

DOCUMENT ASSOCIATED WITH REPORT

Attachment 2

Proposed planning controls – Part 4 Principal development standards

Part 4 – Principal development standards

Local Environmental Plan clause	Harmonisation approach
4.1 Minimum subdivision lot size [optional]	Review and update
4.1AA Minimum subdivision lot size for community title schemes [optional if clause 4.1 is adopted]	Review and update
4.2 Rural subdivision [compulsory if clause 4.1 adopted and Plan includes any RU zoned land]	Not relevant to Cumberland
4.3 Height of buildings [optional]	Review and update – set out particular aims relevant to Cumberland local area Consider in conjunction with floor space ratio controls
4.4 Floor space ratio [optional]	Review and update – set out particular aims relevant to Cumberland local area Consider in conjunction with height of building controls
4.5 Calculation of floor space ratio and site area [optional]	Adopt Standard Instrument clause
4.6 Exceptions to development standards [compulsory]	Update – scope to include additional exclusions to address local conditions

Clause 4.1 Minimum subdivision lot sizes

Recommendation:

- Endorse draft objectives, development specific controls and site specific controls for minimum subdivision lot sizes for inclusion in new Cumberland Local Environmental Plan

Standard Instrument LEP content

Additional Auburn LEP content

Additional Holroyd LEP content

Additional Parramatta LEP content

Common to all 'Cumberland' LEPs

4.1 Minimum subdivision lot size

- 1) The objectives of this clause are as follows:
- to ensure that lot sizes are able to accommodate development consistent with relevant development controls
 - to ensure that subdivision of land is capable of supporting a range of development types
 - to prevent fragmentation of land that would preclude the achievement of the land uses or development desired in a given locality
 - to ensure that new subdivisions reflect characteristic lot sizes and patterns of the area.

Local Environmental Plan clause	Review of three LEPs	Harmonisation approach
(1) Objective	Various objectives used	Endorse new objectives
(2) This clause applies to subdivision of any land shown on the Lot Size Map	Consistent	Adopt Standard Instrument clause
(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map	Consistent Development specific controls for dwelling house, battle-axe blocks Site specific controls for former Lidcombe Hospital site	Adopt Standard Instrument clause Include development specific controls, applicable to area of existing LEP Include site specific controls
(4) This clause does not apply to subdivision of Strata Schemes or Community Land	Consistent	Adopt Standard Instrument clause

Clause 4.1A Exceptions to minimum lot sizes for certain residential development

Recommendation:

- Endorse draft objectives, development specific controls and site specific controls for minimum subdivision lot sizes for inclusion in new Cumberland Local Environmental Plan

Standard Instrument LEP content

Additional Auburn LEP content

Additional Holroyd LEP content

Additional Parramatta LEP content

Common to all 'Cumberland' LEPs

4.1 Minimum subdivision lot size

- 1) The objectives of this clause are as follows:
- to ensure that lot sizes are able to accommodate development consistent with relevant development controls
 - to ensure that subdivision of land is capable of supporting a range of development types
 - to prevent fragmentation of land that would preclude the achievement of the land uses or development desired in a given locality
 - to ensure that new subdivisions reflect characteristic lot sizes and patterns of the area.

Local Environmental Plan clause	Review of three LEPs	Harmonisation approach
(1) Objective	Various objectives used	Endorse new objectives
(2) This clause applies to subdivision of any land shown on the Lot Size Map	Consistent	Adopt Standard Instrument clause
(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map	Consistent Development specific controls for dwelling house, battle-axe blocks Site specific controls for former Lidcombe Hospital site	Adopt Standard Instrument clause Include development specific controls, applicable to area of existing LEP Include site specific controls
(4) This clause does not apply to subdivision of Strata Schemes or Community Land	Consistent	Adopt Standard Instrument clause

Clause 4.1AA Minimum subdivision lot size for community title schemes

Recommendation:

- Endorse draft objectives and clauses on minimum subdivision lot sizes for community title schemes for inclusion in new Cumberland Local Environmental Plan

Standard Instrument LEP content

Additional Auburn LEP content

Additional Holroyd LEP content

Additional Parramatta LEP content

Common to all 'Cumberland' LEPs

4.1AA Minimum subdivision lot size for community title schemes

(1) The objectives of this clause are as follows:

(a) to ensure that land to which this clause applies is not fragmented by subdivisions that would create additional dwelling entitlements.

Local Environmental Plan clause	Review of three LEPs	Harmonisation approach
(1) Objective	Clause adopted in HLEP only	Endorse carry over of HLEP clause
(2) Land zones that can be subdivided under this clause (Standard Instrument does not specify any zones)	HLEP lists Zone R2 Low Density Residential	Endorse carry over of HLEP clause
(3) Size of lot resulting from a subdivision is not to be less than the minimum size shown on the Lot Size Map	Included in HLEP Consistent with Standard Instrument	Endorse carry over of HLEP clause
(4) This clause applies despite clause 4.1.	Included in HLEP Consistent with Standard Instrument	Endorse carry over of HLEP clause

Clause 4.3 Height of buildings

Recommendation:

- Endorse draft objectives and carry over of site specific controls on the height of buildings for inclusion in new Cumberland Local Environmental Plan

Standard Instrument LEP content

Additional Auburn LEP content

Additional Holroyd LEP content

Additional Parramatta LEP content

Common to all 'Cumberland' LEPs

4.3 Height of buildings

(1) The objectives of this clause are as follows:

- to establish a maximum height of buildings to enable appropriate development density to be achieved
- to ensure that the height of buildings is compatible with the character of the locality
- to minimize the visual impact of development and ensure sufficient solar access and privacy for neighbouring properties
- to reinforce and respect the existing character and scale of low density residential areas

Local Environmental Plan clause	Review of three LEPs	Harmonisation approach
(1) Objective	Various objectives used	Endorse new objectives
(2) Maximum height of buildings not to exceed height shown on Height of Buildings map	Consistent	Adopt Standard Instrument clause
(2A) Despite Subclause (2), site specific controls apply	Applicable for particular sites and types of development in Parramatta LEP (Granville) and Auburn LEP (Parramatta Road) Not adopted in HLEP	Endorse carry over of relevant site specific controls

Clause 4.4 Floor space ratio

Recommendation:

- Endorse draft objectives and carry over of site specific controls on floor space ratio for inclusion in new Cumberland Local Environmental Plan

Standard Instrument LEP content

Additional Auburn LEP content

Additional Holroyd LEP content

Additional Parramatta LEP content

Common to all 'Cumberland' LEPs

4.4 Floor space ratio

- 1) The objectives of this clause are as follows:
- to establish a maximum floor space ratio to enable appropriate development to be achieved
 - to ensure that development intensity reflects its locality

Local Environmental Plan clause	Review of three LEPs	Harmonisation approach
(1) Objective	Various objectives used	Endorse new objectives
(2) The maximum floor space ratio for a building is to be as per the Floor Space Ratio Map	Consistent	Adopt Standard Instrument clause
Subclauses (2A), (2B), (2C) and (2D)	Not included in Standard Instrument Site/ development specific controls apply for certain areas as marked on Floor Space Ratio Map (2A), (2B), (2C) and (2D) (2A), (2B) and (2C) (2A)	Endorse carry over of relevant site specific controls

Clause 4.6 Exceptions to development standards

Recommendation:

- Note the Standard Instrument clauses on exceptions to development standards for inclusion in new Cumberland Local Environmental Plan

Standard Instrument LEP content

Additional Auburn LEP content

Additional Holroyd LEP content

Additional Parramatta LEP content

Common to all 'Cumberland' LEPs

4.6 Exceptions to development standards

- (1) The objectives of this clause are as follows:
- to provide an appropriate degree of flexibility in applying certain development standards to particular development,
 - to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

Local Environmental Plan clause	Review of three LEPs	Harmonisation approach
Subclause (1) Objective	Consistent	Adopt Standard Instrument clause
Subclauses (2) to (7) Exceptions to development standards	Consistent for all 3 LEPs [HLEP has an additional explanatory note about zones under Sub-clause (6)]	Adopt Standard Instrument clause
Subclauses (8) Exceptions to development standards	Subclauses (8a), (8b) (8c) consistent for all 3 LEPs as per Standard Instrument Additional exclusions added for Parramatta LEP - (8ca) (8cb) and Auburn LEP - (8ca)	Adopt Standard Instrument clause Additional exclusions identified cover locations that are not in the Cumberland area