and text changes have been incorporated into the revised Plan.</td>
<td>Plan amendments: Additional captions and new images have been incorporated into the Plan.</td>
</tr>
<tr>
<td>Committee feedback suggested re-ordering the numbering of the five priorities so that priorities relating to people are first, followed by priorities relating to facilities and places.</td>
<td>Priority areas have been re-ordered to connect priorities relating to people first, followed by priorities relating to facilities and places.</td>
<td>Plan amendments: Priority 5 ‘Supporting Cultural Groups and Individuals’ reordered to become Priority 3.</td>
</tr>
<tr>
<td>Committee feedback suggested inclusion of Darug language particularly given 2019 is the United Nations’ “Year of Indigenous Languages”.</td>
<td>A Darug language ‘Welcome to Country’ has been included in the Plan which aligns with actions in the Cumberland Innovate Reconciliation Action Plan’.</td>
<td>Plan amendments: A Darug language Welcome to Country has been included in the revised Plan.</td>
</tr>
<tr>
<td>Committee feedback suggested reconsidering the use of the term ‘heritage’ in relation to Priority 1: Recognising Cumberland’s Aboriginal cultural heritage, noting that heritage often denotes the past, and this Plan should seek to recognise current and future Aboriginal culture.</td>
<td>Text changes have been incorporated into the revised Plan.</td>
<td>Plan amendments: Minor wording changes to reflect recognition of Cumberland’s First Peoples’ living culture.</td>
</tr>
<tr>
<td>Summary of Comments / Suggestions raised</td>
<td>Council Response</td>
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<td>Committee feedback suggested reconsidering the use of the terms ‘formal’ and ‘informal’ which are attached to artforms in the Plan’s Cultural Spectrum tool as this implies a hierarchy of quality or importance in respect to each artform.</td>
<td>The Cultural Spectrum diagram has been amended to reflect equal levels of importance of the artforms identified.</td>
<td>Plan amendments: Changes to the Cultural Spectrum diagram.</td>
</tr>
<tr>
<td>Committee feedback suggested inclusion of references to Council strategies and plans which strategically connect with the Draft Plan and identify the relevant sections of Council that contribute to the delivery of the Draft Plan.</td>
<td>Council notes that this level of detail will be included in the Implementation Plan, which will be developed following adoption of the Plan.</td>
<td>Plan amendments: No amendments required.</td>
</tr>
<tr>
<td>Demonstrate actions in the Plan that are currently in progress or can be implemented immediately through case studies or examples such as The Granville Centre which will deliver a major benefit to Cumberland.</td>
<td>Case studies and examples of projects such as The Granville Centre, Aboriginal Cultural Centre at Prospect Hill, Dance Makers Collective and Cultural Food Tourism have been added to the Plan.</td>
<td>Plan amendments: Case studies and examples have been added.</td>
</tr>
<tr>
<td>Consider referencing place making in respect to public domain and public art to align with frequent and rising use of the terminology in State Government strategies.</td>
<td>Council notes that Priority 5: Enhancing Place Identity and Activation clearly highlight the importance of place based approaches to public domain and public art. Following adoption of the Cumberland Cultural Plan, Council’s future development and review of Public Art Guidelines will seek to further align with State Government policy, including consideration of placemaking.</td>
<td>Plan amendments: No amendments required.</td>
</tr>
<tr>
<td>Summary of Comments / Suggestions raised</td>
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<tr>
<td>Consider including more detailed actions relating to arts and connection to the education system.</td>
<td>Council notes that actions within Priority Area 3.1 to ‘Support producers of culture and creativity to live and work in Cumberland’ and Priority 4.1 ‘Deliver a network of cultural facilities for increased participation and creation of arts and cultural activity’ will facilitate connections to the education system in terms of artist professional development, and exploring feasibility of arts and cultural uses of spaces owned or managed by education institutions.</td>
<td>Plan amendments: No amendments required.</td>
</tr>
</tbody>
</table>
Cumberland Cultural Plan
2019 - 2029
Welcome to Country


“We were the first carers of the land, we took only what we needed from our Mother Earth. Our ancestors knew how to take care of the land, so as to continue their survival. We do not own the land, but we are charged with the care of it. As custodians of this land we ask that all people join us and preserve what we have left for future generations. We must protect the few sites we have to ensure our culture continues. In the language of our ancestors we welcome you to Darug Lands. Thank you.”

Welcome to Country by Darug Elder Aunty Edna
Cumberland is a diverse, dynamic and growing place. Cultural expression and engagement is central to who we are as a community, connecting with our past and contributing to a strong future.

We come together in our local places, sharing our stories and unique community life through food, culture, arts and vibrant community activity to celebrate Cumberland. These cultural assets provide opportunities for us to

Create
Connect
Grow

our culture in Cumberland, the heartland of Western Sydney.
Contents

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Introduction

Cumberland Council recognises the important role that culture plays in shaping and defining communities, influencing our sense of self and our individual and collective identities.

The Cumberland Cultural Plan 2019 - 2029 has been developed to guide Council’s planning of events, programs and infrastructure to support a creative, culturally active and vibrant community.

The Cultural Plan sets the long term vision for culture in Cumberland and will help guide Council’s decisions and work over the next ten years. The Plan sets a roadmap for how cultural outcomes can be achieved collectively by Council, other levels of government and community partners. The Plan identifies a suite of priorities and actions that aim to increase opportunities for creative and cultural expression, improve access to the arts and strengthen Cumberland’s unique identity.

Investment and increased engagement in culture can produce numerous social and economic benefits including cohesive and connected communities, increased community health and wellbeing, reduced crime, skills development and creative and cultural industry growth.

Developed with wide input from the community, the Cumberland Cultural Plan 2019 - 2029 provides a shared vision for a creative, engaged and connected community as we grow and change.

THE CULTURAL PLAN HAS 5 KEY PRIORITIES:

PRIORITY 1: Recognising Cumberland’s First Peoples’ living culture

PRIORITY 2: Celebrating strength in diversity

PRIORITY 3: Supporting cultural groups and individuals

PRIORITY 4: Improving cultural facilities, spaces and streets

PRIORITY 5: Enhancing place identity and activation
WHY DO WE NEED A CULTURAL PLAN?

As Cumberland’s population continues to grow and our lifestyles change, so too will our community’s cultural needs, expectations and interests.

Culture plays a significant role in the things that we share - our ideas and beliefs. Culture shapes who we are and how we live and is interwoven with our customs, behaviours, heritage and traditions. Culture strengthens community connections in our neighbourhoods, cities and regions; underpinning the way people use the built and natural environment. These processes contribute to a shared sense of meaning and identity.

As our urban environment changes and people from many backgrounds make Cumberland home, our town centres, streets, parks, schools, community centres, workplaces and gathering places become ever more important sites for cultural interaction. The quality of the cultural experience that people have in these spaces is determined by opportunities for participation, creativity and bringing together diverse communities as one.

Council recognises that culture is not static. It is dynamic and continually evolving, comprised of diverse and varied perspectives and stories that give creative form to our cultural identity.
Development of the Plan

Cultural planning at the local government level is about identifying and leveraging a community’s cultural assets and resources, strengthening the management of those assets and resources and integrating them with the rest of Council’s planning activity.

This Plan was developed based on research and engagement with the Cumberland community and the cultural and community sector.

The State of Culture in Cumberland 2019 Background Report provides summaries of the research and engagement undertaken to develop this Plan.

RESEARCH

Strategic Context
Cumberland is located in the heart of Western Sydney – an area of increasing focus and investment for arts and culture. A review of relevant cultural policy and strategies and trends and directions at the international, national, state, regional and local levels informed the development of this Plan.

Demographic Analysis
Analysis of demographic data from Profile Id and Forecast Id informed an understanding of who our community is now and how we are expected to grow and change in the future. Data from Economy Id informed a geographic analysis of Cumberland’s creative industry workers.

Cultural Infrastructure Asset Audit
An audit of Cumberland’s arts and cultural infrastructure was undertaken to identify and document ‘what we have’ in terms of physical cultural infrastructure, places used for cultural and creative activities, businesses and food offerings. The audit was informed by consultation findings, Council datasets, state government datasets and desktop research.

Cultural Infrastructure Benchmarking
This Plan has been informed by benchmarking of cultural infrastructure based on planning industry standards, providing an indication of the demand for facilities and current shortfall across the Local Government Area.

Cultural Trends and Best Practice
The ways in which we plan for a healthy cultural and creative life in our communities is continually changing and evolving. Learning from best practice case studies and embracing cultural trends has guided the development of the strategies and actions identified in this Plan.
COMMUNITY & STAKEHOLDER ENGAGEMENT

Community Workshops
Two community workshops were held on 21 and 23 August 2018. Workshops were open to the whole community and aimed to be creative, active and fun. The purpose of the workshops was to understand what people think culture and creativity means in Cumberland, where it happens in Cumberland, as well as opportunities for the future. Workshops were accompanied by live music from a local musician.

90+ community members participated in the workshops

Stakeholder Engagement
Twenty-three stakeholders representing local and regional cultural groups and organisations, as well as individuals with local cultural expertise were interviewed between 7 August and 7 September 2018. The purpose of the interviews was to further define culture in the Cumberland context and to identify ideas, opportunities and challenges for culture and creativity in the Cumberland area.

23 telephone interviews

Online Mapping
An online cultural asset mapping tool was available via Council’s Have Your Say page. Participants interacted with a digital map of Cumberland by placing two different types of ‘pins’ on different locations. Pin 1 asked ‘where do you experience culture now?’ (What is this place and what do you do there?). Pin 2 asked ‘do you have any ideas for creativity or culture in the future?’ (What is this place and what do you want to do there?).

39 contributors, 97 pins

Artist Survey
The Artist Survey was available online at Council’s Have Your Say page between 13 September and 26 November 2019. The survey provided insights into the needs of the artistic community in Cumberland to help inform how Council can support local artists through the provision of arts and cultural services, programs and infrastructure.

75 survey respondents

Council Committees
Council consulted a number of Advisory Committees in the process of developing this Plan. These committees included:

- Aboriginal and Torres Strait Islander Consultative (ATSIC) Committee
- Arts Advisory Committee
- Culturally and Linguistically Diverse (CALD) Advisory Committee
- Heritage Committee
- Youth Advisory Committee

5 committees consulted

Community workshop activities, 2018
What the Community Told Us About Culture

This Plan was developed by listening to and engaging with community members, artists and key stakeholders. This section summarises what we heard from the community and stakeholders.

CUMBERLAND’S ABORIGINAL RESILIENCE AND CULTURAL HERITAGE

The Darug people, including the Cennemegal or Weymall, Bidjigal, Burramatagal, Wengal and Wategoro clans are the traditional owners of the Cumberland area and have cared for country here since time immemorial. There are many areas of historical, social and spiritual significance and Aboriginal sites in Cumberland, including Prospect Hill (Marrong), located in the suburb of Pemulwuy, which is associated with the Aboriginal resistance led by Pemulwuy and the meeting that marked the beginning of the long road to reconciliation. Aboriginal Peoples continue to live in the area today and feel a strong connection to their culture.

“Culture to me is a spiritual connection. That’s why Prospect Hill is so important. It helps us to understand how we used to be. It’s a reminder of where Pemulwuy used to be, of the first reconciliation, of how we used to utilise what was around us. The land, the environment is culture. To look after the people is culture. To create communities is culture. To tap into the dreaming, which never stopped no matter how many buildings they put up, is culture.”

Jasinta Tobin, Darug language and culture specialist

CUMBERLAND’S CULTURE IS DEFINED BY OUR UNIQUE PEOPLE AND PLACES

Across engagement, people defined culture in Cumberland in relation to the energy and creativity that our unique people and places bring to the area. They would like to see more cultural and creative initiatives in Cumberland that respond to what makes our local people and places special. This can be achieved through place-based initiatives, festivals, events and infrastructure that respond to the unique character of that place.

This could help build a sense of community identity and pride, and attract more visitors to the area. It can also contribute to building a cultural identity and vision for Cumberland as a whole.

“Culture in Cumberland is about interesting people and diverse communities coming together to create. It’s about celebrating our wonderful and diverse communities.”

Richard Perkovic, Cultural Arts Collective
THERE IS STRENGTH IN CUMBERLAND’S CULTURAL DIVERSITY AND IN PEOPLE COMING TOGETHER TO SHARE THEIR STORIES, IDEAS AND CREATIVITY

Cumberland draws its strength from the incredible cultural diversity of our community. Engagement shows that people would like to see more opportunities for the people of Cumberland to come together to share and learn from each other’s stories, cultures, food, ideas and creativity. These social connections will benefit social cohesion and help build a united sense of community and identity.

“A cross-cultural film festival in Cumberland could help bring different cultural groups together and would facilitate an exchange of cultural ideas and understanding, as well as put us on the map as a destination.”

Community workshop participant

WE NEED TO UNDERSTAND WHAT WE HAVE, BUILD OUR COMMUNITY’S CAPACITY AND SUPPORT NETWORKS AND COLLABORATION

People feel that Cumberland has incredible untapped creative and cultural potential that needs to be further supported and encouraged. They want Council to work collaboratively with the community and support community capacity building and skills development. Moreover, they would like more support for collaboration and networking across sectors, between artists and creative organisations and between community cultural groups. They would like to see more information made available about existing creative practitioners, cultural groups, initiatives and opportunities available in the area.

“Investing in the Arab Theatre Studio is fantastic because it represents that Council recognises the cultural make up of the community – and provides infrastructure and resources to people from the Arab community to make their own work.”

Michael Mohammed Ahmed, Director of Sweatshop

AFFORDABLE, QUALITY AND MULTIPURPOSE PLACES AND SPACES FOR COMMUNITY AND CREATIVES TO CONNECT, CREATE AND SHOWCASE TALENT

Engagement suggests that there is a significant need for more spaces and places in Cumberland for community and creatives to connect, create and showcase their talent. People indicated that the limited availability of local cultural infrastructure in the area negatively impacts cultural development in Cumberland. They highlighted a need for spaces for cultural production, performance, celebration and exhibition that are affordable and multipurpose. The most commonly identified gap was in rehearsal and performance spaces for live music.

“There is such a vacuum in terms of production and performance spaces in Western Sydney that any space that Council provides would be popular – it doesn’t have to be expensive or state of the art, it could be very local, a room with only 30 seats for performance, but it could become an important hub.”

Michael D’Agostino, local resident and director of Campbelltown Arts Centre
EQUITABLE ACCESS AND OPPORTUNITIES TO ENGAGE IN CULTURE AND CREATIVITY

People emphasised the importance of supporting the needs of and opportunities for people of all ages (including young people, young women and older people), mothers and families, people from culturally and linguistically diverse backgrounds and newly arrived people to engage in culture and creativity.

“It would be good if we could have translators at the classes so more people from different cultures can attend.”

Community workshop participant

FREE, SAFE, ACTIVATED AND INCLUSIVE STREETS AND CIVIC SPACES WITH OPPORTUNITIES FOR SOCIAL CONNECTION AND CREATIVE EXPRESSION

People were enthusiastic about creative and cultural initiatives for the activation of public places, open spaces and streets that provide opportunities for incidental and informal social connections, day and night. They indicated that cultural trends such as open streets, creative public seating, street festivals, night markets and public art can help revitalise town centres, make areas safer and more welcoming and bring people together to foster a more inclusive and cohesive community.

“An outdoor street festival with food, music and craft from different cultures in Wentworthville could help activate the area and make it safe and family-friendly at night. It would help people connect and get them out walking, with positive health and wellbeing outcomes.”

Community workshop participant

FOOD, MUSIC AND DANCE BRING PEOPLE IN CUMBERLAND TOGETHER

When discussing what makes the culture of Cumberland’s town centres unique, many people discussed the role of diverse food offerings in facilitating cross-cultural exchange. People discussed the potential of cultural and creative expressions including food, music and dance to overcome potential language and cultural barriers and bring people together to share and learn from each other.

“More activities for community participation, for community members to connect to each other and to learn about each other’s creativity and culture.”

“More affordable or free activities like dance classes.”

“Activities that bond people together and overcome communication barriers - dance, music, anyone can join and dance and sing.”

- Community workshop participants
**ARTIST ENGAGEMENT**

Over 70 local artists and creators responded to a survey which identified priority needs to support the provision of arts and cultural services, programs and infrastructure.

<table>
<thead>
<tr>
<th>Top priorities for Artist Support</th>
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</thead>
<tbody>
<tr>
<td>1. Access to spaces and facilities to produce, present or develop their artform</td>
</tr>
<tr>
<td>2. Connection with an artistic community for networking, learning and development opportunities</td>
</tr>
<tr>
<td>3. Artistic skills development activities (classes, workshops, training)</td>
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<tr>
<td>4. Financial supports including strategies and opportunities to generate income, grant writing and funding applications</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Top priorities for Artist Working Space</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Larger space</td>
</tr>
<tr>
<td>2. Co-location with other practicing artists</td>
</tr>
<tr>
<td>3. Space more suitable to individual's specific artistic practice</td>
</tr>
</tbody>
</table>

Hidden Exhibition 2017 - $10,000 Rockwood Cemetery Sculpture Award Winner plus Peacock Gallery and Auburn Arts Studio Residency and Mentorship Award Winner - Artist Luke Nguyen 'One Thousand Crane Wishes'.
Defining culture in Cumberland

What is culture?
The Plan adopts a broad definition of culture that aligns with the NSW Government’s planning for a creative Sydney. This includes a definition of culture that considers:

- Our sense of place, our values, our diversity, our identity and our digital and place-based communities
- The different cultural and religious backgrounds found in most communities
- Things we consider valuable and want to pass on to future generations
- The material products of creative and cultural processes including organic, formal and informal processes and
- Our engagement with and participation in, creative and cultural process.

Culture encompasses diverse avenues of expression in the arts, architecture, arts, history, language, food, digital, music, education, leisure, religion, neighbourhoods, work and daily life. It is about our ability to ‘tell our story’ - an essential and defining human characteristic.

What does culture mean to the community?
Through community engagement, the Cumberland community and stakeholders defined culture as:

- People and community: Stakeholders defined culture in Cumberland in relation to the energy and creativity that people and community bring to the area. They see cultural activities and events as an opportunity to socialise and bring people together.
- Cultural diversity: Community members spoke to the strength that comes with the cultural diversity of the Cumberland community and the importance of learning about, celebrating and understanding our unique stories.
- Access and Equity: Community members emphasised the importance of equitable access to culture and creativity, including across cultural backgrounds, age and ability.
- Social capital: Most defined culture broadly in relation to the social capital that arises from community connections facilitated through culture and creativity.
- History and heritage: The community talked about the history and heritage of the area as central to cultural identity including Cumberland’s Aboriginal heritage.
- Creative expression and identity: Culture was identified as core to the identity of Cumberland and of local neighbourhoods.

Figure 1 – Cumberland’s Cultural Spectrum

Cumbrellands Cultural Spectrum
The Plan in Context

Policies and research from across the globe and across levels of government in Australia recognise the importance of culture in creating sustainable, engaged and welcoming communities and enhancing quality of life.

INTERNATIONAL CONTEXT

UNESCO
The adoption of the 2005 Convention for the Protection and Promotion of the Diversity of Cultural Expressions was a milestone in international cultural policy. Through this historic agreement, the global community formally recognised the dual nature, both cultural and economic, of contemporary cultural expressions produced by artists and cultural professionals.

United Nations
The United Nations 2030 Agenda for Sustainable Development was adopted in 2015 and acknowledges, for the first time, the key role of culture, creativity and cultural diversity to solving sustainable development challenges, to advance economic growth and foster social inclusion.

STATE CONTEXT

Create NSW: NSW Arts and Cultural Policy Framework 2015, Create NSW
Create NSW is the NSW Government’s arts policy and funding body. The Arts and Cultural Policy Framework 2015 is a ten-year policy framework for the arts, cultural and screen sectors and includes a strong strategic and investment focus on Western Sydney.

The Arts & Cultural Development Program provides a range of funding opportunities for NSW-based arts and cultural organisations and workers and includes a focus on opportunities for culturally diverse expression and participation.

Create NSW: Cultural Infrastructure Plan 2025+
The Cultural Infrastructure Plan 2025+ is the NSW Government’s guide for the planning and delivery of cultural infrastructure that will support a thriving and dynamic cultural sector. The Plan highlights the value of cultural infrastructure, including:

- Creates jobs, generates exports and drives innovation in the wider economy.
- Attracts visitors to Sydney and New South Wales.
- Helps define Sydney as a distinctive and appealing global city where people want to live, work and invest.
- Supports urban renewal and regional economic development.
- Activates communities and neighbourhoods, improving health outcomes and facilitating learning and development.

Aboriginal Arts and Cultural Strategy, 2015 – 2018, Create NSW
The vision of the Aboriginal Arts and Cultural Strategy is “to foster a vibrant Aboriginal arts and cultural sector that affords Aboriginal people greater opportunities to participate in, share and strengthen their culture through arts practice; and develop careers and businesses in the arts and cultural sector.”
WESTERN SYDNEY CONTEXT

Building Western Sydney’s Cultural Arts Economy
In 2015 Deloitte released a Building Western Sydney’s Cultural Arts Economy Report which profiles Western Sydney as a “microcosm of Australian culture, with the art created in the region reflecting the nation’s diversity and aspirations, individuality and uniqueness.” And (Western Sydney) “continues to break new ground, sets new standards and rivals in excellence, art created elsewhere in Australia and overseas.”
However it also details the inequity of state and federal cultural resource expenditure in Western Sydney:
“On a per capita basis the Western Sydney Cultural Arts sector has been grossly under funded and supported ever since the region developed its first modern cultural institutions in the late 1980s and early 1990s. Today Western Sydney represents 1 in 10 Australians yet attracts only 1% of Commonwealth arts program funding and 5.5% of the state’s cultural arts, heritage and events funding.”

Recalibrating Culture: Production, Consumption, Policy, Western Sydney University
The purpose of the Western Sydney University research project Recalibrating Culture: Production, Consumption, Policy was to understand the work practices of artists and cultural practitioners who live and/or practice in Greater Western Sydney.
The study highlights the need for accessible and flexible working spaces for cultural practices in Western Sydney and for support for arts and cultural activities including through the development of artist-in-residency programs and small grants programs. The study recommends celebrating the success stories and raising the profile of arts and culture in Western Sydney through advocacy, partnerships and targeted campaigns.

Cultural Infrastructure Plan 2025+, Create NSW
The Cultural Infrastructure Plan 2025+ is the State’s first guide for the planning and delivery of cultural infrastructure. The Plan highlights the importance of supporting creativity through the provision of infrastructure for culture to be created, shared and enjoyed. It identifies significant cultural infrastructure gaps in Western Sydney, including but not limited to a need for more flexible multi-purpose spaces and affordable rehearsal and studio facilities. The Plan outlines a wide range of opportunities to enhance and expand the delivery of cultural infrastructure in Western Sydney, with a strong focus on Greater Parramatta.

GREATER SYDNEY CONTEXT

Resilient Sydney
Cumberland Council contributed to the development of the Metropolitan Sydney Strategy for City Resilience, which sets directions to strengthen our ability to survive, adapt and thrive in the face of increasing global uncertainty and local shocks and stresses through increased collaboration and leadership. The Strategy recognises that First Nations peoples continue to show great resilience and generosity of spirit towards other peoples with whom they now share their land and waters and highlights that a resilient future will be underpinned by acknowledging our shared past.

Greater Sydney Commission
The Greater Sydney Region Plan: A Metropolis of 3 Cities is built on a vision where the people of Greater Sydney live within 30 minutes of their jobs, education and health facilities, services and great places. The Plan includes a focus on universal design, resilient and socially connected communities with walkable streets and great places that bring people together.

Central City District Plan
Cumberland Council sits within the Central City District, as defined by the Greater Sydney Commission. The Central City District Plan includes planning priorities around (C4) “fostering healthy creative, culturally rich and socially connected communities” including by supporting creative expression and enterprise through spaces for creatives to live, work, sell and learn locally and through fostering the night time economy; and (C6) “Creating and renewing great places and local centres and respecting the District’s heritage” with a focus on the role of local people, heritage, culture and environment in creating places with distinctive identities.

LOCAL CUMBERLAND CONTEXT

Cumberland Community Strategic Plan (CSP)
Cumberland’s CSP is a ten-year plan that sets out the community’s vision for the future and strategies to achieve it. Detailed directions and actions are outlined in the four-year Delivery Program and Operational Plan. This Cultural Plan sits under the CSP and will help to deliver on the CSP vision of ‘Welcome, Belong, Succeed.’

Cumberland Council Strategies and Policies
WHAT ARE CULTURAL ASSETS?

Our cultural assets - whether they be material or immaterial, emotional or even spiritual - support and comprise the cultural and creative life of our communities. Our cultural assets may include the buildings and spaces that accommodate culture, things like concert halls, museums, parks and public spaces. People are also cultural assets central to the vibrancy of communities, including the groups, organisations and creatives that create and share their products and experiences. Stories may also be cultural assets that convey and reflect local values, identities, memories and histories and help connect people to their community and places.

Our Community and Cultural Organisations and Groups
(our residents, creatives, artists and cultural workers, Arts Groups, Historical Societies, Aboriginal Organisations, Ethno-Cultural Organisations)

Unique Neighbourhoods
(High streets, local businesses, food offering, public art, businesses, plazas, parks, community gardens, streets/ streetlife)

Significant Cultural Heritage Sites
(Aboriginal culturally significant sites, buildings, Archaeological Sites, local landmarks, Heritage Conservation Areas, Environmental Heritage)

Festivals, Events and Programs
(Multicultural Festivals, Performing Arts Festivals, Gallery and Studio Tours, Cultural Heritage Tours, Film Festivals)

Cultural and Arts Facilities and Spaces
(Libraries, Performing Arts Centres, Interpretive Centres, Educational Institutions, Museums, Art Galleries and Places of Worship)
Our Community

Cumberland is one of the most culturally and linguistically diverse LGAs in Australia, with 52.2% of residents born overseas from more than 150 different countries and 66% of residents speaking a language other than English (compared to 35.8% in Greater Sydney).

1,362
People identified as being of Aboriginal and Torres Strait Islander background in the 2016 census.

Just over HALF of the people living in Cumberland were born overseas.

150 DIFFERENT COUNTRIES

From countries where English was not their first language
That arrived in Australia within the last 5 years

49.7%
25.5%

Cumberland has the HIGHEST PROPORTION OF REFUGEES per capita and the highest number of people seeking asylum of any local government area in NSW. Over the past 25 years, 20,000 refugees have settled in the Cumberland area.

5,808 CULTURE AND LEISURE WORKERS

In 2016, 5,808 Cumberland residents (6.7%) worked in Cultural and Leisure occupations¹. Auburn (1,129) and Lidcombe (955), Greystanes-Pemulwuy (669) and Merrylands-Holroyd (637) were home to the largest number of workers from these occupations.

The most common occupations were; Chef, waiter, cook, cafe or restaurant manager, bar attendant, batista/cafe worker, Minister of religion, graphic designer, interpreter, fitness instructor and architect.

There are more than 600 COMMUNITY AND CULTURAL GROUPS within the Cumberland LGA, however very few of these are arts specific or funded and rely on volunteers to run.

The top 5 overseas countries of birth for the Cumberland community are:

<table>
<thead>
<tr>
<th>Country</th>
<th>%</th>
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<tbody>
<tr>
<td>India</td>
<td>6.6%</td>
</tr>
<tr>
<td>China</td>
<td>6.5%</td>
</tr>
<tr>
<td>Lebanon</td>
<td>4.9%</td>
</tr>
<tr>
<td>Afghanistan</td>
<td>2.8%</td>
</tr>
<tr>
<td>Nepal</td>
<td>2.3%</td>
</tr>
</tbody>
</table>

¹ Count of usual residents and workers in Cumberland (LGA) by SA2, by selected occupations. Prepared by (the population experts) using data supplied by the Australian Bureau of Statistics consultancy service.

FUTURE POPULATION
Cumberland’s population is forecast to grow.

216,009 in 2016
304,811 in 2036
Significant Aboriginal Cultural Heritage Sites

The Darug people, including the Cennemegal or Weymaly, Bidjigal, Burramattagal, Wangal and Wategoro clans are the traditional owners of the Cumberland area and have cared for country here for tens of thousands of years. There are many areas of historical, social and spiritual significance and Aboriginal sites in Cumberland, including Prospect Hill (Marrong), located in the suburb of Pemulwuy, which is associated with the First Nation resistance led by Pemulwuy. Aboriginal people continue to live in the area today and feel a strong connection to their culture.

Prospect Hill

Prospect Hill, located in the suburb of Pemulwuy, has historic social and spiritual significance for Aboriginal Peoples and is on the NSW State Heritage Register. It was a place visited in pre European times and was the site of the earliest Aboriginal Peoples’ experience of contact with European settlers and farming.

Importantly it is the area associated with the Aboriginal resistance led by Pemulwuy and the 1805 meeting which marked the beginning of the long and continuing road to reconciliation.

Prospect Creek

Prospect Creek was a traditional travel route connecting the Darug and D’harawal people. Today this creek forms the border between Cumberland Council and Fairfield City Council.

Pemulwuy

Pemulwuy, a suburb created in 2004, is located on the historic Prospect Hill and is named in honour of the Bidigal clan leader who fought against the European colonists for his people’s right to live on their land. The suburb name was nominated by the Aboriginal and Torres Strait Islander Consultative Committee of the former Holroyd Council.
Cumberland’s cultural and arts facilities and spaces

*Cultural asset snapshot as at 2019

- **3 MAKER SPACES** (2 existing, 1 in development)
- **2 GALLERIES** (1 existing, 1 in development)
- **3 COMMUNITY GARDENS**
- **60+ PUBLIC ARTWORKS**
- **8 LIBRARIES**
- **1 ARTIST STUDIO**
- **4 MULTI-PURPOSE, STAFFED COMMUNITY CENTRES** (3 existing, 1 in development)
- **2 ARTS SPACES**
- **0 THEATRES OR MUSEUMS**
- **8 OUTDOOR VENUES SUPPORTING COMMUNITY EVENTS**
- **14 UNSTAFFED COMMUNITY HALLS/FUNCTION VENUES**
Cultural and Arts Facilities and Spaces

COMMUNITY CENTRES

One-stop-shop multipurpose community centres
Multipurpose community centres are used for a range of activities that extend beyond ‘arts and culture’. They are important hubs for the community to come together for sharing, learning, exchange and celebration.

Cumberland currently has a dynamic network of Council owned multipurpose, staffed community centres, with one currently in development and one planned for the future.

Community spaces, halls and facilities
Community spaces are places for the community to come together, hold events, access resources, services and programs and create (among other uses). Community facilities can be designed in various forms. The types of community centres that currently exist within Cumberland include unstaffed community centres, community halls for hire, town halls, meeting rooms, youth centres and senior service centres.

Political participation is also evident throughout Cumberland as people use community spaces, both informal and formal, for a broad range of political activities. This may include, for example, civic participation and local activism activities or discussion on global issues.

LIBRARIES

Libraries are increasingly becoming known as the Third Place and as community hubs, where connections are built and where people can learn, find information, use technology and access a broad range of lifelong learning programs.

The vision in Cumberland’s Library Strategy 2018 - 2021 is to "offer vibrant and inviting destinations by connecting and enhancing our community through access to information, literacy, education, lifelong learning and creativity.” Cumberland currently has 8 libraries.

Most of Council’s education and learning programs for both adults and children are facilitated by Council’s Library Services. Children’s activities include weekly sessions for babies and toddlers, as well as homework help for school aged children and school holiday activities. Programs for adults include a variety of different classes and assistance programs including English Conversation Classes, Family History Research Assistance, computer classes and help sessions, job seeking assistance, form filling services and Justice of the Peace sessions.

TOP TWO IMAGES: Beralba Community Centre is one of Cumberland’s recently completed one stop shop multipurpose community centres that is used for a range of community and cultural activities, for example, the Knit Knack Knitters where people can enjoy some social knitting over a cup of tea.

BOTTOM TWO IMAGES: Granville Town Hall (middle) and Auburn Posts and Writers Group (bottom).
GALLERIES

Art galleries provide exhibition spaces and may offer educational programs, as well as meeting and workshop space for artists. Galleries are often co-located with Libraries, Civic facilities and Museums.

The existing Peacock Gallery in Auburn and the arts space within the new Granville Centre (in development) are Cumberland’s primary Council owned purpose-built arts spaces. Holroyd Art and Craft Society leases space in Merrylands from Council, however this was not purpose built for art activities.

ARTIST STUDIOS

Artist studios are creative spaces that are supported by Council for artists to produce visual arts, music and writing. New artist studios are currently being planned for the Peacock Gallery precinct in Auburn Botanic Gardens. The forthcoming Cumberland Community Facilities Strategy identifies further opportunities for adaptive reuse of some of Council’s underutilised properties for creative and cultural purposes.

MAKER SPACES

Maker spaces are creative, DIY spaces where people can gather to create, invent and learn. They provide the community with access to equipment that may otherwise be inaccessible or unaffordable such as 3D printers, software, electronics, craft and hardware supplies and tools, sewing machines, creative print machines and more.

Men’s Sheds

Cumberland has two Men’s Sheds with another currently being established. The Auburn City Men’s Shed is a best practice example of adaptive reuse of buildings into Maker Spaces.

As our population across Australia continues to age over the next 20 years, it will be essential that older people can participate in cultural activity in spaces that are near their home and that meet their access needs and have opportunities to pass down knowledge to younger generations.

Two Men’s Sheds (Cumberland and Auburn) are located in Council owned facilities leased to the Men’s Shed operators. The third (Granville) is located in a privately owned facility.

Art Spaces

There are currently two art spaces within Cumberland. The Merrylands Community Centre includes a ceramic studio, and the Lapidary Club in Wentworthville provides a dedicated space with equipment for jewellery making, stone and craftwork.
HERITAGE SITES

Cumberland has over 350 heritage items of varying significance. Granville alone has almost a third of all Cumberland’s heritage items (103 items), 29% of heritage items in Cumberland. Guildford has the second highest quantity of heritage items (29%) followed by Wentworthville (11%) and Merrylands (9%).

Two key built heritage places were identified by the community and stakeholders as sites that could be utilised for more cultural activities in the future.

State heritage
The State listed heritage items in Cumberland include;

- Prospect Hill and Prospect Reservoir and surrounding areas
- The former Lidcombe Hospital Site (Heritage Conservation Area)
- Linnwood House and Boorntown Aqueduct in Guildford
- Rockwood Cemetery (part of)
- Crest Theatre and Granville Town Hall in Granville
- Electricity Substation No 167 in Auburn.

PUBLIC ART

There are over 60 public artworks1 across Cumberland. Council’s collection includes large scale sculpture, murals, mosaics, glassworks and an art bike rack series.

Public art is widely recognised to have the benefits of making, reflecting and revealing local cultural character and contributing to the creation of place identity.

Cumberland Council supports a diverse range of public art forms from integrated permanent artwork to temporary and installation art projects. Council creates and encourages public art of a high standard of artistic quality and originality, with a priority for works that inspire strong community engagement, are significant to and reflective of Cumberland and created by artists with a connection to area.

OUTDOOR VENUES

In Cumberland there are eight main parks that support community and cultural events; Wyatt Park, Holroyd Gardens, Auburn Park, Granville Park, Auburn Botanic Gardens, Progress Park, Civic Park and Central Gardens.

COMMUNITY GARDENS

There are three community gardens located within Cumberland. The community identified these gardens as places where they can come together and share their cultures through food and common activities.

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1 The public art analysis was based on the best information made available by Council at the time of publishing this report. The total number of public artworks does not include heritage items, war memorials or signal boxes.
Festivals, Events and Programs

EVENTS

Cumberland Council delivers a diverse program of events each year ranging from major community events to local cultural based events such as:

- Australia Day celebrations
- Diwali Festival
- Lunar New Year
- Sydney Cherry Blossom Festival
- Ramadan Street Food Festival
- Refugee Camp in My Neighbourhood.

All of these celebrations are held in Cumberland’s open space and public domain - reinforcing the importance of our streets and places as outdoor venues for festivals, events and celebrations.

COUNCIL RUN CULTURAL PROGRAMS

Council delivers and facilitates a range of programs that support community connections, learning and creative and cultural expression.

These include activities and workshops for the community to engage in Creative Arts, Health & Fitness, Education & Learning and Food & Culture. These programs take place at community facilities across Cumberland and cater to a wide range of groups, including seniors, children and young people and people speaking a language other than English. These include:

- **Creative Arts Programs** include Peacock Gallery's weekly Creative Connections art activities for all ages and abilities, Makers Circle and regular public programs connected to the exhibition program at the Gallery. Other programs include community choirs and a range of social clubs such as book clubs, knitting clubs, a creative writing club, a movie club and a board games club.

- **Health, Fitness and Recreation Programs** aiming to increase the health and wellbeing of the Cumberland community are provided, including pilates, Zumba, bootcamp and table tennis, as well as a Bollywood fitness class for women only.

- **Children and Young People Programs** include various play and story time groups including multicultural playgroups, school holiday programs, after school programs, sport camps, and homework support. Council’s Youth Team also offer a range of programs for young people including music, dance, girls only programs and youth-led Youth Week events.

- **Over 55s Programs** include gentle fitness classes, painting classes, a Yarn Up program for Aboriginal and Torres Strait Islander people, and computer support.

TOP IMAGE: Ramadan Street Food Festival, 2019
MIDDLE IMAGE: Sydney Cherry Blossom Festival, Auburn Botanic Gardens
MIDDLE BOTTOM: Diwali celebrations
BOTTOM IMAGE: Lunar New Year celebrations
TOONGABBIE
Creative meet ups including African men’s group, ballroom dancing and Wisefolk poetry and music club.

PENDLE HILL
Civic Park is an important community gathering place and cultural event location for events such as Thai Pongal and Festival of Colours Holi cultural celebration.

WENTWORTHVILLE
The award winning Wentworthville Community Garden has 100+ members and holds an annual open day attracting 1,000+ visitors.

PEMULWUY/PROSPECT
Area of significant Aboriginal cultural heritage of Prospect Hill and Prospect Creek. The suburb is named for Bidjigal clan leader Pemulwuy.

GREYSTANES
Boothtown Aqueduct is a State Heritage listed, hidden gem that follows the lower Prospect Canal in the south of Greystanes.

GUILDFORD
Historic Linnwood House set on 5 hectares of land is a key heritage asset in Guildford.

MERRYLANDS
Set in picturesque Holroyd Gardens, the heritage site Goodlet and Smith Brickpit (1884) is one of the oldest cement, brick and tile works in the district.
Our Unique Neighbourhoods

Arts and culture can maintain, reflect and strengthen neighbourhood character. As our LGA continues to grow and change, embedding arts, culture and opportunities for creativity in all aspects of how our area is planned, designed, built, programmed and lived becomes essential to achieving enhanced liveability across Cumberland.

Cumberland has a number of neighbourhoods where people come together to shop, work, study, socialise and relax. These neighbourhoods play a vital role in facilitating the incidental social connections that support creative and cultural life and foster community cohesion and resilience.

From the Korean hot pot in Lidcombe, to the Indian thali’s in Wentworthville, cultural diversity in Cumberland is overtly visible in the types of food and local businesses that each neighbourhood has. Centres such as Granville and Auburn have a number of cultural, religious and heritage buildings that add a cultural richness to the built fabric of our LGA. Auburn Botanic Gardens, Holroyd Gardens and many of our parks, Duck River and Prospect Creek not only perform important environmental functions, but also provide informal places for us to gather, relax and play.

We asked the community: ‘What makes each of our neighbourhoods unique?’. This page selects just one of the countless things that makes them special to the people who live there.

**GRANVILLE**

A vibrant night time precinct featuring Sydney-wide famous charcoal chicken and dessert food businesses.

**AUBURN**

Auburn Botanic Gardens, home to Peacock Gallery and Auburn Arts Studio and annual Sydney Cherry Blossom Festival.

**LIDCOMBE**

Lidcombe has a concentrated Korean population, with the vibrant town centre acting as a Korean food destination.

**BERALA**

A village feel and tight-knit community, with many long term residents of 10+ years.

**REGENTS PARK**

A diverse range of places of worship including multiple Hindu temples, a Pentecostal Church and a Mosque.

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1. A detailed summary is provided in the State of Culture in Cumberland 2019 Background Report.
Business, Food and Culture

Cumberland has over 23,250 businesses operating across the area¹. 750 of these are food related businesses.

FOOD RELATED BUSINESSES

Food is an important part of culture and identity in Cumberland. There are over 750 food businesses operating in Cumberland.

- Over 200 of those are restaurants.
- There are over 150 fresh food / grocer / supermarket businesses in Cumberland and 22 convenience stores.
- There are close to 90 cafes in Cumberland.
- There are close to 90 bakeries in Cumberland.
- Auburn and Merrylands each have approximately 20% of all food businesses in Cumberland.
- 100% of Korean food businesses are in Lidcombe.

FOOD RELATED PROGRAMS

Food and culture programs reflect the vital role that food plays in Cumberland and in facilitating cross-cultural connections. Recurring programs include cooking classes delivered by local chefs and home cooks. Walking food and cultural tours led by local tour guides provide a unique opportunity to learn about the rich local culture while sampling some of the most delicious food in Sydney.

Programs showcase the diverse cuisines of the local community with various classes and tours focusing on Afghan, Iranian, Pakistani, Ethiopian, Turkish, Middle Eastern, Sri Lankan, Korean, Mongolian cuisines and more.

¹ Based on Council's Registered Businesses database, 0/18
Priority Areas and Action Plan

Five priority areas have been identified to guide Council's planning of programs, events and infrastructure to support a creative, culturally active and vibrant community.

CULTURAL PLAN PRIORITY AREAS:

**PRIORITY 1:**
Recognising Cumberland's First Peoples' living culture

**PRIORITY 2:**
Celebrating strength in diversity

**PRIORITY 3:**
Supporting cultural groups and individuals

**PRIORITY 4:**
Improving cultural facilities, spaces and streets

**PRIORITY 5:**
Enhancing place identity and activation

OUR APPROACH

Culture in Cumberland is delivered both formally and informally by an ecosystem of government, arts and creative industry sector, stakeholders, businesses, creatives and residents.

To be successful this Plan needs to be delivered in partnership with a range of stakeholders. The roles of each are outlined below.

COUNCIL'S ROLE INCLUDES:

- To engage with and respond to the changing needs of our growing community;
- To develop policy and provide services, programs, events and activations;
- To support and champion local creatives, community groups and organisations and our cultural achievements;
- To commission local artists for public art projects;
- To plan for, manage and maintain cultural facilities, creative spaces and open air cultural venues that meet our community’s needs;
- To advocate and facilitate relationships and funding arrangements with state government and industry and advocating the shared vision for culture and creativity in Cumberland.

ROLE OF DELIVERY PARTNERS INCLUDE:

- Businesses and organisations: provide venues to participate in or view culture, host events and help to activate our local neighbourhoods.
- Artists and creatives: live/work, creation and collaboration.
- State Government: funding of significant projects, policy and investment.
- Local community: participation in and/or delivery of events and activities, shopping local, creation and activation.
**RECOGNISING CUMBERLAND’S FIRST PEOPLES’ LIVING CULTURE**

*Our culture starts with the Darug People. We will embrace opportunities to amplify recognition of significant places, events and people within our community.*

**AIMS**

- Aboriginal places of social, cultural and spiritual significance are recognised and showcased.
- Local Aboriginal stories are shared and we learn from Aboriginal resilience.

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1 <strong>Continue to protect, celebrate and raise awareness of significant Aboriginal heritage sites and special places in Cumberland LGA</strong></td>
<td>Implement the Prospect Hill Plan of Management to enhance Prospect Hill as a site of Aboriginal cultural significance and the first act of reconciliation. Develop and implement programs for public art, interpretive signage and performance throughout the Cumberland LGA.</td>
</tr>
<tr>
<td>1.2 <strong>Work with partners to share, strengthen and maintain Aboriginal and Torres Strait Islander culture through a range of programs</strong></td>
<td>Implement cultural, creative and activation initiatives as identified in the Cumberland Reconciliation Action Plan that showcase Aboriginal and Torres Strait Islander culture.</td>
</tr>
<tr>
<td>1.3 <strong>Promote the significance of the First Australians’ history and contemporary cultures through the provision of a new Aboriginal Education/Cultural facility in Cumberland</strong></td>
<td>Plan and develop the Aboriginal Cultural Centre at Prospect Hill as identified in the Prospect Hill Plan of Management. Seek funding and partnerships to promote and expand the delivery of Aboriginal cultural programs and support the establishment of the Aboriginal Cultural Centre.</td>
</tr>
</tbody>
</table>
CASE STUDY: AN ABORIGINAL CULTURAL CENTRE AT PROSPECT HILL

Prospect Hill has historic social and spiritual significance for Aboriginal Peoples. It is the area associated with the Aboriginal resistance led by Bidigal clan leader Pemulwuy, and is the site of Sydney’s first Aboriginal – European reconciliation in 1805.

On the 3rd of May 1805, a group of Aboriginal women together with a young free settler, John Kennedy, facilitated a meeting on Prospect Hill between the Aboriginal leaders of the Darug clan and European settlers headed by Rev John Marden. This was the first recorded act of reconciliation between Aboriginal people and Europeans in Australia and brought about an end to the ongoing conflict in Parramatta and Prospect. This historic event is now commemorated annually on 3rd May in a ceremony on Prospect Hill.

Council’s Prospect Hill Plan of Management recognises the Aboriginal cultural significance of Prospect Hill with a commitment to deliver an Aboriginal Cultural Centre at Prospect Hill. The centre would act as an iconic place for cultural education, display of Aboriginal artwork and artefacts, events and public art and interpretation.
CELEBRATING STRENGTH IN DIVERSITY

Our diversity is one of our greatest strengths. We will recognise and enhance opportunities to build on this great asset and showcase Cumberland’s unique cultural profile.

AIMS

- Cumberland has a strong identity reflective of its diversity.
- Cumberland is known for its multicultural festivals and events.
- Cultural participation is accessible for all ages, cultures, genders and abilities.

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<tr>
<th>Strategy</th>
<th>Action</th>
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<tbody>
<tr>
<td>2.1 Build a strong cultural identity for Cumberland reflective of its diversity</td>
<td>Continue to deliver a diverse range of events and festivals that are reflective of the local communities of Cumberland. Promote Cumberland’s unique cultural experiences and assets to attract visitors to the area. Promote Cumberland’s rich food culture through supporting and delivering culturally diverse, food focussed programs and new initiatives across Cumberland. Support community-led cultural events through Council’s Community Grants Program.</td>
</tr>
<tr>
<td>2.2 Increase opportunities for all people to participate in cultural activities and exchange</td>
<td>Support community-led initiatives that provide opportunities for community connections and cross-cultural understanding. Support opportunities that create a welcoming place to connect new arrivals, encourage civic participation, and share local stories and learn.</td>
</tr>
</tbody>
</table>
CASE STUDY: FLAVOURS OF AUBURN CULTURAL FOOD TOURISM

Cumberland’s unique food culture and cultural profile is showcased through the delicious and diverse Flavours of Auburn. Flavours of Auburn is a community enterprise which connects people, communities and cultures through a shared love for food.

A partnership between Cumberland Council, the Auburn Small Community Organisation Network (ASCON), House of Welcome and local Auburn businesses, Flavours of Auburn offers cooking classes and walking food tours.

In cooking classes, local cooks share recipes and ingredients from their culture as participants cook, talk and eat together. In walking food tours, local tour guides introduce participants to Auburn’s diverse food culture and to local small business owners who share their food and their stories.


**SUPPORTING CULTURAL GROUPS AND INDIVIDUALS**

Our community will have access to culture and creativity that is inclusive and equitable. We will champion arts, innovation, industry and broader creativity through a thriving cultural sector.

**AIMS**

- Producers of culture and creativity are attracted and supported to live and work in the area.
- Cumberland is a cultural hub of ideas, imagination and creative leadership.
- Collaboration and information-sharing between cultural and creative organisations and groups is supported.
- There is accessible information available on cultural groups and organisations, events and activities.
- People of all ages, cultures, genders and abilities are provided opportunities to engage in culture and creativity.

<table>
<thead>
<tr>
<th>Strategy</th>
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<tbody>
<tr>
<td>3.1 <strong>Support producers of culture and creativity to live and work in Cumberland.</strong></td>
<td>Provide access to free or affordable spaces for cultural, creative, arts and maker organisations and individuals.</td>
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<td></td>
<td>Support cultural producers and artist-run initiatives through Council’s Community Grants Program.</td>
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<td>Investigate the feasibility of providing or encouraging housing in the form of artist live/work studios to attract and retain creative talent.</td>
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<td>Streamline Council’s event application and approval processes to encourage and increase community-delivered events and activities.</td>
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<td>Support the local cultural sector through business support and training programs and promoting funding and partnership opportunities.</td>
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<td></td>
<td>Support programs that connect new arrivals and other community members and provide opportunities for them to produce, exhibit and sell their work locally, including leveraging artisanal or professional skills.</td>
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<td>Strategy</td>
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<tr>
<td>3.2 Support collaboration through improved access to information about cultural groups, events and programs.</td>
<td>Support groups to scale up, promote and amplify their cultural initiatives and projects through education programs and increased opportunities to showcase work locally. Create and maintain publicly accessible information about available spaces throughout Cumberland for arts and cultural use.</td>
</tr>
<tr>
<td>3.3 Increase opportunities for networking, collaboration and sharing between groups and individuals.</td>
<td>Facilitate cultural sector networking activities and collaboration. Support projects and platforms that provide opportunities for creatives and the community to connect and share stories and skills. Leverage off the Cumberland community’s diverse range of untapped skills and focus on skill-sharing to facilitate social connections. Actively promote and increase participation in local artist support and cultural networks. Explore opportunities to host cross-cultural film festivals in Cumberland. Investigate programs to connect people through creative and cultural programs as well as opportunities for cross-cultural and inter-generational sharing of cultural knowledge and experiences. Increase opportunities for people to participate in creative and cultural programs at Council libraries and community centres.</td>
</tr>
</tbody>
</table>

*Images: Dance Matters Collective (DMC) make and showcase dance in Cumberland, ready to use affordable Council community centres to develop and present dance works and programs which foster new opportunities for Cumberland communities to participate in contemporary dance (pictured above: DMC at Granville Town Hall).*
IMPROVING CULTURAL FACILITIES, SPACES AND STREETS

Our facilities, spaces and streets support our cultural life. We will have a network of spaces and places that promote cultural participation and creativity.

AIMS
- Cumberland has a network of affordable, fit-for-purpose, cultural and arts facilities that enable both programmed and community-led participation.
- Participation in arts and culture is increased through new and improved spaces.
- Our streets, public spaces and parks are platforms and incubators for creativity and cultural expression.

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<tr>
<th>Strategy</th>
<th>Action</th>
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<tbody>
<tr>
<td>4.1 Deliver a network of cultural facilities for increased participation and creation of arts and cultural activity</td>
<td>Undertake joint planning and collaboration with neighbouring councils to advocate to the State Government to locate one major performance/cultural space to support major cultural infrastructure in the region.</td>
</tr>
<tr>
<td></td>
<td>Enhance and increase the number of cultural spaces across the Cumberland LGA through the integration of spaces in new community facility developments. Priority areas include Granville, Wentworthville and Merrylands.</td>
</tr>
<tr>
<td></td>
<td>Investigate opportunities to repurpose existing underutilised assets for cultural uses such as artist studios, writing spaces, maker spaces, exhibition and performance spaces or cultural organisational space.</td>
</tr>
<tr>
<td></td>
<td>Implement the expansion of the Peacock Gallery to increase artist studio space.</td>
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<tr>
<td></td>
<td>Improve facilities at Auburn and Granville Town Halls to support performance and live music.</td>
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<tr>
<td></td>
<td>Protect and create opportunities for creative industries, maker spaces, technology use and education to expand and grow in our town centres, community facilities and industrial areas.</td>
</tr>
</tbody>
</table>
### Strategy

4.2 Support the establishment of new cultural venues in Cumberland

- Work with NSW government to identify opportunities for new cultural venues to be located in the Cumberland LGA.
- Partner with local business and other community partners to increase live music venues in Cumberland.

4.3 Improve the public domain, parks, heritage sites and streets to act as cultural spaces

- Plan and implement town centre public domain improvements to create welcoming and event-ready spaces to meet, gather and create e.g. eat streets, open spaces, seating, lighting, shade and power.
- Support and encourage the use of parks and public spaces as both every day and special events cultural and creative spaces.
- Implement the Auburn Botanic Gardens Masterplan to increase local and major event opportunities and public art within the Gardens.
- Undertake improvements identified in the Wyatt Park Masterplan to increase opportunities for hosting cultural events in the Park.

### CASE STUDY: THE GRANVILLE CENTRE

The Granville Centre is Council’s new multi-purpose community centre, library, arts and cultural facility in Granville, due for completion in 2020.

The new $22 million purpose-built community facility will be located in the heart of Granville.

The Granville Centre will become Cumberland’s key arts, creative and cultural facility for incubation, presentation and development of arts, cultural expression and creativity. The Granville Centre will offer an exhibition program in purpose-built gallery space as well as public programs and workshops, artist development programs, and maker spaces.
ENHANCING PLACE IDENTITY AND ACTIVATION

Our neighbourhoods and town centres are distinctive, interesting and lively. We will retain the strong sense of place, local stories and unique character to activate our neighbourhoods.

AIMS
- Create opportunities for public art projects and innovative town centre projects and designs to amplify the unique identities of Cumberland's communities.
- Creative industries and cultural organisations are attracted to the Cumberland area.
- Increase opportunities for residents, businesses and visitors to participate in cultural and creative life in Cumberland's neighbourhoods.
- Support local businesses, both established and aspiring, to contribute effectively to local cultural and creative destination, to create opportunities for upskilling of local people and to facilitate a cross-cultural exchange through food, retail offerings, festivals and events.

<table>
<thead>
<tr>
<th>Strategy</th>
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</thead>
<tbody>
<tr>
<td>5.1 Retain and amplify the strong sense of place, distinct identities, local stories, cultural assets and creative energy as our neighbourhoods and town centres continue to grow and develop</td>
<td>Develop and implement Public Domain Plans for town centres and precincts to strengthen place identity and cultural expression including public art.</td>
</tr>
<tr>
<td></td>
<td>Establish Granville as a cultural precinct, including exploring the feasibility of repurposing the Granville Library site as a heritage centre.</td>
</tr>
<tr>
<td></td>
<td>Support and develop projects that document and share significant heritage sites and stories in Cumberland.</td>
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<tr>
<td></td>
<td>Continue to deliver the Cumberland Heritage Awards and Cumberland Local Heritage Rebate Program to promote, maintain and protect local heritage assets and local history.</td>
</tr>
<tr>
<td></td>
<td>Seek funding and partnerships to explore cultural activities to promote and activate local cultural and heritage sites in Cumberland.</td>
</tr>
<tr>
<td></td>
<td>Explore the establishment of a hoarding public art program.</td>
</tr>
<tr>
<td>5.2 Increase activation of town centres and neighbourhoods</td>
<td>Explore opportunities to enhance the Night Time Economy of key town centres to support an active street life after 6pm.</td>
</tr>
<tr>
<td>Strategy</td>
<td>Action</td>
</tr>
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</tr>
<tr>
<td>Facilitate access to suitable spaces in order to attract creative industries and cultural organisations to the Cumberland area</td>
<td>Investigate opportunities to establish creative and cultural clusters in Granville and Lidcombe, centred around educational and community facilities and leveraging the opportunities of industrial areas for different types of creative production.</td>
</tr>
<tr>
<td></td>
<td>Implement a training program to support local businesses or local community members who are interested in starting a food business or market stall.</td>
</tr>
</tbody>
</table>

**CASE STUDY: STORY SEED POD**

The Story Seed Pod in Friend Park, Wentworthville was designed by public artist Graham Chalcraft in a collaborative approach with community members including creative workshops.

In response to community input and common themes from these workshops the Story Seed Pod was created, a distinctive public artwork creating a meeting place to connect. The Story Seed Pod features image panels showcasing the stories and histories of the people and places of Wentworthville.
## How Will We Measure Our Success?

Implementation of the Cultural Plan is incorporated into Council’s Delivery Program and Operational Plan with timeframes identified.

An annual report of the implementation actions and progress of the Plan will be provided to Council each year. The Cultural Plan will be reviewed at quarterly intervals and if necessary adjusted to reflect operational and funding considerations. A review and evaluation of the Cultural Plan will be undertaken at the completion of the ten year term (2019-2029). The results will be reported to Council and the community.

### Performance Indicators

Indicators are important in demonstrating progress in the implementation of the Plan.

<table>
<thead>
<tr>
<th>Priority</th>
<th>Outcome</th>
<th>Data Source</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Priority 1: Recognising Cumberland’s First Peoples’ living culture</strong></td>
<td>Increased recognition and awareness of Aboriginal and Torres Strait Islander culture</td>
<td>Aboriginal and Torres Strait Islander community feedback, Program and initiative participant and visitor feedback and data</td>
</tr>
<tr>
<td><strong>Priority 2: Celebrating strength in diversity</strong></td>
<td>Increased profile of Cumberland’s diversity, Increased participation in cultural activities</td>
<td>Event participant feedback and data, Community Grants Program data, Program participant feedback and data</td>
</tr>
<tr>
<td><strong>Priority 3: Supporting cultural groups and individuals</strong></td>
<td>More supported and connected cultural sector, Expanded cultural sector</td>
<td>Cumberland cultural sector survey and feedback, Australian Bureau of Statistics economic data, Community Grants Program data</td>
</tr>
<tr>
<td><strong>Priority 4: Improving cultural facilities, spaces and streets</strong></td>
<td>Increased quality and quantity of facility and public domain spaces for cultural uses, Increased use of spaces for cultural uses/activities</td>
<td>Cultural facility floor space data, Facilities booking data, Open space bookings data</td>
</tr>
<tr>
<td><strong>Priority 5: Enhancing place identity and activation</strong></td>
<td>Increased profile and enhanced identity of Cumberland’s unique places, Increased activity in town centres</td>
<td>Community Satisfaction Survey (satisfaction with appearance of local areas and heritage sites), Heritage programs participant feedback and data, Local business feedback, Open space bookings data</td>
</tr>
</tbody>
</table>
Item No: C06/19-103

PLANNING PROPOSAL - MINIMUM LOT AREA FOR LOW AND MEDIUM DUAL OCCUPANCY HOUSING

Responsible Division: Environment & Planning
Officer: Director Environment & Planning
File Number: S-57-63
Community Strategic Plan Goal: A resilient built environment

SUMMARY

This planning proposal seeks to amend the planning controls for the Auburn and Holroyd Local Environmental Plans as follows:

- Minimum lot size of 600m² for dual occupancy development
- Inclusion of the planning proposal objectives as development standards

No changes are proposed to the Parramatta Local Environmental Plan as it currently has a minimum lot size planning control of 600m² for dual occupancy development.

This proposal has been placed on public exhibition and was reported to the Cumberland Local Planning Panel in May 2019. The Panel provided specific advice on the inclusion of the planning proposal objectives as development standards, and these have been included as part of the planning proposal.

It is recommended that the planning proposal be forwarded to the Department of Planning, Industry & Environment for finalisation and gazettal of the associated amendments to the Auburn and Holroyd Local Environmental Plans. Following gazettal of the planning proposal, a three month transition period between current and new controls will also apply.

The planning proposal needs to be urgently submitted, ahead of the introduction of the NSW Government’s Low Rise Medium Density Housing Code from 1 July 2019. If the planning proposal is not submitted, a lower minimum lot size of 400m² will apply for dual occupancy development in areas under the Auburn and Holroyd Local Environmental Plans.

It is also recommended that a request for deferral of the Code be sought from the Department of Planning, Industry & Environment. While Council has completed its work ahead of the deadline, it is unclear as to the time required by the Department for finalisation and gazettal. This approach will ensure there is a seamless transition between current and new controls.
RECOMMENDATION

That Council:

1. Endorse a minimum lot size planning control of 600m² for dual occupancy development across the Cumberland local government area.

2. Endorse the planning proposal and forward it to the Department of Planning, Industry & Environment for finalisation and gazettal of the associated amendments to the Auburn Local Environmental Plan 2010 and the Holroyd Local Environmental Plan 2013.

3. Endorse the resolved minimum lot size planning control for dual occupancy development for inclusion in the new Cumberland Local Environmental Plan.

4. Request a deferral on the Code from the Department of Planning, Industry & Environment until the endorsed minimum lot size for Council comes into effect.

REPORT

Background

The planning proposal was initiated in response to the Low Rise Medium Density Housing Code (the Code) released by the NSW Government. The Code introduces a minimum lot size requirement for dual occupancies which is lower than what Council’s current controls allow. A concern for Council was that the lower minimum lot size requirement of 400m² would result in cumulative impacts on the low density areas of Cumberland LGA, particularly in terms of pressure on, and capacity of, existing infrastructure such as roads, open space, hospitals and schools.

In July 2018, Council requested deferral of the Code as both the former Auburn and Holroyd City minimum lots size controls were contained their development controls plans (DCP). The minimum lot size controls for the former Parramatta City area were contained in the Parramatta Local Environmental Plan 2011, and the numerical controls for each of the three former council areas differed.

The then Department of Planning & Environment granted Council a temporary deferral of the application of the Code to the Cumberland LGA until 1 July 2019. A condition of the deferral was that councils with minimum lot size controls in their DCPs were required to submit planning proposals to amend their Local Environmental Plans to include the minimum lot size controls.
The status of the planning proposal is provided in Figure 1.

**Figure 1: Status of planning proposal**

**Context**

Cumberland has a current population of over 230,000 with an area of 72km², making it the smallest and most densely populated area within the Central City District. The R2 Low Density zone is the predominant land use zone across Cumberland and the majority of suburbs contain land zoned R2. The R3 zone generally applies to land bordering key centres and transport infrastructure, as well as masterplanned estates such as Pemulwuy and Botanica.

The lot sizes in the R2 zone in the former Holroyd area are often larger than those in the eastern areas of Cumberland; however, there are some significant local variations across Cumberland.

**Planning Proposal**

**Current Planning Controls**

The minimum lot sizes for dual occupancies varies across the Cumberland area, as outlined in Table 1. These controls are either located in the Local Environmental Plan or Development Control Plans.

<table>
<thead>
<tr>
<th>Planning Controls</th>
<th>Auburn DCP 2010</th>
<th>Holroyd DCP 2013</th>
<th>Parramatta LEP 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Size</td>
<td>450m² (attached), 600m² (detached) in R2 and R3 zones</td>
<td>500m² (attached or detached) in R2 and 450m² in R3</td>
<td>600m² (attached or detached) in R2, R3 and R4 zones</td>
</tr>
</tbody>
</table>

Table 1: Minimum lot size controls for dual occupancy development
Proposed Planning Controls

The intended outcome of the planning proposal is to introduce the minimum lot size of 600m$^2$ for dual occupancies to the Auburn LEP 2010 and the Holroyd LEP 2013. This proposed minimum lot size would align with that currently required under the Parramatta LEP 2011, and will implement a consistent minimum lot size for dual occupancy development across the Cumberland LGA.

The proposed outcome will be achieved by the inclusion of a written clause in the Auburn LEP 2010 and the Holroyd LEP 2013 to introduce a minimum lot size provision for the development of a dual occupancy.

The proposed clause will apply to land in the R2 Low Density Residential and R3 Medium Density Residential zones where a minimum lot size of 600m$^2$ (both attached and detached) would be required for the development of a dual occupancy.

Strategic Assessment

As part of the preparation of the planning proposal, different minimum lot size control scenarios have been assessed as part of earlier Council reports and in response to Gateway Determination conditions from the then Department of Planning & Environment. Following the receipt of submissions during the public exhibition period, further scenario testing analysis was undertaken. This included:

- eligible lots under the new Code;
- eligible lots with a minimum lot size of 600m$^2$ (as per the Council resolution);
- eligible lots minimum lot sizes of 500m$^2$ and 550m$^2$, which could be applied across the LGA (including in the former parts of the Parramatta LGA) as possible alternate minimum lot sizes to the 600m$^2$; and
- eligible lots with the retention of existing minimum lot size controls (whether in the LEP or DCP) as they currently apply to the Auburn, Holroyd and Parramatta LEPs.

The outcomes of the analysis are provided in Table 2.
### Cumberland Local Planning Panel

The planning proposal was reported to the Cumberland Local Planning Panel on 15 May 2019.

The panel was requested to provide advice on:

- Council’s resolution of a minimum lot size control of 600m²
- alternate minimum lot size scenarios, should Council wish to consider those in making a decision on the proposal.

The Panel provided the following advice to Council:

- that it supported the inclusion of a minimum lot size for dual occupancy development for the Cumberland LGA;
- that the objectives for minimum lot sizes for dual occupancy development as detailed in Section 2.1 of the Planning Proposal should be included as objectives for the Development Standard in the LEPs; and
- supported the recommended minimum lot size of 600 square metres

Based on the advice from the Panel, the following objectives have been included as development standards for the planning proposal:

- to ensure the lot size proposed for dual occupancy development facilitates good design that can accommodate an appropriate built form, driveways and sufficient landscaped areas
- to retain the low density residential character of the R2 Low Density Residential zone
Council Meeting
5 June 2019

- to identify the appropriate locations for growth and align projected growth with existing and proposed local roads, transport and social infrastructure

- to achieve a consistency of minimum lot size for dual occupancy development across the Cumberland area.

**Recommended planning controls**

<table>
<thead>
<tr>
<th>Planning Controls (Auburn DCP 2010 and Holroyd DCPs 2013)</th>
<th>Existing Controls</th>
<th>Public Exhibited Controls</th>
<th>Cumberland Local Planning Panel Advice</th>
<th>Recommended Planning Controls</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum lots size</td>
<td>Auburn</td>
<td>600m²</td>
<td>Inclusion of planning proposal objectives as development standards</td>
<td>Inclusion of planning proposal objectives as development standards</td>
</tr>
<tr>
<td></td>
<td>Attached: 450m²</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Detached: 600m²</td>
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<td></td>
<td>Holroyd:</td>
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<td></td>
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<tr>
<td></td>
<td>R2 zone: 500m²</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>R3 zone: 450m²</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 3: Recommended planning controls

**Next Steps**

Should Council decide to endorse a minimum lot size control for dual occupancy development, the planning proposal will be forwarded to the Department of Planning, Industry & Environment for finalisation and gazettal. While Council has completed its work ahead of the deadline, it is unclear as to the time required by the Department for finalisation and gazettal. It is recommended that a request for deferral on the code be sought from the Department of Planning, Industry & Environment. This will ensure there is a seamless transition between current and new controls.

The Gateway Determination from the Department of Planning, Industry & Environment also requires a transition clause from date of gazettal. This means that current minimum lot size controls will continue to apply during this time. A 3 month transition period will apply.

Given the extensive work and consultation undertaken on the minimum lot size controls for dual occupancy development, it is also proposed that these controls are included in the new Cumberland Local Environmental Plan under preparation.

**COMMUNITY ENGAGEMENT**

The proposal was publicly exhibited for a period of 36 days from 13 March 2019 to 17 April 2019. In addition to the usual communication channels, Council sent out an
exhibition package to all affected landowners via mail. This exhibition package included a FAQ to provide the landowners with an easy to understand overview of the proposal (Attachment 6). Council also posted details on Facebook inviting interested parties to visit Councils Have Your Say page to make a submission during the exhibition period.

A total of 169 written submissions were received. 96 submissions supported and 69 submissions objected to the proposal. 4 submissions did not indicate whether they supported or objected to the proposal. A further 28 individuals made comment via the Facebook post.

The geographic distribution of submissions is outlined in Figure 2.

Submissions received in support of the proposal were based on the following key principles that the 600m² would:

- reduce street congestion by allowing for sufficient onsite parking;
- allow for sufficient landscaping to protect existing streetscapes;
- limit demand for existing infrastructure and reduce the need for new infrastructure; and
• protect amenity and local character.

Submissions received in opposition to the proposal objected on the basis that the 600m² would:

• have a negative impact on landowners existing investment;
• reduces a landowner’s ability to derive revenue from their property;
• potential to reduce the property value due to the inability to develop a property for a dual occupancy development; and
• potential to impact housing affordability through reduced housing supply and choice.

Of the submissions in support, 13 requested that a control requiring larger lot sizes of between 650m² and 800m² apply, and 24 submissions objecting to the proposal requested that smaller lot sizes of between 400m² and 550m² apply.

POLICY IMPLICATIONS

Policy implications for Council are outlined in the main body of the report.

RISK IMPLICATIONS

There are high risk implications for Council if a minimum lot size for dual occupancy development is not resolved at the meeting, with a minimum lot size of 400m² applying by default in areas covered under the Auburn and Holroyd Local Environmental Plans from 1 July 2019. This minimum lot size is smaller than current controls for dual occupancy development, and will allow this form of development in areas where this is not currently permitted.

FINANCIAL IMPLICATIONS

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

CONCLUSION

A planning proposal has been prepared to amend the minimum lot size for dual occupancy development for Cumberland. It is recommended that Council endorse a minimum lot size for dual occupancy development ahead of the introduction of the NSW Government’s Low Rise Medium Density Housing Code from 1 July 2019. If the planning proposal is not submitted by this time, a lower minimum lot size of 400m² will apply for dual occupancy development in areas under the Auburn and Holroyd Local Environmental Plans.

It is also recommended that a request for deferral of the Code be sought from the Department of Planning, Industry & Environment. While Council has completed its work ahead of the deadline, it is unclear as to the time required by the Department for
finalisation and gazettal. This approach will ensure there is a seamless transition between current and new controls.

ATTACHMENTS

1. Detailed Analysis of Minimum Lot Size Scenarios 📂
2. Planning Proposal – Minimum Lot Area for Low and Medium Density Dual Occupancy Housing 📂
3. Meeting Minutes Cumberland Local Planning Panel 15 May 2019 📂
4. Report to Cumberland Local Planning Panel 15 May 2019 📂
5. Summary of Submissions 📂
6. Consultation Material for Planning Proposal 📂
7. Gateway Determination 📂
Attachment 1
Detailed Analysis of Minimum Lot Size Scenarios
Baseline: Eligible Dual Occupancy Lots
Minimum Lot Size under New Code (400m²)
(R2 zoned land only)

- 65% (745 lots out of 1151)
- 58% (583 lots out of 1013)
- 65% (771 lots out of 1180)
- 68% (2926 lots out of 4300)
- 72% (1084 lots out of 1503)
- 64% (510 lots out of 801)
- 53% (1326 lots out of 2515)
- 48% (20 lots out of 42)
- 33% (31 lots out of 94)
- 28% (528 lots out of 1911)
- 65% (587 lots out of 1059)
- 74% (671 lots out of 907)
- 47% (95 lots out of 201)
- 57% (993 lots out of 1734)
- 53% (522 lots out of 982)
- 46% (424 lots out of 917)
- 27% (1114 lots out of 4079)
- 41% (1039 lots out of 2552)
- 28% (437 lots out of 1584)

Current LEP/DCP control
- Parramatta LEP 800m²
- Holroyd DCP R2 - 500m²; R3 - 450m²
- Auburn DCP 450m²

- At least 900m² (450m² each) is required for a subdivision of land and,
- No Torrens subdivision allowed for dual occupancies.
Baseline: Eligible Dual Occupancy Lots
Minimum Lot Size under New Code (400m²)
(R3 zoned land only)

14% (190 lots out of 1339)

94% (159 lots out of 169)

49% (134 lots out of 272)

49% (115 lots out of 235)

27% (12 lots out of 44)

64% (286 lots out of 446)

65% (98 lots out of 151)

33% (578 lots out of 1758)

51% (60 lots out of 117)

43% (53 lots out of 122)

21% (249 lots out of 1191)

16% (112 lots out of 680)

58% (194 lots out of 336)

43% (141 lots out of 325)

54% (31 lots out of 57)

18% (206 lots out of 1116)

34% (103 lots out of 299)

Current LEP/DCP control
- Parramatta LEP: 600m²
- Holroyd DCP: R2 - 500m², R3 - 450m²
- Auburn DCP: 450m²

- Auburn LEP:
  - At least 900m² (450m² each) is required for a subdivision of land and,
  - No Torrens subdivision allowed for dual occupancies.
Scenario 1: Eligible Dual Occupancy Lots
600m² Minimum Lot Size
(R2 zoned land only)

Current LEP/DCP control
- Parramatta LEP 600m²
- Holroyd DCP R2 - 500m², R3 - 450m²
- Auburn DCP 450m²

Auburn LEP
- At least 900m² (450m² each) is required for a subdivision of land and,
- No Torrens subdivision allowed for dual occupancies.

33% (383 lots out of 1151)
32% (320 lots out of 1013)
47% (503 lots out of 1059)
56% (508 lots out of 907)
31% (29 lots out of 94)
13% (256 lots out of 1911)
49% (584 lots out of 1180)
46% (1984 lots out of 4300)
46% (1049 lots out of 2515)
30% (237 lots out of 962)
26% (234 lots out of 917)
26% (667 lots out of 2552)
42% (84 lots out of 201)
15% (242 lots out of 1584)
22% (1626 lots out of 7298)
28% (417 lots out of 1503)
38% (301 lots out of 801)
34% (595 lots out of 4079)

No R2 zones in Penrith.
Scenario 1: Eligible Dual Occupancy Lots
600m² Minimum Lot Size
(R3 zoned land only)

<table>
<thead>
<tr>
<th>Current LEP/DCP control</th>
<th>Parramatta LEP</th>
<th>600m²</th>
</tr>
</thead>
<tbody>
<tr>
<td>Horoyd DCP</td>
<td>R2 - 500m², R3 - 450m²</td>
<td></td>
</tr>
<tr>
<td>Auburn DCP</td>
<td>450m²</td>
<td></td>
</tr>
</tbody>
</table>

| Auburn LEP | At least 900m² (450m² each) is required for a subdivision of land and, |
|            | No Torrens subdivision allowed for dual occupancies. |

- 39% (105 lots out of 272)
- 14% (6 lots out of 44)
- 53% (236 lots out of 446)
- 25% (443 lots out of 1758)
- 24% (29 lots out of 122)
- 11% (76 lots out of 680)
- 11% (128 lots out of 1174)
- 39% (130 lots out of 336)
- 22% (73 lots out of 325)
- 0% (6 lots out of 1116)
- 42% (24 lots out of 57)
- 6% (68 lots out of 1116)
- 16% (49 lots out of 299)
Scenario 2: Eligible Dual Occupancy Lots
550m² Minimum Lot Size
(R2 zoned land only)

<table>
<thead>
<tr>
<th>Location</th>
<th>Percentage</th>
<th>Number of Lots</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parramatta LEP</td>
<td>50%</td>
<td>526 lots out of 1059</td>
</tr>
<tr>
<td></td>
<td>61%</td>
<td>556 lots out of 907</td>
</tr>
<tr>
<td>Holroyd DCP</td>
<td>49%</td>
<td>498 lots out of 1013</td>
</tr>
<tr>
<td></td>
<td>56%</td>
<td>644 lots out of 1151</td>
</tr>
<tr>
<td>Auburn DCP</td>
<td>76%</td>
<td>5569 lots out of 7298</td>
</tr>
<tr>
<td></td>
<td>60%</td>
<td>707 lots out of 1180</td>
</tr>
<tr>
<td></td>
<td>60%</td>
<td>901 lots out of 1503</td>
</tr>
<tr>
<td></td>
<td>50%</td>
<td>402 lots out of 801</td>
</tr>
<tr>
<td></td>
<td>50%</td>
<td>1130 lots out of 2515</td>
</tr>
<tr>
<td></td>
<td>40%</td>
<td>17 lots out of 42</td>
</tr>
<tr>
<td></td>
<td>45%</td>
<td>444 lots out of 982</td>
</tr>
<tr>
<td></td>
<td>45%</td>
<td>308 lots out of 917</td>
</tr>
<tr>
<td></td>
<td>44%</td>
<td>89 lots out of 201</td>
</tr>
<tr>
<td></td>
<td>33%</td>
<td>660 lots out of 1911</td>
</tr>
<tr>
<td></td>
<td>31%</td>
<td>29 lots out of 94</td>
</tr>
<tr>
<td></td>
<td>15%</td>
<td>292 lots out of 1911</td>
</tr>
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<td></td>
<td>15%</td>
<td>620 lots out of 4300</td>
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<tr>
<td></td>
<td>15%</td>
<td>669 lots out of 4300</td>
</tr>
<tr>
<td></td>
<td>29%</td>
<td>731 lots out of 2552</td>
</tr>
<tr>
<td></td>
<td>18%</td>
<td>287 lots out of 1584</td>
</tr>
</tbody>
</table>

Current LEP/DCP control

- Parramatta LEP: 600m²
- Holroyd DCP: R2 - 500m², R3 - 450m²
- Auburn DCP: 450m²

Auburn LEP:
- At least 900m² (450m² each) is required for a subdivision of land and
- No Torrens subdivision allowed for dual occupancies.
Scenario 2: Eligible Dual Occupancy Lots
550m² Minimum Lot Size
(R3 zoned land only)

<table>
<thead>
<tr>
<th>Current LEP/DCP control</th>
<th>Parramatta LEP</th>
<th>Holroyd DCP</th>
<th>Auburn DCP</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>600m²</td>
<td>R2 - 500m², R3 - 450m²</td>
<td>450m²</td>
</tr>
<tr>
<td>Auburn LEP</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• At least 900m² (450m² each) is required for a subdivision of land and,</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• No Torrens subdivision allowed for dual occupancies.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- 44% (121 lots out of 272)
- 39% (92 lots out of 235)
- 53% (80 lots out of 151)
- 16% (7 lots out of 44)
- 61% (271 lots out of 446)
- 3% (37 lots out of 1339)
- 63% (107 lots out of 169)
- 26% (465 lots out of 1758)
- 13% (87 lots out of 680)
- 11% (135 lots out of 1174)
- 41% (138 lots out of 336)
- 40% (23 lots out of 57)
- 24% (29 lots out of 122)
- 30% (96 lots out of 325)
- 19% (58 lots out of 299)
- 7% (75 lots out of 1116)
Scenario 3: Eligible Dual Occupancy Lots
500m² Minimum Lot Size
(R2 zoned land only)

Current LEP/DCP control
- Parramatta LEP 600m²
- Holroyd DCP R2 - 500m², R3 - 450m²
- Auburn DCP 450m²

Auburn LEP
- At least 900m² (450m² each) is required for a subdivision of land and,
- No Torrens subdivision allowed for dual occupancies.
Scenario 3: Eligible Dual Occupancy Lots
500m$^2$ Minimum Lot Size
(R3 zoned land only)

<table>
<thead>
<tr>
<th>Current LEP/DCP control</th>
<th>Parramatta LEP 600m$^2$</th>
<th>Holroyd DCP R2 - 500m$^2$, R3 - 450m$^2$</th>
<th>Auburn DCP 450m$^2$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Auburn LEP</td>
<td>At least 900m$^2$ (450m$^2$ each) is required for a subdivision of land and,</td>
<td></td>
<td>No Torrens subdivision allowed for dual occupancies.</td>
</tr>
</tbody>
</table>

- 4% (59 lots out of 1339)
- 47% (128 lots out of 272)
- 18% (8 lots out of 44)
- 61% (274 lots out of 446)
- 67% (114 lots out of 169)
- 43% (50 lots out of 117)
- 14% (94 lots out of 680)
- 41% (96 lots out of 235)
- 30% (519 lots out of 1758)
- 13% (158 lots out of 1174)
- 27% (33 lots out of 122)
- 44% (147 lots out of 325)
- 34% (111 lots out of 325)
- 42% (24 lots out of 57)
- 9% (104 lots out of 1116)
- 24% (73 lots out of 299)
Scenario 4: Eligible Dual Occupancy Lots
Minimum Lot Size as per Current Controls
(R2 zoned land only)

CUMBERLAND COUNCIL

Council Meeting
5 June 2019

Current LEP/DCP control
Parramatta LEP 600m²
Holroyd DCP R2 - 500m², R3 - 450m²
Auburn DCP 450m²

Auburn LEP
• At least 900m² (450m² each) is required for a subdivision of land and,
• No Torrens subdivision allowed for dual occupancies.

Map showing percentage of eligible lots in various zones.
Scenario 4: Eligible Dual Occupancy Lots Minimum Lot Size as per Current Controls

(R3 zoned land only)

<table>
<thead>
<tr>
<th>Current LEP/DCP control</th>
<th>Parramatta LEP</th>
<th>600m²</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hoilroyd DCP</td>
<td>R2 - 500m², R3 - 450m²</td>
<td></td>
</tr>
<tr>
<td>Auburn DCP</td>
<td>450m²</td>
<td></td>
</tr>
</tbody>
</table>
| Auburn LEP              | • At least 900m² (450m² each) is required for a subdivision of land and,  
                          | • No Torrens subdivision allowed for dual occupancies. |

46% (126 lots out of 272)
40% (95 lots out of 235)
56% (84 lots out of 151)
61% (273 lots out of 446)
Attachment 2
Planning Proposal – Minimum Lot Area for Low and Medium Density Dual Occupancy Housing
PLANNING PROPOSAL

Minimum Lot Area for Low and Medium Density Dual Occupancy Housing

June 2019
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Report History

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<td>27/07/2018</td>
<td>Planning Proposal sent to the DP&amp;E for a Gateway Determination</td>
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<td>11/01/2019</td>
<td>Amended Planning Proposal (Post Gateway)</td>
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<tr>
<td>06/05/2019</td>
<td>Amended Planning Proposal with a further analysis following the community consultation</td>
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1 INTRODUCTION

1.1 EXECUTIVE SUMMARY

The Planning Proposal has been prepared in accordance with section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979) and the relevant Department of Planning and Environment (DP&E or Department) guidelines including A Guide to Preparing Local Environmental Plans and A Guide to Preparing Planning Proposals. This Planning Proposal has been amended to provide further analysis supporting the proposal as per the conditions listed on the Gateway Determination issued on 6 September 2018.

This Planning Proposal is prepared in accordance with the resolution (Min.223, C07/18-136), of Council on 18 July 2018 and the previous Council report and resolution (Min.175, C06/18-108) of 6 July providing an initial review of the new Low Rise Medium Density Housing Code (the Code). The Code forms a new section of the State Environmental Planning Policy (Exempt and Complying Development Code) 2007 (SEPP).

The Code allows dual occupancies, manor houses and terraces as complying development in the R1, R2 and R3 residential zones where permitted under a Local Environmental Plan (LEP). The Code provides development standards such as a minimum lot size of 400m² for dual occupancies. The Code’s standards will apply to the new development for the above listed housing types unless the lot size provisions are contained within an LEP.

The review of the Code identified a number of concerns about the inconsistency of minimum lot size that apply under the Code and to the LEPs that apply to the Cumberland LGA, being Auburn LEP 2010, Holroyd LEP 2013, Parramatta LEP 2011, and associated Development Control Plans (DCPs), as the existing lot standards requirement varies across the three LEPs and DCPs.

The provisions of the Code will permit dual occupancies on allotments which are up to 100m² smaller than Council’s current DCP controls. This could result in larger building capacity and residential population than envisaged under the LEPs and DCPs which would have implications to the local and surrounding areas, particularly in terms of pressure on, and capacity of, existing infrastructure such as roads, open space, hospitals and schools.

The Planning Proposal will set a minimum lot size control of 600m² for dual occupancies to all R2 Low Density Residential and R3 Medium Density Residential zones. The Planning Proposal seeks to add a clause in the Auburn LEP 2010 and the Holroyd LEP 2013 to introduce a minimum lot size provision for the development of a dual occupancy. No change is proposed for the Parramatta LEP 2011.

1.2 PURPOSE OF THIS PROPOSAL

The Planning Proposal has been prepared in response to a resolution of Council on 18 July 2018 (Min. 223, C07/18-136) below:

CARRIED 18 July 2018 (Min. 223, C07/18-136)

*That Council:

1. Prepare a Planning Proposal to amend the Auburn Local Environmental Plan 2010, Holroyd Local Environmental Plan 2013 and Parramatta Local Environmental Plan 2011 to introduce a minimum lot area for dual occupancy development within Cumberland LGA.

2. Nominate 600m² as the minimum lot area for the development of dual occupancies within Cumberland LGA.

Cumberland Council • 3
Planning Proposal

3. Consult with the community and the Local Planning Panel on the Planning Proposal, following Gateway Determination by the Department of Planning and Environment."

The Council minutes and report are included at Attachment 1 of this report.

A separate Planning Proposal may be developed in the near future that may seek to exclude certain lands, such as those within environmentally sensitive areas, from the Code’s complying development.

1.3 THE PROPOSAL

The Planning Proposal seeks to insert a clause setting minimum lot area standard provisions for dual occupancies under the Part 4 Principal development standards of the Auburn LEP 2010 and Holroyd LEP 2013.

The proposed minimum lot area is 600m² on R2 and R3 zoned land. This is to ensure the lot size proposed for dual occupancy development facilitates good urban design outcomes and to retain the low density residential character. The proposed 600m² would also achieve a consistency of minimum lot size across Cumberland LGA.

1.4 BACKGROUND

The Department of Planning and Environment (DP&E or Department) released the new Low Rise Medium Density Housing Code (the Code) and an associated Design Guide, which commenced on 6 July 2018.

The Code forms a new section of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It allows dual occupancies, manor houses and terraces (multi-dwelling housing (terraces)) as complying development in the R1, R2 and R3 residential zones where permitted under a Council’s Local Environmental Plan (LEP).

The Code also provides development standards such as minimum lot size requirements for a development of dual occupancies, manor houses and terraces. Note that a minimum lot size under the Code is 400m² for dual occupancies. The Code’s standards will apply to the new development for the above listed housing types unless the Council LEP specifies lot sizes.


The Council at the meeting of 6 June 2018, resolved that:

‘Council write to the Minister for Planning requesting a deferral of the commencement of the Low Rise Medium Density Housing Code within Cumberland until a new Housing Strategy and draft Cumberland comprehensive Local Environmental Plan is completed, consistent with the deferral granted to other Councils.’

Consistent with this resolution, a letter requesting a deferral of the commencement of the Code within Cumberland, pending a new Housing Strategy and draft comprehensive Cumberland Local Environmental Plan, was sent to the DP&E.
At a subsequent meeting with the DP&E staff, which discussed the requested deferral, the DP&E advised that Councils who have their minimum lot size controls in their DCPs will be required to submit Planning Proposals in order for the DP&E to defer the Code for a year (being the time anticipated for the finalisation of the Planning Proposal). Accordingly Cumberland Council would need to submit a Planning Proposal to the DP&E by 27 July 2018 to amend minimum lot size control within the LEPs, with the intention that this amendment be finalised by July 2019.

Council has subsequently received correspondence from the Acting Executive Director, Planning Policy at the Department advising that in response to Council’s request, the Code will be deferred in the Cumberland local government area (LGA) until 1 July 2016 (See Attachment 3).

Therefore this Planning Proposal is to amend the Auburn LEP 2010 and Holroyd LEP 2013 to impose a minimum lot size of 600m² on R2 and R3 zoned land. This amendment is to minimise and manage the impacts of the Code, particularly in terms of amenity in the R2 Low Density Residential zone, as well as pressure on existing infrastructure.

1.5 LAND TO WHICH THIS PLANNING PROPOSAL APPLIES

This Planning Proposal applies to all R2 Low Density Residential and R3 Medium Density Residential zoned land within Cumberland LGA.

Cumberland Local Government Area (LGA) includes the suburbs of Auburn, Berala, Chester Hill (part), Girraween, Granville (part), Greystanes, Guildford, Guildford West, Holroyd, Lidcombe (part), Mays Hill (part), Merrylands, Merrylands West, Penrith, Pendle Hill (part), Regents Park (part), Rookwood, Smithfield (part), South Granville, South Wentworthville, Toongabbie (part), Wentworthville (part), Westmead (part), Woodpark and Yennora (part).

1.6 LOCAL CONTEXT

Cumberland LGA has a current population of 231,604 with an area of 72km² bounded by the City of Parramatta in the north, the Strathfield LGA in the east, the City of Canterbury Bankstown and Fairfield LGA in the south and Blacktown LGA in the west. Cumberland LGA is within the Central City District along with the Blacktown, Parramatta and the Hills Shire LGA’s as recognised in the Central City District Plan.

R2 Low Density and R3 Medium Density Residential zones across Cumberland vary in local character and lot sizes as the objectives of zone and permitted uses differ across the three LEPs.

The lot sizes in the R2 zone in the former Holroyd LGA are often larger than those in the more eastern areas of Cumberland.

1.7 CURRENT PLANNING CONTROLS

There are three LEPs and three DCPs that apply to respective areas of the LGA.

- Auburn Local Environmental Plan 2010 and Auburn Development Control Plan 2010
- Holroyd Local Environmental Plan 2013 and Holroyd Development Control Plan 2013
- Parramatta Local Environmental Plan 2011 and Parramatta Development Control Plan 2011

The minimum lot sizes for dual occupancies stated in these LEPs and DCPs are provided in Table 1.
Minimum Lot Size Controls for Dual Occupancies

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Size</td>
<td>Not specified</td>
<td>450m² (attached), 800m² (detached) in R2 and R3 zones</td>
<td>Not specified</td>
<td>500m² (attached or detached) in R2 and 450m² in R3</td>
<td>600m² (attached) in R2, R3 and R4 zones</td>
<td>600m²</td>
</tr>
</tbody>
</table>

Table 1. Comparison of lot size controls for dual occupancies of three LEPs and DCPs

The Auburn LEP 2010 and the Holroyd LEP 2013 do not provide the minimum lot size controls for dual occupancies. Controls for minimum lot sizes are contained within the corresponding development control plan (DCP).
Planning Proposal

The Planning Proposal has been prepared in accordance with section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the relevant Department of Planning and Environment (DP&E) guidelines including A Guide to Preparing Local Environmental Plans and A Guide to Preparing Planning Proposals.

Section 3.33 (2) of the EP&A Act outlines that a Planning Proposal must include the following components:

- A statement of the objectives or intended outcomes of the proposed instrument;
- An explanation of the provisions that are to be included in the proposed instrument;
- The justification for those objectives, outcomes and provisions and the process for their implementation (including whether the proposed instrument will give effect to the local strategic planning statement of the council of the area and will comply with relevant directions under 9.1);
- Maps, where relevant, to identify the intent of the Planning Proposal and the area to which it applies;
- Details of the community consultation that is to be undertaken before consideration is given to the making of the proposed instrument.

This Planning Proposal has been amended to update the Planning Proposal to include conditions of requirement as per the Gateway Determination issued on 6 September 2018.

2.1 PART 1 - OBJECTIVES OR INTENDED OUTCOMES

The key objectives for this Planning Proposal are:

- To ensure the lot size proposed for dual occupancy development facilitates good design that can accommodate an appropriate built form, driveways and sufficient landscaped areas,
- To retain the low density residential character of the R2 Low Density Residential zone,
- To identify the appropriate locations for growth and align projected growth with existing and proposed local roads, transport and social infrastructure,
- To achieve a consistency of minimum lot size for dual occupancy development across LGA.

The intended outcomes of the Planning Proposal are:

- To introduce the minimum lot size for dual occupancies under the Auburn LEP 2010 and the Holroyd LEP 2013. This minimum lot size would align with that currently provided with the Parramatta LEP 2011 and will implement a consistent minimum lot size for dual occupancy development across the Cumberland LGA.
- Utilise the objectives of the Planning Proposal as objectives of the development standard.

2.2 PART 2 - EXPLANATION OF PROVISIONS

2.2.1 Proposed Auburn LEP 2010 and Holroyd LEP 2013 Amendments

The proposed outcome will be achieved by the inclusion of a written clause in the Auburn LEP 2010 and the Holroyd LEP 2013, to introduce a minimum lot size provision for the development of Cumberland Council • 7
a dual occupancy. As requested by the Cumberland Local Planning Panel, the objectives of the planning proposal are proposed to form objectives of the development standard.

The proposed clause will apply to land in the R2 Low Density Residential and R3 Medium Density Residential zones where a minimum lot size of 600m² (both attached and detached) will be introduced for the development of a dual occupancy.

Table 2 below compares the existing Auburn and Holroyd LEPs and DCPs’ minimum lot size controls to the proposed amendment to the respective LEPs. The draft Minimum Lot Sizes for Dual Occupancy Development Maps are provided in Appendix 1.

<table>
<thead>
<tr>
<th>Auburn LEP 2010 Controls</th>
<th>Existing ALEP 2010 Controls</th>
<th>Existing ADCP Controls</th>
<th>Proposed ALEP 2010 Controls in R2 &amp; R3 zones</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Size for dual occupancies (attached)</td>
<td>N/A</td>
<td>450m²</td>
<td>600m²</td>
</tr>
<tr>
<td>Minimum Lot Size for dual occupancies (detached)</td>
<td>N/A</td>
<td>600m²</td>
<td>600m²</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Holroyd LEP 2013 Controls</th>
<th>Existing HLEP 2013 Controls</th>
<th>Existing HDCP Controls</th>
<th>Proposed HLEP 2013 Controls in R2 &amp; R3 zones</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Size for dual occupancies (attached or detached) on a lot in Zone R2</td>
<td>N/A</td>
<td>500m²</td>
<td>600m²</td>
</tr>
<tr>
<td>Minimum Lot Size for dual occupancies (attached or detached) on a lot in Zone R3</td>
<td>N/A</td>
<td>450m²</td>
<td>600m²</td>
</tr>
</tbody>
</table>

Table 2. Existing and Proposed Controls

The proposed outcome delivers a consistent approach to lot sizes for dual occupancy development across the Cumberland LGA. The proposed minimum lot area of 600m² ensures that there is sufficient area available on a lot for adequate landscaping and setbacks. It also aims to deliver a built form that does not detract from the low density residential character of a neighbourhood.

The inclusion of the proposed clause in the Auburn LEP 2010 and Holroyd LEP 2013 would improve certainty relating to consistent minimum lot sizes for Council and the local community. It will also achieve a density that is consistent with the R2 Low Density Residential zoning and the associated planned infrastructure. It is unlikely that the proposed lot size will impact on the planned densities of the R3 Medium density zone as multi dwelling housing will be the preferred land use as it achieves the highest and best use of the land from a development perspective.

The Planning Proposal does not propose to amend the planning controls relating to the site for zoning, height of buildings, or floor space ratio.

The inclusion of a savings provision of up to 3 months is proposed to allow for the industry to respond to the new controls. This should ensure that the new controls do not affect any existing Development Applications.
No amendment to the Parramatta LEP 2011 is proposed since a minimum lot size of 600m² is already specified under clause 6.11 of this LEP.

2.3 PART 3 - JUSTIFICATION

2.3.1 Section A. Need for the Planning Proposal

Q1: Is the Planning Proposal a result of any strategic study or report?

Yes. The Planning Proposal was prepared as a result of the Council report, Item C07/18-136 and resolution of 18 July 2018 (Attachment 1). The Council report was prepared following Council officer’s review of the State Environmental Planning Policy (Exempt and Complying Development Code) 2007 (SEPP) which introduces the Low Rise Medium Density Housing Code (the Code).

The Code allows dual occupancies, town houses and terraces as complying development in the R1 General Residential, R2 Low Density Residential and R3 Medium Density Residential zones where permitted under a Council’s Local Environmental Plan (LEP). Details of the review findings are provided in Council report, Item C00/18-106 for the Council meeting on 6 June 2018 (Attachment 2).

The Council reports identify a number of concerns about the Code’s inconsistency with Council’s LEP and DCP and raises implications for Cumberland. The Code provides built form, landscape and amenity development standards such as minimum lot size requirements, maximum gross floor area, minimum setbacks, minimum landscaped area, car parking and vehicle access requirements. The Code states that a development must meet the minimum lot size requirements under the relevant LEP, and if the LEP does not specify lot sizes, the Code’s standards will apply.

In the case of Cumberland LGA, the existing lot standards requirement for dual occupancies varies across the three LEPs and DCPs.

The Parramatta LEP specifies a minimum 600m² lot area which will continue to apply. However, for the remainder of Cumberland (i.e. land within former Auburn and Holroyd LGAs), lot size controls are specified in the DCPs only. These lot sizes are 450m² in Auburn DCP and 500m² in Holroyd DCP. These controls would be overridden by the Code’s minimum 400m² of lot size. This will result in the minimum lot size being inconsistent across different low density areas of Cumberland LGA.

The Council report identifies adverse impacts of this inconsistency to Council’s development standard to low density residential areas of Cumberland LGA. The provisions of the Code will permit dual occupancies on allotments which are up to 100m² smaller than Council’s current DCP controls. This larger building capacity and residential population could result in cumulative impacts on surrounding areas, particularly in terms of pressure on, and capacity of, existing infrastructures. Roads, transport and social infrastructure are currently planned for a population based on low population density and the existing planned local character of low density suburban areas.

Therefore, this Planning Proposal has been prepared to protect the general low-density scale of Cumberland’s residential neighbourhoods and minimise any unintended implication of the reduced lot size requirement by the Code on the amenity of the R2 and R3 zones and on the capacity of local infrastructure.

It is also important to note that Cumberland Council is one of the priority councils allocated funding to prepare a new comprehensive Cumberland LEP over the next 2 years. The comprehensive Cumberland LEP would be supported by a Residential Housing Strategy and Local Strategic Planning Statement, which will identify local character and consideration of how and where future housing density increases should occur.
Q2: Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes, a Planning Proposal is the best means of achieving the objectives and intended outcomes as amendments are required to the two LEPs, Auburn LEP 2010 and Holroyd LEP 2013 to stipulate the minimum lot size for dual occupancies in R2 and R3 zones.

Council considered following scenarios, minimum lot size for dual occupancies as shown in Table 3. On 18 July 2018, Council resolved to adopt Scenario 3 which will provide uniform approach to lot sizes for dual occupancy development across the entire Cumberland LGA.

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Options to proceed with the Planning Proposal</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Adopt existing lot size controls as specified in DCPs to the relevant LEPs. Auburn LEP 2010 - Minimum lot area of 450m² Holroyd LEP 2013 - Minimum lot area of 500m² Paramatta LEP 2011 - No change required as PLEP already sets a minimum 600m² lot area</td>
<td>Scenario 1 delivers the minimal impact to the community since the same minimum lot size requirements are currently being enforced under the assessment of development applications under the Council's DCPs. Incorporating the controls set in the DCPs into the LEPs allows the future development to be consistent with the planned residential density and would not have any greater impact on the capacity of the existing infrastructure than currently envisaged. However, this approach does not unify the controls across the entire Cumberland LGA nor does it take into account the difference in the existing subdivision lot size patterns in different parts of the LGA.</td>
</tr>
<tr>
<td>2</td>
<td>Adopt existing lot size controls of Holroyd DCP to Auburn LEP 2010 and Holroyd LEP 2013. Auburn LEP 2010 - Minimum lot area of 500m² Holroyd LEP 2013 - Minimum lot area of 500m² Paramatta LEP 2011 - No change required as PLEP already sets a minimum 600m² lot area</td>
<td>Scenario 2 is the middle ground approach between the Scenario 1 and 3. This Scenario applies the existing minimum 500m² lot area set in Holroyd DCP to Auburn LEP 2010 and Holroyd LEP 2013. It would increase the minimum lot size requirement for attached dual occupancies by 50m² for the former Auburn LGA, and for the R3 Zone in the former Holroyd LGA reducing the existing development potential for the lots between 450m² and 489m² in these locations. This approach would not affect a large number of lots, but would provide a more consistent approach than Scenario 1 within the Cumberland LGA.</td>
</tr>
<tr>
<td>3</td>
<td>Adopt existing lot size controls of Paramatta LEP 2011 to Auburn LEP 2010 and Holroyd LEP 2013. Auburn LEP 2010 - Minimum lot area of 600m²</td>
<td>Scenario 3 delivers a uniform approach to lot sizes for dual occupancy development throughout the entire Cumberland LGA. This approach ensures that the sufficient areas are available for adequate landscaping, setbacks and a built form that</td>
</tr>
</tbody>
</table>

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### Holroyd LEP 2013
- Minimum lot area of 600m²

### Parramatta LEP 2011
- No change required as PLEP already sets a minimum 600m² lot area

does not detract from the local residential character. It would maintain a density that is consistent with the planned Low Density Residential zoning and the associated planned infrastructure.

The increased minimum lot size would also minimise the fragmentation of land, and allow more space between driveways for on-street parking and street tree planting.

It would increase the minimum lot size for former Auburn and Holroyd LGAs by 150m² and 100m² respectively, reducing the existing development potential for these areas where the provision of the smaller lot sizes was allowed under Council’s DCPs. However, it is noted that currently at least 900m² (450m² each) is required for Torrens subdivision of dwelling houses under the Auburn LEP provisions. This uniformed approach is considered reasonable given merit assessment of design and impact is being removed.

Dual occupancy development is not currently highly prevalent in the east (because of current Torrens subdivision limitations) and will be introduced to this area under the Code. It is also noted that there are more large (600m²+) lots available in the central-west area of Cumberland compared to the far west and east, and sufficient to ensure that there would continue to be ample opportunity for small residential developers on the most suitably sized lots. This approach is also the most consistent with the standard for most comparable Sydney Councils.

<table>
<thead>
<tr>
<th>Table 3. Review of minimum lot size Scenario 1, 2 and 3 for dual occupancies</th>
</tr>
</thead>
</table>

Increasing the minimum lot size for development of dual occupancy (in comparison to the minimum lot sizes used in the Code) will allow for building forms, landscaped areas and vehicle access provision that is compatible with the local residential character and maintains a reasonable level of amenity for residents. The Planning Proposal aims to maintain a density that is consistent with the planned low density residential zoning and the associated infrastructure.

The nominated lot sizes also enable the planting or retention of trees on private lands and increase opportunities for street tree planting which will help to mitigate heat island effects and improve streetscapes which also supports the vision of the Greater Sydney Green Grid.

The Planning Proposal adopting the 600m² minimum lot area also feed into the preparation of Council’s Housing Strategy and the Local Strategic Planning Statement, as part of the preparation of the new comprehensive Cumberland LEP.

### 2.3.2 Section B. Relationship to strategic planning framework

**Q3: Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?**

The Planning Proposal is consistent with the relevant actions and provisions of the following state government strategic planning policies:

- Greater Sydney Region Plan - A Metropolis of Three Cities

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Central City District Plan

Greater Sydney Region Plan – A Metropolis of Three Cities

The Greater Sydney Commission’s *Greater Sydney Region Plan – A Metropolis of Three Cities (the Plan)*, is built on a vision of three cities (to 2056) where most residents live within 30 minute of their jobs, services and great places. Cumberland is within the Central River City. The Plan seeks to achieve the vision by aligning land use, transport and infrastructure outcomes for Greater Sydney concurrently with *Future Transport 2056* (Transport for NSW) and State *Infrastructure Strategy* (Infrastructure NSW). The Plan identifies objectives and actions under 10 Directions for the Metropolis, under the following four key themes:

<table>
<thead>
<tr>
<th>Themes</th>
<th>Directions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Infrastructure and collaboration</td>
<td>1. A city supported by infrastructure</td>
</tr>
<tr>
<td></td>
<td>2. A collaborative city</td>
</tr>
<tr>
<td>Liveability</td>
<td>3. A city for people</td>
</tr>
<tr>
<td></td>
<td>4. Housing the city</td>
</tr>
<tr>
<td></td>
<td>5. A city of great places</td>
</tr>
<tr>
<td>Productivity</td>
<td>6. A well-connected city</td>
</tr>
<tr>
<td></td>
<td>7. Jobs and skills for the city</td>
</tr>
<tr>
<td>Sustainability</td>
<td>8. A city in its landscape</td>
</tr>
<tr>
<td></td>
<td>9. An efficient city</td>
</tr>
<tr>
<td></td>
<td>10. A resilient city</td>
</tr>
</tbody>
</table>

Central City District Plan

The *Central City District Plan* (Greater Sydney Commission, March 2018) outlines planning priorities and actions to support the *Greater Sydney Region Plan*, under the same set of themes and directions. Part 3.8 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) requires planning authorities to give effect to the District Plan in preparing or considering Planning Proposals.

The *Greater Sydney Region Plan* and the *Central City District Plan*’s key planning priorities and actions relevant to this Planning Proposal are discussed below in Table 4 and details are provided at Appendix 2.

<table>
<thead>
<tr>
<th>Directions for a Greater Sydney</th>
<th>Greater Sydney Region Plan - Objectives</th>
<th>Central City District Plan - Planning Priority</th>
<th>Central City District Plan - Actions</th>
<th>Consistency</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. A city supported by infrastructure</td>
<td>O2. Infrastructure aligns with forecast growth</td>
<td>C1. Planning for a city supported by infrastructure</td>
<td>A3. Align forecast with infrastructure</td>
<td>Consistent</td>
</tr>
<tr>
<td>4. Housing the City</td>
<td>O10. Greater housing supply</td>
<td>C5. Providing housing supply, choice and affordability, with access to jobs and services</td>
<td>A16. Prepare local or district housing strategies</td>
<td>Consistent</td>
</tr>
<tr>
<td></td>
<td>O11. Housing is more diverse and affordable</td>
<td></td>
<td>A17. Prepare Affordable Rental Housing Target schemes following development of implementation arrangements</td>
<td></td>
</tr>
</tbody>
</table>
### 5. A city of great places

| O13. Environmental heritage is conserved and enhanced | C6. Creating and renewing great places and local centres, and respecting the District’s heritage | A18. Using a place-based and collaborative approach throughout planning, design, development and management deliver great places by. | Consistent |

### 8. A city in its landscape

| O25. The coast and waterways are protected and healthier and the corresponding strategies | C13. Protecting and improving the health and enjoyment of the District’s waterways | A60. Protect environmentally sensitive waterways. A62. Improve the health of catchments and waterways through a risk-based approach to managing the cumulative impact of development including coordinated monitoring of outcomes. | Not inconsistent |

| O27. Biodiversity is protected, urban bushland and remnant vegetation is enhanced | C15. Protecting and enhancing bushland and biodiversity | A65. Protect and enhance biodiversity. A66. Identify and protect scenic and cultural landscapes. | Not inconsistent |

| O30. Urban tree canopy cover is increased | O32. The Green Grid links parks, open spaces, bushland, and walking and cycling paths | C16. Increasing urban tree canopy cover and delivering Green Grid connections | A68. Expand urban tree canopy in the public realm. A69. Progressively refine the detailed design and delivery of. | Not inconsistent |

### 10. A resilient city

| O36. People and places adapt to climate change and future shocks and stresses | C20. Adapting to the impacts of urban and natural hazards and climate change | A82. Avoid locating new urban development in areas exposed to natural and urban hazards and consider options to limit the intensification of development in existing urban areas most exposed to hazards. A83. Mitigate the urban heat island effect and reduce vulnerability to extreme heat. | Not inconsistent |
**Table 4. Consistency with key Planning Priorities and Actions**

<table>
<thead>
<tr>
<th>Relevant CSP Strategic Goals</th>
<th>Relevant CSP outcome/s</th>
<th>Council’s commitment to the outcome</th>
<th>How the proposal achieves the outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategic Goal 1. A great place to live</td>
<td>We have high quality community facilities and spaces that fit our purposes</td>
<td>Council encourages the provision of facilities in line with community expectations, population growth and intended use</td>
<td>The Planning Proposal proposes the amendment to the Auburn LEP 2010 and Holroyd LEP 2013 to introduce minimum lot area standard provisions for dual occupancies. This ensures that the amenity of the R2 Low Density Residential zone is maintained and minimises the impacts of the Code to the pressure on existing local infrastructure from unplanned population growth and density.</td>
</tr>
<tr>
<td>Strategic Goal 4. A strong local economy</td>
<td>We have access to great local education and care services</td>
<td>Council continues to advocate on behalf of our growing community for continual increases in access to education at all levels.</td>
<td>The Planning Proposal aims to align the planned social infrastructure with the planned population growth by setting minimum lot area standard provisions for dual occupancies.</td>
</tr>
<tr>
<td>Strategic Goal 5. A resilient built environment</td>
<td>Our planning decisions and controls ensure the</td>
<td>Council ensures planning controls benefit the community</td>
<td>The Planning Proposal aims to maintain a density that is consistent with the planned</td>
</tr>
</tbody>
</table>
Table 5. Consistency with the Cumberland Community Strategic Plan.

Cumberland Residential Housing Strategy and comprehensive Cumberland LEP

The forthcoming preparation of Council’s Residential Housing Strategy as part of the comprehensive Cumberland LEP will enable this issue to be considered in more detail and also in the context of infrastructure provision, as well as giving due consideration to local character and amenity. The Planning Proposal’s uniform approach of setting a minimum lot size across the entire Cumberland LGA would support the preparation of comprehensive Cumberland LEP.

Q5: Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

State Environmental Planning Policies (SEPPs) and Regional Environmental Plans (deemed SEPPs) deal with issues significant to the state and people of New South Wales.

The Planning Proposal is consistent or justifiably inconsistent with the applicable SEPPs and deemed SEPPs as outlined below with details provided in Appendix 3.

- **SEPP 55 Remediation of Land** provides a State wide planning approach for the remediation of contaminated land. The *Low Rise Medium Density Code* permits dual occupancy and medium density housing as complying development. The Code permits (and in some cases encourages) basement car parking as complying development, increasing the likelihood of disturbing contaminants that may affect human health. These matters would normally be considered as part of a DA, however, this assessment would not occur under the Code.

Council’s mapping shows lands in the R2 and R3 zones identified by Council or the EPA as contaminated. Some of these have been remediated and have Site Audit Statements to verify this. Further work is required to update the remediation status of these contaminated lands for parts of the LGA.

A separate Planning Proposal may be developed to recognise sites that are identified by Council or the EPA as contaminated, but which do not have Site Audit Statements be identified, seeking possible exclusion from the Code’s complying development.

- **SEPP Exempt and Complying Development Codes 2008** aims to provide a streamlined assessment process for development that complies with specified development standards. The *Low Rise Medium Density Code* when in effect, will form part of this SEPP. This Planning Proposal seeks amendments to the Auburn and Holroyd LEPs to address issues raised as a result of this, as discussed throughout this Planning Proposal and the Reports to Council at 6 June and 18 July 2018.

- **SEPP (Affordable Rental Housing) 2009** aims to provide a consistent planning regime for the provision of affordable rental housing and facilitate the effective delivery of affordable housing. The SEPP includes provisions providing FSR incentives for infill housing, such as dual

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occupancies and multi dwelling housing in locations within 800m walking distance from a rail station or 400m from a bus stop.

Permitting complying development for dual occupancies in the R2 zones, and manor houses, terraces, and dual occupancies in the R3 zones, at the lot sizes and FSRs proposed in the Code would discourage applicants from providing infill affordable housing via the Affordable Rental Housing SEPP. The applicants would favour the Code’s provision for similar development potential for such sites.

However, a review of DAs lodged under the Affordable Housing SEPP for this type of infill housing for the former Holroyd and Auburn areas identified that only one DA lodged in each of the relevant areas, both of them for dual occupancies. Both used the SEPP to seek a dual occupancy on a lot below the permitted lot size under the LEP or DCP. Only one sought to use the FSR incentive (in part). A review of similar DAs for the former Parramatta LGA has not been undertaken, as the lot size provisions are already contained in the Parramatta LEP 2011.

No applications for townhouses under this SEPP have reached beyond pre-lodgement stage, with significant issues identified for the limited sites where interest has been expressed.

Given the apparent minimal uptake of this form of affordable housing, it is considered that the Planning Proposal is justifiably inconsistent with SEPP (Affordable Housing) 2009.

- **SEPP 19 - Bushland in Urban Areas** aims to protect bushland within urban areas. Specific attention to bushland, remnant and endangered vegetation and bushland zoned or reserved for public open space.

  The SEPP requires a consent authority to consider the aims of the policy, and give priority to retaining bushland unless there are significant environmental, economic or social benefits which outweigh the value of the bushland.

  The residential land affected by the Code includes land that adjoins land containing bushland, zoned or reserved for public open space, which is subject to the SEPP. The Code does not make any provision to avoid adverse impacts on such bushland from the residential development types identified as complying. Given the urgent need for this Planning Proposal, there has not been opportunity to map these lands. Nevertheless, SEPP (Vegetation in Non-Rural Areas) 2017 still requires a permit or other consent for the removal of bushland. In addition, the Codes SEPP requires the new development to be compliant with the relevant DCP in relation to stormwater drainage. These requirements will minimise, but not prevent, other potential adverse impacts on adjoining publicly reserved bushland.

  Whether such lands should be included on an ‘Environmentally sensitive areas – Buffer Map’ could be considered as part of Council’s Biodiversity Strategy which is currently being prepared. It is also anticipated that a separate Planning Proposal will be developed that may seek to exclude these identified lands in environmentally sensitive areas, from the Code’s complying development.

- **SREP (Sydney Harbour Catchment) 2005** aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways. It establishes planning principles and controls for the catchment as a whole.

  Most of Cumberland LGA is within this catchment. Planning principles for development under this SREP include (but are not limited to):

  o Protection and where practicable, improvement of the hydrological, ecological and geomorphological processes on which the catchment depends;

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Planning Proposal

- Improvement of water quality, rehabilitation of watercourses, wetlands, riparian corridors, remnant native vegetation and ecological connectivity;
- Protection and rehabilitation of land affected or potentially affected by urban salinity;
- Minimisation of the disturbance of acid sulphate soils;
- Reduction of quantity and frequency of urban runoff;
- Protection of the functioning of natural drainage systems on floodplains;
- Protection of visual qualities of the foreshores; and
- Take into account the cumulative impacts of development in the catchment.

A number of waterways and riparian zones within Cumberland LGA are identified on the SREP 'Foreshores and Waterways Area Map'. The planning principles for the development of land within these areas include:

- Protection and enhancement of natural assets, visual qualities and the unique environmental qualities of the foreshores; and
- Increasing public access along foreshores and to the waterways while minimising the impact on watercourses, wetlands, riparian lands and remnant vegetation.

Development under the Low Rise Medium Density Code has certain requirements regarding the management of stormwater, to support some of the above principles in relation to the catchment as a whole.

However, where sites are located within riparian lands and waterways, it would result in a number of inconsistencies with the above principles, both for the catchment as a whole, and for the identified foreshores and waterways. For example, such development would result in increased impermeable surfaces, reduce vegetated riparian areas, and/or areas that could be rehabilitated to assist in filtering pollutants from runoff and protect the stability of creek banks.

Limiting the areas by the topographical features as described, means that land near most channelled waterways is not excluded from the Code. Council may consider a future Planning Proposal to address.

Clause 1.19 (1) (e) of the Exempt and Complying Development SEPP excludes complying development from land identified by an environmental planning instrument as being within a ‘river front area’. Again, the terminology is not consistent with the SREP.

To ensure consistency with the SREP, and to protect the environmental and social qualities of the waterways and adjoining lands, a separate Planning Proposal may be prepared seeking to exclude the application of the Code to riparian areas in the LGA that retain the topography to support the above principles.

The Holroyd and Parramatta LEPs have mapped lands identified as ‘Riparian lands and Watercourses’ and ‘Natural Resources – Riparian Land and Waterways’. It is anticipated that mapping of such lands will be updated if needed in those areas, and a similar map included for the former Auburn Council area in the future, under the title ‘Environmentally sensitive areas’. This would exclude them from Complying Development.

As listed above, the SREP also seeks to minimise the disturbance of acid sulphate soils and to protect and rehabilitate land affected or potentially affected by urban salinity. Acid sulphate soils are discussed under the relevant Ministerial Direction. Urban Salinity is discussed under the Section 2.3.3 in regard to other environmental impacts.

Other relevant SEPPs

The following SEPPs and deemed SEPPs are relevant to the type of residential development proposed under the Code.
- **SEPP (Building Sustainability Index – BASIX) 2004** aims to ensure consistency in the implementation of the BASIX scheme throughout the State. Compliance with this SEPP BASIX is required for complying development of the types permitted under the Code.

- **SEPP (Coastal Management) 2018** aims to promote an integrated and co-ordinated approach to land use planning in the coastal zone. Certain lands in Cumberland LGA are identified as part of the coastal zone, mapped as coastal wetlands, and proximity area for coastal wetlands.

  Clause 1.19 of **SEPP (Exempt and Complying Codes) 2008** identifies coastal wetlands and lands within 100m of these wetlands (ie land that is mapped as ‘Proximity to coastal wetlands’) as land within an ‘environmentally sensitive area’. To protect these areas consistent with the Coastal Management SEPP, the Codes SEPP does not permit complying development on this land.

- **SEPP (Vegetation in Non-Rural Areas) 2017** aims to protect the biodiversity and amenity values of trees and other vegetation in non-rural areas of the State.

  The Code would not override the need for a permit or other consent for the removal of vegetation identified in Council’s DCPs and other vegetation specified in the SEPP.

**Q6: Is the Planning Proposal consistent with applicable Ministerial Directions (sec 9.1)?**

Section 9.1 directions are directions to councils from the Minister for Planning and Infrastructure that need to be considered or given effect to in the preparation of draft LEPs.

The following Directions are relevant to this Planning Proposal. The Planning Proposal is consistent or justifiably inconsistent with these Directions. Discussion of these is provided in Appendix 4.

<table>
<thead>
<tr>
<th>S9.1 Ministerial Directions</th>
<th>Consistency with the Planning Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1 Environment Protection Zones</td>
<td>Consistent</td>
</tr>
<tr>
<td>2.2 Coastal Protection</td>
<td>Consistent</td>
</tr>
<tr>
<td>2.3 Heritage Conservation</td>
<td>Consistent</td>
</tr>
<tr>
<td>3.1 Residential Zones</td>
<td>Consistent</td>
</tr>
<tr>
<td>3.4 Integrating Land Use and Transport</td>
<td>Consistent</td>
</tr>
<tr>
<td>4.1 Acid Sulfate Soils</td>
<td>Consistent</td>
</tr>
<tr>
<td>4.3 Flood Prone Land</td>
<td>Consistent</td>
</tr>
<tr>
<td>5.10 Implementation of Regional Plans</td>
<td>Consistent</td>
</tr>
<tr>
<td>6.1 Approval and Referral Requirements</td>
<td>Consistent</td>
</tr>
<tr>
<td>6.3 Site Specific Provisions</td>
<td>Not applicable</td>
</tr>
<tr>
<td>7.1 Implementation of a Plan for Growing Sydney</td>
<td>Consistent</td>
</tr>
<tr>
<td>7.3 Parramatta Road Corridor Urban Transformation Strategy</td>
<td>Consistent</td>
</tr>
<tr>
<td>7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</td>
<td>Consistent</td>
</tr>
</tbody>
</table>
Table 6. Consistency with section 9.1 Directions.

The Planning Proposal is consistent with Direction 3.1 Residential Zones as the Planning Proposal does not intend to restrict residential development, reduce the planned residential density, nor reduce the opportunity for housing diversity. The Planning Proposal does not back zone land nor does it seek to reduce the range of permissible residential land uses in the R2 or R3 zones.

The Planning Proposal only seeks to introduce a minimum lot size requirement of 600m² for dual occupancy development under the Auburn and Holroyd LEPs to align with the minimum lot size control of the Parramatta LEP. The introduction of lot size requirement for dual occupancy development across Cumberland LGA would minimise the adverse impact to the capacity of existing local infrastructure.

The proposed minimum lot size of 600m² provides better opportunities for good design and ensures that the sufficient areas are available for adequate landscaping, setbacks and a built form that does not detract from the local residential character.

Council has undertaken further analysis to ensure that the planning proposal does not constrain housing supply. The Code would still apply to over 12,200 lots within the Cumberland LGA.

2.3.3 Section C. Environmental, social and economic impact

Q7: Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

This Planning Proposal is not anticipated to create any adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitat, as it applies to land zoned R2 Low Density Residential and R3 Medium Density Residential only.

The initial review of land identified as ‘Remnant Native Vegetation’ on the Biodiversity Map of the Holroyd LEP 2013, and land identifies as "Biodiversity" on the Natural Resources - Biodiversity Map of the Parramatta LEP 2011, revealed that most of the lands are identified within RE1 Public Recreation zone or IN1 General Industrial zone.

However, many of these RE1 zoned lands are bounded by R2 Low Density Residential and R3 Medium Density Residential zones. Development of residential zoned lands in vicinity of these identified RE zoned lands were assessed as merit based through Council’s Development Application. However the eastern section of Cumberland LGA could not be assessed as the Auburn LEP 2010 does not have a Biodiversity Map.

Council may consider a future Planning Proposal to further address this, or it may address this more thoroughly through its forthcoming comprehensive Cumberland LEP Review.

Q8: Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Flooding
The Low Rise Medium Density Housing Code does not enable low and medium density housing on any part of a lot with the following characteristics in relation to flooding:

- a flood storage area;
- a floodway area;
- a flow path;
- a high hazard area; or
- a high risk area.

There are also controls in the Code that apply to ‘flood control lots’ to minimise flood risk, such as minimum floor levels.

While it is noted that increased density outside these areas, either on the same site or other sites, there will be some continued mitigation if the requirements for stormwater management under the Code are properly applied by designers and overseen by certifiers.

It is therefore not considered feasible to exclude such lands from the Code.

**Riparian protection**

There are a number of creeks and rivers running through the LGA. While many have been channelled as part of previous development, before there was general recognition of the important values of a natural waterway and the adjoining lands, there remain areas where the waterways are open. Some of these are protected by appropriate zonings, such as E2 Environmental Conservation, W1 Natural Waterways or RE1 Public Recreation; however, some are on private land, including land in R2 and R3 residential zones.

It is anticipated that Council may prepare a separate future Planning Proposal to seek to better address this issue.

**Urban salinity**

Concentrations of salt and certain kinds of salt can affect plant growth, soil chemistry and structure as well as the lifespan of materials such as bitumen, concrete, masonry and metal. This means that both ecosystems and various aspects of any development and infrastructure can be affected.

Urban salinity is caused by urban development however, the impacts can be moderated by careful design, construction methods and use of materials. For development on these sites, Council imposes conditions of consent requiring the use of measures to minimise the potential for salinity.

The Code does not include such conditions. Accordingly, it is appropriate that a DA be required for dual occupancy or medium density development, at least on those areas identified as having high salinity potential.

The former Holroyd LGA is identified as having moderate potential for urban salinity, with certain areas identified in the LEP as having high potential.

There are also lands within the former Parramatta and Auburn LGAs which have high salinity potential. However relevant maps are not provided in the Auburn and Parramatta LEPs.

Further work would be required to map these lands for the consistent approach across the Cumberland LGA, potentially as part of the comprehensive Cumberland LEP.

**Q9: Has the Planning Proposal adequately addressed any social and economic effects?**
Yes. The Planning Proposal seeks to improve certainty relating to consistent minimum lot sizes for Council and the local community.

The proposal would best maintain a density that is consistent with the R2 and R3 zone area and the associated planned infrastructure.

Details of its effects are addressed below.

**Character and amenity and human health impacts**

Stipulating the minimum lot size for dual occupancy development (in comparison to the minimum lot sizes used in the Code) to 600m² will allow for building forms, landscaped areas and vehicle access provision that is compatible with the local residential character and would better maintain a reasonable level of amenity for existing and future residents.

In addition, this 600m² lot area would enable planting or retention of tree canopy on private land which is important to mitigate the urban heat island effect and for streetscape.

**Infrastructure and services**

The proposed minimum 600m² lot area would maintain a low density population in largely car-dependent areas which have not been planned for medium density development, limiting the impact on existing road network, parking, stormwater and social infrastructure.

Low and medium density suburban areas of Cumberland, such as Penrith, Auburn south, Regents Park east or Greystanes where services and public transport are less available have the potential to be impacted significantly with the Code’s 400m² minimum lot size for dual occupancy and the potential resulting increase in building capacity.

For example, Penrith, a medium density residential suburb in a remote location away from major transport, has a density of 18 dwellings per hectare and will reach 22 dwellings per hectare on completion. These car-dependent suburbs have a high level of car ownership and experience street car parking issues. As it has developed over the past 15 years the additional pressure placed on road networks and car parking at stations has been visible.

**Housing supply and diversity**

It is expected that a total of 12,200 lots are eligible for Dual Occupancy development under the proposed 600m² of minimum lot size control. Based on current approval rates for Dual Occupancy development, this planning proposal provide would provide up to 52 years’ worth of housing supply for dual occupancy development.

To determine this figure, Council undertook a scenario mapping exercise to identify total number of eligible lots that would be available for Dual Occupancy development under the following scenarios:

- Baseline: Applying the controls of the LRMDH Code,
- Scenario 1: Applying the proposed 600m² of minimum lot size control,
- Scenario 2: Applying 550m² of minimum lot size control,
- Scenario 3: Applying 500m² of minimum lot size control,
- Scenario 4: Under Council’s current LEP/DCP control,

Above scenario exercises also considered controls for minimum lot frontage requirement and excluded certain lots that are exempted from complying development.

The scenario mapping exercise also excluded the following lots:

Cumberland Council • 21
Strata Planned, Schools, Battle-axe lots, Business lots with multiple ownerships and Council-owned or State-owned lots that are reserved for Infrastructure, as well as lots that are within the planned residential density area; i.e. former Lidcombe Hospital precinct (Botanica).

<table>
<thead>
<tr>
<th>Eligible lots for dual occupancy</th>
<th>Baseline: Minimum lot size under new Code</th>
<th>Scenario 1: 600m$^2$ minimum lot size</th>
<th>Scenario 2: 550m$^2$ minimum lot size</th>
<th>Scenario 3: 600m$^2$ minimum lot size</th>
<th>Scenario 4: As per current minimum lot size controls</th>
</tr>
</thead>
<tbody>
<tr>
<td>R2: 20,478</td>
<td>R2: 10,613</td>
<td>R2: 16,917</td>
<td>R2: 18,457</td>
<td>R2: 17,527</td>
<td></td>
</tr>
<tr>
<td>R3: 2,956</td>
<td>R3: 1,760</td>
<td>R3: 2,010</td>
<td>R3: 2,256</td>
<td>R3: 2,162</td>
<td></td>
</tr>
<tr>
<td>Total: 23,434</td>
<td>Total: 12,373</td>
<td>Total: 18,927</td>
<td>Total: 20,713</td>
<td>Total: 19,689</td>
<td></td>
</tr>
<tr>
<td>Non-eligible lots for dual occupancy</td>
<td>R2: 15,346</td>
<td>R2: 25,210</td>
<td>R2: 18,906</td>
<td>R2: 17,366</td>
<td></td>
</tr>
<tr>
<td>Total: 22,221</td>
<td>Total: 33,281</td>
<td>Total: 26,727</td>
<td>Total: 24,941</td>
<td>Total: 25,965</td>
<td></td>
</tr>
</tbody>
</table>

Table 7. Analysis of eligible lots for development of dual occupancies under three Scenarios.

Council also undertook a review of approvals for dual occupancy development to determine the current demand for dual occupancy development with Council approving a total of 1,186 dual occupancies developments over the past five years or 233 dual occupancy developments per year.

<table>
<thead>
<tr>
<th>Former Auburn LGA</th>
<th>Former Parramatta LGA</th>
<th>Former Holroyd LGA</th>
</tr>
</thead>
<tbody>
<tr>
<td>184</td>
<td>155</td>
<td>827</td>
</tr>
</tbody>
</table>

*Note: The above data is generated based on Council's recording of DAs that have been approved over the past five years, up to the first week of October 2018. When this research was conducted. The count of approved DAs includes deferred commencement.

2.3.4 Section D. State and Commonwealth interests

Q10: Is there adequate public infrastructure for the Planning Proposal?

The introduction of the Code would have some adverse impact to the public infrastructure of Cumberland. The population density will increase incrementally without consideration of the implications to existing infrastructure and its capacity.
Cumberland is established and (in part) densely populated LGA, with a population density of 32.32 per hectare, and the majority of the land zoned as R2 Low Density Residential but with higher density areas and centres. Therefore it is crucial to plan for a growth to align with any planned and existing public infrastructure, so forecast growth population can be accommodated with adequate infrastructure support.

A dwelling density of 15-20 dwellings per hectare that this Planning Proposal will achieve is consistent with the planned density of the R2 Low density residential zone and will ensure that future dual occupancy development will increase a location’s dwelling density to a point that will place strain on the capacity of existing and planned infrastructure.

Q11: What are the views of state and commonwealth public authorities consulted in accordance with the Gateway Determination?

The Gateway Determination has been issued on 6 September 2018, which advises Council to undertake a public exhibition for a minimum of 28 days. Prior to undertaking exhibition, the Planning Proposal is required to be revised to meet the conditions set in the Gateway Determination and the revised Planning Proposal to be referred to the Department for review.

No consultation is required with public authorities/organisations under section 3.34(2)(d) of the Act.
3 MAPPING

Please refer to Appendix 1 for an indicative amendment to the Auburn LEP 2010 and the Holroyd LEP 2013 - introducing a Minimum Lot Sizes for Dual Occupancy Development Map, should the Planning Proposal be adopted.
4 COMMUNITY CONSULTATION

4.1 POST-GATEWAY COMMUNITY CONSULTATION

The Planning Proposal was publicly exhibited for a period of 36 days from 13 March 2019 to 17 April 2019.

Council sent out an exhibition package to all affected landowners via mail. This exhibition package included a FAQ to provide the landowners with an easy to understand overview of the proposal. Council also posted details on Facebook inviting interested parties to visit Council’s Have Your Say page to make a submission during the exhibition period.

A total of 169 written submissions were received. 98 submissions supported and 89 submissions objected to the proposal. 4 submissions did not indicate whether they supported or objected to the proposal. A further 28 individuals made comment via the Facebook post.

Submissions received in support of the proposal were based on the following key principles that the 600m² would:

- reduce street congestion by allowing for sufficient onsite parking;
- allow for sufficient landscaping to protect existing streetscapes;
- limit demand for existing infrastructure and reduce the need for new infrastructure; and
- protect amenity and local character.

Submissions received in opposing the proposal objected for the following principles that the 600m² would:

- have a negative impact on landowners existing investment;
- reduces a landowner’s ability to derive revenue from their property;
- potential to reduce the property value due to the inability to develop a property for a dual occupancy development; and
- potential to impact housing affordability through reduced housing supply and choice.

Of the submissions in support, 13 requested that a control requiring larger lot sizes of between 650m² and 800m² apply, and 24 submissions objecting to the proposal requested that smaller lot sizes of between 400m² and 550m² apply.

Following the receipt of submissions, further scenario testing analysis (beyond what was requested by the then DP&E as part of the Gateway) was undertaken. The outcomes of this scenario testing is provided in Table 7.
5 Anticipated Project Timeline

(An amended timeline followed by a post-gateway public exhibition)

The timeline presented below indicates the anticipated steps for completion of the Planning Proposal and submission of the final, exhibited and amended version to the Department for making and notification (gazetted) of the Auburn LEP 2010 and Holroyd LEP 2013.

<table>
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</thead>
<tbody>
<tr>
<td>Submit PP to the Department for Gateway Determination</td>
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<tr>
<td>Gateway Determination made by the Department of Planning &amp; Environment</td>
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<tr>
<td>Revise PP to meet the conditions of Gateway Determination</td>
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<tr>
<td>Public exhibition of PP</td>
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<tr>
<td>Receive and evaluate submissions and revise controls of PP</td>
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<tr>
<td>Report to CLPP</td>
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<tr>
<td>Report PP to Council</td>
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<tr>
<td>Submit PP to the Department for legal drafting and finalisation</td>
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<tr>
<td>Notification of LEP amendment</td>
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</tbody>
</table>
7 ATTACHMENTS

The following documents are provided in support of the Planning Proposal:

- Attachment 1. Council report and minutes of 18 July 2018 (Min. 223, C07/18-136)
- Attachment 2. Council report and minutes of 6 June 2018 (Min. 175, C06/18-106)
- Attachment 3. DP&E Response to Council Request for Exemption to LRMDH Code
- Appendix 1. draft Minimum Lot Sizes for Dual Occupancy Development Map
- Appendix 2. Consistency with NSW broader strategic framework
- Appendix 3. Consistency with SEPPs and deemed SEPPs
- Appendix 4. Consistency with Section 9.1 Ministerial Directions
Attachment 1. Council report and minutes of 18 July 2018 (Min. 223, C07/18-136)
Attachment 2. Council report and minutes of 06 June 2018 (Min. 175, C06/18-106)
Attachment 3. DP&E Response to Council Request for Exemption to LRMDH Code
Appendix 1. draft Minimum Lot Sizes for Dual Occupancy Development Map
## Appendix 2. Consistency with NSW broader strategic framework

### Greater Sydney Region Plan and Central City District Plan

<table>
<thead>
<tr>
<th>Directions for a Greater Sydney</th>
<th>Greater Sydney Region Plan - Objectives</th>
<th>Central City District Plan - Planning Priority</th>
<th>Central City District Plan - Actions</th>
<th>Consistency</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. A city supported by infrastructure</td>
<td>O2. Infrastructure aligns with forecast growth</td>
<td>C1. Planning for a city supported by infrastructure</td>
<td>A3. Align forecast with infrastructure</td>
<td>Consistent</td>
</tr>
</tbody>
</table>

The Planning Proposal seeks to impose minimum lot size requirement for dual occupancies under the Auburn and Holroyd LEPs. This minimum lot size is consistent with that already in place under the Parramatta LEP 2011. As such the minimum lot size for dual occupancy would be 600m².

Current and planned infrastructure is based on the low and medium densities of residential areas and not increased capacity - unplanned - as would be permitted under the lot size prescribed by the Code.

If the Code comes in effect without amendment to Council's LEPs, it is envisaged that the existing infrastructure of Cumberland may not be serviced fully to accommodate the unplanned population density.

Future housing need and associated infrastructure would be considered under the future Cumberland Residential Housing Strategy and Local Strategic Planning Statement and the Cumberland LEP.
### Directions for a Greater Sydney

<table>
<thead>
<tr>
<th>Greater Sydney Region Plan - Objectives</th>
<th>Central City District Plan - Planning Priority</th>
<th>Central City District Plan - Actions</th>
<th>Consistency</th>
</tr>
</thead>
<tbody>
<tr>
<td>O10. Greater housing supply</td>
<td>C5. Providing housing supply, choice and affordability, with access to jobs and services</td>
<td>A16. Prepare local or district housing strategies</td>
<td>Consistent</td>
</tr>
<tr>
<td>O11. Housing is more diverse and affordable</td>
<td>A17. Prepare Affordable Rental Housing Target schemes following development of implementation arrangements</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 8. A city in its landscape

<table>
<thead>
<tr>
<th>O25. The coast and waterways are protected and healthier and the corresponding strategies</th>
<th>C13. Protecting and improving the health and enjoyment of the District’s waterways</th>
<th>A60. Protect environmentally sensitive waterways.</th>
<th>Not Inconsistent</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>A65. Identify and protect scenic and cultural landscapes.</td>
<td></td>
</tr>
</tbody>
</table>

### 10. A resilient

<table>
<thead>
<tr>
<th>O30. Urban tree canopy cover is increased</th>
<th>C16. Increasing urban tree canopy cover and delivering Green Grid connections</th>
<th>A68. Expand urban tree canopy in the public realm.</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>O31. The Green Grid links parks, open spaces, bushland, and walking and cycling paths</td>
<td></td>
<td>A69. Progressively refine the detailed design and delivery of.</td>
<td></td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>Directions for a Greater Sydney</th>
<th>Greater Sydney Region Plan - Objectives</th>
<th>Central City District Plan - Planning Priority</th>
<th>Central City District Plan - Actions</th>
<th>Consistency</th>
</tr>
</thead>
<tbody>
<tr>
<td>city and places adapt to climate change and future shocks and stresses O37. Exposure to natural and urban hazards is reduced O38. Heatwaves and extreme heat are managed</td>
<td>the impacts of urban and natural hazards and climate change</td>
<td>locating new urban development in areas exposed to natural and urban hazards and consider options to limit the intensification of development in existing urban areas most exposed to hazards. A83. Mitigate the urban heat island effect and reduce vulnerability to extreme heat.</td>
<td>A separate Planning Proposal may be developed seeking to exclude certain lands within environmentally sensitive area from the Code’s complying development. Ideally, the revised controls and its separate Planning Proposal would come into effect as soon as possible after July 2019.</td>
<td>Not Inconsistent</td>
</tr>
</tbody>
</table>

Implementati

O39. A collaborative approach to city planning C21. Preparing local strategic planning statements informed by local strategic planning A86. The Greater Sydney Commission will require a local environmental plan review

The Planning Proposal and associated LEP amendment would inform and be taken into consideration in the preparation of a Residential Housing Strategy and a Local Strategic Planning Statement, as part of development of comprehensive Cumberland LEP.
# Appendix 3. Consistency with SEPPs and deemed SEPPs

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Summary</th>
<th>Application and Consistency</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Development Standards</td>
<td>Aims to provide flexibility in the application of planning controls where strict compliance of development standards would be unreasonable, unnecessary or hinder the attainment of specified objectives of the Act.</td>
<td>Does not apply to Cumberland LGA. SEPP repealed by Auburn LEP 2010, Holroyd LEP 2013 and Parramatta LEP 2011 (clause 1.9).</td>
</tr>
<tr>
<td>55</td>
<td>Remediation of Land</td>
<td>Provides a State wide planning approach for the remediation of contaminated land.</td>
<td>Applies State-wide</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Justifiably Inconsistent</td>
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<tr>
<td>70</td>
<td>Affordable Housing (Revised Schemes)</td>
<td>Aims to insert affordable housing provisions into EPs and to address expiry of savings made by EP&amp;A Amendment (Affordable Housing) Act 2000.</td>
<td>Does not apply to the Cumberland LGA</td>
</tr>
<tr>
<td></td>
<td></td>
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<td>Applies State-wide</td>
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<tr>
<td></td>
<td>Building Sustainability Index: BASIX 2004</td>
<td>Aims to ensure consistency in the implementation of the BASIX scheme throughout the State</td>
<td>Compliance with this BASIX is required for complying development of the types permitted under the Code.</td>
</tr>
</tbody>
</table>

The Low Rise Medium Density Housing Code permits dual occupancy and medium density housing as complying development. The Code permits (and in some cases encourages) basement car parking as complying development, increasing the likelihood of disturbing contaminants that may affect human health. These matters would normally be considered as part of a DA, however this assessment would not occur under the Code's complying development.

Certain lands in the R2 and R3 zones are identified by Council's mapping as contaminated. Some of these have been remediated and have Site Audit Statements to verify this. Further work is required to update the remediation status of these lands for parts of the LGA.

Accordingly, it is recommended that a separate Planning Proposal to be developed to recognise sites that are identified by Council or the EPA as contaminated, but which do not have Site Audit Statements be identified, and seeks to exclude these sites from Code.
<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Summary</th>
<th>Application and Consistency</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Exempt and Complying Development Codes 2008</td>
<td>Aims to provide streamlined assessment process for development that complies with specified development standards.</td>
<td>Applies State-wide</td>
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<td></td>
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<td>Consistent</td>
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<td></td>
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<td></td>
<td>The Low Rise Medium Density Housing Code when in effect, will form part of this SEPP. This Planning Proposal seeks amendments to the Auburn and Holroyd LEPs to address issues raised as a result of this, as discussed throughout this Planning Proposal and Council reports. On 5 July 2018, Cumberland Council was granted a deferred application of the Code until 1 July 2019. The amendment to the Auburn and Holroyd LEPs as sought under this Planning Proposal should be finalised by 1 July 2019.</td>
</tr>
<tr>
<td></td>
<td>Affordable Rental Housing 2009</td>
<td>Aims to provide a consistent planning regime for the provision of affordable rental housing and facilitate the effective delivery of affordable housing</td>
<td>Applies State-wide</td>
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<tr>
<td></td>
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<td></td>
<td>Justifiably Inconsistent - outside the control of Council</td>
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<td></td>
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<td>Permitting complying development for dual occupancies in the R2 zones, and manor houses, terraces, and dual occupancies in the R3 zones, at the lot sizes and FSRs proposed in the Low Rise Medium Density Housing Code would discourage applicants from providing infill affordable housing in these forms via the Affordable Rental Housing SEPP, as the Code provides for similar development potential for such sites in many instances.</td>
</tr>
<tr>
<td></td>
<td>Urban Renewal 2010</td>
<td>Aims to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts</td>
<td>Applies Cumberland LGA</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Applies to land within a potential precinct - land identified as a potential urban renewal precinct. This includes Granville - parts of which are within the Cumberland LGA.</td>
</tr>
<tr>
<td></td>
<td>Three Ports 2013</td>
<td>Aims to provide consistent planning regime for the development and delivery of infrastructure on land in Port Botany, Port Kembla and Port Newcastle.</td>
<td>Does not apply to Cumberland LGA</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Applies to the land within Botany City Council in the area known as Port Botany. It also applies to land within Wollongong City Council in an area known as Port Kembla and land within New Castle City Council in an area known as Port Newcastle.</td>
</tr>
<tr>
<td>No</td>
<td>Title</td>
<td>Summary</td>
<td>Application and Consistency</td>
</tr>
<tr>
<td>----</td>
<td>-------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>9</td>
<td>Extractive Industry No. 2 1995</td>
<td>Aims to facilitate development of extractive industries in proximity to the population of the Sydney Metropolitan Area.</td>
<td>Applies to the Cumberland LGA&lt;br&gt;Applies to LGAs listed in Schedule 4 (includes former Parramatta and Holroyd LGAs).&lt;br&gt;Not Inconsistent&lt;br&gt;Residential zoned land would not likely be affected by this SEPP.</td>
</tr>
<tr>
<td></td>
<td>SREP (Sydney Harbour Catchment) 2005</td>
<td>Aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways. It establishes planning principles and controls for the catchment as a whole.&lt;br&gt;Planning principles for development under the SEPP include (but are not limited to):&lt;br&gt;- Protection and where practicable, improvement of the hydrological, ecological and geomorphological processes on which the catchment depends,&lt;br&gt;- Improvement of water quality, rehabilitation of watercourses, wetlands, riparian corridors remnant native vegetation and ecological connectivity,&lt;br&gt;- Protection and rehabilitation of land affected or potentially affected by urban salinity,&lt;br&gt;- Minimisation of the disturbance of acid sulfate soils,&lt;br&gt;- Reduction of quantity and frequency of urban runoff,&lt;br&gt;- Protection of the functioning of natural drainage systems on floodplains,&lt;br&gt;- Protection of visual qualities of the foreshores,&lt;br&gt;- Take into account the cumulative impacts of development in the catchment.</td>
<td>Applies to the area of Sydney Harbour, including Parramatta River and its tributaries and the Lane Cove River.&lt;br&gt;Justifiably Inconsistent&lt;br&gt;Applies to some land within the Cumberland LGA. A number of waterways and riparian zones within Cumberland LGA are identified on the SREP Foreshores and Waterways Area Map.&lt;br&gt;Development under the Low Rise Medium Density Housing Code has certain requirements regarding the management of stormwater to support principles of this Plan in relation to the catchment as a whole. However, where sites are located within riparian lands and waterways, it would result in a number of inconsistencies with the principles, both for the catchment as a whole, and for the identified foreshores and waterways.&lt;br&gt;For example, such development would result in increased impermeable surfaces, reduce vegetated riparian areas, and/or areas that could be rehabilitated to assist in filtering pollutants from runoff and protect the stability of creek banks.&lt;br&gt;Limiting the areas by the topographical features as described, means that land near most channelled waterways is not excluded from the Code. It is anticipated that further work to finalise boundaries may be required as part of the work for the comprehensive Cumberland LEP.&lt;br&gt;It is appropriate that any proposed development that would increase density or permeable surfaces on these lands be assessed through the DA process.</td>
</tr>
</tbody>
</table>
### Appendix 4. Consistency with Section 9.1 Ministerial Directions

<table>
<thead>
<tr>
<th>Direction</th>
<th>Applicability / Consistency</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Employment and Resources</td>
<td></td>
</tr>
<tr>
<td>1.1 Business and Industrial Zones</td>
<td>N/A</td>
</tr>
<tr>
<td>1.2 Rural Zones</td>
<td>N/A</td>
</tr>
<tr>
<td>1.3 Mining, Petroleum Production and Extractive Industries</td>
<td>N/A</td>
</tr>
<tr>
<td>1.4 Oyster Aquaculture</td>
<td>N/A</td>
</tr>
<tr>
<td>1.5 Rural Lands</td>
<td>N/A</td>
</tr>
<tr>
<td>2. Environment and Heritage</td>
<td></td>
</tr>
<tr>
<td>2.1 Environment Protection Zones</td>
<td><strong>Consistent</strong>&lt;br&gt;The Planning Proposal does not reduce the environmental protection standards that apply to the land. However, certain lands in R2 Low Density Residential and R3 Medium Density Residential zones are identified in areas with high salinity potential and contaminated land. Council is undertaking a separate study in relation to this issue and anticipated to prepare a separate Planning Proposal to exclude these identified lands from the <em>Low Rise Medium Density Housing Code</em>’s complying development so that development on these lands would be assessed based on the usual DA merit assessment process.</td>
</tr>
<tr>
<td>2.2 Coastal Protection</td>
<td><strong>Consistent</strong>&lt;br&gt;The objective of this direction is to protect and manage coastal areas of NSW. The direction applies to land that is within the coastal zone, as defined under the <em>Coastal Management Act 2016</em> – comprising the coastal wetlands and littoral rainforests area, coastal vulnerability area, coastal environment area and coastal use area – and as identified by the <em>State Environmental Planning Policy (Coastal Management)</em> 2018.&lt;br&gt;Certain lands in R2 and R3 zones are identified as part of the coastal zone, mapped as coastal wetlands and proximity area for coastal wetlands. Clause 1.18 of <em>SEPP (Exempt and Complying Codes)</em> 2008 identifies coastal wetlands and lands within 100m of these wetlands as land within an ‘environmentally sensitive area’. To protect these areas consistent with the Coastal Management SEPP, the Codes SEPP does not permit complying development on this land.</td>
</tr>
<tr>
<td>2.3 Heritage Conservation</td>
<td><strong>Consistent</strong>&lt;br&gt;The <em>Low Rise Medium Density Housing Code</em> does not enable these forms of housing as complying development on heritage sites or heritage conservation areas.</td>
</tr>
<tr>
<td>2.4 Recreation Vehicle Areas</td>
<td>N/A</td>
</tr>
<tr>
<td>2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Cumberland Council • 38
### Direction

<table>
<thead>
<tr>
<th></th>
<th>Housing, Infrastructure and Urban Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.</td>
<td>Residential Zones</td>
</tr>
<tr>
<td></td>
<td><strong>What a relevant planning authority must do if this direction applies:</strong></td>
</tr>
<tr>
<td></td>
<td>A planning proposal must include provisions that encourage the provision of housing that will:</td>
</tr>
<tr>
<td></td>
<td>(a) broaden the choice of building types and locations available in the housing market, and</td>
</tr>
<tr>
<td></td>
<td>(b) make more efficient use of existing infrastructure and services, and</td>
</tr>
<tr>
<td></td>
<td>(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and</td>
</tr>
<tr>
<td></td>
<td>(d) be of good design.</td>
</tr>
</tbody>
</table>

**Consistency**

A planning proposal must, in relation to land to which this direction applies:

- (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and
- (b) not contain provisions which will reduce the permissible residential density of land

### Applicability / Consistency

<table>
<thead>
<tr>
<th></th>
<th>Consistent</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The Planning Proposal does not intend to restrict residential development nor reduce the opportunity for housing diversity.</td>
</tr>
<tr>
<td></td>
<td>The Planning Proposal does not back zone land nor does it seek to reduce the range of permissible residential land uses in the R2 or R3 zones</td>
</tr>
<tr>
<td></td>
<td>The Planning Proposal only seeks to introduce a minimum lot size requirement of 600m² for dual occupancy development under the Auburn and Holroyd LEPs to align with the minimum lot size control of the Parramatta LEP. The introduction of lot size requirement for dual occupancy development across Cumberland LGA would minimise the adverse impact to the capacity of existing local infrastructure.</td>
</tr>
<tr>
<td></td>
<td>The proposed minimum lot size of 600m² provides better opportunities for good design and ensures that the sufficient areas are available for adequate landscaping, setbacks and a built form that does not detract from the local residential character.</td>
</tr>
<tr>
<td></td>
<td>Council has undertaken further analysis to ensure that the planning proposal does not constrain housing supply. The Code would still apply to over 12,200 lots within the Cumberland LGA.</td>
</tr>
<tr>
<td></td>
<td>In addition, the report analysed increased impact potential for each different lot sizes over the council’s current LEP/DCP controls to the controls of the Code. The result revealed that the proposed 600m² lot size conveys the least impact to the built form and the site coverage when applying the controls of the Code.</td>
</tr>
<tr>
<td></td>
<td>The proposed 600m² lot area would allow for building forms, landscaped areas and vehicle access provisions that is more compatible with the low density residential character and would better maintain a reasonable level of amenity for residents.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.2</td>
<td>Caravan Parks and Manufactured Home Estates</td>
</tr>
<tr>
<td>3.3</td>
<td>Home Occupations</td>
</tr>
<tr>
<td>Direction</td>
<td>Applicability / Consistency</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td><strong>3.4 Integrating Land Use and Transport</strong></td>
<td><strong>Consistent</strong></td>
</tr>
<tr>
<td><em>What a relevant planning authority must do if this direction applies</em></td>
<td></td>
</tr>
<tr>
<td>A planning proposal must locate zones for urban purposes and include</td>
<td></td>
</tr>
<tr>
<td>provisions that give effect to and are consistent with the aims,</td>
<td></td>
</tr>
<tr>
<td>objectives and principles of:</td>
<td></td>
</tr>
<tr>
<td>(a) Improving Transport Choice – Guidelines for planning and development</td>
<td></td>
</tr>
<tr>
<td>(DUAP 2001), and</td>
<td></td>
</tr>
<tr>
<td>(b) The Right Place for Business and Services – Planning Policy (DUAP</td>
<td></td>
</tr>
<tr>
<td>2001).</td>
<td></td>
</tr>
<tr>
<td>Consistency</td>
<td></td>
</tr>
<tr>
<td>A planning proposal may be inconsistent with the terms of this direction</td>
<td></td>
</tr>
<tr>
<td>only if the relevant planning</td>
<td></td>
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<tr>
<td>authority can satisfy the Director-General of the Department of</td>
<td></td>
</tr>
<tr>
<td>Planning (or an officer of the Department nominated by the</td>
<td></td>
</tr>
<tr>
<td>Director-General) that the provisions of the planning proposal that are</td>
<td></td>
</tr>
<tr>
<td>inconsistent are:</td>
<td></td>
</tr>
<tr>
<td>(a) justified by a strategy which:</td>
<td></td>
</tr>
<tr>
<td>(i) gives consideration to the objective of this direction, and</td>
<td></td>
</tr>
<tr>
<td>(ii) identifies the land which is the subject of the planning proposal</td>
<td></td>
</tr>
<tr>
<td>(if the planning proposal relates to a particular site or sites), and</td>
<td></td>
</tr>
<tr>
<td>(iii) is approved by the Director-General of the Department of Planning,</td>
<td></td>
</tr>
<tr>
<td>or</td>
<td></td>
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<tr>
<td>(b) justified by a study prepared in support of the planning proposal</td>
<td></td>
</tr>
<tr>
<td>which gives consideration to the objective of this direction, or</td>
<td></td>
</tr>
<tr>
<td>(c) in accordance with the relevant Regional Strategy or Sub-Regional</td>
<td></td>
</tr>
<tr>
<td>Strategy prepared by the Department of Planning which gives</td>
<td></td>
</tr>
<tr>
<td>consideration to the objective of this direction, or</td>
<td></td>
</tr>
<tr>
<td>(d) of minor significance.</td>
<td></td>
</tr>
</tbody>
</table>

| 3.5 Development Near Licensed Aerodromes                                  | N/A                          |
| 4. Hazard and Risk                                                         |                             |
| **4.1 Acid Sulfate Soils**                                                 | **Consistent**              |
| The objective of this direction is to avoid significant adverse          |                             |
| environmental impacts from the use of land that has a probability of     |                             |
| containing acid sulfate soils.                                            |                             |
| **4.2 Mine Subsidence and Unstable Land**                                 | N/A                          |
| **4.3 Flood Prone Land**                                                  | **Consistent**              |
| The Low Rise Medium Density Housing Code does not enable these forms of   |                             |
| housing as complying development on lands affected by Class 1 or Class 2 |                             |
| Acid Sulfate Soils that is the most sensitive sites. Accordingly, the    |                             |
| Planning Proposal does not seek any changes in regard to this matter.    |                             |
## Council Meeting
5 June 2019

### Planning Proposal

<table>
<thead>
<tr>
<th>Direction</th>
<th>Applicability / Consistency</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>4.4 Planning for Bushfire Protection</strong></td>
<td>N/A</td>
</tr>
<tr>
<td><strong>5. Regional Planning</strong></td>
<td></td>
</tr>
<tr>
<td><strong>5.1 Implementation of Regional Strategies</strong></td>
<td>N/A</td>
</tr>
<tr>
<td><strong>5.2 Sydney Drinking Water Catchments</strong></td>
<td>N/A</td>
</tr>
<tr>
<td><strong>5.3 Farmland of State and Regional Significance on the NSW Far North Coast</strong></td>
<td>N/A</td>
</tr>
<tr>
<td><strong>5.4 Commercial and Retail Development along the Pacific Highway, North Coast</strong></td>
<td>N/A</td>
</tr>
<tr>
<td><strong>5.8 Second Sydney Airport: Badgerys Creek</strong></td>
<td>N/A</td>
</tr>
<tr>
<td><strong>5.9 North West Rail Link Corridor Strategy</strong></td>
<td>N/A</td>
</tr>
<tr>
<td><strong>5.10 Implementation of Regional Plans</strong></td>
<td><strong>Consistent</strong> Consistency with the Greater Sydney Region Plan - A Metropolis of Three Cities is discussed in the main body of this Planning Proposal and in Appendix 2.</td>
</tr>
<tr>
<td><strong>6. Local Plan Making</strong></td>
<td></td>
</tr>
<tr>
<td><strong>6.1 Approval and Referral Requirements</strong></td>
<td><strong>Consistent</strong> The Planning Proposal does not seek any concurrence or referrals to other agencies, nor nominate any development as ‘designated development’.</td>
</tr>
<tr>
<td><strong>6.2 Reserving Land for Public Purposes</strong></td>
<td>N/A</td>
</tr>
<tr>
<td><strong>6.3 Site Specific Provisions</strong></td>
<td><strong>Not applicable</strong> This Planning Proposal does not seek to allow a particular development to be carried out that is not already permitted.</td>
</tr>
<tr>
<td><strong>7. Metropolitan Planning</strong></td>
<td></td>
</tr>
<tr>
<td><strong>7.1 Implementation of A Plan for Growing Sydney</strong></td>
<td><strong>Consistent</strong> The Greater Sydney Region Plan – A Metropolis of Three Cities (2018) states that: In line with legislative requirements, a review of the current regional plan for Greater Sydney, A Plan for Growing Sydney (2014) identified that while most of the directions in A Plan for Growing Sydney were still relevant, they required updating.</td>
</tr>
</tbody>
</table>
### 7.2 Implementation of Greater Macarthur Land Release Investigation

**Note.** The Greater Sydney Region Plan is now the Metropolitan Plan, effective from March 2018.

- or strengthening to respond to new challenges for planning Greater Sydney to 2056.’
- The Greater Sydney Region Plan has now been made, and incorporates, updates or strengthens the requirements of the earlier plan.
- Consistency with the subsequent Greater Sydney Regional Plan is discussed above (at Direction 5.10) and in the main body of this report and in Appendix 2.

**Applicability / Consistency**

N/A

### 7.3 Parramatta Road Corridor Urban Transformation Strategy

The objectives of this Direction are to:

(a) facilitate development within the Parramatta Road Corridor that is consistent with the Parramatta Road Corridor Urban Transformation Strategy (November, 2016) and the Parramatta Road Corridor Implementation Tool Kit,

(b) provide a diversity of jobs and housing to meet the needs of a broad cross-section of the community, and

(c) guide the incremental transformation of the Parramatta Road Corridor in line with the delivery of necessary infrastructure.

**Consistent**

Though the majority of the land within Cumberland that is affected by the Parramatta Road Corridor Urban Transformation Strategy are business/enterprise or industrial zoned lands at present, there are also R2 and R3 zoned lands within the Auburn precinct (designated for release now) and R2 zoned lands in the Granville Western Frame area (designated for release after 2023).

Council is working with the City of Parramatta and the Department of Planning to prepare a transport study, required to enable this Strategy. Following this, a Planning Proposal will be prepared to implement the Strategy. Landowners are aware of the Strategy, and some landholders are already keen for it to be implemented. Where the Strategy will result in greater development potential, it is unlikely landholders would develop using the Code, which would then make further redevelopment more expensive.

The Planning Proposal, the subject of this report, will not prevent the achievement of the objectives of the Strategy, or prevent consistency with the various requirements of the Implementation Toolkit.

**Applicability / Consistency**

N/A

### 7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan

**Consistent**

The objective of this direction is to ensure development within the Greater Parramatta Priority Growth Area is consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan dated July 2017 (the interim Plan).

**Applicability / Consistency**

N/A

### 7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan

Residential land in the Parramatta Road corridor is located within the area identified in this Plan. This has been discussed above.

R2 and R3 zoned land in Westmead is also located within the area identified under this plan. This area is being progressed as a Planned Precinct by the Department of Planning & Environment.

**Applicability / Consistency**

N/A
Minutes of the Extraordinary Cumberland Local Planning Panel Meeting held at Merrylands Administration Building, 16 Memorial Avenue, Merrylands on Wednesday 15 May 2019.

PRESENT:
Stuart McDonald (Chairperson), Lindsay Fletcher, David Ryan and Paul Moulds.

IN ATTENDANCE:
Kari Okorn, Monica Cologna, Michael Lawani, Sohail Faridy, Glenn Dawes, Elma Sukurma, Harley Pearman, Esra Calim, Sarah Sheehan, Laith Jammal and Somer Ammar.

NOTICE OF LIVE STREAMING OF CUMBERLAND LOCAL PLANNING PANEL MEETING
The Chairperson advised that the Cumberland Local Planning meeting was being streamed live on Council’s website and members of the public must ensure their speech to the Panel is respectful and use appropriate language.

The meeting here opened at 11:30am.

DECLARATIONS OF INTEREST:
A reasonably perceived conflict of interest was declared by Paul Moulds in relation to Item LPP033/19 as his employer, the Salvation Army own the building adjacent to the development which he works from. The Chair indicated the declaration to be one of a non-significant, non-pecuniary interest and accepted that Mr Moulds was able to maintain Panel involvement in the matter. In relation to Item LPP033/19 Lindsay Fletcher advised that he had previously worked with Alison Davidson at Planning Ingenuity but that he had no involvement in the matter and had not been employed there for several years. The Chair indicated that Mr Fletcher was able to maintain Panel involvement in the matter.

ADDRESS BY INVITED SPEAKERS:
The following persons had made application to address the Cumberland Local Planning Panel meeting:

<table>
<thead>
<tr>
<th>Speakers</th>
<th>Item No. Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gopi Ponnampalam</td>
<td>LPP034/19 - Minimum Lot Size Planning Proposal</td>
</tr>
</tbody>
</table>

The Chairperson enquired to those present in the Gallery as to whether there were any further persons who would like to address the Panel.

<table>
<thead>
<tr>
<th>Speakers</th>
<th>Item No. Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alison Davidson</td>
<td>LPP033/19 - 172 South Parade, Auburn</td>
</tr>
</tbody>
</table>
ITEM LPP032/19 - DEVELOPMENT APPLICATION FOR 322 RAILWAY TERRACE, GUILDFORD

RESOLVED:

1. That Development Application 441/2017 for “Demolition of an existing building and construction of a 5 storey mixed use development comprising a ground floor commercial tenancy, a ground floor residential apartment and four levels of apartments above including a two storey split level basement car park” under State Environmental Planning Policy Affordable Rental Housing 2009 be approved as deferred commencement consent subject to conditions as outlined in the attachment provided.

For: Stuart McDonald (Chairperson), Lindsay Fletcher, David Ryan and Paul Moulds.

Against: Nil.

Reasons for Decision:

1. The Development will provide additional affordable housing within the Guildford Town Centre in a location well served by transport options.

2. The application, inclusive of the additional floor space available under the SEPP Affordable Rental Housing 2009 (SEPP ARH), is generally consistent with the built form controls for a mixed use development including those contained within SEPP ARH, SEPP 85, the Apartment Design Guide, Parramatta LEP 2011 and Parramatta DCP 2011.

3. The Development subject to the recommended conditions of consent, will not have any unacceptable impacts on adjoining properties or location.

4. Given Items 1-3 above and noting that there were no submissions, approval of the application is considered to be in the public interest.
ITEM LPP033/19 - SECTION 4.55(1A) MODIFICATION TO 172 SOUTH PARADE, AUBURN

RESEOLVED:

1. That Development Application No. DA-219/2015/B for Section 4.55(1A) modification to the roof form, including minor changes to the lift overrun and mechanical plant room heights, removal of windows on the south western elevation and changes to the street awning on land at 172 South Parade, AUBURN NSW 2144 be approved subject to the conditions in the assessment report and the following additional condition.

2. Condition 126. The plant room on the South-Eastern part of the rooftop communal open space shall not be higher than the balustrade being 1.2 metres.

3. Persons whom have lodged a submission in respect to the application be notified of the determination of the application.

For: Stuart McDonald (Chairperson), Lindsay Fletcher, David Ryan and Paul Moulds.

Against: Nil.

Reasons for Decision:

1. The Panel is satisfied that the development as modified is substantially the same development as originally approved and is of minor environmental impact.

2. The Panel notes that the application was amended in order to address and overcome the concern raised in the one written submission.

3. The Panel also notes that the removal of the en-suite glass panels on the South-West elevation will have no adverse impact on the amenity of neighbouring properties or the subject apartments.

4. Subject to the recommended conditions and the additional condition as adopted by the Panel, the modified development will have no unacceptable impacts.

ITEM LPP034/19 - MINIMUM LOT SIZE PLANNING PROPOSAL

PANEL’S ADVICE:

That the Cumberland Local Planning Panel (CLPP) advises:

1. That it supports the inclusion of a minimum lot size for dual occupancy development for the Cumberland LGA.
2. That the objectives for minimum lot sizes for dual occupancy development as detailed in Section 2.1 of the Planning Proposal be included as objectives for the Development Standard.

3. Support for the recommended minimum lot size of 600 square metres.

For: Stuart McDonald (Chairperson), Lindsay Fletcher, David Ryan and Paul Moulds.

Against: Nil.

The closed session of the meeting here closed at 1:35pm.
The open session of the meeting here opened at 1:36pm. The Chairperson delivered the Cumberland Local Planning Panel’s resolutions to the Public Gallery.

The meeting terminated at 1:40pm.

Signed:

Stuart McDonald
Chairperson
DOCUMENTS ASSOCIATED WITH REPORT C06/19-103

Attachment 4

Report to Cumberland Local Planning Panel 15 May 2019
MINIMUM LOT SIZE PLANNING PROPOSAL

Responsible Division: Environment & Planning
Officer: Manager Strategic Planning
File Number: S-S7-63

Lodged for a Gateway Determination 27 July 2018
(Council-initiated Planning Proposal)

Land related to the Proposal
Land zoned R2 Low Density Residential and R3 Medium in the former Auburn and Holroyd Local Government Area (LGA)

Proposal Summary
Seeks to amend both the Auburn Local Environmental Plan 2010 (Auburn LEP 2010) and the Holroyd Local Environmental Plan 2013 (Holroyd LEP 2013) by inserting an LEP clause setting minimum lot area standard provisions for dual occupancies. A minimum lot size of 600m$^2$ is proposed for dual occupancy development within Cumberland LGA. No amendment to the Parramatta LEP 2011 is proposed, since the minimum lot area provisions for dual occupancies are already specified under that LEP.

Objectives of the Planning Proposal
- to maintain reasonable residential amenity and dwelling density in low density areas of Cumberland
- to mitigate the capacity of local infrastructure in line with the projected population growth
- to ensure the future dual occupancy development facilitates good urban design outcome with appropriate built form, driveways and sufficient landscaped areas
- to achieve a consistency of minimum lot size controls across Cumberland LGA

Existing and Proposed Planning Controls

<table>
<thead>
<tr>
<th>Existing Parramatta LEP 2011 Controls</th>
<th>Existing Auburn LEP 2010 Controls</th>
<th>Existing Holroyd LEP 2013 Controls</th>
<th>Proposed Controls in R2 &amp; R3 zones</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum lot size for dual occupancies (attached) 600m$^2$</td>
<td>N/A (450m$^2$ under the Auburn DCP)</td>
<td>N/A (500m$^2$ under the Holroyd DCP)</td>
<td>600m$^2$</td>
</tr>
<tr>
<td>Minimum lot size for dual occupancies (detached) 600m$^2$</td>
<td>N/A (600m$^2$ under the Auburn DCP)</td>
<td>N/A (500m$^2$ in R2 zone under the Holroyd)</td>
<td>600m$^2$</td>
</tr>
</tbody>
</table>
Council Meeting
5 June 2019

Extraordinary Cumberland Local Planning Panel Meeting
15 May 2019

<table>
<thead>
<tr>
<th>DCP and 450m² in R3 zone</th>
<th>Attachment 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heritage</td>
<td>Nil</td>
</tr>
<tr>
<td>Disclosure of political donations and gifts</td>
<td>Nil</td>
</tr>
<tr>
<td>Previous Consideration</td>
<td>Council Report (Item C07/18-138) of 18 July 2018 Council Report (Item C06/18-106) of 6 June 2018</td>
</tr>
</tbody>
</table>

SUMMARY:

The purpose of this report is to provide the Cumberland Local Planning Panel (CLPP) details of a Council-initiated Planning Proposal that seeks to amend both the Auburn Local Environmental Plan 2010 (Auburn LEP 2010) and the Holroyd Local Environmental Plan 2013 (Holroyd LEP 2013) to insert an LEP clause that sets a minimum lot area of 600m² for dual occupancy development. This development standard is already contained in the Parramatta LEP 2011 and thus no amendment to the Parramatta LEP is sought.

This planning proposal has been initiated in response to the introduction of the State Government’s Low Rise Medium Density Housing Code which introduces, amongst other things, a minimum lot size of 400m² for dual occupancy development, unless a minimum lot size is specified in a council’s LEP.

Cumberland Council was granted a 12 month deferral from the introduction of the Code because it currently has three LEPs applying across the LGA and only one of these contains minimum lot size controls.

The status of the planning proposal is provided in Figure 1. Public exhibition has now been completed together with the additional analysis required by the Gateway Determination, which is discussed in this report.
REPORT:

1. Background

The planning proposal was initiated in response to the Low Rise Medium Density Housing Code (the Code) released by the NSW State government. The Code introduces a minimum lot size requirement for dual occupancies which is lower than what Council’s current controls allow. A concern for Council was that the lower minimum lot size requirement of 400m$^2$ would result in cumulative impacts on the low density areas of Cumberland LGA, particularly in terms of pressure on, and capacity of, existing infrastructure such as roads, open space, hospitals and schools.

In July 2018, Council requested deferral of the Code as both the former Auburn and Holroyd City minimum lots size controls were contained their development controls plans. The minimum lot size controls for the former Parramatta City area were contained in the LEP, and the numerical controls for each of the three former council areas differed.

The then Department of Planning & Environment (DP&E) granted Council a temporary deferral of the application of the Code to the Cumberland LGA until 1 July 2019. A condition of the deferral was that councils with minimum lot size controls in their DCPs were required to submit planning proposals to amend their LEPs to include the minimum lot size controls.

As part of the preparation of the planning proposal, a report was prepared for Council that assessed different minimum lot size control scenarios. The report provided an assessment of the number of eligible lots and the likely future mid- and long-term dwelling densities (Attachment 4). Council resolved to proceed to public exhibition.
with a 600m² LGA wide minimum lot control for dual occupancy development, as this control was considered to:

- protect the general low-density scale of our residential neighbourhoods;
- minimise any unintended implication of the reduced lot size requirement by the Code on the amenity of the R2 and R3 zones and on the capacity of local infrastructure;
- provide better opportunities for good design and ensure sufficient areas available for adequate landscaping, setbacks and a built form that does not detract from the local residential character; and
- align with the minimum lot size control of the Parramatta LEP, potentially introducing a consistent approach across Cumberland.

On 6 September 2018, the then DP&E issued a Gateway Determination with conditions that required additional scenario-based analysis that compared potential and existing dwelling capacity as follows.

The planning proposal was revised and forwarded to the then DP&E with Council receiving approval to release the proposal for public consultation in February 2019. The proposal was publicly exhibited for a period of 36 days from 13 March 2019 to 17 April 2019 (refer to Section 6 of this report for further discussion).

**2. Land to which the Planning Proposal applies**

This Planning Proposal applies to all R2 Low Density Residential and R3 Medium Density Residential zoned land within Cumberland LGA.

**3. Local Context**

Cumberland LGA has a current population of 231,604 with an area of 72km² making it the smallest and most densely populated LGA within the Central City District. The R2 Low Density zone is the predominant land use zone across Cumberland and the majority of suburbs contain land zoned R2. The R3 zone generally applies to land bordering key centres and transport infrastructure, as well as masterplanned estates such as Pemulwuy and Botanica.

The lot sizes in the R2 zone in the former Holroyd LGA are often larger than those in the eastern areas of Cumberland; however, there are some significant local variations across the LGA.

**4. Planning Controls (Auburn DCP 2010 and Holroyd DCP 2013)**

The minimum lot sizes for dual occupancies stated in these LEPs and DCPs are provided in Table 1.
Table 1 - Minimum Lot Size Controls for Dual Occupancies

<table>
<thead>
<tr>
<th>Planning Controls</th>
<th>Auburn DCP 2010</th>
<th>Holroyd DCP 2013</th>
<th>Parramatta LEP 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Size</td>
<td>450m² (attached), 600m² (detached) in R2 and R3 zones</td>
<td>500m² (attached or detached) in R2 and 450m² in R3</td>
<td>600m² (attached or detached) in R2, R3 and R4 zones</td>
</tr>
</tbody>
</table>

5. The Planning Proposal

The key objectives for this planning proposal are to:

- ensure the lot size proposed for dual occupancy development facilitates good design that can accommodate an appropriate built form, driveways and sufficient landscaped areas;
- retain the low density residential character of the R2 Low Density Residential zone;
- identify the appropriate locations for growth, and to align projected growth with existing and proposed local roads, transport and social infrastructure; and
- achieve a consistency of minimum lot size across LGA.

The intended outcome of the planning proposal is to introduce the minimum lot size for dual occupancies to the Auburn LEP 2010 and the Holroyd LEP 2013. This proposed minimum lot size would align with that currently required under the Parramatta LEP 2011, and will implement a consistent minimum lot size for dual occupancy development across the Cumberland LGA.

The proposed outcome will be achieved by the inclusion of a written clause in the Auburn LEP 2010 and the Holroyd LEP 2013 to introduce a minimum lot size provision for the development of a dual occupancy.

The proposed clause will apply to land in the R2 Low Density Residential and R3 Medium Density Residential zones where a minimum lot size of 600m² (both attached and detached) would be required for the development of a dual occupancy.

6. Community Consultation

The proposal was publicly exhibited for a period of 36 days from 13 March 2019 to 17 April 2019.

Council sent out an exhibition package to all affected landowners via mail. This exhibition package included a FAQ to provide the landowners with an easy to understand overview of the proposal (Attachment 2). Council also posted details on Facebook inviting interested parties to visit Council’s Have Your Say page to make a submission during the exhibition period.

A total of 169 written submissions were received. 96 submissions supported and 69 submissions objected to the proposal. 4 submissions did not indicate whether they supported or objected to the proposal. A further 28 individuals made comment via the Facebook post.
Submissions received in support of the proposal were based on the following key principles that the 600m² would:

- reduce street congestion by allowing for sufficient onsite parking;
- allow for sufficient landscaping to protect existing streetscapes;
- limit demand for existing infrastructure and reduce the need for new infrastructure; and
- protect amenity and local character.

Submissions received in opposing the proposal objected for the following principles that the 600m² would:

- have a negative impact on landowners existing investment;
- reduces a landowner’s ability do derive revenue from their property;
- potential to reduce the property value due to the inability to develop a property for a dual occupancy development; and
- potential to impact housing affordability through reduced housing supply and choice.

Of the submissions in support, 13 requested that a control requiring larger lot sizes of between 650m² and 800m² apply, and 24 submissions objecting to the proposal requested that smaller lot sizes of between 400m² and 550m² apply.

7. **Response to submissions requesting smaller minimum lot sizes**

Following the receipt of submissions, further scenario testing analysis (beyond what was requested by the then DP&E as part of the Gateway) was undertaken. This included:

- eligible lots under the new Code;
- eligible lots with a minimum lot size of 600m² (as per the Council resolution);
- eligible lots minimum lot sizes of 500m² and 550m², which could be applied across the LGA (including in the former parts of the Parramatta LGA) as possible alternate minimum lot sizes to the 600m²; and
- eligible lots with the retention of existing minimum lot size controls (whether in the LEP or DCP) as they currently apply to the Auburn, Holroyd and Parramatta LEPs.

The outcomes of the analysis is provided in Table 2.
Table 2 - Additional Analysis undertaken to address the Gateway requirements

<table>
<thead>
<tr>
<th>Eligible lots for dual occupancy</th>
<th>Baseline: Minimum lot size under new Code</th>
<th>Scenario 1: 600m² minimum lot size</th>
<th>Scenario 2: 550m² minimum lot size</th>
<th>Scenario 3: 500m² minimum lot size</th>
<th>Scenario 4: As per current minimum lot size controls</th>
</tr>
</thead>
<tbody>
<tr>
<td>R2: 20,478 R3: 2,956 Total: 23,434</td>
<td>R2: 10,613 R3: 1,760 Total: 12,373</td>
<td>R2: 10,917 R3: 2,010 Total: 18,927</td>
<td>R2: 18,457 R3: 2,256 Total: 20,713</td>
<td>R2: 17,527 R3: 2,162 Total: 19,689</td>
<td></td>
</tr>
</tbody>
</table>

Notes:
Analysis based on:
- Lots meeting the minimum lot frontage requirement of the Code
- Lots with 12m - 15m frontage should have secondary roads or parallel roads for vehicle access to rear
- Lots that are exempted from complying development
- Lots that are business lots with multiple ownerships
- Council-owned or state-owned lots that are reserved for infrastructure
- Lots that are within the planned residential density area

CONCLUSION:

In response to the State Government’s introduction of the new Low Rise Medium Density Housing Code, Cumberland Council resolved to proceed to public exhibition of a proposed minimum lot size of 600m². A minimum lot size of 600m² would maintain the suburban character of Cumberland lower density suburbs as well as providing sufficient space to enable good design of dual occupancy development, particularly in terms of setbacks, landscaping and accommodating parking on site. A minimum lot size control of 600m² would also introduce a consistent requirement across Cumberland as a whole.

Public consultation has been undertaken on the planning proposal, with more than 160 submissions received. The majority of submission were in support of the proposed minimum lot size.

Following public exhibition, further detailed analysis was undertaken on a number of different minimum lot size scenarios.

Advice is sought from the Cumberland Local Planning Panel on the minimum lot size planning proposal, including scenarios tested, prior to being considered by Council.

CONSULTATION:

Post Gateway consultation has been completed and the outcomes of this consultation are outlined in section 6 of this report.
FINANCIAL IMPLICATIONS:

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

POLICY IMPLICATIONS:

The timing of this planning proposal has been set by the State Government, and it is anticipated that the proposed minimum lot size amendment to the Auburn and Holroyd DCPs will be in place prior to the new Cumberland LEP being completed. On this basis, the new minimum lot size controls resulting from the planning proposal is intended to be included in the Cumberland LEP when this is prepared.

COMMUNICATION / PUBLICATIONS:

The final outcome of this matter will be notified in the newspaper. The objectors will also be notified in writing of the outcome.

REPORT RECOMMENDATION:

That the Cumberland Local Planning Panel (CLPP) recommend:

1. That the Panel provides advice on Council’s resolution of a minimum lot size control of 600m²; and

2. That the Panel provides advice on alternate minimum lot size scenarios, should Council wish to consider those in making a decision on the proposal.

ATTACHMENTS

1. Slides Illustrating Additional Analysis
2. FAQ Consultation Sheet
3. Gateway Determination
6. Summary of Submissions Received
DOCUMENTS ASSOCIATED WITH REPORT C06/19-103

Attachment 5
Summary of Submissions
<table>
<thead>
<tr>
<th>Ref No.</th>
<th>Suburb</th>
<th>Received</th>
<th>Position</th>
<th>Key themes</th>
<th>Issues raised</th>
<th>Response</th>
</tr>
</thead>
</table>
| 1      | Auburn     | 18/03/19  | Support  | Infrastructure, Parking, Dwelling density       | Supportive
The submission expressed concerns on the capacity of current infrastructure to the increased density. Concerns raised on the issue of a build-up of street parking resulting from the increased dwelling density. | Noted. The submitter may have misinterpreted the term; minimum lot size to minimise lot size. Concerns raised in the submission are related to the implication of the increased dwelling density that may be happen if Council lowers the lot size control for dual occupancies. Submission is considered to be supportive of the proposal as the proposed control will maintain the low density of residential character. |
| 2      | Merrylands | 18/03/19  | Support  | Good design                                     | Supportive
The submission supports the proposal by commenting that the proposed 600sqm is optimum size for duplex that provides for good design. | Noted. Aligns with the proposed outcome.                                                                                                                                                                    |
| 3      | Greystanes | 18/03/19  | Support  | Public transport                                | Supportive
The submission expressed concerns on the implication of the LRMDH Code to Cumberland. | Noted. Aligns with the proposed outcome.                                                                                                                                                                    |
| 4      | South Wentworthville | 18/03/19 | Support  | Landscape, Good design                          | Supportive
The submission supports the proposal by commenting on the issues of current dual occupancy development that are lacking, including providing adequate landscapes and good design built form. The submission further raised a concern on the affordability of house prices for a single dwelling house, due to house price increases from development favouring land for dual occupancies. | Noted. Aligns with the proposed outcome.                                                                                                                                                                    |
| 5      | Greystanes | 18/03/19  | Support  |                                                 | Supportive
The submission supports the proposed changes to the minimum lot size requirement for development of dual occupancies. | Aligns with the proposed outcome.                                                                                                                                                                           |
| 6      | Girraween  | 18/03/19  | Support  | Landscape, Urban heat island, Traffic, Infrastructure, Dwelling density | Supportive
The submission expressed concerns on the increased dwelling density from the development of dual occupancies over a removal of 'single storey bungalows'. Raised concerns on the urban heat island effect from the lack of tree planting and increased density. Issues also raised on the capacity of infrastructure and on roads. | Noted. Aligns with the proposed outcome.                                                                                                                                                                   |
| 7      | Greystanes | 19/03/19  | Neutral/ Alternate lot size                     | Alternate lot size
The submission proposes an alternate minimum lot size of 650sqm. | Noted. The submitter’s proposed alternate lot size is larger than Council’s proposal.                                                                                                                                 |
| 8      | Guildford  | 19/03/19  | Support  |                                                 | Supportive
The submission supports the proposal. | Aligns with the proposed outcome.                                                                                                                                                                          |
| 9      | Guildford  | 19/03/19  | Support  |                                                 | Supportive
The submission supports the proposal. | Aligns with the proposed outcome.                                                                                                                                                                          |
<p>| | | | | |</p>
<table>
<thead>
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</tr>
</thead>
</table>
| 10 | Pendle Hill | 19/03/2019 | Support | Supportive  
The submission supports the proposal. | Aligns with the proposed outcome. |
| 11 | Lidcombe | 18/03/2019 | Support | Supportive  
The submission supports the proposal. | Aligns with the proposed outcome. |
| 12 | Auburn | 18/03/2019 | Support | Dwelling density, Parking, Streetcape, Infrastructure  
The submission expressed concerns on the implications of increased dwelling density that is present on the streets in Auburn. Issues raised on the lack of community cohesion and a limited kerbside space due to a build-up of street car parking and a lack of infrastructure to support the population growth. Raised a question on how Council is approaching and spending to improve current lack of infrastructure. | Noted. The submitter raised concerns on the increase in residential density and the implication to the capacity of infrastructure and social cohesion. The intended outcome of Council’s proposal is to maintain the low density residential character and to achieve better outcomes for built form, landscapes and to maintain reasonable residential amenity and on the capacity of local infrastructure. The submission comments raised are aligned with the proposed outcome. |
| 13 | Greystanes | 20/03/2019 | Support | Supportive  
The submission supports the proposal. | Aligns with the proposed outcome. |
| 14 | Greystanes | 20/03/2019 | Support | Supportive  
The submission supports the proposal. The comments raised on the implication of the current smaller lot size requirement. | Noted. Aligns with the proposed outcome. |
| 15 | Greystanes | 19/03/2019 | Support | Supportive  
The submission supports the proposal. | Aligns with the proposed outcome. |
| 16 | Greystanes | 19/03/2019 | Support | Supportive  
The submission supports the proposal. | Aligns with the proposed outcome. |
| 17 | Greystanes | 19/03/2019 | Support | Supportive  
The submission supports the proposal. | Aligns with the proposed outcome. |
| 18 | Merrylands West | 20/03/2019 | Support | Landscape, Amenity, Local character  
The submission supports the proposal. Commented that the proposed lot size will ensure retaining the current low density character, amenity and green space. | Noted. Aligns with the proposed outcome. |
| 19 | Wentworthville | 20/03/2019 | Support | Supportive  
The submission supports the proposal. | Aligns with the proposed outcome. |
| 20 | Greystanes | 21/03/2019 | Support | Street congestion, Parking, Landscapes, Streetcape, Infrastructure, Local character  
The submission supports the proposal. Issues raised included the current status of street congestion, lack of car parking, reduced area for landscaping and lack of good design. | Noted. Aligns with the proposed outcome. |
<table>
<thead>
<tr>
<th>No.</th>
<th>Location</th>
<th>Date</th>
<th>Role</th>
<th>Lot Size Information</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>21</td>
<td>Morrylands</td>
<td>19/03/2019</td>
<td>Neutral/Alternate lot size</td>
<td>Alternate lot size</td>
<td>The submission proposes an alternate minimum lot size of 700sqm. Commented that the larger land area is required to allow for sufficient landscaping, car parking space, and maintain consistent streetscapes, residential amenity and local character. Noted. The submitter's proposed alternate lot size is larger than Council's proposal. The comments raised are aligned with the proposed outcome.</td>
</tr>
<tr>
<td>22</td>
<td>Greystanes</td>
<td>20/03/2019</td>
<td>Support</td>
<td>Dwelling density, Landscape, Parking, Streetscape, Local character, Infrastructure LRMDH Code</td>
<td>Supportive: The submission supports the proposal. Issues raised on the increased dwelling/population density and its consequences on street parking issues, lack of landscapes (trees) and infrastructure. Commented on the developments that are happening around the neighbourhood that did not undergo community consultation and raised the need for regulation to control the density to Aligns with the limited parkland and infrastructure. Noted. Aligns with the proposed outcome.</td>
</tr>
<tr>
<td>23</td>
<td>Pendle Hill</td>
<td>20/03/2019</td>
<td>Support</td>
<td>Street congestion, Parking, Dwelling density Private space</td>
<td>Supportive: The submission supports the proposal. Comments made on high rise development (outside scope of this proposal). Noted. Aligns with the proposed outcome.</td>
</tr>
<tr>
<td>24</td>
<td>Guildford West</td>
<td>20/03/2019</td>
<td>Support</td>
<td>Street congestion, Parking, Dwelling density Private space</td>
<td>Supportive: The submission supports the proposal. Issues raised on the current status of street congestion on narrow streets that weekly services struggle to pass through. Comments made on the population/dwelling density - too crowded and loss of sense of</td>
</tr>
<tr>
<td>25</td>
<td>Greystanes</td>
<td>20/03/2019</td>
<td>Support</td>
<td>Street congestion, Dwelling density, Streetscape, Landscape</td>
<td>Supportive: The submission supports the proposal. Aligns with the proposed outcome.</td>
</tr>
<tr>
<td>26</td>
<td>Auburn</td>
<td>18/03/2019</td>
<td>Support</td>
<td>Street congestion, Dwelling density, Streetscape, Landscape</td>
<td>Supportive: The submission supports the proposal. Aligns with the proposed outcome.</td>
</tr>
<tr>
<td>27</td>
<td>Guildford</td>
<td>21/03/2019</td>
<td>Support</td>
<td>Street congestion, Dwelling density, Streetscape, Landscape</td>
<td>Supportive: The submission supports the proposal. Aligns with the proposed outcome.</td>
</tr>
<tr>
<td>29</td>
<td>Greystanes</td>
<td>21/03/2019</td>
<td>Support</td>
<td>Street congestion, Dwelling density, Streetscape, Landscape</td>
<td>Supportive: The submission supports the proposal. Issues raised on the street congestion from the increased dwelling/population density that creates more cars parking on the road. Comments made on the need for adequate backyards. Noted. Aligns with the proposed outcome.</td>
</tr>
<tr>
<td>30</td>
<td>Woodpark</td>
<td>22/03/2019</td>
<td>Support</td>
<td>Street congestion, Parking, Streetscape</td>
<td>Supportive: The submission supports the proposal. Issues raised on the street congestion from the increased dwelling/population density that creates more cars parking on the road and increased illegal rubbish/abandoned vehicles. Noted. Aligns with the proposed outcome.</td>
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<tr>
<td><strong>31</strong></td>
<td>21/03/2019</td>
<td>Support</td>
<td>Street Congestion, Amenity</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>32</strong></td>
<td>22/03/2019</td>
<td>Support</td>
<td>Street Congestion, Parking, Amenity, Dwelling density</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>33</strong></td>
<td>23/03/2019</td>
<td>Support</td>
<td>Local character, Built form</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>34</strong></td>
<td>24/03/2019</td>
<td>Support</td>
<td>Built form, LRMDH code</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>35</strong></td>
<td>24/03/2019</td>
<td>Support</td>
<td>Alternate lot size, Street Congestion, Built form, Parking, LRMDH code</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>36</strong></td>
<td>23/03/2019</td>
<td>Support</td>
<td>Supportive</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>37</strong></td>
<td>23/03/2019</td>
<td>Support/ Alternate lot size</td>
<td>Dwelling density, Amenity, Street Congestion, Infrastructure</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Supportive**
- The submission supports the proposal. Comments made that the proposal would reduce congestion and increase amenity.

**Supportive**
- The submission supports the proposal. Concerns raised on the street congestion from the increased dwelling/population density that creates more cars parking on the road that leads to insufficient road space available for service vehicles (garbage collections).

**Supportive**
- The submission supports the proposal. Comments made that the proposed lot size would support buildings that will not detract from the local residential character.

**Supportive**
- The submission supports the proposal. Comments made that the Code's 400sqm is too small for a dual occupancy.

**Alternate lot size**
- The submission proposes an alternate lot size of 700 sqm with Council's approval as opposed to the Code's complying development on dual occupancies. Issues raised on the street congestion from the increased dwelling/population density that creates street blockages with parked cars. Raised concern on the speeding issue on local roads and safety concerns. Recommends a speed bump on Millicent Street Greystanes.

**Supportive**
- The submission supports the proposal. Comments made that even Council's proposed 600 sqm is too small, and that Council's letter did not state the current minimum lot size.

**Supportive Alternate lot size**
- The submission supports Council's proposed increase in minimum lot size requirement. Recommends an alternate lot size of 690 sqm. Issues raised on the street congestion from the increased dwelling/population density that creates street blockages with parked cars. Issues raised on the insufficient road space available for garbage collections and the social and educational infrastructure that are not aligned with the increased density. Commented that the elderly are put under pressure by developers to sell.

Noted. Aligns with the proposed outcome.
<table>
<thead>
<tr>
<th></th>
<th>Date</th>
<th>Support</th>
<th>Category</th>
<th>Comment</th>
<th>Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>38</td>
<td>25/03/2019</td>
<td>Support</td>
<td>LRMDH Code, Infrastructure, Landscapes</td>
<td>Supportive. The submission supports the proposal. Comments made that</td>
<td>Noted. Aligns with the proposed outcome. No changes proposed for site</td>
</tr>
<tr>
<td></td>
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<td>the controls in the LRMDH code do not seem to consider the impact on</td>
<td>frontage width, FSR or setbacks at this stage. Council's proposal is</td>
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<td></td>
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<td>infrastructure such as the increased pressure on roads, traffic,</td>
<td>for the increase in minimum lot size</td>
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<td></td>
<td>waste management and structure of society. Commented on the</td>
<td>requirement only.</td>
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<td>importance of open space for children to grow and play in a safe</td>
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<td>backyard. Sought clarification as to whether Council is proposing</td>
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<td>any other changes for dual occupancy development such as</td>
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<td></td>
<td></td>
<td>frontage, FSR and setbacks.</td>
<td></td>
</tr>
<tr>
<td>39</td>
<td>25/03/2019</td>
<td>Support</td>
<td></td>
<td>Supportive. The submission supports the proposal.</td>
<td>Aligns with the proposed outcome.</td>
</tr>
<tr>
<td>40</td>
<td>25/03/2019</td>
<td>Support</td>
<td></td>
<td>Supportive. The submission supports the proposal.</td>
<td>Aligns with the proposed outcome.</td>
</tr>
<tr>
<td>41</td>
<td>25/03/2019</td>
<td>Support</td>
<td>Street Congestion, Parking</td>
<td>Supportive. The submission supports the proposal. Issues raised on the</td>
<td>Noted. Aligns with the proposed outcome. The issues raised on the</td>
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<td></td>
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<td>insufficient road space available due to street parking in Greystanes.</td>
<td>parking requirement will be considered as part of future planning work.</td>
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<td>Recommends at least two parking spaces to be required per dwelling.</td>
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<tr>
<td>42</td>
<td>26/03/2019</td>
<td>Support</td>
<td>Dwelling density, Local character</td>
<td>Supportive. Comments raised on the increase in dwelling density in</td>
<td>Noted. Council's proposal is addressing issues on impact of the LRMDH</td>
</tr>
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<td></td>
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<td></td>
<td></td>
<td>Girraween and its impact on local character. Recommends no more new</td>
<td>Code on potential increase in dwelling density in low density</td>
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<td></td>
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<td>development approvals except for knockdown and rebuild of single</td>
<td>residential area. The proposed 600sqm minimum lot size would appear</td>
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<td></td>
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<td>dwellings, and a 5 year freeze on new development.</td>
<td>effectively limit dual occupancy development to larger blocks and</td>
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<td>helps to provide better designed built form that suits to the local</td>
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<td>character. The proposal does not related to the regulation around new</td>
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<td>development approvals.</td>
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<tr>
<td>43</td>
<td>25/03/2019</td>
<td>Support</td>
<td></td>
<td>Supportive. The submission supports the proposal.</td>
<td>Aligns with the proposed outcome.</td>
</tr>
<tr>
<td>44</td>
<td>25/03/2019</td>
<td>Support</td>
<td>Street Congestion, Parking, Dwelling density</td>
<td>Supportive. The submission supports the proposal. Comments made on the</td>
<td>Noted. Aligns with the proposed outcome.</td>
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<tr>
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<td>insufficient road space available, especially around schools due to</td>
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<td>increased population density. Commented that the proposed regulation</td>
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<td>should have been put in place a long time ago.</td>
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<td>Council Meeting 5 June 2019</td>
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<tr>
<th></th>
<th>26/03/2019</th>
<th>Neutral/Support</th>
<th>Street Congestion, Parking, Dwelling density</th>
<th>Neutral/Supportive</th>
<th>The submission did not indicate whether the submitter is supportive or objective for the proposal. However, the submitter raised an issue on the increase in on-street parking by the people occupying dual occupancies. Commented that there are more than two or three families living in one of half a dual occupancy with three to four cars parked on a street.</th>
<th>Noted. The content of the submission raised issues on the impact of increased dwelling density and increased number of dual occupancy developments, which leads to on-street parking issues. Council's proposal is addressing issues of this potential dwelling density and the impact on residents amenity and street car parking.</th>
</tr>
</thead>
<tbody>
<tr>
<td>45</td>
<td>28/03/2019</td>
<td>Support</td>
<td>Built form</td>
<td>Supportive</td>
<td>The submission supports the proposal. Comments made on the larger built form.</td>
<td>Noted. Aligns with the proposed outcome.</td>
</tr>
<tr>
<td>46</td>
<td>29/03/2019</td>
<td>Support</td>
<td>Local character, Built form, Parking</td>
<td>Supportive</td>
<td>The submission supports the proposal. Raised issues on dual occupancies that do not blend in with the other houses, i.e. flat roofs and small garage spaces that are used as storage resulting vehicles parked on the street.</td>
<td>Noted. Aligns with the proposed outcome.</td>
</tr>
<tr>
<td>47</td>
<td>29/03/2019</td>
<td>Support</td>
<td>Local character, Built form, Parking</td>
<td>Supportive</td>
<td>The submission supports the proposal. Raised issues on dual occupancies that do not blend in with other houses, i.e. flat roofs and small garage spaces that are used as storage instead resulting vehicles park out on the street.</td>
<td>Noted. Aligns with the proposed outcome.</td>
</tr>
<tr>
<td>48</td>
<td>29/03/2019</td>
<td>Support</td>
<td>Street Congestion, Parking</td>
<td>Supportive</td>
<td>The submission supports the proposal. Comments made that there is too much unwanted development in the area. Recommends a minimum of two off street parking spaces to be provided as the streets are more congested due to apartment building.</td>
<td>Noted. Aligns with the proposed outcome.</td>
</tr>
<tr>
<td>49</td>
<td>29/03/2019</td>
<td>Support</td>
<td>Supportive</td>
<td>Aligns with the proposed outcome.</td>
<td>Aligns with the proposed outcome.</td>
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<tr>
<td>50</td>
<td>29/03/2019</td>
<td>Support</td>
<td>Supportive</td>
<td>Aligns with the proposed outcome.</td>
<td>Aligns with the proposed outcome.</td>
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<tr>
<td>51</td>
<td>29/03/2019</td>
<td>Support</td>
<td>Supportive</td>
<td>Aligns with the proposed outcome.</td>
<td>Aligns with the proposed outcome.</td>
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</tr>
<tr>
<td>52</td>
<td>30/03/2019</td>
<td>Support</td>
<td>Supportive</td>
<td>Aligns with the proposed outcome.</td>
<td>Aligns with the proposed outcome.</td>
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</tr>
<tr>
<td>53</td>
<td>30/03/2019</td>
<td>Support</td>
<td>Supportive</td>
<td>Aligns with the proposed outcome.</td>
<td>Aligns with the proposed outcome.</td>
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</tr>
<tr>
<td>54</td>
<td>30/03/2019</td>
<td>Support</td>
<td>Supportive</td>
<td>Aligns with the proposed outcome.</td>
<td>Aligns with the proposed outcome.</td>
<td></td>
</tr>
<tr>
<td>55</td>
<td>1/04/2019</td>
<td>Support</td>
<td>Landscape, Setbacks, Local character</td>
<td>Supportive</td>
<td>The submission supports the proposal. Commented that the proposed lot size would provide opportunity for better design for landscaping, setbacks and type of building that does not detract from local character.</td>
<td>Noted. Aligns with the proposed outcome.</td>
</tr>
<tr>
<td>Council Member</td>
<td>Date</td>
<td>Support</td>
<td>Position</td>
<td>Comment</td>
<td>Outcome</td>
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<td></td>
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<tr>
<td>Guildford</td>
<td>2/04/2019</td>
<td>Support</td>
<td></td>
<td>The submission supports the proposal.</td>
<td>Aligns with the proposed outcome.</td>
<td></td>
</tr>
<tr>
<td>Merrylands</td>
<td>2/04/2019</td>
<td>Support</td>
<td></td>
<td>The submission supports the proposal.</td>
<td>Aligns with the proposed outcome.</td>
<td></td>
</tr>
<tr>
<td>Wentworthville</td>
<td>3/04/2019</td>
<td>Support</td>
<td>Alternate lot size, LRMDH Code, Landscape, Tree preservation</td>
<td>The submission supports the proposal. Recommends further increase of minimum lot size to 700 sqm. Comments made are supportive of Council's objectives. Raised issue that when LRMDH Code comes into effect, Council will no longer be the approval authority and the future development may not be regulated. Recommends retention of trees on private land, and that tree preservation on properties and street tree planting should be mandatory in Council's DAs and proposals.</td>
<td>Noted. Aligns with the proposed outcome.</td>
<td></td>
</tr>
<tr>
<td>Merrylands</td>
<td>3/04/2019</td>
<td>Support</td>
<td></td>
<td>The submission supports the proposal.</td>
<td>Aligns with the proposed outcome.</td>
<td></td>
</tr>
<tr>
<td>Guildford</td>
<td>3/04/2019</td>
<td>Support</td>
<td>Built form, Local character</td>
<td>The submission supports the proposal. Comments made on the existing dual occupancy developments that are not aligned with the local character and built form.</td>
<td>Noted. Aligns with the proposed outcome.</td>
<td></td>
</tr>
<tr>
<td>Smithfield</td>
<td>1/04/2019</td>
<td>Support</td>
<td>Street Congestion, Parking</td>
<td>The submission supports the proposal.</td>
<td>Aligns with the proposed outcome.</td>
<td></td>
</tr>
<tr>
<td>Guildford West</td>
<td>5/04/2019</td>
<td>Support</td>
<td></td>
<td>The submission supports the proposal.</td>
<td>Aligns with the proposed outcome.</td>
<td></td>
</tr>
<tr>
<td>Guildford West</td>
<td>7/04/2019</td>
<td>Support</td>
<td>Landscape, Street Congestion</td>
<td>The submission supports the proposal. Comments made on the protection of front and backyards in houses. Raised issue of street congestion arising from the increased dwelling density in Guildford and Merrylands.</td>
<td>Noted. Aligns with the proposed outcome.</td>
<td></td>
</tr>
<tr>
<td>Wentworthville</td>
<td>5/04/2019</td>
<td>Support</td>
<td></td>
<td>The submission supports the proposal. Supports having a minimum lot size for dual occupancies and allowing dual occupancy development without the need for council approval or consideration of community views.</td>
<td>Noted. Aligns with the proposed outcome.</td>
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<tr>
<td></td>
<td>5/04/2019</td>
<td>Support</td>
<td>Street Congestion, Infrastructure, Landscapes</td>
<td>Neutral Comments raised included street congestion issues (street parking, damages due to traffic on local streets, increase in number of accidents due to speeding), capacity of infrastructure and loss of green spaces in land blocks.</td>
<td>Noted.</td>
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</table>
| 66 | 7/04/2019 | Support | Alternate lot size, Affordability | **Supportive / Alternate lot size**  
The submission supports Council’s proposed increase in minimum lot size requirement. Recommends an alternate lot size of 400 to 450 sqm for corner lots in line with LRMDH and existing complying development standards. | Noted. |
| 67 | 8/04/2019 | Support | Street Congestion, Parking, Dwelling density | **Supportive**  
The submission supports the proposal. Commented that the proposal would control the growth of already too busy traffic in residential areas. Comments made that it is already a struggle to secure a parking spot on the street due to increased number of dwellings. | Noted. Aligns with the proposed outcome. |
| 68 | 28/03/2019 | Support | LRMDH Code, Infrastructure, Landscapes | **Supportive**  
The submission supports the proposal. General concerns the LRMDH Code and development under the SEPP (exempt and complying development) are not adequately addressing the impacts of the developments permitted without referral to Endeavour Energy to consider the impact on electricity infrastructure. In some instances, Endeavour Energy has had to seek the assistance of Council to acquire new pad mount substation sites within public reserves as a way of meeting the increased electricity load. Safety concerns such as a minimum safe setback distance from existing overhead power lines to the road verge/roadway and separation between driveways and poles is also required. | Noted. Aligned with the proposed outcome. |
| 69 | 8/04/2019 | Support | Parking, Street Congestion, Amenity | **Supportive**  
The submission supports the proposal. Recommends further increase of minimum lot size for dual occupancies. Concerns raised about street congestion resulting from increased dwelling density and garbage bin collection. | Noted. Aligned with the proposed outcome. |
| 70 | 9/04/2019 | Support | Parking, Street Congestion, Amenity, Dwelling density | **Supportive**  
The submission expressed concerns on increased dwelling density in the area, on-street congestion and parking, and garbage bin collection. | Noted. Aligned with the proposed outcome. |
| 71 | 9/04/2019 | Support | Alternate lot size | **Supportive / Alternate lot size**  
The submission supports the proposal. Further recommends Council to allow exceptions on land sizes between 500-600 sqm with wide street frontage of 30m or more (such as a corner block). | Noted. |
| 72 | 10/04/2019 | Support |   | **Supportive**  
The submission supports the proposal. | Aligns with the proposed outcome. |
<table>
<thead>
<tr>
<th>Location</th>
<th>Date</th>
<th>Supporter</th>
<th>Recommendation</th>
<th>Comments</th>
<th>Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Merrylands</td>
<td>10/04/2019</td>
<td>Support</td>
<td>Supportive</td>
<td>The submission supports the proposal. Requires further consideration to be given to street frontage. Comments raised on street congestion on narrow streets in the areas from increased population.</td>
<td>Noted. Aligns with the proposed outcome.</td>
</tr>
<tr>
<td>Merrylands</td>
<td>10/04/2019</td>
<td>Support</td>
<td>Alternate lot size</td>
<td>Supportive</td>
<td>The submission supports the proposal. Recommends alternate lot size of 700 sqm.</td>
</tr>
<tr>
<td>Auburn</td>
<td>10/04/2019</td>
<td>Support</td>
<td>Alternate lot size</td>
<td>Supportive</td>
<td>The submission supports the proposal. Recommends further increase in minimum lot size for dual occupancies. Commented that other Councils set higher target such as 650 sqm (for Canterbury Bankstown LGA) and 750 sqm (Sutherland Shire).</td>
</tr>
<tr>
<td>South Wentworthville</td>
<td>13/04/2019</td>
<td>Support</td>
<td>Parking, Street congestion</td>
<td>Supportive</td>
<td>The submission supports the proposal. Comments raised about on-street congestion due to increased dwelling density and street parking.</td>
</tr>
<tr>
<td>Auburn</td>
<td>14/04/2019</td>
<td>Support</td>
<td>Supportive</td>
<td>The submission supports the proposal.</td>
<td>Noted. Aligns with the proposed outcome.</td>
</tr>
<tr>
<td>Wentworthville</td>
<td>14/04/2019</td>
<td>Support</td>
<td>Lifestyle, character</td>
<td>Supportive</td>
<td>The submission supports the proposal. Comments made that the proposal would help to balance the near LRMHD code with providing adequate space on the property to support healthy lifestyles and to retain a similar local residential character.</td>
</tr>
<tr>
<td>Greystanes</td>
<td>15/04/2019</td>
<td>Neutral</td>
<td>Alternate lot size, Parking, Built form</td>
<td>Alternate lot size</td>
<td>Recommends alternate lot size of 750 sqm or more. Comments made on the larger requirement needed on the street frontage width. Issues raised on the build up of on-street parking, and some dual occupancies built too close to the boundary.</td>
</tr>
<tr>
<td>Greystanes</td>
<td>15/04/2019</td>
<td>Support</td>
<td>Supportive</td>
<td>The submission supports the proposal.</td>
<td>Aligns with the proposed outcome.</td>
</tr>
<tr>
<td>Greystanes</td>
<td>15/04/2019</td>
<td>Support</td>
<td>Supportive</td>
<td>The submission supports the proposal.</td>
<td>Aligns with the proposed outcome.</td>
</tr>
<tr>
<td>Greystanes</td>
<td>15/04/2019</td>
<td>Support</td>
<td>Supportive</td>
<td>The submission supports the proposal. Comments raised on the implication of increased dwelling density from dual occupancies that are built out of local context and character. Comments made on some dual occupancies that are built for two duplexes in one block of land that increases dwelling/population density around the area.</td>
<td>Noted. Aligns with the proposed outcome.</td>
</tr>
<tr>
<td>Holroyd</td>
<td>16/04/2019</td>
<td>Support</td>
<td>Supportive</td>
<td>The submission supports the proposal. Comments raised on dual occupancies that are being built on small blocks with less setbacks which creating noise for immediate neighbours.</td>
<td>Noted. Aligns with the proposed outcome.</td>
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<tr>
<td>C06/19-103 – Attachment 5</td>
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<p>| 84 Aubun | 16/04/2019 | Support | Dwelling density, Built form, Landscapes, Streetscapes, Street congestion, Parking | <strong>Supportive</strong>&lt;br&gt;The submission supports the proposal. Concerns about loss of substantial on-street parking spaces, landscapes, streetscapes due to increased dwelling density. Further commented that increased density in low density residential area is contributing towards a loss of community. | Noted. Aligns with the proposed outcome. |
| 85 Greystanes | 16/04/2019 | Support | Dwelling density, Infrastructure, Local character | <strong>Supportive</strong>&lt;br&gt;The submission supports the proposal. Comments made that Council's proposal would ensure that there is sustainable growth within the local area and that there are sufficient infrastructure available and maintaining local character. | Noted. Aligns with the proposed outcome. |
| 86 Lidcombe | 16/04/2019 | Support | Alternate lot size, Built form, Parking, Street congestion | <strong>Alternate lot size</strong>&lt;br&gt;Raised issues of on-street parking and street congestion on a narrow street in the area from increased dwelling density from dual occupancies. Comments made that Council's proposed 800 sqm is not sufficient. | Noted. |
| 87 Greystanes | 17/04/2019 | Support | Landscapes, Trees, Amenity, Infrastructure | <strong>Supportive</strong>&lt;br&gt;The submission supports the proposal. Comments raised on the loss of trees and landscaped area from development of duplexes and secondary dwellings with no passive solar design. Recommends consideration be given to retention of landscaped | Noted. Aligns with the proposed outcome. |
| 88 Berala | 16/04/2019 | Support | Street congestion, Parking, Landscapes, Streetscape, Infrastructure, Local character | <strong>Supportive</strong>&lt;br&gt;The submission supports the proposal. Comments raised about substantial loss of on-street parking spaces, landscapes, streetscapes due to increased dwelling density. Comments made that the increase in dual occupancy seems to lead to an increase in rubbish on the streets and over flowing waste bins. | Noted. Aligns with the proposed outcome. |
| 89 Berala | 16/04/2019 | Support | Street congestion, Parking, Landscapes, Streetscape, Infrastructure, Local character | <strong>Same content as submission #88</strong> | Noted. Aligns with the proposed outcome. |
| 90 Berala | 16/04/2019 | Support | Street congestion, Parking, Landscapes, Streetscape, Infrastructure, Local character | <strong>Same content as submission #88</strong> | Noted. Aligns with the proposed outcome. |
| 91 Wentworthville | 17/04/2019 | Support | Street congestion, Noise | Neutral | The submission expresses concerns on the noise and traffic generated from increased dwelling density. Comments made that smaller dual occupancy dwellings would create problems. | Noted. |
| 92 Guildford | 17/04/2019 | Support | Built form, Local character | Supportive | The submission supports the proposal. Comments made on the quality of dual occupancy. Supports Council's proposal to protect the character of residential areas while supporting development in the area. | Noted. Aligns with the proposed outcome. |
| 93 Wentworthville | 17/04/2019 | Support | Local character, Landscapes, Streetscapes, Investment, Parking, Street Congestion, Infrastructure | Supportive | The submission supports the proposal. The submitter made following comments on the implication of the smaller lot size: 1. Loss of green space/landscaped area, 2. Increase in number of street parking, 3. Capacity of infrastructure. Smaller lot size than Council's proposed 600 sqm would only benefit the developers. Consideration should be given to future grandchildren being deprived of a playing area. | Noted. Aligns with the proposed outcome. |
| 94 Merrylands West | 17/04/2019 | Support | Alternate lot size, Dwelling density, Parking, Local character, Landscape, Urban heat island | Supportive / Alternate lot size | The submission supports the proposal. Recommends an alternate lot size of 600 sqm. Comments raised on the implication of the smaller lot size - street parking issues, loss of landscaped area and urban heat island. A larger lot allows for more on site parking and less street parking. There are a larger number of trades and small business occupations in the district which means their work vehicles also need off street parking space. | Noted. Aligns with the proposed outcome. |
| 95 Guildford West | 17/04/2019 | Support | | Supportive | The submission supports the proposal. | Noted. Aligns with the proposed outcome. |
| 96 Pendle Hill | 18/04/2019 | Support | Alternate lot size, Street congestion, Parking | | Recommends alternate lot size of 700-800 sqm. The submission raised issues on already built-up street parking and street congestion on a narrow street (such as Boyne Avenue) from increased dwelling density in the area. | Noted. The proposed 600sqm minimum lot size would effectively limit dual occupancy development in low to medium density area and would mitigate the issues raised. |</p>
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<tr>
<th>#</th>
<th>Suburb</th>
<th>Date</th>
<th>Position</th>
<th>Decision</th>
<th>Notes</th>
</tr>
</thead>
</table>
| 97  | Merrylands West | 18/03/2019 | Negative | Negative | **Objection/ Alternate lot size**  
Opposed to the proposal. Proposed an alternate lot size of 450 sqm for attached and 500 sqm for detached dual occupancy in all R2 zones and 500 sqm for attached, 450 sqm for detached dual occupancy in all R3 zones. Commented that the larger lot size requirement would lower the number of dual occupancy development that leads to less revenue for Council and lower the number of local jobs. Commented that the house market in Cumberland would be affected and the area become less desirable for buyers wanting smaller lot sizes with a capacity for growth. Commented further that the current control of 500 sqm (for the former Holroyd LGA) did not hurt the density of the land. |
| 98  | Merrylands West | 18/03/2019 | Negative | Duplicate of above | Duplicate of above                                                                                                                   |
| 99  | Greystanes      | 18/03/2019 | Negative | Negative | **Objection**  
The submission opposes the proposal. Comments raised on the loss of development potential. The submitter recommends Government to take attention on the roads and to the non-satisfactory builders and owner builders. The submitter is satisfied with the current control and recommends the current regulation set for dual occupancies be remained. |
| 100 | Regents Park    | 18/03/2019 | Negative | Alternate lot size | **Objection/Alternative lot size**  
Opposed to the proposal. Commented that many blocks in Auburn, Bexley, Lidcombe and Regents Park are of 500 sqm and that 600 sqm is too large and a rarity. Proposed an alternate lot size of 500 sqm. |
| 101 | Toongabbie      | 18/03/2019 | Negative | Negative | **Objection**  
Opposed to the proposal. Comments raised on the loss of development potential by losing a capacity for dual occupancies. |
| 102 | South Wentworthville | 19/03/2019 | Negative | Alternate lot size | **Objection/ Alternate lot size**  
The submission opposes the proposal. Proposed an alternate lot size of 550 sqm. |
| 103 | Merrylands      | 19/03/2019 | Negative | Alternate lot size | **Objection/ Alternate lot size**  
The submission opposes the proposal. Proposed an alternate lot size of 550 sqm. |
<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Date</th>
<th>Action</th>
<th>Decision</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>104</td>
<td>Merrylands</td>
<td>19/03/19</td>
<td>Negative</td>
<td>Investment</td>
<td><strong>Objection</strong>&lt;br&gt;The submission oppose the proposal. Comments raised on the loss of development/investment potential by losing a capacity for dual occupancies on land between 500-800 sqm. Noted on the implication of proposed larger lot size requirement on investment properties. Council’s proposal is to maintain the low density residential character and to align with planned density and infrastructure.</td>
</tr>
<tr>
<td>105</td>
<td>Merrylands</td>
<td>19/03/19</td>
<td>Negative</td>
<td>Duplicate of above</td>
<td><strong>Duplicate of above</strong></td>
</tr>
<tr>
<td>106</td>
<td>Merrylands West</td>
<td>19/03/19</td>
<td>Negative</td>
<td>Property value</td>
<td><strong>Objection</strong>&lt;br&gt;The submission oppose the proposal. Commented that the proposal would affect more than 18,000 other homes and would reduce property value. Noted on the implication of larger lot size requirement. Council’s proposal is to maintain the low density residential character and to align with the planned density and infrastructure.</td>
</tr>
<tr>
<td>107</td>
<td>Merrylands</td>
<td>18/03/19</td>
<td>Negative</td>
<td>Housing market, Streetscape, Setback, Local jobs</td>
<td><strong>Neutral / Objection</strong>&lt;br&gt;The submission raised issues on the affordability of current housing market and potential loss of development capacity for dual occupancies and loss of local jobs. Commented that the market does not favour a big rear back yards but consideration need to be given to the set backs and streetscapes. Noted. The proposed 600 sqm is to provide better opportunity for good design, adequate landscapes and setbacks. When the new LRMHD Code comes in effect, the required minimum lot size would be smaller than what Council proposes. The Code’s control would not provide adequate setback and landscape controls for lots smaller than 600 sqm.</td>
</tr>
<tr>
<td>108</td>
<td></td>
<td>18/03/19</td>
<td>Negative</td>
<td>Alternate lot size, Revenue, Local jobs, House market, Housing density</td>
<td><strong>Objection/ Alternate lot size</strong>&lt;br&gt;Very similar to #97. Noted. As outlined in the exhibition material, when the new LRMHD Code comes in effect, dual occupancy development will be carried out under a complying development approval. Council will no longer be the approval authority for development of dual occupancy.</td>
</tr>
<tr>
<td>109</td>
<td></td>
<td>18/03/19</td>
<td>Negative</td>
<td>Alternate lot size, Revenue, Local jobs, House market, Housing density</td>
<td><strong>Objection/ Alternate lot size</strong>&lt;br&gt;Very similar to #97. Noted. As outlined in the exhibition material, when the new LRMHD Code comes in effect, dual occupancy development will be carried out under a complying development approval. Council will no longer be the approval authority for development of dual occupancy.</td>
</tr>
<tr>
<td>110</td>
<td>South Wentworthville</td>
<td>19/03/19</td>
<td>Negative</td>
<td>Alternate lot size</td>
<td><strong>Objection/Alternate lot size</strong>&lt;br&gt;The submission oppose the proposal. Proposed an alternate lot size of 550 sqm. Commented that the proposed change is unfair for landowners whose land size is around 550 sqm. Noted on the implication of proposed larger lot size requirement for landowners with 550sqm lot size.</td>
</tr>
<tr>
<td>111</td>
<td>Merrylands</td>
<td>20/03/2019</td>
<td>Negative</td>
<td>Housing market, Investment</td>
<td>Objection</td>
</tr>
<tr>
<td>112</td>
<td>Merrylands</td>
<td>20/03/2019</td>
<td>Negative</td>
<td>Housing market, Investment</td>
<td>Objection</td>
</tr>
<tr>
<td>113</td>
<td>Girraween</td>
<td>20/03/2019</td>
<td>Negative</td>
<td>Property value, Investment</td>
<td>Objection</td>
</tr>
<tr>
<td>114</td>
<td>South Wentworthville</td>
<td>20/03/2019</td>
<td>Negative</td>
<td>Property value</td>
<td>Objection</td>
</tr>
<tr>
<td>115</td>
<td>South Wentworthville</td>
<td>20/03/2019</td>
<td>Negative</td>
<td>Property value</td>
<td>Objection</td>
</tr>
<tr>
<td>116</td>
<td>Wentworthville</td>
<td>20/03/2019</td>
<td>Negative</td>
<td>Alternate lot size</td>
<td>Objection/ Alternate lot size</td>
</tr>
<tr>
<td>117</td>
<td>South Wentworthville</td>
<td>21/03/2019</td>
<td>Negative</td>
<td>Investment, Property value</td>
<td>Objection</td>
</tr>
<tr>
<td>118</td>
<td></td>
<td>21/03/2019</td>
<td>Negative</td>
<td>Revenue, Granny flats, Parking</td>
<td>Neutral / Objection</td>
</tr>
<tr>
<td>119</td>
<td>Merrylands</td>
<td>25/03/2019</td>
<td>Negative</td>
<td>Alternate lot size</td>
<td>Objection/Alternate lot size</td>
</tr>
<tr>
<td>No.</td>
<td>Date</td>
<td>Location</td>
<td>Type</td>
<td>Objection</td>
<td>Notes</td>
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</tr>
<tr>
<td>120</td>
<td>20/03/2019</td>
<td>Negative</td>
<td>LRMDH Code</td>
<td><strong>Objection</strong> The submission opposes the proposal. Concerns raised about</td>
<td>Noted. Council’s proposal is to maintain the low</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Property value</td>
<td>limiting development capacity for dual occupancy against the growing</td>
<td>density residential character and to align with planned density and</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>population and the LRMDH Code. Issues raised on the impact of house</td>
<td>infrastructure.</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>prices.</td>
<td></td>
</tr>
<tr>
<td>121</td>
<td>29/03/2019</td>
<td>Negative</td>
<td>Investment</td>
<td><strong>Objection</strong> Opposes the proposal. Comments made that due to the changed</td>
<td>Noted. Council’s proposal is to maintain the low</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>minimum lot size provision for dual occupancies, they lost their</td>
<td>density residential character and to align with planned density and</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>dream to build a new home.</td>
<td>infrastructure.</td>
</tr>
<tr>
<td>122</td>
<td>29/03/2019</td>
<td>Neutral</td>
<td>Street congestion,</td>
<td><strong>Objection</strong> Opposes the development of any dual occupancy dwellings.</td>
<td>Noted. Council’s proposal is to maintain the low</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Landscape</td>
<td>Issues raised include street congestion and on-street car parking, and</td>
<td>density residential character and to align with planned density and</td>
</tr>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>the ratio of landscaped area to dwelling area.</td>
<td>infrastructure.</td>
</tr>
<tr>
<td>123</td>
<td>1/04/2019</td>
<td>Neutral</td>
<td>Property value, Local</td>
<td><strong>Objection</strong> Opposes the proposal. Commented that the proposal would</td>
<td>Noted. Council’s proposal is to maintain the low</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>character</td>
<td>dis- value properties that are smaller than the proposed lot size, and put</td>
<td>density residential character and to align with planned density and</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>owners at a disadvantage to sell and downsize. Commented that</td>
<td>infrastructure.</td>
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<td></td>
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<td></td>
<td>development of dual occupancies would not detract from local</td>
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<td></td>
<td></td>
<td></td>
<td>residential character that are made up of duplexes, villas and town</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>houses.</td>
<td></td>
</tr>
<tr>
<td>124</td>
<td>2/04/2019</td>
<td>Negative</td>
<td>Local character, Street</td>
<td><strong>Objection</strong> Opposes the proposal. Issues raised include street</td>
<td>Noted. Council’s proposal is to maintain the low</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>congestion, Parking,</td>
<td>congestion, parking issues, not enough parks and playing fields for</td>
<td>density residential character and to align with planned density and</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Infrastructure</td>
<td>children, and lost local character due to over development in the area.</td>
<td>infrastructure.</td>
</tr>
<tr>
<td>125</td>
<td>3/04/2019</td>
<td>Negative</td>
<td>No change</td>
<td><strong>Objection</strong> The submission opposes the proposal. Recommends no change</td>
<td>Noted. Council’s proposal is to maintain the low</td>
</tr>
<tr>
<td></td>
<td></td>
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<td>in current control.</td>
<td>density residential character and to align with planned density and</td>
</tr>
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<td></td>
<td></td>
<td></td>
<td>infrastructure.</td>
</tr>
<tr>
<td>126</td>
<td>31/03/2019</td>
<td>Negative</td>
<td>Property value, Alternate</td>
<td><strong>Objection / Alternate lot size</strong> Opposes the proposal. Recommends</td>
<td>Noted. Council’s proposal is to maintain the low</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>lot size</td>
<td>alternate lot size of 400 sqm.</td>
<td>density residential character and to align with planned density and</td>
</tr>
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<td></td>
<td>Submitter has been advised by a real estate agency that the</td>
<td>infrastructure.</td>
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<td></td>
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<td></td>
<td>proposed changes are likely to significantly reduce the value of their</td>
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<td></td>
<td></td>
<td>property.</td>
<td></td>
</tr>
<tr>
<td>127</td>
<td>2/03/2019</td>
<td>Negative</td>
<td>Duplicate of above</td>
<td><strong>Duplicate of #126</strong></td>
<td>Noted. Council’s proposal is to maintain the low</td>
</tr>
<tr>
<td>128</td>
<td>2/04/2019</td>
<td>Negative</td>
<td>Property value, Alternate</td>
<td><strong>Objection / Alternate lot size</strong> Opposes the proposal. Recommends</td>
<td>Noted. Council’s proposal is to maintain the low</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>lot size</td>
<td>alternate lot size of 400 sqm.</td>
<td>density residential character and to align with planned density and</td>
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<td>Submitter has been advised by a real estate agency that the</td>
<td>infrastructure.</td>
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<td>proposed changes are likely to significantly reduce the value of their</td>
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<td></td>
<td>property.</td>
<td></td>
</tr>
<tr>
<td>Code</td>
<td>Area</td>
<td>Date</td>
<td>Result</td>
<td>Property value, Alternate lot size</td>
<td>Objection / Alternate lot size</td>
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<tr>
<td>129</td>
<td>Marylands</td>
<td>20/4/2019</td>
<td>Negative</td>
<td>Property value, Alternate lot size</td>
<td>Objection / Alternate lot size</td>
</tr>
<tr>
<td>130</td>
<td>Greystanes</td>
<td>3/04/2019</td>
<td>Negative</td>
<td>Landscape, Local character, Built form, Infrastructure</td>
<td>Objection</td>
</tr>
<tr>
<td>131</td>
<td>Westmead</td>
<td>4/04/2019</td>
<td>Negative</td>
<td>Local character, Property value</td>
<td>Objection</td>
</tr>
<tr>
<td>132</td>
<td>Greystanes</td>
<td>4/04/2019</td>
<td>Negative</td>
<td>Investment</td>
<td>Objection</td>
</tr>
<tr>
<td>133</td>
<td>Greystanes</td>
<td>4/04/2019</td>
<td>Negative</td>
<td>Property value, Investment, Alternate lot size</td>
<td>Objection / Alternate lot size</td>
</tr>
<tr>
<td>134</td>
<td>Guildford</td>
<td>31/03/2019</td>
<td>Negative</td>
<td>Alternate lot size</td>
<td>Objection / Alternate lot size</td>
</tr>
<tr>
<td>135</td>
<td>Marylands West</td>
<td>4/04/2019</td>
<td>Negative</td>
<td>Property value, Investment, Local character</td>
<td>Objection</td>
</tr>
<tr>
<td>136</td>
<td>Pendle Hill</td>
<td>4/04/2019</td>
<td>Negative</td>
<td></td>
<td>Objection</td>
</tr>
<tr>
<td>137</td>
<td>Marylands</td>
<td>4/04/2019</td>
<td>Negative</td>
<td>Dwelling density, Young family</td>
<td>Objection</td>
</tr>
<tr>
<td>No.</td>
<td>Location</td>
<td>Date</td>
<td>Nature</td>
<td>Objection / Alternate lot size</td>
<td>Notes</td>
</tr>
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</tr>
<tr>
<td>138</td>
<td>Regents Park</td>
<td>5/04/2019</td>
<td>Negative</td>
<td>Local character, Affordability, Young family, Alternate lot size</td>
<td>Noted.</td>
</tr>
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<td></td>
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<td></td>
<td></td>
<td>Objection / Alternate lot size</td>
<td></td>
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<td></td>
<td>Opposes the proposal. Recommends alternate lot size of 500-550 sqm, especially within a certain radius of train lines to help with affordable living. Comments based on the consequences of granny flats in terms of increased off-street parking.</td>
<td></td>
</tr>
<tr>
<td>139</td>
<td>Greystanes</td>
<td>9/04/2019</td>
<td>Negative</td>
<td>Affordability</td>
<td>Noted. Council's proposal is to maintain the low density residential character and to align with planned density and infrastructure.</td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
<td>Objection</td>
<td></td>
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<tr>
<td></td>
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<td></td>
<td></td>
<td>Opposes the proposal. More dual occupancies are needed in the area to accommodate smaller households who cannot afford big new houses.</td>
<td></td>
</tr>
<tr>
<td>140</td>
<td>Merrylands</td>
<td>9/04/2019</td>
<td>Negative</td>
<td>Alternate lot size, Investment</td>
<td>Noted.</td>
</tr>
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<td></td>
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<td>Objection</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>Opposes the proposal. Recommends alternate lot size of 500 or 550 sqm.</td>
<td></td>
</tr>
<tr>
<td>141</td>
<td>Parramatta</td>
<td>9/04/2019</td>
<td>Negative</td>
<td>Investment</td>
<td>Noted.</td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
<td>Objection</td>
<td></td>
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<td></td>
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<td></td>
<td></td>
<td>The submission opposes the proposal.</td>
<td></td>
</tr>
<tr>
<td>142</td>
<td></td>
<td>9/04/2019</td>
<td>Negative</td>
<td>Investment</td>
<td>Noted. Council's proposal is to maintain the low density residential character and to align with planned density and infrastructure.</td>
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<td></td>
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<td></td>
<td></td>
<td>Objection</td>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Opposes the proposal because it would prevent people from building dual occupancies. Commented that street facing dual occupancies should be allowed in an R2 zone.</td>
<td></td>
</tr>
<tr>
<td>143</td>
<td></td>
<td>9/04/2019</td>
<td>Negative</td>
<td>Affordability</td>
<td>Noted. Council's proposal is to maintain the low density residential character and to align with planned density and infrastructure.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Objection</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Opposes the proposal. Smaller homes on smaller lots create affordability for the young generation, allowing them to buy close to their families.</td>
<td></td>
</tr>
<tr>
<td>144</td>
<td></td>
<td>9/04/2019</td>
<td>Negative</td>
<td>Investment, Property value</td>
<td>Noted. Council's proposal is to maintain the low density residential character and to align with planned density and infrastructure.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Objection</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Opposes the proposal. Comments made that Council's proposed change would limit the capability for dual occupancy development, and would impact on their property value.</td>
<td></td>
</tr>
<tr>
<td>145</td>
<td>Merrylands West</td>
<td>10/04/2019</td>
<td>Negative</td>
<td>Alternate lot size, Investment</td>
<td>Noted.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Objection</td>
<td></td>
</tr>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>Opposes the proposal. Recommends alternate lot size in a range of 500-600 sqm.</td>
<td></td>
</tr>
<tr>
<td>146</td>
<td>Wentworthville</td>
<td>11/04/2019</td>
<td>Negative</td>
<td></td>
<td>Noted.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Objection</td>
<td></td>
</tr>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>Opposes the proposal for the areas of Westmead and Wentworthville.</td>
<td></td>
</tr>
<tr>
<td>147</td>
<td>Granville</td>
<td>11/04/2019</td>
<td>Negative</td>
<td>Built form</td>
<td>Noted.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Objection</td>
<td></td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
<td>Opposes the proposal. Commented that consideration should be given to lots with a wide frontage and lot size close to the 600 sqm.</td>
<td></td>
</tr>
<tr>
<td>148</td>
<td>Merrylands</td>
<td>11/04/2019</td>
<td>Negative</td>
<td>Alternate lot size</td>
<td>Noted.</td>
</tr>
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<td></td>
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<td></td>
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<td>Objection</td>
<td></td>
</tr>
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<td></td>
<td></td>
<td>Opposes the proposal. Recommends maintaining the current minimum lot size for dual occupancy.</td>
<td></td>
</tr>
<tr>
<td>149</td>
<td></td>
<td>11/04/2019</td>
<td>Negative</td>
<td>Alternate lot size</td>
<td>Noted.</td>
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<td></td>
<td>Objection</td>
<td></td>
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<td></td>
<td></td>
<td>Opposes the proposal. Recommends maintaining the current minimum lot size for dual occupancy.</td>
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<td>Council Meeting</td>
<td>5 June 2019</td>
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<tr>
<td>150</td>
<td>Merrylands West</td>
<td>11/04/2019</td>
<td>Negative</td>
<td>Granny flats</td>
<td>Objection</td>
</tr>
<tr>
<td>151</td>
<td>Merrylands West</td>
<td>11/04/2019</td>
<td>Negative</td>
<td>Alternate lot size</td>
<td>Objection</td>
</tr>
<tr>
<td>152</td>
<td>Wentworthville</td>
<td>12/04/2019</td>
<td>Negative</td>
<td>Alternate lot size</td>
<td>Objection</td>
</tr>
<tr>
<td>153</td>
<td>Greystanes</td>
<td>13/04/2019</td>
<td>Negative</td>
<td>Alternate lot size</td>
<td>Objection</td>
</tr>
<tr>
<td>154</td>
<td>Greystanes</td>
<td>14/04/2019</td>
<td>Negative</td>
<td>Alternate lot size</td>
<td>Objection</td>
</tr>
<tr>
<td>155</td>
<td>Merrylands West</td>
<td>14/04/2019</td>
<td>Negative</td>
<td>Alternate lot size</td>
<td>Objection</td>
</tr>
<tr>
<td>156</td>
<td>Merrylands West</td>
<td>14/04/2019</td>
<td>Negative</td>
<td>Alternate lot size</td>
<td>Objection</td>
</tr>
<tr>
<td>157</td>
<td>Merrylands West</td>
<td>15/04/2019</td>
<td>Negative</td>
<td>Alternate lot size</td>
<td>Objection</td>
</tr>
<tr>
<td>158</td>
<td>Auburn</td>
<td>16/04/2019</td>
<td>Negative</td>
<td>LRMDH Code</td>
<td>Objection</td>
</tr>
<tr>
<td>159</td>
<td>Catherine Field</td>
<td>16/04/2019</td>
<td>Negative</td>
<td>Aged housing stock</td>
<td>Objection</td>
</tr>
<tr>
<td>160</td>
<td>Greystanes</td>
<td>17/04/2019</td>
<td>Negative</td>
<td>LRMDH Code, Housing diversity</td>
<td>Objection</td>
</tr>
<tr>
<td>Location</td>
<td>Date</td>
<td>Decision</td>
<td>Issue(s)</td>
<td>Summary</td>
<td></td>
</tr>
<tr>
<td>----------</td>
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<td>----------</td>
<td>--------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Auburn</td>
<td>16/04/2019</td>
<td>Negative</td>
<td>Alternate lot size, Granny flats, Objection / Alternate lot size</td>
<td>Opposes the proposal. Recommends alternate lot size of 560 sqm, or each submission be judged on its own merits. Submission author indicated their intention to redevelop their existing house for a dual occupancy but Council's proposed lot size would limit the development potential, and they would need to look at other options such as granny flats. Noted. Council's proposal is to maintain the low density residential character and to align with planned density and infrastructure.</td>
<td></td>
</tr>
<tr>
<td>Greystanes</td>
<td>17/04/2019</td>
<td>Negative</td>
<td>Development potential, Objection</td>
<td>Opposes the proposal. Submission author indicated they had bought the land of 550 sqm with an intention to redevelop for a dual occupancy. Noted.</td>
<td></td>
</tr>
<tr>
<td>Guildford West</td>
<td>17/04/2019</td>
<td>Negative</td>
<td>Development potential, Objection</td>
<td>Opposes the proposal. Intended to redevelop their land (560 sqm) for dual occupancies as they are surrounded by dual occupancies. Comments raised that their future financial potential would be impacted. Noted.</td>
<td></td>
</tr>
<tr>
<td>Greystanes</td>
<td>18/04/2019</td>
<td>Negative</td>
<td>Local character, Property value, LRMDH code, Objection</td>
<td>Opposes the proposal. Commented that dual occupancies (in most cases) improve the general appearance of the suburb. Concerns raised about the impact on property value of lots under 600 sqm. Noted. Council's proposal is to maintain the low density residential character and to align with planned density and infrastructure.</td>
<td></td>
</tr>
<tr>
<td>North Parramatta</td>
<td>18/03/2019</td>
<td>N/A</td>
<td>Not relevant, Objection</td>
<td>Opposes rezoning of the dwelling (sic). The submission is not relevant to the proposal - proposal does not involve any rezoning.</td>
<td></td>
</tr>
<tr>
<td>Parramatta</td>
<td>22/03/2019</td>
<td>Neutral</td>
<td>Neutral</td>
<td>Sydney Water has determined that the proposed changes do not require commentary by Sydney Water at this stage. Noted.</td>
<td></td>
</tr>
<tr>
<td>Westmead</td>
<td>29/04/2019</td>
<td>N/A</td>
<td>Not relevant, Objection</td>
<td>Opposes any development for units. Commented that such development causes issues in terms of traffic, parking, privacy and school capacity. Noted. Council's proposal does not involve any residential unit development or the R4 high density zone.</td>
<td></td>
</tr>
<tr>
<td>Merrylands</td>
<td>15/04/2019</td>
<td>N/A</td>
<td>Not relevant, Dwelling density, R4 zone, LRMDH code, Objection</td>
<td>The submission did not address Council's proposal, and instead focused on high density residential development. Also recommended Council consider lot sizes for all residential areas. Commented that the LRMDH Code and its complying development provisions for dual occupancies should have been highlighted in this exhibition. Noted. Issues raised in the submission are predominantly related to development in high density residential zones. Council's proposal focuses on the R2 and R3 zones and provisions of the Code. Council provided a detailed Fact Sheet and notification letter, as well as information in Council's libraries, Administration Controls and on the website as part of this exhibition.</td>
<td></td>
</tr>
</tbody>
</table>
DOCUMENTS ASSOCIATED WITH REPORT C06/19-103

Attachment 6
Consultation Material for Planning Proposal
13 March 2019

Dear Landowner

HAVE YOUR SAY: 13 MARCH TO 17 APRIL 2019
PROPOSED CHANGES TO MINIMUM LOT SIZE FOR DUAL OCCUPANCY DWELLINGS

Cumberland Council is proposing changes to planning controls on minimum lot sizes for dual occupancy dwellings in residential areas.

These changes are in response to the NSW Government's Low Rise Medium Density Housing Code, which will allow dual occupancy dwellings in residential areas without the need for Council approval or consideration of community views.

The proposal is to introduce a minimum lot size for dual occupancy dwellings of 600 square metres across all residential areas of Cumberland. The proposed changes aim to protect the character of residential areas while supporting urban development in these locations.

We encourage you to have your say on these proposed changes between 13 March and 17 April 2019. You may wish to provide a submission to support or oppose the proposed changes, or provide an alternative minimum lot size for consideration by Council.

Submissions on the proposed changes can be sent to Cumberland Council, including:
- ‘Have Your Say’ link on www.cumberland.nsw.gov.au
- E-mail on council@cumberland.nsw.gov.au
- Mail to General Manager, Cumberland Council, PO Box 42, Merrylands NSW 2160

Community views on the proposed changes will be carefully considered before a final decision is made by Cumberland Council.

Further information on the proposal is attached to this letter, on Cumberland Council’s website www.cumberland.nsw.gov.au and at Council’s customer service centres and libraries. You are also able to contact our Customer Service Team on 02 8757 9000 if you have any questions on the proposed changes.

Yours faithfully

MONICA COLOGNA
MANAGER STRATEGIC PLANNING
PROPOSED CHANGES TO MINIMUM LOT SIZE FOR DUAL OCCUPANCY DWELLINGS
PLANNING STATEMENT ON PROPOSAL

Cumberland Council is proposing changes to planning controls on minimum lot sizes for dual occupancy dwellings in residential areas.

These changes are documented as a planning proposal to amend both the Auburn Local Environmental Plan 2010 (Auburn LEP 2010) and the Holroyd Local Environmental Plan 2013 (Holroyd LEP 2013) to include a minimum lot size requirement for dual occupancy development within Cumberland LGA.

The planning proposal seeks to:
- amend the Auburn LEP 2010 to include a minimum lot size control of 600m² for dual occupancy development in all R2 Low Density Residential and R3 Medium Density Residential zones
- amend the Holroyd LEP 2013 to include a minimum lot size control of 600m² for dual occupancy development in all R2 Low Density Residential and R3 Medium Density Residential zones
- retain existing provisions under the Parramatta LEP 2011 on R2 and R3 zoned land within Cumberland, which has 600m² minimum lot size requirement for dual occupancies.

The planning proposal has been prepared in response to the NSW Government’s mandatory Low Rise Medium Density Housing Code. The introduction of this mandatory code in Cumberland has been deferred until July 2019 to allow Council to put in place a minimum lot size control for dual occupancy development in its LEPs.

Council is exhibiting the Planning Proposal for a minimum of 28 days in accordance with section 3.34(2)(c) and schedule 1 clause 4 of the Environmental Planning and Assessment Act 1979.

Council is seeking the views of the Cumberland community before this proposal is reported to the Cumberland Local Planning Panel (CLPP) for advice, followed by a decision at a Council meeting.

All written comments will be taken into consideration and will be formally acknowledged. All submissions must clearly state the name, email address, postal address, and telephone contact details (business hours) of the submission author. No anonymous submissions will be accepted or considered.

All submissions are subject to a request for access by the applicant or other interested persons under the Government Information (Public Access) Act 2008 (GIPA Act). If such a request is received, your submission, including your name and address, may be made available for inspection.

You may request for your personal information to be suppressed under Section 58 of the Privacy and Personal Information Protection Act 1998 (PPIP Act). Council will consider this request in accordance with the PPIP Act.
What is a dual occupancy dwelling?

A dual occupancy dwelling includes attached buildings—which are typically located at the rear of the other—detached buildings, or a combination of these. Dual occupancy dwellings are allowed in low and medium density residential zones across Cumberland, subject to Council approval.

What planning controls are changing for dual occupancy dwellings?

The NSW Government has introduced a new Planning Code for dual occupancies which will commence in July 2019 for Cumberland. This Low Rise Medium Density Housing Code allows larger dual occupancy buildings than what Council controls currently allow. For a typical block in Cumberland’s low density residential zones, this could be as much as 80% larger. This would be allowed without Council approval or the need to consult with the community.

To find out more information on the Low Rise Medium Density Housing Code, refer to the Department of Planning website:


What is Council proposing in response?

In response to this change, Council is proposing to increase the minimum lot size required for a dual occupancy development to 600m² in residential zones (R2 Low Density Residential and R3 Medium Density Residential).

The proposed minimum lot size of 600m² provides better opportunities for good design and ensures that sufficient area is available for adequate landscaping, setbacks and a built form that does not detract from the local residential character.

For landholders with a lot size less than 600m², the proposal would mean that the ability for dual occupancy development on their site is no longer available.

How can I have a say on the proposal?

Consultation on the proposal will be held from 13 March 2019 to 17 April 2019. We will be asking the community on their views whether they support or object to the proposal, or would like to propose an alternative minimum lot size.

You can provide your comment by:

- completing an online submission on Council’s Have Your Say page or
- emailing council@cumberland.nsw.gov.au or
- write to us at The General Manager, Cumberland Council PD Box 42, Merrylands NSW 2160.

Please quote 'S-57-63' as the subject reference on your submission.

What happens next?

Following public consultation, Council will consider community submissions and make a decision on whether to proceed with the proposal to limit dual occupancies to lots over 600m². Any change would not come into effect until later in 2019.

What happens with dual occupancy applications in the meantime?

Development applications for dual occupancies are still being accepted and considered under Council’s existing controls including current minimum land area requirements.

If you would like to enquire about lodging a development application for a dual occupancy dwelling, please contact Council’s development enquiry officers on 8757 9000.

How does this affect granny flats?

Dual occupancies do not include secondary dwellings (commonly known as ‘granny flats’) or separately defined under NSW planning legislation. These dwellings are limited in size and cannot be subdivided from the main house.

Any proposed minimum land area for dual occupancies does not apply to secondary dwellings. If the proposal to limit dual occupancies is adopted, secondary dwellings (granny flats) would continue to be permitted on land smaller than 600m².

If you would like to enquire about granny flats, please contact Council’s development enquiry officers on 8757 9000.
DOCUMENTS ASSOCIATED WITH REPORT C06/19-103

Attachment 7
Gateway Determination
Gateway Determination

Planning proposal (Department Ref: PP_2018_CUMBE_002_00): to amend the Auburn Local Environmental Plan (LEP) 2010 and the Holroyd LEP 2013 to include minimum lot size provisions for dual occupancy housing.

I, the Executive Director, Regions at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 3.34(2) of the Environmental Planning and Assessment Act 1979 (the Act) that an amendment to the Auburn Local Environmental Plan (LEP) 2010 and the Holroyd LEP 2013 to include minimum lot size provisions for dual occupancy housing should proceed subject to the following conditions:

1. Prior to undertaking community consultation, Council is required to:
   (a) amend the objectives to justify the planning proposal on the basis of demonstrated urban design outcomes and maintaining local character rather than mitigating the impacts of complying development;
   (b) update the explanation of provisions to remove the suggested legal drafting and include a plain English explanation that clearly outlines the intent of the planning proposal;
   (c) complete further analysis of current lot sizes in the R2 Low Density Residential and R3 Medium Density Residential zone to demonstrate that the proposed minimum lot size is appropriate. This should include confirming the total number of lots within the LGA that are capable of accommodating dual occupancies under:
      i. a 400m² minimum lot size scenario under the Low Rise Medium Density Housing Code;
      ii. Council's current controls; and
      iii. the proposed 600m² lot controls.
   (d) include a summary of the number of dual occupancy developments approved under Council's current 450m² (Auburn), 500m² (Holroyd) and 600m² (Parramatta) controls in the past five years, the minimum development lot size and the number of dual occupancies produced;
   (e) explain whether the proposal is supported by a housing strategy that has been developed in consultation with the community; and
   (f) include a new saving transition clause to ensure that the proposed amendments do not affect any development applications or appeal processes.

2. The revised planning proposal is required to be referred to the Department for review and approval prior to exhibition.
3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
   (a) the planning proposal must be made publicly available for a minimum of 28 days;
   (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A guide to preparing local environmental plans (Department of Planning and Environment 2016);
   (c) Council is to write to all affected landowners providing notice of the proposal and public exhibition; and
   (d) Council is to write to the City of Parramatta Council advising of the planning proposal.

4. No consultation is required with public authorities/organisation under section 3.34(2)(d) of the Act.

5. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

6. The LEP is to be completed by 1 July 2019.

Dated 6th day of September 2018.

[Signature]

Stephen Murray
Executive Director, Regions
Planning Services
Department of Planning and Environment
Delegate of the Greater Sydney Commission
NOTICE OF MOTION - RAMADAN FOOD FESTIVAL 2019

Councillor: Ned Attie and Tom Zreika
File Number: SC483

SUMMARY

Pursuant to Notice, Councillors Attie and Zreika submitted the following Motion.

NOTICE OF MOTION

That Council:

1. Acknowledge the hard work and effort of staff from across Council in the organising of the Ramadan Food Festival 2019 and the limited time it was organised with enormous community success.

2. Provide a report with the number of attendees and feedback received from the community regarding the event.

3. Make the Ramadan festival a permanent fixture as part of Cumberland Council's events strategy.

4. Allocate funding to the festival from the events budget for 2020 and endeavour to obtain anchor sponsors.

5. Provide costings for the potential to expand the size of the festival from the current location used, along Auburn Road, through to the intersection of Kerr Parade.

6. Work with food vendors to provide a plan for affordable prices to the food that will be served and more variety.

RESOURCING IMPLICATIONS

A preliminary budget of $60,000 has been included in the Draft Operational Plan Budget 2019/20 to deliver the Ramadan Street Food Festival in 2020. Given the scale and success of the event in 2019, it is recommended that consideration be given to increasing the budget allocation to support the expansion of the Festival in 2020. This would enable the Festival footprint to expand within the Auburn Town Centre.

In 2019, Council secured sponsorship funding of $2,500 from Auburn Central and $2,500 from Ria Money Transfer in support of the event. Additional in kind sponsorship was also received from United Resource Management (URM), which covered the provision of waste management services. Income via sponsorship and stall holder fees will continue to be explored to support event delivery in 2020.
If this Notice of Motion is supported, a report will be prepared to provide options for increasing the funding for the event in 2020.

**GENERAL MANAGER ADVICE**

Council delivered its first Ramadan Street Food Festival in the Auburn Town Centre on Saturday 18 May 2019 from 6pm to midnight. The event was delivered within a 10 week lead time and its development involved close collaboration by Council staff from Events, Place and Engagement, Communications and Marketing. An event site crew made up of a range of outdoor and indoor staff from across the organisation delivered the event.

A full evaluation of the inaugural Ramadan Street Food Festival is underway and a report will be prepared for consideration by Council once this work is completed. Preliminary evaluation findings indicate that around 15,000 people attended the event over its duration from 6pm to midnight. This exceeds Council’s target of 6000 attendees. There were 22 food stalls/food trucks operating amongst restaurants on Auburn Road and an interactive community engagement space, cultural performance and three film screenings of ‘Before 1770’ were delivered as part of the Festival. These aspects were well received and created a unique experience for Festival attendees.

Early feedback from businesses on Auburn Road indicates high levels of satisfaction with the event.

**ATTACHMENTS**

Nil