CUMBERLAND
CITY COUNCIL

Council Meeting

Wednesday, 5 February 2020 at 6:30pm

Cumberland City Council Chambers

Merrylands Service Centre, 16 Memorial Avenue, Merrylands

Councillor Contact Details

Granville Ward

Clr Steve Christou (Mayor)	0419 651 187	Steve.Christou@cumberland.nsw.gov.au
Clr Ola Hamed	0405 070 007	Ola.Hamed@cumberland.nsw.gov.au
Clr Joseph Rahme	0418 995 471	Joseph.Rahme@cumberland.nsw.gov.au

Greystanes Ward

Clr Greg Cummings	0417 612 717	Greg.Cummings@cumberland.nsw.gov.au
Clr Eddy Sarkis (Deputy Mayor)	0418 306 918	Eddy.Sarkis@cumberland.nsw.gov.au
Vacant	-	-

Regents Park Ward

Clr Ned Attie	0419 583 254	Ned.Attie@cumberland.nsw.gov.au
Clr George Campbell	0409 233 315	George.Campbell@cumberland.nsw.gov.au
Clr Kun Huang	0418 911 774	Kun.Huang@cumberland.nsw.gov.au

South Granville Ward

Clr Glenn Elmore	0418 459 527	Glenn.Elmore@cumberland.nsw.gov.au
Clr Paul Garrard	0414 504 504	Paul.Garrard@cumberland.nsw.gov.au
Clr Tom Zreika	0449 008 888	Tom.Zreika@cumberland.nsw.gov.au

Wentworthville Ward

Clr Lisa Lake	0418 669 681	Lisa.Lake@cumberland.nsw.gov.au
Clr Suman Saha	0419 546 950	Suman.Saha@cumberland.nsw.gov.au
Clr Michael Zaiter	0418 432 797	Michael.Zaiter@cumberland.nsw.gov.au

For information on Council services and facilities please visit www.cumberland.nsw.gov.au

ORDER OF BUSINESS

10 Reports of Council Committees

11 Motions Pursuant to Notice

Nil

12 Notices of Rescission

Nil

13 Questions on Notice

Nil

14 Closed Session Reports

C02/20-359 Proposed Sale of Fraser Street Reserve

Note: Included in Closed Council in accordance with Section 10A(2)(c) of the Local Government Act as the information involves information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

15 Other / General Matters

16 Close

Item No: C02/20-348

MINUTES OF THE ORDINARY MEETING OF COUNCIL - 18 DECEMBER 2019

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

RECOMMENDATION

That Council confirm the minutes of the Ordinary Meeting of Council held on 18 December 2019.

ATTACHMENTS

1. Draft Minutes - 18 December 2019 ⇩

DOCUMENTS ASSOCIATED WITH REPORT C02/20-348

Attachment 1

Draft Minutes - 18 December 2019

CUMBERLAND COUNCIL

Council Meeting
18 December 2019

Minutes of the Council Meeting 18 December 2019

Meeting commenced at 6:32pm

Present:

Steve Christou (Mayor)	Councillor
Eddy Sarkis (Deputy Mayor)	Councillor (arrived 6:34pm)
Ned Attie	Councillor
George Campbell	Councillor
Greg Cummings	Councillor
Glenn Elmore	Councillor
Paul Garrard	Councillor
Ola Hamed	Councillor
Kun Huang	Councillor
Lisa Lake	Councillor
Joseph Rahme	Councillor (arrived 6:34pm)
Suman Saha	Councillor
Michael Zaiter	Councillor
Tom Zreika	Councillor
Hamish McNulty	General Manager
Daniel Cavallo	Director Environment & Planning
Peter Fitzgerald	Director Works & Infrastructure
Richard Sheridan	Director Finance & Governance
Nicole Byrn	Acting Director Community Development
Serbo Matic	Acting Director People & Performance

Also Present:

Charlie Ayoub	Executive Manager Corporate Services
Colin McFadzean	Legal Counsel
Carol Karaki	Governance Coordinator
Olivia Shields	Senior Governance Officer

Opening Prayer

The opening prayer was read by Father Dimitri Kokkinos from Greek Orthodox Archdiocese of Australia.

Acknowledgement of Country

The Mayor, Councillor Christou 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 past, present and emerging."

National Anthem

At this point in the meeting the Mayor, Councillor Christou asked all of those in attendance to stand for the playing of the Australian National Anthem.

Apologies/Leave of Absence

Nil

Declarations of Pecuniary & Non Pecuniary Conflicts of Interest

Councillor Lake declared a non-pecuniary, less than significant interest in Item C12/19-343 as she has a personal friendship and political association with a resident who owns property and resides in the vicinity of the subject sites. Councillor Lake advised that her relationship with this gentleman was not so close as would cause her to put any private interests above her public duty. Therefore she remained in the Chamber for the consideration of this item.

Notice of Live Streaming of Council Meeting

The Mayor, Councillor Christou 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.

Confirmation of Minutes

Min.841 C12/19-318 Minutes of the Ordinary Meeting of Council - 4 December 2019

Resolved (Attie/Sarkis)

That Council confirm the minutes of the Ordinary Meeting of Council held on 4 December 2019.

Min.842 MM12/19-16 Mayoral Minute – Cumberland City Council

Resolved (Christou)

That Council register the trading name of 'Cumberland City Council' with the Australian Business Registration Service and implement the new trading name across all aspects of Council business.

The Mayoral Minute on being Put to the meeting was declared CARRIED on the casting vote of the Mayor.

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:	Attie, Christou, Garrard, Rahme, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Motion:	Campbell, Cummings, Elmore, Hamed, Huang, Lake and Saha.

Min.843 MM12/19-17 Mayoral Minute – Direct Train Services to the City

Resolved (Christou)

That Council write to the Transport Minister, Andrew Constance, and seek clarity on whether commuters west of Bankstown, including those using Berala and Regents Park stations will have direct train services to the city when Metro City & Southwest is introduced.

Min.844 Matter of Urgency – Councillor Attie

Resolved (Attie/Sarkis)

That in accordance with Clause 9.3(b) of the Cumberland Council Code of Meeting Practice, Standing Orders be suspended to permit the Matter of Urgency in relation to the investigation of allegations made regarding the clean up of the Duck River.

ADJOURNMENT

7:07pm The Mayor, Councillor Christou adjourned the Meeting during the consideration of this item.

7:11pm The Mayor, Councillor Christou resumed the Meeting and consideration of this item continued accordingly.

Min.845 Matter of Urgency – Distribution of Clean up of Duck River Political Material

Resolved (Attie/Sarkis)

That:

1. Council as a matter of urgency investigate allegations made by members of the Auburn-Lidcombe branch of the Labor party including councillors affiliated with this organisation as to the nature of public documents in the form of emails and a press conference purporting to be lobbying Council to undertake a clean up of the Duck River.
2. The investigation is to look at (however not limited to) the following;
   a) The alleged petition and motion that were stated to have been provided to Council.
   b) The depiction of before and after photographs that are not of the same area potentially misleading the public.
   c) The possible unauthorised use of Council property for the purposes of an organised public gathering in the form of a press conference.

d) The details of the supposed grants that are being made available to Council as stated by the Federal Member for Blaxland Mr. Jason Clare.

e) The nature of the meeting between Council officers and representatives of the Auburn-Lidcombe branch and outcomes.

f) When and how many jet skis were removed from the Duck River as alleged occurred in response to the supposed campaign.

g) Clarification of how many thousand bottles and shopping trolleys were also removed from the Duck River during this lobbied clean up schedule.

The Motion moved by Councillor Attie seconded by Councillor Sarkis on being Put was declared CARRIED on the casting vote of the Mayor.

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

Min.846 Resumption of Standing Orders

Resolved (Garrard/Rahme)

That in accordance with Clause 8.2 of the Code of Meeting Practice, Council resume the normal order of business.

Public Forum:

Speakers on Items on the Council Meeting Agenda

Speaker	Item #	Suburb
Mr Arthur Chapman	C12/19-329 Cumberland Local Infrastructure Contributions Plan	Lewisham
Mrs Julie Overton	C12/19-334 Development of Greystanes Skate Park	Greystanes
Miss Sophy Purton	C12/19-343 Notice of Motion - Planning Proposal for 55-57 Station Street and 6 Pritchard Street East, Wentworthville	Sydney

Min.847 Suspension of Standing Orders

Resolved (Sarkis/Rahme)

That in accordance with Clause 8.2 of the Code of Meeting Practice, Council suspend standing orders to allow Items C12/19-329, C12/19-334 and C12/19-343 to be brought forward for consideration at this time of the Meeting.

Min.848 C12/19-329 Cumberland Local Infrastructure Contributions Plan

Resolved (Cummings/Sarkis)

That Council:

1. In accordance with Part 4, Division 3, Section 31 of the Environmental Planning & Assessment Regulation:

    a. Adopt the draft Cumberland Local Infrastructure Contributions Plan with noted minor changes, and that the plan be further referred to as the Cumberland Local Infrastructure Contributions Plan 2020;

    b. Give public notice within 28 days of its decision that the Cumberland Local Infrastructure Contributions Plan 2020 comes into effect from 15 January 2020;

2. Note that the application of 'existing plans' is to be superseded by the Cumberland Local Infrastructure Contributions Plan 2020 for any new development applications, planning proposals or voluntary planning agreement offers received from 15 January 2020;

3. Note that Cumberland officers are liaising with City of Parramatta officers to repeal all 'existing plans', when all land within the boundaries of those plans no longer apply; and

4. Review the Cumberland Local Infrastructure Contributions Plan, with a further report to Council by June 2023.

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

Min.849 C12/19-334 Development of Greystanes Skate Park

Resolved (Sarkis/Zaiter)

That Council defer this matter for further information to be received.

Min.850 C12/19-343 Notice of Motion - Planning Proposal for 55-57 Station Street and 6 Pritchard Street East, Wentworthville

Resolved (Attie/Rahme)

That Council:

1. Prepare a planning proposal for 55-57 Station Street and 6 Pritchard Street East, Wentworthville, with the following built form and additional permitted use controls:

   a) Floor Space Ratio control of 3:1 on the entire site;

   b) Height of building control of 41 metres on 55 - 57 Station Street and 17 and 23 metres on 6 Pritchard Street; and

   c) Introduce a 100m2 gymnasium as an additional permitted use for the site.

2. Endorse that the planning proposal for 55-57 Station Street and 6 Pritchard Street East, Wentworthville, be forwarded to the Department of Planning, Industry and Environment for a Gateway Determination.

3. Prepare a Development Control Plan to provide further planning controls for the site, should a Gateway Determination be received.

4. Prepare a Voluntary Planning Agreement to derive public benefit, should a Gateway Determination be received.

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

Councillor Sarkis left the Meeting at 7:30pm and returned to the Meeting at 7:32pm during the consideration of this item.

Min.851 Resumption of Standing Orders

Resolved (Attie/Sarkis)

That in accordance with Clause 8.2 of the Code of Meeting Practice, Council resume the normal order of business.

Min.852 Items by Exception

Resolved (Attie/Sarkis)

At this time of the meeting, all items on the agenda not called for discussion were moved collectively, as shown:

That item numbers C12/19-319, C12/19-320, C12/19-322, C12/19-323, C12/19-324, C12/19-325, C12/19-330, C12/19-331, C12/19-333, C12/19-335, C12/19-336, C12/19-338, C12/19-340, C12/19-344, C12/19-345 and C12/19-346 be moved in bulk.

Min.853 C12/19-319 Legal Report

Resolved (Attie/Sarkis)

That Council receive this report.

Min.854 C12/19-320 Investment Report - November 2019

Resolved (Attie/Sarkis)

That Council receive the November 2019 Investment Report.

Min.855 C12/19-322 Adoption of Risk Management Policy - Post Exhibition

Resolved (Attie/Sarkis)

That Council adopt the *Risk Management Policy* as outlined in Attachment 1 of this report.

Min.856 C12/19-323 Adoption of Draft Long Day Care Centre Fees and Charges - Post Exhibition

Resolved (Attie/Sarkis)

That Council adopt the *Draft Long Day Care Centre Fees and Charges (January 2020 to June 2020)* as outlined in this report.

Min.857 C12/19-324 Cumberland Sponsorship Program 2019/20

Resolved (Attie/Sarkis)

That Council:

1. Sponsor Precedent Productions Pty Limited (ABN 35 052 469 799) to deliver the Cumberland Local Business Awards 2020 and allocate $25,000 from the 2019/20 Cumberland Sponsorship Program budget.

2. Advise applicants of sponsorship allocations under the 2019/20 Cumberland Sponsorship Program and provide feedback and support to the unsuccessful applicant.

Min.858 C12/19-325 Response to Mayoral Minute – Enhancement of Business and Employment Opportunities in Cumberland

Resolved (Attie/Sarkis)

That Council receive and note the information contained in this report.

Min.859 C12/19-330 Adoption of Compliance and Enforcement Policy and Guideline - Post Exhibition

Resolved (Attie/Sarkis)

That Council adopt the Compliance and Enforcement Policy and Guideline.

Min.860 C12/19-331 Submission on the Draft Place-Based Infrastructure Compact for the Greater Parramatta to Olympic Peninsula Area

Resolved (Attie/Sarkis)

That Council:

1. Endorse the draft submission in Attachment 1 and forward to the Greater Sydney Commission; and

2. Delegate the General Manager to finalise the draft submission, including any minor typographical or editorial changes.

Min.861 C12/19-333 Response to Notice of Motion - Melita Stadium and Everley Park Works

Resolved (Attie/Sarkis)

That Council receive and note the contents of the report.

Min.862 **C12/19-335 Response to Matter of Urgency - Dumping of Trolleys from Pemulwuy Shopping Centre**

Resolved (Attie/Sarkis)

That Council:

1. Re-install the steel bollards at the intersection of pedestrian walkway and Driftway Drive, Pemulwuy.
2. Install two hooped bike racks on the pedestrian walkway, Western side of the Allan G Ezzy Community Centre.

Min.863 **C12/19-336 Response to Notice of Motion - Naming Proposal Mona Park Sportsground 3**

Resolved (Attie/Sarkis)

That Council rename Mona Park Sportsground 3 to Michael John Wood Oval.

Min.864 **C12/19-338 Cumberland Traffic Committee - Minutes of Electronic Meeting held on 28 November 2019**

Resolved (Attie/Sarkis)

That the minutes of the Cumberland Traffic Committee electronic meeting held on 28 November 2019 be received and the recommendations contained therein be approved.

Min.865 **C12/19-340 Nominations for Aboriginal and Torres Strait Islander Consultative Committee 2020 - 2021**

Resolved (Attie/Sarkis)

That Council:

1. Adopt the revised Terms of Reference for the Aboriginal and Torres Strait Islander Consultative Committee to increase the number of community representatives to sixteen (included in Attachment 1).
2. Adopt the community representatives listed in the report for membership on the Aboriginal and Torres Strait Islander Consultative Committee for 2020-2021.
3. Advise all applicants in writing of the outcome of their nomination for membership.
4. Receive the Draft Minutes of the Aboriginal and Torres Strait Islander Consultative Committee held in November 2019 (included in Attachment 2).

Min.866 C12/19-344 Tender Evaluation Report - Security Services

Resolved (Attie/Sarkis)

That Council in accordance with Clause 178 (1)(b) and Clause 178(3)(b) of the *Local Government (General) Regulation 2005,* decline all tenders and call fresh tenders based on different details, as the tender scope will be updated following restructured service provisions and works to be undertaken on Council's CCTV and security infrastructure services.

Min.867 C12/19-345 Tender Evaluation Report - Neil Street Merrylands - Road and Drainage Works

Resolved (Attie/Sarkis)

That Council:

1. Accept the Tender Evaluation Panel's recommendation to award the contract for Neil Street Merrylands – Road and Drainage Works to Statewide Civil Pty Ltd, ABN 80 112 558 513, in accordance with Clause 178(1)(a) of the *Local Government (General) Regulations 2005*, for the amount of $4,925,386.00 (excluding GST) as the most advantageous and best value offer received.

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

Min.868 C12/19-346 Tender Evaluation Report - Granville Park Community Sports Pavilion - Construction

Resolved (Attie/Sarkis)

That Council:

1. Declines to accept any of the tenders in accordance with Clause 178(1) (b) of the *Local Government (General) Regulations 2005*.

2. In accordance with Clause 178(3) (e) of the *Local Government (General) Regulations 2005*, resolve to enter into negotiations with Belmadar Pty Ltd and Patterson Building Group Pty Ltd with the view to entering into a contract in relation to the subject matter of the tender.

3. In accordance with Clause 178(4)(a) of the *Local Government (General) Regulations 2005*, Council's reasons for declining to invite fresh tenders or applications is because the scope of work (Pavilion) has not changed and fresh tenders are unlikely to result in a better outcome for Council and will cause substantial delays to the project.

4. In accordance with Clause 178(4)(b) of the *Local Government (General) Regulations 2005*, Council's reasons for determining to enter into negotiations

with the person or persons listed in (2) are to establish a solution that includes a best and final offer with a view to entering into a contract in relation to the subject matter of the tender.

5. Delegate to the General Manager the authority to proceed with the negotiations and report to Council the outcome of the negotiations.

Min.869 C12/19-321 Rates Harmonisation Update - December 2019

Motion (Cummings/Sarkis)

That Council:

1. Note the information and options presented in the report.
2. Commence community consultation on option 2 in the report.

Amendment (Zaiter/Saha)

That Council:

1. Note the information and options presented in the report.
2. Commence community consultation regarding the following two combination of options, noting these options would require IPART approval:
   i) Option 1: 5 year transition with the application of a minimum rate and Option 5: Increase in the rate cap over 5 years by $10m.
   ii) Option 1: 5 year transition with the application of a minimum rate and Option 3: Harmonisation of rates over 5 years.
3. Advocate to the Minister for Local Government in relation to this matter, and organise a deputation to the Ministers Office along with other Council's in the same position as Cumberland.
4. Ensure the consultation is available in various languages.

The Amendment moved by Councillor Zaiter seconded by Councillor Saha on being Put was declared CARRIED on the voices.

The Amendment moved by Councillor Zaiter seconded by Councillor Saha then became the motion.

The motion moved by Councillor Zaiter seconded by Councillor Saha on being Put was declared CARRIED to become the resolution of Council (as shown in the amendment). 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:	Attie, Campbell, Christou, Cummings, Garrard, Elmore, Hamed, Huang, Lake, Rahme, Saha, Sarkis, Zaiter and Zreika.
Councillor(s) Against the Motion:	Nil

C12/19-322 Adoption of Risk Management Policy - Post Exhibition

This item was dealt with earlier in the meeting.

C12/19-323 Adoption of Draft Long Day Care Centre Fees and Charges - Post Exhibition

This item was dealt with earlier in the meeting.

C12/19-324 Cumberland Sponsorship Program 2019/20

This item was dealt with earlier in the meeting.

C12/19-325 Response to Mayoral Minute – Enhancement of Business and Employment Opportunities in Cumberland

This item was dealt with earlier in the meeting.

Min.870 **C12/19-326 Proposed Other Land Use Based Development Controls and Other Matters for Inclusion in the New Cumberland Development Control Plan**

Resolved (Elmore/Sarkis)

That Council:

1. Endorse the planning approach to controls for other land use based development in the Cumberland area, as provided in Attachment 1 with the following amendments:

a) Addition to the planning controls for places of public worship (page 3):
Specific DCP controls for places of public worship in permissible industrial zones, including:
- Car parking rates to be calculated either as 1 space per 12 sqm of Gross Floor Area or 1 space per 4 people, with higher rate to be applied whereby the location of the place of public worship does not have any residential accommodation permitted:
  (a) in a zone adjacent to the proposed development
  (b) abutting against the proposed development
  (c) on the opposite side of the roadway
  (d) the majority of services are conducted outside normal business hours
- Any reduction in required car parking rates (eg. off-site parking, public transport) may be considered on merit, dependent on site conditions, location and nature of proposed operation
- Maximum 50% site coverage and a minimum of 25% of the site to have landscaping, with a minimum 50% of the front setback area to be landscaped

b) Removal of the below points regarding childcare centres on page 6, and rely on SEPP provisions for car parking:
   - Car parking rates for centres located within 800 metres of a train service or within 400 metres of a high frequency bus service to be 1 space per 10 children and 1 space per 2 staff
   - Car parking rates for centres located outside 800 metres of a train service or outside 400 metres of high frequency bus service to be 1 space per 4 children and 1 space per 1 staff

2. Endorse the planning approach for identified miscellaneous planning controls in the Cumberland area, as provided in Attachment 2, with the following amendment:

c) Amend the 1:1 tree replacement offset to be a 2:1 tree replacement offset.

3. Endorse the carryover of precinct controls for a further location covered under existing Development Control Plans in the Cumberland area, as provided in Attachment 3.

4. Note that the above items will be included in the draft Cumberland Development Control Plan.

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

Councillors Cummings and Zaiter left the Meeting at 8:23pm and returned to the Meeting at 8:26pm during the consideration of this item.

Min.871 C12/19-327 New Cumberland Development Control Plan – Draft Chapter for Part A Introduction and General Controls

Resolved (Attie/Elmore)

That Council:

1. Endorse the draft chapter for Part A Introduction and General Controls, as provided in Attachment 1, for inclusion in the draft Cumberland Development Control Plan.

2. Delegate to the General Manager the authorisation to make minor revisions to the draft chapter, as necessary, following Council's deliberations, to ensure the desired objectives and intended outcomes can be achieved.

3. Consult with the community on the draft chapter, following endorsement of all chapters of the draft Cumberland Development Control Plan by 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:	Attie, Campbell, Christou, Cummings, Garrard, Elmore, Hamed, Huang, Lake, Rahme, Saha, Sarkis and Zaiter.
Councillor(s) Against the Motion:	Zreika.

Councillor Rahme left the Meeting at 8:28pm during the consideration of this item.

Min.872 C12/19-328 New Cumberland Development Control Plan – Draft Chapter for Part B Development in the Residential Zones

Resolved (Attie/Sarkis)

That Council:

1. Endorse the draft chapter for Part B Development in the Residential Zones, as provided in Attachment 1, for inclusion in the draft Cumberland Development Control Plan.

2. Delegate to the General Manager the authorisation to make minor revisions to the draft chapter, as necessary, following Council's deliberations, to ensure the desired objectives and intended outcomes can be achieved.

3. Consult with the community on the draft chapter, following endorsement of all chapters of the draft Cumberland Development Control Plan by 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:	Attie, Campbell, Christou, Cummings, Garrard, Elmore, Hamed, Huang, Lake, Saha, Sarkis and Zaiter.
Councillor(s) Against the Motion:	Zreika.

C12/19-329 Cumberland Local Infrastructure Contributions Plan

This item was dealt with earlier in the meeting.

C12/19-330 Adoption of Compliance and Enforcement Policy and Guideline - Post Exhibition

This item was dealt with earlier in the meeting.

C12/19-331 Submission on the Draft Place-Based Infrastructure Compact for the Greater Parramatta to Olympic Peninsula Area

This item was dealt with earlier in the meeting.

Min.873 **C12/19-332 Review of Policies on Affordable Housing and Planning Proposal Notification**

Resolved (Attie/Sarkis)

That Council re-adopt the Interim Affordable Housing Policy and Planning Proposal Notification Policy.

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

Councillor Rahme returned to the Meeting at 8:30pm during the consideration of this item.

C12/19-333 Response to Notice of Motion - Melita Stadium and Everley Park Works

This item was dealt with earlier in the meeting.

C12/19-334 Development of Greystanes Skate Park

This item was dealt with earlier in the meeting.

C12/19-335 Response to Matter of Urgency - Dumping of Trolleys from Pemulwuy Shopping Centre

This item was dealt with earlier in the meeting.

C12/19-336 Response to Notice of Motion - Naming Proposal Mona Park Sportsground 3

This item was dealt with earlier in the meeting.

Min.874 C12/19-337 Oriole Park BaseBall Club Building

Resolved (Garrard/Attie)

That Council:

1. Undertake an Expression of Interest (EOI) process to identify potential future uses for the Oriole Park Baseball Club Building
2. Undertake an inspection of the facility.

C12/19-338 Cumberland Traffic Committee - Minutes of Electronic Meeting held on 28 November 2019

This item was dealt with earlier in the meeting.

Min.875 C12/19-339 Cumberland Heritage Committee - Nominations and Terms of Reference for 2020-21 Term

Resolved (Lake/Hamed)

That Council:

1. Accept the five nominations to the Cumberland Heritage Committee and invite these nominees to become members of the Committee for the 2020-21 term.
2. Seek an Indigenous representative for the Cumberland Heritage Committee from Council's ATSIC Committee for the 2020-21 term, accept the late nomination of Mrs Dorothy Warwick and invite Mrs Warwick to become a community member of the Cumberland Heritage Committee for the 2020-21 term.
3. Adopt the updated Terms of Reference for the Cumberland Heritage Committee subject to the following amendment:

   Paragraph 6(1) – Omit "or their delegate"

Carried Unanimously

C12/19-340 Nominations for Aboriginal and Torres Strait Islander Consultative Committee 2020 - 2021

This item was dealt with earlier in the meeting.

Min.876 C12/19-341 Notice of Motion - Wentworthville Carpark(s)

Resolved (Lake/Saha)

That Council Officers consider and provide a report on planning for a centralised major off-street public carpark(s) in the Wentworthville Town Centre to accommodate all-day commuter parking and timed retail/commercial parking.

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

Min.877 C12/19-342 Notice of Motion - Wentworthville Traffic

Resolved (Lake/Saha)

That Council Officers consider and provide a report detailing indicative traffic management options that could be adopted to discourage east-west through traffic on streets south of Pritchard St East Wentworthville (namely McKern, Perry and Bennett Streets) once the full by-pass option is implemented.

C12/19-343 Notice of Motion - Planning Proposal for 55-57 Station Street and 6 Pritchard Street East, Wentworthville

This item was dealt with earlier in the meeting.

Min.878 RES12/19-5 Notice of Rescission - Representatives on the board for Western Sydney Regional Organisation of Councils (WSROC)

Motion (Campbell/Hamed)

Pursuant to Notice, Councillors Campbell, Hamed and Lake move the following Resolution of Council 20/11/19 (Item C10/19-289) be rescinded:

That Council appoint Mayor Steve Christou along with Councillor Paul Garrard as Cumberland Council's representatives on the board for Western Sydney Regional Organisation of Councils (WSROC) and undertake the necessary notifications.

The Rescission Motion moved by Councillor Campbell, seconded by Councillor Hamed on being Put was declared LOST.

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 Rescission:	Campbell, Elmore, Hamed, Huang, Lake and Saha.
Councillor(s) Against the Rescission:	Attie, Christou, Cummings, Garrard, Rahme, Sarkis, Zaiter and Zreika.

C12/19-344 Tender Evaluation Report - Security Services

This item was dealt with earlier in the meeting.

C12/19-345 Tender Evaluation Report - Neil Street Merrylands - Road and Drainage Works

This item was dealt with earlier in the meeting.

C12/19-346 Tender Evaluation Report - Granville Park Community Sports Pavilion - Construction

This item was dealt with earlier in the meeting.

Min.879 Closed Session

Resolved (Hamed/Rahme)

At this stage of the meeting being 9:01pm, 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.

Min.880 Open Session

Resolved (Hamed/Rahme)

Council returned to Open Session at 9:23pm to resolve the below Confidential Item:

C12/19-347 Cumberland Council Administration Building

Min.881 C12/19-347 Cumberland Council Administration Building

Resolved (Rahme/Zaiter)

That Council:

1. Endorse the Granville commuter carpark site as the preferred location for a new Cumberland Council Administration Building.
2. Amend the 2019/2020 Capital Works Program and reallocate a budget of $200,000 at the Quarter 2 Budget Review to engage external consultants to undertake

preliminary conceptual built form design, costings and revised feasibility assessment of the Granville commuter carpark site.

3. Authorise the withdrawal of $200,000 from Internal Property Reserve.
4. Undertake an Expression of Interest process with potential developers to gauge their interest in partnering with Council for the delivery of the site to achieve the desired development outcomes.

Foreshadowed Motion (Campbell/Hamed)

That Council investigate the feasibility of incorporating the carpark and bus area on the other side of Mary St into the proposed development of the administration building at Granville as an alternative to acquiring the seven residential properties; and ascertain the willingness of the seven residential property owners to sell at market prices; and that a report on these findings be brought back to Council.

Foreshadowed Motion (Elmore/Saha)

That Council:

1. Endorse 16 Memorial Ave Merrylands site as the preferred location for a new Cumberland Council Administration Building.
2. Amend the 2019/2020 Capital Works Program and reallocate a budget of $200,000 at the Quarter 2 Budget Review to engage external consultants to undertake preliminary conceptual built form design, costings and revised feasibility assessment of the Granville commuter carpark site.
3. Authorise the withdrawal of $200,000 from Internal Property Reserve.
4. Undertake an Expression of Interest process with potential developers to gauge their interest in partnering with Council for the delivery of the site to achieve the desired development outcomes.

The Motion moved by Councillor Rahme seconded by Councillor Zaiter on being Put was declared CARRIED on the casting vote of the Mayor.

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

The Mayor, Councillor Christou closed the meeting at 9:25pm.

Chairperson_____ General Manager_____

Item No: C02/20-349

CONTRIBUTION OF CUMBERLAND CITY COUNCIL TOWARDS BUSHFIRE RECOVERY

Responsible Division: General Manager
Officer: General Manager
File Number: SC485
Community Strategic Plan Goal: *Transparent and accountable leadership*

SUMMARY

The recent bushfires across NSW and other Australian states has been unprecedented in scale. Bushfire activity has also occurred within the Cumberland Local Government Area at Pemulwuy and Greystanes. This report provides a summary of current actions undertaken by Council towards bushfire recovery at a local and regional level.

RECOMMENDATION

That Council:

1. **Acknowledge and thank the efforts of firefighters, volunteers, emergency service personnel and Council officers during the recent**
2. **bushfires.**
3. **Note the contribution of Cumberland City Council towards bushfire recovery at a local and regional level.**

REPORT

The recent bushfires across NSW and other Australian states has been unprecedented in scale. The area burnt in NSW exceeds 5,000,000 hectares. More than 2,600 homes, and many more outbuildings, have been damaged or lost. At the time of writing, more than 20 people have died, and some fires remain ablaze.

Fires have also occurred closer to home. In Cumberland, a large grass fire occurred in the Pemulwuy and Greystanes area in December 2019. A number of locations within the WSROC member councils, including Blue Mountains, Hawkesbury and Lithgow, have experienced significant bushfire activity.

During this time, firefighters, volunteers and emergency services personnel have been working around the clock to protect lives, property and homes. Council officers have also been involved in these efforts, including liaising regularly with the Rural Fire Service and the State Emergency Service.

Bushfire recovery efforts in the Pemulwuy and Greystanes area

Following the large fire in the area, Council officers have been working under the direction of the Rural Fire Service in the burnt areas around Hyland Road and Pemulwuy. Works include removing vegetation away from houses, clearing access routes for the Rural Fire Service, monitoring and extinguishing spot fires, assisting with road closures and removing trees which are considered dangerous.

In addition, debris and fallen branches from reserves across the Cumberland Local Government Area are progressively being removed, with priority being given to areas adjoining bushland, including Pemulwuy Reserves, Munro St Park, Boothtown Reserve, Campbell Hill Reserve and Wategora Reserve.

Moving forward, Council is working with local fire authorities to develop a Bushfire Mitigation Plan in the Pemulwuy and Greystanes areas. This plan will propose to classify some of the area as bushfire prone land, particularly along the ridge line in the Prospect Pine Forest location of Pemulwuy. This will provide Council and firefighters greater scope to carry out hazard reduction burns and other measures to minimise the risk of fire to the community for the future. It should be noted that any controlled burn will be governed by the processes of the Rural Fire Service and be carried out when weather conditions are more favourable.

Bushfire recovery support across NSW

Council is also participating in the Sydney Metropolitan Mayors' meetings on bushfire relief and recovery. This is also being supported by the Local Government Recovery Support Group. The Group recently met on 28 January 2020.

This Group has been established by the NSW Office of Local Government, NSW Office of Emergency Management, Local Government NSW and the Sydney Resilience Office (which operates from the offices of City of Sydney Council). The Group will act as a central point to establish the priority needs of bushfire affected Councils and the assistance which Councils are volunteering.

Participation in the Group is voluntary, and it will operate in parallel with the compulsory emergency management arrangements under the State Emergency and Rescue Management Act.

Council will continue to participate in the Group and will consider requests for assistance as they arise in the coming months.

COMMUNITY ENGAGEMENT

An opportunity for community consultation on the bushfire mitigation plan, including areas identified as bush fire prone land, will be undertaken prior to finalisation. Further information will be provided to the community at this time.

POLICY IMPLICATIONS

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

RISK IMPLICATIONS

Risk implications associated with the bushfire recovery effort are being managed through existing plans and systems.

FINANCIAL IMPLICATIONS

Financial implications associated with the bushfire recovery effort is being managed within current resources.

CONCLUSION

This report provides an update regarding the contribution of Cumberland City Council towards bushfire recovery at a local and regional level. Council is also participating with broader initiatives towards bushfire recovery, including the Sydney Metropolitan Mayors' meetings, and the Local Government Recovery Support Group.

ATTACHMENTS

Nil

Item No: C02/20-350

ADOPTION OF OUTDOOR DINING POLICY - POST EXHIBITION

Responsible Division:	Finance & Governance
Officer:	Director Finance & Governance
File Number:	HC-23-01-15
Community Strategic Plan Goal:	*A strong local economy*

SUMMARY

This report recommends the adoption of the *Draft Outdoor Dining Policy* following a period of public exhibition.

RECOMMENDATION

That Council:

1. **Adopt the *Outdoor Dining Policy* as outlined in Attachment 1 to this report.**
2. **Rescind the Outdoor Dining Policies of the former Auburn, Holroyd and Parramatta City Councils as they apply to Cumberland.**

REPORT

At the 6 November 2019 Ordinary Council meeting, Council resolved to place the *Draft Outdoor Dining Policy* on public exhibition for community feedback (Min. 779). The *Draft Outdoor Dining Guidelines* were also exhibited during this time in conjunction with the Policy.

Subsequently, Council received two submissions during the public exhibition period on the *Draft Outdoor Dining Guidelines*. A summary of all submissions received and Council's response is outlined in Attachment 3 to this report.

In accordance with the above, Council has now addressed all feedback provided and recommends the *Outdoor Dining Policy* be adopted by Council as outlined in Attachment one to this report.

COMMUNITY ENGAGEMENT

Council publicly exhibited the *Draft Outdoor Dining Policy* along with the *Draft Outdoor Dining Guidelines*, from 19 November 2019 to 17 December 2019, both on Council's website and in local newspaper publications.

Council had 35 visits to the 'Have Your Say' community engagement website during the public exhibition period, with 13 people downloading the Policy provided.

Submissions were received from two respondents. Council has formally responded to all respondents who made a submission and notified them of the consideration of this item at this Council meeting.

POLICY IMPLICATIONS

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

RISK IMPLICATIONS

Adoption of the *Outdoor Dining Policy* provides a framework for Council to effectively manage its outdoor dining establishments, ensuring consistency in approach across the wider Cumberland area.

FINANCIAL IMPLICATIONS

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

CONCLUSION

Council has publicly exhibited the *Outdoor Dining Policy* and associated guidelines, and formally responded to all who made a submission. The Policy is now recommended for adoption.

ATTACHMENTS

1. Outdoor Dining Policy ⇩
2. Outdoor Policy Guidelines ⇩
3. Outdoor Dining Policy & Guidelines Submission Responses ⇩

DOCUMENTS ASSOCIATED WITH REPORT C02/20-350

Attachment 1

Outdoor Dining Policy

CUMBERLAND
CITY COUNCIL

Outdoor Dining Policy

AUTHORISATION & VERSION CONTROL

Policy Number	POL-051
Policy Owner	Director Finance and Governance
Date Adopted	TBC
Version No	1.0
Document ID	6482574
Review Date	TBC

INTRODUCTION

Council actively supports the creation of a vibrant café atmosphere within its commercial centres. In doing so, it is imperative that a balance between footpath space for outdoor dining and space for public use by all community members (including play spaces and public seating) is provided in each of Cumberland's commercial centres. The implementation of this policy is detailed in Council's *Outdoor Dining Guidelines*.

In determining the appropriateness of whether a location is suitable for outdoor dining, Council will assess each application against this Policy, and the criteria and requirements detailed in Council's *Outdoor Dining Guidelines*.

PURPOSE

The purpose of this policy is to guide and regulate the establishment, design and safe operation of outdoor dining areas. The Policy provides a consistent approach for outdoor dining across the Cumberland Local Government area, and provides transitional provisions for approvals granted before implementation of this policy.

SCOPE

The Draft policy applies to all land within the Cumberland LGA affected by the Roads Act 1993 and/or is managed by Council. This includes public footpaths, plazas, public squares, and blisters which are within the public domain and are normally used for pedestrian circulation, and which are generally located immediately adjacent to restaurants and cafes.

DEFINITIONS

Activity Approval - an approval issued under Section 68 of the Local Government Act 1993 (NSW)
Council - Cumberland Council
Footway Approval - an approval issued under Section 125 of the Roads Act 1993 (NSW)
Outdoor Dining Area - premises that are the subject of an Activity Approval or Footway Approval or both
LGA - the Local Government Area of Cumberland Council
Policy –this document, and any schedules or annexures to it

POLICY STATEMENT

Council will apply this policy to ensure the appropriate establishment of outdoor dining areas in Cumberland's commercial centres, which comply with the relevant legislation, and make a positive contribution to these centres.

PRINCIPLES

- Outdoor dining areas are only permitted in association with an approved food business, and the applicant is the owner/proprietor of that food business;

- Outdoor dining areas are only permitted in locations where sufficient space is available and where they will not obstruct the safe movement of pedestrians;
- Council's approach is to achieve a balance between areas for privately leased outdoor dining associated with a restaurant/café, and areas of public domain which provide public outdoor seating whilst providing a high level of urban amenity in the Cumberland Council centre's; and
- Outdoor dining areas should not interfere with the safe and reasonable movement of pedestrians, nor should they obstruct line of sight to or from passing vehicles.

REQUIREMENTS

- Location requirements:

Street/Centre	Outdoor dining locational requirements
Auburn Town Centre Auburn Road, Civic Road	Away from shopfront, adjacent to kerb. The Auburn Town centre Public Doman Plan 2009 identifies areas of widened footpath within the town centre core where outdoor dining activities may occur subject to consent. These areas are clearly defined and separated from areas of public open space, to ensure a balance of activities along the street (refer to map at Annexure 1 of the Cumberland Outdoor Dining Policy)
Granville Town Centre	Away from shopfront, adjacent to kerb
Guildford Village Centre Guildford Road	Away from shopfront, adjacent to kerb
Merrylands Centre Merrylands Road, McFarlane Street, Pitt Street, Miller Street	Away from shopfront, adjacent to kerb
Pendle Hill Town Centre Pendle Way, Joyce Street	Away from shopfront, adjacent to kerb
Toongabbie Town Centre Aurelia Street	Away from shopfront, adjacent to kerb
Wentworthville Town Centre Dunmore Street, Station Street	Away from shopfront, adjacent to kerb
All other locations (within B1, B2 and B4 zones)	Subject to approval, outdoor dining areas must be located adjacent to the shopfront. Where footpath width is insufficient to allow outdoor dining and sufficient pedestrian circulation space, outdoor dining will not be permitted.

- Outdoor dining will generally only be considered on footpaths that have a **minimum** width of 3.6m, with a minimum practical depth of 1.0m (1 table and 2 chairs). Where the footpath is less than 3.6m, consideration will be given on a case to case basis.

- A minimum unobstructed pedestrian corridor of 2.0m must be maintained to allow for a continuous accessible path of travel at all times. Where outdoor dining is permitted away from the shopfront and adjacent to the kerb, a minimum of 600mm setback from the kerb must be provided.

- Outdoor dining areas are not permitted directly on corner locations at street intersections. An application may be refused on safety concerns where an outdoor dining area obstructs the clear view line of pedestrians/motorists. Outdoor dining areas are limited to the extent of the shopfront of the food business.

- The footpath dining area used with the approval of Council under this policy is not included as "floor space" for the purposes of car parking or floor space calculations. The surface area of the footpath must be sufficiently level to support a functional and accessible outdoor dining area, and the safe use of furniture and associated structures.

- All outdoor dining furniture:
    - Is to be kept wholly in the approved boundaries at all times
    - Must comply with relevant Australian Standards
    - Must be made from high quality commercial materials
    - Must be capable of accommodating a wheelchair
    - Must not mis-match

    - All tables and chairs must be removed from the outdoor dining area and stored within the premise, outside business operation hours.

- Advertising of a single company or business must not cover more 30% of structures, and no liquor or tobacco advertising is permitted within an outdoor dining area. Hanging advertisements from shade structures is not permissible, and no private restaurant/café advertising is permitted on any Cumberland Council street furniture, including planter boxes.

- No shelter for weather protection may be erected or installed in or around an outdoor dining area without Council's prior written consent.

- All heating devices must comply with the laws and requirements relating to them, including but not limited to AS 4565-2004 Radiant Gas Heaters. Access to gas mains and use of electrical extension cords are not permitted.

- All fees and appropriate bonds will be charged in accordance with Council's adopted fees and charges.

- All approved outdoor dining establishments shall be operated in accordance with all relevant legislation, including but not limited to the *Smoke Free Environment Act 2000.* Non-compliance with legislation may lead to enforcement action by Council which may include fines and/or termination of outdoor dining approvals.

RELATED LEGISLATION

- Local Government Act 1993(NSW)
- Work Health and Safety Act 2011 Food Act 2003 (NSW)
- Smoke Free Environment Act 2000 (NSW)
- Auburn Local Environmental Plan 2010
- Holroyd Local Environmental Plan 2013
- Parramatta Local Environmental Plan 2011
- Environmental Planning & Assessment Act 1979 (NSW)
- Roads Act 1993 (NSW)

RELATED DOCUMENTS AND COUNCIL POLICY

- Outdoor Dining Guidelines
- Auburn Development Control Plan 2010
- Holroyd Development Control Plan 2013
- Parramatta Development Control Plan 2011

DOCUMENTS ASSOCIATED WITH REPORT C02/20-350

Attachment 2

Outdoor Policy Guidelines

CUMBERLAND
CITY COUNCIL

Outdoor Dining Guidelines

Guideline Number	GDL-009
Policy Owner	Director Finance and Governance
Date Adopted	TBC
Version No	1.0
Document ID	6482575
Review Date	TBC

BACKGROUND

Council actively supports the creation of a vibrant café atmosphere within its commercial centres. In doing so, it is imperative that an adequate footpath width is maintained at all times for the safe movement of pedestrians and other street activities. It is also imperative that a balance between footpath space for outdoor dining and footpath space for public use by all community members (including play spaces and public seating) be provided in each of Cumberland's commercial centres.
In determining the appropriateness of whether a location is suitable for outdoor dining, Council will assess each application against the criteria and requirements detailed in these guidelines.

These guidelines support the implementation of the *Outdoor Dining Policy*.

PURPOSE

The purpose of these guidelines are to:

- set out the principles, requirements, and approvals process for outdoor dining applications;
- promote the reasonable use of Council owned and managed land for outdoor dining associated with adjoining approved businesses;
- manage the competing needs and interests of pedestrians and business owners by allowing outdoor dining in a manner that improves the usage, quality and image of Council;
- support local business activity and vitality in Cumberland's commercial areas; and
- ensure outdoor cafés do not obstruct the safe and reasonable movement of pedestrians and vehicular traffic, and other street activities.

DEFINITIONS

- **Activity Approval** - an approval issued under Section 68 of the Local Government Act 1993 (NSW)
- **Footway Approval** - an approval issued under Section 125 of the Roads Act 1993 (NSW)
- **Outdoor Dining Area** - premises that are the subject of an Activity Approval or a Footway Approval or both
- **LGA** - the Local Government Are of Cumberland Council
- **Policy** – refers to this document, and any schedules or annexures to it

SCOPE

These Guidelines apply to all land which is affected by the *Roads Act 1993* and/or is owned by Cumberland Council. This includes public footpaths, blisters, plazas and public squares that are within the public domain and would ordinarily be used by the public for pedestrian movement or recreation. These areas are generally located immediately adjacent to restaurants and cafes in the commercial business centres of Cumberland.

GUIDELINES

Outdoor dining areas are only permitted in association with an approved food business and the applicant is the owner/proprietor of that food business, and only in locations that do not cause an impediment to other users of footpaths.

1. LOCATION REQUIREMENTS

Generally, the preferred location of an outdoor dining area is directly adjacent to the indoor location of the parent food business, rather than being separated by a pedestrian thoroughfare. However, location of outdoor dining areas needs to be balanced with other locational factors.

To ensure pedestrian circulation is maintained on busy retail streets, streets with widened footpaths, or streets that extend beyond 100m in length, all outdoor dining areas must be located away from the shop front. In all other locations, the outdoor dining area must abut the shop front, subject to tables and chairs not impeding the flow of pedestrians, particularly those who may have a disability or be vision impaired (Table 1).

Table 1: Locational Requirements

Street/Centre	Outdoor dining locational requirements
Auburn Town Centre Auburn Road, Civic Road	Away from shopfront, adjacent to kerb. The Auburn Town centre Public Doman Plan 2009 identifies areas of widened footpath within the town centre core where outdoor dining activities may occur subject to consent. These areas are clearly defined and separated from areas of public open space, to ensure a balance of activities along the street (refer to map at Annexure 1 of the Cumberland Outdoor Dining Policy)
Granville Town Centre	Away from shopfront, adjacent to kerb
Guildford Village Centre Guildford Road	Away from shopfront, adjacent to kerb
Merrylands Centre Merrylands Road, McFarlane Street, Pitt Street, Miller Street	Away from shopfront, adjacent to kerb
Pendle Hill Town Centre Pendle Way, Joyce Street	Away from shopfront, adjacent to kerb
Toongabbie Town Centre Aurelia Street	Away from shopfront, adjacent to kerb
Wentworthville Town Centre Dunmore Street. Station Street	Away from shopfront, adjacent to kerb
All other locations (within B1, B2 and B4 zones)	Subject to approval, outdoor dining areas must be located adjacent to the shopfront. Where footpath width is insufficient to allow outdoor dining and sufficient pedestrian circulation space, outdoor dining will not be permitted.

1.1 Minimum Footpath Width

Outdoor dining will generally only be considered on footpaths that have a **minimum** width of 3.6m. In situations where the footpath is less than 3.6m, consideration will be given on a case by case basis.

A minimum unobstructed pedestrian corridor of 2.0m must be maintained within the 3.6m corridor to allow for continuous accessible paths of travel at all times. Council may increase this minimum clearance where circumstances, such as pedestrian traffic, warrant it.

In situations where parking is permitted adjacent to the footpath dining area, a distance of at least 600mm from the kerbside must be kept clear to allow car doors to open (Figure 1). If the food business is located adjacent to a Disabled Parking Space, a clearance of 1.3m from the kerb must be maintained to allow access for wheelchairs.

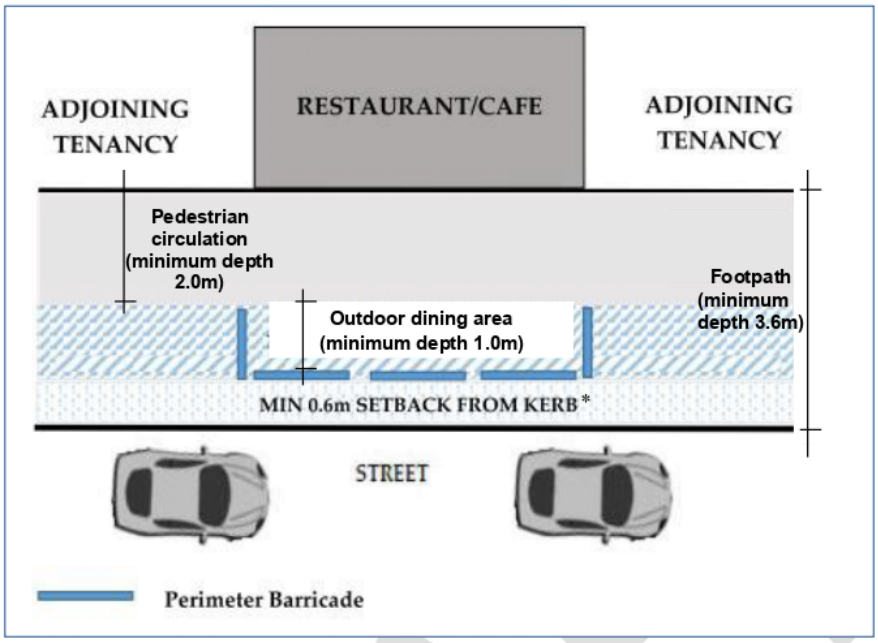

Figure 1: Minimum dimensions for outdoor dining on primary retail streets adjoining car parking

Where parking is not permitted adjacent to the footpath dining area, a perimeter barricade (see section 3.1) may be positioned adjacent to the kerb (Figure 2).

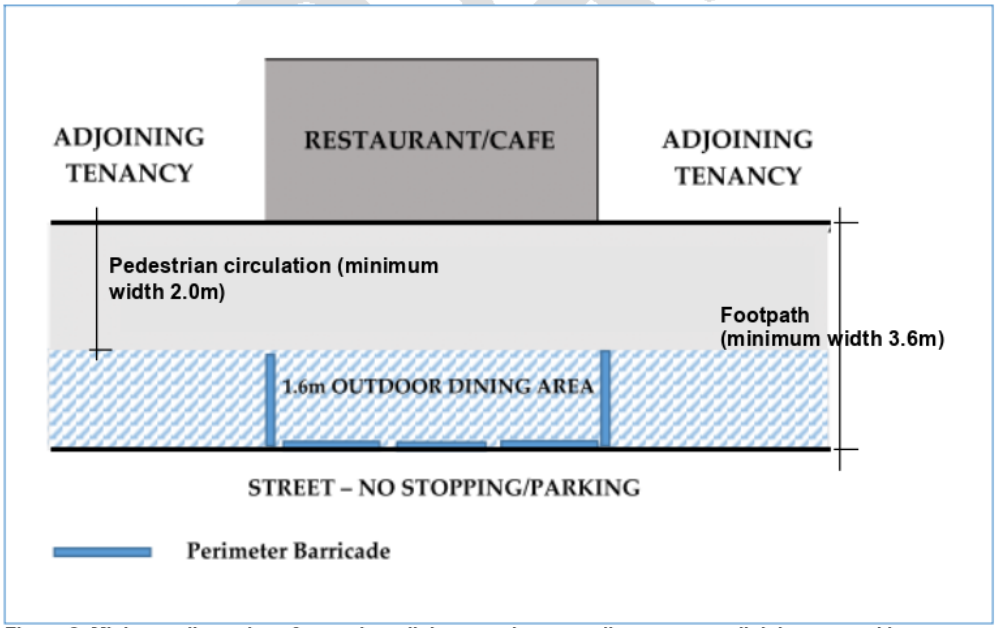

Figure 2: Minimum dimensions for outdoor dining on primary retail streets not adjoining car parking.

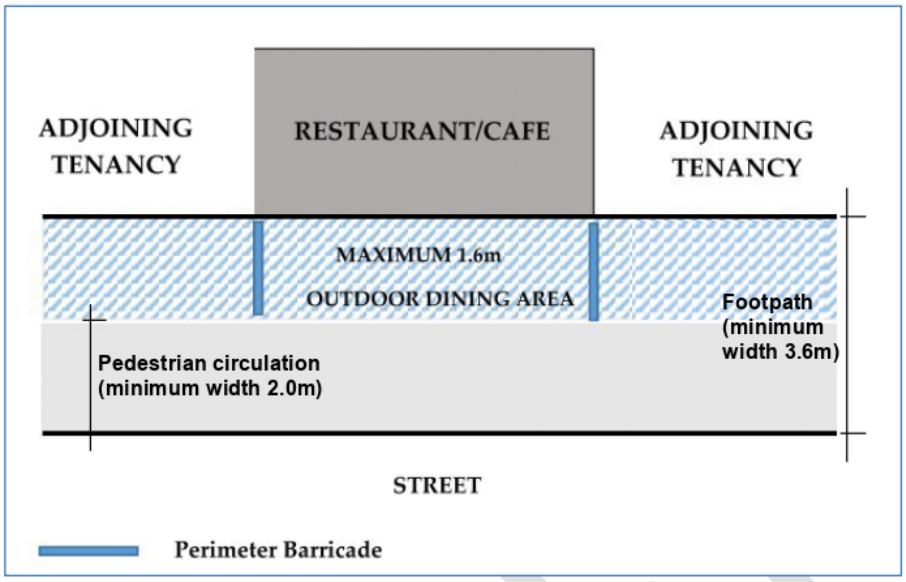

Figure 3: Dimensions for outdoor dining for all other locations with or without parking adjoining

1.2 Corner Locations

Outdoor dining areas are not permitted on corner locations at street intersections. In locations where the business premises are located next to an intersection a clear unobstructed line of sight must be maintained for turning vehicles.

The minimum setback area from the outdoor dining area will be determined by a line of sight from the corner, which is set at a 45° angle from the corner of the building. In situations where the corner building has a splayed frontage, the 45° angle can be interpreted from the splayed building line.

An application may be refused based on safety concerns where an outdoor dining area obstructs the clear view line of pedestrians and/or motorists (Figure 4).

Parameters as per figures 1 & 2

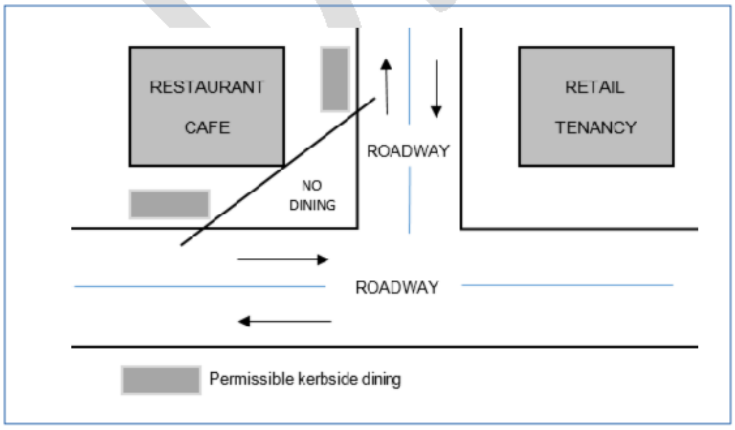

Figure 4: Minimum dimensions for corner locations.

2. SITE CONDITIONS AND ASSOCIATED WORKS

The surface area of the footpath must be sufficiently level to support a functional and accessible outdoor dining area, and the safe use of furniture and associated structures.

In the event that a business operator wishes to undertake associated streetscape works to accommodate an outdoor dining area, all works must be undertaken or approved by Council prior to works commencing and paid for by the approval holder.

3. DEFINING THE OUTDOOR DINING AREA

The minimum practical depth for outdoor dining is 1.0 metre which allows for 2 chairs and one table. All boundaries of the approved seating area must be appropriately identified by markers; typically by the use of metal studs/discs that are flush with the paved surface. These will be installed by Council at the applicant's expense.

The markers must remain in place throughout the duration of the approval and must not be removed or their position altered without Council approval. All furniture, including umbrellas and plants must be kept strictly within the boundaries of the approved seating area at all times.

3.1 Perimeter Barricades

Low height screens with a maximum height of 600mm (e.g. framed fabric) are to be used to delineate the outdoor dining area. Advertising covering not more than 30% of the area of each screen may be permitted. Bollards with chains will not be permitted as this does not provide an adequate safety barrier between restaurant patrons and passing pedestrian traffic.

The proposed perimeter barricade will be assessed on merit and considered in the context of the surrounding streetscape, flooding/overland flow path areas and Council's Public Domain policies. Council staff are available to assist in providing advice as to what form of barrier would be appropriate.

If it is determined that additional safety protection is required following a risk assessment, Council may require energy absorbing bollards (EABs) to be installed to shield patrons from potential dangers of out-of-control vehicles. This will be determined with the assessment of the application.

3.2 Use of footpath area outside an adjoining property

The use of a footpath is limited to the area located directly in front of the approved restaurant/café that is the subject of the outdoor dining activity.

4. CONSTRUCTION ZONES

An approved outdoor dining area is not permitted to operate in areas that immediately adjoin or surround a construction/work zone. A minimum setback of 3m from construction zones must be provided at all times to protect patrons from any potential dangers.

Council reserves the right to temporarily suspend or cancel an agreement to ensure public safety during major construction projects. A period of 14 days' notice will be given to the approval holder in these circumstances.

Where an agreement is suspended or cancelled, Council will not be liable for any compensation to the approval holder under any circumstances.

5. FURNITURE

The type of furniture and permanent shade structures (requiring prior approval) that is used in an outdoor dining area can often influence the atmosphere and general feeling of the space.
It is Council's aim to ensure that all furniture is of a high standard in appearance and style and is

respecting of the disabled and vision impaired. Subsequently, approval holders must give consideration to providing a minimum of 1:10 chairs with armrests.

5.1 Outdoor dining furniture requirements

Outdoor dining furniture:

- Satisfy relevant Australian Standards;
- must be strong, durable and robust that withstands the wear and tear of outdoor commercial usage;
- must be made from high quality commercial materials to enhance the character of the street; *[Note: domestic quality furniture will not be permitted];*
- must be of non-lightweight construction so as not to be easily blown around in strong winds;
- must be capable of being removed or retracted without difficulty from the outdoor space on a daily basis;
- should be of a colour and style that provides consistency with the associated restaurant/café;
- the use of mismatched tables and chairs is not permitted;
- the surface of table tops must be non-reflective;
- must not have any sharp edges or moving parts that could present as a potential safety hazard to patrons;
- is to be flood compatible if located within an identified flooding/overland flow path area;
- is to be capable of accommodating a wheelchair;
- accessories such as amplification equipment, dumbwaiters or cash registers are not permitted in outdoor dining areas; and
- the colour scheme of the proposed furniture will be assessed on merit and considered in the context of the surrounding streetscape.

5.2 Furniture Layout

Furniture placement should be commensurate with the size and shape of the available space. The width of the footpath will determine the depth of the outdoor dining area.

The location of all furniture and barriers must not extend beyond the boundaries of the approved seating area. The approval holder is responsible to ensure patrons maintain furniture within the boundaries of the approved seating area at all times.

Furniture layout is to be capable of accommodating a wheelchair.

6. SHADE STRUCTURES, AWNINGS AND BLINDS

All shade structures and awnings must comply with any condition of approvals and the following requirements:

- no shelter for weather protection may be erected or installed in or about an outdoor dining area without Council's prior written approval;
- must not be attached to or above the awning;
- be of a single colour and style to provide consistency and identity and must be compatible with the surrounding streetscape;
- not cause significant overshadowing of the footpath or reduce the amenity of the public domain by creating a large enclosed space;
- blinds/plastic sheeting must be well maintained, including regular cleaning;
- if blinds/plastic sheeting are damaged or become discoloured, they must be removed and replaced, as determined by Council;
- must not obstruct views to neighbouring premises and those opposite;
- where footpath awnings do not exist over the area proposed for outdoor dining, removable or temporary shade structures such as outdoor umbrellas are permissible, subject to approval by Council;

- umbrellas must be fixed at a minimum height of 2.1 metres so as to not interfere with passing footpath or vehicular traffic or pedestrian view lines;
- umbrellas must be of a commercial quality;
- whilst clear, transparent, and colourless plastic blinds are permitted, they may only be used where it can be demonstrated that the amenity of the surrounding streetscape and pedestrian safety will not be compromised, and will not have an impact on flooding/overland flow within an identified area;
- opaque or coloured blinds are not permitted;
- plastic blinds must be raised or removed during fine weather;
- plastic blinds are permitted on a maximum of 3 sides of the outdoor dining area; and
- all structures and furnishings in an Outdoor dining area must be able to be move to allow Council staff and Utilities staff (e.g. gas, water, telecommunications etc.) access to public infrastructure. Council will not be liable for any costs, expenses or losses resulting from the public infrastructure being accessed.

7. HEATING DEVICES

- Where the use of a heating device is proposed, details of the type, location and design must be included with the application;
- All heating devices must comply with the laws and requirements relating to them (including without limitation, AS 4565-2004 Radiant Gas Heaters);
- To prevent injury and ensure the safety of patrons, the device must be capable of being turned off automatically if overturned; and
- Access to the gas mains and use of electrical extension cords are not permitted.

8. STORAGE FACILITIES

Adequate storage facilities must be provided in the associated restaurant/café or in the building containing the restaurant/café for tables, chairs, umbrellas, heating devices, etc., when not in use.

It is necessary that those with outdoor dining licenses are responsive to extreme weather warnings, and secure or take in unsecured outdoor dining furniture during severe weather occurrences.

Storage of LPG devices are to be compliant with *Australian Standard AS/NZS 1596:2008* requirements in regards to safe storage of flammable gases and comply with the *Food Act 2003*.

SafeWork NSW require portable LPG devices not to be permitted to be stored in commercial kitchens and must be stored in a well ventilated area.

9. TOILET FACILITIES

An outdoor dining area may result in an increase in the seating capacity of an associated restaurant/café. Subsequently this leads to the need to increase toilet facilities for customers and staff.

Toilet facilities must be available for patrons when the combined seating capacity of both internal and external dining area is greater than 20 places either on the premises or within 80m walking distance of the outdoor dining area.

Members of the public are not permitted to access toilet facilities via any food handling and/or food preparation area within the premises.

10. SIGNAGE/ADVERTISING

All signage and advertising associated with an outdoor dining area must be in keeping with the surrounding streetscape and pedestrian environment and comply with the following requirements:

- *Advertising and Signage Controls* of Auburn Development Control Plan 2010, Holroyd

Development Control Plan 2013, and Parramatta Development Control Plan 2011;

- Advertising of a single company or business is permissible on outdoor furniture, such as outdoor umbrellas, as long as the advertising is not dominant on the structure and covers no more than 30% of any surface;
- Hanging advertisements from shade structure is not permissible;
- No private restaurant/café advertising is permitted on any Cumberland Council street furniture;
- No liquor or tobacco advertising is permitted on any item within the outdoor dining area, nor is advertising permitted on planter boxes; and
- Details of all signage and advertising, including menu boards, must be submitted for approval as part of the application.

11. LIGHTING

To ensure the safety and amenity for patrons and pedestrians, adequate lighting must be provided where outdoor dining occurs outside daylight hours. Freestanding lighting will not be permitted. Full details must be included with the application and be in accordance with the Australian Standard AS/NZS 1158 3.1:1999 Pedestrian Area (Category P) Lighting.

12. DRAINAGE

Depending on the size and location of the proposed outdoor dining area, additional drainage works may be required. This will be determined by Council's engineers at time of assessment. If additional works are required, these will be carried out by Council at the applicant's expense.

13. NO SMOKING LEGISLATION

In accordance with Section 6A of the *Smoke Free Environment Act 2000*, smoking is prohibited in all outdoor dining areas and within 4 metres of the pedestrian access point to the restaurant building.

14. OPERATIONAL MATTERS

14.1 Conduct of Business

It is the business operators' responsibility to:

- Ensure the outdoor dining area does not intrude or impact on the amenity of neighbouring shops or surrounding street activities;
- Monitor and manage the behaviour of patrons;
- Ensure that staff practise responsible service of alcohol;
- Monitor noise and disturbances to adjoining premises;
- Minimise the potential for personal injury;
- Ensure patrons keep furniture within the boundaries of the approved seating area and the designated pedestrian zone is clear of all obstacles at all times;
- All food and drink is prepared within the approved restaurant/café and not in the area agreed for outdoor dining;
- Ensure that the sale and serving of alcoholic beverages within the outdoor dining area fully complies with prior Council approval and the appropriate liquor license obtained from the *Liquor and Gaming Legislation Amendment Act 2018* (NSW liquor laws);
- Maintain that the hours of operation are consistent with the associated restaurant/café; *[Note: the hours of operation for the outdoor dining areas may be limited if it is considered that the amenity of the surrounding area or the safety of pedestrians or footpath diners could adversely be affected];*
- Remove all tables and chairs and other features (heating devices, menu boards, etc.) from the footpath and ensure they are stored within the building outside business operation hours;

- Ensure that any amplified music within the outdoor dining area is recorded music and played at not more than 5dba above background noise level; and
- Ensure that the outdoor dining area remains smoke free at all times in accordance with the Smoke Free Environment Act 2000.

14.2 Agreement and Rental Cost

Once Council approves an application, written notification will be issued to the approval holder stipulating the conditions of approval. Upon receipt of the approval, the approval holder is then required to produce a copy of their public liability insurance and payment of appropriate fees and bond to Council. An outdoor dining agreement will then be issued to use and occupy the footpath in accordance with conditions of approval.

The agreement, which must be signed by the approval holder, will detail the provision for an annual rental fee based on a square metre basis.

All fees are set by Council each year as part of its fees and charges. Council's fees and charges document is available on the website (www.cumberland.nsw.gov.au). Approval holders may also inquire at Council's Customer Service Desk as to current fees applicable.

14.3 Public Display of Agreement

Prior to the opening of the outdoor dining area, a laminated copy of the agreement must be prominently displayed in the front window of the restaurant/café, together with an A4 copy of the approved layout showing the number of tables and chairs.

14.4 Transfer of Approval

Council may at its discretion, consent to transfer an approval and agreement to another party upon receiving written request. If agreed, the transfer will be conditional upon the transferee entering into an identical agreement for the residue of the term of the approval and proof of their public liability insurance policy.

14.5 Public Liability

The business operator is required to maintain a valid public liability insurance policy for a minimum of twenty million dollars ($20,000,000).
The policy must:

- Indemnify Cumberland Council against any public liability claims within the area between the front property boundary of the shop and the kerb line for the full frontage of the shop;
- Be in force at all times that goods are displayed. Upon annual renewal, the business operator must send a copy of the renewal to Council. Proof of currency must be kept on the premises and produced on demand by any authorised Council officer; and
- The policy should be on an "occurrence based" wording to ensure that actions arising through the course of an insurance period are covered if the claims arise in future years.

14.6 Maintenance and Cleaning

The approval holder is responsible for cleaning the approved outdoor dining area and ensuring that the area is clean and well-maintained in strict compliance with the conditions of the approval.

All furniture must at all times be maintained in a physically sound and aesthetically acceptable condition to Council's satisfaction.

14.7 Waste Disposal

Street rubbish bins are not to be used for the disposal of waste and the approval holder must have suitable arrangement for commercial waste collection services. A copy of the approval must be attached with application.

15. APPROVAL PROCESS

Council approval is required prior to establishing an outdoor dining area and the erection of any shade structures / heating on the footpath pursuant to:

i) Local Government Act 1993; and
ii) Roads Act 1993.

Any business that applies for approval to establish an outdoor dining area must have current development consent to occupy the associated shop. If approval has not been granted, the application will not be considered.

All requests for outdoor dining must be made on the appropriate application form, copies of which are available from Council's website www.Cumberland.nsw.gov.au or at Council's Customer Service Centre, 16 Memorial Avenue, Merrylands. All applications must be accompanied by payment of the prescribed application fee (as per Council's adopted Fees and Charges Policy) and all relevant documentation.

15.1 Council Owned Land

The written authority of the General Manager or delegate will be required to be obtained to formally lodge an application to occupy Council owned footpaths. The application form contains provision for the General Manager's or delegate's signature. If the application is complete, it will be referred to the General Manager or delegate for signature. Incomplete applications will be returned to the applicant.

Once the General Manager's signature has been obtained the applicant will be contacted to pay the appropriate fees upon which the application can be lodged and formal assessment will commence. The signature of the General Manager does not infer that approval will be granted.

15.2 How to Apply

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 has provisions for outdoor dining to be undertaken as exempt development, subject to the outdoor dining area being associated with a lawful food and drink premises and the following criteria being satisfied:

That the development must:

a) not be associated with a pub or a small bar;

b) be carried out in accordance with an approval granted under section 125 of the *Roads Act 1993*, including in accordance with any hours of operation to which the approval is subject; and

c) be carried out in accordance with any approval granted under section 68 of the *Local Government Act 1993*.

The food and drink premises is required to be subject to a current and valid development consent. If this is not the case, development consent for the food and drink premises is required to be obtained prior to the lodgment of any outdoor dining application.

Awnings and fixed structures are required to seek consent through either a Complying Development Certificate (CDC) or a Development Application (DA)/Construction Certificate (CC). Note that a DA will apply in the instance that the development is unable to satisfy the criteria for complying development.

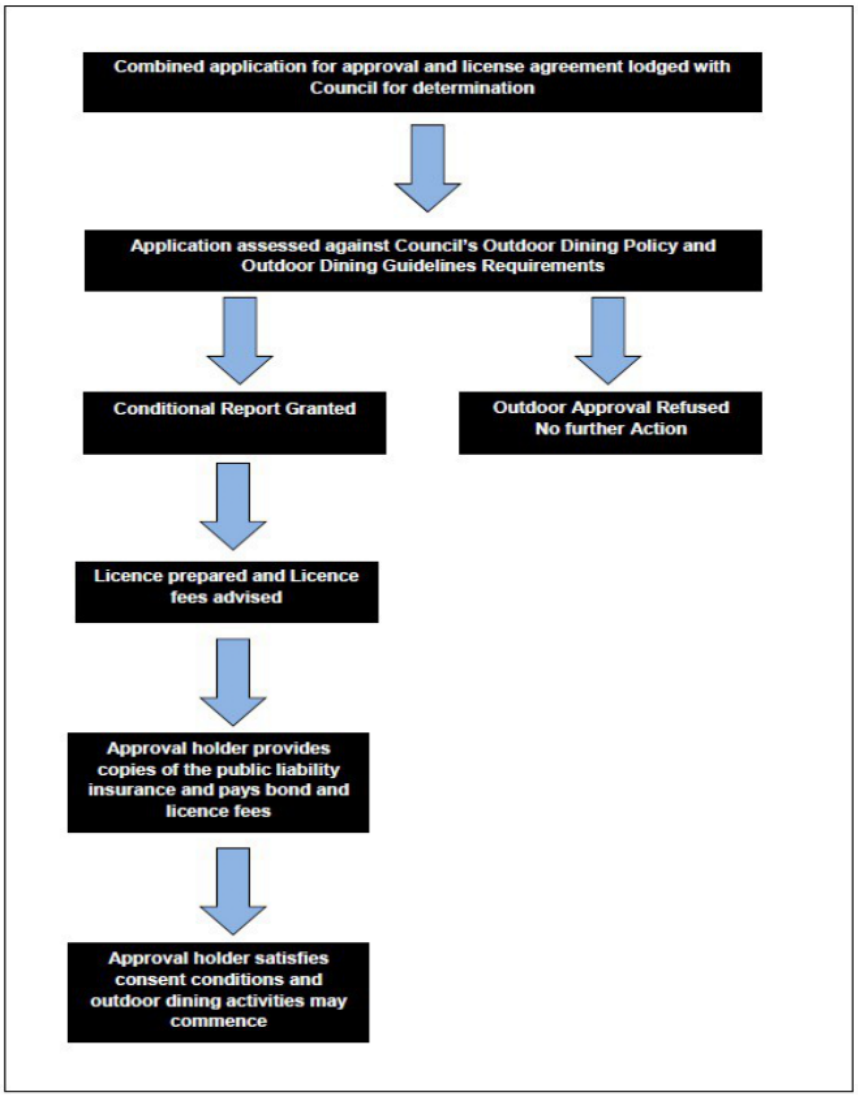

Figure 5: Outdoor Dining Approval Process

15.3 Information to be lodged with an Application

This application must be accompanied by the prescribed fee and the following information:

- Written authority of the land owner to lodge the application;
- A copy of the Development Consent pertaining to the associated restaurant/café;
- Colour photographs of the site and surrounding areas, including the paved footpath area – (*Note: where the existing paved area will be disturbed as part of new construction works, details are to be provided of new paving);*
- Four (4) copies of a site plan/footpath area drawn to a professional standard at a scale of 1:100 detailing:

1. Street name and north point;

2. Property boundary and entry points, boundaries of the proposed seating area and of adjoining tenancies;
3. Kerb line of the street;
4. Width of the footpath from outside face of kerb to building line, and the length of the building frontage associated with the cafe;
5. Building line of the shop and adjacent shops either side;
6. Location of all existing features and permanent features of the streetscape such as existing awnings, bus stops, taxi zones, traffic signs, poles, waste bins, pedestrian lights, bollards, planter boxes, trees, light poles, pits, fire hydrants and carparking;
7. Proposed location and configuration of all tables, chairs, umbrellas, shade structures, planter boxes, including all setback dimensions;
8. Any adjoining outdoor dining area;
9. Full dimensional details and photographs of proposed umbrellas or shade structures;
10. Cross section through the site indicating heights of shade structures, barriers etc. in relation to shop front and awnings;
11. Proposed shop names or logos which are to be included on any furniture in the approved area or as part of the umbrella design;
12. Details of any proposed external lighting showing the type of fixtures and their proposed placement; and
13. Details of any proposed heating devices including the type, capacity, design and location – to ensure the safety of patrons and prevent injury, the device must be capable of been turned off automatically if overturned.
14. Full details of the number of tables and chairs including manufacturer's brochures, specifications and photographs, and any other furniture that may be proposed. Council must be satisfied that the designated area is capable of accommodating the maximum number of tables and chairs that are proposed. Whilst Council recognises that the actual number of tables and chairs and their configuration may vary according to demand, it is the business operator's responsibility to ensure that a 2.0m pedestrian corridor is maintained at all times. This will be strictly enforced;
15. A written statement detailing the proposed hours of operation; storage of furniture; cleaning of the footpath and furniture; lighting and music;
16. Fees in accordance with Council's Schedule of Fees and Charges; and
17. Liquor License.

The application will be notified to neighbouring property owners and business proprietors in accordance with Council's Notification Policy.

The submission of an application **does not** imply automatic approval.

16. FEES

All fees and the appropriate bond will be charged in accordance with Council's adopted fees and charges. Fees are calculated on a square metre basis.

The three zones are *B1 Neighbourhood Centre;* B2 *Local Centre* and *B4 Mixed Use*. The minimum practical depth for outdoor dining is 1.0 metre which allows for 2 chairs per table.

Where any charge, fee, supply of products or services under this policy is subject to a goods and services tax (GST), an amount equal to the GST paid or payable in respect of the charge, fee, supply of products or services, shall be included in the amount of consideration paid or payable under this policy.

17. PERMIT RENEWAL AND CANCELLATION

An Outdoor Dining approval is valid for 3 years upon approval and may be cancelled or amended if:

- The operator fails to comply with the permit conditions; or
- There are changed conditions affecting the outdoor dining area in its particular location, e.g. an increased risk to health or safety; or
- The operator fails to comply with all relevant legislation, including but not limited to the *Smoke Free Environment Act 2000.* Non-compliance with legislation may lead to enforcement action by Council which may include fines and/or termination of outdoor dining approvals

Other valid reasons that may necessitate an approval being cancelled include matters as streetscape upgrades and/or refurbishment. Council will only renew an approval after a review of health and safety conditions are undertaken to ensure compliance with policy guidelines and a history check of past operations.

18. HOURS OF OPERATION

Outdoor dining shall only operate during the normal hours of operation of the approved parent business. Trading beyond these hours may result in an immediate cancellation of the approval.

19. LEGAL AND OTHER COSTS

The approval holder is required to pay all legal and other costs incurred by Council in the preparation and execution of the licence. Any additional costs incurred by Council will also be payable by the approval holder.

RELATED LEGISLATION

- Local Government Act 1993 (NSW)
- Work Health and Safety Act 2011
- Food Act 2003 (NSW)
- Smoke Free Environment Act 2000 (NSW)
- Auburn Local Environmental Plan 2010
- Holroyd Local Environmental Plan 2013
- Parramatta Local Environmental Plan 2011
- Environmental Planning & Assessment Act 1979 (NSW)
- Roads Act 1993 (NSW)
- Liquor and Gaming Legislation Amendment Act 2018

RELATED DOCUMENTS AND COUNCIL POLICY

Draft Cumberland Council Outdoor Dining Policy

DOCUMENTS ASSOCIATED WITH REPORT C02/20-350

Attachment 3

Outdoor Dining Policy & Guidelines Submission Responses

CUMBERLAND CITY COUNCIL

Comments / Suggestions	Council response	Changes to document
Section 13 No Smoking Policy **(Draft Outdoor Dining Guidelines)** No Smoking Policy should be changed to No Smoking Legislation	Agreed	Heading Changed
Clause 13 should re-include the point that was in the Administrator's draft document: *and within 4 metres of the pedestrian access point to the restaurant building.*	Agreed	Document updated
Comment regarding Council's compliance program to enforce the provisions of the Policy and ensure establishments have up to date permits/agreements in place.	Council's Compliance team have commenced visiting establishments in 2020.	Nil
Section 17 - Permit Renewal and Cancellation **(Draft Outdoor Dining Guidelines)** 2 new suggestions, not previously submitted to Council regarding this clause: • A 3rd dot point should be added to this clause, regarding outdoor dining approvals being amended or cancelled: *The operator fails to comply with all relevant legislation, including but not limited to the Smoke Free Environment Act 2000.* • And a further sentence should be added to the end of this clause: *Non-compliance with legislation may lead to enforcement action by Council which may include fines and/or termination of outdoor dining approvals.*	Whilst this is already contained in the Policy, this has been agreed to and added to the guidelines as a point of further clarification.	Document updated

Item No: C02/20-351

ADOPTION OF PUBLIC INTEREST DISCLOSURE POLICY - POST EXHIBITION

Responsible Division: Finance & Governance
Officer: Director Finance & Governance
File Number: HC-01-03-2
Community Strategic Plan Goal: *Transparent and accountable leadership*

SUMMARY

This report recommends the adoption of the *Draft Public Interest Disclosure Policy* following a period of public exhibition.

RECOMMENDATION

That Council adopt the *Public Interest Disclosure Policy* as outlined in Attachment 1 of this report.

REPORT

At the 6 November 2019 Ordinary Council meeting, Council resolved to place the *Draft Public Interest Disclosure Policy* on public exhibition for community feedback (Min. 764).

Subsequently, Council did not receive any submissions during the 28 day exhibition period.

In accordance with the above, it is now recommended that the *Public Interest Disclosure Policy* be adopted by Council as outlined in Attachment 1 of this report.

COMMUNITY ENGAGEMENT

Council publicly exhibited the *Public Interest Disclosure Policy* for a period of 28 days, from 19 November 2019 to 17 December 2019, both on Council's website and in local newspaper publications.

Council had 11 visits to the 'Have Your Say' community engagement website during the public exhibition period, with 2 people downloading the *Public Interest Disclosure Policy* provided. Council did not receive any submissions during the 28 day exhibition period.

POLICY IMPLICATIONS

The adoption of this Policy will rescind the previously adopted version of this Policy. As there is an increase of disclosures officers recommended with the Policy, it is anticipated that internal Public Interest Disclosures training will be held with all officers by the Internal Ombudsman Shared Service.

RISK IMPLICATIONS

The adoption of this Policy will increase the number of disclosures officers substantially, improving accessibility to a disclosures officer for all Council officials. This ensures that Council is encouraging a more open reporting culture.

FINANCIAL IMPLICATIONS

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

CONCLUSION

Council has publicly exhibited the *Public Interest Disclosures Policy*. The Policy is now recommended for adoption.

ATTACHMENTS

1. Public Interest Disclosures Policy ⇩

DOCUMENTS ASSOCIATED WITH REPORT C02/20-351

Attachment 1

Public Interest Disclosures Policy

CUMBERLAND
CITY COUNCIL

Public Interest Disclosure Policy

AUTHORISATION & VERSION CONTROL

Policy Number	POL-010
Policy Owner	Director Finance & Governance
Date Adopted	TBC
Version No	2.0
Document ID	6482547
Review Date	TBC

PURPOSE

Cumberland Council (Council) does not tolerate corrupt conduct, maladministration or serious waste of public money. In accordance with the *Public Interest Disclosures Act 1994 (PID Act),* this Policy establishes an internal reporting system for Councillors and staff to report wrongdoing without fear of reprisal. It sets out who you can report wrongdoing to in Council, what can be reported and how reports of wrongdoing will be dealt with by Council.

SCOPE

The Policy applies to Councillors and staff including permanent, temporary and casual employees, consultants and individual contractors working for Council. This Policy also applies to members of committees including the Local Planning Panel, Audit, Risk and Improvement Committee and other advisory committees. It may also apply to other people who perform public official functions such as volunteers.

DEFINITIONS

Local Government Authority

(a) A council
(b) A county council within the meaning of the *Local Government Act 1993*.

Public authority

Any public authority whose conduct or activities may be investigated by an investigating authority, and includes (without limitation) each of the following:

(a) A Public Services agency
(b) A state owned corporation and any subsidiary of a State owned corporation
(c) A local government authority
(d) The NSW Police Force and the Law Enforcement Conduct Commission
(e) The Department of Parliamentary Services, the Department of the Legislative Assembly and the Department of the Legislative Council.

Public Interest Disclosure

A disclosure satisfying the applicable requirements of Part 2 of the *Public Interest Disclosures Act 1994 (PID Act)*.

That is, a disclosure of information that the person making the disclosure honestly believes, on reasonable grounds, shows or tends to show corrupt conduct, maladministration, serious and substantial waste of public money, government information contravention or local government pecuniary interest contravention by Council, Councillors or staff or by another public authority or any of its officers. 'Public Interest Disclosure' is the new term for a protected disclosure.

Public Official

An individual who is an employee of or otherwise in the service of a public authority.

POLICY STATEMENT

Council is committed to encouraging and supporting the reporting of wrongdoing, and to protect those who make public interest disclosures from any adverse action motivated by their report, keeping their identity confidential where possible.

What should be reported?

You should report any wrongdoing you see within Council.

Reports about the five categories of serious wrongdoing - corrupt conduct, serious maladministration, serious and substantial waste of public money, government information contravention and local government pecuniary interest contravention – which otherwise meet the criteria of a public interest disclosure, will be dealt with under the *PID Act* as Public Interest Disclosures and according to this Policy.

a) Corrupt Conduct
Corrupt conduct is the dishonest or partial exercise of official functions by a public official. For example, this could include:

- The improper use of knowledge, power or position for personal gain or the advantage of others
- Acting dishonestly or unfairly, or breaching public trust.

b) Maladministration
Maladministration is conduct that involves action or inaction of a serious nature that is contrary to law, unreasonable, unjust, oppressive or improperly discriminatory or based wholly or partly on improper motives. For example, this could be:

- Making a decision and/or taking action that is unlawful
- Refusing to grant someone a licence for reasons that are not related to the merits of their application
- Issuing an order against a person without giving them procedural fairness

c) Serious or substantial waste of public money
Serious or substantial waste is any uneconomical, inefficient or ineffective use of resources that could result in the loss or wastage of public money. This includes all revenue, loans and other money collected, received or held by, for or on account of the council. For example, this could include:

- Poor project management practices leading to projects running overtime
- Having poor or no processes in place for a system involving large amounts of public funds.
- not following a competitive tendering process for a large scale contract

d) Government information contravention
A government information contravention is a failure to properly fulfil functions under the *Government Information (Public Access) Act 2009* (GIPA Act). For example, this could include:

- Intentionally overlooking documents that are clearly covered by an access application

- Destroying, concealing or altering records to prevent them from being released
- Knowingly making decisions that are contrary to the GIPA Act
- Directing another person to make a decision that is contrary to the GIPA Act.

e) Local government pecuniary interest contravention
A local government pecuniary interest contravention is a failure to fulfil certain functions under the *Local Government Act 1993* relating to the management of pecuniary interests. These include obligations to lodge disclosure of interests returns, lodge written declaration and disclose pecuniary interests at council and council committee meetings.

A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. For example, this could include:

- A senior council staff member recommending a family member for a council contract and not declaring the relationship
- A General Manager holding an undisclosed shareholding in a company competing for a council contract.
- A councillor participating in consideration of a DA for a property they or their family have an interest in.

Other wrong doing

Although reports about the previous five categories can attract the specific protections of the *PID Act*, you should report all activities or incidents that you believe are wrong. For example, these could include:

- Bullying, harassment or unlawful discrimination.
- Reprisal action against a person who has reported wrongdoing.
- Practices that endanger the health or safety of staff or the public.

These types of issues should be reported to your manager or supervisor in line with Council's policies:

- Code of Conduct
- Fraud and Corruption Prevention Policy
- Councillor and Staff Interaction Policy
- Compliments and Complaints Management Policy
- Good Working Relationships
- Grievance & Dispute Handling

Consideration should be given to the Code of Conduct, the EEO Guidelines, Bullying and Harassment Guidelines and the WH&S Policy Statement and your obligations to act in accordance with these policies and report wrongdoing.

Even if these reports are not dealt with as Public Interest Disclosures, Council will consider each matter and make every attempt to protect the staff member making the report from any form of reprisal. Matters can also be reported to the Internal Ombudsman Shared Service.

When will a report be protected?

Council will support any staff who report wrongdoing. Council will treat a report as a

Public Interest Disclosure if it meets all the requirements under the PID Act. These requirements are:

- the report must be about one of the following five categories of serious wrongdoing – corrupt conduct, serious maladministration, serious and substantial waste of public money, government information contravention and local government pecuniary interest contravention
- The person making the disclosure must honestly believe on reasonable grounds that the information shows or tends to show wrongdoing; and
- The report has to be made to either:
  a) A position nominated in this policy
  b) The General Manager, or for reports about the general manager the Mayor
  c) One of the investigating authorities nominated in the PID Act

Reports by staff and Councillors will not be considered to be protected disclosures if they:

- Mostly question the merits of government policy, including the policy of the governing body of the council
- Are made with the sole or substantial motive of avoiding dismissal or other disciplinary action.

How to make a report

You can report wrongdoing in writing or verbally. You are encouraged to make a report in writing as this can help to avoid any confusion or misinterpretation. If a report is made verbally, the person receiving the report must make a comprehensive record of the disclosure and ask the person making the disclosure to sign this record.

The staff member should keep a copy of this record. If you are concerned about being seen making a report, ask to meet in a discreet location away from the workplace.

Documentation relating to reports will be filed appropriately and handled in such a way as to ensure appropriate confidentiality.

The Council encourages staff to utilise the Public Interest Disclosures form available in this Policy.

Can a report be anonymous?

There will be some situations in which you may not want to identify yourself when you make a report. Although these reports will still be dealt with by Council, it is best if you identify yourself. This allows Council to provide you with any necessary protection and support, as well as feedback about the outcome of any investigation into the allegations.

It is important to realise that an anonymous disclosure may not prevent you from being identified. If we do not know who made the report, it is very difficult for us to prevent any reprisal action.

Maintain confidentiality

Council realises many staff will want their report to remain confidential. This can help to

prevent any action being taken against you for reporting wrongdoing.

We are committed to keeping your identity, and the fact you have reported wrongdoing, confidential. However, there may be situations where this may not be possible or appropriate. We will discuss with you whether it is possible to keep your report confidential.

If confidentiality cannot be maintained, we will develop a plan to support and protect you from risk of reprisal. You will be involved in developing this plan. You will also be told if your report will be dealt with under Council's Code of Conduct, as this may mean certain information will have to be tabled at a council meeting.

If you report wrongdoing, you should only discuss your report with those dealing with it. This will include the Public Interest Disclosures Coordinator and the General Manager. If you discuss your report more broadly, you may affect the outcome of any investigation and also weaken our ability to keep your identity confidential.

Any staff or councillors involved in the investigation or handling of a report, including witnesses, are also required to maintain confidentiality and not disclose information about the process or allegations to any person except for those people responsible for handling the report.

Who can receive a report within Council?

You are encouraged to report general wrongdoing to your supervisor. However, within Council, the PID Act requires that – for a report to be a Public Interest Disclosure – it must be made to certain public officials, which includes Disclosures Officers listed in Section (d) below, in accordance with this Policy.

Any supervisor who receives a report that they believe may be a public interest disclosure must refer the staff member making the report to one of the positions listed below. If you are Council staff and your report involves a Councillor, you should make it to the General Manager or the Mayor. If you are a Councillor and your report is about another Councillor, you should make it to the General Manager or the Mayor.

The following positions are the only staff within Council who can receive a Public Interest Disclosure

a) General Manager

You can report wrongdoing directly to the General Manager, who will:

- Decide if a report is a Public Interest Disclosure
- Determine what needs to be done next, including referring it to other authorities
- Decide what needs to be done to correct the problem that has been identified.

The General Manager will ensure there are systems in place in the Council to support and protect staff who report wrongdoing, and will refer any actual or suspected corrupt conduct to the Independent Commission Against Corruption (ICAC).

b) Mayor

If you are making a report about the General Manager, you should make your report to the Mayor who will:

- Decide if a report is a Public Interest Disclosure

- Determine what needs to be done next, including referring it to other authorities.
- Decide what needs to be done to correct the problem that has been identified.

The Mayor will ensure there are systems in place in the Council to support and protect staff who report wrongdoing and will refer any actual or suspected corrupt conduct to the ICAC.

c) Disclosures Coordinator

The Public Interest Disclosure Coordinator (Disclosures Coordinator) is the Internal Ombudsman, who has a central role in dealing with reports made by staff. The Disclosures Coordinator can receive complaints, assess them, and refer them to the people within the Council who can deal with them appropriately. The Assistant Internal Ombudsman is the alternate Disclosures Coordinator in the absence of the Internal Ombudsman.

All council officers and officials can make a Public Interest Disclosure directly to the Public Interest Disclosure Coordinator. Public Interest Disclosures may also be referred to the Public Interest Disclosure Coordinator by the General Manager, Mayor, or Council staff as outlined in this Policy.

The Public Interest Disclosure Coordinator can be contacted on 8757 9620.

d) Disclosures Officers

Disclosures Officers work with the Disclosures Coordinator within the internal reporting system. They can provide advice on the internal reporting process, receive reports of wrongdoing and assist staff and Councillors to make reports. Disclosures Officers are responsible for the following:

- Documenting in writing any verbal reports, and having the document signed and dated by the reporter;
- Making arrangements to ensure reporters can make reports privately, confidentially and away from the workplace if necessary;
- Discussing with the reporter any concerns they may have regarding reprisal or workplace conflict; and
- Conducting a preliminary assessment and forwarding reports to the Disclosures Coordinator or the General Manager for full assessment.

Staff occupying the following positions are Public Interest Disclosures Officers for the purpose of this policy:

General Manager
Manager Executive Support
General Counsel

Director Community Development
Executive Manager Community and Place
Manager Communications and Events
Manager Children, Families and Youth
Manager – Aged & Disability Services
Manager Library Services

Director Finance & Governance

Executive Manager Corporate Services
Manager Corporate Information Systems
Manager Property Development
Manager Finance

Director Works & Infrastructure
Executive Manager City Services
Executive Manager Regulatory and Technical

Director People & Performance
Manager HR Services
Manager Corporate Planning
Manager Business Improvement & Performance
Manager Customer Experience
Business Support Coordinator
Business Support Coordinator

Director Environment & Planning
Executive Manager Development & Building
Executive Manager City Strategy
Executive Manager Environment & Precincts
Manager Development Operations

Who can receive a report outside of the Council?

Councillors and staff are encouraged to report wrongdoing within Council, but internal reporting is not your only option. If you follow the guidance below, your report can still be a public interest disclosure.

You can also make a Public Interest Disclosure to an investigating authority. You can do this first, or at any stage after your initial report to Council. If your report is about the General Manager or the Mayor, you should consider making it to an investigating authority. You can also choose to make a report to a Member of Parliament (MP) or a journalist, but only in limited circumstances.

a) Investigating Authorities

The PID Act lists a number of investigating authorities in NSW that staff can report wrongdoing to and the category of wrongdoing each authority can deal with. The relevant investigating authorities are:

- The Independent Commission Against Corruption (ICAC) – for corrupt conduct.
- The NSW Ombudsman – for serious maladministration.
- The Law Enforcement Conduct Commission (LECC)
    - The LECC can only deal with disclosures that are about the conduct of:
        - One or more employees of the NSW Police Force (including a police officer or administrative employee), or
        - One or more employees of the Crime Commission. The Office of the Inspector of the LECC – for disclosures about the LECC staff.
- The Office of the Local Government, Department of Premier and Cabinet – for wrongdoing in local government corrupt conduct, maladministration, serious and substantial waste pf local government money, government information

contravention or local government pecuniary interest by any one or more of: a local government authority; a delegate of a local government authority; a Councillor; a member of a County Council; a member of staff of a local Council; a representative on the board of a joint organisation within the meaning of the *Local Government Act 1993.*

- The NSW Audit Office – for serious and substantial waste
- The ICAC Inspector – for disclosures about the ICAC or its staff.
- The Information Commissioner – for government information contravention.

You should contact the relevant authority for advice about how to make a disclosure to them. Contact details for each investigating authority are provided at the end of this policy.

You should be aware that it is likely the investigating authority will discuss the case with Council. We will make every effort to assist and cooperate with the investigating authority to ensure the matter is dealt with appropriately and there is a satisfactory outcome. We will also provide appropriate support and assistance to staff and Councillors who report wrongdoing to an investigating authority.

b) Members of Parliament or Journalists

To have the protections of the PID Act, staff reporting wrongdoing to an MP or a journalist **must** have already made substantially the same report to one of the following:

- The General Manager.
- A person occupying a position nominated in this Policy.
- An investigating authority in accordance with the PID Act.

Also Council or the investigating authority that received the report must have either:

- Decided not to investigate the matter.
- Decided to investigate the matter, but not completed the investigation within six months of the original report.
- Investigated the matter but not recommended any action as a result.
- Not told the person who made the report, within the six months of the report being made, whether the matter will be investigated.

Most importantly – to be protected under the PID Act – if you report wrongdoing to an MP or a journalist, you will need to be able to prove that you have reasonable grounds for believing that the disclosure is substantially true and that it is in fact substantially true.

If you report wrongdoing to a person or an organisation that is not listed above, you will not be protected under the PID Act. This may mean you will be in breach of legal obligations or Council's Code of Conduct – by, for example, disclosing confidential information.

For more information about reporting wrongdoing outside the Council, contact Council's Public Interest Disclosures Coordinator (the Internal Ombudsman) or the NSW Ombudsman's Public Interest Disclosures Unit. Their contact details are provided at the end of this policy.

Feedback to staff who report wrongdoing

Councillors and staff who report wrongdoing will be told what is happening in response to their report. When you make a report, you will be given:

- An acknowledgement that your disclosure has been received.
- The timeframe for when you will receive further updates.
- The name and contact details of the people who can tell you what is happening.

This information will be given to you within three working days from the date you make your report. After a decision is made about how your report will be dealt with, you will be given:

- Information about the action that will be taken in response to your report.
- Likely timeframes for any investigation.
- Information about the resources available within Council to handle any concerns you may have.
- Information about external agencies and services you can access for support.

This information will be given to you within 10 working days from the date you make your report.

During any investigation, you will be given:

- Information on the ongoing nature of the investigation.
- Information about the progress of the investigation and reasons for any delay.
- Advice if your identity needs to be disclosed for the purposes of investigating the matter, and an opportunity to talk about this.

At the end of any investigation, you will be given:

- Enough information to show that adequate and appropriate action was taken and/or is proposed to be taken in response to your disclosure and any problem that was identified.
- Advice about whether you will be involved as a witness in any further matters, such as disciplinary or criminal proceedings.

Protection against reprisals

The PID Act provides protection for people reporting wrongdoing by imposing penalties on anyone who takes detrimental action substantially in reprisal for them making the public interest disclosure.

Council will not tolerate any reprisal action against staff who report wrongdoing. The criminal penalties that can be imposed under the PID Act include imprisonment and fines. Detrimental action is also misconduct that justifies disciplinary action. People who take detrimental action against someone who has made a disclosure can also be required to pay damages for any loss suffered by that person.

Detrimental action means action causing, comprising or involving any of the following:

- Injury, damage or loss.
- Intimidation or harassment.
- Discrimination, disadvantage or adverse treatment in relation to employment.
- Dismissal from, or prejudice in, employment.
- Disciplinary proceedings.

a) Responding to allegations of reprisal

Council will act to protect Councillors and staff who report wrongdoing from reprisals. When an initial Public Interest Disclosure is received, we will ensure that a thorough risk assessment is conducted. This will identify any risks to the member of staff who reported the wrongdoing, as well as strategies to deal with those risks.

If you believe that detrimental action has been or is being taken against you or someone else who has reported wrongdoing in reprisal for making a report, you should immediately tell your supervisor, a Disclosures Officer, the Public Interest Disclosures Coordinator or the General Manager.

All supervisors must report any suspicions they have that reprisal action against a staff member is occurring, or any reports that are made to them, to the Public Interest Disclosures Coordinator or the General Manager.

If the Public Interest Disclosures Coordinator becomes aware of reprisal action against a person who has made a disclosure, they will:

- Assess the allegation of reprisal to decide whether the matter warrants investigation or if other action should be taken to resolve the issue.
- Ensure a senior and experienced member of staff, who has not been involved in dealing with the initial disclosure, will investigate the suspected reprisal.
- Give the results of the investigation to the General Manager for a decision.
- Give the results of that investigation to the Mayor for a decision if the allegation of reprisal action is about the General Manager.
- If it has been established that reprisal action is occurring against someone who has made a disclosure, take all steps possible to stop that activity and protect the member of staff who made the disclosure.
- Take appropriate disciplinary action against anyone proven to have taken or threatened any action in reprisal for making a disclosure.

If you report reprisal action, you will be kept informed of the progress of any investigation and the outcome.

The General Manager may issue specific directions to help protect against reprisals. If the allegation of reprisal action is about the General Manager, the Mayor may issue similar directions. These may include:

- Issuing warnings to those alleged to have taken reprisal action against the member of staff who made the disclosure.
- Relocating the member of staff who made the disclosure or the subject officer within the current workplace.
- Transferring the member of staff who made the disclosure or the staff member who is the subject of the allegation to another position for which they are qualified.
- Granting the member of staff who made the disclosure or the subject officer leave of absence during the investigation of the disclosure.

These directions will only be taken if the member of staff who made the disclosure agrees to it. The Public Interest Disclosures Coordinator will make it clear to other staff that this action was taken in consultation with the staff member and with management support – and it is not a punishment.

If you have reported wrongdoing and feel that any reprisal action is not being dealt with effectively, contact the NSW Ombudsman or the ICAC – depending on the type of wrongdoing you reported. Contact details for all these investigating authorities are included at the end of this

policy.

b) Protection against legal action

If you make a disclosure in accordance with the PID Act, you will not be subject to any liability and no action, claim or demand can be taken against you for making the disclosure. You will not have breached any confidentiality or secrecy obligations and you will have the defence of absolute privilege in defamation.

Support for those reporting wrongdoing

The Council will make sure that Councillors and staff who have reported wrongdoing, regardless of whether they have made a Public Interest Disclosure are provided with access to any professional support they may need as a result of the reporting process – including through Council's Employee Assistance Program (EAP) and other assistance such as for stress management, counselling services, legal or career advice.

We also have staff who will support those who report wrongdoing. They are responsible for initiating and coordinating support, particularly to those who are suffering from any form of reprisal. Reporters and other staff involved in the process can discuss their support options with the disclosures coordinator.

Sanctions for making false or misleading disclosures

It is important that all staff are aware that it is a criminal offence under the PID Act to wilfully make a false or misleading statement when reporting wrongdoing

Support for the subject of a report

The Council is committed to ensuring staff who are the subject of a report of wrongdoing are treated fairly and reasonably. If you are the subject of a report, you will be:

- Treated fairly and impartially
- Informed of the allegation made against you and given the opportunity to respond
- Told your rights and obligations under our policies and procedures
- Kept informed and supported during any investigation
- Told the result of the investigation

More Information

More information around public interest disclosures is available on our intranet. Staff can also access advice and guidance from Council's Public Interest Disclosures Coordinator and the NSW Ombudsman's website at www.ombo.nsw.gov.au

Resources – External Investigating Authorities

The contact details for external investigating authorities that staff can make a Public Interest Disclosure to or seek advice from are listed below.

For disclosures about corrupt conduct:
Independent Commission Against Corruption (ICAC)
Phone: 02 8281 5999
Toll free: 1800 463 909
Tel. typewriter (TTY): 02 8281 5773
Facsimile: 02 9264 5364
Email: icac@icac.nsw.gov.au
Web: www.icac.nsw.gov.au
Address: Level 7, 255 Elizabeth Street, Sydney NSW 2000

For disclosures about breaches of the GIPA Act:
Information and Privacy Commission (NSW)
Toll free: 1800 472 679
Facsimile: 02 8114 3756
Email: ipcinfo@ipc.nsw.gov.au
Web: www.ipc.nsw.gov.au
Address: Level 17, 201 Elizabeth Street, Sydney NSW 2000

For disclosures about serious and substantial waste of public money:
Auditor General
Phone: 02 9275 7100
Email: governance@audit.nsw.gov.au
Web: www.audit.nsw.gov.au
Address: GPO Box 12, Sydney NSW 2000

For disclosures about maladministration:
NSW Ombudsman
Phone: 02 9286 1000
Toll free (outside Sydney metro): 1800 451 524
Tel. typewriter (TTY): 02 9264 8050
Facsimile: 02 9283 2911
Email: nswombo@ombo.nsw.gov.au
Web: www.ombo.nsw.gov.au
Address: Level 24, 580 George Street, Sydney NSW 2000

For disclosures about local councils:
Office of Local Government
Phone: 02 4428 4100
Tel. typewriter (TTY): 02 4428 4209
Facsimile: 02 4428 4199
Email: olg@olg.nsw.gov.au
Web: www.olg.nsw.gov.au
Address: 5 O'Keefe Avenue, Nowra, NSW 2541

RELATED LEGISLATION

- *Local Government Act 1993*
- *Public Interest Disclosures Act 1994*
- *Independent Commission Against Corruption Act 1988*
- *Government Information (Public Access) Act 2009 (GIPA Act)*
- *NSW Ombudsman Act 1974*

RELATED DOCUMENTS AND COUNCIL POLICY

- Code of Conduct
- Public Interest Disclosure Internal Report Form
- Internal Ombudsman Shared Service Governance Charter
- NSW Ombudsman Public Interest Disclosure Guidelines
- NSW Ombudsman Model Internal Reporting Policy Local Government
- Compliments and Complaints Handling Policy
- Fraud and Corruption Prevention Policy

- Councillor and Staff Interaction Policy
- Grievance & Dispute Handling Guidelines

Public Interest Disclosure Internal Report Form

To be completed by an internal reporter and submitted to a nominated Disclosures Officer

(Refer to Council's Public Interest Disclosure Policy for further details)

Details of reporter *(You can make an anonymous report by leaving this section blank)*		
Name:		
Position:		
Division/Unit:		Preferred method of contact
Telephone:		☐ Telephone
Email:		☐ Email
Postal address:		☐ Post

Details of the wrongdoing being reported	
Description: • *What happened?* • *Where did this happen?* • *When did this happen?* • *Is it still happening?* *[Attach an additional page if required]*	
How did you become aware of this?	

Name and position of people involved in the wrongdoing:	Name	Position

Attach any additional relevant information or indicate where supporting evidence may be found:	Supporting evidence	Attached
		☐
		☐
		☐

Name and position of other people who may have additional information:	Name	Position

Statement
I honestly believe that the above information shows or tends to show wrongdoing. Signature of reporter *(Do not sign if you want to make an anonymous report)* Date report submitted *(Essential information)*

Item No: C02/20-352

INVESTMENT REPORT - DECEMBER 2019

Responsible Division: Finance & Governance
Officer: Director Finance & Governance
File Number: A-05-01/05
Community Strategic Plan Goal: *Transparent and accountable leadership*

SUMMARY

This is a report from the Director Finance & Governance providing an update on the performance of Council's investment portfolio to 31 December 2019.

RECOMMENDATION

That Council receive the December 2019 Investment Report.

REPORT

Included in this report are the following items that highlight Council's investment portfolio performance for the month, year-to-date to 31 December 2019 and an update of the investment environment.

Council Investments as at 31 December 2019

Council's investment portfolio has a current market value of $155,264,220. This represents a premium of $1,405,824 above the face value of the portfolio being $153,858,396 and generates a 1.57% average purchase yield. The following table reflects Council's holding in various investment categories.

Categories	Face Value ($)	Current Value ($)	Current Yield (%)
Bonds	4,750,000	5,060,571	3.0474
Cash	3,205,073	3,205,073	0.4634
Floating Rate Note	46,650,000	46,869,994	1.9830
Managed Funds	11,253,322	11,253,322	- 5.0275
Term Deposit	88,000,000	88,875,260	2.1616
	153,858,396	**155,264,220**	**1.5724**

Investment Portfolio Performance

The investment returns for the month year-to-date of 31 December 2019 outperformed the current month benchmark and exceeded the year to date benchmark.

Performance – Current Month 31 December 2019

For the month of December, Council's portfolio generated interest earnings of $221,892. This is $101,447 lower than the budget of $323,339 and outperformed the AusBond Bank Bill Index by 0.85%, as detailed below:-

Monthly Results	Income	Budget	Variance	Portfolio Performance	AusBond BB Index	Outperformance
Total Portfolio	221,892	323,339	- 101,447	1.16%	0.85%	0.31%

Performance – Year-to-date 31 December 2019

For the year-to-date, Council's portfolio generated interest earnings of $1,757,542. This is $185,623 lower than the budget of $1,943,165 and outperformed the AusBond Bank Bill Index by 1.08%, as per below:-

FYTD Results	Income	Budget	Variance	Portfolio Performance	AusBond BB Index	Outperformance
Total Portfolio	1,757,542	1,943,165	- 185,623	2.12%	1.04%	1.08%

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

To manage risk, key criteria are incorporated into Cumberland Council's investment making decisions, as detailed below:-

Preservation of Capital

The requirement for preventing losses in an investment portfolio's total value (considering the time value of money).

Diversification

Setting limits to the amounts invested with a particular financial institution or government authority to reduce credit risk.

Credit risk

The risk that an investment of Council fails to pay the interest and/or repay the principal of an investment.

Maturity risk

The longer the term of the investment, the greater the exposure to potential changes in interest rates, market volatility and credit quality of an issuer.

FINANCIAL IMPLICATIONS

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

CONCLUSION

Council hereby certifies that the investments listed above have been made in accordance with Section 625 of the *Local Government Act 1993*, Clause 212 of the *Local Government (General) Regulation 2005* and Council's *Investment Policy*.

ATTACHMENTS

1. Investment Summary Report December 2019
2. Economic and Investment Portfolio Commentary December 2019

DOCUMENTS ASSOCIATED WITH REPORT C02/20-352

Attachment 1

Investment Summary Report December 2019

CUMBERLAND COUNCIL

Investment Summary Report
December 2019

PRUDENTIAL INVESTMENT SERVICES CORP

Cumberland Council
Investment Summary Report - December 2019

CUMBERLAND COUNCIL

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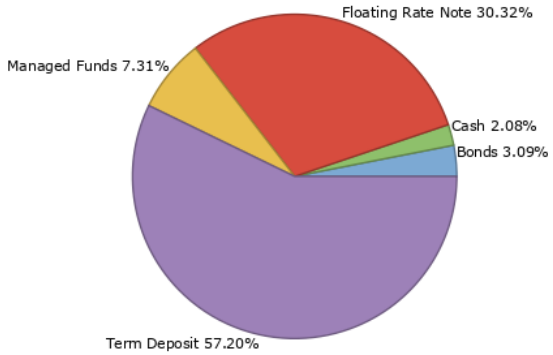
Cumberland Council
Executive Summary - December 2019

CUMBERLAND COUNCIL

Investment Holdings

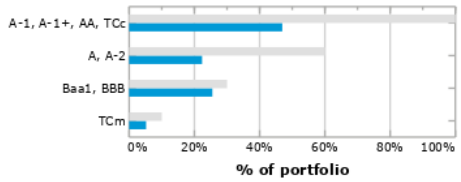
By Product	Face Value ($)	Current Value ($)	Current Yield (%)
Bonds	4,750,000.00	5,060,570.65	3.0474
Cash	3,205,073.26	3,205,073.26	0.4634
Floating Rate Note	46,650,000.00	46,869,994.10	1.9830
Managed Funds	11,253,322.28	11,253,322.28	-5.0275
Term Deposit	88,000,000.00	88,875,259.72	2.1616
	153,858,395.54	**155,264,220.01**	**1.5724**

Investment Holdings



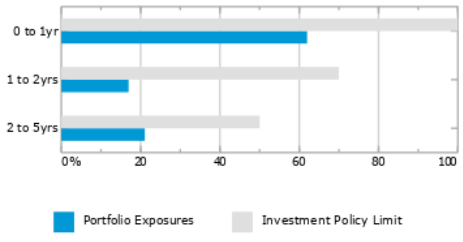
Investment Policy Compliance

Total Credit Exposure

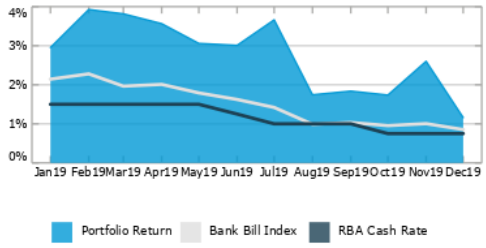


Investment Policy Compliance

Term to Maturity



Investment Performance



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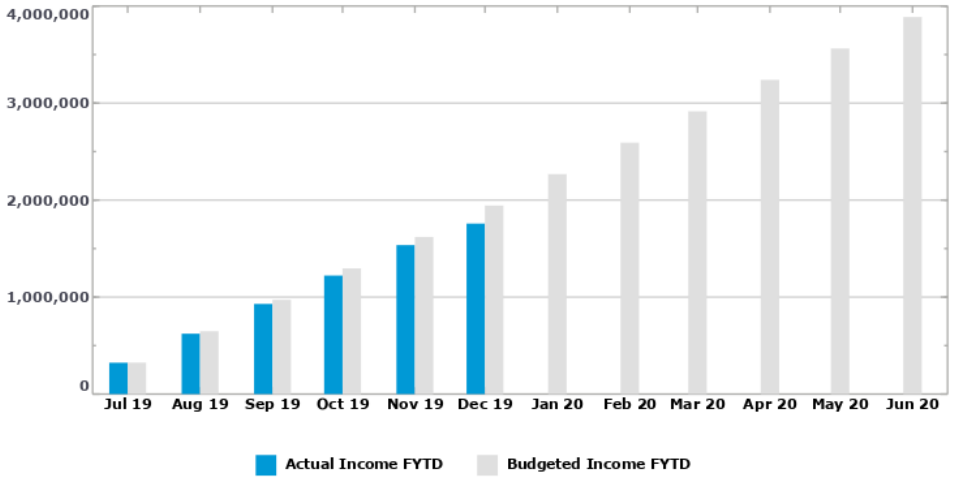
Cumberland Council
Actual Interest Report - December 2019

CUMBERLAND COUNCIL

Budgeted vs Actual Returns

	Monthly Income	YTD Actual	YTD Budgeted
July 2019	323,339	323,339	323,861
August 2019	299,143	622,482	647,722
September 2019	306,831	929,313	971,582
October 2019	292,564	1,221,876	1,295,443
November 2019	313,774	1,535,650	1,619,304
December 2019	221,892	1,757,542	1,943,165



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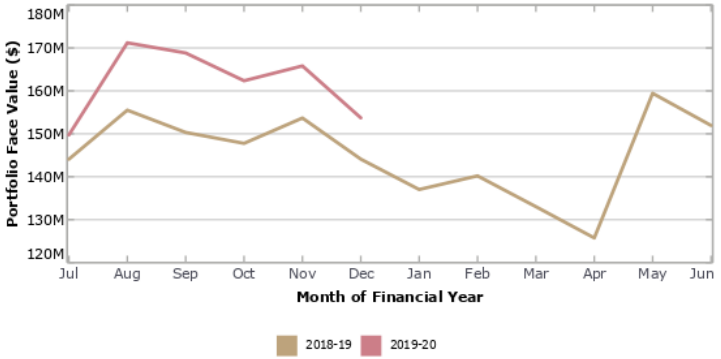
Cumberland Council
Investment Cashflows - December 2019

CUMBERLAND COUNCIL

Historical Portfolio Balance

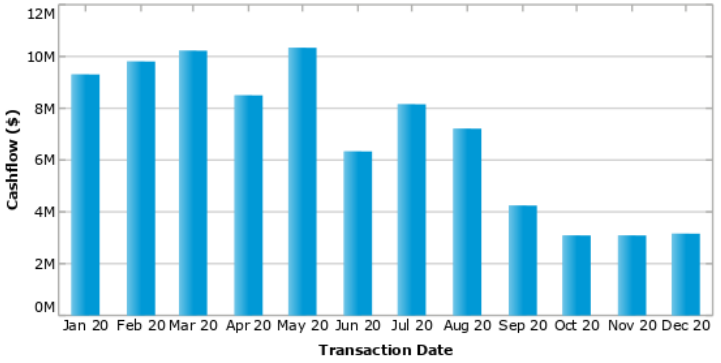


Historical Portfolio Balance

	2019-20	2018-19
July	149,746,425	144,080,941
August	171,194,994	155,505,088
September	168,825,526	150,313,187
October	162,351,811	147,766,470
November	165,813,514	153,672,885
December	153,714,732	144,091,226
January		137,015,520
February		140,191,555
March		133,016,214
April		125,735,228
May		159,429,160
June		151,946,000

Average 12 month Portfolio Balance 151,581,723

Upcoming Cashflow Summary



Upcoming Cashflow Summary

	Amount
January 20	9,304,492
February 20	9,804,951
March 20	10,221,995
April 20	8,498,154
May 20	10,335,199
June 20	6,332,722
July 20	8,152,710
August 20	7,211,464
September 20	4,242,126
October 20	3,087,996
November 20	3,087,793
December 20	3,156,809

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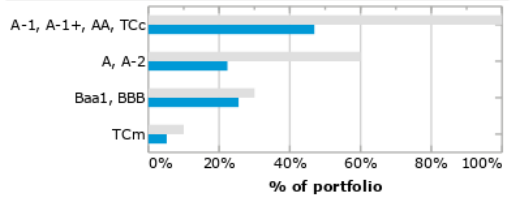
Cumberland Council
Investment Policy Compliance Report - December 2019

CUMBERLAND COUNCIL

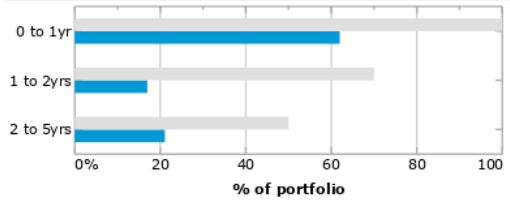
Total Credit Exposure



Portfolio Exposure Investment Policy Limit

Credit Rating		Exposures ($)	Exposures (%)	Policy Max	
Long Term	AA	13,750,000			
Short Term	A-1	2,000,000			
Short Term	A-1+	53,205,073			
Short Term	TCc	3,259,171			
		72,214,244	**47%**	**100%**	✓
Long Term	A	5,500,000			
Short Term	A-2	28,900,000			
		34,400,000	**22%**	**60%**	✓
Long Term	Baa1	2,100,000			
Long Term	BBB	37,150,000			
		39,250,000	**26%**	**30%**	✓
Short Term	TCm	7,994,151			
		7,994,151	**5%**	**10%**	✓
		153,858,396	**100%**		

Term to Maturities



Portfolio Exposure Investment Policy Limit

Policy Minimum	Exposures ($)	Exposures (%)	Min (%)	
Less than 3 months	42,958,396	28%	10%	✓
Between 3 months and 1 year	52,400,000	34%	20%	✓

Policy Maximum	Exposures ($)	Exposures (%)	Max (%)	
Between 1 and 2 years	26,100,000	17%	70%	✓
Between 2 and 5 years	32,400,000	21%	50%	✓
	153,858,396			

✓ = compliant
X = non compliant

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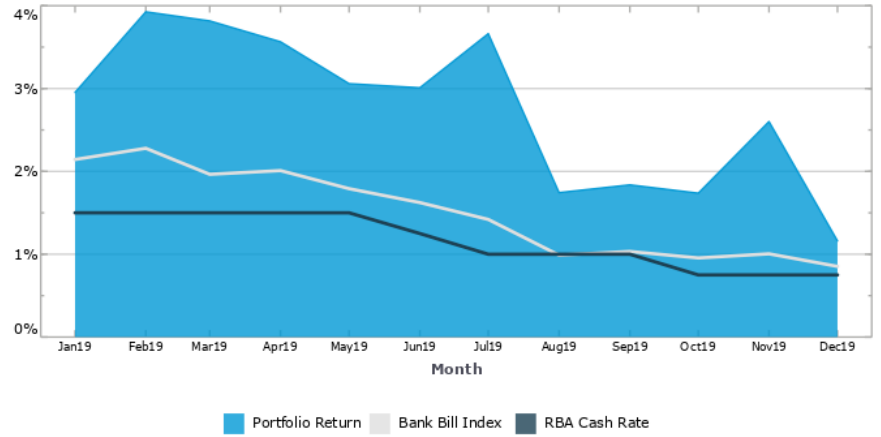
Cumberland Council
Investment Performance Report - December 2019

CUMBERLAND COUNCIL

Annualised Monthly Return



Historical Portfolio Return vs Bloomberg Bank Bill Index

	1 Month	3 Months	6 Months	FYTD	12 months
Portfolio Return (1)	1.16%	1.82%	2.12%	2.12%	2.74%
Index Return (2)	0.85%	0.94%	1.04%	1.04%	1.50%
Outperformance (4)	0.31%	0.88%	1.08%	1.08%	1.24%

(1) Portfolio Return is the annualised rate of return for the portfolio for the specified period
(2) The Index Return is the Bloomberg AusBond Bank Bill Index
(4) Outperformce is the excess of the Portfolio Return over the Index Return

Historical Portfolio Return vs RBA Cash Rate

	1 Month	3 Months	6 Months	FYTD	12 months
Portfolio Return (1)	1.16%	1.82%	2.12%	2.12%	2.74%
Index Return (3)	.75%	.75%	.87%	.87%	1.16%
Outperformance (4)	.41%	1.07%	1.25%	1.25%	1.58%

(1) Portfolio Return is the annualised rate of return for the portfolio for the specified period
(3) The Index Return is the RBA Cash Rate
(4) Outperformce is the excess of the Portfolio Return over the Index Return

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PRUDENTIAL INVESTMENT SERVICES CORP

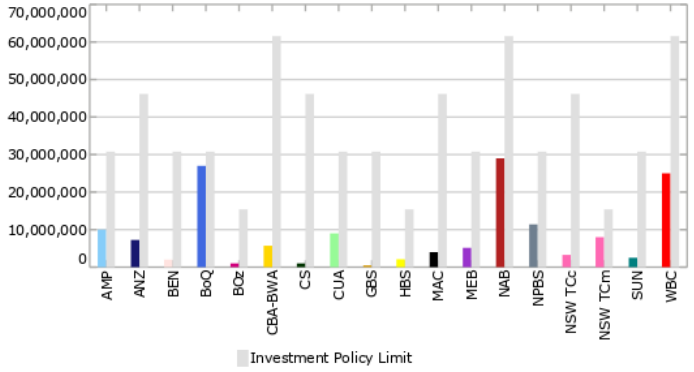
Cumberland Council
Individual Institutional Exposures Report - December 2019

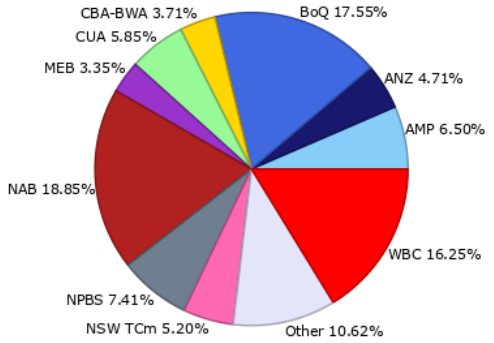
CUMBERLAND COUNCIL

Individual Institutional Exposures

Parent Group	Credit Rating	Portfolio Exposure ($)	% of portfolio
AMP Bank	A-2, BBB+	10,000,000	6%
ANZ Group	A-1+, AA-	7,250,000	5%
Bank Australia	A-2, BBB	1,000,000	1%
Bank of Queensland	A-2, BBB+	27,000,000	18%
Bendigo and Adelaide Bank	A-2, BBB+	2,000,000	1%
Commonwealth Bank of Australia	A-1+, AA-	5,705,073	4%
Credit Suisse AG (Syd Branch)	A-1, A	1,000,000	1%
Credit Union Australia	A-2, BBB	9,000,000	6%
Greater Bank	A-2, BBB	500,000	0%
Heritage Bank	P-2, Baa1	2,100,000	1%
Macquarie Bank	A-1, A+	4,000,000	3%
Members Equity Bank	A-2, BBB	5,150,000	3%
National Australia Bank	A-1+, AA-	29,000,000	19%
Newcastle Permanent Building Society	A-2, BBB	11,400,000	7%
NSW T-Corp (Cash)	TCc, TCc	3,259,171	2%
NSW T-Corp (MT)	TCm, TCm	7,994,151	5%
Suncorp Bank	A-1, A+	2,500,000	2%
Westpac Group	A-1+, AA-	25,000,000	16%
		153,858,396	

Individual Institutional Exposure Charts





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Cash Accounts

Face Value ($)	Current Yield	Institution	Credit Rating	Current Value ($)	Deal No.	Reference
143,663.88	0.7500%	Commonwealth Bank of Australia	A-1+	143,663.88	533672	3010516
3,061,409.38	0.4500%	Commonwealth Bank of Australia	A-1+	3,061,409.38	250385	3010516
3,205,073.26	**0.4634%**			**3,205,073.26**		

Managed Funds

Face Value ($)	Current Yield	Institution	Credit Rating	Fund Name	Current Value ($)	Deal No.	Reference
160,234.72	0.9828%	NSW T-Corp (Cash)	TCc	Cash Fund	160,234.72	204877	3120516
3,098,936.15	1.3240%	NSW T-Corp (Cash)	TCc	Short Term Income Fund	3,098,936.15	204878	3120516
7,994,151.41	-7.6102%	NSW T-Corp (MT)	TCm	Medium Term Growth Fund	7,994,151.41	538647	3021019
11,253,322.28	**-5.0275**				**11,253,322.28**		

Term Deposits

Maturity Date	Face Value ($)	Rate	Institution	Credit Rating	Purchase Price ($)	Purchase Date	Current Value ($)	Deal No.	Accrued Interest ($)	Coupon Frequency	Reference
13-Jan-20	4,000,000.00	2.2400%	National Australia Bank	A-1+	4,000,000.00	29-May-19	4,053,269.04	537985	53,269.04	At Maturity	3290519
20-Jan-20	3,000,000.00	2.8300%	Credit Union Australia	A-2	3,000,000.00	11-Feb-19	3,075,363.29	537534	75,363.29	At Maturity	3110219
20-Jan-20	2,000,000.00	2.5000%	AMP Bank	A-2	2,000,000.00	24-May-19	2,030,410.96	537977	30,410.96	At Maturity	3240519
3-Feb-20	4,000,000.00	2.2500%	National Australia Bank	A-1+	4,000,000.00	29-May-19	4,053,506.85	537986	53,506.85	At Maturity	3290519
17-Feb-20	4,000,000.00	1.7500%	National Australia Bank	A-1+	4,000,000.00	13-Aug-19	4,027,041.10	538385	27,041.10	At Maturity	3130819
21-Feb-20	1,000,000.00	3.2000%	Bank of Queensland	A-2	1,000,000.00	22-Feb-17	1,027,528.77	534971	27,528.77	Annually	2220217
9-Mar-20	4,000,000.00	1.9100%	Westpac Group	A-1+	4,000,000.00	10-Sep-19	4,023,652.60	538511	23,652.60	At Maturity	3100919
4-May-20	3,000,000.00	1.9500%	National Australia Bank	A-1+	3,000,000.00	3-Jul-19	3,029,169.86	538171	29,169.86	At Maturity	3030719
4-May-20	3,000,000.00	1.6300%	National Australia Bank	A-1+	3,000,000.00	4-Sep-19	3,015,942.74	538485	15,942.74	At Maturity	3040919
18-May-20	3,000,000.00	1.9000%	AMP Bank	A-2	3,000,000.00	20-Nov-19	3,006,558.90	538741	6,558.90	At Maturity	3201119
18-May-20	1,000,000.00	3.0000%	Bank of Queensland	A-2	1,000,000.00	19-May-17	1,018,575.34	535254	18,575.34	Annually	3190517
15-Jun-20	3,000,000.00	2.0500%	National Australia Bank	A-1+	3,000,000.00	11-Jun-19	3,034,372.60	538029	34,372.60	Annually	3110619

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Term Deposits

Maturity Date	Face Value ($)	Rate	Institution	Credit Rating	Purchase Price ($)	Purchase Date	Current Value ($)	Deal No.	Accrued Interest ($)	Coupon Frequency	Reference
22-Jun-20	3,000,000.00	1.9500%	National Australia Bank	A-1+	3,000,000.00	24-Jun-19	3,030,612.33	538069	30,612.33	At Maturity	3240619
5-Jul-20	3,000,000.00	1.9500%	National Australia Bank	A-1+	3,000,000.00	27-Jun-19	3,030,131.51	538085	30,131.51	Annually	3270619
13-Jul-20	4,000,000.00	1.8200%	Westpac Group	A-1+	4,000,000.00	5-Sep-19	4,023,535.34	538499	23,535.34	At Maturity	3050919
10-Aug-20	4,000,000.00	1.8200%	Westpac Group	A-1+	4,000,000.00	5-Sep-19	4,023,535.34	538500	23,535.34	At Maturity	3050919
24-Aug-20	2,000,000.00	3.0000%	Bank of Queensland	A-2	2,000,000.00	24-Aug-18	2,021,041.10	537008	21,041.10	Annually	3240818
14-Sep-20	4,000,000.00	1.8100%	Westpac Group	A-1+	4,000,000.00	10-Sep-19	4,022,414.25	538512	22,414.25	At Maturity	3100919
19-Oct-20	3,000,000.00	1.6100%	Westpac Group	A-1+	3,000,000.00	19-Dec-19	3,001,720.27	538985	1,720.27	At Maturity	3191219
16-Nov-20	3,000,000.00	1.6100%	Westpac Group	A-1+	3,000,000.00	19-Dec-19	3,001,720.27	538986	1,720.27	At Maturity	3191219
8-Dec-20	3,000,000.00	3.0000%	Bank of Queensland	A-2	3,000,000.00	5-Dec-17	3,006,657.53	536048	6,657.53	Annually	3051217
22-Feb-21	3,000,000.00	2.9500%	Newcastle Permanent Building Society	BBB	3,000,000.00	22-Feb-19	3,075,891.78	537561	75,891.78	Annually	3220219
8-Mar-21	3,000,000.00	2.8500%	Newcastle Permanent Building Society	BBB	3,000,000.00	6-Mar-19	3,070,508.22	537619	70,508.22	Annually	3060319
8-Jun-21	2,000,000.00	3.1400%	Westpac Group	AA-	2,000,000.00	8-Jun-18	2,003,957.26	536727	3,957.26	Quarterly	3080618
28-Jun-21	2,000,000.00	2.0500%	Bank of Queensland	BBB+	2,000,000.00	27-Jun-19	2,021,117.81	538086	21,117.81	Annually	3270619
4-Oct-21	3,000,000.00	1.7000%	Bank of Queensland	BBB+	3,000,000.00	4-Sep-19	3,016,627.40	538486	16,627.40	Annually	3040919
11-Oct-21	3,000,000.00	1.7000%	Bank of Queensland	BBB+	3,000,000.00	4-Sep-19	3,016,627.40	538488	16,627.40	Annually	3040919
23-May-22	2,000,000.00	2.4000%	Bank of Queensland	BBB+	2,000,000.00	24-May-19	2,029,194.52	537973	29,194.52	Annually	3240519
30-May-22	2,000,000.00	2.4000%	Bank of Queensland	BBB+	2,000,000.00	30-May-19	2,028,405.48	537991	28,405.48	Annually	3300519
14-Jun-22	2,000,000.00	2.2500%	Bank of Queensland	BBB+	2,000,000.00	11-Jun-19	2,025,150.68	538030	25,150.68	Annually	3110619
22-May-23	2,000,000.00	2.5500%	Bank of Queensland	BBB+	2,000,000.00	24-May-19	2,031,019.18	537974	31,019.18	Annually	3240519
	88,000,000.00	**2.1616%**			**88,000,000.00**		**88,875,259.72**		**875,259.72**		

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Floating Rate Notes

Maturity Date	Face Value ($)	Current Coupon	Security Name	Credit Rating	Purchase Price ($)	Purchase Date	Current Value ($)	Deal No.	Accrued Interest ($)	Next Coupon Date	Reference
24-Feb-20	500,000.00	2.3300%	GBS Snr FRN (Feb20) BBSW+1.45%	A-2	502,730.00	15-Sep-17	501,687.12	535783	1,180.96	24-Feb-20	3150917
3-Mar-20	1,000,000.00	1.9860%	MAC Snr FRN (Mar20) BBSW+1.10%	A-1	1,000,000.00	3-Mar-15	1,002,578.57	502272	1,577.92	3-Mar-20	3030315
20-Mar-20	1,500,000.00	2.2141%	CUA Snr FRN (Mar20) BBSW+1.30%	A-2	1,500,000.00	20-Mar-17	1,503,902.12	535160	1,091.88	20-Mar-20	2200317
20-Mar-20	3,000,000.00	2.2141%	CUA Snr FRN (Mar20) BBSW+1.30%	A-2	3,002,640.00	19-Sep-17	3,007,804.24	535800	2,183.77	20-Mar-20	3190917
20-Mar-20	500,000.00	2.2141%	CUA Snr FRN (Mar20) BBSW+1.30%	A-2	500,925.00	28-Sep-17	501,300.71	535801	363.96	20-Mar-20	3280917
6-Apr-20	500,000.00	2.0884%	ME Bank Snr FRN (Apr20) BBSW+1.25%	A-2	502,965.00	1-Sep-17	503,210.00	535763	2,431.70	6-Jan-20	3010917
6-Apr-20	2,000,000.00	2.0884%	ME Bank Snr FRN (Apr20) BBSW+1.25%	A-2	2,006,700.00	15-May-17	2,012,839.97	535233	9,726.79	6-Jan-20	3150517
7-Apr-20	900,000.00	2.1884%	NPBS Snr FRN (Apr20) BBSW+1.35%	A-2	907,083.00	24-Aug-17	906,516.09	535630	4,586.65	7-Jan-20	3240817
7-Apr-20	3,000,000.00	2.1884%	NPBS Snr FRN (Apr20) BBSW+1.35%	A-2	3,033,480.00	30-Nov-17	3,021,720.28	535999	15,288.82	7-Jan-20	3301117
7-Apr-20	1,000,000.00	2.1884%	NPBS Snr FRN (Apr20) BBSW+1.35%	A-2	1,000,000.00	7-Apr-15	1,007,240.09	533676	5,096.27	7-Jan-20	2070415
29-Apr-20	1,000,000.00	2.0398%	CS Snr FRN (Apr20) BBSW+1.15%	A-1	1,000,000.00	29-Apr-15	1,005,773.89	533688	3,576.64	29-Jan-20	2290415
28-Jul-20	1,000,000.00	1.7850%	WBC Snr FRN (Jul20) BBSW+0.90%	A-1+	1,000,000.00	28-Jul-15	1,006,418.77	507261	3,178.77	28-Jan-20	3280715
18-Aug-20	1,000,000.00	2.0017%	BEN Snr FRN (Aug20) BBSW+1.10%	A-2	1,000,000.00	18-Aug-15	1,006,233.01	533677	2,413.01	18-Feb-20	2180815
29-Mar-21	2,100,000.00	2.1500%	HBS Snr FRN (Mar21) BBSW+1.23%	Baa1	2,100,000.00	29-Mar-18	2,112,784.40	536457	247.40	30-Mar-20	3290318
16-Apr-21	1,000,000.00	2.1217%	ME Bank Snr FRN (Apr21) BBSW+1.27%	BBB	1,000,000.00	17-Apr-18	1,009,525.92	536509	4,475.92	16-Jan-20	3170418
30-Aug-21	1,000,000.00	2.1850%	BOz 'SRI' Snr FRN (Aug21) BBSW+1.30%	BBB	1,000,000.00	30-Aug-18	1,007,605.48	536987	1,975.48	28-Feb-20	3300818
6-Sep-21	1,000,000.00	2.1424%	CUA Snr FRN (Sep21) BBSW+1.25%	BBB	1,000,000.00	6-Sep-18	1,009,136.09	537050	1,526.09	6-Mar-20	3060918
10-Sep-21	2,000,000.00	1.9688%	AMP Snr FRN (Sep21) BBSW+1.08%	BBB+	2,000,000.00	10-Sep-18	1,997,633.35	537065	2,373.35	10-Mar-20	3100918
10-Sep-21	3,000,000.00	1.9688%	AMP Snr FRN (Sep21) BBSW+1.08%	BBB+	3,021,240.00	31-May-19	2,996,450.02	537992	3,560.02	10-Mar-20	3310519
18-Jul-22	1,650,000.00	1.8700%	ME Bank Snr FRN (Jul22) BBSW+0.98%	BBB	1,650,000.00	18-Jul-19	1,660,003.07	538175	6,340.07	20-Jan-20	3180719
25-Jan-23	1,000,000.00	1.9300%	BEN Snr FRN (Jan23) BBSW+1.05%	BBB+	1,000,000.00	25-Jan-18	1,009,215.62	536142	3,595.62	28-Jan-20	3250118
6-Feb-23	500,000.00	2.3400%	NPBS Snr FRN (Feb23) BBSW+1.40%	BBB	501,370.00	21-Mar-18	505,690.07	536444	1,795.07	6-Feb-20	3210318
9-May-23	3,000,000.00	1.8300%	ANZ Snr FRN (May23) BBSW+0.90%	AA-	3,000,000.00	9-May-18	3,032,090.96	536582	7,670.96	10-Feb-20	3090518
19-Jun-24	2,000,000.00	1.8100%	NAB Snr FRN (Jun24) BBSW+0.92%	AA-	2,000,000.00	19-Jun-19	2,020,069.32	538035	1,289.32	19-Mar-20	3190619
11-Jul-24	4,000,000.00	1.9200%	BoQ Snr FRN (Jul24) BBSW+1.03%	BBB+	4,021,640.00	29-Aug-19	4,015,700.82	538417	15,780.82	20-Jan-20	3290819

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Floating Rate Notes

Maturity Date	Face Value ($)	Current Coupon	Security Name	Credit Rating	Purchase Price ($)	Purchase Date	Current Value ($)	Deal No.	Accrued Interest ($)	Next Coupon Date	Reference
30-Jul-24	2,500,000.00	1.6879%	SUN Snr FRN (Jul24) BBSW+0.78%	A+	2,495,800.00	12-Aug-19	2,497,383.40	538383	7,283.40	30-Jan-20	3120819
7-Aug-24	3,000,000.00	1.7333%	MAC Snr FRN (Aug24) BBSW+0.80%	A+	3,000,000.00	7-Aug-19	3,001,241.50	538349	7,835.47	7-Feb-20	3070819
29-Aug-24	2,000,000.00	1.6550%	ANZ Snr FRN (Aug24) BBSW+0.77%	AA-	2,000,000.00	29-Aug-19	2,008,239.22	538412	2,992.60	28-Feb-20	3290819
	46,650,000.00	**1.9830%**			**46,746,573.00**		**46,869,994.10**		**121,438.73**		

Fixed Rate Bonds

Maturity Date	Face Value ($)	Coupon	Security Name	Credit Rating	Purchase Price ($)	Purchase Date	Current Value ($)	Deal No.	Accrued Interest ($)	Purchase Yield	Reference
11-Jan-24	2,500,000.00	3.0000%	CBA Snr Bond (Jan24) 3.00%	AA-	2,478,775.00	11-Jan-19	2,660,255.65	537455	35,080.65	3.1850%	3110119
8-Feb-24	2,250,000.00	3.1000%	ANZ Snr Bond (Feb24) 3.10%	AA-	2,248,717.50	8-Feb-19	2,400,315.00	537488	27,375.00	3.1125%	3080219
	4,750,000.00	**3.0474%**			**4,727,492.50**		**5,060,570.65**		**62,455.65**	**3.1507%**	

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DOCUMENTS ASSOCIATED WITH REPORT C02/20-352

Attachment 2

Economic and Investment Portfolio Commentary December 2019

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Cumberland Council
Economic and Investment Portfolio Commentary
December 2019

Global issues:

- Closing out 2019, global headlines were dominated by US and UK politics. In the US, the Democrat-controlled House of Representatives voted to impeach President Trump, however with little chance of the Republican-controlled Senate doing the same, no change in the Oval Office is expected for at least another year.
- Meanwhile, in the UK, Boris Johnson's calculated gamble to call for another general election paid off with his Conservative Party gaining a majority in Parliament clearing the path for his Brexit plans to now proceed. The UK is scheduled to leave the EU on January 31 with the start of a 12 month transition period to a new UK/EU trade relationship.
- Financial markets were little swayed by the political events. The US continues to show signs of economic strength filtering through to a gain of 20% in US share market over 2019. Meanwhile, the prospect of an orderly Brexit eased financial markets' concerns in the UK and Europe of potentially chaotic trade scenarios.

Domestic issues:

- In Australia, the federal government's Mid Year Economic and Fiscal Outlook had a sombre outlook for the economy with GDP now predicted to only reach +2.25% for FY2019/20, down from the earlier estimate of +2.75%, and the budget surplus expected to be $2bln less than originally predicted: $5bln from $7.1bln.
- Better than expected employment numbers, following last month's surprisingly poor results, and favourable housing figures helped give the market some optimism to close out the year.

Interest rates

- Favourable news coming out of the US/Chinese trade talks along with better domestic employment data gave a modest boost to forward rate expectations. The market is now pricing in an 80% chance of 25 basis point rate cut by July:

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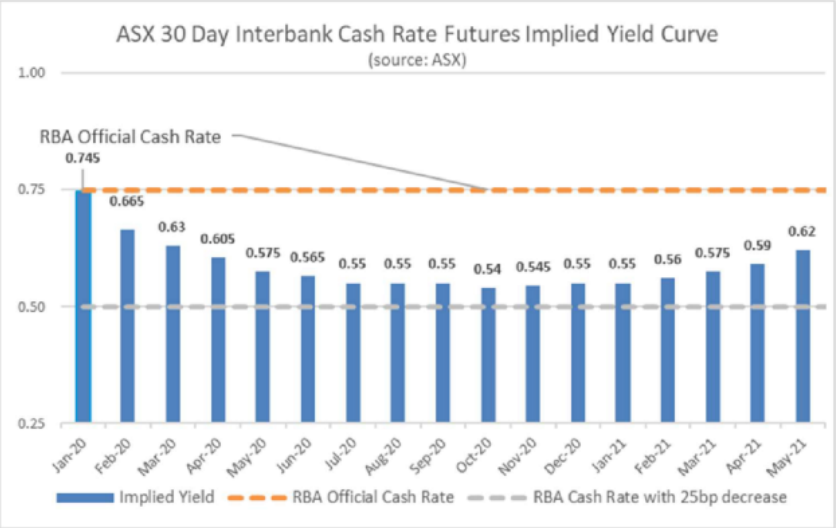
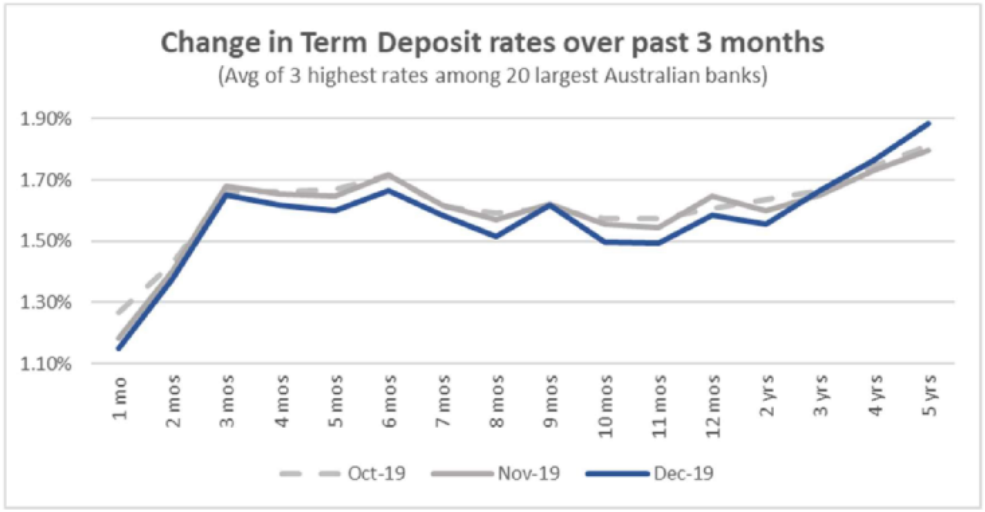


- The modest increase in market rates in the second half of December was not reflected in the average term deposit rates, with the exception of the 3-5yr area. Rates across 1mo-2yrs ended December between 0-7 basis points lower. The average highest rates on offer for 3-month TDs at month end was 1.65% down from 1.68% in November. The average of the highest 12 month rates was 1.58%, down from 1.65% last month:



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Investment Portfolio Commentary

Council's investment portfolio posted a return of 1.16%pa for the month of December versus the bank bill index benchmark return of 0.85%pa. For the past 12 months, the investment portfolio returned 2.74%pa, exceeding the bank bill index benchmark's 1.50%pa by 1.24%pa.

Without marked-to-market influences, Council's investment portfolio yielded 2.02%pa for the month. This is based on the actual interest rates being received on existing investments and excludes the underlying changes to the market value of the securities/deposits.

During December, Council's investment portfolio had $8m in 6mo, 12mo & 2yr term deposits mature which were paying a weighted average of 2.46%pa. Council invested $6m in 10 & 11 month term deposits from Westpac Commercial Bank at 1.61%, which was well above the rates from other majors and inline with the best from lower rated banks.

The TCorpIM MT Growth fund was down 0.4% during December. Australian shares were down 1.9% during the month with Consumer Staples (-7.8%) and Telecoms (-5.5%) leading the declines while Materials was the best performing sector (+1.8%). Overseas markets were higher with the US S&P 500 (+3.0%), European S&P350 (+2.1%), Japanese S&P 500 (+1.3%), and the Chinese S&P 300 (+6.6%) all recording strong gains.

Council has a well-diversified portfolio invested among a range of term deposits and floating rate notes from highly rated Australian ADIs. 74% of the portfolio is spread among the top three credit rating categories (A long term/A2 short term and higher) and NSW TCorpIM managed funds. It is expected that Council can continue to achieve above benchmark returns with prudent investment selection for its short and long term holdings.

Item No: C02/20-353

RISING STAR SPORTS AWARD

Responsible Division: Community Development
Officer: Acting Director Community Development
File Number: SC619
Community Strategic Plan Goal: *Transparent and accountable leadership*

SUMMARY

The Cumberland Council Rising Star Sports Award aims to celebrate and support the achievements of local residents who are pursuing excellence in the field of sport. The award will provide one-off financial assistance to individual local athletes of any age who have been selected to represent their sport at a state, national or international level.

This report outlines the outcome of staff assessments and the recommendations for funding allocations for applications submitted in the month of December 2019.

RECOMMENDATION

That Council:

1. **Adopt the one application recommended for funding under Attachment 1 and allocate $1,500 from the 2019/20 Cumberland Rising Star Sports Award.**

2. **Advise the applicant of funding allocations of the 2019/20 Cumberland Rising Star Sports Award and provide feedback.**

REPORT

2019/20 Community Grants Program Rising Star Sports Award Guidelines

In accordance with the *Community Grants and Donations Policy*, detailed Guidelines for the 2019/2020 Cumberland Community Grants Program – Rising Star Sports Award (included under Attachment 2) were made publicly available. The Guideline outlines the funding eligibility and assessment criteria.

2019/2020 Cumberland Rising Star Program is open all year round and applications received on a monthly basis and received by 4 pm on the last Monday of each month.

In accordance with the *Community Grants and Donations Policy*, applications were invited via an open call. Promotion of the Rising Star Sports Award commenced on 31 October 2019. The grant round was promoted widely using the following methods:

- Promotion of the Grants Program through Council's social media channels and website.
- The Guidelines and Application Forms were made available on Council's website.
- Emails were sent to local community organisations that subscribe to Council's Grants Bulletin (400 subscribers).
- Emails were sent to community groups and other key stakeholder groups (approximately 1,200 email addresses).
- Promotional flyers were displayed in Council's community centres, libraries and Customer Contact Centres.
- Promotion through Schools Program Newsletter which is distributed to all schools across Cumberland (57 Schools).
- Promotion through local Sports Clubs.

In accordance with the Policy and the Guidelines, submitted applications were assessed against the published assessment criteria.

The athlete can only win the Award once per financial year. Council does not award funding for projects or events retrospectively. Funded projects or events must be delivered between 1 September 2019 and 31 August 2020.

Assessment Process

The Rising Star Sports Award is a competitive process with applications assessed against the published criteria. Applications submitted for funding under the Community Grants Program were assessed in two stages. This included:

Stage 1: Eligibility Assessment

Council's grants administrators conducted an eligibility assessment of all applications submitted. This included applications being submitted on time, being complete and meeting the eligibility criteria.

Stage 2: Subject Matter Expert Panels

Three internal assessment panels (Subject Matter Expert Panels) consisting of Council staff were convened to review and rank eligible applications against the assessment criteria. The Subject Matter Expert Panels involved members of staff that have sufficient understanding of the funding process and funding priorities. The Panels consisted of staff from a cross-section of service areas.

Panel members were required to complete confidentiality and conflict of interest documents and declare any conflicts of interest that arose during the assessment process.

Subject Matter Expert Panels assessed all applications.

Assessment Outcomes

A total of $12,316 is available in 2019/20. Council received one application from Mr Hayden Shaw requesting a total of $1,500 and has been recommended for funding.

The following table provides a summary of the assessment outcomes:

Funding Stream	Amount Available	Amount Recommended	No. of Projects Recommended
Rising Star Sports Award	$12,316	$1,500	1
TOTAL	**$12,316**	**$1,500**	**1**

The total value of the application recommended for funding is $1,500.00.

A full list of applications recommended by the Subject Matter Expert Panels for funding for the month of December is included in Attachment 1 'Schedule of Applications Received – Cumberland Rising Star Sports Award 2019/20' for determination by Council.

COMMUNITY ENGAGEMENT

Council will notify the applicant of the outcome of their application.

Information about the Cumberland Rising Star Sports Award is open all year round, will be widely promoted and made available to the community.

POLICY IMPLICATIONS

The *Community Grants and Donations Policy* outlines the framework under which grants and donations made by Council to the community are governed. The Policy ensures Council meets legislative requirements prescribed in Section 356 of the *Local Government Act 1993*. All applications submitted to Round Two of the 2018/19 Community Grants Program have been assessed in accordance with this Policy.

RISK IMPLICATIONS

Successful applicant will be required to enter into a funding agreement with Council and meet all requirements of project delivery, reporting and acquittal.

FINANCIAL IMPLICATIONS

There is a total of $12,316 remaining in the 2019/20 Cumberland Rising Star Sports Award budget to fund the project recommended for funding ($1,500) with $10,816 remaining available for the remainder of the financial year.

CONCLUSION

The Cumberland Council Rising Star Sports Award aims to celebrate and support the achievements of local residents who are pursuing excellence in the field of sport. The award will provide one-off financial assistance to individual local athletes of any age who have been selected to represent their sport at a regional, state, national or international level.

Council has put in place appropriate monitoring, acquittal and accountability measures for recipients of the Community Grants Program to ensure funds are spent in accordance with the Guidelines. Council will continue to make improvements to the Community Grants Program based on applicant feedback, observations made by grants officers and members of Subject Matter Expert Assessment Panels to improve the overall quality of applications and assessment outcomes.

ATTACHMENTS

1. Cumberland Rising Star Schedule of Applicants ⇩
2. Cumberland Rising Star Sports Awards 2019/20 Guideline ⇩

DOCUMENTS ASSOCIATED WITH REPORT C02/20-353

Attachment 1

Cumberland Rising Star Schedule of Applicants

Attachment 1: CUMBERLAND RISING STAR SPORTS AWARDS 2019/2020

Schedule of Applications Received

RISING STAR SPORTS AWARDS					
Application ID	**Applicant**	**Project Title & Description (SIC)**	**Amount Requested**	**Recommendation**	**Assessment Panel Comments**
STAR2019012	Mr Hayden Shaw	WBSC u18 Softball Men's World Cup 2020 To assist accommodation, travel and uniform costs associated with the World Cup Tournament.	$1,500	Recommended	Hayden shows he is passionate about softball as well as the values and morals that he has. He shows he wants to help others and engage in the community by giving back and he is able to do this through the success he has had in his softball career thus far. Demonstrates great team spirit, provides examples that demonstrate a positive behaviour approach both on and off the sporting field. Overall a good candidate, he shows true sportsmanship, leadership skills and behaviour and has a passion for sport.

DOCUMENTS ASSOCIATED WITH REPORT C02/20-353

Attachment 2

Cumberland Rising Star Sports Awards 2019/20 Guideline

Cumberland Rising Star Sports Award Program

The Rising Star Sports Award aims to celebrate and support the achievements of local residents who are pursuing excellence in the field of sport.

The Award will provide one-off financial assistance to individual local athletes of any age who have been selected to represent their sport at a regional, state, national or international level. These funds are to be used to support the event costs including accommodation, travel, uniform, etc.

You should submit an application:

- once you have been selected to represent regional, state, national or international championships and your participation has been confirmed; and
- minimum 8 weeks before the championships commence.

Applications are due 4pm on the last Monday of each month, and should be submitted online at www.cumberland.nsw.gov.au/grants

T 8757 9000 **W** cumberland.nsw.gov.au **E** council@cumberland.nsw.gov.au

Funding available 2019/20

Grants Stream: Rising Star Sports Award
Annual Funding Pool: $12,316
Maximum amount per applicant:
Up to $750 (Regional and State Level representation) and up to $1,500 (National and International Level representation)

**Council reserves the right to vary the level of financial assistance provided.*

Eligibility:

- Athletes must live in the Cumberland Local Government Area.
- If the athlete is under 18 years of age, the consent of a parent or legal guardian is required.
- Applicants must provide full details and supporting documentation about the event/activity. Background information about why they have been chosen to compete, exhibit or perform is also to be supplied.
- All applications must be made 8 weeks prior to the activity/event occurring.
- Funds must be used to support applicant participation in the event/activity.
- The Athlete can only win the award once per financial year.
- Support documentation from 2 referees. Note that referees cannot be Council staff or elected representatives.

Not eligible for funding:

- Athletes cannot receive more than one Award per financial year from this Fund and must meet all reporting requirements to be eligible for future Cumberland Council grants.
- Athletes cannot apply for the same event in other grants and sponsorship programs offered by Council including community grants program, mayoral fund and sponsorship program.
- Business.
- Not for profit organisations.
- Expenses that have already been spent.
- Applicants that don't live in Cumberland Local Government Area.
- Councilors, Council staff and their immediate family (parent, spouse, partner or children) are ineligible to apply for this stream of the grants program.

Assessment Criteria:

Applications submitted for the Rising Star Award will be assessed monthly using the following criteria:

Criteria: Council's Vision
Score: 15

- The applicant has demonstrated an understanding of Cumberland Council's Vision (Welcome, Belong, Succeed) and how it relates to the Rising Star Sports Award criteria.
- The applicant has provided examples of how Council's vision applies to them and the activity they have requested financial assistance for.
- The applicant has committed to exemplifying Council values.

Criteria: Representing Cumberland
Score: 15

- The applicant has demonstrated outstanding performance/results.
- The applicant has demonstrated how they will actively represent Cumberland on the Regional, State, National or International sporting arena.
- The applicant has provided examples of how they demonstrate great team spirit on and off the sporting field.

For more information, contact Council's Grants Team on 8757 9618, visit www.cumberland.nsw.gov.au/grants or email rising.star@cumberland.nsw.gov.au

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Item No: C02/20-354

NEW CUMBERLAND DEVELOPMENT CONTROL PLAN – DRAFT CHAPTER FOR PART C DEVELOPMENT IN THE BUSINESS ZONES

Responsible Division: Environment & Planning
Officer: Director Environment & Planning
File Number: S-5750-01
Community Strategic Plan Goal: *A resilient built environment*

SUMMARY

The preparation of a new Cumberland Development Control Plan (DCP) is underway, with the focus on harmonising the planning controls of the three DCPs in operation across Cumberland into a single set of detailed planning controls under a comprehensive DCP.

This report recommends that Council endorse the draft chapter Part C Development in the Business Zones, for inclusion in the draft Cumberland DCP that is currently being prepared. The contents of the chapter is based on the planning approach previously endorsed by Council.

It is anticipated that consultation on the draft Cumberland DCP in its entirety will be undertaken in early 2020, following endorsement of all DCP chapters by Council.

RECOMMENDATION

That Council:

1. **Endorse the draft chapter for Part C Development in the Business Zones, as provided in Attachment 1, for inclusion in the draft Cumberland Development Control Plan.**
2. **Delegate to the General Manager the authorisation to make minor revisions to the draft chapter, as necessary, following Council's deliberations, to ensure the desired objectives and intended outcomes can be achieved.**
3. **Consult with the community on the draft chapter, following endorsement of all chapters of the draft Cumberland Development Control Plan by Council.**

REPORT

Background

Cumberland City Council is currently operating under three separate sets of planning controls, known as Development Control Plans (DCP), which are available on Council's website. The current approach does not provide an integrated planning framework for the Cumberland area, with inconsistent planning controls in place, and is not aligned to current strategic plans and policies from Council and the NSW Government.

New Cumberland Development Control Plan (DCP)

The preparation of a new Cumberland DCP will complement the work being undertaken on the new Cumberland LEP, by providing more detailed planning controls for development in the area. This report focuses on the draft chapter for Part C Development in the Business Zones, as shown in Figure 1.

Figure 1: Draft DCP chapter recommended for endorsement

Council has previously considered and endorsed the planning approach for the various chapters in the new Cumberland DCP. The draft chapter has been prepared in accordance with these Council resolutions, as outlined in Table 1.

Date	Item No.	Report	Resolution
16 October 2019	C10/19-247	Preparation of a new Cumberland Development Control Plan	Council noted the approach and key milestones for the preparation of the new Cumberland Development Control Plan
20 November 2019	C11/19-286	Proposed business planning controls for inclusion in the new Cumberland DCP	Council resolved to endorse the planning approach to controls for business development in the Cumberland area

Table 1: Council resolutions for draft DCP chapter

It is recommended that Council endorse the draft chapter for chapter Part C Development in the Business Zones, as provided in Attachment 1. Subject to endorsement, the draft chapter will be included in the draft Cumberland DCP.

It is anticipated that consultation on the draft Cumberland DCP in its entirety will be undertaken in early 2020, following endorsement of all DCP chapters by Council.

COMMUNITY ENGAGEMENT

Consultation will be undertaken on the draft new Cumberland DCP, and this is anticipated to occur in early 2020.

POLICY IMPLICATIONS

The preparation of the Cumberland DCP supports the new Cumberland Local Environmental Plan, which is required under the *Environmental Planning and Assessment Act 1979*. The Cumberland DCP will also align with the strategic directions outlined in Council's Community Strategic Plan and Cumberland 2030: Our Local Strategic Planning Statement.

RISK IMPLICATIONS

The preparation of a new Cumberland DCP is designed to align with the milestones on work for the new Cumberland Local Environmental Plan, which is required to be completed by mid-2020. The release of funds from the grant is also linked to these milestones. Endorsement of the draft DCP chapter will assist Council in meeting these milestones.

FINANCIAL IMPLICATIONS

Work undertaken on the Cumberland DCP, including analysis, document preparation and planned community consultation activities, will be funded from the accelerated Local Environmental Plan Funding Grant provided by the NSW Government.

CONCLUSION

The preparation of a new Cumberland Development Control Plan (DCP) is underway. This report recommends that Council endorse the draft chapter Part C Development in the Business Zones, for inclusion in the draft Cumberland DCP that is currently being prepared. The contents of the chapter is based on the planning approach previously endorsed by Council.

ATTACHMENTS

1. Draft Cumberland Development Control Plan – Part C Development in the Business Zones ⇩

DOCUMENTS ASSOCIATED WITH REPORT C02/20-354

Attachment 1

Draft Cumberland Development Control Plan – Part C Development in the Business Zones

Part C –Development in Business Zones

Contents

1. Introduction

1.1 Land covered by this Part

This Part applies to commercial and mixed-use development types in the following zones under Cumberland Local Environmental Plan XXXX:

- B1 Neighbourhood Centre;
- B2 Local Centre;
- B4 Mixed Use;
- B5 Business Development; and
- B6 Enterprise Corridor.

Where a mixed use development incorporates shop top housing, then refer to Part B3 Residential Flat Building controls in addition to the controls set out in this Part C Business Zones.

2. Relationship with SEPP65 and ADG

State Environmental Planning Policy 65 Design Quality of Residential Apartment Development (SEPP 65) provides a state-wide framework for detailed planning guidance of residential apartments in NSW. SEPP 65 is supported by the objectives, design criteria and design guidance set out in Parts 3 and 4 of the Apartment Design Guide (ADG), which guide the siting, design and amenity of residential apartment development.

The residential apartment component of shop top housing developments in the Cumberland LGA will be assessed in accordance with the ADG.

The ADG takes precedence over a DCP. Therefore, the DCP provisions do not repeat or seek to vary any controls under the ADG. Where there are inconsistencies between the controls set out in this DCP and the ADG, the ADG shall prevail.

3. Specific Objectives and Controls

Building Envelope

3.1 Lot size and frontage

Objectives

O1. Avoid land locking of adjoining sites and creation of isolated sites.

O2. Facilitate development that is compatible with both the established character and desired future amenity.

O3. Provide sufficient lot frontage for development to accommodate adequate vehicular access and basement carparking and enable streetscape activation to occur.

O4. Provide sufficient lot width to provide adequate building depth and separation between buildings.

Controls

C1. Unless otherwise stated as site specific controls in this DCP, the minimum lot frontage for shop top housing development within Zone, Zone B2 Local Centre and Zone B4 Mixed Use shall be:

- up to three storeys - 20 metres; and
- greater than 4 storeys - 30 metres.

C2. Lot size and frontage shall provide an appropriate site configuration that achieves:

- adequate car parking area and manoeuvring for vehicles in accordance with AS2890;
- ground level frontage that is activated and not dominated by access apertures to car parking areas; and
- the required setbacks and building separation set out by this DCP or the Apartment Design Guide.

C3. Council may require the consolidation of more than one existing land holding to be undertaken in order to meet all the requirements of this development control plan.

C4. Commercial development is not permitted on battleaxe lots.

C5. In instances where lot amalgamation in order to meet the requirements of this DCP cannot be achieved, refer to Part [A] of this DCP

3.2 Setbacks and Separation

Objectives

O1. Ensure a consistent built streetscape and continuous built edge adjacent to footpaths that will reinforce the retail activity and commercial uses within the majority of the town centre.

O2. Protect the amenity of adjoining sites and reduce the impact of buildings on the public domain.

O3. Ensure appropriate building setback and separation to minimise overshadowing of residential areas and the public domain.

Controls

Front setback

C1. Front Setback: Nil (except for B1 Neighbourhood Centre zoned land). A greater setback may be required to align with the predominant street setback.

C2. For B2 and B4 zones, or unless otherwise stated in site specific controls within this DCP, a street wall height (i.e. podium height) of three storeys with a zero setback to the street is required.

C3. A minimum 3 metre setback shall be provided for levels above the street wall height for the podium.

C4. Levels above street wall height are to be setback to ensure visual separation. This may be achieved through upper level setbacks, material variances and/or horizontal recesses.

C5. Council may require alternative street wall heights and setbacks where compatibility with the existing prevailing built form within the immediate context can be demonstrated or is necessary.

Side and rear setback

C6. Where a site adjoins any residential zone (and not separated by a road), the side setback shall be a minimum of 3 metres.

C7. Rear Setback: 15% of site length where boundary adjoins a residential development or a residential zone.

INSERT DIAGRAM TO ILLUSTRATE STREET WALL / PODIUM

3.3 Landscaping and open space

Objectives

O1. Provide open space that is accessible for all, functional and attractive, and provides for passive recreation and landscaping.

O2. Ensure safe public open spaces which allow for casual surveillance.

O3. Improve visual quality and amenity of business and commercial precincts through preserving and retaining existing mature trees within landscaping design

O4. Enhance the existing streetscape and promote a scale and density of new planting that softens the visual impact of buildings.

Controls

Landscaping

C1. Landscape reinforces the architectural character of the street and positively contributes to maintaining a consistent streetscape character

C2. Landscaping is to form an integral part of the overall design concept.

C3. At grade car parking areas, particularly large areas, shall be landscaped so as to break up large expanses of paving. Landscaping shall be required around the perimeter and within large car parks.

C4. In open parking areas, one (1) shade tree per ten (10) spaces shall be planted within the parking area.

C5. Fencing shall be integrated as part of the landscaping theme so as to minimise visual impacts and to provide associated site security.

C6. Paving and other hard surfaces shall be consistent with architectural elements.

C7. For developments with communal open space, a garden, maintenance and storage area are to be provided, which is efficient and convenient to use and is connected to water for irrigation and drainage.

Street Trees

C8. Street trees shall be planted at a rate of one (1) tree per ten (10) lineal metres of street frontage, even in cases where a site has more than one street frontage, excluding frontage to laneways.

C9. Street tree planning shall be consistent with the relevant Public Domain Plan, strategy, plan, guideline or policy.

C10. Significant existing street trees shall be conserved. Where there is an absence of existing street trees, additional trees shall be planted to ensure that the existing streetscape is maintained and enhanced.

C11. Vehicular driveways shall be located a minimum of 3 metres from the outside edge of the trunk measured 1 metre above the existing ground level of any street tree to be retained.

C12. Services shall be located to preserve significant trees.

C13. At the time of planting, street trees shall have a minimum container size of 200 litres and a minimum height of 3.5 metres, subject to species availability.

Open Space

C14. Where buildings are setback from the street, the resulting open space shall provide usable open space for pedestrians.

C15. Open space areas are to be paved in a manner to match existing paving or to suit the architectural treatment of the proposed development.

3.4 Public Art

Objectives

O1. Provide art works which are integrated into broader development and planning of business centres.

O2. Avoid standalone public art projects that fail to address the locality and its culture.

Controls

C1. Public art is encouraged to be provided within the business centres, in accordance with Council's relevant adopted Policy.

C2. Public art provided shall develop the cultural identity of the community and reflect the culture of the community.

C3. Artworks shall be integrated into the design of buildings and the landscape.

Building Design and Amenity

3.5 Streetscape

Objectives

O1. Ensure new and infill development respects the character and integrity of the existing streetscape, and is sympathetic in terms of scale, form, height, shopfront character, parapet, verandah design, and colours and materials, in a manner which interprets the traditional architecture, albeit in modern forms and materials.

O2. Address and activate street corners and to create landmarks that assist in defining local character, helping people to navigate easily through the place.

Controls

C1. New shopfronts shall be constructed in materials which complement the existing or emerging character of the area.

C2. Development shall provide direct access between the footpath and the shop.

C3. Security bars, and roller shutters are not permitted; however, transparent security grilles of lightweight material may be used

C4. Signage shall be minimised and coordinated to contribute to a more harmonious and pleasant character for the locality.

C5. Where development has two (2) street frontages, the streetscape shall be addressed by both facades.

C6. Require buildings at visually significant locations to be well designed and respond to the different characteristics of the streets the address.

C7. Development on corner sites will be required to accommodate a splay corner to facilitate improved traffic conditions.

C8. Buildings on corners must address both frontages to the street and/or public realm to:

- articulate street corners by massing and building articulation, to add variety and interest to the street;
- present each frontage of a corner building as a main street frontage, reflect the architecture, hierarchy and characteristics of the streets they address, and align and reflect the corner conditions; and
- development on corner sites will require land to be dedicated to accommodate a splay corner to facilitate improved traffic conditions.

3.6 Façade design, shopfront and materials

Objectives

O1. Ensure building longevity and a visually positive streetscape through the provision of high quality materials and finishes.

O2. Design buildings to maintain a pedestrian scale through articulation and detailing on the lower levels of the building.

O3. Enhance the quality and character of the business precinct, and promote a visually interesting skyline.

O4. Provide for active shopfronts and vibrant commercial centres through activating the street, during both trading and non-trading periods.

O5. Create an inviting, visually pleasing and safe environment.

Controls

Façade Design

C1. Facade proportions and vertical and horizontal emphasis shall be appropriate to the scale of development and its interaction with the streetscape. Vertical emphasis shall be incorporated above awnings.

C2. Building facades at street level along primary streets and public places consist of a minimum of 80% for windows/glazed areas and building and tenancy entries.

C3. Visible light reflectivity from building materials used on the facades of new buildings shall not exceed 20%.

C4. Building services, such as drainage pipes, shall be coordinated and integrated with overall façade and balcony design.

C5. Ventilation louvres and carpark entry doors shall be integrated with the design of the overall façade.

C6. Security devices fitted to building entrances and windows shall be transparent to allow for natural surveillance, and made of light weight material.

C7. The ground floor level must have active uses facing streets and public open spaces.

Shopfronts

C8. Retail outlets and restaurants are located at the street frontage on the ground level.

C9. . Where possible, offices should be located at first floor level or above.

C10. A separate and defined entry shall be provided for each use within a mixed use development.

C11. Street and tenancy numbers shall be located on shopfronts and awnings and shall be clearly visible from the street.

C12. Solid roller shutters and security bars, either internal or external, that block out or obscure windows or entrances, are not permitted.

Materials

C13. High quality design, construction and materials shall be implemented to ensure the building has a long life and requires low maintenance.

C14. Building materials and finishes complement the finishes predominating in the area. Different materials, colours or textures may be used to emphasise certain features of the building.

C15. New buildings shall incorporate a mix of solid (i.e. masonry concrete) and glazed materials, consistent with the character of buildings in the locality. Active street frontages are to maximise the use of glazing.

C16. All street frontage windows located at ground floor level are to be clear glazing.

C17. Building finishes should not result in causing glare that creates a nuisance and hazard for pedestrians and motorists in the centre.

For advertising on shopfronts, refer to Part xxx of this DCP.

3.7 Ceiling height

Objectives

O1. Ensure an acceptable level of amenity and future flexibility is provided for new commercial and residential developments.

O2. Encourage articulation of the façade of the building by variation in the ceiling heights of the various floors, which gives the building a top, middle and base.

Controls

C1. The minimum finished floor level (FFL) to finished ceiling level (FCL) in a commercial building, or the commercial component of a building, shall be as follows:

- 3.5 metres for ground level (regardless of the type of development); and
- 3.3 metres for all commercial/retail levels above ground level.

C2. Refer to the ADG for minimum ceiling heights for all residential levels above ground floor in mixed use developments.

3.8 Roof design

Objectives

O1. Incorporate well designed rooftops that add visual interest to the skyline when viewed from street level or surrounding key vantage points.

O2. Ensure development captures the potential to create communal open space and landscaping on roofs that are well designed and safe.

Controls

C1. Roof design shall be integrated into the overall building design.

C2. Design of the roof shall achieve the following:

- concealment of lift overruns and service plants;
- presentation of an interesting skyline;
- enhancing views from adjoining developments and public places; and
- complement the scale of the building and surrounding development.

C3. Roof forms shall not be designed to add to the perceived height and bulk of the building.

C4. Landscaped and communal open space areas on flat roofs shall incorporate shade structures and wind screens.

C5. Communal open space, lift overruns and service plants shall be setback from the building edge so as to be concealed.

C6. Roof design is to respond to the orientation of the site, through using eaves and skillion roofs to respond to sun access.

C7. Consideration should be given to facilitating the use of roofs for sustainable functions, such as:

- installing rain water tanks for water conservation;
- orient and angle roof surfaces suitable for photovoltaic applications; and
- allow for future innovative design solutions such as water features or green roofs.

3.9 Awnings

Objectives

O1. Ensure the amenity of pedestrians through weather protection.

O2. Maintain a consistent streetscape and provide visual interest through a continuous awning theme.

Controls

C1. Continuous awnings are required to be provided to all active street frontages (except laneways).

C2. Awnings generally:

- should be flat;
- must be a minimum 2.4 metres deep;
- are to be setback up to 1.2 metres from kerb to allow for clearance of street furniture, trees, and other public amenity elements;
- have a minimum soffit height of 3.2 metres; and
- have slim vertical fascias and/or eaves not to exceed 300mm.

C3. Awnings on street corner buildings shall wrap around corners.

C4. Awning design must match building facades and be complementary to those of adjoining buildings and maintain continuity.

C5. Canvas blinds along the street edge are not permitted.

C6. Awnings are to be located over all building entries to indicate entry points.

C7. In the event of separated buildings, awnings should be complementary to each other in regards to size, design and location.

C8. Awning design shall have consideration of growth pattern of mature trees. Cut outs or offsets in awnings for trees and light poles are not acceptable.

C9. Lighting fixtures shall be recessed into the design, with all wiring and conduits to be concealed.

C10. The drainage from stormwater from awnings is not be visible from the footpath and it is to be concealed or recessed into the ground floor frontage of the building.

C11. Street awnings which appear as horizontal elements along the façade of the building shall be provided as part of all new development.

C12. Awnings shall provide weather protection and must not be perforated.

3.10 Visual and acoustic privacy

Objectives

O1. Ensure new development achieves adequate visual and acoustic privacy levels for occupants, neighbouring residents, commercial buildings and private open spaces, through the provision of acoustic privacy design.

O2. Maximise outlook and views to the street and public spaces without compromising visual privacy.

O3. Minimise impacts from noise generating infrastructure.

Controls

Visual Privacy

C1. New development shall be located and oriented to maximise visual privacy between buildings on site and adjacent buildings, by providing adequate building setbacks and separation.

C2. Residential components of mixed use developments are to comply with the controls in Part A – Residential Zones of this DCP and the Apartment Design Guide (as applicable).

Acoustic Privacy

C3. Conflicts between noise, outlook and views are to be resolved by using design measures, such as double glazing, operable screened balconies and continuous walls to ground level courtyards, where they do not conflict with streetscape or other amenity requirements.

C4. Where commercial/office uses and residential uses are located adjacent to each other, air conditioning units, buildings entries and the design and layout of areas serving after hours uses shall be located and designed to minimise any acoustic conflicts.

C5. Developments shall be designed to minimise the impact of noise associated with uses whose hours may extend outside of normal business hours, including restaurants and cafes. Operation includes loading/unloading of goods/materials, and the use of plant and equipment at a proposed commercial premise.

C6. Mixed use developments shall be designed to locate driveways, carports or garages away from bedrooms.

C7. Mechanical plant must be visually and acoustically isolated from residential uses.

C8. New development shall comply with the provisions of the relevant acts, regulations, environmental planning instruments, Australian Standards and guidelines as applicable for noise, vibration and quality assurance. This includes:

- *Development Near Rail Corridors and Busy Roads, NSW Department of Planning, December 2008 – Interim Guidelines*;
- *NSW Noise Policy for Industry*;
- *Interim Guideline for the Assessment of Noise from Rail Infrastructure Projects*; and
- *NSW Road Noise Policy*.

Interface with schools, places of public worship, and public precincts

C9. Where a site adjoins a school, place of public worship or public open space, the building design will:

- incorporate an appropriate transition in scale and character along the site boundary(s); and
- present an appropriately detailed facade and landscaping in the context of the adjoining land use.

This interface shall be identified in the site analysis plan and reflected in building design.

C10. The potential for overlooking of playing areas of schools shall be minimised by siting, orientation or screening.

C11. Fencing along boundaries shared with public open space shall have a minimum transparency of 50%.

C12. Sight lines from adjacent development to public open space shall be maintained and/or enhanced. Direct, secure private access to public open space is encouraged.

3.11 Hours of operation

Objectives

O1. Create vibrant centres by encouraging business activity.

O2. Ensure the operation of commercial or retail uses does not cause undue disturbance to the amenity of surrounding residential areas.

Controls

C1. Where no existing hours of operation or conditions exist, the retail and/or commercial development are to operate within the following hours:

- 6.00 am to 10.00 pm Monday to Saturday and 9.00 am to 6.00 pm on a Sunday or a public holiday;
- 7.00 am to 9.00 pm Monday to Saturday and no operation on a Sunday or a public holiday, for development adjoining or is opposite a residential lot within a residential zone.

C2. For hours extending outside the times identified in C1, applicants must demonstrate that noise, amenity and light impacts and crime prevention factors have been considered and addressed, through the submission of the following reports for assessment:

- Acoustic report;
- Crime Prevention Through Environmental Design (CPTED) report; and
- Plan of Management.

3.12 Solar access

Objectives

O1. Ensure development does not hinder the obtainment of adequate daylight access to habitable rooms of other dwellings.

O2. Provide public open spaces that receive adequate daylight access for the enjoyment of all users.

O3. New buildings are designed to protect solar amenity for the public domain and residents.

Controls

C1. Developments shall be designed to maximise northern aspects for residential and commercial uses.

C2. The living rooms and private open spaces for at least 70% of dwellings on neighbouring sites shall receive a minimum of 3 hours of direct sunlight between 9.00 am and 4.00 pm in mid winter.

C3. A minimum of 50% of public open spaces and a minimum of 40% of school playground areas are to receive 3 hours of daylight in mid winter.

C4. Developments shall be designed to control shading and glare.

C5. Shadow diagrams (plan and elevation) shall accompany development applications for buildings, to demonstrate that the proposal will not reduce sunlight to less than 3 hours between 9.00 am and 4.00 pm on 21 June.

3.13 Natural ventilation

Objectives

O1. Ensure buildings are designed to provide direct access to natural ventilation and to assist in promoting thermal comfort for occupants.

O2. Reduce energy consumption by minimising the use of mechanical ventilation, particularly air conditioning.

Controls

C1. Natural ventilation is incorporated into the building design.

C2. Orient buildings to maximise prevailing breezes.

3.14 Building Maintenance

Objectives

O1. Natural ventilation is incorporated into the building design.

O2. Orient buildings to maximise prevailing breezes.

Controls

C1. Windows shall be designed to enable cleaning from inside the building.

C2. Durable materials, which are easily cleaned and graffiti resistant, are to be selected.

C3. Building maintenance systems are to be incorporated and integrated into the design of the building form, roof and façade.

3.15 Energy efficiency

Objectives

O1. Promote sustainable development which uses energy efficiently and minimises non-renewable energy usage in the construction and use of buildings.

O2. Ensure that development contributes positively to an overall reduction in energy consumption and greenhouse gas emissions.

O3. Reduce energy bills and the whole of life cost of energy services.

Controls

C1. Improve the control of mechanical space heating and cooling by designing heating/ cooling systems to target only those spaces which require heating or cooling, not the whole building.

C2. Improve the efficiency of hot water systems by:

- encouraging the use of solar powered hot water systems. Solar and heat pump systems must be eligible for at least 24 Renewable Energy

Certificates (RECs) and domestic type gas systems must have a minimum 3.5 star energy efficiency rating;

- insulating hot water systems; and
- installing water saving devices, such as flow regulators, 3 stars Water Efficiency Labelling and Standards Scheme (WELS Scheme) rated shower heads, dual flush toilets and tap aerators.

C3. Reduce reliance on artificial lighting and design lighting systems to target only those spaces which require lighting at any particular 'off-peak' time, not the whole building.

C4. Incorporate a timing system to automatically control the use of lighting throughout the building.

C5. All non-residential development Class 5-9 will need to comply with the Building Code of Australia energy efficiency provisions.

C6. An Energy Efficiency Report from a suitably qualified consultant that demonstrates a commitment to achieve no less than 4 stars under the Australian Building Greenhouse Rating Scheme or equivalent must be provided for all commercial and industrial development with a construction cost of over $5 million.

3.16 Water efficiency

Objectives

O1. Ensure appropriate building design, site layout, internal design and water conserving appliances are adopted to increase water efficiency.

O2. Encourage the collection and reuse of stormwater and reduce stormwater runoff into new development.

Controls

C1. New developments shall connect to recycled water if serviced by a dual reticulation system for permitted non potable uses, such as toilet flushing, irrigation, car washing, firefighting and other suitable purposes.

C2. Where a property is not serviced by a dual reticulation system, development shall include an onsite rainwater harvesting system or an onsite reusable water resource for permitted non potable uses, such as toilet flushing, irrigation, car washing, firefighting and other suitable purposes.

Rainwater tanks shall be installed as part of all new development in accordance with the following:

- the rainwater tank shall comply with the relevant Australian Standards;
- the rainwater tank shall be constructed, treated or finished in a non-reflective material that blends in with the overall tones and colours of the subject and surrounding development;

- rainwater tanks shall be permitted in basements provided that the tank meets applicable Australian Standards;
- the suitability of any type of rainwater tanks erected within the setback area of development shall be assessed on an individual case by case basis. Rainwater tanks shall not be located within the front setback; and
- the overflow from rainwater tanks shall discharge to the site stormwater disposal system. For details, refer to the Stormwater Drainage Part of this DCP.

3.17 Wind mitigation

Objective

O1. Satisfy nominated wind standards and maintain comfortable conditions for pedestrians.

Controls

C1. Site design for tall buildings (towers) shall:

- set tower buildings back from lower structures built at the street frontage to protect pedestrians from strong wind downdrafts at the base of the tower;
- ensure that tower buildings are well spaced from each other to allow breezes to penetrate local centres;
- consider the shape, location and height of buildings to satisfy wind criteria for public safety and comfort at ground level; and
- ensure useability of open terraces and balconies.

C2. A Wind Effects Report including results of a wind tunnel test is to be submitted with the DA for all buildings greater than 35 metres in height.

3.18 Food and drink premises

Objective

O1. Minimise potential adverse amenity impacts from food and drink premises.

Controls

C1. An acoustic report prepared by a suitably qualified acoustical consultant is to be undertaken if there is the potential for significant impacts from noise emissions from the food and drink premises on nearby residential or sensitive receivers, including those that may be located within the same building/development.

C2. An air quality assessment prepared by a suitably qualified consultant is to be undertaken if there is potential for significant impacts from air emissions, including odour and smoke, from the development. The air quality assessment should be prepared in accordance with NSW EPA's Assessment and

Management of Odour from Stationary Sources in NSW – Technical Framework or equivalent.

C3. Any application involving charcoal/solid fuel cooking or coffee roasting must also be accompanied by detailed plans and performance specifications for all odour filtration processes and chemical/photochemical treatments that are required to effectively remove smoke and/or odour from exhaust air. The proposed treatment system must comply with Australian Standard 1668.2 – 2012. *The use of ventilation and air conditioning in buildings – Part 2: Mechanical ventilation in buildings.*

C4. Where a food and drink premises is located within a mixed use building containing residential units, impacts from internal transmission paths for noise and smoke/odour through the building must be assessed and adequately managed.

C5. Provision of space within a new mixed use development for vertical exhaust risers to service future ground floor commercial uses must be included. Kitchen exhaust air intakes and discharge points must comply with the requirements of Australian Standard 1668.2 – 2012 *The use of ventilation and air conditioning in buildings – Part 2: Mechanical ventilation in buildings.*

C6. All waste and recyclable material generated by the food and drink premises must be stored in a clearly designated, enclosed waste storage area with complies with AS4674 – *Construction and Fitout of food premises.* Commercial waste collections are to generally occur between 6am and 10pm where residential premises may be impacted

Movement

3.19 Safety and security

Objectives

O1. Ensure a safe and secure environment which promotes activity, vitality and viability and in turn encourages a greater level of security.

O2. Ensure building and place design is guided by the Crime Prevention through Environmental Design (CPTED) principles.

Controls

C1. Development shall address and be consistent with Council's policy on Crime Prevention Through Environmental Design (CPTED principles). The CPTED analysis is to consider the key CPTED principles and address relevant controls set out in this section.

Surveillance

C2. Buildings (including openings) adjacent to streets or public spaces shall be designed to overlook and allow passive surveillance over the public domain and common areas (i.e. lobbies and foyers, hallways, recreation areas and carparks).

C3. The main entry to a building should face the street.

C4. All entrances and exits shall be made clearly visible from the public realm or communal open space to which they face.

C5. Landscaping and plantings are to be designed to provide uninterrupted sight lines and avoid opportunities for concealment.

C6. Building entrances, exits, urban public spaces and other main pedestrian routes of travel are required to be appropriately illuminated to minimise shadows and concealment of spaces.

C7. Hidden recesses along or off pedestrian access routes within car parks shall be avoided.

C8. CCTV security monitoring of a high definition quality is to be provided.

C9. Blind or dark alcoves near lifts and stairwells, at the entrance and within carparks along corridors and walkways are not permitted.

C10. Secure entries shall be provided to all entrances to private areas, including car parks and internal courtyards.

Access Control

C11. Commercial uses must be separated from residential uses in mixed use developments where access (e.g. lifts) is shared.

C12. Commercial and retail servicing, loading and parking facilities shall be separated from residential, access, servicing and parking.

C13. Entrances to upper level residential apartments are to be separated from commercial / ground floor entrances to provide security and identifiable addresses.

C14. Shared pedestrian entries to buildings shall be lockable.

C15. Clear sightlines are to be provided from building entrances, foyers and lobbies into the public realm.

C16. Loading docks and service entry in the vicinity of main entry areas shall be secured outside business hours.

C17. Access to a loading dock, car parking or other restricted areas in a building shall only be available to occupants or users via a large security door with an intercom, code, or card lock system.

C18. Access from car parks to dwellings should be direct and safe for residents day and night

C19. Security grilles shall:

- be at least 70% visually permeable;

- not encroach or project over Council's footpaths; and
- be made from durable, graffiti-resistant materials.

C20. Security bars are not permitted.

C21. For at risk premises, security measures such as alarms, appropriate lighting and security patrols shall be included.

Lighting

C22. Adequate lighting shall be provided within a development, such as pedestrian routes and accessways, common areas and communal open space, car parking areas, all entries and under awnings. Timers and motion sensors may be implemented where appropriate to reduce energy consumption.

C23. Pedestrian walkways and car parking shall be direct, clearly defined, visible and provided with adequate lighting, particularly those used at night.

C24. Lighting shall be provided to highlight the architectural features of a building and enhance the identity and safety of the public domain, but does not floodlight the façade and avoids shadows.

C25. Illumination in carparks and building entrances should draw attention to the spaces to increase perceived safety.

C26. Lighting shall not interfere with the amenity of residents or affect the safety of motorists. Excessive lighting shall not be permitted.

Public / Private Interface

C27. Site planning shall provide clear definition of territory and ownership of all private, semi-public and public places.

C28. Demarcate safe routes for pedestrians in car parking areas, using floor markings, ceiling lights and dedicated pedestrian paths.

3.20 Pedestrian access and building entry

Objectives

O1. Ensure pedestrian access to workspaces, retail areas, mixed use and to the public domain is direct and efficient for the entire community.

O2. Require development to provide an environment which is permeable and safe for all pedestrians.

O3. Ensure building entries are clear and legible and provide orientation for both pedestrians and drivers from the street.

Controls

C1. The design of buildings shall comply with Australian Standards for Access and Mobility and the relevant DCP section.

C2. Access to public areas of buildings shall not have unnecessary barriers or obstructions including uneven and slippery surfaces, steep stairs and ramps, narrow doorways, paths and corridors.

C3. Developments must provide continuous paths of travel from all public roads and spaces, as well as unimpeded internal access.

C4. Separate entries from the street are to be provided for cars, pedestrians, multiple uses (commercial and residential) and ground floor apartments.

C5. Entries and associated circulation space is to be of an adequate size to allow movement of furniture.

C6. Provision of mailboxes for residential units shall be incorporated within the foyer area of the entrance to the residential component of the mixed use developments.

3.21 Pedestrian links, arcades, laneways and new streets

Objectives

O1. Provide safe, functional and convenient connections to enhance the pedestrian network and to provide linkages between shopping areas, public spaces and car parking.

O2. Make vehicular access to buildings more compatible with pedestrian movements and the public domain.

O3. Promote permeability in the redevelopment of large sites.

O4. Ensure all new proposed laneways, streets and roads are designed to convey the primary function of the street, including:

- safe and efficient movement of vehicles and pedestrians;
- provision for parked vehicles and landscaping, where appropriate;
- location, construction and maintenance of public utilities; and
- movement of service and delivery vehicles.

Controls

Arcades / Pedestrian Links

C1. Arcades shall:

- be a minimum width of 6 metres, with a minimum floor to ceiling height of 4m, and free of all obstructions (e.g. columns and stairs). Public seating, waste bins, planter boxes and other like furnishings may be included, provided they do not unreasonably impede pedestrian access;
- accommodate active uses, such as shops, commercial uses, public uses, residential lobbies, cafes or restaurants;

- be obvious and direct thoroughfares for pedestrians;
- provide adequate clearance to ensure pedestrian movement is not obstructed;
- have access to natural light for all or part of their length and at the openings at each end;
- have signage at the entry indicating public accessibility and to where the arcade leads; and
- have clear sight lines from end to end with no opportunities for concealment along its length.

C2. No goods are to be displayed within arcades

C3. Shops at the entrance of arcades or internalised shopping malls shall have direct pedestrian access to the street.

C4. Direct and unrestricted public access shall be provided during business trading hours.

C5. Where access is restricted to arcades outside of business hours, doors shall be secure, of a high visual quality and allow visibility into the arcade. Impermeable roller shutter doors or steel security bars will not be permitted.

C6. Active retail/ commercial frontages shall be provided on both sides, for the full length of the arcade.

Laneways

C7. Where development adjoins a laneway or through block connection, ground level uses should be designed to provide a direct interface to that space.

C8. Development shall provide a high level of passive surveillance over the laneway and must install CCTV cameras.

C9. Public access to laneways shall be provided in perpetuity, unless otherwise stipulated by Council.

C10. Facade design shall have a high visual quality and strong articulation in form and materials for buildings addressing laneways.

C11. Continuous awnings are not required on laneways.

C12. Laneways and private accessways shall provide clear sight lines and adequate lighting, be direct and shall allow access for pedestrians.

C13. Signage shall be provided that indicates the public accessibility of lanes and rear accessways and the street to which the lane connects.

C14. Laneways shall be visually appealing, which may be achieved through building design or the provision of public art.

C15. All laneways shall be 8 metres in width, unless specified otherwise.

Creation of new streets and laneways

C16. On sites where a new street is created, the street shall be built to Council's relevant engineering standards.

C17. New streets and laneways shall maintain consistency and/or compatibility with the design of existing roads in the locality, as deemed appropriate by Council.

C18. Development adjoining a new laneway shall contribute to an attractive streetscape and presents a well-designed and proportioned facade and incorporates windows, balconies, doorways and landscaping.

C19. New public laneways created within large blocks shall be undertaken in a manner that enhances both pedestrian and vehicle connectivity.

C20. Road widths shall be consistent with Part A of this DCP.

C21. New streets, roads and laneways shall be dedicated to Council.

C22. Redevelopment of sites over 4000m^2 shall maximise the permeability of the site and where practicable provide new pedestrian links.

3.22 B6 Enterprise Corridor Zone

DIAGRAM / MAP TO IDENTIFY B6 ZONE THESE CONTROLS RELATE TO.

Objectives

O1. Ensure appropriate building setbacks along identified major routes to maintain built form.

O2. Manage the size and hours of certain uses with the enterprise zone.

Controls

C23. Commercial development shall be located at least at street level, fronting the primary street and where possible the secondary street.

C24. Minimum front setbacks for B6 Enterprise Corridor zones shall be 5 metres.

C25. Where development in a B6 Enterprise Corridor zone has access to a rear laneway, development may have a rear setback of 4m at ground level.

3.23 Parking

Controls

C1. Car parking will comply will comply with the provisions set out in Part H of this DCP.

3.24 Vehicle Access

Controls

C1. Vehicle Access will comply with the provisions set out in Part H of this DCP.

Item No: C02/20-355

NEW CUMBERLAND DEVELOPMENT CONTROL PLAN – DRAFT CHAPTER ON PART D DEVELOPMENT IN THE EMPLOYMENT ZONES

Responsible Division:	Environment & Planning
Officer:	Director Environment & Planning
File Number:	S-5750-01
Community Strategic Plan Goal:	*A resilient built environment*

SUMMARY

The preparation of a new Cumberland Development Control Plan (DCP) is underway, with the focus on harmonising the planning controls of the three DCPs in operation across Cumberland into a single set of detailed planning controls under a comprehensive DCP.

This report recommends that Council endorse the draft chapter for Part D Development in the Employment Zones, for inclusion in the draft Cumberland DCP that is currently being prepared. The contents of the chapter is based on the planning approach previously endorsed by Council.

It is anticipated that consultation on the draft Cumberland DCP in its entirety will be undertaken in early 2020, following endorsement of all DCP chapters by Council.

RECOMMENDATION

That Council:

1. **Endorse the draft chapter for Part D Development in the Employment Zones, as provided in Attachment 1, for inclusion in the draft Cumberland Development Control Plan.**

2. **Delegate to the General Manager the authorisation to make minor revisions to the draft chapter, as necessary, following Council's deliberations, to ensure the desired objectives and intended outcomes can be achieved.**

3. **Consult with the community on the draft chapter, following endorsement of all chapters of the draft Cumberland Development Control Plan by Council.**

REPORT

Background

Cumberland City Council is currently operating under three separate sets of planning controls, known as Development Control Plans (DCP), which are available on Council's website. The current approach does not provide an integrated planning framework for the Cumberland area, with inconsistent planning controls in place, and is not aligned to current strategic plans and policies from Council and the NSW Government.

New Cumberland Development Control Plan (DCP)

The preparation of a new Cumberland DCP will complement the work being undertaken on the new Cumberland LEP, by providing more detailed planning controls for development in the area. This report focuses on the draft chapter for Part D Development in the Employment Zones, as shown in Figure 1.

Figure 1: Draft DCP chapter recommended for endorsement

Council has previously considered and endorsed the planning approach for the various chapters in the new Cumberland DCP. The draft chapter has been prepared in accordance with these Council resolutions, as outlined in Table 1.

Date	Item No.	Report	Resolution
16 October 2019	C10/19-247	Preparation of a new Cumberland Development Control Plan	Council noted the approach and key milestones for the preparation of the new Cumberland Development Control Plan
20 November 2019	C11/19-287	Proposed employment planning controls for inclusion in the new Cumberland DCP	Council resolved to endorse the planning approach to controls for employment development in the Cumberland area

Table 1: Council resolutions for draft DCP chapter

It is recommended that Council endorse the draft chapter for Part D Development in the Employment Zones, as provided in Attachment 1. Subject to endorsement, the draft chapter will be included in the draft Cumberland DCP.

It is anticipated that consultation on the draft Cumberland DCP in its entirety will be undertaken in early 2020, following endorsement of all DCP chapters by Council.

COMMUNITY ENGAGEMENT

Consultation will be undertaken on the draft new Cumberland DCP, and this is anticipated to occur in early 2020.

POLICY IMPLICATIONS

The preparation of the Cumberland DCP supports the new Cumberland Local Environmental Plan, which is required under the *Environmental Planning and Assessment Act 1979.* The Cumberland DCP will also align with the strategic directions outlined in Council's Community Strategic Plan and Cumberland 2030: Our Local Strategic Planning Statement.

RISK IMPLICATIONS

The preparation of a new Cumberland DCP is designed to align with the milestones on work for the new Cumberland Local Environmental Plan, which is required to be completed by mid-2020. The release of funds from the grant is also linked to these milestones. Endorsement of the draft DCP chapter will assist Council in meeting these milestones.

FINANCIAL IMPLICATIONS

Work undertaken on the Cumberland DCP, including analysis, document preparation and planned community consultation activities, will be funded from the accelerated Local Environmental Plan Funding Grant provided by the NSW Government.

CONCLUSION

The preparation of a new Cumberland Development Control Plan (DCP) is underway. This report recommends that Council endorse the draft chapter for Part D Development in the Employment Zones, for inclusion in the draft Cumberland DCP that is currently being prepared. The contents of the chapter is based on the planning approach previously endorsed by Council.

ATTACHMENTS

1. Draft Cumberland Development Control Plan – Part D Development in the Employment Zones ⇩

DOCUMENTS ASSOCIATED WITH REPORT C02/20-355

Attachment 1

Draft Cumberland Development Control Plan – Part D Development in the Employment Zones

Part D – Development in Industrial Zones

Contents

1. Introduction

This Part applies to development types detailed within this Part and for the development in industrial zones under Cumberland Local Environmental Plan XXXXX.

2. Specific Objectives and Controls

2.1 Setbacks and Streetscape Character

Objectives

O1. Encourage innovative industrial design which enhances the quality of the existing industrial areas in Cumberland, whilst recognising the design attributes of traditional industrial development.

O2. Developments are separated to minimise operational constraints imposed by one industrial use upon an adjacent land use of any type.

O3. Reduce bulk/overbearing form and overshadowing on the street and adjoining properties.

O4. Reduce land use conflict between residential and non-residential uses.

Controls

General

C1. Landscape all front setbacks to provide a high quality streetscape.

C2. Front setback areas shall not be used for storage or display of goods or excessive signage, loading/unloading or large areas of car parking.

C3. Ensure landscaping setbacks comprise soft landscaping and deep soil zones only.

Setback where lots adjoin residential zones or open space

C4. Industrial development adjoining residential or open space zones shall comply with the setbacks in the table below.

Boundary	Minimum building setback (includes the required landscape setback)	Minimum width of landscaping within the building setback
Side – adjoining non-industrial zone other than residential	4.0 metres	2.0 metres
Side – adjoining a residential use / zone	6.0 metres	3.0 metres
Rear – adjoining a non-industrial zone other than residential	4.0 metres	2.0 metres

Boundary	Minimum building setback (includes the required landscape setback)	Minimum width of landscaping within the building setback
Rear – adjoining a residential uses / zone	6.0 metres	3.0 metres

C5. Where an industrial development adjoins a residential zone, appropriate buffer mechanisms shall be provided to ensure that:

- neighbourhood residential amenity is maintained;
- the primary buildings and structures on the industrial land are visually separated from neighbouring residential dwellings; and
- overshadowing does not occur (see solar access below).

C6. Provide window placement and/or tall trees as ways to protect privacy, reduce noise and light pollution.

Front Setbacks

C7. Front setbacks are to be 5m. Where the prevailing building setbacks within the street are significantly different, consideration will be given to an alternative setback.

Side and Rear Setbacks

C8. Buildings may be built on a nil side or rear setback, except where a setback is required to screen buildings from:

- public places;
- adjoining residential properties;
- other sensitive land uses;
- where rear access is required; and
- where land adjoins the M4 Motorway.

In such circumstances, a 4.5 metre landscape setback is required.

C9. Development adjacent to Duck River shall provide a 5 metre easement for public access within the foreshore building line area along Duck River. This easement shall be established under a Section 88B instrument and shall be registered with NSW Land Registry Services.

Setbacks for Specific Street Frontages

C10. The following building lines apply to the principal street frontage of land zoned General Industrial IN1 and Light Industrial IN2 within the Cumberland area. They are based on a conversion from the previous imperial measures into metric.

Smithfield Industrial Lots		
	15.0 metres	• All Streets (west of Fairfield Road) - • Yennora Industrial Area • Fairfield Road (south of Dursley Road) • Pine Road, Loftus Road (between Pine Road and Norrie Street) – • Nelson Road (west of Yennora Ave) • Norrie Street (west side) • Boola Avenue (east side between Loftus Road and Bend) • Loftus Road/Military Road (between Boola Avenue and Byron Road) • Byron Road (west side between Dennistoun Avenue and Miliary Road) . Loftus Road (south side between Norrie Street and Yennora Avenue)
	10.0 metres	• Dursley Road
	2.0 metres	• Nelson Road (north of Yennora Avenue
	7.5 metres	• Boola Avenue (north side Between Norrie Street and Yennora Avenue) • Yennora Avenue (west side between Boola Avenue and Loftus Road), • Kiora Crescent • Norrie Street (east side between Boola Avenue and Loftus Road)
	4.5 metres	• Loftus Road (south side between Yennora Avenue and Boola Avenue) - • Boola Avenue (between Yennora Avenue and Bend), • Boola Avenue (west side between Bend and Loftus Road), • Yennora Avenue (east side),
	3.5 metres	• Military Road • Boola Avenue (south side between Norrie Street and Yennora Avenue), • Yennora Avenue (west side between Boola Avenue and Military Road

	5.5 metres	• Military Road (north side between Norrie Street and Yennora Avenue), - • Norrie Street (east side between Boola Avenue and Nelson Road)
	6.0 metres	• Boola Lane (r.o.w)
	30.5 metres	• Dennistoun Avenue (southside)
	10.0 metres	• Fairfield Road (east side between Dennistoun Avenue and Dursley Road)
Guildford Industrial Area		
	4.5 metres	• Carrington Road (south side), • Cann Street, Guernsey Street, Clarke Street, - • Military Road (between Byron Road & Carrington) • Byron Road (east side between Military Road and Dennistoun Avenue)
	15.0 metres	• Byron Road (west side between Military Road and Dennistoun Avenue)
Holroyd Industrial Avenue		
	7.5 metres	• Walpole Street (north side between the Creek and Crescent Street) - • Crescent Street • Walpole Street (north side between Fox Street and the Creek),
	4.5 metres	• Peel Street, Fox Street, • Robert Street (south side between Fox Street and Peel Street)
Girraween/Toongabbie Industrial Area		
	10.0 metres	• Toongabbie Road, Amax Avenue • Mandoon Road, Magowar Road • Gilba Road, Wiltona Place
	30.5 metres	• Oramzi Road (west side between Gilba Road and Wiltona Avenue) - • Great Western Highway
	15.0 metres	• Great Western Highway (between Toongabbie Road and Girraween Road)
Greystanes Industrial Area		
	7.5 metres	• Great Western Highway (west of Greystanes Road)

2.2 Siting and Building Design

Objectives

O1. Achieve high quality, innovative environmental and architectural design for all buildings within new and existing industrial areas

O2. Ensure industrial development presents attractive and compatible facades to adjoining uses, and activates the public domain.

O3. Create identifiable, attractive and safe entrances to buildings.

Controls

C1. Use non-industrial aspects of a development (e.g. offices) to address the street.

C2. Avoid long blank walls of warehouse units, by providing articulation to the façade or division of massing, especially on street frontages.

C3. Entries to buildings should be clearly visible to pedestrians and motorists and be integrated into the form of the building.

C4. Architecturally express the structure of the building externally to address the primary street frontage and minimise use of reflective glass or large blocks of one material.

C5. Articulate entrances, office components and stairwells to create rhythm along facades to minimise the appearance of bulk and scale.

C6. Introduce a mix of materials, and incorporate horizontal and vertical modulation, including windows in appropriate proportions and configurations.

C7. New development on corner sites is to address both street frontages in terms of façade treatment, fenestration and articulation of elevations, to achieve a high standard of environmental design.

C8. Roof ventilation, exhaust towers, mechanical plant and the like should be located so as not to be readily visible from any public or residential area.

C9. All rooftop or exposed structures including lift motor rooms, plant rooms, together with air conditioning, ventilation and exhaust systems, are to be integrated into the building design in order to ensure interesting and high quality appearance.

2.3 External Materials

Objectives

O1. Contribute to visual amenity of the urban environment through appropriate selection of materials and colours.

O2. Minimise the impact of glare onto the surrounding environment.

Controls

C1. Lighter colours shall be used on external walls of the building to reduce heat gain in summer, especially for building facades facing east, west and north.

C2. Roofs and walls shall be well insulated in office components of buildings to reduce winter heat loss and summer heat gain.

2.4 Solar Access

Objectives

O1. Maintain mid-winter solar access to primary indoor spaces and private open spaces within adjoining residential dwellings.

O2. Ensure office spaces within the subject and adjoining developments receive sufficient solar access.

O3. Minimise reduction of solar access to surrounding buildings resulting from a development.

Controls

C1. Where a site adjoins or is opposite to a residential property and the proposed structures are over 6 metres in height, shadow diagrams based on a survey of the site and adjoining development shall be provided. These diagrams shall demonstrate the impact on adjoining residential properties or public domain for 9:00am, 12:00 noon and 4:00pm at 21 June.

C2. Development is not to unreasonably impact on solar access requirements of adjacent and adjoining residential properties.

C3. If adjoining residential, public open space or sensitive land uses (e.g. schools) already receives less than 4 hours of sunlight, any reduction may be unacceptable.

C4. Buildings shall be oriented towards the north so that they make best use of solar access to lower heating and cooling costs.

C5. Building elevation treatments shall control solar access into the building by the use of appropriate shading devices and methods.

2.5 Road Design and Construction

Controls

C1. Ensure that new roads are constructed with kerb and gutter and are sealed from gutter to gutter. Construction is to be of a standard not less than Council's standard specification for heavy duty roads.

C2. Ensure that the minimum width of carriageway plus verge is 20 metre wide with 12 metre carriageway and 4 metre verges. The construction of 1.2 metre wide concrete footpaths will be required.

C3. Cul-de-sac roads will only be accepted where surrounding land has been fully developed, or where the site specific controls for the area provide for cul-de-sac roads.

C4. Ensure that cul-de-sac roads have an 18 metres radius turning circle with 18 metres radius reverse curves on boundary alignments.

C5. Provide a higher strength pavement for cul-de-sacs at intersections in industrial areas. Generally a minimum of 1 metre clearance is required.

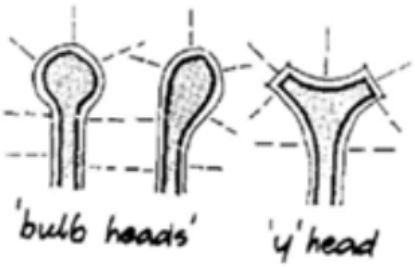


Figure 7

2.6 Pedestrian and Cyclist Facilities

Objectives

O1. Encourage greater bicycle use, decrease the reliance on private vehicles and encourage alternative, more sustainable modes of transport.

Controls

C1. Pedestrian access to private land shall be provided as part of the internal circulation network.

C2. Bicycle parking is to be provided as specified in AS 2890.3 – *Bicycle Parking Facilities*.

C3. Bicycle parking shall be located in a safe and secure location that is covered and convenient for users.

C4. Trip end facilities including showers and lockers must be provided to adequately service the number of bicycle parking spaces required for industrial development as per the provisions set out in Part H.

2.7 Public Domain Improvements

Objectives

O1. Improve the visual quality and amenity of industrial development through effective landscape treatment of individual sites and to achieve high levels of amenity for employees, including passive/recreational use.

O2. Complement the pedestrian and cycle movement network and open space corridors.

O3. Design landscaping to enhance streetscape character and contribute to urban heat management.

Controls

C1. All areas not built-upon shall be landscaped to soften the impact of buildings and car parking areas.

C2. Landscaping within setback areas shall be of a similar scale to buildings. All landscaped areas shall be separated from vehicular areas by means of a kerb or other effective physical barriers.

C3. Fencing shall be integrated as part of the landscaping theme so as to minimise visual impacts and to provide associated site security.

C4. Landscaping shall promote safety and surveillance of the street.

C5. A minimum of 15% of the site shall be provided and maintained as soft landscaping, with lawns, trees, shrubs, for aesthetic purposes and the enjoyment of workers of the site.

2.8 Biodiversity

Objective

O1. Ensure a high standard of environmental quality of individual sites.

Controls

C1. Landscape plant species used in the public domain shall be predominantly native, including local indigenous species.

C2. Plant species that are drought tolerant or will require minimal watering once established shall be used.

C3. Water-conserving landscape practices shall be applied where possible, including soil amendment, mulch, irrigation zoning, limited turf areas, planting in relation to micro-climate, water scheduling, and selection of plants with water needs that match site rainfall and drainage conditions.

C4. Landscape plant species used in the public domain shall be predominantly native, including local indigenous species.

C5. Native ground covers and grasses shall be used in lieu of turf where practicable.

C6. Development shall comply with the Biodiversity requirements set out in Part G and the Tree Management and Landscaping requirements set out in Part G.

2.9 Storage Areas

Objective

O1. Protect and enhance visual amenity.

Control

C1. Storage areas and other potentially unsightly areas shall be screened from adjacent properties.

2.10 Safety and Security

Objectives

O1. Ensure that adequate measures are taken to protect the personal safety of workers, clients and the general public.

O2. Reduce crime risk and minimise opportunities for crime.

Controls

C1. Provide details on measures to be undertaken to safeguard workers, clients and the general public. Such details are to include:

- security personnel;
- lighting of access ways and car parking areas, particularly in respect of isolated premises;
- security doors;
- 'active' uses presented to the street to promote surveillance and safety;
- premises clearly numbered, with the number clearly visible from the street;
- avoid the use of isolated back lanes and poorly lit areas; and
- any landscaping that is proposed must not obstruct the visibility from public areas of entrances and exits.

C2. A crime risk assessment against the Crime Prevention and the Assessment of Development Applications" Guidelines is to be undertaken for larger developments. The recommendations of the assessment shall be used to inform the design and operation of the development.

2.11 Fencing

Objectives

O1. Minimise any visual impacts to the streetscape.

O2. Provide site security whilst allowing passive surveillance to and from the public domain.

O3. Ensure that fencing complements the building and landscape design for the site.

Controls

C1. Fencing shall be integrated as part of the landscaping theme, so as to minimise visual impacts and to provide associated site security.

C2. Ensure all fencing along the principal street frontage is an open/permeable style, incorporating pickets, slats, palings or the like.

C3. Fencing along the street frontage shall be a maximum height of 1.8 metres and incorporated with appropriate landscaping.

C4. Fences behind the front setback shall be a maximum of 2.1 metres and incorporated with appropriate landscaping.

C5. Chain wire fencing is not permitted.

C6. Solid metal panel fences (sheet metal or similar) of any height are not permitted along the street frontage or forward of the building alignment.

C7. If the side or rear boundary faces a side or rear boundary of a residential premises, a timber paling/pre-coated metal fencing (commencing at the front building alignment) is permitted along with acoustic fencing and planting.

Operational Management

2.12 Hours of operation

Objective

O1. The hours of operation are managed to ensure residential amenity is protected.

Controls

C1. Where an industrial site is located adjoining or adjacent to, or within 200 metres of residential development, or where in the opinion of Council, truck movements associated with the industry will intrude on residential streets, hours of operation shall generally be restricted to 7:00 am to 6:00 pm Monday to Saturday.

C2. Retail trade in industrial zones are to be undertaken within the hours of 7.00 am to 8.00 pm, Monday to Saturday and 7.00 am to 2.00 pm on Sunday.

C3. Where an extension to the above hours is required due to the nature of the activities to be undertaken, a detailed submission shall be lodged with Council, demonstrating how environmental impacts can be minimised to acceptable levels to support the proposed extended hours of operation.

2.13 Hazardous Goods and Chemicals

Objective

O1. Development incorporates measures needed to protect the community from dangerous or hazardous goods storage and hazardous processes or uses.

Control

C1. Where a development involves the storage and/or use of dangerous goods, full details of the quantities and types of goods and chemicals are to be submitted with the development application, together with the storage locations, mediums and the use intended for the goods and chemicals.

C2. Development is to comply with the requirements of SEPP No. 33. Based on the types and quantities of hazardous goods and of materials used/stored in a development, Council may require an assessment in accordance with SEPP No.33.

2.14 Environmental Management Plan

Objective

O1. Ensure potential adverse environmental, public health and amenity impacts from industrial developments are adequately controlled.

Control

C1. An Environmental Management Plan (EMP) shall be submitted with the application if the development is considered to pose a high risk of adverse environmental impacts. The plan should detail how all environmental impacts

will be controlled and/or managed within the site during ongoing operation of the development. Depending on the extent and nature of the proposal under consideration, this could include but may not be limited to:

- noise and vibration control;
- surface water management and stormwater protection;
- trade waste arrangements (if applicable);
- control and treatment of air emissions;
- dust and erosion control (including stockpiles, if applicable);
- waste management, including handling of potentially contaminated material;
- identification of relevant person/s on site who are responsible for control strategies, including their position title and contact details; and
- details of complaints handling arrangements.

2.15 Noise

Objective

O1. Ensure that the use of the land does not create an offensive noise or add significantly to the background noise level of a locality.

O2. Minimise impact of noise on sensitive receivers through appropriate design and measures.

Controls

C1. Sources of noise, such as plant equipment and machinery, shall be sited away from adjoining properties as far as practicable and, where necessary, screened by walls or other acoustical treatment.

C2. Operations are to be conducted so as to avoid unreasonable noise and interference to adjoining development, particularly residential development.

C3. Operations are to be undertaken in accordance with licences and guidelines from relevant authorities.

2.16 Staff Amenities

Objective

O1. Provide a pleasant working environment and a high level amenity within industrial areas.

Control

C1. Provide a high level of staff facilities and recreation space including as a minimum:

- indoor and outdoor breakout/communal space;
- kitchen; and
- end of trip facilities.

2.17 Plan of Management

Objectives

O1. Ensure adequate operational arrangements are provided for the development.

O2. Minimise unacceptable impacts on surrounding land uses and the transport/road network.

Control

C1. A plan of management is required to be prepared for the development. The plan is to bring together other plans related to the development and identified in this DCP, and provide a framework for the management of complaints. A review mechanism shall also be provided to ensure the effectiveness of the plan of management and to refine the plan as required. The plan of management shall be made to available to Council or other relevant authority at any time if requested.

Environmental Management

2.18 Air Quality

Objectives

O1. Any machinery or processes used should not result in air pollution emissions that have a detrimental impact on the environment.

Controls

C1. Details of any equipment, processes and air pollution control or monitoring equipment shall be submitted to Council with a development application including an assessment of air quality according to EPA standards.

2.19 Waste

Objectives

O1. Potential adverse environmental, public health and amenity impacts from industrial developments must be adequately controlled.

O2. Ensure waste storage and removal will not have a detrimental effect on environmental amenity.

Controls

C1. An on-going waste management plan is required to be submitted with the application to detail how all solid and liquid wastes handled on site will be managed. The plan may include, but is not limited to, details on:

- all waste storage areas (including internal and external areas/rooms);
- waste collection arrangements, including collection location and times/frequency;
- measures to prevent potential pollution from waste storage/handling activities on site;

- any trade waste arrangements; and
- measures for dealing with contaminated and/or hazardous waste.

C2. Garbage storage areas shall be designed so as to:

- be readily serviced within the confines of the site with minimum impact on adjoining uses;
- incorporate ventilation measures; and
- have suitable access to water to maintain waste storage areas.

2.20 Contamination

Objectives

O1. Ensure that Council is satisfied that no new building works take place on land contaminated by previous land uses, unless suitably remediated in accordance with *SEPP 55 – Remediation of Land* (or equivalent).

O2. Ensure future building works are constructed on stable sub-surfaces.

O3. Prevent potential contamination of land, groundwater and surface water from Underground Petroleum Storage Systems (UPSS) sites.

Controls

C1. An assessment is to be made by the applicant under *SEPP No. 55 – Remediation of Land* (or equivalent) as to whether the subject land is contaminated prior to the submission of a development application.

Underground Petroleum Storage Systems (UPSS)

C2. All underground petroleum storage systems (UPSS) must be designed, installed and operated in accordance with the *Protection of the Environment (Underground Petroleum Storage Systems) Regulation 2019* (the Regulation) and guideline to the Regulation published by the NSW EPA.

C3. An application involving installation or modification to a UPSS must be accompanied by:

- detailed plans of the UPSS; and
- certification that the plans and proposed design comply with the Regulation and Australian Standard 897 – 2008 The design, installation and operation of underground petroleum storage systems.

C4. Service station forecourts must be designed and managed in accordance with environmental best practice as outlined in the NSW EPA Practice Note Managing runoff from service station forecourts (2019). An application for a service station must be accompanied by detailed plans of forecourt areas which identify all proposed design features and measures to manage runoff in accordance with the Practice Note.

2.21 Sustainability and Energy Efficiency

Objectives

O1. Encourage a high standard of environmental design within new and existing industrial areas.

O2. Minimise energy use in buildings while creating a comfortable working environment.

O3. Reduce the amount of greenhouse gas emissions.

Controls

C1. Improve the efficiency of hot water systems by:

- providing solar powered hot water systems where possible. Solar and heat pump systems must be eligible for at least 24 Renewable Energy Certificates (RECs) and domestic type gas systems must have a minimum 3.5 star energy efficiency rating;
- insulating hot water systems; and
- installing water saving devices, such as flow regulators, 3 stars Water Efficiency Labelling and Standards Scheme (WELS Scheme) rated shower heads, dual flush toilets and tap aerators.

C2. An Energy Efficiency Report from a suitably qualified consultant that demonstrates a commitment to achieve no less than 4 stars under the Australian Building Greenhouse Rating Scheme or equivalent must be provided for all commercial and industrial development with a construction cost of over $5 million.

C3. The amount of exposed glazing to the eastern and western facades of buildings shall be minimised.

C4. Building design shall minimise reliance on existing energy supplies through the use of renewable energy sources including incorporation of photovoltaic cells, wind turbines, battery storage and solar hot water wherever practicable.

2.22 Water Pollution and Stormwater Management

Objectives

O1. Development incorporates discharge systems designed to minimise the discharge of pollutants into the waste water and stormwater system.

O2. Ensure that satisfactory measures are incorporated to alleviate negative environmental impacts associated with industrial zones.

Controls

C1. For industrial developments such as mechanical repair workshops and garages, pollution control monitoring equipment, e.g. retention pits, traps, or bunding shall be used to control the discharge of pollutants into the stormwater system.

C2. If the premises are subject to licence under the Protection of the Environment Operations Act 1997, development is to comply with any conditions of such licence that form part of any building approval.

2.23 Loading Requirements

Controls

C3. Loading requirements will comply with the provisions set out in Part H of this DCP.

2.24 Car Parking Design

C1. Car parking design will comply with the provisions set out in Part H of this DCP.

2.25 Traffic and Transport Management Plan

Control

C1. Traffic and Transport Management will comply with the provisions set out in Part H of this DCP.

Item No: C02/20-356

NEW CUMBERLAND DEVELOPMENT CONTROL PLAN – DRAFT CHAPTER ON PART F PRECINCT AND SITE SPECIFIC DEVELOPMENT CONTROLS

Responsible Division:	Environment & Planning
Officer:	Director Environment & Planning
File Number:	S-5750-01
Community Strategic Plan Goal:	*A resilient built environment*

SUMMARY

The preparation of a new Cumberland Development Control Plan (DCP) is underway, with the focus on harmonising the planning controls of the three DCPs in operation across Cumberland into a single set of detailed planning controls under a comprehensive DCP.

This report recommends that Council endorse the draft chapter for Part F Precinct and Site Specific Development Controls, for inclusion in the draft Cumberland DCP that is currently being prepared. The contents of the chapter is based on the planning approach previously endorsed by Council.

It is anticipated that consultation on the draft Cumberland DCP in its entirety will be undertaken in early 2020, following endorsement of all DCP chapters by Council.

RECOMMENDATION

That Council:

1. **Endorse the draft chapter for Part F Precinct and Site Specific Development Controls, as provided in Attachment 1, for inclusion in the draft Cumberland Development Control Plan.**

2. **Delegate to the General Manager the authorisation to make minor revisions to the draft chapter, as necessary, following Council's deliberations, to ensure the desired objectives and intended outcomes can be achieved.**

3. **Consult with the community on the draft chapter, following endorsement of all chapters of the draft Cumberland Development Control Plan by Council.**

REPORT

Background

Cumberland City Council is currently operating under three separate sets of planning controls, known as Development Control Plans (DCP), which are available on Council's website. The current approach does not provide an integrated planning framework for the Cumberland area, with inconsistent planning controls in place, and is not aligned to current strategic plans and policies from Council and the NSW Government.

New Cumberland Development Control Plan (DCP)

The preparation of a new Cumberland DCP will complement the work being undertaken on the new Cumberland LEP, by providing more detailed planning controls for development in the area. This report focuses on the draft chapter for Part F Precinct and Site Specific Development Controls, as shown in Figure 1.

Figure 1: Draft DCP chapter recommended for endorsement

Council has previously considered and endorsed the planning approach for the various chapters in the new Cumberland DCP. The draft chapter has been prepared in accordance with these Council resolutions, as outlined in Table 1. For this chapter, there is only a carry over of site specific planning controls.

It is recommended that Council endorse the draft chapter for Part F Precinct and Site Specific Development Controls, as provided in Attachment 1. Subject to endorsement, the draft chapter will be included in the draft Cumberland DCP.

It is anticipated that consultation on the draft Cumberland DCP in its entirety will be undertaken in early 2020, following endorsement of all DCP chapters by Council.

Date	Item No.	Report	Resolution
16 October 2019	C10/19-247	Preparation of a new Cumberland Development Control Plan	Council noted the approach and key milestones for the preparation of the new Cumberland Development Control Plan
16 October 2019	C10/19-248	Proposed site specific planning controls for inclusion in the new Cumberland DCP	Council resolved to carry over the site specific planning controls in the Cumberland area
18 December 2019	C12/19-326	Proposed other land use based development controls and other matters for inclusion in the new Cumberland DCP	Council resolved to carry over the site specific planning controls for Yennora Distribution Park

Table 1: Council resolutions for draft DCP chapter

COMMUNITY ENGAGEMENT

Consultation will be undertaken on the draft new Cumberland DCP, and this is anticipated to occur in early 2020.

POLICY IMPLICATIONS

The preparation of the Cumberland DCP supports the new Cumberland Local Environmental Plan, which is required under the *Environmental Planning and Assessment Act 1979*. The Cumberland DCP will also align with the strategic directions outlined in Council's Community Strategic Plan and Cumberland 2030: Our Local Strategic Planning Statement.

RISK IMPLICATIONS

The preparation of a new Cumberland DCP is designed to align with the milestones on work for the new Cumberland Local Environmental Plan, which is required to be completed by mid-2020. The release of funds from the grant is also linked to these milestones. Endorsement of the draft DCP chapter will assist Council in meeting these milestones.

FINANCIAL IMPLICATIONS

Work undertaken on the Cumberland DCP, including analysis, document preparation and planned community consultation activities, will be funded from the accelerated Local Environmental Plan Funding Grant provided by the NSW Government.

CONCLUSION

The preparation of a new Cumberland Development Control Plan (DCP) is underway. This report recommends that Council endorse the draft chapter for Part F Precinct and Site Specific Development Controls, for inclusion in the draft Cumberland DCP that is currently being prepared. The contents of the chapter is based on the planning approach previously endorsed by Council, which is a carry over of existing site specific planning controls.

ATTACHMENTS

1. Draft Development Control Plan Part F -Business Site Specific
2. Draft Development Control Plan Part F - Industrial Site Specific
3. Draft Development Control Plan Part F - Precinct Site Specific
4. Draft Development Control Plan Part F - Residential Site Specific

DOCUMENTS ASSOCIATED WITH REPORT C02/20-356

Attachment 1

Draft Development Control Plan Part F -Business Site Specific

42-44 Dunmore Street, Wentworthville (Wentworthville Mall site)

Contents

1. Introduction

This section applies to land at 42-44 Dunmore Street, Wentworthville (Wentworthville Mall site), being identified as Lot 11 DP746514, as shown in Figure 1.

Figure 1: Land to which this section applies.

2. Vision

2.1 Vision

The purpose of these development controls is to establish a detailed planning and design framework to guide the redevelopment of the site.

The vision for the site is that it will make a positive contribution to the renewal of the Wentworthville centre as a progressive, colourful, vibrant and engaging local centre that is well-connected to the surrounding area and is a great place to live and visit.

Structure Plan

The vision and objectives for the site as identified above are spatially expressed in the Structure Plan (Figure 2). Where variations to the structure plan are proposed, the development application is to demonstrate how the vision and objectives have been achieved

Figure 2: Structure plan

3. Objectives and Controls

3.1 General Objectives

The objectives of the development controls are:

O1. Establish a landmark, mixed use and transit-oriented heart for the town centre that signifies the importance of Wentworthville within the Cumberland centres hierarchy

O2. Deliver new housing that activates and enlivens the centre

O3. Contribute to the creation of a distinct sense of place for the centre that acknowledges its past and embraces its future as a vibrant, urban location

O4. Reinforce the role of Dunmore Street as the centre's main street

O5. Strengthen the retail and employment role of the centre

O6. Increase the supply and choice of housing for the community in a high-density environment

O7. Improve the permeability of the centre for pedestrians, including the provision of a through-site link between Dunmore Street and Prichard Street

O8. Provide publicly-accessible open space that allows for informal gathering, interaction and recreation

O9. Ensure a high level of urban design and architectural quality.

3.2 Circulation and Access

Objectives

O1. Provide a new pedestrian link between Dunmore Street and Pritchard Street East to improve pedestrian permeability and promote activation along Pritchard Street East.

O2. Provide for convenient, safe and attractive pedestrian connection between Dunmore Street and Pritchard Street.

O3. Promote shop activation by enabling an arcade-style development layout.

Controls

C1. Development includes a through-site link as shown in Figure 3.

C2. The through-site link:

- provides a functionally and visually continuous pedestrian link between Dunmore and Pritchard Streets
- has a minimum width of 5m or 2 x 2.5m where stairs and a ramp are required to ensure universal access or where the gradient requires.
- is integrated with the on-site plaza spaces
- includes mechanisms to enable negotiation of any gradient changes for mobility impaired persons in accordance with relevant legislation

C3. The through-site link is open to the sky except for that part closest to Pritchard Street which passes under the Pritchard Street street wall for a maximum distance of 25m and has a minimum vertical clearance of 9m

C4. The through-site link is open to the public at all times

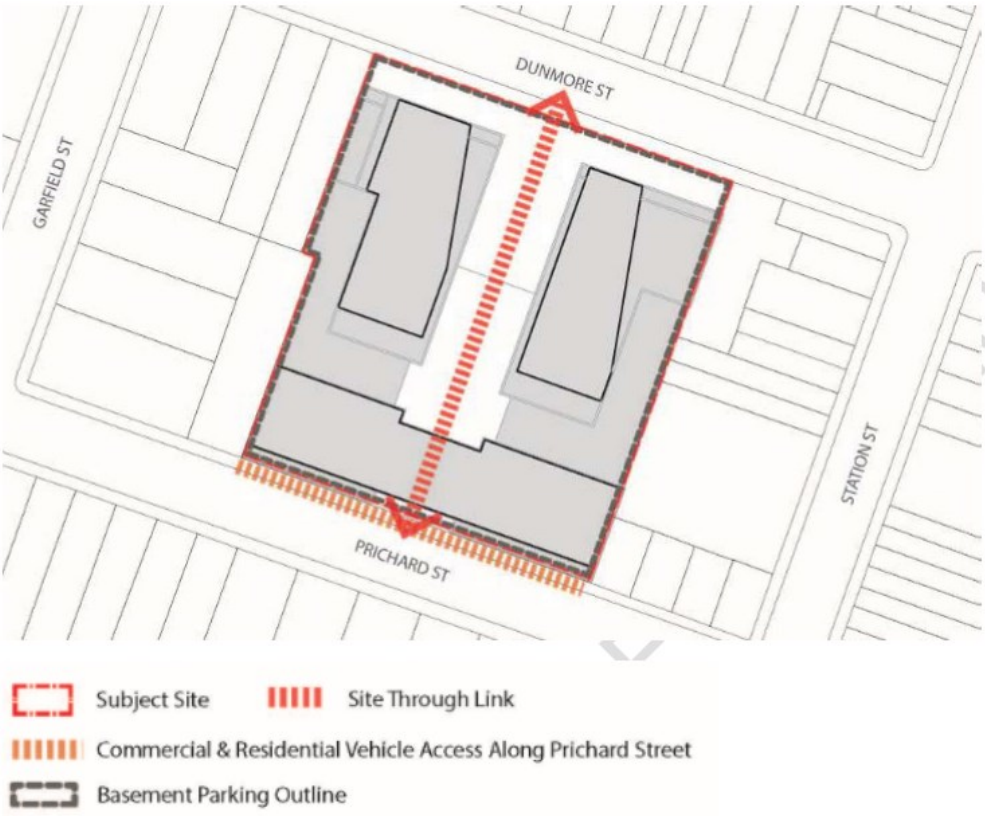


Figure 3: Circulation and access

3.3 Open Space

Objectives

O1. Provide an integrated series of well-designed and publicly accessible urban plazas that cater for informal gathering, interaction and recreation.

O2. Ensure publicly accessible open space has appropriate levels of sunlight, shade, air circulation and safety.

O3. Design public open space to improve the environmental performance of the site and the overall town centre, including for stormwater management, biodiversity and reducing the urban heat island effect.

Controls

C1. Public open space is located generally in accordance with Figure 4 and includes the following key spaces:

- Dunmore Street plaza
- Northern plaza
- Central plaza
- Southern plaza

C2. The Dunmore Street Plaza:

- comprises a continuous strip of land having a depth of 8m from the existing footpath boundary along the site's Dunmore Street frontage (to be dedicated to Council)
- is a paved, urban plaza that has the flexibility to cater for a range of informal uses, functioning as a promenade and including space for outdoor dining, public seating/gathering and public art
- includes zones for unobstructed through pedestrian movement, outdoor dining and street furniture such as seating, lighting and rubbish bins
- allows for temporary uses such as markets, stalls and outdoor music
- does not include permanent structures, ensuring an open and flexible space
- includes large soil volumes capable of sustaining trees
- includes adequate landscaping and tree planting
- includes extensive, co-ordinated street tree planting
- is bordered by active frontages

Note: basement car parking for the development may be located beneath the plaza

C3. The Northern Plaza:

- has a minimum width of 20m
- includes the establishment of an easement for public open space at the front of the northern plaza having an area of approximately. 200sqm with a minimum width of 12m. Embellishment of this open space is to a specification and finish to be agreed with Council.
- is a paved, urban plaza that has the flexibility to cater for a range of informal uses
- is visually and physically integrated with the Dunmore Street Plaza, including consistent paving and street furniture.
- enables a clear line of sight to be gained between Dunmore Street and the supermarket
- facilitates the convenient movement of people between Dunmore Street, the supermarket and the southern part of the site
- maximises the visual exposure of the supermarket façade
- is bordered by active frontages
- provides a connection to the Southern Plaza that is visually unobtrusive and complies with relevant legislation/standards
- is publicly accessible at all times.

C4. The Central / Southern Plaza:

- has a minimum width of 20m
- provides for informal gathering and seating
- accommodates uses that are compatible with adjoining residential uses
- may be either paved or a combination of paving and grassed areas
- includes raised planting beds and tree planting

Note: as the plaza is located on a podium, deep soil areas are not possible

- manages any gradient change with Pritchard Street with stairs, as well as a visually unobtrusive complies with disability legislation
- incorporates stairs and visually unobtrusive disabled access to address any change in gradient.
- is bordered by active uses and / or residential uses that have a high level of engagement with the plaza in accordance with the relevant provisions of this DCP
- is publicly accessible at all times
- is designed in accordance with CPTED principles'
- incorporates lighting that ensures adequate night-time illumination for safety and security without any light spill or glare to adjoining dwellings
- considers the acoustic environment to ensure noise does not create a nuisance for adjoining dwellings

C5. Public open space is designed and constructed in accordance with a Landscape and Public Domain Plan to be prepared between the site owner and Council, and approved by Council.

Figure 4: Public open space

Figure 5: Dunmore Street Plaza – precedent images

Figure 6: Northern plaza – precedent images

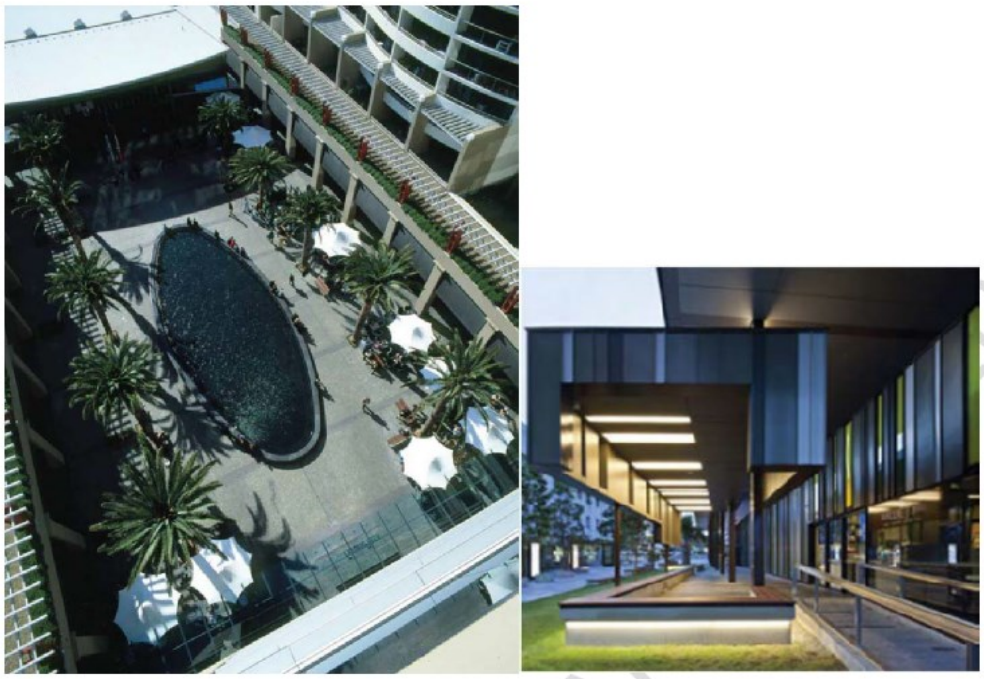


Figure 7: Southern plaza – precedent images

3.4 Public Art

Objective

O1. Provide opportunities for public art that strengthens the identity and amenity of the centre.

Controls

C1. A Public art plan is prepared that identifies the location and type of public art to be provided within the site.

C2. Public art is sensitively placed and designed to form part of cohesive public domain outcome, and does not overwhelm the public domain due to bulk, height, colour or other aspect.

C3. Public art is located in places of high visibility including Dunmore Street Plaza.

Source: Wentworthville Story Schemes & Dreams (project artist – Graham Chalcroft)

Source: Wentworthville Story Schemes & Dreams (project artist – Graham Chalcroft)

Figure 8: Public art– precedent images

3.5 Land Use

Objectives

O1. Strengthen the role of Wentworthville as a vibrant, mixed use town centre that contains a range of complementary business, retail and higher density residential uses.

O2. Encourage uses that extend activity within the town centre into the early evening and weekend.

Controls

C1. Development includes a full-line supermarket having a minimum gross floor area of 4,000sqm.

C2. Development includes a minimum of 4,400sqm gross floor area of Commercial Premises above ground level.

C3. The following uses are encouraged at the ground floor (Dunmore Street Plaza and Northern Plaza level):

- café
- restaurant
- small bar

C4. The following uses are encouraged at the first floor (Southern Plaza level:

- office premises
- medical centre

3.6 Building Height

Objectives

O1. Establish a visual landmark that reinforces the site as the heart of the centre and signifies the importance of the centre within the Cumberland urban form and centres hierarchy.

O2. Transition building height downwards from north to south across the site.

O3. Provide for a human scale, mid-rise street wall along the Pritchard Street site frontage.

Controls

C1. Building height is generally in accordance with Figure 9 and:

- creates two landmark towers at the Dunmore Street frontage of the site
- creates a continuous street wall building at the Pritchard Street frontage of the site that is of a lower height than the Dunmore Street towers

C2. The maximum street wall height fronting Dunmore Street and Pritchard Street is five storeys, with a podium level setback of 3m.

C3. The maximum street wall height fronting the through-site link is 7 storeys.

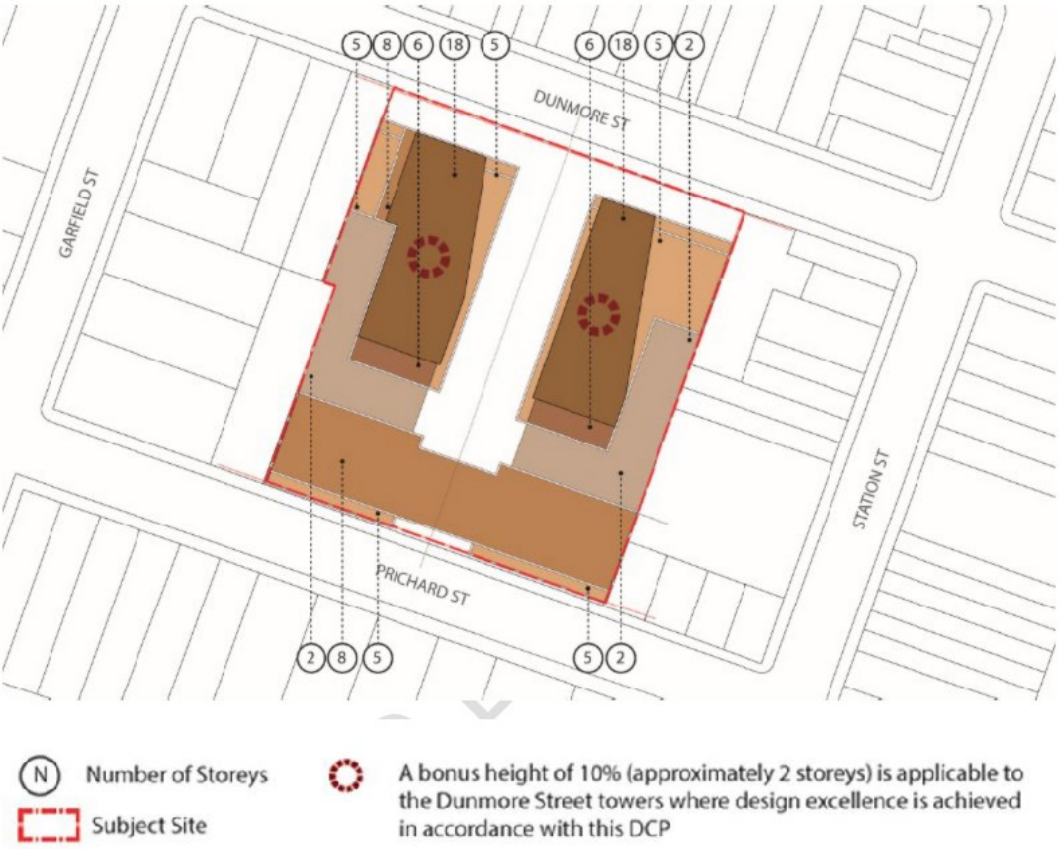


Figure 9: Building height

3.7 Setbacks and building separation

Objective

O1. Achieve setbacks from site boundaries and separation between buildings on the site and on adjoining sites that:

- activates and engages with the adjoining public domain
- is consistent with an urban centre character
- provides for high levels of amenity to the public domain and dwellings, including through adequate solar access, natural ventilation and air circulation; and visual and acoustic privacy
- reduces the appearance of density and building bulk and scale

Controls

C1. Development is setback from Dunmore and Pritchard Streets in accordance with Figure 10.

C2. Non-residential development may be built to side boundaries.

Figure 10: Setbacks and active frontages

3.8 Built form

Objectives

O1. Built form is designed to:

- define the public domain

- reduce the appearance of building bulk and scale when viewed from the public domain and provide visual interest
- activate and engage with the adjoining public domain

Controls

C1. Building setbacks are in accordance with Figure 10.

C2. Building facades feature articulation within a cohesive overall composition through the use of design measures such as:

- recessed and / or projecting balconies
- slots
- large windows and other openings
- sun control devices such as eaves, louvres and screens
- privacy screens
- blades or fins
- elements of a more lightweight material than the main structural framing
- balustrades to balconies that have a more lightweight appearance than masonry such as glass or metal

C3. Buildings are designed to have their main living areas and adjoining private open space oriented to and directly overlook the public domain.

C4. Built form is in accordance with Figure 11-13

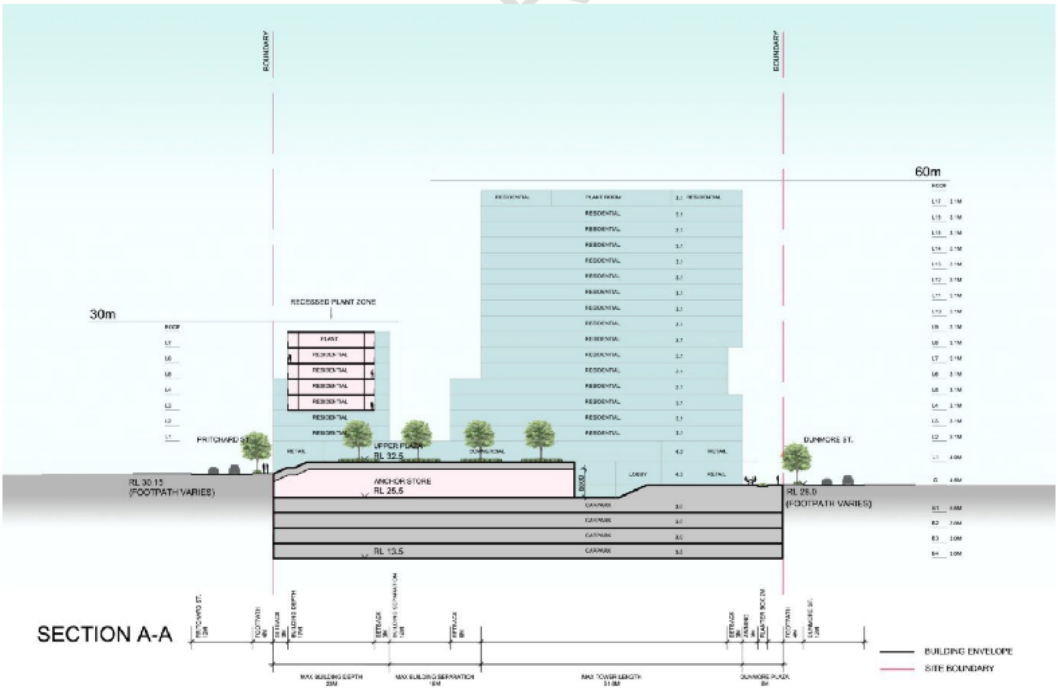


Figure 11: section/elevation of through-site link

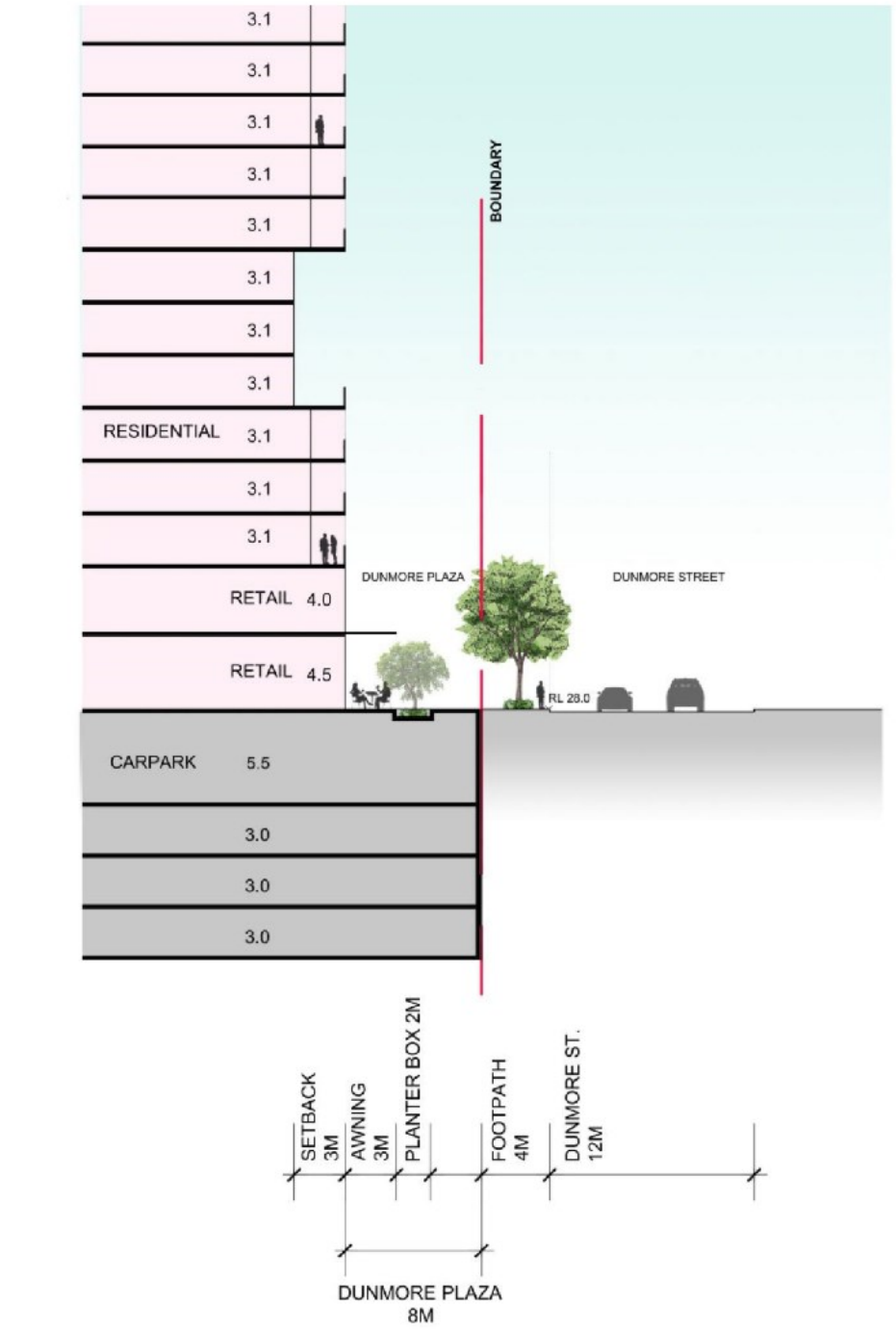


Figure 12: detail section of Dunmore Plaza

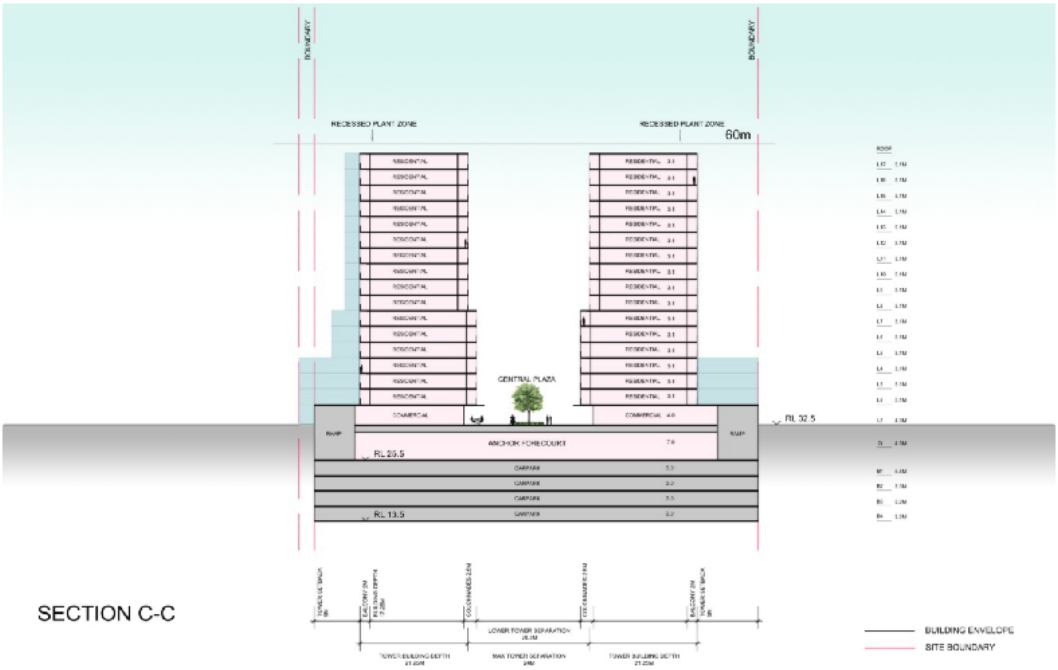


Figure 13: section/elevation east-west through site

3.9 Ground floor treatment

Objective

O1. Ensure development activates and engages with the public domain.

Controls

C1. Development includes an active frontage to Dunmore Street as shown in Figure 10.

C2. Building foyers:

- are not permitted fronting Dunmore Street
- are minimised in width
- have a minimum of 75% of their street facing edge as transparent glass

C3. Non-residential uses at the ground floor:

- have a maximum width facing Dunmore Street of 10m
- maximise the proportion of their façade that includes transparent glass
- where possible, enables areas of highest activity to be readily visible from the adjoining public domain
- where possible, incorporate openable elements that facilitate interaction between indoor and outdoor space, in particular where outdoor dining is provided

C4. Continuous awnings are provided along the Dunmore Street and Pritchard Street frontages of the site and have a:

- minimum depth of 1.5m
- minimum vertical clearance of 3m
- simple, contemporary design

C5. Blank walls are not permitted where they:

- are greater than 5m in length where facing Dunmore Street
- are greater than 10m in all other locations

C6. Roller shutters or bars are not permitted where active frontages are required in accordance with Figure 10.

C7. Setbacks are:

- a minimum of 1.5m from the edge of the public domain to the outermost project of the building
- a minimum of 4m from the edge of the public domain to the glass line enclosing internal space

C8. The area between the public domain and the glass line enclosing internal space has a minimum 25% of soft landscaping such as garden beds and turf.

Note: as these areas are located on a podium and have small dimensions, deep soil areas are not appropriate.

C9. The maximum height difference between the adjoining public domain and the private landscaped open space is 1m.

C10. Ground floor dwellings are to have individual entries accessed from the adjoining public domain.

C11. Where a site boundary fence is included it has a maximum height of 1.2m from the height of the adjoining public domain.

C12. Screening vegetation is not to be provided within the private landscaped open space forward of the glass line enclosing the internal space, except where along side boundaries.

C13. The main living areas of ground floor dwellings are to be located and oriented to directly face the adjoining public domain.

C14. The extent of the ground floor façade enclosed by transparent glass is to be maximised.

3.10 Towers

Objective

O1. Locate and design towers to reduce the appearance of building bulk and scale and provide visual interest.

Controls

C1. Towers are located at the Dunmore Street frontage of the site.

C2. Towers are inflected away from the Northern and Southern Plazas to direct views outwards.

C3. Towers fronting Dunmore Street are angled to facilitate solar access to living rooms and balconies located on their east-facing facades.

C4. Buildings are sited with their long axis aligned north-south.

C5. Towers fronting Dunmore Street are articulated into three visually distinct but cohesive components:

- base element
- intermediate element
- upper tower element

C6. The base element:

- is generally three storeys in height
- has a zero setback to the public domain
- includes awning or canopies adjoining the public domain

C7. The intermediate element:

- provides a transition between the base and upper tower element
- where fronting Dunmore Street, is setback at least 3m from the outermost projection of the preceding floor to provide a visual break to the verticality of the towers

C8. The upper tower element:

- presents a slender form to Dunmore Street
- has a zero setback to the public domain
- is articulated through the use of slots along its side facades
- incorporates a visually interesting roof form that screens plant and other mechanical utility devices

3.11 Transport, access and parking

Objectives

O1. Vehicle access, manoeuvring and parking is provided in a co-ordinated way, minimises visual impact on the streetscape and does not impede the convenient and safe movement of pedestrians.

O2. The transport demand generated by development is managed in a sustainable manner.

O3. On-site car parking is provided at a rate that balances the need to provide for the convenience needs of residents and visitors with encouraging more

sustainable forms of movement such as public transport, car-sharing, walking and cycling for commuter and recreational trips.

Controls

C1. On-site car parking is provided in basement form.

C2. On site car parking in basement form may be located under the Dunmore Street plaza to the edge of the original site boundary.

C3. On-site car parking rates for Commercial Premises is 1 space per 50sqm of gross lettable floor area.

C4. All development applications are to include a 'Transport Impact Study' addressing the potential impact of the development on surrounding movement systems, where the proposed development comprises: a. non-residential development of more than 1,000m² GFA; b. residential development of 100 or more new dwellings; or c. likely to generate significant traffic impacts according to the consent authority.

The development application is to include a site-wide 'Green Travel Plan' to outline initiatives for walking, cycling and the use of public transport. The Green Travel Plan should address different transport needs and patterns for residential and non-residential uses. Where relevant, initiatives are to be implemented prior to the issue of an Occupation Certificate.

All development applications are to include a 'Transport Access Guide', and a strategy for its future availability to residents, employees and visitors, where the proposed development comprises:

- a. Multi-dwelling housing; or
- b. Non-residential development more than 1,000m² GFA.

C5. Lockable on-site bicycle parking is provided for residential and non-residential uses.

C6. End-of-trip facilities including showers and lockers must be provided to adequately service the number of bicycle parking spaces required for employees in commercial premises and are to be located close to the bicycle parking area, entry/exit points, and within an area of security camera surveillance.

C7. 24hour, publicly accessible parking spaces within the site for car-share vehicles is encouraged.

Where a car share scheme operates locally, at least one car-share parking space for every 100 dwellings is provided within the residential parking area for the development.

C8. Car-share parking spaces are included in the maximum number of visitor car parking spaces required for a development in the Part H of this DCP.

C9. Car-share parking spaces must be publicly accessible at all times, conveniently located, adequately lit and identified with sign-posting and road marking.

C10. Car-share spaces must comply with the relevant Australian Standard.

C11. All car-share parking spaces are to be retained as common property by the Owners Corporation of the site. A covenant is to be registered with the strata plan advising of any car-share parking space. The covenant is to include provisions that the car-share parking space(s) cannot be revoked or modified without prior approval of Council.

C12. Site access is generally in accordance with Figure 3 – Circulation and access.

C13. Vehicular access to the site is obtained from Pritchard Street.

3.12 Environmental Performance

Objectives

O1. Incorporate measures that enhance the environmental performance of the site and buildings.

O2. Enhance local biodiversity.

O3. Ensure that development does not result in an unacceptable impact on the public domain by way of wind generation.

Note: the acceptability of wind impacts depends on use. For example, people walking or window-shopping will tolerate higher wind speeds than those seated at an outdoor restaurant.

Controls

C1. Rain water is captured, stored and used for non-potable uses such as irrigation of landscaping.

C2. Native planting is used as a key element of on-site landscaping, incorporating a diverse selection of locally indigenous plant species (robust, drought-tolerant species are preferred).

Note: Species selection should consider appropriate species for an urban environment.

C3. Where possible, buildings incorporate a dual water system that recycles grey water for toilet flushing and car washing.

C4. Buildings incorporate an articulation zone of 450mm to north and west facades to enable integration of external screening and shading devices to maximise the comfort of those in northern and western facing apartments.

C5. Lift lobbies preferably utilise natural lighting and ventilation.

C6. The form and arrangement of towers shield the Dunmore Street Plaza and the Northern Plaza from direct westerly winds.

C7. Towers are setback from the outer edge of lower levels where fronting the Northern and Southern Plazas to mitigate the impact of wind on the ground level public domain.

C8. Wind mitigation measures such as awnings and landscaping are incorporated into the design of both street frontages and the plazas to mitigate any potential wind funnelling effects of northeasterly and southerly winds from the towers and:

- are integrated into the overall landscape design
- are visually appealing
- contribute to the overall character of the public domain
- are consistent with CPTED principles
- ensure a high level of functionality for the public domain

C9. Wind mitigation measures are included in the design of communal recreation areas to ensure a high level of comfort, in particular for highly used areas.

108 Station Street, Wentworthville

Contents

1. Introduction

The subject site is located within the Wentworthville Centre. The planning framework (Wentworthville Centre Planning and Place Making Strategy) for the urban renewal and economic revitalisation of the Wentworthville Centre is based on economic, traffic and urban design studies and was subject to community consultation.

This DCP is generally consistent with the Wentworthville Centre Planning and Place Making Strategy.

Purpose of this Part

The purpose of this partis to set out a detailed planning and design framework to guide the redevelopment of the site.

Where there is an inconsistency between this document and provisions contained elsewhere in the this DCP, the Site Specific Controls contained in this document shall apply to the extent of the inconsistency.

Land to which this Part applies

This Part applies to development on land identified as 108 Station Street, Wentworthville, legally described as Lot B on DP410947, as shown in Figure 3.

Figure 1: 108 Station Street Boundary

This land comprises two key parts being:

- the development site and

- the laneway which extends along the northern property boundary between Station Street and the rear property boundary.

Further details regarding the laneway are provided in Clause 13.3.1.

In addition, any development controls developed for the Wentworthville Centre should be taken into consideration.

2. Vision

2.1 Vision

The site will make a positive contribution to the renewal and status of the Wentworthville centre as a progressive, colourful, vibrant and engaging local centre that is comfortable, well-connected to the surrounding area and facilities, and is a great place to live and visit.

3. Objectives and Controls

3.1 General Objectives

Objectives

O1. Facilitate the redevelopment of the site to achieve a high quality urban form and architectural quality.

O2. Enable additional building height at certain portions of the site where the development provides for publicly accessible laneway.

O3. Protect sunlight access to properties fronting Lane Street (south-east).

O4. Deliver new housing that activates and enlivens the centre.

O5. Increase the supply and choice of housing for the community in a high-density environment.

3.2 Access

Laneway

Objectives

O1. Ensure that vehicular access and egress points are best located to reduce potential for conflict between pedestrians and vehicles.

O2. Ensure the safe ingress and egress for vehicles using the laneway.

O3. Ensure laneway design integrates with the ground floor uses of 108 Station Street and provide for pedestrian movement.

Controls

C1. The design layout and alignment of the new laneway is generally to be in accordance with Figure 2 and 3, subject to detailed design development in consultation with Council.

C2. Vehicular access is to be generally in accordance with the locations shown on Figure 4.

C3. The new laneway is to incorporate the following elements as a minimum requirement:

- A total width of reservation = 6.6m
- 800mm out of property boundary, both sides to be set aside for services, lights as well as footpath.
- 2.5m travel lane width x 2

C4. Laneway alignment is to maintain clear sight-lines from each end.

C5. All building vehicular access and egress points are subject to final Council approval.

C6. All land within the new laneway reserve is to be dedicated to Council.

Figure 2: Plan - New Laneway Detail

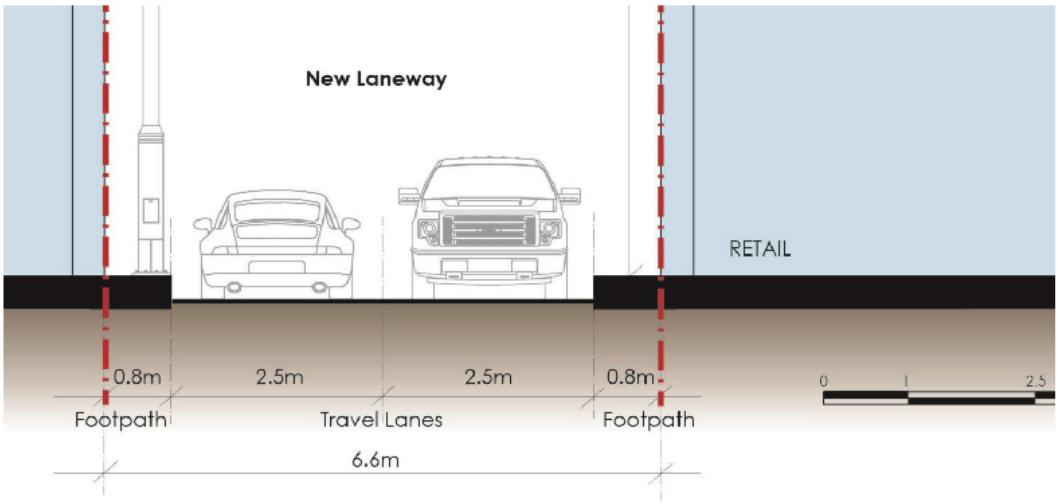


Figure 3: Typical Section - New Laneway Detail

3.3 Built Form

Active Street Frontage

Objectives

O1. Ensure that the non-residential character of Station Street is maintained.

O2. Ensure that façade articulation and elements within the building setback areas facilitate an active street environment.

O3. Encourage pedestrian movement within the Wentworthville Centre.

O4. Enhance pedestrian safety, security and amenity around and within commercial premises.

Controls

General

C1. Clear glazing is to be provided and reflective, tinted or obscured window coverings should be avoided.

C2. Blank wall should be avoided and visual interest and interaction at street level should be provided.

C3. The corner of Station Street and New Laneway should be emphasised through façade articulation and roof form.

Station Street

C4. A minimum 90% of the building façade at ground level is to be transparent.

C5. Continuous ground level active uses must be provided where primary active frontages are shown in Figure 4. Building must address Station Street.

C6. Main entry to the building is to be located on Station Street.

C7. Loading docks, vehicular access is not to be located where primary active frontage is shown in Figure 4.

C8. The active uses may include shop fronts, cafes and restaurants and appropriate commercial uses such as gymnasium.

C9. On sloping sites, the maximum level change between ground floor tenancies and the adjacent footpath is to be maximum 600mm. On flood prone land advice should be sought from Council's engineers.

New Laneway

C10. Frontage along the new laneway should be visually activated by incorporating clear glazing to minimum 90% of the façade at ground level.

Figure 4: Active Street Frontage Location

Note: The building footprints indicated on Figure 33 represents Council's preferred building configuration.

Street Setbacks and Build-to Lines

Objectives

O1. Enhance the character of Station Street and the Centre at large through consistent and uniform alignment of building facades.

O2. Increase pedestrian amenity.

O3. Provide deep soil zones and maintain mature/significant vegetation.

O4. Contribute to the landscape character of the Centre.

Control

C1. Minimum setbacks and build-to lines must be provided as shown in Figure 5, summarised as follows:

- Zero setbacks / build-to lines to Station Street, new laneway and southern boundary.
- Min. 8m rear landscape setback.
- Underground parking is not permitted to encroach into the rear setback unless it can be demonstrated that the basement is designed to support mature trees and deep root planting.
- Awning, balconies, sun shading and screening elements can project forward of the street setback line.
- Natural ground level is to be retained throughout the rear setback, where possible.

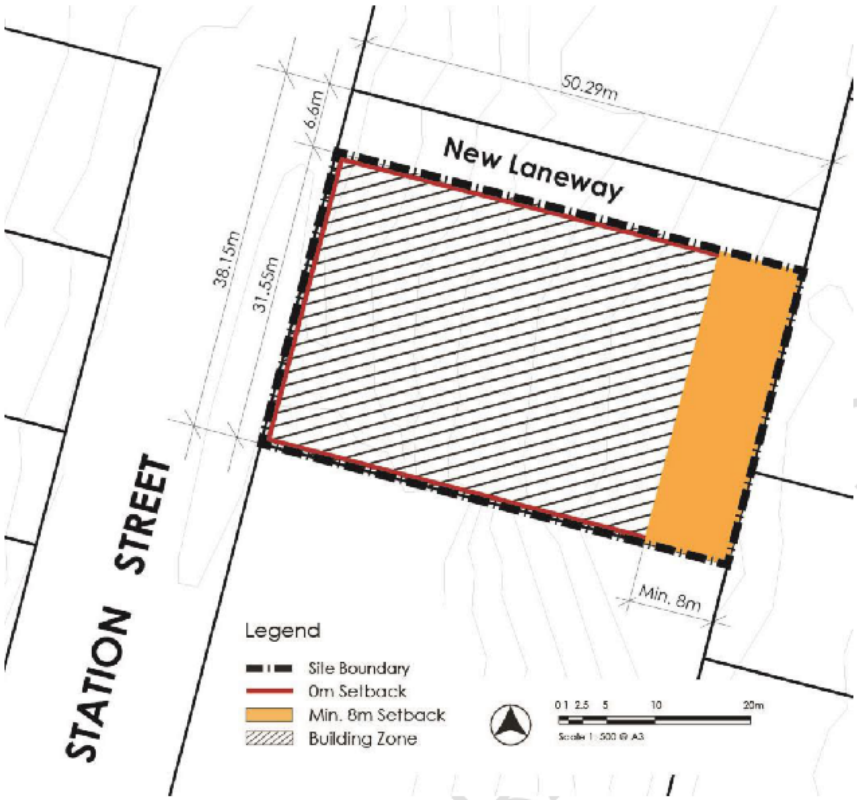


Figure 5: Plan - Street Setbacks

Street Wall Heights

Objectives

O1. Provide street edges that reinforces and reflects the various uses and existing character in the Centre.

O2. Ensure building heights at street level are at a human scale.

O3. Facilitate a consistent street and laneway wall height throughout the Centre.

O4. Provide prominence to the street level, establish a clear presence for retail and increase the visibility, marketability and utility of ground floor space.

Controls

C1. Street wall height shall be 5 storeys along Station Street (Refer Figure 7) with upper level setback.

C2. A maximum two storey street wall height is to be maintained along the new Laneway (Refer Figure 6) with upper level setback.

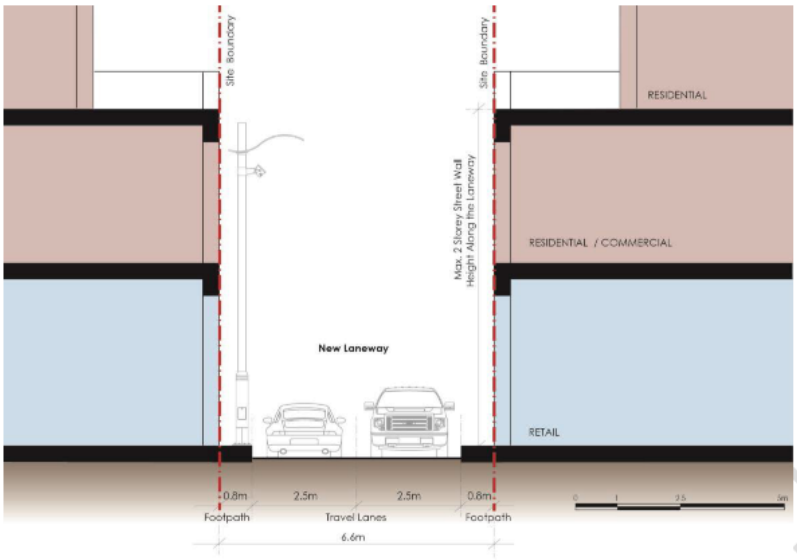


Figure 6: Street Wall Height - New Laneway – West

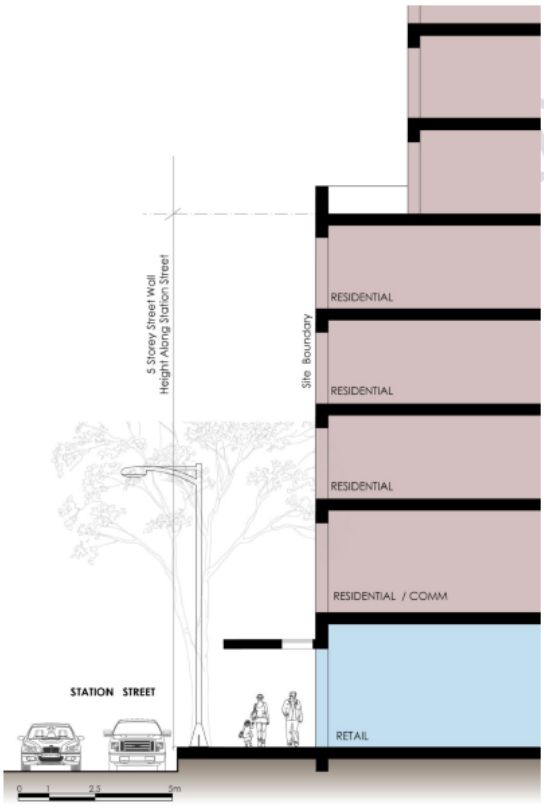


Figure 7: Street Wall Height - Station Street

Upper Level Setbacks

Objectives

O1. Enable more efficient tower footprints by removing incremental stepping of facades.

O2. Minimise adverse wind impacts on the pedestrian environment.

O3. Maximise sunlight penetration into streets and surrounding buildings.

O4. Ensure that the building is modulated and articulated to respond to streetscape, visual bulk and amenity issues.

O5. Ensure that the podium above second storey fronting the new laneway is to be setback to create a human scale laneway to make the space walkable.

Control

C1. The building above the street wall is to display a uniform 3m setback as shown on Figure 8 and 9.

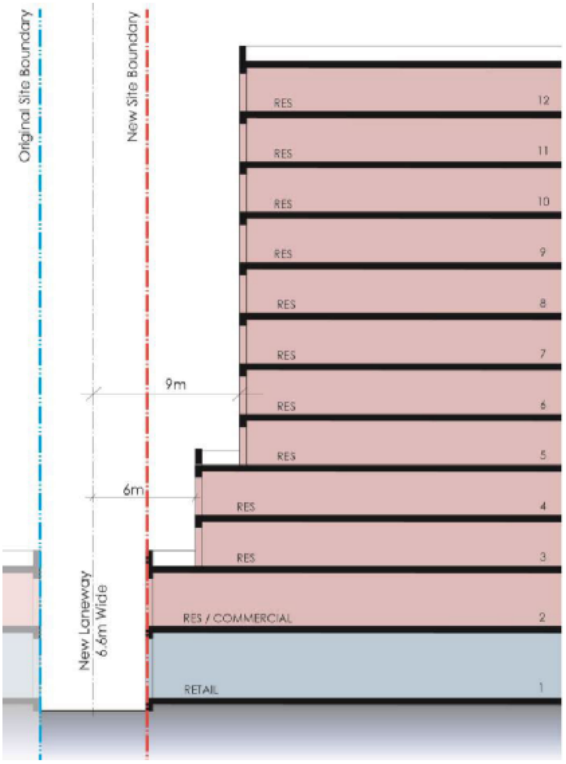


Figure 8: Upper Level Setbacks - New Laneway – West

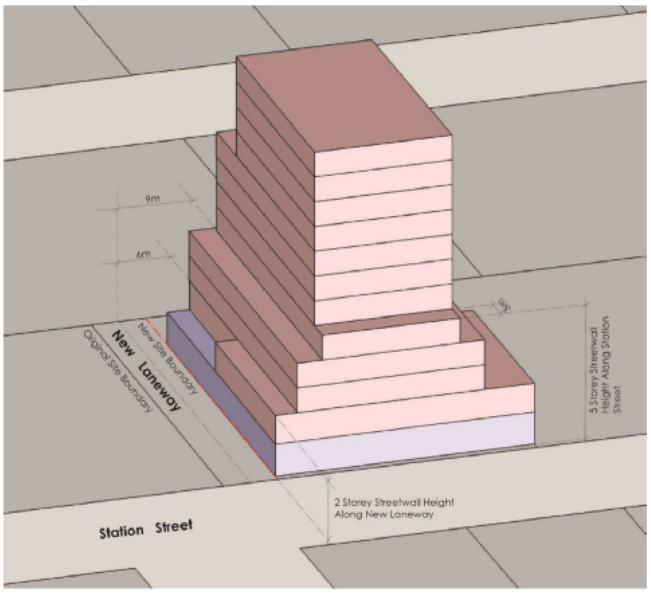


Figure 9: 3D Conceptual Block Model - Upper Level Setbacks - Station Street

Building Bulk and Design

Objectives

O1. Minimise overshadowing as compact floor plates cast smaller and faster moving shadows.

O2. Ensure that building is designed to reinforce the urban character of the locality.

O3. Improve access to sky view and permit better views between buildings and through sites and contribute to a more attractive skyline.

O4. Enhance energy efficiency and increase daylighting within buildings.

O5. Create architectural interest and visually diminish the overall scale of the building mass.

Controls

C1. Building Heights are to be provided in accordance with Figure 10.

C2. Floor to ceiling heights are to be provided in accordance with NSW Government –Planning & Environment's Apartment Design Guide (ADG).

C3. The floor plate of building above 8 storeys is not to exceed 500m2, unless it can be demonstrated that slender building form can be achieved through courtyards, atria, articulation or architectural devises.

C4. Where office premises are proposed, all points on an office floor above podium should be no more than 15m from a source of daylight.

C5. Façade design is to:

- Reflect and respond to the orientation of the site using elements such as sun shading and other passive environmental controls where appropriate.
- Provide building articulation such as expressed vertical circulation, well designed roof form, shading devices etc.
- Car parking entry doors are to be incorporated with the overall design of the façade.
- Street corner locations are to be expressed by giving visual prominence to parts of the façade such as change in building material or colour, articulation or well-designed roof form.
- Roof form, building services and screening elements are to occur within the overall height controls.

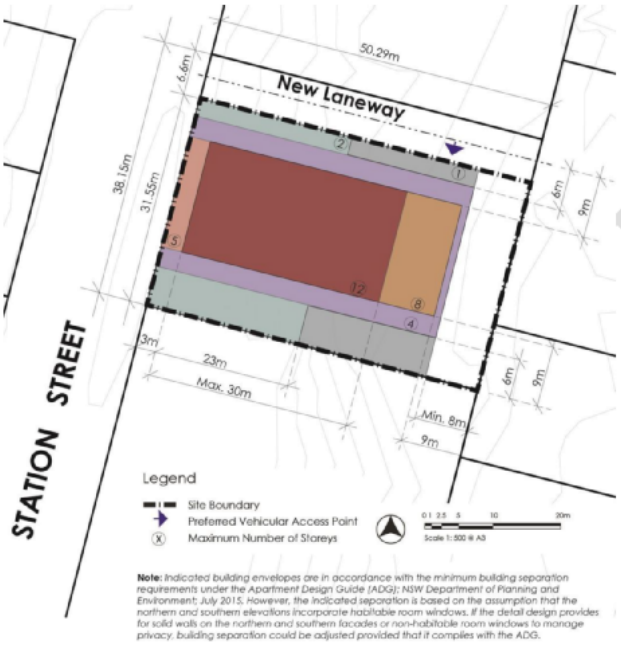


Figure 10: Building Height

Awnings and Canopies

Objectives

O1. Increase pedestrian amenity by the provision of weather protection.

O2. Visually unify the Centre.

Controls

C1. Awnings are to be provided to the full extent of Station street frontage.

C2. Awning along Station Street shall be minimum 3m deep (Refer Figure 11).

C3. Explore possibility of incorporating glazing / transparent material in the awning to allow solar access.

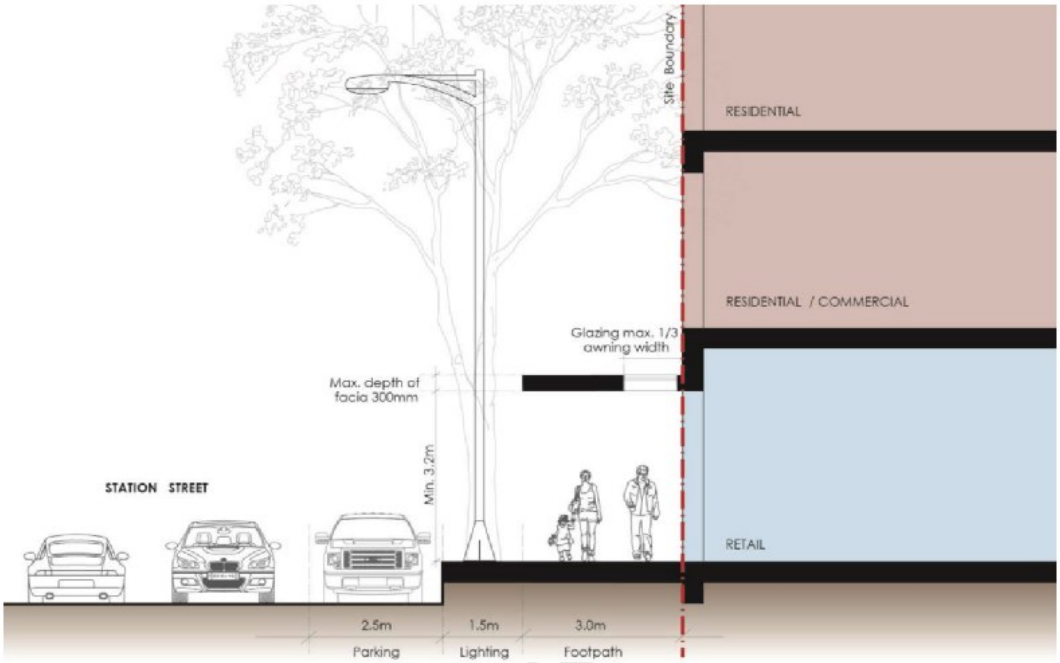


Figure 11: Public Domain Interface - Station Street

Building Separation

Objectives

O1. Allow solar access to buildings and communal areas.

O2. Provide visual privacy between buildings.

O3. Provide outlook from buildings.

O4. Provide a visual break between buildings and reduce to the perceived bulk and scale of the built environment.

Controls

C1. Provide building separation in accordance with the ADG.

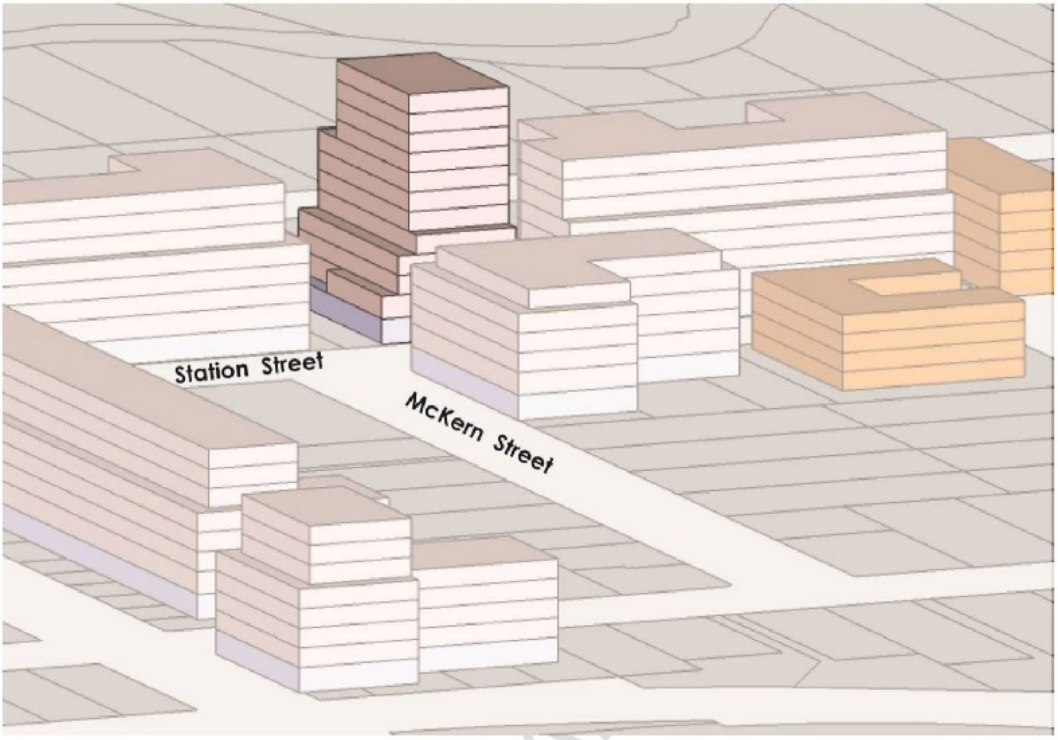


Figure 12: 3D Block Model Concept - View Looking Southeast

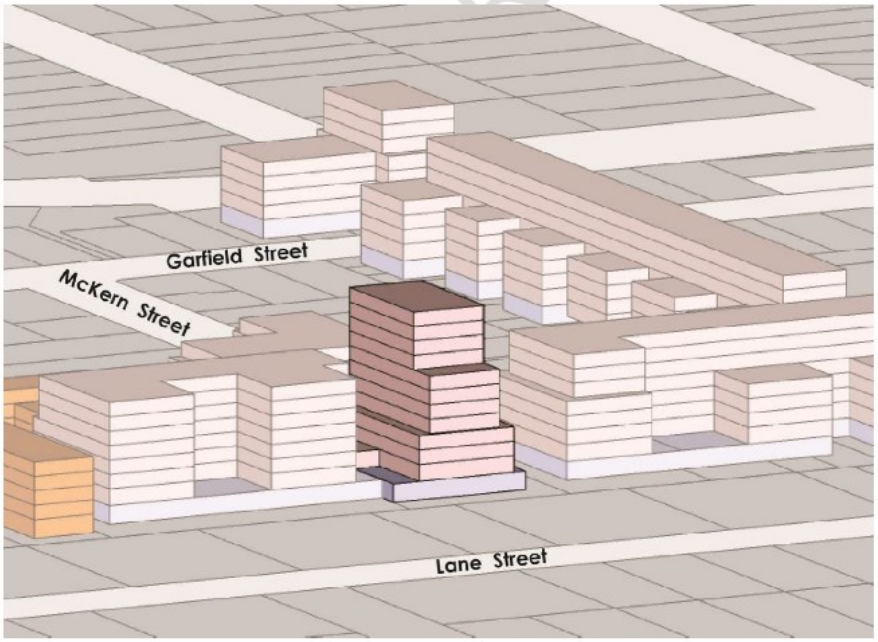


Figure 13: 3D Block Model Concept - View Looking Northwest

3.4 Site Planning

Topography and Building Interface

Objectives

O1. Ensure that buildings are connected to the street.

O2. Ensure that building entry contributes positively to the streetscape and public domain.

O3. Address level changes across street frontages, and between adjoining properties.

O4. Reduce the impact of site levelling on adjacent properties, and future site development opportunities.

Controls

C1. Level changes across sites are to be resolved within the building footprint.

- Where buildings are built to the street boundary, a level transition must be provided between the building and the adjacent footpath. This level must be maintained for a minimum depth of 10 m into the building.
- An accessible path of travel is to be provided from the street through the main entry door of the building.
  - Where necessary, stairs and ramps are to be integrated with the landscape design.
- The maximum height of retaining walls within the rear setback is not to exceed 1.2 m.

Site Facilities

Site facilities include loading areas, garbage areas, mail boxes, external storage areas, courier/service entries, and residential clothes drying facilities.

Site facilities are to be considered at an early stage of design development. This ensures that the impact of necessary site facilities on the public domain and adjacent properties can be minimised.

Objectives

O1. Provide appropriate site facilities for retail, commercial and residential uses.

O2. Minimise the impact of site facilities on the streetscape and public domain.

O3. Provide adequate garbage and recycling areas to all developments.

Control

C1. Please refer to Part [ ] of this DCP for specific controls.

On-site Parking

Objectives

O1. Encourage more sustainable forms of movement such as public transport, car-sharing, walking and cycling for all trips.

O2. Encourage pedestrian activity.

O3. Minimise visual impact of car parking on street and adjoining sites.

O4. Provide resident and visitor car parking rates in accordance with those car parking rates as required under SEPP65.

Controls

C1. To provide car parking for the commercial/retail premises at the rate of 1 space per 50m2 of gross lettable floor space in accordance with the Wentworthville Centre Planning and Place Making Strategy.

C2. To provide residential car parking at the rate specified in SEPP65, and in accordance with the Guide to Traffic Generating Developments (Roads & Maritime Services) or otherwise specified document.

C3. Lockable on-site bicycle parking is to be provided for residential and non-residential uses.

C4. Basement parking should be located directly under building footprint to maximise opportunities for deep soil planting unless the structure can be designed to support mature plants and deep root plants.

C5. Along active frontage, basement parking must be located fully below the level of the footpath.

Landscaping

Objectives

O1. Create a high quality and appealing streetscape on Station Street that includes provision of street trees (plantings).

O2. Protect the amenity of adjacent properties through provision of a landscape (vegetation) transition that will provide privacy, a visual and noise interruption between, and improve the interface between the site and the adjacent lower scale and density properties to the east.

Controls

C1. The land within the rear setback is to include landscaping and deep soil planting. This landscaping is to have a width of min. 8m measured from the rear property boundary.

C2. The rear setback area is to be landscaped using native planting. It should include a diverse selection of locally indigenous plant species which are robust and drought-tolerant.

3.5 Environmental Performance

Environmental Performance

Objectives

O1. Reduce environmental impact over the life cycle of a building.

O2. Reduce the necessity for mechanical heating and cooling.

O3. Enhance local biodiversity through the planting of diverse native plant species.

O4. Encourage the 'greening' of the site through vegetation planting of the buildings external areas including rooftop.

O5. Promote renewable energy initiatives.

Controls

C1. Ensure rain water is captured, stored and used for non-potable uses such as irrigation of landscaping.

C2. Native planting to be incorporated in on-site landscaping.

C3. Where possible, incorporate a dual water system that recycles grey water for toilet flushing and car washing.

C4. Consideration should be given to utilising roof space for developing roof gardens (green roof).

C5. Where appropriate biowalls (green walls) should be incorporated in the design of buildings.

Roof Garden (Green Roof) + Biowall (Green Wall)

Objectives

O1. Add insulation to the façade.

O2. Act as bio-filters and reduce the rate of stormwater runoff.

O3. Reduce the destruction caused by UV rays, as well as be an aesthetic feature.

Controls

C1. Provide a green and/or community garden on the roof of the building (Refer Figure 14).

C2. Where possible incorporate exterior and interior green walls (Refer Figure 15).

C3. The design of the green roof is to

- Allow for access and ease of movement from with the development and from the roof garden.
- Minimise overlooking of neighbouring properties through use of passive screening or planting.

Figure 14: Roof Garden (source: www.pinterest.com)

Figure 15: Biowall (Green Wall) (source: www.pinterest.com)

Appendix A – Sherwood Scrubs

Appendix B – Greystanes Creek

Appendix C – Species List

Auburn Town Centre

Contents

1. Introduction

1.1 Land to which this Part applies

This Part applies to the Auburn Town Centre which is zoned B4 Mixed Use under the Cumberland LEP XXXX. Refer to Figure 1. The development controls apply in addition to the development controls presented in previous sections of this DCP. Where there are inconsistencies between the controls contained within this section and other controls within this DCP, these controls prevail to the extent of the inconsistency.

Figure 1: Area to which this Part applies

2. Objectives and Controls

2.1 Setbacks

Objective

O1. The built edge of development fronting the street contributes to a sense of enclosure, scale and appropriate transition within the town centre.

Control

C1. Setbacks within the town centre shall be consistent with Figure 2.

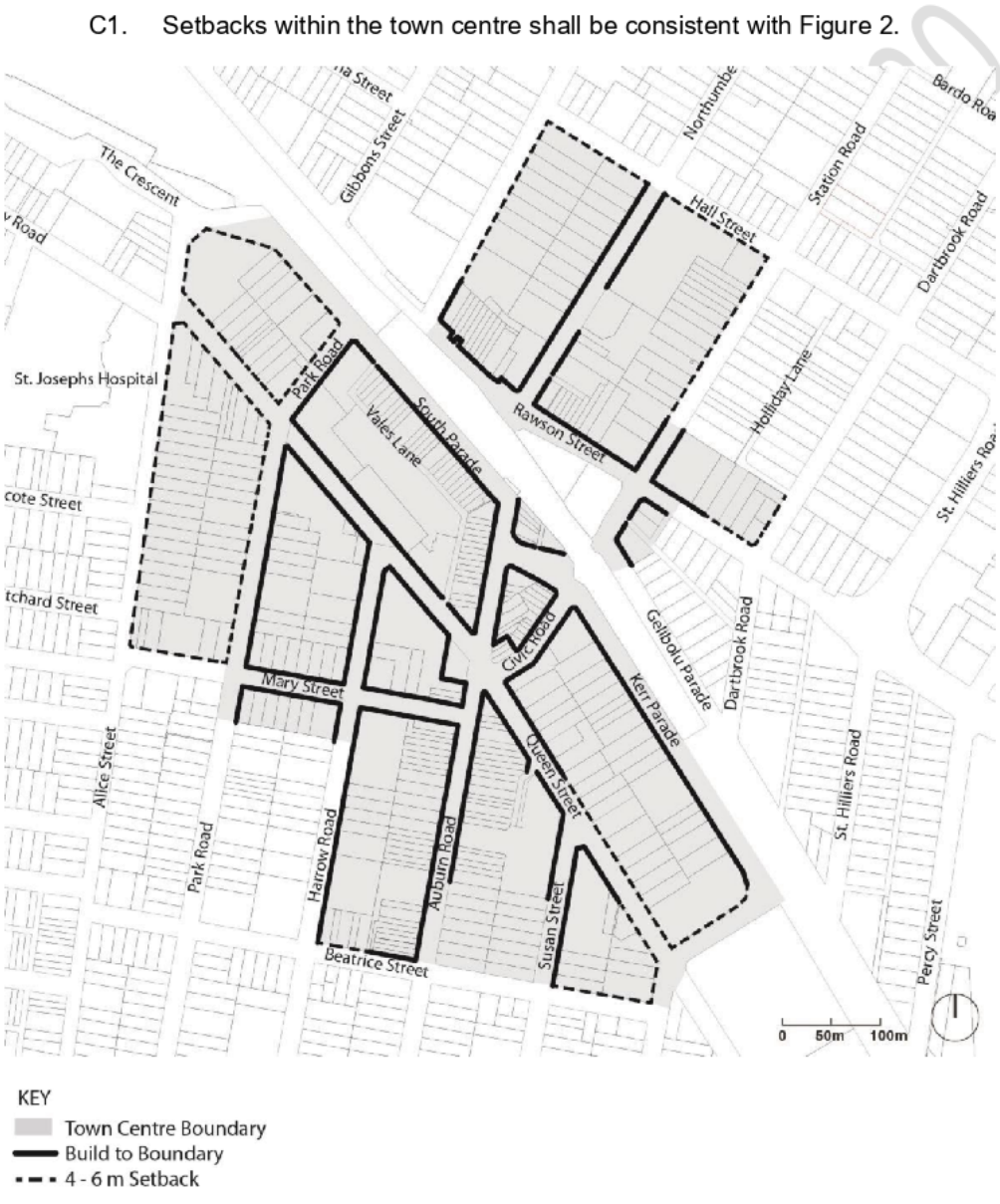


Figure 2: Building setbacks within the Auburn Town Centre.

2.2 Active frontages

Control

C1. As a minimum, buildings shall provide active street frontages consistent with Figure 3.

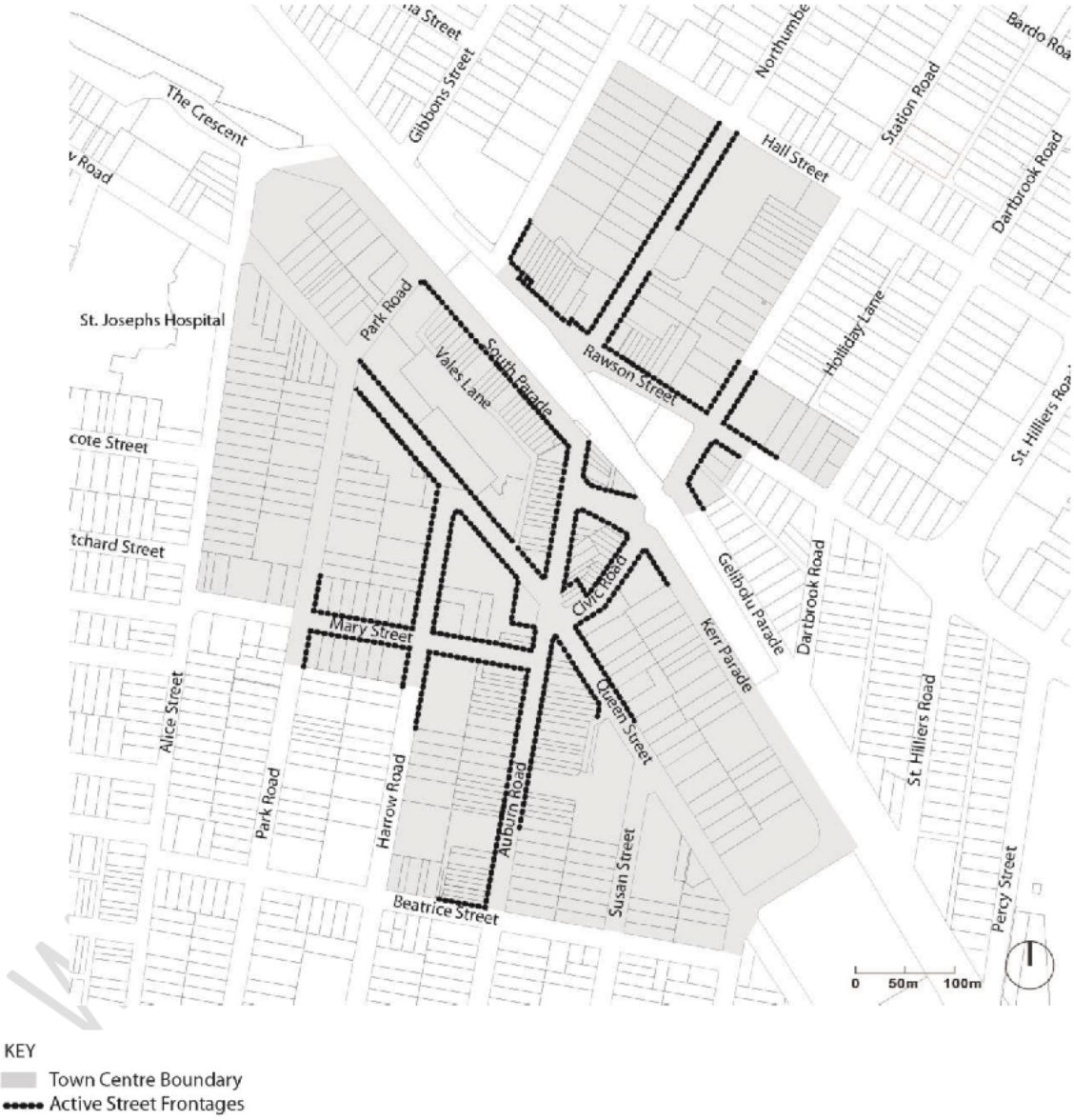


Figure 3: Active street frontages within the Auburn Town Centre.

2.3 Laneways

Control

C1. Redevelopment within the Auburn Town Centre shall make provision for the creation of new laneways as shown in Figure 4.

Figure 4: Location of laneways proposed within the Auburn Town Centre.

2.4 Key Site – Five Ways

The Five Ways site within the Auburn Town Centre has been identified as having potential for intensification of mixed use development, including commercial and residential uses. The site is bounded by Auburn Road to the east, Queen Street to the north, Harrow Road to the west and Mary Street to the south.

The development controls for this site apply in addition to the development controls presented in previous sections of this Part.

Objectives

O1. Ensure architectural design recognises:

- the strategic significance of the site within the Auburn Town Centre; and
- the visual prominence of the site from public areas including the future Five Ways open space and along Auburn Road.

O2. Reinforce Auburn Road as the main street of the southern section of the Auburn Town Centre.

O3. Ensure the new Five Ways open space will become a focal point of the town centre.

O4. Extend the active frontage along Queen Street, Harrow Road and Mary Street.

O5. Ensure development is sensitive in scale and character to the town centre.

O6. Improve pedestrian access and circulation within the town centre.

O7. Minimise overshadowing impact to the surrounding public domain.

Controls

C1. Development should be in accordance to Figure 5.

C2. An open space area shall be provided on the north-east corner of the site at the intersection of Auburn Road and Queen Street with a minimum width of 26m, including a 6m reservation as a pedestrian plaza to accommodate circulation and outdoor dining area.

C3. Pedestrian through-site links shall be provided to improve circulation and access to the town centre. Where possible, these linkages shall align to existing or proposed crossing points.

C4. The preferred vehicular access to the site shall be via Harrow Road with secondary access via Mary Street and Queen Street.

C5. Outdoor dining shall be encouraged within the Five Ways open space and along Auburn Road and Queen Street.

C6. For residential uses, the maximum building dimensions, inclusive of balconies and building articulation but excluding architectural features, is 24m x 60m.

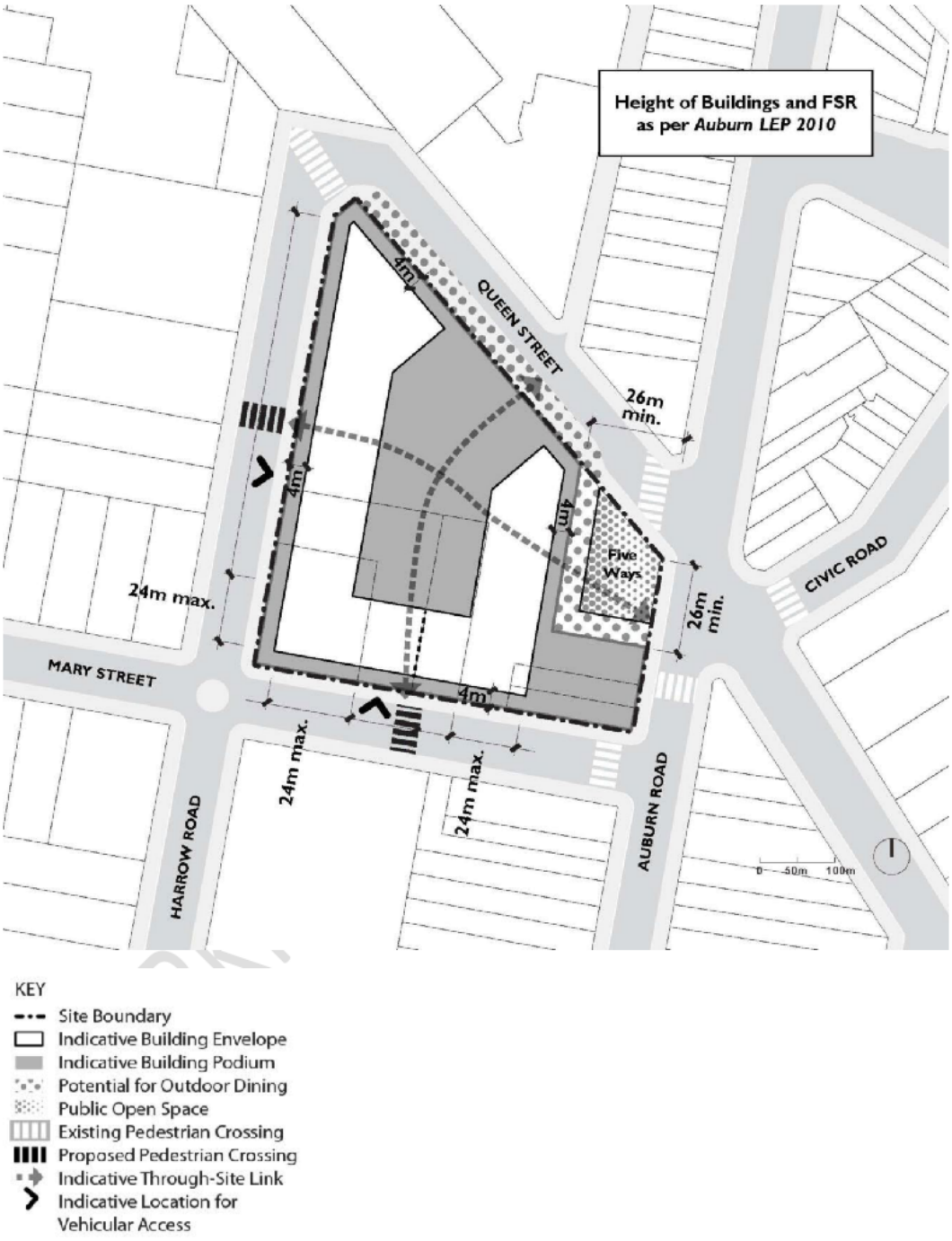


Figure 5: Five Ways site - indicative development layout

Guildford Town Centre

Contents

1. Introduction

This Part applies to all development on land identified within the town centres of Toongabbie, Pendle Hill, Wentworthville and Guildford, as shown in Figure 1.

Figure 1: Guildford Town Centre

2. Objectives and Controls

2.1 Site consolidation

Objectives

O1. Ensure all sites achieve the required minimum width to adequately provide for basement car parking;

O2. Minimise vehicular and pedestrian conflicts throughout the town centre through the appropriate location and number of vehicular access points.

O3. Ensure all sites achieve the required minimum width to allow for a site configuration that permits a consistent landscaped open space to the rear of sites;

O4. Ensure any site amalgamation pattern does not restrict the development opportunity of any adjoining site or the ability of adjoining sites to provide basement carparking or rear open space;

O5. Establish fine grain shopfronts along primary retail streets within the town centre;

O6. Ensure new developments do not reduce the opportunity for the development of adjoining properties to develop in accordance with this DCP and adversely

impact on the economic viability of development in accordance with s79C of the Environmental Planning and Assessment Act 1979;

Controls

C1. The minimum lot frontage requirements for all development within a Business zone is located in Part C of this DCP.

C2. The minimum lot frontage requirements for all development within a Residential zone is located in Part B of this DCP.

C3. Development within Business zones located on Military Road are to provide a fine grain retail shopfront character.

C4. Sites must not be left such that they are physically unable to develop in accordance with the prescribed built form outcomes outlined in this DCP.

2.2 Rear laneways, Land Dedication, Access and Vehicular Entries

Objectives

O1. Require the provision of rear access ways on properties for private and service vehicle access, in order to reduce vehicular and pedestrian conflict and provide greater amenity to future residents.

O2. Require buildings fronting primary roads to have vehicular access from the rear of the property in order to reduce vehicular and pedestrian conflict and create a safe retail environment.

O3. Require all sites with existing access ways from the rear of the property to be used for vehicular access and parking.

O4. Mitigate any impacts of vehicular traffic on adjoining residences.

O5. Allow improved circulation space for pedestrians and future residents within the precinct.

O6. Limit or prohibit vehicular access from primary street frontages.

Control

C1. Where new development has access available off existing or laneways, vehicular access must be provided from the laneway.

2.3 Building Height

Objectives

O1. Require an appropriate scale relationship between building heights and street width.

O2. Ensure the appropriate management of overshadowing, access to sunlight and privacy.

O3. Enable flexibility of used by implementing higher floor to ceiling heights within buildings for the ground and first floors.

O4. Allow activation of the street edge on primary roads.

O5. Allow for reasonable daylight access to other development and the public domain.

Controls

C1. The maximum height for development within the Guildford Town Centre is detailed within Cumberland LEP XXXX as a written statement and associated maps.

C2. The maximum building height in storeys within the Guildford Town Centre is detailed in Figure 2.

C3. The minimum floor to ceiling height requirement are located in Part B and C of this DCP.

C4. The prominence of street corners shall be reinforced by concentrating the tallest portion of the building on the corner in relation to the overall building height and predominant street wall height.

Figure 2: Building Height

2.4 Building Setbacks, Separation and Street Presentation

Objectives

O1. Require suitable definition of the public domain and public spaces.

O2. Require a continuous built edge within commercial and mixed use development for activation of the street edge.

O3. Retain a landscaped setback character for residential development.

O4. Ensure setbacks respond to the building separation requirements.

O5. Reduce the visual impact of buildings on the public domain.

Controls

C1. All building setbacks shall be in accordance with Figure 3.

C2. Where a 0 metre setback is permitted, buildings shall form a continuous street edge.

C3. Side setbacks (unless indicated otherwise in Figure 3) are to be in accordance with setbacks indicated in Part B or Part C of this DCP.

C4. Rear setbacks for development within business zones shall correspond to building depth and separation requirements in this Section.

C5. Rear setbacks for development within residential zones shall be in accordance with development controls within Part B of this DCP.

C6. Developments shall present and address the street.

C7. Sites with corner lots shall present and articulate to both street frontages.

Figure 3: Setbacks

Lidcombe Town Centre

Contents

1. Introduction

1.1 Land to which this Part applies

This section applies to the Lidcombe Town Centre which is zoned B4 Mixed Use, RE1 Public Recreation and RE2 Private Recreation under the Cumberland Local Environmental Plan XXXX. Refer to Figure 1. Where there are inconsistencies between the controls contained within this Section and other controls within this DCP, these controls prevail to the extent of the inconsistency.

Figure 1: Area to which this Part applies

2. Objectives and Controls

2.1 Setbacks

Objective

O1. The built edge of development fronting the street contributes to a sense of enclosure, scale and appropriate transition within the town centre.

Control

C1. Setbacks within the town centre shall be consistent with Figure 2.

Figure 2: Building setbacks within the Lidcombe Town Centre.

2.2 Active Frontages

Control

C1. As a minimum, buildings shall provide active street frontages consistent with Figure 3.

Figure 3: Active street frontages within the Lidcombe Town Centre.

2.3 Laneways

Control

C1. Redevelopment within the Lidcombe Town Centre shall make provision for the creation of new laneways as shown in Figure 4.

Figure 4: Location of laneways proposed within the Lidcombe Town Centre.

2.4 Key Sites

Several sites within the Lidcombe Town Centre have been identified as having the greatest potential for intensification with commercial, residential and mixed use development, as shown in Figure 5. Each site has an inherent capacity to contribute to the transformation of the urban form into one which will generate more activity and lead the development of the town centre. The development controls for these sites apply in addition to the development

KEY

Key Sites

1. Dooleys
2. Mary Street North
3. Mary Street South
4. Tooheys Lane
5. Bridge Street
6. Railway Street

Figure 5: Key sites within the Lidcombe Town Centre

controls presented in previous sections of this Part.

Site 1 – Dooleys

Objectives

O1. Ensure architectural design recognises:

- the strategic significance of the site within the Lidcombe Town Centre; and
- the visual prominence of the site from public areas including the train station and the approach towards the site from the northern end of John Street.

O2. Reinforce John Street as the main street of the northern area of the Lidcombe Town Centre.

O3. Ensure development is sensitive in scale and character to the heritage item within the site.

O4. Provide an appropriate transition to the residential area to the north of the site.

O5. Improve pedestrian access and circulation within the town centre.

Controls

C1. Development shall be design in accordance to Figure 6.

C2. Development shall be designed to address Olympic Drive.

C3. Development shall provide a new pedestrian through-site link, shared way or street between Church Street to Board Street, with a minimum width of 12m.

C4. Through-site linkages shall be provided for pedestrians and vehicles within the site to improve circulation and access to the town centre. The linkages shall enable connection between Church Street and Board Street and John Street and Board Street.

C5. The preferred access to the site shall be via Church Street with secondary access via Board Street.

C6. Outdoor dining shall be encouraged along John Street and Church Street.

C7. For residential uses, the maximum building dimensions, inclusive of balconies and building articulation but excluding architectural features, is 24m x 60m.

C8. Levels above the podium are to be setback for a minimum of 4-6m from the boundary of adjoining commercial or residential uses.

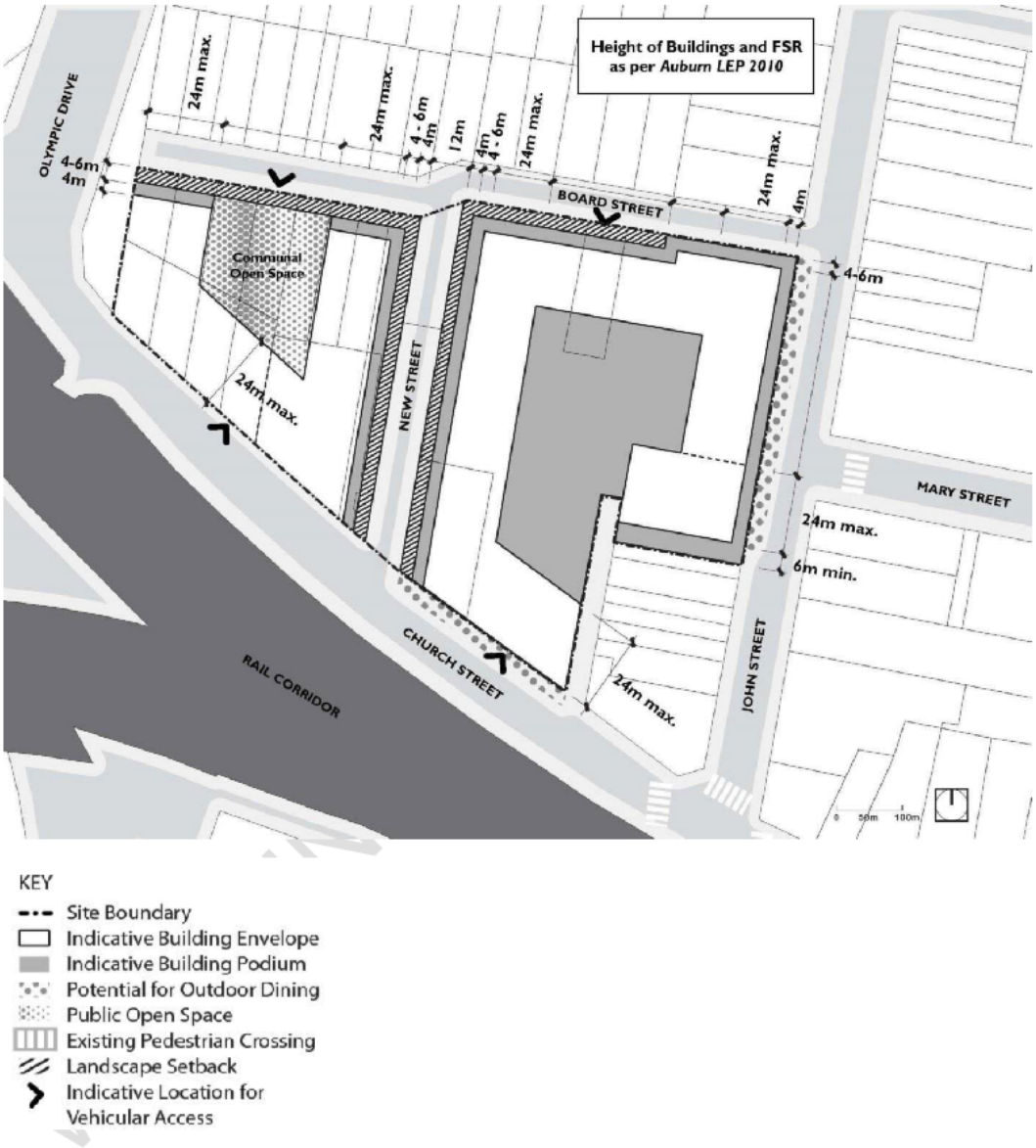


Figure 6: Dooleys site - indicative development layout

Site 2 – Mary Street North

O1. Ensure architectural design recognises:

- the strategic significance of the site within the Lidcombe Town Centre; and

- the visual prominence of the site from public areas, including the approach towards the site from the northern end of John Street.

O1. Provide a transition in scale from the proposed taller buildings on John Street to the adjacent residential zone.

O2. Provide development that is sensitive in scale and character to the heritage item within the site.

O3. Enhance the public domain and increase accessibility to public open space.

O4. Improve pedestrian access and circulation within the town centre.

Controls

C1. Public open space shall be provided at the intersection of John and Mary Streets, or within close proximity to this intersection.

C2. Retail frontages shall be provided at street level on John Street.

C3. Outdoor dining is encouraged along John Street.

Site 3 – Mary Street South

Objectives

O1. Ensure architectural design recognises the strategic significance of the site within the Lidcombe Town Centre and the visual prominence of the site from public areas, particularly the Lidcombe train station.

O2. Protect the amenity of the adjacent school and ensure appropriate transitions in scale from the proposed taller buildings on John Street.

O3. Encourage development that is sensitive in scale and character to the heritage items within the site.

O4. Enhance the public domain and increase accessibility to public open space.

Controls

C1. Public open space shall be provided at the intersection of John and Mary Streets, or within close proximity to this intersection.

C2. Through-site linkages shall be provided for pedestrians within the site to improve circulation and access to the town centre. The linkages shall enable connection between Church Street and Mary Street.

C3. Outdoor dining is encouraged along John Street and Church Street.

Site 4 – Tooheys Lane

Objectives

O1. Encourage a mix of uses within the retail core.

O2. Reinforce Joseph Street as the main street of the southern area of the Lidcombe Town Centre.

O3. Improve the amenity and safety of Tooheys Lane.

O4. Ensure development is sensitive in scale and character to the heritage item within the site.

O5. Improve access to the Lidcombe Town Centre by the upgrading and widening of Tooheys Lane.

Controls

C1. Outdoor dining shall be encouraged along Joseph Street and Bridge Street.

C2. The preferred primary access to the site shall be provided via Bridge Street.

C3. Consultation with Council shall be undertaken to investigate opportunities to integrate the upgrading and widening of Tooheys Lane as part of the site's redevelopment.

Site 5 – Bridge Street

Objectives

O6. Encourage a mix of commercial, entertainment and residential uses in the retail core.

O7. Continue the main street character of Joseph Street and connect to the existing retail shops area on the southern end of the Lidcombe Town Centre.

O8. Encourage development that responds to the heritage significance of Remembrance Park.

O9. Improve pedestrian access and circulation within the town centre.

Controls

C1. Building separation distances shall be determined by having regard to the State Environmental Planning No. 65 – Design Quality of Residential Flat Development and accompanying Residential Flat Design Code.

C2. On the Olympic Drive frontage, development shall be designed to:

- address Olympic Drive; and
- provide an appropriately landscaped setback with a minimum depth of 6m. A double row of street trees shall be planted along the property boundary.

C3. Preferred primary access to the site shall be provided via Vaughan Street with a secondary access via Bridge Street.

C4. Through-site linkages shall be provided for pedestrians within the site to improve circulation and access to the town centre. The linkages shall enable

connection between Vaughan Street and Bridge Street and Olympic drive and Bridge Street.

C5. New development shall maintain and enhance pedestrian linkages and view corridors to Remembrance Park.

C6. Outdoor dining shall be encouraged along Joseph Street and Bridge Street.

Site 6 – Railway Street

Objectives

O1. Encourage a mix of uses within the retail core.

O2. Reinforce Joseph Street as the main street of the southern area of the Lidcombe Town Centre.

O3. Ensure architectural design recognises the strategic significance of the site within the Lidcombe Town Centre and the visual prominence of the site from public areas, particularly the Lidcombe train station.

O4. Ensure development is sensitive in scale and character to the heritage items within the site.

O5. Improve pedestrian access and circulation within the town centre.

O6. Improve the amenity and safety of Taylor Street.

Controls

C1. The lane between Taylor Street and Railway Street shall be retained to provide access to parking and loading areas and for waste removal.

C2. Outdoor dining shall be encouraged along Joseph Street and Railway Street.

C3. Through-site linkages shall be provided for pedestrians within the site to improve circulation and access to the town centre and Remembrance Park. The linkages shall enable connection between the lane and Joseph Street and/or the lane and Railway Street.

Site 7 – Marsden Street

Objectives

O1. Ensure architectural design recognises:

- the strategic significance of the site within the Lidcombe Town Centre; and
- the visual prominence of the site from public areas including Lidcombe train station and Railway Street / Church Street railway bridge.

O2. Provide an appropriate transition to the industrial area to the east of the site.

O3. Improve pedestrian access and circulation within the town centre, by upgrading and widening Davey and Raphael Street to improve their amenity and safety.

O4. Ensure development is sensitive in scale and character to all public open space in the precinct, including Friends Park and the Jewish Reserve.

O5. Enhance the public domain, and increase accessibility and safety to public open space.

Controls

C1. Development shall be designed to address Railway, Mark, James, Marsden, Davey and Raphael Streets.

C2. Vehicular access to new developments shall not be permitted to or from Davey Street, to permit the pedestrianisation of the street.

C3. Development along Davey Streets shall dedicate to Council sufficient land of a minimum width of 2m to provide a pedestrian footpath on the south side of the street.

C4. Development along Raphael Streets shall dedicate to Council sufficient land of a minimum width of 2.5m to provide a pedestrian footpath and widened carriageway on the west side of the street.

C5. New buildings are to be setback a minimum of 4m from all open space uses and the new boundaries of Davey Street and Raphael Street created after the dedication described in control D2 and D3 above.

C6. New buildings to the north of the central open spaces shall be designed to minimise the loss of solar access to the open spaces.

C7. Outdoor dining and active uses shall be encouraged facing onto the proposed park on the corner of Railway and Mark Streets, to provide casual surveillance of the park and improve safety.

C8. Development adjacent to the existing and proposed public open spaces shall be designed to provide overlooking and casual surveillance of the park spaces to improve safety.

Merrylands Centre

Contents

1. Introduction

This Part applies to all development within the Merrylands Centre, including land within the Neil Street Precinct as shown in Figure 1

Figure 1

2. Vision

2.1 Vision

Aims of the plan

- Renew and revitalise the Merrylands Centre.
- Provide increased growth capacity with Merrylands.
- Provide greater housing sustainability.
- Promote steady local economic growth over the next 20 years.

2.2 Objectives

O1. Strengthen the economic and employment role of Merrylands.

O2. Provide for an active and vibrant centre.

O3. Ensure buildings are designed to maximise appropriate amenity outcomes for the centre.

O4. Ensure development design promotes the principles of ecologically sustainable development.

O5. Create a centre for a diverse community.

O6. Promote public transport use, cycling and walking and reduce reliance on private car travel.

O7. Improve pedestrian and vehicular traffic movement within the centre.

O8. Achieve urban design strategies that acknowledge the role of Merrylands within Cumberland and the subregion.

O9. Maintain and create clear linkages within the centre and with adjoining residential precincts.

2.3 Urban Design Strategies

In order to achieve the objectives for the redevelopment of the Merrylands Centre, the following urban design strategies have been established. These have been implemented through development controls in this plan. The success of the centre plan is reliant on the achievement of these strategies.

Strengthen the economic and employment role of Merrylands.

- Create an active centre for opportunities to live, work and play.
- Facilitate the development of commercial, office and retail development at grade, with commercial and/or ancillary residential development above;
- Facilitate the growth of retail, and commercial development within the Town Centre, with ancillary residential development;
- Become a destination through additional retail, commercial and entertainment uses.
- Ensuring interim development does not hinder or detract from the attainment of commercial or mixed use development in the town centre.

Provide for an active and vibrant centre

- Ensure buildings address the street and the public domain by providing a consistent built edge and street frontage height.
- Facilitate of mixed use development with retail and commercial at grade and first floor, residential or commercial development above.
- Maintain Merrylands Road as the main street within the precinct.
- Improve the landscaping and public domain spaces along McFarlane Street.
- Create an active town centre where walking is encouraged by requiring future development to activate the street with quality design and provide for at grade pedestrian connectivity.
- Enable McFarlane Street to become an 'eat street' restaurant space.
- Requiring development to activate the street and enhance at grade pedestrian connectivity

Ensure buildings are designed to maximise appropriate amenity outcomes for the centre.

- Provide setbacks and separation on upper storeys to lessen overshadowing impacts.
- Provide height transition from the lower scale residential buildings to the higher scale buildings on Merrylands Road and McFarlane Street in order to lessen overshadowing impacts.
- Maintain the amenity of the Centre by maximising solar access to the street.
- Require appropriate building setbacks and separation to allow for solar access and privacy.
- Require the design of buildings to implement 'safer by design' principles.
- Create a centre where pedestrians can feel safe during the day and night.
- Provide public open space and landscaping for amenity and passive recreation opportunities.

Ensure development design promotes the principles of ecologically sustainable development

- Respond to the opportunities and constraints of the site; the hierarchy and proposed uses of streets and laneways; flood hazard and the need for high quality public spaces and public and private amenity.
- Ensure that redevelopment within the Centre does not increase the impact of flood inundation on property or person (or both), within or beyond the Centre's boundaries.
- Provide an overland flow path across which reduces flood levels while also serving as a pedestrian thoroughfare and focus for shopfronts and activity.
- Minimise the impacts of development on the environment.

Create a centre for a diverse community

- Facilitate the provision of a variety of dwelling sizes within the residential component of buildings.
- Promote a variety of uses within the centre.
- Provide public spaces for the community to meet and congregate.

Promote public transport use, cycling and walking and reduce reliance on private car travel

- Create a safe, pedestrian friendly environment through the activation of streets and public places
- Create clear linkages within the centre and to adjoining residential precincts.
- Contribute to a mix of residential, business, commercial and entertainment uses in the centre to maximise public transport use.
- Improve pedestrian connectivity through providing designated pedestrian linkages;

Improve pedestrian and vehicular traffic movement within the centre

- Restrict egress and ingress of vehicular traffic onto Merrylands Road from private properties.
- Facilitate the creation of laneways and rear private access ways for key sites within the centre.
- Provide new roads and infrastructure to improve accessibility and circulation in the Neil Street Precinct.

Achieve urban design that acknowledge the role of Merrylands within Cumberland

- Provide a transition in building heights through increasing height when approaching from the west and north east to enable the built form to signal the presence of the town centre.
- Maintain the amenity of surrounding lower scale development.
- Comply with site requirements to enable better amenity outcomes for taller buildings.
- Development responds to site opportunities and constraints and the need for high quality public spaces.
- Facilitate the location of civic and public uses within the centre.
- Provide appropriate public open spaces within the core of the centre and with the Neil Street Precinct.
- Deliver quality designed buildings that reflect the role of the centre.

Maintain and create clear linkages within the centre and with adjoining residential precincts

- Provide clear vehicular and pedestrian linkages with Neil Street Precinct, Holroyd Gardens and surrounding residential areas.
- Maintain and enhance a primary north-south pedestrian corridor from Memorial Avenue to Neil Street.
- Provide suitable crossings and infrastructure for pedestrians and cyclists.
- Create of pedestrian linkages that provide connections within the centre.

2.4 Public Domain

2.4.1 Roads and circulation

A number of new intersections, roads, laneways and accessways are proposed under this plan, as indicated in the tables below and in Figure 2 Road widening along Merrylands Road will be required to enable a greater footpath area for street tree planting and pedestrian movement. Points where vehicular entry is not permitted are also identified. Indicative street sections are provided in Section 3.3.4.

Urban design strategies achieved:
• Create clear linkages within the centre and to adjoining residential precincts. • Improve pedestrian connectivity through providing designated pedestrian linkages. • Restrict egress and ingress of vehicular traffic onto Merrylands Road from private properties. • Facilitate the creation of laneways and rear private access ways for key sites within the centre. • Provide new roads and infrastructure to improve accessibility and circulation in the Neil Street Precinct. • Provide clear vehicular and pedestrian linkages with Neil Street Precinct, Holroyd Gardens and surrounding residential areas. • Create of pedestrian linkages that provide connections within the centre. • Maintain Merrylands Road as the main street within the precinct.

- Create a safe, pedestrian friendly environment through the activation of streets and public place.

Table 1: New Roads, laneways. accessways in Merrylands Centre

New Roads
Extension of Sheffield Street
Extension of Gladstone Street
New Road 1- between Terminal Place and Sheffield Street Extension
New Road 2- between Dressler Court and New Road 1

Signalised intersections
Neil Street and New Road 1
Gladstone Street and Pitt Street

Laneways (public)
Extension of Main Lane
Laneway 1- between Merrylands Road and McFarlane Street
Laneway 2- between Memorial Avenue and Addlestone Road

Accessways (public or private)
Accessway 1- between Military Road and Miller Street
Accessway 2- between Addlestone Road and Burford Street
Accessway 3- between Neil Street and Sheffield Street

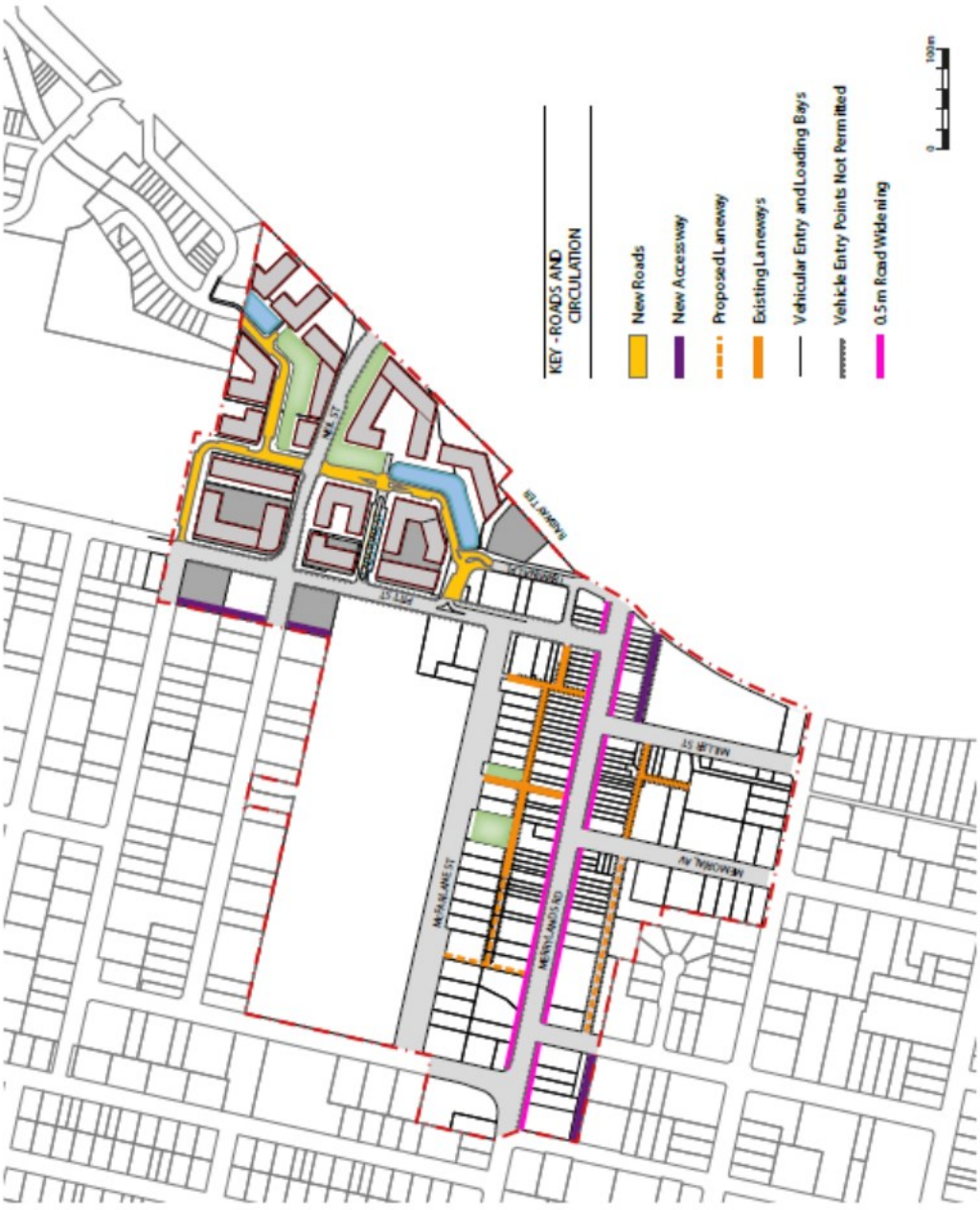

KEY - ROADS AND CIRCULATION
New Roads
New Accessway
Proposed Laneway
Existing Laneways
Vehicular Entry and Loading Bays
Vehicle Entry Points Not Permitted
0.5m Road Widening
0
100m
MERRYLANDS RD
MERRYLANDS RD

Figure 2

3.2.1 Pedestrian and Bicycle Network

Figure 3 includes footpaths, required new pedestrian access and crossings and bicycle access.

Pedestrian accessways create linkages to key locations in the centre. The proposed cycleway links to Holroyd Gardens, which is part of the regional cycle network.

Urban design strategies achieved:
• Create an active town centre where walking is encouraged by requiring future development to activate the street with quality design and provide for at grade pedestrian connectivity.
• Create a safe, pedestrian friendly environment through the activation of streets and public places
• Create clear linkages within the centre and to adjoining residential precincts.
• Improve pedestrian connectivity through providing designated pedestrian linkages;
• Provide clear vehicular and pedestrian linkages with Neil Street Precinct, Holroyd Gardens and surrounding residential areas.
• Provide suitable crossings and infrastructure for pedestrians and cyclists.
• Create of pedestrian linkages that provide connections within the centre.

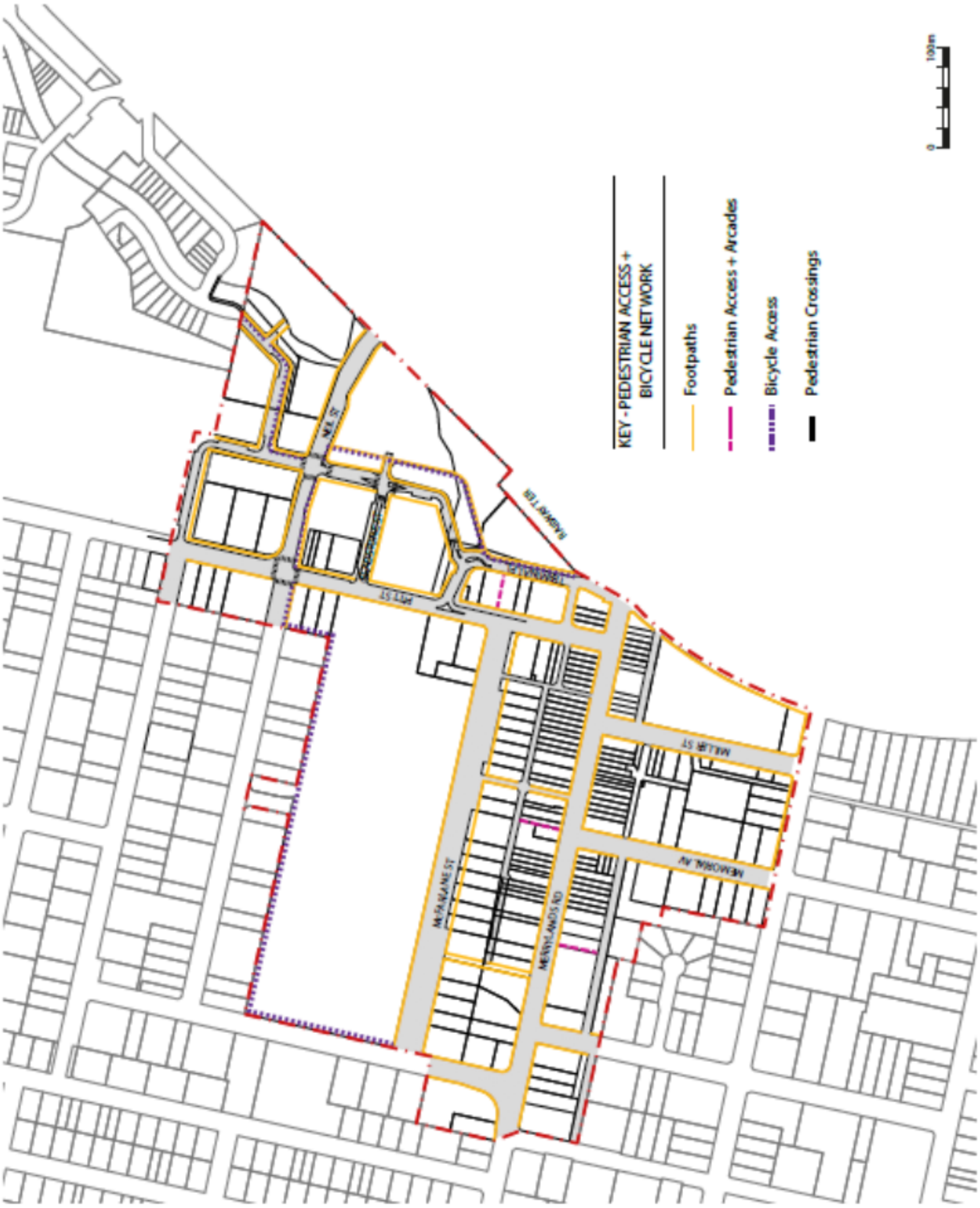

KEY - PEDESTRIAN ACCESS + BICYCLE NETWORK
Footpaths
Pedestrian Access + Arcades
Bicycle Access
Pedestrian Crossings

Figure 3

3.3.3 Landscaping and Open Space

The Centre proposes public and private open spaces, including deep soil zones, swales and planting on structures. Parks in Neil Street are located adjacent to roads to provide overland flow paths and to increase the visibility and safety. They also provide connectivity within the precinct. A town square between Merrylands Road and McFarlane Street is to provide focus for the city.

Opportunity to provide deep soil zones within the centre is limited therefore opportunities for planting on structures (i.e roof gardens) is promoted.

Trees planting will be important to the centre in providing streetscape character and providing amenity. Figure 4 indicates locations for open spaces and landscaping, including indicative locations for existing and proposed street tree planting.

Urban design strategies achieved:
• Create an active centre for opportunities to live, work and play. • Improve the landscaping and public domain spaces along McFarlane Street. • Provide public open space and landscaping for amenity and passive recreation opportunities. • Respond to the opportunities and constraints of the site; the hierarchy and proposed uses of streets and laneways; flood hazard and the need for high quality public spaces and public and private amenity. • Ensure that redevelopment within the Centre does not increase the impact of flood inundation on property or person (or both), within or beyond the Centre's boundaries. • Provide an overland flow path across which reduces flood levels while also serving as a pedestrian thoroughfare and focus for shopfronts and activity. • Minimise the impacts of development on the environment. • Provide public spaces for the community to meet and congregate. • Provide appropriate public open spaces within the core of the centre and with the Neil Street Precinct.


KEY - LANDSCAPING AND OPEN SPACE LOCATIONS
Swale
Public Open Space
Deep Soil Zone
Planting on Structures
Existing and proposed street tree planting
MILLER ST
MERRYLANDS RD

Figure 4

3.3.4 Indicative Street Section

The key map below shows a number of street sections within the centre. Indicative street sections have been provided on the following pages to indicate carriageway, footpath, verge widths and setbacks.

Figure 5

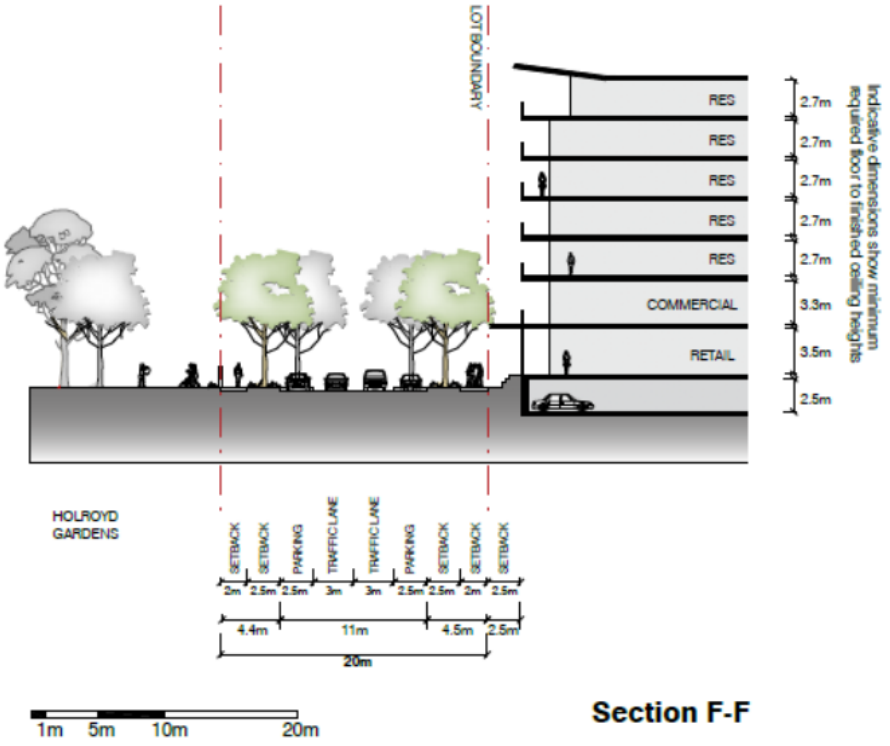


Figure 6


LOT BOUNDARY
LOT BOUNDARY
RES
COMMERCIAL
RETAIL
2.7m
3.3m
3.5m
2.5m
Indicative dimensions show minimum required floor to finished ceiling heights
SETBACK
FOOTPATH
VERGE
CARRIAGEWAY
15m
ROAD RESERVATION
23m
1m 5m 10m 20m
Section G-G

Figure 7

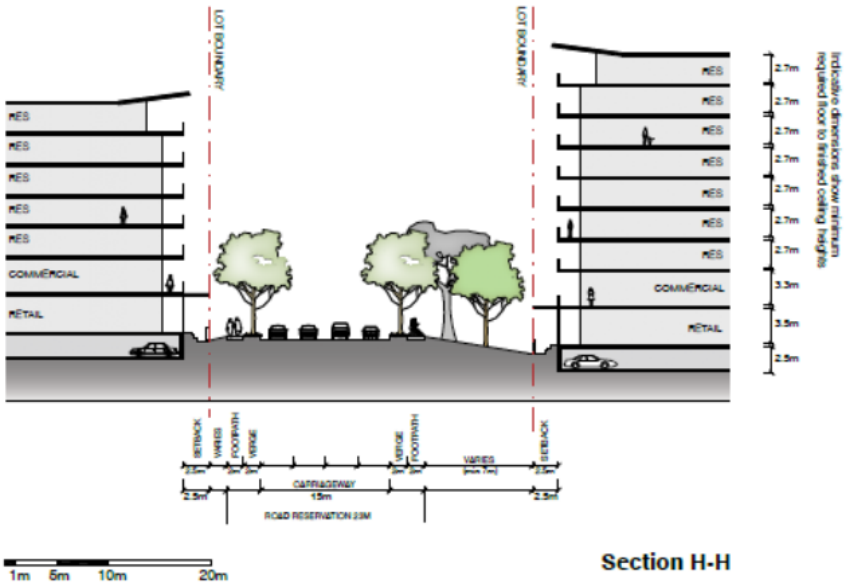


Figure 8

Figure 9

Figure 10

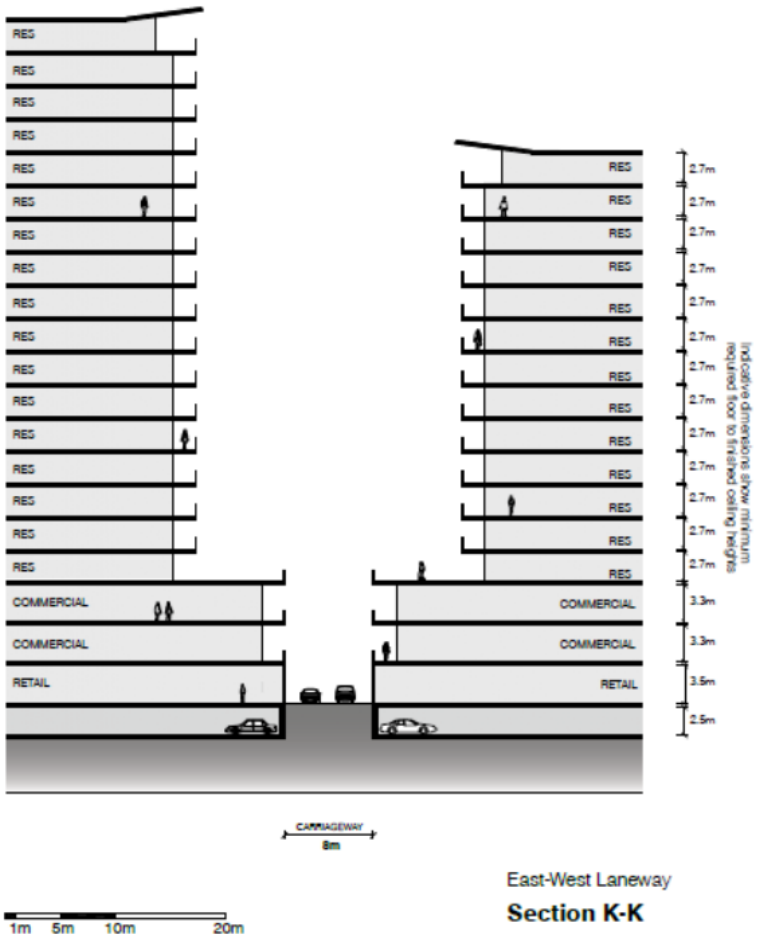
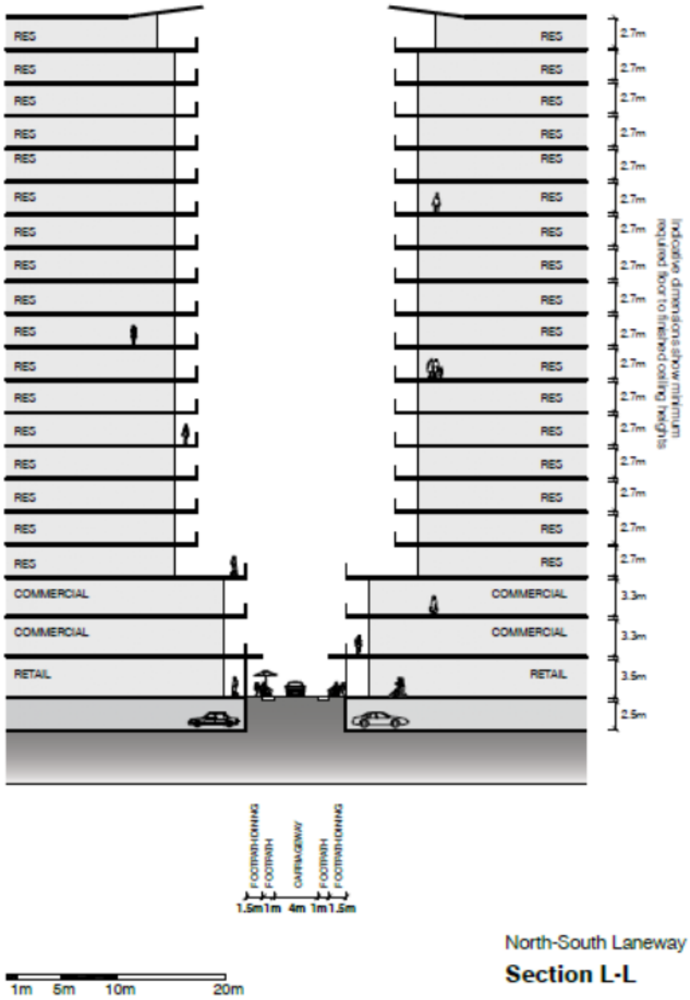

RES
COMMERCIAL
COMMERCIAL
RETAIL
CARRIAGEWAY
8m
2.7m
3.3m
3.5m
2.5m
Indicative dimensions show minimum required floor to finished ceiling heights
East-West Laneway
Section K-K
1m 5m 10m 20m

Figure 11



North-South Laneway
Section L-L

Figure 12

2.5 Building Envelope

2.5.1 Site amalgamation and minimum frontage

In order for taller buildings to achieve suitable building amenity outcomes and to ensure building sites can accommodate appropriate vehicular access and carparking facilities, a suitable minimum site frontage needs to be obtained for all developments.

In some instances specific site amalgamations will be required, this may be where the provision of a laneway is required, where vehicular entry points are required in a certain location or where a specific building footprint is required due to flood conditions.

Objectives

O1. Ensure the achievement of laneways and private accessways in order to require development fronting Merrylands Road to have rear vehicular access.

O2. Ensure vehicular access can be obtained from secondary streets and laneways.

O3. Ensure sites are sufficient in frontage in order to provide adequate vehicular access and basement carparking.

O4. Ensure site dimensions allow for the achievement of appropriate building setbacks and separation.

O5. For new development not to reduce the reasonable development opportunity of adjoining lots.

Controls

C1. Amalgamation of lots in accordance with Figure 13 is required for redevelopment.

C2. Where amalgamation is not required by this plan, the minimum site width for redevelopment is 20m

C3. The minimum site width achieved shall determine the height of buildings (in storeys) in accordance with the table below. Site width shall be measured at the primary frontage.

Table 2

Site width (m)	Permitted Height (storeys)
20m	Maximum 3 storeys
26m	Maximum 8 storeys
32m	Maximum 20 storeys

C4. Sites must not be left such that they are physically unable to reasonably develop a three storey building in accordance with the controls in Sections 2.5 and 3 of this Part.

C5. Development must not prevent the provision of laneways, accessways or vehicular access locations is prevented, or cannot be achieved in accordance with this plan.

C6. Where required amalgamations cannot be achieved:

- Applicants are to negotiate with all affected property owners prior to the lodgement of a development application, in an attempt to achieve the preferred development outcome.
- In instances where amalgamation cannot be achieve (because a landowner chooses not to take-up a reasonable offer) the following information must be submitted with any development application:
    - two (2) written valuations indicating the value of the remaining sites that were to be developed in conjunction with the applicants properties. These are to be undertaken by two independent Valuers registered with the Australian Institute of Valuers, and
    - evidence that a reasonable offer has been made to the owner(s) of the affected sites to purchase and valuation reports

C7. Where amalgamation (as required) is not achieved the applicants must show that the remaining sites, which are not included in the consolidation will still be able to achieve the development outcome prescribed in this DCP (i.e. minimum site frontage of 20m). This includes achieving the required vehicular access, basement parking and built form.

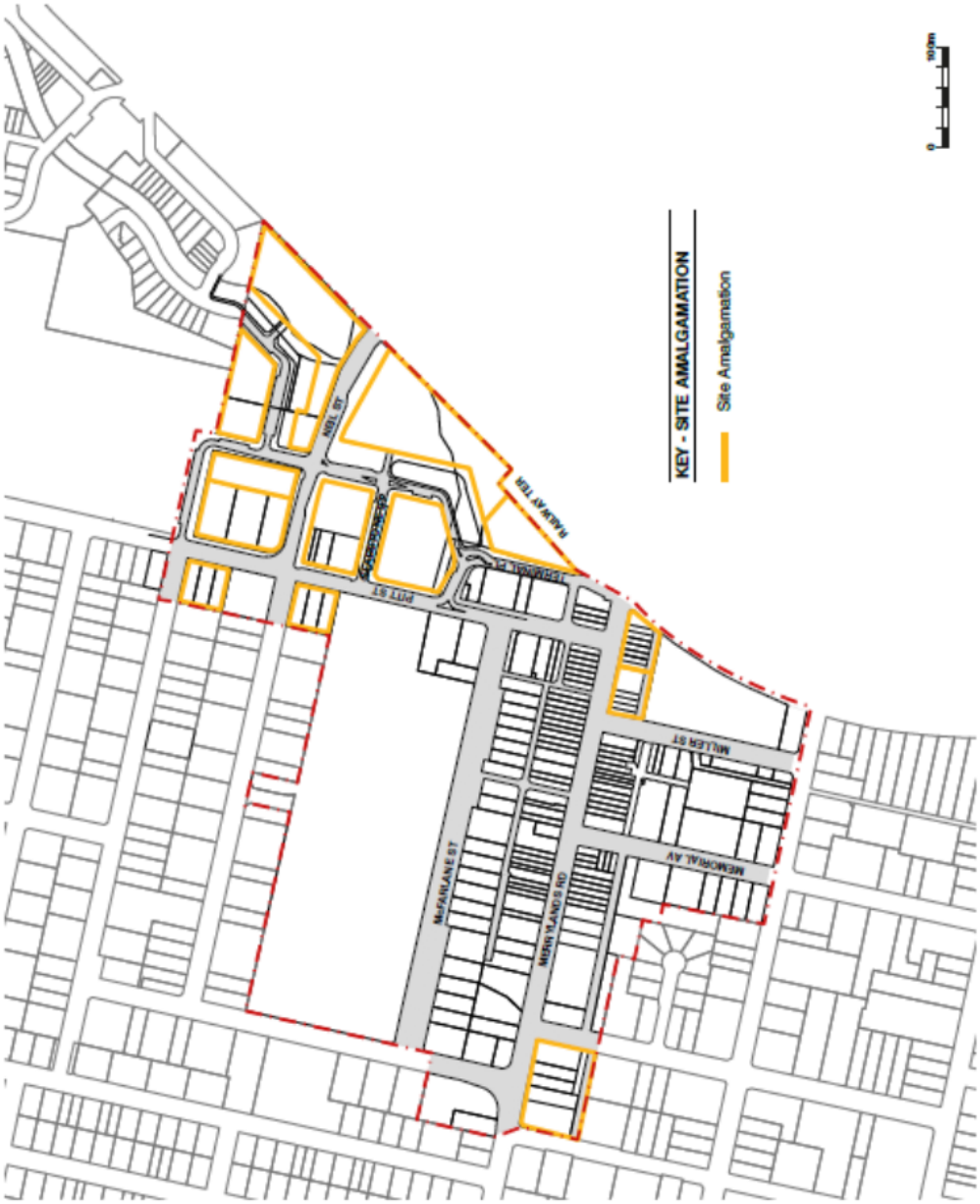

KEY - SITE AMALGAMATION
Site Amalgamation
PITT ST
MULLER ST
MEMORIAL AV
MCFARLANE ST
MERRYLANDS RDSW

Figure 13

2.5.2 Building and Ceiling Height

Built form scale is important in establishing the role and character of a centre. It can provide visual cues to signal the presence of the town centre and also provide legibility within the centre itself. The built form of Merrylands centre will reflect its role as a town centre, whilst having regard for surrounding lower density development.

The built form scale established for Merrylands provides a height transition, from lower scale when approaching from the west, north-east and surrounding lower scale residential buildings to towers in the core of the centre. The scale has been specifically developed to ensure that an appropriate level of daylight access is achievable for dwellings within and immediately outside of the centre and that the scale of building reflects its proximity to the core of the centre.

Objectives

O1. Achieve appropriate management of overshadowing, access to sunlight and privacy

O2. Deliver a built form that provides a height transition, from lower scale on the edges of the centre to higher scale in the core of the centre.

O3. Ensure the scale of the built form provides for a legible centre.

O4. Provide appropriate transition in building heights from public spaces.

Controls

C1. Maximum permitted building height in storeys* shall be in accordance with the table below.

Table 3

Permitted Height (storeys)	
Height (m)	Storeys
10	1
12.5	2
14	3
17	4
20	5
23	6
26	7
29	8
32	9
38	11
41	12
50	15
53	16
65	20

C2. Each storey shall have the following minimum floor to ceiling heights:

- Ground floor- 3.5m
- First floor (regardless of use)- 3.3m
- All other floors- 2.7m

C3. Development in the centre shall establish a consistent building height transition, from the edges of the centre, to the core of the centre.

C4. Ensure the achievement of daylight access to public open spaces in accordance with Section 7.4.

2.5.3 Street setbacks, road widening and street frontage heights

The street setback and frontage height of buildings establishes different character areas and spaces, through the definition of streets. Consistent street alignment provides continuity of street facades and enhances the character of the area. Street frontage height determines the scale of buildings on the street and reflects the role of the centre and the intended experiences for pedestrians.

The street setbacks in Merrylands reflect the retail and commercial uses within the core, civic streets and the transition to lower scale residential areas. Street frontage heights provide a human scale to the centre, to optimize pedestrian experience and allow for the achievement of sunlight access.

Objective

O1. Provide street edges that reinforce and reflect the various uses and characters within the centre.

O2. Ensure the location of shop fronts are adjacent to pedestrian activity.

O3. Create a pleasant environment and amenity for residents and visitors through the provision of street trees and wider footpaths on Merrylands Road.

O4. Encourage the establishment of active laneway uses through street setbacks.

O5. Enhance the character of the centre through consistent and continuous street facades.

O6. Ensure building heights at street level are at a human scale.

O7. Ensure the pedestrian environment is pleasant and inviting through access to sunlight, appropriate scale and massing of buildings and wind mitigation.

Controls

C1. Street setbacks in accordance with Figure 14 are required for redevelopment.

C2. 0.5m road widening is required for both sides of Merrylands Road in accordance with Figure 2.

C3. On Pitt Street a 0.65m road widening is required for 185 Pitt Street, to enable the cycle path connection.

C4. A 3m x 3m splay corner is required at the south-western corner of the Neil Street/Pitt Street intersection.

C5. On Neil Street, road widening is required at 185 Pitt Street, to require the footpath dimensions to match existing to the east of the site.

C6. Street wall height of buildings (podium) shall be 3 storeys, with a minimum height of 11m and maximum height of 14m.

C7. Upper level (above street wall) street frontage setbacks for Merrylands Road, McFarlane Street and Pitt Street will be based on storey height, in accordance with the table below and Figure 15:

Table 4

Storeys	Street frontage setback (m)
4-8	4
9-12	5
13-20	6

C8. Upper level street frontage setbacks for Memorial Avenue shall be in accordance with Figure 16

C9. Minor projections into the street setback will be accepted for sites where 0m setback is required, in accordance with the table below:

Table 5

Permitted projection	Permitted length of projection
Awnings	3.0m
Awnings (laneways)	Maximum 1.5m
Balconies (aboved 3rd storey)	600mm

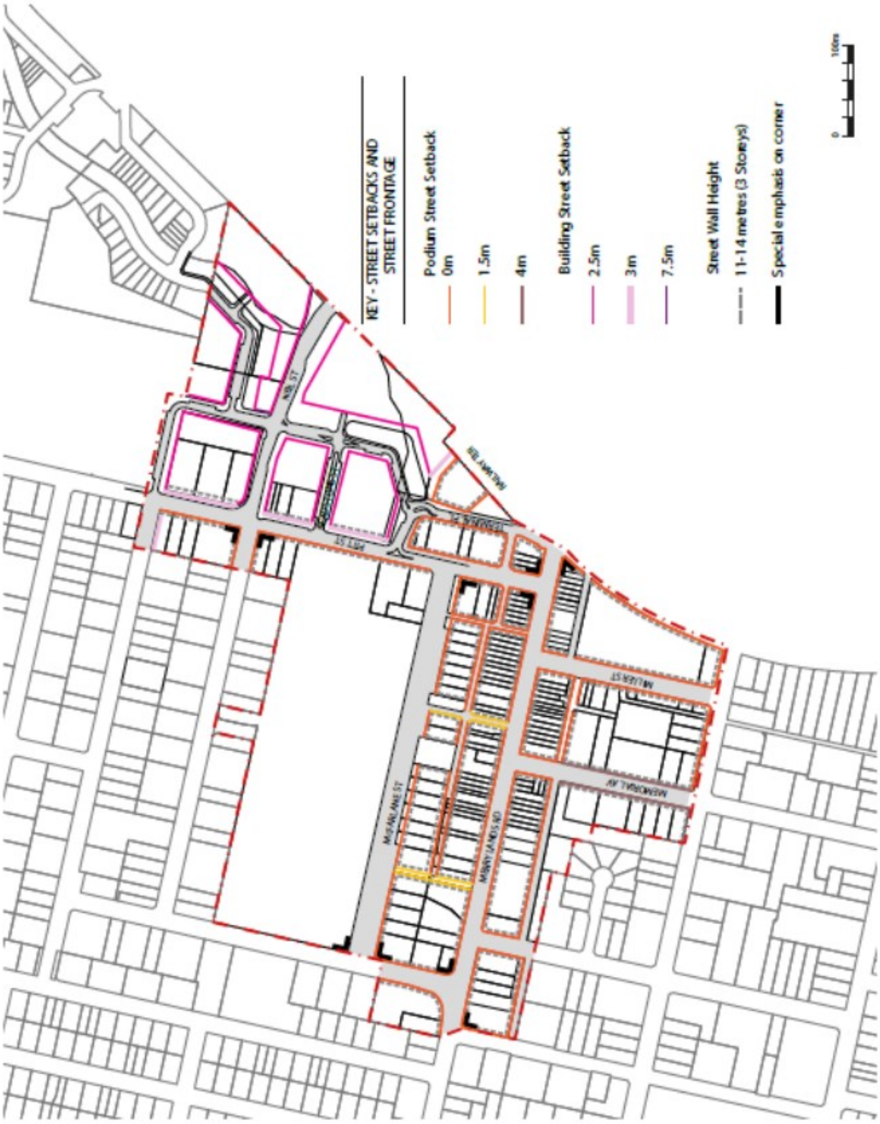

KEY - STREET SETBACKS AND STREET FRONTAGE
Podium Street Setback
0m
1.5m
4m
Building Street Setback
2.5m
3m
7.5m
Street Wall Height
11-14 metres (3 Storeys)
Special emphasis on corner

Figure 14

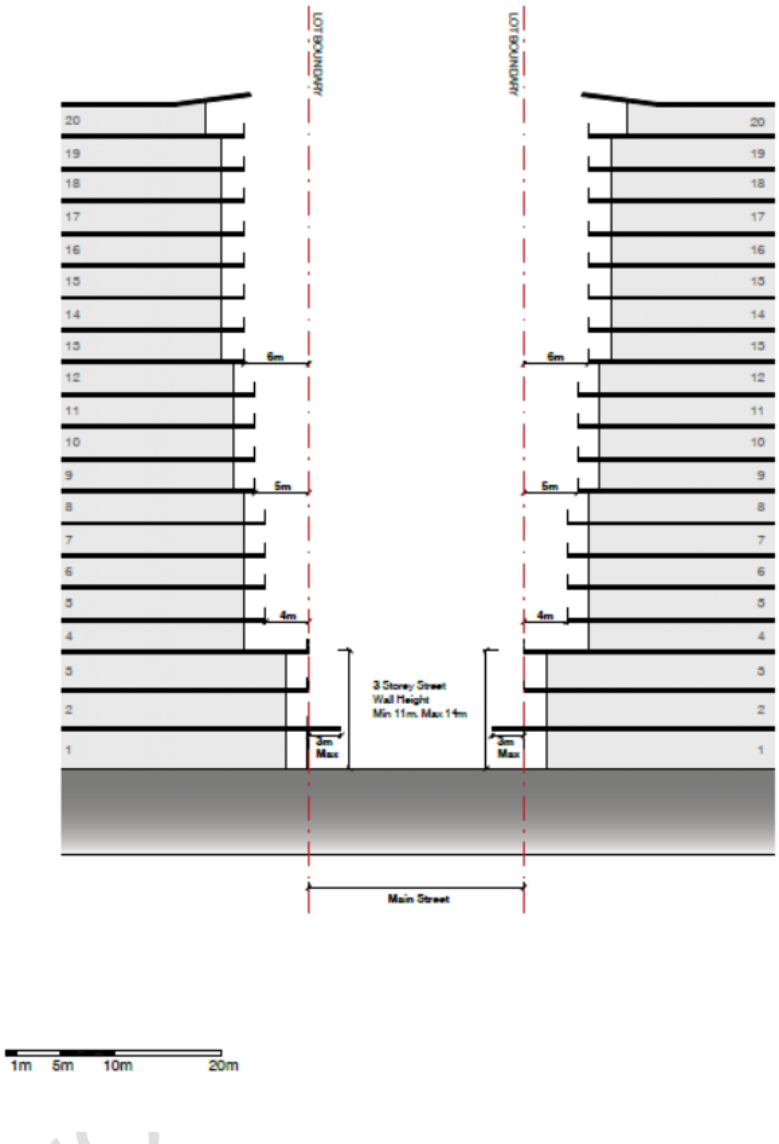

LOT BOUNDARY
LOT BOUNDARY
20
19
18
17
16
15
14
13
12
11
10
9
8
7
6
5
4
3
2
1
6m
5m
4m
3 Storey Street Wall Height Min 11m, Max 14m
3m Max
3m Max
Main Street
1m
5m
10m
20m

Figure 15

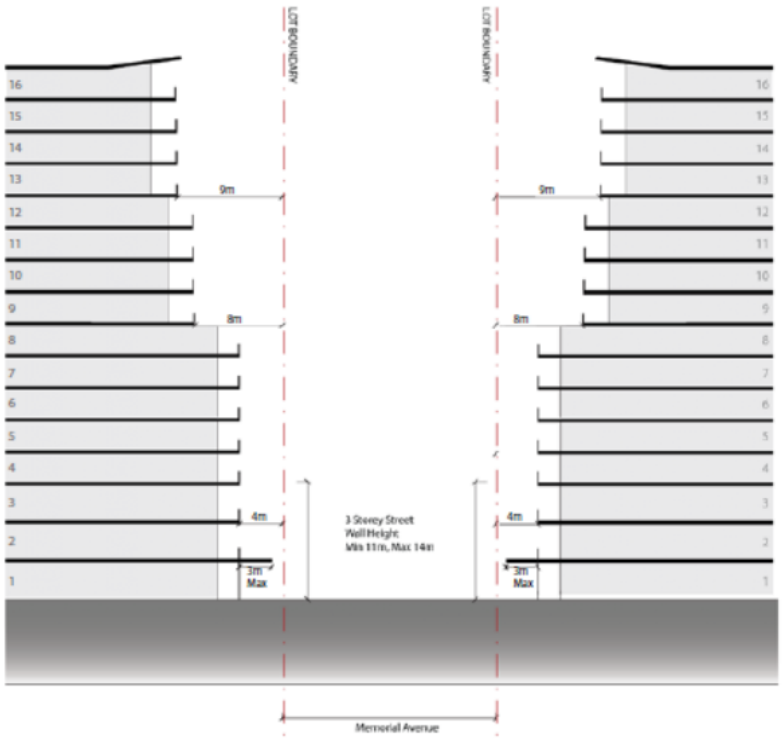

LOT BOUNDARY
LOT BOUNDARY
16
15
14
13
12
11
10
9
8
7
6
5
4
3
2
1
9m
9m
8m
8m
4m
4m
3m Max
3m Max
3 Storey Street Wall Height Min 11m, Max 14m
Memorial Avenue
1m
5m
10m
20m

Figure 16

2.5.4 Building Depth and length

Building depths directly impact the residential amenity for dwelling occupants. Achieving adequate building depths can ensure access to natural ventilation and sunlight, which provides amenity and energy savings. Limiting building depth and length also reduces the bulk of a building, which provides benefits to the public domain of sunlight access and streetscape amenity.

Building depth is related to building use and different site conditions such as size, orientation and density which may require different design solutions.

Building depth will be calculated as Building plan (glass line to glass line) + articulation zone (including balconies).

Objectives

O1. Promote sustainable building design and development and reduce reliance on artificial heating, cooling and lighting.

O2. Ensure that adequate cross ventilation and sunlight access is achieved in residential apartments within the high density centre.

O3. Provide for viable and functional commercial spaces.

O4. Consider the amenity of future residents and workers through building design.

O5. Provide sunlight access and streetscape amenity to the public domain

Controls

C1. There is no maximum building depth requirement for floors used as commercial premises.

C2. The maximum permissible building plan depth for residential accommodation is 18m.

C3. The maximum permissible building envelope depth for residential accommodation is 22m.

C4. Residential apartments on the 2nd and 3rd storey levels are limited in depth to 8m from the glassline and 11m from the outer edge of the building envelope.

C5. Where office premises are proposed, all points on an office floor should be no more than 15m from a source of daylight.

C6. The maximum horizontal length of any building above the podium shall not exceed 50m.

C7. All residential and mixed use developments shall be, or substantially contain, dual aspect apartments.

2.5.5 Setbacks and Separation

Building setbacks and separation is significant in establishing and maintaining residential and pedestrian amenity within and outside of the centre. Sunlight access, privacy and airflow to both buildings and public spaces can only be achieved through the adequate separation of buildings.

Sufficient building separation can reduce the appearance of building bulk and allows for the definition of public space, including laneways, open space and landscaping. Providing spaces between buildings also contributes in creating legibility within the centre.

Setbacks and separation proposed for Merrylands responds to the future role of the centre, in order to provide a balance between the future density of the centre and the amenity for residents and pedestrians.

Objectives

O1. Ensure residents within buildings and adjoining buildings have adequate access to sunlight, airflow and visual and acoustic privacy.

O2. Provide visual legibility and a pleasant public domain through breaks in the built form.

O3. Mitigate the impacts of wind within the centre.

O4. Create a consistent streetscape character.

Controls

C1. Where the street setback is 0m, a continuous built edge shall be provided up to the 3rd storey, regardless of use.

C2. Where a laneway or accessway is required the minimum rear setback shall be 8m, unless shown otherwise.

C3. Setbacks to secondary streets (above podium) to the property line shall be provided as below:

Table 6

Storeys	Setback (m)
4-8	3m
9-20	6m

C4. 0m side setback to Terminal place and or Milne Lane will be accepted for properties 266 Pitt Street and 135-137 Merrylands Road.

C5. Minimum setbacks to side boundaries shall be provided in accordance with the table below:

Table 7

Building uses	Storeys	Side setbacks

Non habitable rooms and commercial with no windows	1-3 storeys	0 metres
	4-8 storeys	3 metres
	9-20 storeys	6 metres
Habitable rooms/balconies	4 storeys	6 metres
	5-8 storeys	9 metres
	9-20 storeys	12 metres
Habitable rooms/balconies and non habitable rooms	4 storeys	4.5 metres
	5-8 storeys	6.5 metres
	9-20 storeys	9 metres

C6. Minimum rear setbacks to buildings with a common boundary to a business zone.

Table 8

Building use	Storeys	Rear Setback
Ground floor	0-3 storeys	0 metres
Non habitable rooms (including commercial)	4-8 storeys	3 metres
	9-20 storeys	6 metres
Habitable rooms/balconies	4 storeys	6 metres
	5-8 storeys	9 metres
	9-20 storeys	12 metres
Habitable rooms/balconies and non habitable rooms	4 storeys	4.5 metres
	5-8 storeys	6.5 metres
	9-20 storeys	9 metres
Where rear laneway or accessway is required		8 metres

C7. Minimum rear setbacks to a common boundary with a residential zone.

Table 9

Building use	Storeys	Rear Setback
Non habitable rooms (including commercial)	0-8 storeys	6 metres
	9-12	9 metres
	13-20 storeys	12 metres
Habitable rooms/balconies	4 storeys	6 metres
	5-8 storeys	9 metres
	9-20 storeys	12 metres
Habitable rooms/balconies and non habitable rooms	Up to 4 storeys	4.5 metres
	5-8 storeys	6.5 metres
	9-20 storeys	9 metres
Where a rear laneway or accessway is required		8 metres

C8. Minimum separation between upper levels (above podium) on one site.

Building uses	Storeys	Side Separation
Non habitable rooms	4-8 storeys	6 metres

(including commercial)	9-20 storeys	12 metres
Habitable rooms/balconies	4 storeys	12 metres
	5-8 storeys	18 metres
	9-20 storeys	24 metres
Habitable rooms/balconies and non habitable rooms	4 storeys	9 metres
	5-8 storeys	12 metres
	9-20 storeys	18 metres

2.5.6 Active frontages, Street Address and Building Use

Building frontages that contribute positively to the public domain through activity and design not only encourage pedestrian activity, which can bring vitality and vibrancy to a centre, but also provides pedestrians with amenity and a safer environment.

Entrances to buildings define the private and public domain and need to be legible and free of barriers. Frontages should also enable accessibility for the entire community

Objectives

O1. Provide for a vibrant, pedestrian focused centre through the orientation and design of ground floor entries and shop fronts.

O2. Require activation of the street through the reinforcement of activities along the main streets and some laneways.

O3. Maintain the established character of fine grain frontages at ground level.

O4. Provide well designed building facades and entrances.

O5. Contribute to a safe environment for pedestrians and residents through both passive and active surveillance.

O6. Ensure the accessibility of the centre for the entire community.

Controls

Active Frontages

C1. Provide Active frontages at street level, orientating onto streets, laneways and public places, as identified on Figure 17.

C2. Active frontages consist of the following:

- Shopfront
- Food and Drink premises such as Restaurant or Café
- Entrance to public buildings or commercial building foyers
- Customer service areas and receptions (where visible from the street)

C3. At least 70% of street level frontages shall be transparent glazing. Blank or solid walls and the use of dark or obscured glass on active frontages are prohibited.

C4. Restaurants, cafes and the like are to consider providing openable shop fronts.

C5. Active frontages located on Merrylands Road (to Addlestone Street) and McFarlane Street should aim to provide at least 10-14 separate tenancy entries per 100m.

C6. Large developments shall provide multiple entrances.

C7. Solid roller shutters or the like that obscure windows and entrances are not permitted. Security grilles which are fixed internally to the shop front, fully retractable and are at least 50% transparent when closed, are acceptable.

C8. The ground floor level of active frontages shall be at the same level as the footpath, unless otherwise required by this plan.

C9. The location of fire escapes, service doors, plant equipment and the like are to be minimised on active streets.

Street Address

C10. Street address in the form of entries, lobbies and/or habitable rooms with clear glazing are required at ground level, in accordance with Figure 17.

C11. Direct pedestrian access off the primary street front shall be provided.

C12. Direct 'front door' access to residential units is encouraged.

C13. Open space should be oriented to overlook pedestrian access points.

C14. Blank walls or dark or obscured glass is not permitted.

Building Use

C15. Retail and commercial uses are to be located on at the ground floor level for all development within the B4 zone.

C16. Residential development is not permitted to be located at the ground floor level of any development within the B4 zone.

C17. Commercial office space or other suitable non residential uses must be provided at the first floor level of development for the entire premises street frontage.

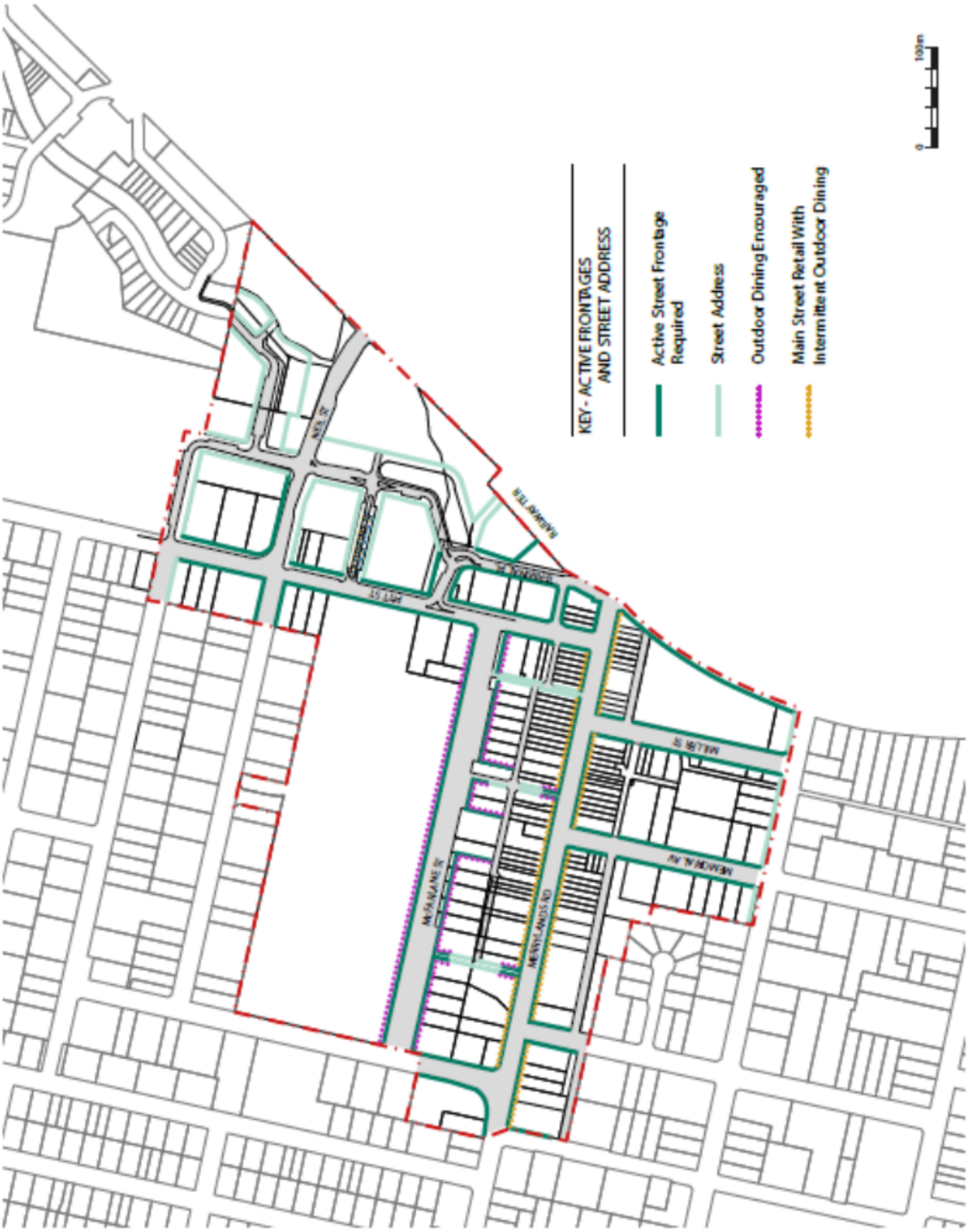

KEY - ACTIVE FRONTAGES AND STREET ADDRESS
Active Street Frontage Required
Street Address
Outdoor Dining Encouraged
Main Street Retail With Intermittent Outdoor Dining
MERRYLANDS RD

Figure 17

2.5.7 Landscaping and Open Space

Landscaping should build on a site's existing natural and cultural features to contribute to a developments positive relationship to its context and site. Landscape design should optimize usability, privacy, social opportunity, equitable access and respect for neighbours' amenity. It plays a significant role in improving the amenity of open space and the visual quality for residents and visitors to the centre.

Together, landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for occupants and the adjoining public domain. As such, it should not be generated by left over spaces resulting from building siting and location.

Objectives

O1. Enhance the amenity and liveability for residents, workers and visitors to the centre through integrated landscape design, improvements to the public domain and the provision of passive and recreational opportunities.

O2. Provide a pleasant and enhanced streetscape character and amenity through the retention and/ or planting of trees.

O3. Provide for pleasant and safe public open spaces through designing for accessibility and surveillance.

O4. Assist the management of the water table, stormwater and water quality through maximising site infiltration through deep soil and permeable surfaces.

O5. Require communal open space that is assessable, functional and attractive and provides for passive recreation and landscaping.

O6. Enhance liveability for residents by requiring every dwelling to have access to a private, useable and functional private open space directly adjacent to living areas and providing an extension of the living spaces.

O7. Provide balconies and terraces of sufficient size and proportion, which are functional and allow for outdoor living and planter opportunities.

O8. Require balconies and terraces to be integrated into the overall architectural form of the building and to contribute to the articulation and modulation of the building façade.

O9. Contribute to the safety and liveliness of the street by allowing for casual overlooking and address.

O10. Ensure private and communal open space areas are adequately landscaped and able to accommodate a range of plant species.

O11. Provide appropriate soil conditions, drainage and irrigation measures that encourage plant growth.

Controls

Public Open Space

C1. Public open spaces for passive recreation and for overland flow paths shall be provide as identified in Figure 4.

Streetscape planting and public domain works

C2. Streetscape planting shall be provided in accordance with Figure 4.

C3. Planting and public domain works shall be in accordance with Council's Landscape Masterplan.

Deep Soil zones

C4. Deep soil zones shall be provided in accordance with Figure 4.

C5. Where there is limited capacity for water infiltration, stormwater treatment measures are to be integrated with the design of the buildings.

Merrylands Neil Street Precinct

3. Introduction

Vision

This Part provides development controls to guide the future development in the Neil Street Precinct. This Part specifies the built form controls for all development with the Precinct, and sets in place urban design guidelines to achieve the vision for Neil Street Precinct as stated under Section 4.1.

The provisions of this Part apply to Merrylands Neil Street Precinct, shown edged in heavy black on Figure 18.

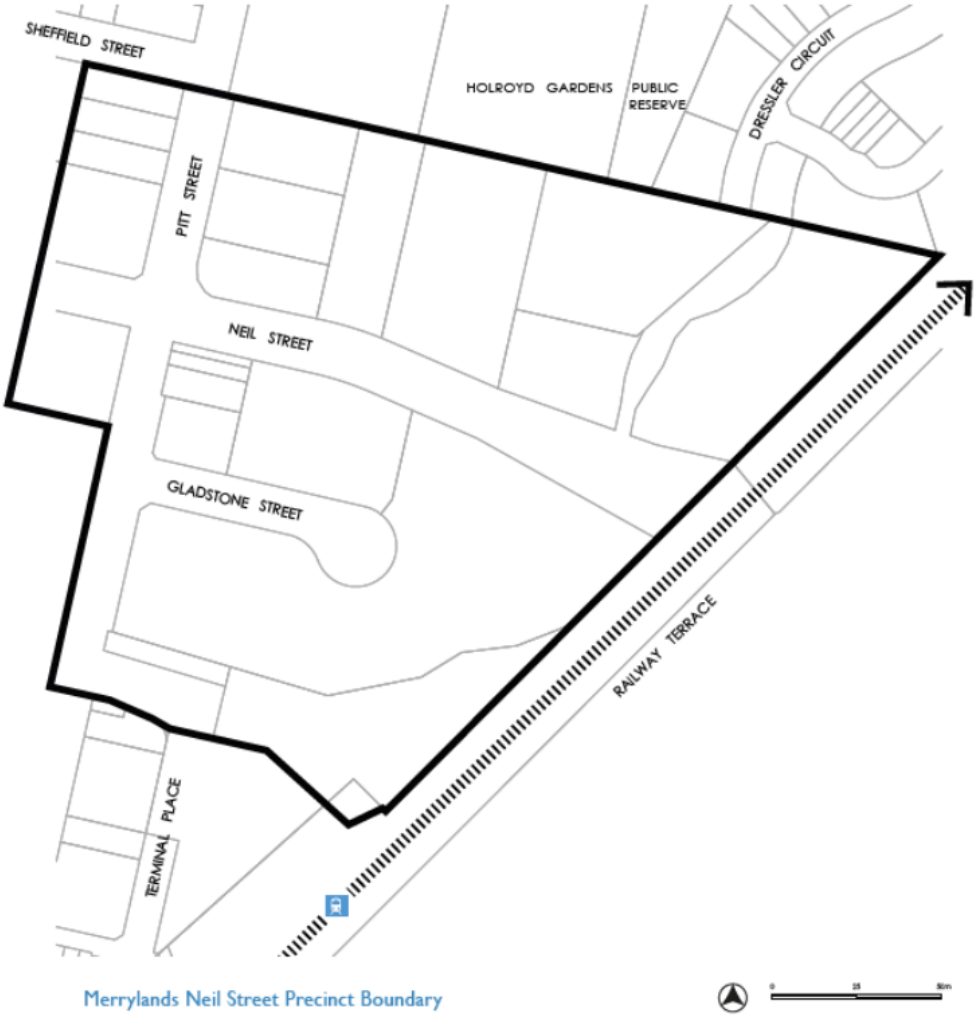


Figure 18

In the event of any inconsistencies between these controls and any other provisions of the DCP, the provisions in this section prevail in so far as the extent of the inconsistency.

4. Vision

The purpose of this Part is to provide objectives, controls and design criteria to achieve desirable development outcomes consistent with Council's vision for the Neil Street Precinct (the Precinct). This Part also includes Block specific objectives where applicable for the developments sites identified within the Precinct. Where objectives are not specified for a Block, the overall objectives for the Precinct should be followed.

4.1 Vision

The Precinct is envisioned to be characterised by a high-quality, well designed, safe and liveable environment within walking distance to Merrylands Railway Station, which is the main transport hub for the area. Properties along Pitt Street and the future development along New Road 1 will support a mix of retail, commercial office/business and residential functions.

5. Objectives and Controls

General Objectives

The aims of this Part are:-

O12. Ensure the Precinct will be characterised by a high-quality, well-designed and safe environment.

O13. Create an urban structure that will:

- Promote a balance of residential and commercial uses within the Precinct.
- Provide a transition from the more intense development near the Train Station to peripheral areas along the Holroyd Gardens.

O14. Create an access network that will:

- Provide a safe and convenient pedestrian environment that will encourage social interaction and encourage public transport use.
- Promote greater connectivity and integration between land uses and the Train Station.
- Create additional Streets that will:
    - Reduce pressure on Pitt Street.
    - Provide new opportunities for business.

O15. Create an open space network that will:

- Include a network of diverse active and passive recreational spaces to support the residential and working population of the Precinct.
- Provide safe, accessible, sustainable, well-used and designed open-space network.

Urban design objectives are:-

O1. Enhance connectivity within the Neil Street Precinct and with the surrounds.

O2. Maintain and develop spaces that encourage social interaction for all people, which will contribute to people's sense of place.

O3. Integrate the management of stormwater and floodwater into the design of public open space to establish an adaptable public domain capable of accommodating a broad range of uses, experiences and activities, while still maintaining its primary function of overland stormwater drainage.

O4. Promote the "green and leafy" character associated with established trees within Holroyd Gardens.

O5. Maintain the sense of spaciousness created by the lower density built form and Holroyd Gardens to the north through the extensive network of private and public open space areas.

O6. Provide appropriate interfaces to surrounding residential and open space areas.

O7. Improve the visual quality of the Sydney Water Concrete Culvert by incorporating landscaping to soften the appearance which will not only provide a sustainable drainage system but also enhance the recreational value of the Precinct.

Figure 19: Neil Street Precinct Vision

5.1 The Structure Plan

5.1.1 Desired Future Character

Neil Street Precinct Character Statement

Neil Street is characterised by accessibility to the Holroyd Gardens to the north, Merrylands Centre to the west, Merrylands Train Station to the south, the Neil Street Park and the overland flow path recreational open space. The accessibility of Precinct is enhanced by the proposed extension of Sheffield Street to the north, proposed New Road 1 and New Road 2 and the various potential mid-block connections creating a high level of pedestrian permeability away from the main streets. Pitt Street, which is a regional road, is a significant link between Merrylands and Parramatta. Given the street hierarchy of Pitt Street, it provides an opportunity for it be established as a built form spine with ground level activity to be focused along Pitt Street.

Neil Street is the only entry from the west for the Precinct. Given the street hierarchy, Neil Street provides an opportunity for it to be established as a secondary built form spine where taller buildings can be located.

In addition to residential uses, the Neil Street Precinct is expected to accommodate commercial/ retail uses that support and enhance the liveability of the place. Active uses will be located facing Pitt Street, and New Road 1 enhancing the vibrancy of the public domain.

The visual character of certain locations within the Precinct such as the intersection of Neil Street and New Road 1, the intersection of Pitt and Neil Streets, the intersection of Neil Street and the Neil Street Bridge are significant as they provide opportunities to position locational buildings, which will enhance the skyline of the Precinct within the broader Merrylands Centre context (Refer Figure 36).

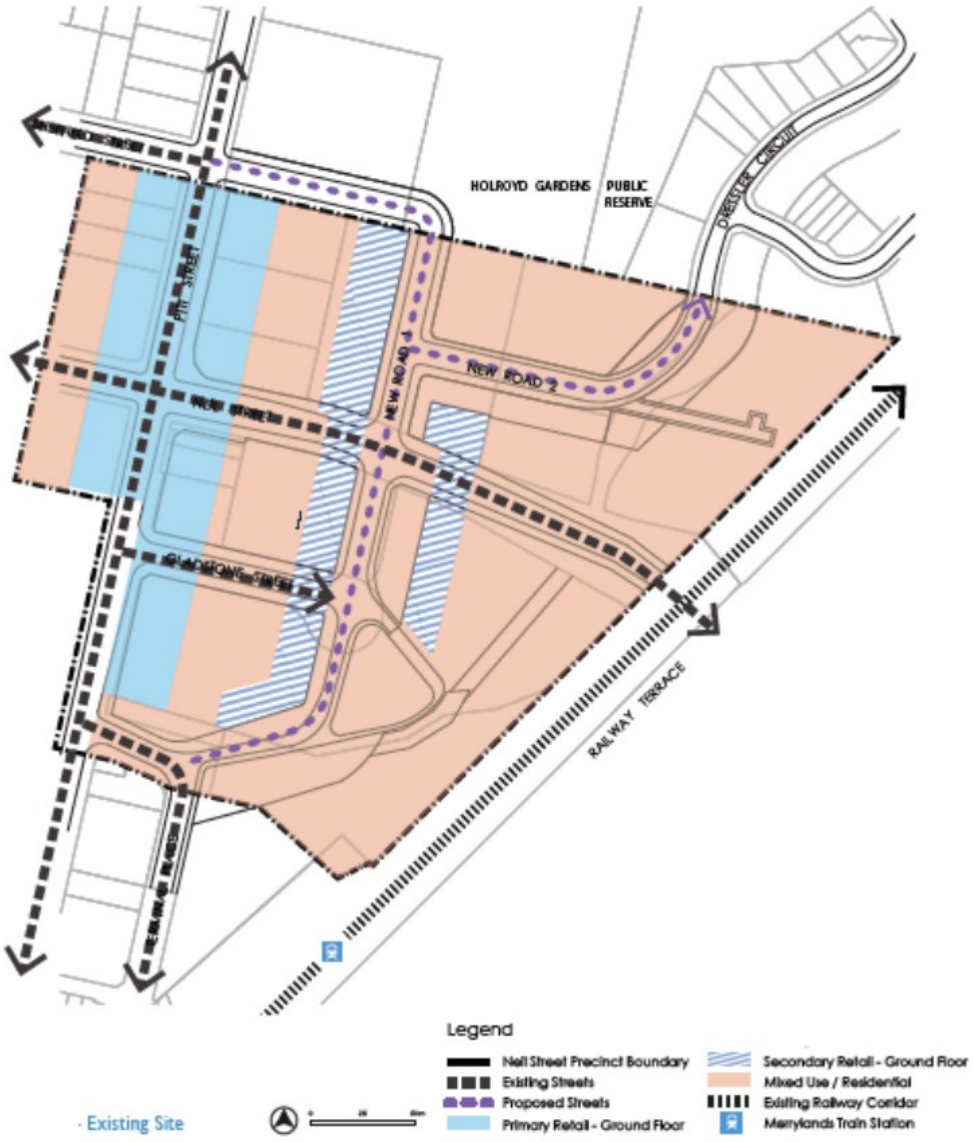

HOLROYD GARDENS PUBLIC RESERVE
NEW ROAD 1
NEW ROAD 2
RAILWAY TERRACE
Legend
Neil Street Precinct Boundary
Existing Streets
Proposed Streets
Primary Retail - Ground Floor
Secondary Retail - Ground Floor
Mixed Use / Residential
Existing Railway Corridor
Merrylands Train Station
Existing Site

Figure 20

5.1.2 Urban Structure Plan

The Structure Plan sets out the broad framework for development within the Neil Street Precinct. It underpins the development controls for the Precinct.

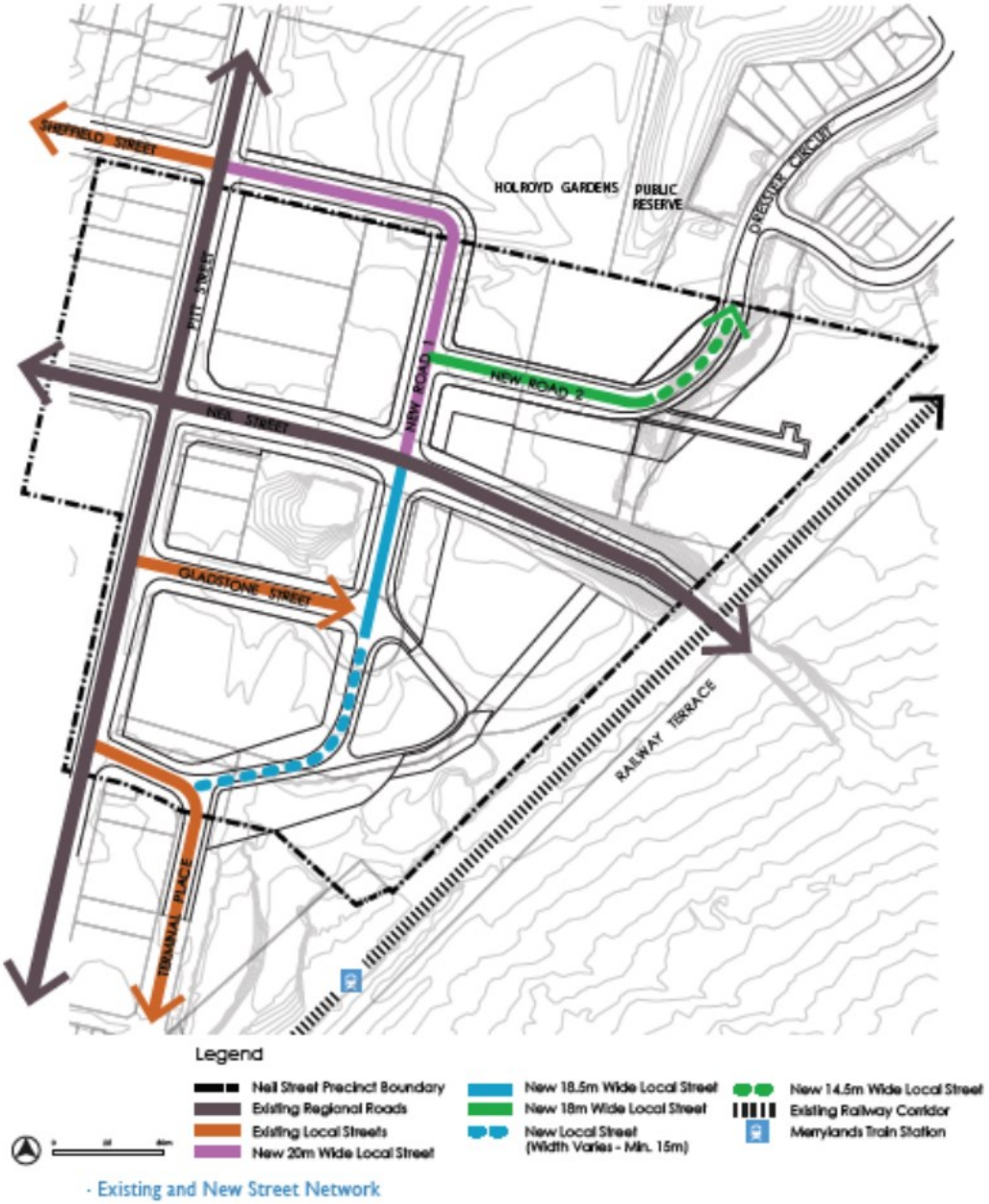
The Urban Structure Plan reflects and builds on the existing land uses and functions within the broader Merrylands Centre to implement the vision for Neil Street as a high-quality, well designed, safe and liveable environment (Refer Figure 20).

The Neil Street Precinct will predominantly include new residential communities while the commercial core will be centred on McFarlane Street and Merrylands Road (Merrylands Centre). Intense development centred within the Merrylands Centre is proposed to transition through Neil Street Precinct to the lower scaled residential areas adjoining the Neil Street Precinct.

The Structure Plan is comprised of three elements:-

- Access Network
- Public Open Space
- Built Form Network

Development in the Neil Street Precinct must occur within the framework of the Structure Plan objectives and controls, which establishes built form, open spaces and street layout. The synthesis of these elements will strengthen the desired character and connection within the broader area and create the public domain environment within which development can occur.



- Existing and New Street Network

Figure 21

5.2 Access Network

5.2.1 Street / Access Network

The Street Network Structure Plan provides a clear hierarchy of street types, including the extension of existing streets and new streets. The street network is made up of the following new streets:

- New Road 1
- New Road 2

The new roads maximise connections within the Precinct and to surrounding areas and aims to substantially improve pedestrian and cycle paths to enable a more permeable public domain.

Objectives

O1. Improve pedestrian, cycle and vehicular accessibility within the Precinct and the broader Merrylands Centre.

O2. Provide a street network that responds to the constraints of drainage, existing development and future subdivision patterns.

O3. Provide improved access to public open spaces within the Precinct.

O4. Accommodate increased traffic movement within the Precinct and broader Merrylands Centre.

O5. Provide additional opportunities for on-street parking.

Controls

C1. Provide new public streets as shown in Figure 21.

C2. Refer to Section 5D.3 for detailed information regarding the required width, design and location of each street type.

C3. Setbacks along streets are to be provided in accordance with Section 5H.

C4. The width of footpaths shall be maximised for comfortable pedestrian movement; to facilitate tree planting and where bike routes exist, to allow cycling off road.

C5. Streets are to be planted with trees appropriate in character to reflect the street hierarchy and in consultation with Council's landscape architect

C6. New streets are to be dedicated to Council. New streets are to be maintained by the landowner until dedicated to Council.

C7. Land owners within the Precinct to consult Council's engineers for detail infrastructure works.


SHEFFIELD STREET
HOLROYD GARDENS PUBLIC RESERVE
DRESSER CIRCUIT
PITT STREET
NEW ROAD 1
NEW ROAD 2
NEIL STREET
GLADSTONE STREET
RAILWAY TERRACE
TERMINAL PLACE
Legend
Neil Street Precinct Boundary
Roads
Shared Zone
Primary vehicular Link
Secondary Vehicular Link
Local Vehicular Link
Signalised Intersection
Potential Vehicular Access
Vehicular Access not Permitted
Pedestrian / Bicycle Link
Pedestrian Through Site Links
Proposed Laneway - Private
Visual Connection to be Maintained
Existing Sydney Water Concrete Culvert
Existing Open Space
Proposed Open Space
Proposed Open Space Passive Recreation
Green Street Setback
Existing Railway Corridor
Merrylands Train Station
- Connectivity

Figure 22

5.2.2 Connectivity

Through site links, arcades, visual and pedestrian/cycle connections have been established to enhance the connectivity and permeability of the Precinct and include the following (Refer Figure 22):

- A new pedestrian link along the northern boundary of the Precinct providing a direct link between Dressler Circuit, Holroyd Gardens and Sheffield Street.
- An east-west visual connection from New Road 1 to the Railway Corridor to the east.
- An arcade (pedestrian through site link) linking New Road 1 to Pitt Street.
- A through site link is proposed as an extension of New Road 2 to the west.
- A north-south through site link connecting Neil Street to Sheffield Street at the Precinct boundary.

Objectives

O1. Ensure pedestrian ways, through-site links and arcades are accessible, continuous, well lit, safe and supported by active retail uses.

O2. Encourage development that expands and enhances the Merrylands Centre public domain.

O3. Promote pedestrian activity and contribute to the vitality of the Precinct.

Controls

C1. Provide through-site links and pedestrian ways as indicated in Figure 22.

C2. Through-site connection and arcade must:

- Provide a clear sight-line from one end to the other for surveillance and accessibility, in midblock locations.
- Have a minimum width of 12m.
- Extend and enhance the public domain and have a public domain character.
- Be designed to consider pedestrian safety and the security of adjacent businesses, particularly at night.

C3. Public use of through-site connections should be available at least between the hours of 7.00am to 7.00pm daily.

C4. Connections through foyers and shops are encouraged.

C5. Consider supplementary arcades and through-site connections, with outdoor areas such as courtyards or outdoor rooms.

C6. Vehicular entry points are not permitted along Pitt Street, Neil Street and New Road 1 south of New Road 2.

Figure 23: Pennsylvania Avenue Washington DC- Desirable active street frontage

(Source: au.pinterest.com)

Figure 24: Lonsdale Street, Dandenong - Pedestrian amenity along New Road 2

Figure 25: Street Design Ottawa - Desirable shared zone - New Road 2

(Source: au.pinterest.com)

5.2.3 Streets

New Road 1

The width of New Road 1 varies between 15m at the Terminal Place intersection to 20m at the Holroyd Gardens interface. These widths are based on the predominant use and the intensity of the existing patterns of access, circulation and movement within the Merrylands Centre and the particular topographic conditions across the Precinct.

New Road 1 is intended to ease the traffic pressure from Pitt Street to achieve greater amenity for pedestrian and cyclist movement in the public domain.

Controls

C1. Buildings are required to be setback from streets (Refer Section 5H for street setbacks).

C2. Lighting, paving, street furniture, landscaped setbacks and tree planting are to be provided following consultation with Council's landscape officers.

C3. New Road 1 is to be provided in accordance with Figures 21, 27, 28 and 29.

New Road 2

The width of New Road 1 varies between 18m at the intersection of New Road 1 to 14.5m at the Holroyd Gardens interface.

Control

C1. New Road 2 is to be provided in accordance with Figures 21,30 and 31.

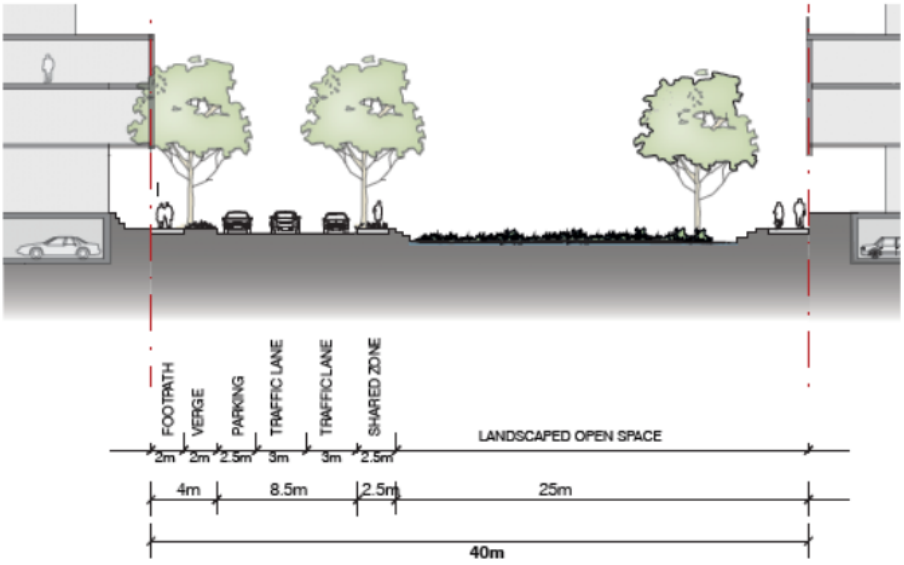
Neil Street and Pitt Street

Controls

C1. A 3m x 3m splay corner to be provided at the corner of Neil and Pitt Streets (Affected lot - 185 Pitt Street)

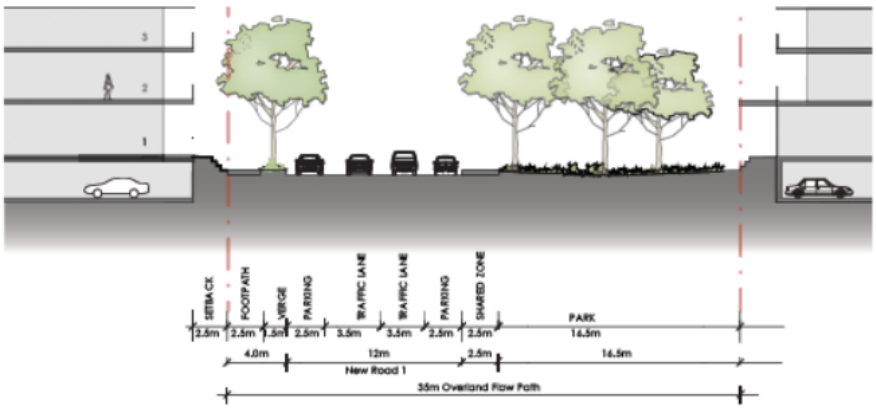
C2. A 0.65 road widening to be provided along Pitt Street at 185 Pitt Street to incorporate a cycle path.

Figure 26



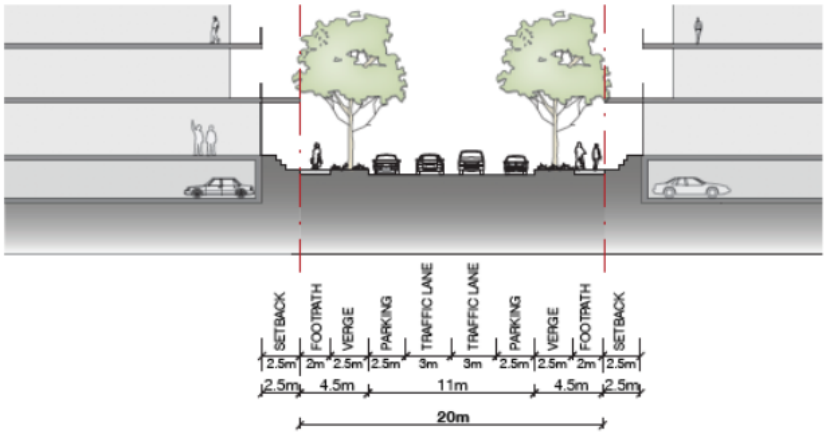
- Section AA

Figure 27



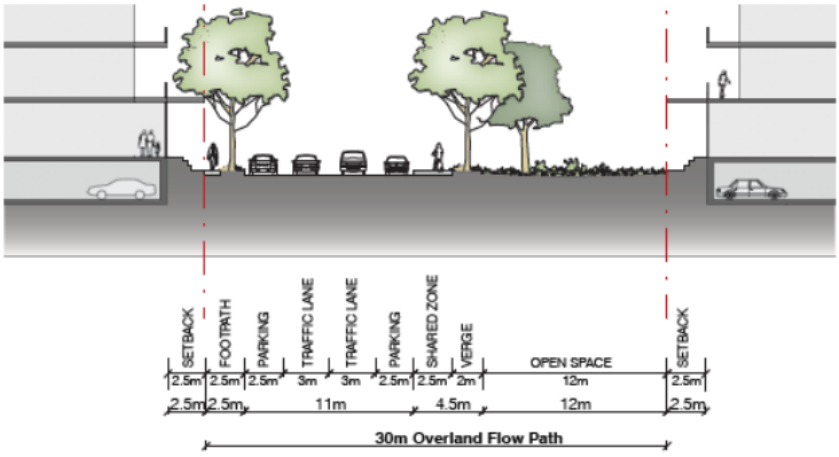
- Section BB

Figure 28



- Section CC

Figure 29



Section DD

Figure 30

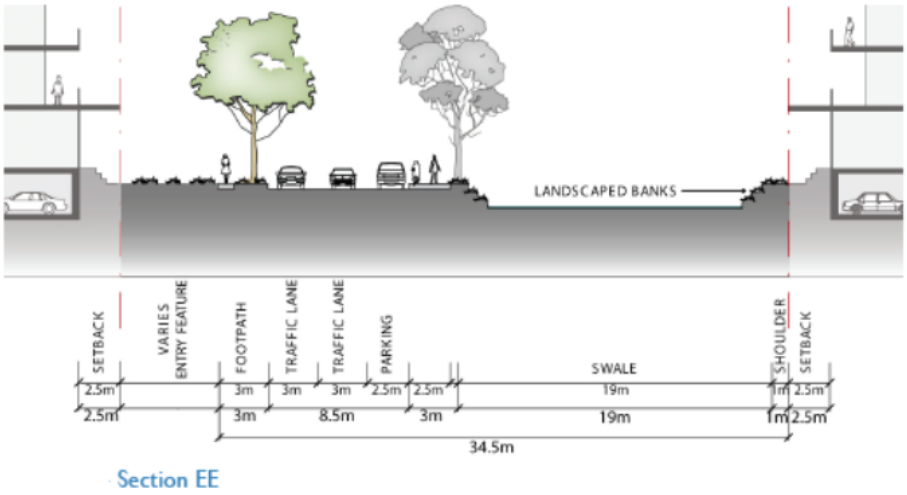


Figure 31


SHEFFIELD STREET
HOLROYD GARDENS PUBLIC RESERVE
DRESSLER CIRCUIT
PITT STREET
NEW ROAD 1
NEW ROAD 2
NEIL STREET
GLADSTONE STREET
RAILWAY TERRACE
TERMINAL PLACE
Legend
Neil Street Precinct Boundary
Existing Sydney Water Concrete Culvert
Existing Open Space
Neil Street Park
Terminal Place Park
Boulevard Park
Canal Greenway
Woodland Reserve
Green Street Setback
Proposed Street Trees
Proposed Street Trees Providing Variation in Character of Landscape
Roads
Shared Zone
Existing Railway Corridor
Merrylands Train Station
- Public Domain Plan

Figure 32

5.3 Public Open Space

5.3.1 Open Space Network

The Public Open Space Structure Plan creates a new open space network that will enhance the aesthetic and environmental quality of the Precinct (Refer Figure 32). The open space network contributes to the pedestrian and cycle connections, addresses water quality and overland flow and provides informal gathering and recreational space.

Objectives

O1. Provide additional open space within a network of well connected parks and green streets.

O2. Provide consolidated open spaces and open space corridors.

O3. Accommodate a range of active and passive recreational uses.

O4. Contribute to stormwater and ecological management.

O5. Maximise the accessibility of public open space, and contribute to the pedestrian and cycle network.

O6. Provide appropriate amenity, solar access and shelter across a range of uses.

Controls

Landscape Design

C1. Public open space is to contribute to the development of a continuous canopy of native vegetation to encourage native fauna habitat.

C2. Public open space is to provide for deep soil planting, and shall have no carparking or access underneath.

C3. Public open spaces should have clear pedestrian movement routes, seating and zones of activities that are clearly defined and encourage use.

C4. With the exception of Neil Street Park and pathways, the character of the public open space shall primarily be a soft-landscaped area.

C5. The design, including paving material and furniture, generally should be consistent with adjacent footpaths and/or Merrylands Centre design.

C6. Landscape design shall be compatible with the flood risk.

C7. Trees and understorey planting to comply with Crime Prevention Through Environmental Design (CPTED) principles.

Solar Access

C8. As a general rule, at least 50% of the public open space shall have access to sunlight between 9.00am and 4.00pm at the winter solstice.

Accessibility and Connectivity

C9. Public open space is to be accessible from a variety of points within the wider public domain of Merrylands Centre.

Diversity of Uses

C10. Buildings with zero setback to open spaces are to contain active uses for the full extent of the ground floor.

Safety and Security

C11. All public open space is to be designed to be in accordance with CPTED principles, in particular with regard to the following:

- Open sightlines and landscaping that allow high levels of public surveillance by users and residents;
- Clear distinction between private and public open areas;
- External lighting (in accordance with Australia Standards AS1158 - Road Lighting) which makes visible potential 'hiding spots'; and
- Entrances to areas of public open space that encourage pedestrian use and provide visual security through the establishment of clear sightlines.

Provisions

- Neil Street Park
- Terminal Place Park
- Boulevard Park
- Canal Greenway
- Woodland Reserve

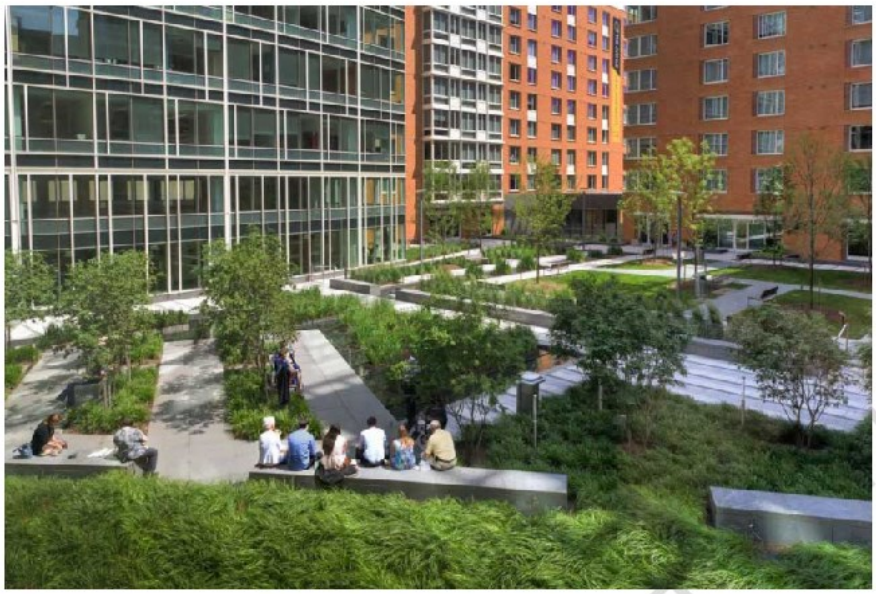


Figure 33: Pennsylvania Avenue Park, Washington DC - Public open space defined by built form

Figure 34: Artist impression Sheas Park - Green Square, Sydney. The overland flow path designed as a space for passive recreation and pedestrian link. (Source: www.landcom.com.au)

5.3.2 Design Criteria for Public Open Spaces

Neil Street Park

Neil Street Park lies at the southern end of New Road 2. Its principle purpose is to serve as the major recreation space for the Precinct. It will provide a civic focus for gathering/events and work-based lunchtime breaks. It will be robust in landscape expression and largely defined by built form (Refer Figure 33).

Objectives

O1. Act as the primary soft landscaped resource for the Precinct.

O2. Use the design of public domain elements and furniture, and the surface materials to create a distinctive character.

O3. Be adoptable as a performance space with informal seating areas (Refer Figure 37).

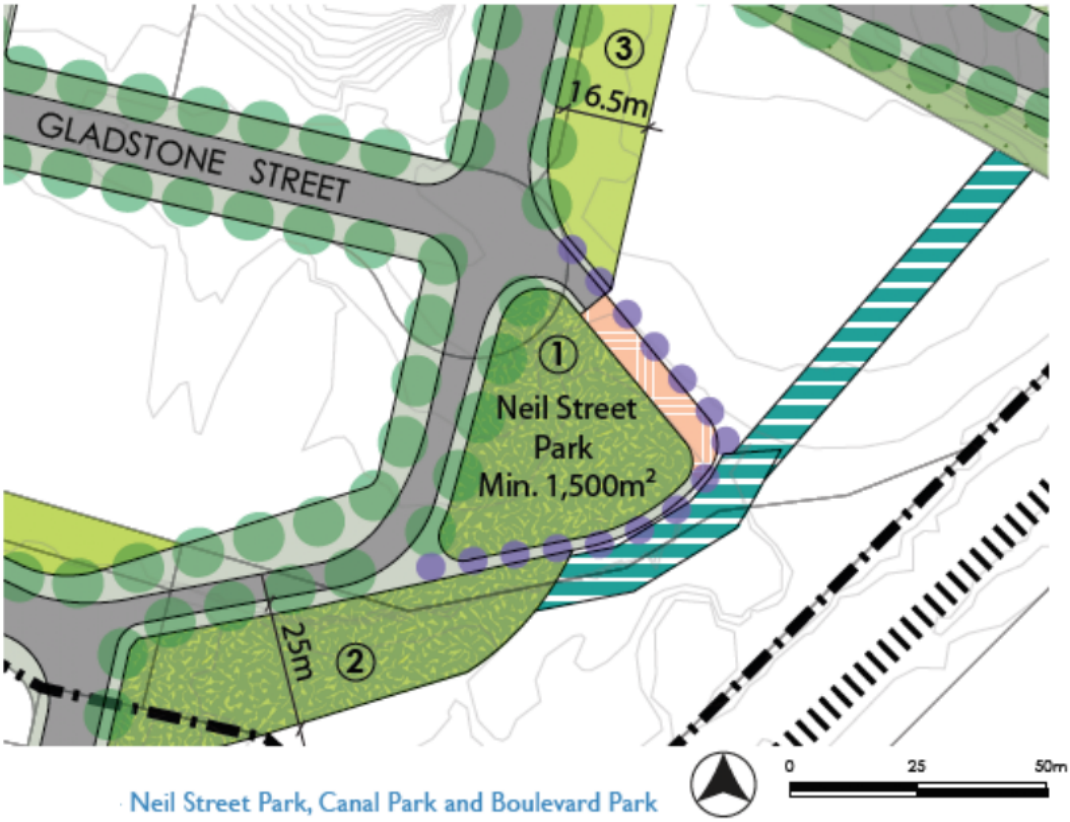
Desired Character

- Activation of ground floor commercial uses along New Road 2 and development to the north.
- Create a sense of place (Refer Figure 34).

Controls

C1. Provide a minimum 1,500sqm public open space - Neil Street Park as shown in Figure 35.

C2. Neil Street Park is to be in public ownership.



Neil Street Park, Canal Park and Boulevard Park

Figure 35

Terminal Place Park

Located at the southern end and along New Road 1, Terminal Place Park provides a transition space between the predominantly residential Precinct and the Merrylands Centre. The principle aim is to provide seating and shade for passive reaction in the vicinity of the train station (Refer Figure 36).

Objectives

O1. Provide additional resource to the local residents and commuters.

O2. Reinforce a sense of safety for the community by providing appropriate lighting and directional signage.

O3. Provide sufficient furniture such as bins, seats, lighting and bicycle parking in appropriate locations.

Desired Character

- Predominantly soft landscape with hardscape elements to accommodate seating and public art.
- Open lawn areas for passive recreation (Refer Figure 36).

Control

C1. Provide a minimum width of 25m as shown in Figure 35.

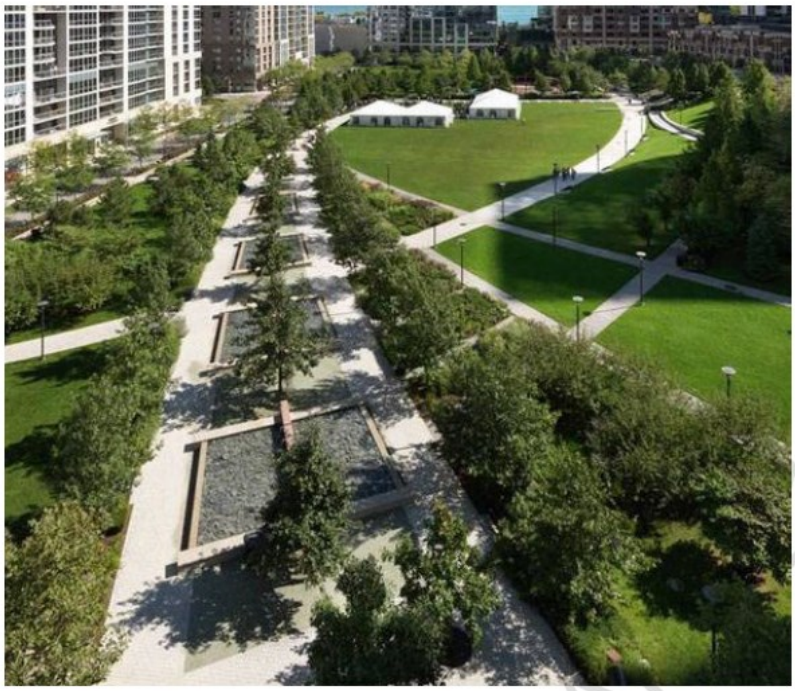


Figure 36: Lakeshore East - Chicago: Combination of overland flow path and passive recreational space. Terminal Place Park character. (Source: au.pinterest.com)

Figure 37: Bioswale amphitheatre, Manassas Park Elementary School, Virginia, USA. (Source:americainstituteofarchitects.com/top10projects)

Boulevard Park

Boulevard Park lies along the eastern edge of New Road 2 between Gladstone and Neil Streets.

Objective

O1. Provide a passive recreational space for surrounding development.

Desired Character

- Activation of ground floor retail/commercial edge to the east and western edge of New Road 2.
- Design should reflect the desire line to Holroyd Gardens (Refer Figure 38).

Control

C2. Provide a minimum width of 16.5m as shown in Figure 40.

Figure 38: Central Park Sheffiled, UK. Boulevard Park character. (Source: au.pinterest.com)

Figure 39: Melbourne Docklands - Overland flow path as a passive recreational space. (Source: www.aecom.com.au)

Canal Greenway

Canal Greenway lies along the southern edge of New Road 2 and wraps around the eastern edge of New Road 1.

Objective

O1. Continue the "green link" of the Precinct and prove a leafy setting to the predominantly residential use of the area north of Neil Street.

Desired Character

- Soft landscaping integrating where possible the Sydney Water Canal corridor.
- Ability to accommodate passive recreation.
- Planting of endemic and cultural species.

Control

C1. Provide minimum widths as shown in Figure 40.

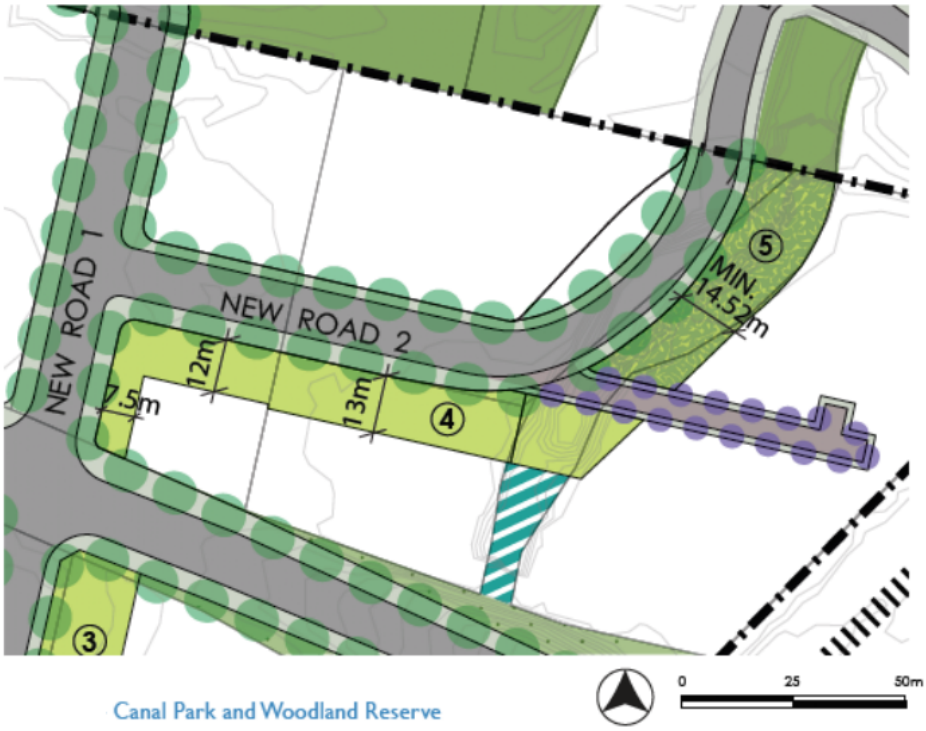


Figure 40

Woodland Reserve

Canal Park lies along the eastern edge of New Road 2. The principle aim is to provide a connection both visual and physical, being the location for major cycle and footpath links at the local level.

Objective

O1. Provide a green link to A'Becketts Creek and the riparian corridor to the north and the new Neil Street Precinct landscape network.

Desired Character

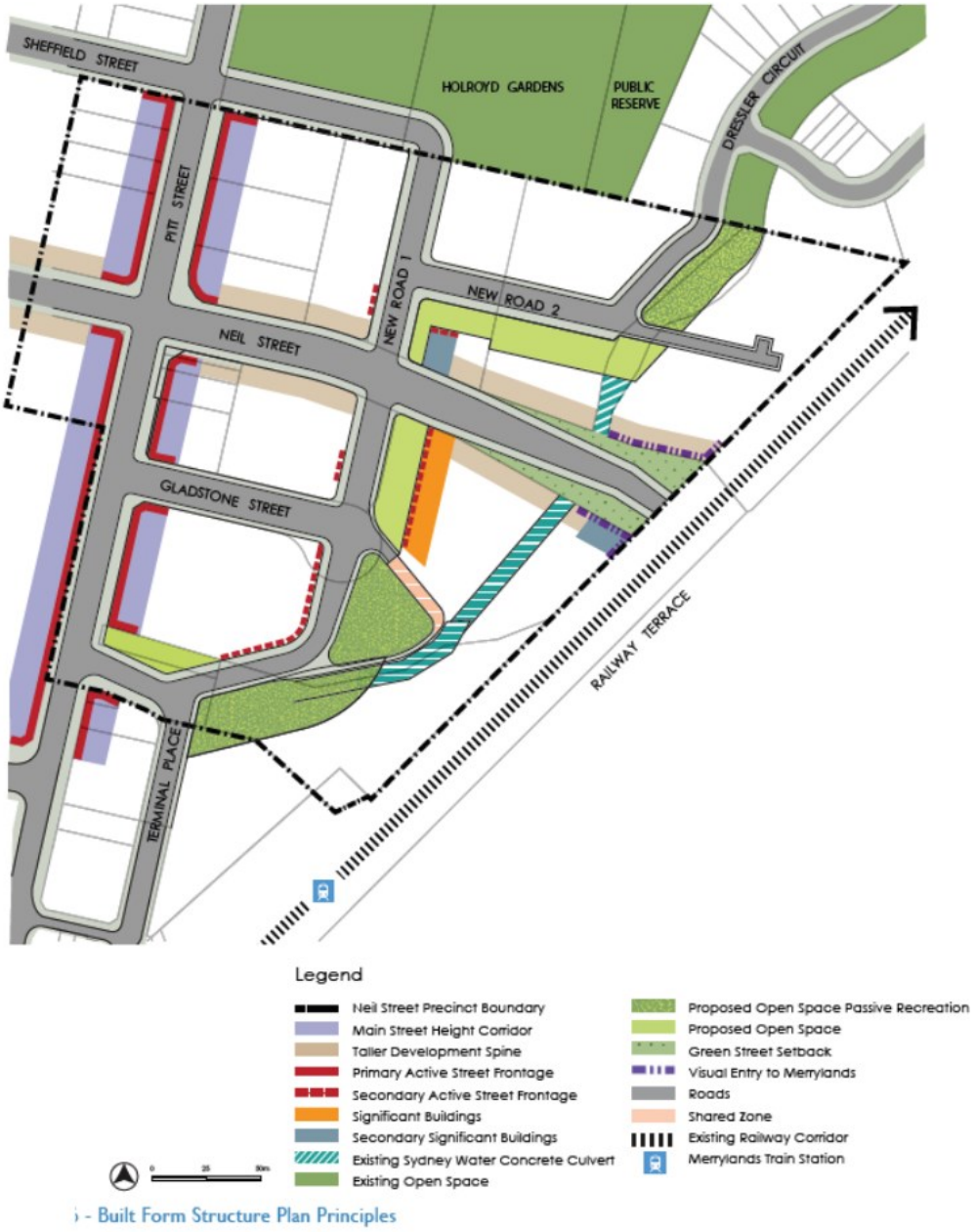
- Accommodate range of experiences and activities including informal walking tracks and seating (Refer Figure 42).
- Continue the natural woodland character of the existing A'Becketts Creek to the north with planting of indigenous native species.
- Low maintenance, robust plant species and finishes.

Control

C1. Provide minimum widths as shown in Figure 40.

Figure 41: North Carolina Museum of Art detention basin converted to wetland (Source: surface678.com/north-carolina-museumof-art-pond-4)

Figure 42: Woodland Park (Source: au.pinterest.com)



- Built Form Structure Plan Principles

Figure 43

5.4 Built Form

5.4.1 Built Form Network

Built Form Structure Plan Principles

One of the principle urban design strategies which guided the built form structure plan for the Merrylands Centre was to provide height transition from the lower scale residential buildings to the higher scale buildings on Merrylands Road and Mcfarlane Street.

The Built Form Structure Plan builds on the strategies established for the Merrylands Centre and focuses on the character and height distribution of built form within the Neil Street Precinct. This structure supports the density controls contained within LEP 2013.

The taller built elements have been strategically arranged along major streets and adjacent to the open space network, defining the edge of the overland flow path/green corridor.

Opportunities for taller buildings have been identified. These sites spatially locate important places within the Precinct such as key entry point and parks (Refer Figure 26). The taller buildings are intended to be distinct from their lower scale surrounding and provide visual reference and urban legibility. The visual impact of the proposed increase in heights has been analysed in relation to the broader context of the Merrylands Centre.

The principal tower is located adjacent the Neil Street Park and in proximity to the Neil Street Precinct entry off the Neil Street Bridge. The secondary towers are located on the east-west development spine at significant locations.

The important street corridor of Pitt Street is reinforced by consistent height and street setback. Within the street network opportunities for active frontages have been identified and controls provided for the specific relationship between buildings and the street in these locations.

Location of active street level uses are identified adjacent to the green link.

- Built Form Structure Plan

Figure 44

Built Form Structure Plan

The Built Form Structure Plan is a broad, long term plan to guide changes in built form and provide clear direction about preferred locations of buildings within developments and building separations. The building footprints indicated on Figure 44 represent the preferred building configuration. Buildings are to be designed in accordance with Section 5H – Site Specific Controls.

5.5 Site Amalgamation

Seven development sites (blocks) within the Precinct have been identified resulting from the evolving land ownership pattern and road alignment (Refer Figure 45). These blocks are anticipated to cater to the future increases in population and pedestrian movements, particularly those arriving via the rail network. In addition, these blocks incorporate significant public spaces and parks supporting the commercial and residential uses within and around the Precinct. Land uses have been coordinated with the desired built form outcomes to ensure that the Precinct functions as a highly attractive, safe and usable urban space.

Figure 45

Controls

C1. Amalgamation of lots in accordance with Figure 45 is desired for redevelopment.

C2. Land amalgamation is to increase the width of the street frontage and avoid irregular lot configuration.

C3. Sites are to be amalgamated to avoid isolating an adjoining site or sites.

C4. The lot shape, orientation and design of amalgamation and subdivision lots is to support the following:

- Protection and enhancement of the amenity, solar access, privacy, open space and views of the neighbouring lots
- Incorporation of the principles of water sensitive urban design

C5. The block width, dimension, orientation and layout are to consider the existing subdivision pattern of the locality.

C6. New lot/s created must be such that each lot with street frontage allows for the siting of a development which will address the street.

5.6 Site Specific Controls

This section provides character statements, objectives and development controls for specific areas/ blocks within the Precinct as identified under Section 5G. These blocks will contribute to the identity, function and character of the Precinct and as such more detailed built form controls have been provided to ensure high quality outcomes.

General Precinct Controls

C7. General controls applicable to the whole Precinct are as follows:

Building Envelopes	
Maximum Horizontal Length of Buildings (above any podium)	• 9 to 12 storeys = Max. 75m • 13-20 Storeys = Max. 55m The max. horizontal length of any building without substantial articulation shall not exceed 45m.
Building Breaks	
Buildings	Please refer to Section 8 for the location of preferred building separation requirements.
Solar Access	
Residential Part of Buildings	Min. 2 hours direct sunlight access to 70% of apartments between 9.00am to 4.00pm at the winter solstice (22 June).
Public Open Space	Neil Street Park • Min. 2 hours direct sunlight between 12noon to 3.00pm at the winter solstice (22 June) to min. 50% of the area Other Public Open Spaces • Min. 2 hours direct sunlight between 9am and 4.00pm at the winter solstice (22 June) to min. 50% of the area.
Street Activation	
Pitt Street and Terminal Place	• Fully activate at least 2 storeys with commercial/retail uses. B4 zone Min. non residential GFA equivalent to 40% of the ground floor building footprint area. B6 Zone Minimum non-residential GFA equivalent to 20% of the ground floor building footprint area except for the site at the southeast corner of Neil Street and new Road 1 where the minimum requirement for street activation is 50% of the ground floor building footprint area.
Western Side of New Road 1	• Area between Terminal Place and Neil Street to be intermittently activated as a secondary active

	frontage.
	Street Wall Height
Along Pitt Street	• 3 storey podium with a minimum height of 11m and maximum 14m.
	Parking
Parking	• Parking must be provided in the basement (underground). • Underground parking is not permitted to encroach into the setback areas or under public open space areas. • Please refer to Part H – Parking and Access
	Building Envelope Depth
Commercial / retail (Above Podium)	• Max 25m (unless specified in Section 5H).
Residential	• Max 22m (unless specified in Section 5H).
	Public Domain Interface
Vehicle Access	• Vehicle access should not ramp along boundary alignments facing a street or public open space.
	Awning
Along Pitt Street & Eastern Edge of Boulevard Park	• Awnings should be provided along Pitt Street. • Min. 3m deep. • Preferred minimum soffit height of 3.3m. • Slim vertical fascias/eaves not more than 300mm in height. • Wrap awnings around corners where a building is sited on a street corner.
	Site and Building Design
	• Unless specified under Section 7 or 8, for the design of apartments/mix use building design; please refer to the Apartment Design Guide (ADG); NSW Government Department of Planning & Environment for: • Building depth • Building separation • Deep soil zones • Visual privacy • Communal and public open space • Pedestrian access and entries • Vehicle access • Bicycle and car parking • Building Amenity (Ceiling height, Solar access, Natural ventilation, Private open space and balconies, Acoustic Privacy, Noise and pollution, Common circulation and spaces) • Building Configuration (apartment mix, layout and size, storage, roof design, landscape design, planting on structures, façades, awnings)

• Performance (Energy efficiency, Waste Management, private open space and balconies, Water management and conservation).
Stormwater Management
• Merrylands Neil Street Precinct is affected by the 1 in 100 year flood. Roads and open space network have been designed as overland flow path to manage the impact of flooding. To ensure appropriate flood management: • Width and location of the overland flow path to be in accordance with Section 5D and 5H. • Please refer to Part G Stormwater. • Consult with Council's engineers prior to submitting a DA.

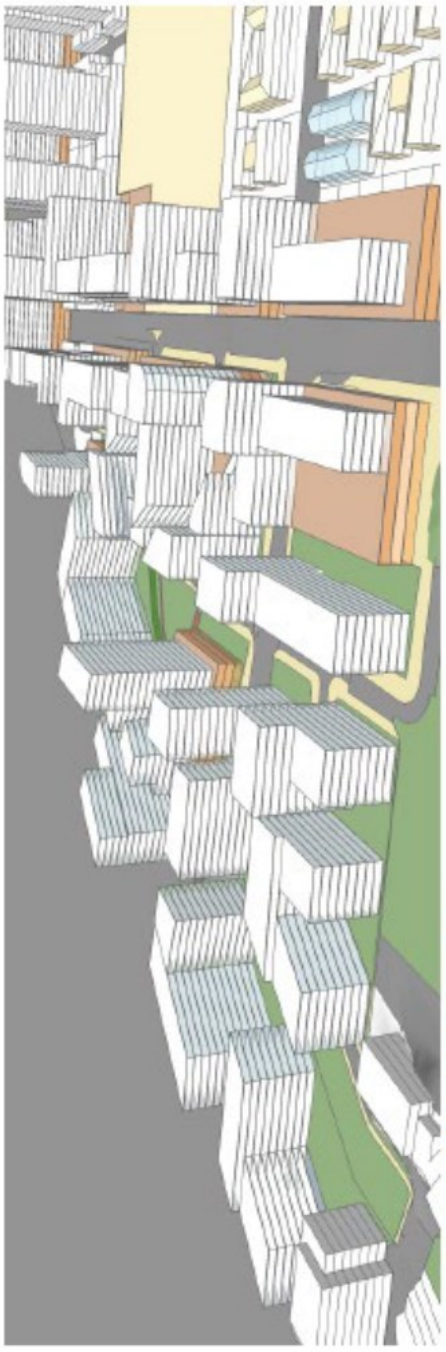


Figure 46

Figure 47

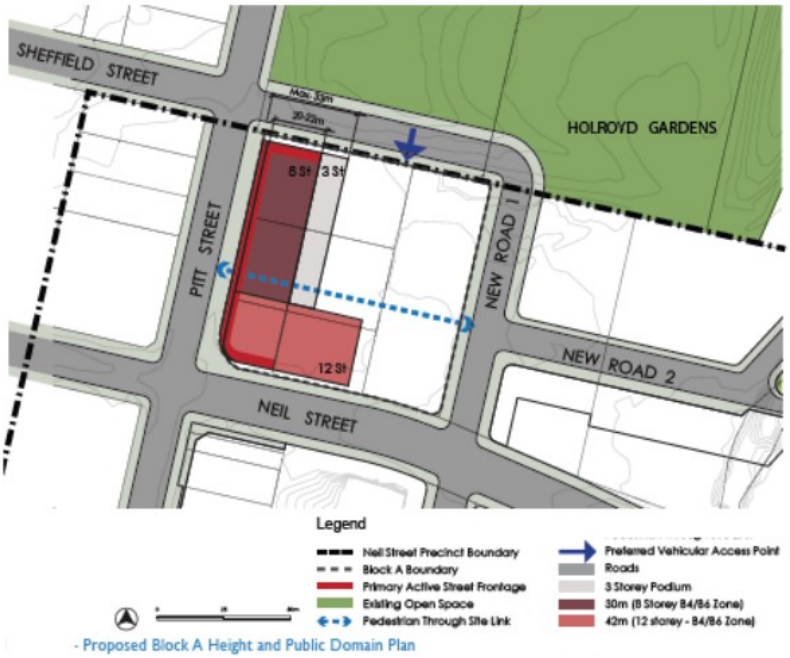


Figure 48

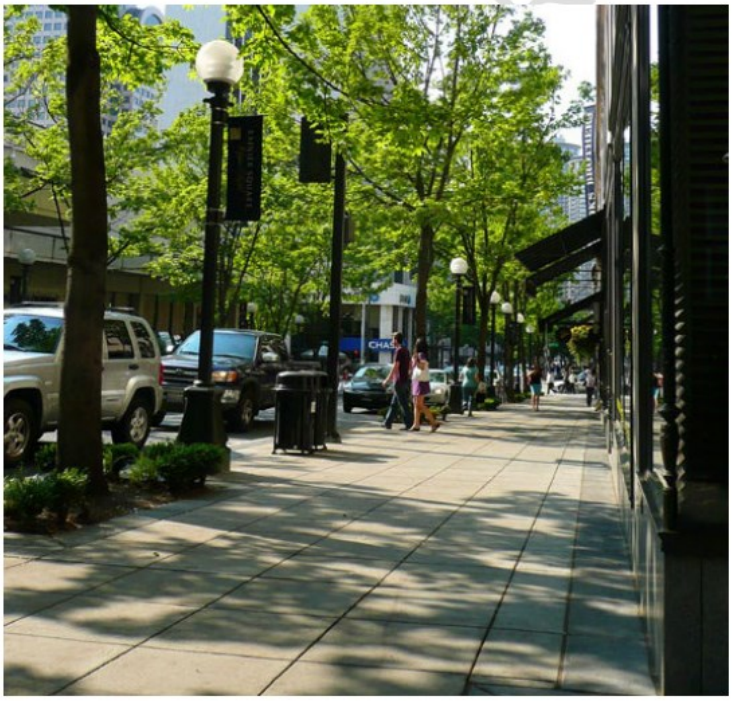


Figure 49: Green Street Setbacks - Pitt Street - Green Link to Holroyd Gardens. (Source: au.pinterest.com)

5.6.1 Site Specific Controls

Block A

Block A is bounded by the Holroyd Gardens to the north, Block F to the east, Neil Street to the south and Pitt Street to the west.

The detailed, site specific controls within this section will define the scale and character of development at the Pitt and Neil Streets intersection, providing development that creates a positive image.

Objectives

O1. Ensure the development contributes to the provision of public infrastructure.

O2. Provide a range of uses supporting the predominantly commercial use within the Merrylands Centre, and generating activity at ground level.

O3. Ensure that the intersection of Pitt and Neil Streets creates a quality identity for the corner.

O4. Ensure scale and form of development contributes to the public domain and legibility of Pitt Street.

Site and Building Design

Public Domain

The key public domain features of this Block are:

- New Road 1 to the north
- Pitt Street to the west

New street improvements are to be provided to both the streets.

Controls

C1. Primary active frontages are to be provided where shown in Figure 48.

C2. Primary active frontage are to have a civic character.

C3. Awnings to be provided along Pitt Street.

Building Heights

Refined building heights are provided to determine the extent and location of height distribution within the Precinct.

Control

C1. Development should comply with the Block A Height Plan which indicates the maximum number of permissible storeys (Refer Figures 48 and 51).

Figure 50

Setbacks

To provide some flexibility in the configuration of buildings on site, building zones have been identified within which buildings can occur on the site. The building zone is determined by the street, side and rear setbacks.

The building zone cannot be totally taken up by buildings. The extent of the building zone that can be occupied by buildings is calculated by applying all the built form controls the Precinct. The building configuration indicated in the diagrams is the preferred building configuration.

Control

C1. Provide setbacks as shown in Figure 50.

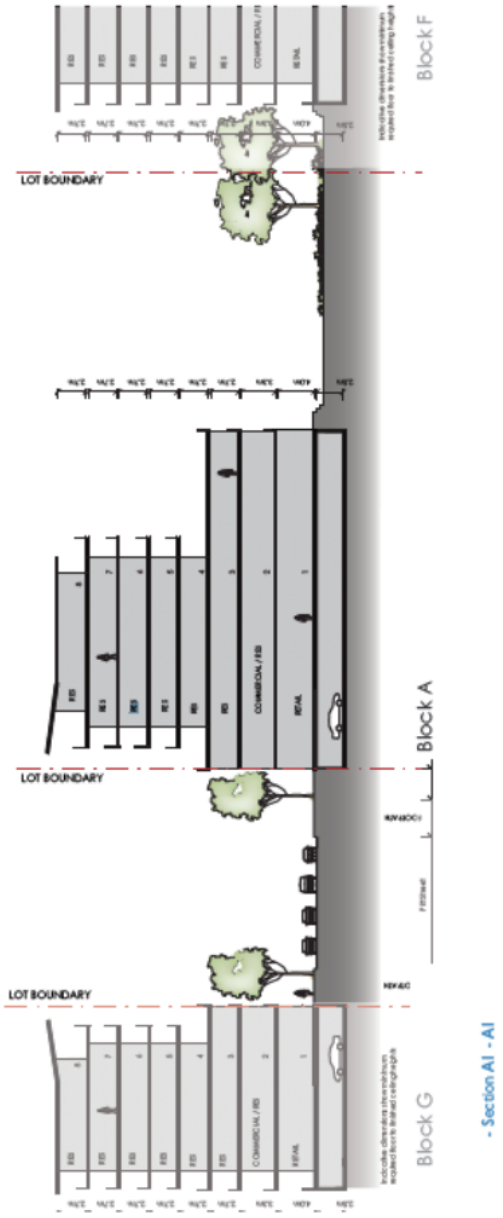


Figure 51

Public Domain Interface

Specific street frontage treatments are required to achieve consistency within and around the Precinct, and to reinforce the desired streetscape character. The streetscape character is determined by the design and consistency of the building edge, and the continuity of the built form interface relative to driveways and vehicular crossing.

Controls

C1. Driveways and vehicular crossings are not permitted along Pitt Street

C2. Driveways and vehicular crossings are to be provided from New Road 1. Indicative locations are shown in Figure 48.

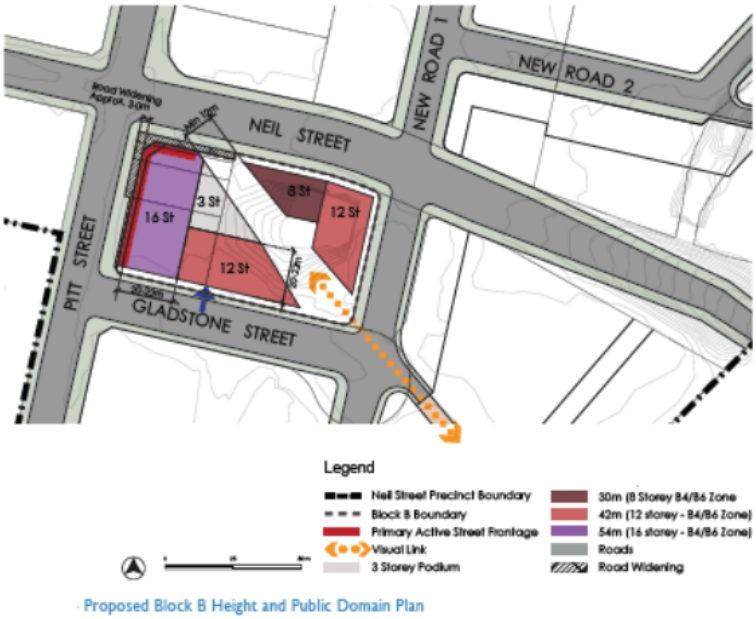
Table 10

Building Height	
Along Pitt Street	• Max 12 storeys (Refer Figure 31)
Along Neil Street	• Max 12 storeys (Refer Figure 31)
Building Use	
B4 Zone - Along Pitt Street	Ground and first floor • Commercial / retail Second floor and above • Commercial or residential
B4 Zone - All other buildings	Ground floor • Commercial / retail First Floor and above • Residential / commercial
Building Envelope Depth	
Commercial / retail (Above Podium)	• Max 25m
Residential	• Max 22m

Table 11

Setback	
Street setback	Pitt Street • 0m
	Neil Street • Min 2.5m
	Sheffield Street Extension

	• Min 6m and 12m
Rear setback	For lots fronting Pitt Street • Min 6m and 12m
Street Wall Height	
Along Pitt Street	• 3 storey podium with minimum height of 11m and maximum 14m.
Awning	
Along Pitt Street	• Min. 3m deep



Proposed Block B Height and Public Domain Plan

Figure 52

Block B

Block B is bounded by Neil Street to the north, New Road 1 to the east, Gladstone Street to the south and Pitt Street to the west.

Objectives

O1. Provide a range of uses supporting the predominantly commercial use within the Merrylands Centre, and generating activity at ground level

O2. Ensure scale and form of development contributes to the public domain and legibility of Pitt Street

Site and Building Design

Public Domain

The key public domain features of this Block are:

- Neil Street to the north
- New Road 1 to the east
- Gladstone Street to the south
- Pitt Street to the west

Controls

C1. Primary active frontages are to be provided where shown in Figure 52.

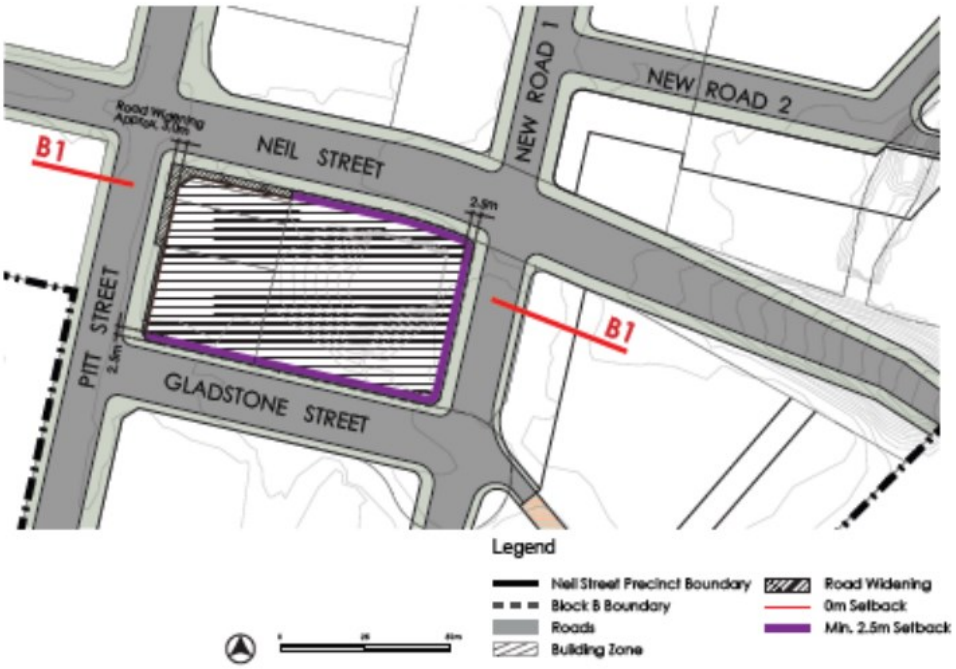
C2. Primary active frontages are vibrant and inviting.

Building Heights

Refined building heights are provided to determine the extent and location of height distribution within the Precinct.

Control

C1. Development should comply with Block B Height Plan which indicates the maximum number of permissible storeys (Refer Figure 52 and 53).



Proposed Block B Setback Plan

Figure 53

Setbacks

To provide some flexibility in the configuration of buildings, building zones have been identified within which buildings can occur on the site. The building zone is determined by the street, side and rear setbacks.

The building zone cannot be totally taken up by buildings. The extent of the building zone that can be occupied by buildings is calculated by applying all the built form controls for the Precinct.

The building configuration indicated in the diagrams is the preferred building configuration.

Control

C1. Provide setbacks as shown in Figure 53.

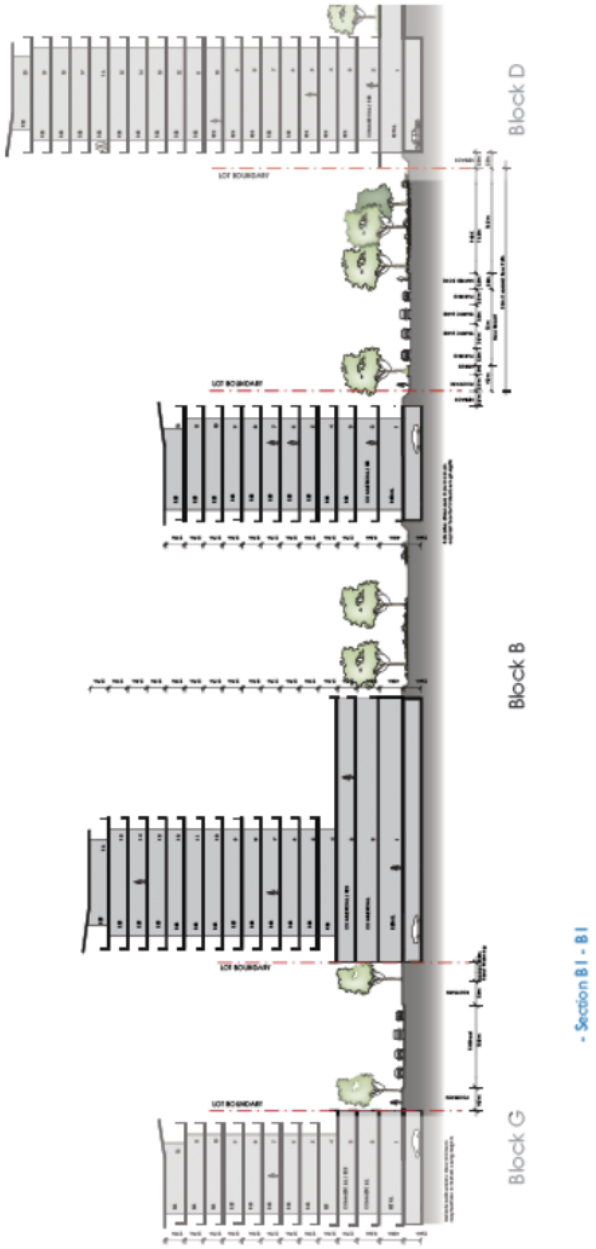


Figure 54

Public Domain Interface

Specific street frontage treatments are required to achieve consistency within and around the Precinct, and to reinforce the desired streetscape character. The streetscape character is determined by the design and consistency of the building edge, and the continuity of the built form interface relative to driveways and vehicular crossings.

Controls

C1. Driveways and vehicular crossings are not permitted along Pitt Street

C2. Driveways and vehicular crossings are to be provided from New Road 1. Indicative locations are shown in Figure 52.

Table 12

Building Height	
Along Pitt Street	• Max 16 storeys (Refer Figure 35)
Along New Road 1 and Gladstone Street	• Max 12 storeys (Refer Figure 35)
Along Neil Street	• Max 8 storeys
Building Use	
B4 Zone - Along Pitt Street	Ground and first floor • Commercial / retail Second floor and above • Commercial or residential
B6 Zone - Along New Road 1	Ground floor • Commercial / retail First Floor and above • Residential / commercial
B6 & B4 Zone - Along Neil Street	All floors residential

Table 13

Building Envelope Depth	
Commercial/retail (Above Podium)	• Max 25m
Residential	• Max 22m
Setback	
Street setback	Pitt Street • 0m
	Neil Street, New Road 1 and Gladstone Street • Min 2.5m

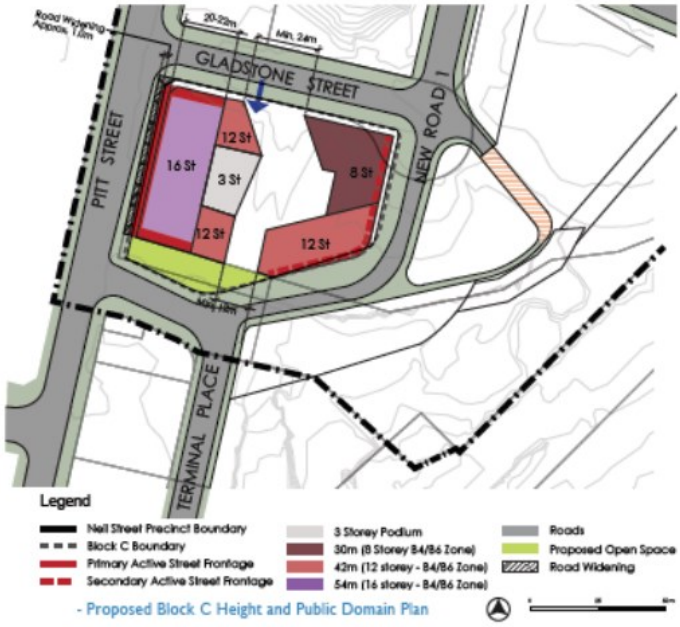


Figure 55

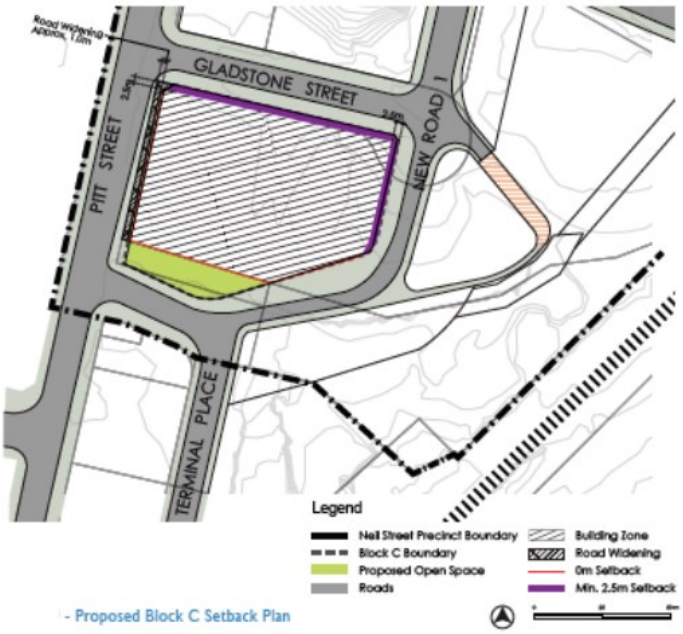


Figure 56

Block C

Block C is bounded by Gladstone Street to the north, New Road 1 to the east, Terminal Place to the south and Pitt Street to the west. Block C has similar characteristics as Block B.

Site and Building Design

Public Domain

The key public domain features of this Block are:

- Gladstone Street to the north
- New Road 1 to the east
- Terminal Place to the south
- Pitt Street to the west

Controls

C1. Primary active frontages are to be provided where shown in Figure 55.

C2. Primary active frontages are to be vibrant and inviting.

Building Heights

Refined building heights are provided to determine the extent and location of height distribution within the Precinct.

Control

C1. Development should comply with Block B Height Plan which indicates the maximum number of permissible storeys (Refer Figure 55).

Setbacks

To provide some flexibility in the configuration of buildings, building zones have been identified within which buildings can occur on the site. The building zone is determined by the street, side and rear setbacks.

The building zone cannot be totally taken up by buildings. The extent of the building zone that can be occupied by buildings is calculated by applying all the built form controls for the Precinct. The building configuration indicated in the diagrams is the preferred building configuration.

Controls

C1. Provide setbacks as shown in Figure 56.

C2. Underground parking is not permitted to encroach into the setback areas.

Figure 57: Rouse Hill, Sydney. Zero street setback with active street frontage

Figure 58: Artist Impression of Pinnacle Towers, South Perth - Podium and Tower Form (Source: www.pinnaclesouthperth.com)

Figure 59: The horizontal and vertical architectural elements provide interest and break the monotony of the elevation and scale of the building (Source: au.pinterest.com)

Public Domain Interface

Specific street frontage treatments are required to achieve consistency within and around the Precinct, and to reinforce the desired streetscape character. The streetscape character is determined by the design and consistency of the building edge, and the continuity of the built form interface relative to driveways and vehicular crossings.

Controls

C1. Driveways and vehicular crossings are not permitted along Pitt Street

C2. Driveways and vehicular crossings are to be provided from New Road 1. Indicative locations are shown in Figure 55.

Table 14

Building Height	
Along Pitt Street	• Max. 16 storeys (Refer Figure 38)
Terminal Place	• Max. 12 storeys (Refer Figure 38)
Gladstone Street	• Max. 8 storeys
Building Use	
B4 Zone - Corner of	Ground floor and above

Gladstone Street and New Road 1	• Residential
B4 Zone - Along Pitt Street and Terminal Place	Ground floor and first floor • Commercial / retail Second floor and above • Commercial / retail / Residential
B6 Zone - New Road 1	Ground floor • Commercial / retail All floors above ground floor • Commercial / residential
Building Envelope Depth	
Commercial / retail and residential on all floors above podium	• Max. 22m

Table 15

Setback	
Street setback	Pitt Street • 0m
	Gladstone Street • Min. 2.5m
	Terminal Place • Min. 0m
	New Road 1 • Min. 2.5m
Street Wall Height	
Along Pitt Street	• 3 storey podium with minimum height of 11m and maximum 14m.
Awning	
Along Pitt Street	• Min. 3m deep

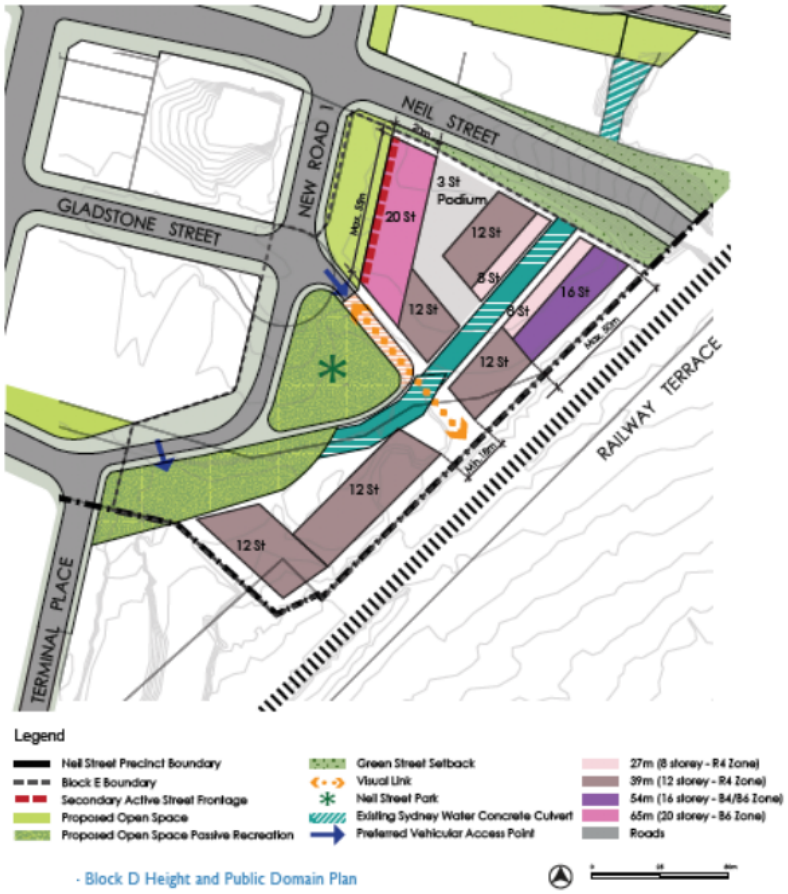


Figure 60

Block D

Block D is bounded by Neil Street to the north, the railway corridor (which runs northeast to southwest) to the east and south, Merrylands Train Station to the southwest and New Road 1 to the west with the overland flow path located to the east of New Road 1.

Although the accessibility of Block D is enhanced by the proposed Road 1, it is also constrained by the existing Sydney water culvert which runs through the site. The flood flow path which is envisioned to form part of the public open network provides an opportunity for Block D to enhance the public domain of the area by incorporating a centrally located space - Neil Street Park for recreational purposes.

Given the landscape setting, this Block is expected to accommodate secondary active uses (e.g. gymnasium, child care centre, corner shop, café) that support and enhance the

liveability of the Precinct. The ground level activity within Block D will be focused along New Road 1.

The detailed, site specific controls within this section will define the scale and character of development at the Pitt and Neil Streets intersection, providing development that create a positive image.

Objectives

O1. Ensure the development contributes to the provision of public infrastructure.

O2. Ensure that the intersection of New Road 1 and Neil Streets is reinforced with greater height and create a distinct identity for the corner.

O3. Reinforce the open space through built form.

O4. Ensure scale and form of development contributes to the public domain and legibility of New Road 1 and Neil Street.

Site and Building Design

Public Domain

The key public domain features of this Block are:

- New Road 1 to the west
- Overland flow path and Neil Street Park to the west
- Neil Street to the north

Controls

C1. Secondary active frontage is to be provided where shown in Figure 60 (gymnasium, child care centre, corner shop, café).

C2. Secondary active frontage is to have a civic character, providing colonnades for the building at the intersection of Neil Street and New Road 1.

Refer to Section 5E for the future desired character of Neil Street Park.

Figure 61

Building Heights

Refined building heights are provided to determine the extent and location of height distribution within the Precinct.

Control

C1. Development should comply with Block D Height Plan which indicates the maximum number of permissible storeys (Refer Figure 60 and 62).

Setbacks

To provide some flexibility in the configuration of buildings on site, building zones have been identified within which buildings can occur on the site. The building zone is determined by the street, side and rear setbacks. The building zone cannot be totally taken up by buildings. The extent of the building zone that can be occupied by buildings is calculated by applying all the built form controls for the Precinct. The building configuration indicated in the diagrams is the preferred building configuration.

Control

C1. Provide setbacks as shown in Figure 61.

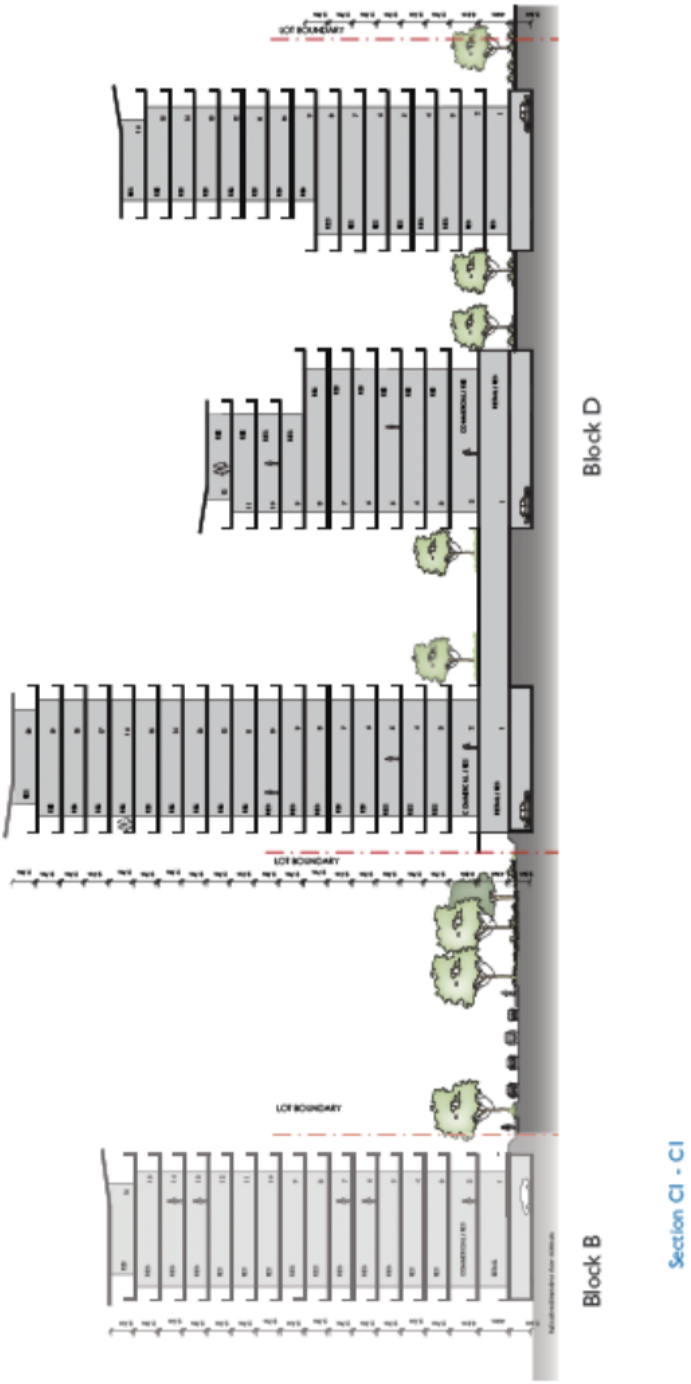

LOT BOUNDARY
Block D
LOT BOUNDARY
LOT BOUNDARY
Block B
Section CI - CI

Figure 62

Figure 63: Public domain character: footpath with awning (Source: au.pinterest.com)

Figure 64: Public open space supporting the needs of the active street frontage (Source: au.pinterest.com)

Figure 65: Building separation providing visual relief and minimise the impact of built form Source: au.pinterest.com)

Figure 66: Primary active street frontage (Source: au.pinterest.com)

Figure 67: Shared Zone - Pedestrian link around Neil Street Park (Source: au.pinterest.com)

Public Domain Interface

Specific street frontage treatments are required to achieve consistency within and around the Precinct, and to reinforce the desired streetscape character. The streetscape character is determined by the design and consistency of the building edge, and the continuity of the built form interface relative to driveways and vehicular crossing.

Controls

C2. Driveways and vehicular crossings are not permitted along Neil Street

C3. Driveways and vehicular crossings are to be provided from New Road 1. Indicative locations are shown in Figure 60.

Table 16

Building Height	
Corner of Neil Street and New Road 1	• Max. 20 storeys (Refer Figure 43)
Corner of Neil Street and Railway Line	• Max. 16 storeys (Refer Figure 43)
All other buildings	• Max. 12 storeys (Refer Figure 43)
Building Use	
B6 Zone - Ground and first floor of 20 storey building	• Commercial / retail /residential
All other buildings + All floors above first floor of B6 Zone	• Residential
Building Envelope Depth	
All buildings except for the 20 storey tower	• Max. 22m
20 Storey Tower	• Max. 20m

Table 17

Setback	
Street setback	From Neil Street • Min. 2.5m
Open Space setbacks	All other lots • Comply with Figure 44

Rear setbacks	From the Railway Corridor • Min. 6m (Min. 3m in the southern corner) From Merrylands Transit Interchange • Min. 6m
Awning	
Along Boulevard Park	• Min. 3m deep

Figure 68: Interesting facades providing a visual entry to the Precinct (Source: au.pinterest.com)

Figure 69: London Renaissance. Taller Building providing visual reference (Source: au.pinterest.com).

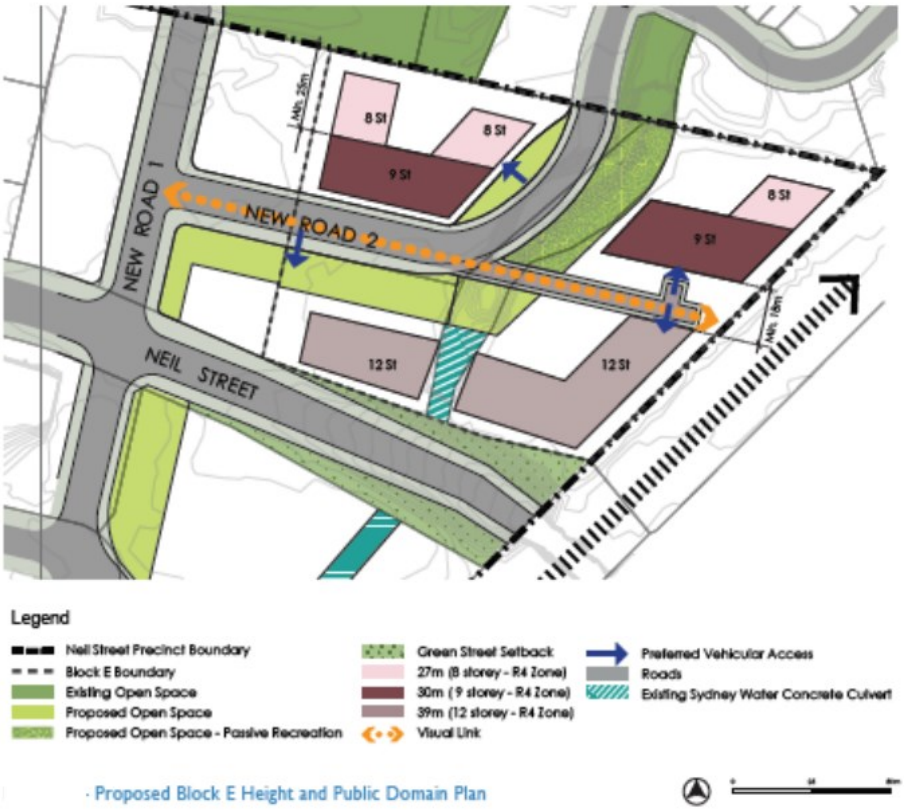


Figure 70:

Block E

Block E is bounded by the old brickworks site and the Holroyd Gardens to the north, the railway corridor (which runs northeast to southwest) to the east and southwest, Neil Street to the south and Block F (13-15 Neil Street) to the west.

Objectives

O5. Ensure the development contributes to the provision of public infrastructure

O6. Ensure scale and form of development contributes to the public domain and is sympathetic to the residential development to the north.

Site and Building Design

Public Domain

The key public domain features of this Block are:

- New Road 2
- Neil Street to the south
- Overland flow path

Control

C4. Proposed built form should reinforce and address the overland flow path.

Building Heights

Control

C5. Development should comply with Block A Height Plan which indicates the maximum number of permissible storeys (Refer Figure 70).

Setbacks

Control

C6. Provide setbacks as shown in Figure 71.

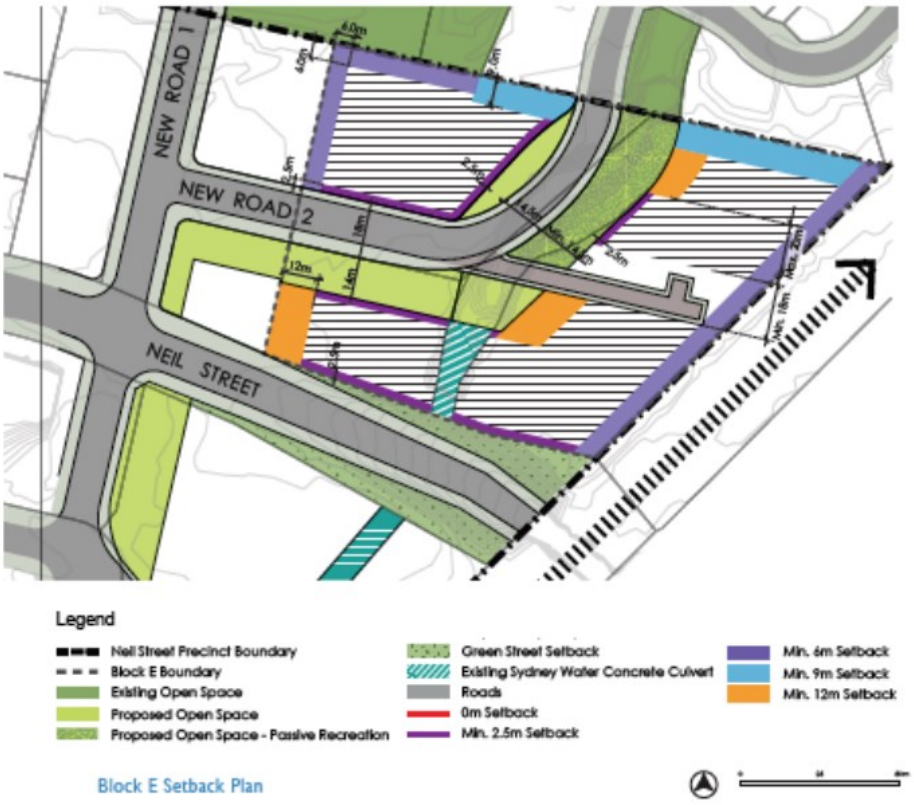


Figure 71

Public Domain Interface

Controls

C7. Driveways and vehicular crossings are not permitted along Neil Street

C8. Driveways and vehicular crossings are to be provided from New Road 2. Indicative locations are shown in Figure 70.

C9. Provide a landscape setback along Neil Street and New Road 2 in accordance with Figures 70 and 71.

Table 18

Building Height	
Building along the northern Boundary	• Max. 8 storeys (Refer Figure 70)
Parts of buildings north of New Road 2	• Max. 9 storeys (Refer Figure 70)
Along Neil Street and the railway corridor	• Max. 12 storeys (Refer Figure 70)
Building Use	
R4 Zone - All floors	• Residential
Building Envelope Depth	
All buildings	• Max. 22m
Setback	
Street setback	North and West of New Road 2 • Min. 2.5m From Neil Street • Min. 2.5m
Other setbacks	From the boundary parallel to the railway line • Min. 6m From western boundary • Min. 12m (south of New Road 2 - comply with minimum separation controls) • Min. 6m (north of New Road 2) From Holroyd Gardens to the north • Min. 6m On other lots

	• Min. 9m From the southern boundary of overland flow path • Min. 2.5m Eastern boundary of overland flow path • Min. 12m and 2.5m

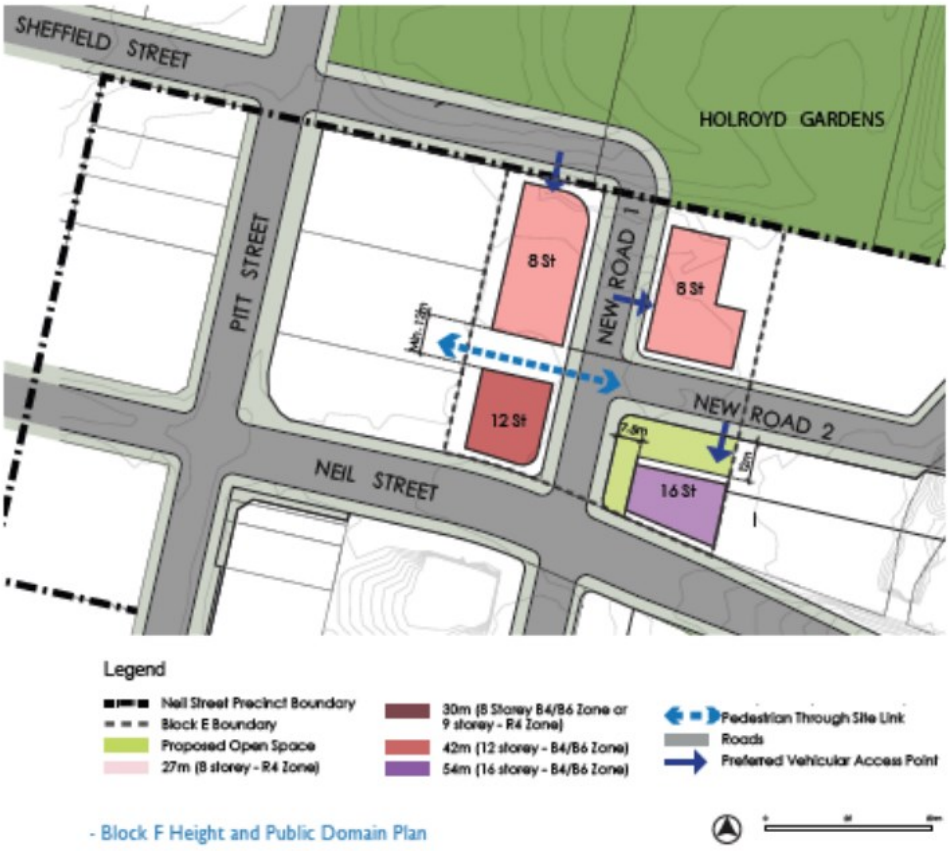


Figure 72

Block F

Block F is bounded by the Holroyd Gardens to the north, Block E to the east, Neil Street to the south and Block A to the west. The New Road 1 and New Road 2 form a 'T' intersection within Block E.

The accessibility of Block F although is enhanced by the proposed New Road 1 and New Road 2, it also divides the site into 3 lots impacting on its development potential and functionality. A potential mid-block connection, an extension of New Road 2, will enhance pedestrian permeability within the Precinct and with the surrounding development.

Objectives

O7. Ensure the development contributes to the provision of public infrastructure.

O8. Ensure that the intersection of Neil Street and New Road 1 create a quality identity for the corner.

Site and Building Design

Public Domain

The key public domain features of this Block are:

- New Road 1
- New Road 2
- Neil Street to the south
- Overland flow path

Building Heights

Control

C10. Development should comply with Block F Height Plan (Refer Figure 72).

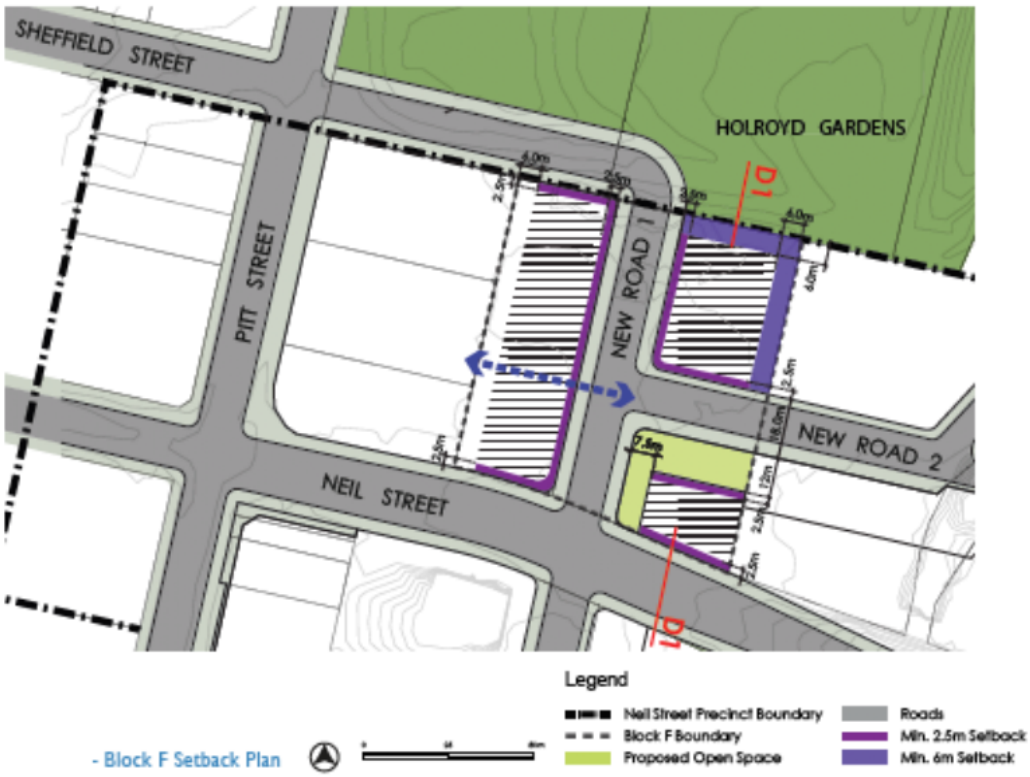


Figure 73

Setbacks

Control

C11. Provide setbacks as shown in Figure 73.

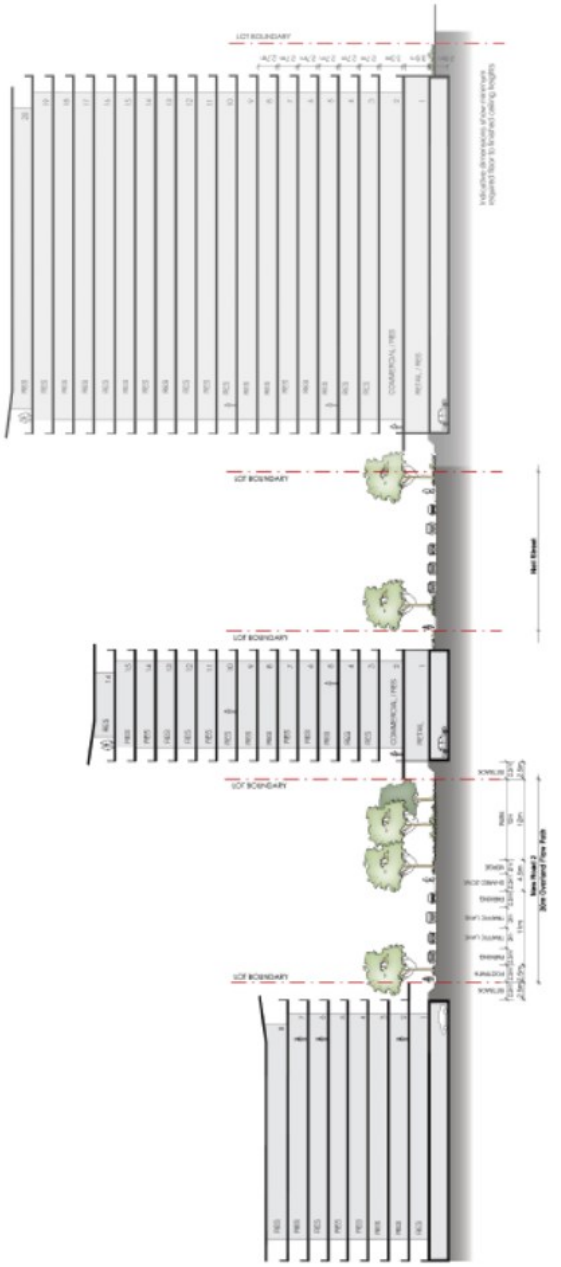


Figure 74: Section D1-D1

Public Domain Interface

Controls

C12. Driveways and vehicular crossings are not permitted along Neil Street.

C13. Driveways and vehicular crossings are to be provided from New Road 1 and New Road 2. Indicative locations are shown in Figure 72.

Table 19

Building Height	
North of New Road 2	• Max. 8 storeys (Refer Figure 55)
Northwest corner of Neil Street and New Road 1	• Max. 12 storeys (Refer Figure 55)
Northeast corner of Neil Street and New Road 1	• Max. 16 storeys (Refer Figure 55)
Building Use	
B6 Zone - Ground Floor of 12 and16 Storey Building	• Commercial/retail/residential
All floors above First Floor	• Residential
All other buildings	• Residential
Building Envelope Depth	
All buildings	• Max. 22m
Setback	
Street setback	New Road 1 (North of New Road 2) • Min. 2.5m From New Road 2 (North) • Min. 2.5m From the southern boundary of public open space • Min. 2.5m From Neil Street • Min. 2.5m From Sheffield Street Extension • Min. 2.5m
Other setback	From Holroyd Gardens to the north • Min. 6m From the eastern boundary • Min. 6m

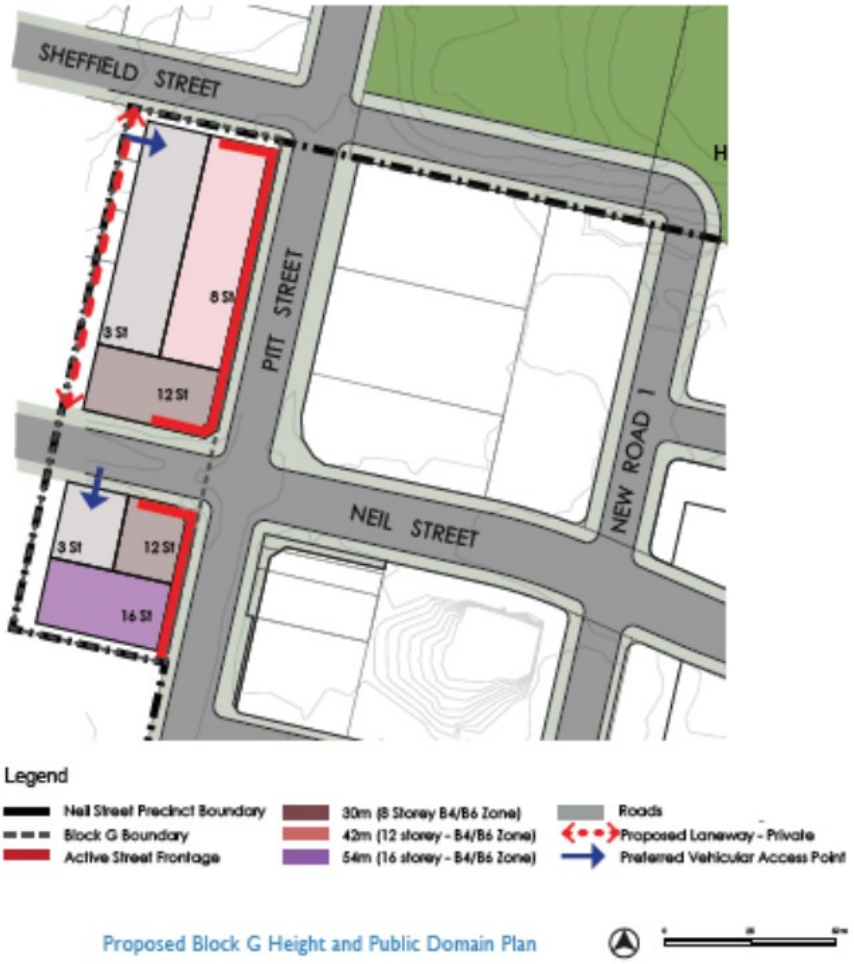

SHEFFIELD STREET
PITT STREET
NEW ROAD 1
NEIL STREET
8 St
3 St
12 St
3 St
12 St
16 St
Legend
Neil Street Precinct Boundary
Block G Boundary
Active Street Frontage
30m (8 Storey B4/B6 Zone)
42m (12 storey - B4/B6 Zone)
54m (16 storey - B4/B6 Zone)
Roads
Proposed Laneway - Private
Preferred Vehicular Access Point
Proposed Block G Height and Public Domain Plan

Figure 75:

Block G

Block G is bounded by Sheffield Street to the north, Pitt Street to the east, the Stockland Mall to the south and residential development to the west.

Objectives

O9. Provide a range of uses supporting the predominantly commercial use within the Merrylands Centre, and generating activity at ground level.

O10. Ensure that the intersection of Neil Street and Pitt Street create a quality identity for the corner.

Site and Building Design

Public Domain

The key public domain features of this Block are:

- Pitt Street
- Neil Street

Controls

C14. Primary active frontages are to be provided where shown in Figure 75.

C15. Primary active frontage are to have a civic character, providing an awning along the edge of Pitt Street.

Building Heights

Control

C16. Development should comply with Block G Height Plan (Refer Figure 75).

Setbacks

Control

C17. Provide setbacks as shown in Figure 76.

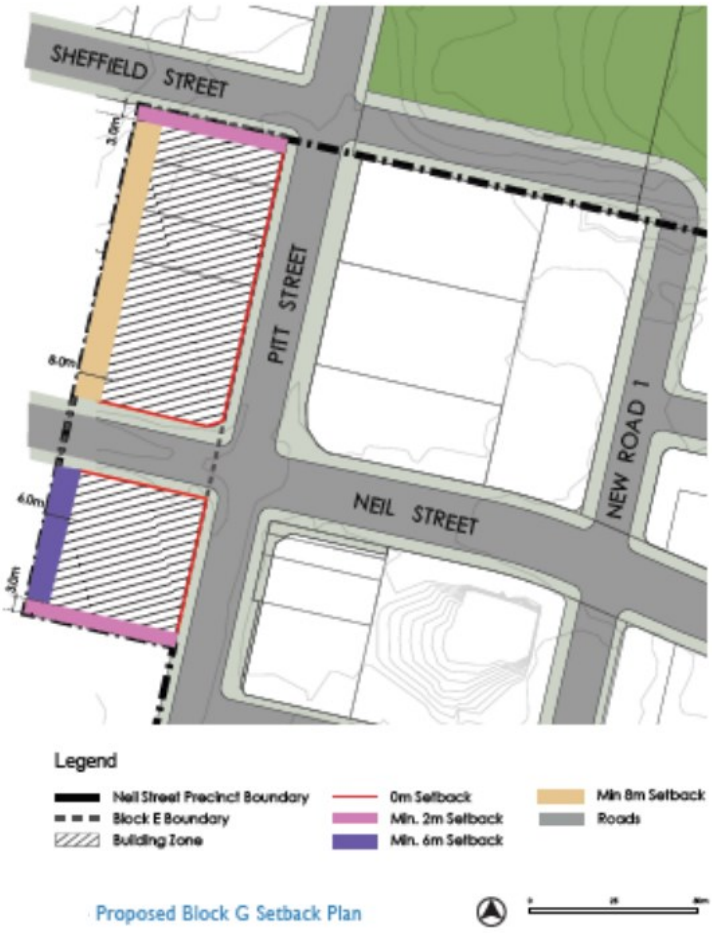


Figure 76

Public Domain Interface

Control

C18. Driveways and vehicular crossings are not permitted along Pitt Street

C19. Driveways and vehicular crossings are to be provided from Sheffield Street and Neil Street. Indicative locations are shown in Figure 75.

Table 20

Building Height	
B4 Zone - Northwest and southwest corner of Neil Street and Pitt Street	• Max. 12 storeys (Refer Figure 75)
B4 Zone - Buildings along Pitt Street	• Max. 16 storeys (Refer Figure 75)
B4 Zone - Other buildings north of Neil Street	• Max. 8 storeys (Refer Figure 75)
Building Use	
All buildings	Ground and first Floor • Commercial / retail First floor and above • Residential / commercial
Building Envelope Depth	
All buildings	• Max. 22m
Setback	
Street setback	From Pitt Street • 0m From Neil Street • 0m From Sheffield Street • Min. 3.0m
Rear setback - North of Neil Street	From the western boundary • Min. 8.0m
Rear setback - South of Neil Street	From the western boundary • Min. 6.0m
Side setback - South of Neil Street	From the southern boundary • Min. 3.0m
Street Wall Height	
Along Pitt Street	• 3 storey podium with minimum height of 11m and maximum 14m.
Awning	
Along Pitt Street	• Min. 3m deep

5.7 Movement

5.7.1 Rear laneways and private accessways

Good vehicular circulation in the centre is important for pedestrians and residents. Vehicular crossings over footpaths not only can restrict vehicle and pedestrian movement, it can be dangerous within a town centre environment. Enabling access to developments through a secondary street or accessway will improve movement in the centre whilst making it a safer place.

The addition of laneways can also add to the vibrancy of the centre, providing opportunities for retail uses at grade.

Objectives

O11. Make vehicular access to buildings more compatible with pedestrian movements and the public domain.

O12. Require buildings fronting primary roads to gain vehicular access from the rear of the property.

O13. Enable the maintenance of continuous retail frontages.

Controls

C20. Rear laneways and private accessways are to be provided in accordance with Figure 19.

C21. Where buildings front Merrylands Road, McFarlane Road or Pitt Street, vehicular access must be provided from the rear via laneways or private accessways, as indicated in Figure 19. No vehicle entrances are permitted from primary roads, as indicated in Figure 19.

C22. Where other buildings have access to existing laneways, vehicular access must be provided from the laneway.

5.7.2 Pedestrian access

Pedestrian accessibility is critical to establishing a vibrant and safe centre. Designing for pedestrians within the centre focuses on delivering high quality, safe and pleasant walking environments, which is person centred, rather than vehicular centred. Pedestrian access should be equitable, barrier free where all people who live, work and visit can enjoy the public domain and access communal use areas and apartments.

Objectives

O14. Ensure access to workspaces, retail areas, apartments and to the public domain is direct and efficient for the entire community, regardless of age, physical condition or mobility restriction.

O15. Require development to be well connected to the street and contributes to the accessibility of the public domain.

O16. Provide an environment which is permeable for pedestrians.

O17. Create a safe environment for all pedestrians.

Controls

Note:.

C23. Pedestrian site through links shall be provided in accordance with Figure 19 and Figure 20.

C24. Required pedestrian access identified at 246 Pitt Street, between Terminal Place and Pitt Street, is for an overland flow path and shall be a minimum of 15m wide and 4m high. This may be designed as an arcade.

5.7.3 Vehicle access

The location, type and design of vehicular access points for a development can have impacts on the streetscape, building design and function of the centre. It is important that vehicular access is located to ensure the maintenance of a safe pedestrian environment, viability and vitality of the centre.

Objectives

O18. Minimise the impact of vehicle access on streetscape amenity, pedestrian safety and circulation within the centre.

O19. Enable active frontages.

O20. Differentiate between primary and secondary roads and their uses.

O21. Integrate vehicular access and service areas into building design and streetscape character.

Controls

C25. Driveways shall be provided from laneways (existing or proposed), private accessways and secondary streets (as indicated in Figure 19).

C26. Vehicular access in the Neil Street precinct shall comply with Figure 19.

5.7.4 Parking

On- site parking includes both underground (basement), surface (on grade) and above ground, and can include parking stations.

It is important that carparking does not visually dominate the streetscape or impact on stormwater management. Carparking that is well designed and located should make efficient use of the site, reduce its visual impact and enables the maintenance of active frontages.

Objectives

O22. Minimise car dependency for commuting and recreational transport use and to promote alternative means of transport such as public transport, bicycling and walking.

O23. Maintain a positive streetscape character by designing and treating carparking to reduce its visual impact.

O24. Ensure parking does not impact on the character and function of active frontages.

Controls

C27. On-site parking is to be accommodated underground wherever possible.

C28. On street parking within Neil Street shall be provided as indicated Section 5.

5.8 Design and Building Amenity

5.8.1 Laneway and Arcade Design

Site links in the form of laneways and arcades provide permeability within the centre for pedestrians and vehicular traffic which enhances movement, safety and streetscape vibrancy and functionality. It is important that the design of these links consider the safety and security of pedestrians and how they may contribute to the vibrancy of the centre.

Objectives

O25. Ensure the design of laneways and arcades provides for pedestrian safety and amenity.

O26. Assist in creating a vibrant centre through active frontages.

O27. Promote permeability in the redevelopment of large sites.

Controls

Laneway

C29. Laneways identified in Figure 26 shall have active ground floor frontages.

Arcades

C30. Arcades shall be provided in accordance with Figure 20.

5.8.2 Managing External Noise and Vibration

Buildings in close proximity to the railways need to consider the impact of external noise and vibration on development proposals.

Objectives

O28. Ensure consent is not grant to development on land affected by external noise, if, in the opinion of Council, will be affected by noise and vibration, unless the development will incorporate attenuation measure to the satisfaction of Council.

Controls

C31. Development proposals within 60m of the south western railway line and/or adjacent to Neil Street or Pitt Street must provide a report, to be submitted with the development application, demonstrating that the development will comply with the following criteria.

C32. The following Australian Standards are to be complied with:

- AS 1055-1997 Acoustics - Description and Measurement of Environmental Noise.
- AS 1259-1990 Acoustics – Sound Level Meters Part 2 Integrating – Averaging.
- AS 1633-1985 Acoustics - Glossary of Terms and Related Symbols.
- AS 2107-2000 Acoustics - Recommended Design Sound Levels and Reverberation Times for Building Interiors.

C33. The report shall be prepared by an acoustic consultant having the technical eligibility criteria required for membership of the Association of Australian Acoustical Consultants (AAAC) and/ or grade membership of the Australian Acoustical Society (MAAS).

C34. Prior to the issues of an Occupation Certificate, a noise compliance report shall be submitted to the Principal Certifying Authority (PCA) confirming that the building/s comply with the noise criteria following. The report shall be prepared by an acoustic consultant, other than the consultant responsible for the preliminary/design report, having the technical eligibility criteria required for membership of the Association of Australian Acoustical Consultants (AAAC) and/ or grad membership of the Australian Acoustical Society (MAAS).

C35. Acoustic reports prepared under this Plan must be prepared in accordance with the specified methodology provided in the Appendix.

C36. Floor vibration levels in habitable rooms should comply with the criteria in British Standard BS6472: 1992 Evaluation of Human Exposure to Vibration in Buildings (1 Hz to 80 Hz). This is the vibration standard recommended by the Department of Infrastructure Planning and Natural Resources (DIPNR) and the Department of Environment and Conservation (DEC). It is similar to AS2670.2 – 1990 but includes additional guidance in relation to intermittent vibration such as that emitted by trains.

5.8.3 Awnings

The provision of awnings within a centre increases the usability of amenity of the footpath, encouraging active environments through greater pedestrian movement and activity. Awnings like building entries, provide a public presence and interface with the public domain contributing to the identity of an environment.

Objectives

O29. Ensure the amenity of pedestrians through weather protection.

O30. Maintain a consistent streetscape and provide visual interest through a continuous awning theme.

O31. Locate awnings to provide for the safety and security of pedestrians.

O32. Enable the provision of street tree planting and furniture location.

Controls

C37. Continuous awnings are required to be provided to all active street frontages (except laneways).

C38. Awnings on Merrylands road shall be 2.5m deep.

C39. Awnings are permitted on laneways where active frontages are required and shall be retractable and only used in hours of operation.

5.8.4 Adaptable Housing

Objectives

O33. Ensure the design of apartments meet the broadest range of occupants needs possible.

O34. Promote buildings that can accommodate whole or partial changes of use.

O35. Provide a diversity of apartments types, which cater for different household requirements now and in the future.

O36. Maintain equitable access to new housing by cultural and socio-economic groups.

Controls

C40. Provide a total of 20% of dwellings as adaptable housing by ensuring that:

- a minimum of 10% of all apartments within a development comply with AS4299-1995 Adaptable House Class A.
- a minimum of 10% of all apartments within a development comply with AS4299-1995 Adaptable House Class C.

5.8.5 Corner buildings

Corner site buildings play an important role within a town centre in providing legibility, reinforcing the road layout and can assist in creating a visually interesting streetscape.

Objectives

O37. Promote a strong and legible streetscape character by ensuring corner sites are visually significant elements.

O38. Require buildings at visually significant locations are well designed and respond to the different characteristics of the streets the address.

O39. Reinforce and clarify spatial relationships and street hierarchy in the centre and accentuate the topography.

Controls

C41. Generally, Corner building shall be designed to:

- Articulate street corners by massing and building articulation,
- to add variety and interest to the street,
- Present each frontage of a corner building as a main street frontage,
- reflect the architecture, hierarchy and characteristics of the streets they address, and
- align and reflect the corner conditions.

C42. Corners identified in Figure 23 shall be emphasised through architectural design and materials.

5.9 Environmental

5.9.1 Flood and Stormwater Management

Much of the Merrylands centre is affected by the 1 in 100 year flood. The location, requirements and layouts of roads, infrastructure, open space and buildings within the Neil Street Precinct have been specifically designed in response to the site constraints in order to manage the impact of flooding.

Some roads within the centre are the overland flow paths and development along those streets will need to be designed to be flood compatible.

Merrylands centre was built along one of the major watercourses that drains towards A'Beckett Creek and much of the centre is subject to flooding. It is important that the design of development incorporates measures to manage the impact of development to natural waterways

Objectives

O40. Ensure appropriate flood management and protection of overland flow paths.

O41. Require buildings within the flood affected areas are designed to ensure minimal damage in the event of a flood.

O42. Balance the need for active frontages and flood mitigation from flood proofing and design.

O43. Ensure that redevelopment of the site can occur.

O44. Minimise stormwater run off.

O45. Control the quality and quantity of stormwater, and to reduce impacts on adjoining properties.

O46. Minimise the impacts of development and associated infrastructure on the health and amenity of natural waterways.

O47. Preserve existing topographic and natural features, including watercourses, creeks and wetlands.

Controls

Commercial and Retail

C43. On street frontages to Merrylands Road, McFarlane Street and Pitt Street where it is not practical or desirable to achieve floor levels 500mm above the 100-year ARI floor levels, alternative flood management measures (such as flood proofing) must be undertaken.

Neil Street Precinct

C44. Management of the redevelopment of the Neil Street Precinct must be undertaken in a whole-of-site approach. Site amalgamation and resubdivision under this DCP is required to manage redirection of the floodway.

C45. Building footprints are to be placed to allow best movement of flood waters (eg. 30m separation between buildings on the southern end of New Road (1) north)

C46. Provide a 40m floodway through Neil Street Precinct, comprising roads, parks, swales and a natural creek system.

Stormwater

C47. The peak/volume impact of stormwater on infrastructure is to be reduced by detaining/retarding it on site. Design solutions may include:

- minimising impervious areas by using pervious or open pavement materials
- retaining runoff from roofs and balconies in water features as part of landscape design or for reuse or activities such as toilet flushing, car washing and garden watering
- landscape design incorporating appropriate vegetation
- minimising formal drainage systems (pipes) with vegetated flowpaths (grass swales),
- infiltration or biofiltration trenches and subsoil collection systems in saline areas
- water pollution control ponds or constructed wetlands on larger developments
- Developments shall optimise the amount of deep soil zones within the site, in accordance with Figure 4.

C48. Stormwater quality shall be maintained through the use of the following

- Litter or gross pollutant traps to capture leaves, sediment and litter should be used,
- sediment filters, traps or basins for hard surfaces,
- treatment of stormwater collected in sediment traps on soils containing dispersive clays.

C49. Where sites are next to the rail corridor, adequately dispose of or manage drainage from the development such that it is not distributed into the rail corridor unless prior approval has been obtained from the State Rail Authority.

C50. Existing and post development flood contours are shown in Figures 77 and 78.

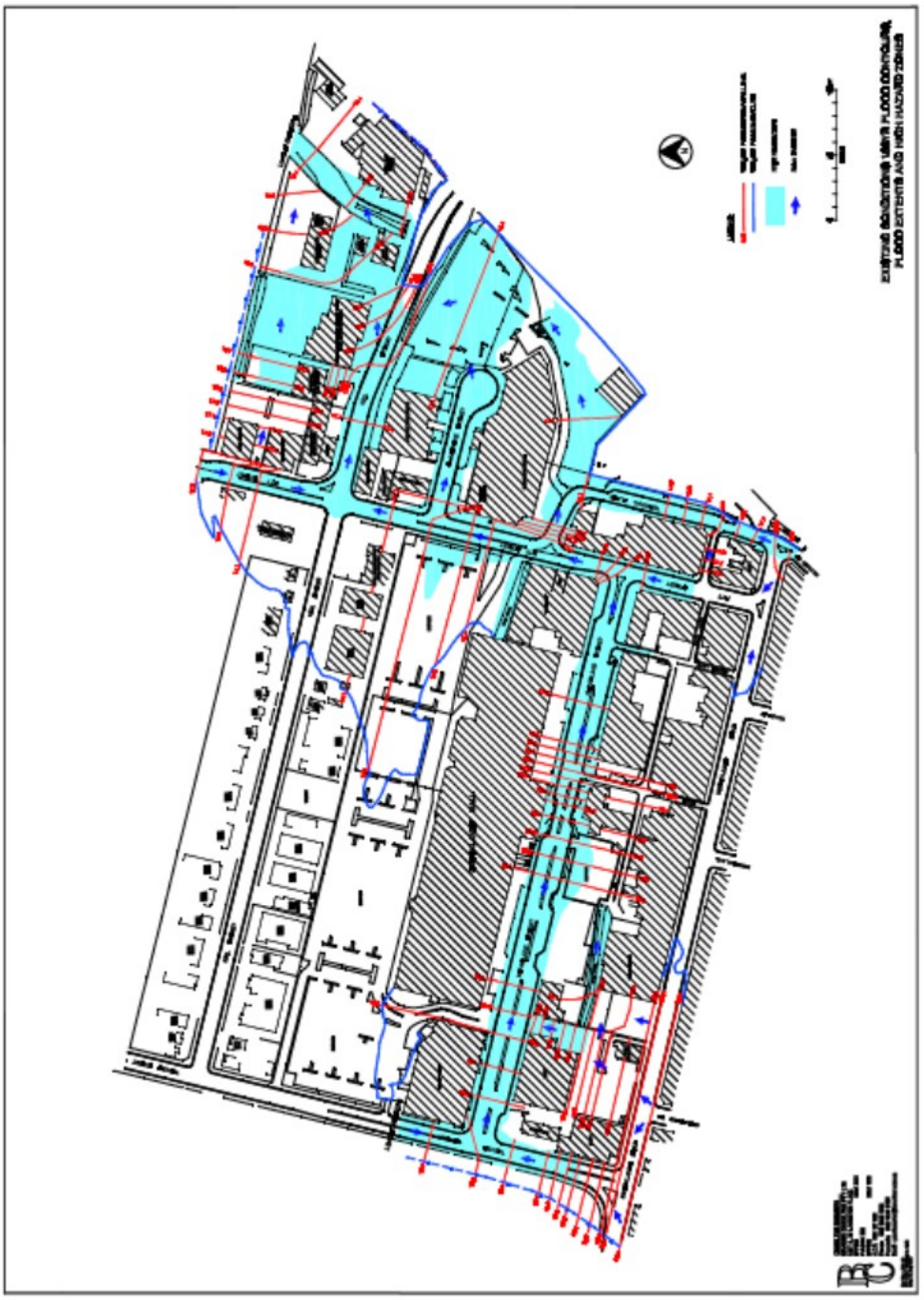


Figure 77

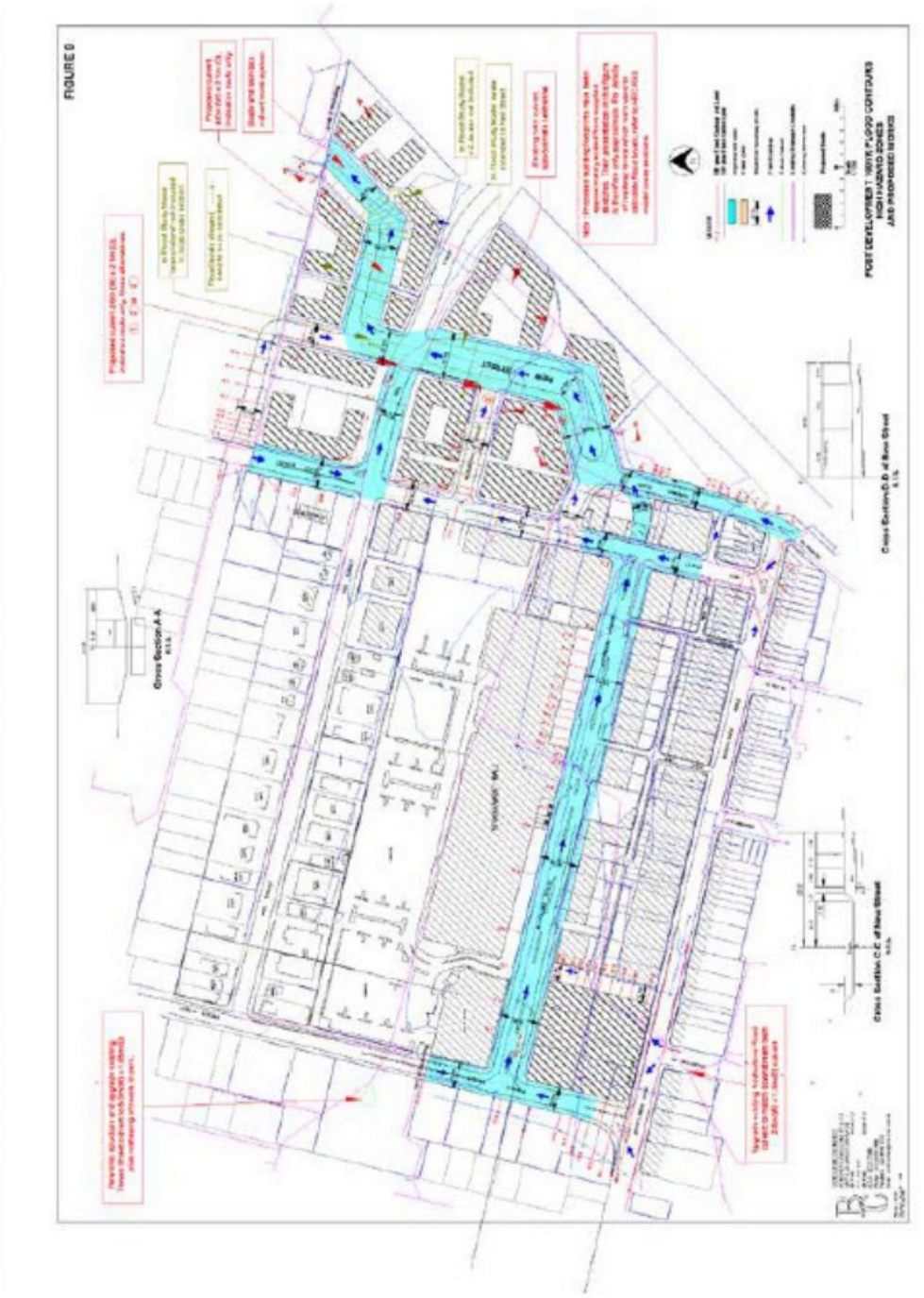


Figure 78

5.10 General

5.10.1 Public art

Objectives

O48. Provide art works which are integrated into broader development and planning of Merrylands Centre.

O49. Avoid stand alone public art projects that fail to address the locality and its culture.

Controls

C51. Public Art is encouraged to be provided within the centre, in accordance with Council's Public Art Policy 2012-2015.

C52. Public Art provided shall develop the cultural identity of the community and reflect the culture of the community.

C53. Artworks shall be integrated into the design of buildings and the landscape.

C54. Within the Neil Street Precinct, the following thematic areas are to be considered in the public art/design:

- Industrial heritage of the locality including the grain mills, brick works and railway,
- A'Becketts Creek and the natural environment.

5.10.2 Interim development

Through the process of implementing this plan it is expected that development applications associated with existing uses will continue to be received. Acceptable design outcomes of the application for minor development, must comply with the vision and objectives of the DCP.

Objectives

O50. Enable ongoing development works in the centre that are associated with existing uses, without compromising the implementation of the longer term vision and objectives as outline in this DCP.

O51. Permit a reasonable amount of interim development while maintaining the viability of implementing this plan as an attractive future option.

O52. Ensure any development works provides a positive design outcomes that contributes to the urban character of the centre.

Controls

C55. All minor development associated with existing buildings including but not limited to alteration and additions, change of use, outdoor dining, subdivision and signage must not restrict or prohibit an adjoining landowner from developing their site in accordance with this DCP.

C56. Development is to ensure activation of the streetscape and high urban design outcomes.

C57. Alterations and additions must not exceed 60m2 of additional floor space on to or associated with an existing building. Only 1 application for this addition, per lot, is permissible, as from the date of adoption of this DCP.

Merrylands Station and McFarlane Street Precinct

6. Introduction

The Merrylands Station and McFarlane Street Precinct is one of Cumberland Council's largest commercial retail precincts.

To assist in developing strategies that will guide the future development of the Precinct over the next 20 years, Council has prepared a strategic vision to cater for the increasing needs of the local community and that of the wider regional catchment of Western Sydney.

The strategic vision for Merrylands is a Centre that is vibrant and creates a series of active and liveable spaces that are efficiently designed with integrated transport linkages providing an appropriate mix of land uses, leisure facilities and infrastructure.

Following the introduction of Holroyd LEP 2013, Council resolved to review the building height controls in the Merrylands Centre as a means of providing greater flexibility in achieving the current floor space potential and improve building design.

SJB Architects were appointed to undertake this review and subsequently produced the Building Heights Review Study (BHRS) in February 2016.

Land to which this Part applies

This Part applies to development on land bounded by McFarlane Street, Merrylands Road, Treves Street and the Railway corridor – hereby referred to as the 'Precinct' and described in Figure 79.

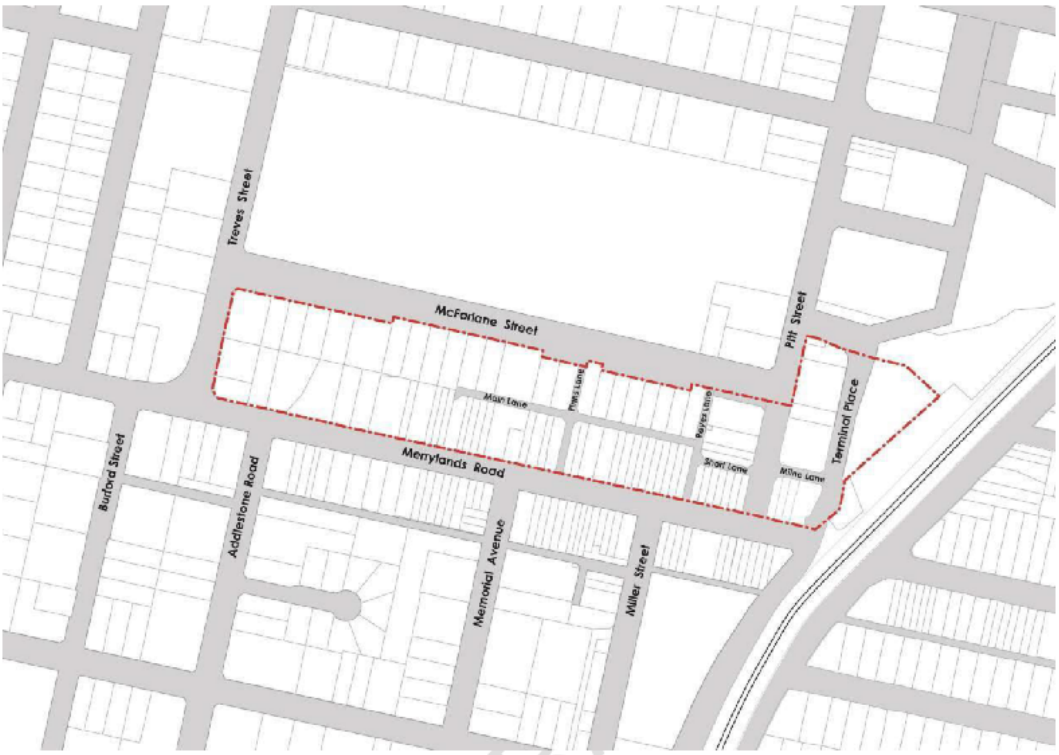


Figure 79: Merrylands Station & McFarlane Street Precinct Boundary

The Building Heights Review Study 2016 (BHRS) recommended a number of built form controls be introduced for the Precinct as a means of achieving Council's strategic vision. The controls relate to:

- Site amalgamation
- Building heights
- Design excellence
- Primary frontage requirements
- Building setbacks
- Street wall heights
- Upper level street setbacks
- Solar access to Civic Square
- Floor plates

Where there is an inconsistency between this document and provisions contained elsewhere in Cumberland DCP XXXX the Precinct Controls contained in this document shall apply to the extent of the inconsistency.

7. Objectives and Controls

7.1 General Objectives

Objectives

O53. Develop a strong identity for the Merrylands Centre through a vibrant mix of retail, commercial and residential development.

O54. Achieve urban design strategies that acknowledge the role of Merrylands within the Cumberland subregion.

O55. Strengthen the economic and employment status of Merrylands Centre and provide increased growth capacity within Merrylands.

O56. Renew and revitalise the Merrylands Centre catering for a diverse community.

O57. Ensure buildings are designed to maximise appropriate amenity outcomes for the Precinct.

O58. Create a centralised public domain and open space area as a focal point for the Precinct.

O59. Improve pedestrian and vehicular traffic movement throughout the Centre.

O60. Encourage a more pedestrian friendly streetscape on McFarlane Street and Merrylands Road.

7.2 Urban Context Analysis

Four (4) strategic principles were prepared in the Building Heights Review Study, which collectively govern the location and built form of future development in the Precinct. The principles are:

- Movement
- Open Space
- Land Use & Activity
- Height & Density

7.2.1 Movement

Objectives

O61. Encourage the primary movement corridors around the Centre along Merrylands Road, Treves Street, Neil Street and Pitt Street with Merrylands Road to be a primary pedestrian route;

O62. Establish a pedestrian focus along McFarlane Street with particular emphasis on the proposed new Civic Square;

O63. Create secondary connection points extending south from Merrylands Road through the Centre to neighbouring residential areas; and

O64. Extend the existing laneway network in the Centre and around the proposed Civic Square to improve permeability through the Centre. Refer Figure 80.

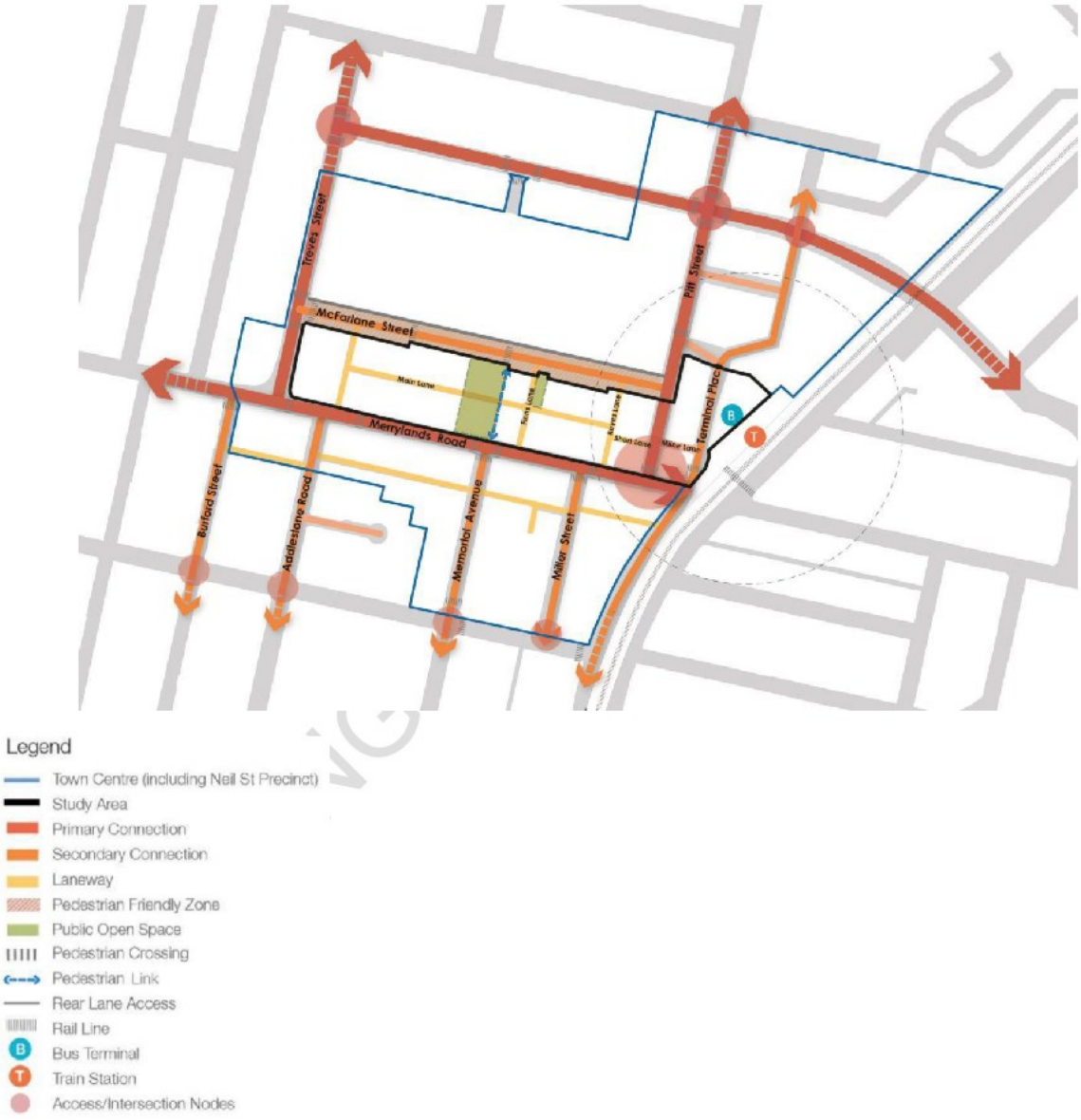


Figure 80: Movement Principles

7.2.2 Open Space

Objectives

O65. Create a new Civic Square as the primary public open space for the Centre;

O66. Reinforce the green streetscape character of McFarlane Street, Merrylands Road, Memorial Avenue, Pitt Street, and Neil Street;

O67. Establish a secondary green link through north-south laneways, between Merrylands Road and MacFarlane Street. Refer Figure 81.

Figure 81: Open Space Principles

7.2.3 Land Use & Activity

Objectives

O68. Merrylands Road to remain the primary retail street of the Centre;

O69. McFarlane Street to become the 'Eat Street' of Merrylands, reinforced by a pedestrian-friendly character, interface with the Stockland Mall and linking Merrylands Road via the proposed Civic Square and laneway network;

O70. Treves Street and Pitt Street to serve as the secondary retail streets, intersecting with Merrylands Road and McFarlane Street. Refer Figure 82.

Figure 82: Land Use & Activity Principles

7.2.4 Height & Density

Objectives

O71. Maintain a transition of height from the Precinct to the surrounding residential neighbourhoods; and

O72. Focus height and density around strategic sites such as Merrylands Road/Pitt Street location and the landmark Civic Square. Refer Figure 83.

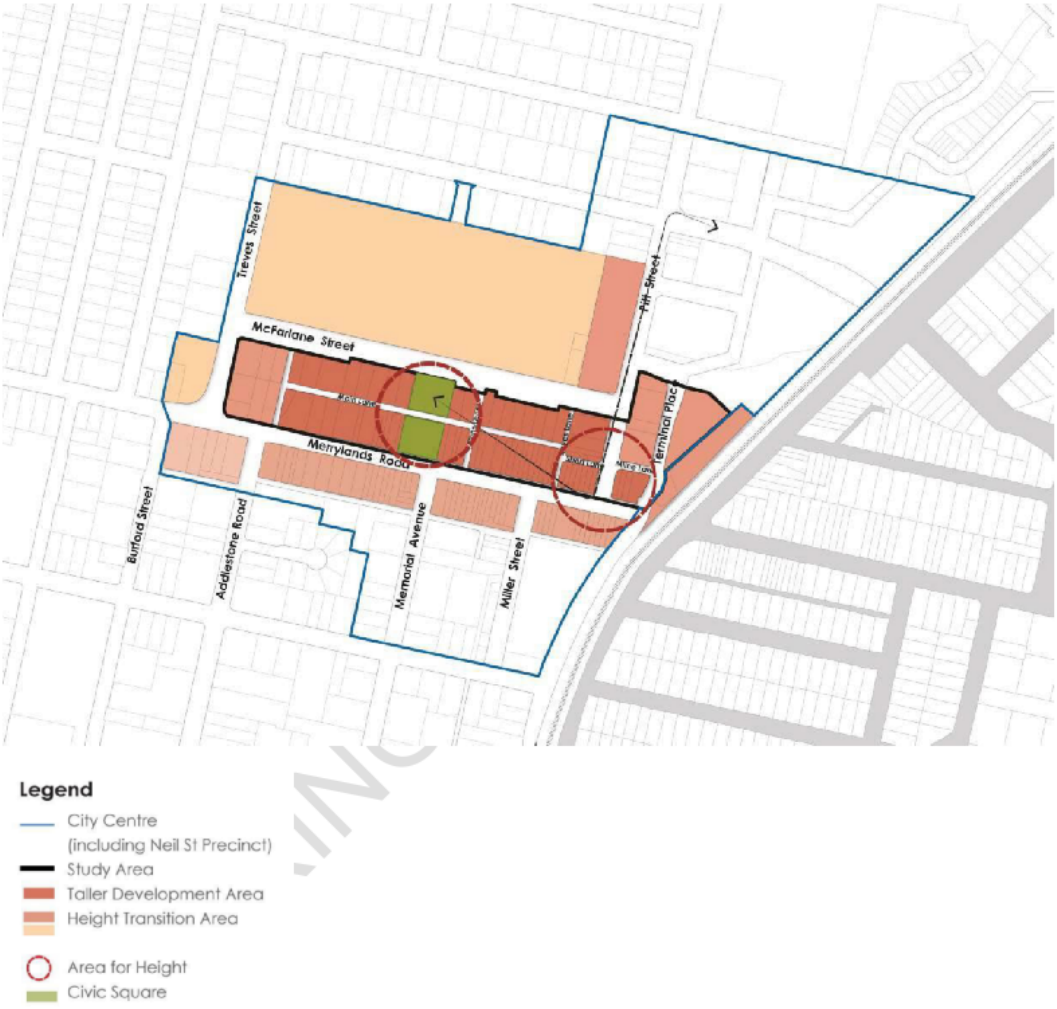


Figure 83: Height & Density Principles

7.3 Access Network

7.3.1 Street Network

To enhance connectivity, enable greater pedestrian amenity and restrict vehicular access on McFarlane Street and Merrylands Road; following is proposed (Refer Figure 84-86):

- New Laneway 1 - North-south between McFarlane Street and Merrylands Road
- Extension of existing Main Lane to the west terminating at Laneway 1
- Widening of existing Main Lane, Finns Lane, Reyes Lane and Short Lane
- Widening of Merrylands Road

Objectives

O73. Maintain and improve the Centre's lane way network and encourage the creation of new lanes and connections.

O74. Enhance the climatic conditions and amenity of the laneway to encourage more intensive pedestrian use and social activity.

O75. Encourage activity, vitality and interaction between public laneways and adjacent uses.

O76. Protect and where possible create views along lanes that provide a visual link to other streets and lanes in the pedestrian network, or which terminate at notable buildings or landmarks.

O77. Recognise lanes that provide for essential servicing and vehicular access and to ensure that new development does not adversely affect or impede the operation of these functions.

Controls

C58. Provide new laneways in accordance with Figure 84.

C59. Existing laneways are to be widened in accordance with Figure 84.

C60. Vehicular access to buildings fronting Merrylands Road and McFarlane Street must be provided via laneways (Refer Figure 85).

C61. Lanes are not to be covered, but awnings may be permitted on buildings facing lanes up to a maximum of 30% of each frontage.

C62. Widening of Merrylands Road – 0.5m on either side.

7.3.2 Connectivity

Arcades have been established to enhance the connectivity and permeability of the Precinct and include the following:

- Arcade between Pitt Street and Terminal Place

Objectives

O78. Provide safe, direct, accessible and attractive through block pedestrian routes that improve the legibility of the Centre.

O79. Ensure arcades are accessible, continuous, well lit, safe and supported by active retail uses.

Controls

C63. Provide new arcade in accordance with Figure 84.

C64. The arcade must:

- Have a minimum width of 15m and height of 4m.
- Provide a clear sight-line from one end to the other for surveillance and accessibility, in mid-block locations.
- Be designed to consider pedestrian safety and the security of adjacent businesses, particularly at night.

C65. Public use of through-site connection should be available at least between 7.00am to 7.00pm daily.

C66. Connections through foyers and shops are encouraged.

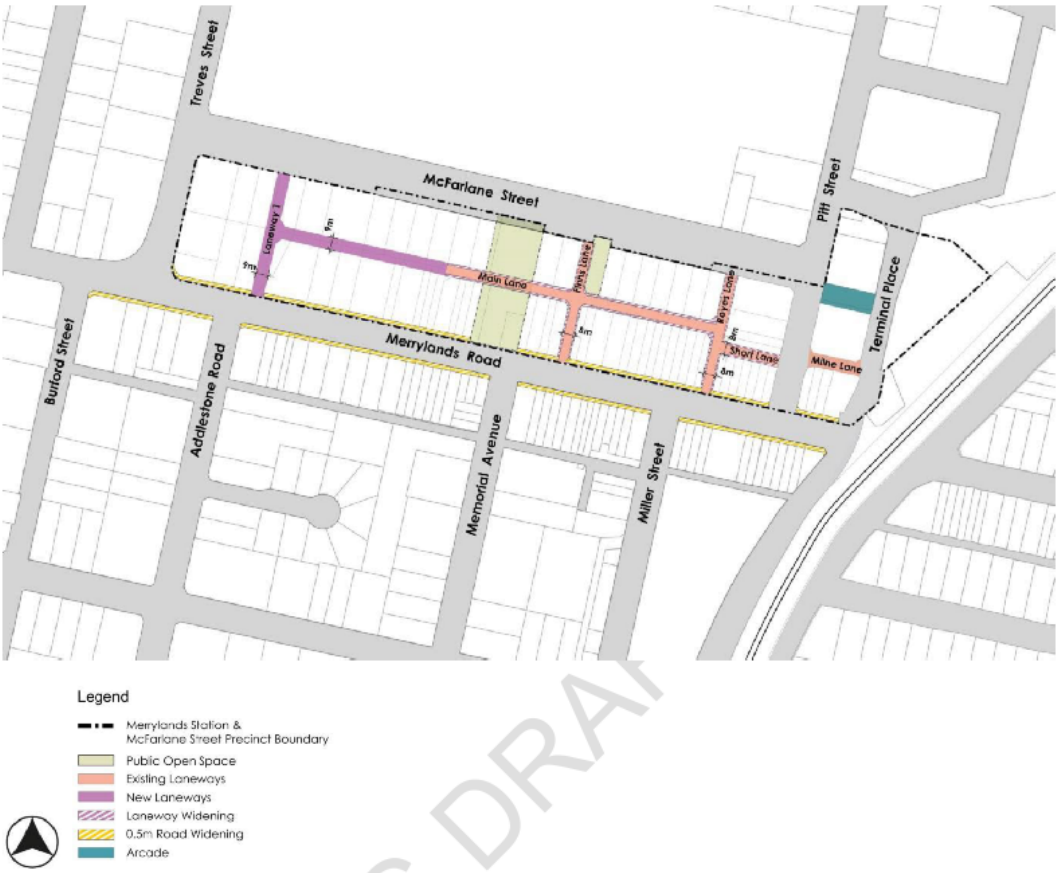


Figure 84: Laneways

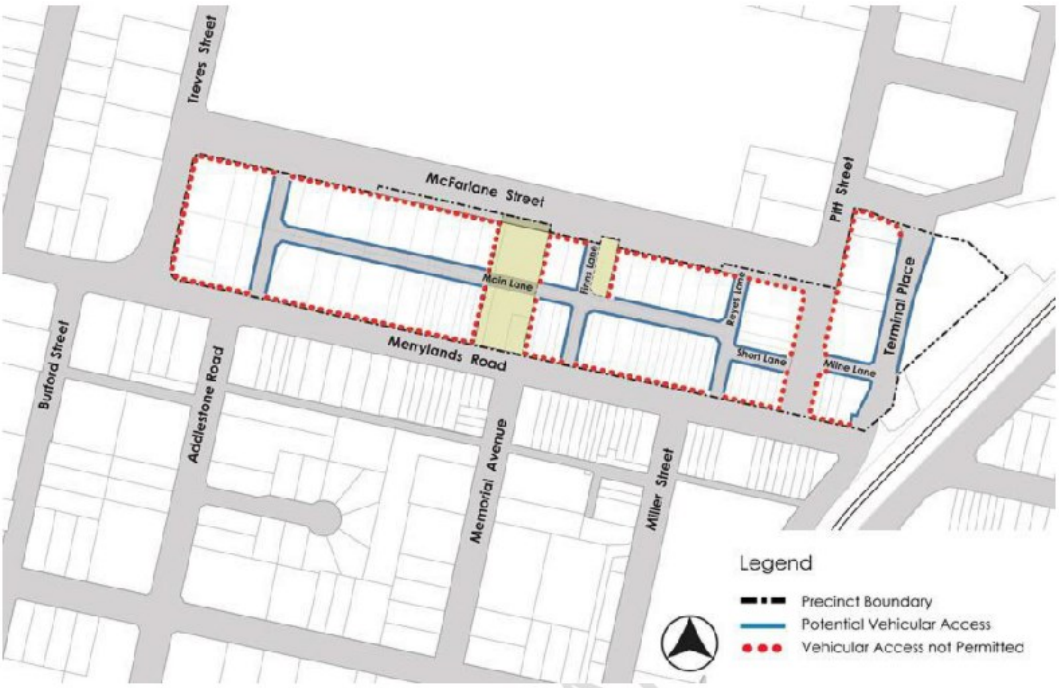


Figure 85: Vehicular Access

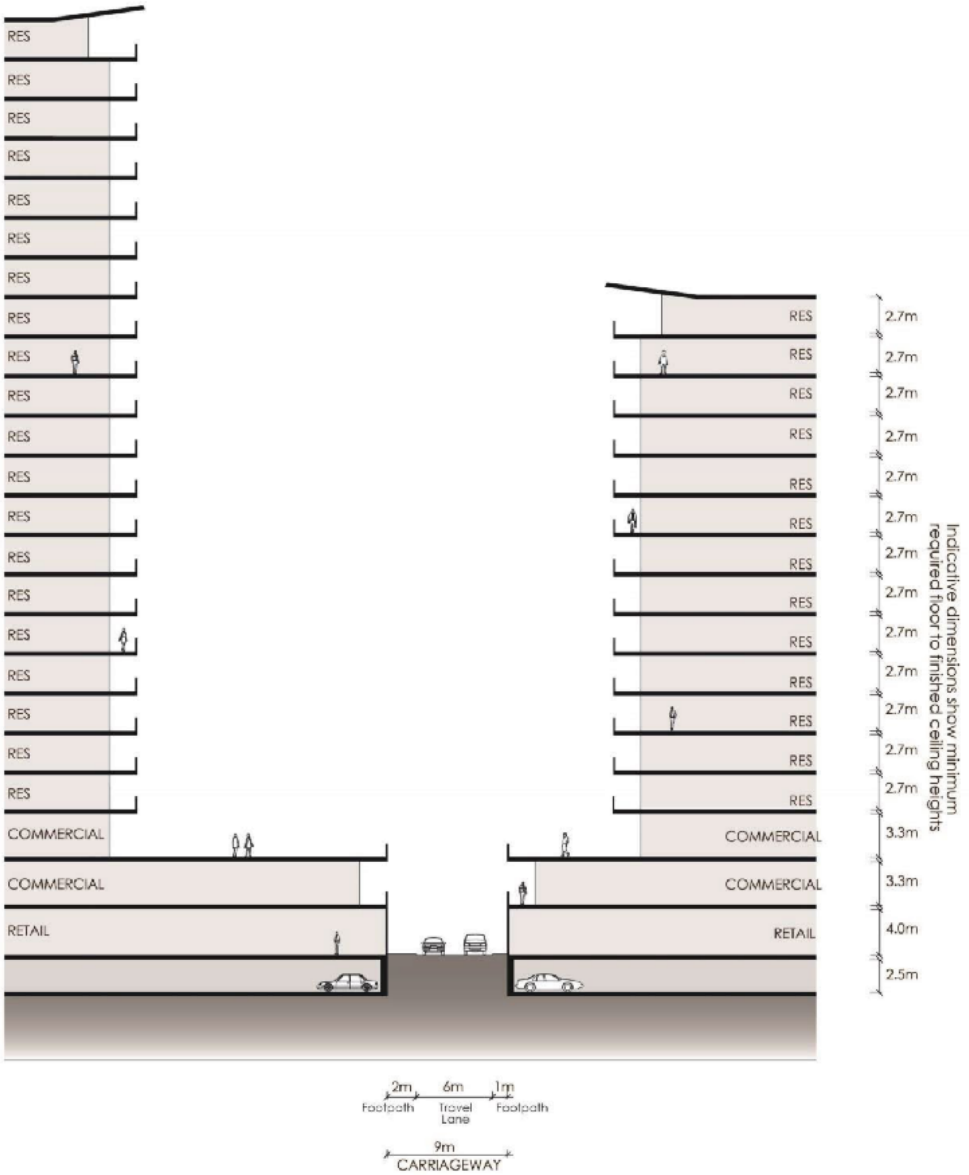
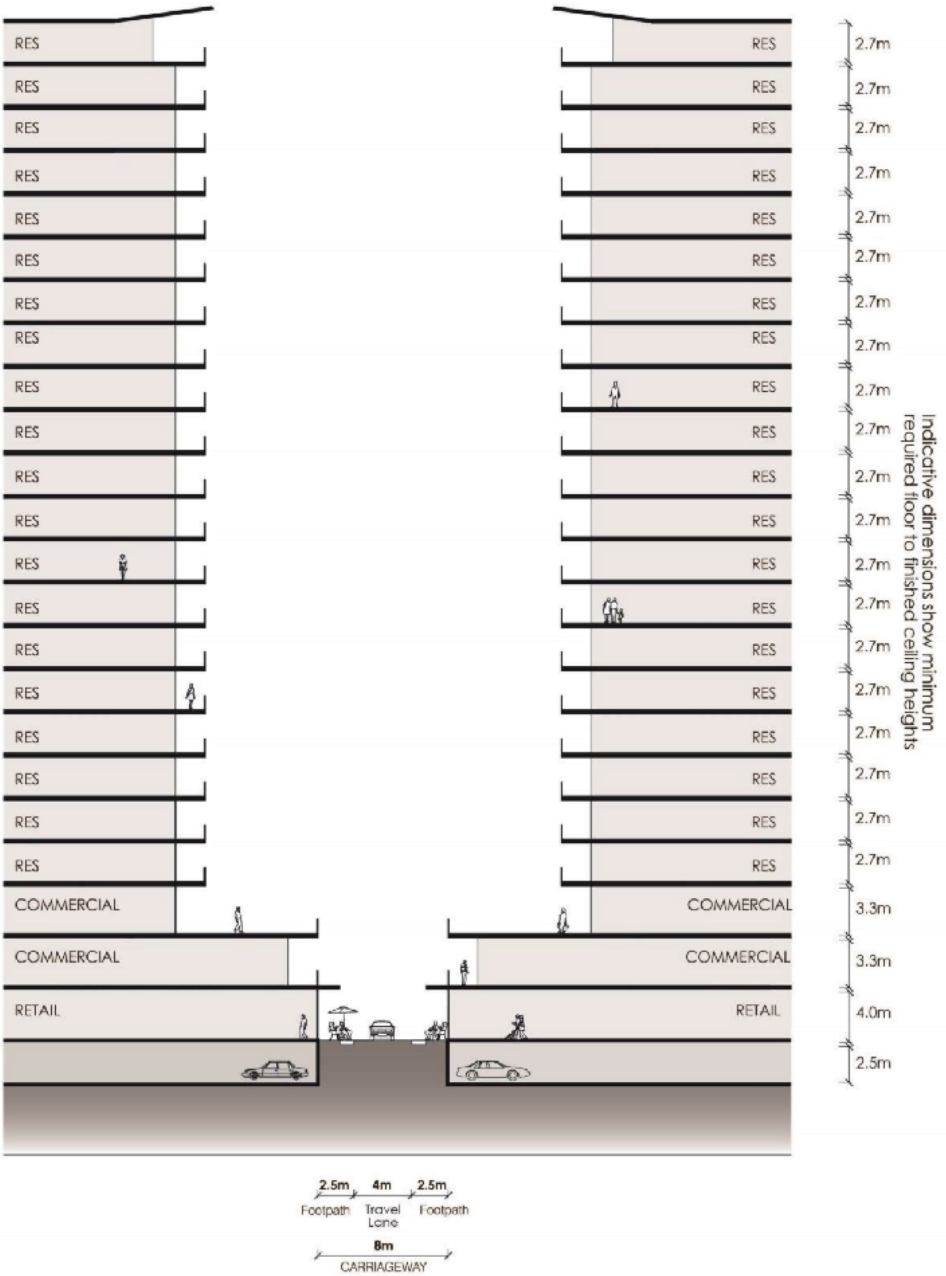


Figure 86: Sections



Typical Section B-B

7.4 Site Amalgamation

Objectives

O80. Deliver the preferred built form option for the Precinct.

O81. Provide workable building footprints that encourages future development to meet the objectives for this Precinct.

O82. Ensure site dimensions allow for the achievement of appropriate building setbacks, separation and built form that meet the objectives for the Precinct.

O83. Prevent sites from becoming isolated and unable to be reasonably developed in accordance with the objectives of the applicable LEP and DCP.

Controls

C67. Site amalgamation for the purposes of development shall be determined in accordance with Figure 87 and Table 6.

C68. Sites must not be created that are physically unable to reasonably develop a building that achieves the maximum building height controls contained in Cumberland LEP XXXX.

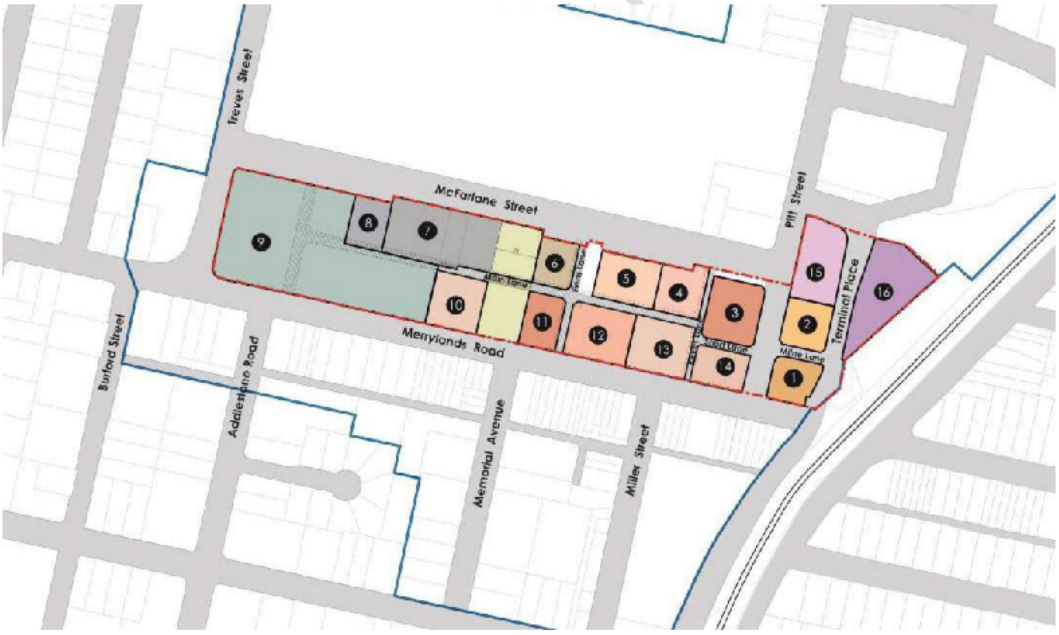


Figure 87: Preferred site Amalgamation Plan

[Refer Table 6 for Property Descriptions Sites 1-16]

7.5 Built Form

The preferred built form is for taller buildings to be focused at key gateway locations close to the Merrylands Rail Station and the transitioning of heights downward towards adjoining residential precincts, namely Treves Street to the west and Merrylands Road to the south as illustrated in Figure 88.

Objectives

O84. Ensure building heights are rationalised by clustering buildings of a similar height;

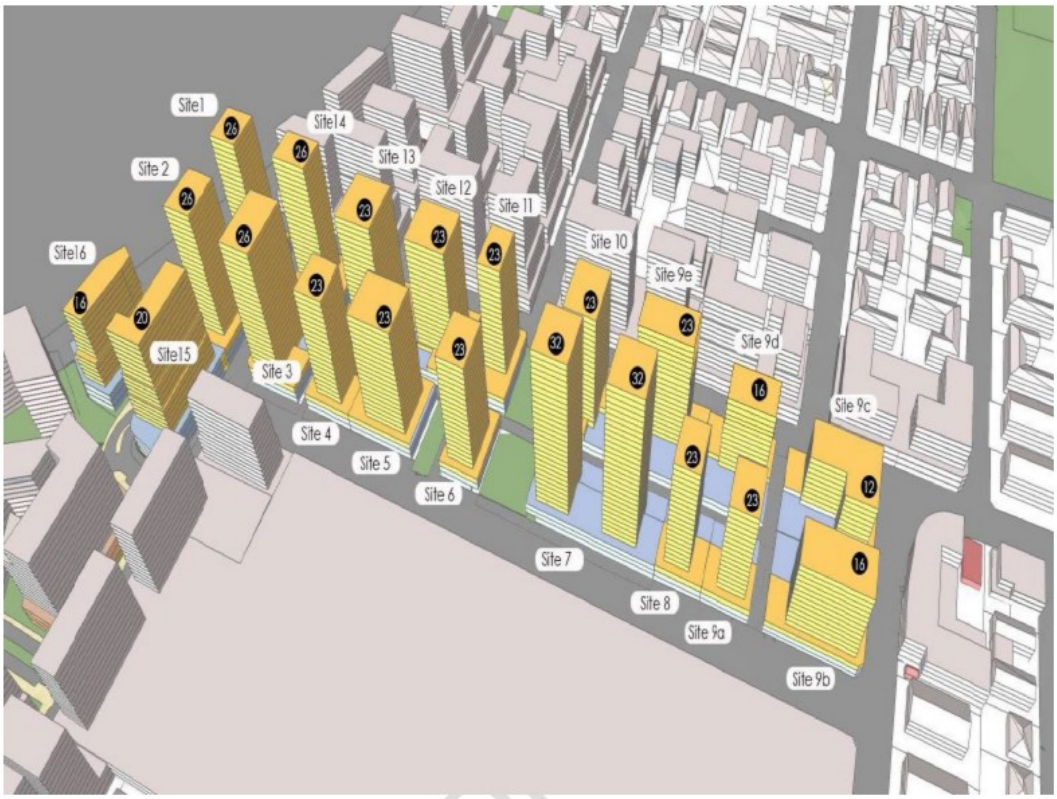
O85. Ensure height limits enable the realisation of the maximum allowable floor space within a tall slender building form;

O86. Maintain solar access to the Civic Square during core hours of use;

O87. Ensure that sites to be developed maintain an adequate frontage;

O88. Ensure that the built form exhibits modulation and articulation; and

O89. Introduce design excellence provisions to facilitate high quality design outcomes.



Legend

- Proposed Residential
- Proposed Commercial
- # Number of Storeys

Figure 88: Built Form

7.6 Built Form Controls

The following controls have been informed by the Building Height Review Study (BHRS) 2016 and apply to all developments on sites in the Merrylands Station and McFarlane Street Precinct. This Section should be read in conjunction with the objectives and provisions of Cumberland Development Control Plan (Cumberland DCP) XXXX. Part C and Part F of the DCP in particular contain planning controls that are applicable to development in this Precinct, with the exception of the development standards outlined below. Where there is an inconsistency between this document and provisions contained elsewhere in Cumberland DCP XXXX, this Section applies to the extent of the inconsistency.

7.6.1 Building Height

Objectives

O90. Deliver a built form that provides a height transition from lower scale on the edges of the Precinct to higher scale in the Precinct core and clustering buildings of similar height.

O91. Ensure the scale of the built form provides for a legible centre.

O92. Enable the realisation of the maximum allowable floor space ratio.

O93. Achieve appropriate management of overshadowing, access to sunlight and privacy.

Controls

C69. Sites with the following maximum building height under Clause 4.3 of Cumberland LEP XXXX should comply with the maximum number of storeys in Figure 88 and Table 6 (excluding basement car parking).

C70. Each storey shall comprise a minimum floor to ceiling height as defined in the NSW Department of Planning's Apartment Design Guidelines, July 2015.

Site No.	Lot	DP/SP	Street Address	Site Area m²	Maximum Height metres/storeys
1	1	DP 1094069	141-143 Merrylands Road	1,199	86m/26st
	2	DP 1094069	141-143 Merrylands Road		
	3C	DP 335075	139 Merrylands Road		
	1	DP 1135451	135-137 Merrylands Road		
2		SP 48251	254 Pitt Street	1,373	86m/26st
3	1	DP 501597	215 Pitt Street	2,108	86m/26st
	2	DP 501597	215 Pitt Street		
	2	DP 537031	229-239 Pitt Street		
	J	DP 10354	229-239 Pitt Street		
	1	DP 1079960	229-239 Pitt Street		
4	541	DP 633620	6 McFarlane Street	1,431	77m/23st
	552	DP 579491	4 McFarlane Street		
	56 Sec A	DP 7916	2 McFarlane Street		
5	150	DP 773769	14 McFarlane Street	1,827	77m/23st
	151	DP 812643	12 McFarlane Street		
	152	DP 631399	10 McFarlane Street		
		SP 20705 & SP 84614	8 McFarlane Street		
6		SP 54283	20 McFarlane Street	1,139	77m/23st
		SP 18367	18 McFarlane Street		
7	40, 41, 42 & 43 Sec A	DP 7916	28 – 36 McFarlane Street	5,422	105m/32st
	44	DP 7916	28 – 36 McFarlane Street		
	Pt 45 & 46 Sec A	DP 7916	28 – 36 McFarlane Street		
8	389	DP 657042	40 McFarlane Street	1,236	77m/23st
9a	5, 6, 7, 8, 9, 10	DP 244047	233- 249 Merrylands Road & 52-54 McFarlane Street	12,415	77m/23st
9b	12	DP 1178575			55m/16st
9c	22,25,26,27,28,29	Sec A, DP 7916			43m/12st
9d	10	DP 814298			55m/16st
9e	5	DP 17401			77m/23st
10	21C	DP 334937	231 Merrylands Road	1,911	77m/23st
	21D	DP 334937	229 Merrylands Road		
	21E	DP 334937	227 Merrylands Road		
	35	DP 604776	223 Merrylands Road		
	11	DP 1210565	221 Merrylands Road		
	18	DP 654417	219 Merrylands Road		
	18	DP 657045	215 Merrylands Road		
11	A	DP 384389	201 Merrylands Road	1,335	77m/23st
	1	DP 514251	197 Merrylands Road		

Table 21: Amalgamated Site Descriptions and Maximum Height Control

	15	DP 657043	195 Merrylands Road		
	15B	DP 386204	193 Merrylands Road		
12	14	DP 657044	191A Merrylands Road	2,164	
	14B	DP 336812	189 Merrylands Road		
	131	DP 604922	185 Merrylands Road		77m/23st
	12 Sec A	DP 7916	181 Merrylands Road		
	11B	DP 101479	179 Merrylands Road		
	11A	DP 101479	177 Merrylands Road		
13	10B	DP 101479	175 Merrylands Road	2,068	
	10A	DP 101479	173 Merrylands Road		
	B	DP 413438	171 Merrylands Road		
	A	DP 413438	169 Merrylands Road		77m/23st
	2	DP 514152	167 Merrylands Road		
	1	DP 514152	165 Merrylands Road		
	1	DP 956379	163 Merrylands Road		
	1	DP 959420	161 Merrylands Road		
14	1	DP 772297	159 Merrylands Road	1,298	
	A, B, C, D & E	DP 10354	153 Merrylands Road		86m/26st
	F	DP 10354	157 Merrylands Road		
15	2	DP 544800	Pitt Street, Merrylands	2,369 *Incl Endeavour Energy lot*	65m/20st
	121	DP 531896	244 Pitt Street, Merrylands		
	901	DP 592065	246 Pitt Street, Merrylands		
	Y	DP 416975	252 Pitt Street, Merrylands		
16	1	DP 209516	Terminal Place, Merrylands	4,177.50	55m/16st

7.6.2 Design Excellence Provisions

Objectives

Cumberland Council is committed to ensuring all major developments deliver the highest standard of architectural and urban design.

Design excellence is a tool whereby the objectives of the Precinct can be achieved by encouraging:-

O94. High quality, diverse and innovative design; and

O95. Development that by virtue of its location, individually and collectively contributes to the urban design context of Merrylands Centre.

Controls

C71. Design excellence applies to land bounded by a heavy black line on the Design Excellence Map. Refer Figure 89.

C72. The Cumberland Design Excellence Guidelines provides criteria and procedures that must be followed for developments seeking an incentive

bonus in building height of up to an additional 10% and additional floor space ratio of up to 0.5:1.

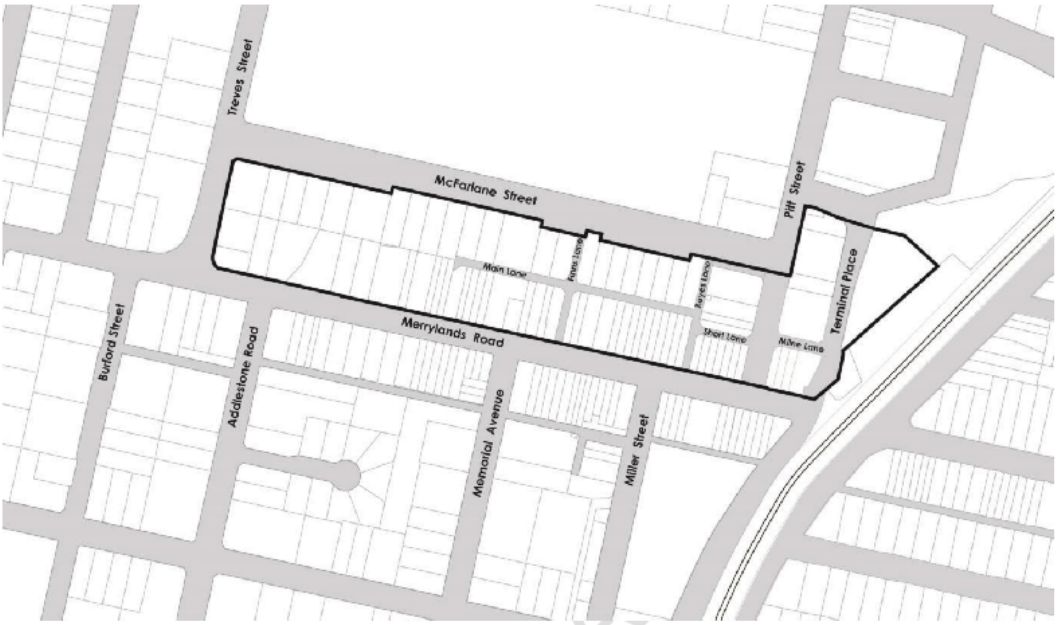


Figure 89: Design Excellence Map

7.6.3 Primary Frontage Requirements

Objectives

O96. Ensure buildings are of an adequate size to reasonably accommodate development, including vehicle access.

O97. Avoid the creation of smaller, isolated sites that cannot be separately developed.

Control

C73. The minimum site frontage width for new developments is 20 metres for 3 storey buildings.

7.6.4 Building Setbacks

Objectives

O98. Enhance the character of the Precinct through consistent and uniform alignment of building facades.

O99. Reinforce strong definition of streets and public spaces in the Centre Precinct.

Control

C74. New developments are to maintain setbacks to the street in accordance with Figure 90.

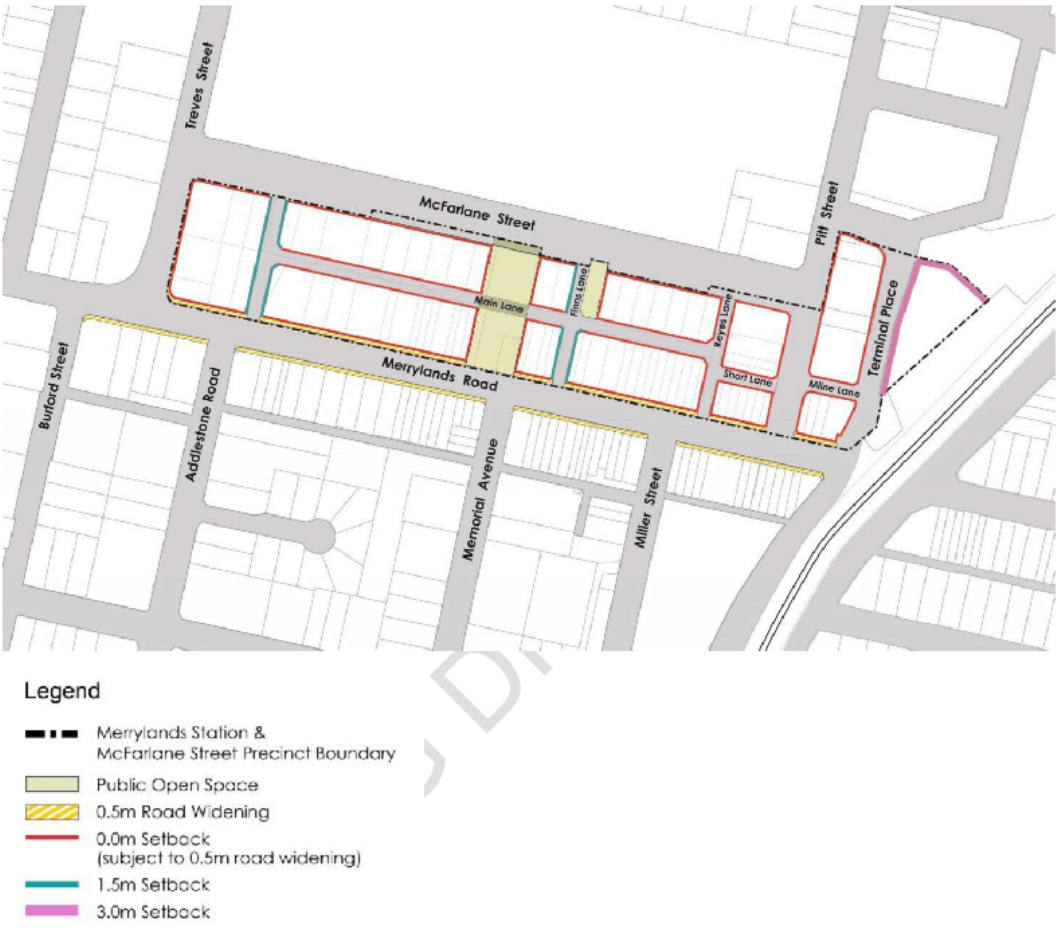


Figure 90: Building Setbacks

7.6.5 Street Wall Heights

Objectives

O100. Provide street edges that reinforce and reflects the various uses and existing character in the Precinct.

O101. Ensure building heights at street level are at a human scale.

O102. Facilitate a consistent street and laneway wall height throughout the Precinct.

O103. Provide prominence to the street level, establish a clear presence for retail and increase the visibility, marketability and utility of ground floor space.

Controls

C75. Street wall heights of buildings (podium) shall be 3 storeys.

C76. The 3-storey street wall height applies to a site's primary frontage.

C77. Where a site has frontage to a laneway, a maximum two storey street wall height is to be maintained. Refer Figure 91.

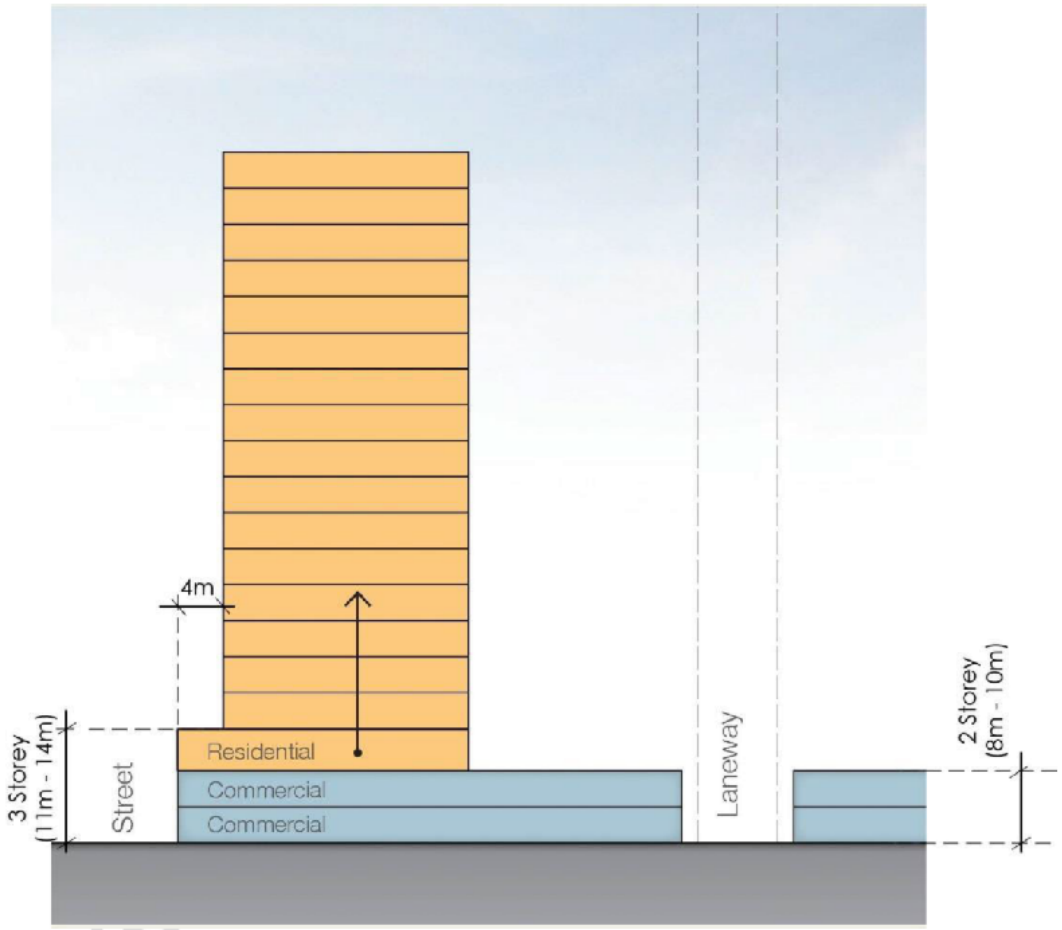


Figure 91: Street Wall Height and Podium Setback

7.6.6 Upper Level Street Setbacks

Objectives

O104. Enable more efficient tower footprints by removing incremental stepping of facades.

O105. Minimise adverse wind impacts on the pedestrian environment.

O106. Maximise sunlight penetration into streets, public places and surrounding buildings.

O107. Ensure building modulation.

Control

C78. All buildings above 3 storeys in height are to display a uniform 4m setback above the street wall. Refer Figure 91.

7.6.7 Solar Access to Civic Square

Objective

O108. Ensure adequate solar access is maintained to the Civic Square during core business hours in mid-winter and that new buildings adjacent to the Civic Square do not prevent solar access during key daylight hours.

Control

C79. Solar access must be maintained to a minimum of 50% of the Civic Square area between the hours of 11.00am and 1.00pm on the 21st June.

7.6.8 Floor Plates Above Podium

Objectives

O109. Minimise overshadowing as compact floor plates cast smaller and faster moving shadows.

O110. Improve access to sky view and permit better views between buildings and through sites and contribute to a more attractive skyline.

O111. Enhance energy efficiency and increase daylighting within buildings.

O112. Create architectural interest and visually diminish the overall scale of the building mass.

Controls

C80. Where office premises are proposed, all points on an office floor above podium should be no more than 15m from a source of daylight.

C81. The maximum horizontal length of any building above the podium shall not exceed 50m.

7.6.9 Awnings and Colonnades

Objectives

O113. To increase pedestrian amenity by the provision of weather protection.

O114. Visually unify the Civic Square which otherwise is divided by the Main Lane.

Controls

Awnings

C82. Awnings are to be provided to the full extent of the street frontage of buildings in the locations nominated in Figure 92.

C83. Awnings along Merrylands and McFarlane Street shall be minimum 2.5m deep.

C84. Awnings if provided on laneways shall be retractable and only to be used in hours of operation.

Colonnades

C85. Provide colonnade/active frontage where shown in Figure 92.

C86. Provide colonnades with a preferred minimum soffit height of 4m.

C87. Provide under colonnade lighting to create a safe pedestrian environment at night.

C88. Colonnade shall have a minimum width to height ratio of 1.5:1.

C89. Activate the public domain, active ground level uses are required along the colonnade.

C90. Locate columns of colonnades along build-to lines, to reinforce the character of the public open space.

C91. Ensure that colonnade heights and depths are continuous along the length of the open space and are consistent with the neighbouring sites.

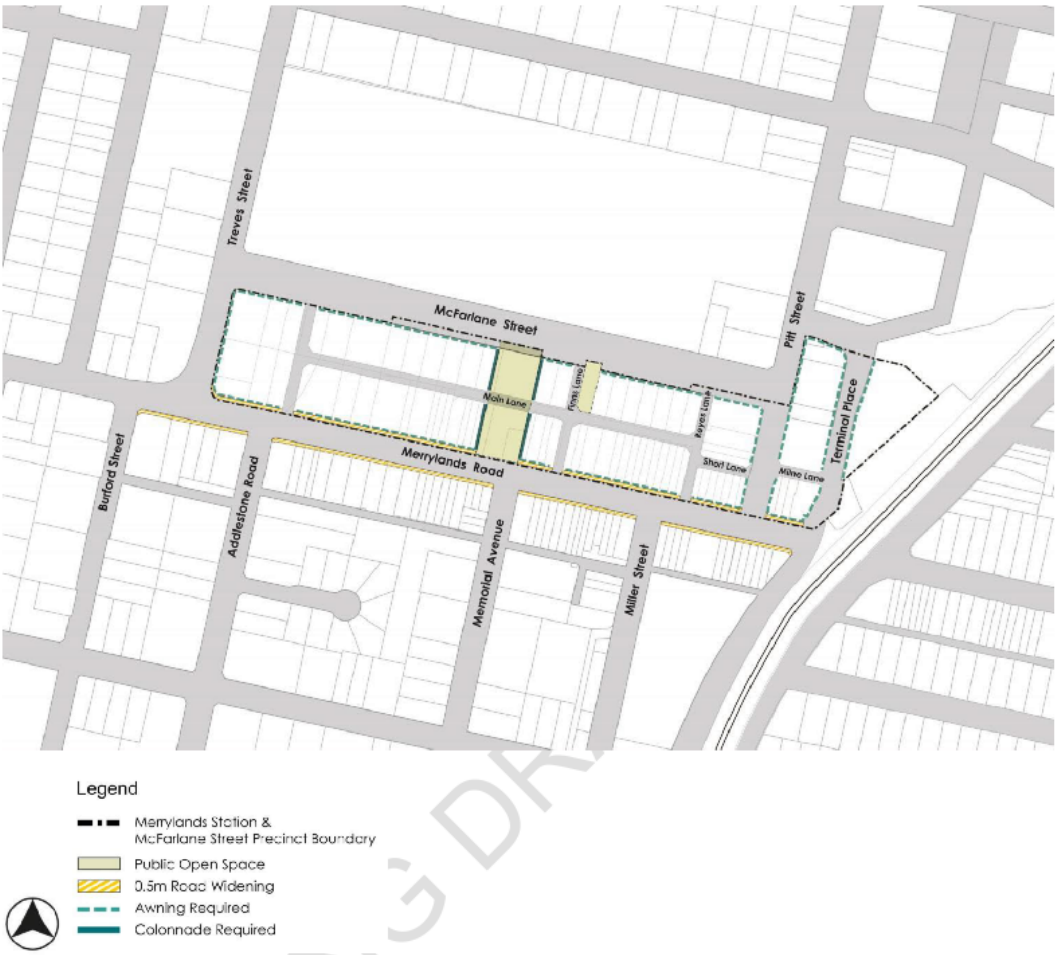


Figure 92: Awnings and Colonnades

Pendle Hill Town Centre

Contents

1. Introduction

This Part applies to all development on land identified within the town centres of Toongabbie, Pendle Hill, Wentworthville and Guildford, as shown in Figure 1.

Figure 1: Pendle Hill Town Centre.

2. Objectives and Controls

2.1 Site Consolidation

Objectives

O1. Ensure all sites achieve the required minimum width to adequately provide for basement car parking.

O2. Minimise vehicular and pedestrian conflicts throughout the town centre through the appropriate location and number of vehicular access points.

O3. Ensure all sites achieve the required minimum width to allow for a site configuration that permits a consistent landscaped open space to the rear of sites.

O4. Ensure any site amalgamation pattern does not restrict the development opportunity of any adjoining site or the ability of adjoining sites to provide basement carparking or rear open space.

O5. Establish fine grain shopfronts along primary retail streets within the town centre.

O6. Ensure new developments do not reduce the opportunity for the development of adjoining properties to develop in accordance with this DCP and adversely impact on the economic viability of development in accordance with s79C of the Environmental Planning and Assessment Act 1979.

Controls

C1. The minimum lot frontage requirements for all development within a Business zone is located in Part C.

C2. The minimum lot frontage requirements for all development within a Residential zone is located in Part B.

C3. Notwithstanding the above, development within Business zones located on Pendle Way, between Stapleton and Joyce Street, and on Joyce Street are to provide a fine grain retail shopfront character.

2.2 Rear laneways, land dedication, Access, Vehicular Entries and Pedestrian access

Objectives

O1. Require the provision of rear access ways on properties for private and service vehicle access, in order to reduce vehicular and pedestrian conflict and provide greater amenity to future residents.

O2. Require buildings fronting primary roads to have vehicular access from the rear of the property in order to reduce vehicular and pedestrian conflict and create a safe retail environment.

O3. Require all sites with existing access ways from the rear of the property to be used for vehicular access and parking.

O4. Mitigate any impacts of vehicular traffic on adjoining residences.

O5. Allow improved circulation space for pedestrians and future residents within the precinct.

O6. Limit or prohibit vehicular access from primary street frontages.

Controls

C1. Where new development has access available off existing or proposed laneways, vehicular access must be provided from that laneway.

C2. A minimum 4 metre wide, 4 metre high pedestrian accessway must be maintained and dedicated for public access as part of any redevelopment of the site as shown in Figure 2.

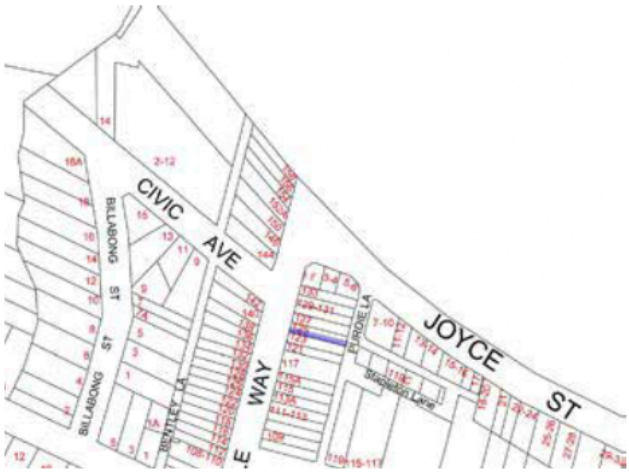


Figure 2: Proposed Pedestrian Access

2.3 Building Height

Objectives

O1. Require an appropriate scale relationship between building heights and street width.

O2. Ensure the appropriate management of overshadowing, access to sunlight and privacy.

O3. Enable flexibility of used by implementing higher floor to ceiling heights within buildings for the ground and first floors.

O4. Allow activation of the street edge on primary roads.

O5. Allow for reasonable daylight access to other development and the public domain.

Controls

C1. The maximum height for development within the Pendle Hill Town Centre is detailed within Cumberland Local Environmental Plan XXXX as a written statement and associated maps.

C2. The maximum building storey limits within the Pendle Hill Town Centre is detailed in Figure 3.

C3. The minimum floor to ceiling height requirements are located in Part B and C.

C4. The prominence of street corners shall be reinforced by concentrating the tallest portion of the building on the corner in relation to the overall building height and predominant street wall height.

Figure 3: Building Height

2.4 Building Setbacks, Separation and Street Presentation

Objectives

O1. Require suitable definition of the public domain and public spaces.

O2. Require a continuous built edge within commercial and mixed use development for activation of the street edge.

O3. Retain a landscaped setback character for residential development.

O4. Ensure setbacks respond to the building separation requirements.

O5. Reduce the visual impact of buildings on the public domain.

Controls

C1. All front setbacks shall be in accordance with Figure 4.

C2. Where a 0 metre setback is permitted, buildings shall form a continuous street edge.

C3. Rear and side setbacks (unless indicated otherwise in Figure 4) are to be in accordance with setbacks indicated in Part B or Part C of this DCP.

C4. Notwithstanding the above, a 6 metre setback is required to R2 low density residential lots between Gilba Road and Macklin Street.

C5. Residential development shall correspond to building depth and separation requirements in Part B.

C6. Developments shall present and address the street.

C7. Sites with corner lots shall present and articulate to both street frontages.

C8. Where sites are adjacent to Civic Park, development shall be orientated to address the park.

Figure 4: Front setback and side setbacks

Regency Green Industrial Estate

Contents

1. Introduction

1.1 Land to which this Part applies

This Part applies to land zoned IN1 General Industrial known as the Regency Green Industrial Estate as shown in *Figure 1*. This site is formerly known as part of the RAAF Stores Depot.

Figure 1: Area to which this Part applies

1.2 Purpose of this Part

The purpose of this Part is to create a quality industrial business estate comprising a range of allotment sizes supported by a functional and high quality public domain (as per the Former RAAF Stores Depot Public Domain Plan).

2. Objectives and Controls

2.1 General objectives

O1. Ensure the economic development and use of the industrial zoned land that forms part of the former Regents Park RAAF Stores Depot site;

O2. Enhance and reinforce the existing industrial development in the surrounding area and within the Regency Green Industrial Estate;

O3. Enhance employment opportunities in the area;

O4. Ensure a high standard of industrial development on the site and to encourage this high standard in future development in surrounding industrial areas;

O5. Ensure development responds to its context and is aesthetically and environmentally compatible with the existing built environment and the public domain;

O6. Ensure development contributes to improvements to the public domain;

O7. Encourage design that will enhance the existing character of the locality;

O8. Ensure development adheres to principles of ecologically sustainable development; and

O9. Ensure that redevelopment is integrated with surrounding development.

2.2 Staged development

On 23 June 2004 development consent DA-608/2003 was granted by Council (see Council report 260/04 – CCLO2-04) for the staged development of part of the former RAAF Stores Depot (Lots 102 and 103 DP 1048829). Stage 1 included subdivision of the site into 41 industrial lots, civil works including roads, drainage and provision of public open space, site re-grading, removal of trees, and landscaping.

The Stage 1 development consent also approved a master plan (Regency Green Industrial Estate Draft Master Plan, prepared by Woods Bagot, dated May 2004). The relevant provisions within the Regency Green Industrial Estate Draft Master Plan have been incorporated in this Part. In addition, condition 2(c) of the development consent required that the industrial development and associated drainage and any ancillary works within each allotment intended for industrial use, be the subject of further development consent pursuant to the provisions of Section 80(5) of the EP&A Act 1979.

Objectives

O1. Ensure that the distribution of floor space is such that the scale of buildings reinforces the desired streetscape character.

O2. Ensure that the built form and scale of development maintains and enhances the amenity and visual quality of the locality, the public domain and adjoining areas.

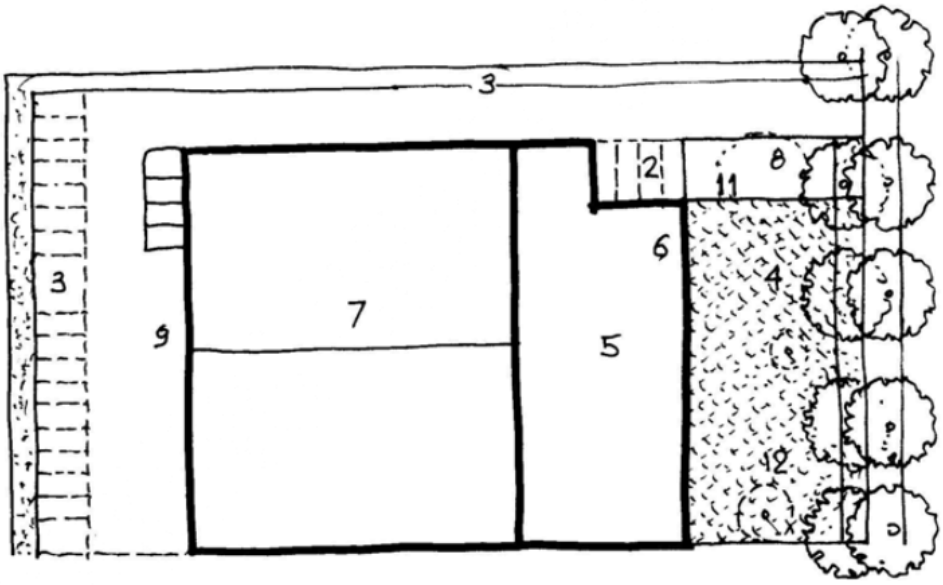
Site coverage and setbacks

C1. The total ground floor area of all buildings shall not exceed 70% of the area of the allotment. Where an industrial building comprises more than one (1) unit, the total ground floor area shall not exceed 60% of the area of the allotment.

C2. New buildings along the street frontage shall be setback a minimum of 3m. The setback zone shall not be used for car parking, storage or display of goods.

C3. In the case of an allotment with side boundaries angled to the road alignment, the setback line shall be perpendicular to the side boundary and the setback shall be 3m at its closest point.

C4. Lots to the south of where Building 40 (as shown in Figure 4 was located shall have a 20m front setback in order to retain the existing trees as shown (refer to Figure 3 below).



1. 3m soft landscape setback zone with landscaping as required to match verge on opposite side of the road.
2. 20% or 3 car parking spaces to the front of the site.
3. 2m soft landscaped deep soil zone setback to one boundary, zero setback to other side. 2m to both sides of not using one zero side setback.
4. Consolidated open space area built to front boundary incorporating existing trees to be retained.
5. Office component to the front of the site.
6. Minimum 50% of building built to 20m front setback line.
7. Warehouse component to the rear of the site.
8. Retain existing trees where possible.
9. Servicing, loading and car parking to the rear of the site.
10. Zero side setback.
11. Pedestrian path to building from public footpath along street.
12. Front setback 20m to allow retention of existing trees to be retained.
13.3-4m rear setback/vegetation corridor as required.

Figure 2: Typical boulevard allotment pan with 20m setback for existing trees.

C5. A minimum of 50% of the front facade of the building shall be built to the minimum specified front setback to ensure a strong reading of the street address. A 2m articulation zone shall be allowed.

C6. No setback shall be required from internal laneways or minor access driveways.

C7. Side boundaries shall have a landscaped deep soil zone of at least 2m where the building is not built to either boundary. Where one side setback is zero the other side shall have a 4m deep soil zone.

C8. Rear boundaries shall have a landscaped deep soil zone of 3m unless the lot does not back onto another within the development in this case the deep soil zone will be 4m. This zone shall be planted in accordance with the revegetation plan as shown in Figure 4.

Figure 3: Revegetation plan.

C9. Allotments bounding Duck River shall have a 30m setback from the mean high water line. Refer to Figure 5 below.

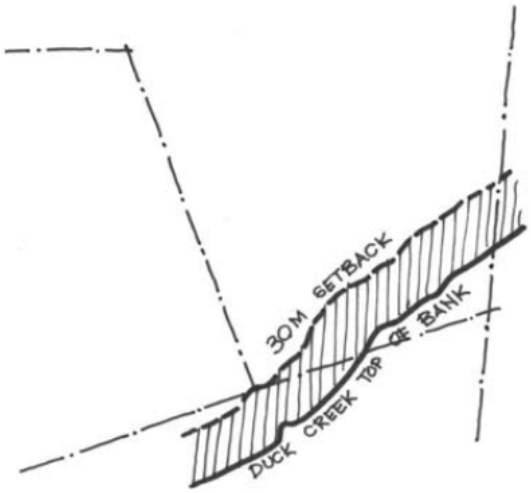


Figure 4: Setback from Duck Creek (Duck River).

C10. Lots shall use a zero side setback to one boundary except where access is required.

C11. Landscaping with appropriate native species shall be provided to setbacks and alongside vehicle access driveways. Refer to Table 1- Regents Park plants list.

C12. Components of the buildings which incorporate ancillary offices, showrooms and customer service areas shall be located along the allotment frontage and shall be of a high standard of architectural design.

2.3 Allotment size and configuration

Objectives

O1. Development creates or maintains an overall variety of allotment sizes to facilitate a wide range of industrial, warehousing and related activities.

O2. Allotment sizes and configuration enable the efficient siting of buildings and associated activities.

Controls

C1. The average minimum site width shall be 30m. Refer to Figure 6 below.

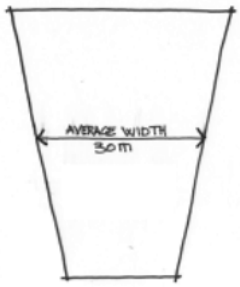
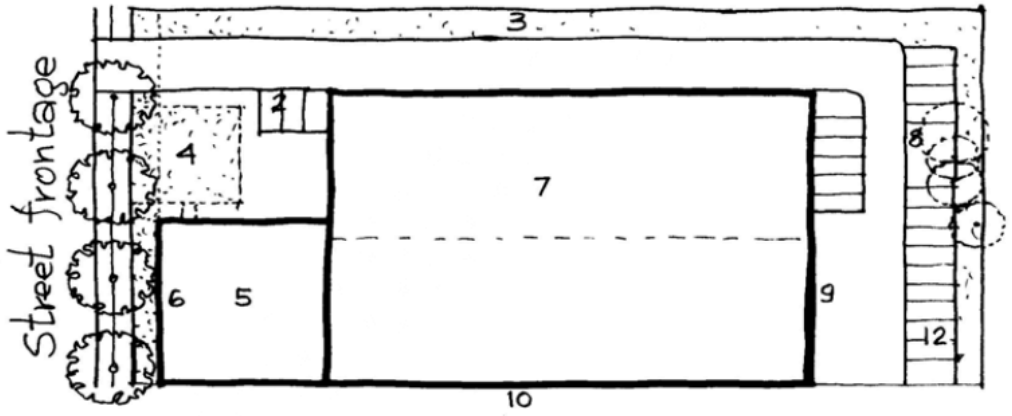


Figure 5: Average site width.

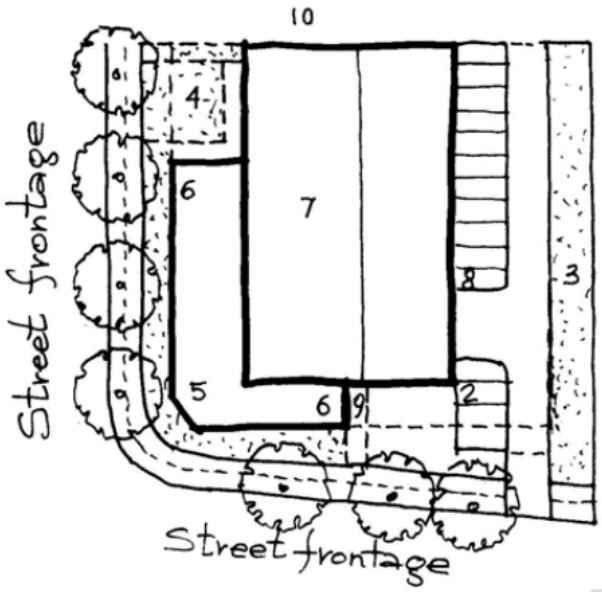
C2. Battle-axe allotments accessed by narrow frontages shall not be permitted.

C3. Allotments use opportunities for shared access. Refer to Figure 7 to 9 showing allotment plans for mid-block, corner blocks and multi-unit sites.



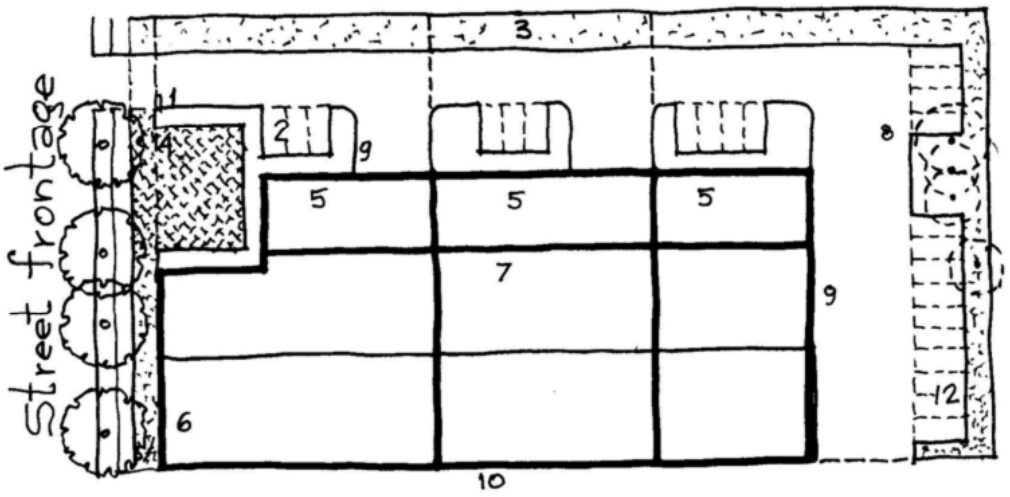
1. 3m soft landscape setback zone with landscaping as required to match verge on opposite side of the road.
2. 20% or 3 car parking spaces to the front of the site.
3. 4m soft landscaped deep soil zone setback to one boundary where zero setback to other side. Otherwise 2m to each side.
4. Consolidated open space area built to front boundary.
5. Office component to the front of the site.
6. Minimum 50% of building built to 3m front setback line.
7. Warehouse component to the rear of the site.
8. Retain existing trees where possible.
9. Servicing, loading and car parking to the rear of the site.
10. Zero side setback.
11. Pedestrian path to building from public footpath along street.
12. 3-4m rear setback/vegetation corridor as required.

Figure 6: Typical mid block allotment plan.



1. 3m soft landscape setback zone with landscaping as required to match verge on opposite side of the road.
2. 20% or 3 car parking spaces to the front of the site.
3. 4m soft landscaped deep soil zone setback to one boundary where zero setback to other side. Otherwise 2m to each side.
4. Consolidated open space area built to front boundary.
5. Office component to the front of the site.
6. Minimum 50% of building built to 3m front setback line.
7. Warehouse component to the rear of the site.
8. Servicing, loading and car parking to the rear of the site.
9. Pedestrian path to building from public footpath along street.
10. Zero side setback

Figure 7: Typical corner block allotment plan.



1. 3m soft landscape setback zone with landscaping as required to match verge on opposite side of the road.
2. 20% or 3 car parking spaces to the front of the site.
3. 4m soft landscaped deep soil zone setback to one boundary where zero setback to other side. Otherwise 2m to each side.
4. Consolidated open space area built to front boundary.
5. Office component to the front of the site.
6. Minimum 50% of building built to 3m front setback line.
7. Warehouse component to the rear of the site.
8. Retain existing trees where possible.
9. Servicing, loading and car parking to the rear of the site.
10. Zero side setback.
11. Pedestrian path to building from public footpath along street.
12. 3-4m rear setback/vegetation corridor as required.

Figure 8: Factory unit allotment plan.

2.4 Building height and density

Objectives

O1. Building height, scale and mass is similar to adjoining development.

O2. Building form is designed to avoid detrimental effects upon the amenity and visual character of the locality.

Control

C1. Building plants/service such as lift motor room, air conditioning equipment and exhausts shall either be concealed from view behind parapet walls or housed within the building envelope entirely.

2.5 Visual quality and building design

Controls

C1. Loading, storage and external work areas shall be located where the visual quality of the locality is not compromised.

C2. Buildings, fencing and landscape treatment shall be used to screen visually obtrusive activities and car parking.

C3. Building facades to street frontages shall be of a contemporary architectural style. Refer to examples in Figure 9 and 10.

Figure 9: Examples of appropriate architectural character.

Figure 10: Examples of inappropriate architectural character.

C4. Design of industrial buildings shall include:

- elements which punctuate the skyline;
- distinctive roof forms;
- facades with visual variety in materials and form;
- architectural emphasis on the built form;
- roof and building form appropriate and indicative of building function;
- window forms to vary based on orientation and internal functions;
- entrance areas to be visually prominent within overall building form, by use of visual cues such as awnings, roof projections, blade walls or variation in materials scale or form; and
- introduce variation in unit design within building group.

Refer to Figure 11.

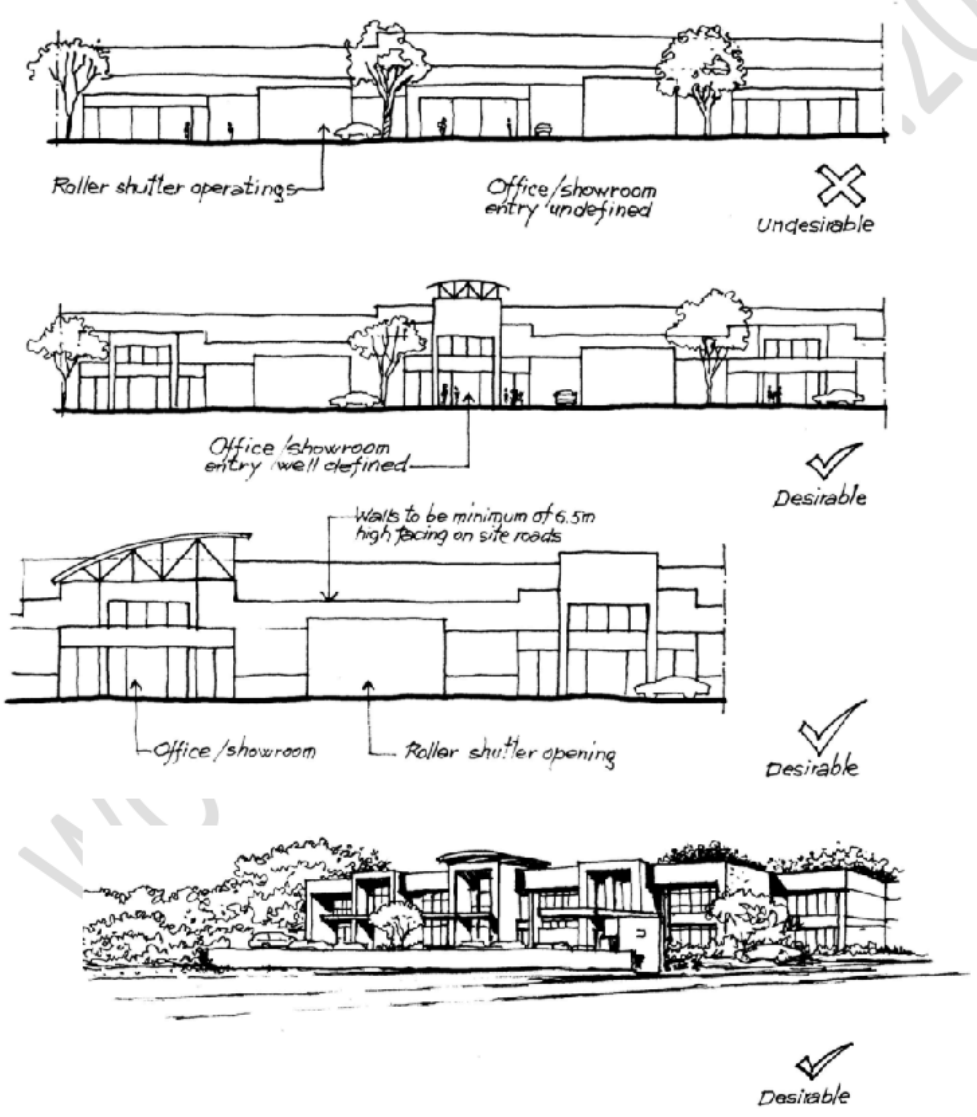


Figure 11: Building form.

C5. Walls facing side roads shall be a minimum height of 6.5m.

C6. On corner sites, built form shall emphasise the corner by massing and facade orientation. The office component of developments shall be located at the corner and the architectural form shall address the corner of the block by a chamfered footprint to the corner. Refer to Figure 12 to 15.

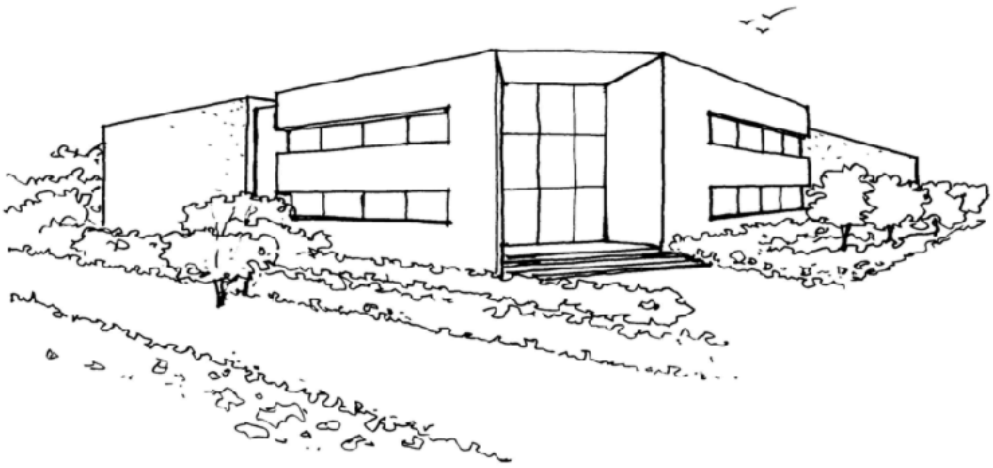
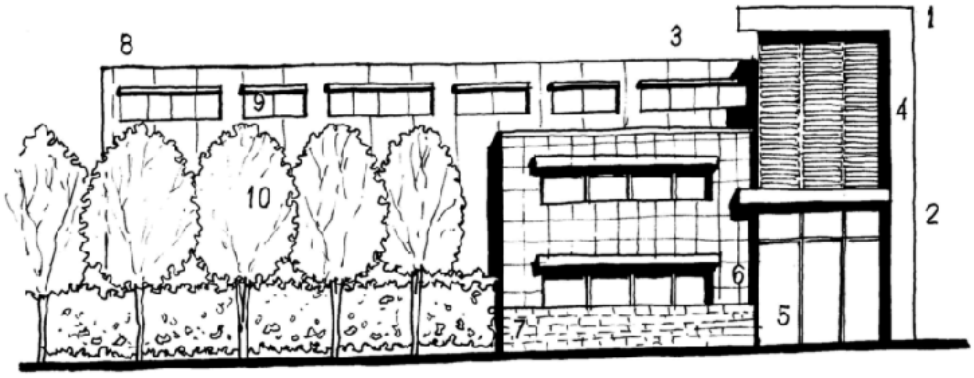
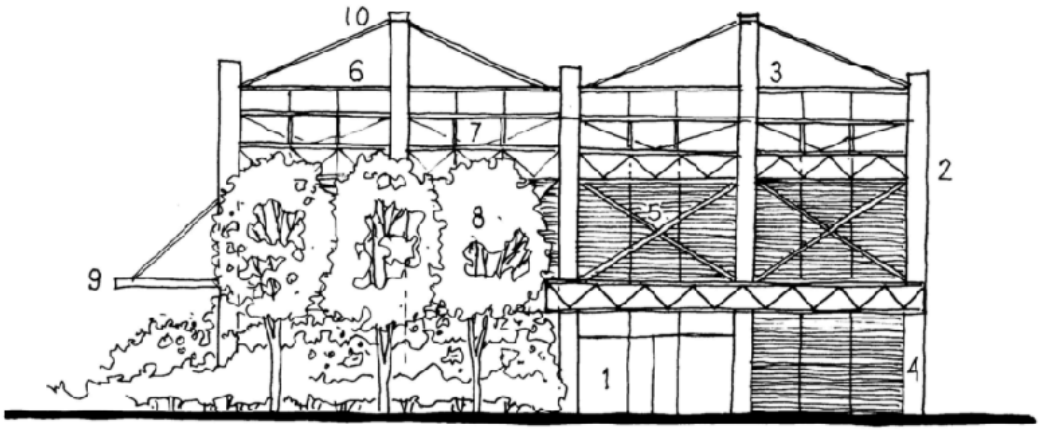


Figure 12: Example of chamfered corner treatment.



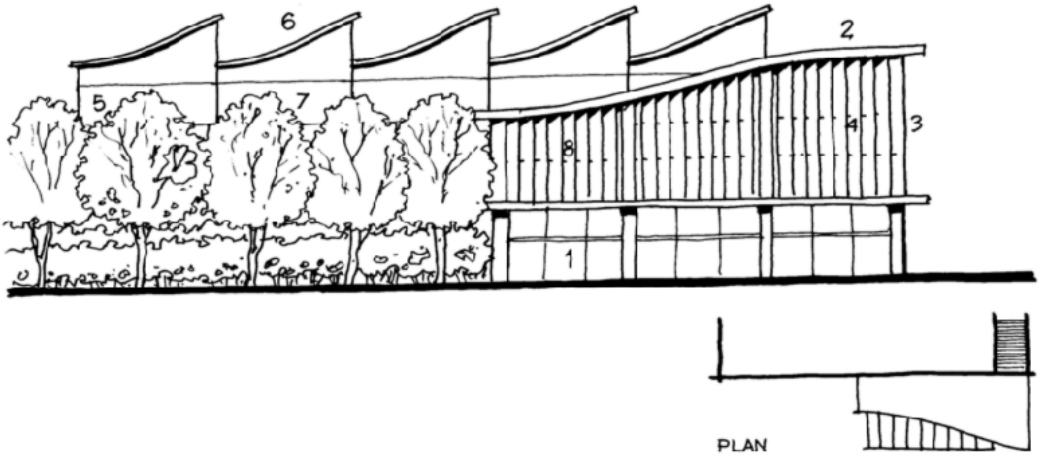
1. Entrance prominently identified by high building form
2. Blade walls articulate frontage and frame entry.
3. Parapet to cover all plant and equipment.
4. External horizontal louvres protect north facing glazing.
5. Entrance further articulated and protected by canopy.
6. Office windows with spandrel to allow placement of desks against external walls. Horizontal sun shading blades to north facing windows.
7. Variety of materials – Glazing, rendered blades, masonry to ground building and pre-finished panelling to office block.
8. Precast concrete warehouse.
9. High level windows for natural light to warehouse.
10. Landscape screen planting to warehouse on street frontage.

Figure 13: Options for building frontages – boxes and blades.



1. Entrance set back from front setback articulated and protected by canopy.
2. Visible structural elements to articulate building form and illustrate industrial nature of building function.
3. Parapet to cover all plant and equipment.
4. External horizontal louvres protect north facing glazing.
5. Variety of materials – Glazing, concrete columns and steel structure.
6. Metal clad warehouse.
7. High level windows for natural light to warehouse.
8. Landscape screen planting to warehouse on street frontage.
9. Awning for weather protection to side loading.

Figure 14: Options for building frontages – scaffolding elements, visible structure.



1. Entrance set back from front setback articulated and protected by canopy.
2. Parapet to cover all plant and equipment.
3. External vertical louvres protect west facing glazing.
4. Variety of materials – Glazing, concrete structure and timber louvres.
5. Precast concrete warehouse.
6. Saw-tooth roof form to punctuate skyline and allow natural light penetration into warehouse.
7. Landscape screen planting to warehouse on street frontage.
8. Office building emphasised by curved architectural form and screens loading behind.

Figure 15: Options for building frontages – curves and roof form.

2.6 Landscape Treatment

Controls

C1. Large car parking areas shall be broken up using landscape zones. Car parking shall be located so as to integrate with the landscaping and provide a harmonious design for the site.

C2. An area shall be provided for outdoor staff recreation (areas for sitting, eating and barbecues) being appropriate to the needs of the particular premises and incorporating adjacent open space or natural areas.

2.7 Landscape

Objectives

O1. Open space areas within allotments are to comprise a high quality of landscape design to maintain the visual amenity and habitat potential of the locality

O2. Adequate open space areas are provided for the amenity of visitors and workers in the Estate.

Controls

C1. All industrial allotment frontages shall be separate from the street by a minimum 3m wide landscape softworks buffer. This buffer shall contain trees, gravel, lawn and planting to match the verge on the other side of the street. Entrance and access pavements may cross this buffer.

C2. A row of trees shall be planted within the 3m wide landscape buffer at the front of all the allotments fronting the George Young Street. The trees shall be planted as part of the future development of the individual lots. The trees shall be Eucalyptus moluccana (Grey Box), installation size 100 litre and at same spacing as the street trees planted within the road reserve of the Boulevard. These trees shall be planted at 1m within the site boundary and shall create the outer row of the double avenue of street trees along the Boulevard. The area under these trees shall be turfed.

C3. All allotments with a boundary fronting the Princess Road East shall install soft landscaping within the 3m wide landscape softworks buffer. Informal copses of Eucalyptus leucoxylon 'Rosea' and entrance feature trees as identified shall be planted within this zone. The area under these trees must be turfed.

C4. All garden beds shall be edged with a 150mm wide concrete strip.

C5. Rear deep soil planting zones shall be mass planted, mulched garden bed in accordance with the revegetation plan prepared for the site where required.

C6. All lots shall allow for a pedestrian access path from the pedestrian footpath on the street to the entrance of the building.

C7. All unbuilt areas of the site not required for loading, carparking, or vehicle access shall be landscaped. The area of soft landscaping in the form of trees

shrubs and lawns shall not be less than 15% of the site area including the consolidated open space area.

C8. A consolidated open space area shall be provided on every lot in a distinct area (of proportions of approximately 1:1 to 2:3 or 3:2 width to depth). The area shall be built to the front property line

C9. The consolidated open space area shall be located to the front of the lot and extend to 1500mm past the building setback line and must be landscaped in such a manner to contribute to the overall public domain character of the site.

C10. The size of the area to be provided shall be determined based on lot area. Refer to Figure 16.

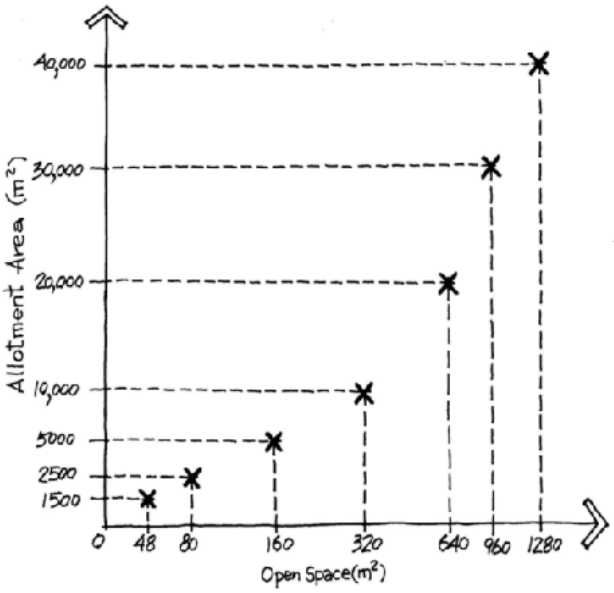


Figure 16: Consolidated open space area table.

C11. The consolidated open space area shall be defined by the public footpath along the site boundary, the driveway, building or private paths.

C12. The consolidated open space area shall contain street furniture, seating, bins, bikeracks etc, lighting, planting, trees and paved areas (unit paving or gravel). It shall also contain a pergola structure for shade which shall also be built to the front property boundary. Refer to Figure 17.

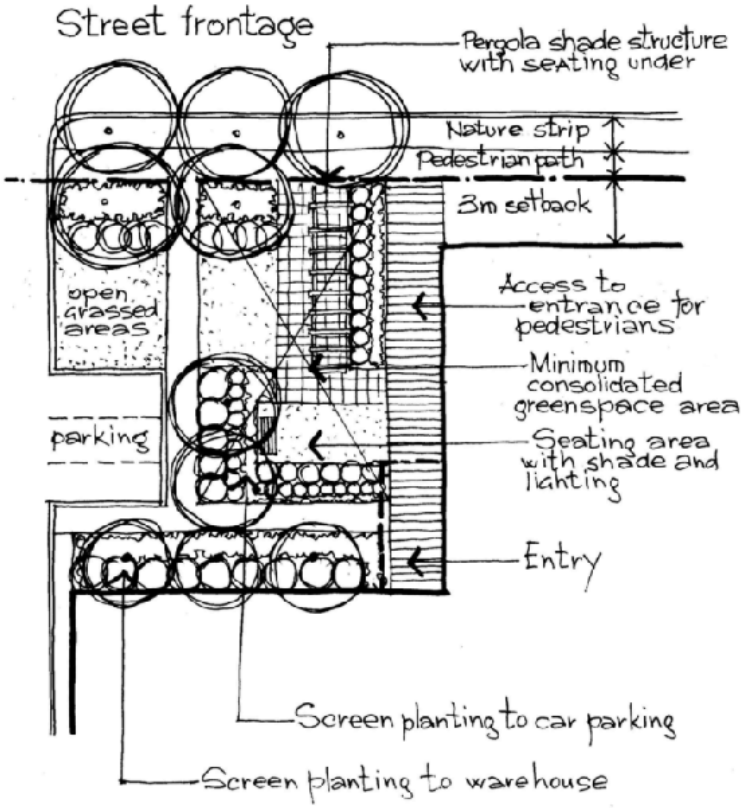


Figure 17:Example of a consolidated open space area.

C13. All species planted within the front setback and consolidated open space areas are to be selected from the relevant proposed species list in Table 1.

Table 1: Regents Park plant list.

Botanical name	Common name	Mature size (Ht x sp)	Pot size
Focal theme trees			
Angophora floribunda	Rough Barked Apple Gum	20 x 6	Advanced, 100L, 3m Ht
Araucaria cunninghamii	Hoop pine	30 x 6	Advanced, 100L, 3m Ht
Ficus rubiginosa	Port Jackson Fig	20 x 6	Advanced, 100L, 3m Ht
Flindersia australis	Australian Teak	15 x 6	Advanced, 100L, 3m Ht
Jacaranda mimosaefolia	Jacaranda	10 x 5	Advanced, 100L, 3m Ht
Avenue theme trees			
Angophora floribunda	Rough Barked Apple	20 x 10	Advanced, 100L, 3m Ht
Corymbia maculata	Spotted Gum	20 x 8	Advanced, 100L, 3m Ht
Eucalyptus haemostoma	Scribbly Gum	15 x 5	Advanced, 100L, 3m Ht
Eucaplyptus leucoxylon 'Rosea'	Pink Flowering Yellow Gum	12 x 6	Advanced, 100L, 3m Ht
Eucalyptus sideroxylon	Ironbank	30 x 5	Advanced, 100L, 3m Ht
Ficus rubiginosa	Port Jackson Fig	12 x 7	Advanced, 100L, 3m Ht
Jacaranda mimosifolia	Jacaranda	12 x 6	Advanced, 100L, 3m Ht
Lophostemon confertus	Brush Box	12 x 6	Advanced, 100L, 3m Ht
Pyrus ussuriensis 'Red Spire'	Manchurian Pear	10 x 5	Advanced, 100L, 3m Ht
Robinia pseudoacia 'Frisa'	Golden Robinia	10 x 5	Advanced, 100L, 3m Ht
Tilia cordata 'Green Spire'	Small leaved Linden		Advanced, 100L, 3m Ht
Ulmus parvifolia	Chinese Elm	8 x 4	Advanced, 100L, 3m Ht

Botanical name	Common name	Mature size (Ht x sp)	Pot size
Native trees buffer planting			
Acacia decurrens	Black Wattle	15 x 5	250mm Pot, 1.5m Ht
Acacia parramattensis	Sydney Green Wattle	10 x 4	250mm Pot, 1.5m Ht
Allocasuarina littoralis	Black She-oak	10 x 5	250mm Pot, 1.5m Ht
Allocasuarina torulosa	Forest She-oak	20 x 5	250mm Pot, 1.5m Ht
Eucalyptus cerba	Narrow Leafed Red Ironbank	20 x 10	250mm Pot, 1.5m Ht
Eucalyptus eugenoides	Thin-leaved Stringybark	25 x 5	250mm Pot, 1.5m Ht
Eucalyptus tereticornis	Forest Red Gum	40 x 5	250mm Pot, 1.5m Ht
Eucalyptus moluccana	Grey Box	40 x 5	250mm Pot, 1.5m Ht
Syncarpia glomulifera	Turpentine	50 x 5	250mm Pot, 1.5m Ht
Duck Creek open space planting			
Acacia decurrens	Black Wattle	15 x 7	Advanced, 100L, 3m Ht
Acacia parramattensis	Sydney Green Wattle		Advanced, 100L, 3m Ht
Angophora floribunda	Rough Bark Apple Gum	20 x 10	Advanced, 100L, 3m Ht
Banksia integrifolia	Coast Banksia	15 x 5	Advanced, 100L, 3m Ht
Banksia spinuosa	Honey Suckle Banksia	4 x 2	Advanced, 100L, 3m Ht
Casurina glauca	Swamp Oak	20 x 10	Advanced, 100L, 3m Ht
Callistemon salignus	Willow Bottlebrush	9 x 4	Tubestock
Cupaniopsis anacardioides	Tuckeroo		Advanced, 100L, 3m Ht
Eucalyptus eugenoides	Thin leaf Stringy Bark		Advanced, 100L, 3m Ht
Eucalyptus gummifera	Bloodwood		Advanced, 100L, 3m Ht
Eucalyptus haemastoma	Scribbly Gum	20 x 10	Advanced, 100L, 3m Ht
Eucalyptus leucoxylon 'Rosea'	Pink Flowering Yellow Gum	15 x 7	Advanced, 100L, 3m Ht
Eucalyptus robusta	Swamp Mahogany	15 x 7	Advanced, 100L, 3m Ht
Feature shrubs			
Dietes grandiflora	Wild Iris	0.6 x 0.6	200mm pot
Doryantes excelsa	Gymea Lily	1.5 x 0.6	200mm pot
Pennisetum aloepecuroides	Fountain Grass	0.6 x 0.6	200mm port
Plumbago auriculata 'Blue'	Blue Plumbago	1.2 x 1.2	200mm port
Phormium tenax 'Maori' Maiden'	Yellow Leaf Flax	0.6 x 0.6	200mm port
Native shrubs			
Anigozanthus flavidus 'Bush Gem'	Dwarf Kangaroo Paw	0.6 x 0.6	200mm port
Banksia spinulosa	Banksia	1.5 x 1.0	200mm port
Bursaria spinosa	Sweet Bursaria	1.5 x 1.5	200mm port
Callistemon citrinus	Lemon-scented Bottlebrush	2.5 x 2.0	200mm port
Dianella revoluta	Mauve Flax Lily	0.6 x 0.6	200mm port
Dillwynia Juniperina	Prickly Parrot-Pea	1.0 x 1.0	200mm port
Kunzea ambigua	Tick Bush	2.5 x 1.5	200mm port
Lomandra longifolia	Long-leaf Mat Rush	0.8 x 0.8	200mm port
Lomandra multiflora	Spiny Leafed Mat Rush	0.8 x 0.8	200mm port
Poa labillardieri	Native Tussock	0.8 x 0.8	200mm port
Westringia glabra	Westringia	1.2 x 1.0	200mm port
Groundcovers & climbers			
Hardenbergia violacea	Native Sarsparella	0.3 x 1.0	150mm pot
Hibbertia aspera	Rough Guinea Flower	0.3 x 1.0	150mm pot
Kennedia rubicunda	Dusky Coral Pea	0.3 x 1.0	150mm pot
Viola hederacea	Native Violet	0.3 x 0.3	150mm pot
Boulevard front setback planting			
Anigozanthos flavidus	Tall Kangaroo Paw	1 x 1	Tube Stock

Botanical name	Common name	Mature size (Ht x sp)	Pot size
Banksia 'Candlesticks'	*Banksia 'Candlesticks'*	0.4 x 1	150mm pot
Banksia spinulosa	Banksia	1.5 x 1.0	200mm pot
Dietes Bicolour	Wild Iris	0.7 x 0.5	150mm pot
Dianella revoluta	Mauve Flax Lily	0.6 x 0.6	200mm pot
Doryanthus excelsa	Gymea Lilly	1.5 x 0.7	200mm pot
Grevillea 'Moonlight'	*Grevillea 'Moonlight'*	4 x 2	200mm pot
Lomandra longifolia	Long-leaf Mat Rush	0.8 x 0.8	150mm pot
Lomandra multiflora	Spiny Leafed Mat Rush	0.8 x 0.8	150mm pot
Hardenbergia violacea	Native Sarsparella	0.3 x 1.0	150mm pot
Pennisetum alopecuroides	Swamp Foxtail Grass	0.6 x 0.5	Tube Stock
Phormium tenax 'Maori Maiden'	New Zealand Flax *'Maori Maiden'*	1 x 1	200mm pot
Plumbago auriculata	Blue Plumbago	3 x 2	200mm pot
Westringa fructosia	Coastal Rosemary	1.5 x 1	200mm pot
Westringa glabra	Violet westringa	1.5 x 1	200mm pot
Northern Link Road front setback planting			
Anigozanthos flavidus	Tail Kangaroo Paw	1 x 1	Tube Stock
Banksia 'Candlesticks'	*Banksia 'Candlesticks'*	0.4 x 1	150mm pot
Dietes Bicolour	Wild Iris	0.7 x 0.5	200mm pot
Dianella revoluta	Mauve Flax Lily	0.6 x 0.6	200mm pot
Doryanthus excelsa	Gymea Lilly	1.5 x 0.7	200mm pot
Grevillea 'Misty Pink'	*Grevillea 'Misty Pink'*	3 x 2	200mm pot
Grevillea 'Robyn Gordon'	*Grevillea 'Robyn Gordon'*	1.5 x 2	200mm pot
Lomandra longifolia	Long-leaf Mat Rush	0.8 x 0.8	150mm pot
Lomandra multiflora	Spiny Leafed Mat Rush	0.8 x 0.8	150mm pot
Hardenbergia violacea	Native Sarsparella	0.3 x 1.0	150mm pot
Pennisetum 'Burgundy giant'	*Pennisetum 'Burgundy giant'*	1.2 x 0.7	Tube Stock
Phormium tenax 'Dazzler'	New Zealand Flax	1 x 1	200mm pot
Phormium tenax 'Flamingo'	New Zealand Flax	1 x 1	200mm pot
Themeda 'Bush Joey'	*Themeda 'Bush Joey'*	0.4 x 0.4	Tube Stock
Westringa fructosia	Coastal Rosemary	1.5 x 1	200mm pot
Westringa glabra	Violet westringa	1.5 x 1	200mm pot
General front setback planting			
Anigozanthos flavidus	Tall Kangaroo Paw	1 x 1	Tube Stock
Banksia 'Candlesticks'	*Banksia 'Candlesticks'*	0.4 x 1	150mm pot
Dietes Bicolour	Wild Iris	0.7 x 0.5	150mm pot
Dianella revoluta	Mauve Flax Lily	0.6 x 0.6	200mm pot
Doryanthus excelsa	Gymea Lilly	1.5 x 0.7	200mm pot
Grevillea 'Moonlight'	*Grevillea 'Moonlight'*	4 x 2	200mm pot
Lomandra longifolia	Long-leaf Mat Rush	0.8 x 0.8	150mm pot
Lomandra multiflora	Spiny Leafed Mat Rush	0.8 x 0.8	150mm pot
Hardenbergia violacea	Native Sarsparella	0.3 x 1.0	150mm pot
Phormium tenax 'Lime Light'	New Zealand Flax	1 x 1	200mm pot
Plumbago auriculata	Blue Plumbago	3 x 2	200mm pot
Poa labillardieri	Common tussock-grass	0.04 x 0.04	Tube Stock
Westringa Fructosia	Coastal Rosemary	1.5 x 1	200mm pot
Westringa glabra	Violet westringa	1.5 x 1	200mm pot

C14. The consolidated open space area shall be located to achieve best orientation to create a comfortable micro climate.

C15. Public safety through open surveillance of the building frontage shall be achieved at all times.

C16. Landscaped areas shall be separated from vehicle areas by a kerb or other effective physical barrier

C17. Landscape planting shall be provided on the overland flow easement and the batter slopes of Lot 47 to Lot 51 DP 1081545 in accordance with the following principles:

- Planting shall be 100% native with 70% indigenous to the area.
- Planting of the stormwater easement area shall incorporate riparian species but shall not obstruct the overland flow.
- The area incorporating the banks surrounding the building platform to the boundary with the reserve shall be fully landscaped with mass planting and clear trunked trees which shall not obstruct the visual connection to the reserve.

C18. Fencing shall be integrated into the landscape design theme so as to minimise its visual impact while providing required site security.

C19. Warehouse facades on street frontage shall be screened with a landscape buffer unless they are built to the setback line.

C20. For plant selection, biodiversity, plant supply and specification refer also to the Former RAAF Stores Depot Public Domain Plan.

2.8 Business Identification Signage

Objectives

O1. To provide coordinated signage throughout the public and private domain that is distinctive and aesthetically pleasing.

O2. To ensure visual impact of signs on adjoining residential areas is minimised through design and illumination standards

O3. Advertising signs and structures are incorporated within the overall design theme of the industrial component of the site. Refer to Figure 19.

O4. Development minimises the visual impact of signs and structures upon adjoining residential areas through design and illumination standards.

Controls

C1. Signs shall be limited to identifying the user/tenant of the industry by their name, logo or trademark. Illustrative advertising of products or services shall not be allowed.

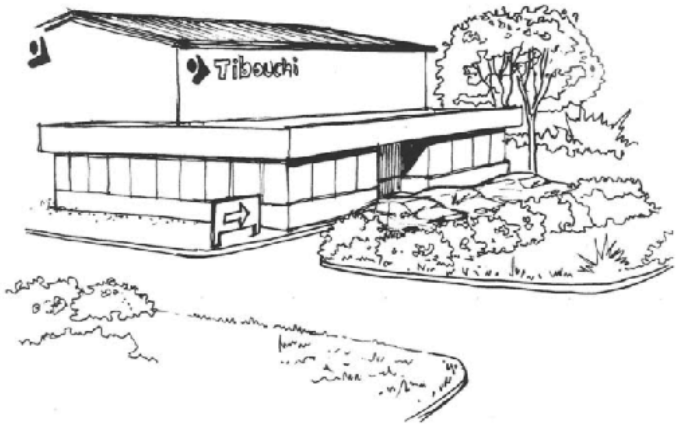


Figure 18: Distinctive, coordinated signage integrated with development.

C2. Illumination of signs shall not cause nuisance or annoyance to pedestrians, vehicles or adjoining residential properties.

C3. Signs shall be placed so that they do not obscure vehicular sightlines and vehicular control signs.

C4. Non illuminated signs shall use reflective material for typography and directional arrows.

C5. Word spacing shall be regular and excessive variation in length of lines shall be avoided.

C6. Signs shall not be placed above the roof line or parapet

C7. Identification signs shall be placed perpendicular to approaching traffic, no closer than 3m to any property line.

C8. One identification sign shall be provided. More than one may be used where a site has more than one vehicular entrance, on different sides of the building or where the nature of the site and adjacent roads require more than one sign for adequate identification.

C9. Building identification signage shall be in the form of a single free standing primary signage element. This element shall be setback 2m from the front allotment boundary. Secondary signage may be located on the building facade.

C10. The 2m setback area shall be planted with low ornamental plants and shrubs which do not obscure signage and are consistent with the landscape principles of the site. Refer to Figure 20.

C11. Signage shall be not more than 1.5m in height and shall incorporate a solid base element 600mm high of stone construction. This is illustrated in Figure 20 to 22.

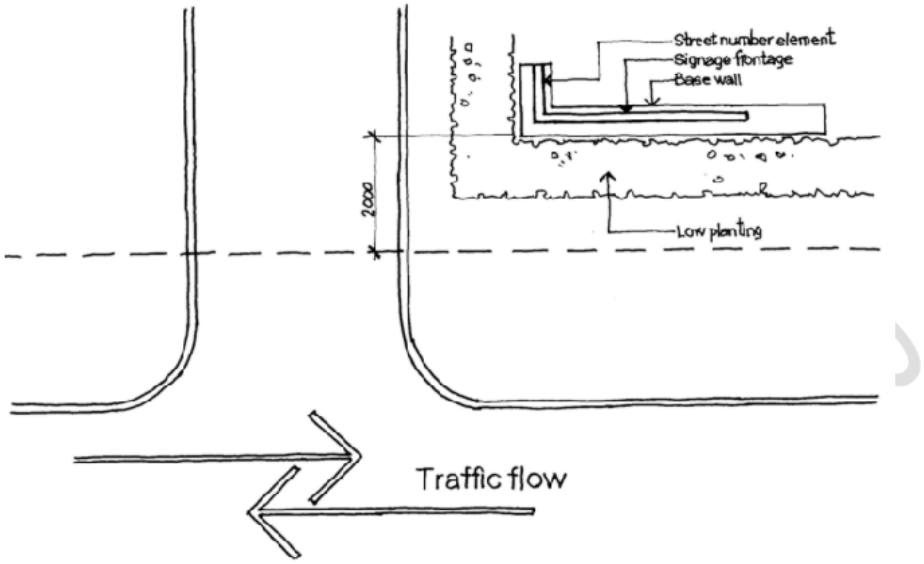


Figure 19: Signage – plan view.

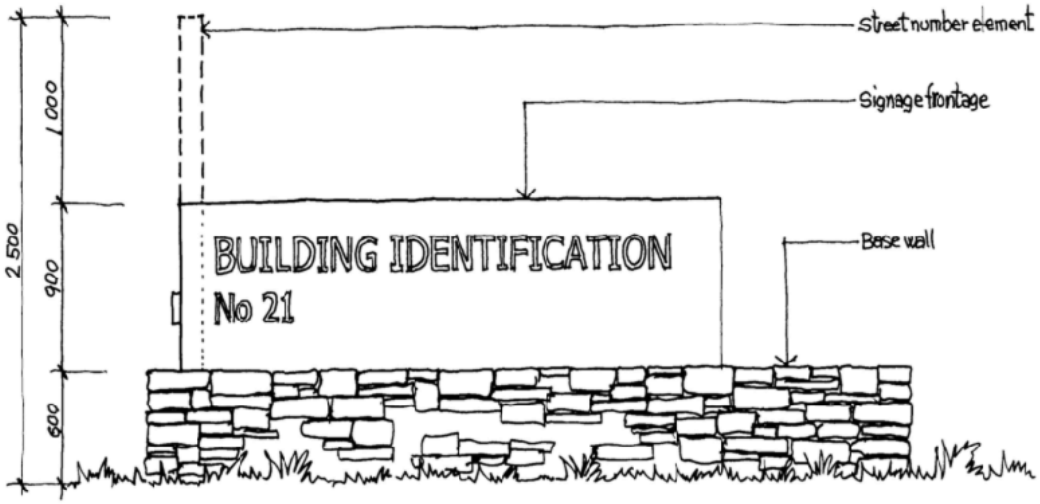


Figure 20: Signage – elevation.

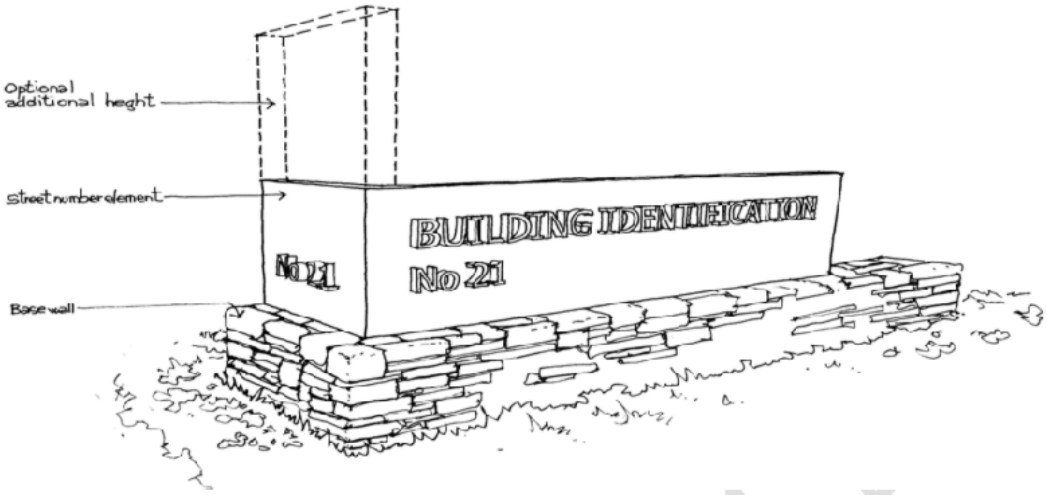


Figure 21: Signage – sketch.

C12. Signs shall not have a front face area greater than 5m² excluding the base wall face area.

C13. Signs shall be placed parallel to the road alignment. Where the sign is located after the access driveway for approaching traffic an element of the sign shall be perpendicular to the approaching traffic and as a minimum shall indicate the street number and may be up to 2.5m in height. Refer to Figure 21.

C14. Signs on the front facade of the building shall not be greater than 1/3 of the total length of the front facade and not longer than 12m in total length.

C15. Identification signs on a secondary street frontage shall be 50% of the size of those on the primary frontage.

C16. Pylon signs shall not be allowed.

2.9 Lighting, privacy and security

Lighting

Objectives

O1. To provide a functional and coordinated site lighting system which contributes to a safe and visually attractive environment

O2. To ensure lighting does not cause distraction to vehicle drivers on internal or external roads or to the occupants of adjoining properties and residential land.

O3. The impact of lighting upon adjoining sites, particularly residential areas, is minimised by controlling the intensity, design and location of lighting facilities.

Controls

C1. Lights shall be placed so as to cause no glare or excessive light spillage on neighbouring sites. External lighting complies with the Australian Standard 4282 (INT) 1995 – Control of the Obtrusive Effects of Outdoor Lighting.

C2. All parking areas and driveways shall be illuminated to a minimum level of between 25 and 50 lux at ground level. The standard adopted for the surrounding roads is 50 lux.

C3. Security lighting fixtures shall not project above the facade of the nearest adjacent building and shall be shielded. Shields shall be painted to match the surface to which they are attached. Security lighting fixtures shall not substitute for parking area or pedestrian path lighting fixtures and shall be restricted to lighting only loading and storage locations or other limited service areas.

C4. Exterior wall mounted flood lights shall be prohibited except for security lighting to the rear of buildings.

C5. Accent illumination shall be provided at key locations, such as building entries and driveways. The tops of footings of all lighting standards shall be a minimum of 100mm below adjacent surface levels.

C6. Buildings shall be externally lit using a system of lighting that accentuates the architectural features.

Figure 22: Lighting to emphasise building form.

Fencing

Objective

O1. Fences and walls are designed to ensure that they do not have a detrimental effect on the visual amenity of the public domain.

Controls

C1. Fencing along street boundaries of a height greater than 1m shall be located behind a landscape buffer with a minimum setback of 3m.

C2. Fencing shall be either transparent or integrated into the building form. It shall be designed to ensure its materials and colours blend into the landscape and allow through visual access. Refer to Figure 23.

C3. Solid fencing shall be designed to read visually as part of the building form and be constructed of the same or complementary materials to the building.

C4. Fences shall not be erected in front of landscaping along street frontages.

Figure 23: Example of transparent fencing.

Safety and security

Objective

O1. The design and ongoing development of the site is consistent with the principles of Crime Protection Through Environmental Design (CPTED).

Controls

C1. Clear sightlines between public and private spaces shall be provided.

C2. Effective lighting for public places shall be provided.

C3. Landscapes and physical locations that channel and group pedestrians into target areas shall be provided

C4. Access to internal areas or high risk areas shall be restricted.

C5. Design shall incorporate clear transitions and boundaries between public and private space.

C6. Space management strategies shall be undertaken, including activity coordination, site cleanliness, rapid repair of vandalism and graffiti and replacement of burnt out lighting.

2.10 Ecologically sustainable development principles

Objectives

O1. To encourage a high standard of environmental design.

O2. To minimise energy use in buildings while providing a comfortable working environment.

O3. To substantially reduce carbon dioxide emissions compared to similar developments through the design of buildings.

O4. To minimise potable water mains demand of non residential development by implementing water efficiency measures.

O5. Buildings are designed to minimise energy consumed for heating and cooling

O6. Buildings reduce reliance on existing energy supplies through the use of renewable energy technologies.

O7. Water efficiency is increased by appropriate building design, site layout, internal design and water conserving appliances.

Controls

C1. Buildings shall aim to achieve a north-south orientation.

C2. Air conditioning shall be zoned to enable the most efficient heating and cooling of the building

C3. Roof and wall insulation shall be used in office components of buildings to reduce winter heat loss summer heat gain.

C4. Cross ventilation shall be maximised by using high level roof ventilators. Where practical and appropriate, skylights and/or wind powered ventilators are to be installed.

C5. Stairwells shall be positioned to create a stack effect to enhance natural ventilation to upper floors.

C6. Windows shall be protected from summer sunlight by eaves and sunshade devices where appropriate.

C7. Buildings shall be finished in lighter colours to increase heat reflectivity.

C8. Low energy lighting shall be used.

C9. Buildings shall use renewable energy technologies, including:

- photovoltaic cells;
- battery storage; and
- natural ventilation.

C10. Water conserving landscape techniques shall be employed; such as drought tolerant species selection, soil additives, irrigation zoning, limited turf areas and planting to reflect micro climates.

C11. The ancillary office component of development shall be to the north of the site.

C12. Roofs shall be designed to maximise penetration of natural light.

C13. Landscaping shall be used to shade exposed walls from summer sun. Deciduous species shall be included where summer shade and winter sun is desirable.

C14. All developments shall reuse grey water wherever appropriate, feasible and practical.

C15. New developments shall connect to recycled water if serviced by a dual reticulation system for permitted non potable uses such as toilet flushing, irrigation, car washing, fire fighting and other suitable industrial purposes.

C16. Where a property is not serviced by a dual reticulation system, development shall include an onsite rainwater harvesting or an onsite reusable water resource for permitted non potable uses such as toilet flushing, irrigation, car washing, fire fighting and other suitable industrial purposes.

C17. Development shall install all water using fixtures to meet the WELS (Water Efficiency Labelling Scheme) rated industry standards.

2.11 Stormwater management

Objectives

O1. To take advantage of opportunities for the multiple use of stormwater management areas for recreation and amenity.

O2. To avoid stormwater discharge impacts on downstream properties and natural waterways.

O3. To protect water quality and minimise gross pollutants leaving the site.

O4. To reduce the pressure of new development on existing water supply and drainage infrastructure.

O5. To treat and manage stormwater in an equitable manner for all future occupants of the estate.

O6. To incorporate highly innovative financially responsible water quality management strategy.

O7. Stormwater drainage is designed to integrate with landscape concept plans prepared for the site.

O8. Drainage design minimises the environmental impact of stormwater run-off.

O9. Stormwater management systems provide the community with opportunities for the reuse of stormwater

O10. Lot owners are responsible for management of stormwater on their site in terms of both water quality and quantity.

Controls

C1. The drainage system has the capacity to accommodate the 1-in-100 year flood event without risk or damage.

C2. The stormwater drainage system shall be integrated with the landscape concept plan.

C3. The maximum permissible site discharge (PSD) and minimum site storage requirement (SSR) shall be in accordance with the Table 2.

Table 2: Maximum permissible site discharge

PSD Zone	Description of zone in which the proposed development is located	PSD L/S/ha	SSR M³/ha
I	Duck River Catchment – generally bounded by Duck River, Park Road, Rose Crescent and the M4 Motorway	80	530

Specific details relating to boundaries are to be confirmed with Council's drainage engineer.

C4. Detention storage shall not be located in any natural watercourse or overflow flow path, and functions independently during any events up to and including Council's 100 year ARI event

C5. On-site detention basins shall be provided with an overflow spillway directed towards the trunk drainage system.

C6. On-site detention storage shall be designed so that run-off is stored underground.

C7. All stormwater quality control structures shall have the capacity to intercept and filter run-off from the one (1) year average recurrence storm event.

C8. Gross pollutant traps and devices shall be located underground with readily available access for maintenance or are screened

C9. Development shall comply with the Stormwater Drainage in Part G of this DCP.

C10. Stormwater management shall be undertaken in accordance with the principles contained in the Water Cycle Management Plan prepared by Storm Consulting dated November 2003.

C11. On-site detention for the industrial estate shall be provided for each lot

C12. Each lot shall provide water quality treatment consisting of oil and grease separation, gross pollutant and nutrient retention.

Toongabbie Town Centre

Contents

1. Introduction

1.1 Land to which this Part applies

This Part applies to all development on land identified within the town centres of Toongabbie, Pendle Hill, Wentworthville and Guildford, as shown in Figure 1- 4.

Figure 1: Toongabbie Town Centre

2. Objectives and Controls

2.1 Site Consolidation

Objectives

O1. Ensure all sites achieve the required minimum width to adequately provide for basement car parking.

O2. Minimise vehicular and pedestrian conflicts throughout the town centre through the appropriate location and number of vehicular access points.

O3. Require the provision of laneways to enable access of secondary streets for better vehicular circulation and to reduce pedestrian vehicular conflict.

O4. Enable better circulation and vehicular amenity on for high density residential development.

O5. Ensure all sites achieve the required minimum width to allow for a site configuration that permits a consistent landscaped open space to the rear of sites.

O6. Ensure any site amalgamation pattern does not restrict the development opportunity of any adjoining site or the ability of adjoining sites to provide basement carparking or rear open space.

O7. Establish fine grain shopfronts along primary retail streets within the town centre.

O8. Ensure new developments do not reduce the opportunity for the development of adjoining properties to develop in accordance with this DCP and adversely impact on the economic viability of development in accordance with s79C of the Environmental Planning and Assessment Act 1979.

Controls

C1. The amalgamation of lots in accordance with Figure 5 is required for development to meet the objectives and desired future character contained within this DCP within the Toongabbie Town Centre.

C2. The minimum lot frontage requirements for all development within a Business zone is located in Part C.

C3. The minimum lot frontage requirements for all development within a Residential zone is in Part B.

C4. Notwithstanding the above, development within Business zones located on Aurelia Street are to provide a fine grain retail shopfront character.

C5. In instances where amalgamation cannot be achieved, the following information must be submitted with any development application:

- Two written valuations indicating the value of the remaining sites that were to be developed in conjunction with the applicants properties. These are to be undertaken by two independent valuers registered with the Australian Institute of Valuers, and;
- Evidence that a reasonable offer has been made to the owner(s) of the affected sites to purchase and valuation reports.
    - Potential value can include, (but is not limited to) the land locked site developed jointly with adjoining properties, or on its own, under the Cumberland LEP and this plan.
    - A reasonable offer shall be a fair market value, and include for all expenses that would be incurred by the
    - owner in the sale of the land locked site.
    - Council will accept as documentary evidence a copy of a written offer delivered by registered mail to the affected owner(s) and dated no more than 3 months prior to the date of lodgement of the development application.

C6. Where amalgamation (as required) is not achieved, the applicants must show that the remaining sites, which are not included in the consolidation, and the proposed development site, will still be able to achieve the development outcome prescribed in this DCP, including achieving the required vehicular access, basement parking and built form.

C7. Sites must not be left such that they are physically unable to develop in accordance with the prescribed built form outcomes outlined in this DCP.

Figure 2: Toongabbie site consolidation

2.2 Rear laneways, land dedication, Access and Vehicular Entries

Objectives

O1. Require the provision of rear access ways on properties for private and service vehicle access in order to reduce vehicular and pedestrian conflict and provide greater amenity to future residents.

O2. Require buildings fronting primary roads to have vehicular access from the rear of the property in order to reduce vehicular and pedestrian conflict and create a safe retail environment.

O3. Require all sites with existing access ways from the rear of the property to be used for vehicular access and parking.

O4. Mitigate any impacts of vehicular traffic on adjoining residences.

O5. Allow improved circulation space for pedestrians and future residents within the precinct.

O6. Limit or prohibit vehicular access from primary street frontages.

Controls

C1. Where new development has access available off existing or proposed laneways, vehicular access must be provided from the laneway.

C2. An 8 metre laneway between Junia Avenue and Aurelia Street is to be provided as shown in Figure 3.

C3. Land shall be dedicated to Council to finalise the completion of proposed Cox Lane as shown in Figure 3.

C4. An 8 metre laneway between Aureila Street and Toongabbie Road is to be provided as shown in Figure 3.

C5. An 8 metre laneway between Linden Street and Harvey Street is to be provided as shown in Figure 3.

C6. The existing footpath and verge in Linden Street (Figure 3) shall be reduced to 3.5 metres, with the residual land used to widen the existing carriageway.

Figure 3: Proposed Laneways

2.3 Building Height

Objectives

O1. Require an appropriate scale relationship between building heights and street width.

O2. Ensure the appropriate management of overshadowing, access to sunlight and privacy.

O3. Enable flexibility of used by implementing higher floor to ceiling heights within buildings for the ground and first floors.

O4. Allow activation of the street edge on primary roads.

O5. Allow for reasonable daylight access to other development and the public domain.

Controls

C1. The maximum height for development within the Toongabbie Town Centre is detailed within Cumberland Local Environmental Plan XXXX as a written statement and associated maps.

C2. The maximum building storey limits within the Toongabbie Town Centre is detailed in Figure 4.

C3. The minimum floor to ceiling height requirement are located in Part B and C.

C4. The prominence of street corners shall be reinforced by concentrating the tallest portion of the building on the corner in relation to the overall building height and predominant street wall height.

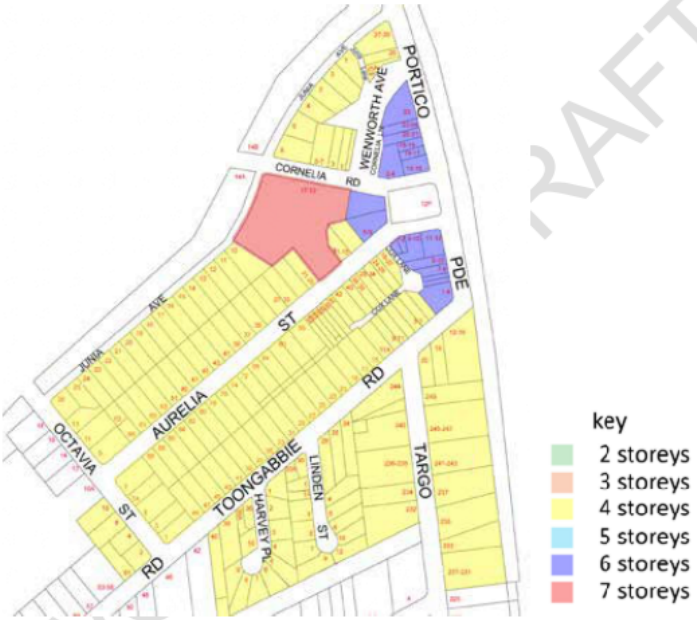


Figure 4: Building Height

2.4 Building Setbacks, Separation and Street Presentation

Objectives

C1. Require suitable definition of the public domain and public spaces.

C2. Require a continuous built edge within commercial and mixed use development for activation of the street edge.

C3. Retain a landscaped setback character for residential development.

C4. Ensure setbacks respond to the building separation requirements.

C5. Reduce the visual impact of buildings on the public domain.

Controls

C1. All front setbacks shall be in accordance with Figure 8.

C2. Where a 0 metre setback is permitted, buildings shall form a continuous street edge.

C3. Rear and side setbacks (unless indicated otherwise in Figure 8) are to be in accordance with setbacks indicated in Part B or Part C of this DCP.

C4. Residential Development shall correspond to building depth and separation requirements in Part B.

C5. Development shall present and address the street.

C6. Sites with corner lots shall present and articulate to both street frontages.

C7. Where sites are adjacent to Portico Park, development shall primarily be orientated to address the park.

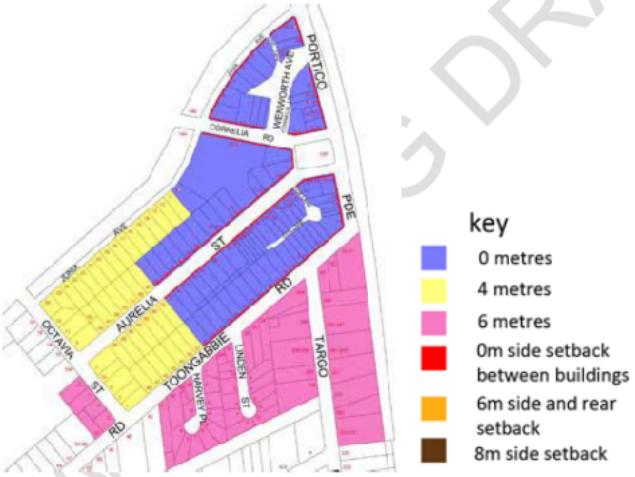


Figure 5: Front and zero side Setbacks

Wentworthville Town Centre

Contents

1. Introduction

This Part applies to all development on land identified within the town centres of Toongabbie, Pendle Hill, Wentworthville and Guildford, as shown in Figure 1.

Figure 1: Wentworthville Town Centre

2. Objectives and Controls

2.1 Site consolidation

Objectives

O1. Ensure all sites achieve the required minimum width to adequately provide for basement car parking.

O2. Minimise vehicular and pedestrian conflicts throughout the town centre through the appropriate location and number of vehicular access points.

O3. Ensure all sites achieve the required minimum width to allow for a site configuration that permits a consistent landscaped open space to the rear of sites.

O4. Ensure any site amalgamation pattern does not restrict the development opportunity of any adjoining site or the ability of adjoining sites to provide basement carparking or rear open space.

O5. Establish fine grain shopfronts along primary retail streets within the town centre.

O6. Ensure new developments do not reduce the opportunity for the development of adjoining properties to develop in accordance with this DCP and adversely impact on the economic viability of development in accordance with s79C of the Environmental Planning and Assessment Act 1979.

Controls

C1. The minimum lot frontage requirements for all development within a Business zone is located in Part C.

C2. The minimum lot frontage requirements for all development within a Residential zone is located in Part B.

C3. Notwithstanding the above, development located on Dunmore Street (between Cumberland Highway and Lane Street) and Station Street (between Pritchard St East and The Kingsway) are to provide a fine grain retail shopfront character.

2.2 Rear laneways, Land Dedication, Access, Vehicular Entries and Pedestrian Access

Objectives

O1. Require the provision of rear access ways on properties for private and service vehicle access, in order to reduce vehicular and pedestrian conflict and provide greater amenity to future residents.

O2. Require buildings fronting primary roads to have vehicular access from the rear of the property in order to reduce vehicular and pedestrian conflict and create a safe retail environment.

O3. Require all sites with existing access ways from the rear of the property to be used for vehicular access and parking.

O4. Mitigate any impacts of vehicular traffic on adjoining residences.

O5. Allow improved circulation space for pedestrians and future residents within the precinct.

O6. Limit or prohibit vehicular access from primary street frontages.

O7. Improve the pedestrian circulation system in the major centres.

Controls

C1. Where new development has access available off existing or proposed laneways, vehicular access must be provided from the laneway.

C2. Where vehicular access is currently achieved from the Kingsway commuter carpark, this is permitted to continue, however a formal right of way is to be established during redevelopment.

C3. Where a development proposes a right of way over adjacent properties for vehicular access, permission for the right of way must be demonstrated to Council.

C4. If no opportunity exists to use a rear laneway or secondary street for vehicular access for a site and where driveways are proposed to be located on Dunmore Street or Station Street, they shall not be within 10 metres of an adjacent driveway on the same street.

C5. A 6 metre wide, 4 metre high pedestrian arcade must be provided and dedicated for unrestricted public access as part of any redevelopment of the site as shown in Figure 2.

C6. A minimum 4 metre wide pedestrian accessway must be maintained and dedicated for public access as part of any redevelopment of the site as shown in Figure 2.

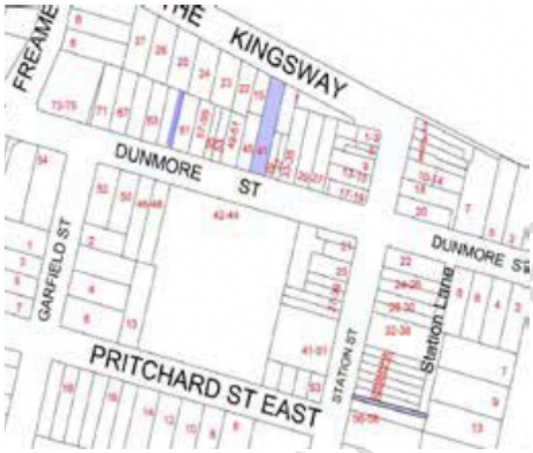


Figure 2: Proposed Pedestrian Accessways. (L) Accessway (M) Arcade (R) Accessway

2.3 Building Height

Objectives

O1. Require an appropriate scale relationship between building heights and street width.

O2. Ensure the appropriate management of overshadowing, access to sunlight and privacy.

O3. Enable flexibility of used by implementing higher floor to ceiling heights within buildings for the ground and first floors.

O4. Allow activation of the street edge on primary roads.

O5. Allow for reasonable daylight access to other development and the public domain.

Controls

C1. The maximum height for development within the Wentworthville Town Centre is detailed within Cumberland Local Environmental Plan XXXX as a written statement and associated maps.

C2. The maximum building height in storeys within the Wentworthville Town Centre is detailed in Figure 3.

C3. The minimum floor to ceiling height requirements are located in Part B and C.

C4. The prominence of street corners shall be reinforced by concentrating the tallest portion of the building on the corner in relation to the overall building height and predominant street wall height.

Figure 3: Building Height

2.4 Building Setbacks, Separation and Street Presentation

Objectives

O1. Require suitable definition of the public domain and public spaces.

O2. Require a continuous built edge within commercial and mixed use development for activation of the street edge.

O3. Retain a landscaped setback character for residential development.

O4. Ensure setbacks respond to the building separation requirements.

O5. Reduce the visual impact of buildings on the public domain.

O6. Ensure the maintenance of amenity, including privacy and sunlight, to adjacent residential development.

Controls

C1. All building setbacks shall be in accordance with Figure 4.

C2. Where a 0 metre setback is permitted, buildings shall form a continuous street edge.

C3. Rear and side setbacks (unless indicated otherwise in Figure 4) are to be in accordance with setbacks indicated in Part B or Part C of this DCP.

C4. Residential Development shall correspond to building depth and separation requirements in Part B.

C5. A 8m rear setback is required for properties 8-16 Pritchard Street East (as indicated in Figure 4).

C6. Developments shall present and address the street.

C7. Sites with corner lots shall present and articulate to both street frontages.

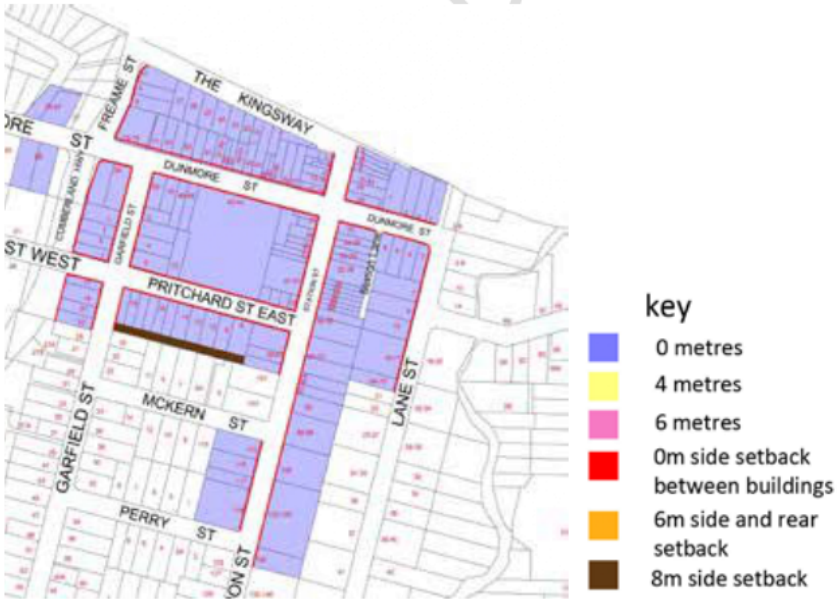


Figure 4: Setbacks

DOCUMENTS ASSOCIATED WITH REPORT C02/20-356

Attachment 2

Draft Development Control Plan Part F - Industrial Site Specific

Part F - Pemulwuy Northern Employment Lands

Contents

1. Introduction

1.1 Land to which this Part applies

This Part of the DCP relates only to the Pemulwuy North Employment Lands, the land shown in Figure 1. The entirety of the site is within Cumberland Local Government Area (LGA). This DCP does not apply to the whole of the Greystanes Precinct that was defined in the State Environmental Planning Policy No. 59 - Central Western Sydney Economic and Employment Area (SEPP 59). Lands not included are: the residential land within Pemulwuy, parts of the Employment Lands in Blacktown LGA, and the 'Greystanes Southern Employment Lands' (as defined by the 20/07/2007 Part 3A Determination). Also, the southeast boundary of the former CSIRO lands has been redefined to reflect the landowners' intended uses for the lands here. Therefore, this Section of the DCP applies only to some of the employment component of the Greystanes Precinct that was defined in SEPP 59. It also includes the north-west corner industrial land (Lot 101 DP 851785l, Lot 9 DP 374325 and public road reserve) originally excluded from SEPP 59. It also includes the eastern half of Clunies Ross Street linking the two industrial lands, as this is part of the WSEA SEPP 2009 land.

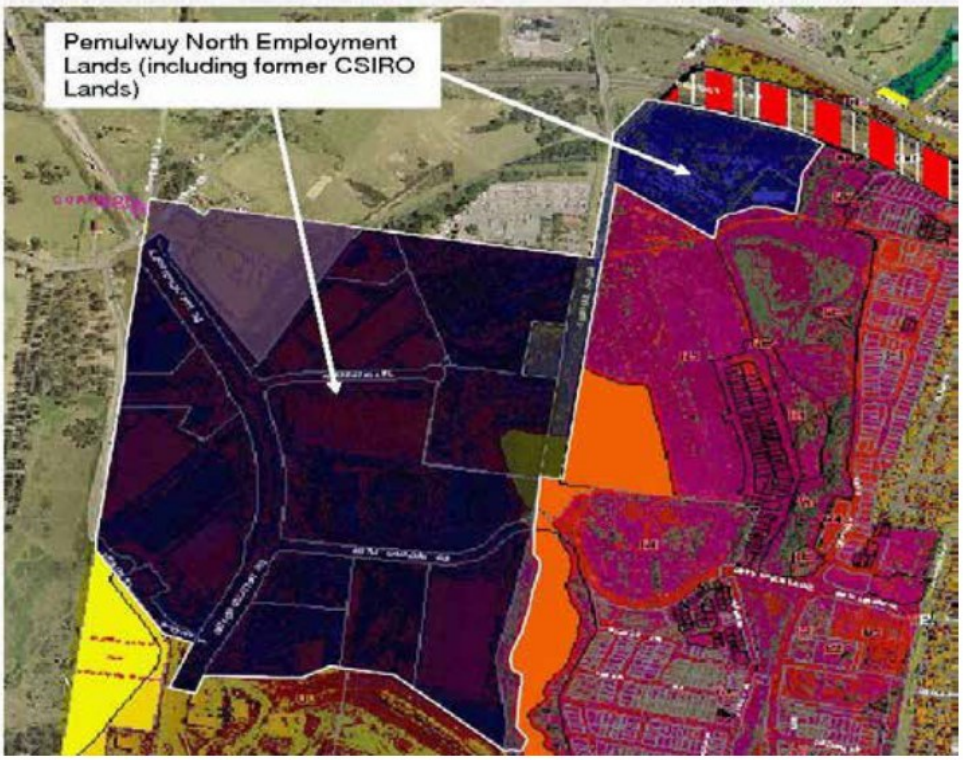


Figure 1: Lands application map - Pemulwuy Northern Industrial lands

1.2 Relationship to Other Plans

State Environmental Planning Policy No. 59 - Central Western Sydney Economic and Employment Area (SEPP 59) was gazetted In February 1999, and applied to a number of landholdings in Western Sydney including the Greystanes Estate. The SEPP rezoned the Greystanes Estate for urban development including employment generating and residential land uses and establishes the planning framework for the development of the land.

As a result of to the gazettal of the State Environmental Planning Policy (Western Sydney Employment Area) 2009 (WSEA SEPP) on Friday 21 August, 2009, control of the Employment Lands of SEPP59 was transferred to the WSEA SEPP. Most of the land that is the subject of this section of the DCP is controlled by the WSEA SEPP.

As required now under clause Part 4 (Development control plans) of the WSEA SEPP, prior to the lodgement of a development application for the site, the owner or Council needs to prepare a Development Control Plan for the site pursuant to section 80 (11) of the E&P A Act1979 and consistent with the issues of consideration in Schedule 4 of the WSEA SEPP (Requirements relating to preparation and content of development control plans), and then have it determined (approved) by the Director-General of the Department of Planning.

This section of the Cumberland Development Control Plan XXXX (CDCP) provides guidance on specific development matters pertinent to the land defined in Section 1.1 above, and is consistent with Schedule 4 of the WSEA SEPP. Infrastructure services are not addressed by this DCP, having been provided prior to the adoption of this control.

Where this section of the CDCP does not provide guidance on specific development matters, reference shall be made to other sections of Cumberland DCP XXXX, such as Part A, Part C Part D and Council Codes and Policies. The objectives and controls of these plans will be considered in the determination of the Development Application. Where there is an inconsistency between this Part and Part A or D, this Part should take precedence.

Historically, this section of the Cumberland Development Control Plan XXXX was amalgamated from relevant sections of two Precinct Plans:

- Former CSIRO Site Pemulwuy Employment Lands
- Greystanes Estate SEPP 59 Residential Lands.

These Precinct Plans continue to apply to the subject land of Pemulwuy, except where there is an inconsistency between this Development Control Plan and these Precinct Plans, in which case this DCP prevails to the extent of the inconsistency.

Note: Lot 63 DP 752051, on the western side of Clunies Ross Street, Pemulwuy, was formerly part of the SEPP 59 land, though it had not been included in the Greystanes Estate Precinct Plan.

2. Objectives and Controls

General Objectives

O1. Achieve the principles of ESD through:

- provision of a range of new employment opportunities;
- efficient re-use of degraded land;
- proximity of local employment to workforce and the consequent benefits to the community such as reduced travel time, promotion of healthy lifestyles, reduced expenditure for transport;
- energy efficient design of employment developments;
- provision of public transport networks;
- implementation of sustainable practices, where practicable e.g. water efficiency and conservation measures to reduce water consumption, maintenance or improvement of water quality through a catchment management approach to the site and the control and minimisation of air pollutant emissions;
- efficient use of land to minimise urban growth and better utilise existing infrastructure;
- promoting the use of appropriate and renewable source materials;
- maintaining and enhancing the significant vegetation and habitat and protecting threatened ecological communities; and
- recognising and integrating significant cultural and archaeological features/aspects.

O2. Continue existing employment;

O3. Offer new job opportunities in Western Sydney. The accessibility of the site to a regional road and public transport network will assist in attracting new employment generating industries.

O4. Provide within the public domain of the Pemulwuy north employment lands:

- riparian corridor,
- water bodies,
- paths and cycleways, and
- roads.

O5. Design these areas so as to create a unique setting and encourage development throughout the Estate.

Note: For a vision of Residential Pemulwuy, see Part F – Site Specific Controls.

2.1 Public Domain and Open Space

2.1.1 Open Space

Objectives

O1. Protect scenic values and ridge skyline;

O2. Create an integrated open space system that is safe, visually attractive, environmentally sustainable, manageable and flexible to cater for changing community needs;

O3. Retain significant vegetation bands and corridors including the dominant north-south wooded ridgeline; and

O4. Rehabilitate existing quarry batters to provide a vegetated setting for employment lands.

O5. Create a major northern gateway to the employment lands of high quality landscape that reflects the character of the entire employment area.

Controls

C1. Provide open space generally in accordance with the development concept set out in Figure 2. The public domain should comprise: riparian corridor, water bodies, paths and cycleways, and roads. The treatment of these areas will be important in creating a unique setting and encouraging development throughout the Estate. These areas are to be reflected in subsequent development applications for the site, and maintained as such.

C2. Open space areas may be used for stormwater detention purposes.

C3. Open space may include elements of the natural environment and provide for active and passive recreation.

C4. Retain and reinforce existing vegetation patterns through the Open space landscaping within public domain areas.

C5. On the north-south wooded ridgeline, replace the pine plantation with new locally indigenous planting to protect the skyline.

C6. Provide a cross site link to allow for connection between Greystanes and Prospect Reservoir.

C7. Provide pedestrian and cycle systems through the riparian corridor where possible, designed to minimise the impact on the ecology of the riparian corridor.

C8. Design accessible open space corridors to ensure the safety of pedestrians and cyclists using the corridors as thoroughfares.

C9. Maintain and vegetate the riparian corridor in accordance with the agreement with the relevant State authority and to the satisfaction of Cumberland City Council.

C10. Create a major northern gateway to the employment lands of high quality landscape that reflects the character of the entire employment area, as shown in Figure 3.

C11. Provide a linear open space area with water elements, landscaped areas and suitably designed signage, bridge, lighting and pavements to evoke the character and theme of a quality industrial park.

C12. Along the eastern ridgeline, plant to reinforce the topographical bounds of the employment area.

Figure 2: Open Space concept Plan

Figure 3: Illustration - Entry into Employment lands

2.1.2 Pedestrian and Cyclist Facilities

Objectives

O1. Provide a convenient access to the employment precinct .

O2. Encourage walking and cycling by providing safe, convenient and legible routes to points of attraction within and beyond the suburb.

O3. Provide open space permeability through development precincts.

O4. Link the existing Greystanes community with new development precincts.

O5. Utilise natural drainage systems and vegetation corridors as open space links.

Controls

C1. Construct pedestrian footpaths generally as part of the normal street network, other than paths in open space corridors.

C2. Ensure that development applications that relate to the cycle network and pedestrian link the site facilities to the off-site facilities The cycle network is a combination of on street, dedicated street lanes, shared paths (parks and streets) and dedicated paths (parks) that link the main points of attraction, particularly the residential and employment areas and village centre with the open space network including the Prospect Canal linear park and Hyland Park.

C3. Provide key pedestrian and cycle routes broadly along the alignment shown on Figure 3.

C4. Align cycle/foot paths in open space approximately parallel with the park edge streets wherever possible to take advantage of the street lighting and allow for casual surveillance by residents and drivers.

C5. Wherever possible and practical, design and construct footpaths or shared paths to be of appropriate width, longitudinal gradient, sight distance and kerb details to cater for the likely population and user types, including aged people, people with prams and wheelchairs, and people with disabilities. Provide a minimum width of 1200mm and maximum gradient where possible of 15%.

C6. Consider incorporating drainage lines into the open space networks as pedestrian and cycle paths.

C7. Pedestrian and cyclist access to the north east employment area will be via the main gate onto Clunies Ross Street.

C8. Pedestrian access to private land should be designed as an integral part of the internal circulation network.

2.1.3 Entrance Treatment

Objectives

O1. Create distinctive, high quality, landscaped gateways to the Estate.

Controls

C1. Establish north and south entry gateways into the northern employment lands along the spine road to create a distinctive character.

C2. Locate the site entry to the northeast area on Clunies Ross Street and integrate it with the landscape character.

2.1.4 Street Trees & Furniture

Objectives

O1. Establish a character and unifying element through street tree planting and furniture.

Controls

C1. Use thematic street tree planting to complement the role of streets. Use different species for different street types and orientation.

C2. Use a co-ordinated palette of street furniture throughout the Estate.

C3. Ensure that lighting in public areas is of a style, colour and form that is compatible with the street furniture.

C4. Co-ordinate the spacing of light poles with street trees.

2.1.5 Safety and Security

Objectives

O1. Promote the feeling of safety.

Controls

C1. Design buildings to overlook public and communal streets and other public areas to provide casual surveillance.

C2. Through site planning, buildings, fences, landscaping and other features, clearly define territory and ownership of all public, common, semi-private and private space.

C3. Provide appropriate lighting to all pedestrian paths between public and shared areas, parking areas and building entries, and light building entries to provide a sense of security for both residents and visitors.

C4. Ensure no lighting spills onto or affects the amenity of residential areas.

C5. Use robust materials which are aesthetically pleasing in public or communal spaces.

C6. Ensure pedestrian site access and carparking are:

- clearly defined,
- appropriately lit,
- visible to others and
- provide direct access to buildings from areas likely to be used at night.

C7. Design major pedestrian, cycle and vehicle thoroughfares to:

- minimise opportunities for concealment;
- avoid 'blind' corners;
- maximise casual surveillance; and
- allow 'long distance' sight lines.

C8. Identify major pedestrian, cycle and vehicle thoroughfares, and reinforce them as 'safe routes' through:

- appropriate lighting;
- the potential for casual surveillance;
- minimised opportunities for concealment;
- landscaping which allows long-distance sight lines; and
- avoidance of 'blind corners'.

C9. Site and design landscape and fencing so they do not present a security risk by screening doors, windows and major paths.

C10. Provide safety fencing along the ridge line, suitably designed to allow for views and outlook.

C11. Ensure landscaping maintains view corridors & clear sight lines.

2.2 Building and Siting Requirements

Where this section of the Cumberland DCP XXXX does not provide guidance on specific development matters, reference should be made to other sections of the DCP, such as Part G and Part D. Where there is an inconsistency between this Part and any other Part of this DCP, this Part should take precedence

2.2.1 Land Uses

Objectives

O1. The objectives for and land uses permissible within the Pemulwuy North Employment Lands are defined by:

The WSEA SEPP 2009 (in relation to land zoned IN 1 as defined by that SEPP); and

The Cumberland Local Environmental Plan XXXX (in relation to land zoned IN 2 and excluded from Precinct 10 of the Land Application Map of the WSEA SEPP 2009).

Controls

C1. Provide a retail service centre catering for the needs of the workforce at a central location within the employment lands. Locate the centre on a corner allotment facing the north-south spine road so that it is readily accessible to the local workforce .

C2. Provide recreational and community uses within the employment lands consistent with the provisions of the Western Sydney Employment Area SEPP 2009.

C3. Ensure open space that provides active and passive recreation for the workforce. Open space should be readily accessible and well located and should be incorporated within individual developments as well as along public corridors.

C4. Restrict retail activity on industrial land (having the potential to increase land prices and effectively push traditional industrial users out, and to threaten the industrial 'address' and image).

2.2.2 Lot Sizes and Site Cover

Objectives

O1. Achieve a quality industrial park setting and ensure adequate provision is made for landscaping, parking and manoeuvring areas.

O2. Create site layouts which consider the opportunities and constraints of the site.

Controls

C1. Ensure a minimum lot size of 1 hectare, although, a range of lot sizes is anticipated to meet market demand.

C2. Subdivisions of land should:

- seek to maximise solar access to all parts of the development;
- encourage passive solar design; and
- protect site attributes such as views, existing vegetation and other environmental features.

C3. Subdivision of land should avoid the creation of battle-axe blocks or long and narrow blocks at right angles to street frontages.

C4. Maximum site coverage is 60%. Local services including commercial, retail, community and recreational uses are excluded from this provision given the different design characteristics of these uses.

C5. "Site area" is defined as the whole of the land to which an application relates and includes areas set aside for open space, drainage and other services. "Site coverage" is defined as the area of a site covered by buildings including awnings.

C6. In the layout of the site, design the buildings and landscaping to provide direct, convenient and safe access to the street for the pedestrians.

C7. On industrial sites, make adequate allowance for manoeuvring and turning of heavy vehicles on site. In accordance with the Roads and Maritime Service's Policies, Guidelines and Procedures for Traffic Generating Developments, apply the design standard for "large rigid truck".

C8. Ensure that the width of an industrial allotment at the building line is equal to or greater than 24m and the average depth is equal to or greater than 45m.

2.2.3 Siting

Objectives

O1. Achieve attractive streetscapes.

O2. Provide a quality setting and to allow for landscaped curtilages between buildings and front property boundaries.

O3. Create setbacks that allow for landscaping and visual amenity.

O4. Provide solar access to sites and adjacent development.

O5. On the former CSIRO lands, to create a consistent streetscape with the residential area along the Clunies Street frontage.

O6. On the former CSIRO lands, to provide a setback on the southern boundary that allows for reasonable sunlight access and reduces visual dominance of employment buildings to the rear of the residential area.

O7. Prescribe Asset Protection Zones (APZs) within the Pemulwuy northern employment lands for bushfire protection.

Controls

C1. Setback buildings to the west of Clunies Ross Street as follows:

- North-south spine road – buildings are to be setback 20 metres from the property boundary. The first 10 metres is to be landscaped in accordance with the Landscape section below;
- all other roads - buildings are to be set back 8 metres from the property boundary. The first 3 metres is to be landscaped in accordance with the Landscape section below.

C2. Setback buildings within the former CSIRO employment land consistent with Figure 4.

C3. within the former CSIRO employment land:

- The Eastern Building Setback is the prescribed flood line based on the dam break Imminent Failure Flood (IFF) line;
- New buildings are not permitted in the IFF zone;
- Carparking and like uses are permitted in the IFF zone;
- New buildings are not permitted within the Asset Protection Zone (APZ).
- No new development, including buildings, car parking, fire trails and like activities, is permitted within the riparian corridor alignment agreed with a State environmental authority.

C4. The setback controls may be varied where:

- a predominant street building line exists;
- the current setback of buildings is staggered and continuity in street building line should be maintained;
- there is no obvious street building line and new buildings should align with existing maximum and minimum building lines of development;
- public domain improvements or environmental benefits such as solar access, protection of vegetation are achieved; or
- where the building is located on a corner site and a lesser setback is consistent with streetscape objectives.

C5. Setback buildings 10 metres from any public open space, including riparian reserves, and 20 metres from Greystanes Creek.

C6. Site and design buildings to allow for casual surveillance of building entrances and the street.

C7. Site buildings to allow for adequate lines of sight to building entrances, the street and carpark areas for pedestrians, cyclists and vehicles.

C8. Locate offices to address and activate the street/s. The warehouse/factory functions as well as car parking, manoeuvring areas, loading and unloading facilities are to be located within the site.

C9. Through layout of the site, the design of buildings and landscaping, provide direct and safe access to the street for pedestrians.

C10. Large setbacks with significant car parking in front of buildings are not permitted on the principal street frontage.

C11. Establish and maintain landscaping within the southern setback of the former CSIRO employment land.

C12. Site and design buildings so that solar access to staff recreation areas on site and in adjoining developments is not compromised between 12 noon and 2pm (as measured at 21 June).

C13. Site buildings to satisfy maintenance, utility and safety requirements.

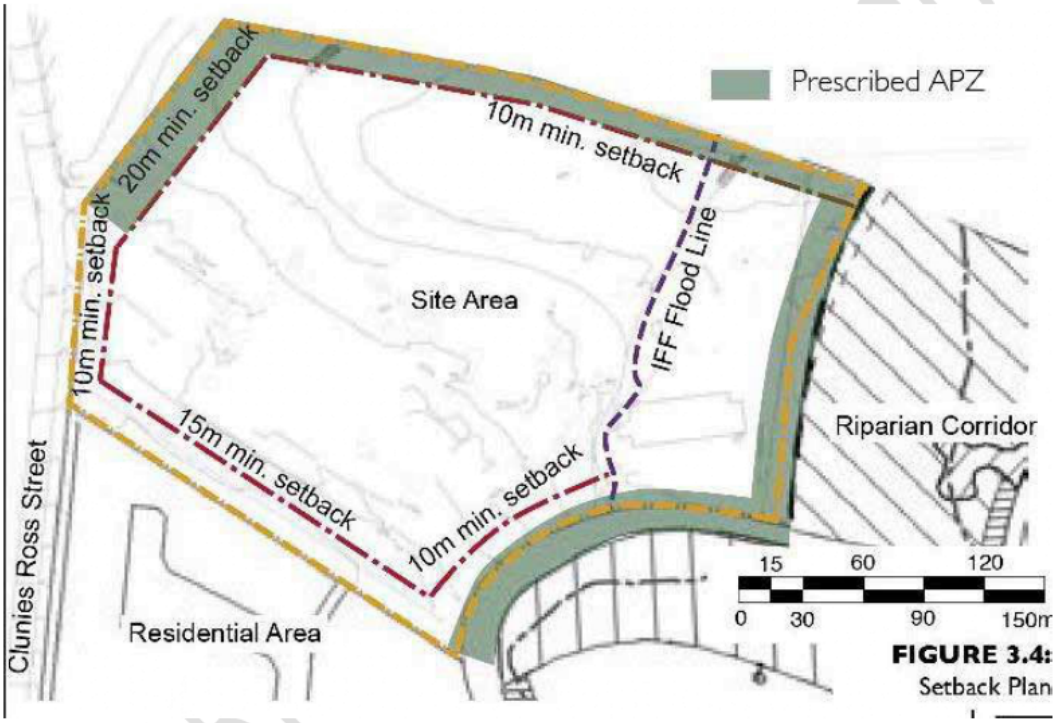


Figure 4: Setbacks - Former CSIRO employment land

2.2.4 Solar Access

Objectives

O1. Consider mid winter solar access to the office building areas within the Employment Land.

O2. Achieve reasonable mid winter solar access to primary indoor spaces and primary private open spaces within the residential area to the immediate south of the former CSIRO employment land.

Controls

C1. Design office areas to consider north/south orientation in order to maximise solar access to the habitable area in midwinter.

C2. Site and design buildings so that solar access to staff recreation areas on site and in adjoining developments is not compromised between 12 noon and 2pm (as measured at 21 June).

C3. Within the former CSIRO employment land, ensure that the residential development to the immediate south of the employment area achieves a minimum 4 hours of direct sunlight to windows of the north facing living areas between 8.00am and 4.00pm midwinter, and 3 hours direct sunlight between 9.00am and 3.00pm to 50% of the private open space in mid winter.

Note: Accompanying development applications, submit shadow diagrams showing the effect of shadows on public open space, adjoining properties and outdoor recreation areas at 9am, 12 noon and 3pm mid winter.

C4. Where industrial development abuts residential lots or streets, shadow diagrams shall

- be provided demonstrating the impact on adjoining residential properties or public domain;
- be based on a survey of the site and adjoining development;
- be at 9.00 a.m., 12.00 noon and 3.00 p.m. at 21st June (private open space); and
- be at 8.00 a.m., 12.00 noon and 4.00 p.m. at 21st June (north facing living areas).

C5. Additionally, ensure height of such industrial development does not exceed (in metres) the height allowed for the adjoining use along the common boundary, subject to meeting the controls of overshadowing.

C6. If the existing lot or open space already receives less than 4 hours of sunlight then the development shall not further reduce this solar access.

2.2.5 Building Heights and Design

Objectives

O1. Ensure buildings do not adversely affect views from the M4, Great Western Highway and Prospect Reservoir environs to Prospect Hill.

O2. Create building forms with appropriate scale and height, taking into consideration site topography.

O3. Encourage a high architectural standard of contemporary design and innovation.

O4. Provide for low rise, large scale buildings generally in horizontal form.

O5. Achieve a good quality development which complements the streetscape.

O6. Provide for low rise and large scale building to reduce visual impact to the surrounding area.

O7. Ensure building heights do not adversely impact on the amenity of adjacent residential areas.

O8. Ensure the scale and character of the development is compatible with other employment-generating development in the precinct concerned.

O9. Ensure buildings are compatible with the height, scale, siting and character of existing residential buildings in the vicinity.

O10. On development adjoining residential land, to store goods, plant, equipment and other material resulting from the development within a building, or to suitably screen them from view from residential buildings and associated land.

Controls

C1. Ensure that the height and scale of buildings in the Northern Employment area are sensitive to views from the environs of Prospect Reservoir and the M4 Motorway. Generally 12 metres is the building height limit in the Northern Employment area. In the former CSIRO land, building heights shall not exceed 12.2 metres.

C2. In the former CSIRO land, ensure compliance with Part D to protect adjacent residential amenity.

C3. In the former CSIRO land, new buildings should not exceed the height of RL 63.0 metres (AHD).

C4. In the former CSIRO land, the height level of buildings at the 15 metre setback line from the southern boundary, which abuts the residential lands, shall not exceed RL 61.5 metres (AHD).

From this maximum height level, the height of buildings may increase away from the southern boundary setback to the highest level permitted for the site providing there are no increased overshadowing effects on the adjoining residential lands.

C5. Ensure the architectural treatment of building facades is directed by energy efficiency and other environmental design considerations.

C6. Articulate building facades to address all street frontages. Building facades can be articulated using architectural elements which include:

- variable roofs and skyline silhouettes (for example: saw toothed or pitched roofs and innovative skillion curved or 'floating' roof forms);
- varying façade alignments;
- 'breaking-up' facades with windows, changing wall alignments and the use of decorative features and structural features.
- variation in materials, finishes and colours;
- location, style and quantity of windows;

- blade and fin walls;
- cantilevered or overhanging elements;
- verandahs, terraces, sun shading devices;
- colonnades; or
- variation in height.

C7. Architectural style is to contribute to the quality of the Estate, with emphasis on the horizontal lines and planes.

C8. Integrate roof top plant and services into building/roof forms or screened and compatible with the building design. Mobile phone towers are not permitted on tops of buildings unless integrated into the building/roof design.

C9. Articulate building entries so they are easily identifiable.

C10. Locate service areas including waste/recycling areas and external storage areas away from principal frontages and adequately screen them from view from any public road.

C11. Locate loading docks, roller shutters and other building openings that detract from the appearance of the building so they are not visible from the principal street frontage.

C12. Minimise cut and fill to protect existing drainage patterns and maintain integrity of the groundwater system.

2.2.6 External Materials and Colours

Objectives

O1. Contribute to the visual quality of the Pemulwuy northern employment lands through selection of building materials and colours.

Controls

C1. Use materials and colours for buildings and roofs that are subtle (no strong hues), recessive (mid-tone) and non-reflective.

C2. Create varied facades through choice of external materials, including masonry, metal panels, CFC panels, metal sheeting for walls and roofs.

C3. Express one predominant external material. The range of external materials on any individual building should be limited and compatible.

C4. Ensure that dado panels or similar are a minimum height of 2 metres to all external walls. Construct dado panels of face brick, masonry, or other material that provides a high standard of finishes.

C5. Pre-colour metal deck roofs in landscape tones.

C6. Use only low maintenance and robust materials.

C7. Minimise variations in colour. Accent colour is acceptable, e.g. for corporate logos and architectural details.

C8. Ensure that external finishes are graffiti resistant.

Note: Indicate details of external materials and colours on the plans accompanying development applications.

2.2.7 Energy and Water Efficiency

Objectives

O1. Encourage site planning and building design that optimises site conditions to achieve energy efficiency.

O2. Design working environments that minimise energy and water use.

O3. Encourage use of building materials that minimise impact on development.

O4. Use passive and active design initiatives that respect the principles of ecological sustainable development.

O5. Implement sustainable practices, e.g. water efficiency and conservation measures to reduce water consumption, and the use of solar energy for heating appliances.

O6. Encourage Water Sensitive Urban Design Principles (WSUD) for the new development.

O7. Encourage the use of rainwater tanks for outdoor use and toilet flushing in accordance with the requirements of Sydney Water;

O8. Encourage the use of permeable paving, wherever possible, to increase water filtration into the ground.

Controls

C1. Ensure all building development (including additions and alterations) complies with the requirements of the Building Code of Australia (BCA), and relevant reports accompany applications for construction.

C2. In designing the orientation, internal layout and design of buildings, minimise energy consumption for heating and cooling. Aspects to consider include:

- light penetration to internal areas;
- natural ventilation;
- passive solar design;
- shading devices to minimise glare;
- solar access to outdoor recreation areas.

C3. Select building materials which, where feasible:

- use renewable resources;

- are energy efficient;
- are low maintenance;
- are recycled or recyclable;
- are non polluting;
- are non-ozone depleting; and
- avoid where possible the use of PVC.

C4. Install rainwater tanks to provide water for flushing toilets and other non-potable uses.

C5. See Section 7.1 below under Stormwater Management for controls for water flow and quality management during and particularly after development, and for Stormwater plans to minimise pollutant loads.

C6. Ensure compliance with Part G Water Sensitive Urban Design (WSUD).

2.2.8 Landscaping

Objectives

O1. Encourage a high standard of landscaping to enhance the streetscape and amenity of the Pemulwuy north employment lands.

O2. Accommodate outdoor staff areas.

O3. Provide for retention of water for irrigation and drainage purposes.

O4. On sites adjacent to the open space corridors, to select species to complement the plant species in the corridors.

O5. Screen the interface to the adjacent residential uses.

O6. Soften the impact of built form and car parking areas.

Controls

Note that "Landscaping" incorporates vegetation, gardens, outdoor staff recreation areas, natural site features and watercourses, but does not include that part of the site used for driveways, parking or outdoor storage.

C1. Design the landscape of both hard and soft landscape features to create a quality industrial park setting. Hard landscape features include paving, terracing, retaining walls and kerbing. Soft landscape features refer to vegetation (including grass, shrubs and trees).

C2. Within the landscape masterplan, identify existing waterbodies, creeks and creeklines on the site and provide for protection and rehabilitation of riparian zones within the site.

C3. Design landscaping to visually unify and enhance the overall quality of the Pemulwuy north employment lands.

C4. Provide outdoor amenity/recreation facilities for employees within the landscaped areas, to meet the likely needs of the workforce.

C5. Protect existing significant trees and incorporate them into the design.

C6. Provide landscaping as both hard and soft areas. However, provide and maintain approximately 15% of a site as soft landscaped area at ground level. The location of the landscaped areas will be determined at the development application stage having regard to meeting the criteria contained in this section. Landscaping design of both hard and soft landscape features should create a unified setting;

C7. Where feasible, drain hard stand areas to soft landscaping areas to improve on-site infiltration of stormwater.

C8. Provide non-slip finishes to paving.

C9. Design landscaping to complement the buildings on site, the adjoining developments and streetscape, and to be compatible in scale.

C10. Separate landscaped areas from vehicle areas with an effective physical barrier.

C11. In the former CSIRO land, where a site adjoins a non- industrial use, provide a mature planting buffer and secondary acoustic fence within the industrial lot within the side and rear setbacks. Adequate acoustic buffers are required so that any impact is minimised.

C12. Plant local indigenous species with mulched beds to help improve water quality and reduce water consumption.

C13. Plant to highlight pedestrian and vehicular access points and building entries.

C14. Landscape informally to promote parkland quality. Structured treatment may be used to enhance entries, etc.

C15. Provide earth mounding in the landscaped setback along the north-south spine road. Embankments should be no steeper than 1:4 gradient in order to enable vegetation to be grown and maintained.

C16. Landscape carparks to complement the surrounding landscaped areas, soften car parking areas and provide shade for parked cars. Plant a minimum of one tree for every four car parking spaces. Provide landscaping around the perimeter of carpark areas.

C17. In open parking areas, plant 1 shade tree per 4 cars within or around the parking areas, except in the instance of central carpark divides (see Part D of this DCP).

C18. Install automatic irrigation systems for all landscaped areas on the developed lots. Design them to meet specific site requirements. Consider minimising water consumption and preventing salinity in the design of landscaping and irrigation systems; prefer irrigation systems that monitor soil moisture conditions.

C19. Install a drip irrigation system to all soft landscaped areas to reduce water use. Connect this system to rainwater storage tanks where possible.

C20. Design landscaping to assist energy conservation in buildings and have regard to microclimatic conditions and shading control.

C21. Design landscaping to encourage safety by ensuring street surveillance is possible, paths are not excessively screened and lighting is provided to pathways and building entries.

C22. Design landscaping and setbacks to create an environment that encourages walking and the pedestrian use of public streets.

C23. Submit a separate landscape masterplan with the first application received to subdivide land in each stage of the development. Requirements for subdivision include:

I. details of landscape concepts including thematic street planting, lighting and street furniture proposals to guide future development;
II. proposals for entry gateways in the north and south as appropriate;
III. identification of existing and proposed open space and vegetation corridors including riparian land, drainage corridors, stormwater detention ponds;
IV. identification of existing natural features such as waterbodies and creeklines;
V. reference to and consistency with any relevant bushland management plan;
VI. location and extent of pedestrian and cycleway networks; and;
VII. demonstrate provisions for linkages of the above facilities to facilities on adjoining land.

2.2.9 Signage

The purpose of this section is to establish Council's specific objectives and development controls for the provisions of signage in the Cumberland LGA. This section should be read in conjunction with State Environmental Planning Policy No. 64 Advertising and Signage (SEPP 64). For the purposes of this section, signage has the same meaning as defined in SEPP 64 (or equivalent):

- Advertisement;
- Business identification sign; and
- Building identification sign.

Any application to which this section applies must also consider the Cumberland Council "*Large Display Advertising Policy*".

Objectives

O1. Encourage signage that contributes to the aesthetic integrity of the Pemulwuy north employment lands.

O2. Ensure signage does not detract from the visual appearance of the buildings and locality.

O3. Provide the opportunity for an approved use to adequately state the nature of the business conducted on the premises;

O4. Regulate signage so that it contributes to the identity of the site;

O5. Ensure signage does not compromise the safety of the M4 user;

O6. Ensure illuminated signs do not unduly affect the amenity of the surrounding areas or interfere with driver's vision.

Controls

C1. Relate advertising, other than real estate signs, to the use occurring on the respective property. i.e.: to serve only to identify the occupants of the premises.

C2. Locate directional and tenancy signage in a convenient point close to the main entry to a development.

C3. Locate signs below parapet level.

C4. Moving, blinking or flashing signs are prohibited.

C5. Incorporate signage into the architectural elements of the building of a size, shape and colour that does not detract from the architectural character of the building.

C6. Where council has a fixed building line, advertisements will generally not be permitted between the building line and street alignment. Council will consider allowing business identification signs that serve only to identify the occupants of the premises, within the building line, provided they comply with the standards set out below. Council will also consider advertisements in the form of logos and trademarks, where they are incorporated into landscaping design.

C7. Provide no more than one wall sign per occupancy, on the facade of the unit with which that occupancy is associated. The sizes and dimensions of such signage shall have regard to existing signage on other units, and dimensions of 2m x 1m are permitted without consent.

C8. Where there is only one occupant for an entire building, provide no more than one wall sign per building facade.

C9. Directory boards are to be comprised of not more than one (1) panel per unit. Each panel is:

- to be uniform in size, colour and dimensions;
- not to exceed 0.2 square metres per panel; and
- to serve only to identify the number of the unit and the name of the respective occupant.

C10. Locate the directory board on or behind the building line setback adjacent to the entrance to the site, unless with the prior consent of Council. Where the

directory board is proposed to be located within the building line setback incorporate it into the landscaping to Council's satisfaction.

C11. Ensure that signage is easily readable.

C12. Locate and display illuminated signs in a manner that does not cause glare, distract drivers or adversely impact on the amenity of nearby residences.

Figure 5: Example of Tenancy signage

2.2.10 Fencing

Objectives

O1. Allow for security in the Pemulwuy north employment lands.

O2. Ensure that the design of fencing contributes to the streetscape and amenity of the Pemulwuy north employment lands.

O3. Provide for the amenity of adjacent residential land.

Controls

C1. Avoid fencing between the building and the principal street frontage, where possible.

C2. Where fencing is required for safety or security reasons to be forward of the building line, ensure that it is of a standard and style that does not detract from the landscaping and main building facades. Pre-painted solid metal fencing will generally not be acceptable. Provide details of fencing at the development application stage.

C3. Locate fencing so it does not impede sight lines for drivers.

C4. Ensure that fencing complements all landscaping to minimise visual impacts to the adjacent residential areas whilst providing site security.

C5. Restrict fences fronting Clunies Ross Street to a height of 1 metre above natural ground level.

C6. Within the Pemulwuy north employment lands, open form front fences to a height of 1.8 metres will be considered having regard to the presentation and design of the fence;

C7. Utilise graffiti-resistant materials and finishes on fencing.

2.2.11 Exempt and Complying Development

For See Part 5 (General Commercial and Industrial Code) of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. This SEPP controls certain Commercial and Industrial development with respect to:

- internal alteration to a building that is used as bulky goods premises, commercial premises, premises for light industry or a warehouse or distribution centre; or
- Change of use of [Commercial and Industrial] premises;
- Mechanical ventilation systems;
- Shop front and awning alterations;
- Skylights and roof windows.

Part 1 of the SEPP defines the general requirements for exempt and complying development for Commercial and Industrial purposes.

Part 2 controls general exemptions such as Access ramps, Bollards, Demolition, Minor building alterations, Privacy screens, Scaffolding, hoardings and temporary construction site fences, Replacement of identification signs, Temporary builders' structures, and Water features and ponds.

2.3 Transport

2.3.1 Principles for a Transport Plan

Guiding principles and performance targets for the establishment of a transportation system for Pemulwuy were based on SEPP 59 (State Environmental Planning Policy No. 59 – Central Western Sydney Economic and Employment Area). These principles have guided the precinct plans on which this DCP is based. With the transferral of much of the land to which this DCP applies to the State Environmental Planning Policy (Western Sydney Employment Area) 2009 (WSEA SEPP), the "existing precinct plans" (upon which this section of the DCP is based) continue to apply in determining a development application.

Note: see clause 26 (Development on or in vicinity of proposed transport infrastructure routes) of the WSEA SEPP.

Objectives

O1. Address transport targets.

O2. Establish guiding principles for design and layout of the site consistent with increasing the mode split towards public transport and non private vehicle usage and minimise vehicle kilometres travelled (VKTs).

O3. Provide for all modes of transport, including roads, transit ways, walking and cycling facilities, which are integrated into the surrounding network of each mode.

O4. Identify a range of transport infrastructure which addresses site requirements including the staging and funding proposals.

O5. Identify links to the Transitway network outlined by 'Action for Transport 2010'.

O6. Recognise freight and industry transport requirements including:

- linkages from the site to the M4 Motorway; and
- initiatives for integrating freight handling between industries.

Controls

C1. Reduce the mode split of 'car as driver' for the journey to work by at least 10% (e.g. from 75% to 65%) compared to the existing surrounding area.

C2. Reduce the total VKT (vehicle kilometres travelled) to be generated by the proposed development by at least 5% below that which would be generated by a 'conventional' approach to development".

2.3.2 Regional Transport Requirements

Objectives

O1. Provide regional transport infrastructure which will achieve the transport targets established in clause 4.1.

O2. Develop regional transport infrastructure that will service the needs of the site and integrate into an improved regional transport network.

O3. Provide infrastructure which recognises the need to integrate all modes of transport including public transport, private vehicle transport, walking and cycling.

O4. Develop measures to mitigate potential adverse transport impacts generated by the development of Pemulwuy on surrounding areas.

Controls

C1. Provide regional (and local) transport infrastructure improvements that are consistent with the Deeds of Agreement between the owners and the Roads and Maritime Services.

2.3.3 Transport Design Guidelines – Land Use Location

Objectives

O1. Generate efficient travel patterns across the site to reduce VKTs.

O2. Maximise the use and support the viability of public transport services.

O3. Avoid potential conflicts between various land uses.

Controls

C1. Locate higher traffic generating land (office, retail) uses in close proximity (within 400 metres, walking distance) to public transport stops, nodes or interchanges on regional transport routes (such as the transitway) to reduce traffic generation and improve public transport usage and service viability.

C2. Provide appropriate and conveniently located services such as shops and open space to reduce trip length and encourage use of pedestrian / cycleway networks.

C3. Ensure that land uses are well integrated with public transport stops, nodes and interchanges so as to provide safe, attractive and inviting environments for public transport patrons.

C4. Separate residential and employment precincts to avoid potential road function conflicts.

C5. Favour co-locating similar or co-dependent employment developments within close proximity in order to generate potential synergies in transport and freight, so as to:

- maximise simultaneous servicing by one vehicle thereby reducing the number of trips entering and leaving the site;
- improve trip containment levels within the site;

- manage travel demand. The location of co-dependent developments is primarily market driven. However, the marketing and sales promotion strategies employed can have a significant impact on the type of land uses attached to the development site and should be employed as a travel demand management tool.

2.3.4 Access and Circulation

Objectives

O1. Ensure safe access movements to/from the Pemulwuy north employment area.

O2. Provide access through the employment area to improve the regional road network.

O3. Provide access to the employment area for employment land uses which minimise impacts on the surrounding local community.

O4. Construct roads in such a way to accommodate the anticipated traffic volumes and in particular heavy vehicles. For example, to ensure that road access facilities are commensurate with the scale and extent of the proposed development and compatible with the surrounding traffic network.

O5. Provide a 50 metre road reserve which allows for the future provision of a 25 metre wide transitway by the RMS.

O6. Minimise potential conflict between street traffic and pedestrians caused by the vehicular movements to and from the site.

O7. Minimise potential conflict between service vehicle (heavy vehicle) with smaller vehicle.

Controls

C1. Ensure that intersections into the Pemulwuy north employment lands are designed with sound traffic planning principles and relevant guidelines including but not limited to:

- Roads and Maritime Services's Road Design Guide;
- Roads and Maritime Services's Guide to Traffic Generating Development (1993);
- AUSTROAD - Guide to Traffic Engineering Practice; and
- while ensuring that walking and cycling are encouraged and not impeded.

C2. Direct property access to north-south link will not be permitted other than in circumstances stated below.

C3. The number of road access points to the north-south link is restricted, and at full development no direct property access from the north-south link will be permitted. Provide access from a limited number of service roads and separate the intersections by a minimum distance of 500 metres. Therefore

there are only two service road intersections with the north-south link between the northern boundary and Butu Wargun Drive.

C4. Direct property access from the north-south spine road, is only permitted as an interim arrangement during the staged construction of the development. Direct access to properties north of Butu Wargun Drive is permitted until the north-south spine road is constructed to the southern boundary of Pemulwuy north employment lands.

C5. Provide the north-south link through the employment precinct so that direct and efficient access for freight and other heavy vehicles is provided to employment lots from the regional road network.

C6. Ensure site access allows vehicles to enter and exit in a forward direction

C7. Within the former CSIRO employment land, ensure vehicular access to and from the site is via Clunies Ross Street only, as illustrated in Figure 6. Direct vehicular access to the residential land is not permitted.

C8. Within the former CSIRO employment land, provide a potential access point at the southern end of site boundary to Clunies Ross Street for emergency vehicles, as illustrated in Figure 6.

C9. Within the former CSIRO employment land, ensure that emergency Access for fire appliances has a minimum width of 6m with 7m passing bays and internal radius of 6m for corners.

C10. Within the former CSIRO employment land, ensure driveway width, configuration and location shall accord with 'Roads and Maritime Services's' Guide to Traffic Generating Development (1993) and Australian Standard AS 2890.1: 2004.

C11. Within the former CSIRO employment land, position access to Clunies Ross Street as far as practicable, to minimised impacts to adjoining residential development. Locate the driveway as far north as practicable having regard to sight lines along Clunies Ross Street.

C12. Design internal circulation road and heavy vehicle manoeuvring areas to comply with the requirements of the following:

- AS2890.1-2004;
- AS2890.2-2002; and
- NSWB Guidelines for Emergency Vehicle Access.

Figure 6: Site access within the former CSIRO Employment land

2.3.5 Parking

Objectives

O1. Encourage a reduction in the level of vehicular traffic by reducing parking requirements.

O2. Ensure adequate parking for various land uses and sustain the market viability of the development.

O3. Ensure that all car parking demands generated by any development are accommodated on the development site.

O4. Design parking supply in accordance with the site's urban design principles. Thus, to:

- ensure that the provision of off street car parking facilities does not detract from the visual character, particularly the streetscape of an area; and
- ensure that the location of driveways, parking and servicing areas are efficient, safe and suitably landscaped.

O5. Implement parking strategies which minimise adverse impacts on local communities and wider land uses. For example, to minimise conflict between service vehicles (heavy vehicles) and smaller vehicles within the site.

Controls

On-Street Parking

C1. Note that the provisions of on-street parking for various road types within the road hierarchy are summarised below in Section 4.7, which indicates that on-

street parking would be appropriate on some roads with the exception of the north-south spine road and the first 500 metres of the east-west link from Greystanes Road.

C2. Design on-street parking to be consistent with the design principles and dimensional requirements of Australian Standards AS2890.5 and 1742.11.

C3. In the provision of on-street parking, do not compromise street security and urban design / streetscape objectives.

Off-Street Parking Design

C4. Design off-street parking to be consistent with the design principles and dimensional requirements of Australian Standards AS2890.1: 2004. Include in the design, compliance with driveway dimensions and location, sight distances, and dimensions for circulation aisles and grade / ramps.

C5. Design off-street parking to ensure that vehicles are able to efficiently access parking spaces within minimal manoeuvring.

C6. Suitably landscape off-street parking areas to minimise visual dominance.

Off-Street Parking Supply

C7. Note that the parking requirements of developments within the Pemulwuy north employment lands are assessed on a site-by-site basis due to the varying parking demands of particular land uses.

C8. Use Part D clause 3.8 (Parking and Vehicular Access) of this DCP as the appropriate guidelines for the supply of off-street parking. However, consider these guidelines as maximum provisions rather than minimum provisions, as a means of encouraging public transport use (dependant upon provision of public transport).

C9. Minimise off-street parking supply, having regard to:

- access to public transport (located within 400 metres);
- likely employee usage of pedestrian and cycleway links to the employment precinct;
- surveys of existing similar developments indicate a lower parking demand;
- land use synergies with surrounding land uses;
- the ability to manage the use of on street parking; and
- complimentary/shared use of parking facilities.

2.3.6 Service Areas

Objectives

O1. Provide adequate access for heavy vehicles.

O2. Design road networks to minimise freight and heavy vehicle movements through the employment zones.

O3. Create separation between service areas (loading and unloading docks) and parking in order to avoid traffic congestion;

O4. Ensure that service areas are located and designed to facilitate convenient and safe usage.

Controls

C1. Position loading/unloading facilities so they:

- do not interfere with visitor and employee parking spaces;
- minimise any potential noise impacts; and
- avoid delivery vehicles standing on any public roads, footways, laneways or service roads.

C2. Provide adequate on-site manoeuvring to enable all vehicles to enter and leave the site in a forward direction.

C3. Design access and circulation design within developments to comply with requirements specified by Australian Standards AS2890.2 2002. This will allow heavy vehicles to efficiently and safely access sites from the road network and internal facilities such as loading docks and courier type drop off zones.

C4. Design all roads to be wide enough to allow passage of regular service vehicles and emergency vehicles. These factors have been considered in the development of the road hierarchy described in the Section on Public Road Design.

2.3.7 Public Road Design

Objectives

O1. Create a clearly defined road hierarchy based on use, function, amenity and geometric design requirements.

O2. Maximise the efficiency of the Pemulwuy road network to reduce trip lengths and enhance the viability of public transport.

O3. Allow efficient movement through Pemulwuy for regional traffic while discouraging such traffic into the employment or residential areas.

O4. Provide convenient and efficient access for freight transport to the employment precinct.

O5. Provide a safe road network for all modes using the roads including private and public transport, cyclists, pedestrians and mobility impaired persons.

O6. Design streets that enhance the physical and visual connectivity of neighbourhoods.

Controls

C1. Ensure that the internal road network layout should be permeable for direct pedestrian movements, but sufficiently constrained in order not to attract regional traffic into the employment or residential precincts.

C2. Ensure that detailed design of the road network (i.e. intersection layout, pavement materials) is consistent with the traffic engineering principles of the RMS's Road Design Guidelines or the Austroad Guide to Traffic Engineering Practice.

C3. Design roads so as to minimise the traffic noise impact on adjacent properties, particularly at approaches to residential areas.

C4. Design roads and bridges so as to accommodate, wherever possible, the continuity of vegetation corridors and habitat to promote fauna movements.

The Spine Road

C5. Currently, one traffic lane is provided in each direction. In future. Consider providing a dual lane carriageway with two through traffic lanes in each direction.

C6. The RMS to provide two bus only transitway lanes within the road reserve (one in each direction) plus median, shoulder and footpath/cycleways.

C7. Ensure no parking in the road reserve.

C8. Ensure no direct property access.

C9. Provide a 1.2 - 1.75 metre width footpath located on both sides away from the kerb.

C10. Provide a cycleway separated from the road pavement.

Butu Wargun Drive (west of Prospect Hill)

C11. Ensure the potential to utilise clearway conditions during peak periods.

C12. Ensure parking provision in carriageway during non clearway periods (or indented) providing two through traffic lanes in each direction at peak times and one through lane in each direction at other times.

C13. Provide a 1.2 metre - 1.75 metre width footpath located on both sides away from the kerb.

C14. Provide a designated cycle lane.

Access Streets

Note: Access streets contain an indicative traffic volume of less than 6,000 vehicles per day depending upon particular land uses. Cyclists are to share the road with vehicles.

C15. Provide a 20 metre road reserve.

C16. Provide an 8 metre carriageway where no on-street parking is permitted and heavy vehicle turning movements can be accommodated.

C17. Provide access to all sites.

C18. Provide a 1.2 - 1.5 metre width footpath located both sides away from the kerb.

C19. Ensure that employment precinct road widths provide sufficient space to allow heavy vehicles to enter and exit lots safely in a single forward turning movement.

C20. In cul-de-sacs, provide a 12-metre kerb radius turning area.

2.3.8 Public Transport

Objectives

O1. Achieve a minimum 10 per cent increase in non-private vehicle mode splits for journey to work compared to a "conventional development" approach.

O2. Provide a rapid bus transitway through the site which creates links between the site and the regional transport network.

O3. Ensure that public transport stops, nodes and interchanges are safe, attractive and Development Controls

Controls

Rapid Bus Transitway

C1. Provide public transport access points to maximise the proportion of employees who are located within 400 metres safe walk of a bus stop on a regular bus route.

C2. Integrate Transitway Stations where possible with the surrounding land uses. In particular, the transitway stations should be located near the service centre, local activities, associated businesses and the public domain.

C3. Align the transitway to follow the north-south Spine Road through the employment precinct.

C4. Ensure the proposed transitway comprises:

- two transitway lanes, one in each direction;
- 2 stations;
- stations that provide adequate accessibility, shelter, and commuter information to encourage usage. This will include facilities and linkages for pedestrians and cyclists.

Local Public Transport

C5. Ensure that local bus feeder services from the residential and employment precincts are able to provide access to the site and future Transitway.

C6. Provide link feeder services to surrounding local areas, i.e. Greystanes, to improve access, catchment size and hence service viability.

C7. Provide appropriate facilities at bus stop locations to encourage increased use and safety. Such facilities would include bus lay-bys, speed controls to protect pedestrians, shelters and seating for waiting passengers, display of timetable information and street lighting for security.

C8. Co-locate bus stops should with after-hour business or other activity wherever possible.

C9. The alignment and geometry of roads that form bus routes need to allow for efficient and unimpeded movement of buses without facilitating high traffic speeds. Where potential traffic calming devices are installed along bus routes, specific design requirements for bus access must be employed.

C10. Implementation of 'Demand Management' by promoting alternative modes of travel to the private car. This would include distribution of information packs on bus services and cycle routes, free bus tickets and advertising of services.

C11. Indicative performance guidelines for bus routes are as follows:

- Minimum geometric layout:
  - Radius: 12.5 metres;
- Road grades:
  - Max. desired pavement crossfall: 3%;
  - Max. desired gradient: (within 50 metres of stations): 6%;
  - Absolute max. gradient: (within 50 metres of stations): 12%.

(Source: RMS and AUSTROADS)

2.3.9 Pedestrian and Cycle Routes

Objectives

O1. Encourage trips to be undertaken by walking and cycling instead of private vehicle.

O2. Promote connectivity throughout Pemulwuy.

O3. Create a clearly defined pedestrian and cycleway network within and through Pemulwuy.

O4. Make connections to regional cycle links and between major areas of proposed and existing open space and other recreational, community and employment land uses.

O5. Ensure non-vehicular links provide a safe and secure environment, both in terms of road safety and personal security, which encourages walking and cycling.

Controls

C1. Create pedestrian and cycle linkages between the residential precinct and areas of open space, recreational, community and employment land uses.

C2. Locate and design walking and cycling networks to:

- provide direct routes between key trip origins and destinations;
- minimise steep grades; and
- be safe in terms of road safety and person security.

Pedestrian

C3. Undertake detailed design of pedestrian control and protection facilities in accordance with the relevant sections of the Australian Standards (AS1742) and council's Work Specifications for Subdivision and Development. This includes pedestrian crossings, signage, local area traffic management and disabled access.

C4. Ensure pedestrian-only footpaths have a minimum width of 1.2 metres (wider footpath may be required in areas of high pedestrian activity such as community facilities, shops and other activity centres) and a maximum grade of 15 per cent, except where grades on Prospect Hill make this unachievable.

Cycleways

C5. Design cycling routes within the road hierarchy to reflect the level of activity and function of the various roads such as dedicated cycleways on collector roads and shared access on local streets;

C6. Link designated cycleway routes to the surrounding regional cycleway network. Cycle routes along open spaces are to be between 2.5 – 3.0 metres in width (where shared with pedestrians), and designated accordingly.

C7. Dedicated cycle lanes are to be either line marked or separated from the road lanes.

C8. Provide opportunities for the cycle network to link with the proposed regional cycle route.

C9. Use cycle routes to link all amenities and areas of interest, including commercial/retail areas, play areas and view points.

C10. Ensure technical design requirements such as pavement design and intersection/crossing treatments are consistent with AUSTROADS Guidelines (1998) Guide to Traffic Engineering Practice, Part 14, Bicycles;

C11. Distribute secure bike parking throughout the cycleway network and likely destination points. Parking facilities range from simple hitching rails to secure bike lockers. Key locations would be within the employment precinct, near public transport linkages, and at the village centre.

C12. Provide for cycle refuge facilities at cycleway access points with collector roads.

2.4 Heritage

2.4.1 Guiding Principles

Clause 8 of Schedule 4 of the State Environmental Planning Policy (Western Sydney Employment Area) 2009 states that:

In making provision for or with respect to heritage conservation, a development control plan must address:

- the impact of proposed development on indigenous and non-indigenous heritage values, and
- opportunities to offset impacts on areas of heritage significance.

In terms of Archaeological and European Heritage, SEPP 59, upon which this DCP is based, requires that any precinct plan or DCP is to abide by the following relevant guiding principles:

O1. Have regard to the conservation of items of heritage significance identified in the SEPP 59 or any other environmental planning instruments or subject to an order under the Heritage Act 1977;

O2. Have regard to development should be planned to minimise impacts on areas of high biodiversity or Aboriginal heritage significance and should seek to enhance the values of these areas.

2.4.2 Archaeology

Objectives

O1. Protect site locations.

O2. Reflect Aboriginal occupation and history in the public areas.

Potential Archaeological Deposits:

Within the Employment Lands of Pemulwuy, two areas originally identified as having Potential Archaeological Deposits (PAD), were located in the northern section and south western corner of the Pemulwuy employment lands. Further investigations by Navin Officer (2001) concluded that there were no areas of PAD on the site, and that no further mitigation measures were required on the previously nominated PADs. Nevertheless:

Controls

C1. Take care when disturbing this area, and if archaeological material is observed during or after clearing, work should cease immediately and the Aboriginal community consulted and advice sought from NPWS.

C2. Do not make site locations and descriptions publicly available.

C3. Provide to developers and general maintenance staff only general knowledge of Aboriginal sites and their legal protection.

C4. Prepare an education strategy for cultural heritage awareness for developers, contractors and Consent authority staff, including a fact sheet and sensitivity map indicating areas requiring particular attention and consultation with the Aboriginal community and NPWS.

C5. Invite the Aboriginal community to actively participate in developing the education strategy.

C6. Consult the Aboriginal community prior to and during clearing and preliminary ground work to collect artefacts if any, from areas to be developed.

C7. Do not erect signs which draw attention to the archaeological sites, so as to prevent disturbance and defacement of Aboriginal/archaeological sites.

C8. In naming parklands, reserves and roadways, incorporate recognition of Aboriginal occupation and the history of the area. Consult the Aboriginal community in the naming of these features.

C9. Consult the Aboriginal community on the development of any walking routes or areas within the precinct which incorporate descriptive signs and interpretation.

C10. Develop a program to educate the local community in the pre-European history of the site.

C11. Recreate and manage the cultural landscape in conjunction with the local Aboriginal community by vegetating open space to resemble the natural landscape prior to European settlement.

Note: The former CSIRO employment land is highly disturbed. It has been mostly cleared and subject to many years of use for research laboratories and associated stock holding areas associated with a CSIRO sheep research laboratory. Previous disturbance is associated with WW II occupation by a U.S. Army Camp. Consequently, there are no Aboriginal Archaeological management measures applicable to the former CSIRO employment land.

2.4.3 European Cultural Heritage

For more information, see the Prospect Hill Conservation Management Plan.

Objectives

O1. Protect the integrity of the crown of Prospect Hill.

O2. Research and document the history of the site of Pemulwuy and its role in the history of Sydney.

O3. Educate the community on the history and role of the site.

O4. Utilise the history of the site as a theme in its redevelopment.

O5. Protect Prospect Hill from development sited below RL 97, which approximately defines the curtilage of the Prospect Hill State Heritage Registered Area.

Controls

C1. See Section 5.4 for controls for the Prospect Hill State Heritage Registered Area.

C2. Record Pemulwuy as a whole in its current state photographically, utilising aerial photography and possibly digital video recording.

C3. All documentary, cartographic and photographic material related to the development, growth, buildings and history of the site should be sourced, accessioned and archived. Collect copies of accessible historic material into an archive which must be lodged in the care of an organisation which is acceptable to Council and where it is available for research and educational purposes. Identify archive material held elsewhere and cross-reference it with the above archive. A written description of major structures should accompany the photographic record.

C4. Ensure that all development adjacent to the Prospect Hill State Heritage Registered Area is accompanied by a Heritage Assessment with all Development Applications. The Heritage Assessment shall be in accordance with the three documents listed below under 5.4 C2.

C5. In the instance where a broad Heritage Assessment of the interface between the Prospect Hill State Heritage Registered Area and the adjoining sites has been undertaken, submit a Statement of Environmental Effects addressing this Heritage Assessment with all Development Applications.

2.4.4 Prospect Hill State Heritage Registered Area

Objectives

O1. Protect the integrity of the Prospect Hill State Heritage Registered Area.

O2. Research and document the history of the Prospect Hill State Heritage Registered Area and its role in the history of Sydney.

O3. Educate the community on the history and role of the site.

O4. Utilise the history of the site as a theme in its redevelopment.

Controls

C1. Maintain the prominence of Prospect Hill as a significant remnant geologic and topographic element. Site and design development so that views of the ridgeline are maintained.

C2. Maintain the views from Prospect Hill towards the Blue Mountains and St. Bartholomews, Prospect.

C3. Ensure that future use, landscape interventions, heritage interpretation and vegetation management of the Prospect Hill SHRA are informed by and consistent with:

- The Prospect Hill Conservation Management Plan (Conybeare Morrison: 2005);
- The Prospect Hill Heritage Landscape Study and Plan (Government Architect's Office: 2008); and
- The Prospect Hill Heritage Interpretation Plan (MUSEcape: 2009).

C4. Ensure that all development adjacent to the Prospect Hill State Heritage Register Area is accompanied by a Heritage Assessment with all Development Applications. The Heritage Assessment shall be in accordance with the three documents listed above under C2.

C5. In the instance where a broad Heritage Assessment of the interface between the Prospect Hill State Heritage Register Area and the adjoining sites has been undertaken, submit a Statement of Environmental Effects addressing this Heritage Assessment with all Development Applications.

C6. Prepare management plans for open space and other public domain areas, and identify how they will inform and educate the community and utilise the history of the site as a theme of the redevelopment, using interpretative trails, signage, environmental design and other features.

2.5 Biodiversity

Ecological objectives for the northern employment lands take into account the provisions of SEPP 59, upon which this DCP is based, National Parks and Wildlife Act 1974, the Threatened Species Conservation Act 1995, Environment Protection and Biodiversity Act, recommendations of the Urban Bushland Biodiversity Survey - Stage 1: Western Sydney (NPWS, 11 99 111), Rivers and Foreshores Improvement Act 1948 and Fisheries Management Act 1994.

2.5.1 Biodiversity in Development Areas

Objectives

O1. Maintain and enhance the existing level of biodiversity during and after development.

O2. Incorporate ecological and archaeological resources into the creation of public open space.

O3. Rehabilitate and regenerate native vegetation.

O4. Protect significant trees.

O5. Reintroduce local indigenous species where feasible, especially in drainage areas, open spaces and landscaped areas.

O6. Create fauna movement corridors within the site and to external ecological resources (where practicable allowing for other site uses).

O7. Reduce water and fertiliser demand.

O8. Protect threatened species.

O9. Manage weeds.

O10. Plant and manage the site to minimise hazards and manage impacts from bushfire.

O11. Manage litter and waste to minimise impacts.

O12. Control and minimise impacts from sediment disturbance and erosion.

O13. Manage feral and domestic animals to minimise impacts on native flora and fauna.

O14. Protect water quality and aquatic habitat.

O15. Involve the community.

Controls

Local species

C1. Undertake a tree survey to identify and flag all significant trees on the site to be retained.

C2. Prepare a bushland management plan prior to development which identifies areas to be revegetated, the species to be used and other detailed conservation area management issues.

C3. Ensure tree removal is approved under Holroyd City Council's Local Environmental Plan 2013.

C4. Ensure tree removal is subject to Arborist Assessment and recommendation.

C5. Use locally indigenous plant species, including threatened and regionally significant species in drainage areas, streetscapes, open spaces and landscaped areas. This will not only enhance biodiversity but will reduce water and fertiliser demand.

C6. Select plant species used in the development of the site from the 'Indigenous Plant List -Holroyd' from Table D2.1 of the BASIX Specifications .

C7. Retain existing canopy species typical of Grey Box Woodland unless significant harm is likely to result.

C8. Where possible, retain significant mature trees with high ecological value as habitat for the Grey Headed Flying Fox (e.g. Melaleuca swamps, Banksia woodlands, mangroves and riparian woodlands).

C9. Avoid lopping or removing Grey Box Woodland canopy species greater than three metres tall.

C10. Collect and propagate seeds of locally indigenous species prior to development. Use these, hardened on site, in revegetating the open space corridors.

C11. Prohibit species other than locally indigenous species in the central ridgeline corridor and strongly discourage them in the service / open space corridors.

C12. Retain and enhance continuous canopy in the open space corridors to allow for possible squirrel glider movement onto the site.

C13. Retain and maintain hollow-bearing trees on site for their fauna habitat value wherever possible.

C14. Incorporate in the design of sites sufficient space to allow for tree establishment, where proposed. This includes the provision for the development of deep structural roots.

C15. Investigate the use of native grasses in service / open space corridors rather than kikuyu, couch or other conventional non-native grasses.

Weeds

C16. A priority listing of target and noxious weeds should be outlined in the bushland management plan, including lantana, African olive, small-leaved privet and large-leaved privet.

C17. The bushland management plan should address weed management and removal methods such as hand weeding, spraying etc. The plan should give attention to the corridor areas.

C18. Remove all weeds, including any non indigenous native species.

C19. Weed control should be an integral part of maintaining and enhancing biodiversity of the corridors.

C20. Involve the community in weed removal and replanting programs; continue to involve community in maintenance to instil a sense of ownership.

C21. Replant cleared areas with locally indigenous plants following weed removal, to minimise soil erosion.

Waste Management

C22. Provide adequate signs and rubbish bins to encourage proper disposal of litter.

C23. Secure rubbish bins sufficiently to prevent feral cats, dogs, rats or other undesirable species from opening them.

C24. Maintain and empty bins on a regular basis to prevent waste accumulating.

C25. Incorporate litter and waste management in the community consultation strategy.

Creeklines (see also clause 6.2 Fauna Movement Corridors, below)

C26. Rehabilitate, enhance and re-establish on-site waterways including creeklines and drainage lines.

C27. Identify locations within the corridor network, in addition to the central ridgeline, where understorey regeneration can be promoted. Plantings should allow for a continuous canopy along the length to facilitate movement of non ground-dwelling fauna.

C28. Only plant locally indigenous species in vegetating the corridor network including threatened and regionally significant species.

C29. Commence planting and/or install fencing as soon as possible following weed removal, to minimise erosion.

C30. Provide an appropriate buffer either side of creeklines. Rehabilitate vegetation within the buffer and remove weeds.

C31. Install appropriate pollution controls such as gross pollutant traps in upper catchments (at site boundary if necessary) to prevent ingress of litter.

C32. Prepare a sediment and erosion control plan with particular emphasis on the open space corridors and creekline.

Sediment and erosion controls

C33. Ensure appropriate sediment and erosion controls are implemented on site.

C34. Prepare a sediment and erosion control plan for each stage of the development, as per DCP Part A clause 13.0 (Erosion and Sediment Control).

Feral and domestic animals

C35. Prepare a feral and domestic animal management plan incorporating strategies outlined in the Background Report.

C36. Implement an education program on responsible pet ownership.

Fire

C37. Prepare a Fire Management Plan for the protection of life and property within Pemulwuy north employment lands. The Fire Management Plan should identify suitable fire regimes for the protection and maintenance of biodiversity.

C38. Ensure that fire management elements are incorporated into the design of the central ridgeline i.e. fire trails.

C39. Identify appropriate fire management regimes for vegetation management.

C40. Provide external hydrants for bushfire operations.

C41. Plant fire retardant species within the landscape areas.

C42. On the former CSIRO lands, provide roads of 6 metres in width for fire appliances access with passing bays for opposing vehicles;

Community involvement

C43. Ensure that Aboriginal community are involved in reserve and corridor design, revegetation and interpretation programs.

C44. Develop an educational program highlighting the significance of the site and how the community can be involved in restoring and maintaining the conservation area and open space corridors.

C45. Prepare a community consultation strategy to involve the community in ongoing biodiversity management including preparation of the bushland management plan.

C46. Involve the community, including local school groups in Streamwatch programs.

2.5.2 Fauna Movement Corridors

Note: The main fauna corridor within Pemulwuy is proposed within the residential area. It is a predominantly vegetated corridor with some passive recreational and aesthetic functions. This corridor should be located along the central ridgeline separating the employment lands from residential development. See also C26 to C32 above on Creeklines.

Objectives

O1. Extend the ridgeline fauna movement corridor westward to provide additional opportunities to link to Greybox Reserve and Prospect Reservoir.

Controls

C1. Plant vegetation in riparian corridors, to facilitate fauna movement through the other openspace corridors and street trees.

C2. Provide vegetation which will facilitate movement through the site of non ground dwelling fauna as well as providing additional foraging habitat.

C3. Within development applications, provide details which demonstrate how connectivity with off-site ecological linkages can be achieved.

2.6 Environmental Management

2.6.1 Stormwater Management during construction

The Pemulwuy employment lands can be divided into two main catchments. These are:

- the Pemulwuy north employment lands, approximately 82 hectares, that drain to the Greystanes Creek; and
- the Pemulwuy south employment lands, approximately 134 hectares that drain to Prospect Creek.

Development of the Pemulwuy employment lands without proper mitigation measures will increase the flow volumes and pollutant loads discharged to these creeks. Greystanes Creek

is a tributary of the Toongabbie Creek and is located in the upper Parramatta River catchment. A Stormwater Management Plan was prepared for this catchment by the four catchment councils and the Upper Parramatta River Catchment Trust. See Appendix A.

A riparian corridor in the north of the Pemulwuy north employment lands is constructed, capable of conveying the 1%AEP flood flows. Water flows in a naturalistic creek channel, providing aquatic habitat and riparian vegetation as well as cycle and pedestrian pathways. It links to the constructed wetland basin in the north eastern part of the Lands to maintain suitable water quality as well as providing further aquatic habitat. Where possible, make maximum use of regional detention basins or water quality control ponds just downstream of the Lands.

Objectives

O1. Prevent sediment polluting creeks during construction of the development.

Controls

C1. Prior to construction a sediment and erosion control strategy will be developed in accordance with the "Blue Book" 2004 and Holroyd City Council Requirements . See DCP Part G for Council's requirements.

C2. Sediment and Erosion control plans are required for new developments to prevent pollution of the creeks during the construction phase of the development. The plans are required to be prepared in accordance with the Managing Urban Stormwater guidelines including the *Managing Urban Stormwater: Soils and Construction* published by the Department of Housing.

C3. Stage development activities to minimise land disturbance.

C4. Limit earthworks and disturbance of stable rehabilitated landforms.

C5. Divert clean run-off from upstream areas around disturbed areas.

C6. Stabilise and vegetate areas immediately following the completion of works.

C7. Provide temporary sediment basins, fences, catch drains, check dams and other structures to collect and treat run-off from disturbed areas.

C8. Monitor discharges from sediment basins and flocculation as required to limit TSS concentrations in water discharged from the basins to 50 mg/L.

C9. Provide vegetated buffer strips around all water bodies and drainage channels.

C10. Temporarily stabilise stockpiles and disturbed areas exposed for more than 15 days.

C11. Restrict vehicle access to designated entry and exits.

2.6.2 Stormwater Management After development

Objectives

O1. Provide a development consistent with the principles of total watercycle management but recognising potential salinity problems.

O2. Limit stream velocities to prevent erosion and scour of local waterways.

O3. Reduce pollutant loadings to maintain downstream water quality.

O4. Prevent the contamination of surface water or groundwater by stormwater run-off.

O5. Ensure reduced demand for imported mains water by water conservation measures and re-use of stormwater in accordance with the principles of Water Sensitive Urban Design.

O6. Protect the downstream aquatic ecosystems and riparian vegetation of any creek corridors.

O7. Ensure that additional stormwater runoff generated by the development does not adversely affect peak flows, velocities and water levels downstream of the site in the full range of flood up to 1 in 100 year storm event.

O8. Meet catchment wide water quality objectives of EPA's Interim Environmental Objectives and Sydney Harbour and Parramatta River Catchment.

O9. Ensure that additional stormwater runoff generated by the development does not adversely affect peak flows, velocities and water levels downstream of the site in the full range of floods.

Controls

C1. The treatment objectives for the Upper Parramatta River catchments are listed below in Table 1. The objectives outlined in this table are consistent with Council's Stormwater Management Plans.

C2. Ensure stormwater management systems are incorporated in the initial stages of design and infrastructure provided prior to the development of individual sites.

C3. Design on-site stormwater management measures to the water quality objectives of:

- the Stormwater Management Plan,
- the flow requirements of the UPRCT, and
- Holroyd City Council.

C4. Where feasible, incorporate in the proposed stormwater management measures, natural treatment mechanisms and features.

C5. Integrate public open space with the trunk stormwater drainage corridors.

C6. Where practical, reuse stormwater collected on developed lots. This can include rainwater tanks. This should be encouraged to minimise pollutant exports and reduce the hydrologic impacts associated with the development.

C7. Carry out further stormwater management consultation with authorities during the development application stage.

C8. As part of the development process, undertake detailed hydrologic, hydraulic and water quality modelling.

C9. Design stormwater systems including on-site storage so that there are no linkages between surface and groundwaters to minimise the risk of contamination of surface waters by potentially saline groundwaters.

C10. Use the results of the monitoring program required by the Soil Erosion section of this plan to inform surface water management practices as required.

Table 1 POLLUTANT RETENTION CRITERIA FOR GREYSTANES CREEK CATCHMENT

Pollutant	Description	Retention Criteria
Litter	All anthropogenic material	70% of objects 5 mm diameter or greater
Coarse Sediment	Coarse sand	80% of the load for particles 0.5 mm or less
Nutrients	Total phosphorus and Total Nitrogen	45% retention of the load
Fine Particulates	Fine sand	50% of the load for particles 0.1 mm dia. Or less
Cooking Oil & Grease	Free Floating Oils that do not emulsify in aqueous solutions	90% of the load with no visible discharges
Hydrocarbons	Anthropogenic hydrocarbons that can be emulsified	90% of the load

Source: Upper Parramatta River Catchment Stormwater Management Plan

C11. Design and maintain development so that downstream flows are not adversely affected, based on comparison of peak flows, velocities and water levels in the 2 year ARI, 100 year ARI and probable maximum floods at critical points further downstream

C12. Arrangements for the expansion of the regional detention basin (200m to the north of the Pemulwuy north employment lands in Blacktown City Council LGA) must be confirmed and proposals identified as part of any application for the subdivision of land in the Pemulwuy north employment lands.

C13. Should it prove impractical or impossible, for whatever reason, to modify the detention basin to meet the above-stated objective that downstream off-site flows are not adversely affected, a flood retarding basin should be provided within the Pemulwuy north employment lands to satisfy that objective.

C14. During any development and construction, remove at regular intervals any sediment from the Pemulwuy north employment lands deposited off site in the flood basin of the Pemulwuy north employment lands or the downstream creek channel, and again prior to completion of construction.

C15. On the former CSIRO lands:

- provide on-site Stormwater Detention for the entire site;
- provide an above ground detention basin that accords with Upper Parramatta River Catchment Trusts requirements;

- install end of line proprietary water quality devices which are capable of removing gross pollutants and fine sediment, at suitable locations before discharging into the basin; and
- utilise the aboveground detention basin to facilitate further settling of suspended solids and the removal of nutrients.
- the recommended wetland ponding size for the Greystanes Creek catchment is 1.4 hectares surface area.

Figure 7: The constructed wetlands - Pemulwuy North Employment Lands

2.6.3 Stormwater Plans

Objectives

O1. Employ source controls to minimise the pollutant loads discharged from individual development sites.

O2. Apply conveyance controls to the local and trunk drainage systems to minimise the pollutant load transferred from the development sites to the discharge points.

O3. Use Discharge controls immediately prior to discharge from the employment land to Greystanes Creek. This will ensure that water quality of the downstream creek is protected.

Controls

C1. Prepare Stormwater Plans to accompany development applications for individual lots in the Employment Lands.

C2. Ensure these Plans are consistent with Stormwater Management Plans prepared by councils by direction from the EPA.

C3. Adopt a treatment for the individual lots which addresses source controls issues.

C4. Incorporate Convergence and Discharge Controls in the design of the drainage infrastructure for the site. In summary the controls are:

- Source Controls = controls applied to the individual lots to address specific pollutants associated with the specific development;
- Conveyance Controls = controls applied to the local and trunk drainage systems these may include grass swales, and streams incorporating ponds, riffle zones and macrophytes; and
- Discharge Controls = controls prior to discharge from the Pemulwuy north employment lands prior to run-off flowing into Greystanes Creek. These include gross pollutant traps, wetlands and water quality control ponds.

Source Controls

C5. Pollution Prevention – Minimise the amount of impervious areas on the development lot, bund and roof all chemical and fuel storage areas, roof vehicle servicing and refuelling facilities, separate run-off from 'clean' and 'dirty' areas of the lot.

C6. Stormwater Harvesting = Maximise the amount of stormwater run-off used on the development lot. Investigate the feasibility of re-using stormwater runoff for dust suppression systems, vehicle washing and wheel washes, and irrigation of landscaped areas of the lot.

C7. Oil/Water and Oil/Grit Separators = Use oil/water and oil/grit separators and first flush basins to treat run-off from 'dirty' areas of the development lot. Design these systems to meet the pollution retention criteria for hydrocarbons and coarse sediment in Table 1.

C8. Buffer Strips = landscape approximately 15% of the area of the lots. Where the development lot layouts allow, use the landscaping to treat run-off from the primary treatment devices. Plant vegetated buffer strips to reduce the amount of fine sediment and nutrients discharged from the lot to the wetlands and water quality control ponds.

Conveyance controls

C9. Grass Swales = Use open grass swales in the detailed design of the subdivision in preference to conventional kerb and gutter and pipe drainage. Swales reduce flow velocities limiting erosion of the stream banks. The lower velocities and filtration through vegetation reduces fine sediments, nutrients, hydrocarbons and heavy metals discharged to the treatment ponds.

C10. Watercourse Profiles = one watercourse is provided through the Estate to collect stormwater run-off, draining to the northern water quality control ponds. Where feasible the watercourse, should include a meandering low flow invert, ponds and riffle zones, and aquatic and riparian vegetation.

Discharge controls

C11. Provide gross pollutant traps, incorporating a screen and coarse sediment sump, upstream of the ponds and wetlands. Design these to achieve the pollutant reduction targets set out in Table 1 for coarse sediment and litter.

C12. Provide Constructed Wetlands and Water Quality Control Ponds for tertiary treatment of stormwater before it is discharged from the Pemulwuy north employment land to Greystanes Creek. The wetlands and ponds have been sized to meet the treatment objectives for sediments and nutrient outlined in the stormwater management plans. The ponds and wetlands should be located off-line with a bypass channel used to divert flows during large storms around the ponds. The ponds, where feasible, should consist of a series of shallow densely planted zones and deep water areas.

2.6.4 Water Quality Control Pond Management

Objectives

O1. Provide dry weather flows and minimise changes in the hydrologic regime of Greystanes Creek.

O2. Provide a safe, efficient urban water management system which also contributes to the amenity, appearance and urban structure of the Pemulwuy north employment lands.

O3. Achieve multiple use of drainage systems.

Controls

C1. In addition to the Water Quality Control Pond (a constructed wetland) on site, the Pemulwuy north employment lands may also use regional detention basin immediately north of the Lands.

C2. Prepare an Operational Plan for the pond. This should set out how flow releases in the main water body are managed to improve baseflows in the downstream creek, Which suffers from decreased base flows due to urbanisation of the catchment.

C3. Note that hard edges may be required to prevent creation of mosquito habitat.

C4. Design the outlet into the pond to allow water levels to be varied for aquatic plant management.

C5. Regularly maintain the gross pollutant traps and coarse sediment sumps to prevent a build-up of sediment in the main water bodies.

C6. Develop an operational manual for the wetland pond that outlines the requirements for inspections and maintenance.

C7. Integrate the landscaping with the design of the waterbodies to improve the amenity of the area.

C8. Maximise use of regional facilities to achieve the run off flow rate and water quality controls.

C9. As an industrial catchment with native landscaping, there will generally be insufficient nutrients to promote excessive aquatic weed growth. However, should any aquatic weed management measures be required, implement the following methods:

- changes in basin water levels;
- harvesting of the aquatic weed; or
- application of herbicides approved for aquatic weed management by the EPA.

C10. Seek to attain a 1.4 hectare area for the wetland pond

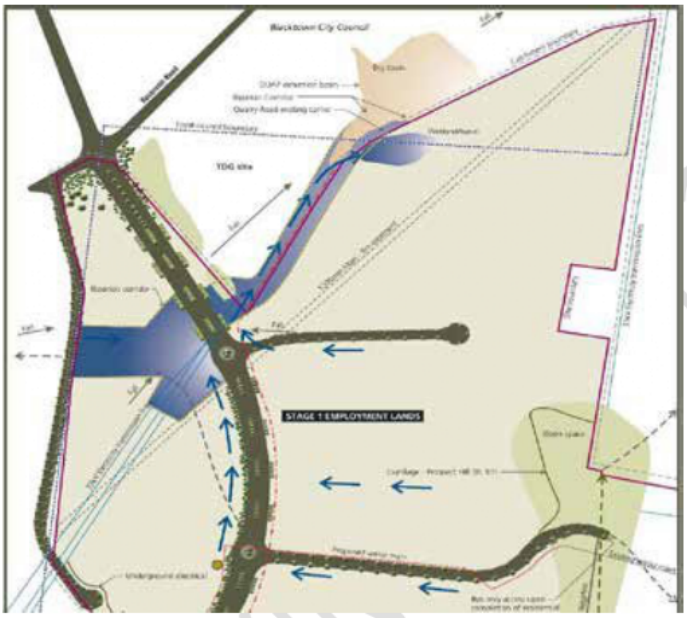


Figure 8: The constructed wetland and riparian corridor Pemulwuy North Employment lands

2.6.5 Flood Risk Management

Controls

C1. Design any proposed structure with a floor level (habitable, office, storage, and/or shop) a minimum of 500mm above the 1% AEP flood level.

C2. In the Pemulwuy North Employment Lands, the riparian channel cross-section has been designed so that the Probable Maximum Flood levels (called Flood Prone Land) will be contained within the 40 metre riparian corridor. Development is prohibited within this corridor.

C3. Design road systems to provide a flood-free evacuation route.

C4. On the former CSIRO lands, site all new buildings outside the Imminent Flood Failure (IFF) zone, and provide them with adequate free board to the IFF levels.

2.6.6 Site Contamination and Remediation

The Pemulwuy Employment Lands largely comprise land that has been quarried as part of Prospect Quarry.

Historical and present land uses include:

- quarrying and overburden stockpiles;
- recycling of construction materials;
- quarry maintenance buildings; and
- pine plantation and naturally vegetated areas.

State Environmental Planning Policy 55 requires Council to consider contamination issues in determining development and subdivision applications. Given the limited range of past and present land uses, the possibility of site contamination is considered to be low.

However, to ensure that land is free from contamination, a Stage 1 Preliminary Environmental Audit was required to be submitted with the first development application received for the Pemulwuy north employment lands.

A Site Audit Statement was also provided to address the former CSIRO site.

Objectives

O1. Ensure the appropriate assessment, remediation, validation and auditing of potentially contaminated land to reduce the risk of harm to human health or the environment.

O2. Ensure land is suitable for the intended use.

O3. Ensure that future occupants or workers at the site are not exposed to contaminated materials.

O4. Undertake investigations and remediation consistent with Cumberland DCP Part G.

Controls

C1. Initiate an unexpected findings protocol to address the potential discovery of contaminated soil or other hazardous materials during bulk earthworks activities.

C2. As a result of the protocol, ensure that appropriate Stage 2 assessment, and (where necessary) remediation and validation occurs.

C3. Make provision in the protocol to inform Council of the discovery of such materials.

C4. Before the lodgement of any development application for the site, complete a groundwater Assessment in accordance with 'Schedule B(6) Guidelines for Risk Bases Assessment of Groundwater Contamination' in the National Environmental Protection Councils National Environment Protection (Assessment of site Contamination) Measure (1999).

C5. Remediation is required to render the site suitable for the proposed land use, consistent with the above Stage 1 Environmental Audit.

C6. Ensure the remediation of the site is certified by a NSW EPA Accredited Site Auditor.

2.6.7 Earthworks Procedures

Objectives

O1. Ensure that any fill utilised throughout the site is clean and complies with relevant standards.

Controls

C1. Evaluate each portion of the Pemulwuy north employment lands as required by the Phase 1 Investigation provided by an environmental consultant for:

- Existing soil condition down to bedrock;
- Groundwater monitoring;
- Validation of both fill zone foundation and proposed fill material to provide material within acceptable EPA criteria for re-use.

C2. Provide approval of the above by a NSW DEEC&W Accredited Site Auditor to allow placement of fill and the excavation and re-use of on-site material to provide a revised landform.

C3. Upon the validation and approval of fill foundation and fill material, place and compact material generally in accordance with:

- all material <300 mm in size;
- compaction up to 98% standard compaction to building and road lots;
- moisture contact 60-90% of optimum;
- compaction to 95% standard in landscaped areas. Rip landscaped areas to a depth of 300/450 mm and mix in organic material to improve soil quality as required.

C4. Final verification of placement of clean fill material will be undertaken through the process of design/construction Quality Assurance Audits.

2.6.8 Salinity

A site investigation, entitled Greystanes Estate Salinity Assessment, carried out by ERM in June 2001, undertook limited field testing of the DLWC Draft Salinity Hazard Mapping for Western Sydney, and found areas of known salinity and extensive salinity hazard within the Pemulwuy north employment lands, associated with the riparian corridors in particular.

Objectives

O1. Minimise disturbance to natural hydrological systems as a result of development.

O2. Ensure the proper management of land affected by salinity.

O3. Prevent damage to buildings and infrastructure caused by salinity.

O4. Manage and mitigate impacts from salinity

Controls

Monitoring

C1. Undertake monitoring of groundwater levels to provide additional information on which to base future design.

C2. Establish monitoring wells in two cross-sections in the creek located adjacent to the northern boundary of the Pemulwuy North Employment Lands.

C3. The monitoring program should consist of monthly sampling for a minimum period of 5 years or until development is commenced on all lots within the Northern Employment Lands, in addition to sampling after rainfall events greater than 20 millimetres in 24 hours.

C4. These results should be consolidated into a single report at the end of each 12 month period.

C5. For development proposed in the areas known as at risk of salinity and extensive salinity hazard, this report must be used to refine building location, layout and design as appropriate and salinity prevention and management measure must be addressed in development applications submitted to the consent authority. Some measures that could be considered include:

Building Slabs/Concrete

C6. In order to prevent moisture rising through the slab, firstly lay a thick layer of sand on the building site. Next, lay a damp-proof membrane of thick plastic.

C7. Concrete can be made more resistant to salinity by increasing its strength to reduce the permeability. A sulfate resistant concrete can also be used which will reduce reinforcement corrosion. A minimum of 65 millimetres of concrete cover on strip or slab reinforcement is recommended in saline environments. Compaction and curing of the concrete are also advised.

Bricks

C8. A brick damp course which is correctly installed will prevent moisture moving into the bricks. It is possible to use exposure quality bricks which are more resistant to water and salt. Waterproofing can also be added to the mortar to prevent water entry.

Parks and Gardens

C9. Plant gardens which do not require a lot of watering. This includes use of native plants which do not require excess watering, deep rooted trees to prevent the ground water table rising, the use of mulch, and the reduction of lawn areas. See section Landscaping above.

C10. Where automatic watering systems are installed, measure soil moisture content to ensure they work, and to counter the possibility of over-watering.

C11. Do not locate gardens close to buildings, as watering may affect foundations or render the dampcourse ineffective.

Site Design

C12. Avoid disturbance of natural flow lines, as this is where the salinity is first likely to appear. This includes retaining native vegetation along watercourses and rehabilitation of disturbed areas using native vegetation.

C13. Minimise throughflow when designing stormwater management, and this includes the careful design and construction of detention and retention basins to avoid high velocity runoff and soil erosion in susceptible areas.

Noise Impacts

Objectives

O1. Reduce road traffic noise.

O2. Limit noise impacts from vehicle traffic upon nearby and adjoining residential land.

O3. Implement a strategic approach in new industrial areas to ensure that amenity objectives are not compromised.

O4. Achieve an equitable share of the amenity, as per The NSW Government's Industrial Noise Policy.

O5. More evenly distribute allowable amenity noise limits amongst the employment sites.

O6. Minimise the risk of adverse cumulative impacts.

O7. Provide some flexibility in sharing the noise within each zone.

O8. Ensure that the use of the land does not create an offensive noise or add significantly to the background noise level of a locality.

Controls

Road Traffic Noise

C1. Construct the north-south spine road and the east-west road in a manner that minimises road traffic noise. Utilise the range of road design measures within the NSW Government's Environmental Criteria for Road Traffic Noise (ECRTN).

C2. Permit bus only access on the east-west road between the residential and industrial areas prior to the establishment of the North-South spine link.

C3. Before opening the east west road to other classes of traffic the consent authority must consider the noise impacts likely to arise, in particular, whether the ECRTN criteria relevant to the northern residential area will be exceeded.

Industrial Noise Controls (west of Clunies Ross Street)

C4. Employment lands in the Pemulwuy have been divided into 5 noise zones for the purpose of managing noise impacts (See Figure 11). Each zone has an amenity limit that should not be exceeded (by all sites operating within that zone) at any residential receiver. The limits for each zone are shown in Figure 11 are set out in Table2. Note that this map may be out of date, and that measures must be taken at the "Nearest Affected Residential Location", whether that residence has been constructed or not.

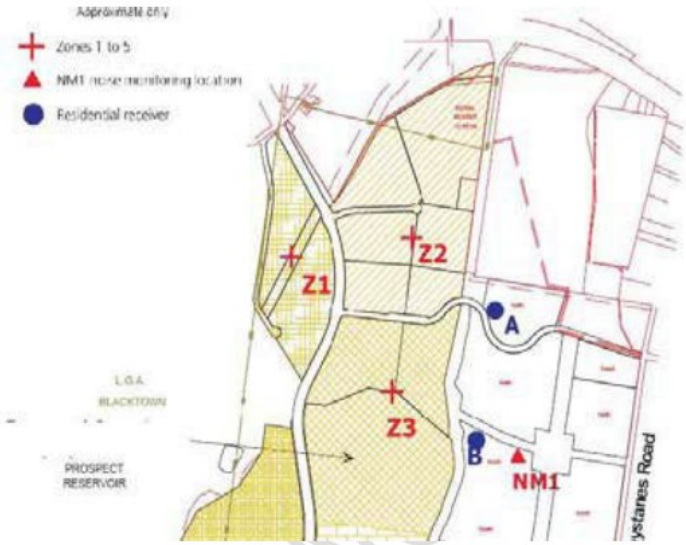


Figure 9: Noise zones - Pemulwuy North Employment Lands

Table 2 Noise Emissions Limits (LAeq) at Nearest Affected Residential Location

Period	Noise from Zone 1	Noise from Zone 2	Noise from Zone 3	Noise from Zone 4	Noise from Zone 5	Residential Noise Criterion
Day	50 dBA	50 dBA	49 dBA	49 dBA	51 dBA	55 dBA
Evening	40 dBA	40 dBA	39 dBA	39 dBA	41 dBA	45 dBA
Night	35 dBA	35 dBA	34 dBA	34 dBA	36 dBA	40 dBA

Industrial Noise (the former CSIRO land)

C5. The noise criteria presented in Table 3 is applicable to the residential receivers on the former CSIRO land.

Table 3 Noise Criteria for Residences Adjoining the former CSIRO Employment Land - dBA re 20 µPa		
Time of Day	Intrusive LAeq (15 minute) Criterion	Amenity LAeq (period) Criterion
Day – 7am – 6pm	51	47
Evening – 6pm – 10pm	51	44
Night – 10pm – 7am	46	42

C6. Site garbage collection, machinery, parking areas, and air conditioning plants away from adjoining residential area and where necessary, screen them by barrier or other acoustical treatment.

C7. Where the residential interface is not shielded from employment generated noise by employment buildings (south-west corner), provide a noise barrier to allow for acceptable acoustic outcomes at the residential receiver (see above table);

C8. Incorporate acoustic measures, such as an acoustic barrier, into the built form to mitigate noise impacts on the adjacent residential lands.

C9. Accompany all Development Applications for potential noise generating industries adjacent to residential zoned land with documentation from a qualified Acoustic Engineer specifying noise standards.

C10. Ensure compliance with the relevant requirements such as the Noise Guide for Local Government New South Wales Industrial Noise Policy.

C11. Comply with Acoustic Standards: Noise Limits (Table 7.7.2 from Noise Impact Assessment by Richard Heggie Associates Pty Ltd) measured at the residential boundary.

C12. Provide a noise impact assessment with Development Applications that propose activities with operating hours outside Council's standard business hours.

C13. Note: 24 hour operation of business use is permissible providing the residential receiver noise criteria (as mentioned above) are achieved.

2.6.9 Air Quality

Objectives

O1. Ensure no adverse impacts on residences both within and surrounding Pemulwuy.

O2. Ensure minimal emissions.

Controls

C1. Provide air quality control measures during and after development of the Estate.

C2. Address the relevant air quality guidelines within each development application in the employment area for industrial uses.

C3. During construction, implement appropriate mitigation measures such as truck washing bays and wetting of dirt roads.

C4. Ensure that the use of any premises and machinery is in accordance with the Protection of the Environment Operations Act 1997.

C5. If any proposed use or activity within the site falls into Schedule 1 of the Protection of the Environment Operations Act 1997, the occupier must hold a licence from the NSW OEH , or its equivalent.

C6. Within the Statement of Environmental Effects of a Development Application, include an assessment of air quality according to EPA standards.

C7. Ensure that the endorsement of any machinery used does not result in air pollution emissions that exceed EPA guidelines.

Appendix A – Stormwater Management Plan

STORMWATER MANAGEMENT

A.1 INTRODUCTION

Stormwater management measures will be required as part of the development of the employment lands to protect the water quality of downstream creeks. The site is to divided into two main catchments these are:

- the Northern Employment Lands, approximately 82 hectares, that drain to the Greystanes Creek; and
- the Southern Employment Lands, approximately 134 hectares that drain to Prospect Creek.

Development of site will increase the flow volumes and pollutant loads discharged to these creeks. Greystanes Creek is a tributary of the Toongabbie Creek and is located in the upper Parramatta River catchment. A stormwater management plan was prepared for this catchment by the four catchment councils and the Upper Parramatta River Catchment Trust.

The Southern Employment Lands are located in the Prospect Creek catchment. Fairfield, Holroyd, Bankstown and Liverpool Councils have prepared a stormwater management plan for this catchment. The stormwater management plans provide pollutant retention criteria for new developments and rank treatment objectives for various types of developments.

Currently it is anticipated that the majority of the employment lands will be developed for a range of uses which would typically include warehouses, transport facilities, distribution centres, manufacturing and supporting offices. The minimum lot size is one hectare.

A.2 STORMWATER MANAGEMENT OBJECTIVES

Stormwater management objectives for water quality for new urban areas are set out in Council's stormwater management plans. These objectives include measures to manage pollutants generated during the construction and operational phase of the development. Stormwater management measures for the Greystanes Estate also address the issue of water quantity.

A.2.1 Construction Objectives

Sediment and Erosion control plans are required for new developments to prevent pollution of the creeks during the construction phase of the development. The plans are required to be prepared in accordance with the manual 'Managing Urban Stormwater: Soils and Construction' (NSW Department of Housing, 1998). Measures that will be implement include:

- staging development activities to minimise land disturbance;
- limiting earthworks and disturbance of stable rehabilitated landforms;
- diversion of clean run-off from upstream areas around disturbed areas;
- stabilise and vegetate areas immediately following the completion of works;
- provide sediment basins, fences, catch drains, check dams and other structures to collect and treat run-off from disturbed areas;
- sediment basins sized for the 1 in 3 month design storm based on the majority of fill materials being coarse-grained;
- monitoring discharges from sediment basins and flocculation as required to limit TSS concentrations in water discharged from the basins to 50 mg/L;
- vegetated buffer strips around all water bodies and drainage channels;
- temporarily stabilisation of stockpiles and disturbed areas, not associated with the on-going quarry operations, exposed for more than 15 days; and
- restricting vehicle access to designated entry and exit points.

A.2.2 Operational

The treatment objectives for Prospect Creek and the upper Parramatta River catchments are listed in Table A.1 and Table A.2 respectively.

The range of urban land uses produce different types and quantities of pollutants and consequently the stormwater treatment strategies used to mitigate these impacts vary depending on the type of development proposed. To assist in selecting the appropriate treatment strategies the Upper Parramatta River Stormwater Management Plan (SMP) ranks the treatment objectives for a range of urban land use based on their importance for that particular land use. Rankings provided in the listed in Table A.3 below.

The stormwater management strategy for a new development is required to address all the listed pollutants, however in the case of an industrial development only the pollution retention criteria for objectives ranked (a) to (e) need to be met.

A.3 STORMWATER MANAGEMENT STRATEGY

A.3.1 Stormwater Management Principles

Stormwater management principles listed below for the employment lands have been developed to meet water quantity objectives, the water quality treatment objectives set out in the SMP's and to address the broader issues of water sensitive urban design. Key stormwater management principles to be used in the design of stormwater management systems in the employment lands are:

- stormwater management systems will be incorporated in the initial stages of design;

- on-site stormwater management measures will be used, where feasible to meet catchment wide water quality objectives;
- the proposed stormwater management measures will incorporate, where feasible, natural treatment mechanisms and features;
- integration of the public open space with the trunk stormwater drainage corridors;
- on-site stormwater reuse will be encouraged to minimise pollutant exports and reduce the hydrologic impacts associated with the development;
- stormwater systems designed so that there are no linkages between surface and groundwaters to minimise the risk of contamination of surface waters by potentially saline groundwaters;
- the results of the monitoring program required by Section 7.7 of this Plan should be used to inform surface water management practices as required;
- development should be designed so that downstream flows off-site are not adversely affected.
- For the Northern Employment Lands, avoid any increases in flood peak flows, velocities and water levels at all downstream points in the full range of flood magnitudes, taking into account the planned developments on the adjoining sites and modifications to the DUAP basin.
- For the Southern Employment Lands, avoid any increases in flood peak flows and velocities at all downstream points in the full range of flood magnitudes, taking into account the planned
- developments on the adjoining sites.

These principles are designed to meet the following key objectives:

- limit stream velocities to prevent erosion and scour of local waterways;
- reduce pollutant loadings to maintain downstream water quality;
- prevent the contamination of surface water or groundwater by stormwater runoff;
- reduced demand for imported mains water by water conservation measures and re-use of stormwater;
- protection of downstream aquatic ecosystems and riparian vegetation; and
- enhance the scenic and recreational value of creek corridors and water quality control ponds.

A.3.2 Stormwater Plan

A stormwater plan will be prepared to accompany the development applications for the employment lands.

The stormwater plan for the sub-division of the land will address issues associated with the conveyance and discharge controls. Source controls will be designed at the development application stage for the individual lots. In summary the controls are:

- Source Controls- controls applied to the individual lots to address specific pollutants associated with the specific development;
- Conveyance Controls - controls applied in the local and trunk drainage systems these include grass swales, and streams incorporating ponds, riffle zones and macrophytes; and

- Discharge Controls - controls prior to discharge from the estate prior to run-off flowing into the creeks. These include gross pollutant traps, wetlands and water quality control ponds.

i. Source Controls

- A range of source controls can be used to minimise the pollutant loads discharged from the individual development lots. The type of controls adopted will depend on the nature of the development. Stormwater management plans will be prepared and submitted with the development applications for the individual lots.
- Pollution Prevention - Minimise the amount of impervious areas on the site, bund and roof all chemical and fuel storage areas, roof vehicle servicing and refuelling facilities, separate run-off from 'clean' and 'dirty areas' of the site.
- Stormwater Harvesting – Maximise the amount of stormwater run-off used onsite. Investigate the feasibility of re-using stormwater run-off for dust suppression systems, vehicle washing and wheel washes, and irrigation of landscaped areas of the site.
- Oil/Water and Oil/Grit Separators - Oil/water and oil/grit separators and first flush basins are to be used to treat run-off from 'dirty' areas of the site. These systems will be designed to meet the pollution retention criteria for hydrocarbons and coarse sediment in Tables A.2 and A.3. Oil/grit separators are to be provided for all site car parks with more than 12 spaces. Treatment devices are to be sized to treat the run-off from the 90th percentile rainfall event, (BCC 2001).
- Buffer Strips - Approximately 15% of the lots will be landscaping. Where the site layouts allow the landscaping will be used to treated run-off from the primary treatment devices. Vegetated buffer strips will be used to reduce the amount of fine sediment and nutrients discharged from the site to the wetlands and water quality control ponds. Research by the CRC for Catchment Hydrology on vegetated buffer strips found that a six metre wide strip can reduce sediment loads by up to 90% and nutrient loads by up to 70%, (CRC 1997).

ii. Conveyance Controls

- Grass Swales – In the detailed design of the sub-division open grass swales can be used in preference to conventional kerb and gutter and pipe drainage. Swales reduce flow velocities limiting erosion of the stream banks. The lower velocities and filtration through vegetation reduces fine sediments, nutrients, hydrocarbons and heavy metals discharged to the treatment ponds.

Typical pollutant removal rates are; total suspended solids – 75 -100%, hydrocarbons 75-100%, nutrients - 50-75%, and heavy metals – 60%, (EPA 1997a).

- Watercourse Profiles – Three main watercourses will be provided through the site to collect stormwater run-off. Two for the southern employment lands draining to the southern water quality control ponds and the second drains to the northern water quality control ponds. Where feasible, the watercourses will include a meandering low flow invert, ponds and riffle zones, and aquatic and riparian vegetation.

iii. Discharge Controls

- Gross Pollutant Traps – Gross pollutant traps incorporating a screen and coarse sediment sump will be provided upstream of the ponds and wetlands. These will be designed to achieve the pollutant reduction targets set out in Tables A.2 and A.3 for coarse sediment and litter.
- Constructed Wetlands and Water Quality Control Ponds - Wetlands and ponds will be provided for tertiary treatment of stormwater before it is discharged from the estate to Prospect Creek or Greystanes Creek. The wetlands and ponds have been sized to meet the treatment objectives for sediments and nutrient outlined in the stormwater management plans. The ponds and wetlands would be located off-line with a bypass channel used to divert flows during large storms around the ponds. The ponds, where feasible, should consist of a series of shallow densely planted zones and deep water areas. The relationship between the three levels of stormwater treatment in the treatment train approach is shown in Figure 11 below.

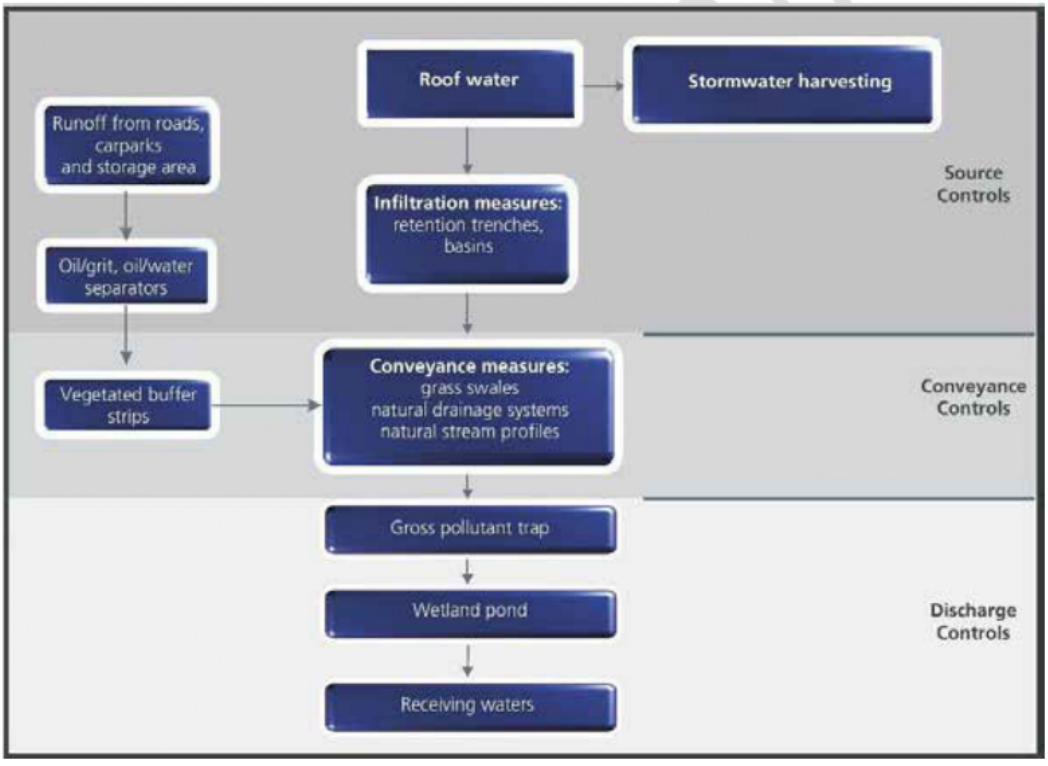


Figure 10: Stormwater Management System

A.4 STORMWATER POLLUTION LOAD ASSESSMENT

To provide preliminary sizes for the water quality ponds, a level one pollution load assessment was completed, as defined in the EPA guidelines, (EPA 1997c). This level of stormwater quality model is suitable for preliminary sizing, but given the size and scales of

the development would need to be supported by a more detailed, level two water quality model, at the detailed design phase.

For the purposes of the modelling existing pollutant loads were estimated assuming that the entire area of the quarry was a rural catchment. Due to the lack of site specific water quality data Event Mean Concentrations (EMC's) based on the Sydney Water's water quality monitoring data for a range of land uses in the catchment. No EMC data is available for quarries so average rural EMC values have been used. This is a conservative approach and under-estimates the existing pollutant loads. Pollutant loads after development with no controls were estimated using average EMC values for industrial catchments. The surface area of wetland/water quality control ponds necessary to achieve the pollutant reduction targets was then calculated. Pond sizes have been calculated based on achieving two levels of treatment the first is the treatment objectives outlined in the SMP's and the second is to reduce postdevelopment pollutant loads to the rural pollutant loads. Wetland surface areas were estimated using the surface loading rates included in the EPA's guidelines 'Managing Urban Stormwater Treatment Techniques'. These are described as Option 1 and Option 2 respectively in the tables below. Details of the pollution load assessment are included in Appendix A of this paper and summary of the results are provided in Tables A.4 – A.6.

A.5 RECOMMENDATIONS

Staged sediment and erosion control plans should be prepared for the development of the infrastructure for the employment lands. Sediment and erosion plans should also be submitted with the individual development applications for the lots. The plans should be prepared in accordance with the guidelines published by the NSW Department of Housing 'Managing Urban Stormwater Soils and Construction'.

The stormwater management strategy outlined in Section A.3.2 should be adopted for the site so that the water quality objectives set in the relevant SMP's are met and exceeded. These measures include a 'treatment train' approach with site specific controls included on the individual lots and conveyance and discharge controls included during the design of the infrastructure for the employment lands. Water quality control ponds (WQCP) are to be included in both the northern and southern employment lands. These are to have a minimum surface area of 1.4 and 2.0 hectares respectively. WQCP's will be designed to achieve the treatment objectives set out in both the Prospect Creek and Upper Parramatta River SMP's for suspended solids and nutrients for the Southern Employment lands and Northern Employment Lands respectively. Approximately 50% of the water quality control ponds are to be shallow wetland area planted with appropriate species of emergent macrophytes. The remaining areas are deeper open water zones. The ponds should have a minimum hydraulic retention time of twelve days.

The effectiveness of the proposed stormwater management measures is to be confirmed using more detailed water quality modelling. The model should use appropriate EMC values, a daily time step and a ten year simulation period that incorporates years with rainfall totals similar to the 10th, 50th and 90th percentile years, (EPA 1997c).

A.6 REFERENCES

Bankstown, Fairfield, Holroyd and Liverpool City Councils, 1999 Prospect Creek Catchment Stormwater Management Plan

BCC 2001 Blacktown City Council, 2001 Stormwater Quality Control Policy

CRC 1997 Cooperative Research Centre for Catchment Hydrology, 1997 Controlling Sediment and Nutrient Movements within Catchments - Industry Report.

Cooperative Research Centre for Catchment Hydrology, 1997 Urban Stormwater Pollution – Industry Report.

Cooperative Research Centre for Catchment Hydrology, 1998 From Roads to Rivers. Gross Pollutant Removal from Urban Waterways.

EPA 1997a Environment Protection Authority, November 1997 Managing Urban Stormwater. Treatment Techniques.

EPA 1997b Environment Protection Authority, April 1997 Managing Urban Stormwater. Strategic Framework. Draft.

EPA 1997c Environment Protection Authority, November 1997 Managing Urban Stormwater. Council Handbook. Draft.

Environment Protection Authority, December 1998 Managing Urban Stormwater. Source Control. Draft.

New South Wales Department of Housing, August 1998 Managing Urban Stormwater: Soils and Construction

Lower Hunter and Central Coast Regional Environmental Management Strategy, 1999 Water Sensitive Urban Development. Implementation Issues for the Lower Hunter & Central Coast.

Patterson Britton and Partners, January 2000 Greystanes Estate General Services Plan

PPK Environment and Infrastructure, April 2001 Drainage Services Plan for the Employment Land

Upper Parramatta River Catchment Trust, July 1999 Upper Parramatta River Catchment Trust Stormwater Management Plan

Part F – Yennora Distribution Park

Contents

1. Introduction

The following controls apply to Yennora Distribution Park, being land described as Lot 2 DP 711948, and known as 14-54 Dennistoun Avenue, Yennora.

The subject property is one of the most significant industrial sites in Sydney and in the Holroyd local area. The combination of size, location, accessibility and the well developed railway infrastructure provides a strategically important asset having local, regional and state status.

The site has been used historically as a major wool warehousing and distribution centre. In recent times other storage and distribution activities have developed on the site.

In the short to middle term, the property will continue to be used for wool related activities and other conforming uses.

The vision for the site is to maximise its efficient use and development as a strategic industrial property, which will be a major employment and business centre in Holroyd and the greater metropolitan area.

This vision, including redevelopment and change of use of existing buildings and development of vacant land, must be carried out while ensuring operations and activities have regard to the impact on the features of the site and surrounds.

2. General Objectives

2.1 Objectives

O1. Establish a strategic planning framework to guide the future development of the site.

O2. Acknowledge the strategic importance of the site as a generator of major economic and employment activity for both the Holroyd area, and for the Sydney Region.

O3. Recognise the regional significance of the site as a potential major inter-modal distribution centre servicing western Sydney.

O4. Identify opportunities to enhance the economic potential of the site as an inter-modal distribution centre servicing western Sydney.

O5. Ensure that future development on the site satisfies environmental and design standards and satisfies community expectations.

3. Specific Objectives and Controls

3.1 Building Form

Objectives

O1. Ensure that any new building works comply with the Building Code of Australia.

O2. Ensure a high standard of visual and environmental quality.

Controls

C1. All building works associated with the construction of new stand alone premises are to comply with the Building Code of Australia.

C2. The compliance of existing buildings with contemporary building and fire standards will be determined when alterations are proposed to such buildings.

C3. Any future building works proposed to take place on those parts of the site in close proximity to adjacent residential zones must have regard to the following:

- The visual appearance of the development when viewed from surrounding areas.
- The reflective qualities of proposed external building treatments and their potential to cause nuisance glare.
- The possible impact of noise, vibration and dust generated by operations and activities in the proposed building or surrounds.

C4. Building facades to all street frontages and a minimum of a 3 metre return, shall be constructed of brick, split masonry block or pre-cast exposed aggregate panels, with a minimum of 3.5mm aggregate. No standard concrete block work can be permitted. Painted masonry will not be accepted unless the applicant can demonstrate that the building has outstanding architectural merit incorporating special features.

C5. Side and rear walls, not visible from the street, can be constructed in galvanised iron, zincalume, fibre cement or pre-colour coated metal sheeting. Council encourages the use of pre-colour coated metal sheeting, as this cladding is more aesthetically pleasing and environmentally sustainable.

C6. Roof cladding is acceptable in tiles, galvanised iron, zincalume, or pre-colour coated metal sheeting. Locate roof ventilators, exhaust towers, hoppers and the like, as far as practicable, so as not to be readily visible from any public or residential area.

3.2 Building Setbacks

Objectives

O1. Ensure suitable setback from street frontages to enable the landscaping treatment of such when viewed from public areas; and

O2. Ensure that the physical separation between industrial and residential land uses, which is characteristic of the existing development on site can be maintained over the longer term.

Controls

C1. A minimum setback of 30.48 metres from the frontage to Dennistoun Avenue;

C2. All buildings and hardstand areas must be setback a minimum of 15 metres from boundaries to all other public roads; and

C3. Car parking and hard stand areas may be permitted within the setback distance subject to Council consent.

3.3 Fire Safety

Controls

Given the size of the tenancies and the current nature of activities and uses on the site, fire safety is one of the major issues relating to any new use or development proposed.

C1. In any development proposal on this site, provide detailed information on the proposed uses or activities, so that Council can assess the likely fire hazard of the proposed use and ensure appropriate fire fighting measures are implemented.

C2. Attention is also drawn to the fire safety provisions for industrial buildings contained in the Building Code of Australia (BCA) and the Environmental Planning and Assessment Act 1979 (EP & A Act). Particular attention should be given to Part C2 of the BCA - "Floor Area Limitations", Part D - "Means of Egress" and Part E1 - "Fire Fighting Services and Appliances". Development applications lodged with Council for approval, may be referred to the NSW Fire Brigades.

3.4 Vehicle Access

Objectives

O1. Ensure that vehicle movements generated by the existing and future uses of the property are concentrated on non-residential streets surrounding the property.

O2. Ensure the safe and efficient movement of vehicles within the site.

Controls

C1. Works to Council satisfaction are to be carried out on the entry point to the site from Dennistoun Avenue to physically restrict the ability for trucks to enter or exit the site from this point.

C2. All proposals for additional development are to demonstrate how heavy vehicle movements associated with the additional development will be minimised on neighbouring residential streets.

C3. Heavy vehicle access to the site is permitted only through the existing main site entrance on Loftus Road and the entrance on Byron Road.

C4. No access to and from the site is permitted from Dennistoun Avenue after 7.00pm and before 6.00am Monday to Friday and is to be closed all day on Saturday and Sunday.

C5. No new site access points are permitted onto Dennistoun Avenue or Byron Road.

C6. New vehicle access points to the site may only be obtained from Loftus Road.

C7. Access to and from the site between the hours of 7.00pm and 6.00am is restricted to those occupiers who have written approval from Council for hours of operation extending into that time period. During these times access will be restricted to the Loftus Road entrance where a security guard is to deny access to vehicles attempting to enter the premises without consent to operate during these hours. A logbook documenting after hours access shall be available for inspection by Council upon request.

C8. Development proposals must be supported by a description of proposed internal site movements.

C9. Development applications will be referred to the Roads and Maritime Service in accordance with the provisions of Schedule 3 of the State Environmental Planning Policy (Infrastructure) 2007.

C10. Traffic generation rates for future development will be assessed to determine whether developer contributions will be conditioned for traffic calming devices on Dennistoun Avenue.

C11. Trucks accessing and leaving the site northwards are required to utilise:

- The Cumberland Highway via Woodpark Road, Fairfield Road and Dursley Road and Loftus Road; or
- McCredie Road and Sturt Street. (When traffic signals are provided at Sturt Street and Cumberland Highway, then the McCredie Road and Sturt Street route will be the only access route permitted.)

C12. Trucks accessing and leaving the site southwards are required to utilise Fairfield Road, Dursley Road and Loftus Road; or Pine Road and Loftus Road

C13. Trucks accessing the site are not to use Military Road, Chetwynd Road, Sherwood Road/ Centenary Road, Fowler Road, Dennistoun Avenue or Byron Road (between Carrington Road and Guildford Road West).

Signs must be erected on all entrance gates advising truck drivers that they are not to park or queue in Dennistoun Avenue, Byron Road or any other residential street in the vicinity of the Yennora Distribution Park. Such signs are to include details of the required access and egress routes to and from the Yennora Distribution Park as set out in Part D.

3.5 Car Parking Provision

Objectives

O1. Ensure that adequate car parking exists for persons employed on the site.

O2. Ensure that the amount of car parking on site has regard to the unique characteristics of car parking demands generated by land uses on the property.

Controls

C1. Provide car parking for any warehousing, non-warehousing and distribution related activities on the site consistent with the provisions of the parking section in Part A of this DCP.

C2. Ensure the design of any future car parking areas complies with Council's requirements specified in the parking section in Part A of this DCP.

3.6 Amenity Issues

Objectives

O1. Ensure that existing and proposed land uses on the site have minimal impact on nearby residential amenity.

Controls

C1. Stack shipping containers to a maximum height of four containers, unless it can be shown that shipping containers stacked to a greater height will not adversely affect the visual amenity of the adjoining residential area or be unsafe.

C2. Demonstrate to Council's satisfaction that any proposed development will have minimal impact on the amenity of adjacent residential areas. Comply with the requirements of Section 3.3 of this Part this DCP.

C3. Hours of operations will be determined accordingly. Such assessment must comply with the acoustic standards set out in the OEH's "Industrial Noise Policy";

C4. Operations are restricted to the hours of 7.00am - 6.00pm Monday to Friday and 7.00am - 12 noon Saturday with no operations on Sundays or public holidays.

C5. Operations outside these hours, up to 24 hour operations, will be considered by Council upon submission of an acoustic report which is deemed 'acceptable' by Council and prepared by a suitably qualified acoustic engineer.

Notes:
In order to determine the acceptability of an acoustic report, Council's officers may, depending on the level of complexity of the acoustic report, refer such report to a second acoustical engineer for appraisal at full cost to the applicant.
The proposed occupations of existing or future buildings within the YDP that are located adjacent to residential areas must be industries prepared to operate within the restricted hours. Consideration of 24 hour operations within buildings adjacent to residential areas will only be given under particular circumstances where an acceptable acoustic report has been received for an industry that has an operation that will not interfere with the peace and repose of nearby residents.

3.7 Landscaping

Objectives

O1. Ensure that all future development is appropriately landscaped in order to contribute to the aesthetic appeal of workplace environments.

O2. Contribute to a reduction in building mass and bulk when buildings are viewed from public areas and from nearby residential areas.

O3. Increase the likelihood of long-term survival of landscaping by using species which are adapted to the local environment, and to minimise the potential for exotic species to invade remnant bushland on the site.

Controls

C1. Proposals for new building works are to incorporate landscaping as part of overall building design.

C2. Landscaping is to be conducted utilising locally indigenous native plant species.

C3. Landscaping works adjacent to the locally and regionally significant remnant vegetation on the site are to be designed as a buffer zone to reduce building impact, weed invasion and assist in the long term preservation of Areas "A" and "B" on the plan contained in Appendix 2 in this DCP.

Note: See also Section 3.0 of this Part.

3.8 Remnant Vegetation

Objectives

O1. Recognise the local and regional significance of remnant vegetation this exists on the site.

O2. Recognise the State (Schedule 2, Threatened Species Conservation Act 1995) and National (ROTAP - Rare or Threatened Australian Plant) significance of Acacia pubescens which is present in the undeveloped north-eastern portion of the site.

O3. Recognise the presence of any Endangered Ecological Communities and species listed under schedule 1 of the Threatened Species Conservation Act (TSCA) 1995 which contained on the site.

O4. Ensure that all future development addresses the provisions of the Environmental Planning and Assessment Act, 1979 and the Threatened Species Conservation Act 1995, especially the specifications contained in any relevant Recovery Plan in respect of vegetation communities and individual species present on the site.

Controls

C1. No development is permitted within Areas "A" and "B" on the plan contained in Appendix 1 of this DCP without consideration of the provisions of the Threatened Species Conservation Act 1995.

C2. Development immediately adjacent to the Areas "A" and "B" on the plan contained in Appendix 1 must demonstrate that it causes minimal impact on remnant vegetation.

C3. Development outside of Areas "A" and "B" must ensure there is no threat to any threatened species.

C4. A management plan for the native vegetation present at the Yennora Distribution Park has been prepared. The long-term aim of this plan is the retention and management of an Endangered Ecological Community and a threatened plant species. The management plan incorporates the following:

- a description of the flora species present in the remnant native vegetation on the site;
- evaluation of the conservation significance of the native vegetation on the site;
- recommendations to minimise the impact of proposed additions to the existing industrial development on the site;
- recommendations for the management of the native vegetation on the site; and
- recommendations for future site landscaping.

3.9 Stormwater Management

Objectives

O1. Ensure that stormwater is controlled so as to avoid damage to private and public property.

O2. Ensure that any new hard stand and roofed areas do not result in any net increases in down stream flows during storm events.

O3. Ensure that uncontrolled stormwater flows do not threaten the long term survival of remnant vegetation.

Controls

C1. Provide all roofing and hard stand areas with adequate drainage systems.

C2. Incorporate on site stormwater detention systems in the design of any new hard stand area or new building works. The design of such detention works are to be in accordance with Council's "On-site Stormwater Retention Policy" and certified to:

- Council's satisfaction upon completion of works; and
- Compliance with Council's other drainage requirements.

3.10 Infrastructure and Services

Objectives

O1. Ensure that all required services and infrastructure are provided in accordance with appropriate standards.

Controls

C1. Provide water, sewer, telecommunication, gas and electricity to new development to Council's and servicing authority standards.

C2. Construct all new roads and hardstand areas to Council's satisfaction (see Part A of this DCP, Section 5.8 - Road Design and Construction within all Industrial Zones).

C3. Carry out bulk earthworks to Council's satisfaction.

3.11 Site Contamination and Land Filling

Objectives

O1. Recognise that existing undeveloped areas on site are largely free of contamination.

O2. Recognise that no data exists on the possible contamination of developed land on site.

O3. Ensure that Council is satisfied that no new building works take place on land contaminated by previous land uses.

O4. Ensure future building works are constructed on stable sub-surfaces.

Controls

C1. Council requires evidence of existing site contamination prior to the approval of new building works on the site.

C2. New building works are to demonstrate the geotechnical stability of sub-surface conditions prior to Council issuing a Construction Certificate.

3.12 Railway Infrastructure

Objectives

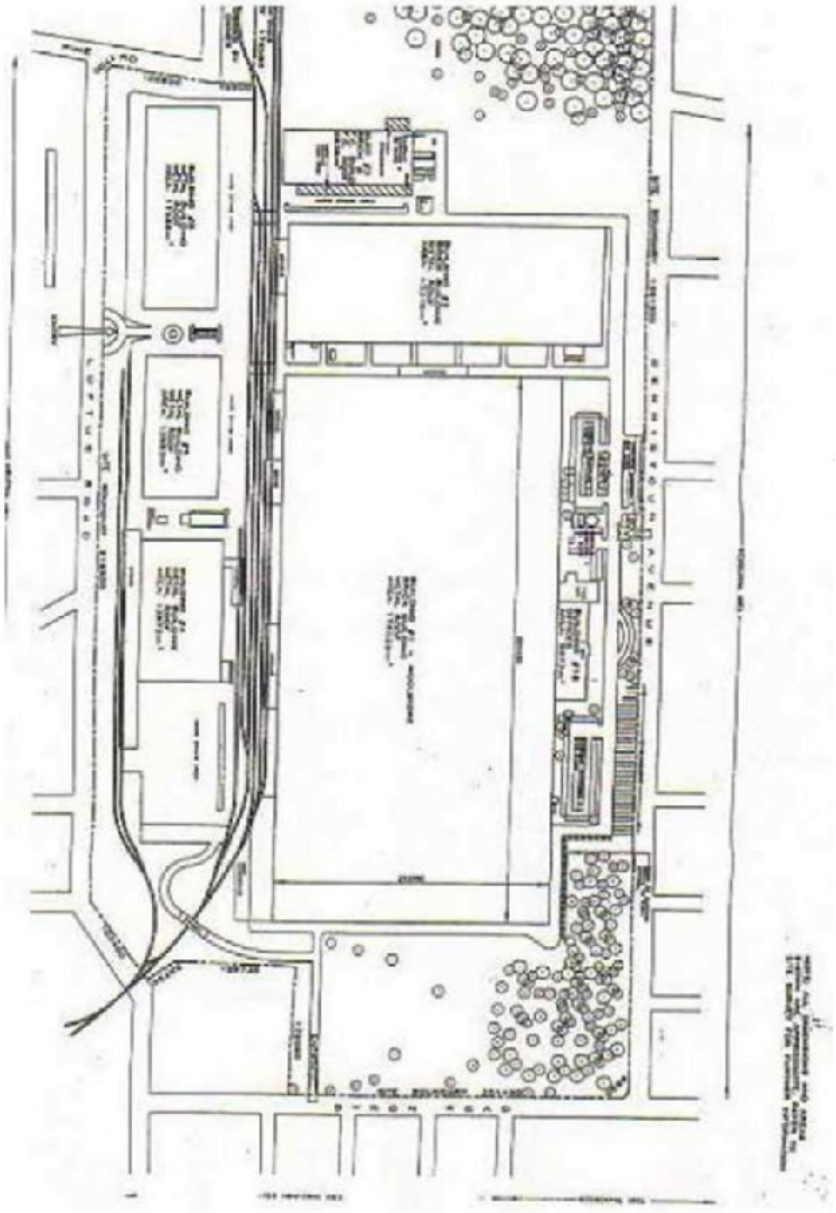
O1. Ensure that the future development of the railway infrastructure does not negatively impact upon the amenity of surrounding residential development.

Controls

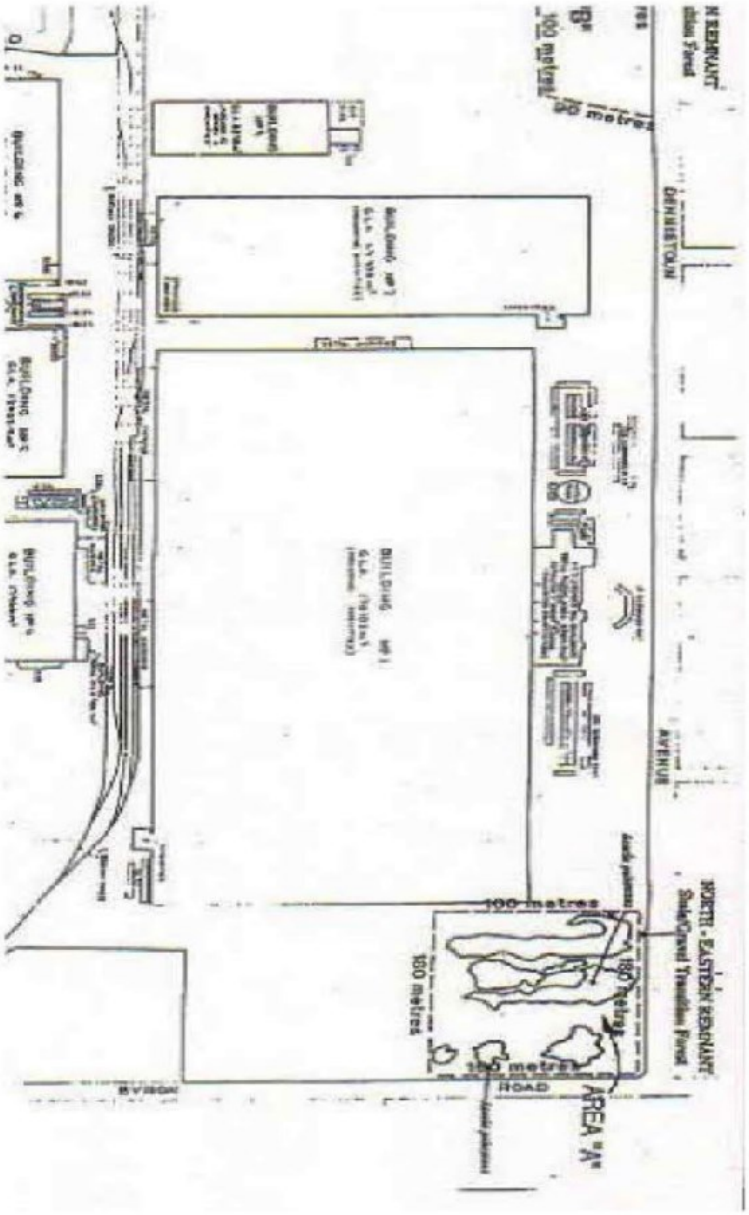
C1. Future development applications involving the upgrading and development of new rail infrastructure are to provide a detailed description to Council of the nature of use of such infrastructure.

C2. Ensure that train arrivals and departures and carriage shunting operations are restricted to between the hours of 7.00am to 6.00pm Monday to Friday, 7.00am to 12.00 noon Saturday, with no operations on Sundays and public holidays. Where this cannot be achieved, written evidence as to why these hours cannot be met should be provided for consideration by Council.

3.13 Appendix 1 – Site Plan for Yennora Distribution Park



3.14 Appendix 2: Remnant Vegetation Areas in Yennora Distribution Park



DOCUMENTS ASSOCIATED WITH REPORT C02/20-356

Attachment 3

Draft Development Control Plan Part F - Precinct Site Speific

Part F – 23 – 27 Lytton Street, Wentworthville

Contents

1. Introduction

Land to which this Section applies

This section applies to the land at 23-27 Lytton Street Wentworthville, being formally described as Lot 1 DP787784.

2. Objectives and Controls

Objectives

O1. To ensure that any future development on the site provides adequate separation to adjacent properties the low density development is consistent with that allowed under the R2 zone of Holroyd LEP 2013.

O2. To protect the amenity of nearby properties and the use of those properties.

Controls

2.1 Setbacks

C1. Any new building on the property is to adhere to the following setbacks from the identified property boundary:

- Minimum of 6m setback from the front (street facing) property boundary. This setback
- distance may be reduced in order to align the new building with an existing building on the property.
- Minimum of 6m setback from the rear property boundary.
- Minimum of 3m setback from the side property boundary.
- Minimum of 3m setback from the side and from the rear property boundaries to be applied to basement levels.

2.2 Side and Rear Setbacks

C2. The land within the rear and side setback areas is to be used for landscaping (vegetation planting). This landscaping is to provide a level of privacy from, and to provide a visual interruption to, the building when viewed from either the adjacent open space areas or the residential properties to the north and south.

2.3 Landscaping

C3. A minimum of 25% of the site area is to be landscaped.

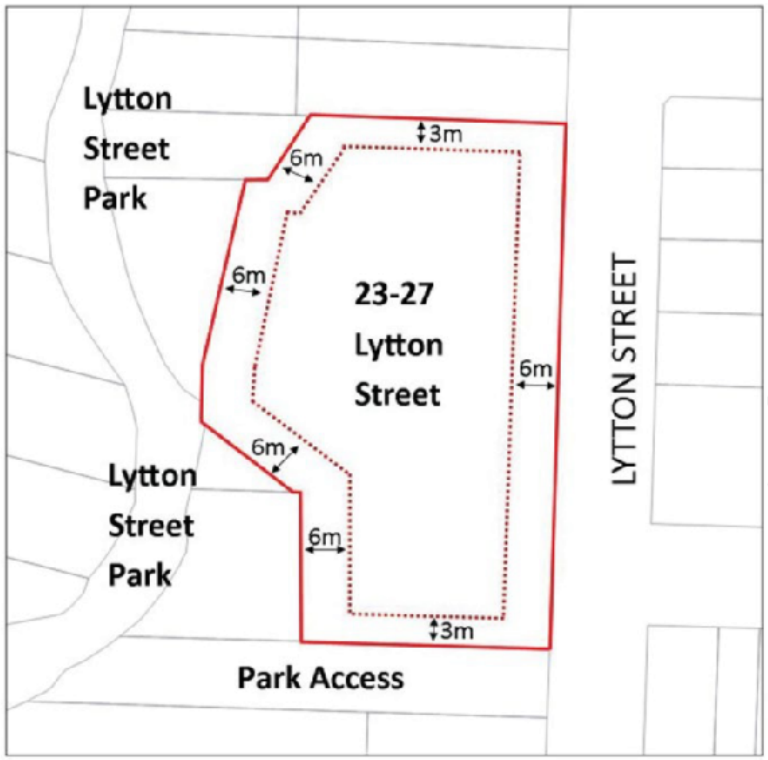


Figure 1: Setbacks for 23-27 Lytton Street, Wentworthville (not to scale)

Part F - Mays Hill, Finlayson and Sherwood Transitway Precinct

Contents

1. Introduction

This Part of Cumberland Development Control Plan XXXX provides a framework that will guide future development along the Liverpool to Parramatta Transitway and in particular, the Mays Hill, Finlayson and Sherwood Precincts.

This Part of DCP XXXX applies to all development within the Transitway Precincts of Mays Hill, Finlayson and Sherwood as shown in Figure 1.

Figure 1: Mays Hill Transitway Precinct

2. Mays Hill Transitway Precinct

Vision

2.1 Desired Future Character Statement

The desired future character for Mays Hill is an active, urban area which makes full use of its proximity to public transport and services, as well the Parramatta Central Business District.

A mix of uses and good pedestrian access will encourage a fuller utilisation of the interface along the Great Western Highway. Taller buildings along the highway will include retail and commercial uses at the ground level, near the Transitway station, to promote an active and safe public domain. Residential development above will offer convenient access to the Transitway station and precinct. A new laneway between Burnett Street and Robilliard Street will improve permeability, and allow for rear lane access.

Away from the highway, a transition between higher and lower density dwellings will occur. The surrounding streets will be more domestic in scale that easily accesses the shops and services of Mays Hill and the extensive open space. The opportunity for social interaction, provided by buildings directly addressing streets, will promote a sense of community.

Existing character, where desirable, will be kept, but a greater range of housing choice will be provided through the construction of medium density dwellings. Well designed buildings will contribute to the public domain. Site consolidation will allow more usable open space to be incorporated into new developments.

2.2 Objectives and controls

General Objectives

O1. Create an active urban area with a wide range of services and mixed uses in close proximity to public transport by:

- mix of uses and good pedestrian access along the interface of the Great Western Highway; and
- allowing taller buildings along the highway that include retail and commercial uses at ground level; and
- creating a sense of community through retaining the domestic scale in the areas adjacent to the highway; and
- consolidating sites to allow for more usable open space.

O2. Ensure development responds to:

- Site opportunities and constraints; and
- The need for concentrated activity, building height and building mass on the highway, while retaining a suburban feel to the adjacent blocks; and
- The need for high quality building and design.

O3. Ensure buildings in the Mays Hill Transitway Station Precinct, regardless of its use or type, are of a quality design, such that the design:

- Responds and contributes to its context being the key natural and built features of the area; and
- Provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings; and
- Achieves an appropriate built form for the site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements; and
- Has a density appropriate for the site and its context, in terms of floor space yields (or numbers of units or residents); and
- Makes efficient use of natural resources, energy and water through the building's full life cycle, including construction; and
- Recognise that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain; and
- Provides amenity through the physical, spatial and environmental quality of the development; and
- Optimises safety and security, both internal to the development and for the public domain; and
- Responds to the social context and needs for the local community in terms of lifestyles, affordability, and access to social facilities; and
- Provides quality aesthetics that
  - Require an appropriate composition of building elements, textures, materials and colours; and
  - Reflect the use, internal design and structure of the development.
- Permits appropriate access to the development that doesn't compromise the safety or disrupt the transitway network.

O4. Promote the principles of ecologically sustainable development.

O5. Ensure flexible floor plates are provided to allow for mixed uses at ground floor level fronting primary streets.

O6. Maintain retail, commercial and community activity at street and ground floor level to deliver an active enterprise corridor and encourage commercial office space or other suitable non-residential uses at the first floor level of development.

2.3 Site Consolidation and Frontage

Objectives

O1. Ensure all sites provide the required minimum frontage to adequately provide for basement car parking;

O2. Ensure all sites achieve the required minimum width to allow for a site configuration that permits a consistent character and landscaped open space to the rear of sites;

O3. Ensure any site amalgamation pattern does not restrict the development opportunity of any adjoining site or the ability of adjoining sites to provide basement carparking or rear open space;

O4. Ensure future redevelopment results in quality streetscapes, amenity, and appropriate passive surveillance, landscape and open space.

O5. Require a more continuous building form along the Great Western Highway.

O6. Ensure vehicular access for properties facing the Great Western Highway is provided from secondary streets or laneways.

Controls

C1. Amalgamation of lots in accordance with Figure 2 and 3 is required for redevelopment.

C2. Land locking of adjoining sites is not permitted. Properties shall be amalgamated to ensure the minimum frontage is obtainable without reducing the developability of adjacent properties.

C3. Notwithstanding C1, the minimum lot frontage for all development fronting the Great Western Highway shall be 45 metres.

C4. In instances where amalgamation cannot be achieved, the following information must be submitted with any development application:

- Two written valuations indicating the value of the remaining sites that were to be developed in conjunction with the applicants properties. These are to be undertaken by two independent valuers registered with the Australian Valuers Institute, and
- Evidence that a reasonable offer has been made to the owners(s) of the affected sites to purchase and valuation reports.

C5. Alternative consolidation patterns may be considered by Council if it can be demonstrated that development controls can be satisfied on the land and adjoining properties.

C6. Where amalgamation (as required) is not achieved, the applicants must show that the remaining sites, which are not included in the consolidation, will still be able to achieve the development outcome prescribed in this DCP, including achieving the required vehicular access, basement parking and built form.

Figure 2: Lot amalgamation plan – north

Figure 3: Lot amalgamation plan – south

2.4 Private Accessway, Laneways and Vehicular Access

Objectives

O1. Ensure buildings fronting the Great Western Highway have vehicular access from the rear or side of the property to improve vehicular and pedestrian traffic

flow, pedestrian safety, site functionality and reduce impacts on the wider network.

O2. Ensure secondary vehicular access is created, where necessary, to mitigate amenity and access constraints currently affecting or likely to affect the Mays Hill Transitway Precinct.

O3. Ensure all developments are able to obtain the required vehicular access and future developability of sites is not restricted.

O4. Ensure sites utilise existing access ways from the rear of the property for vehicular access and parking.

O5. Mitigate any impacts of vehicular traffic on residences and the adjoining precinct.

O6. Minimise the visual impact of vehicle entrances to basement car parking through good design and use of site slope and side setbacks, where appropriate.

O7. Allow improved circulation space for pedestrians and future residents within the precinct and ensure the creation of clear and direct pedestrian connections.

Controls

C1. Vehicular access to properties fronting the Great Western Highway and those within the B6 zone on Burnett Street and Robilliard Street must be provided from the rear or side, via laneways or secondary roads.

C2. Vehicular entry points shall be located away from intersections.

C3. Vehicular access from the Great Western Highway is not permitted from properties identified on Figure 4 and access must be provided from the rear or side via laneways or secondary roads.

C4. An 8 metre connecting laneway is required in accordance with Figure 5 for the redevelopment of properties bounded by the Great Western Highway, Burnett Street and Robilliard Street.

C5. A 6 metre wide vehicular accessway shall be provided from Good Street in accordance with Figure 6.

C6. A pedestrian link shall be provided from Joyner Street that connects with the vehicular access from Good Street in accordance with Figure 6.

C7. A pedestrian link shall be provided between Telfer Place and the Great Western Highway in accordance with Figure 7.

C8. Laneways shall be treated as shared spaces to provide unimpeded access from apartments to common facilities and open space.

C9. Refer to Part B and Part C this DCP to ensure that any relevant objectives and controls for vehicular access are complied with.

Figure 4: Properties where vehicular access is not permitted from the Great Western Highway or Burnett Street

Figure 5: Proposed Laneway

Figure 6: Proposed vehicular accessway and pedestrian link

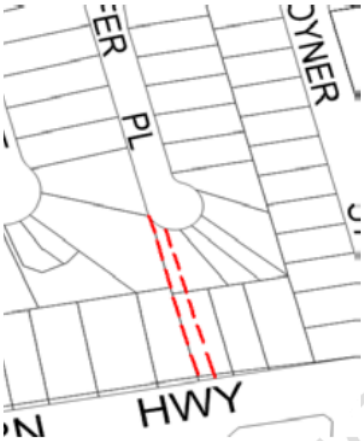


Figure 7: Proposed pedestrian link

2.5 Building Height

Objectives

O1. Require an appropriate scale relationship between building heights and street width.

O2. Ensure the appropriate management of overshadowing, access to sunlight and privacy.

O3. Enable flexibility of uses by implementing higher floor to ceiling heights within buildings for the ground and first floors.

O4. Reduce the visual impact of buildings on the public domain.

O5. Allow activation of the street edge on primary roads.

Controls

C1. The maximum height for development within the Mays Hill Transitway Precinct is detailed within the Cumberland Local Environmental Plan XXXX, as a written statement and associated maps.

C2. The maximum building storey limits are detailed in Figures 8 and 9.

C3. Street wall heights, setbacks and minimum floor to ceiling heights are referenced in Parts B2 and C of this DCP.

Figure 8: Building Heights – North

Figure 9: Building Heights – South

2.6 Building Setbacks

Objectives

O1. Create a clear threshold by providing a transition between public and private space.

O2. Establish the desired spatial proportions of the street.

O3. Ensure a continuous built edge within commercial and mixed use development for activation of the street edge is achieved.

O4. Ensure visual and acoustic privacy for residential development is enabled

O5. Ensure a landscaped setback character for residential development is retained.

O6. Ensure setbacks that respond appropriately to the building separation requirements are achieved.

Controls

C1. Setbacks shall be in accordance with Figures 10 & 11.

C2. A 4 metre setback is required for properties fronting the Great Western Highway between Joyner Street and Good Street to allow for mixed use development to occur and sufficient space for landscaping.

C3. The residential component of developments fronting the Great Western Highway between Burnett Street and Robilliard Street shall have a setback of 1 metre for all levels above the first floor.

C4. Buildings facing the Great Western Highway are to be built to the boundary of adjoining properties to form a continuous street edge.

Figure 10: Building Setbacks – South

Figure 11: Building Setbacks – North

Legend

- 0m
- 3m (optional 0m for ground floor mixed use)
- 3m
- 4m
- 5m
- 6m
- 0m side setback between buildings

2.7 Site Design and Appearance

Objectives

O1. Require development in Good Street to be orientated across the amalgamated sites.

O2. Ensure building design incorporates the use design solutions suitable to the location.

O3. Ensure the articulation of buildings creates a desirable street presentation.

Controls

C1. Developments shall be oriented to front boundaries.

C2. Development on properties 84-88 Great Western Highway shall incorporate high quality, innovative and sustainable design solutions to emphasise and represent their gateway location.

C3. Vertical articulation and a break in the building facade is required above the fourth storey for buildings exceeding 25 metres in length.

2.8 Road Widening

Objectives

O1. Ensure a minimum width of 5.5 metres from the kerb to the property boundary is reserved for the purpose of pedestrian facilities.

O2. Ensure an adequate amount of land is identified for the purpose of future road widening.

O3. Ensure adequate land is provide for the provision of safe pedestrian and cycling facilities.

O4. Achieve a more consistent carriageway width along the Great Western Highway.

O5. Provide wider carriageways and footpaths to cater for the increase in vehicular and pedestrian traffic.

Controls

C1. Road widening is required along both sides of the Great Western Highway to result in a footpath width of 5.5 metres from the kerb to the property boundary as indicated in Figure 12.

C2. Properties located behind the Transitway stops shall have a 4 metre separation between the rear of the bus shelter and the building line to allow for the continuation of the shared pedestrian/ cycle footpath.

Note: The 5.5 metre wide setback shall allow for a shared footpath consisting of the following dimensions:
- *A 1.5 metre verge from the kerb*
- *A 2.5 metre shared path*
- *A 1.5 metre distance from the shared path to the building line*

Note: The amount of land required to meet the minimum 5.5 metre reserve is variable and will depend on each individual property's existing setback.

Figure 12: Properties subject to the 5.5 metre footpath widening reserve

3. Finlayson Transitway Precinct

Vision

3.1 Desired Future Character Statement

Finlayson station will be a better integrated part of the precinct as higher density residential development occurs in close proximity to the station. The pedestrian experience will be improved through increased ground floor activity on the Highway and a sense of connectivity between the two parts of the precinct created through consistent setbacks and streetscaping.

The precinct will continue to serve neighbourhood needs and passing trade captured by the existing highway uses. The existing commercial area will be expanded, creating an activity zone that includes the Transitway station. A variety of uses at ground level will create a safe and animated environment. Taller buildings will be placed to take advantage of a topography which will minimise their impact. Lower buildings will provide a transition between the precinct and adjoining low rise dwellings and heritage areas.

Site consolidation will allow ample communal open space to be offered to residents. Visitors and residents will enjoy a pedestrian network that is pleasant convenient while access to nearby parks will be improved.

Objectives and controls

3.2 Precinct Objectives

O1. Focus new development around the existing commercial precinct of the Finlayson Transitway Station, that shall consist of:

- Where permissible, retail and commercial uses, at ground floor fronting the Great Western Highway, and
- Appropriate residential development around the commercial core, and
- Facilitating appropriate scale and size of development.

O2. Any proposed development in the Finlayson Transitway Precinct responds to:

- Site opportunities and constraints, and
- The need for high quality building design

O3. Any proposed building in the Finlayson Transitway Station Precinct, regardless of its use or type, being of a quality design, such that the design:

- Responds and contributes to its context, being the key natural and built features of the area, and
- Provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings, and
- Achieves an appropriate built form for the site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements, and
- Has a density appropriate for the site and its context, in terms of floor space yields (or numbers of units or residents, and
- Makes efficient use of natural resources, energy and water throughout the building's full life cycle, including construction, and

- Recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain, and
- Provides amenity through the physical, spatial and environmental quality of the development, and
- Optimises safety and security, both internal to the development and for the public domain, and
- Responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities, and
- Provides quality aesthetics that:
- Require an appropriate composition of building elements, textures, materials and colours, and
- Reflect the use, internal design and structure of the development.
- All development within the Finlayson Transitway Station Precinct shall be undertaken in a way that promotes the principles of ecologically sustainable development.

O4. Ensure any development adjoining a heritage item does not adversely impact upon the heritage item and/or heritage conservation area.

O5. All development within the Finlayson Transitway Station Precinct shall be undertaken in a way that promotes the principles of ecologically sustainable development.

O6. Maintain retail, commercial and community activity at street and ground floor level to deliver an active enterprise corridor and encourage commercial office space or other suitable nonresidential uses at the first floor level of development.

O7. Encourage mixed use development along the enterprise corridor and local business centre.

3.3 Site Consolidation

Objectives

O1. Ensure all sites achieve the required minimum width to adequately provide for basement car parking;

O2. Ensure all sites achieve the required minimum width to allow for a site configuration that permits a consistent landscaped open space to the rear of sites;

O3. Ensure any site amalgamation pattern does not restrict the development opportunity of any adjoining site or the ability of adjoining sites to provide basement carparking or rear open space;

O4. Encourage a more continuous building form;

Controls

C3. Amalgamation of lots in accordance with Figure 2 is required for redevelopment.

C4. The minimum lot frontage for all development in Finlayson shall be 30 metres.

C5. In instances where amalgamation cannot be achieved, the following information must be submitted with any development application:

- Two written valuations indicating the value of the remaining sites that were to be developed in conjunction with the applicants properties. These are to be undertaken by two independent valuers registered with the Australian Valuers Institute, and;
- Evidence that a reasonable offer has been made to the owners(s) of the affected sites to purchase and valuation reports.

C6. Alternative consolidation patterns may be considered by Council if it can be demonstrated that development controls can be satisfied on the land and adjoining properties.

C7. Where amalgamation (as required) is not achieved, the applicants must show that the remaining sites, which are not included in the consolidation, will still be able to achieve the development outcome prescribed in this DCP, including achieving the required vehicular access, basement parking and built form.

C8. Sites must not be left such that they are physically unable to develop in accordance with the prescribed built form outcomes outlined in this DCP.

C9. Properties not identified in Figure 2 shall redevelop in accordance with the development controls detailed in Part C of this DCP.

Note:
Potential value can include, (but is not limited to) the land locked site developed jointly with adjoining properties, or on its own, under Cumberland LEP and this plan.
A reasonable offer shall be a fair market value, and include for all expenses that would be incurred by the owner in the sale of the land locked site.
Council will accept as documentary evidence a copy of a written offer delivered by registered mail to the affected owner(s) and dated no more than 3 months prior to the date of lodgment of the development application.

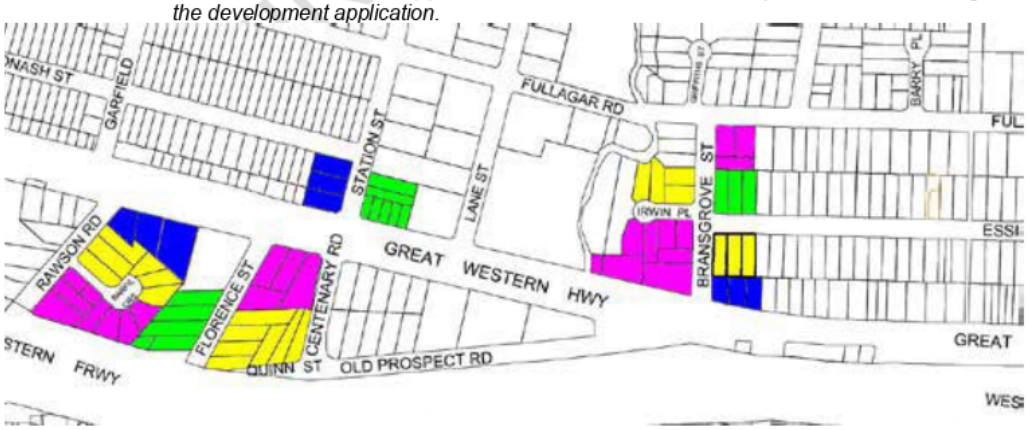


Figure 13: Lot Amalgamation Plan

3.4 Private Accessway, Land Dedication and Vehicular Entries

Objectives

O5. Require buildings fronting primary roads to have vehicular access from the rear or side of the property.

O6. Ensure sites utilise existing access ways from the rear of the property for vehicular access and parking.

O7. Create secondary vehicular access where necessary to mitigate amenity and access constraints.

O8. Create clear and direct pedestrian connections.

O9. Allow improved circulation space for pedestrians and future residents within the precinct.

Controls

C1. A 12 metre connecting laneway between Rawson Road and Florence Street is required in accordance with Figure 3.

C2. A 15 metre connecting laneway between Florence Street and Quinn Street is required in accordance with Figure 3.

C3. A pedestrian link is required between Chelmsford Road and Centenary Road as identified in Figure 4.

C4. Where buildings front the Great Western Highway and Centenary Road, vehicular access must be provided from the rear or side, via laneways or secondary roads.

C5. Refer to Part B and Part C of this DCP to ensure that any relevant objectives and controls for vehicular access are complied with.

Figure 14: Proposed Laneways

Figure 15: Proposed pedestrian link

3.5 Building Height

Objectives

O1. Require an appropriate scale relationship between building heights and street width.

O2. Ensure the appropriate management of overshadowing, access to sunlight and privacy.

O3. Enable flexibility of uses by implementing higher floor to ceiling heights within buildings for the ground and first floors.

O4. Reduce the visual impact of buildings on the public domain.

O5. Allow activation of the street edge on primary roads.

Controls

C1. The maximum height for development within the Finlayson Transitway Precinct is detailed within the Cumberland Local Environmental Plan XXXX, as a written statement and associated maps.

C2. The maximum building storey limits are detailed in Figures 15 and 16.

C3. Street wall height, setbacks and minimum floor to ceiling heights are referenced in Parts B and C of this DCP.

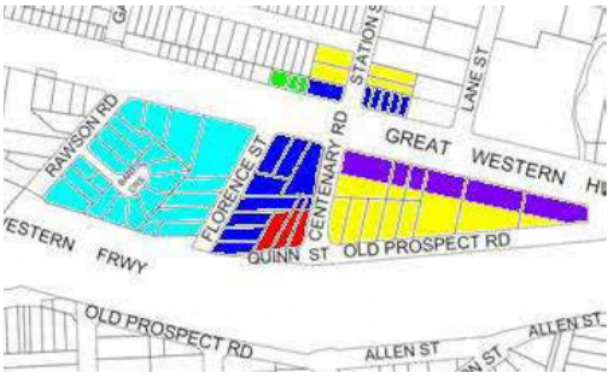


Figure 16: Building Heights – East

Figure 17: Building Heights - South

Legend

- 2 storeys
- 3 storeys
- 4 storeys
- 5 storeys
- 6 storeys
- 7 storeys

3.6 Building Setbacks

Objectives

O6. Create a clear threshold by providing a transition between public and private space.

O7. Establish the desired spatial proportions of the street.

O8. Require a continuous built edge within commercial and mixed use development for activation of the street edge.

O9. Enable visual and acoustic privacy for residential development.

O10. Require setbacks which appropriately respond to the building separation requirements.

O11. Retain a landscaped setback character for residential development.

Controls

C4. Setbacks shall be in accordance with Figures 7 and 8.

C5. Development along the Great Western Highway between:

- South - Rawson Road and Centenary Road
- South - Centenary Road, Old Prospect Road and Great Western Highway
- North - Land Street and Bransgrove Street
- North - Intersection of Station Street and Great Western Highway (east and west); shall be built to the boundary to form a continuous street edge.

Note: Front, side and rear setbacks, unless indicated otherwise in Figures 7 and 8 are to be in accordance with setbacks indicated in Part B or Part C of this plan.

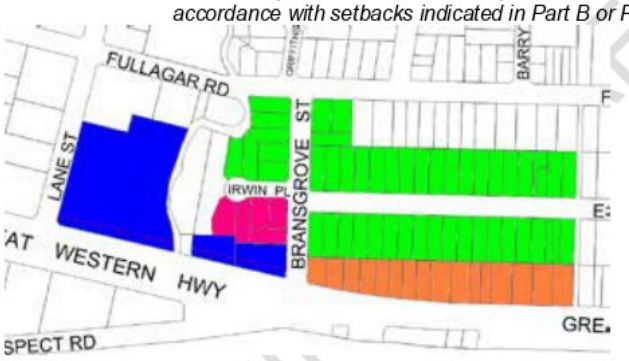


Figure 18: Setbacks – North

Figure 19: Building Setbacks – South

4. Sherwood Transitway Precinct

4.1 Desired Future Character Statement

Sherwood will become a compact mixed use centre. It will retain the feel of a neighbourhood, but higher density residential development will increase housing choice and maximise the use of the transitway precinct and station. Site consolidation and redevelopment will rationalise land use and define the precinct.

Higher residential densities will be centred around the Transitway station. More consistent setbacks and more attractive built form will define the street edges and increase residential amenity.

New laneways will increase permeability for pedestrians. The compact form of Sherwood will encourage walking. Services will be available in close proximity to the Transitway station, convenient for time-poor commuters.

Early planning for a supermarket will encourage its integration into the area. "Sleeving" the supermarket and other large plate facilities will promote activity around it, creating a safe and interesting environment for pedestrians.

Objectives and controls

4.2 Precinct Objectives

O12. Create an active and vibrant mixed use, transit oriented village by:

- Allowing active retail uses to front Sherwood Road, and
- Where permitted, providing the opportunity for appropriate commercial activity, and
- Prioritising pedestrians throughout the business core of the precinct, and
- Facilitating appropriate scale and size of development.

O13. Improvement of vehicular and pedestrian traffic flow in the precinct by:

- Restricting vehicular egress and ingress to buildings on Sherwood Road and Merrylands Road, and
- Where necessary, the creation of new street connections, and
- The creation of clear and direct pedestrian through site links in the business core of the Precinct, and

- Enabling clear and direct pedestrian accessibility to the Sherwood Transitway station.

O14. Any proposed development responds to:

- Site opportunities and constraints, and
- The prominence of the intersection of Sherwood and Merrylands Roads, and
- The need for high quality building design.

O15. Any proposed building in the Sherwood Transitway Station Precinct, regardless of its use or type, being of a quality design, such that the design:

- Responds and contributes to its context, being the key natural and built features of the area, and
- Provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings, and
- Achieves an appropriate built form for the site and the buildings purpose, in terms of building alignments, proportions, building type and the manipulation of building elements, and
- Has a density appropriate for the site and its context, in terms of floor space yields (or numbers of units or residents), and
- Makes efficient use of natural resources, energy and water throughout the building's full life cycle, including construction, and
- Recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain, and
- Provides amenity through the physical, spatial and environmental quality of the development, and
- Optimises safety and security, both internal to the development and for the public domain, and
- Responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities, and
- Provides quality aesthetics that:
- Require an appropriate composition of building elements, textures, materials and colours, and
- Reflect the use, internal design and structure of the development

O16. All development within the Sherwood Transitway Station Precinct shall be undertaken in a way that promotes the principles of ecologically sustainable development.

O17. Maintain retail, commercial and community activity at street and ground floor level to deliver an active enterprise corridor and encourage commercial office space or other suitable non-residential uses at the first floor level of development

4.3 Site Consolidation

Objectives

O18. Ensure all sites provide the required minimum frontage to adequately provide for basement car parking;

O19. Ensure all sites achieve the required minimum width to allow for a site configuration that permits a consistent landscaped open space to the rear of the site;

O20. Ensure any site amalgamation pattern does not restrict the development opportunity of any adjoining site or the ability of adjoining sites to provide basement carparking or rear open space;

O21. Establish fine grain shopfronts along primary retail streets.

Controls

C6. Amalgamation of lots in accordance with Figure 2 is required for redevelopment

C7. The minimum lot frontage for all development in the Sherwood Precinct shall be 30 metres.

C8. Where amalgamation cannot be achieved, the following information must be submitted with any development application:

- Two written valuations indicating the value of the remaining sites that were to be developed in conjunction with the applicants properties. These are to be undertaken by two independent valuers registered with the Australian Valuers Institute, and;
- Evidence that a reasonable offer has been made to the owner(s) of the affected sites to purchase and valuation reports.

C9. Where amalgamation (as required) is not achieved, the applicants must show that the remaining sites, which are not included in the consolidation, will still be able to achieve the development outcome prescribed in this part of the Cumberland DCP XXXX, including achieving the required vehicular access, basement parking and built form.

C10. Sites must not be left such that they are physically unable to develop in accordance with the prescribed built form outcomes outlined in this DCP.

Note:
Potential value can include, (but is not limited to) the land locked site developed jointly with adjoining properties, or on its own, under Cumberland LEP and this plan.
A reasonable offer shall be a fair market value, and include for all expenses that would be incurred by the owner in the sale of the land locked site.
Council will accept as documentary evidence a copy of a written offer delivered by registered mail to the affected owner(s) and dated no more than 3 months prior to the date of lodgment of the development application.

Figure 20: Lot Amalgamation Plan

4.4 Private access ways, vehicular entries and land dedication

Objectives

O22. Require buildings fronting primary roads to locate vehicular access at the rear of the property.

O23. Ensure sites utilise existing access ways from the rear of the property for vehicular access and parking.

O24. Mitigate any impacts of vehicular traffic on residences and the adjoining precinct.

O25. Allow improved circulation space for pedestrians and future residents within the precinct.

O26. Ensure pedestrian connections have sufficient width to allow for outdoor dining in commercial areas.

Controls

C11. Where possible, buildings fronting Sherwood, Centenary or Merrylands Roads, must be provide vehicular access from the rear or side, via laneways or secondary roads.

C12. Dedication of land at all corners of the intersection of Sherwood Road and Merrylands Road and Centenary Road for public domain improvements is required in accordance with Figure 3 for development.

C13. A 12 metre connecting laneway between Merrylands Road and Coolibah Street is required in accordance with Figure 3.

C14. Refer to Part B and Part C of this DCP to ensure that any relevant objectives and controls for vehicular access are complied with.

Figure 21: Proposed laneways and land dedication

Legend

- Land Dedication
- Pedestrian Connection
- Laneway

4.5 Building Height

Objectives

O27. Ensure an appropriate scale relationship between building height and street width.

O28. Ensure the appropriate management of overshadowing, access to sunlight and privacy.

O29. Enable flexibility of uses by implementing higher floor to ceiling heights within buildings for the ground and first floors.

O30. Reduce the visual impact of buildings on the public domain.

O31. Allow activation of the street edge on primary road.

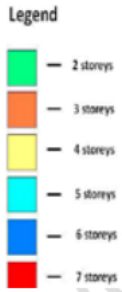
Controls

C15. The maximum height for development within the Sherwood Transitway Precinct is detailed within the Cumberland Local Environmental Plan XXXX, as a written statement and associated maps.

C16. The maximum building storey limits are detailed in Figure 4.

C17. Street wall height, setbacks and minimum floor to ceiling heights are referenced in Parts B and C of this DCP.

Figure 22: Building Heights



4.6 Building Setbacks and Separation

Objectives

O32. Create a clear threshold by providing a transition between public and private space.

O33. Establish the desired spatial proportions of the street.

O34. Require a continuous built edge within commercial and mixed use development for activation of the street edge.

O35. Retain a landscaped setback character for residential development.

O36. Require setbacks which appropriately respond to the building separation requirements.

Controls

C18. Setbacks shall be in accordance with Figure 5.

C19. Development along Sherwood Road is to be built to the boundary of adjoining properties to form a continuous street edge.

Note: Side setbacks, unless indicated otherwise in Figure 5 are to be in accordance with setbacks indicated in Part B or Part C of this plan.

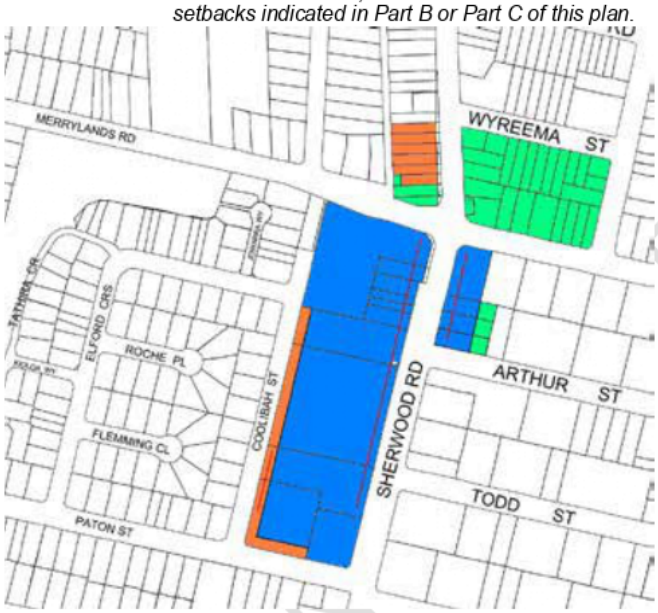
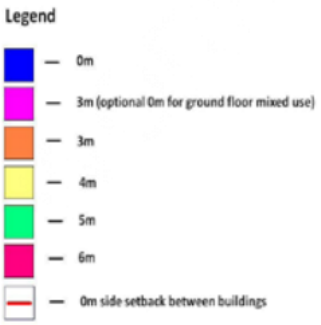


Figure 23: Setbacks



Part F - Tamplin Road Reserve

Contents

1. Introduction

1.1 Land to which this Part applies

This part applies to the land shown on Figure 1 and known as the Tamplin Road Reserve.

1.2 Purpose of this Part

This Part shall be read in conjunction with the following Parts of the Cumberland DCP XXXX, which contain objectives and development controls that may relate to development in this part:

Part A – Introduction, Subdivision and Amalgamation

Part B - Residential Development

Part C – Business Development

Part E - Places of Public Worship and Child Care Centres

Part G Advertising and Signage

Part G - Heritage and Conservation

Definitions

2. Vision and location

2.1 Land to which this Section applies

The historic Linnwood Estate is located in the suburb of Guildford and is bounded by Tamplin and Byron Roads (refer to Figure 1).

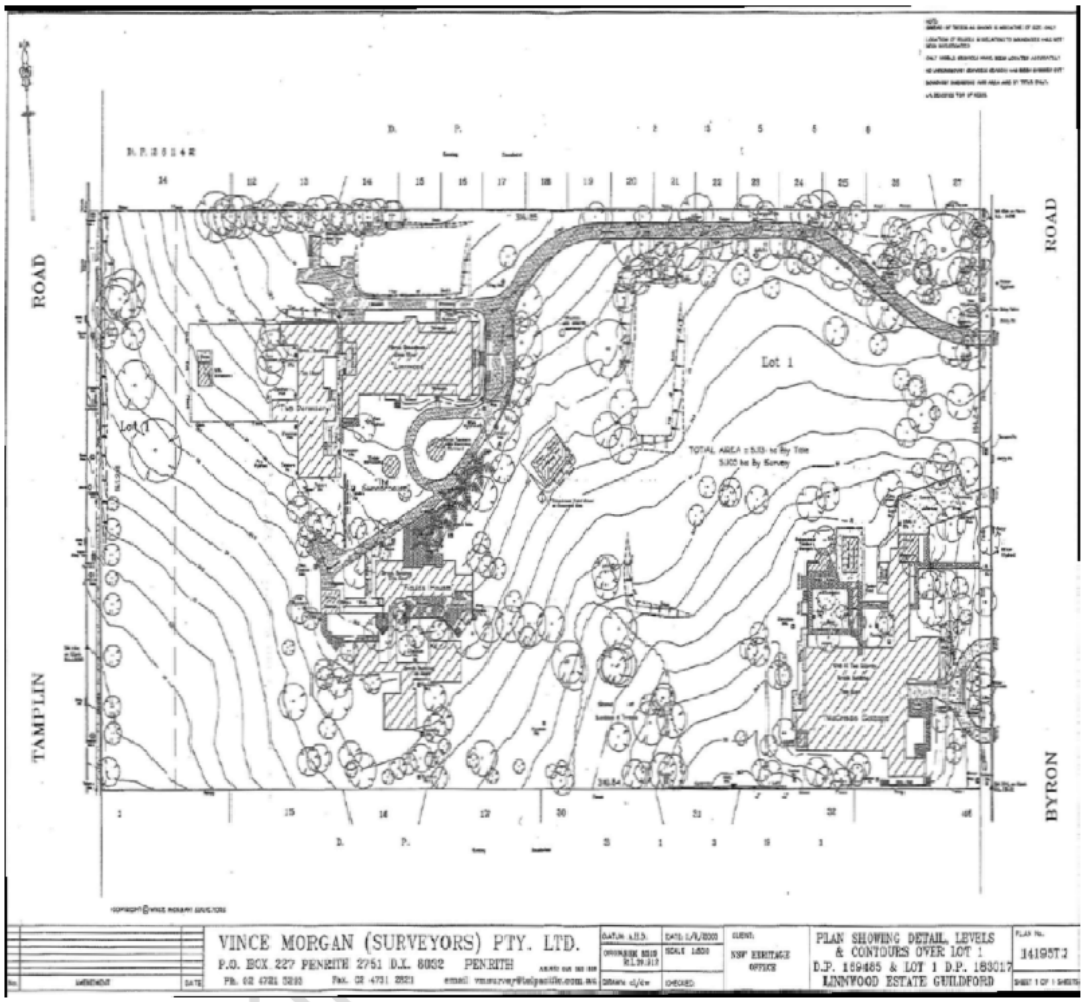


Figure 1: The original Linnwood Estate allotment, pre subdivision

The Estate comprises of several buildings which are classified as of State heritage significance. These buildings are located in the central and eastern sections of the site and comprise of the McCredie Cottage, "Linnwood" the original house, dormitory extensions and Faulds House.

This section of the DCP applies to the western portion of the estate or Lot 10, as shown in Figure 2. The DCP is intended to guide the development on the site to ensure that the recognised heritage significance and the cultural setting of the Estate's heritage items are conserved.

Development must also be consistent with the recommendations of the Linnwood Conservation Plan (2004); available at Council. The Linnwood Conservation Plan was prepared for the entire Linnwood Estate including the subdivided Lot 10.

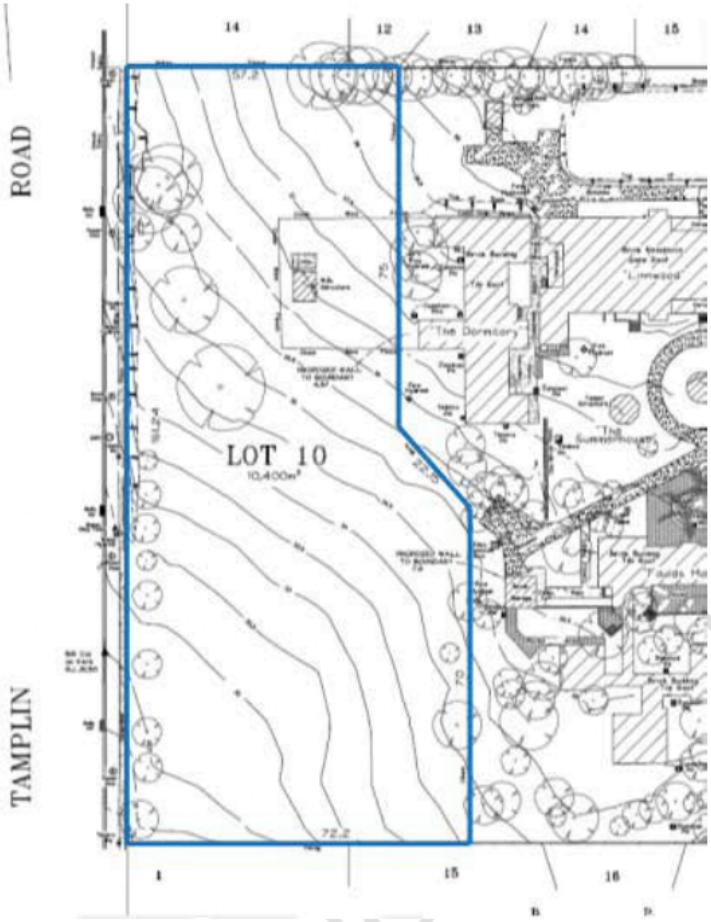


Figure 2: Lot 10, the proposed subdivided lot, outlined in blue

3. Objectives and Controls

Objectives

O1. Minimise any negative impact on the State heritage significance of the Linnwood Estate;

O2. Identify an appropriate heritage curtilage to protect key view corridors;

O3. Maintain and improve the setting of the existing significant trees;

O4. Provide a visual buffer to the Linnwood Estate's heritage items; and

O5. Ensure any proposed development is planned and developed in an environmentally responsive manner and is consistent with the Conservation Policy recommendations of the Linnwood Conservation Plan.

Controls

3.1 Setbacks

C1. Setback controls as outlined below and in Figure 4.

C2. Development shall be setback a minimum of 6.0 metres from the principal street frontage, Tamplin Road;

C3. The minimum side setback from the south eastern and north western boundaries of the site must be at least 1.0 metre (refer to Figure 4); and

C4. The minimum rear setback from the north eastern boundary must be in accordance with Figure 4.

3.2 Height

C5. Development shall have a maximum height of 2 storeys;

C6. Any future development must ensure that the heritage items are not subject to any unreasonable overshadowing.

3.3 Roof Form

C7. The roof form of any future development shall have regard to the style, form, pitch and bulk of the existing heritage items;

C8. Materials to be used shall include terracotta or slate tiles. These materials must be of a dark uniformed colour (such as black, dark grey or olive); and

C9. New roof shapes shall be of a 'hipped' style, with a pitch similar to the dormitory building and Faulds House.

3.4 Heritage

C10. The laundry building, as shown in Figure 4 and addressed in the Linnwood Conservation Plan, may be demolished due to its poor physical condition. Any demolition, will be subject to Council approval;

C11. Any future development must retain the six existing trees, as illustrated in Figure 4 and within the Linnwood Conservation Plan. These trees are from the original local eucalypt woodland, known as Cumberland Forest and are of historic significance;

C12. Create a heritage curtilage as shown in Figure 4. This curtilage area is recognised by the Conservation Plan to ensure the current view corridor to the Linnwood Grounds is preserved;

- No buildings are to be built within the designated heritage curtilage. Only recreational structures are allowed and may be in the form of open gazebos, BBQ facilities, tables or benches.
- A 2.0 metre setback must be incorporated along the south eastern and south western boundaries of the curtilage area as outlined in Figure 4;
- Palisade fencing must be used along the north eastern boundary of the curtilage area in order to retain the view corridor (see Figure 4);

- Subject to Council approval existing trees and shrubs within this curtilage area may be removed and this curtilage area may be planted with low density vegetation and ground covers only;
- This curtilage area must be used as a communal open space only; and
- The curtilage area should incorporate heritage interpretive panel(s) in accordance with the Linnwood Conservation Plan. Details should be provided as part of any future development approval.

C13. The curtilage area and dimensions are outlined in Figure 4 and should be read in conjunction with Figure 3, which identifies the three (3) features which delineate the view corridor which in turn defines the curtilage area.

- The size of the curtilage area should be approximately 40 sqm;
- 'Boundary A' of the curtilage area, as illustrated in Figure 4, must be aligned with the three (3) key architectural points in Figure 3.
- A clear view corridor must be retained between these three (3) key features, as they are of historical importance. These features include the following and as illustrated in Figure 3:

Figure 3: Architectural Features

(1) The south eastern entry to the porch of 'Linnwood' the original house;

(2) The most eastern corner of the dormitory building; and

(3) Parallel to the existing pathway drawn from the south western corner of Faulds house.

3.5 Colours and Material

C14. New buildings are to incorporate a colour scheme and appropriate materials which will minimise intrusive elements and will contribute to the cohesiveness of the surrounding area.

C15. Colours and materials must be compatible with the character of the existing streetscape and should not detract from the original heritage items within the Linnwood Estate in particular the "Linnwood" House and Fauld House;

C16. To encourage the use of traditional construction materials, the following is recommended:

- Brown or dark red bricks; or
- Brickwork which is rendered in a soft colour scheme.

C17. Full details of colours and materials should be provided with any future DA.

3.6 Pedestrian Walkway

C18. Create a shared pedestrian walkway from Tamplin Road to the designated heritage curtilage area as shown in Figure 4. This pathway will provide common access to the heritage curtilage area and also a common view corridor for occupants of the development.

- This pathway shall be a private pathway for use by the occupants of the new development only;
- This pathway must be a least 1.0 metres wide;
- A minimum building setback of 1.0 metre, either side of the pathway, must be implemented; and
- The area contained in this setback may consist of low density vegetation and ground covers only.

C19. The location of the pathway is flexible and can be altered in accordance with the future development of the land, however the pathway must connect the curtilage area to Tamplin Road, and provide common access for all occupants of the development; and

C20. Future built form must be separated into at least 2 building blocks on either side of the pedestrian walkway. This will allow the construction of the shared pedestrian pathway.

3.7 Fences

C21. Front fences and gates along Tamplin Road, should be of a Palisade style as they are appropriate to the existing character of the heritage items.

- Palisade fences have panels of cast iron with shaped tops, connected by a horizontal rail; and
- Front Fences should be a maximum of 1500 mm high.

C22. Palisade fencing must also be used along the north eastern boundary of the curtilage area, in order to retain the view corridor into the Linnwood Estate.

C23. Boundary fences along the side and rear boundary of the site should be constructed using timber materials.

- Side and rear boundary fences should be a maximum of 1800mm high.

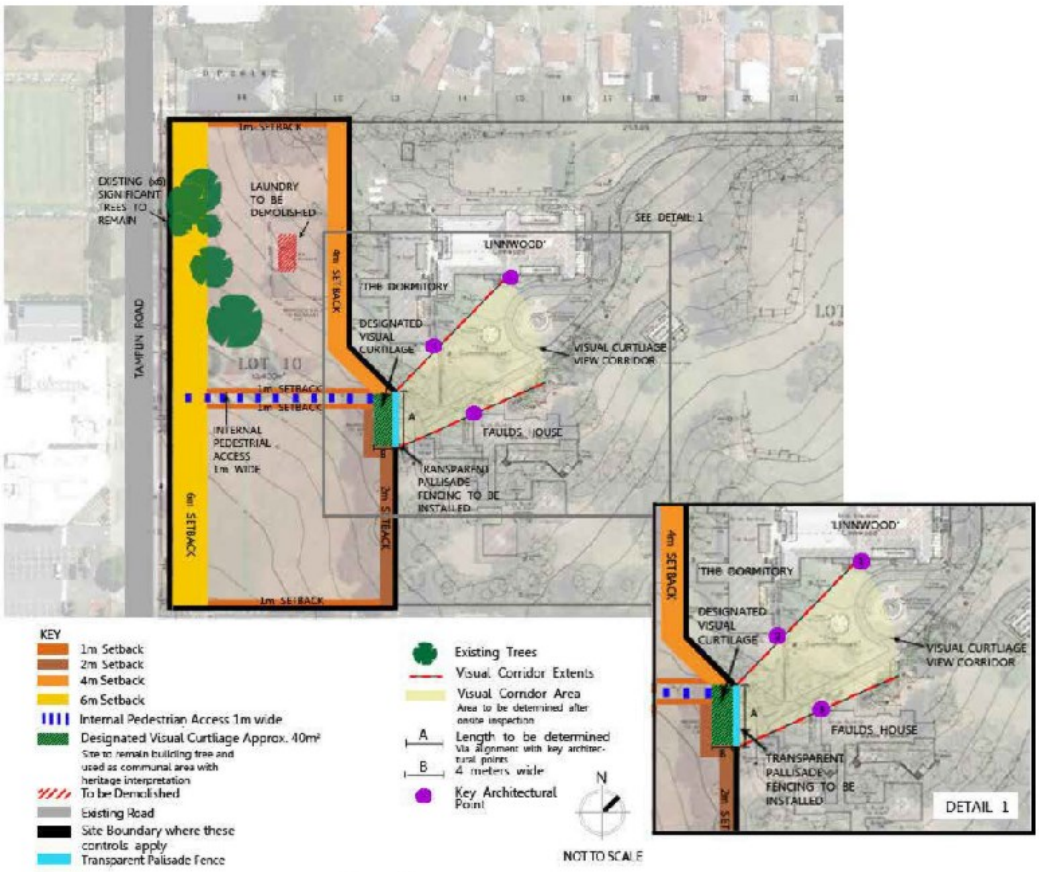


Figure 4: Lot 10, the proposed subdivided- identifying the sites's development controls

DOCUMENTS ASSOCIATED WITH REPORT C02/20-356

Attachment 4

Draft Development Control Plan Part F - Residential Site Specific

1A and 1B Queen Street, Auburn

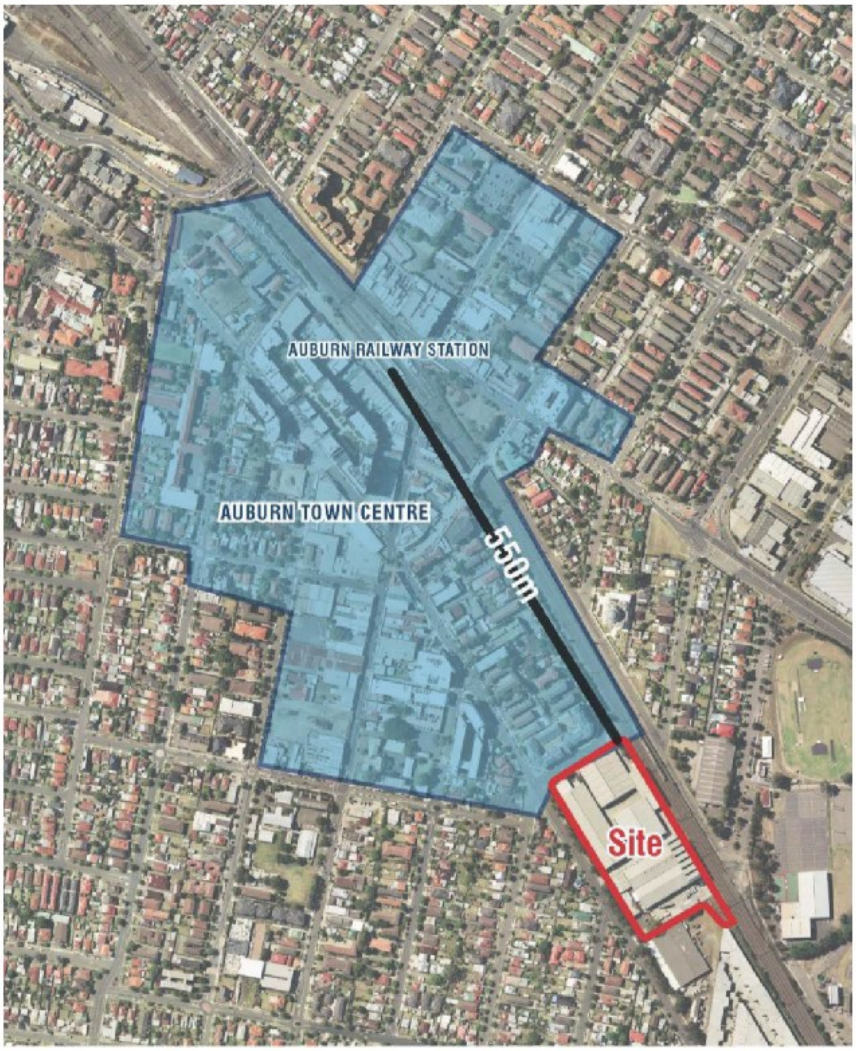
Contents

1. Introduction

1.1 Land to which this Part applies

This Part applies to land zoned R4 High Density Residential known as 1A and 1B Queen Street (Queen Street Site). The site is outlined in red in Figure 1 below.

Figure 1: Area to which this Part applies



1.2 Purpose of this Part

The purpose of this part is to provide provisions to guide redevelopment of the site for residential purposes.

In the case of any inconsistency between the controls in other parts of the DCP and the controls in this Part, the controls in this part prevail to the extent of the inconsistency.

2. Vision and General Objectives

2.1 Vision

The vision for the Queen Street site is to create a high quality residential development that has a scale and form that is compatible with surrounding land uses and takes advantage of the site's proximity to existing facilities, services and public transport infrastructure.

2.2 General objectives

O1. Provide new housing opportunities within walking distance of the town centre, rail station and other public transport opportunities.

O2. Ensure development is of a scale and character that is consistent with that planned for the neighbouring locality.

O3. Ensure that a range of housing types are provided across the site.

O4. Provide an overall built form that is varied and visually interesting.

O5. Be of a scale that provides logical transitions to the planned future scale of development in the area surrounding the site, particularly to the town centre, adjoining residential zones and the rail corridor.

O6. Provide visual interest through building articulation, variation in building form, building material palettes/textures when viewed from all external locations including the rail line.

O7. Incorporate building envelopes which are compatible with the scale of existing and future neighbouring development.

O8. Provide sufficient communal open space to satisfy the needs of residents.

3. Specific Objectives and Controls

3.1 Connections and Access

Objective

O1. Improve the site's connections to Auburn railway station by extending and improving pedestrian and cycle connections within the site.

Controls

C1. Provision for access and through site links should be generally consistent with the strategy shown in Figure 2.

C2. The Queen Street frontage is to complement surrounding existing and proposed development

C3. In providing vehicular access, preference is to be given to Queen Street and to ensuring sufficient space for truck movements

C4. Provide through site connectivity including pedestrian and cycle access through the public open space of the development

3.2 Open space

Objectives

O1. Provide high quality public spaces that make a positive contribution to the visual quality of the development.

O2. Provide communal spaces that allow opportunities for amenity, outlook and visual separation for residents.

O3. Maximise the size of public open space areas to enhance useability and flexibility of the space.

Controls

C1. Open space provisions for the development should be generally consistent with the strategy shown in Figure 2.

C2. Public open space of at least 300 square metres in total, accessible to the public and legible from Queen Street, Louisa Street and/or Marion Street frontages is to be provided.

C3. The public open space should be focussed in one or two large, useable open spaces.

C4. Development should allow for the creation of open space areas that provide sufficient separation between buildings to enable appropriate levels of visual and acoustic privacy to be achieved and act as shared landscaped areas for use by residents.

C5. Open spaces should be well designed areas that include:

- a space that is legible as public space, rather than a space only for the use of residents,
- both soft and hard surfaces, (and therefore cannot all be considered deep soil),
- seating (formal and informal) for individual and group use,
- trees and other landscaping,
- ideally provision for suitable recreation activities in a space designed for flexible use,
- public art in the main space.

C6. Communal open space and deep soil zones are to comply with the relevant provisions of SEPP No 65-Design Quality of Residential Apartment Development and the Apartment Design Guide.

C7. Deep soil planting areas should enhance site amenity and the streetscape along the rail corridor and all adjoining streets.

C8. The provision of communal space on roof top levels is supported.

C9. The associated owners corporation will own and maintain public and communal open space and associated infrastructure servicing the proposed development.

Figure 2: Access and open space strategy

Source: AJ&C, September 2016 (as amended by Council July 2017)

3.3 Building form

Objectives

O1. Encourage buildings with a scale and form that is compatible with those planned in neighbouring areas.

O2. Provide a transition in height and density from the site to surrounding residential areas, the railway line and the town centre.

O3. Ensure that built form defines and activates the site's open spaces and complements the surrounding land use context.

O4. Building forms should address street frontages along Marion Street and Queen Street and corner buildings shall address both streets.

Controls

C1. Development within the site should be generally consistent with the built form strategy shown in Figure 3.

C2. Buildings are to reinforce the edges of public spaces and connections on the site.

C3. Development is to include a variety of residential dwelling types.

C4. Ground floor dwellings are to have direct street address where fronting a public street edge.

Building Envelopes

C5. Lower scale housing forms such as townhouses / terraces are to be provided along Queen Street to provide an active address to this street and a scale that responds to neighbouring development.

C6. The following minimum setbacks shall apply to the site:

- Front setback from Queen Street shall be 6m
- Building setback from the rail corridor shall be 6m
- Setback from Marion Street shall be 4m
- The setbacks at the corner of Queen and Marion Streets should apply to the final property boundary after any land dedication for the roundabout.

Note: the setback areas are to be unencumbered by balconies

C7. Building separation is to comply with the relevant provisions of SEPP No 65-Design Quality of Residential Apartment Development and the Apartment Design Guide.

C8. Building heights are shown in metres in the *Cumberland Local Environmental Plan 2020*Height of Buildings Map and site specific clauses are included within *Cumberland Local Environmental Plan 2020*.

C9. Appropriate building articulation, façade treatment and modulation is to be provided.

- Buildings are to achieve visual interest through variations in massing, articulation and composition of building elements including fenestration, material use, entrances, balconies, balustrades and planters.
- Development is to achieve a varied silhouette when viewed from the rail corridor.
- Design elements and façade treatments should aim to minimise glare affecting passing pedestrians, vehicles and trains.

C10. Vertical and horizontal articulation should be substantial, to enable the buildings to be read as separate buildings and should include:

- Vertical recesses
- Separate façade components with distinct architectural detailing
- DCP enforced building setbacks and height controls.

Figure 3: Built form strategy

Source: AJ&C, September 2016

3.4 Acoustic Amenity

Objective

O1. Achieving occupant amenity by responding appropriately to noise emitters

Controls

C1. An acoustic assessment prepared by a suitably qualified acoustic consultant is to be submitted with any development application for the site. The assessment should address, at minimum:

- Impacts on acoustic privacy of proposed residential uses from any surrounding noise sources, such as road and rail traffic and industrial uses; and
- The impact of the development on the surrounding area, through mechanical services, earthworks, excavation and construction phases of development.
- Design of buildings shall comply with the internal noise levels in the Clause 102 (3) of the SEPP (Infrastructure) 2007

37-39 Pavesi Street, Smithfield

Contents

1. Introduction

1.1 Land to which this Part applies

This section applies to land at 37-39 Pavesi Street, Smithfield, being identified as Lot 36 DP 10958, as shown in Figure 1.

Figure 1: Land to which this section applies

2. Specific Objectives and Controls

2.1 Amenity

Objectives

O1. Maximise separation between industrial premises and residential dwellings to ensure amenity for residential dwellings and reduce any potential for conflict between these two land uses.

O2. Ensure that the adjoining industrial property cannot gain access to the road servicing the residential dwellings.

Controls

C1. The access road is located along the western boundary of the site.

C2. A minimum 1m landscaped buffer is provided between the cul-de-sac bulb and side property boundary, and between any parking bays and the property boundary (Figure 2).

C3. A minimum 2.5m landscaped buffer is provided between the road and property boundary in all other locations including the end of the cul-de-sac (Figure 2).

C4. Access to the new road is only for the purpose of residential development.

C5. The dwellings at the front should face Pavesi St and all other dwellings must address the new road.

2.2 Traffic, access and parking

Objectives

O1. Avoid any impact on the operation of the Pavesi Street traffic control device (slow point).

O2. Ensure safe movement of all vehicles along the entire length of the access road.

O3. Enable pedestrian access to all dwellings.

Controls

C1. The access road is located to ensure passenger vehicles can turn left-in/right-out at Pavesi Street without being affected by the slow-point bollards.

C2. The width and alignment of the access road must enable two service vehicles to pass each other safely at any point along the road (i.e. without crossing the road centre-line).

C3. A 14m road reserve is provided (Figure 3), incorporating:

- An 8m carriageway if parking is on-street, or 7m carriageway if parking is in bays; and

- A 3.5m verge between property boundaries and the street (including the two front dwellings and two rear dwellings).

C4. The design speed for the access road is 25kph.

C5. A footpath is provided along the entire length of the access road.

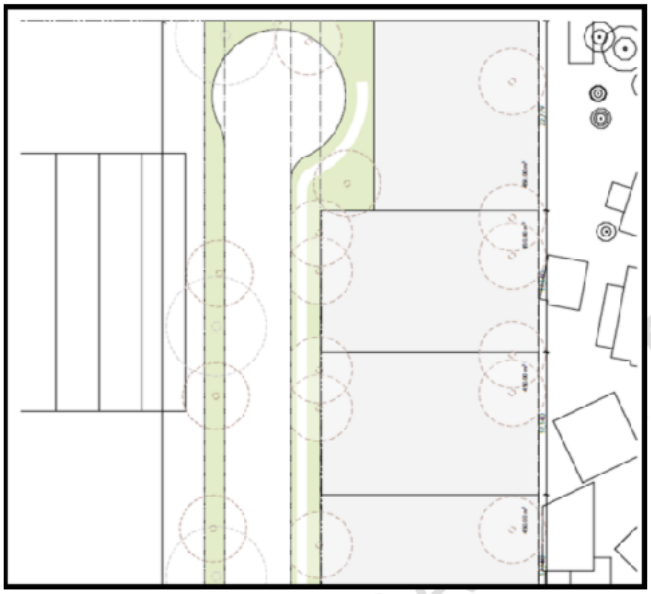


Figure 2: Dimensions of landscaped buffer

Figure 3: Dimensions of road reserve

190-220 Dunmore Street, Pendle Hill (Bonds Spinning Mill site)

Contents

1. Introduction

1.1 Land to which this Part applies

This section applies to land at 190-220 Dunmore Street, Pendle Hill, being identified as Lot 1 DP 735207, as shown in Figure 1.

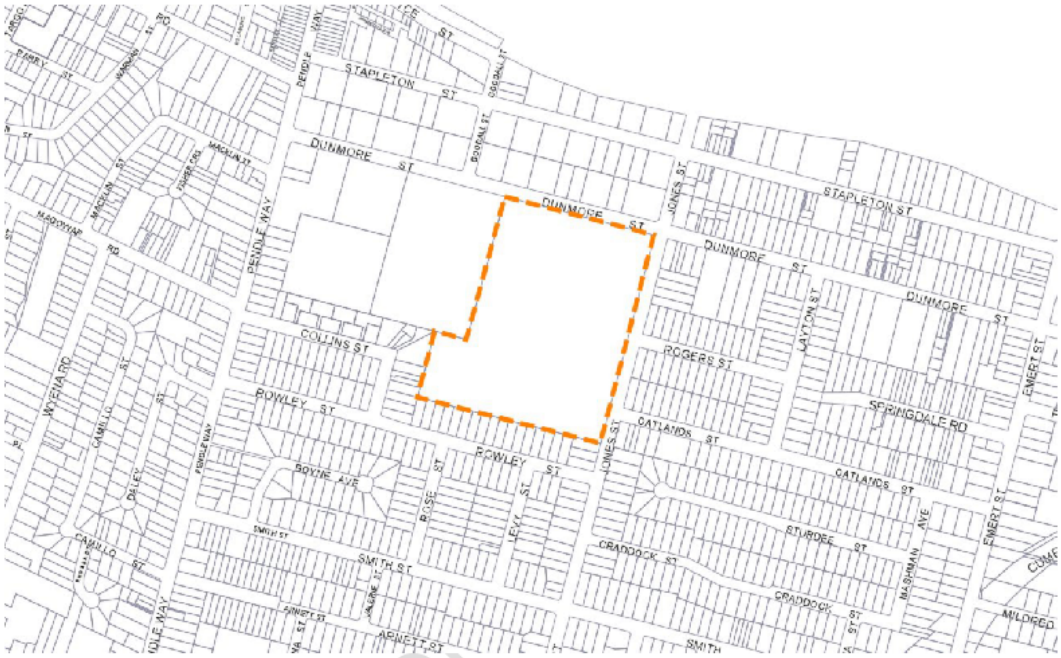


Figure 1: Land to which this Part applies.

2. Vision and General Objectives

2.1 Vision

The Bonds Spinning Mill site is a vibrant, mixed use and compact urban precinct that respects and celebrates its past history and integrates with, complements and enhances the surrounding Pendle Hill community.

2.2 General Objectives

O1. Development responds to and respects the site and its context, including its strategic, transit proximate location, topography and surrounding residential uses

O2. Development is predominantly residential in use, making an important contribution to the amount and choice of housing for the broader community

O3. Development creates a new heart for the precinct and surrounding Pendle Hill community, including the establishment of non-residential uses that enhance convenience and lifestyle and the provision of a new, publicly accessible, multi-use park and network of public open space

O4. Existing heritage is retained, restored and adaptively reused to reference the past and provide an asset and focal point for the precinct. New buildings adjacent to existing retained heritage buildings on the site achieve proportional relationships

O5. Development provides for public access to the precinct and an interconnected, fine-grain and permeable movement network that prioritises pedestrian and cyclist movement

O6. Development provides for a varied, integrated open space network that provides for a diverse range of informal active and passive recreational activities in a largely green, soft landscaped setting

O7. Buildings are sited, angled and designed to maximise climatic responsiveness and provide high levels of desirable solar access and natural ventilation

O8. Development creates a high level of residential amenity, including optimising outlook and views to desirable landscape elements, and respects the amenity of surrounding established residential areas

O9. Development defines and activates Jones Street, Dunmore Street and new streets

O10. Development is well designed, with a positive relationship between buildings and adjoining public domain, including providing for high levels of amenity for key public spaces

O11. Development provides for a high level of engagement between the public and private domains, in particular providing for pedestrian integration and extensive opportunities for passive casual surveillance.

2.3 Master plan

The vision and principles for the site as identified above are spatially expressed in the urban structure for the precinct as shown in Figure 2: Master Plan.

To ensure that development provides key elements, where variations to the master plan are proposed, the development application is to demonstrate how the vision and principles have been achieved.

Figure 2: Master Plan

3. Specific Objectives and Controls

3.1 Land Use

Objectives

O1. Development creates a high density, vibrant and active urban precinct while ensuring that local movement, community & open space infrastructure is maintained or improved.

O2. Development provides for centrally located, integrated non-residential uses that support the convenience and lifestyle needs of residents of the precinct and Pendle Hill community.

Controls

C1. Land use is generally in accordance with Figure 3: Land use.

C2. Non-residential uses are located generally in accordance with Figure 3.

C3. Development provides for a maximum of 6,000sqm of GFA of non-residential uses.

Note: preferred non-residential uses include retail uses (including supermarket, cafes and specialty retail), local services / businesses, medical and community centres.

C4. Non-residential uses maximise activation of the multi-use park and public plaza as well as retained heritage buildings.

Figure 3: Land use

3.2 Building height

Objectives

O1. Building height is varied throughout the precinct to create an articulated and visually interesting skyline, and reinforces the visual prominence of the crest of the hill upon which Dunmore House is located.

O2. Building height adopts a height pyramid principle with taller buildings located in the centre of the site transitioning to lower rise buildings at the site's edges.

O3. Building height retains reasonable solar access to neighbouring sites.

Controls

C1. Maximum building height is generally in accordance with Figure 4: Building height.

C2. Basement levels are integrated with existing benched ground levels to create new communal landscaped open space.

C3. Storeys above level 4 are to be set back from the street front by an additional 3m from building line of the storeys below.

C4. Reduced level details must be in accordance with Part G, Soil management of Cumberland DCP 2020.

C5. Maximum building height is limited to 4 storeys within the heritage precinct.

C6. Maximum building height adjacent to the site's boundary with properties in the R2 Low Density Residential zone is 3 storeys.

C7. Maximum building height fronting a street that separates the site from land in the R2 Low Density Residential zone is 4 – 6 storeys.

C8. Buildings are setback to allow adequate daylight access to neighbouring properties.

Figure 4: Building height

3.3 Building siting

Objectives

O1. Buildings are sited to optimise climatic responsiveness, in particular solar access to ground floor communal open space and public domain.

O2. Buildings are sited to frame and define streets.

O3. Buildings are sited to provide a high level of amenity for adjoining and nearby residential uses.

O4. Buildings are sited to create a physically and visually permeable and open character.

Controls

C1. Buildings are setback a sufficient distance from existing and new streets to provide a balance between activating the street and providing sufficient area for landscaping to soften the visual impact of the built form in the streetscape.

C2. Building setbacks and separations for buildings fronting internal streets and pocket parks, are generally consistent with Figures 7-9.

C3. Buildings provide a continuous street edge to Jones Street. This does not apply to locations for vehicle access or the location of the park as well as where mature trees that must be retained are present.

C4. Buildings are setback a minimum of 12m from the site's south-western, southern and eastern boundaries.

C5. Any possible overlooking to residential areas adjacent is treated with fixed privacy screens, fixed depth planter boxes or similar to maintain adequate privacy to adjoining residential areas.

C6. Building setbacks and separations for buildings:

- on the precinct's southern boundary, levels above 4 storeys are generally consistent with Figure 5
- on the precinct's eastern boundary, levels above 4 storeys are generally consistent with Figure 6

C7. Buildings adjoining the precinct's southern boundary are separated into distinct, separate buildings and do not create a continuous boundary edge condition.

C8. Buildings to the Jones Street frontage will have a varying setback that allows ground floor courtyards (no closer than 12m to the Jones Street boundary) with a further setback for the building as well as increased setbacks to retain mature vegetation where relevant.

C9. Buildings are sited with their long axis aligned north-south to provide north-south views and accessibility throughout the precinct, in particular to the multi-purpose park and heritage buildings.

C10. Buildings along the southern edge are designed to enable possible future links to the south between main building forms.

C11. Buildings addressing Dunmore Street have a 4m front setback.

3.4 Built form

Objectives

O1. Buildings are designed to activate and engage with the adjoining public domain.

O2. Buildings are designed to reduce the bulk and scale when viewed from the public domain and provide visual interest.

O3. Internal street setbacks and upper level setbacks enable sunlight and view corridors, whilst allowing passive surveillance from upper level balconies and terraces.

Controls

C1. Buildings are designed to have their main living areas and adjoining private open space oriented to and directly overlook the public domain.

C2. Building facades are angled to optimise solar access to main internal living areas and adjoining private open space and optimise outlook and views to high amenity features such as open space.

C3. The Jones Street and Dunmore Street street-walls are broken into a number of smaller parts through significant recesses, other facade modulation or via distinct building elements.

C4. Building facades feature articulation within a cohesive overall composition using design measures such as:

- recessed and / or projecting balconies
- large windows and other openings
- sun control devices such as eaves, louvres and screens
- privacy screens
- blades or fins
- elements of a more lightweight material than the main structural framing balustrades to balconies that have a more lightweight appearance than masonry such as glass, metal or timber

C5. In relation to residential uses at ground level:

- the number of individual dwelling entries from the adjoining public domain are maximised
- where entries provide access to more than one dwelling, they relate to each lift core, are clearly defined and legible and preferably form an architectural feature of the building
- pedestrian entries are directly accessible from and at the same level as the adjoining public footpath
- main living areas and adjoining private open space are oriented to be parallel and directly overlooking the adjoining public domain
- front boundary treatments combine level change, landscaping and fencing to provide a reasonable level of privacy for residents while providing for casual passive surveillance of the adjoining public domain
- internal living areas are integrated with areas of outdoor private open space to provide a transition between the public and private domains

C6. In relation to non-residential uses at ground level:

- the number of individual tenancies that adjoin and are directly accessible from the public domain are maximised
- pedestrian entries are at the same level as the adjoining public domain
- large areas of transparent glazing or other openings enable clear sightlines between the public domain and internal areas, in particular those with high levels of activity such as reception, seating and dining areas

- cafes or restaurants include outdoor seating in the adjoining public domain
- awnings or other overhangs provide shelter for pedestrians
- universal access is provided

C7. Maximum building depth and width is in accordance with the Apartment Design Guide (ADG).

C8. Building separation is generally consistent with Figures 7-9.

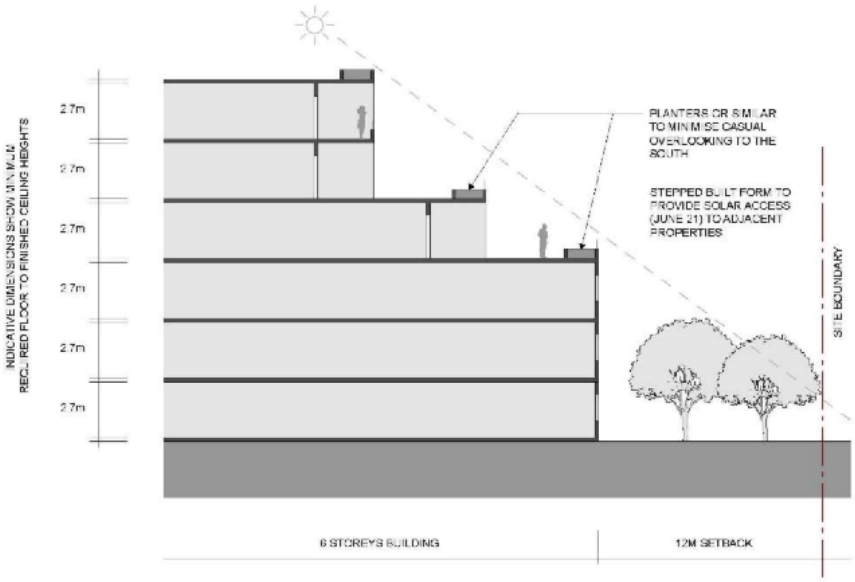


Figure 5: Indicative section at precinct southern boundary, adjoining Jones Street.

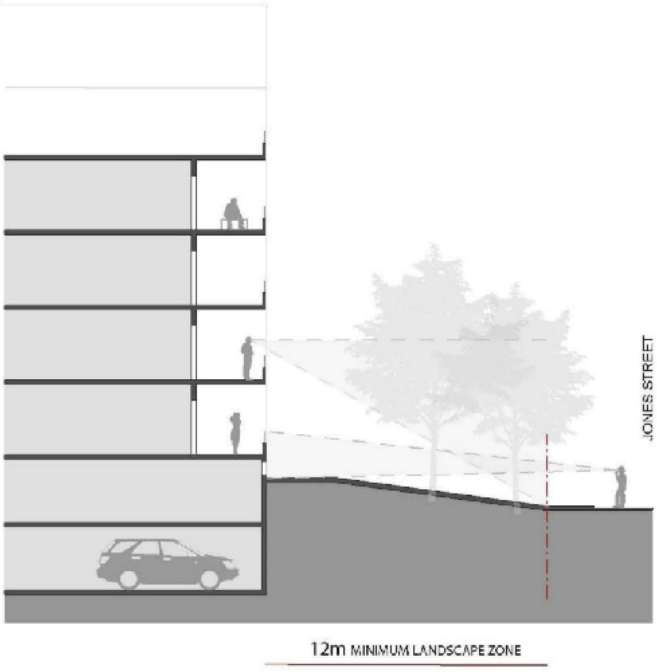


Figure 6: Indicative section at precinct eastern boundary, adjoining Jones Street.

Note: Upper level building setbacks are indicative only. Refer to Figure 4 for indicative building heights.

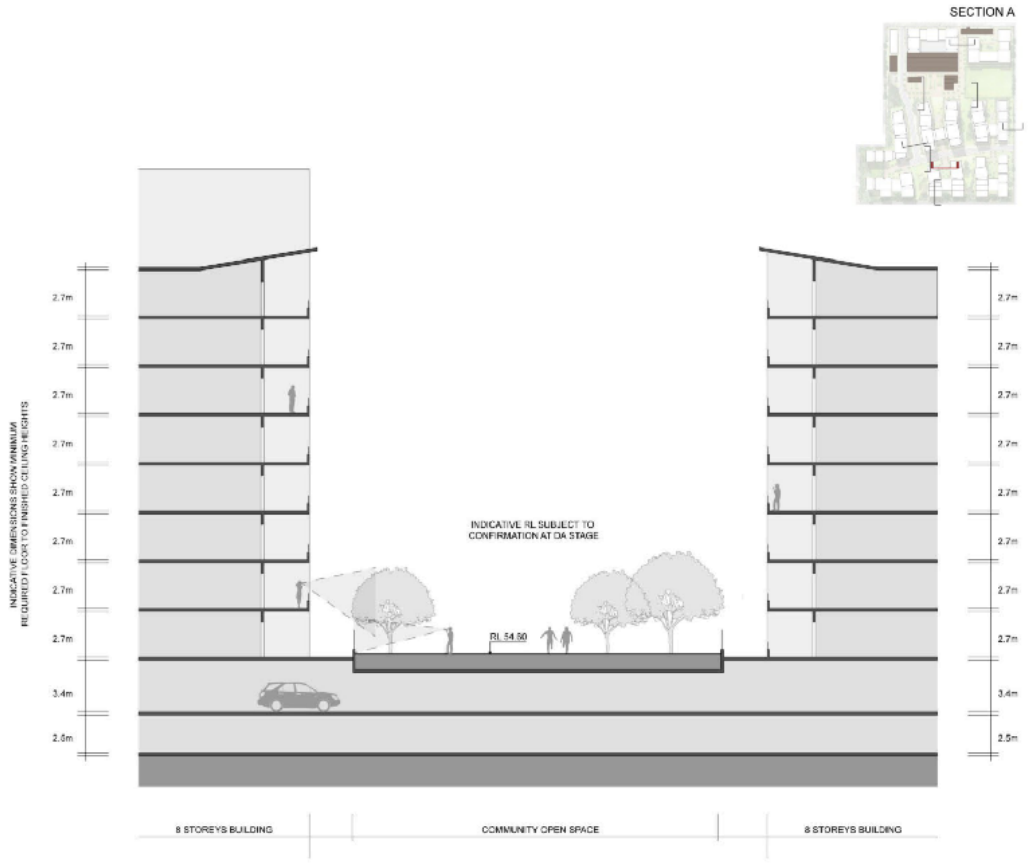


Figure 7: Indicative pocket park section

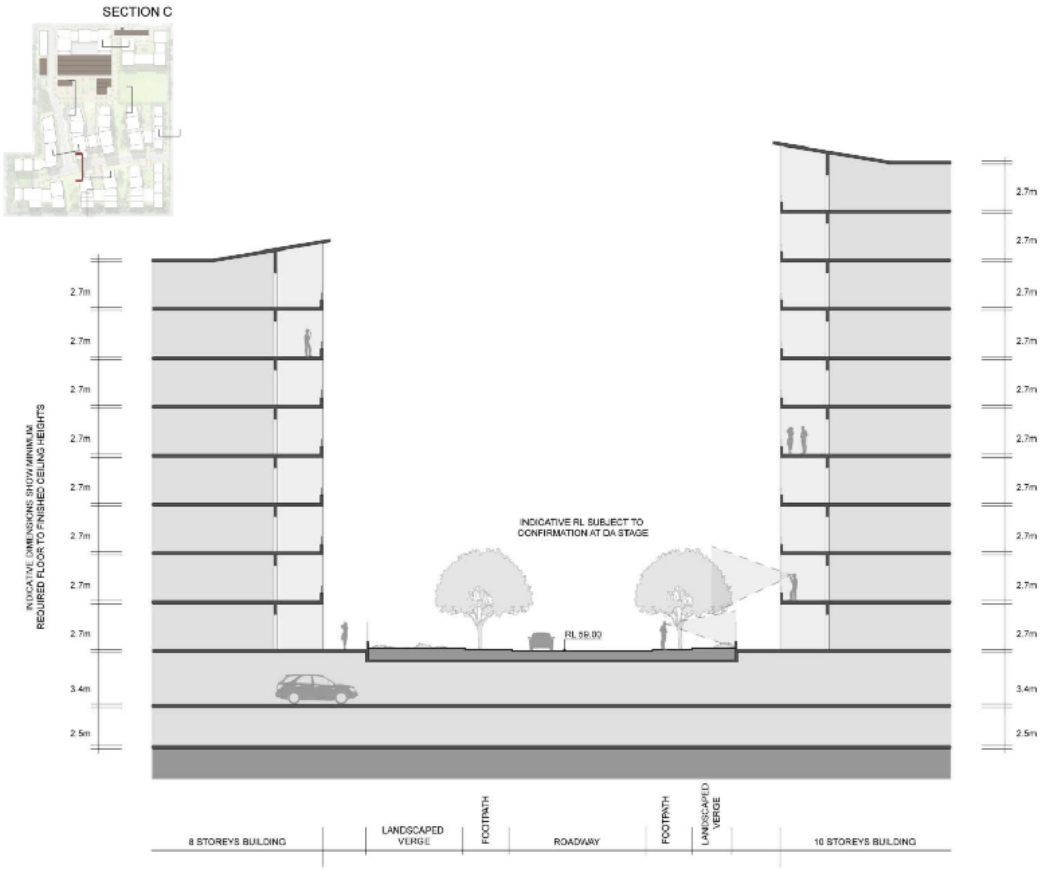


Figure 8: Indicative internal street section

Figure 9: Indicative internal street section

3.5 Open space

Objectives

O1. Development provides for open space that includes a publicly accessible multi-use park for the precinct and surrounding Pendle Hill community.

O2. Development provides for public and private open spaces that are well located and accessible, forming an interconnected network of green spaces.

O3. Development provides for public and private open spaces that have a layout, design, area and dimensions that are useable and fit for their intended purpose.

O4. Development provides for public and private open spaces that have a high level of amenity, including adequate solar access.

O5. Development provides for public and private open spaces that where publicly accessible, are physically and visually accessible and permeable, and are directly overlooked and activated by adjoining uses.

O6. Development provides for public and private open spaces that have a coherent, legible landscape character, and offers a high level of visual amenity.

O7. Development provides for public and private open spaces that cater for a diverse range of informal passive and active recreation activities.

O8. Development provides for public and private open spaces that cater for biodiversity, enable infiltration of stormwater into the ground and improves microclimate.

O9. Development that enhances the surrounding and internal street landscapes with quality landscaping and architectural responses, to facilitate a network of green links.

O10. Development promotes social cohesion and a sense of community through providing spaces that cater for organised and informal community gathering and interaction.

Controls

C1. Development creates a publicly accessible multi-use public park having a minimum area of 5,500sqm on the northern part of the site that is located between the heritage buildings and new development and has substantial frontage to Jones Street.

C2. The multi-use park includes the following facilities:

- soft and hard landscaping for passive recreation and active play
- adaptable playground areas
- amenities such as BBQ facilities, shade structures, seating, lighting, bins and signage

C3. Development provides for continuous linear space through-site links between development blocks that provide a physical and visual connection between the multi-use public park and public plaza and the site's southern boundary.

C4. Development includes at least five public pocket parks distributed throughout the precinct.

C5. Development provides for approximately 25,000sqm of publicly accessible open space.

C6. Where possible, public open space includes areas for community gardens in locations that do not compromise the useability of the space for informal active and passive recreation activities.

C7. Publicly accessible open space is provided with a range of amenities such as seating, lighting, paving and BBQ facilities.

C8. A minimum of 4 hours of solar access should be maintained to at least 60% of the public park on June 21.

C9. Open space is provided generally in accordance with Figure 10: Open space network.

Indicative sections of the public park and marketplace plaza are provided in Figures 11 and 12.

C10. Existing significant trees around the perimeter of the site, in particular those that provide a screening function for adjoining uses, are retained where not required for site access points, and are integrated in to the prevailing landscape character of the precinct.

C11. Development provides for:

- public open space
- private communal open space
- private, individual use open space
- landscaped areas and deep soil areas

C12. Development includes a public plaza as an extension of the multi-use park that features a combination of hard paving and soft landscaping and caters for informal community gathering and interaction, including occasional events.

C13. Deep soft landscape areas are located between buildings and the southern boundary of the site.

C14. Plantings in open space areas incorporate a diverse selection of locally native species including trees, shrubs and grasses/groundcovers.

C15. Except for the public plaza, public open space optimises permeable soft landscaping such as turf and planted areas.

C16. Open space includes sufficient area for deep soil planting to support large, spreading canopy trees.

C17. All streets:

- include a minimum 4m landscaped verge on both sides; and
- are generally in accordance with the landscaping elements shown in Figures 8 and 9.

C18. Extensive, co-ordinated tree plantings are provided within new street reserves.

C19. Development creates a community precinct focussed within and around the heritage buildings that includes public open space and non-residential uses.

C20. Development facilitates public access to the site by maintaining strong connections and a permeable pedestrian and public open space network.

C21. Development includes community gardens.

Figure 10: Open space network

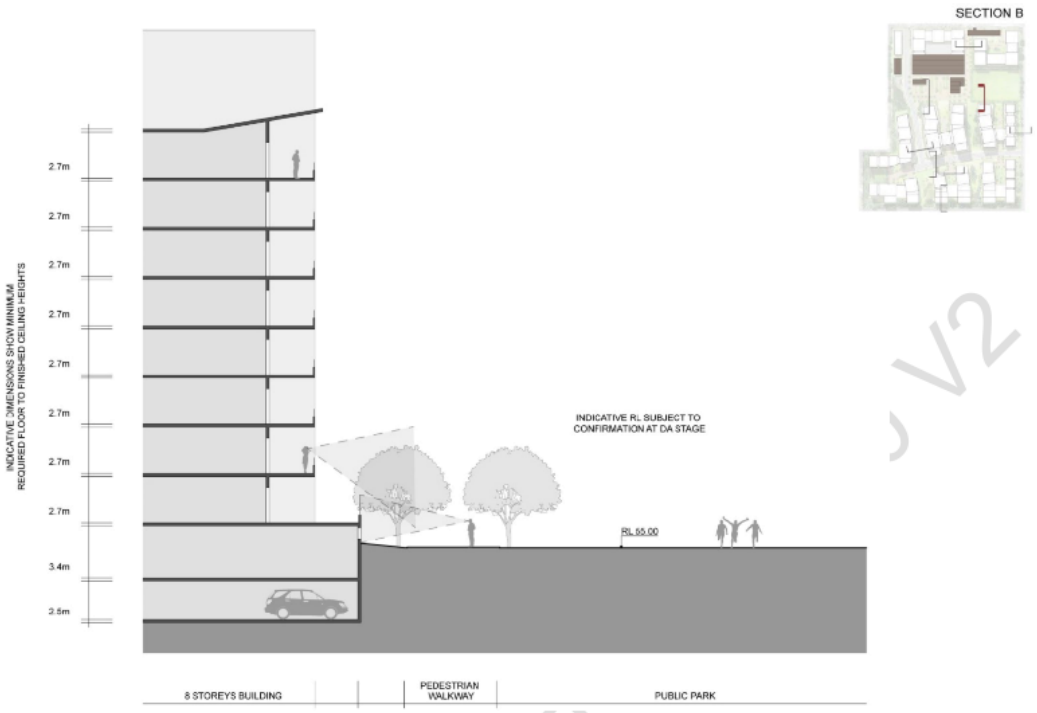


Figure 11: Indicative section of public park

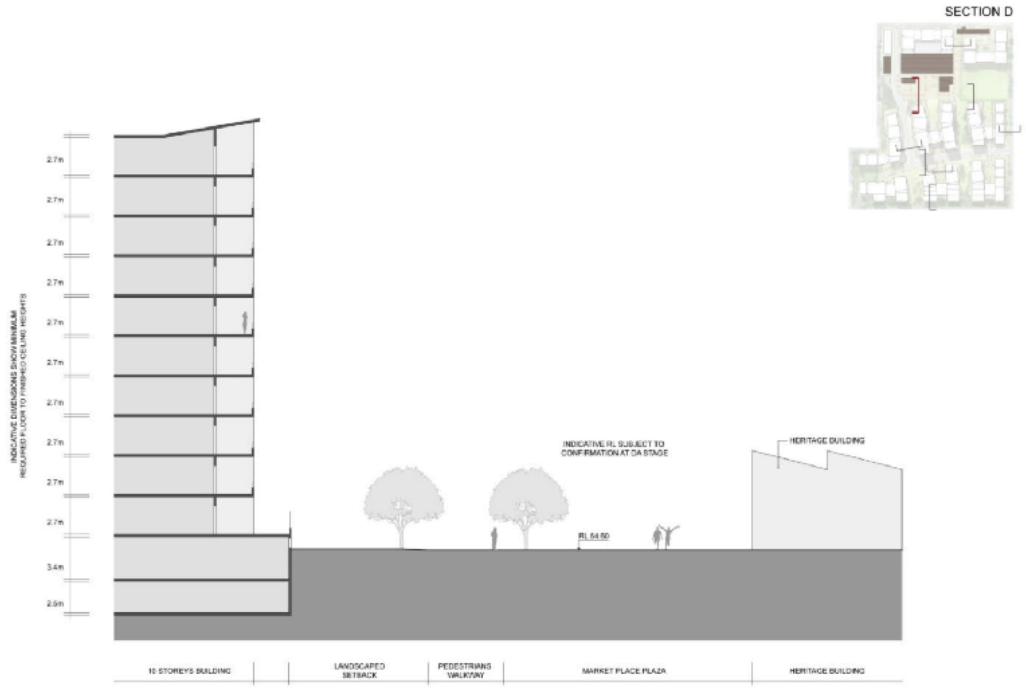


Figure 12: Indicative section of marketplace plaza

3.6 Movement network

Objectives

O1. The movement network provides for multiple points of public access to the precinct.

O2. The movement network is functional and provides for the efficient and safe movement of vehicles, pedestrians and cyclists.

O3. The movement network provides a comfortable and attractive environment for pedestrians and cyclist.

O4. The movement network where appropriate, provides opportunities for social interaction and gathering.

O5. On-site carparking is provided at a rate that balances the need to provide for the convenience needs of residents and visitors with encouraging more sustainable forms of movement such as the public transport, walking and cycling for commuter and recreational trips.

O6. On-site carparking is provided in a form that reduces overall building size and enables the creation of a positive relationship between buildings and the adjoining public domain, in particular through high levels of integration at the ground level.

Controls

C1. The street network, pedestrian network, site access and car access points are provided generally in accordance with Figure 13: Movement network.

C2. The existing street network is extended into the site to provide for at least one vehicle access onto Dunmore Street and one access on to Jones Street.

C3. Vehicle ingress and egress to the site is 2-way.

C4. Pedestrian and cyclist movement is prioritised over vehicular movement.

C5. Streets include pedestrian paths on both sides.

C6. The pedestrian and cycle access network:

- is direct and accessible to all
- is easily identified by users
- has a public character
- includes signage advising of the publicly-accessible status of the link and the places to which it connects
- is clearly distinguished from vehicle access-ways
- allows visibility along the length of the link to the public domain at each end

C7. Strong, legible pedestrian connections are established between the site and adjoining areas.

C8. The pedestrian and cycle access network:

- aligns with breaks between buildings so that views are extended and the sense of enclosure is minimised
- includes materials and finishes (paving materials, tree planting, furniture etc.) integrated with adjoining streets and public spaces and be graffiti and vandalism resistant
- is well-lit to safety standards
- is open to the sky along the entire length
- is accessible 24 hours a day

C9. Provision is made to allow possible future connections from the site to the south

C10. Street furniture is provided and includes a high quality, durable and co-ordinated selection of:

- paving
- seating
- lighting
- rubbish bins
- signage

C11. Street trees are to be provided within deep soil zones on all streets that:

- comprise a co-ordinated palette of climatically responsive species
- are robust and low-maintenance
- are planted in a co-ordinated, regularly spaced and formalised manner
- increase the comfort of the public domain for pedestrians, including through the provision of shade in summer
- enhance the environmental performance of the precinct by increasing opportunities for energy conservation

C12. In areas where deep soil zones cannot be achieved, suitable trees species still:

- comprise a co-ordinated palette of climatically responsive species;
- are robust and low-maintenance; and
- provide adequate canopy shade, for the comfort of pedestrians.

C13. On-site car parking is provided in accordance with Part H, Cumberland DCP 2020.

C14. Carpark access is co-ordinated to provide for efficiently and convenience while not adversely affecting the pedestrian movement or the visual amenity of the public domain.

C15. On-site resident car parking is provided in basement form.

C16. Basement car parking protrudes above ground level:

- for ventilation purposes only
- for a maximum height of 1m

3.7 Managing transport demand

Objective

O1. Ensure that the transport demand generated by development is managed in a sustainable manner.

Controls

C1. All development applications are to include a 'Transport Impact Study' addressing the potential impact of the development on surrounding movement systems, where the proposed development comprises:

- non-residential development of more than 1,000m² GFA;
- residential development of 100 or more new dwellings; or
- likely to generate significant traffic impacts according to the consent authority.

C2. The development application and applications for subdivision are to include a site wide 'Green Travel Plan' to outline initiatives for walking, cycling and the use of public transport. The Green Travel Plan should address different transport needs and patterns for residential and non-residential uses. Where relevant, initiatives are to be implemented prior to the issue of an Occupation Certificate.

C3. All development applications are to include a 'Transport Access Guide', and a strategy for its future availability to residents, employees and visitors, where the proposed development comprises:

- Multi-dwelling housing; or
- Non-residential development more than 1,000m² GFA.

C4. Residential development within an 800m radial catchment of a railway station must provide at least one car-share parking space for every 100 dwellings.

C5. Car-share parking spaces are included in the maximum number of visitor car parking spaces required for a development in thePart G - Miscellaneous Controls of Cumberland DCP 2020.

C6. Car-share parking spaces must be publicly accessible at all times, conveniently located, adequately lit and identified with sign-posting and road marking.

C7. Car-share spaces must comply with the relevant Australian Standard.

C8. Written evidence must be provided with the construction certificate demonstrating that offers of a car space to car-share providers have been made together with the outcome of the offers or a letter of commitment to the service.

C9. All car-share parking spaces are to be retained as common property by the Owners Corporation of the site. A covenant is to be registered with the strata plan advising of any car-share parking space. The covenant is to include provisions that the car-share parking space(s) cannot be revoked or modified without prior approval of Council.

C10. End-of-trip facilities including showers and lockers must be provided to adequately service the number of bicycle parking spaces required for employees in commercial premises and are to be located close to the bicycle parking area, entry/exit points, and within an area of security camera surveillance preferably where there are such building security systems.

Note: Council will give consideration to granting a floor space exemption where the applicant demonstrates the provision of end of trip facilities within the residential and commercial components of the development.

Figure 13: Movement network

3.8 Heritage

Objectives

O1. All development seeks to respect and celebrate the site's former use as the Bonds Spinning Mill.

O2. All development seeks to identify the potential for archaeological remains.

O3. All development seeks to ensure adequate protection and best-practice management of archaeological relics.

O4. All development seeks to minimise the potential for the disturbance of archaeological relics likely to be located on the site.

Controls

C1. The following heritage buildings are retained as shown in Figure 14: Heritage:

- Administration Building
- Dance Hall
- Cutting Room
- Cotton Bale Stores
- John Austin Centre

C2. Development is sited and designed in accordance with Section 11.10 of the Conservation Management Plan (Design Guidelines). Refer to Council's website (Planning Proposals and Matters section) for a copy of the CMP.

C3. Retained heritage building are sympathetically restored, adaptively re-used and integrated with the balance of the precinct.

C4. The spaces around the heritage items are accessible to the public.

C5. New buildings adjacent to heritage buildings shown in Figure 14: Heritage, are to achieve proportional relationships, including:

- fenestration proportions;
- materiality; and
- key elevational alignments.

C6. New development which falls within, or adjoins heritage curtilage zones, requires consideration of building materials that are complimentary to the retained heritage buildings, and are sympathetically designed in accordance with the CMP.

C7. Industrial archaeology such as information signage and public artwork is distributed throughout the site to provide a time line highlighting important events and characters from the site's history.

C8. The first development application is supported by a public art and interpretation strategy that complies with these controls.

C9. View corridors are provided from the public plaza to Dunmore House and from Jones Street through the multi-use park to the John Austin Centre.

C10. An historical archaeological assessment should be prepared by a suitably qualified and experienced historical archaeologist to inform the redevelopment of the site. This assessment should clearly identify and assess the potential for archaeological relics and engineering works, including providing an assessment of their significance in accordance with the NSW Heritage Division guideline Assessing Significance for historical archaeological sites and Relics, 2009. The assessment should then consider what impacts, if any, the proposed activity will have on any potential archaeological resource and include appropriate recommendations for its management according to significance. The Assessment should be submitted to Council for consideration in support of the first development application.

C11. Where the assessment determines that the development would disturb a potential historical archaeological resource, an application for an excavation permit under the Heritage Act 1977 (NSW) must be submitted to the NSW Heritage Council. A copy of the report and the permit are to be provided to Council with the development application.

C12. The applicant is to lodge, prior to issue of a Construction Certificate, a Construction Heritage Management Plan which addresses the following:

- Mitigation measures that will be in relation to the likely archaeology onsite;
- The proposed monitoring in place for any archaeological relics uncovered;
- Training, resources and consultation for staff on the site during excavation;
- Incident management protocol; and
- Methods dealing with unexpected finds during works.

C13. During the development, if any archaeological remains are discovered, the developer is to stop works immediately and notify the NSW Heritage Division and Council. Any such find is to be dealt with appropriately, in accordance with the Heritage Act 1977 (NSW), and recorded, and details given to Council prior to the continuing or works.

Figure 14: Heritage

Crosby Street, Greystanes

Contents

1. Introduction

1.1 Land to which this Part applies

This section applies to lands at Crosby Street precinct, Greystanes, as indicated in Table 1 and shown on Map 1.

2. Vision

As of 2010, Crosby Street, Greystanes, has been divided into two, unconnected sections. This section of the DCP is intended to guide future subdivision within the precinct to ensure that the two sections are connected, that development addresses the completed Crosby Street and that additional vehicular access from the parallel Great Western Highway is minimised.

3. Specific Objectives and Controls

Objectives

O1. Facilitate the reasonable development of the Crosby Street precinct by permitting the completion of Crosby Street, Greystanes.

O2. Minimise the number of properties with vehicular access from the Great Western Highway.

O3. Ensure that further development results in the completion of Crosby Street.

O4. Ensure that development addresses both sides of Crosby Street.

Controls

C1. This section of the DCP applies to all development within the Crosby Street precinct, as indicated in Table 1 and shown on Map 1.

C2. Development for the purposes of the erection of a new detached dwelling house and additions and alterations to an existing, detached dwelling house is excluded from the provisions of this section.

C3. Subdivision of land in this precinct shall not result in:

- lots having a maximum dimension of more than 37.0m; or
- hatched-shaped allotments having vehicular access from the Great Western Highway.

C4. Land shall be dedicated for the Crosby Street extension in accordance with Map 1 for a 15.0m wide road reservation.

C5. A 7.5m wide vehicular carriageway shall be constructed along the proposed extension of Crosby Street, with a 3.75m footpath verge with a roll-top kerb along either side to match adjoining.

C6. Road layout and geometry shall be in accordance with the provisions of Part A of this DCP and with other approved standards, either the Guide to Traffic Engineering Practice published by NAASRA, or the Roads and Maritime Services guidelines.

C7. All roadworks, including drainage, kerb and gutter and footpaths, shall be constructed at the applicant's expense and the required land dedicated to Council prior to release of any Subdivision or Occupation Certificate. Alternatively, Council may accept lodgement of a bond, through a bank guarantee, for the agreed value of the works plus interest for 10 years, in lieu of construction of the works.

C8. Where hatched shaped allotments are created with frontage to both the Great Western Highway and the Crosby Street extension, a restriction to use under Section 88B shall be included upon the title, with Council listed as a party, to require no access from the Great Western Highway, upon extension of Crosby Street to the subject property.

C9. Temporary access shall be permitted from the Great Western Highway until such time as all land dedication and road construction for the Crosby Street extension is completed to the subject property.

C10. Approval of temporary access from the Great Western Highway shall be subject to the agreement of the Roads and Maritime Services and any affected landholders.

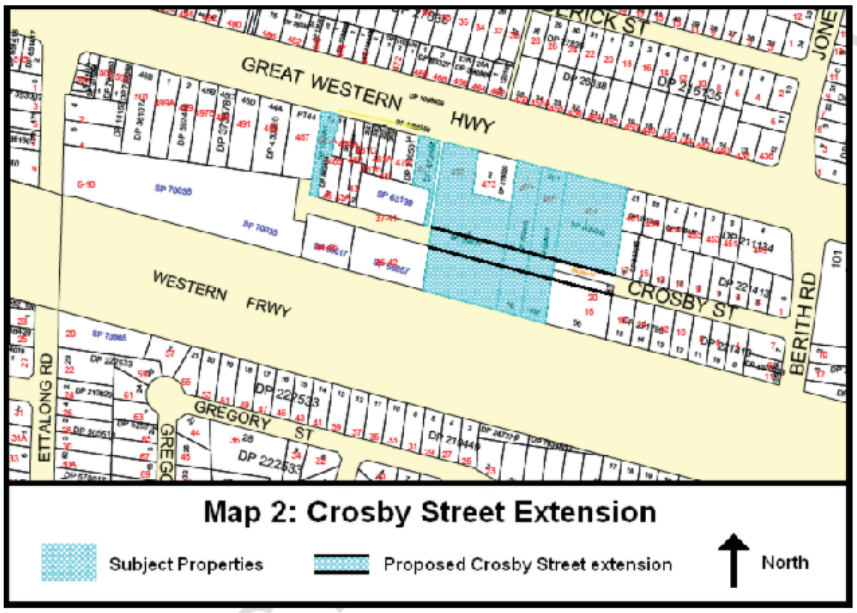
C11. Where temporary access from the Great Western Highway has been permitted, the following works shall be carried out at the expense of the landowner(s) at such time as the Crosby Street extension is completed to the subject property:

- all necessary works to permit vehicular access from Crosby Street, including removal of fences and construction of a suitable vehicular driveway from the property boundary to the kerb-line;
- all necessary works required to deny access from the Great Western Highway, including erection of fencing at the property line and removal of any vehicular driveway from the property boundary to the kerb-line.

C12. Development shall not extinguish the existing right of carriageways linking Crosby Street and Great Western Highway located on 477 and 485A Great Western Highway.

Table 1: Land subject to Section 1 of this Part.

Property Address	Lot No.	DP
22 Crosby Street, Pendle Hill	402	564607
467 Great Western Highway, Pendle Hill	1	1129553
469 Great Western Highway, Pendle Hill	401	564607
471 Great Western Highway, Pendle Hill	10	793480
475 Great Western Highway, Pendle Hill	2	217021
477 Great Western Highway, Pendle Hill	7	862464
485A Great Western Highway, Pendle Hill	10	1050994



Map 1: Crosby Street

Forest Gum Estate

Contents

1. Introduction

The Forest Gum Estate, Greystanes is intended to be developed as a low density residential area.

As a response to potential over development, it is intended to impose additional development controls which would apply to this site. Rather than limiting the range of building forms by providing additional FSR controls, it is considered appropriate to contain development within an appropriate building envelope. In addition, controls on the minimum amount of private open space will ensure that sufficient private open space is provided for each dwelling.

As the Forest Gum Estate is a comparatively large development, it is appropriate to designate significant trees subject to Council's Tree Management Order and provide soil erosion and sedimentation controls within the Development Control Plan.

1.1 Land to which this Part applies

This section of the DCP applies to land outlined in heavy black as shown on the plan map below.

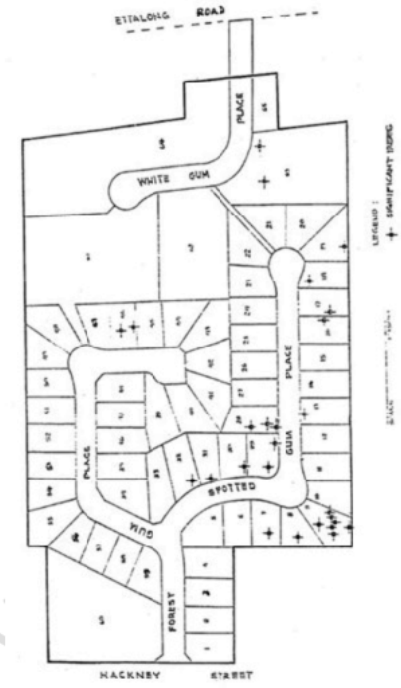


Figure 1: Map 7 Forest Gum Estate

2. Specific Objectives and Controls

Objectives

O1. Ensure the low density development is consistent with that allowed under the R2 zone of Cumberland LEP XXXX.

O2. Ensure a building envelope is provided to contain the bulk and scale of development.

O3. Ensure significant trees are identified and protected.

O4. Ensure controls are provided relating to soil erosion and sedimentation during construction and building works.

Note: The provisions of Part B of this DCP relating to One and Two Storey Residential Development" and "Dual Occupancy" specifically apply to the subject land except where the provisions of this section apply.

Controls

Private open space

C1. A minimum area of 80 square metres excluding side and rear setbacks shall be provided as usable private open space for each allotment.

Tree Management

C2. Those trees identified as being significant on the map are subject to the provisions of Cumberland Council's Tree Management Order.

C3. Those trees identified as being significant on the map are subject to the provisions of Cumberland Council's Tree Management Order.

C4. In respect of Lot 9 DP 845448 shown on the map Council may consider the removal of trees provided four significant trees are retained and a schedule of replacement trees is provided to the satisfaction of Council.

Soil Erosion and Sedimentation

C5. Measures to prevent soil erosion and sedimentation as detailed in Part G of this DCP.

Hillier Street, Merrylands

Contents

1. Introduction

1.1 Hillier Street, Merrylands

Hillier Street, Merrylands (Hilltop) is an incomplete cul-de-sac, where subdivision and development has not yet permitted the construction of a turning bulb. This section of the DCP is intended to guide future development within the precinct to ensure that a turning bulb may be constructed without unnecessarily preventing development of properties zoned R3 Medium Density Residential.

2. Specific Objectives and Controls

Objectives

O1. Facilitate the reasonable development of the Hillier Street precinct by permitting the completion of Hillier Street, Merrylands.

O2. Ensure that further development results in the completion of Hillier Street.

O3. Minimise the number of properties required to dedicate land to Council.

O4. Ensure that 82 Clarence Street retains the opportunity to subdivide broadly in accordance with Council's previous development control plan.

Controls

C1. This section of the DCP applies to all development within the Crosby Street precinct, as indicated in Table1 and shown on Map 1.

C2. Development for the purposes of the erection of a new detached dwelling house and additions and alterations to an existing, detached dwelling house is excluded from the provisions of this section.

C3. Land shall be dedicated to Council to allow creation of the cul-de-sac head in accordance with the layout shown on Map 1.

C4. Land dedication is to occur prior to the redevelopment of 69 and 71 Burnett Street for medium density housing.

C5. Medium density residential development of 69 and 71 Burnett Street is subject to:

- amalgamation of these properties;
- a boundary adjustment between 69 Burnett Street and 82 Clarence Street, in accordance with Map 1, to ensure that the later has a frontage to the Hillier Street extension; and
- vehicular access to the amalgamated site is only provided from the Hillier Street extension.

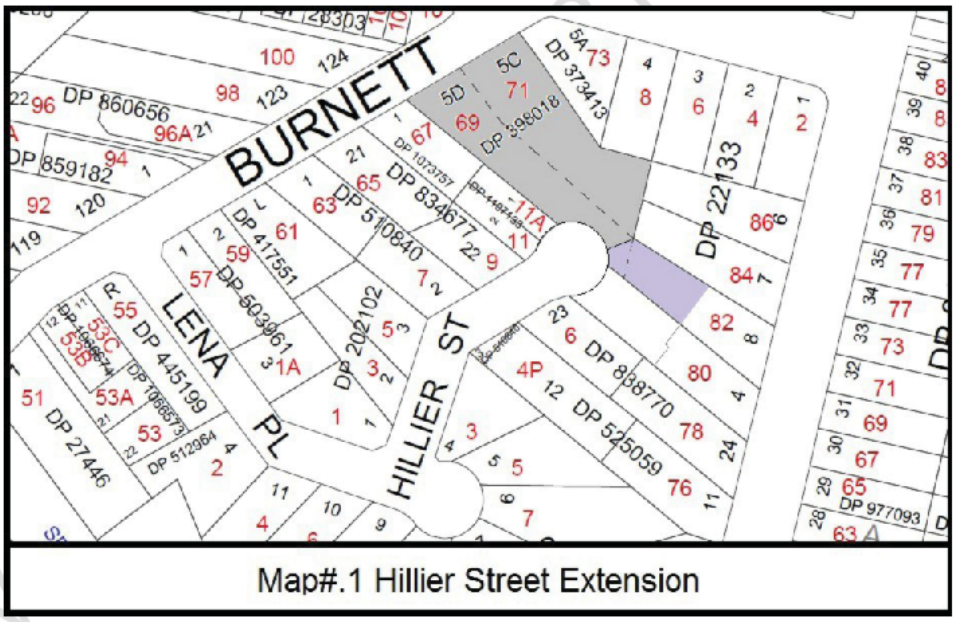
C6. An appropriate cul-de-sac turning bulb is to be constructed within the area shown on Map 1.

C7. Road layout and geometry shall be in accordance with the provisions of Part H, Traffic, transport, parking and access of this DCP and with other approved standards, either the Guide to Traffic Engineering Practice published by NAASRA, or the Roads and Maritime Services guidelines.

C8. All roadworks, including drainage, kerb and gutter and footpaths, shall be constructed at the applicant's expense and the required land dedicated to Council prior to release of any Subdivision or Occupation Certificate. Alternatively, Council may accept lodgement of a bond, through a bank guarantee, for the agreed value of the works plus interest for 10 years, in lieu of construction of the works.

Table 1. Land subject to Hillier Street Extension

Property Address	Lot No.	DP
71 Burnett Street	5C	398018
69 Burnett Street	5D	398018
82 Clarence Street	8	22133
80 Clarence Street	4	23384



Map 1: Hillier Street Extension

Proposed Development and Subdivisions of Bradman Street, Greystanes

Contents

1. Introduction

1.1 Land to which this section applies

This section applies to land situated in the City of Cumberland being Lot 5 DP 20650, Lot 6B DP 413844 and Lots 16 and 17 DP 238362, as shown in the diagram below.

This plan aims to provide a cul-de-sac at the eastern end of Bradman Street, Greystanes.

2. Specific Objectives and Controls

Objectives

O1. Facilitate the conventional subdivision of Lot 5, DP 20650, Lot 6B DP 413844, Part Lot 16 and Lot 17, DP 238362 into 12 lots; and

O2. Prevent the linking of the existing sections of Bradman Street.

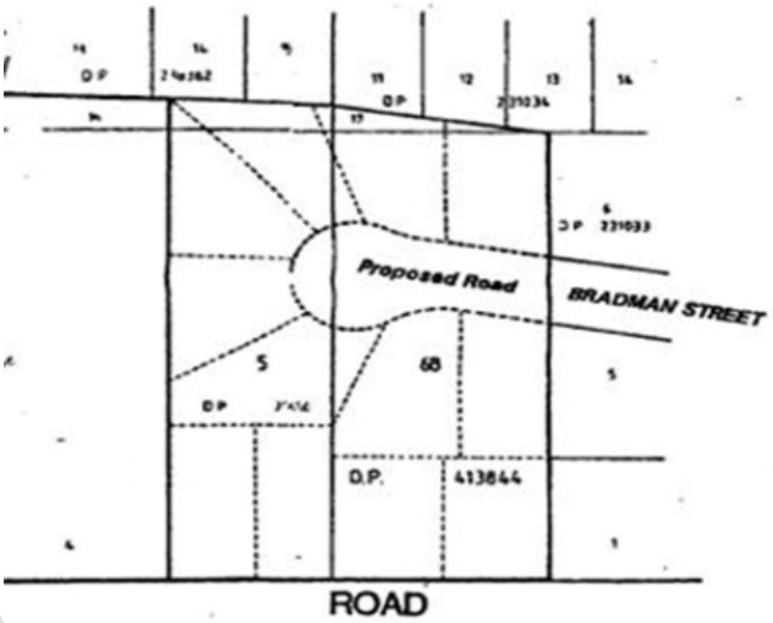


Figure 1: Bradman Street Subdivision Map

Former Lidcombe Hospital Site

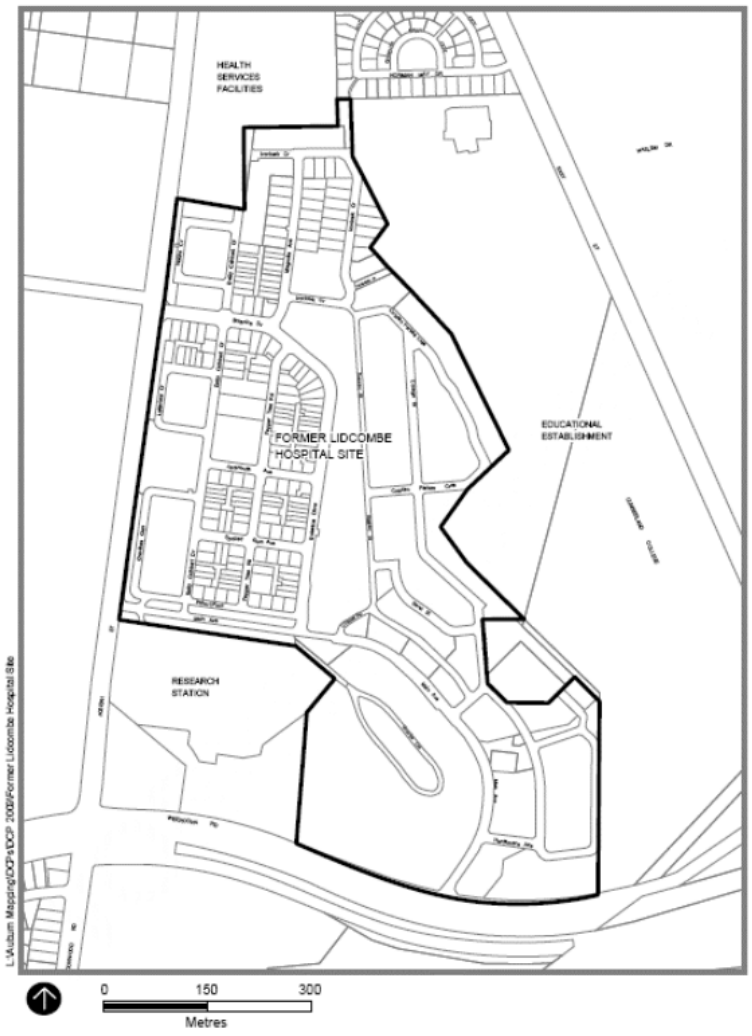
Contents

1. Introduction

1.1 Land to which this Part applies

This Part applies to land zoned R3 Medium Density Residential under the provisions of Cumberland LEP XXXX and known as the Former Lidcombe Hospital site, as shown in Figure 1 below.

Figure 1: Area to which this Part applies



Where there is an inconsistency between this Part and other Parts within this DCP, the provisions of this Part prevail.

2. General Objectives

This Part seeks to ensure that re-development achieves the following objectives and outcomes:

O1. The site, when re-developed, maintains its uniqueness and character.

O2. Future development retains and responds to key characteristics of the site.

O3. The features of the site are integrated into the overall planning of the site.

O4. Retention, adaptive reuse and integration of significant and other buildings to give unique character to the site, to enable future generations to read the "story" of the site and to reduce waste through reuse of existing building fabric.

O5. Retention of significant remnant vegetation, cultural plantings and landscape features in the public domain and retention of significant road alignments, to protect and enhance biodiversity and ecological niches.

O6. Provision of employment opportunities and opportunities for cultural development by providing for mixed uses in key heritage buildings.

O7. Provision of a range of quality open space to meet passive and active recreational needs of the community (excluding organised sport) in locations that are easily accessible and in locations that maximise the retention of key landscape features and significant vegetation in the public domain.

O8. Integration of landuse and transport planning by providing pedestrian, bicycle and transport connections within the site and between the site and its surrounds by way of bus transport and by co-location of services, facilities and employment opportunities.

O9. Development of safe, well designed subdivisions, residential areas and dwellings, taking account of energy efficiency and efficient water management principles.

O10. Create a sustainable community socially, culturally, environmentally and economically.

O11. Ensure that a comprehensive ecologically sustainable development (ESD) strategy applies to the design, development, conservation, construction and maintenance processes.

O12. Ensure that ESD principles underpin the overall development including the design of dwellings and living areas.

O13. Retain and reuse the existing buildings, where possible.

2.1 Staged development

On 7 July 2004, consent orders were issued by the Land and Environment Court approving development application number 572/02 for the staged development of the site for subdivision, civil works including roads, drainage and provision of open space, demolition of

buildings, regrading, landscaping, removal of trees, site remediation and separate access and uses.

2.2 Terms Unique to the Part

Studio accommodation

Are a room or suite of rooms no greater than 55m^2 in floor area located over a garage which is not part of the front streetscape. The rooms are capable of separate occupation.

Terrace houses

Are a form of multi dwelling housing. They are dwellings that have a common side wall(s) with an adjoining dwelling(s) in a group of three up to a maximum of 8 dwellings where the garage is detached from the dwelling and is accessed from the side or rear of the lot.

Town houses

Are a form of multi dwelling housing. They are dwellings that have a common side wall(s) with an adjoining dwelling(s) in a group of three up to a maximum of 8 dwellings where the garage is attached with the dwelling at the front or side.

3. Specific Objectives and Controls

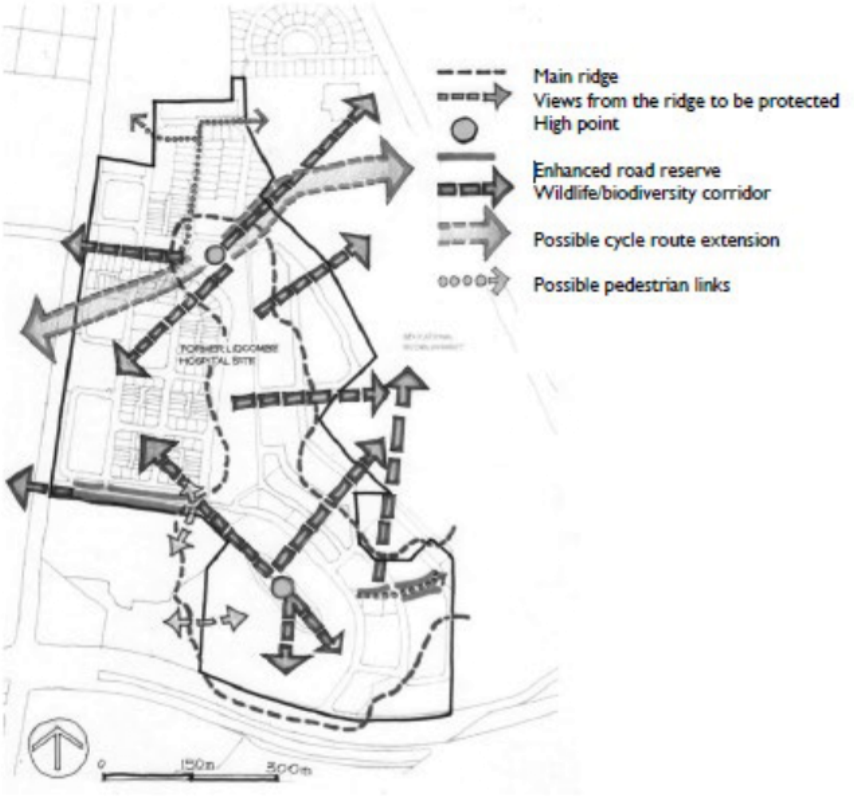


Figure 2 – Key features.

Figure 2: Key Features

3.1 Planning Principles

This section sets out requirements that apply to the overall urban design and structure planning for the site. The key objective of this section is to ensure that the urban design/structure plan for the site retains key features (see Figure 2 below) of the site and responds to these.

3.1.1 Built elements to be retained

Objectives

O1. Ensure that, wherever possible, existing buildings and road alignments are retained and adaptively reused.

O2. Ensure that future generations are able to interpret the history of the site.

O3. Individual buildings of significance are to be retained and conserved, or adaptively reused, on the site to achieve quality conservation and urban design outcomes.

O4. Retain road alignments of significance to contribute to the historical layering of the site.

Control

C1. Buildings and elements to be retained shall be detailed in the plans approved as part of the determination of development application number 572/02 (as amended) for the staged development of the site.

3.1.2 Landscape elements to be retained

Objectives

O1. Ensure that overall landscape integrity of the site is retained.

O2. The landscape integrity and natural and cultural attributes of the site are utilised as opportunities to define the structure of future development on the site by:

- using the natural lines of drainage to define the location and form of streets and open spaces;
- protecting the ridge top and high points within the public domain;
- protecting significant tree groups within the public domain;
- protecting individual significant trees within the private domain, where it is not possible to protect in the public domain;
- responding to the different topography and character of the site on the western and eastern sides of the ridge;
- retaining existing water bodies and water detention basins as part of an ecologically sustainable approach to stormwater management;
- protecting the visual prominence of the site and protecting significant views from the site along the main ridge; and
- protecting significant remnant vegetation within the public domain.

Control

C1. Landscape elements shall be retained and incorporated into the overall urban design in accordance with the performance criteria above.

3.1.3 Open space

Objectives

O1. Ensure that a variety of quality, conveniently located open space is provided to meet diverse passive and active recreation needs of the community, and where possible, to protect and promote biodiversity.

O2. Ensure that the open space network provides high quality and diverse recreational opportunities and responding to the special features of the site by:

- locating open space to protect significant tree groups;

- locating open space to protect significant remnant vegetation;
- locating open space to protect and highlight topographical features such as high points, ridgelines, drainage lines and other features;
- protecting significant heritage items;
- integrating stormwater management;
- protecting the landscape frontage to the site along Joseph Street;
- locating open space to reinforce pedestrian legibility and permeability through the site; and
- creating wildlife corridors linking across the site from Rookwood Cemetery to Carnarvon Golf Course.

Control

C1. Public open space shall be provided as detailed in the plans approved as part of the determination of development application number 572/02 (as amended) for the staged development of the site.

3.1.4 Street layout

Objectives

O1. Ensure that the road and street layout respects the history of the site and responds to key characteristics of the site.

O2. The roads and streets on the site are to be designed to respond to the site character by:

- respecting and retaining the significant existing road patterns, structure and character where possible;
- retaining the ridge road through the site as the main collector road;
- responding to existing site topography when determining street alignments;
- minimising cut and fill;
- protecting significant landscape or built elements;
- defining property boundaries or neighbourhood boundaries;
- fronting onto open space areas;
- providing opportunities for linkages to adjoining uses; and
- defining clear residential and open space precincts.

O3. The street pattern is organised so that

- the heritage buildings and landscape are retained and fully integrated into the development;
- there are long sight lines affording views and vistas; and
- the undulations of the topography are clearly visible.

Control

C1. The street layout shall be detailed as shown in the plans approved as part of the determination of development application number 572/02 (as amended) for the staged development of the site.

3.1.5 Street hierarchy

Objectives

O1. Strengthen links and interconnections with adjoining sites.

O2. Minimise the adverse impacts of vehicular traffic on future residential environments.

O3. Optimise links to the surrounding road network and adjoining uses by:

- providing the main site entry of Joseph Street at the existing traffic lights;
- providing a secondary site entry point on Joseph Street with limited turns (left-in and left-out);
- upgrading the existing site entry on Weeroona Road;
- providing continued access to the MS Society site and Ferguson Lodge via the local road network;
- allowing for future road connections to the TAFE and University to the east of the site; and
- ensuring all roads (except laneways) are public streets.

O4. Minimise the impact of vehicular traffic on the amenity of the future residential environment by:

- providing a hierarchy of streets that concentrates the principal traffic on a collector road through the centre of the site;
- designing local streets to be low speed low volume roads that offer high pedestrian and residential amenity;
- providing rear laneways for private access to garages to reduce the visibility of garages on primary street frontages; and
- creating a landscape framework that reinforces the hierarchy of the streets.

Control

C1. The development shall adopt the street hierarchy consistent with the plans approved as part of the determination of development application number 572/02 (as amended) for the staged development of the site.

3.1.6 Pedestrian and cycle circulation

Objectives

O1. Encourage and facilitate walking and cycling within the site and the general neighbourhood.

O2. Encourage use by pedestrian and cyclist use of the site by:

- providing footpaths on all streets on the site;
- providing safe and high amenity pedestrian linkages connecting all major activities and open spaces;
- providing a cycleway through the centre of the site following the route of the main collector road along the ridge;

- designing for safe on-street cycling conditions along residential streets;
- providing bicycle parking at key locations;
- providing new pedestrian and cycle access to adjoining housing development to the north and Coleman Park;
- allowing for future pedestrian/cycle links to adjoining sites and regional routes; and integrating accessibility for the mobility impaired.

Controls

C1. Pedestrian and cycle routes shall be provided as shown in the plans approved as part of the determination of development application number 572/02 (as amended) for the staged development of the site.

C2. Streetscaping/public domain design shall strengthen the role of these routes and take account of safety of these routes.

3.1.7 Car parking

Objectives

O1. Maintain high amenity of the residential neighbourhoods and heritage precinct by ensuring that adequate provision is made for resident, non-resident and visitor parking.

O2. Adequate car parking is to be incorporated on the site to cater for residents and visitors without compromising the setting and amenity of the residential environment by:

- ensuring all multi-unit dwellings have basement parking accessed from rear lanes;
- limiting on-street parking to one side on local streets;
- limiting parking along the main collector road, where necessary, to create a parkway character and enhance heritage setting; and
- allowing small discrete car parking areas to the rear of buildings within the heritage core.

Controls

C1. Public parking spaces shall be provided in addition to the resident parking provided for each dwelling.

C2. Public domain, street and landscape design shall clearly delineate parking areas

C3. All car parks shall be landscaped and screened.

3.1.8 Built form character and scale

Objective

O1. Ensure that new buildings enhance the overall character of the site.

O2. The location, scale and character of new buildings are to protect the overall cultural significance of the site by:

- ensuring new buildings associated with the existing heritage buildings respect the scale, form and character of the heritage items;
- protecting the existing physical and visual relationship between groups or complexes of buildings;
- siting larger footprint buildings along the northern and eastern side of the site where there are less physical and cultural constraints; and
- developing buildings which protect the amenity of open spaces and key views into and out of the site.

Controls

C1. The design of new buildings shall emphasise the street and open space hierarchy by defining built edges through building setback, height, articulation and historic/distinct architectural form.

C2. New development shall respond to and reflect the built form hierarchy.

3.2 Heritage

3.2.1 Built heritage

Objectives

O1. Ensure that use of the buildings does not expose the building to unusual risk of damage.

O2. Ensure that the heritage buildings are economically adapted and reused.

O3. Ensure that the works and uses of the heritage buildings contribute to the integration of the heritage core and precinct to the development as a whole.

O4. Ensure that the use of buildings does not compromise their heritage significance and does not expose the building to unusual risk of damage.

O5. New development is to be compatible with the overall residential character of the former Lidcombe Hospital site and the heritage core precinct (as identified on the NSW State Heritage Register).

O6. Ensure that the use of built heritage will not impact significantly on the heritage fabric of the building or reduce its heritage significance.

O7. The use of built heritage will not result in risk of damage to the heritage fabric of the building by virtue of how the building is to be managed or the intensity of that use.

Control

C1. Buildings and landscape elements in the heritage core precinct shall be retained.

3.2.2 Maintenance schedule

Controls

C1. The detailed maintenance schedule for all buildings identified for retention, shall include immediate works, 5 year, 10 year and continuing maintenance schedule.

C2. Specific levels of conservation/repair works for the buildings listed in the table above are required by this Part as follows:

- All items of exceptional, high and moderate significance be brought to the following level of condition prior to time of transfer, resale or lease.

Items of exceptional and high significance:

- All external fabric (including roofs, walls, windows, doors) shall be restored/repaired to a level of condition which gives the basis of a habitable building as defined by Council.
- All infestations of pest and vermin in proposed retained buildings shall be controlled and damaged fabric restored/repaired to a level of condition which gives the basis of a habitable building as defined by Council.
- All electrical, water, sewerage, gas services shall be restored/repaired to a level of condition which will allow full and unrestricted use of the services in the building by a new occupant. This includes fixtures such as wires, pipes, switch boards, gas and water metres but does not include finishes and fittings.
- All interiors of items of exceptional and high significance shall be brought to a standard which provides the basis for a habitable interior as defined by Council.
- Interiors of items of exceptional significance as identified by Cumberland City Council are to be conserved and restored to the condition known at a determined date.

Items of moderate significance:

- Exteriors of items of moderate significance (to be retained) shall be repaired as required to an acceptable habitable standard.
- Interiors of items of moderate significance (to be retained) shall be retained/repaired as required to an acceptable level which provides the basis of a habitable interior.

3.2.3 Archaeological heritage

Controls

C1. Demolition and excavation of the site is to be carried out in accordance with the approved Archaeological Management Plan (which sits within the Conservation Management Plan). This work should also comply with the Heritage Act 1977 and Cumberland LEP XXXX in relation to development works and disturbance of potential archaeological resources.

C2. The recording and conservation of archaeological resources shall be achieved in accordance with the heritage provisions of the Heritage Act 1977, Cumberland LEP XXXX and with the approved Lidcombe Hospital Site Archaeological Management Plan.

C3. Proposals for development and excavation of the site shall consider the need to obtain an excavation permit in accordance with the Heritage Act 1977 and with reference to the Conservation Management Plan and Archaeological Management Plan referred to above. Permits will generally be required to carry out further archaeological assessment in areas identified as high or moderate archaeological significance prior to further site disturbance.

Note: No further action is required in relation to archaeological resources in other areas of the site unless relics or evidence is discovered during site disturbance or excavation and either the provision of the Heritage Act 1977 applies relating to European relics, or the National Parks and Wildlife Act 1974 applies regarding indigenous sites.

3.2.4 Landscape heritage

Objectives

O1. The Main Avenue heritage landscape element is to be restored to replace missing elements such as plantings of pines and palms.

O2. Any new development near heritage landscape elements are not to adversely affect the significance or character of those elements.

O3. Any items of heritage landscape significance, which are considered unsustainable by virtue of health, longevity, safety or other relevant consideration, are to be replaced with suitable new plantings in accordance with the approved landscape master plan.

Controls

C1. The conservation of the heritage landscape elements must be achieved in accordance with the heritage provisions of the Cumberland LEP XXXX and with the approved Lidcombe Hospital Site Conservation Management Plan.

C2. Proposals for development of the site must be made in accordance with the approved Lidcombe Hospital Site Conservation Management Plan and Heritage Impact Statement prepared for the site, and take account of the landscape elements defined in the Lidcombe Hospital Site Conservation Management Plan.

Note: In this section, a landscape master plan is the plan prepared by the applicant which accompanies the first stage development application. It sets out the general principles of embellishment to be undertaken in subsequent stages of the development of those areas where the developer intends to undertake the embellishment of local open space. The landscape master plan is to be consistent with the principles and requirements of the Lidcombe Hospital Site Conservation Management Plan, September 2002.

3.3 Landscaping, public open space and public domain

3.3.1 Landscape Planting

Objectives

O1. Retain and enhance existing endemic vegetation and biodiversity.

O2. Retain significant heritage plantings.

O3. Provide quality private open space to meet the recreational and living needs of residents.

O4. Ensure that landscaping on private land contributes to the character of precincts and streetscapes.

O5. Provide quality public open space and public domain.

O6. Landscaping is to:

- enhance the amenity of all areas of the development;
- be easily maintained and robust; and
- contribute to the landscape masterplan of the development.

O7. Establish linkages and connections in the design of spaces through the selection of appropriate plant species.

O8. The selection of plant species are to be based on the following:

- appropriate remnant and endemic species;
- solar access to private open space and buildings;
- cultural landscape precedence; and
- demonstrated performance suitability of species within the planting environment.

O9. New plants are to be of species which are suited to the site conditions and have sympathetic character and style of the existing planted species.

O10. Ensure that the proposed planting considers the species endemic to the Auburn area and the preferred plant species list contained in the Auburn Parks Infrastructure Manual. This Manual is available from Cumberland Council on request.

Controls

C1. Existing vegetation consisting of significant heritage plantings and other mature plantings shall be retained when determining site layout and road alignments. The retention of these elements in development control shall be complemented with additional planting to provide identity to different parts of the development.

C2. Retention of trees shall consider:

- the safe useful life expectancy (assessed by a qualified arborist) and estimated future lifespan;
- the current and future amenity and contribution to the landscape that the tree provides;
- management and safety issues associated with retention; and
- heritage considerations including the natural and cultural history of the site.

C3. Landscape design of private lots and retained existing trees shall contribute to the landscape amenity of the neighbourhood and precinct landscape framework.

C4. Street patterns and street tree planting shall be strong components of the landscape framework.

C5. Streetscape planting shall ensure the coherence of new plantings and continuity with key elements and themes of the existing landscape.

C6. The detailed landscape design of streets and pathways shall reinforce people's understanding of the street hierarchy.

C7. Public open space areas shall be sized and designed as manageable parcels and readily accessible by maintenance personnel and equipment.

3.3.2 Public open space area

Objectives

O1. Ensure the provision of open space to allow suitable access and locations for both active and passive recreation activities appropriate to the size and function of the open space area. (Note: appropriateness in this sense includes matching the type of activities encouraged on that space to the proximity of dwellings to minimise disturbance of residents. Adequate protection must be provided to ensure significant existing trees are not damaged by construction activities).

O2. Ensure the retention and enhancement of existing significant vegetation contributes to the conservation of wildlife corridors.

O3. Existing vegetation complements the overall landscape scheme for the site and provides variety and visual identity to different residential areas.

O4. Open space associated with the heritage core precinct are to remain accessible to the public at all times.

O5. Pedestrian and cycle crossings of roads are to be sited in high usage locations and provide adequate safety for motorists, pedestrians and cyclists.

O6. Ensure that the design and layout of public open space takes advantage of available views and site features.

O7. All open space areas are to be maintained to a high level to encourage resident usage and a sense of community ownership.

O8. The public domain needs to create focal points for the community and a hierarchy of spaces that provide a local identity.

O9. Landscape treatments are to be provided in open space areas in accordance with the landscape master plan.

O10. OR

O11. Provide landscape treatments in open space areas in accordance with the landscape master plan.

O12. All ponds within public open space areas are to have dual use functions for water treatment and be embellished for passive recreation with appropriate safety measures.

Controls

C1. Landscape plans for local open space shall be consistent with the principles and requirements of the approved Lidcombe Hospital Site Conservation Management Plan.

C2. Open space areas shall be of manageable sizes and not fragmented pockets spread throughout the site.

C3. Footpath links shall be provided to, and through, open space areas in accordance with open space embellishment plans.

C4. Open space embellishments shall include some provision for car parking including parking for persons with disabilities.

C5. The maximum gradient of footpaths and cycle ways shall be similar to the adjacent road pavement.

C6. Shared pedestrian and cycle way paths along collector roads or through open space areas shall be 2.5m wide. A pedestrian footpath along local roads (where not a shared way) shall be 1.2m wide.

C7. Open space areas shall be designed to minimise the risk of crime and provide links to other areas of open space and focal nodes within the site.

C8. Significant vegetation shall be retained and included in embellishment designs wherever practicable and where medium to long term public safety and tree vigour can be expected.

C9. Drainage facilities shall be designed to provide multi use recreation opportunities and to be incorporated as an integral component of the public open space network.

C10. “Village green” within the heritage core shall be publicly accessible at all times.

C11. Signage in accordance with Council requirements shall be provided in all public areas to indicate street names, essential service locations, pedestrian routes and public facilities.

3.4 Roads and access

3.4.1 Roads, streets, lanes and footpaths

Control

C1. The following principles underpin the design of the roads, streets and lanes within the site:

- The internal circulation network will comprise a system of roads, streets, lanes and pathways servicing the development within the site.
- All roads shall be dedicated to Council except for lanes and access lanes.
- The visual appearance of roads of different classification shall also convey the purpose and function of that road.

3.4.2 Hierarchy

Objectives

O1. Provide a road and street hierarchy that is safe and efficient for vehicles as well as pedestrians and cyclists, endeavours to create safe travel speeds and minimises the adverse effects of through traffic.

O2. Ensure that the road and footpath system is fully accessible for elderly and people with disabilities.

O3. Ensure that there is a clear street hierarchy reinforced by building type.

O4. Ensure that existing roadways and associated service infrastructure to be retained, upgraded if necessary and reused as road and/or pathways within the site.

O5. Road and street hierarchy is reinforced through landscape embellishment.

O6. Internal roads and intersections are controlled by appropriate low impact means to slow and control traffic movement.

O7. Access to the arterial road system and the designated locations of an approved intersection form and design is to be satisfactory to the Roads and Traffic Authority (RTA).

O8. Footpaths and roads are accessible to people with disabilities.

Controls

C1. A network shall be established which provides convenient linkages for all modes of transport to all areas within the site and has regard to travel distances, drainage, public utilities and view corridors.

C2. A network of roads, streets and lanes shall be provided with a clear physical and visual distinction between each type based on function, convenience, amenity, safety and traffic volume.

C3. All junctions and intersections shall be detailed in response to the expected future traffic volumes and operational speeds, providing appropriate restraint of speed, clarity of priority, together with the safe accommodation of pedestrians' and cyclists' movements

C4. The network of roads, streets and lanes shall generally conform to the functions as set out in Table 1.

Table 1 – Road and street functions

Road type	Max traffic volume (vpd)	Maximum number of dwellings	Design speed (kph)	Standard road reserve (m)
Collector road	3,000	1,000	50	22.2
Local streets	1,000	200	40	13
Special streets	Variable	Variable	40	Variable
Lanes	160	16	10	7.0
Lane (access)	160	16	10	5.0

C5. Any collector roads permitted to carry loadings in excess of 3,000 vpd shall not to have direct vehicular access from the adjoining properties, and shall make provision for the restraint of over-speeding, for ease of pedestrian/cyclist crossing, and for control of intersection movements.

C6. Road and street lighting shall be compliant with the relevant Australian Standards to facilitate a safe environment for all users.

C7. Landscape embellishment shall be themed and respond to the road hierarchy.

C8. Acceptable levels of access, safety and convenience shall be provided to all users ensuring acceptable levels of amenity.

C9. New development shall make adequate provision for bus services to service the site and ensure that road and kerb design can accommodate articulated low floor buses.

C10. Non-resident parking and overflow parking from adjoining development shall be discouraged by the use of 'resident only' controls or other appropriate parking measures.

C11. A legible, safe and convenient network of all weather pathways for pedestrians and cyclists, including users with disabilities and limited mobility, shall be provided in accordance with provisions contained in the Disability Discrimination Act 1992.

C12. Cater for the integrated provision of landscaping, public utilities and drainage.

C13. No direct vehicular access except at controlled intersections shall be permitted to arterial or sub arterial roads

C14. Safe and convenient interaction between the use of the hall, particularly peak patron use, and the operation of the adjoining road and path/cycle ways shall be provided.

C15. The location and design of road intersection junctions with Weeroona Road will consider sight distance and expected future traffic volumes.

C16. Road geometry shall comply with the RTA Road Design Guide

C17. Footpaths and road interfaces shall be in accordance with disability standards.

3.4.3 Design widths

Objectives

O1. Ensure that sufficient carriageway and verge widths are provided to allow streets to perform the designated functions within the overall road network and to accommodate public utilities and drainage.

O2. Ensure that the main collector road functions as a two way bus route that allows unobstructed movement in both directions

O3. Ensure safety at bus stop areas.

O4. Ensure that the overall dimension and appearance of the road network visually reinforces its intended function, and in particular conveys to motorists the appropriate travelling speed.

O5. Align with the dimensions and characteristics of the urban road hierarchy set out in Cumberland City Council's Development Design Specifications – D1 Geometric Road Design: Urban (Auspec March, 2001). Possible flexibility on some of the criteria enables the development to meet best management practice and the desired outcomes.

O6. The design and alignment of collector roads are provided for the efficient and unimpeded movement of buses and needs to comply with the requirements of the RTA and local contracted bus service provider.

Controls

C1. Street planting in publicly dedicated roads shall only be permitted following Council approval of a tree planting plan prepared by a qualified Landscape Architect. All plans documenting the location of proposed street planting shall indicate the location of all services, vehicular entry points, road crossing areas, designated bus stops, traffic signs and street lighting.

C2. Carriageway and verge widths for particular street types are set out in Table 2 below:

Table 2 – Appropriate carriageway and verge widths for particular road types

Type	Standard carriageway width (m)	Standard total verge width (m)	Standard road reserve (m)	Footpath required	Dedication to Council required
Collector roads	12.2	9.0	22.2	1.2 m on both sides	Yes
Local streets	7.5	5.5	13	1.2 m on one side	Yes
Special streets	Detailing to achieve heritage requirements.				
Lanes	4 to 5	2.0	7.0	No	No
Lanes (access only)	3	2.0 to 3.0	5.0	No	No

C3. Where lanes do not front garages the width of the carriageway shall be reduced to a minimum of 3.0m where adequate provision has been made for passing oncoming traffic.

C4. Collector roads fronting public open space may reduce the minimum verge width to 1.0m and reduce carriageway width by 2.6m (providing there is adequate parking space and road infrastructure requirements are allowed for).

3.4.4 Streetscape, lighting and signage

Objectives

O1. Ensure the design of the streetscape contributes to a cohesive landscape theme that relates to the development concept for the site and complements the surrounding development.

O2. New development is compatible with the existing character of the locality in the context of the heritage precinct.

O3. Ensure that the Development enhances the visual character and amenity of the street and reflects its function in the movement hierarchy developed for the site.

O4. Ensure that street planting defines the public realm from privately owned areas and reinforces the character of various street types and locations.

O5. Buildings are to address the street frontage and are compatible with adjoining development in terms of street elevation and presentation.

O6. New buildings adjacent to items of heritage significance need to comply with the requirements of the Conservation Management Plan regarding appropriate scale, materials and finishes.

O7. Ensure that the building heights at the street frontage do not dominate the streetscape.

O8. Ensure that double garage doors do not dominate the streetscape.

O9. Streetscape design should consider vehicle crossing points, pedestrian crossing points, visual amenity, fencing styles, lighting and any other necessary street furniture.

O10. Signage is to be clear and visible and conforms with relevant Council requirements.

O11. Street trees should be planted in accordance with the landscape masterplan in particular its reference to the retention of existing trees in the plan.

Controls

C1. Streetscape elevations shall be required for development applications for individual blocks. Individual buildings within a block shall be considered as part of a greater whole, with particular reference to the place-making principle of creating areas of distinct character by concentrating certain dwelling types together

C2. Public street furniture shall include bus shelters, lighting poles and lighting, plant guards, barriers and signage and shall be of a design specified and approved by Council.

C3. Choice of materials for hard surfaces, especially carriageways and footpaths/cycle ways shall be of a type and specification approved by Council. Changes in paving material will be allowed to signal changes in street use and character.

C4. Street trees shall be planted at approximately 10m intervals or as otherwise in accordance with the approved landscape master plan. Plant selection and streetscape design shall consider:

- species habit;
- mature size of species;
- requirement for evergreen or deciduous trees depending on aspect;
- likely impacts due to surrounding structures and services plus potential impact or nuisance from flower and/or fruit drop;
- lighting, visibility and safety considerations; and
- heritage items and landscape elements

3.4.5 Linkages

Objectives

O1. Ensure that the access points to the site minimises travel, provide safe and efficient access.

O2. Ensure that the transport network makes provision for access to adjoining land uses.

O3. Ensure that links between the site and adjoining land uses are agreed to by the adjoining owners prior to inclusion in any development application.

O4. Controls to discourage student parking within the Lidcombe Hospital site should be considered in consultation with Council.

Controls

C1. Provision shall be made in this development for all classes of access to the Multiple Sclerosis facility and to Ferguson Lodge, and also consideration being given to facilitating possible future connections into the adjoining lands to the south-west of the site.

C2. Pedestrian and cycle access shall be provided through to East Street and Norman May Drive; to Joseph Street/Georges Avenue signalled intersection by the shortest practicable and convenient route and provision shall be made for possible future connections to the educational institutions to the east.

C3. The satisfactory management of the base, casual, and the peak parking loadings and the consequent use of the parking sites shall be provided, off-street and on-street, for all land uses.

3.4.6 Pedestrian and cycle network

Objectives

O1. Ensure that the design of the development encourages residents to walk or cycle for trips within the site.

O2. Establish a network of pedestrian linkages to allow residents, including disabled residents and visitors, easy and safe access to the open space and other public amenity features of the site and public transport.

O3. Ensure that the cycle network is connected within the site and to other networks external to the site.

O4. Ensure a clear distinction between designated local internal routes and those used to connect to external areas of the site.

O5. Provide a pedestrian network of suitable material, width and design that can link to existing or possible future pedestrian networks on neighbouring areas and that is serviceable in all weather conditions.

O6. Pedestrian links should function without conflict with cycle links and link key areas or high use areas of the site.

O7. Provide a cycleway of suitable material, width and design that can link into existing or a possible future cycle link on neighbouring areas.

O8. Provide safe pedestrian links throughout the site, to open space areas and to adjoining sites.

O9. Provide a cycleway and pedestrian network to link to Joseph Street, Weeroona Street and Norman May Drive.

O10. Safe pedestrian links are provided to access the existing linkage through Carnarvon Golf Course.

O11. Appropriate levels of lighting are provided to all road and pedestrian linkages.

Controls

C1. Pedestrian links shall not conflict with vehicular movements.

C2. Access and facilities for the disabled and physically impaired shall be provided in accordance with provisions of the Disability Discrimination Act 1992 and Council's standards.

C3. Road crossings shall be located where there is adequate sight distance and suitable lighting provided and to provide adequate safety for motorists, pedestrians, cyclists and disabled users.

C4. Changes in surface finish shall be considered at road crossings, designated bus stops and intersections.

C5. Where shared use of the street pavement is required, the design shall reflect that dual use to promote safety.

C6. Cycle links shall be of sufficient width and profile for the purpose intended and where used in conjunction with pedestrian links the pathway should be widened at conflict points to allow safe passage of both pedestrians and cyclists.

C7. Pedestrian facilities shall be consistent and continuous, and meet all the functional requirements for independent use by elderly and disabled users, including the vision impaired, wheelchair and electric scooter users.

C8. Tactile ground indicator tiles shall be used at all road crossings, bus stops etc.

3.5 Site planning controls

This section sets out the objectives, performance criteria and development standards that relate to site planning and subdivision development.

Objective

O1. The site planning and subdivision controls are to ensure that:

- interference with the topography is minimised;
- the topography can be clearly read and understood;
- the subdivision patterns set up regular rows of buildings and spaces and are suitable for the dwelling types;
- a system of vehicular access to properties contributes to rather than dictates the resolution of the street; and
- there are precincts/streets with a range of discrete characters

Controls

C1. The street and block pattern shall:

- relate to the building types;
- minimise cut and fill;
- enable small increments of change between buildings;
- enable the street hierarchy to be reinforced by the building types;
- set up an appropriate spacing between buildings;
- create a regular pattern of driveway access from the street;
- provide views and vistas;
- reinforce the qualities of the site; and
- have the potential to provide external linkages over time.

3.5.1 Setbacks

Setbacks are required to protect the privacy of adjoining residents, to provide for sunlight to adjoining dwellings and to provide a visual rhythm and coherence to the streetscape. Refer also to the subdivision and allotment planning controls diagrams in section 7.3.

Objectives

O1. Ensure that the dwellings address the public domain and set up a spatial rhythm.

O2. Ensure there is adequate solar access and privacy

O3. The setbacks to the street need to provide:

- a clear reading of the topography;
- a clear edge to the street and/or open space system;
- a semi-private zone;
- houses which are more dominant than garages;
- reinforcement of the street hierarchy;
- reinforcement of the street block where appropriate; and
- an open streetscape with adequate areas for landscaping, fencing, and screen planting.

O4. The setbacks to the side boundary and the rear are to ensure that there is:

- adequate solar access to neighbours;
- privacy for residents and neighbours and minimise overshadowing; and
- an even spatial rhythm along the street so that individual building types do not dominate.

Controls

C1. Table 3 below sets out the minimum setback requirements for all dwelling types on the site.

Table 3 – Minimum setback requirements for all dwelling types

	All dwelling types
Primary front setback	4m to building facade of habitable rooms from the front boundary line. This setback may be reduced to 3m for dwellings fronting public open space or a corner, providing solar access and other environmental provisions are met.
Side and rear setbacks	A 1.2m side setback is required for 1 and 2 storey portions of dwellings.
	Garages, including those with studio accommodation above, in lanes can be located on the rear boundary provided a minimum of 7.5m is provided between the facade and opposite boundary fence or building façade. (Refer below for additional requirements).
Eaves facias	825mm for one or two storey buildings.

C2. Garages facing a street shall be set back a minimum of 5.5m from the front boundary.

C3. Lots with rear vehicular access to the property can have a zero line setback at the rear where the minimum distance between building facades which contain habitable rooms with windows or another garage is 7.5m.

C4. Two storey, open, non-habitable structures including carports, pergolas, verandahs and entry features shall sit within the 2m articulation zone as measured from the primary front setback.

C5. Adjoining building facades shall be aligned. Building facades may vary in alignment only if a cohesive streetscape is achieved. Any variation to the alignment shall be derived from the building type and the topography, i.e. where a lot slopes away from an area of parkland or to achieve a more successful result by locating a building or group closer to the street edge.

3.5.2 Orientation

Objectives

O1. Ensure that the orientation and organisation of lots will enable dwellings to achieve the environmental performance guidelines as set out in section 2 of this Part.

O2. The building zone for the dwelling is predominantly at the front of the lot.

O3. The higher density areas with smaller lot frontages are predominantly east-west or north-south where the north is at the rear.

O4. Ensure the subdivision of allotments maximises the potential for energy efficient housing development whilst maintaining the design integrity of the overall development.

O5. All allotments are to provide for sufficient area to allow the siting of dwellings and to allow for adequate areas of private open space, vehicle access and parking as set out elsewhere in this Part.

Control

C1. Lots shall be oriented to facilitate the siting of dwellings to meet the Ecologically Sustainable Development (ESD) criteria set out in this Part.

The above requirements may be varied in cases where an applicant submits an integrated subdivision and development application demonstrating that the performance criteria have not been compromised.

3.5.3 Safety (CPTED) requirements

Applicants must refer to Council's Policy on Crime Prevention Through Environmental Design, 2006.

3.5.4 Private open space and landscaping

Objective

O1. Private open space areas are to:

- relate to the living spaces, windows, access/egress points and function of the dwelling; and
- be amenable and suitable for the intended use

O2. All setback areas are to be landscaped to Council's satisfaction.

O3. Ensure private open space is of a size and location suitable for the intended use.

O4. Private open spaces and living areas are protected from overlooking from public and neighbouring areas.

O5. Private open space areas are clearly defined and screened for private use.

O6. Landscape treatment of private open space areas contribute to the master planned themes for streetscape and public open space (where private open space is visible from these public areas).

O7. Landscape treatments complement solar access requirements for buildings.

O8. Planting:

- is appropriate for its setting and environment;
- is provided in the public and private domain;
- complements the existing landscaping and topography, lighting and street furniture;
- is simple and robust; and
- provides privacy, screening and shading where required.

O9. All new landscaping is to be designed to be low maintenance and low water usage.

Controls

C1. New plantings shall contain endemic species that are of low maintenance and low water usage.

C2. Cultural plantings shall be used where existing plantings are to be enhanced.

C3. The minimum area of soft landscaping for residential development as a percentage of the total site area for each dwelling type shall be as set out in Table 4 below.

C4. Private open space shall be of a minimum size as set out in Table 4 below and be able to contain a square measuring a minimum of 4m x 4m which is free from obstructions such as garden beds and steps.

C5. Private open space areas associated with residences shall accommodate outdoor recreation needs and function as an extension of interior living areas.

C6. Planting shall be used to minimise overlooking between dwellings, and between dwellings and public or common areas; having regard to crime prevention principles.

C7. Planting shall be of appropriate mature heights and volumes to the space allotted to them.

C8. The area between the front property boundary and the front building line shall not be considered as private open space unless solar access is principally to the front garden space and this area is suitably fenced and screened.

Table 4 - Minimum private open space per dwelling type

	Detached	Semi detached / zero lot line houses	Terrace houses & town houses
Minimum area of private open space	70m²	60m²	35m²
Minimum landscaped area of site	45%	40%	30%

3.5.5 Fencing

Objectives

O1. Fencing is to:

- clearly demark the public, semi-public and private domains;
- complement the dwellings and the streetscape; and
- provide privacy where appropriate.

O2. All new dwellings to have side and rear boundary fences.

O3. Front fences, where appropriate, contribute to the streetscape and allow gardens to contribute to the public domain

O4. Front fences, where appropriate, extend alongside boundaries of corner sites back to the building line.

O5. Ensure that rear and side fencing assists in providing privacy to private open space areas.

O6. Fence height, location and design should not affect traffic sight distances at intersections.

O7. Ensure that front fences relate in proportion to the height of the building and are appropriate to the style of residence

Controls

C1. Side boundary fencing constructed behind the building alignment setback shall be a maximum height of 1.8m and be constructed from materials which complement the design of the dwelling.

C2. The front and side dividing fences where located within the front yard area shall not exceed a height of 1.2m as measured above existing ground level and shall be a minimum of 50% transparent.

C3. Front and side dividing fences where located within the front yard area shall not be constructed of solid pre-coated metal type materials such as colorbond or similar.

C4. Front fencing that is to provide privacy screening for external living areas shall be considered up to a maximum height of 1.8m if complementary to the dwelling design.

C5. Fencing to secondary road frontages and rear vehicular access shall be a maximum of 1.8m in height at the road boundary from the rear boundary up to the line of the front of the dwelling and must be of materials and design complementary to both the streetscape and dwelling.

C6. Front fences shall be compatible with and sympathetic to the dwelling design.

C7. Fencing styles shall complement both the architectural design of the dwelling and the streetscape. Front fences should not exceed 1.2m in height unless required for provision of privacy to private open space and unless appropriately screened by landscaping and with variations in materials and alignment.

3.5.6 Ancillary site facilities

Refer to either the Part B of this DCP.

3.5.7 Site drainage and stormwater management

The provision for and use of treated effluent is to be considered in housing development and public open space areas.

Stormwater runoff from the overall site should not occur at a rate greater than that which existed prior to site development works unless catered for in downstream control facilities and agreed by both the owner of the affected property and Council.

The conservation and re-use of stormwater is encouraged, but not so as to cause degradation of downstream waterway systems or result in economically unsustainable design alternatives. The system provided should ensure that there is no decline in the quality of stormwater leaving the site.

Objectives

O1. The drainage strategy takes into account a total catchment management approach such that downstream drainage systems are not impacted adversely through alteration to existing drainage flows from the site

O2. Drainage systems and ground surface areas are to be protected from pollutants and soil erosion. Pollutant and sediment control measures are required for all subdivision applications.

O3. The drainage works for the site are to preserve the effectiveness of existing downstream flood mitigation and drainage works.

O4. Proposed development is not to increase downstream flooding or increase pollutants on a total site performance basis. Off-site mitigation measures will be accepted as meeting this criteria subject to satisfactory arrangements with the affected landowner.

O5. Stormwater infrastructure is to be designed to be aesthetically pleasing and landscaped so as to serve a dual function as a continuation of the open space and stormwater management.

Controls

C1. Stormwater shall be detained so that it is discharged from the site at rates not exceeding those at present and so there is no increase in the rate of flow in the catchments below the land to which this Part applies.

C2. Stormwater shall be treated so that it is discharged from the site with a quality not less than the water quality of discharges at present and meeting all antecedent precipitation index (API) parameters for discharge of stormwater from new development sites up to 1 year ARI.

C3. Stormwater shall be collected, conveyed and discharged for storms up to a 20 year ARI frequency, without flooding or unacceptable inconvenience.

C4. Residential site drainage shall comply with the Part G of this DCP as well as additional site specific requirements provided below.

C5. Soil and water management plans shall be submitted with all subdivision applications, and development activities shall be staged in a manner to suitably manage the effects of land disturbance.

C6. Dual use of open space areas for drainage and stormwater management shall be encouraged as an efficient utilisation of land and shall be designed and constructed in accordance with appropriate standards relating to public safety and risk management.

C7. The developer shall determine with Council appropriate operation procedures and designs including fences and other measures to ensure appropriate public safety relating to stormwater infrastructure (both dedicated to Council and in private ownership), particularly permanent water bodies.

C8. Drainage facilities shall be of standard or other approved designs and supported by design calculations. Designs are to facilitate maintenance, cleaning and disposal of excess plant materials and other pollutants

C9. Drainage systems shall be designed and constructed in accordance with the design guidelines set out in the most current version of Australian Rainfall and Runoff published by the Institute of Engineers Australia. The adequacy of water quality systems shall be assessed by suitable modelling.

C10. On-site detention (OSD) systems shall be designed in accordance with the requirements set out in Australian Rainfall and Runoff and Part G of this DCP.

C11. Trapped sag points shall be avoided.

C12. Permanent structures (i.e. dwellings, garages, impervious fencing etc.) shall not be constructed within the 1% Average Exceedance Probability (AEP) storm level or drainage flow path. Habitable rooms shall have a freeboard of 500mm above the flow surface unless otherwise justified. Garages and basement car parks shall be designed to prevent storm flows from entering. Larger floods shall not to result in catastrophic impacts.

C13. Site servicing and building design shall provide for maximum practical rain water use in the private and public domain. Alternatively, these needs may be serviced by the installation of a treated effluent reticulated system to Sydney Water's requirements.

3.6 Residential development and subdivision controls

3.6.1 Housing and private domain principles

This section recognises that a range of densities is required to create a diverse built form that provides a wide choice of housing types.

A range of densities across the site is occurring and is further anticipated, and concentration of certain types is encouraged where it may be appropriate to create areas of distinct character where all other urban design, built form and housing controls can be met.

The private domain is to provide a high level of amenity to residents. The private domain includes private open space as well as the interface between private open space and dwelling interiors. Adequate solar access and privacy are fundamental qualities of the private domain.

To guide the built form and character of the private domain and to ensure that a high quality environment is created the following principles are to be met:

- A range of building types and densities are to be provided. This mix should include detached, semi detached/zero lot line dwellings, town

houses and terrace houses along with some studio accommodation above garages that are separate from the dwellings.

- Buildings are to address the street and reinforce territorial definition.
- Building design is to be responsive to, and integrated with, its environment and adjoining dwellings.
- Building design is to be contemporary and be compatible in scale and proportion with the horizontal proportions of the heritage hospital buildings.
- The building design is to be energy efficient and may include eaves and other shading devices.
- Building design is encouraged to link internal living and external courtyard/garden spaces.
- Street facades and appearance are to be considered as part of overall streetscape design.
- Building materials and finishes are to be durable.
- Private domain landscape is to contribute to the landscape masterplan for the site.

3.6.2 Housing objectives

Objectives

To ensure that residential development of land:

O1. creates a high level of residential amenity;

O2. ensures that individual housing design is integrated and sympathetic to the approved master plan and intended character of the area;

O3. ensures a distinctive architectural approach is adopted using a variety of housing types that incorporate strong contemporary roof forms and modulation, eave overhangs, as well as elements such as louvres that control and regulate the microclimate;

O4. promotes the building of dwellings that maximise the opportunity for energy efficient usage and solar access;

O5. provides residents with a high level of private amenity, particularly in relation to outlook and private open space;

O6. creates a socio-economically diverse residential community that is safe and convenient for residents; and

O7. provides opportunities for social interaction, neighbourhood living, recreation, and cultural and environmental awareness.

Master plan

Is a plan prepared by the applicant that accompanied the Stage 1 development application. It sets out the general principles relating to the development of the site in relation to the principal road network, open space areas and drainage infrastructure. The master plan is consistent with the principles and requirements of the Lidcombe Hospital Site Conservation Management Plan September 2002.

3.6.3 Subdivision, allotment planning, size and shape

Objectives

O1. Subdivision provides for a variety of housing types to meet a variety of housing needs including meeting the needs of the aged and people with a disability.

O2. The allotment size and shape is adequate to contain the particular housing type, open space and car parking (with the required amenity).

O3. The allotment size and shape sets up a regular subdivision pattern related to the particular dwelling type, the street hierarchy and the block and street pattern.

O4. The allotment size and shape allows for buildings to align with the street system.

O5. Where there are special conditions relating to landscape, topography, heritage, retention of existing buildings, that unique sized and shaped allotments are created.

O6. Subdivision makes provision for dwelling houses and multi dwelling housing such as:

- detached housing;
- semi detached/zero lot line houses; and
- terrace houses.

O7. Individual allotments permit sufficient area commensurate with the dwelling type to allow for useable outdoor open space and solar access as required elsewhere in this Part.

O8. The allotments and the location of the buildings are organised to set up regular patterns of buildings and space.

O9. The allotments enable a range of housing types and spatial distribution.

O10. The irregular shaped and sized allotments provide the opportunity for specific design solutions.

O11. The allotments are predominantly rectangular.

O12. The allotments which provide the higher density are located around the open space system.

O13. The allotments are located so that the dwellings relate to the street hierarchy.

Controls

C1. A street hierarchy shall be defined and related to housing types.

C2. Level changes along a street block shall be made incrementally with minimal cut and fill.

C3. Vehicular access ways at the rear of properties shall take advantage of level changes to increase the size of rear yard areas, and minimise cut and fill, and reflect the topography.

C4. Housing types shall be built to a height of up to 3 storeys where it is necessary to define and balance the spatial system.

C5. Minimum lot frontages for each of the dwelling types are set out in Table 5 below.

Table 5 – Minimum subdivision standards for individual dwelling types

	Detached	Semi detached/zero lot line houses	Terrace houses & town houses
Minimum frontage width at building line (m)	12 *	7.5	6

* may be reduced to 10m if the dwelling has a garage that is accessed from the rear of the property

C6. Strata titling of studio accommodation shall be considered where the following outcomes are provided:

- Both the primary residence and the studio have individual frontage to a public road.
- A minimum of 1 covered off-street car parking space is provided for the studio in addition to car parking required for the principal residence.
- The studio accommodation has a minimum habitable floor area of 45sqm.
- The studio accommodation has a balcony or private courtyard (designed to eliminate overlooking) of minimum 8sqm and a minimum depth of 2m.
- The allotment on which the studio accommodation is located has a minimum width of 10m and a maximum area of 55sqm.
- The privacy of the principal residence's rear yard and adjoining allotments is not compromised.

C7. Ensure subdivision and allotment planning for front and rear loading and multi dwellings are undertaken in accordance with Figures 3 and 4.

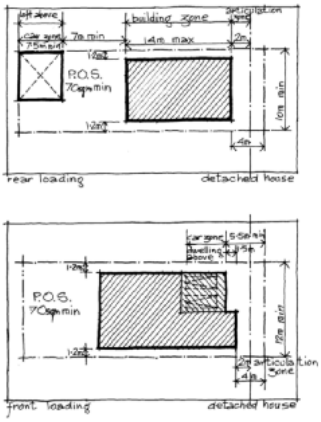


Figure 3: Subdivision and allotment planning control diagram – Front loading and rear loading.

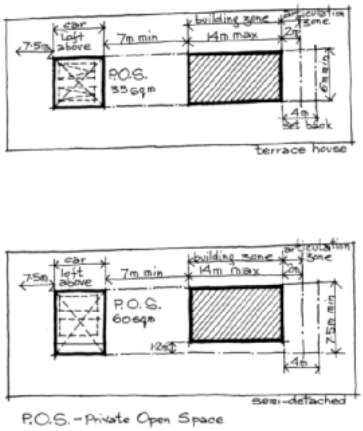


Figure 4: Subdivision and allotment planning control diagram – Multi dwellings.

3.6.5 Dwelling design and form

Objectives

O1. A range of dwelling types form a series of neighbourhoods, each having a distinctive character arising from the predominance of a particular dwelling type related to the street hierarchy, topography, heritage features and open space.

O2. Housing variation caters for a socio-economically diverse community.

O3. Ensure dwellings and garages are designed with regard to site conditions and minimise impact on landform.

O4. Ensure dwelling and garage design has regard to the amenity of adjoining development and surrounding properties.

O5. Ensure that dwellings built in the vicinity of heritage or retained buildings are designed so as not to detract from the significance or character of the heritage building or group of heritage buildings.

O6. Ensure that dwellings have a high level of internal and external amenity.

O7. Denser housing forms are to be located around open space and on wide verges.

O8. Dwelling groups are not composed of different dwelling types (e.g., terrace dwellings are to stand alone as one group).

O9. Dwellings in the vicinity of heritage and/or retained buildings are to be sensitive to and compatible with such buildings and be designed so as to not detract from the significance or character of the heritage/retained building(s).

O10. Taller or raised housing forms are to be located where land slopes away from an open space or across the width of the street.

O11. Where land slopes along the street, dwellings to follow the slope of the land.

O12. Floor to ceiling heights to enable good light penetration and cross ventilation.

O13. Ensure that groupings of similar types of dwellings create areas of a particular identity in the built form and streetscape.

O14. Ensure that dwelling design and types reinforce corners, the street, and open space hierarchy.

O15. Dwellings and garages are designed with regard to the site conditions and minimise the impact on landform.

O16. Ensure the majority of garages for dwellings are located off the primary street frontage and are accessed by a rear lane.

Controls

C1. A minimum of 20% of the total number of dwellings shall be detached dwellings.

C2. The building height controls and floor to ceiling controls applicable to buildings are set out in the Table 6, below.

Table 6 – Floor to ceiling heights

	Levels	Minimum	Maximum
Dwellings	Ground floor	2.7m	3.0m
	1st and 2nd floor	2.4m	2.7m

C3. Groupings shall comprise denser forms around parks, open space and wide verges.

C4. The maximum building depth of any second or third storey components of dwellings shall be 14m.

C5. Stairs, verandahs, entry features, courtyard walls, balconies, carports and porticos may encroach within the primary building line by not more than 2m provided the design, materials, colour and construction match the main dwelling.

C6. Dwellings shall be predominantly two (2) storeys with some component of single storey. Three (3) storey dwellings shall be considered if they are on sites where it can be demonstrated that it enhances the streetscape and/or legibility.

C7. The floor level of any dwelling shall be a minimum of 500mm above the 1% AEP level of any adjacent drainage easement or water course or OSD facility.

C8. Garage door openings fronting a public road shall be not be more than 5.0m wide or 50% of the frontage width of the allotment measured at the building alignment, whichever is the greater.

C9. Garage door fronts shall be setback a minimum of 5.5m from the street boundary and 1.5m back from the front dwelling façade.

C10. A minimum of 30% of dwellings shall have garage access from the rear of the allotment.

C11. Rear access shall be organised to optimise the street character and to limit the number of garage doors facing the street frontage.

C12. Garages, particularly doors, carports and parking areas shall be detailed to reduce their visual impact and add interest at ground level. The materials used in the garage shall complement those of the house.

C13. Garage and carport design shall be in the same application as the dwelling even if it is to be constructed at a later date.

C14. Carports shall be designed so that secondary elements do not dominate the dwelling façade.

C15. Pitched roofs to carports shall not permitted unless compliance with the streetscape objectives can be demonstrated and the carport structure does not dominate the dwelling façade.

C16. Carports shall be a maximum of 3.5m in width.

C17. Carports shall be designed as open pergola type structures. This may include a flat roof and shall not be screened on the sides or front.

C18. Carport structures shall be setback a minimum of 2m from a primary street front boundary.

C19. Carport structures shall not exceed 3.5m in height including all elements.

3.6.6 Density of dwellings

The overall dwelling density was determined by the Land and Environment Court on 7 July 2004 when consent orders were issued in respect of development application number 572/02 for the staged development of the site. Condition number 67 stipulates that no more than 750 dwellings shall be yielded which is inclusive of the further stages of the development.

Objectives

O1. Ensure that the amount of development over the whole site is to enable a successful resolution between the new development, the heritage buildings and the public domain including open space.

O2. The highest density housing forms are located around the open spaces.

O3. Density is to be optimised while allowing for:

- adequate open space;
- appropriate curtilage for heritage and retained buildings;
- appropriate curtilage for landscape of exceptional and high value;
- a street and block system which suits the building typologies and enables the reading of the landscape setting; and
- minimum intrusion on the topography.

3.6.7 Site coverage

Objectives

O1. Site coverage enables the proposed building type, adequate open space and the required car parking.

O2. Site coverage varies to suit the dwelling type i.e. terrace houses require greater site coverage than detached houses.

O3. Development achieves:

- A clear physical (bulk) relationship between each building type and its allotment size with regard to creating neighbourhoods of some homogeneity.
- Adequate separation between dwellings particularly at the rear of the site.

Control

C1. The maximum site coverage for residential development as a percentage of the total site area for each dwelling type shall be as per Table 1 below:

Table 1: Maximum Site Coverage

	Detached	Semi detached / zero lot line houses	Terrace houses & townhouses
Maximum site coverage	55%	60%	70%

3.6.8 Composition within street blocks and along streets

Objectives

O1. ensure that the organisation of the dwellings within the street block relate to the street and open space hierarchy and desired future character of the precinct.

O2. Overall the composition within the residential street blocks is arranged so that:

- the street hierarchy is reinforced;
- the characteristics of the topography and landscaping are revealed;
- there is a setting for the dwellings;
- there is a public realm of high quality;
- view corridors are reinforced;
- views and vistas between dwellings are provided where appropriate;
- competing requirements for rear access, building type, streetscape and street hierarchy are balanced;
- the composition of lanes within street blocks sets up the response required for the housing to the street;
- the number of any particular housing type within a block responds to the street composition;
- building types on opposite sides of the street are of a similar type so that precincts and streets have a consistent character;
- for parks and vegetated areas that slope from one side to the other, housing fronting the low side of that slope is to be generally higher than the housing on the high side. Thus better defining the spatial volume of the park and street;
- vehicular access ways at the rear of properties can be open (permitted security gates) at both end; and
- rear vehicular access ways, streets and dwellings are located as closely as possible to the natural contours.

Control

C1. Dwellings shall be organised so that:

- denser dwelling forms are to be located around open space and wide streets;
- high house forms are located on the main entrance park way;
- the spacing between different types of dwellings is to be regular and related to topography, length of street block and potential view corridors; and
- the qualities of the topography and spatial organisation are balanced by the built form.

See Figure 5 below.

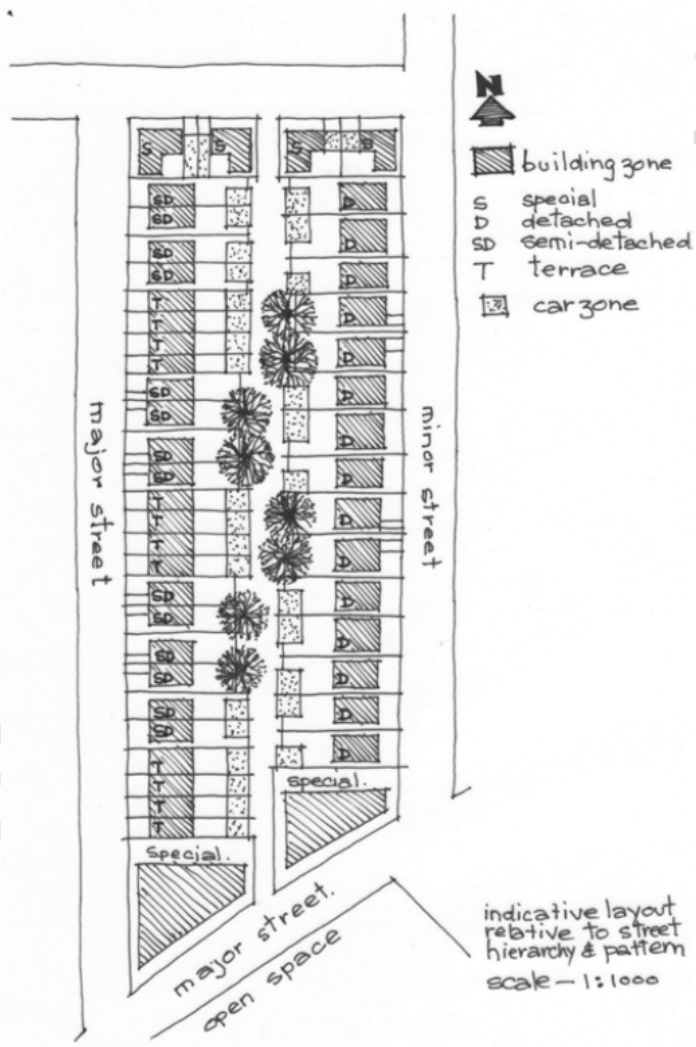


Figure 5: Composition within street blocks.

3.6.9 Architectural Expression

Objectives

O1. Ensure that dwellings relate well to one another and contribute to the quality of each precinct and the overall quality of the development.

O2. The architectural expression of dwellings is to ensure that:

- attached housing has clearly defined party walls which enable buildings to adjust to the topography without large benching;
- roof forms in attached housing are to reflect the stepped changes at ground level;
- a high standard of architectural design of both individual dwellings and groups of dwellings;
- special design responds to unusual block shapes such as corner lots, non rectangular lots, and heritage buildings;
- special urban design features are reinforced such as the alignment of roads which curve towards a spatial gateway or landscape focus;
- building entries are clear and legible;
- windows, facades and rooms are well proportioned;
- materials and detailing are appropriately used;
- roof forms are used which relate to the definition of space and do not create big buildings such as hip roofs on runs up terrace houses are not appropriate;
- attention to both the building base and roof is required;
- roof forms in attached housing reflect the stepped changes at ground level;
- windows to main rooms are directed to the front and rear
- the head height of windows relate to the height of the ceiling; and
- there is variety but continuity between dwellings.

Controls

C1. Design of dwellings shall consider the following:

- Articulation of building facade using:
  - material and detailing;
  - legible building entrances;
  - balcony and other elements; and
  - well proportioned openings, window, type and size.
- Corner buildings shall be articulated to reinforce the corner condition by addressing both street frontages.
- Building elements such as balconies, verandahs, pergolas, sun shading, porches and other elements shall be used to articulate the facade.
- Windows to living areas shall be directed either to the street or rear private open space (and vehicular access ways) to provide surveillance to the street and other open space areas.
- Modulation of the facade shall be integral to the design of the building, its setting and not arbitrary.
- Level changes along a street block shall be made incremental with minimal cut and fill.

- Vehicular access ways to the rear of properties shall take advantage of level changes to increase the area of the rear yard area, minimise cut and fill and reflect the topography. Refer to Figure 6 and 7 below.

C2. Windows and doors, particularly those that face the street, shall be provided in a balanced manner and respond to the orientation and internal uses.

C3. Roofs shall be pitched between 20 and 40 degrees with well resolved junctions. Refer to Figure 6 and 7 below.

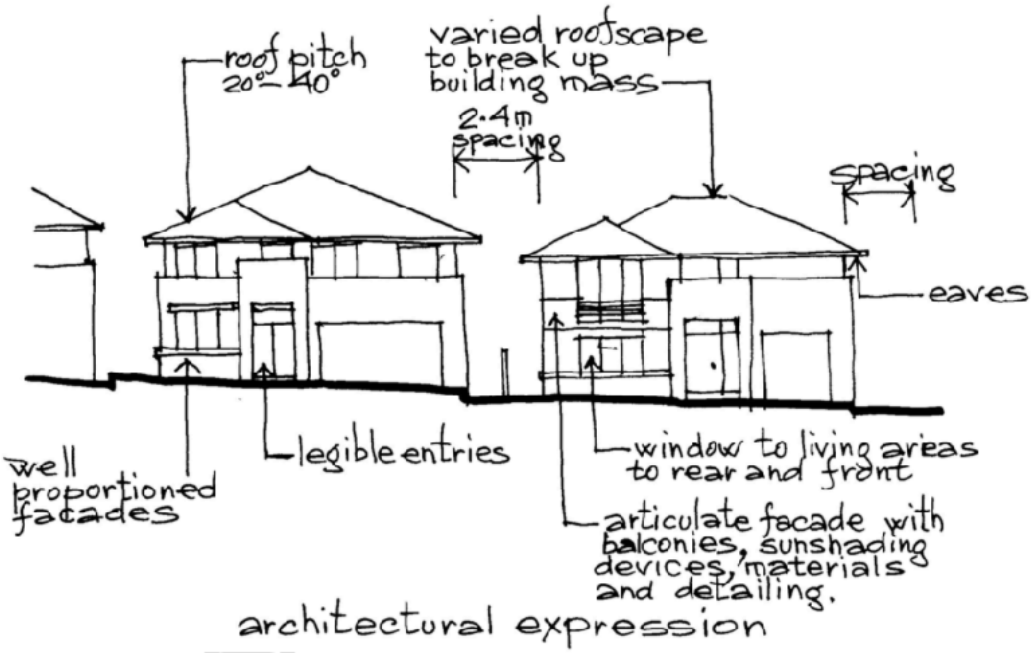


Figure 6: Forms of architectural expression

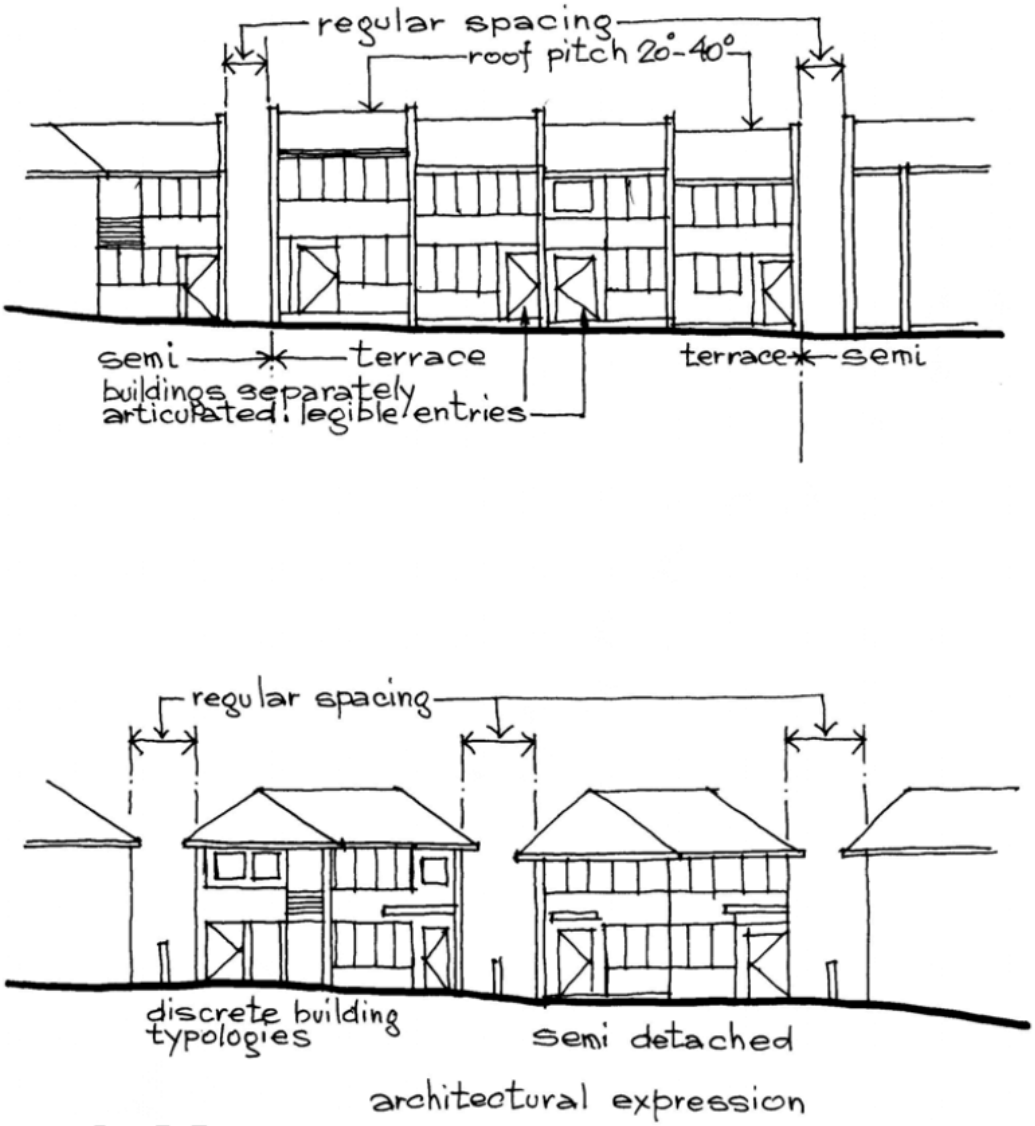


Figure 7: Forms of architectural expression

3.6.10 Adaptable housing

Objectives

O1. Ensure a sufficient proportion of dwellings include accessible layouts and features to accommodate changing environments of residents.

O2. Development to allow for dwelling adaptation that meet the changing needs of people's lifestyle.

Controls

C1. A minimum of 10% of the total number of dwellings shall be constructed so as to be adaptable for use by aged or disabled occupants in accordance with the relevant provisions of the Building Code of Australia and Australian Standards.

C2. Refer to the requirements for adaptable housing in Part B5 of this DCP.

3.6.11 Building materials

Objectives

O1. Ensure that materials are durable and have a long life.

O2. Ensure that materials have low embodied energy.

O3. Ensure that materials contribute to the design of the buildings in terms of aesthetics and comfort.

O4. Materials are to:

- create a high quality finish which is robust over time;
- be appropriate to the scale and detailing of the building;
- relate well to one another;
- respond to the heritage buildings on the site; and
- provide thermally responsive dwellings.

Controls

Walls

C1. Exterior walls shall be predominantly masonry and/or timber. Lightweight materials especially timber can be used to add interest and texture to the building and to break up larger expanses of wall.

C2. Bolder brighter shades for areas of detail shall be appropriate provided that these are in keeping with the overall colour scheme of the house and do not detract from the general harmony of the street.

Roofs

C3. Single colour tile roofs are preferred. Pre-finished metal sheeting may be used on concealed roofs or "lean to" construction.

C4. Colours shall reinforce the character of the precinct.

Windows

C5. Windows may be constructed of timber or pre-finished aluminium and shall be in a dark colour.

3.6.12 Solar amenity

Objectives

O1. Ensure that housing design is energy efficient, assists in developing ecologically sustainable residential communities and leads to a reduction in the household use of fossil fuels.

O2. The design of buildings minimises household energy needs, utilises passive solar design principles and ensures adequate solar access.

O3. Shading to western walls is to be provided where not overshadowed by adjoining walls or vegetation.

O4. Roof insulation is incorporated in to all residential development.

O5. All dwellings have high levels of light penetration.

O6. Cross ventilation is provided.

O7. Buildings are to be designed with windows that are located, sized and/or shaded (including the use of eaves) to facilitate thermal performance and minimise the use of artificial light during daylight hours.

O8. The design of residential dwellings is to demonstrate passive design principles including:

- window placement;
- building orientation;
- shading;
- insulation;
- ventilation; and
- sensitive landscaping.

Controls

C1. The use of materials shall minimise energy use over their whole lifecycle.

C2. All residential buildings, where not affected by external noise sources, shall be able to be operated in a naturally ventilated mode and achieve comfortable internal conditions.

C3. Vegetation shall be used to cool the ambient temperature within the development. Selective use of trees shall include consideration of deciduous trees to provide shading in summer and allow passive heat in winter.

C4. Buildings shall be designed to allow passive heating in winter. Selective shading shall be applied so that the high angles of sunlight in summer do not penetrate the buildings.

C5. Distances between buildings shall be designed to allow natural light to dwelling living spaces.

3.6.13 Privacy and overshadowing

Objectives

O1. Ensure the design of buildings and position of windows respects the privacy of adjoining residents.

O2. Buildings are to be sited and designed to ensure provision of daylight to habitable rooms in adjacent dwellings and neighbouring open space including the private open space associated with dwellings.

O3. Buildings are to be designed to ensure appropriate levels of privacy.

O4. Developments are to include site planning, building design and landscaping that minimises the overshadowing of adjoining properties.

Controls

C1. Windows to living areas shall face predominantly to the street and to the rear.

C2. Windows to living areas that face directly on to windows, balconies or private open space of adjoining properties shall be appropriately screened and/or have reasonable separation. A distance of 9m between openings of separate dwellings is required unless other mitigating measures are adopted.

C3. First floor balconies shall not be permitted where directly overlooking living areas of adjacent dwellings unless suitable screening is provided.

C4. At least 50% of the ground level private open space shall receive not less than 3 hours of sunlight between 9am and 3pm on June 21 for a minimum of 80% of all dwellings.

C5. At least one internal living area shall have access to a minimum of 3 hours of direct sunlight between the hours of 9am and 3pm on June 21. This shall be achieved for a minimum of 80% of all dwellings.

3.7 Waste controls

Applicants must refer to the waste requirements held in Part G of this DCP.

3.8 Parking and loading controls

Applicants must refer the parking requirements held in Part H of this DCP.

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Greystanes Creek

Contents

1. Introduction

1.1 Land to which this Part applies

This section applies to land situated in the City of Cumberland outlined in heavy black as shown on the plan map marked Figure 1. A list of the properties subject to this plan is contained in Appendix A.

All sections of the Plan shall apply when affected properties are developed for multiunit dwellings or are subdivided. For other forms of development the "Setback" and "Drainage" sections shall apply.

2. Vision and General Objectives

2.1 Context

In early 1993, a portion of Greystanes Creek between Oklahoma Avenue / Memphis Crescent and Octavia Road, Toongabbie was realigned as part of flood mitigation works, and a program of regeneration to re-establish the native vegetation was commenced prior to the formation of Cumberland Council.

A Plan of Management (POM) for Greystanes Creek Reserve has also been prepared, which outlines future management strategies and works which will enhance the Reserve's value for recreation, wildlife habitat, nature conservation, water quality improvement, drainage, and flood mitigation. Private property adjacent to the Greystanes Creek Reserve will play a vital role in supporting these works, and this section of the DCP aims to ensure that new development is compatible with the aims of the POM.

2.2 Aims

The purpose of this section of the DCP is to provide guidelines that will ensure development on land adjacent to Greystanes Creek Reserve is compatible with the Greystanes Creek Reserve Plan of Management by:

- Extending the potential for a wildlife corridor by re-establishing the native bushland vegetation of the creek environment on land adjacent to the Reserve;
- Enhancing the visual appeal, landscape characteristic and scenic quality of the Reserve;
- Providing a visual buffer between the Reserve and development on land adjacent to the Reserve; and
- Limiting sediment and nutrient run-off through the establishment of a vegetated buffer between new development and Greystanes Creek Reserve.

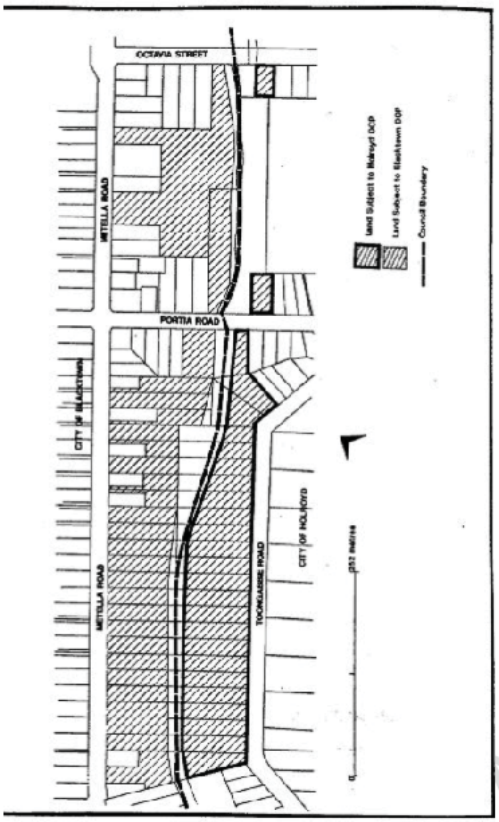


Figure 1: Greystanes Creek

3. Specific Objectives and Controls

3.1 Setback

Objectives

O1. Ensure the potential for a wildlife corridor onto land adjacent to the Reserve.

O2. Ensure a visual buffer is provided between the Reserve and development on adjacent land.

Controls

C1. All buildings and structures shall be set back 10m from the boundary adjacent to the Greystanes Creek Reserve. Buildings and hard surfaces shall not be permitted within this 10m zone. This zone will constitute part of the overall landscaped area of the development.

C2. The 10m setback has been derived from the expected size of the tree canopy for those tree species indigenous to the area. This will permit the planting of trees close to the property boundary adjacent to Greystanes Creek.

C3. Reserve with the reduced likelihood of tree roots interfering with buildings or utilities when the trees mature. The tree canopy will also not extend over the roof of any buildings, which could be a matter of concern.

C4. Consideration will be given to setbacks of less than 10m on those blocks that have a side boundary with the reserve.

3.2 Fences

Objectives

O1. Ensure there is a minimal physical barrier to the extension of the wildlife corridor from the Reserve onto adjacent land.

O2. Ensure there is a minimal visual barrier between the Reserve and development on adjacent land.

Controls

C1. Fencing of property along boundaries with the Greystanes Creek Reserve shall have a maximum height of 1.8m and be of an open pool type construction.

C2. The fencing is to be of a dull metallic finish and of a colour that blends with the natural bushland environs. This type of fencing will extend the potential for a wildlife corridor by removing the physical barrier between plantings on the Reserve and adjacent land. The open fencing will enhance the scenic quality of the Reserve through the visual integration of the Reserve and adjacent land and increase safety by providing improved visibility.

3.3 Landscaping and Site Design

Objectives

O1. Extend the potential for a wildlife corridor by re-establishing the native bushland environment on land adjacent to the Reserve.

O2. Enhance the visual appeal, landscape characteristic and scenic quality of the Reserve.

O3. Provide for shade and acoustic and visual privacy on land adjacent to the Reserve.

Controls

Retention of Native Vegetation

C1. There shall be no removal of local endemic trees or understorey vegetation, other than noxious weeds, within the proposed 10m buffer.

C2. All plans for development must ensure that local endemic plant species are retained and protected.

C3. Vegetation to be retained is to be protected from damage during construction works, such as the compaction of soil and damage to root systems.

C4. Council's Tree Management Order forbids the removal or lopping of any tree without Council consent.

Vegetation

C5. Council shall require that all vegetation planted in the landscaped area are plants commonly found in the area, as per Appendix C. A list of specialist nurseries is available from Council.

C6. Developers will be required to submit landscape plans with the Development Application.

C7. The details of the proposed landscaping are to be prepared by a suitably qualified person acceptable to Council.

C8. Council requires that a landscape bond be lodged on the basis of the value of the proposed development. The bond is to be retained for a minimum period of 12 months after the completion of development to ensure that landscaping works have been undertaken, are successful, and have been satisfactorily maintained.

Landscape Works

C9. Within the 10m buffer zone landscape works shall be undertaken in accordance with this plan so as to re-establish local bushland vegetation.

C10. The landscape works shall consist of a garden bed located adjacent to the boundary fence (Refer to Figure 2).

C11. The garden bed shall have a minimum width of 2.5m, be planted only with those endemic plant species listed in the Species List and include trees, shrubs and groundcover.

C12. The planting shall be of sufficient density to replicate a natural bushland ecosystem. The aim is to provide habitat for native wildlife, such as birds, invertebrates and insects.

C13. The following density of plantings are given as a guideline:

Planting Densities:

- Trees: 1 per 4-5 m^2
- Shrubs: 2 per $1m^2$
- Ground cover: 4-8 per m^2

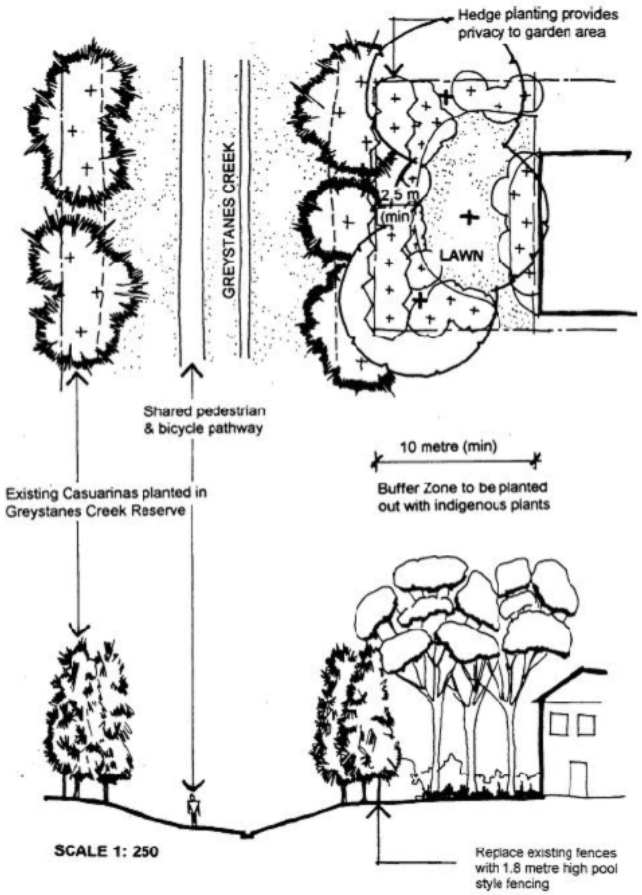


Figure 2: Landscape treatments

3.4 Drainage

Objectives

O1. Ensure the amount of urban run-off pollutants to Greystanes Creek is as minimal as possible.

O2. Ensure adequate control erosion measures are taken.

Controls

C1. Appropriate erosion and sedimentation controls shall be undertaken in accordance with Council's Erosion and Sedimentation Control Policy to the satisfaction of Council's Building Surveyor.

C2. Measures to minimise nutrients and sediment entering Greystanes Creek shall be undertaken through the establishment of a vegetated buffer between the development and Greystanes Creek.

3.5 Fire

Objectives

O1. To ensure the potential for bushfire risk on the Reserve and adjacent land is as minimal as possible.

Controls

C1. It is recommended that fuel reduction measures are undertaken on land adjacent to the Reserve.

C2. Measures include the provision of leaf guards to gutters. Within the Greystanes Creek Reserve itself, the creek and drainage channels form natural fire breaks, which, combined with fragmented and isolated nature of the vegetation, means that major fire events are unlikely to occur.

4. Appendix A – Greystanes Creek

Land within the Greystanes Creek Precinct

DP 837421 Lot 41 139 Toongabbie Road, Toongabbie

DP 837421 Lot 40 137 Toongabbie Road, Toongabbie

DP 837421 Lot 39 135 Toongabbie Road, Toongabbie

DP 837421 Lot 38 133 Toongabbie Road, Toongabbie

DP 837421 Lot 37 131 Toongabbie Road, Toongabbie

DP 837421 Lot 36 129 Toongabbie Road, Toongabbie

DP 837421 Lot 35 127 Toongabbie Road, Toongabbie

DP 837421 Lot 34 125 Toongabbie Road, Toongabbie

DP 837421 Lot 33 123 Toongabbie Road, Toongabbie

DP 837421 Lot 32 121 Toongabbie Road, Toongabbie

DP 837421 Lot 31 119 Toongabbie Road, Toongabbie

DP 837421 Lot 30 117 Toongabbie Road, Toongabbie

DP 837421 Lot 29 115 Toongabbie Road, Toongabbie

DP 837421 Lot 28 113 Toongabbie Road, Toongabbie

DP 837421 Lot 27 111 Toongabbie Road, Toongabbie

DP 837421 Lot 26 109 Toongabbie Road, Toongabbie

DP 837421 Lot 25 107 Toongabbie Road, Toongabbie

DP 837421 Lot 24 105 Toongabbie Road, Toongabbie

DP 837421 Lot 16 103 Toongabbie Road, Toongabbie

DP 837421 Lot 18 101 Toongabbie Road, Toongabbie

DP 837421 Lot 23 99 Toongabbie Road, Toongabbie

DP 837421 Lot 22 97 Toongabbie Road, Toongabbie

DP 837421 Lot 21 95 Toongabbie Road, Toongabbie

DP 617512 Lot 1 26 Portia Road, Toongabbie

DP 11508 Lot 206 29 Portia Road, Toongabbie

DP 11508 Lot 181 18 Portia Road, Toongabbie

Development of Sherwood Scrubs and Adjoining Land

Contents

1. Introduction

1.1 Land to which this Part applies

This section applies to Lots 1 DP 1002887 and Lot 12 DP 1075418 ("The Site") on Kenyons Road, Merrylands.

2. Specific Objectives and Controls

Objectives

O1. Ensure that the siting of any future development are appropriate to the locality and of significant vegetation and natural or built heritage are preserved;

O2. Ensure that future development meets sound environmental practices and standards; and

O3. Encourage adaptive re-use and restoration of heritage buildings within the site.

Controls

C1. Any dwelling or other building erected within Lot 1 DP1002887 shall be wholly contained within a designated "Residential Precinct" as identified on Appendix A.

C2. Unless otherwise directed by Council, all existing trees greater than 3.5m in height external to a designated "development precinct" are to be protected and preserved.

C3. As far as possible, disturbance of the ground surface within the drip line of all trees over 3.5 m in height is to be avoided. All dwellings, structures and access roads are to be located to avoid disturbance of the following individual specimens:

Tree Number*	Description
312	Broad-leaved Ironbark
192	Mature Grey Box
193	Mature Grey Box
249	Mature Grey Box

(* Tree Numbers as identified on Appendix A).

C4. The design of the second storey should be integrated into the overall dwelling design and the reduced building footprint should assist in the retention of trees.

C5. Preservation of existing trees within designated "Residential Precincts" is to be maximised by the appropriate siting of dwellings, buildings and associated

private open space areas. Specific trees likely to be affected by the siting of dwellings or structures are to be clearly identified on any plans for erection of such and may only be removed with the express consent of Council.

C6. Development within Lot 1 DP1002887 shall make provision for establishment and maintenance of a "Native Vegetation Precinct". The location and extent of this precinct is to be as shown on Appendix A.

2.1 Specific Requirements applying to Lot 12 DP 1075418

Objective

O1. Ensure the heritage significance of this site is retained.

Controls

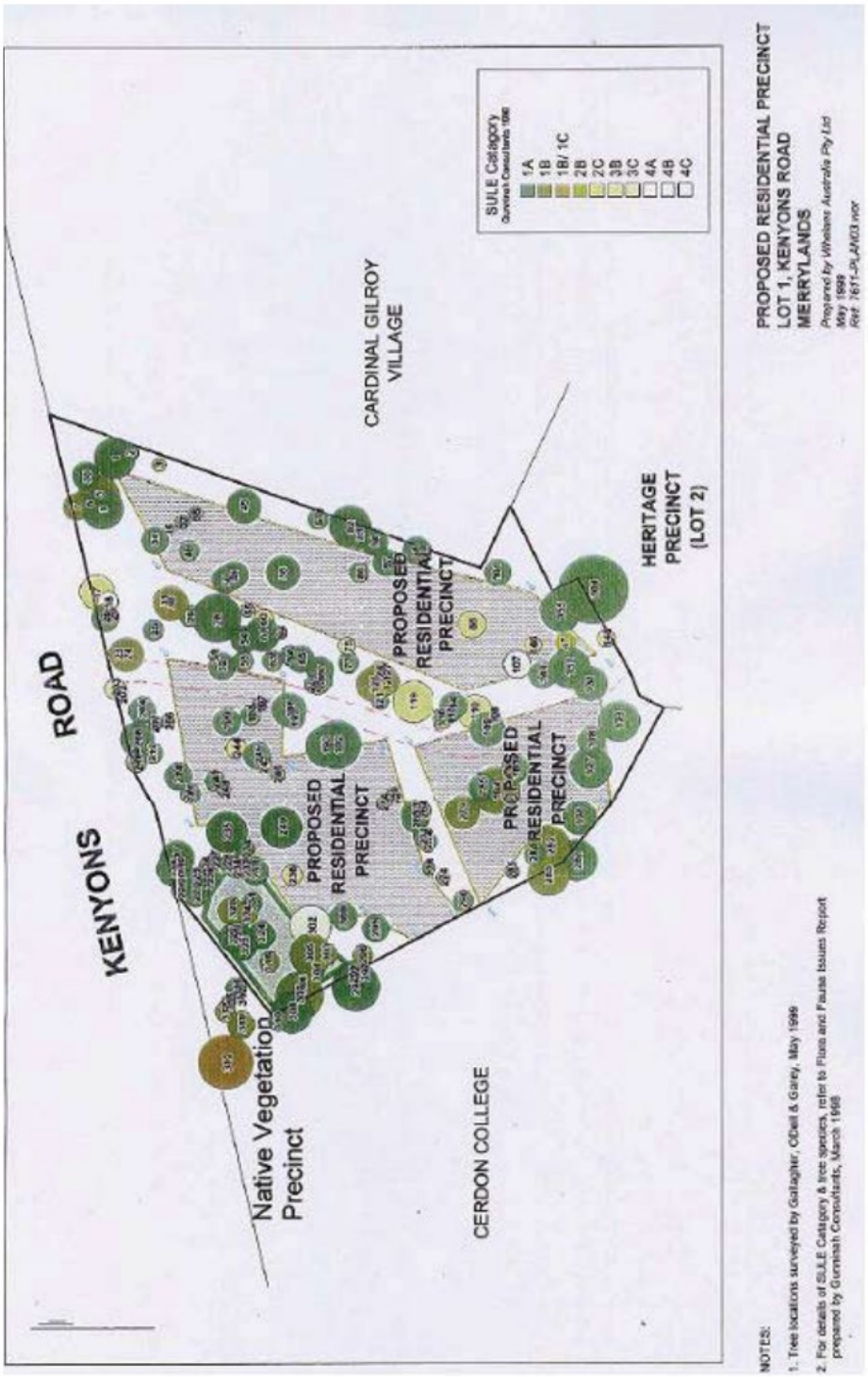
C1. The provisions of Cumberland Local Environmental Plan XXXX with respect to adaptive re-use of heritage items apply to this site.

C2. Any application to Council for adaptive re-use and/or residential development within this lot shall be accompanied by a Conservation Plan prepared by a suitably qualified architect.

C3. The Conservation Plan will:

- Describe the significance of buildings, structures and their setting as part of the environmental heritage of the City of Cumberland;
- Consider appropriate steps for conservation of identified elements to be undertaken in conjunction with the proposed development; and
- Describe appropriate steps to mitigate any adverse impact on the heritage significance of identified elements arising as a result of the proposed development.

3. Appendix A


SULE Category
1A
1B
1B/ 1C
2B
2C
3B
3C
4A
4B
4C
CARDINAL GILROY VILLAGE
HERITAGE PRECINCT (LOT 2)
PROPOSED RESIDENTIAL PRECINCT
PROPOSED RESIDENTIAL PRECINCT
PROPOSED RESIDENTIAL PRECINCT
KENYONS ROAD
Native Vegetation Precinct
CERDON COLLEGE
PROPOSED RESIDENTIAL PRECINCT
LOT 1, KENYONS ROAD
MERRYLANDS
NOTES:
1. Tree locations surveyed by Gallagher, ODell & Garey, May 1999
2. For details of SULE Category & tree species, refer to Flora and Fauna Issues Report prepared by Gunnisch Consultants, March 1998

Guildford Pipehead Precinct

Contents

1. Introduction

1.1 Land to which this Part applies

This part applies to the land shown on Figure 1 and known as the Guildford Pipehead Precinct.

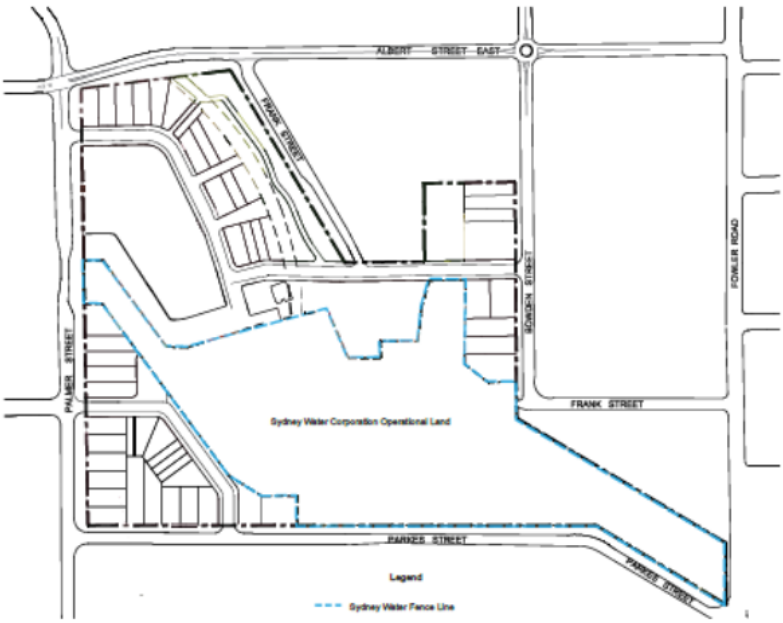


Figure 1: Guildford Pipehead Precinct Map

1.2 Relationship to other Parts of this DCP

Part F of Cumberland DCP XXXX shall be read in conjunction with the following Parts of Cumberland DCP XXXX, which contain objectives and development controls that may relate to development in this part:

- Part B – Development in the Residential Zones
- Part C – Development in the Business Zones
- Part E - Other Land Use Based Development Controls (Child Care Centres and Places of Public Worship)
- Part [ ] - Public Participation
- Part G – Miscellaneous Development Controls (Advertising and Signage and Heritage)
- Part H – Parking, Traffic & Vehicle Access
- Definitions

2. Vision and General Objectives

2.1 Objectives

O1. Facilitate the appropriate reuse of lands within the Guildford Pipehead Precinct that is surplus to current Government needs.

O2. Conserve and enhance the heritage significance of the Guildford Pipehead Precinct.

O3. Protect and conserve the natural heritage features of the Precinct and allow historic interpretation of the Guildford Pipehead Precinct.

O4. Only permit development that is reflective and sympathetic to the historic nature of the Guildford Pipehead Precinct and the character of the area surrounding it.

O5. Ensure that development on the perimeter of the precinct is compatible in character and scale with the surrounding residential area.

O6. Mitigate the impact of the change in land use with respect to the security needs of the operational Pipehead site.

O7. Provide for the conservation of and public access to:

- Land with significant natural heritage or conservation values;
- That part of the Lower Prospect Canal outside the operational Pipehead site.

2.2 Sub-Precincts

For the purposes of this Part of the DCP, the Guildford Pipehead Precinct is divided into the three sub-precincts, as indicated on Figure 2, whose character is described below.

Sub-Precinct A

- Having an approximate area of 24,011m2.
- Bounded by Palmer, Albert and Frank Street.
- Includes State heritage listed canal and significant heritage landscape plantings.
- Land is generally flat, with several steep embankments.
- Contains existing industrial sheds, from sites former use.
- Provides vistas to Prospect Hill, Blue Mountains and Holsworthy.
- Partial interface with low density, detached dwellings.
- Sub-Precinct A allows permeable views to Sydney Water site.

Sub-Precinct B

- Approximate area of 17,842m2.
- Frontage to Bowden Street.
- Contains significant plantings, predominant woodland character.
- Existing cycleway access is located within Sub-Precinct.

- Contains a number of steep slopes.

Sub-Precinct C

- Approximate area of 13,600m2.
- Located at the intersection of Palmer and Parkes Streets.
- Separated from SWC land by existing pipeline.
- Land is generally flat, although sloping along Parkes Street.
- Interface with existing low density, detached dwellings.

Figure 2: Sub-Precincts Map

3. Specific Objectives and Controls

3.1 Urban Design

Objectives

O1. Provide passive surveillance to the Sydney Water operational land through road and lot layout to allow visual connectivity and security.

O2. Interpret key historic themes and heritage values of the site through urban design and built form.

O3. Conserve existing significant vegetation.

O4. Allow the provision of a network of well located and usable open spaces.

O5. Provide a range of housing types, that integrate with the existing built interface ad landscape features.

Controls

C1. Create an east/ west link through the site to provide physical and visual connectivity.

C2. Create connections with the established residential area of Guildford West.

C3. Maximise pedestrian access and visual connectivity to the existing canal.

C4. Integrate new housing with housing forms in the existing area.

C5. Locate higher density housing types having regard for topography and significant visual corridors of the precinct.

C6. Facilitate pedestrian and vehicular access that allows connectivity within precinct.

C7. Design development to retain, as far as possible, the natural heritage features of the precinct.

C8. Maintain the landscape character of the precinct.

3.2 Lot Structure

Objectives

O1. Integrate new development with established development within the Guildford West area.

O2. Ensure all lots have a street address and enforce the street edge.

O3. Allow visual connectivity into and within the precinct.

O4. Create lot structures to ensure development maintains significant visual corridors.

O5. Ensure sustainable development through lot orientation.

O6. Ensure active surveillance of all public spaces.

Controls

C1. All lots shall have a primary frontage addressing a street.

C2. No battleaxe lots are to be created within the precinct.

Note: Refer to Figure 6.

Sub-Precinct A

C3. Lots located north of New Road 1 in Sub-Precinct A shall have a primary frontage to New Road 1 and a secondary frontage to Albert Street East.

C4. Lots located between New Road 1 and the Lower Canal in Sub-Precinct A shall have a primary frontage to New Road 1 or New Road 4.

Sub-Precinct B

C5. Lots in Sub-Precinct B shall have frontage to Bowden Street.

C6. Where possible, lots in Sub-Precinct B shall have a secondary frontage to New Road 1.

C7. Internal lots shall have frontage to New Road 1.

Sub-Precinct C

C8. Lots in Sub-Precinct C shall have frontage to either Palmer or Parkes Streets, or New Road 2.

C9. Lots Sub-Precinct C may have a secondary frontage to New Road 2.

3.3 Built Form

Objectives

O1. Ensure that building heights have regard for the heritage values of the Precinct, the topography and significant visual corridors of the Precinct and the character of the surrounding residential area.

O2. Ensure development is setback from internal and external roads and the Lower Canal so that the open appearance of the precinct is maintained.

O3. Allow row housing and zero-lot-line detached houses to be erected within the Precinct.

O4. Maintain existing views to, from and through the precinct.

O5. Ensure that the built form of the Precinct responds to existing vegetation and heritage items, including those on the Sydney Water operational land, and the surrounding built environment.

Controls

Building Orientation and Articulation

C1. All buildings shall address the relevant lots primary frontage to an existing or new road (or both) with appropriate articulation to provide interest to the public domain.

Building Height

Note: The maximum permissible height (in metres) is detailed within Cumberland Local Environmental Plan XXXX, as a written statement and associated maps.

C2. The maximum height of buildings, in storeys, within the Guildford Pipehead Precinct shall be:

Building type	No. Storeys
Detached and Attached Housing	2
Multi dwelling housing	2
Residential Flat building	4

C3. Notwithstanding C1, Council may permit 3-storey multi dwelling housing:

- Within Sub-Precinct A, south and west of New Road 1; and
- Within Sub-Precinct B, south of New Road 1 immediately east of the Community Park

Setbacks

C4. Buildings within Sub-Precinct A shall be setback from streets, side and rear boundaries in accordance with the requirements of Part B of this DCP but with the following exceptions (as shown on Figure 3):

- 15 metres from Palmer Street, between the Sydney Water operational land and New Road 1;
- 5 metres from the Lower Canal.

C5. Buildings within Sub-Precincts B and C shall be setback from streets, side and rear boundaries in accordance with the requirements of Part B of the DCP, except where specified under C4 above.

C6. Despite the requirements of Part B of the DCP, except where the relevant lot boundary is also the boundary of the Guildford Pipehead Precinct:

- Row houses forming part of multi dwelling housing may be constructed with no setback to a side lot boundary; and
- Detached houses on lots less than 450m2 may be constructed on one lot boundary.

View Corridors

C7. The view corridors identified on Figure 3 shall be a minimum of 10 metres in width and be free of all buildings and structures, except:

- Access ramps;
- barbeques;
- children's play equipment;
- clothes lines and hoists;
- driveways, paths and paving;
- fences less than 1.8 metres in height;
- on-site detention tanks and basins below finished ground level;
- rainwater tanks below finished ground level;
- water features and ponds.

C8. Landscaping within the view corridors shall not include species greater than 1.8 metres in height at maturity.

Building Form & Materials

C9. Buildings shall respond to existing vegetation and heritage items, including those on the Sydney Water operational land, and the surrounding built environment through the use of:

- Dark tones of brick sympathetic to the dark tones of the existing landscape;
- Light tones for metal roofs;
- Low pitched roofs and generous eaves; and
- Natural or painted timber detail to complement the dark shades of existing vegetation.

C10. Apartment buildings are to incorporate:

- articulated facades to add character to the public domain and streetscape; and
- split face block structure or panels including the use of metal sheeting elements to reflect the former industrial heritage of the site.

C11. Gable and hipped roofs are to have a pitch of 20 – 30 degrees, to match that of existing Building 25, while skillion roofs are to have a pitch of 10 degrees.

Sub-Precinct A

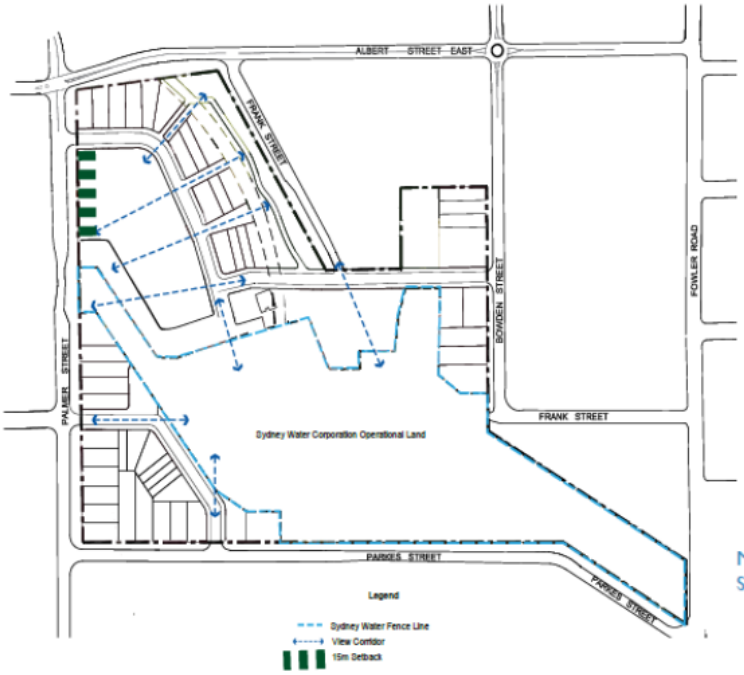
C12. Housing within Sub-Precinct A should include a mixture of residential flat buildings, multi dwelling housing, attached housing and detached housing on small lots.

Sub-Precinct B

C13. Housing within Sub-Precinct B should include a mixture of residential flat buildings, multi dwelling housing, attached housing and detached houses.

Sub-Precinct C

C14. Housing within Sub-Precinct C should include a mixture of multi dwelling housing, attached housing and detached houses.



Map 3:View Corridors and Setbacks

Figure 3: View Corridors and Setbacks

3.4 Landscape and Open Space

Objectives

O1. Conserve existing significant vegetation within the precinct.

O2. Enhance the appearance and amenity of the proposed development by sensitively integrating architecture and landscape through effective site planning and landscape design.

O3. Retain and enhance the landscaped amenity of the precinct.

O4. Provide areas of landscaped open space for a new residential community.

O5. Integrate proposed open spaces with the surrounding landscape, open spaces and streets.

O6. Consolidate stands of various species forming part of the Cumberland Plain Woodland endangered ecological vegetation community within the proposed open space areas.

O7. Ensure any proposed fencing does not detract from the visual amenity and landscape character of the site, and is sympathetic to the built form of the precinct.

O8. The streetscape character shall reinforce and enhance the road hierarchy.

O9. Incorporate crime prevention through design principles in landscape and open space design.

O10. Ensure that the streetscape character and tree species reflect the precincts natural character and landforms while accommodating the function needs of pedestrian, cycle and vehicular movements along each of the roads.

Controls

C1. A variety of open spaces shall be provided. A number of areas have been identified by Council as suitable and are indicated on Map 4:

- Canal Park;
- Community Reserve; and
- Woodland Reserve.

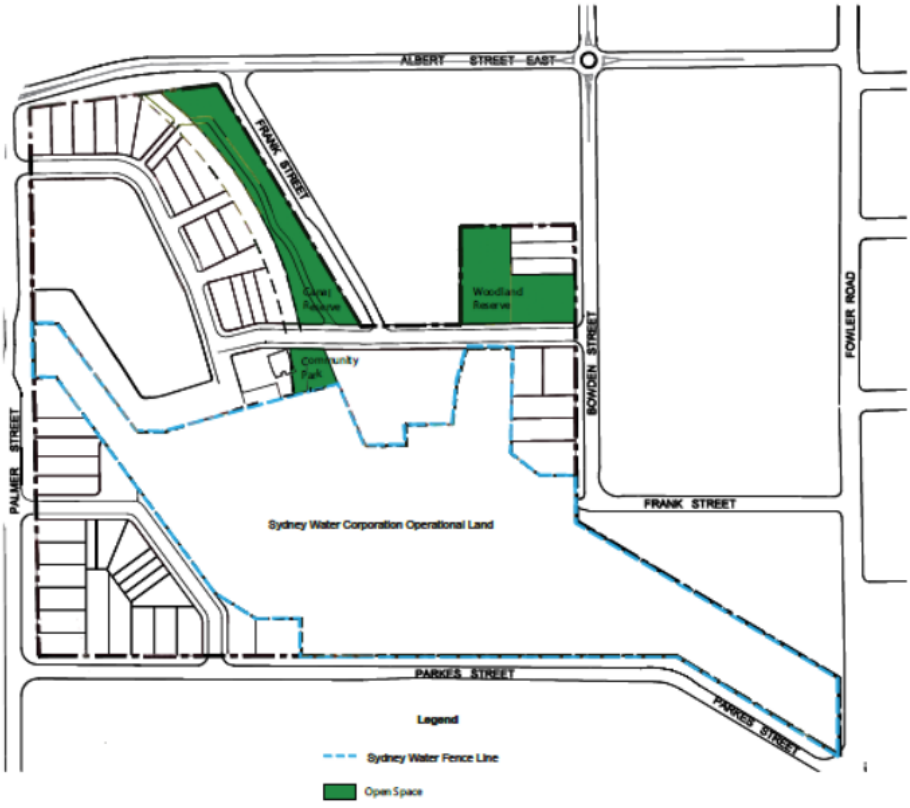


Figure 4: Open Spaces Map

C2. Landscape plans shall be prepare for each proposed open spaces, providing the following character and facilities for each:

- Canal Park – passive and active recreation, including a children's playground and a cycleway connecting the existing Lower Canal Cycleway with Bowden Street;
- Community Reserve – passive recreation, including picnic and BBQ facilities;
- Woodland Reserve – passive recreation and native vegetation conservation.

C3. The creation of a Heritage Square for passive recreation, including picnic and BBQ facilities is encouraged. Refer to Section 6.

C4. Trees identified as high and moderate significance indicated on Figure 5 must be retained.

C5. All other trees should be incorporated into site planning.

C6. All tree species shall be in keeping with Councils native tree list and be low water, low maintenance and suitable for use in urban environmental. Planting shall build upon the existing landscaped character of the precinct, and not be in direct conflict with existing historical plantings.

C7. Street trees shall be located in accordance with those indicated on Figure 5.

Figure 5: Trees Map

C8. Appropriate street tree species to be planted shall be in accordance with the table below.

Appropriate street tree species		
Street	**Species**	**Common name**
New Road 1 New Road 2	Angophora floribunda	Roughed Barked Apple
	Brachychiton acerifolius	Illawarra Flame Tree
	Waterhousea floribunda	Weeping Lilly Pilly
Other roads and accessways	Corymbia ficifolia 'Summer Red'	Red Flowering Gum
	Jacaranda mimosifolia	Jacaranda
	Melaleuca linariifolia	Snow in Summer
	Tristaniopius laurina	Water Gum

3.5 Transport and Access

Objectives

O1. Provide pedestrian, cycle and vehicle connections to create permeable site.

O2. Draw on existing infrastructure, far as possible, by incorporating existing entry points into the road design of the precinct.

Controls

C1. The road structure within the precinct should be provided as shown on Figure 6.

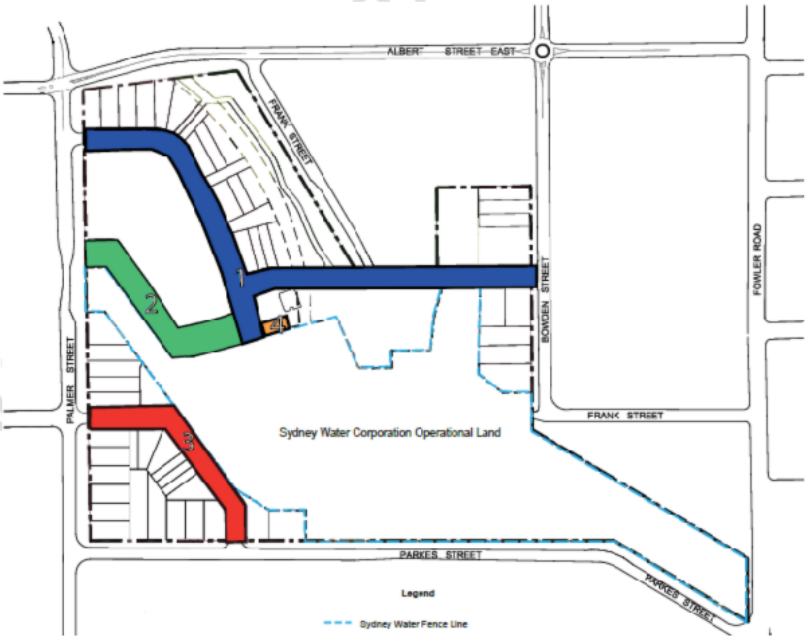


Figure 6: Road Structure Map

C2. Roads shall be constructed to the following specifications:

New Road 1

- 15m road reserve,
- 8m carriageway, including provision for parking on one side,
- 2.5m shared path on one side where cycleway is located
- 1.5m footpath on one side, and
- grass verges on both sides; (2m or 1.5m where cycleway is located)

New Road 2

- 15m Road reserve,
- 8m carriageway, including provision for parking on one side,
- 1.5m footpath on one side, and
- Grass verges on both sides (3.5m or 2m where footpath is located)

New Road 3

- 15m road reserve,
- 8m carriageway, including provision for parking on one side and
- 1.5m footpath on one side, and
- Grass verges on both sides (3.5m or 2m where footpath is located)

New Road 4

- 6m carriageway, and
- Grass verges on both sides (to match New Road 2)

C3. For the purposes of Sydney Water operational requirements, new roads 2, 4 and the southern component of new road 1 shall be designed and constructed to a standard suitable to carry the loading of a 130 tonne crane.

C4. Suitable crash prevention barriers be included in the design of New road 2 and 4 to ensure that vehicles cannot impact on Sydney Water Operational Infrastructure.

C5. Development in Sub-Precinct A shall not have vehicular access from Palmer Street or Albert Street East.

C6. Development located between New Road 1 and the Lower Canal shall not have vehicular access from New Road 1.

C7. Vehicular access to lots located between New Road 1 and the Lower Canal may be provided through a shared private accessway located within a view corridor shown on map 4.

3.6 Heritage

Objectives

O1. Acknowledge the historically significant role the precinct and the existing Sydney Water site combined played in delivering Sydney's water supply.

O2. Provide visual continuity across the site so there are vistas into the Sydney Water site from the surplus land.

O3. Maximise public access through the site as well as adjacent to the Sydney Water boundary so that the Sydney Water function is readily apparent.

O4. Retain existing structures within the precinct to provide a connection with the character of the former use of the site.

O5. Interpret the history of the site through the retention of structures and moveable heritage items located in the precinct.

O6. Ensure the upper canal is a distinct landscape element of the site.

O7. Retain significant landscape vegetation, to allow interpretation of the site and landscape continuity between the precinct and the Sydney Water site.

Controls

C1. Development shall be sited to maintain significant view corridors between the precinct and the established residential area, as identified on Map 4.

C2. Roads and residential development shall be located to maximise views into the operational Sydney Water site.

C3. Moveable items located in the precinct, that contribute to the story of the site and the history of water supply in Sydney should be retained and incorporated into the landscape as sculptural elements.

C4. Existing landscape vegetation, identified as significant heritage landscape elements are to be retained in order to provide interpretation of the site and continuity between the precinct and the Sydney Water site.

Note: Map 5 details significant landscape vegetation to be retained.

C5. Public interpretation strategy for the lower canal and pipehead site shall be developed and implemented during redevelopment of the site.

C6. Development in the precinct shall be designed to follow and not disrupt the topography of the landscape.

C7. Black palisade fencing shall be erected between the residential and operational lands within the precinct.

<u>Adaptive reuse of Building 25 structure</u>

Note: Building 25 was originally built as a storage depot for the construction of the Warragamba Dam and relocated to Guildford.

C8. Part of the structure of building 25 shall be retained in order to:

- provide a significant visual landmark element that recognises the former use of the site;

- visually connect the residential lands with the continuing operational Sydney Water site; and
- interpret the former use of the Pipehead site.

C9. Any part of the structure of building 25 retained within the proposed Heritage Square may be used for general recreation or social purposes and may retain a part of the roof sheeting for sun shading.

C10. The roof character of new buildings shall integrate with, and not effect the character of the precinct.

Note: It is recommended that gable and hipped roofs are to have a pitch of 20 – 30 degrees, to match that of existing Building 25, while skillion roofs are to have a pitch of 10 degrees.

Sub-Precinct A

C11. Housing within Sub-Precinct A should include a mixture of residential flat buildings, multi dwelling housing, attached housing and detached housing on small lots.

Sub-Precinct B

C12. Housing within Sub-Precinct B should include a mixture of residential flat buildings, multi dwelling housing, attached housing and detached houses.

Sub-Precinct C

C13. Housing within Sub-Precinct C should include a mixture of multi dwelling housing, attached housing and detached houses.

Hereford Place, Wentworthville

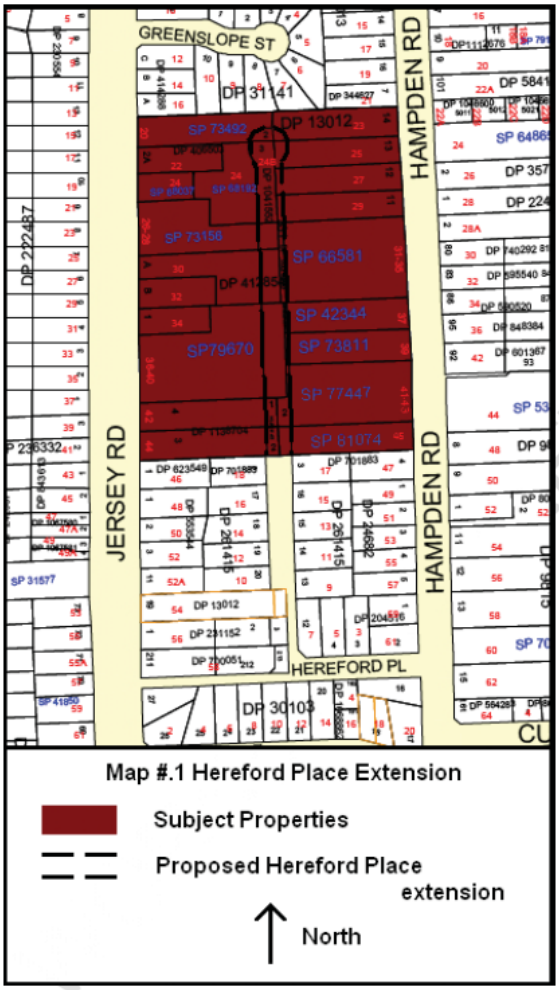
Contents

1. Introduction

1.1 Land to which this Part applies

This Part applies to development on land as detailed within this Part.

The Hereford Place precinct comprises the land described in Table 1 below, known as 20-44 Jersey Road and 23-45 Hampden Road, South Wentworthville and as indicated on Map 1. Medium density residential development is envisaged for this precinct.



Map 1

Table 1: Land subject to Section 1 of this Part

Property Address	Lot & DP No. or SP No.
20 Jersey Road (Cumberland Hwy) South Wentworthville	SP 73492
22 Jersey Road (Cumberland Hwy) South Wentworthville	Lot 2A DP 406503
24 Jersey Road (Cumberland Hwy) South Wentworthville	SP 68037
24A Jersey Road (Cumberland Hwy) South Wentworthville	SP 68192
26-28 Jersey Road (Cumberland Hwy) South Wentworthville	SP 73156
30 Jersey Road (Cumberland Hwy) South Wentworthville	Lot A DP 412854
32 Jersey Road (Cumberland Hwy) South Wentworthville	Lot B DP 412854
34 Jersey Road (Cumberland Hwy) South Wentworthville	Lot A DP 414666
36-40 Jersey Road (Cumberland Hwy) South Wentworthville	SP 79670
42 Jersey Road (Cumberland Hwy) South Wentworthville	Lot 4 DP 1138704
44 Jersey Road (Cumberland Hwy) South Wentworthville	Lot 3 DP 1138704
23 Hampden Road, South Wentworthville	Lot 14 DP 13012
25 Hampden Road, South Wentworthville	Lot 13 DP 13012
27 Hampden Road, South Wentworthville	Lot 12 DP 13012
29 Hampden Road, South Wentworthville	Lot 11 DP 13012
31-35 Hampden Road, South Wentworthville	SP 66581
37 Hampden Road, South Wentworthville	SP 42344
39 Hampden Road, South Wentworthville	SP 73811
41-43 Hampden Road, South Wentworthville	SP 77447
45 Hampden Road, South Wentworthville	SP 81074

2. Vision

Medium density residential development requires adequate local road access. However, half of the properties within this precinct have vehicular access only from the Cumberland Highway (also known as Jersey Road). This is unsatisfactory given that the Highway is primarily a metropolitan arterial road. Given this, the provision of alternative vehicular access to these properties is required to facilitate satisfactory development and minimise traffic conflicts on the Highway.

To provide this alternative vehicular access, it is proposed to extend Hereford Place north from Jersey Lane. To achieve this, land is required from properties currently fronting both the Cumberland Highway and Hampden Road. To minimise traffic conflicts and congestion on Hampden Road, and to prevent private driveways from being used by through traffic, access from Hampden Road will not be permitted for redeveloped properties.

3. Objectives and Controls

Objectives

O1. Facilitate the reasonable development of the Hereford Place precinct by permitting the extension of Hereford Place, Wentworthville.

O2. Minimise vehicular access to properties from the Cumberland Highway.

O3. Ensure that alternative vehicular access is provided to properties with frontage to the Cumberland Highway, South Wentworthville.

O4. Reduce vehicular traffic and conflicts on Hampden Road, South Wentworthville, by providing alternative vehicular access from an extended Hereford Place.

Controls

C1. This section of the DCP applies to all development within the Hereford Place precinct, as indicated in Table 1 and show on Figure 1.

C2. Development for the purposes of additions and alterations to existing detached dwelling houses is excluded from the provisions of this section.

C3. All development shall provide for future permanent vehicular access from the Hereford Place extension.

C4. Land shall be dedicated for the Hereford Place extension in accordance with Figure 1.

C5. An 8m wide vehicular carriageway shall be constructed along the proposed extension of Hereford Place, with a 4.0m footpath verge with a roll-top kerb along either side.

C6. Road layout and geometry shall be in accordance with the provisions of Part G of this DCP and with other approved standards, either the Guide to Traffic Engineering Practice published by NAASRA, or the Roads and Maritime Services guidelines.

C7. For all development except the erection of a dwelling house, all roadworks, including drainage, kerb and gutter and footpaths, shall be constructed at the applicant's expense and the required land dedicated to Council prior to release of any occupation certificate. Alternatively, Council may accept lodgement of a bond, through a bank guarantee, for the agreed value of the works plus interest for 10 years, in lieu of construction of the works.

C8. For the erection of a new detached dwelling house, all roadworks, including drainage, kerb and gutter and footpaths, shall be constructed at the applicant's expense and the required land dedicated to Council prior to release of any construction certificate.

C9. A restriction to use under Section 88B shall be included upon the title, with Council listed as a party, to require no access from either the Cumberland Highway or Hampden Road, upon extension of Hereford Place to the subject property.

C10. Temporary access shall be permitted from the Cumberland Highway or Hampden Road until such time as all land dedication and road construction for the Hereford Place extension is completed between Jersey Lane and the subject property.

C11. Approval of temporary access from the Cumberland Highway or Hampden Road shall be subject to the agreement of the Roads and Maritime Services and any affected landholders.

C12. At such time as all land dedication and road construction for the Hereford Place extension is completed between Jersey Lane and the subject property, the following works shall be carried out at the expense of the landowner(s):

- all necessary works to permit vehicular access from Hereford Place, including removal of fences and construction of a suitable vehicular driveway from the property boundary to the kerb-line;
- all necessary works required to deny access from the Cumberland Highway or Hampden Road, including erection of fencing at the property line and removal of any vehicular driveway from the property boundary to the kerb-line.

Holroyd Gardens

Contents

1. Introduction

This Part of Cumberland Development Control Plan XXXX provides a framework that will guide future development in Holroyd Gardens.

The controls and guidelines demonstrate Cumberland Council's commitment to ensuring redevelopment of the former Goodlet and Smith Brickworks site takes place in a sensitive, sustainable and exemplary manner.

Both Council and the joint venture development partner, Delfin Property Group, are committed to ensuing development of the site is of the highest quality.

1.1 Land to which this Part applies

This Part applies to land known as "Holroyd Gardens", located adjacent to Walpole Street, the Main Southern Railway and Walpole Street Park, Holroyd. The site is defined by the locality plan (Figure 1 & Figure 2) Boundaries for this DCP may be extended in future by the inclusion of additional lands. Where this is the case, the DCP will be amended accordingly.

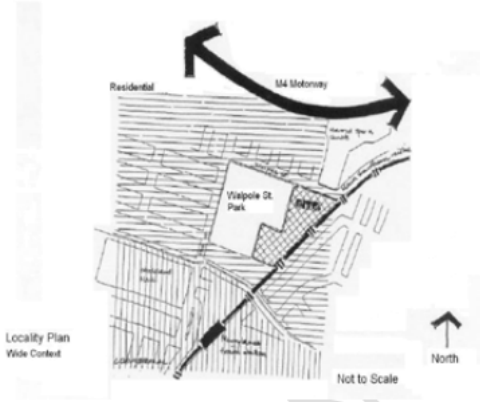


Figure 1

Figure 2

1.2 Relationship to other Parts of this DCP

Part F of Cumberland DCP XXXX shall be read in conjunction with the following Parts of Cumberland DCP XXXX, which contain Objectives and Development Controls that relate to development in this Part:

- Part A - General Controls
- Part B – Development in Residential Zones
- Part C – Development in Business Zones
- Part E – Other Land Use Based Development Controls (Child Care Centre Controls)
- Part E - Public Participation
- Part G – Miscellaneous Development Controls (Advertising and Signage and Heritage)
- Part H – Parking, Traffic & Vehicle Access
- Definitions

2. Vision and General Objectives

2.1 Vision and Context

Holroyd Gardens is intentionally considered as a garden neighbourhood, with ample open space throughout and the distinctive heritage precinct being actively used as interpretation, open space and community facilities at the heart of the neighbourhood.

A wide linear parkway traverses the length of the neighbourhood and has adjacent to its mid point a large artificial wetland. The site is also directly connected to Walpole Street Park, which extends through to the Heritage Precinct. This combined park system enables all residents to have easy access to a variety of pleasant recreation opportunities.

The main road system and pathway system through the centre of the neighbourhood is intended to give all residents easy access to the Walpole Street Park and the Merrylands Town Centre. The road system and levels of attention to streetscape gives the neighbourhood a distinctive character.

With the exception of the Heritage Precinct, the site will be developed for residential and activities ancillary to such residential development, such as open space and home offices.

Based on the current indicative Master Plan, this DCP envisages that the site will have a maximum density of 260-280 dwellings, comprised of a mix of detached, semi-detached and medium density multi- unit housing. Council may at its discretion consider and approve a variation to the Master Plan where compelling economic, environmental or social grounds are present, and where the overarching objectives and principles of this DCP can be achieved.

2.2 General Objectives

O1. Redevelopment of the former Goodlet and Smith Brickworks site should:

- Be responsive to the needs of the community,
- Achieve high levels of design and appearance,
- Be responsive to the heritage significance of the site, and

- Be well integrated with its surrounding urban context.

O2. Ensure that the urban structure, layout and form of the development responds positively to its urban context, Specifically:

- Incorporation and extension of Walpole Street Park into and through the site;
- Establishing open space links, including pedestrian and bicycle linkages, which connect the site with Walpole Street Park, Merrylands Town Centre and areas further afield.
- Ensure an appropriate and supportive frontage to Walpole Street and Walpole Street Park

O3. Ensure a supportive relationship with the heritage significance of the site. Specifically:

- Conserve and refurbish significant heritage buildings within an established heritage precinct;
- Introduce activities within the heritage precinct in order to ensure that the area becomes a "seamless" component of the greater site;
- Implement specific controls for areas in close proximity to heritage items that ensure new buildings are complementary and not mimicking in terms of form and appearance.

O4. Ensure that buildings on the site provide a supportive relationship with the public domain and appropriately respond to the needs of pedestrians.

O5. Enable a wide choice of housing types, including adaptable housing, in order to effectively respond the changing need of the community and residential market.

O6. Provide a high level of amenity for future residents and users of the site through the provision of a coordinated palette of urban elements including furniture, lighting, paving and vegetation.

2.3 Access and Linkages

Collector Road

A collector road serves to provide a link road through the project. The collector road will have a strong landscape amenity with a regular row of advanced trees and wide verges with wide foot paths/cycleways. The collector road commences at Walpole Street near the Fox Street intersection.

Park Edge Terraces

Park Edge Terraces are positioned along the flanks of the Linear Park and elsewhere. These Terraces have two advantages: They allow access to houses overlooking the reserve; and, they also allow access to the Walpole Street Reserve, allowing the eastern side of the park to be accessible to potential users.

Cycleways and Pedestrian Paths

Cycleways and pedestrian paths are aligned with the open space system as well as streets. These cycleways and pathways link towards:

- Merrylands Town Centre,
- A'Becketts Creek
- Merrylands railway station
- The Heritage Precinct.

2.4 Open Spaces

Public Open Spaces

The open space system within Holroyd Gardens is extensive and provides variety of spaces appropriate for a wide range of activities. These include:

- Linking visually and physically the heritage precinct buildings with the Walpole Street Reserve.
- The formation of a linear parkway that provides visual amenity, recreation areas and pedestrian/cycle linkages.
- The retention and the re-use of several of the former brickworks buildings as a centre piece for community use
- A central open area adjacent to the Heritage Precinct, opens up to the linear parkway and lake, and provides direct visual links with Walpole Street Park.
- Creation of a variety of landscaped spaces throughout the neighbourhood.

Semi Public/Semi Private Open Spaces - Front Gardens

The amenity of the front gardens is important for extending the general quality of Holroyd Gardens landscape system.

The front yard areas of housing are considered as an opportunity to extend the quality of the street landscape into the front areas of the housing. Colourful front area planting is encouraged.

2.5 Built Form

Objectives

Density and Building Height

O1. Housing is placed so that there is a clear transition in building height and bulk from Walpole Street, towards the railway line and from the Heritage Precinct outwards. This enables the gradual change in density from key elements of the open space system, as well as the vehicular and pedestrian approaches to the housing areas.

O2. Housing is positioned so that all houses provide direct surveillance of the proposed street and open space systems, with the majority of housing positioned so that it has frontage to reserves and open space. This strategy encourages a high level of community supervision of the open space areas, as well as maximising the benefit of the open space system to the enjoyment of the residents.

O3. Housing is grouped in order to provide areas with opportunity for distinct residential character. There are areas of terrace housing for instance forming two "crescents" facing open spaces. Multi- unit housing is placed alongside the Linear Parkway as well as the Collector Road. The longer building forms of the multi- unit dwellings assist in providing a noise buffer alongside the railway corridor.

O4. Residential buildings are to complement heritage buildings within and adjacent to the heritage precinct. It is intended that the addition of any new residential buildings will encourage a higher degree of supervision and better use of the heritage precinct. New buildings adjacent to heritage buildings are to complement (though not mimic) the heritage buildings by virtue of their height, scale, bulk, materials and appearance.

2.6 Streetscape

A high level of attention to streetscape is a key principle to the visual success of the Holroyd Gardens. This applies to the areas immediately fronting the street, as well as those spaces that are visible from the street.

Objectives

O1. The streetscape should be characterised by buildings with individual variety that give interest, while still forming a cohesive sense of neighbourhood.

O2. Ensure that each of the individual houses or groups of houses reinforce and add to the tree lined street environment with a high level of private area planting.

O3. Ensure consistent frontages, ridge heights and eave heights.

O4. Require a variety of materials within an agreed palette of building materials to be used.

2.7 Building Envelope

Objectives

O1. Ensure housing is considered in terms of its relationship to adjoining buildings to encourage the reinforcement of street enclosure and street character.

O2. Encourage Verandahs and projecting awnings, "Dutch Gable" roof forms and similar techniques that "break up" the roof shape.

O3. Ensure long flat faced walls are avoided. Walls should incorporate bay windows, porches, small verandahs, French windows to give relief and articulation to exterior walling, and provide internal amenity.

2.8 Adaptable Housing

Objective

O1. Ensure housing addresses, where practicable, the needs of the disabled and the elderly.

2.9 Energy Efficiency

Objective

O1. Ensure housing demonstrates attention to energy efficient design by:

- Maximising north orientation;
- The use of wall and ceiling insulation;
- Building forms that allow cross ventilation and zoned heating and cooling;
- The use and sensible placement of thermal mass; and
- Appropriate landscape placement.

2.10 Waste Management

Objective

O1. Ensure the provision of adequate dedicated spaces for the storage of waste and recycling away from street. Adequate storage is required for all dwellings.

2.11 Off Street Parking

Objectives

O1. Ensure parking complies with Council's provisions and is to be designed so as to reduce visual impact on the streetscape.

O2. Ensure driveways are designed to minimise the area of hard paving to a practicable minimum.

3. Specific Objectives and Controls

3.1 Open Space

Objectives

O1. The open space system is generally as defined in Figure 3.

O2. Open space on the site will be interpreted as a continuous system, comprised of places (the heritage precinct, landscaped spaces etc) and linkages (linear park corridor, streets etc)

O3. All parks are to be highly accessible, as well as framed and defined by the street system.

O4. The site is to provide for linkages to the wider open space system, such as the regional bicycle corridor and Walpole Street Park.

O5. Streets are important elements of the open space system. They should provide direct links between key open space destinations.

Pedestrian Linkages

O6. The pedestrian system is generally as defined in Figure 3.

O7. A Linear Park Corridor, generally corresponding to the alignment of A'Becketts Creek, will allow for a future pedestrian and bicycle linkage between the site, Merrylands and areas to the north. It will also incorporate a segment of the regional bicycle system.

O8. A strong pedestrian linkage will be developed between the Heritage precinct, artificial wetland, and will eventually continue on to the rotunda and Children's Museum in Walpole Street Park. This pathway will provide a strong physical and visual link between Walpole Street Park attractions, the heritage precinct and the site generally.

O9. Secondary pedestrian linkages will be provided adjacent to Walpole Street park, adjacent to Walpole Street and south west through Walpole Street Park, linking Merrylands to the site.

Figure 3: Open Space and Pedestrian Systems Map

Landscape

O10. A coordinated landscape master plan for the entire site will be developed and implemented.

O11. Plant species chosen for the site should be appropriate in terms of meeting the functional requirements of the environment in which they are to be utilised.

O12. The Heritage Precinct and link with Walpole Street Park will be enhanced through the use of (complementary) feature planting.

O13. Each Precinct and/or each major street type will contain subtle differences in landscape approach in order to accentuate legibility.

3.1.1 Elements of the Open Space System

The Heritage Precinct

The Heritage Precinct is located generally adjacent to the Main Southern Railway line, in a central location between Walpole Street and the southern boundary of the site. The location and extent of the Heritage Precinct is defined in Figure 4.

The Heritage Precinct should be the focus of development on the site. Refer to the Development Strategy for the Heritage Precinct of the Goodlet and Smith Brickworks Site.

Figure 4: Open Space System – Heritage Precinct

Linear Park Corridor

The location of the linear park corridor is described on Figure 5.

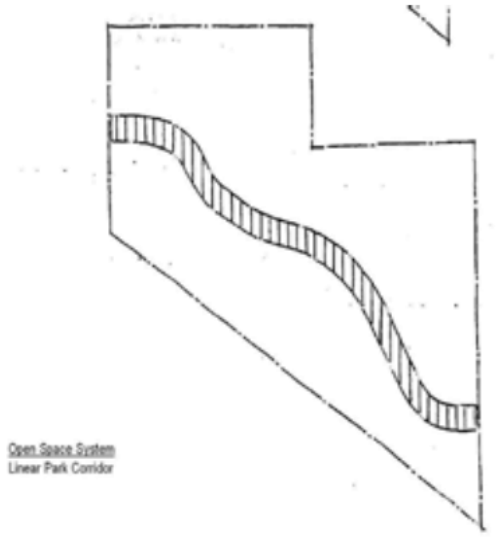


Figure 5: Open Space System – Linear Park Corridor

Objectives

O1. Encourage the relocation of the weir currently located within the existing A'Becketts Creek alignment to a position within the Linear Park Corridor is encouraged. This will be confirmed following detailed hydraulic investigation ensuring the ability to maintain adequate flood capacity.

Controls

C1. The Linear Park corridor will be approximately 19 metres in width.

C2. The Linear Park corridor is to be accessible from both sides and is to incorporate a pedestrian and bicycle path of at least 2.5 metres width

C3. The Linear Park Corridor is to accommodate a component of the overland flow generated by development on the site and is to incorporate substantial planting and other landscape treatments to accentuate its appearance as a "creek-like" corridor.

3.1.2 Extension to Walpole Street Park

Objectives

O1. Provide a pedestrian connection to the principal east-west linkage between the Park and Heritage Precinct.

O2. Maximise casual surveillance from adjacent residences.

O3. Ensure the park extension is well lit.

O4. Ensure Walpole Street Park is to be highly accessible.

Controls

C1. Walpole Street Park is to be extended to a new boundary alignment immediately adjacent to residential development on the site (see Figure 6)

C2. The extension area of Walpole Street Park is to incorporate an informal pedestrian path linking Walpole Street to the southern extent of the site.

C3. Planting in the Walpole Street Park extension area is to be ground covers or clean trunked tree species only.

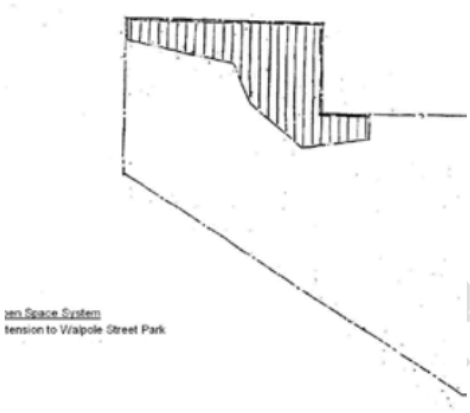


Figure 6: Open Space System – Extension to Walpole Street Park

3.1.3 Landscaped Spaces

Objective

O1. Ensure high quality landscapes spaces are provided at various locations throughout the site.

Controls

C1. The design of landscape spaces should complement and contribute to the urban setting and add value and amenity to adjacent areas. In addition, they should be designed to:

- Be environmentally sustainable, particularly in their use and demand for water;
- Clearly convey a message that they are available and meant to be used;
- Allow a range of potential activities;
- Be engaging from the outside and within; and
- Foster a safe and secure public domain.

3.1.4 Pedestrian and Cyclist Facilities

The off-street pedestrian system is comprised of formed paths of either 2.5 metres width for major linkages and pedestrian/bicycle linkages, or 1.5 metres width for secondary (pedestrian only) linkages. These are detailed in Figure 3.

Objective

O1. Ensure all pedestrian and cyclist paths allow high levels of casual surveillance through their location, lighting and form of adjacent planting.

Development Controls

C1. All footpaths adjacent to streets are to be a minimum of 1.5 metres width.

C2. Footpaths are to be provided adjacent to streets according to the following schedule:

Collector Road	at least one side
Access Street	at least one side
Access Street serving a maximum of Eight dwellings	none required
Park Edge Terrace	at least one side
Shared Accessway	none required

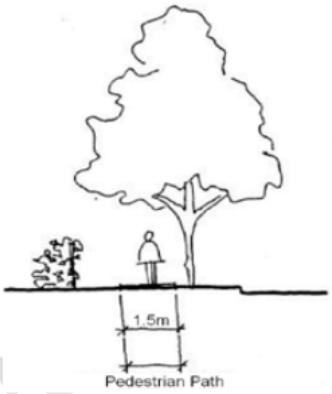


Figure 7

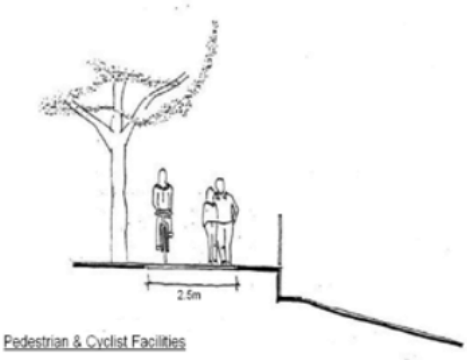


Figure 8

3.1.5 The Drainage System

Objectives

O1. Ensure the provision of a combination of underground culverts, the linear park corridor, existing overland flow corridors and the sub-street drainage system will accommodate the ARI 1 in 100 flow.

Development Controls

C1. An artificial wetland is to be provided adjacent to the Collector Road and Heritage Precinct. The wetland will be a permanent water body, designed to be an important visual amenity for Holroyd Gardens and to treat stormwater pollutants through the use of macrophytes and other such species. The wetland will accommodate a freeboard in order to accommodate on site detention from the western portions of the site.

C2. An on site detention system is to be designed and constructed to the satisfaction of Council.

3.2 Streets

3.2.1 Key Principles

Street System

Objectives

O1. Ensure the street system (see Figure 9) will be the main north south link between Walpole Street and potential future development to the south. It will circulate around the heritage precinct (east) and will be linked by lower order roads at regular intervals along its length.

O2. Allow the Walpole Street Park Extension to be utilised for construction of streets, in order to maximise the developable area.

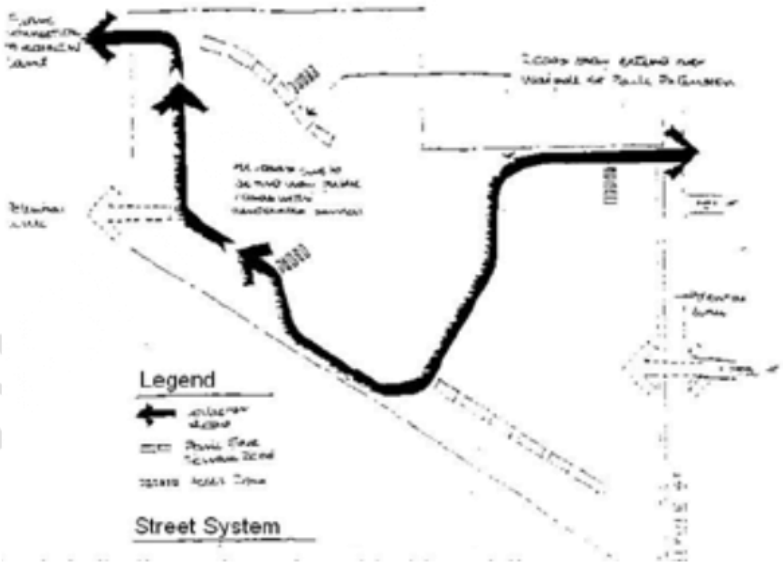


Figure 9: Street System Map

Controls

C1. Require streets to frame and define key public spaces.

C2. Ensure the provision for the requirements of emergency and service vehicles are made.

Street Character

Objective

O3. Ensure streets are designed such that they are appropriate for all potential users. The design of the street environment should support the establishment of distinct zones of activity, including public space (traffic, parking and pedestrian zones), semi-public space (front yards and porches) and private space (within the building).

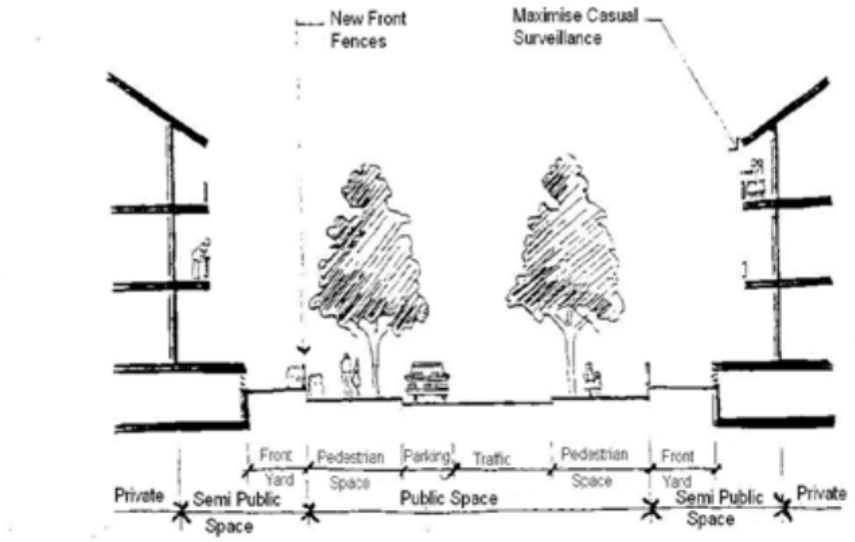
Controls

C1. Buildings shall be sited so that they provide strong definition of the public realm. The ratio of building height (at any point) to the horizontal distance between buildings (at a corresponding point), across a street, should generally fall between 1:1.25 and 1:3.7, except in areas adjacent to heritage items. A ratio of up to 1:3.7 will be allowed in cases where smaller buildings are to be located opposite apartment buildings.

C2. In situations where no other building has been proposed for across the street, the horizontal distance between buildings is assumed to be the distance between the proposed building and the maximum building setback (as defined in Clause 4.2) behind the opposite verge/property boundary.

C3. Streets are to be designed such that there is a clear distinction and progression from private space to semi public, to public space.

C4. Buildings shall be sited and designed to maximise casual surveillance of the public realm.



Street Character

Figure 10

Figure 11

Principal Entrance

The principal entrance to the site will be from Walpole Street, adjacent to the Walpole Street Park boundary.

Objectives

O4. Allow for a possible second entrance to the site to align with Peel Street.

O5. Ensure the main entrance is to be designed to provide and coordinate with speed and traffic control on Walpole Street.

O6. Ensure the main entrance will be designed to reflect its role as a gateway to the site.

3.2.2 Street Types and Dimensions

Collector Road

Objectives

O1. Provide a principle access for the entire site by connecting with Walpole Street adjacent to Walpole Street Park and circulating east around the heritage precinct.

O2. Make provisions for future connections with residential development to the south of the site.

O3. Allow all potential housing types to have frontage to the Collector Road.

Controls

C1. Typical street sections for the collector road are illustrated in Figure 15:

- Carriageway: 8 metres wide kerb to kerb over its entire length (any variation to be demonstrated to the satisfaction of Council's Engineer).
- Verge area: 3.0-3.75 metres (both sides)
- Building setback: 4.5 metres maximum to the principal facade
- The verge area may be reduced to 1.5 metres on one side where the collector road has development frontage to only one side.

C2. Council may consider variations to the above dimensions only where overarching principles for Street System, Street Character and Street Landscape (Section 4.1) are achieved.

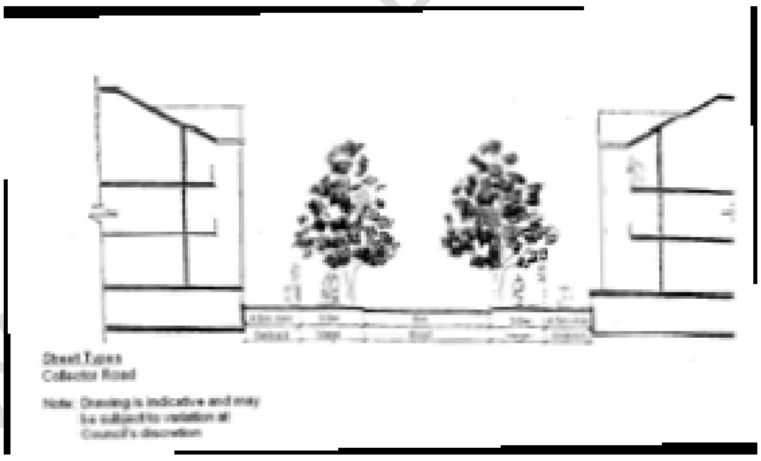


Figure 12

Park Edge Terrace

The Park Edge Terrace is a street type which has dwellings located on one side and park frontage on the other.

Objectives

O4. Increase the level of casual surveillance, thereby enhancing activity, safety and security for park users through the positioning of a road between buildings and the park.

O5. Allow all potential housing types to have frontage to the Park Edge Terrace.

Controls

C3. A typical street section for the Park Edge Terrace is illustrated in Figure 16:

- Carriageway: 6.5 – 7.0 metres maximum
- Verge area: 3.0-3.75 metres to development side 1.5 metres to the park side
- Building setback: 4.5 metres maximum to the principal facade

C4. Council may consider variations to the above dimensions only where overarching principles for Street System, Street Character and Street Landscape (Section 4.1) are achieved.

Access Streets

Objectives

O6. Provide access streets that connects with the collector road and may be either through routes or cul-de-sacs.

Controls

C5. Typical street sections for Access Streets are illustrated in Figure 17:

- Carriageway: 6.5-7.0 metres
- Verge Area: 3.0-3.75 metres (both sides)
- Building Setback: 4.5 metres maximum to the principal facade

C6. The verge area may be reduced to 1.5 metres on one side where the access street has development frontage to only one side, or where the access street is a cul-de-sac and serves no more than 8 dwellings.

C7. Council may consider variations to the above dimensions only where overarching principles for Street System, Street Character and Street Landscape (Section 4.1) are achieved.

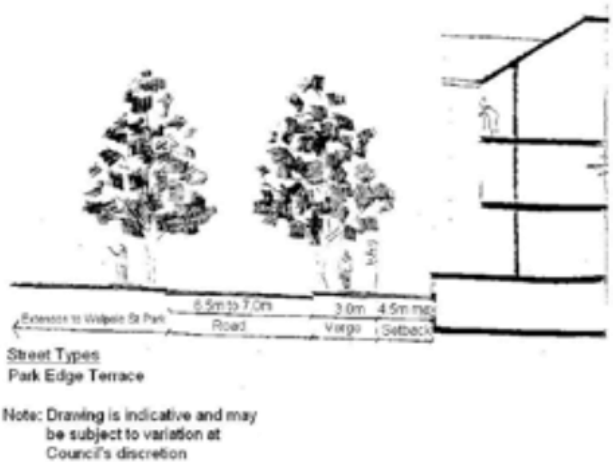


Figure 13

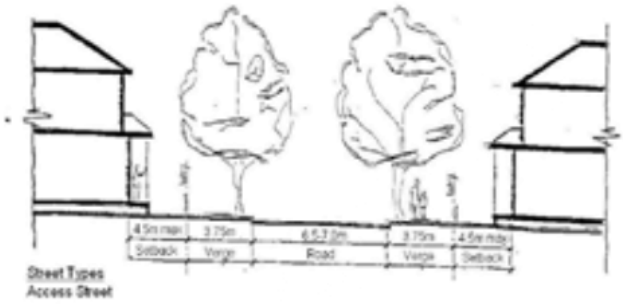


Figure 14

Shared Accessway

Objectives

O7. Allow for shared accessways which may be provided at various locations within Holroyd Gardens and will serve only a limited number of dwellings.

O8. Ensure the shared accessway will be designed in a manner which provides equal priority for both pedestrians and vehicles.

Controls

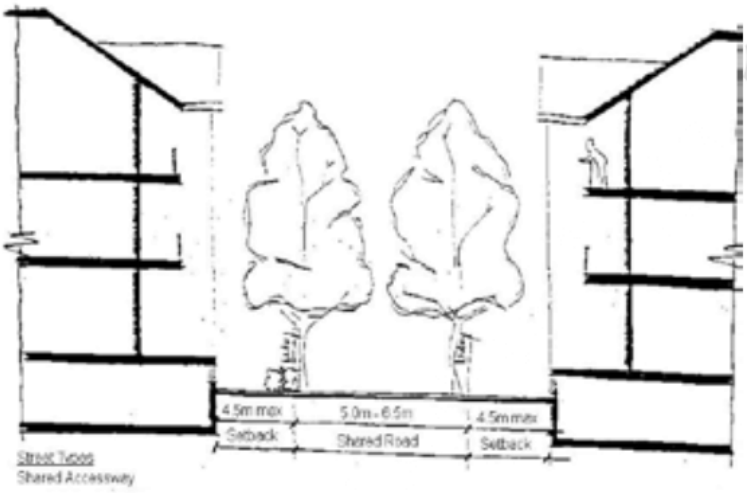
C8. A typical street section for the Shared Accessway is illustrated in Figure 15. Final dimensions and street design is subject to RMS concurrence:

- Carriageway: 5.0-6.5 metres maximum

- Verge Area: none required
- Building Setback: 4.5 metres maximum to the principal facade

C9. Turning areas shall be provided for garbage services and delivery trucks in the form of 8 metre radius turning bulbs or equivalent turning areas within the road reserve at the end points of roads or at a location where garbage trucks can service residences.

C10. Allowance shall be made for visitors to the Heritage Precinct to turn and exit the site in that vicinity.



Note: Drawing is indicative and may be subject to change at Councils discretion

Figure 15

3.2.3 Road Intersections

Objectives

O1. Ensure all road intersections encourage safe vehicle movement.

O2. Make provisions for efficient and safe pedestrian movement.

Controls

C1. Require minimum curb radius profiles to encourage slower vehicle turns.

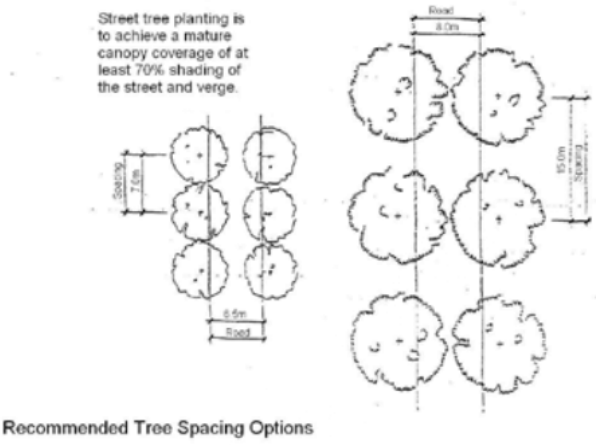
C2. Pram ramps are to be provided for all pedestrian crossing movements.

On Street Parking

Controls

C3. On Street parking will be available on all streets according to the following schedule:

Collector Road	at least one side
Access Street	at least one side
Access Street serving a maximum of Eight dwellings	One side only
Park Edge Terrace	at least one side
Shared Accessway	One side only



Recommended Tree Spacing Options

Figure 16

3.2.4 Street Landscape

Street Tree Planting

Objectives

O1. Utilise thematic street tree planning to complement the functional role of streets.

O2. Ensure that separate species be utilised on separate street types

O3. Encourage deciduous street tree planting on all streets.

Controls

C4. Street trees will be planted at a maximum spacing of 15 metres, measured from centre of trunk to centre of trunk.

C5. At least one street tree shall be planted for each allotment.

C6. Street Tree species should be selected such that they achieve the following:

- Super-advanced at planting (at least 200 litre)
- Possess suitable anti vandal treatment
- Clean trunked to a height of at least 2 metres.
- A mature height which is complementary to the scale of the street and the height of predominant buildings which have frontage to that street.
- A mature canopy diameter of at least 7 metres and which allows for 70% of the street and verge area.

Street Furniture

Objectives

O4. Ensure there is to be a coordinated palette of street furniture utilised on the site.

O5. Ensure the items will be selected to relate strongly to the heritage significance of the site.

Control

C7. Items Detail of the palette of street furniture selected shall be submitted within a Landscape Master Plan for the site, which will address all elements of the public domain in a coordinated and holistic manner.

Lighting

Objectives

O6. Provide lighting to improve the level of safety within all streets.

O7. Ensure light pole and luminaires shall be of a style, colour and form compatible with the heritage context of the site and the style, colour and form of other urban elements.

O8. A strategy for lighting public spaces will be developed in conjunction with Council and will address the full range of issues including light type, appearance and spacing, as well as achievement of the relevant standards for acceptable ambient lux levels in public streets and spaces.

Street Landscape
Lighting

Figure 17

Controls

C8. Light poles shall be compatible with the pedestrian scale by virtue of their height and relationship to street dimensions.

C9. Light poles shall be evenly spaced and contribute to establishing a regular pattern and rhythm in the street. Spacing of light poles is to be coordinated with the spacing of street trees.

Services

Controls

C10. All services are to be located below ground, both within streets and between streets and individual dwellings.

C11. All principal services are to be provided in accordance with the requirements of the responsible authority.

3.3 Built Form

Objectives

O1. Buildings should address and define the public domain, including streets and open space.

O2. Buildings may be located up to the surveyed boundary of the Walpole Street Park Extension.

O3. Development should form an organised and visually supportive and pleasing appearance to Walpole Street Park and Walpole Street. A high level of casual surveillance is to be afforded by the design of buildings. Service spaces and private open space areas are to be appropriately screened from public view.

O4. Setbacks along each street should not be randomly composed. There should be a general consistency of building alignment and the street frontage.

O5. Development of the site will be staged, commencing in the area adjacent to Walpole Street.

O6. Development of the site shall comprise a mix and variety of housing types throughout.

3.3.1 Building Envelope and Form

With the exception of the Heritage Precinct, the site will be developed for residential and activities ancillary to such residential development, such as open space and home offices.

Based on the current indicative Master Plan, this DCP envisages that the site will have a maximum density of 260- 280 dwellings, comprised of a mix of detached, semi-detached and medium density multi- unit housing. Council may at its discretion consider and approve a variation to the Master Plan where compelling economic, environmental or social grounds are present, and where the overarching objectives and principles of this DCP can be achieved.

Setbacks

Controls

C1. Buildings must be set back from the property boundary by a distance which supports the achievement of the preferred building height to street width principle. (refer to section 4.1).

C2. Building setbacks are described on the street sections appearing in Section 3. Specifically these correspond to a maximum of 4.5 metres to the principal facade.

Building Height

C3. The building height on any street must fall within the range defined by achievement of the preferred building height to street width principle (refer to Section 4.1).

C4. Building height must conform with the Master Plan approved by Council. A revised Master Plan may be accepted and approved by Council from time to time.

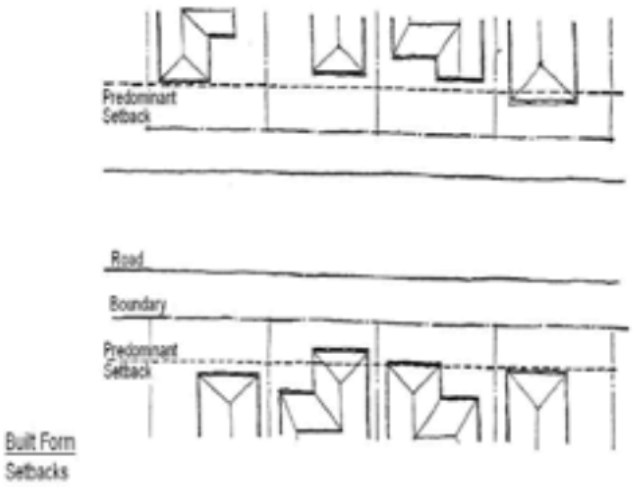


Figure 18

Roof Form

Objectives

O1. Ensure there is a defined palette of roof colours and materials to be utilised throughout the DCP area.

O2. Habitable use of roof space is encouraged in all residential development. Roof space is not counted as an additional storey for the purposes of this DCP.

Controls

C5. Roofs shall be pitched at a slope which allows their habitable use and which is compatible with the pitch of roofs present on the heritage structures within the Heritage Precinct.

C6. Roof form features such as hips, gables, chimneys etc. are encouraged in order to give greater visual interest and break up the bulk and mass of the roofscape

C7. Eaves overhang should be considered in order to provide weather protection to walls.

C8. Roofs should be of a colour and material which is compatible with important heritage buildings in the locality, and the surrounding urban context. Coloured corrugated steel and Marseilles tiles are encouraged due to their historic association with the site.

3.3.2 Massing and Fenestration

Objectives

O1. The massing of buildings on the site should serve to fragment larger building forms into more human scaled components, in both vertical and horizontal planes.

O2. Building facades are to be articulated and fragmented. They are to utilise building form, the play of light and shade, solid and void, and a variety of materials and elements in order to achieve visual interest and supportive relationship with the scale of pedestrians experiencing the urban environment both inside and outside the site.

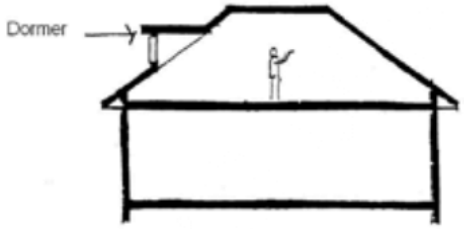
O3. Building facades are to exhibit a clear expression of "base", "middle" and "top" components.

Controls

C1. The horizontal bulk of buildings shall be downplayed through the use of strong vertical elements, particularly in cases where long walls will address the street.

C2. There shall be regular spacing of solid elements and openings within the street facade of buildings.

C3. Windows shall be vertical in proportion in order to reduce the apparent bulk of buildings.



Habitable use of roof space is encouraged

Figure 19

3.3.3 Orientation and Solar Access

Objectives

O1. While having regard to the orientation of the site, buildings are to be sited and designed in a manner which minimises their impact in terms of overshadowing.

O2. Buildings are to be sited and designed such that a maximum of solar access is gained to internal living spaces and outdoor private open spaces.

Controls

C1. North facing windows to main living spaces should receive a minimum of 4 hours direct sunlight during mid-winter while east and west facing windows should receive a minimum 2 hours direct sunlight during mid-winter. South facing windows in connection with main living areas should be minimised.

C2. No building should unreasonably overshadow a public space or neighbouring private space between the hours of 10:00 am and 2:00 pm during mid-winter.

3.3.4 Building Appearance

Objectives

O1. The appearance of housing across the site should be coordinated such that there is a reasonable level of individual variety, within the context of achieving a compatible relationship between all buildings. There should be a mix of building forms.

O2. Porches and verandahs are encouraged in order to provide shelter, identity, enhance casual surveillance of the street and provide the opportunity for increased community interaction.

O3. Front yards are an important aspect for the setting and public appearance of buildings. Front yards should be seen as an opportunity to extend the quality of public landscape into semi-public areas.

O4. Front yards should be designed and planted to support the architecture of the building as well as the overall landscape concept for the site.

Controls

C1. All new buildings must consider and respond supportively to buildings located in adjacent positions, as well as across the street. Consistency between ridge, eave and opening heights are important in this respect.

C2. Building materials and colours selected and utilised on the site are to be coordinated throughout the site and are to be compatible with the heritage structures currently, or formerly, located on the site, and adjoining buildings. Generally, buildings of masonry and/or render construction with light colours of a neutral tone are preferred.

C3. All housing shall have a clear and visible address point that is directly approached from the street. The front entrance pathway should not be shared with other buildings.

C4. Entry spaces shall be designed in a manner that restricts direct views into the living spaces of dwellings.

C5. Landscaping within front yards should enable high levels of casual surveillance of the street to be maintained.

C6. Landscape details shall be submitted with each development application.

3.3.5 Specific Precinct Controls

Heritage Precinct Transition Area

Building controls for the heritage precinct transition area apply to the area defined on Figure 20. Specifically, this area encompasses all land within 25.0 metres inside of the Heritage Precinct's northern, eastern and southern boundaries.

Objectives

O1. Provide an appropriate visual setting for heritage items;

O2. Ensure that new development respects the established patterns in the former Goodlet and Smith Brickworks;

O3. Ensure a harmonious and compatible relationship between the scale of heritage buildings and new development;

O4. Ensure that new development respects the architectural style and character of the heritage precinct.

Controls

Setting

C1. Care should be taken in the placement of new buildings such that vistas of important heritage buildings are maintained along streets.

C2. No part of any new development within the heritage precinct should project below the eaves overhang of a heritage item.

C3. No new building should be located closer than 3.0 metres from a heritage item or its overhang, whichever is the greater.

C4. New buildings within the heritage precinct should be designed in a manner compatible with the appearance of existing heritage items, without mimicking those heritage items.

Scale

C5. New buildings located within the heritage precinct should be compatible with existing heritage buildings. They should not visually dominate or compete with the scale of heritage items.

C6. New development within the heritage precinct should not have more than 2 storeys of habitable space (exclusive of roofspace). Roof pitch and form should reflect that of adjoining heritage items

C7. No portion of a new building located within the heritage precinct should extend above the ridge height of the Patent Kiln.

C8. Simple roof forms, which do not compete with heritage buildings, are appropriate.

Figure 5.5 Each building should have a clearly defined entry. This example utilises both building form and its relationship with the street to clearly define the main entrance.

Figure 20

Materials

C9. While not mimicking existing heritage buildings, new buildings located within the heritage precinct should adopt and utilise external materials and finishes complementary to the heritage fabric. These should be neutral tones

C10. Front fences should be either low brick walls or incorporate a plinth, composed of simple rendered and painted brick. Exposed recycled brick is also appropriate.

C11. Balconies and verandahs should incorporate only simple railings and balustrades, sympathetic with fencing.

C12. Elaborate fretwork is to be avoided.

C13. Gutters and flashings are to be of a traditional form. Fascia gutters are to be avoided.

C14. New development proposed for the heritage precinct should be reviewed by Council's heritage advisor.

3.3.6 Development Adjacent to the Heritage Precinct

Building controls for areas adjacent to the heritage precinct apply to the area defined on Figure 21. Specifically, this area encompasses all land outside 25.0 metres of the Heritage Precinct's northern, eastern and southern boundaries.

Objectives

O1. Provide an appropriate visual setting for heritage items;

O2. Ensure that new development respects the established patterns in the former Goodlet and Smith Brickworks;

O3. Ensure a harmonious and compatible relationship between the scale of heritage buildings and new development;

O4. Ensure that new development respects the architectural style and character of the heritage precinct.

Controls

Setting

C1. New development should be designed and sited in a manner which does not detrimentally effect the heritage significance of either the entire precinct, or individual elements within the precinct.

C2. New development should be designed in a manner sympathetic to the appearance of existing heritage items.

Scale

C3. The scale, bulk and height of new buildings located adjacent to the heritage precinct should be visually compatible with, and should not dominate, existing heritage items located within the precinct.

C4. Any proposed building (or part of a building) located within 20 metres of an identified heritage item should not have more than 2 storeys of habitable space (exclusive of roofspace).

C5. Roof forms which are sympathetic to those within the heritage precinct are encouraged.

Materials

C6. While not mimicking existing heritage buildings, new buildings located adjacent to the heritage precinct should adopt and utilise external materials and finishes complementary to the heritage fabric. These should be light colours and neutral tones

C7. Front fences should be either low brick walls or incorporate a plinth, composed of simple rendered and painted brick.

C8. Balconies and verandahs should incorporate only simple railings and balustrades, sympathetic with fencing.

C9. Elaborate fretwork is to be avoided.

C10. Gutters and flashings are to be of a traditional form. Fascia gutters are to be avoided.

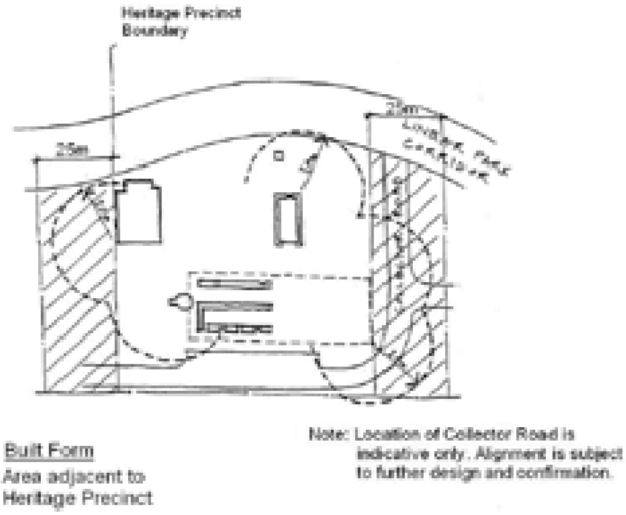


Figure 21

3.3.7 Development Adjacent to Walpole Street

Objectives

O1. Ensure buildings experiencing dual frontage to both Walpole Street and streets internal to the site, present a suitable facade to Walpole Street and foster a suitable relationship to the public domain external to the site:

O2. Provide high levels of casual surveillance to Walpole Street.

O3. Ensure there is a balance between the requirements of privacy for dwellings and the creation of a suitable interface with Walpole Street:

Controls

C1. Service areas fronting Walpole Street are to be adequately screened such that they are obscured from pedestrian view.

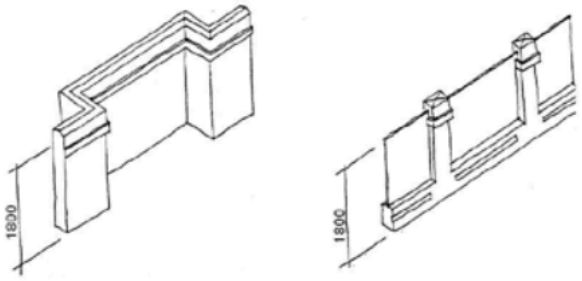
C2. Building services such as water heaters, rainwater tanks etc may not be located on facades facing Walpole Street.

C3. Boundary fencing must be coordinated along the length of Walpole Street.

C4. Boundary fencing may be no higher than 1.8 metres in height.

C5. Boundary fencing should utilise a variety of materials and/or incorporate substantial articulation and modulation in order to create visual interest. The creation of recessed bays, incorporating planting is encouraged in this respect.

C6. Buildings with frontage to Walpole Street shall include adequate measures to ameliorate noise impacts generated from both passing traffic and industrial activities located opposite. These measures, and their appropriateness, must be demonstrated through submission of an acoustic assessment.



Built Form
Potential Fencing Types for Walpole Street.

Figure 22

3.3.8 Development Adjacent to the Main Southern Railway & Adjoining Industrial Development

Objectives

O1. Ensure buildings located adjacent to the Main Southern Railway present a suitable facade to the railway alignment in order to enhance the visual perception of the site:

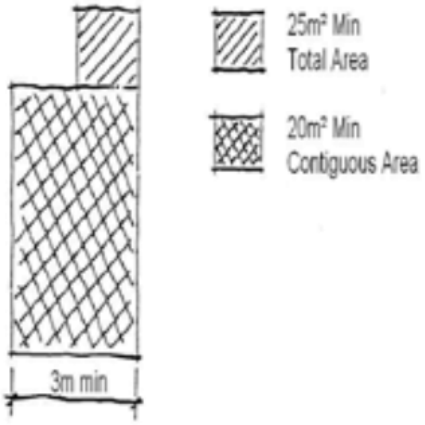
Controls

C1. Service areas fronting the railway alignment are to be adequately screened/obscured from view.

C2. Building services such as water heaters, rainwater tanks etc should not be located on facades facing the railway alignment.

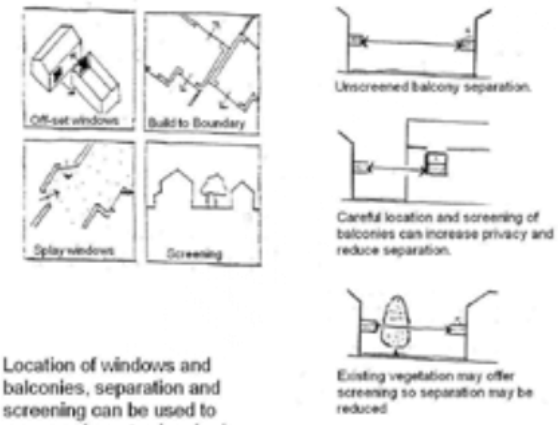
C3. No building should be located within 3 metres of the railway alignment or the common boundary of adjoining industrial development.

C4. All buildings located adjacent to the railway alignment and/or adjoining industrial activities must include adequate measures to ameliorate noise impacts generated from the railway and/or industrial activities. These measures, and their appropriateness, must be demonstrated through submission of an acoustic assessment.



Built Form
On Site Open Space

Figure 23



Location of windows and balconies, separation and screening can be used to ensure adequate visual privacy.

Figure 24

3.3.9 Site Development Issues

On Site Open Space

C1. All dwellings are to be provided with private open space which achieves the following principles:

- Amenity, slope and dimensions suited to the needs of users;
- Adequate privacy for residents;
- Access to adequate direct sunlight, particularly during winter months; and
- Be adjacent and/or visible from the main living areas of dwellings.

C2. Each dwelling must be provided with a minimum area of private open space consisting of one of the following attributes:

- Ground level area totalling 25m2, having a minimum contiguous area of 20m2 and a minimum dimension of 3 metres; or
- A balcony, located immediately adjacent to the main living area, with a minimum area of 6m2 and a minimum dimension of 1.5 metres (only applicable for blocks of units).

Privacy and Overlooking

Visual Privacy

C3. Direct overlooking of main internal living areas and private open spaces of adjacent properties should be minimised through building location, the offset positioning and design of windows, the positioning and design of balconies and/or the use of screening devices where necessary.

Acoustic Privacy

C4. Site layout and building design minimises the transmission of external noise to habitable rooms through attention to:

- Siting of buildings
- Internal room layout
- Location of private open space
- Location and design of windows
- Building construction methods

C5. Habitable rooms, particularly bedrooms, shall be separated from significant noise sources

Casual Surveillance

C6. Casual surveillance of streets and other public spaces is to be maximised through the following design principles:

- Living areas should be located in areas which directly overlook public spaces.
- Windows should be located such that they provide for casual surveillance of public spaces.

- Planting located in semi-public and private areas should be selected such that a generally unobstructed view of public spaces may be available.

The location of living spaces and position of windows should maximise potential for casual surveillance of streets and public spaces.

Figure 25

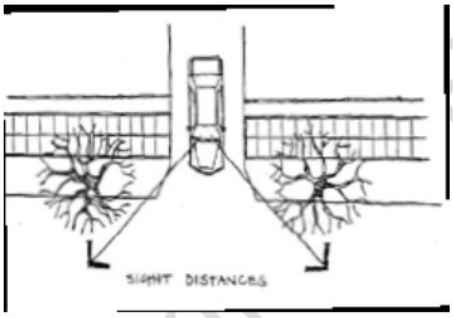


Figure 26

Access and Parking

C7. Parking areas, driveways and street access design are to comply with the relevant Australian Standards. Refer to Part G of Cumberland Development Control Plan.

Car Parking

C8. On site car parking for residents is to be provided according to the following:

Apartments	1 space per apartment, dedicated to that apartment; and 1 space per 5 apartments for visitor parking.
Houses, Duplexes & Terracehouses	At least 1 space undercover; and At least one additional space on site

C9. Bicycle parking is to be provided in multi- unit buildings at a rate of 1 space per 3 apartments.

Driveways

C10. Where paving materials are utilised, these should be:

- In materials, other than plain concrete, and of colours which complement the site.
- The use of colour and materials should be coordinated across the site and be selected from a defined palette for the site.
- Of adequate strength and non-slip qualities.

Access for the Street

C11. Double driveways should be no greater than 5.0 metres in width. Single car driveways should be no greater than 3.0 metres in width.

Flooding and Stormwater Disposal

C12. Habitable floor levels of buildings are to be located at least 300mm above the 1 in 100 year ARI flood level.

C13. Basement level carparks are to incorporate measures such that they are able to remain flood free for the 1 in 100 year ARI flood event

C14. Connection of developments to the street or piped stormwater disposal system

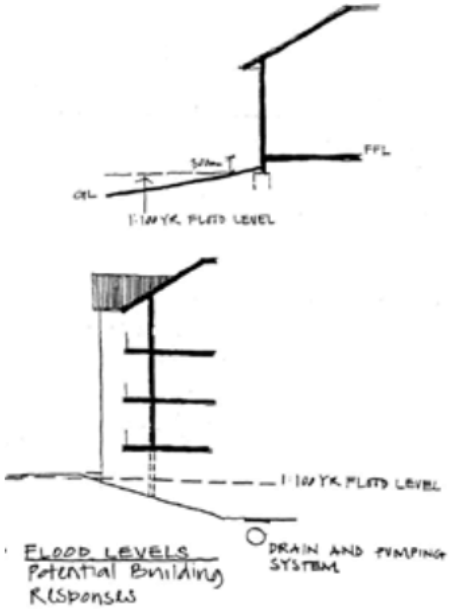


Figure 27

3.4 Disabled Access and Adaptable Housing

The term adaptable housing implies that flexibility is built in at the design stage in order to allow dwellings to be modified when and if, changing circumstances dictate. In this way, adaptable housing achieves principles of robustness in the urban environment. Similarly, adequate provision of disabled access to buildings provides for greater equity and recognises the diversity of potential user groups in the community.

Controls

Disabled Access

C1. Access into or around detached dwellings, townhouses and duplexes is to be flat, or gently sloping. The majority of all ground floor dwellings (detached, terrace houses and duplexes) should be capable of adaptation to allow barrier free access.

C2. All public spaces should be designed in a manner which allows their equitable use by disabled residents and visitors.

Adaptable Housing

C3. Development of the site is to achieve the provision of a total of 26 adaptable dwellings, in accordance with AS 4299-Adaptable Housing (Class C), This standard is based on a rate of provision of 1 adaptable unit per 10 dwellings.

3.5 Ancillary Issues

3.5.1 Energy Efficiency

Objectives

O1. Ensure the design and layout of housing on the site facilitates the achievement of appropriate levels of energy efficiency

O2. Encourage building design to minimise fossil fuel energy use and to maximise use of natural ventilation, daylight and solar energy.

O3. Encourage buildings to utilise layouts that minimise winter heat loss and make use of solar energy for heating wherever possible.

O4. Ensure buildings are designed to minimise excessive exposure to summer sun.

Controls

C4. Windows shall be located to facilitate thermal control.

C5. Building materials should be durable and require low levels of maintenance.

C6. Materials, which have a higher thermal mass value (e.g. bricks, concrete and stone), shall be utilised where they may benefit thermal control and energy efficiency of a building.

C7. Buildings are to utilise materials which posses a low level of embodied energy.

C8. Buildings are to maximise the use of recycled and recyclable materials. In particular, building materials currently located on the site should be reused wherever possible.

C9. Building fitouts shall utilise energy efficient appliances where available.

C10. All dwellings are to achieve a minimum 3.5 star rating under the Housing Energy Scheme (NatHERS) Compliance with this requirement is to be demonstrated by the applicant as part of the development application submission.

3.5.2 Garbage Disposal and Waste Storage

Controls

C1. Appropriate space shall be provided within each dwelling for the temporary storage of garbage and recyclables.

C2. A waste storage area is provided on site, is accessible to users and is of a size that caters for the following requirements:

	Height	Width	Depth
120 litre bin	930 mm	480 mm	550 mm
240 litre bin	1080 mm	575 mm	730 mm
1100 litre bin	1465 mm	1360 mm	1220 mm

Dwelling Type	Provision
Detached House	1 x 240 litre garbage bin. 1 x 240 litre split recycling Bin
Villa or Townhouse	1 x 120 litre garbage bin. 1 x 240 litre split recycling Bin
Apartments	1 x 1100 litre container per 8 units
Apartments (not exceeding 10 units)	1 x 240 litre split recycling bin
Apartments (greater than 10 units)	1 x 240 litre paper recycling bin per 6 units 1 x 240 litre comingled bin per 6 units

C3. The location and design of waste storage facilities is complementary to the architecture, landscape and street frontage of the development.

3.5.3 Boundary Fencing

Objectives

O1. Utilise fencing to enhance an image/perception of quality and provide appropriate levels of privacy.

O2. Utilise front fences to provide a suitable transition between the public domain and semi-public areas located within individual allotments.

O3. Discourage high front fences which are not transparent

Controls

C1. Detached, Terrace houses Duplexes:

- The option of no front fence is encouraged.
- Front fences must not exceed 1.5 metres from ground level (excluding piers).
- Front fences must be highly transparent

C2. Apartment Buildings:

- Front fences are required for all buildings in order to provide an appropriate transition between public and semi-public space.
- Front fences must not exceed 1.8 metres (excluding piers)
- Front fences must be highly transparent.

C3. Side and rear fencing should be generally no higher than 1.8 metres. They should provide an adequate level of privacy to private open spaces and should be consistent with building design and where visible from the street.

3.5.4 Street Numbers

Control

C1. All street numbers must be clearly visible from the principal street frontage.

3.5.5 Garages and Outbuildings

Controls

C1. Garages and outbuildings are to comply with all other relevant sections of this DCP, Specifically, Building Envelope, Building Form, Building Appearance and Specific Precinct Controls where applicable.

C2. Garages and outbuildings should be designed to complement the architecture of the main building to which they are related.

C3. All garages and carports must be set back behind the main front facade of the building to which they are related.

3.5.6 Clothes Drying Areas

Controls

C1. Clothes drying areas are to be screened from both the street and adjoining properties.

C2. Clothes drying areas are to be easily accessible from dwellings and should not dominate the form and availability of private open space within a development.

3.5.7 Storage Areas

Control

C1. Adequate storage space is to be provided for all residential development and may be provided either within a dwelling or within common areas such as parking garages.

3.5.8 Telecommunications Facilities

Controls

C1. Telecommunications facilities are to be located such that they do not detract from the aesthetic appeal of the neighbourhood or adversely impact on the visual amenity of neighbours.

C2. Telecommunications services are to be located underground (see also section 4.6).

Figure 7.1 Appropriate boundary fencing for detached dwellings

Figure 7.2 Appropriate boundary fencing and landscape for apartment buildings

Figure 28

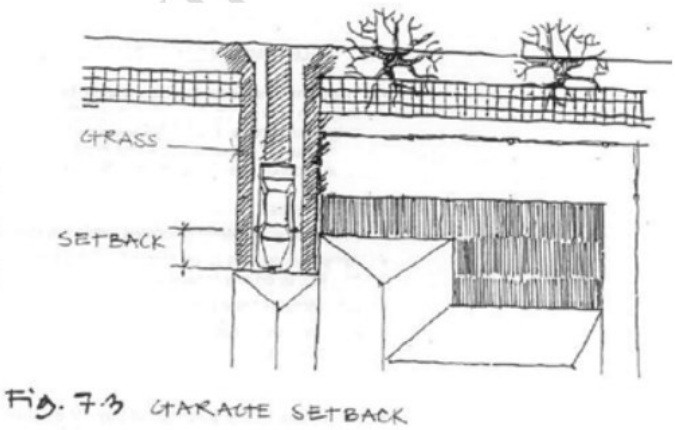


Fig. 7.3 GARAGE SETBACK

Figure 29

3.5.9 Antennae

Controls

C1. Antennae are preferably located within the roof cavity.

C2. Antennae are not to be located on the front facade of any building, or on any facade facing Walpole Street.

C3. A maximum of one antenna is permitted per building.

C4. Antennae must not extend above the uppermost ridge line of a building.

3.5.10 Cabling

Control

C1. All cabling, for the purposes of pay TV etc, must be located below ground.

3.5.11 Satellite Dishes

Controls

C1. No satellite dish is to be located on the front facade of a building, or be visible from a public street.

C2. Satellite dishes are to be located below the ridgeline (or parapet) of the roof.

C3. A maximum of one satellite dish is permitted per building.

Pemulwuy Residential

Contents

1. Introduction

1.1 Land to which this Part applies

Land to which this Part applies includes land identified as land within the residential precinct of Pemulwuy as shown in Figures 1 and 2.

Figure 1: Pemulwuy North Sub precinct.

Figure 2: Pemulwuy South Sub Precinct.

2. Vision and General Objectives

2.1 Vision

The vision for Pemulwuy is for a high quality public domain, incorporating the natural characteristics, ecology and heritage of the site. Sustainable development principles underlie the proposed urban outcome. While most of these objectives apply at the scale of precinct and subdivision planning, many can be applied also at the lot scale.

2.2 General Objectives

Objectives

O1. Ensure that development within the Pemulwuy Residential Precinct is primarily used for residential purposes and associated facilities.

O2. Provide for a range of housing types, including secondary dwellings, dual occupancies, attached dwellings, semi-detached dwellings and multi dwelling housing, in areas well served by public transport and near local shops.

O3. Allow people to carry out a reasonable range of activities from their homes while maintaining neighbourhood amenity.

O4. Allow for a variety of small scale local non-residential uses that primarily serve local residents and are compatible with the character of the living area.

O5. Allow home occupations where such activities are unlikely to adversely affect the living environment of neighbours.

O6. Prohibit development that is of an offensive, hazardous, noisy, intrusive or environmentally inappropriate nature.

O7. Allow for local open space that is accessible and well located, that promotes the use and enjoyment of local open space for both residents and the workforce, that may include elements of the natural environment, and that provides for active and passive recreation.

3. Specific Objectives and Controls

3.1 Public Open Space

3.1.1 Public Domain Open Space Strategy

Objectives

O1. Develop a strong and high quality network of public open spaces that includes town squares, parks and streets.

O2. Develop a public domain that links the Pemulwuy community together through open space corridors.

O3. Design the public domain at a scale that encourages pedestrian use, and is well addressed by surrounding development.

O4. Provide areas of high amenity for the local community to focus upon and use.

O5. Design the public domain within the site (comprising parks, riparian and drainage corridors, water bodies, paths, cycleways and streets) to create a unique setting and exemplar for development throughout Pemulwuy.

O6. Ensure that the design of these facilities achieves longevity of the service life of the assets, and ease of maintenance of the public domain and open space areas and the improvements located in them.

O7. Reinforce within the mixed-use centre near the Driftway Drive / Butu Wargun Drive intersection civic, cultural and recreational facilities supported by workplaces, shops and a variety of housing types.

O8. Consider the Biodiversity Management Measures.

Controls

C1. Locate parks to achieve views from and towards Prospect Hill.

C2. Locate parks for the amenity of the residents and to be easily accessed.

C3. Design parks for the site appropriate to their place and role.

C4. Design open spaces which:

- are generally edged by streets. Where this does not occur, the public/private interface shall be suitably delineated;
- are within an easy 5 minute walk from most residences;
- are well distributed and part of a public domain network;
- provide a distinctive focus for local neighbourhoods;
- allow for a range of passive recreational activities;
- are part of a hierarchical public domain network of parks and streets which interpret points of difference within the site, related to topography, site features, orientation, and aspect; and
- may be reinforced with associated community facilities.

C5. Landscape open space areas using anti graffiti treatment and materials, including wall treatment to masonry surfaces.

C6. Design the Greystanes Creek Woodland Park and the Northern Bushland Park to provide access for Council's maintenance equipment through the provision of appropriate access points.

3.1.2 Trees and Ecological Habitats

Objectives

O1. Create neighbourhood identity using indigenous tree species.

O2. Enhance and maintain biodiversity by complementing other conservation initiatives.

O3. Use locally indigenous plant species, including threatened and regionally significant species, in drainage areas, streetscapes and open spaces.

O4. Conserve threatened species populations and their habitats.

O5. Create fauna movement corridors within the site and link to external ecological resources (where practicable allowing for other site uses).

O6. Reduce water and fertiliser demand.

O7. Maintain tree hazard at acceptable levels.

O8. Create an environmental corridor along Greystanes Creek.

O9. Retain and add to existing trees on Prospect Hill, consistent with the Prospect Hill Conservation Management Plan, thereby forming large stands of trees to provide a visual buffer to development when viewed from the top of Prospect Hill.

Controls

C1. Manage trees in accordance with Part A of this DCP.

C2. Ensure that the tree network and structure will provide a coherent wildlife corridor throughout the site from adjacent sites.

C3. Retain existing healthy trees unless there are clearly justifiable reasons for their removal and alternatives have been considered (see Part A – Protection of Existing Trees).

C4. Retain where possible existing trees consist with Figure 5 (Pemulwuy South) and Figure 6 (Pemulwuy north).), subject to future detailed design. With regard to the latter and in the interest of the development generally, retain as many trees as possible under the direction of a qualified arborist.

C5. Retain where possible trees located in areas depicted as public open space, especially where species from the Cumberland Plain Woodland and Sydney

Coastal River Flat Forrest suite of species are to be preserved and augmented. For example, stands or groups of trees are located predominantly around the existing creek line, and are to be retained as part of the riparian zone adjacent to the creek where possible.

C6. Wherever possible, to use correct genotypes and collect seed from the local trees. This applies throughout the public domain. In some locations, exotic species can be used for landscape accent and shade.

C7. Clear weeds and non-natives as part of a program to re-establish native plants.

C8. Retain and add to existing trees on Prospect Hill, consistent with the Prospect Hill Conservation Management Plan, thereby forming large stands of trees to provide a visual buffer to development when viewed from the top of Prospect Hill.

C9. Replace the predominant pine forestation of Pemulwuy with native planting.

C10. Preserve and protect any scarred tree located in Pemulwuy, in consultation with Aboriginal/ Archaeological advice.

C11. Ensure tree species selection is consistent with Figure 8 (Pemulwuy North) and Figure 22 (Pemulwuy South).

C12. Ensure that the hierarchy of street trees reflect the scale of the streets, design intent, safe usage of trees and building size.

C13. Retain scattered trees of landscape and ecological value in the private domain.

C14. Apply the following process for tree selection and establishment for the site, whichever is the lesser:

- Select the most appropriate tree species based on the suitability of the site; in particular, species which are resilient to storm damage (given appropriate establishment and maintenance).
- Ensure that tree plantings mature with the highest possible root and structural strength by appropriate plant selection, procurement, site preparation, establishment and maintenance.
- Design the public domain to incorporate sufficient space to allow for tree establishment, where proposed. This includes the provision for the development of deep structural roots.

C15. Manage retained native trees within the public domain by integrating periodic hazard assessment (undertaken by a qualified arborist) with the implementation of appropriate arboricultural treatments to maintain tree hazard at acceptable levels. Ensure frequency of hazard assessments is 12 monthly or at a time when significant changes in the use of the site are proposed, whichever the lesser.

C16. Apply the following process for tree removal from the site:

- Where possible, trees that may need to be removed are to be transplanted in the core riparian zone or outer protection zone of the Greystanes Creek Corridor.
- In addition, trees to be removed are those that fall within proposed road corridors, within or close to building foot prints or those identified as structurally unsound, dangerous or inappropriate for retention as outlined in the arborist report. The total extent of these additional trees to be removed is to be determined as part of the design development phase of the project.
- Confirm the final extent of trees to be removed by a qualified arborist. and
- Ensure tree removal involves the complete removal from site of the tree and root system. Roots less than 50mm diameter may remain.

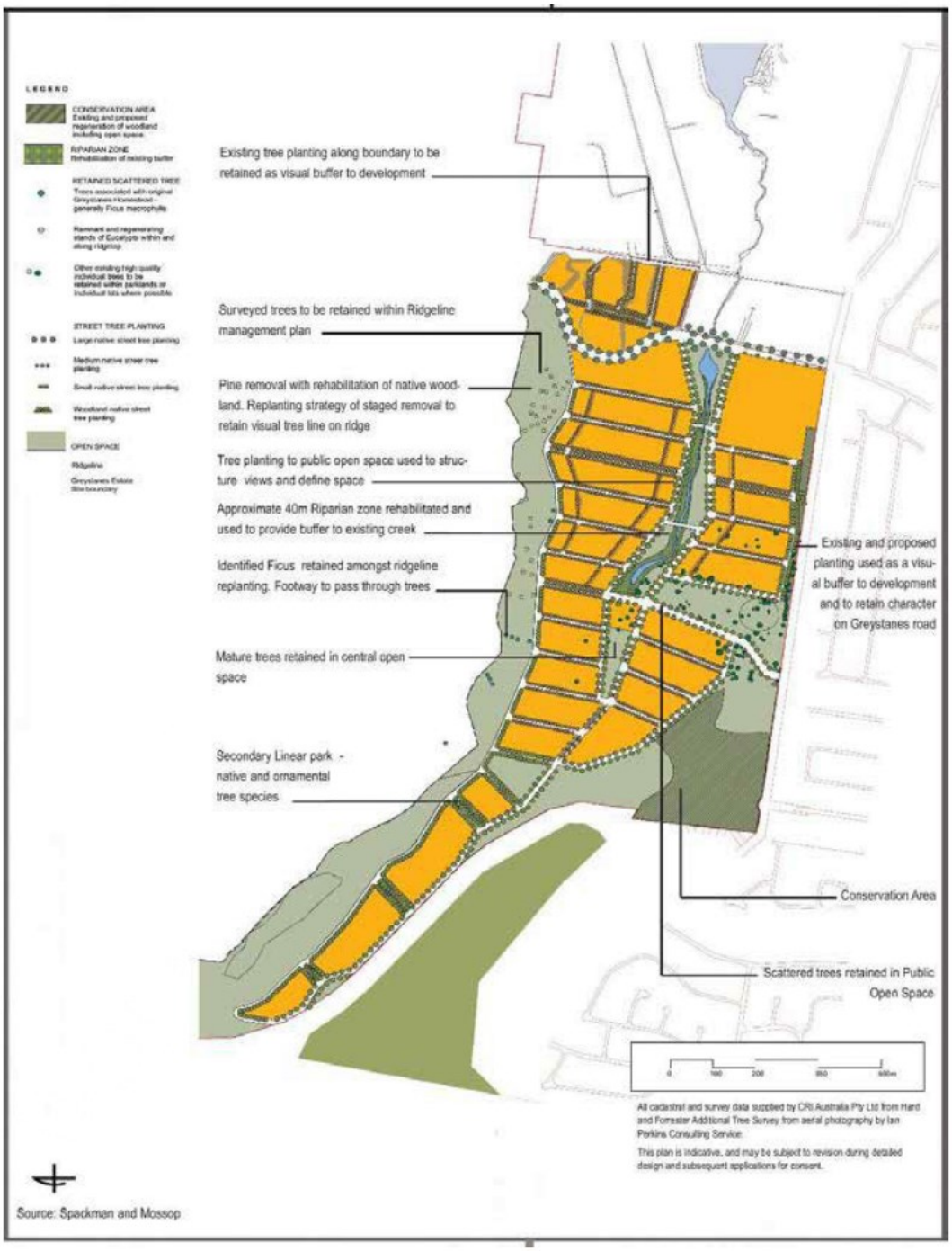


Figure 3: Trees and Ecological Habitat.

Figure 4: Proposed Vegetation Strategy.

Figure 5: Existing individual Tree Strategy.

Figure 6: Existing Vegetation/Tree Strategy.

3.1.3 Public Open Spaces – Pemulwuy North

Greystanes Creek Woodland Park

Objectives

O1. Provide the Greystanes Creek Woodland Park as a linear Environmental Protection area, with some open space to protect and enhance the ecological riparian outcomes on the site.

O2. Service the community's recreational needs through provision of distinct areas.

O3. Locate the Woodland Park centrally and overlooked on both sides by houses to improve passive surveillance.

O4. Visually link the park clearly with the adjacent street system, enhanced by tree avenues and vistas to control views and enclose spaces.

O5. Enhance biodiversity and ecological processes on the site through the provision of a vegetated environmental protection zone.

Controls

C1. Greystanes Creek Woodland Park has been completed, and provides:

- a vegetated riparian zone (consisting of a core riparian zone and an outer protection zone) in accordance with the agreement reached between Stockland and the Department of Planning (refer to Figure 7);
- rehabilitation of the existing core environmental protection zone and outer protection zone and identified areas of Sydney Coastal River Flat Forest and Cumberland Plain Woodland;
- a diversity of local native trees, shrubs and groundcover species in the core riparian zone, as detailed in the Vegetation Management Plan/Bushland Management Plan for the Greystanes Creek Woodland Park;
- a coherent wildlife corridor linking surrounding open spaces and ecological habitat;
- lighting at key points;
- sedimentation ponding;
- open amenity areas, such as a picnic area on the eastern side of the lake, seating and small areas of hard standing/paving;
- unstructured recreation areas;
- dedicated pedestrian/cycle paths, generally in the outer protection area; and
- public art at appropriate locations and of an appropriate nature.

Figure 7: Riparian Corridor Plan - Greystanes Creek Woodland Park.

Prospect Hill State Heritage Registered area

The Prospect Hill State Heritage Registered area is listed on the NSW State Heritage Register and the Register of the National Estate. The area also includes land along the ridgeline south of Butu Wargun Drive, plus an identified curtilage.

The part of the SHR area south of Butu Wargun Drive, is addressed in the section on Prospect Hill under Public Open Space Precincts of Pemulwuy South.

Objectives

O6. Retain the open grass hill character as open space and preserve the distinctive ridgeline.

O7. Consult with local community groups to ensure that the future proposal reflects the historical relevance of the past.

O8. Because the topography of the ridgeline lends itself to prime viewing, to locate these within the pedestrian network, consistent with the Prospect Hill Heritage Landscape Study & Plan and the Prospect Hill Heritage Interpretation Plan.

Controls

C2. Ensure all development within Prospect Hill is informed by the following documents:

- Prospect Hill Conservation Management Plan (Conybeare Morrison; 2005)
- Prospect Hill Heritage Landscape Study & Plan (NSW Government Architect's Office; 2008)
- Prospect Hill Heritage Interpretation Plan (MUSEcape; 2009).

Village Green

"Village Green" is located adjacent to the north-west corner of Butu Wargun Drive and Driftway Drive, Pemulwuy. This location is central to the residential developments and community and retail facilities of Pemulwuy for optimum accessibility.

Objectives

O9. Provide landscape and heritage interpretation which protects and interprets the natural, Indigenous and cultural significance of the Prospect Hill SHR area.

O10. Open views in to the Greystanes Creek Woodland Park from the entry road, adding to the feeling of a well connected open space network.

O11. Provide a hub for activity, close to the village centre.

Controls

C3. Village Green has been completed, and provides:

- a paved area for seating/meeting with an open pavilion structure;

- shade coverage and a play area for toddlers and young children allowing for parental supervision;
- amenity lighting at key points;
- low profile fencing around some areas of the park;
- a large area of flat maintained turf for informal and unstructured recreation (approximately half a playing field for informal ball games). The topography is graded around the edges to define the recreation space and the interface with the road; and
- public art at appropriate locations and of an appropriate nature.

Northern Bushland

The "Northern Bushland" area is located north of the detention basin within the identified potential dam break flood hazard zone. The area contains the creek and identified ecological communities/trees of varying quality. An opportunity arises to create public open space in the form of unstructured open space with an ecological feel. See the Objectives below for three distinct bushland character types required.

Objectives

O12. Retain and enhance the existing creek line as a natural system through a vegetated riparian zone.

O13. Service the community's passive recreational needs.

O14. Provide a safe recreational environment.

Controls

C4. Vegetate in accordance with the Vegetation Management Plan/Bushland Management Plan prepared for the Northern Bushland Park.

C5. In the vegetated riparian zone, provide a diversity of local native trees, shrubs and groundcover species.

C6. Retain existing trees, and regenerate by planting further native bushland species.

C7. Provide a 2.5-3.0m pedestrian/cycleway through the area. Locate the pathway to facilitate a rider experience of the range of habitat types and the sequence of open and enclosed spaces.

C8. Where practicable, provide pedestrian/cycle links to the north using existing culverts.

C9. Within the open space area, provide activity nodes for a playground, fitness equipment/ sculpture/ seating and for environmental interpretation.

C10. Regenerate areas of bushland to protect existing trees and provide a buffer zone to the M4.

C11. Provide limited open maintained grassland with pedestrian access in accordance with Figure 8.

C12. Provide adequate lighting at key points.

Note: Refer to Figure 8 for the agreed riparian corridor for the Northern Bushland Park and Figures 8- 9 for indicative concept plans.

Figure 8: Concept plan for the Northern Bushland Park.

Figure 9: Concept Section A for the Northern Bushland Park.

Lakeside Area

Objectives

O15. Provide visual amenity for residents of Pemulwuy.

O16. Enhance the existing flora and fauna species.

O17. Sensitively locate circulation and view points in order to minimise disturbance while providing the opportunity to observe and appreciate wildlife.

O18. Service the community's recreational needs.

O19. Provide a safe recreational environment.

Controls

C13. Create viewpoints overlooking the lake, linked by a cycle/pedestrian route around it.

C14. In the design of embankments and their surrounds, ensure safety around the water's edge. Fully investigate safety issues relating to the dam.

C15. Locate the cycle and pedestrian route along the top of the dam wall offering views up and down the creekline.

C16. Provide macrophyte zones for water quality treatment with baffling structures to direct flow.

C17. Provide adequate lighting at key points.

C18. Provide public art at appropriate locations of an appropriate nature.

Note: Refer to Figures 10 and 11 for an illustrative view and concept plan of the area.

Figure 10: Perspective of Southwest area of the lakeside.

Figure 11: Concept plan for the southwest area of the lakeside.

Neighbourhood Pocket parks (Pemulwuy North)

Objectives

O20. Provide unstructured open spaces.

O21. Provide key pedestrian nodal points and connections.

O22. Provide a safe recreational environment.

Controls

C19. Define park tree avenues with the main aspect being in an easterly direction.

C20. Plant shrubs and trees of an ornamental character with larger species providing shade.

C21. Where the park is fronted by a pedestrian footpath, clearly delineate the public/private domain through the use of front fences.

C22. Use front verandas or porches in adjacent development to encourage use and overlooking.

C23. Create opportunities for play settings and seating.

C24. Provide appropriate lighting.

C25. Consider public art as part of the overall design.

Note: Refer to Figures 12 and 13 for an illustrative view and concept plans

Figure 12: Perspective of Neighbourhood Pocket Park.

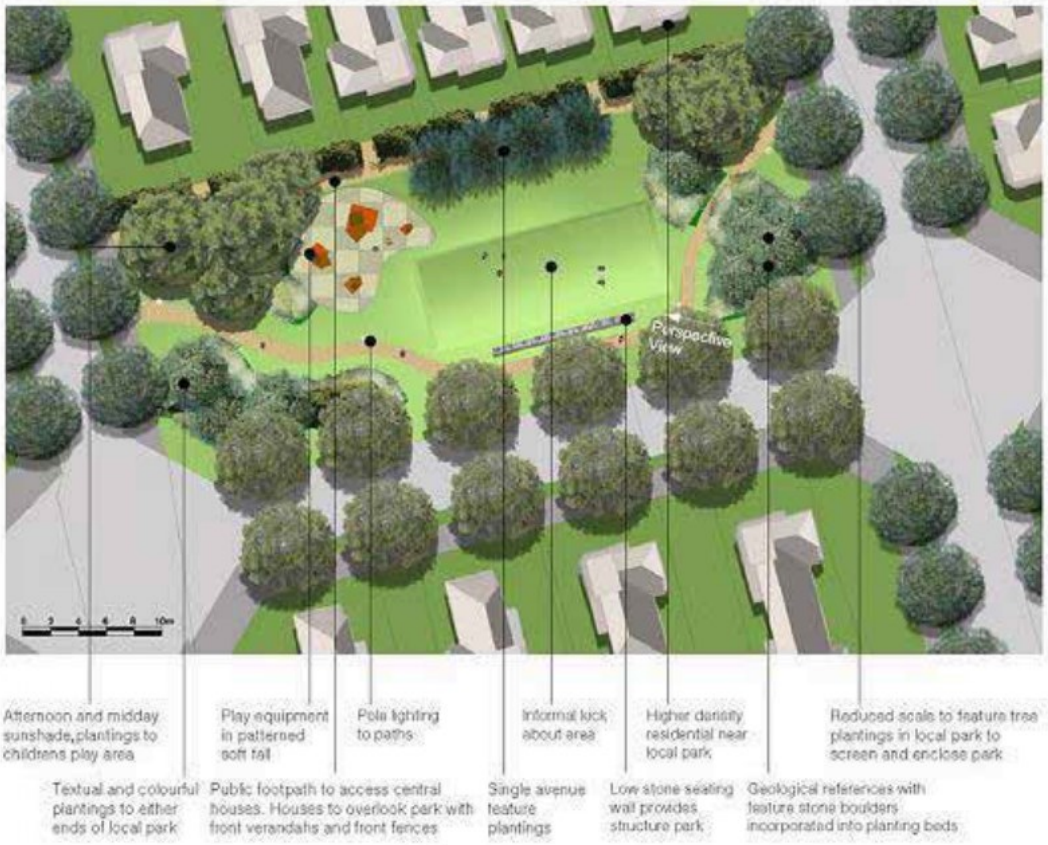


Figure 13: Concept plan for Neighbourhood Pocket Park.

3.1.4 Public Open Spaces – Pemulwuy South

The Public Open Space Precincts of Pemulwuy south of Butu Wargun Drive (with a small exception in the north-west corner) are identified below in Figure 14.

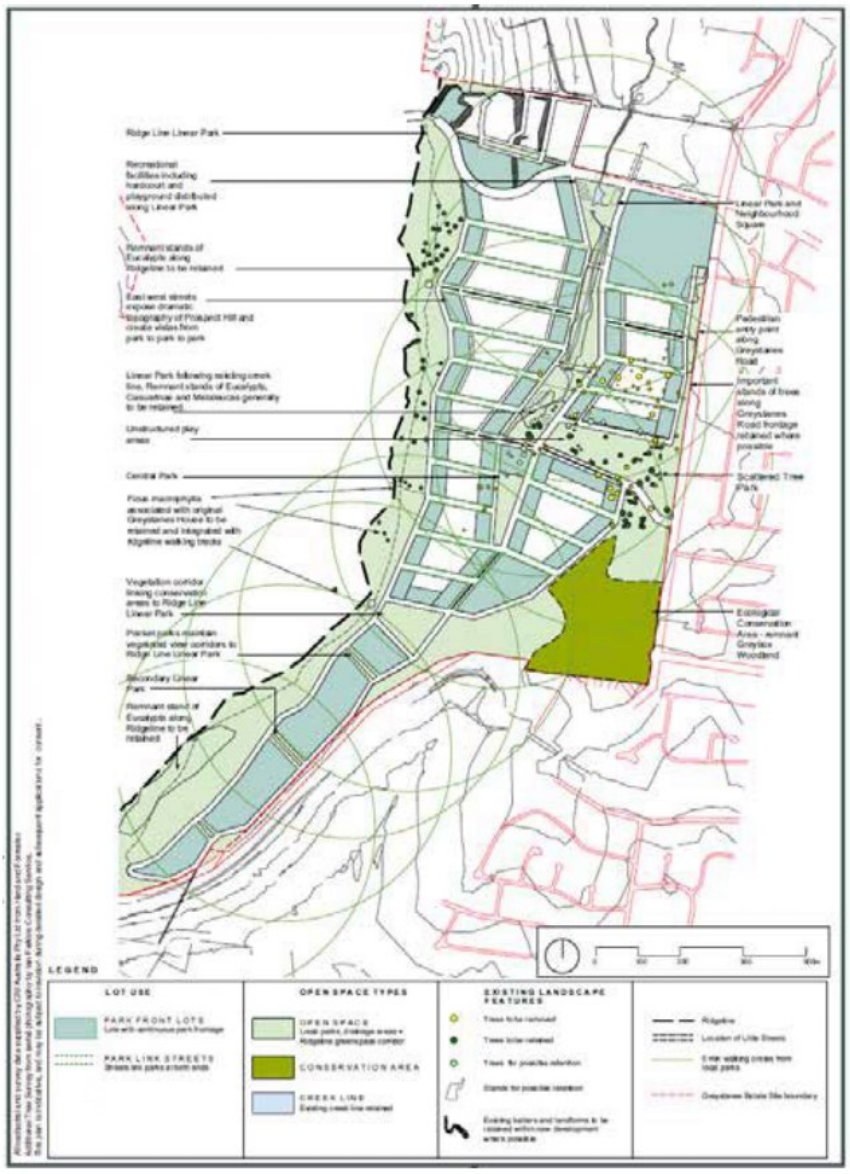


Figure 14: Open Space precinct of Pemulwuy South.

Greystanes Creek Linear Park (south of Butu Wargun)

Objectives

O1. Service the communities' recreational needs by providing three distinct areas of varying size:

- A neighbourhood square;
- riparian buffer/open amenity; and
- structured recreation.

O2. Make strong visual links with the adjacent street system, enhanced by tree avenues and vistas to control views and enclose spaces.

Controls

C1. Within Nelson Square, provide for:

- a paved area for seating/meeting;
- external café seating;
- ornamental tree and shrub planting;
- historical installation/public art;
- interactive edge to existing creek line;
- development as a visual gateway into site from east/west link street;
- shade coverage and play area for toddlers and young children allowing for parental supervision; and
- lighting at key points.

C2. Ensure that the riparian buffer/open amenity zone dominates the secondary area, defining the extent of open space and creating a distinct character to the park by providing:

- areas of open space for informal/passive recreation;
- seating;
- areas of hardstanding/paving;
- connectivity through the internal area of the park to pedestrian/cycle links with the wider Estate;
- rehabilitation of existing riparian buffer zone.

C3. For structured activity areas, provide two half-size multi-use hardcourts that are central to the overall layout of development. Use strategic buffer planting to reduce noise and visual disturbance to immediate residential areas.

Central Park

Controls

C4. In relation to the Linear Park, ensure that Central Park:

- is a smaller scale suitable for passive recreation;
- provides a space to service the mixed use buildings and bus stop;
- has potential for external café restaurant seating;

- provides a combination of paved areas, maintained grass and ornamental planting to create a character of small scale; and
- contains high quality eucalyptus trees, that add a distinct character and are pivotal to the overall design of the central park.

Scattered Tree Park

Objectives

O3. Retain wherever possible the existing trees of ecological or landscape values in this area.

O4. Form a link between the creekline vegetation and the narrow strip of Cumberland Plain Woodland which borders Greystanes Road.

O5. Protect known sites of Aboriginal heritage.

O6. Provide an unstructured recreation facility for residents.

O7. Maintain and enhance strong links to Grey Box Reserve.

O8. Ensure that activities and uses of this park do not to impinge on Grey Box Reserve.

O9. Generally, to provide low-key picnic and recreation activities for in this park.

Controls

C5. Ensure that new vegetation is primarily Cumberland Plain species.

C6. Enclose the open space to the eastern end with areas of regenerated bushland.

C7. Plant and screen known aboriginal sites to protect their location.

C8. Provide continuous shared access from Linear Park through Scattered Tree Park to Grey Box Reserve.

Secondary Linear Parks

Objectives

O10. Locate secondary parks close to residences.

O11. Provide for unstructured activities.

O12. Create a pedestrian/cycle link from the Prospect Hill ridgeline to the north-south connector road.

O13. Provide visual amenity in the public domain.

Controls

C9. Locate secondary parks within five minutes walking distance of the immediate community.

C10. Define parks by tree avenues, with the main aspect being in an easterly direction. (Figure 15 shows a concept design for these parks and Figure 16 shows a section through the Secondary Linear Park.)

C11. Enhance aspect by framing and opening up views in an easterly direction.

C12. Plant shrubs and trees of an ornamental character.

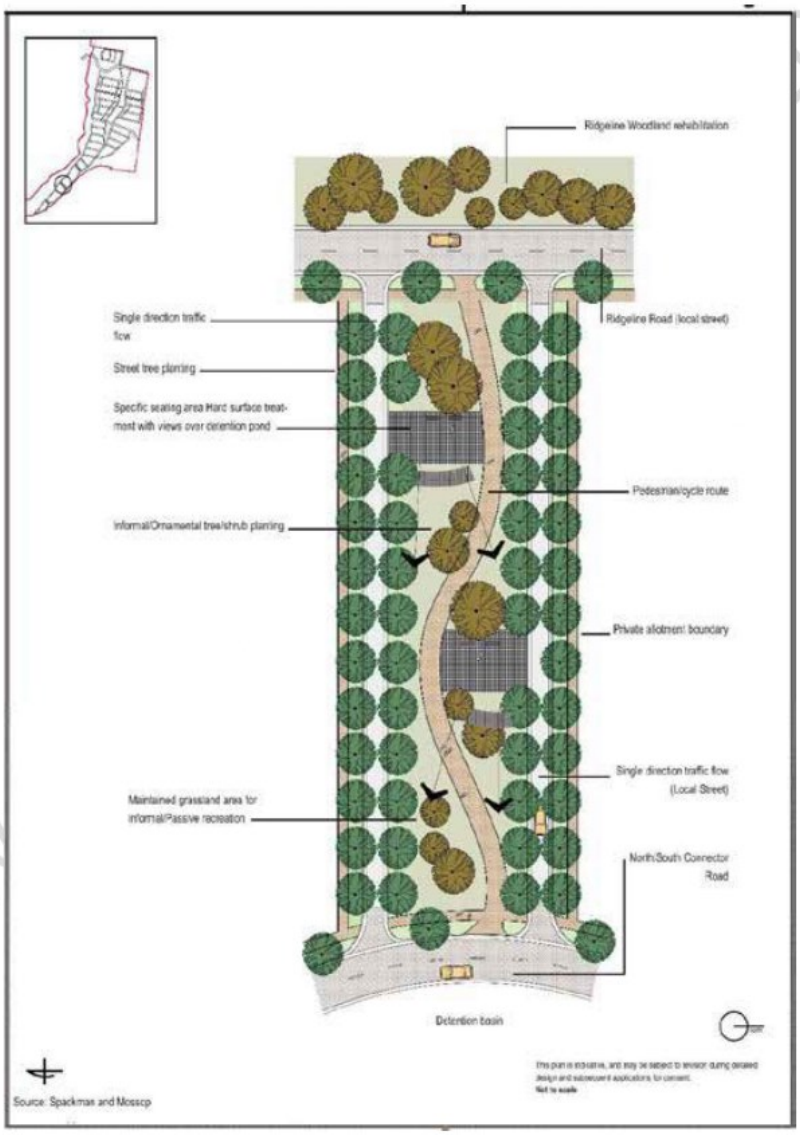


Figure 15: Secondary Linear Parks.

Prospect Hill Park

The Prospect Hill State Heritage Registered area is listed on the NSW State Heritage Register and the Register of the National Estate. The area also includes land along the ridgeline south of Butu Wargun Drive, plus an identified curtilage.

The part of the SHR area north of Butu Wargun Drive, is addressed in the section on Prospect Hill under Public Open Space Precincts of Pemulwuy North.

Objectives

O14. Provide landscape and heritage interpretation which protects and interprets the natural, Indigenous and cultural significance of the Prospect Hill SHR area.

O15. Consult with local community groups to ensure that development reflects the historical relevance of the past.

O16. Because the topography of the ridgeline lends itself to prime viewing, to locate these within the pedestrian network, consistent with the Prospect Hill Heritage Landscape Study & Plan and the Prospect Hill Heritage.

Controls

C13. Ensure all development within Prospect Hill (Marrong Reserve) is to informed by the following documents:

- Prospect Hill Conservation Management Plan (Conybeare Morrison; 2005)
- Prospect Hill Heritage Landscape Study & Plan (NSW Government Architect's Office; 2008)
- Prospect Hill Heritage Interpretation Plan (MUSEcape; 2009).

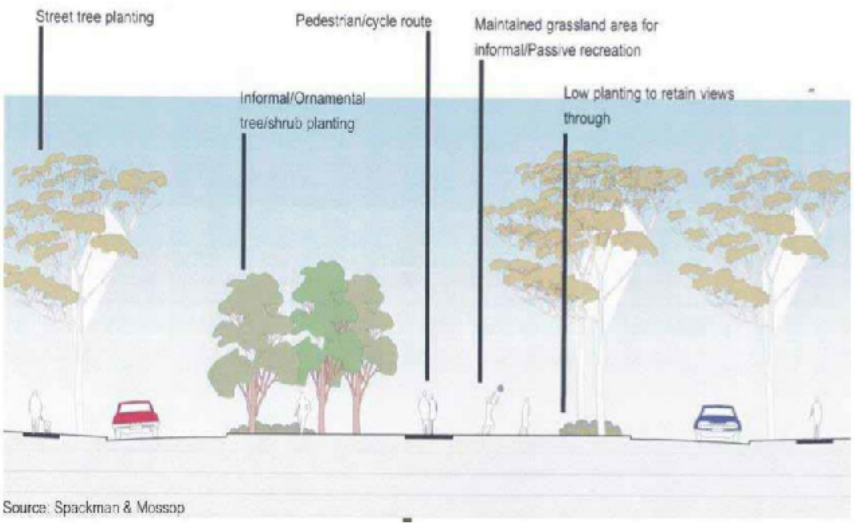


Figure 16: Section through secondary linear park.

3.1.5 Wet Basins

Objectives

O1. Integrate water storage requirements within Pemulwuy South into a safe and natural setting.

O2. Design the wet basin and surrounding area as a feature within the landscape.

O3. Retain long distance views from the Secondary Linear Parks and promote casual surveillance.

O4. Be accessible for passive recreation only.

O5. Ensure safety is of prime importance.

Controls

C1. Control water levels to ensure safety is preserved.

C2. Secure deeper areas of the basins with a buffer of planting.

C3. Ensure that edge treatment of the Basins is natural, with riparian planting, shrubs and trees.

C4. Use local stone to set the pond into the existing topography.

C5. Keep vegetation to a minimum where it interferes with long distance views from the Secondary Linear Parks and casual surveillance.

Note: Figures 17 and 18 provides an illustrative layout to the wet basins in the Southern Residential Lands

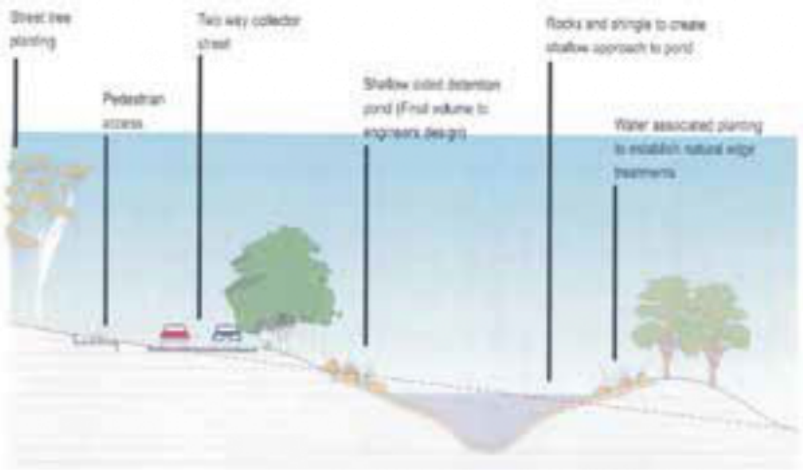


Figure 17: Section B-B through Wet Basin.

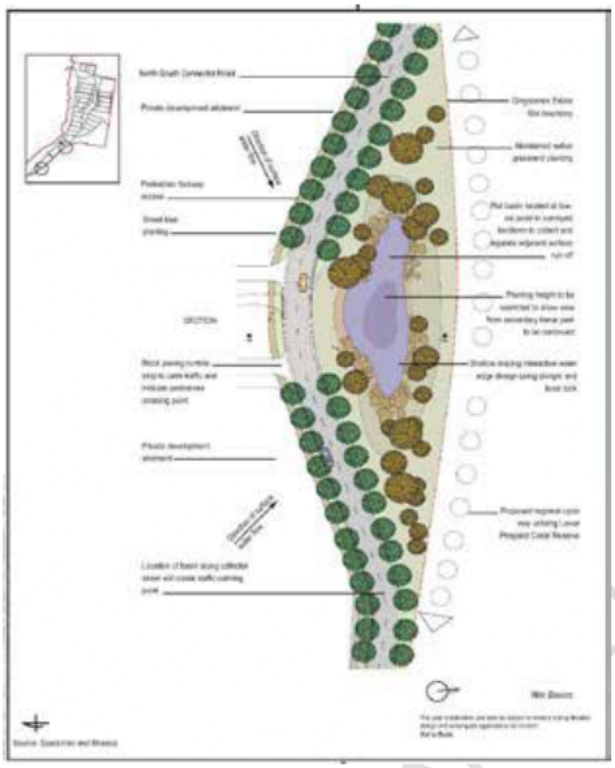


Figure 18: Wet Basin Landscape Treatment.

3.1.6 Grey Box Reserve

Objectives

O1. Conserve areas of high Potential Archaeological Deposits (PAD) and significant known artefacts or sites.

O2. Define the boundary of the bushland conservation area known as Grey Box Reserve.

O3. Incorporate areas of potential archaeological deposits and representative elements of the cultural landscape.

O4. Manage the impacts from recreation and access on the bushland ecology.

O5. Educate the local community in the pre-European history of the site.

Controls

C1. Retain the area on site that most closely reflects the pre-European cultural landscape. Refer to Figure 19.

C2. Limit recreational opportunities in the conservation area to passive activities.

C3. Prepare a plan of management detailing measures to appropriately manage the Aboriginal cultural heritage. This should be prepared in consultation with the local Aboriginal community, the National Parks and Wildlife Service (NPWS) and Council. An open artefact scatter representative of those identified elsewhere within the survey area, is shown in Figure 19 (Archaeological and Excavation Sites).

Figure 19: Bushland Conservation Area (Grey Box reserve)

Note:
• Council will not consent to development within the area indicated by blue dashed line in Figure 19 below without the concurrence of the Heritage Office.
Refer to the figure below. under Solar Access and Sun Shading for further Lot Orientation Principles
• Develop a suitable educational program in consultation with the local Aboriginal community, National Parks and Wildlife Service and Council.
• Ensure that interpretive signs and other educational material are general in nature and do not draw attention to any physical aspects of the Aboriginal cultural heritage. section through the wet basin.

3.2 Subdivision

3.2.1 Geotechnical Considerations

Objectives

O1. Characterise site subsurface and geotechnical conditions based on test pit, borehole and laboratory data.

O2. Provide pavement thickness designs for the proposed road network. A range of subgrade conditions have been considered including the use of lime stabilised subgrade to control potential excessive insitu moisture at the time of construction and to improve subgrade strength and reduce pavement cover requirements.

O3. Provide guidance on earthworks requirements for proposed roads, residential lots and other civil works.

O4. Provide assessment of lot classifications in accordance with AS2870-1996 "Residential Slabs and Footings", together with recommendations on footings.

O5. Ensure that all designs for roads and pavements consider the impacts of soil salinity, soil sodicity, sulphate aggressive soils, dispersive soils and saline groundwater.

O6. Minimise disturbance to natural hydrological systems as a result of development, and to provide for appropriate management of land affecting the process of salinisation, or affected by salinity.

O7. Prevent damage to buildings and infrastructure caused by salinity.

Controls

C1. Develop road and pavement designs in accordance with the guidelines contained in the "Site Investigations for Urban Salinity", "Roads and Salinity" and "Building in a Saline Environment" (DIPNR, 2003).

C2. Design pavements on natural subgrades for CBR values in the expected range from about 2.5% to 4.5%, for which pavement thicknesses of about 300mm to 500mm would be required. Excessively wet natural subgrade may necessitate a further 250mm to 400mm thickness of subgrade replacement. Review engineering plans for each staged development and prepare a specific pavement design in accordance with Council's requirements.

C3. Design pavements on natural subgrade stabilised by the insitu addition of lime for a CBR value of 10%, for which pavements thickness of about 250mm to 300mm would be required. Provided lime stabilisation is carried out to a depth of about 300mm to 350mm, it is anticipated that the need for conventional subgrade replacement (of excessively wet subgrade) would be unlikely.

C4. Carry out earthworks for pavement construction, lot filling and other civil works in accordance with Council's specifications for Subdivisions and Development and/or AS3798- 1996 "Guidelines on Earthworks for Commercial and

Residential Developments". Compaction control for these works should also be in accordance with the above Standard.

C5. Assess AS2870 classifications for all lots and document findings in a report prepared by the geotechnical consultant towards the completion of each staged development.

C6. Minimise the impact of the proposed development on local and regional salinity processes.

C7. Minimise the impact of salinity on the proposed development.

3.2.2 Block and Lot Structure

Objectives

O1. Design blocks and subdivisions that support and relate to the public domain.

O2. Efficiently utilise developable land.

O3. Provide for a diversity of housing choice.

O4. Minimise disturbance to natural hydrological systems as a result of development.

O5. Provide for appropriate management of land affecting the process of salinisation, or affected by salinity.

O6. Prevent damage to buildings and infrastructure caused by salinity.

O7. Design building blocks and lots to minimise cut and fill and retaining walls.

O8. Consider all relevant site constraints, including location of services, easements, available access, topography, privacy and solar orientation.

O9. Create a comfortable home, structure blocks to maximise the natural characteristics of an allotment. This includes taking into account:

- aspect,
- views,
- existing slope,
- trees,
- predominant breezes, orientating living rooms to the north, and
- drainage & flooding potential.

O10. Subdivide blocks to create a lot structure that anticipates the siting of dwelling types that support the public domain.

O11. Subdivide blocks to create a lot structure that anticipates the siting of dwelling types incorporating solar design principles.

O12. Increase the efficiency of dwellings and external spaces and minimise residual parcels.

O13. Maintain views to and from Prospect Hill.

Controls

C1. Design subdivision blocks which:

- value and efficiently use urban land - do not create difficult residual spaces and awkward boundary conditions;
- are capable of flexibility for future development involving re-subdivision or amalgamation;
- actively seek to ensure retention of all existing trees wherever possible;
- create a block structure that orientates streets to link public open spaces. For example, implement the principles shown in Figure 16 to accommodate pedestrian travel in the public domain, with urban street block dimensions generally within the following maximum dimensions:
  - Length - less than 250 metres or,
  - Depth - less than 80 metres deep or less than 40 metres deep in conjunction with little streets.

C2. Maximise the number of allotments in areas with the greatest amenity including those areas close to retail/community facilities, public transport and along park frontages.

C3. Maximise the number of allotments addressing streets in the southern part of each block to increase the number of dwellings with northerly aspect to rear living rooms and gardens. Refer Figure 21 below.

C4. Design lots which:

- Have a generally orthogonal lot geometry to increase efficiency of dwellings and external spaces and minimise residual parcels;
- Accommodate a variety of housing types to suit different household mixes and sizes;
- reflect landscape features such as slope and waterways by addressing storm water run off, the opportunity for views and breezes and reduction in the height of retaining walls;
- achieve dwelling units oriented for optimal solar access, including the use of eaves, window awnings and screens that contributes to a comfortable living environment;
- maximise the number of allotments addressing streets to the south to increase the number of dwellings with northerly aspect to rear living rooms and gardens;
- align the setback to the front of the dwelling with the facades of adjoining dwellings on the street.
- create lots within the Pemulwuy South precinct in accordance with the Lot Size and Frontage Width ranges for each dwelling type as specified for the Pemulwuy South precinct.

C5. Design corner lots to address both street frontages.

C6. Maximise solar access with either east-west lots or north-south lots, with special attention to lots that are on the south side of the street;

C7. For East-West orientated Lots in particular:

- Provide generally wider frontages to lots addressing the Prospect Hill to accommodate dwellings with modulated side setbacks and courtyards to maximise solar access.
- Provide generally wider frontages to lots addressing streets to the north to accommodate passive solar design in future dwellings.
- Provide uniform scale, height, setbacks and consistent architectural character to dwellings addressing open spaces to reinforce the public domain.
- Create corner lots that accommodate secondary street setbacks and allow dwellings to reinforce their prominent position and address both primary and secondary street frontages.
- Within the Pemulwuy South precinct, generally provide wider frontages to lots addressing Greystanes Road and Hyland Park where the Estate meets existing suburban areas.

C8. For North-South orientated Lots in particular:

- Coordinate cut and fill and finished levels between lots to provide equitable access to solar access and outlook.
- Massing of dwellings should respond to existing site falls and topography.
- Locate parking areas on the southern side of dwellings where possible.
- Create corner lots with adequate dimensions that allow dwellings to accommodate secondary street setbacks, respond to both street frontage and mark important corners in the subdivision.

Notes:
• Applications for subdivision of land into less than 300m2 lots parcels are Integrated Housing developments, and are subject to provisions set out in the following section on Coordinated Development and Integrated Housing Sites; and
• Topographically steep areas are generally considered sites for Coordinated Development and are subject to provisions set out in the following section on Coordinated Development and Integrated Housing Sites.
• Applications for Coordinated Development are subject to provisions set out in the following section on Coordinated Development and Integrated Housing Sites.

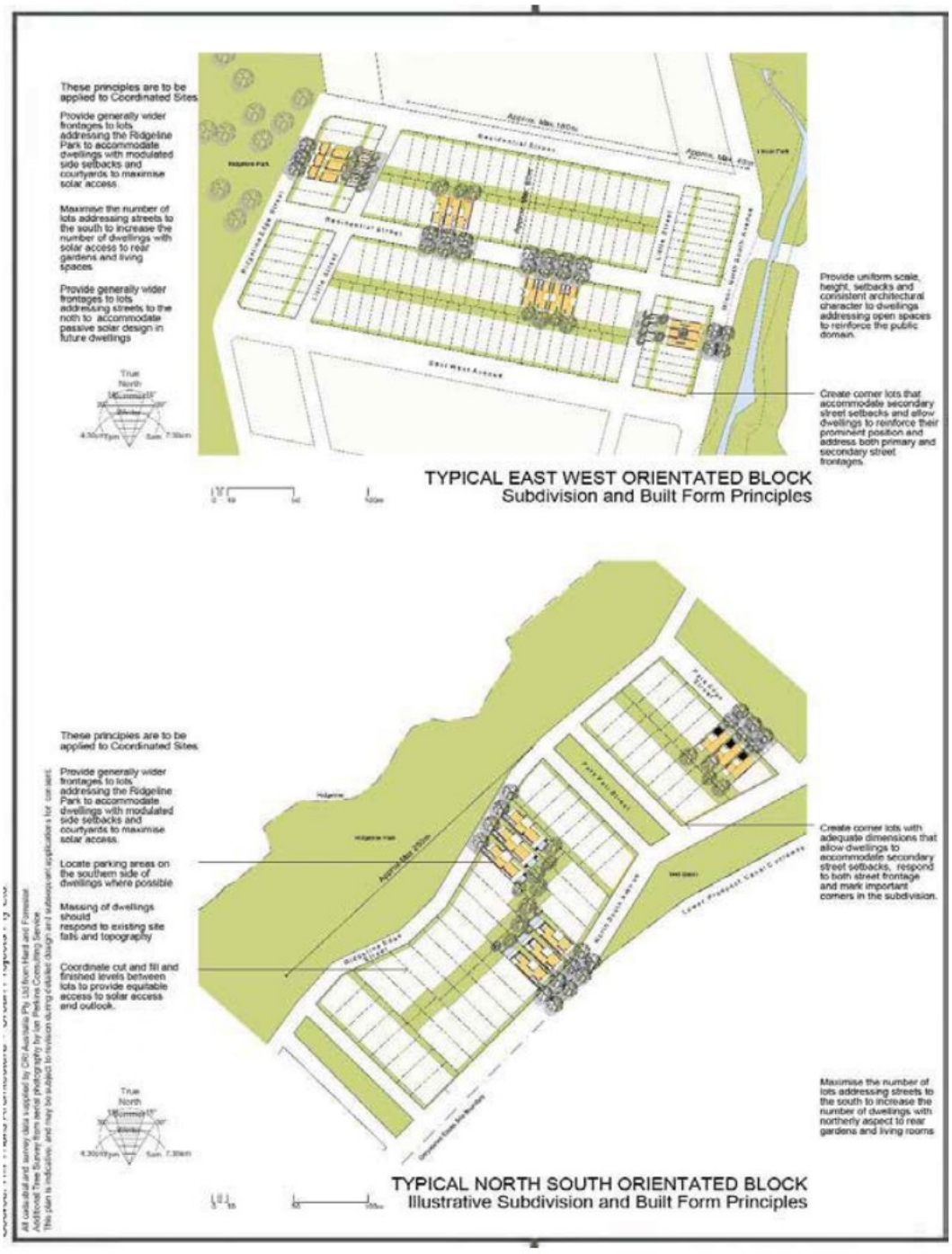


Figure 20: Typical Subdivision.

3.2.3 Cut and Fill at Subdivision

Objectives

O1. Minimise cut and fill.

O2. Coordinate cut and fill between all lots to provide equitable access to sunlight, outlook and privacy to all dwellings.

O3. Ensure unimpeded natural groundwater flow.

O4. Protect the geotechnical integrity of lots, including adjoining lots.

Controls

C1. On cross-sloped land, ensure side boundary cut and fill (and associated retaining wall) at subdivision stage is no greater than 900mm (Pemulwuy South).

C2. On front-to-back-sloped land, ensure rear boundary cut and fill (and associated retaining wall) at subdivision stage is no greater than 1.5m, to reduce front to back lot grades. No further rear boundary retaining walls are permitted (Pemulwuy South).

C3. Limit retaining walls in the front setback to 1m in height, or tiered in sections of no more than 1m with at least 0.5m width landscaped separation between wall tiers.

Coordinated Development and Integrated Housing Sites

Topographically steep areas indicated in Figures 21 & 22 are considered sites for Coordinated Development.

Integrated Housing developments are applications for subdivision of parcels of land into less than 300 m².

Objectives

O1. Ensure that the design of dwellings on steep sites, noise affected and small lots is carried out in an architecturally consistent and integrated manner.

O2. Ensure that the key focuses are a high quality streetscape, a strong neighbourhood character and residential amenity.

O3. Ensure that the built form responds to the topographical constraints, particularly the slope and orientation of each allotment.

O4. Ensure that new development provides appropriate residential amenity, particularly with respect to visual privacy, and the relationship between dwellings.

O5. Ensure that new development provides appropriate residential amenity, particularly with respect to solar gain to each allotment and the relationship between dwellings.

Note: Address these objectives during the subdivision application stage in particular.

Controls

C1. Design dwellings on Integrated Housing sites as a unified group of buildings with consistent alignments, articulation, material selection and architectural character.

C2. For Coordinated Developments, coordinate side boundary setbacks, building envelopes, finished floor levels and cut and fill between all lots to provide equitable access to sunlight, outlook and privacy to all dwellings at the subdivision stage where possible.

C3. Where side and rear boundary retaining walls intersect, ensure that the maximum height difference between the lowest bottom of wall and highest top of wall is 2.4m.

C4. Council may consider variations to the controls within this DCP on Coordinated Development sites where applicants can demonstrate compliance with the objectives of the controls.

Lots with Cross Slopes

C5. The subdivision layout must incorporate wider lots on the steeper sections of the site.

C6. Narrower lots may be considered where it is proposed to subdivide the land as integrated development.

C7. Boundary cut or fill and retaining walls are to be constructed at subdivision stage no greater than 900mm, unless otherwise stated.

C8. Boundary retaining walls which extend beyond the front wall of the building must not be higher than 600mm (Pemulwuy South).

C9. Preliminary finished ground levels are to be constructed at subdivision stage.

Lots with Front to Back Slopes - Pemulwuy South

C10. Rear boundary cut or fill and retaining walls of maximum 1.5m in height are to be constructed at subdivision stage of the development to reduce front to back lot grades.

C11. No further rear boundary retaining walls are permitted. and

C12. Preliminary building pad levels shall be constructed at subdivision stage which provide for a minimum floor level split of 1m or as appropriate to facilitate split level house designs. See Section 4.2 - Elevated Sites (Steep Land) in Pemulwuy for requirements for cut and fill within building envelopes on front-to-back slopes.

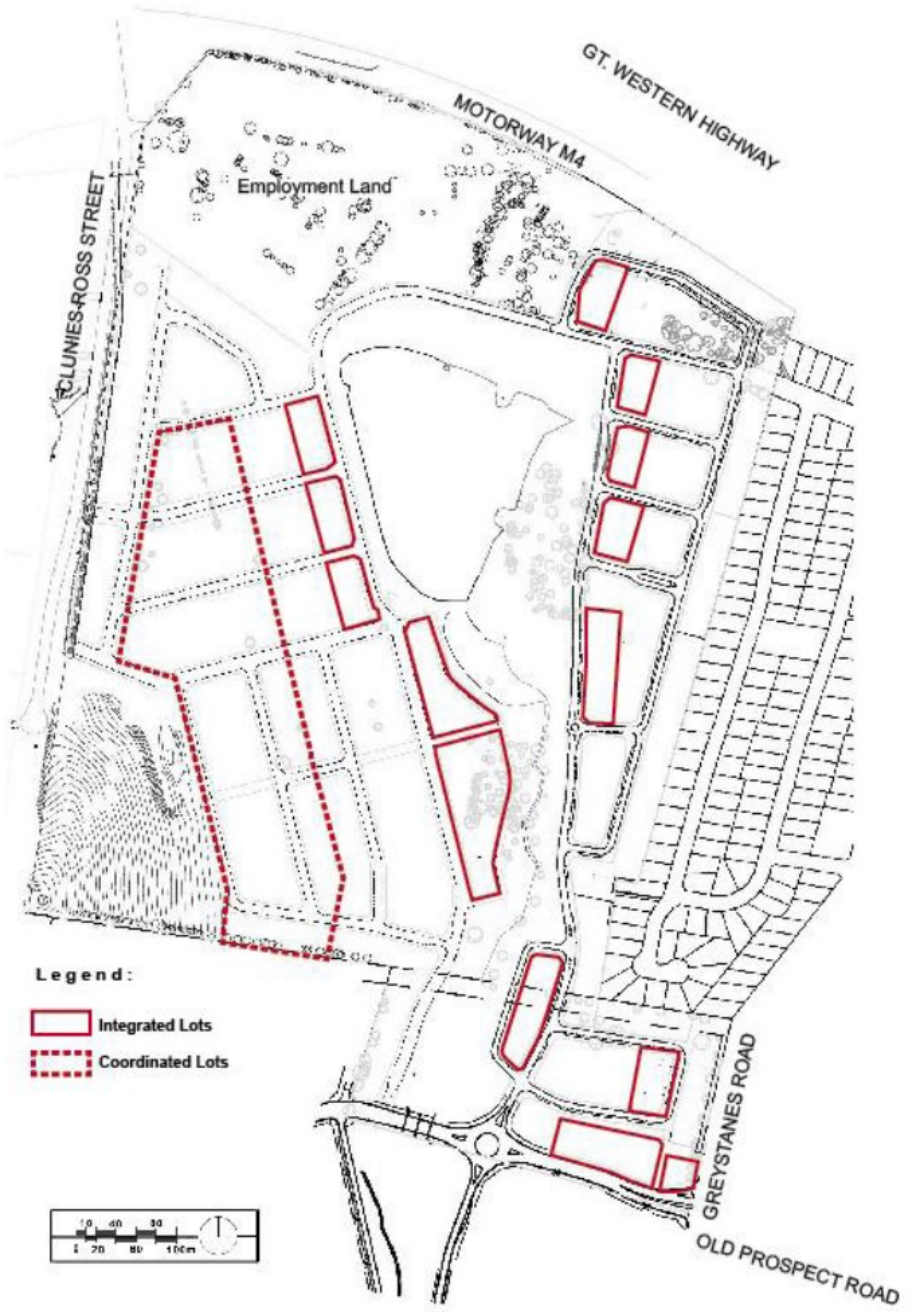


Figure 21: Integrated and Coordinated Sites in Pemulwuy North.

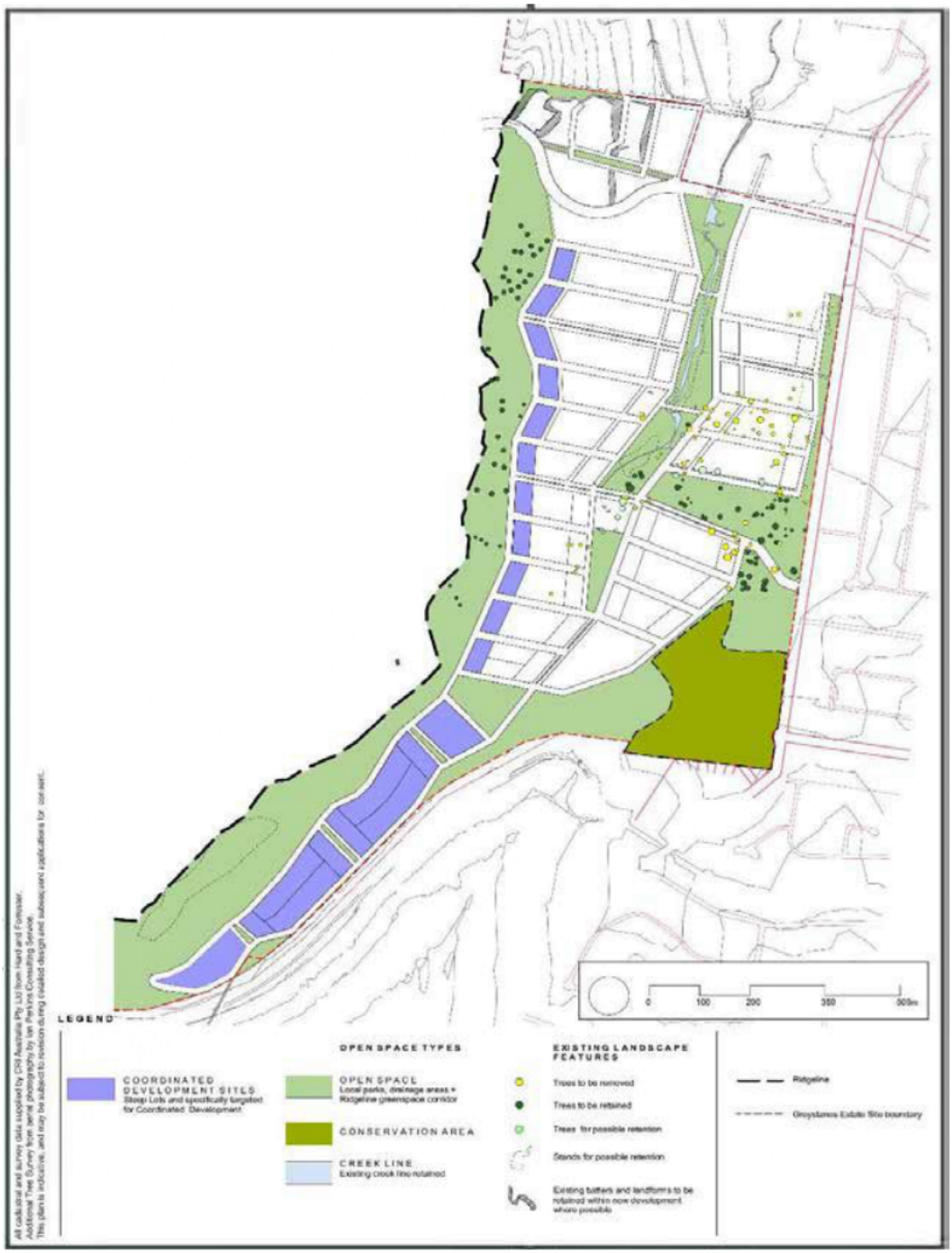


Figure 22: Coordinated Sides identified for Pemulwuy South.

3.3 Building and Siting Requirements for Residential Development

3.3.1 Architectural Character

Objectives

O1. Interpret the subdivision pattern through building types.

O2. Minimise cut and fill and not impede natural groundwater flow.

O3. Reinforce the public domain, create attractive streetscapes with strongly defined parks and open spaces.

O4. Provide a high level of amenity for occupants.

O5. Maximise casual surveillance of dwellings from the street and of the street from the dwellings, to promote safer streets.

O6. Develop building types that minimise potential salinity problems.

O7. Provide for a variety of housing types and mix.

O8. Adopt a contemporary design form.

O9. Be responsive to the local climate, environment and lifestyle of western Sydney.

O10. Improve the outlook and surveillance of streets and open spaces .

O11. Develop a diverse range of housing styles of high quality, ranging from single lots to townhouses, integrated housing developments and apartments.

O12. Provide for a variety of occupants and ages, and provide a more sustainable life cycle model than conventional monocultural housing development.

Controls

C1. Provide a variety of building types and housing types throughout Pemulwuy in accordance with Figures 23 [Pemulwuy North] and 24 [Pemulwuy South].

C2. Accommodate a range of innovative dwelling types including single dwellings, home offices and home/work spaces.

C3. Design, model and articulate dwellings with a consistent relationship to the street and to each other.

C4. Design with a simplicity of building elements that create a contemporary façade. Avoid historical reproduction styles and/or mixtures of styles such as Federation, Edwardian, Colonial, Victorian and Georgian.

C5. Modulate side boundary setbacks and incorporate courtyards, atria, toplights and the like to maximise solar access to dwellings.

C6. Prefer elevated finished floor levels and entries, balconies and street elevations to improve outlook and surveillance of streets and open spaces.

C7. Design corner dwellings to reinforce their prominent location and address both primary and secondary street frontages.

C8. Ensure all dwelling entries are clearly visible from the street by day and night.

C9. Ensure a maximum 500mm cut and 500mm fill for allotments unless otherwise stated elsewhere.

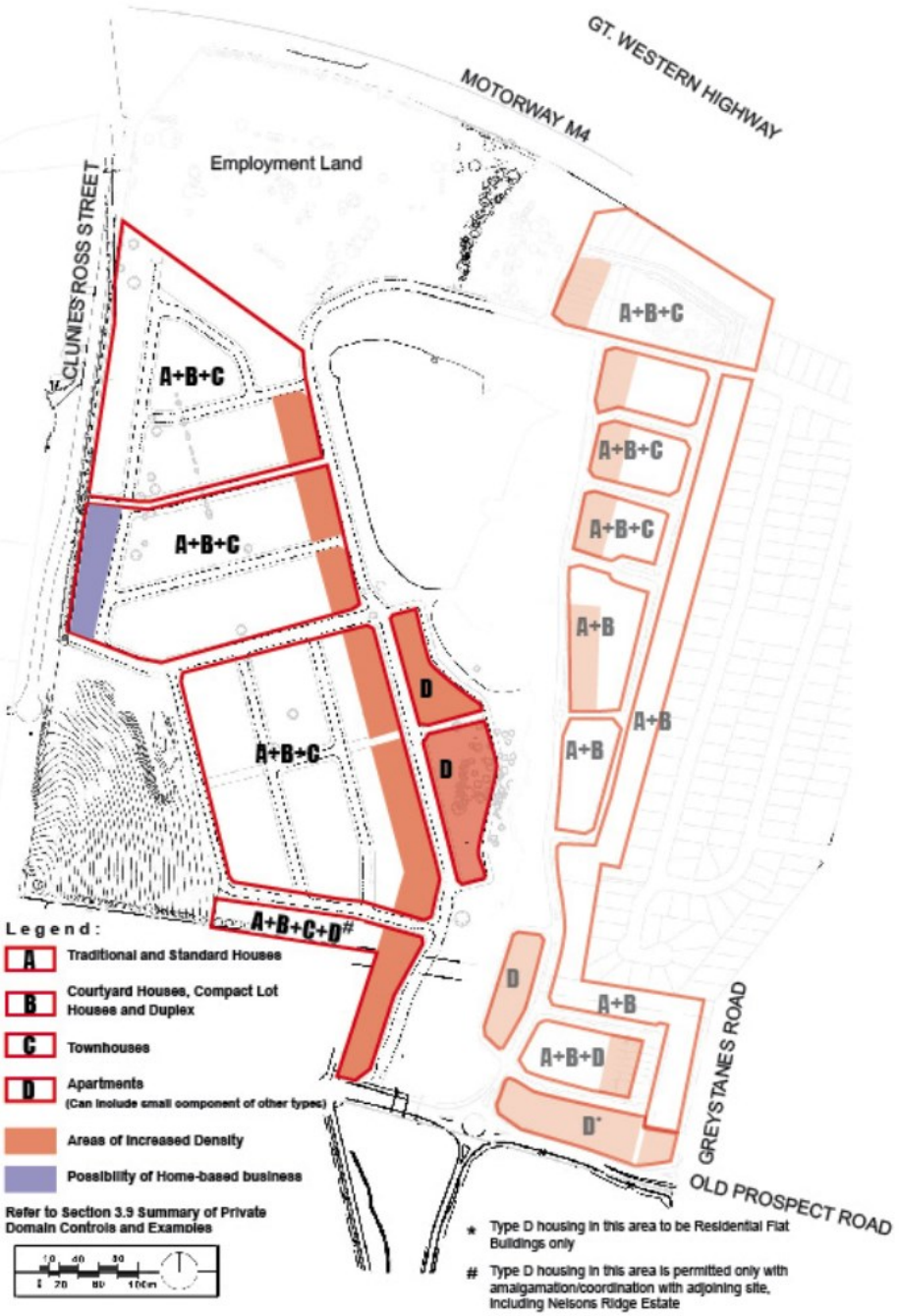


Figure 23: Housing types for Pemulwuy North.

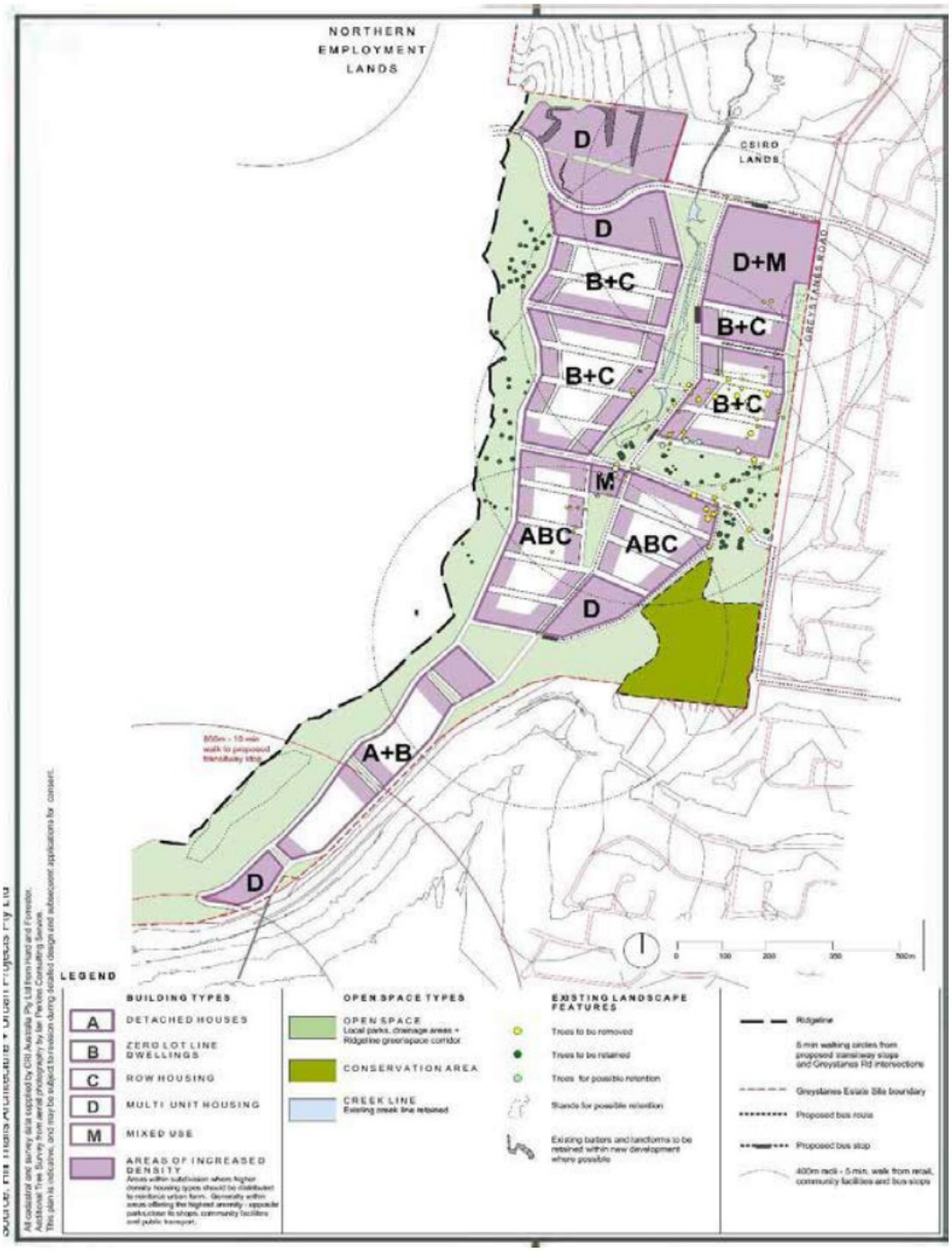


Figure 24: Housing types for Pemulwuy South.

3.3.2 Elevated Sites (Steep Land)

Refer to Figures 25 and 26.

Objectives

O1. Ensure that the built form responds to the topographical constraints, particularly the slope and orientation of each allotment.

O2. Ensure that new development provides appropriate residential amenity, particularly with respect to visual privacy, and the relationship between dwellings.

O3. Ensure that new development provides appropriate residential amenity, particularly with respect to solar gain to each allotment and the relationship between dwellings.

O4. Ensure dwelling designs allow acceptable driveway grades for vehicular access to garages.

O5. Minimise the bulk and scale of dwellings on steep slopes when viewed individually and collectively within and external to the site.

Controls

C1. The maximum height for a dwelling house (in metres) is detailed within Cumberland Local Environmental Plan 2020, as a written statement and associated maps.

C2. Dwelling designs must respond to the topography of the land through split level designs, unless privacy to adjacent properties can be maintained through alternative good design.

C3. Elevated entries should be no more than 1m above the natural ground level at a point 3m set back from the front boundary.

C4. The garage level is to be no greater than 500mm above or below natural ground level to help reduce driveway gradients.

C5. Ensure dwelling designs allow driveway grades for vehicular access to garages that comply with AS 2890.1.

C6. Retaining walls along on-street boundaries must be constructed of materials complementary to the home.

C7. Retaining walls must comply with the BCA.

C8. No cut or fill is to be placed in easements to drain storm water.

C9. Retaining walls constructed along side boundaries and protruding forward of the adjacent front building line must be tapered to meet the profile of the finished ground level.

C10. Where side and rear boundary retaining walls intersect, ensure that the maximum height difference between the lowest bottom of wall and highest top of wall is 2.4m (Pemulwuy North).

C11. Brick walls are to be of salt proof construction. Dwelling design should consider: -

- Existing ground levels;
- Proposed cut and fill, and finished floor (FFL) and existing ground levels as indicated on the proposed site plan;
- Existing sewer and drainage easements for stormwater and overland flows, and the impact any proposed retaining walls will have. Easements cannot be obstructed or built over.

C12. Development applications for elevated sites must include:

- Top of wall (TOW) and bottom of wall (BOW) levels for retaining walls;
- Full construction details of proposed walls including drainage, materials and finishes;
- Connection into the stormwater system for behind-wall drainage lines and surface pits;
- Proposed finished ground levels (FGL).

Lots with Cross Slopes

C13. Where lots have side cross slopes which exceed 3 degrees (5%), designs must respond to the slope of the land through split house designs (see examples in Figures 27 & 28).

C14. Maximum 500mm cut and 500mm fill within building envelope.

C15. Finished floor levels are to be no greater than 500mm above finished ground level. Where it can be demonstrated that a better design outcome can be achieved without compromising privacy, amenity and views into and out of the site, overshadowing and height controls , particularly relating to the bulk and scale of the dwelling, Council may consider relaxing the 500mm restriction up to a maximum of a 900mm total above the finished ground level.

C16. Garden retaining walls are not to exceed 700mm above finished ground level. Any remaining slope is to be graded out (Pemulwuy Nouth).

C17. Dwelling heights and designs are to ensure reasonable visual privacy to the down-slope side of the dwelling, by incorporating privacy measures to minimise potential overlooking.

C18. Garages are to be located on the lower (eastern) side of side cross-sloped lots, and access is to be provided in accordance with AS 2890.1 – Off Street Parking.

C19. Maximum height of side fencing is 1.5m. to reduce the overall wall/fence height (Pemulwuy South).

Lots with Front to Back Slopes

C20. Where front to back slopes are steep, i.e. above approximately 5 degrees (9%), house designs must respond to the topography of the land through front-to-back full level split designs (Type 1 as shown in Figure 30).

C21. Where front to back slopes are moderate, i.e. approximately between 3 degrees and 5 degrees (4.5% and 9%), house designs are to respond to the topography of the land through split level designs (Type 2, refer to Figure 31).

C22. Maximum 700mm cut and 700mm fill for lots requiring a full-level split type 1 house design on lots with a front to back slope, to be contained within the building envelope.

C23. Finished floor levels are to be no greater than 500mm above finished ground level. Where it can be demonstrated that a better design outcome can be achieved without compromising privacy, amenity and views into and out of the site, particularly relating to the bulk and scale of the dwelling, the Council may consider relaxing the 500mm restriction up to a maximum of a further 400mm (i.e. no more than 900mm total above the finished ground level).

C24. Dwelling designs are to ensure reasonable visual privacy to the down-slope side of the dwelling, by incorporating privacy measures to minimise potential overlooking. See Section 3.3.9.

C25. Where rear boundary retaining walls constructed at subdivision exceed 1.2m in height (to a 0.5m maximum), the maximum height of any boundary fence shall be 1.5m.

C26. No further rear boundary retaining walls are permitted.

C27. Garden retaining walls are not to exceed 700mm above finished ground level. Any remaining slope is to be graded out.

C28. Driveway grades are to be in accordance with AS 2890.1.

Figure 25: Steep Land - Pemulwuy North

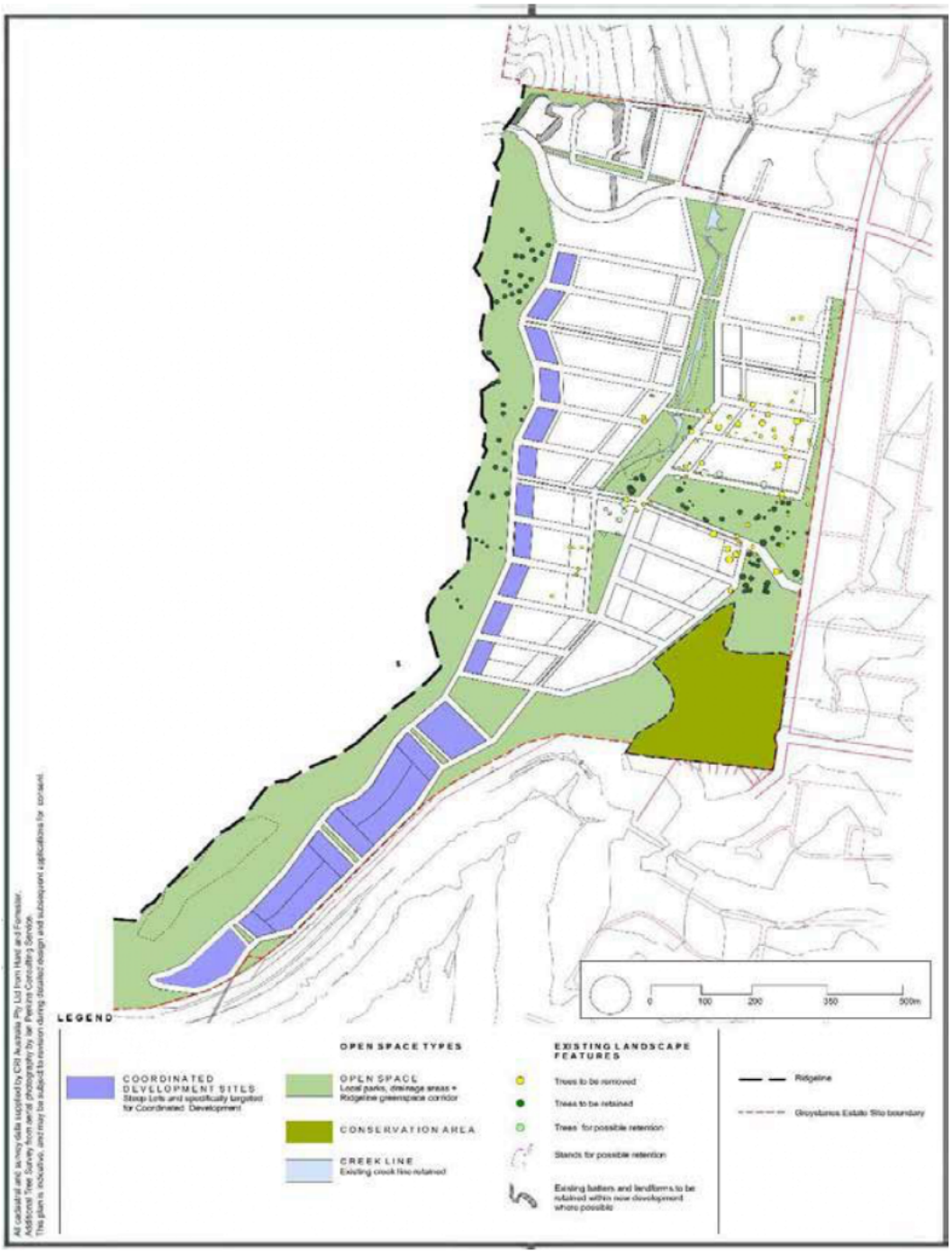


Figure 26: Steep Land - Pemulwuy South

Figure 27: Split level house designs for cross slopes.

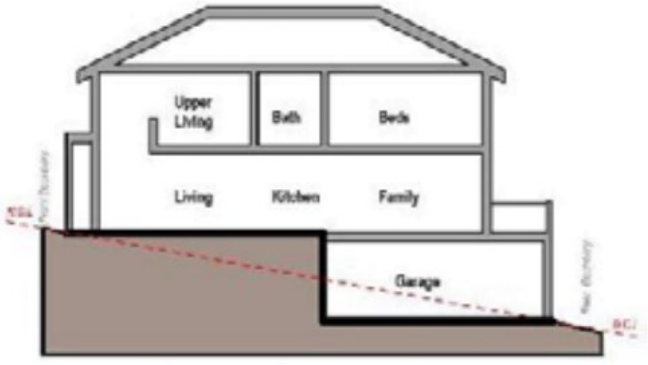


Figure 28: Section-cross slope lot

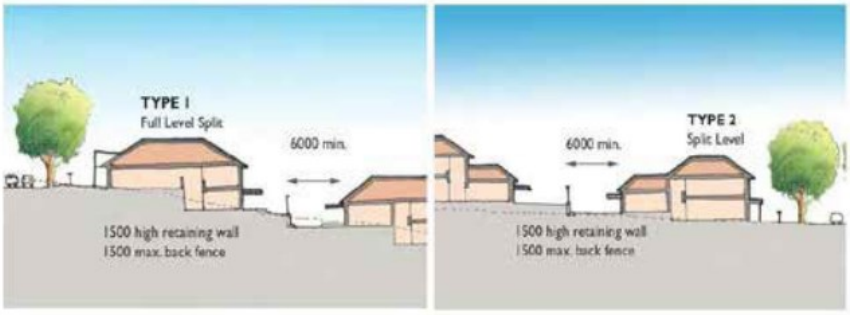


Figure 29: Front to back slope split level house design.

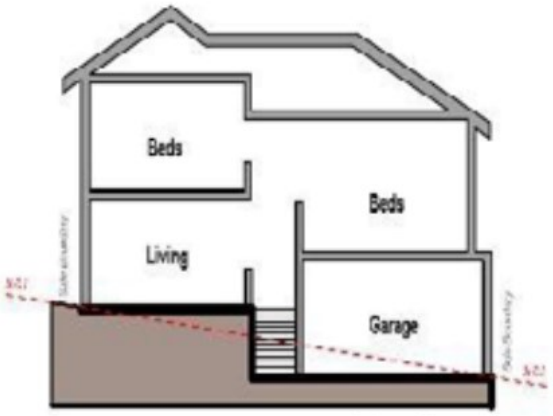


Figure 30: Type 1 Section through front to back slope lot.

Figure 31: Type 2 Section front to back slope lot.

3.3.3 Building to a Side Boundary

Objectives

O1. Protect the residential amenity of immediately adjoining properties.

O2. Provide efficient access along easements for the purpose of maintenance of the wall built to the boundary.

O3. Protect adjoining properties from soil instability or damp arising from adjacent properties.

O4. Design footings of the building built to the boundary to support and protect the building from damage in the event that disturbance or settlement occurs within the zone of influence.

O5. Avoid significant adverse impacts upon stormwater behaviour along maintenance easements.

O6. Avoid significant adverse impacts on stormwater drainage pipes along maintenance easements

Controls

Boundary Walls

C1. For allotments with single street access (including corner allotments), only the ground floor wall of a two storey building may be built on the boundary, and for a maximum length of 10m.

Set first floor walls and balconies in 1m from the property boundary (see Figure 32).

C2. For allotments with dual access (garage entry to the rear or double fronted lots) two storey walls may be built to the boundary where the building envelope permits.

Note: A corner allotment is classified as a single access allotment in this instance.

C3. On sloping land, ensure that the wall built to the boundary is located on the lower side of the lot.

C4. Ensure that the wall built on the boundary is finished to match the front of the house.

C5. Generally locate the garage against the side property boundary.

C6. Design the footings and finish of the wall built to the boundary to allow for the maximum cut/fill on the adjoining allotment along the boundary. Ensure that the footings extend below their zone of influence, where they will affect the laying of services within excavation of the adjacent maintenance easement. If the adjoining dwelling has not yet completed construction, see Figure 34 - Detail A. If the adjacent house has completed construction, refer to Figure 35 - Detail B, showing the need for a retaining wall.

Note: Both figures assume a cut of 500mm, which may vary by up to a further 400mm in each instance (max. side boundary wall cut/fill is 900mm). Note: There may be further variations where slope is extreme, but these are subject to privacy, neighbour amenity, overshadowing and height controls.

C7. All piers along the drainage easement boundary to have a minimum depth equal to the level of the invert of any potential or constructed stormwater pipe or culvert.

C8. Ensure that the drop-edge beam on the adjoining property is treated with a masonry surface treatment suitable to exposure to view.

Maintenance Easements

C9. Where a maintenance easement is created on a property adjacent to a wall built to the boundary, ensure that any retaining wall constructed within the easement. In particular, ensure a maintenance easement of minimum width 900mm.

C10. The following should be considered for maintenance easements:

- A maximum cut into the easement of 300mm;
- Any retaining wall within the easement has a maximum height of 300mm plus 300mm of post below ground, consistent with Figure 36 below;
- A minimum post width of 200mm;
- A minimum distance between the retaining wall and any built structure on the property of 600mm, to allow maintenance access;
- In the event of fill in the maintenance easement being placed against a wall built to the boundary on the adjacent property, ensure that the fill does not interrupt the effective discharge of moisture from weep-holes in that wall;
- Landscape planters placed in the maintenance easement should not interfere with access to the wall, and to stormwater flow where appropriate.
- A drainage pipe between the retaining wall and property line to avoid significant adverse impacts upon stormwater behaviour;
- A maximum timber paling fence height of 1.8m, comprising a 300mm retaining wall and 1.5m timber fence.

Figure 32: Side Setback.

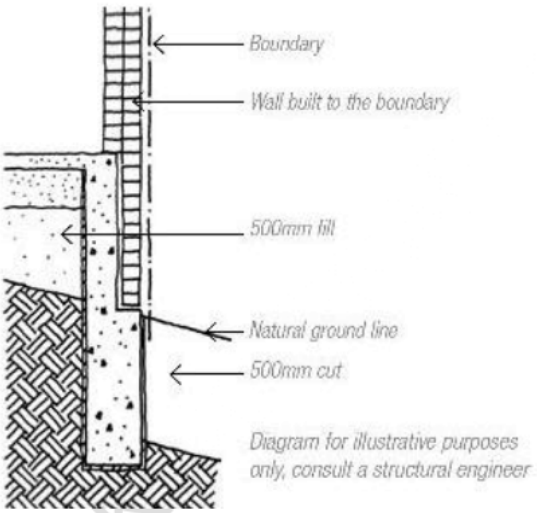


Figure 33: Drop edge beam detail A.

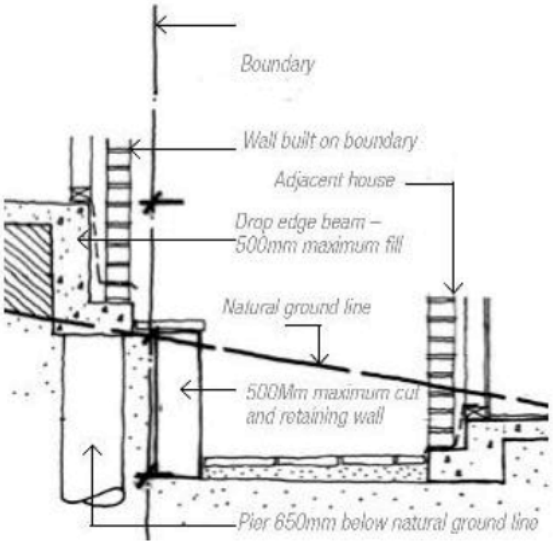


Figure 34: Drop edge beam Detail B.

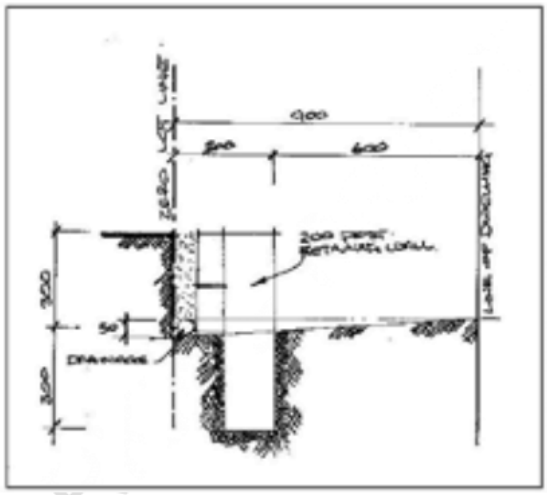


Figure 35: Retaining walls within maintenance easement

3.3.4 Building Articulation and Street Address

Objectives

O1. Develop a relationship between buildings and the street through entries, porches, verandahs, balconies, bay windows and the like.

O2. Ensure entries to all houses are clearly visible from the street.

O3. Promote the safety and security of streets and parks through entry points, windows, doors and balconies in the front façade.

O4. Provide elements and features on those parts of the dwelling seen from the street to articulate the building as well as contribute to attractive and safer streets and parks.

Controls

C1. Develop the architectural character of buildings with appropriate solar protection elements, expressed door and window openings, and the like.

C2. Design buildings which incorporate articulation to the built form and do not rely on "add on" structures to break up the façade.

C3. Accommodate a range of roof forms in order to provide variety and reduce the bulk and scale of the streetscape.

C4. Design dwellings to incorporate variety in materials, colours and finishes to external elevations.

C5. A minimum 2m x 2m build free zone in the front setback area is required for a mandatory native tree in the front garden.

C6. Articulation elements are required in the design of your home. These elements may protrude 1.5m into the 3m setback, without encroaching on the 2 x 2 metre garden bed.

C7. Articulation elements must be lightweight in design and of an open nature. For example: pergolas, not solid roofs are permitted over balconies in the front setback area. Balustrades to balconies should be open and not solid.

C8. Where roofs are proposed to first floor balconies at the street elevation they must be set back a minimum 3m from the front boundary.

C9. On a corner allotment, articulation elements are also required to the secondary street. They may protrude up to 500mm into the side setback.

C10. For side elevations / facades on corner lots; the maximum run of un-broken wall length is 12m. A step of 480mm in the wall must otherwise be designed (Pemulwuy North).

C11. Consider active street frontage, defined as one or a combination of:

- Clearly defined and accentuated building entrances;
- Building articulation through modulation in the façade, incorporating elements such as blade walls, chimneys, entries, balconies, verandahs, porches, loggias, bay windows, screens, awnings and feature walls with a combination of materials and colours;
- Building designs which provide passive/active surveillance through providing living areas to the street frontage;
- shop front café or restaurant; and
- commercial and residential lobbies if accompanied by an entrance.

C12. Ensure garages and carports must not dominate the street frontage. Garages are to be a recessive element and shall be located a minimum distance of 1 m behind the front wall of the dwelling (excluding any projecting elements).

C13. Ensure carports and garages facing a public street or accessway are no more than 6 metres or 50% of the frontage width, whichever is the lesser (Pemulwuy North).

C14. Individual entries are to be provided to 50% of ground floor dwellings within residential flat buildings.

C15. Address and activate all streets with street frontages that promote surveillance. The design and layout of any car courts should improve safety through short distances with good sight lines and the use of a mews dwelling above the garages in some places to increase potential for passive surveillance.

C16. Provide a path leading from the street to the front door that is physically separated from the driveway.

C17. Ensure access between a dwelling and street frontage is unobscured and direct.

C18. Finished floor levels of the porch/verandah for front to back slope lots in Pemulwuy North should be at the same level to the footpath. When the finished floor level of the porch/ verandah is lower than the footpath, it must not exceed 600mm from the footpath RL.

C19. Elevated front entries should be no more than 1m above the natural ground level.

C20. Open types of security screening maybe used on windows facing the street. Block out security shutters are not permissible on front elevations.

3.3.5 Setbacks

Note: Further to the general Setback controls below, certain specific setback requirements apply just to the Pemulwuy North or South sub-precincts. See Sections 3.4 (North) or 3.5 (South), and Section 3.4.3 Development Adjacent to Employment Lands (in particular the former CSIRO Employment Land).

Objectives

O1. Provide setbacks to reinforce the vegetated character of the public domain with front gardens.

O2. Establish continuous gardens in deep soil planting in the centre of blocks to increase the amenity of private blocks.

O3. Ensure no loss of amenity by neighbours.

Controls

The setback controls for Pemulwuy North and South vary slightly, and are therefore addressed under their specific precincts below (Sections 3.4 and 3.5), and summarised here. In all instances of building to a side boundary, the length and height of walls on the boundary ensure no loss of amenity by neighbours. Sections 3.3.5 to 3.3.7 also aim to control setbacks.

	Pemulwuy North	Pemulwuy South
Front of building	3m - 4.5m (depending on vicinity of riparian public open space - see Fig. 54)	3m
Front garage	5.5m	5.5m
Front porch / verandah	1/3rd into front setback, but unroofed.	
Rear setback	1 storey = 6m. 2 storey = 8m. If rear garage (as below) = 3m from garage to dwelling.	A. North-South Lots: * Lot depth max. 35m = 6m. * Lot depth >35m = 8m. B. East-West Lots: * Little Streets = 3m from garage to dwelling. * Other streets = 4.5m.
Rear garage	0m, (via a "shared vehicular access")	0m, if via a "Little street" or "shared vehicular access" (not a public street)
Side setback	Type A detached dwelling = 0.9m to both. Type B dual occ./courtyard = 0.9m + 0m. Type C townhouse/rowhouse = 0m to both. Type D Apartments = 3m	Type A detached dwelling + courtyard = 0.9m to both. Type B dual occ. only = 0.9m + 0m. Type C low density townhouse/rowhouse = 0m to both. Type D Apartments + higher density townhouses = 3m
Secondary street frontage	1.5m+	4m (from Part B Residential Controls)

3.3.6 Solar Access and Sun Shading

Objectives

O1. Achieve a northerly orientation and midwinter solar access to main indoor living spaces and primary private open spaces.

O2. Provide sun protection on glazing with appropriate orientation.

Controls

C1. Windows of north facing/orientated habitable rooms of dwellings are to receive a minimum of 4 hours of direct sunlight between 8.00am and 4.00pm on 22 June.

C2. New development must not result in windows to north facing living areas of neighbouring dwellings receiving less than 4 hours direct sunlight between 8.00 am and 4.00 pm 22 June.

C3. Private open space is to achieve at least 3 hours of direct sunlight between 9am and 3pm in on 22 June for 50% of the required private open space.

Note: Relaxation of these controls may be permissible on Coordinated Development and Integrated Housing Sites where a development application for subdivision demonstrates that solar access has been maximised through integration of built form controls.

C4. Where relaxation of these controls has occurred, design initiatives that maximise natural light into dwellings are to be incorporated. For example, through wider frontages, courtyard housing, and material selection.

C5. On north facing facades, minimise summer solar access and maximise winter solar access. To achieve this, consider measures such as external horizontal shading, eaves, awnings, balconies, pergolas with appropriate planting and the like.

C6. On east and west facing facades, minimise summer solar access and maximise winter solar access. To achieve this, consider measures such as external adjustable vertical shading, sliding screens and adjustable louvers and the like.

C7. The design of dwellings shall generally be consistent with the Lot Orientation Principles in Figure 36 and Solar Orientation Principles in Figure 37 in order to achieve optimum solar access.

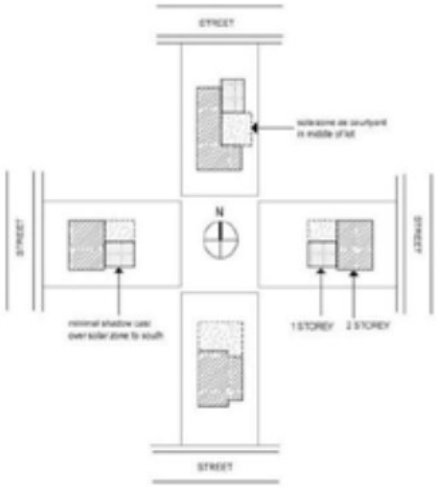


Figure 36: Solar access by lot orientation

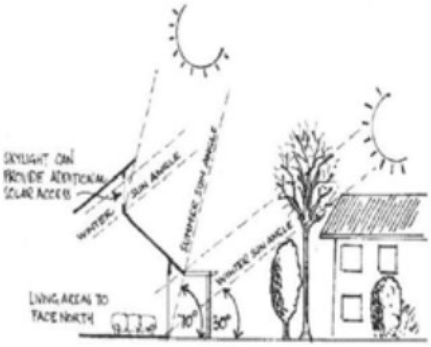


Figure 37: Solar access

Figure 38: Solar access to Private open space

3.3.7 External Private Open Space

Objectives

O1. Provide useable private open space related to the needs of residents for leisure, recreation, outdoor entertaining and service functions.

O2. Soften the appearance and integrate the homes and fencing.

O3. Provide screening for privacy, and shade during the summer months.

O4. Complement street tree and parkland planting.

O5. Ensure continuation of green corridors from conservation areas through the riparian corridor and up onto Prospect Hill.

O6. Protect and enhance locally indigenous biodiversity.

O7. Reduce the impact of soil loss on adjoining properties.

Controls

C1. Provide useable private open space, directly accessible from living and/or dining areas to each dwelling.

Type A, B and C dwellings are required to provide an area equivalent to 20% for Pemulwuy South and 30% for Pemulwuy North of the total site area as a pervious (soft) surface.

C2. Type D dwellings (and Type M in the case of Pemulwuy South) are required to provide an area equivalent to 20 % of the total site area as external private open space, at ground level or in the form of a balcony.

C3. Private open space is to achieve at least 3 hours of direct sunlight between 9am and 3pm on 22 June for 50% of the required private open space. Refer to Figure 38.

Private Open Space Elements

C4. All private open space (excluding balconies) is to have a minimum dimension of 3 metres which is to be accessible from living or dining areas, and be suitable for outdoor living.

C5. Balconies are to have a minimum dimension of 2.4 metres where they are accessible from living or dining areas. In such cases, they can be used in the private open space calculation. This dimension may be reduced to 1.8 metres where functionality can be demonstrated;

C6. Balconies should be located to provide active street frontages.

C7. All existing trees shall be retained unless it can be demonstrated that this cannot be incorporated into the design.

C8. Private open space elements accessible from other habitable rooms and secondary living spaces are to have a minimum dimension of 1.2 metres. (Pemulwuy North).

Hard and Soft Landscaped Area

C9. A minimum of 20% for Pemulwuy South and 30% for Pemulwuy North of the total site area shall remain as a pervious (soft) surface, unless otherwise noted on Figures 39 and 40.

Where impervious areas exceed 80% for Pemulwuy South and 70 % for Pemulwuy North of the total site area, Council will require an on-site detention system.

Note: These figures may be affected by the future provision of community detention basins. Changes are at the discretion of Council's engineering staff.

C10. No more than 45% of the front setback area shall be paved or sealed (inclusive of driveway). Where a double garage is proposed, this may increase to no more than 50% of the front setback.

C11. Front and rear setback areas are to be landscaped in accordance with the setback requirements provided in Section 4.3 (Setbacks) and Figures 40 and 41. The area to be landscaped may incorporate garden beds, soft landscaping, paved areas, paths, swimming pools and driveways.

C12. The planting proposal for the front setback should utilise plants with varying heights with the overall objective being to reduce the impact of the development on the streetscape. Planting should comprise of all 3 canopy levels, i.e. upper and lower canopies, and groundcovers.

C13. A native tree is required to the front and rear of each proposed dwelling, with a mature height at least equivalent to the height of the proposed dwelling. Minimum pot size 75 Litres.

Note: in the case of a dual occupancy this means 1 tree to the front and rear of each unit.

C14. The entire front yard/setback of all new dwellings in Pemulwuy is to be planted out with only native plant species, at least 20% of which are to be locally indigenous to the Cumberland LGA (see Council's Native Tree List).

Note: The use of indigenous species or low water use species within a portion of the open space is required for certification under the new BASIX regulation from 1 July 2004. Visit www.basix.nsw.gov.au for more information.

C15. Plant predominantly native landscaping to the front and rear of each allotment to enhance the natural environment. The limited use of exotic species is permitted in the rear yard only.

C16. Planting in the front and rear setbacks should include additional plantings to provide both privacy and screening to adjoining residents as well as softening of retaining walls, and fencing.

C17. Type D and M dwellings are required to distribute this landscaped area as a combination of private and communal open space to provide privacy between dwellings, useable outdoor spaces and gardens.

C18. Provide a minimum 500mm setback (in the form of a landscape strip/garden bed) between the driveway and side boundary. It is required that this area be planted with suitable native plant species.

Note: take into consideration the possible accommodation of a retaining wall where cut and/or fill has occurred on sloping lots. Where there is a zero lot alignment, the 500mm setback may include both the landscape strip/garden bed and retaining wall where bed width is maximised to a minimum 270mm for planting.

C19. The driveway and pedestrian access path shall be separated by a landscape strip/garden bed.

C20. When constructing brick or masonry garden and retaining walls, water features, paving or other hardscape elements, select brick & mortar or masonry that is suitable for saline soils. For example, appropriate footings and linings should contain concrete Type C and 32MPa.

Landscape Documentation

Accompany all applications with a fully documented landscape concept plan consistent with that required in Part G, Section ##-, prepared by a qualified Landscape Architect. The Council approved landscape plan is the plan to be used by the company, or owner, constructing the landscape works. As such it is important the plan provides enough details to enable construction. Likewise, an Implementation Report and Maintenance Report are required. See Part B Section XX (External Private Open Space) of this DCP for all built form development applications within Pemulwuy.

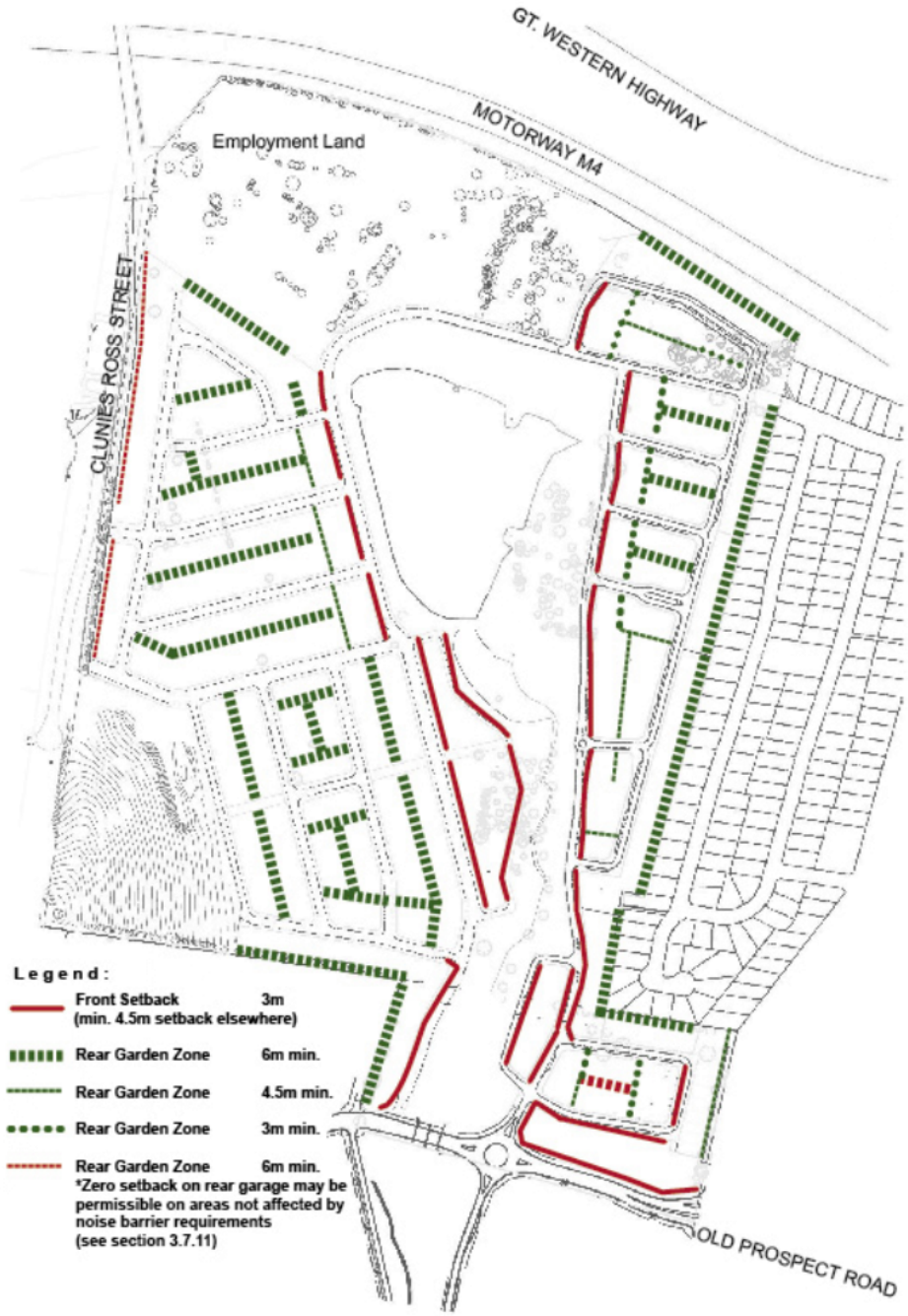


Figure 39: Private Open Space - Pemulwuy North.

Figure 40: Private Open Space - Pemulwuy South

3.3.8 Plant Selection

Objectives

O1. Ensure a high standard of environmental quality of individual developments.

O2. Produce the highest landscape value for the local character.

O3. Provide a mix of native/endemic vegetation to promote low water use and encourage native wildlife into the area.

O4. Protect visual privacy through plant selection.

O5. Regulate micro-climate through plant selection.

O6. Manage the land to minimise groundwater salinity.

O7. Mitigate any adverse effects of the proposed development on the species, populations or ecological communities.

Controls

C1. The front setback area is to consist entirely of native plant species with at least 30% of the proposed species being local to the Cumberland Area. A list of native species suitable for Cumberland Council area is provided on the following table.

C2. A suitable native tree shall be provided to both the front and rear setback.

C3. Screen planting should be provided along all side and rear boundaries to the private open space area (Pemulwuy North).

C4. Exotic species are permitted in rear yards only.

C5. Landscaping should provide a visual screen and contribute to summer shading and winter sun penetration.

C6. Species of plants shall be chosen to minimise water use.

C7. The selection of the type of plant should be based on:

- The purpose of the plant. If planting on the northern side of the house, deciduous (loses its leaves) trees and plants should be considered to provide summer shade and allow winter sun to get through;
- The ultimate height and spread above and below ground of the plants in relation to adjacent buildings, services and other plants and the scale of the location.

C8. Council requires the use of Buffalo turf species including 'Sir Walter' in the front yard and encourages its use in the rear yard within all residential lots. Specify in landscape plans that existing turf to the nature strip is replaced at completion of construction works with 'Sir Walter'.

C9. Pemulwuy is affected by existing saline and sodic soils, as described in Section 10.6 of this Part of the DCP. Therefore, favour gardens which do not require a lot of watering, and avoid species that are sensitive to the above soil types.

Note: A table of trees, shrubs and ground covers specific to Pemulwuy but can be found on Council's website under Pemulwuy. This list can be read in conjunction with a broader list of native trees and shrubs suitable to the Cumberland Local Government Area, also found on Council's website.

3.3.9 Privacy

Objectives

O1. Ensure visual and acoustic privacy for residential development, both within a development

O2. and between a development and its neighbours.

O3. Ensure an acoustic environment suitable for residential uses.

O4. Ensure that the siting and design of development minimises the impacts of noise transmission between properties.

Controls

Visual Privacy

C1. Dwellings are to maximise visual privacy through consideration of the layout of internal rooms and external living spaces, design of openings, screens, walls and choice of materials.

C2. Protect privacy and encourage integrated outdoor living spaces by orienting primary openings in living areas to the street and/or rear gardens.

C3. Upper storey windows (excluding stairwells), and balconies (within 6 meters of the rear boundary) facing a side or rear boundary must incorporate privacy measures.

C4. Achieve privacy in the design of housing by providing the following separations to all openings (windows, doors or balconies) between rooms in multi-unit dwellings and between openings facing the rear boundary of single dwellings at ground level:

- 6 metres between non-habitable rooms;
- 9 metres between a habitable and non habitable room;
- 9 metres between a habitable room and a balcony; and
- 12 metres between habitable rooms.

C5. Where possible, openings should be off set to reduce setbacks, and in addition, screening and other treatments may be considered in reducing separation distance whilst maintaining adequate visual privacy.

C6. Minimise privacy conflicts through:

- careful consideration of the layout of internal rooms and external livings spaces,
- design of openings,
- 1.5m minimum sill height,
- fixed and obscure glass to 1.5m above first floor finished floor level with clear glass permitted above,
- screens,
- blade walls,
- external fixed privacy screen,
- choice of materials.

C7. Within apartments, townhouses and Mixed Use Development containing Residential, such as Aged Housing, Apartments integrated with Retail / Commercial or Community Facilities, and Residential Flat Buildings, windows are to be offset from windows in an adjacent development to limit views. Alternatively, sill heights of 1.5 metres above finished floor level are to be provided.

C8. Bathroom or ensuite windows fronting the street must incorporate privacy measures.

C9. Elevated ground floor levels to the rear or side of the property, including the main built form, terraces, decks and balconies that exceed 500mm above natural ground level must incorporate privacy measures to minimise potential overlooking.

C10. Landscape screening at the rear of terraces, decks and balconies may be acceptable in some situations.

C11. Upper floor windows or balconies within 6 metres of the rear boundary must incorporate privacy measures.

Acoustic Privacy

C12. Dwellings are to maximise acoustic privacy through consideration of the layout of internal rooms and external living spaces, design of openings, screens, walls and choice of materials;

C13. The design of buildings should minimise the opportunity for sound transition through the building structure and should protect noise sensitive areas such as bedrooms;

Note: Additional documentation may be required to be submitted with a Development Application to demonstrate that the privacy of adjacent properties will not be compromised

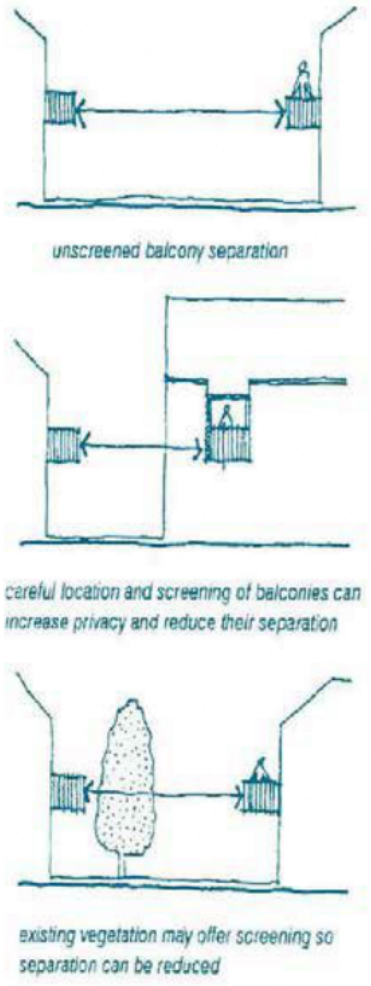


Figure 41: Achieving acoustic and Visual Privacy

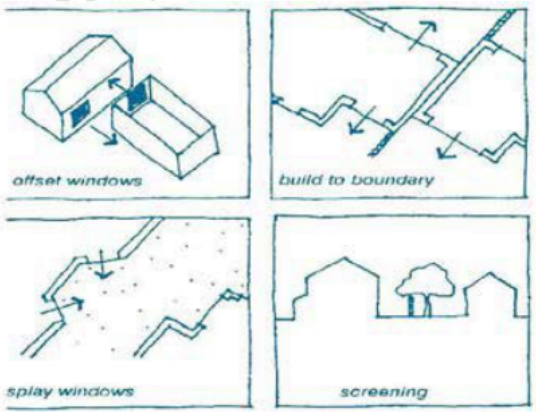


Figure 42: Achieving acoustic and visual privacy

3.3.10 Clunies Ross Street Residential Frontage

Objectives

O1. Minimise the impact of noise from the existing employment sites to proposed residential areas.

O2. Achieve external noise goals where feasible or reasonable.

O3. Where this is considered impractical, to achieve internal noise criteria by appropriate façade treatment.

Controls

C1. A noise barrier ranging from 4.0 to 4.5m in height is to be erected along the western site boundary between the employment lands and the Clunies Ross Street access road to control noise to the ground floor of future dwellings (refer to Figure 44).

C2. Control sleep arousal to second storey bedrooms, additional attenuation measures are required. These should consist of, but are not limited to:

- Improved glazing to windows and the provision of air conditioning to allow windows to be kept closed during night time periods; and/or
- Locating bedrooms on the eastern side of the house away from the noise source, with bathrooms, study, media rooms and the like on the western side of the house.

Note: The combination of attenuation measures to the built form is to be determined at Development Application stage based on the advice of an acoustic consultant.

C3. Ensure that noise from employment related uses in Pemulwuy does not exceed stated criteria in Section 3.10.6 entitled Environmental Management – Noise & Vibration Management, when measured at the residential receiver.

C4. Ground floor bedrooms are to be setback a minimum of 10m from the acoustic barrier;

C5. Second storey bedrooms are to be setback a minimum of 14m from the acoustic barrier.

C6. A landscape buffer and mound of 3m in width consisting entirely of native species is to be provided in front of the acoustic barrier to ensure suitable aesthetic outcomes (refer to Figure 43 for landscape concept design) The landscaping design is to:

- consisting of entirely native species;
- screen the acoustic wall; and
- minimise on-going maintenance requirements.

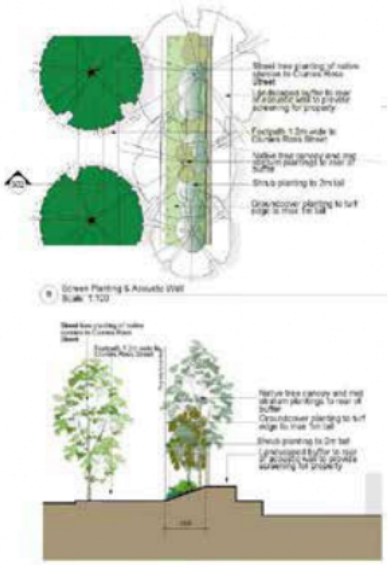


Figure 43: Extent of Acoustic Wall.

Figure 44: Acoustic Wall.

3.3.11 Roof Design

Objectives

O1. Design roofs to contribute to the variety and diversity of homes in a street.

O2. Design roofs to reflect a contemporary style.

Controls

C1. Provide from these acceptable styles: hipped, gable, skillion, flat roofs with parapets and curved roofs.

C2. Prefer that traditional roof forms, such as hipped and gable roofs, have a minimum pitch of 25 degrees (Pemulwuy South), or 22.5 degrees (Pemulwuy North).

C3. Prefer that skillion roofs have a pitch between 10 and 20 degrees (Pemulwuy South), or above 5 degrees (Pemulwuy North).

C4. Ensure that all roofs have a minimum of 450mm eaves or other shading devices such as awnings, louvres, pergolas or screens.

3.3.12 Materials and Colours

Objectives

O1. Use building mass or bulk/reflective insulation in wall and ceiling systems to encourage an improved thermal performance.

O2. Use building materials and building techniques that will minimise salinity problems.

O3. Use external materials and colours that reflect the contemporary nature of Pemulwuy.

Controls

C1. Ensure a predominantly masonry external finish. Face brick, render, bagged or a painted finish are acceptable.

C2. Use by preference bulk or reflective insulation in roof systems and fall arrest sarking to improve thermal performance.

C3. Provide a mix of materials and colours to create visual interest and variety in the streetscape.

C4. For the parts of the home seen from the street, ensure a combination of materials including but not limited to:

- Feature stonework.
- Light weight materials such as timber, feature panelling, plywood, pre-finished metal sheeting, etc.

C5. Use by preference building materials which minimise their impact on the environment. These materials can be from renewable resources, and are:

- energy efficient,
- durable,
- low maintenance,
- recycled or recyclable, and

- non-polluting in use, manufacture and disposal.

C6. Natural colours, such as off whites, creams, browns and greys, are permitted as major external wall colours. The use of stronger accent colours is acceptable for highlighting building elements such as entry porticos, feature materials, etc.

C7. Roofing materials are to be selected from the following:

- Low profile concrete or terracotta tiles;
- Pre-finished and pre-coloured metal roofing.

C8. Multi -coloured tiled roofs are not permitted.

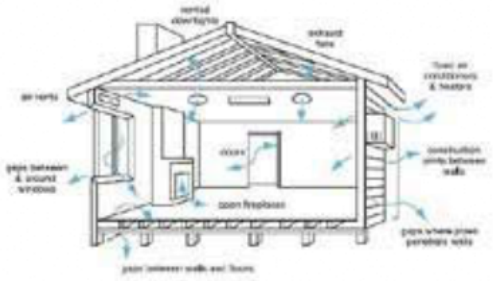


Figure 45: Energy smart house

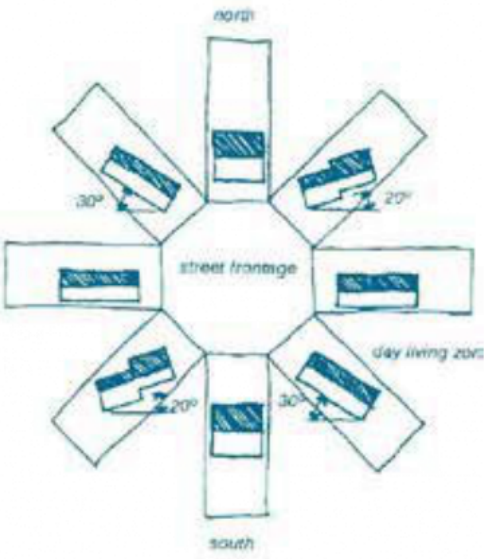


Figure 46: Lot orientation for good solar access

3.3.13 Water and Energy Efficiency

Objectives

O1. Design living and working environments that minimise energy and water use; and

O2. Use passive and active design initiatives to ensure comfortable living environments that respect the principles of ecologically sustainable development.

O3. Implement sustainable practices in water and energy efficiency.

O4. Minimise reliance on artificial heating and cooling, and maximise natural lighting.

O5. To minimise water usage.

Controls

C1. Ensure all new residential development complies with the requirements of the Building Sustainability Index (BASIX) for energy efficiency. Obtain BASIX Certification prior to the final design submission.

C2. Take advantage of northerly aspects.

C3. Achieve cross ventilation. To do so, windows are to be located to take advantage of prevailing winds in summer.

C4. Design floor layout to allow penetration of light to rooms.

C5. Incorporate courtyards, light wells and atria to assist natural lighting and ventilation.

C6. Provide at least double orientation to all dwellings.

C7. Use building mass and/or building insulation to improve the climatic performance of buildings.

C8. Ensure all new residential development complies with the requirements of the Building Sustainability Index (BASIX) for water efficiency. Obtain BASIX Certification prior to the final design submission.

C9. Rainwater tanks are to be sited, and to be of a finish, that does not adversely impact on the amenity of future residents and/or adjoining properties in terms of bulk, scale, design, style, height and location

3.3.14 Garages, Car Parking and Driveways

Objectives

O1. Contain the per capita growth in VKT (vehicle kilometres travelled) by achieving higher than normal public transport usage.

O2. Manage the supply of parking facilities in a manner that supports the use of existing and proposed public transport services.

O3. Encourage a reduction in the level of vehicular traffic by reducing parking requirements.

O4. Ensure adequate parking for various land uses which sustain the market viability of the development within Pemulwuy.

O5. Limit the impact of garages and driveways along streets, to maximise the street address of buildings and to emphasise pedestrian safety.

O6. Minimise the provision of on site parking, and to enhance the street activity of the neighbourhood.

O7. Seek a balance between satisfying a proportion of parking demand onsite, addressing car use reduction objectives and minimising the spread of parking into surrounding streets.

O8. Facilitate convenient and safe vehicular movement.

O9. Encourage efficient use of space.

Controls

On-Street Parking

C1. On street parking should be designed to be consistent with the design principles and dimensional requirements of Australian Standards AS2890 and AS1742.

C2. Provide on-street parking which is well-lit and offers casual surveillance for street security.

C3. Limit on-street parking to not compromise the streetscape character nor the active streetscape.

C4. Provide sufficient on-street parking so that garages and carports do not dominate the street frontage.

Off-Street Parking

C5. Minimise off-street parking supply, having regard to:

- access to public transport (located within 400 metres);
- surveys of existing similar developments indicating a lower parking demand;
- land use synergies with surrounding land uses;
- complimentary/shared use of parking facilities;
- the ability to manage the use of on street parking.

C6. A minimum of one off-street parking space with at least one enclosed garage is to be provided on each allotment. Three car garages are not permitted.

C7. Off street parking shall be consistent with the design principles and dimensional requirements of Australian Standards AS 2890.1.

C8. Where possible, locate parking on the southern side of dwellings or on the down-slope side of sloping lot frontages.

Garages

C9. On allotments with direct access from the main street the garage is to be set back at least 5.5m from the property boundary.

C10. Garage doors are to be panel lift or panel glide.

C11. Garages should incorporate additional space for storage, such as recesses for bins and recycling.

C12. Parking may be provided in basements under building footprints. Naturally ventilated semibasement car parks extending to 1.2 metres above adjacent ground level are preferred in any under-building parking.

C13. Prefer garage access from car courts (shared rear access) where it is available.

C14. The minimum aisle width of car courts shall be 6 metres adjoining the public road and where accessing parking. This can be reduced to allow for landscaping where vehicle turning movements are not compromised.

C15. The design of car courts and associated garages is to ensure that vehicles enter and exit in a forward direction.

C16. On site parking for Residential flat building developments is to be provided at a rate not more than:

- 1 space per bed-sit, studio or one bedroom dwelling;
- 1.25 spaces per two bedroom dwelling;
- 1.5 spaces per dwelling with three or more bedrooms;
- Visitor parking is to be provided at 0.25 spaces per dwelling and be provided in designated spaces.
- Cycle parking spaces are required within parking areas for Residential flat buildings. For individual houses with 3 bedroom or more, storage spaces in the garage are preferred;
- Provide a vehicle wash bay of permeable material construction.

Driveways

C17. Driveway crossings are to be between 3.0 and 5.0 metres wide at the front boundary for single garages and tandem garages.

C18. Driveway crossings of between 5.0 and 6.0 metres in width for double garages are permitted; however, at least 25% of the width of the allotment must be soft landscaping. Driveway levels and vehicle crossings from street to front boundary must be submitted and approved by Council.

C19. Driveway crossings must be plain concrete. Refer to Figure 48.

C20. Driveway materials from the garage to the front boundary include paving, coloured concrete, patterned or stencilled concrete. Plain concrete driveways and car tracks will not be approved.

C21. A pedestrian pathway is required from the front boundary to the entry of the dwelling, and must be separate from the driveway.

C22. A vehicle crossing application must be made to Council for proposed works within the nature strip.

C23. 500mm of planting is to be provided between the side boundary and the driveway.

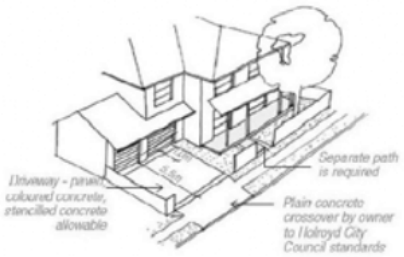


Figure 47: Driveway crossover

3.3.15 Fencing

Controls

Note: Consider specific requirements for lots with sloping land.

Front Fencing

C1. The front fence piers and base are to be constructed of rendered, bagged or face brickwork to match the style of the home, with a light weight see-through infill.

C2. Figure 47 shows the required dimensions of front fencing.

C3. Front fencing must return along the boundary to the front building facade.

C4. Fencing must step down to meet the slope of your allotment as shown in Figure 49.

C5. Front fencing can be used as a retaining feature.

C6. Maximum height of 1.2 metres from natural ground on the street side of the fence, except where slopes exceed 1:8.

Side and Rear Fencing

C7. The provision of side and rear fences is mandatory.

C8. Side and rear fencing is to be 1.8m high lapped and capped timber fencing, or must be reduced to 1.5m high when built on top of a retaining wall. Colorbond fencing or similar is not permitted. Where the retaining wall exceeds 1.2m, the combined wall+fence should not exceed 2.4m.

Note: See Section 3.3.2 Elevated Sites (Steep Land) in Pemulwuy - Lots with Front to Back Slopes, for exceptions.

C9. The side fencing and gate is to finish on the wall built to the boundary or 1.0m behind the front of the home. No side fencing is to be forward of the building line (at which point it becomes "front fencing" - see above).

C10. Maximum height of 1.8 metres from natural ground on the street side of the fence.

C11. An additional 300mm on top of the required 1.8m high lapped and capped timber fencing may be required to minimise overlooking into adjacent homes. Refer to elevated site requirements.

Corner/Secondary Street Fencing

C12. The piers and base are to be constructed of rendered, bagged or face brickwork to match the style of the home and not to exceed 1.8m above the level of the adjacent footpath or verge.

C13. Stained or painted timber infill panels. Hebel or similar aerated concrete product may be used as a lightweight masonry option, particularly where nearby easements for services are on the lot.

C14. Figure 50 shows required dimensions of corner or secondary street fencing.

C15. On sloping land, the height of fencing must step to follow the slope of your allotment as shown in Figure 49. The low wall plinth must be no greater than 0.6m at the highest step.

C16. Fencing can be used as a retaining feature.

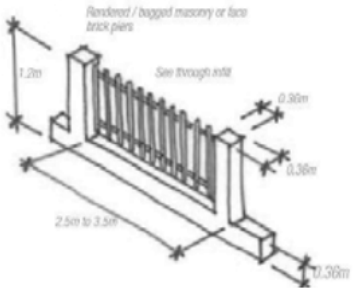


Figure 48: Front Fence Detail

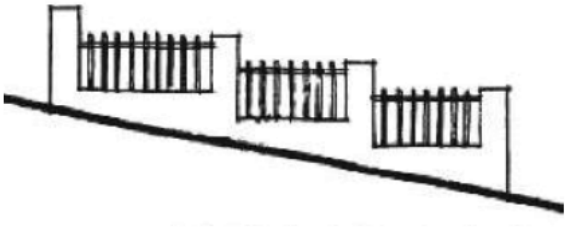


Figure 49: Sloping fence detail

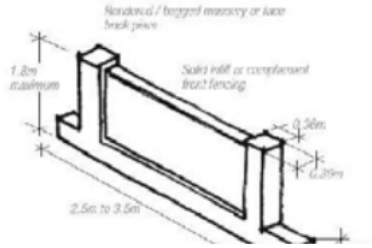


Figure 50: Corner allotment side fencing

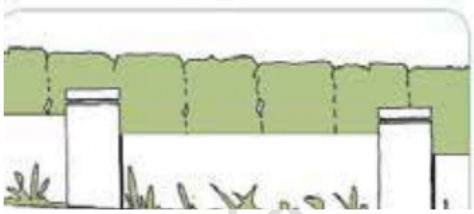


Figure 51: Lakefront front boundary fencing.

3.3.16 Adaptable and Affordable Housing

Objectives

O1. Ensure dwellings within Pemulwuy are capable of being adapted to accommodate the needs of people with limited mobility.

O2. Provide some private market affordable housing within Pemulwuy.

O3. Offer affordable housing that supports the needs of changing populations.

Controls

C1. Ensure that 20% of multi-unit housing, shop-top housing and mansion house apartments are compliant with Class C – Adaptable Housing Features as set out in Australian Standard AS4299.

C2. Ensure that 100% of aged housing is compliant with Class C – Adaptable Housing Features as set out in Australian Standard AS4299.

C3. Ensure that 100% of adaptable housing is compliant with Adaptable Housing Class A or B.

C4. Council to encourage some private market affordable housing products in an integrated manner (i.e. not in clusters but distributed throughout the larger site), particularly in the latter stages of the development.

3.3.17 Safety, Security and Lighting

Objectives

O1. Address the principles of Crime Prevention through Environmental Design (CPTED).

O2. Design with safety and security as a key concern.

O3. Provide public open spaces with a strong physical connection to housing so as to achieve a clear ownership of public space. It is recognised that well used and valued public open spaces reduce opportunities for crime and increase risk for potential offenders.

O4. Avoid the misapprehension that a public park is a private space.

Controls

C1. Edge open space areas with streets and housing, providing clear sight lines from private residences to public domain areas.

C2. Identify lots edging open spaces as suitable for increased densities, thereby maximising the number of dwellings which overlook open spaces. Incorporate passive open space surveillance into lot layout and design of residences, including balconies, porches, etc.

C3. Provide parking for open spaces along illuminated public streets edging parks rather than consolidating car parking within the parks themselves. This is designed to increase casual surveillance of parked vehicles and their occupants.

C4. Design parking areas at recreational locations to avoid loitering.

C5. Design public streets edging open spaces to provide safe, well lit pedestrian routes, eliminating the need to circulate across parks at night.

C6. Provide adequate lighting in recreational areas, parklands, cycleways, and pedestrian thoroughfares.

C7. Clearly articulate public spaces with public streets.

C8. Control vehicle access to public open space by the use of low fencing or bollards on accessways to the park edge. Avoid the use of high gates, fences and enclosures.

C9. Design street furniture and amenities to be vandal resistant, with walls treated with sacrificial coatings to deter and remove graffiti.

C10. Ensure landscaping maintains view corridors and clear sight lines.

C11. Locate bus stops in safe, well-lit locations with good surveillance.

C12. Adequately light entrances to buildings, with lighting that does not produce shadows.

C13. At building entrances, ensure clear sight lines are not be obscured by landscaping or other obstacles.

C14. Ensure all dwelling entries are clearly visible from the street by day and night.

C15. Design first floor uses to overlook the street and car parking areas.

C16. Ensure private landscaping does not provide opportunities for concealment e.g. along pathways or adjacent to service areas.

C17. Minimise the length of car courts accessing rear garages, with clear sight lines provided to/from the public road. In some places, mews dwellings above rear garages will increase the potential for passive surveillance. Provide sensor lighting mounted at appropriate locations within the car courts.

C18. Provide facilities at bus stop locations to encourage increased use and safety. Such facilities shall include:

- bus lay-bys and speed controls to protect pedestrians, depending on the particular road design, and
- shelters and seating for waiting passengers, display of timetable information and street lighting for security.

3.3.18 Bushfire Protection

Objectives

O1. Provide residential development with adequate protection from the potential bushfire hazard.

Controls

C1. Development must comply with Planning for Bushfire Protection (NSW Rural Fire Service: 2019) or subsequent amendments;

C2. In the case of the riparian corridor, provide an Outer Protection Area and Inner Protection Area in the form of fuel reduced zones and perimeter road.

3.3.19 Salinity

Objectives

O1. Minimise disturbance to natural hydrological systems as a result of development.

O2. Provide for appropriate management where urban development may affect the process of salinisation.

O3. Provide for appropriate management where the land is affected by groundwater salinity.

O4. Prevent damage to buildings and infrastructure caused by salinity.

Controls

C1. Consent must not be granted for development to which this clause applies unless the consent authority has considered:

- the impact of the proposed development on local and regional salinity processes, and
- the impact of salinity on the proposed development. In particular, that appropriate measures have been carried out to the Engineer's satisfaction, including:
  - use of saline-resistant building materials;
  - treatment of outer walls below ground; and
  - drainage deviation.

3.3.20 Servicing

Objectives

O1. Minimise the impact of services on the public domain.

O2. Ensure efficient storage and collection of waste and quality design of facilities.

Controls

C1. Provide each dwelling with a secure external clothes drying area with access to sunlight and breezes, screened from the public domain.

C2. Locate adequate rubbish and recycling areas where they are convenient and accessible:

- adjacent to access lanes or 'little streets' where they exist;
- not forward of the prevalent built edge to the street; and
- screened from the public domain

C3. Provision shall be made within all development for the convenient movement of bins to streets for collection.

C4. In addition to garages, the adequate storage of bulky goods in multi-unit housing is required at a rate of:

- 7.5 cubic metres for a studio/one bedroom unit;
- 10 cubic metres for a two bedroom unit; and
- 12.5 cubic metres for units with three or more bedrooms.

C5. Antennae, satellite dishes, water tanks, service metres and solar heating should be sited to minimise their impact on the public domain.

3.3.21 Telecommunications

Objectives

O1. Ensure the capacity for advanced telecommunications systems within Pemulwuy.

Controls

C1. Demonstrate the provision of telecommunication infrastructure:

- To all dwellings, community buildings and commercial premises;
- That has the capacity to support multiple telecommunication services; high speed internet (including broadband), voice and data systems;
- That can be duplicated and upgraded in a cost effective and timely manner; and
- That is located underground.

3.3.22 Dwelling Types – Summary

An abbreviated form of the essential differences between Types A, B, C, D & M, compared between Pemulwuy North and Pemulwuy South.

	Pemulwuy North	Pemulwuy South
Side Setbacks Type D South *Aged Housing *Apartments *Townhouses *Residential Flat Buildings (RFBs)	Type A detached dwelling = 0.9m both. Type B dual occ./courtyard = 0.9m + 0m. Type C townhouse/rowhouse = 0m to both. Type D RFB/Mansion House Apartment = 3*m	Type A detached dwelling + courtyard = 0.9m to both. Type B dual occ. only = 0.9m + 0m. Type C low density townhouse/ rowhouse = 0m to both. Type D Apartment/RFB/Aged + higher density townhouses = 3*m Type M – Mixed Use Development (Residential)* = 3*m *Type M = Aged Housing; Apartments integrated with Retail / Commercial or Community Facilities; RFBs.
Lot size	Type A = 400 - 600m² Type B = 300 - 500m² Type C = 200 - 300 m² Type D = 100 - 250m² Type D Mansion House Apartment = 80 - 150 m² (total lot 1350m²)	Type A = 300 - 600m² Type B = 250 - 400m² Type C = 200 - 300m² Type D = 100 - 250m² Type M Mixed Use (Res) = 100 - 250m²
Frontage	Type A = 15 - 20m Type B = 10 - 14m Type C = 6 - 9m Type D Mansion House Apartment = 30m	Type A = 9 - 16m Type B = 6 - 12m Type C = 6 - 9m
Min. "Landscaped area" (Soft/ pervious) as % of site area	Type A = 30% Type B = 30% Type C = 30% Type D = 20%	Type A = 20% Type B = 20% Type C = 20% Types D/M = 20%
Front Setbacks	3m - 4.5m (depending on vicinity of riparian public open space)	3m
Rear setback	1 storey = 6m. 2 storey = 8m. If rear garage (as below) = 3m from garage to dwelling.	North-South Lots: * Lot depth max. 35m = 6m. * Lot depth >35m = 8m. East-West Lots: * Little Streets access = 3m from garage to dwelling. * Other streets = 4.5m.

3.4 Subprecinct Controls – Pemulwuy North

The following controls apply specifically to the Pemulwuy precinct predominantly to the north of Butu Wargun as identified in Figure 1

3.4.1 Height Limits

Objectives

O1. Achieve building heights and forms that respect the streetscape and heritage values of Prospect Hill, and that assist in establishing an attractive streetscape.

Controls

Note: The maximum height for a dwelling house (in metres) is detailed within Cumberland Local Environmental Plan 2020, as a written statement and associated maps.

C1. Height limits (expressed as storeys) are stipulated on Figure 52 and should be read in conjunction with the Height of Building map associated with Cumberland Local Environmental Plan 2020.

C2. External wall height controls relate to site falls of up to 1 in 8. For sites steeper than 1 in 8 relaxation of these controls may be permissible. See Fencing in Section 4.14.

C3. The building elevation facing the street is to be a minimum of two storeys unless designated as a 'single storey permitted development'.

Single Storey Zone

C4. Buildings are limited to single storey height, with a maximum external wall height of 4.0 metres, with roof terraces or attic rooms permitted;

C5. Maximum building height is to be 6 metres.

Part One/Two Storey Zone

For part one/two storey sites adjacent to Prospect Hill:

C6. The maximum external wall height is 4 metres at the front and 6.5 metres at the rear;

C7. The maximum building height is 9 metres and is not to exceed RL 79.

C8. Maximum building height may be permitted only where it can be demonstrated that the views into and within the site relating to the height, bulk, and scale of the dwelling are not compromised.

Two Storey Zone

C9. Two storey height limit, with a maximum external wall height of 6.5 metres;

C10. Maximum building height is to be 9 metres;

C11. On sites with slopes greater than 1:8, maximum external wall height may be increased to 7.5 metres and building height to 10 metres dependant on scale, bulk, privacy and overshadowing issues;

Three Storey Zone

C12. Three storey height limit, with a maximum external wall height of 10 metres.

C13. Maximum building height is to be 12.5 metres.

C14. Three storey development is a minimum and maximum for the zone fronting the east/west link road adjacent to the village centre.

Note: The minimum floor to ceiling height of a dwelling is controlled by Part B of this DCP.

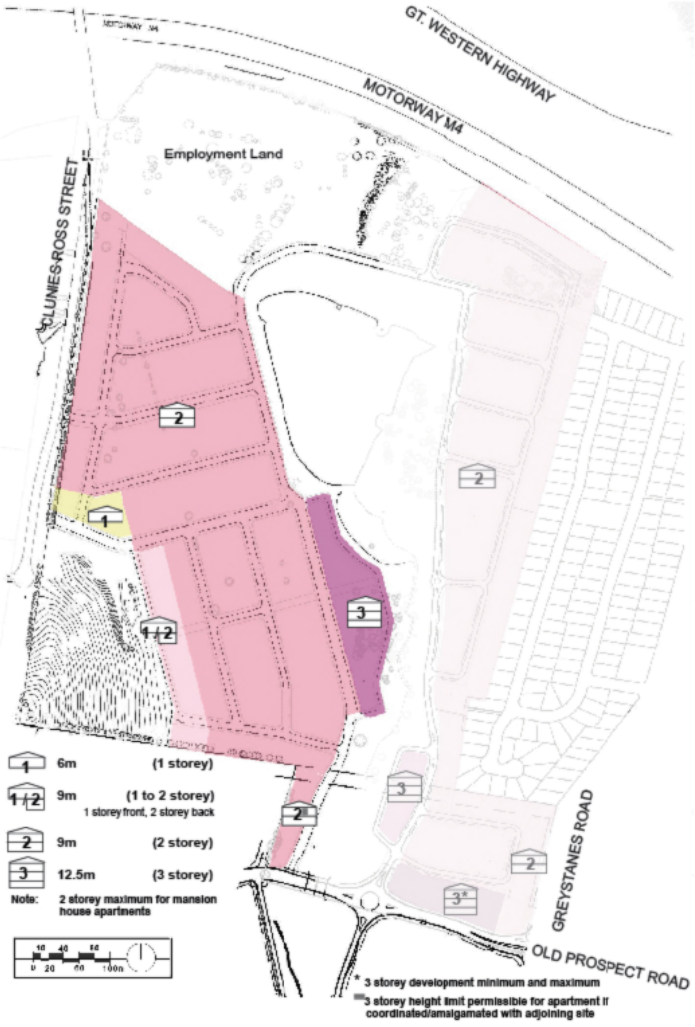


Figure 52: Building height - Pemulwuy North.

3.4.2 Setbacks

Objectives

O1. Provide setbacks to reinforce the vegetated character of the public domain with front gardens.

O2. Establish continuous gardens in deep soil planting in the centre of blocks to increase the amenity of private blocks.

O3. Ensure no loss of amenity for neighbours.

Controls

C1. Provide 3.0 - 4.5 metre front setbacks to dwellings as specified in Figure 39 (Private Open Space).

C2. Provide a minimum 5.5 metre setback to garages from the front street boundary.

C3. Front porches or verandas are allowed to encroach within one third of the front setback area in which instance the porch or verandah must be unroofed;

C4. Rear setback to be 6 metres to single storey elements and 8 metres to 2 storey elements.

C5. Rear garages can be built to rear boundary alignment where accessed through shared vehicular access. Any studios over garages are not to overlook or overshadow adjacent dwellings or private open space;

C6. Provide a minimum side setback of 0.9m both sides for detached dwellings and 0.9m minimum for duplex and courtyard houses with a zero lot line permitted one side. No side setbacks required for townhouses/row houses;

C7. Apartment Buildings (Type D housing): Side setbacks provide for minimum separation distances in accordance with Section 3.3.9 (Visual & Acoustic Privacy), with a minimum of 3 metres; and

C8. Side setback to secondary street frontage shall be 1.5 metres minimum.

Figure 53: Habitable room setback from employment lands.

3.4.3 Development Adjacent to Other Precincts

Development Adjacent to Employment Lands

Objectives

O1. Ensure suitable residential amenity for dwellings adjacent to Employment Land (as shown in Figure 80).

O2. Minimise the impact of noise from the proposed former CSIRO Employment Land on the proposed residential areas;

Controls

C1. Habitable rooms/buildings are not permitted within 10m of the rear boundary (refer to Figure 53). Improved glazing is required on windows facing the Employment Land.

C2. Setbacks and landscaping buffer within the Employment Lands must also protect residential amenity.

Employment Land Uses

C3. Noise attenuation to the adjoining residential lands is to be achieved by the appropriate siting of employment buildings to the north (refer to 'Noise Impact Assessment' – Richard Heggie and Associates);

C4. If required, additional acoustic treatment is to extend along the northern boundary between Clunies Ross Street and the Employment Land buildings, the nature of which is to be determined at Development Application stage based on the advice of an appropriately qualified acoustic consultant.

Noise Monitoring

C5. Compliance noise monitoring shall be conducted by Stockland to demonstrate compliance with established noise goals for both traffic and industrial noise. Internal and external noise monitoring shall be conducted by Stockland

Corporation Ltd on site to establish that the implemented noise controls will result in an acceptable acoustic amenity in noise affected areas.

Traffic Noise

C6. The installation of a noise logger on site for a period of a least one week is required where a noise barrier is adopted to achieve established noise criteria.

Industrial Noise

C7. Ensure that the noise from employment related uses does not exceed stated criteria in Section 11 - Environmental Management entitled Industrial Noise Criteria for Residences adjoining Clunies Ross Street when measured at the residential receiver.

C8. Operator attended measurements, supplemented by noise logging where appropriate, on site for a period of a least one week is required where a noise barrier is adopted to achieve established noise criteria.

Interface to Existing Residential to East

Objectives

O3. Create new dwellings that do not create undue amenity impacts to the rear of existing dwellings in terms of overshadowing, overlooking, visual impacts or density/bulk of development.

Controls

C9. Provide a minimum rear garden zone setback of 6 metres between the eastern site boundary and the single storey rear elements.

C10. Provide a minimum rear setback of 8 metres between the eastern boundary and the two storey elements.

C11. Ensure that new development does not cause undue loss of visual privacy or undue overshadowing to rear of existing gardens and dwellings.

C12. New dwellings to moderate building bulk with generally single storey rear elements.

C13. Orientate windows of upper levels northwards rather than eastwards on rear elements where possible.

3.5 Subprecinct Controls – Pemulwuy South

The following controls apply specifically to the Pemulwuy precinct predominantly to the south of Butu Wargun as identified in the following Figure 2.

3.5.1 Height Limits

Objectives

O1. Achieve building heights and forms that respect the streetscape and heritage values of Prospect Hill, and that assist in establishing an attractive streetscape.

O2. Site and design development proposals that are in proximity to the Prospect Hill State Heritage Registered Area to ensure that views to and from the Prospect Hill ridgeline are maintained.

Controls

Note:

- *The maximum height for a dwelling house (in metres) is detailed within Cumberland Local Environmental Plan 2020, as a written statement and associated maps.*
- *The minimum floor to ceiling height of a dwelling is controlled by Part B of this DCP.*
- *Cumberland Local Environmental Plan 2020 applies to views to and from Prospect Hill.*

C1. Height limits (expressed as storeys) are stipulated on Figure 54 and should be read in conjunction with the Height of Building map associated with Cumberland Local Environmental Plan 2020.

C2. External wall height controls relate to site falls of up to 1 in 8. For sites steeper than 1 in 8 relaxation of these controls may be permissible. Refer to Figure 55.

Two Storey Zone

C3. Two storey development is permissible within this zone.

C4. Maximum external wall height is to be 6.5 metres.

C5. Maximum building height is to be 9 metres.

C6. Where basement parking is proposed, on sites with slopes greater than 1:8, maximum external wall height can be increased to 7.5 metres and building height to 10 metres.

Two Storey Little Street Zone

C7. Two storey development is permissible within this zone.

C8. Maximum external wall height is to be 6.5 metres; and

C9. Maximum building height is to be 9 metres.

Two Storey Roof Zone

C10. Two storey development with attic rooms or roof terraces permissible within this zone.

C11. Maximum external wall height is to be 7.5 metres.

C12. Maximum building height is 10 metres.

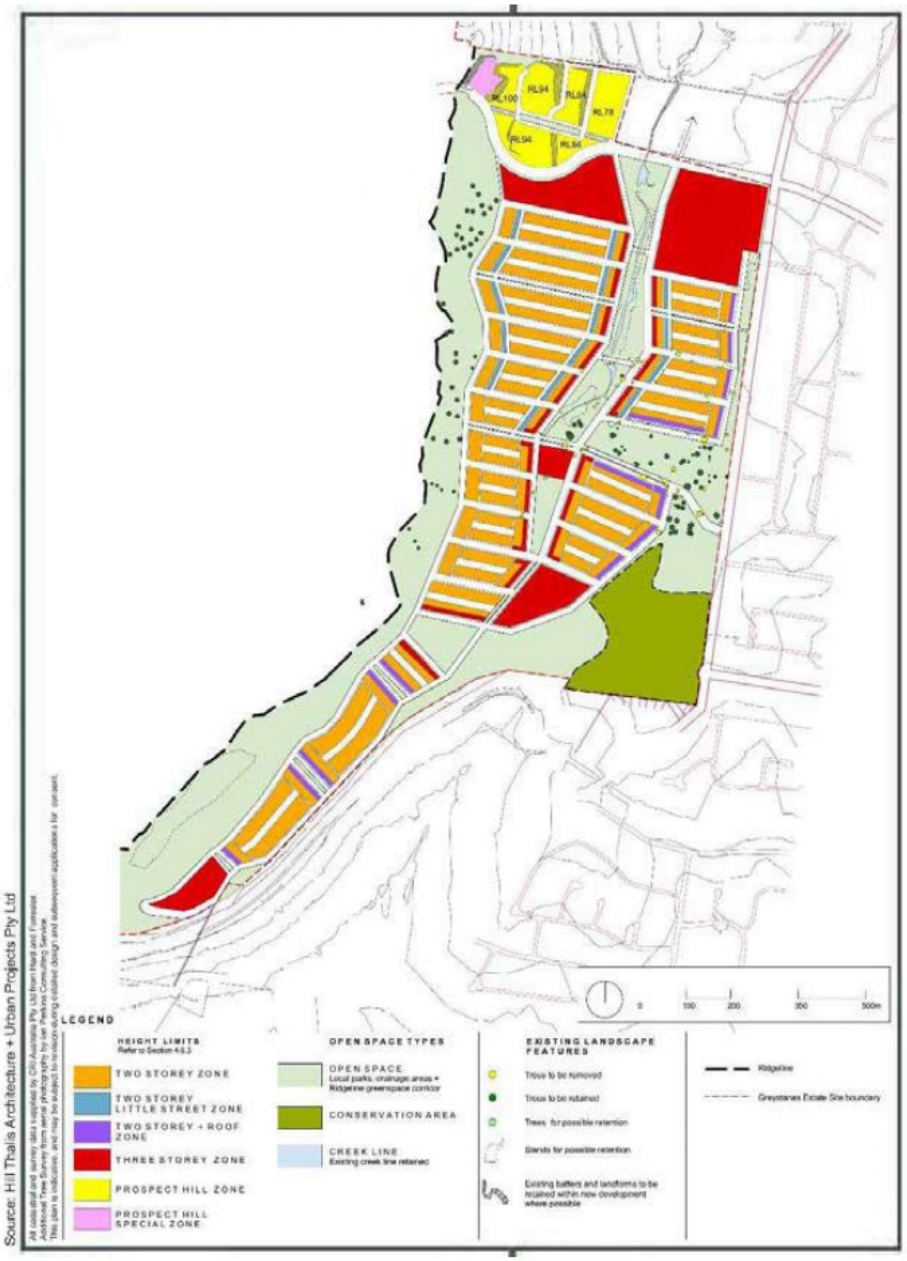


Figure 54: Height control strategy - Pemulwuy South

Three Storey Zone

C13. Three storey development permissible within this Zone.

C14. Maximum external wall height is to be 10 metres.

C15. Maximum building height is to be 12.5m.

Prospect Hill Development Area

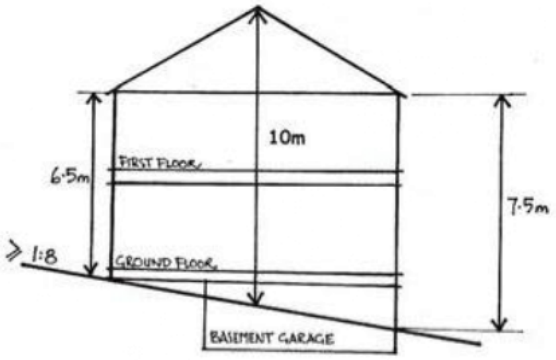
C16. Maximum building height is not to exceed the RLs stipulated in Figure 54.

C17. Three storey development is permissible in this zone, where achievable.

C18. The maximum external wall height is to be 10 metres.

Prospect Hill Special Area

C19. Maximum height of development to be determined in consultation with the Heritage Office.



Height Limits on Slopes ≥ 1:8
- Side sloping Lots
-Basement garages

Source: Greystanes Estate

Figure 55: Height limits on slopes >1:8

3.5.2 Setbacks

Objectives

O1. Provide setbacks to reinforce the vegetated character of the public domain with front gardens.

O2. Establish continuous gardens in deep soil planting in the centre of blocks to increase the amenity of private blocks.

O3. Ensure no loss of amenity for neighbours.

Controls

C1. Provide a minimum 3 metre front setback to dwellings.

C2. Provide a minimum 5.5 metre setback to garages from the street frontages.

C3. Provide the following rear landscaped set backs to north-south lots:

- up to 35 metre depth requires a minimum of 6 metres from rear boundary; and
- greater than 35 metres depth requires a minimum of 8 metres from the rear boundary.

C4. Provide the following rear set backs to east-west lots:

- lots accessible from little streets require a minimum of 3 metres from rear of garage zone; and
- lots accessible from public streets require a minimum of 4.5 metres from the rear boundary.

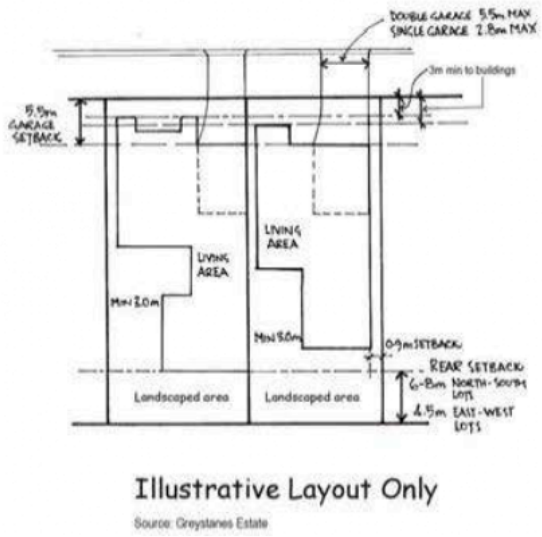


Figure 56: Type A Detached Dwelling - Pemulwuy South - setbacks layout

3.6 Transport Plan

Principles for a Transport Plan:

Objectives

O1. Address transport targets.

O2. Establish guiding principles for design and layout of the site consistent with increasing the mode split towards public transport and non private vehicle usage and minimise vehicle kilometres travelled (VKTs).

O3. Provide for all modes of transport which are integrated into the surrounding network of each mode.

O4. Identify a range of transport infrastructure which addresses site requirements including the staging and funding proposals.

O5. To identify pedestrian links to the Transitway and bus route networks.

Controls

C1. Reduce the mode split of 'car as driver' for the journey to work by at least 10% (e.g. from 75% to 65%) compared to the existing surrounding area.

C2. Reduce the total VKT (vehicle kilometres travelled) to be generated by the proposed development by at least 5% below that which would be generated by a 'conventional' approach to development".

3.6.1 Regional Requirements

Objectives

O1. Provide regional transport infrastructure which will achieve the transport targets established by SEPP (Western Sydney Employment Area) 2009.

O2. Develop transport infrastructure that will service the needs of the site and integrate into an improved regional transport network.

O3. Provide infrastructure which recognises the need to integrate all modes of transport including public transport, private vehicle transport, walking and cycling.

O4. Develop measures to mitigate potential transport impacts generated by the development of Pemulwuy on surrounding areas.

Controls

C1. Provide regional (and local) transport infrastructure improvements that are consistent with:

- The Deeds of Agreement between Stockland and the Roads and Maritime Services;

- The Deeds of Agreement between Boral Resources (NSW) Pty Ltd and the Roads and Maritime Services; and
- Pemulwuy Contributions Plan 2015

3.6.2 Transport Design Guidelines – land Use Location

Objectives

O1. Generate efficient travel patterns across the site to reduce VKTs.

O2. Maximise the use and support the viability of public transport services.

O3. Avoid potential conflicts between various land uses.

O4. Site and design land uses to accommodate mobility impaired persons.

Controls

C1. Provide appropriate and conveniently located services (such as shops) and open space as shown on the Figures 57 and 58 to reduce trip length and to encourage use of pedestrian/ cycleway networks.

C2. Ensure that land uses are well integrated with public transport stops, nodes and interchanges so as to provide safe, attractive and inviting environments.

C3. Separate residential and employment precincts to avoid potential road function conflicts and unnecessary through traffic.

C4. Locate higher density development in close proximity to transport nodes.

C5. Locate the village centre as shown on the concept plan to avoid unnecessary traffic infiltration in residential streets. The layout strategy is shown in Figure 58.

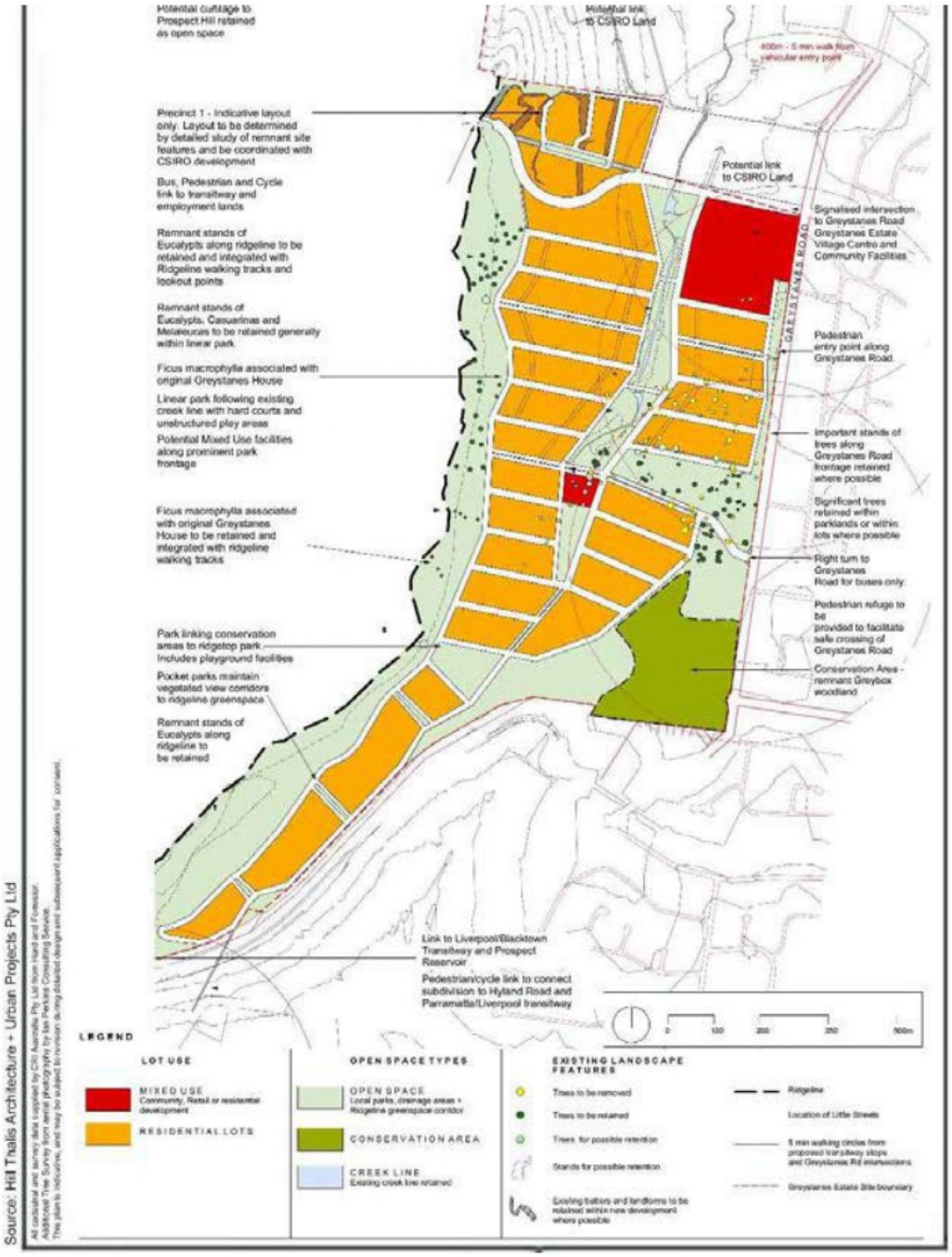


Figure 57: Urban Design Strategy - Pemulwuy South

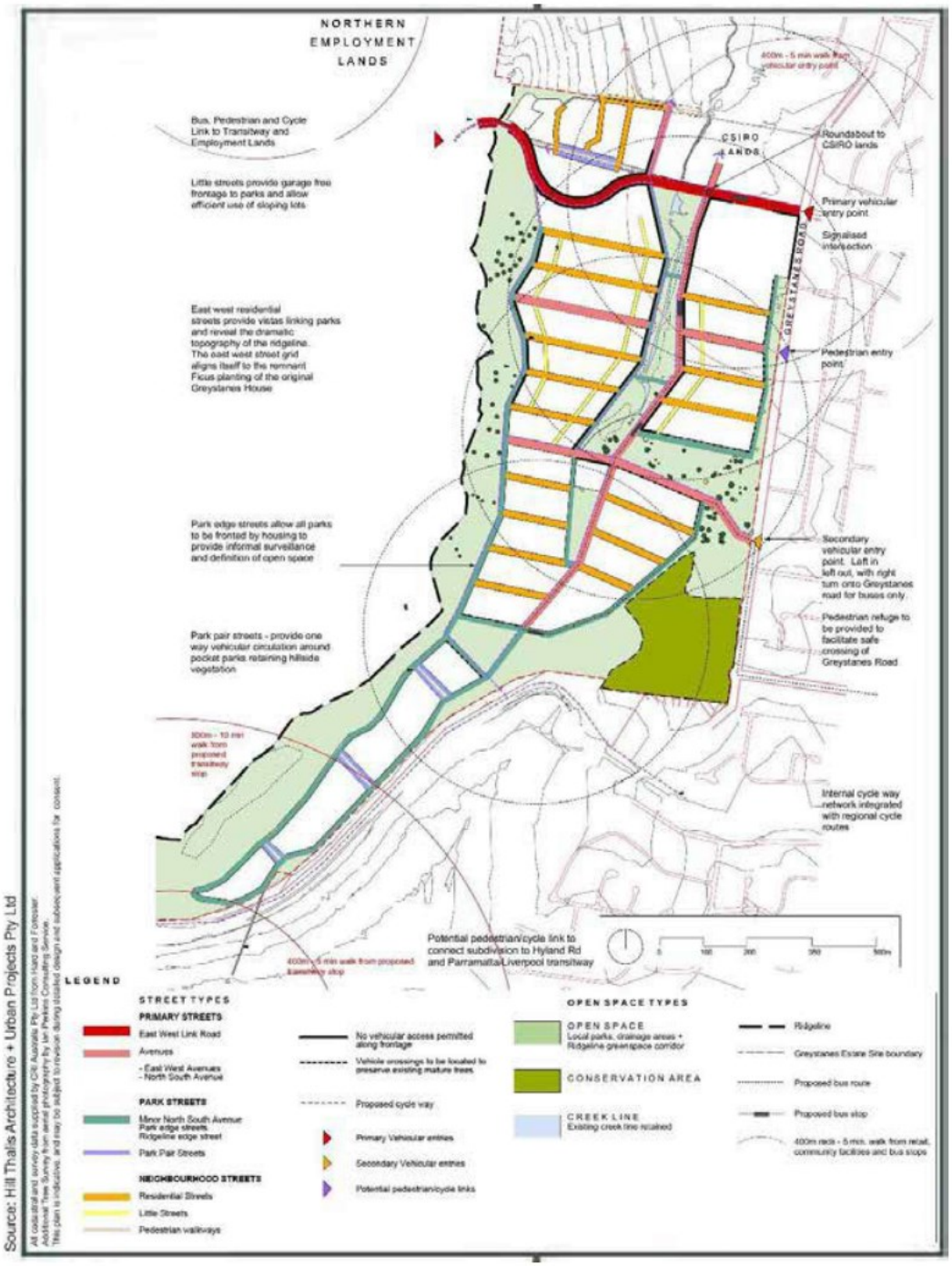


Figure 58: Road hierarchy layout - Pemulwuy South

3.6.3 Access to Pemulwuy

Objectives

O1. Ensure safe access to Pemulwuy.

O2. Provide access through Pemulwuy by improving the regional road network, including accessing Pemulwuy from Clunies Ross Street, linking through to Butu Wargun Drive.

O3. Design and construct roads in order to control the speed and noise of the anticipated traffic volume and contribute to safety.

O4. Ensure that walking and cycling are encouraged and not impeded by road design.

Controls

C1. Ensure that intersections into Pemulwuy are designed with sound traffic planning principles and relevant guidelines including, but not limited to:

- RMS - Road Design Guide;
- AUSTROADS – Guide to Traffic Engineering Practice.

C2. Locate vehicular access and linkages to Pemulwuy as shown on:

- Figure 59(Street Types - Pemulwuy North); and
- Figure 58 (Road Hierarchy Layout - Pemulwuy South).

C3. Cowra Street is to provide for pedestrian and cyclist access only from Pemulwuy . Future subdivision layout is to maintain the opportunity for a vehicular link to Cowra Street.

C4. Consider construction of a northern connection from Butu Wargun Drive to Clunies Ross Street.

C5. Provide cycleway and footpath networks consistent with Section 3.6.9 Pedestrian and Cycle Routes.

3.6.4 Public Road Design

Objectives

O1. Create a clearly defined road hierarchy based on use, function, amenity and geometric design requirements.

O2. Maximise the efficiency of the Pemulwuy road network to reduce trip lengths and enhance the viability of public transport.

O3. Allow efficient movement through Pemulwuy for regional traffic while discouraging such traffic into the residential areas.

O4. Provide a safe road network for all modes using the roads including private and public transport, cyclists, pedestrians and mobility impaired persons.

O5. Design streets that enhance the physical and visual connectivity of neighbourhoods.

Controls

C1. The internal road network layout should be sufficiently permeable for convenient pedestrian and local vehicle movement. However, it should also be sufficiently constrained to discourage non-essential traffic from entering the residential precincts.

C2. Detailed design of the road network (e.g. intersection layout, pavement materials) should be consistent with the traffic engineering principles of the RMS's Road Design Guidelines or AUSTROADS Guide to Traffic Engineering Practice. See Figure 59 (Pemulwuy North) and Figure 58 (Pemulwuy South) for an indicative road layout.

C3. The design of roads should seek to minimise the traffic noise impact on adjacent properties particularly at approaches to residential areas.

C4. Street reservations shall be used to accommodate landscaping, run-off treatment and infrastructure such as integrated underground services reticulation.

C5. The design of roads and bridges should seek to accommodate, whenever possible, the continuity of vegetation corridors and habitat to promote fauna movements.

C6. Road design principles are summarised in C7 which address the functional needs of traffic, pedestrians and cyclists. Figures 60 to Figure 65 shows street sections. These requirements do not apply to private access ways.

C7. The design of the roads should minimise the amount of cut and fill and to minimise impacts on salinity.

C8. Traffic flow is to be controlled in residential areas to 50 km/h and below (whilst maintaining the ability for street sweeping) through implementation of the following measures:

- low profile, landscaped roundabouts at major residential intersections;
- on-street parking used as an anticipated hazard through the action of parking cars;
- eliminating opportunities for vehicles to cross directly over intersections by staggering junctions, particularly local streets;
- overall street lengths are kept to a minimum to reduce potential for acceleration;
- median strips enclosing roadway carriageway restricting traffic to a single width eliminating overtaking and reducing overall speed;
- defined bus routes along the collector roads will control the flow of traffic by creating temporary traffic obstacles and slowing traffic, meaning bus bays within residential precincts to be used only when absolutely necessary;
- planting in median; and

- planting in parking lanes.

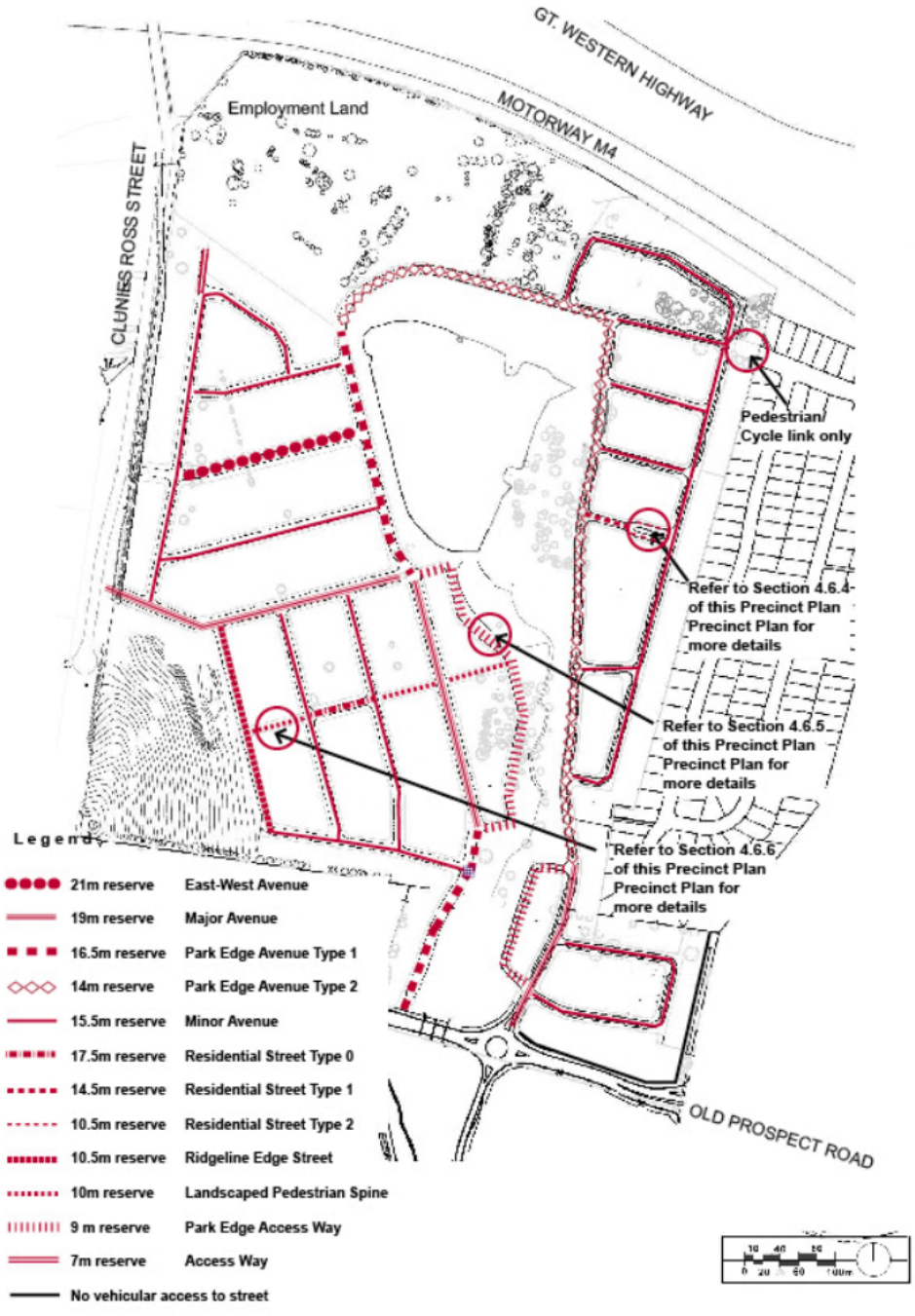


Figure 59: Street types - Pemulwuy North

3.6.5 Public Road Designs – Pemulwuy North

Controls

East-West Avenues (Figure 59)

- indicative traffic volume – 3000– 7000 vehicles per day;
- 21 metre road reserve;
- 14 metre carriageway width;
- one through traffic lane of 3.5 metres, provided in each direction;
- parking provision in carriageway or indented between street trees on both sides; and
- 1.5 metre footpath width on one side, 2.9 metre footpath/cycleway on other.

Major Avenue

- indicative traffic volume – 3,000 – 7,000 vehicles per day;
- 19 metre road reserve;
- 12 metre carriageway width;
- one through traffic lane of 3.5 metres, provided in each direction;
- parking provision in carriageway indented between street trees on both sides; and
- 1.5 metre footpath on each side.

Park Edge Avenues Type 1

- indicative traffic volume – 300 – 3,000 vehicles per day;
- 16.5 metre road reserve;
- 12 metre carriageway width;
- One through lane of 3.5 metres, provided in either direction;
- parking provision in carriageway indented between street trees on both sides; and
- 1.5 metre minimum footpath width on residential side. Cycleway/footpath in reserve.

Park Edge Avenues Type 2 (Figure 60)

- indicative traffic volume – 300 – 3,000 vehicles per day;
- 14 metre road reserve;
- 9.5 metre carriageway width;
- One through lane of 3.5 metres, provided in either direction;
- parallel parking provision in carriageway indented between trees on residential side; and
- 1.5 metre minimum footpath width on residential side. Cycleway/footpath in reserve.

Minor Avenues

- indicative traffic volume – 300 – 3,000 vehicles per day;
- 15.5 metre road reserve;
- 8.5 metre carriageway width;

- parallel parking provision in carriageway indented between trees on one side; and
- 1.2 metre minimum footpath width on both sides.

Residential Street Type 0

- indicative traffic volume – 50 – 300 vehicles per day;
- 17.5 metre road reserve;
- 7.5 metre carriageway width; and
- 1.2 metre minimum footpath width on both sides.

Residential Street Type 1

- indicative traffic volume – 50 – 300 vehicles per day;
- 14.5 metre road reserve;
- 7.5 metre carriageway width; and
- 1.2 metre minimum footpath width on both sides.
- Residential Street Type 2 (Figure 62)
- indicative traffic volume – 50 – 300 vehicles per day;
- 10.5 metre road reserve;
- 5.5 metre carriageway width;
- One way access; and
- 1.2 metre minimum footpath width on both sides.

Ridgeline Edge Streets

- indicative traffic volume – up to 50 - 300 vehicles per day;
- 10.5 metre road reserve;
- 6 metre carriageway width;
- One way access;
- 1.2 metre footpath; and
- cyclists to share road with vehicles.

Park Edge Access Way

- indicative traffic volume – up to 20 - 50 vehicles per day;
- 9 metre road reserve;
- 5.5 metre carriageway width;
- 1.2 metre footpath on residential side;
- One way access;
- One parking lane on residential side;
- 2.5 - 3.0 metre pedestrian/cyclist path in the park reserve on eastern side; and
- 1.2 metre footpath in the park reserve on western side.

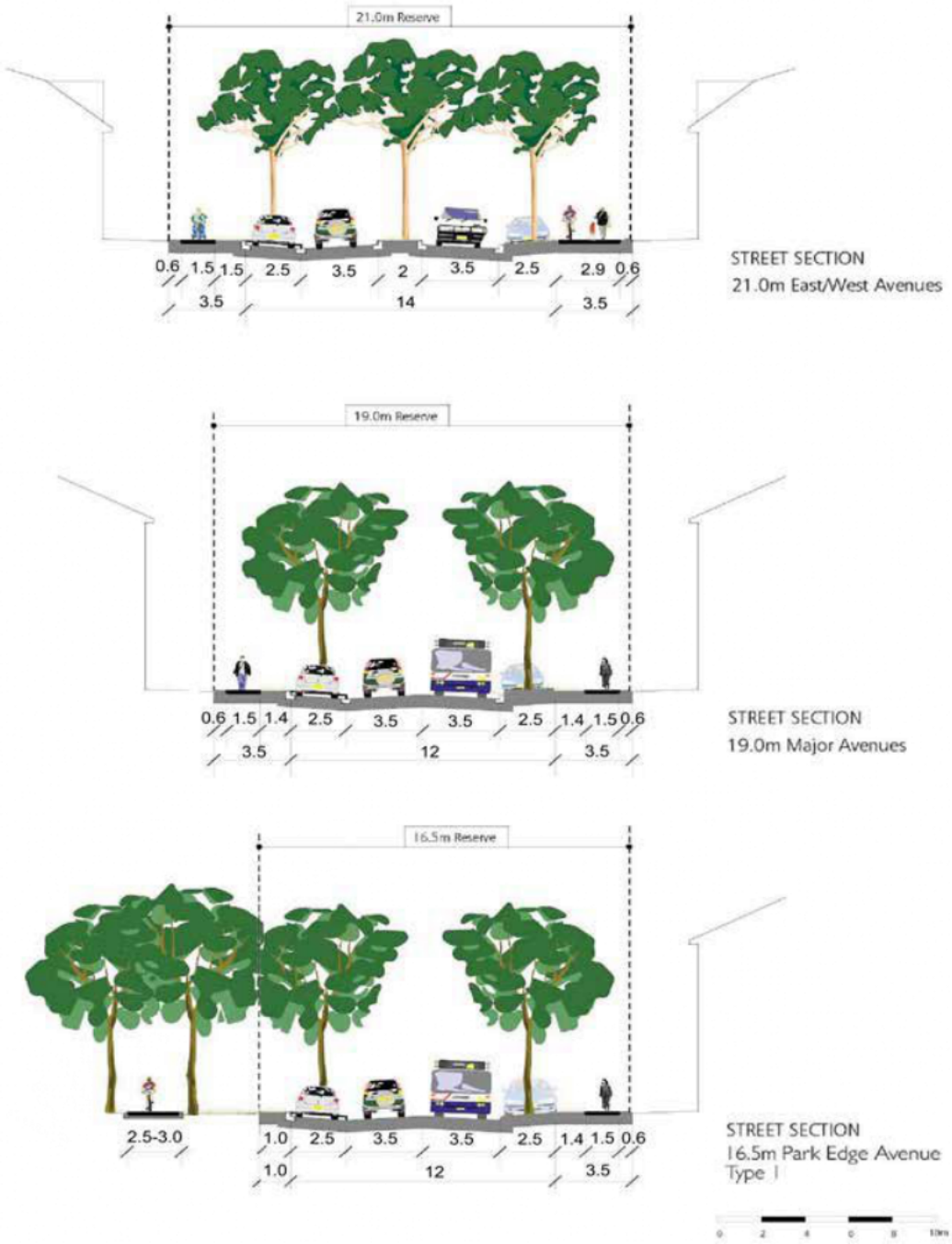


Figure 60: Street Sections - Pemulwuy North

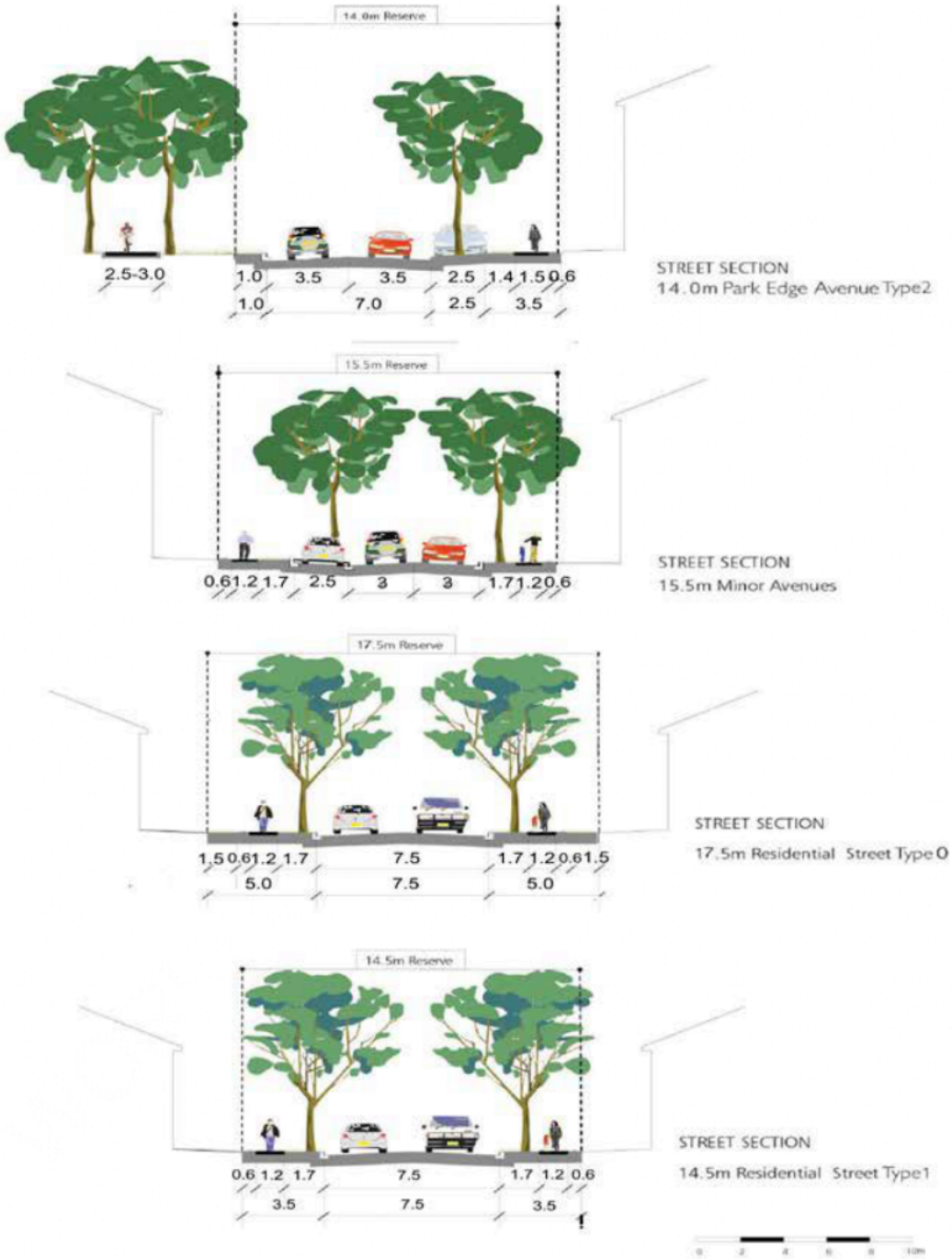


Figure 61: Street Sections - Pemulwuy North

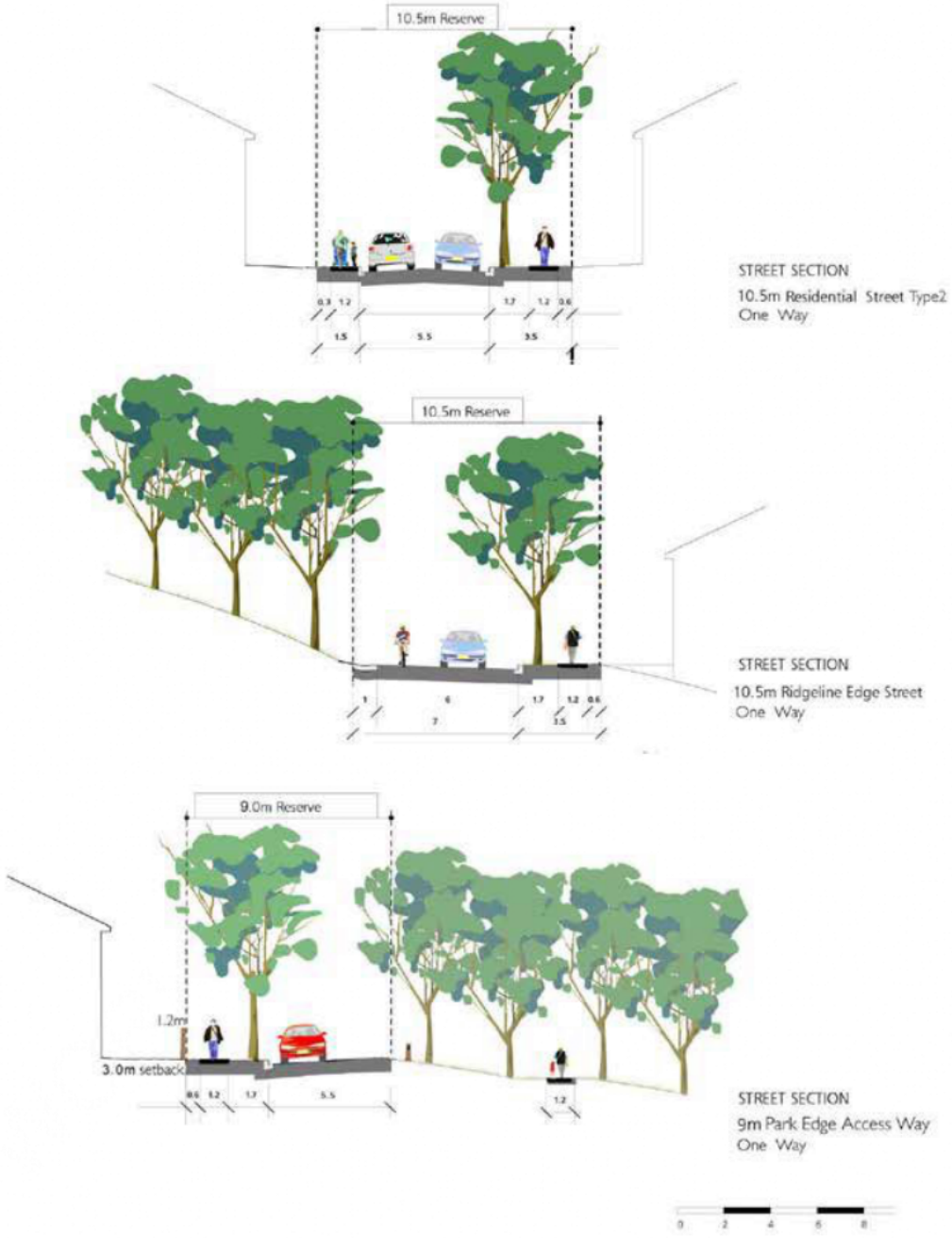


Figure 62: Street Sections - Pemulwuy North

3.6.6 Public Road Designs – Pemulwuy South

Controls

Distributor (East-West Link Road)

- indicative traffic volumes – 11,000 vehicles per day on completion and if open to all traffic.
- 24 metre road reserve;
- two lanes provided in each direction – (3.5m + 3.5m) x 2;
- potential to utilise clearway conditions during peak periods;
- no parking in carriageway from the intersection with Greystanes Road to the first roundabout.
- parking provision in carriageway during non clearway periods (or indented) providing two
- through traffic lanes in each direction at peak times and one through lane in each direction at
- other times;
- 1.5 metre footpath width located on one side away from the kerb; and - designated 3 metre
- shared cycle/ pedestrian path provided.

Collector Road (East-West and Major North-South Avenues)

- indicative traffic volume – 6,000 – 7,000 vehicles per day;
- 19 - 21 metre road reserve;
- one through traffic lane of 3.5 metres, provided in each direction;
- parking provision in carriageway or indented between street trees;
- 1.5 metre footpath width located both sides away from the kerb; and
- an additional 1.4 metre footpath for a cycle lane to be provided on the East- West Avenue

Local Streets (Minor North-South Avenues, Ridgeline Edge, Park Pair, Residential and Park Edge Streets)

- indicative traffic volume – 300 – 3,000 vehicles per day;
- 10 – 15.5 metre road reserve;
- 5.5 – 8.5 metre carriageway width;
- parallel parking provision in carriageway;
- Park Pair Streets one way access;
- 1.2 metre minimum footpath width on both sides excluding Ridgeline edge streets (one side only); and
- cyclists to share road with vehicles.

Local Access Street (Little Streets)

- indicative traffic volume – up to 300 vehicles per day;
- 10.5 metre road reserve;
- 5.5 metre carriageway width;
- one way access;
- no parking provision in carriageway;
- access to all sites;

- 1.2 metre footpath on both sides; and
- cyclists to share road with vehicles.

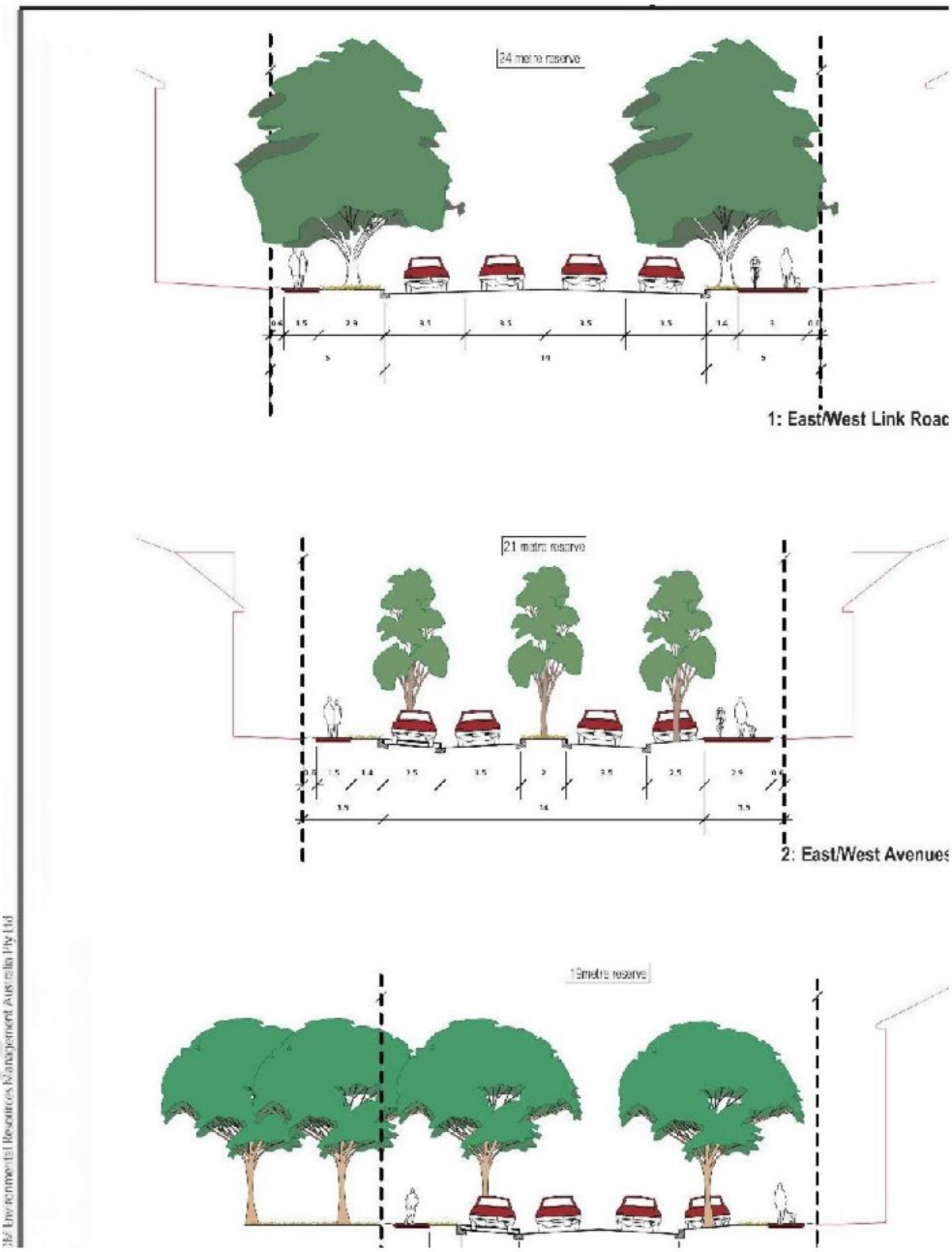


Figure 63: Distributor and collector roads - Pemulwuy South

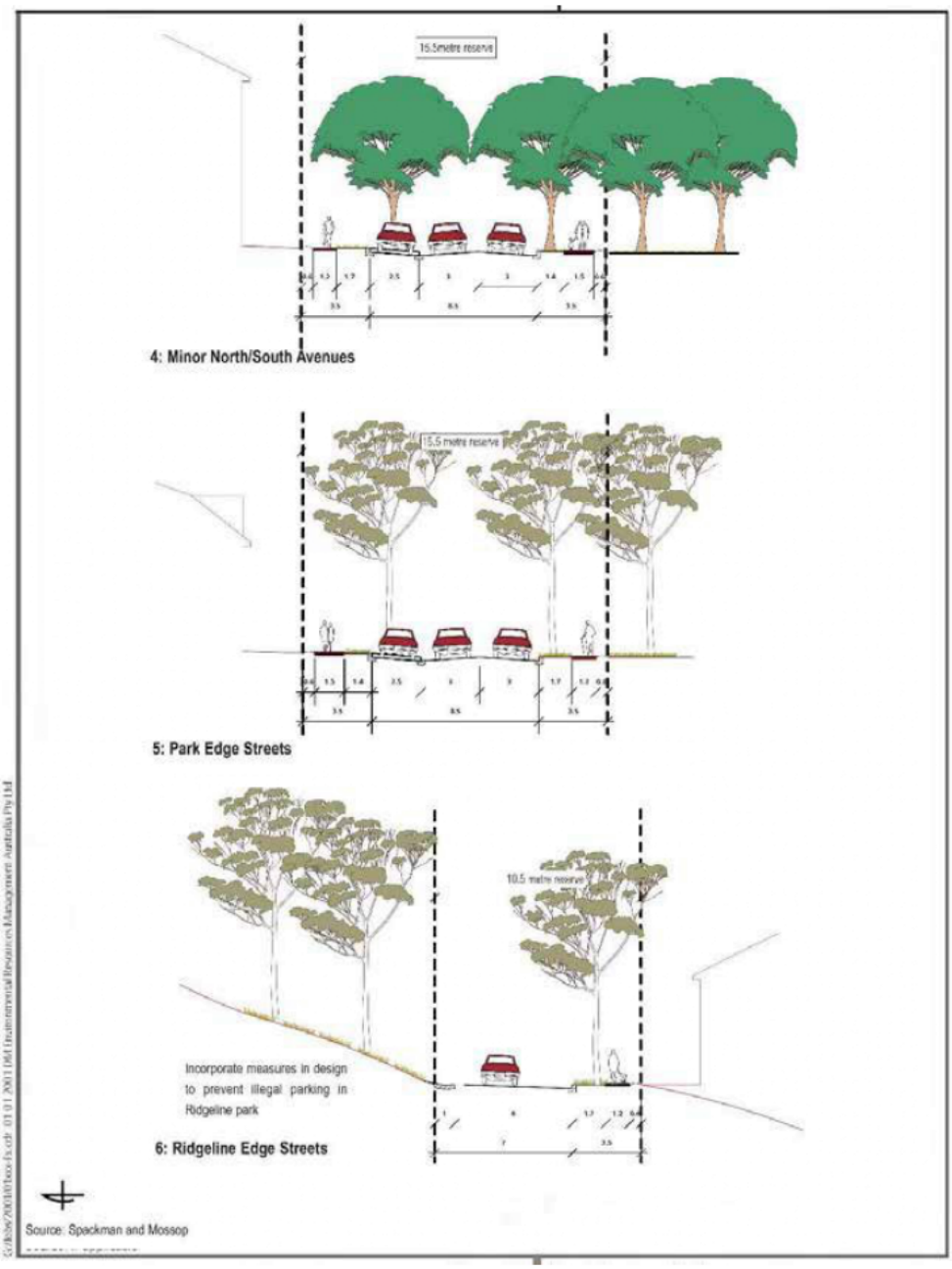


Figure 64: Minor north/south avenues - Pemulwuy South

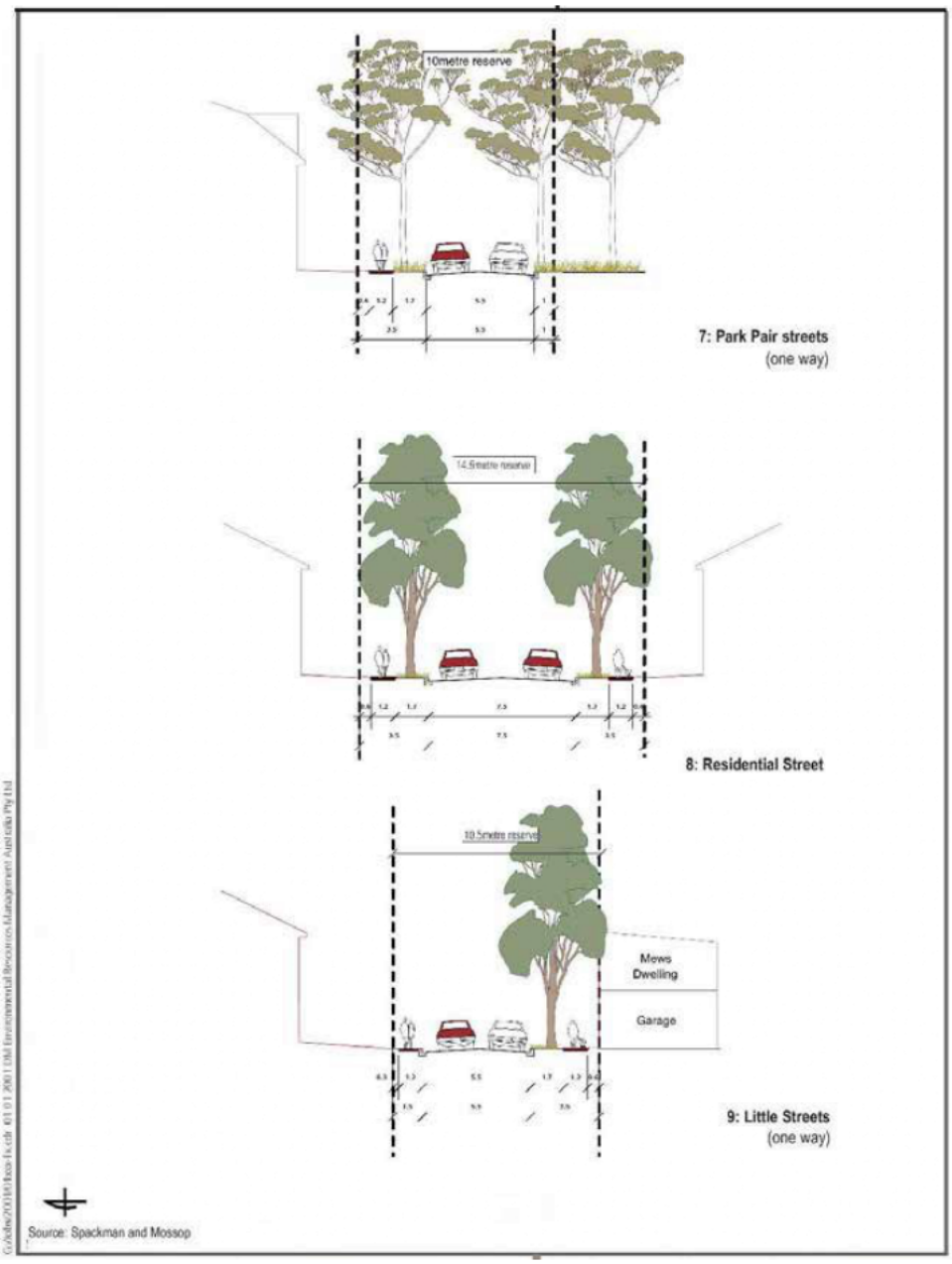


Figure 65: Park pair, residential and little streets - Pemulwuy South

3.6.7 Streets, Park Edges, Pedestrian Spines – Landscape Designs

Note: For Objectives for design of Street Landscape, Park Edges and Pedestrian Spines, refer to Section 7.5 above.

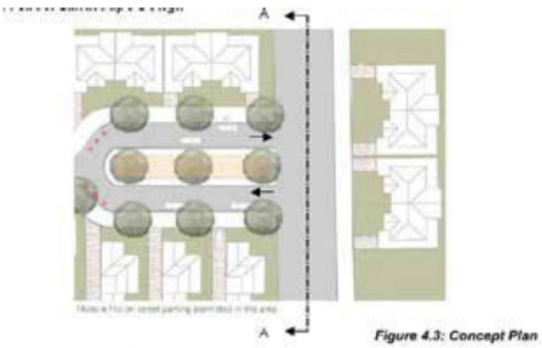


Figure 4.3: Concept Plan

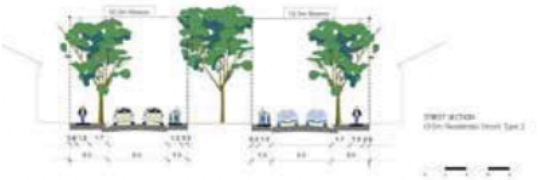


Figure 4.4: Section A-A

Figure 66: Streetscape Design

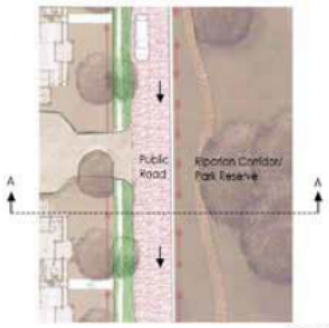


Figure 4.5: Concept Plan

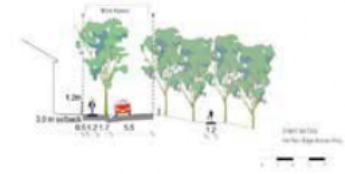


Figure 4.6: Section A.A

Figure 67: Park edge accessways

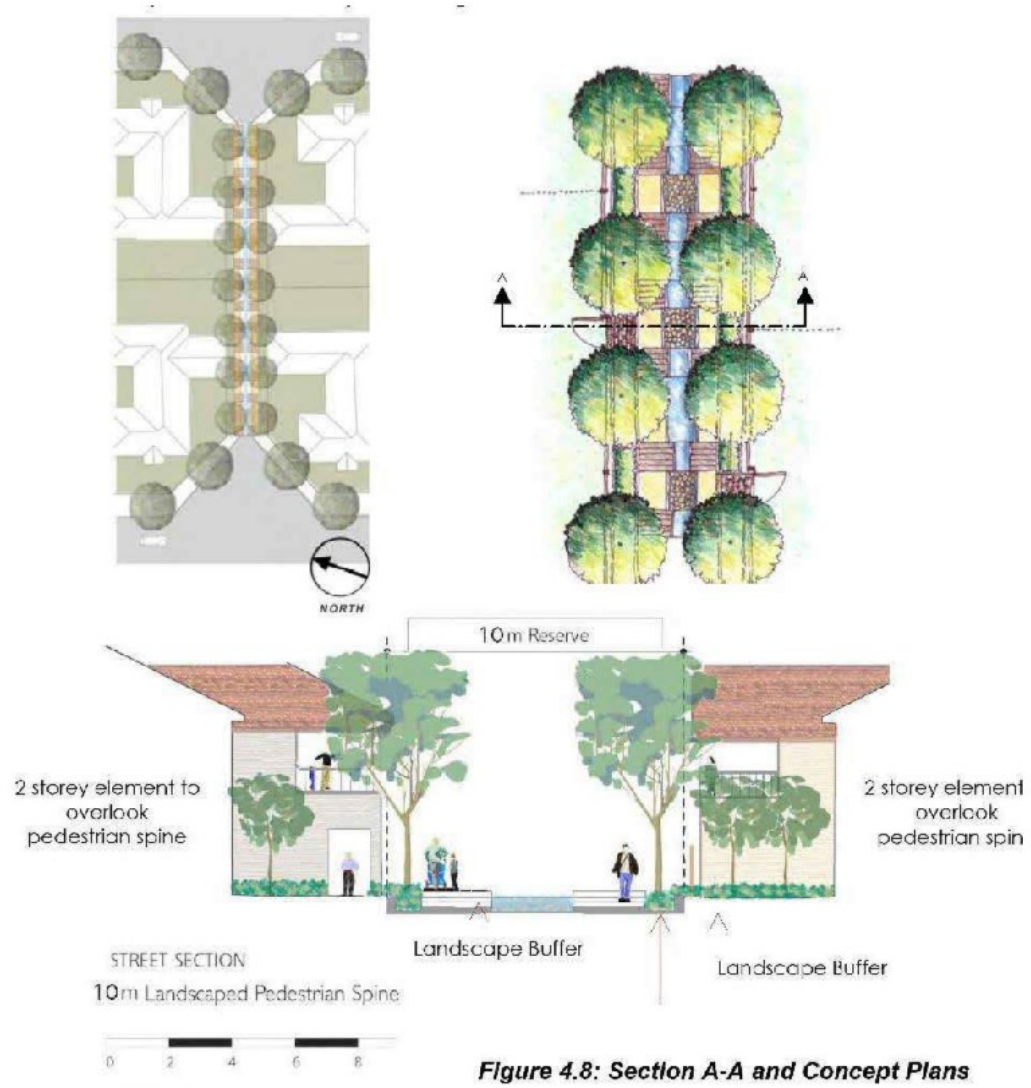


Figure 4.8: Section A-A and Concept Plans

Figure 68: Landscaped pedestrian spine design

3.6.8 Public Transport

Objectives

O1. Achieve a minimum 10 per cent increase in non-private vehicle mode splits for the journey to work compared to a "conventional development" approach.

O2. Provide a bus route through the site to link to local busways and the regional transport network.

O3. Ensure that public transport stops, nodes and interchanges are safe, attractive and inviting to maximise their use.

O4. Achieve reductions in VKT of at least 5% compared to 'conventional' residential development.

Controls

C1. Public transport access points are to be provided to maximise the proportion of residents who are located within 400m safe walk of a bus stop.

C2. Bus routes should create links to Blacktown, Merrylands Station and any proposed transitways.

C3. Bus stops to be identified at 200 metre intervals with bus shelters to be provided at 400 metre intervals along designated bus routes.

C4. In developing the residential land, construct and dedicate roads.

Local Public Transport

C5. Provide appropriate facilities at bus stop locations to encourage increased use and safety. Such facilities may include bus lay-bys, speed controls to protect pedestrians, shelters and seating for waiting passengers, display of timetable information and street lighting for security.

C6. Make arrangements with bus operators to provide bus services as early as possible within the development in order to promote usage.

C7. Continue to seek optimum timetabling links to any proposed transitways/ bus routes.

C8. Provide link feeder services to surrounding local areas, i.e. Greystanes, to improve access, catchment size and hence service viability.

C9. Implement 'Demand Management' by promoting alternative modes of travel to the private car. This could include distribution of information packs on bus services and cycle routes, free bus tickets, advertising of services and introduction of bus services to each stage of development as the latter is completed.

C10. The site owner/developer is to provide welcome information to incorporate public transport information and timetabling, including links to any proposed transitway.

C11. The alignment and geometry of roads that form bus routes need to allow for efficient and unimpeded movement of buses without facilitating high traffic speeds. Where potential traffic calming devices are installed along bus routes specific design requirements for bus access must be employed; and

C12. Indicative performance guidelines for bus routes are as follows:

- Minimum geometric layout:
  - Radius: 12.5 metres;
- Road grades:
  - Max. desired pavement crossfall: 3%;
  - Max. desired gradient: (within 50 metres of stations): 6%;
  - Absolute max. gradient: (within 50 metres of stations): 12%.

(Source: RMS and AUSTROADS)

3.6.9 Pedestrian and Cycle Routes

Objectives

O1. Encourage trips to be undertaken by walking and cycling instead of private vehicle.

O2. Promote connectivity throughout Pemulwuy.

O3. Create a clearly defined pedestrian and cycleway network within and through Pemulwuy.

O4. Make connections to regional cycle links and between major areas of proposed and existing open space and other recreational, community and employment land uses.

O5. Ensure non-vehicular links provide a safe and secure environment, both in terms of road safety and personal security, which encourages walking and cycling.

Controls

C1. Create pedestrian and cycle linkages between the residential precinct and areas of open space, recreational, community and employment land uses, broadly along the alignment shown on Figure 69 'Holroyd Bike Plan 2009'.

C2. Within the Greystanes Creek Woodland Park, locate pedestrian and cycle routes as far as practicable in the outer protection zone;

C3. Continue a shared vehicle and cycle routes along the ridgeline edge street in Pemulwuy South.

C4. Locate and design walking and cycling networks to:

- provide direct routes between key trip origins and destinations;
- minimise steep grades; and

- be safe in terms of road safety and person security.

Pedestrian

C5. Undertake detailed design of pedestrian control and protection facilities is to be undertaken in accordance with the relevant sections of the Australian Standards (AS1742) and council's Work Specifications for Subdivision and Development. This includes pedestrian crossings, signage, local area traffic management and disabled access;

C6. Ensure pedestrian only footpaths have a minimum width of 1.2 metres (wider footpath may be required in areas of high pedestrian activity such as community facilities, shops and other activity centres) and a maximum grade of 15 per cent, except where grades on Prospect Hill make this unachievable.

C7. Due to difficult grades, provide only walking tracks up to Prospect Hill linking to strategically located lookout points. The design & location of this path/s is to be in accordance with the Prospect Hill Conservation Management Plan, Heritage Landscape Plan and Heritage Interpretation Plan;

C8. For identified pedestrian spine connections from Prospect Hill to the Woodland Park (see Figure 59), provide a reserve of 10m, with appropriate landscaping. These connections are to be overlooked with 2 storey houses that address the pedestrian route, creating passive surveillance with windows, balconies, sit-outs, and the like. Design fencing to assist in the overlooking of this public domain area.

Cycleways

C9. Design cycling routes within the road hierarchy to reflect the level of activity and function of the various roads such as dedicated cycleways on collector roads and shared access on local streets;

C10. Link designated cycleway routes to the surrounding regional cycleway network. Cycle routes along open spaces are to be between 2.5 – 3.0 metres in width (where shared with pedestrians), and designated accordingly;

C11. Dedicated cycle lanes are to be either line marked or separated from the road lanes.

C12. Provide opportunities for the cycle network to link with the proposed regional cycle route, including that along Lower Prospect Canal Reserve.

C13. Link the pedestrian/cycle route to the north under existing roads (M4, Great Western Highway) using existing culverts if possible. Consult Blacktown City Council in this regard;

C14. Link pedestrian/cycle routes within the Greystanes Creek Woodland Park with those in Pemulwuy South;

C15. Use cycle routes to link all amenities and areas of interest, including commercial/retail areas, play areas and view points;

C16. Ensure technical design requirements such as pavement design and intersection/crossing treatments are consistent with AUSTROADS Guidelines (1998) Guide to Traffic Engineering Practice, Part 14, Bicycles;

C17. Distribute secure bike parking throughout the cycleway network and likely destination points. Parking facilities range from simple hitching rails to secure bike lockers. Key locations would be within the employment precinct, near public transport linkages, at the village centre, at the Village Green, at Prospect Hill Park, and at the eastern detention pond lookout;

C18. Provide for cycle refuge facilities at cycleway access points with collector roads.

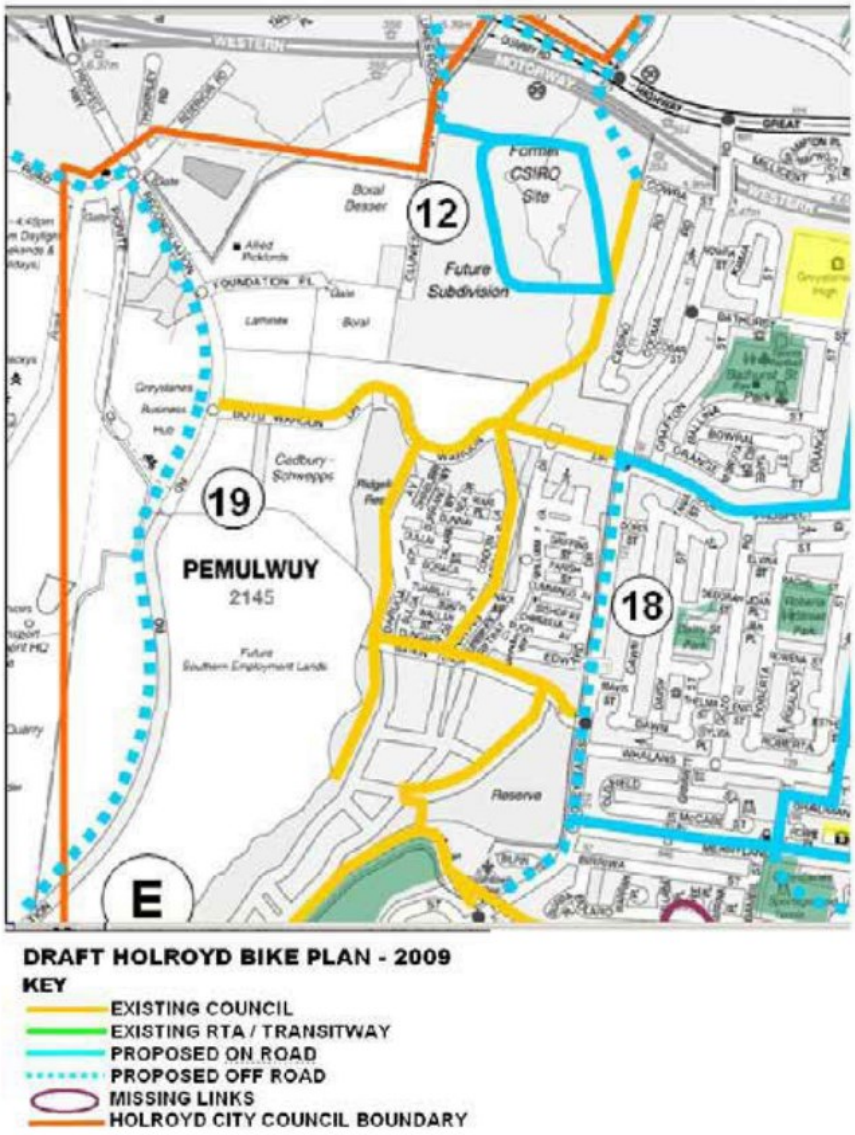


Figure 69: Holroyd Bike Plan 2009

3.6.10 Service Areas for the Village Centre (Pemulwuy South)

Objectives

O1. Provide adequate access for service and delivery vehicles.

Controls

C1. Ensure access and circulation design within development complies with Australian Standard AS 2890.

C2. Allow service and delivery vehicles to efficiently and safely access the Village Centre.

C3. Ensure loading dock and delivery areas are appropriately designed.

3.7 Heritage

3.7.1 Aboriginal Archaeology and Heritage

To provide information that could be used for planning and impact assessment, detailed archaeological investigations have been completed for Pemulwuy. The sensitive nature of some of the findings means that the accompanying maps (Figure 70 and Figure 71) provide only a general indication of the vicinity of archaeological items. For further information, see the Biodiversity and Heritage Background Report (Pemulwuy South) and Aboriginal Heritage Reports by ERM, May 2004, March 2005 and Jo McDonald Cultural Heritage Management, August 2003; (Pemulwuy North).

Figure 70: Aboriginal Sites Sensitivity Map - Pemulwuy North

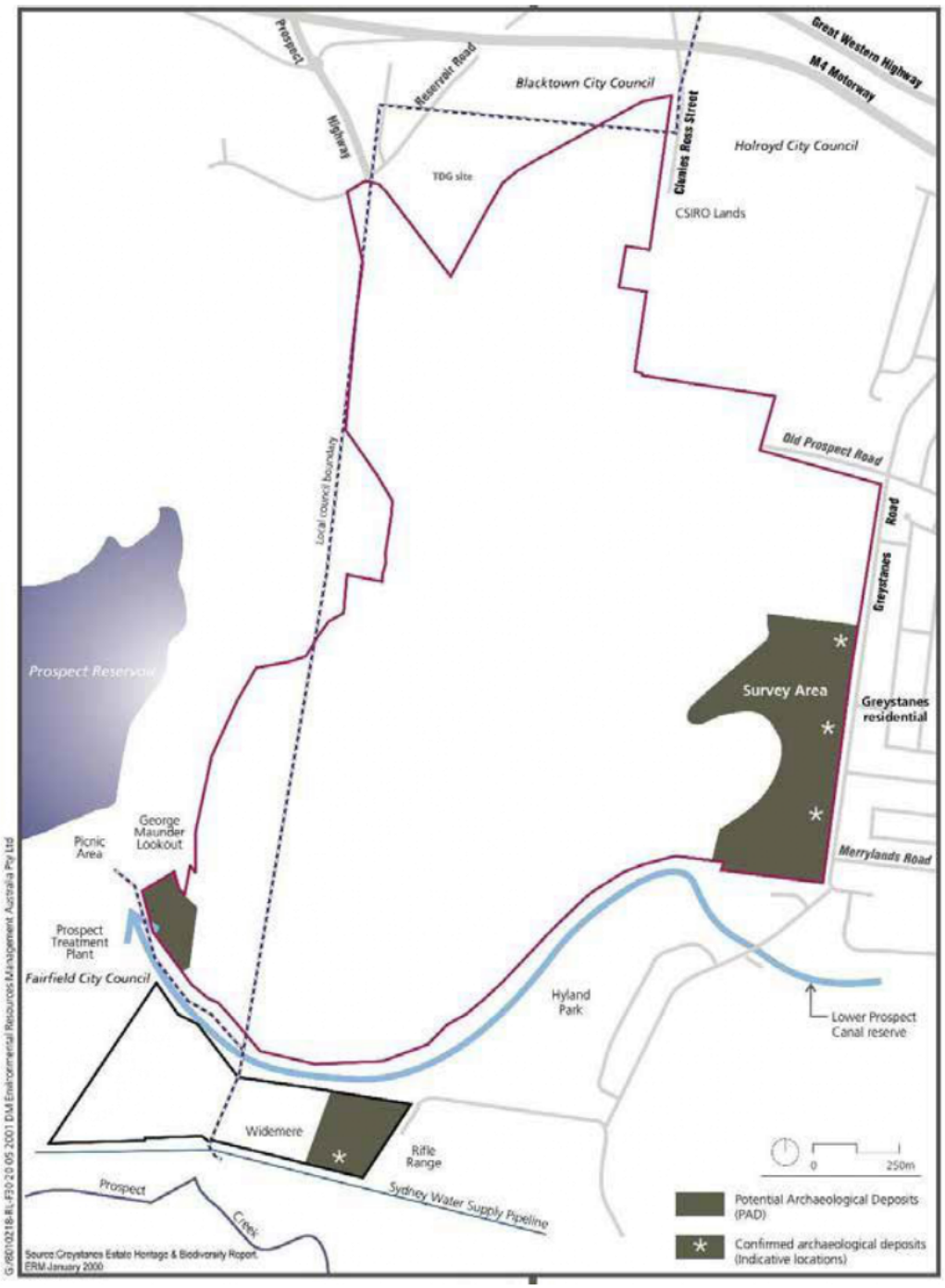


Figure 71: Archaeological and Excavation sites - Pemulwuy South

3.7.2 Strategic Archaeological Management

The area is important to Aboriginal people, as Prospect Hill and the surrounding area is known to have been a significant meeting place. It also has historical significance for its association with conflict between local Aboriginal people and the first settlers at Prospect Hill. For further explanation, refer to the Prospect Hill Conservation Management Plan.

Objectives

O2. Retain and preserve some representative areas of high potential for archaeological deposits (PAD).

O3. Conserve representative Aboriginal artefacts, sites and sensitive areas (PADs) within open space, where possible.

O4. Salvage information and artefacts from PAD sites that will be impacted by development.

O5. Recreate and manage elements of the cultural landscape by rehabilitating a suitable area of woodland communities to resemble those that existed prior to European settlement. This would be undertaken in consultation with the local Aboriginal community.

O6. Incorporate recognition of the Aboriginal and European heritage of the site into conservation management strategies.

Controls

C4. Create an area of open space with the primary function being conservation of ecological and archaeological resources.

C5. Undertake investigations prior to destruction of known or potential sites for the purposes of salvage and contextual information.

C6. Retain all potential scarred trees in open space that is accessible to the Aboriginal community.

C7. Seek comment to destroy CSIRO-4 (PAD2) under section 90 of the National Parks and Wildlife Act 1974.

C8. Develop a program to educate the local community on the pre-European history and heritage values of the Pemulwuy area.

C9. Recreate and manage the cultural landscape in conjunction with the local aboriginal community by vegetating open space to resemble the natural landscape prior to European settlement. These strategies are outlined elsewhere.

<u>Scarred Trees</u>

Objectives

O7. Protect identified scarred trees.

O8. Determine the ownership and ongoing management responsibility of the surrounding open space areas.

Controls

C10. Ensure scarred trees are located within open space (e.g.: on the western side of Greystanes Creek), surrounded by enhanced locally indigenous vegetation, yet that is accessible to the Aboriginal community.

C11. Protect scarred trees and avoid drawing attention to them, place a screen using locally indigenous shrubs around the tree.

C12. Place any developments such as playground structures, benches, barbecue facilities etc. away from the trees.

C13. Dedicate the open space within which the tree is contained to Council prior to development of adjoining areas.

C14. Consult the Aboriginal community in naming of these open space areas.

C15. Involve representatives of the Aboriginal community in confirming and locating the tree prior to development commencing, and ensure that correct protection measures are in place.

C16. Note the existence and protected status of the scarred tree in any bushfire management plan so that the tree is not impacted during any hazard reduction burning.

<u>Excavation for Salvage and Consent to Destroy</u>

Areas of PAD (Potential Archaeological Deposit) that are outside conservation areas will be developed. In order to obtain archaeological information about the site before it is destroyed, a salvage excavation program is required prior to development.

Objectives

O9. Define the excavation program.

O10. Record findings.

O11. Obtain a Consent to Destroy.

O12. Educate the local community in the pre-European history of the site.

O13. Interpret the findings of the ERM archaeological excavations at CSIRO-4 and educate the local community on the pre-European history of the site.

Controls

C17. For the area outside any conservation area and outside the drip line of any scarred tree, prepare an application for section 90 Consent to Destroy from NPWS, with permit to salvage/ collect any artefacts observed by the aboriginal community during monitoring of construction impacts.

C18. In order to obtain archaeological information about the archaeologically sensitive areas, develop a detailed salvage excavation program for selected areas outside any conservation area shown in Figures 70 and 71and 72 (E.g.: PADs 1 to 4).

C19. Prepare a detailed report that outlines the method and results of excavation. In the report discuss the results in light of all surface survey results and excavation results within Pemulwuy.

C20. Provide a copy of the report to the NPWS, Cumberland Council, the Deerubbin Aboriginal Land Council, Darug Tribal Corporation, Darug Custodian Aboriginal Corporation, and Gandangara Local Aboriginal Land Council.

C21. Prepare a Plan of Management to ensure the ongoing protection of Indigenous cultural heritage that will be preserved within open space across Pemulwuy. Include within the Plan the scarred tree and any PAD within the open spaces, and incorporate relevant natural areas to achieve protection of a holistic cultural landscape. Involve the Aboriginal community in the preparation of the Plan of Management.

C22. Monitor ground clearing during the initial construction phase through the Aboriginal community under a Section 80 Permit in the event that archaeological material is encountered.

C23. If archaeological material is observed during or after clearing, cease work immediately, consult the Aboriginal community, and seek advice from NPWS. The Aboriginal community will collect this material. This work should be covered by the Section 87 Permit and should not impact on the construction schedule.

C24. Should human skeletal remains be encountered, then work must cease immediately and advice sought from NPWS and the Aboriginal community. The section 90 consent would not cover this type of evidence.

C25. Use information obtained from salvage excavation in conjunction with the existing ERM test excavation results when developing an Aboriginal heritage education program including signage for any conservation area and other open space locations.

<u>Aboriginal Heritage Management Measures</u>

Objectives

O14. Protect site locations, contextualised in the broader cultural landscape.

O15. Reflect Aboriginal occupation and history in the public areas.

Controls

C26. Do not make site locations and descriptions publicly available.

C27. Provide general knowledge of Aboriginal sites and their legal protection to developers and general maintenance staff. The proponent should make clear

to construction crews/ subcontractors, the specific responsibilities regarding the protection of Indigenous cultural heritage items (e.g.: CSIRO-1), to ensure that inadvertent damage or destruction does not occur in those areas to be preserved.

C28. Prepare an education strategy for cultural heritage awareness for developers, contractors and Council. Include a fact sheet and sensitivity map indicating areas requiring particular attention and consultation with the Aboriginal community and NPWS.

C29. Invite the Aboriginal community to actively participate in developing the education strategy.

C30. Consult the Aboriginal community prior to and during clearing and preliminary ground work to collect artefacts from areas to be developed.

C31. Do not erect signs which draw attention to the identified archaeological sites. This will prevent disturbance to Aboriginal and archaeological sites.

C32. In the naming of parklands and reserves, incorporate recognition of Aboriginal occupation and the history of the area. Consult the Aboriginal community in the naming of these features .

C33. Consult the Aboriginal community regarding an appropriate memorial under management measures.

C34. Consult the Aboriginal community on the development of any walking routes or areas within the precinct which incorporate descriptive signs and interpretation along these.

C35. Consult the Aboriginal community regarding the design of landscaping of waterways and parklands in the precinct as well as re-vegetation programs.

Grey Box Reserve Aboriginal Heritage Management

Objectives

O16. Conserve areas of high PAD and significant known artefacts or sites within Grey Box Reserve.

O17. Manage the impacts from recreation and access.

O18. Educate the local community in the pre-European history of the site.

Controls

C36. Preserve Grey Box Reserve, Pemulwuy, incorporating areas of potential archaeological deposits and representative elements of the cultural landscape.

C37. In particular, preserve the core conservation area in the south eastern corner of the site.

C38. Prepare a plan of management for Grey Box Reserve, detailing measures to appropriately manage the Aboriginal cultural heritage. This should be prepared in consultation with the local Aboriginal community, the National Parks and Wildlife Service (NPWS) and Council.

C39. Limit recreational opportunities in the conservation area to passive activities.

C40. Develop a suitable educational program in consultation with the local Aboriginal community, National Parks and Wildlife Service and Council.

C41. Ensure that interpretive signs and other educational material are general in nature and do not draw attention to any physical aspects of the Aboriginal cultural heritage.

3.7.3 European Heritage

Objectives

O1. Protect the integrity of the crown of Prospect Hill and other sites identified as being of European heritage significance.

O2. Research and document the history of the site of Pemulwuy and its role in the history of Sydney.

O3. Educate the community on the history and role of the site.

O4. Utilise the history of the site as a theme in its redevelopment.

O5. Preserve the original gates of Greystanes House as an integrated part of the development.

Controls

C1. Record Pemulwuy as a whole in its current state photographically, utilising aerial photography and possibly digital video recording.

C2. All documentary, cartographic and photographic material related to the development, growth, buildings and history of the site should be sourced, accessioned and archived. Collect copies of accessible historic material into an archive which must be lodged in the care of an organisation which is acceptable to Council and where it is available for research and educational purposes. Identify archive material held elsewhere and cross-reference it with the above archive. A written description of major structures should accompany the photographic record.

C3. Incorporate the Greystanes House gates into the development at an appropriate location and keep them in a satisfactory condition.

3.7.4 Prospect Hill State Heritage Registered Area

Objectives

O1. Protect the integrity of the Prospect Hill State Heritage Registered Area.

O2. Research and document the history of the Prospect Hill State Heritage Registered Area and its role in the history of Sydney.

O3. Educate the community on the history and role of the site.

O4. Utilise the history of the site as a theme in its redevelopment.

Controls

C1. Maintain the prominence of Prospect Hill as a significant remnant geologic and topographic element. Site and design development at critical locations so that views of the ridgeline are maintained.

C2. Ensure that future use, landscape interventions, heritage interpretation and vegetation management of the Prospect Hill SHRA are informed by and consistent with:

- Prospect Hill Conservation Management Plan (Conybeare Morrison: 2005);
- Prospect Hill Heritage Landscape Study and Plan (Government Architect's Office: 2008);
- c) Prospect Hill Heritage Interpretation Plan (MUSEcape: 2009).

C3. Development within the vicinity of the Prospect Hill State Heritage Register Area may require a Heritage Impact Assessment to accompany Development Applications. The Heritage Assessment shall be in accordance with the three documents listed above under C2. The need for a heritage assessment is at the discretion of Council.

C4. In the instance where a broad Heritage Assessment of the interface between the Prospect Hill State Heritage Register Area and the adjoining sites has been undertaken, submit with all Development Applications a Statement of Environmental Effects addressing this Heritage Assessment.

3.8 Biodiversity

Although Cumberland Plain Woodland occurs on site, these remnants are mostly small and in relatively poor condition. Despite this, the endangered status of the woodland has been recognised by the formulation of objectives. A high proportion of the woodland will be conserved and added to by regeneration. The ecological objectives of the site have been developed in recognition of the fact that the site has been extensively cleared, and have been devised to allow for retention and enhancement of the existing patches of native vegetation and, where possible, improving linkages between them.

Objectives

O1. Maintain the existing level of biodiversity during and after development.

O2. Conserve significant vegetation communities that are locally indigenous to Pemulwuy.

O3. Conserve threatened species populations and their habitats.

O4. Retain and enhance the riparian corridor.

O5. Create fauna movement corridors within the site and link to external ecological resources (where practicable allowing for other site uses).

O6. Balance the ecological values of the site with other development requirements.

Control

C1. Create areas of public open space with the incorporation of conservation, ecological and archaeological resources.

C2. Provide an open space network which will have multiple functions, including increasing areas of native vegetation and providing fauna movement corridors.

C3. Plant and manage the site to minimise hazards and manage impacts from bushfire.

C4. Conserve remnant communities of Cumberland Plain Woodland and Sydney Coastal River Flat Forest.

3.8.1 Ecologically Sustainable Development

Objectives

O1. Abide by the precautionary principle.

O2. Promote social equity, including inter/generational equity.

O3. Conserve biological diversity and ecological integrity; and

O4. Improve valuation and pricing of environmental resources.

Controls

C1. Undertake adequate studies and analysis of the natural heritage of a site to determine an appropriate course of action having regard to the available information.

C2. Maximise use of renewable energy sources e.g. energy and service efficient subdivision layout; and minimise materials consumption e.g. recycling and re-use of materials in the enhancement and formation of on-site landforms.

C3. Practise water efficiency and conservation measures to reduce water consumption, the use of solar energy for heating appliances, and maintenance or improvement of water quality through a catchment management approach to the site.

C4. Maintain and enhance significant vegetation and habitat.

C5. Minimise the use of non-native flora, and protect threatened ecological communities e.g. provide compensatory and additional habitat in appropriate areas for vegetation corridors, by tree propagation and planting native species within existing and proposed vegetation corridors.

C6. Recognise and integrate significant cultural and archaeological features/aspects into designs.

C7. Ensure that the Cumberland Plain Woodland/Sydney Coastal River Flat Forest along the Creek, containing several mature species typical of the area, is largely conserved and managed to enhance the ecological value of the site.

3.8.2 Fauna Movement Corridors

Objectives

O1. Provide vegetation which will facilitate movement through the site of non-ground dwelling fauna.

O2. Provide additional foraging habitat.

O3. Provide connectivity with off-site linkages for main corridors to and from external ecological resources.

Controls

C1. Use locally indigenous species in vegetating the corridor network including threatened and regionally significant species. Plantings should be propagated from locally collected seed and be hardened on site.

C2. Retain existing canopy species typical of Cumberland Plain Woodland and Sydney Coastal River Flat Forest where possible throughout the site.

C3. Provide a vegetated riparian corridor (consisting of a core riparian zone and outer protection zone) along either side of Greystanes Creek to protect water quality, aquatic habitat and allow for fauna movement, plus some passive recreational and aesthetic functions. Refer to Figures 72 and 73 below.

C4. Ridgeline and creekline corridors should have a minimum width of 20 metres.

C5. Extend the riparian corridor the entire length of Pemulwuy and provide additional opportunities to link westward to Cumberland Plain Woodland around Prospect Reservoir.

C6. Extend the riparian corridor along the eastern side of the detention pond as the primary corridor.

C7. Utility services and recreation uses may be located within the corridor provided they are sited and designed recognising the ecological function of the corridor.

C8. Facilitate fauna movement through the vegetation in the parks street trees and Grey Box Reserve.

C9. Provide details in development applications which demonstrate how connectivity with these off-site linkages can be achieved.

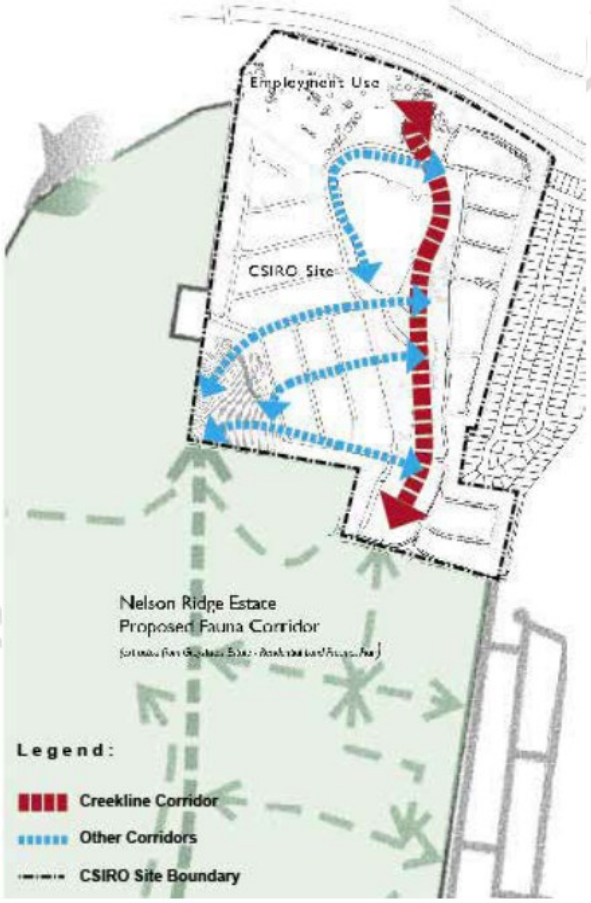


Figure 72: Flora and Fauna Corridors - Pemulwuy North

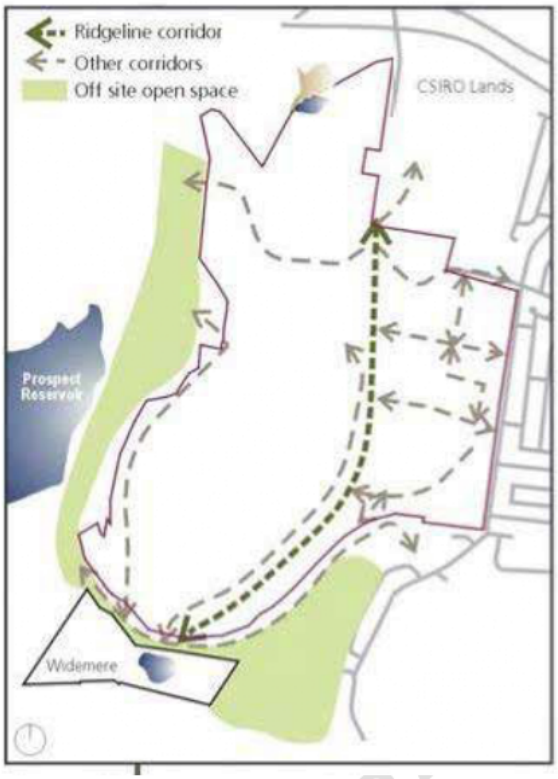


Figure 73: Flora and Fauna Corridors - Pemulwuy South

3.8.3 Development Areas

Objectives

O1. Enhance and maintain biodiversity by complementing other conservation initiatives.

O2. Use locally indigenous plant species, including threatened and regionally significant species, in drainage areas, streetscapes and open spaces.

O3. Reduce water and fertiliser demand.

O4. Reduce salinity effects on the site, buildings and infrastructure.

Controls

C1. Manage any development proposal to provide opportunities to enhance and maintain biodiversity by complementing other conservation initiatives.

C2. Use locally indigenous plant species, including threatened and regionally significant species in drainage areas, streetscapes and open spaces. (Use of local native species will not only enhance biodiversity but will reduce water

and fertiliser demand, resulting in decreased water and nutrient volumes draining from the site).

3.8.4 Biodiversity Management Measures

Objectives

O1. Rehabilitate and regenerate native vegetation.

O2. Protect threatened species.

O3. Manage weeds.

O4. Minimise impacts from access to the conservation areas.

O5. Minimise hazards and manage impacts from fire.

O6. Minimise litter and waste.

O7. Control and minimise impacts from sediment disturbance and erosion.

O8. Replace the pine plantation.

O9. Manage feral and domestic animals to minimise impacts on native flora and fauna.

O10. Protect water quality and aquatic habitat.

O11. Protect significant trees.

O12. Involve the community.

Controls

C1. Design any conservation area to optimise edge-to-area ratios and to incorporate areas of greatest biodiversity. The conservation areas include the Greystanes Creek riparian corridor, Prospect Hill ridgeline, Grey Box Reserve and other areas identified as bushland.

C2. Prepare a bushland management plan prior to any development which identifies areas to be revegetated, the species to be used and other detailed management issues.

C3. Regenerate the understorey in conservation areas to increase overall viability and robustness.

C4. Collect and propagate seeds of locally indigenous species as part of such development. These are to be used in revegetating the open space corridors, including the riparian corridor and ridgeline.

C5. Prefer native grasses in service/open space areas rather than kikuyu, couch or other conventional non-native grasses. (N.b.: "'Sir Walter" Buffalo grass is a non-native turf species unsuited to these bushland areas).

Threatened Species

C6. Consult with NPWS and specialists in threatened flora to determine specific management measures for Pimelea spicata (a low spreading shrub that is listed as an endangered species) prior to any development within Pemulwuy South.

C7. Prior to development of the residential lands south of Watkin Tench Parade, a recovery plan for Pimelea spicata should be prepared which takes into account the population in Pemulwuy and connectivity with the population found along the Lower Prospect Canal Reserve.

C8. Retain and enhance continuous canopy in the conservation area and open space corridors to allow for possible squirrel glider movement onto the site.

C9. Retain and enhance foraging habitat (Cumberland Plain Woodland) as appropriate within conservation areas to provide for Greater Broad-nosed Bat, Eastern Freetail Bat and Eastern Falsistrelle.

C10. Elsewhere, where there is minimal potential conflict with urban development, retain significant mature trees with high ecological value as habitats for the Powerful Owl, Greater Broad-nosed Bat, Eastern Fasistrelle, Eastern Freetail Bat and the Masked Owl.

Weeds

C11. Remove all weeds from conservation areas.

C12. Ensure that weed control is an integral part of maintaining and enhancing biodiversity of the conservation areas and corridors.

C13. In any bushland management plan, address weed management and removal methods such as hand weeding, spraying etc. The plan is to give attention to the conservation and corridor areas.

C14. Replant cleared areas with locally indigenous plants following weed removal, to minimise soil erosion.

C15. Outline a priority listing of target and noxious weeds in any bushland management plan, including Lantana, African Olive, Smallleaved Privet and Large-leaved Privet.

C16. Ensure that houses have outlooks to the bushland to encourage residents to take ownership of the bush and minimise dumping of rubbish and garden clippings. Houses should not immediately abut conservation areas (ie be separated by road or some other divider).

Access to the conservation areas

C17. Minimise access to conservation areas to allow the sites to regenerate with minimal human contact.

C18. Domestic animals are prohibited in the conservation areas.

Fire

C19. Prepare a fire management plan for the protection of life and property. The fire management plan should identify suitable fire regimes for the protection and maintenance of biodiversity.

C20. Ensure that fire management elements are incorporated into the design of the conservation areas and through the central ridgeline ie fire trails.

C21. Identify appropriate fire management regimes for vegetation management.

Litter and waste

C22. Provide adequate signs and rubbish bins to encourage proper disposal of litter.

C23. Secure rubbish bins sufficiently to prevent feral cats, dogs, rats and other undesirable species from opening them.

C24. Maintain and empty bins on a regular basis to prevent waste accumulating.

C25. Undertake regular patrols of conservation areas and report rubbish dumping.

Sediment disturbance and erosion

C26. Implement appropriate sediment and erosion controls as per Part A of this DCP.

C27. Commence planting and/or install fencing as soon as possible following weed removal to minimise erosion.

C28. Prepare a sediment and erosion control plan for each subdivision stage. It should address the conservation areas, open space corridors and creekline where applicable.

The pine plantation

C29. Remove the majority of pine trees from Pemulwuy, although some pine trees may be retained for street tree planting.

C30. A program for the removal of the pine trees is to occur on a staged basis.

Feral and domestic animals

C31. Prepare a feral and domestic animal management plan for Pemulwuy north and Pemulwuy South.

C32. Implement an education program for residents on responsible pet ownership.

Water quality and aquatic habitat

C33. Rehabilitate, enhance and re-establish the waterways of Pemulwuy, including creeklines and drainage lines.

C34. Provide an appropriate vegetated riparian corridor either side of Greystanes Creek. Vegetation within the buffer should be rehabilitated and weeds removed.

C35. Enhance vegetation using locally indigenous species of trees, shrubs, grasses and groundcovers.

C36. Preserve indigenous vegetation in riparian corridors.

C37. Install appropriate pollution controls such as gross pollutant traps in upper catchments (at site boundary if necessary) to prevent ingress of litter.

Significant trees

C38. Where existing trees are healthy, sound and can reasonably be incorporated into the design, Council will normally require them to be retained. Council will consider concessions to the development control standards contained within this DCP in order to encourage the retention of existing mature trees. This should be discussed with officers prior to proceeding too far with your plans.

C39. An application to remove a tree may be refused by Council if the tree:

- Form(s) a prominent part of the streetscape.
- Stands alone and is thus of more significant than if it were part of a group of trees.
- Is of historic or cultural significance or is/are registered on any Council register of significant trees.
- Is prominent due to its height, size, position or age.
- Is a locally indigenous, rare or endangered species.
- Provides a significant visual screen.
- Is part of an important habitat for wildlife.
- Is part of remnant or riparian vegetation.
- Can be effectively treated by applying appropriate remedial treatment such as pruning of branches, pruning of roots and removal of deadwood or by other appropriate action as recommended by an arborist.
- Is listed under the provisions of the Threatened Species Conservation Act 1995. (Listed as a threatened species, is habitat to a threatened species or is part of an endangered ecological community).

Note: Council may refuse an application to remove a tree(s) but may give conditional consent for the appropriate remedial "branch or root pruning" for that tree(s).

C40. Retain and maintain hollow-bearing trees on site for their fauna habitat value wherever possible.

Community involvement

C41. Prepare a community consultation strategy to involve the community in ongoing biodiversity management, including preparation of the bushland management plan.

C42. Develop an educational program highlighting the significance of the site and how the community can be involved in restoring and maintaining the open space corridor.

C43. Ensure that the Aboriginal community is consulted in reserve design, re-vegetation and interpretation programs.

C44. Involve the community in weed removal and replanting programs and continue to involve the community in maintenance to instil a sense of ownership.

3.9 Stormwater and Flooding Management

3.9.1 The Catchments

Pemulwuy can be divided into two main catchments. These are:

- Catchment A = all of the area of Pemulwuy North (north of Butu Wargun) plus the "Northern Residential Lands" of Pemulwuy South that are north approximately of Bobbina Avenue / Morley Avenue, all of which drains northward to the central former CSIRO Basin in Pemulwuy North via Greystanes Creek; and
- Catchment B = that part of Pemulwuy South approximately south of Bobbina Avenue / Morley Avenue, which drains southwards to Prospect Creek, partially called the "Southern Residential Lands"

This is shown indicatively in Figure 74 and in Figure 75 below.

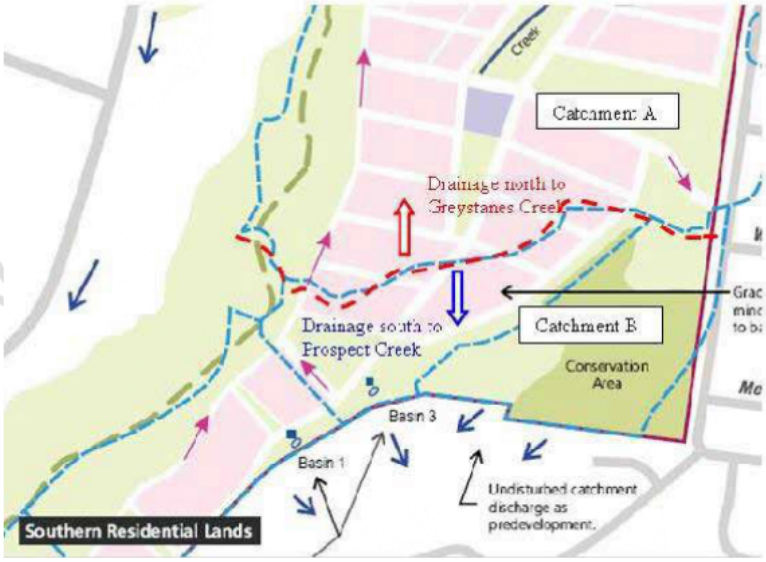


Figure 74: Boundary catchment A (Greystanes Creek) and Catchment B (Prospect Creek).

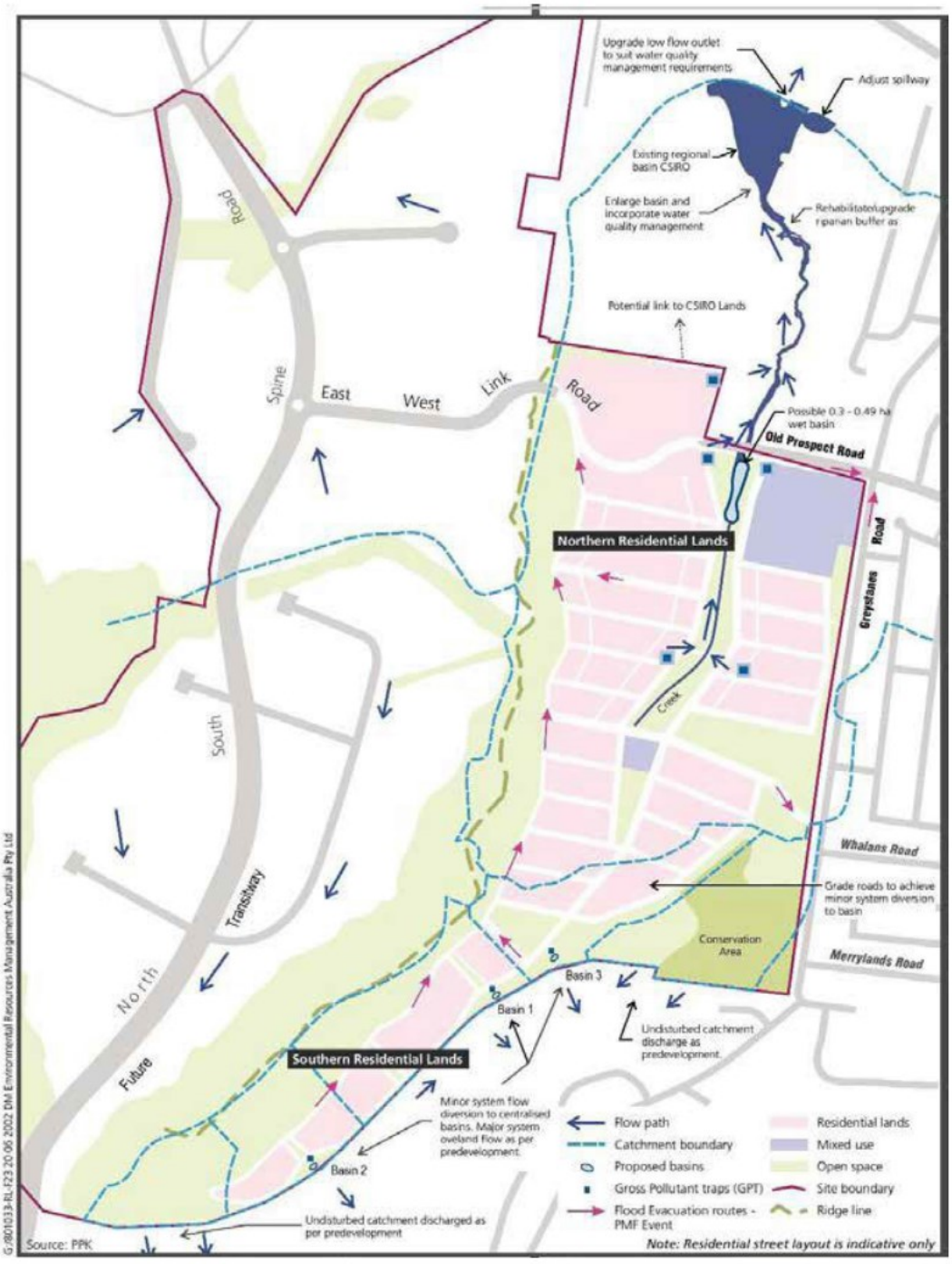


Figure 75: Prospect Drainage Strategy

3.9.2 Stormwater Management during Construction

Objectives

O1. Prevent sediment polluting creeks.

Controls

C1. Ensure that sediment control measures are in accordance with the requirements of the Managing Urban Stormwater Guidelines and with the Managing Urban Stormwater: Soils and Construction published by the NSW Department of Housing or its equivalent.

C2. Stage development activities to minimise land disturbance.

C3. Limit earthworks and disturbance of stable rehabilitated landforms.

C4. Divert clean run-off from upstream areas around disturbed areas.

C5. Stabilise and vegetate areas immediately following the completion of works.

C6. Provide temporary sediment basins, fences, catch drains, check dams and other structures to collect and treat run-off from disturbed areas.

C7. Monitor discharges from sediment basins and implement flocculation as required to limit TSS concentrations in water discharged from the temporary basins to 50 mg/L.

C8. Provide vegetated buffer strips around all water bodies and drainage channels.

C9. Temporarily stabilise stockpiles and disturbed areas.

C10. Restrict vehicle access to designated entry and exits.

C11. Provide stabilised site access.

3.9.3 Stormwater Management after Development

Objectives

O1. Provide a development consistent with the principles of total watercycle management but recognising potential salinity problems.

O2. Limit stream velocities to prevent erosion and scour of local waterways.

O3. Reduce pollutant loadings to maintain downstream water quality.

O4. Prevent the contamination of surface water or groundwater by stormwater run-off.

O5. Ensure reduced demand for imported mains water by water conservation measures and re-use of stormwater in accordance with the principles of Water Sensitive Urban Design.

O6. Protect and enhance the environmental and scenic value of the creek corridors.

O7. Ensure that additional stormwater runoff generated by the development does not adversely affect peak flows, velocities and water levels downstream of the site in the full range of flood up to 1 in 100 year storm event.

Controls

Note: The water treatment objectives for Prospect Creek and the Upper Parramatta River catchments are listed in Tables 1 and 2 respectively. The objectives outlined in these tables are consistent with Council's Stormwater Management Plans.

C1. Ensure stormwater management systems are incorporated in the initial stages of design and infrastructure provided prior to the development of individual sites.

C2. Design stormwater management measures to the water quality objectives of:

- the Stormwater Management Plan,
- the flow requirements of the UPRCT,
- Cumberland Council, and
- Fairfield City Council.

C3. Where feasible, incorporate in the proposed stormwater management measures, natural treatment mechanisms and features.

C4. Integrate public open space with the trunk stormwater drainage corridors.

C5. Where practical, reuse stormwater collected on developed lots. This can include rainwater tanks.

C6. Carry out further Stormwater Management consultation with authorities during the development application stage.

C7. As part of the development process, undertake detailed hydrologic, hydraulic and water quality modelling.

C8. Use the results of the monitoring program required by the section of this plan below dealing with salinity, to inform surface water management practices as required.

Table 1 POLLUTANT RETENTION CRITERIA FOR PROSPECT CREEK CATCHMENT

Pollutant	Treatment Objective
Suspended Solids	80% retention of the average annual load
Total Phosphorus	45% retention of the average annual load
Total Nitrogen	45% retention of the average annual load
Litter	Retention of litter greater than 50 mm for flows up to 25% of the 1 year ARI peak flow
Coarse Sediment	Retention of sediment coarser than 0.125 mm for flows up to the 1 in 1 year ARI peak flow. Discharge free of settleable matter for all storm events less than or equal to the capacity of the water quality control ponds.
Oil and Grease	No visible discharge
Unnatural discolouration	No visible discharge

Source: Prospect Creek Stormwater Management Plan

Table 2 POLLUTANT RETENTION CRITERIA FOR GREYSTANES CREEK CATCHMENT

Pollutant	Description	Retention Criteria
Litter	All anthropogenic material	70% of objects 5 mm diameter or greater
Coarse Sediment	Coarse sand	80% of the load for particles 0.5 mm or less
Nutrients	Total phosphorus and Total Nitrogen	45% retention of the load
Fine Particulates	Fine sand	50% of the load for particles 0.1 mm dia. Or less
Cooking Oil & Grease	Free Floating Oils that do not emulsify in aqueous solutions	90% of the load with no visible discharges
Hydrocarbons	Anthropogenic hydrocarbons that can be emulsified	90% of the load

Source: Upper Parramatta River Catchment Stormwater Management Plan

Stormwater Pollution Load Assessment in Pemulwuy

To provide preliminary sizes for the water quality ponds, a level one pollution load assessment was completed, as defined in the EPA guidelines. The recommended total wetland pond sizings are:

- *Greystanes Creek catchment – 2.2 hectare surface area; and*
- *Prospect Creek catchment – 0.75 hectare surface area.*

The above pond sizings are subject to confirmation by AQUALM modelling. The proposed Drainage Strategy is shown in Figure 75.

3.9.4 Source, Conveyance & Discharge

Objectives

O1. Adopt within the stormwater plans three types of runoff quality controls. In summary, the controls are:

- Source Controls - controls applied to the individual lots to address specific pollutants associated with the specific development;
- Conveyance Controls - controls applied to the local and trunk drainage systems which may include grass swales, and streams incorporating ponds, ripple zones and macrophytes; and
- Discharge Controls - controls applied to piped or channelised drainage systems prior to discharging in creeks or water quantity/quality control basins. These include gross pollutant traps, wetlands and water quality control ponds.

O2. Use Source controls to reduce runoff rates and minimise the pollutant loads discharged from individual development sites.

O3. Apply Conveyance Controls to the local and trunk drainage systems to minimise the pollutant load transferred from the development sites to the discharge points.

O4. Use Discharge Controls to ensure that water quality targets in the Stormwater Management Plan are achieved.

Controls

Source Control

C1. Use Stormwater Harvesting – i.e.: maximise the amount of stormwater run-off used on the development, minimise impervious areas and, where possible use pervious paving systems.

C2. Install rainwater tanks along with water correcting fittings in accordance with the principles of Water Sensitive Urban Design.

C3. Use Buffer Strips, where the development lot layouts allow, where the landscaping is used to treat run-off. Use vegetated buffer strips to reduce the amount of fine sediment and nutrients discharged from the lot to the stormwater system.

Waterway Protection Control

C4. Protect and enhance the main watercourse flowing through Pemulwuy as a natural stream system.

C5. Collect treated stormwater.

C6. Include in the watercourse a meandering natural runoff channel with aquatic and terrestrial riparian vegetation.

C7. Where feasible, include in the watercourse a meandering low flow invert, ponds and ripple zones, and aquatic and riparian vegetation.

Discharge Control

C8. Provide Gross Pollutant Traps incorporating a screen and coarse sediment sump upstream of the discharge points into the main creekline and not in the core riparian corridor.

C9. Design these to achieve the pollutant reduction targets set out in Tables 1 & 2 for coarse sediment and litter.

C10. Design the traps for cleaning by Cumberland Council's drain cleaning equipment in order to minimise maintenance and cleaning costs.

C11. Provide integrated water quantity and water quality control ponds in the regional basin in Pemulwuy North. Ensure the ponds have been sized to meet the treatment objectives for sediments and nutrients outlined in the stormwater management plans.

C12. The ponds should consist of a series of shallow, densely planted zones and deep water areas.

C13. Locate a device immediately upstream of the basin to prevent floating pollutants and pollution spills entering the basin.

3.9.5 Residential Catchment 'A' Flow Management (+ Detention ponds)

Objectives

O5. Design and maintain development so that existing peak flows from the Fox Hills basin are not adversely affected, taking into account the planned residential developments in the Catchment, and proposed modifications to the central basin.

O6. Ensure that the stormwater system for any development does not increase the downstream flooding of Pemulwuy.

O7. Convey stormwater within the northern Catchment A of Pemulwuy in the riparian channel / corridor of Greystanes Creek.

O8. Ensure the riparian channel / corridor of Greystanes Creek is part of an important recreational, ecological and visual linear park system capable of conveying the 1 in 100 year average recurrence interval flows.

O9. Link the drainage corridor with water bodies so as to maintain suitable water quality as well as provide further habitat.

O10. Ensure that development does not adversely affect pollution levels in the catchment.

Controls

C14. As part of any application for the subdivision of land in the Residential Catchment A (to Greystanes Creek), identify such proposals and confirm arrangements to be made for the expansion of the flood basin to attenuate post-development flows and treat run-off quality.

C15. Should it prove impractical or impossible, for whatever reason, to satisfy storage and quality treatment objectives with the flood basin, provide alternative arrangements within the built environment.

C16. Implement the stormwater management measures outlined above during construction. If sediment from the Residential Catchment A (to Greystanes Creek) is deposited off site in the basin or the downstream creek channel during development and construction on the site, remove it at regular intervals and prior to completion of construction.

C17. Provide the following drainage infrastructure:

- drainage corridor along central spine;
- water pollution control within the basin;
- detention storage within the basin;
- creek works to accommodate flows;
- collect runoff from Council drainage system which discharges from Greystanes Road onto the site;
- outlet structures;
- gross pollutant traps;
- pipe drainage; and
- overland flow paths.

C18. Ensure that the community based detention system negates the requirement for on-site detention on individual development lots, as specified in the UPRCT on-site detention policy.

C19. Consider sourcing water from the detention basin to irrigate public reserves in the area, subject to the maintenance of environmental flows to Greystanes Creek.

C20. Ensure wetland planting (macrophyte zones) on the foreshore of the new basin will further increase the ability of the basin to improve stormwater quality.

Stormwater Detention (Catchment A)

Objectives

O11. Ensure that the stormwater runoff generated from this portion of the western precinct does not adversely affect peak flows, velocities and water levels downstream of the existing regional basin (refer to Figure 76).

O12. Design on-site detention that is consistent with the conceptual modelling by Patterson Britton This modelling has identified a required storage which can be accommodated between the road and existing basin.

Controls

C21. Design on-site detention that is consistent with the conceptual modelling by Patterson Britton (see Figure 76 & 77).

C22. Ensure that detailed design of the basin is integrated with the landscape setting.

C23. Submit details of the basin to Council as part of the Development Application for the relevant stage.

C24. Locate the proposed stormwater detention basin outside the CSIRO basin 100-year flood zone.

C25. Provide preliminary sizes for the water quality ponds, a level one pollution load assessment was completed, as defined in the EPA guidelines. Ensure that the recommended total wetland pond sizings are:

- Greystanes Creek catchment – 2.2 hectare surface area; and
- Prospect Creek catchment – 0.75 hectare surface area.

Note: The above pond sizings are subject to confirmation by AQUALM modelling. The proposed Drainage Strategy is shown in Figure 77.

Figure 76: On Site detention concept

Figure 77: On Site detention Detail

3.9.6 Residential Catchment 'B' Flow Management

The Southern Residential Catchment B is located in the Prospect Creek catchment, and stormwater management plans have been prepared by Cumberland Council for these local catchments.

Fairfield City Council requires that there be no significant adverse impacts on flood levels in Prospect Creek. Refer to the Prospect Creek Stormwater Management Plan.

Objectives

O1. Design and maintain development in the Residential Catchment B (to Prospect Creek) so that downstream flows are not adversely affected, based on a comparison of peak flows, velocities and water levels in the 2 % AEP, 1% AEP and probable maximum floods at critical points downstream.

O2. Provide pollutant retention criteria for new developments and treatment objectives for various types of developments, through the stormwater management plans.

O3. Ensure that the stormwater runoff generated within Catchment B does not adversely affect peak flows, velocities and water levels within Prospect Creek.

Controls

C1. Implement the stormwater management measures outlined above during construction.

C2. If sediment from the Residential Catchment B (to Prospect Creek) is deposited off site in the downstream creek channel during development and construction on the site, remove it at regular intervals and prior to completion of construction.

C3. Provide integrated water quantity and water quality control ponds at each of the discharge points within the site.

C4. Provide the following drainage infrastructure:

- shaping drainage corridor to various outlets;
- water pollution control pond(s);
- detention storage;
- gross pollutant traps;
- pipe drainage; and
- overland flow paths.

C5. Ensure that the community based detention system will negate the requirement for on-site detention on individual development lots, as specified in the UPRCT on-site detention policy.

C6. Ensure that the recommended total wetland pond sizings are:

- Prospect Creek catchment – 0.75 hectare surface area; and
- Greystanes Creek catchment – 2.2 hectare surface area.

Note: The above pond sizings are subject to confirmation by AQUALM modelling.

3.9.7 Stormwater Documentation Requirements

Objectives

O1. Comply fully with Cumberland council's OSD policy and the Upper Parramatta River Catchment Trusts' handbook.

O2. Accommodate capacity for future development of the adjoining residential lands.

Controls

C1. Prepare detailed Hydraulic plans to accompany Development Applications for subdivision.

C2. Detail conveyance of existing and proposed overland flows to the satisfaction of Council.

C3. Design all overland flow paths and corridors to accommodate storm events stipulated under the Section below on Flood Risk Management.

C4. Land located along the southern boundary of the Residential Lands may be required to convey a large volume of overland flow from the existing adjoining property to the south/south west. To ensure that overland flow within this portion of the western precinct is adequately conveyed, Development Applications for subdivision of this area shall include the following details and must comply fully with Cumberland council's OSD policy and the Upper Parramatta River Catchment Trusts' handbook:

- a fully detailed catchment analysis in order to determine existing overland flows;
- a fully detailed hydraulic report and associated plans which indicate proposed method of conveying overland flows;

C5. Overland flow paths shall be designed so as to accommodate capacity for future development of the adjoining residential lands.

C6. Provide Stormwater Plans to accompany development applications for individual lots in Pemulwuy.

C7. Ensure these plans are consistent with stormwater management plans prepared by Council, under direction from the EPA.

C8. Adopt within the stormwater plans three types of runoff quality controls - Source, Conveyance and Discharge.

3.9.8 Water Bodies Management

Objectives

O1. Provide a safe and efficient urban water management system.

O2. Contribute to the amenity, appearance and urban structure of Pemulwuy.

O3. Achieve multiple use of drainage systems.

Controls

C1. Utilise the Pemulwuy North regional detention basin to control runoff rates and quality in Catchment A (incorporating Pemulwuy North and the Northern Residential Catchment of Pemulwuy South).

C2. Utilise Ponds to control runoff rates and quality in Catchment B (namely the Southern Residential Lands of Pemulwuy South).

C3. Maximise use of regional facilities to achieve the runoff flow rate and water quality controls.

C4. Assess adequacy of water quality pond sizes using AQUALM model for construction certificate approval.

C5. Integrate bush regeneration in the agreed core riparian zone to achieve a fully vegetated corridor of local native trees, shrubs and groundcover species and native macrophytes in the water quality ponds. Areas outside the core riparian zone can be multifunctional.

C6. Integrate the landscaping with the design of the waterbodies to improve the amenity of the area.

C7. Include emergent macrophyte plantation in the basin for control of nutrients. All control of sediment must be via source control before entering the Creek.

C8. Ensure the spillway outlet from the basin maintains a continuous downstream environmental flow as approved by Cumberland Council.

C9. Prepare an operational plan for all ponds which is integrated across the entirety of Pemulwuy. The operational plan should set out how the main water bodies will be managed in terms of maintenance, safety, nominating activities, frequency and responsible authorities. This should be in accordance with the requirements of the Constructed Wetlands Manual (DLWC 2000).

C10. Design outlet to the ponds to allow water levels to be varied for aquatic plant management.

C11. Regularly maintain gross pollutant traps and coarse sediment sumps to prevent a build up sediment in main water bodies.

C12. Rehabilitate and protect the existing Creek.

3.9.9 Flood Risk Management

Objectives

O1. Prevent the negative impact of water on human life and property; and

O2. Prevent the negative impact of development on the receiving waters of the catchment.

Controls

C1. Accommodate the minor drainage system flows in pipes with capacity no less than the 5 year ARI storm;

C2. Accommodate flows in excess of the capacity of the minor system in overland flow paths and corridors (major systems), up to the 1 in 100 year ARI storm on the roads and open space;

C3. Provide multiple uses for drainage corridors incorporating a naturalistic meandering low flow channel with a series of pools and ripple zones;

C4. Locate habitable floor levels and developable land, other than open space, at least 0.5 metres above the Greystanes Creek 100 year ARI flood level;

C5. Provide appropriate flood hazard warning signage where appropriate.

C6. Design Butu Wargun Drive to provide a flood-free evacuation route in the event of a probable maximum flood (PMF).

C7. Integrate flood detention and water quality control basins for the Catchment B (Prospect Creek) Lands.

3.10 Environmental Management

Redevelopment of the former CSIRO site and Boral lands into the Pemulwuy residential lands requires the implementation of numerous environmental management measures to ensure an environmentally sound and sustainable development.

3.10.1 Site Contamination and Remediation

The residential lands of Pemulwuy have been the subject of a number of site investigations concentrating on identifying areas of environmental concern (AEC) relating to former non-residential activities on the land. These AEC included quarrying, laboratories, chemical storage areas, sheep dips and waste disposal areas. These AEC have been investigated and (where necessary) remediated. The work conducted in assessing and remediating these AEC has been signed off by a NSW Environment Protection Authority (EPA) auditor through the issuing of Site Audit Statements. This does not exclude the need for future assessment and remediation of future AEC at Pemulwuy.

Objectives

O1. Ensure the appropriate assessment, remediation, validation and auditing of potentially contaminated land to reduce the risk of harm to human health or the environment.

O2. Ensure land is suitable for the intended use.

O3. Ensure that future occupants or workers at the site are not exposed to contaminated materials.

O4. Follow the contamination management strategies produced for the various precincts of Pemulwuy.

Controls

C1. During bulk earthworks activities, initiate an unexpected findings protocol to address the potential discovery of contaminated soil or other hazardous materials.

C2. As a result of the protocol, ensure that appropriate assessment, and (where necessary) remediation and validation occurs.

C3. Make provision in the protocol to inform Council of the discovery of such materials.

C4. Before the lodgement of any development application for the site, complete a groundwater Assessment in accordance with 'Schedule B(6) Guidelines for Risk Bases Assessment of Groundwater Contamination' in the National Environmental Protection Councils National Environment Protection (Assessment of site Contamination) Measure (1999).

C5. Remediation is required to render the site suitable for the proposed land use, consistent with:

- the Contamination Management Strategy (prepared by Environmental and Earth Sciences and RES for Pemulwuy North); and
- the Remediation Action Plan (prepared by HLA Envirosciences for Pemulwuy South).

C6. Ensure the remediation of the site is certified by a NSW EPA Accredited Site Auditor.

Note: Building waste and asphalt waste have been classified by the NSW EPA as 'inert waste' (Table 1, NSW EPA 1999 - Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes).
Therefore, materials meeting this description, and meeting the physical and other criteria stipulated in the Material Management Guidelines (HLA 2001, prepared for Pemulwuy South) are not considered to be contaminated, and are therefore not part of the remediation works.

3.10.2 Earthworks Management

Objective

O1. Ensure that any fill utilised throughout the site is clean and complies with relevant standards.

Controls

C1. Determine a Phase 1 Contamination Investigation by an environmental consultant.

C2. Evaluate each portion of the estate as required by the Phase 1 Investigation for:

- existing condition down to bedrock;
- groundwater monitoring;
- validation of both fill zone foundation and proposed fill material to provide material within acceptable EPA criteria for re-use.

C3. Obtain approval of the above by a NSW EPA Accredited Site Auditor to allow placement of fill and the excavation and re-use of on-site material to provide a revised landform.

C4. Upon the validation and approval of fill foundation and fill material, place and compact material generally in accordance with:

- all material <300 mm in size;
- compaction up to 98% standard compaction to building and road lots;
- moisture content 60-90% of optimum;
- compaction to 95% standard in landscaped areas. Landscaped areas should then be ripped to a depth of 300/450 mm and organic material should then be mixed to improve soil quality as required;
- Fill to be placed in layers no more than 300mm thickness.

C5. Ensure that final verification of placement of clean fill material is undertaken through the process of design/construction Quality Assurance Audits and validated by a NSW EPA Accredited Site Auditor.

C6. Minimise the potential for establishment of perched water tables at the fill/natural soil interface by ensuring that drainage is established between the two layers.

3.10.3 Waste Management

Objectives

O1. Minimise waste generation and disposal to landfill during demolition and construction works in accordance with the "waste hierarchy" (which means promoting source separation and subsequent reuse/recycling of materials over and above disposal).

O2. Ensure that reuse/recycling options are utilised at every opportunity and that any necessary waste disposal is lawful and efficient.

O3. Ensure that the provision of adequate and appropriate storage area for waste and recyclables during all stages of development.

O4. To maximise the amenity of the development and opportunity for reuse/recycling by residents through effective design of facilities.

Control

C1. Integrate waste management planning process into all stages of development.

C2. Provide source separation facilities (e.g. waste bays) on building sites so that different materials may be easily separated during demolition and construction works. This will maximise the potential for reuse/recycling during demolition and construction works.

C3. Locate garbage/recycling storage areas in Type D developments so as to be easily serviced, and to not cause any negative impacts in terms of visual appearance, noise or smell, to adjoining properties or to the street.

C4. Provide waste separation facilities in all Type D kitchens to encourage the separation of waste at its source.

C5. Use ventilation stacks wherever possible (and necessary) to vent shops and basements.

C6. Submit a Site Waste Minimisation and Management Plan (SWMMP) in accordance with Part A Section 12.0 of this DCP with any development application prior to development approval.

3.10.4 Soil Erosion & Sediment Control

Soil Erosion & Sediment Control in Pemulwuy is controlled by Part G, Soil Management.

The control measures are to be in accordance with the Managing Urban Stormwater Guidelines including the Managing Urban Stormwater: Soils and Construction published by the Department of Housing, and have been incorporated into the stormwater management strategy described above in Section 10 entitled Stormwater & Flooding Management.

3.10.5 Salinity

Salinity within Pemulwuy is controlled by theCumberland Local Environmental Plan 2020, under Salinity in the Pemulwuy Precinct.

The draft Salinity Hazard Mapping for Western Sydney (DLWC 2000) indicates areas along Greystanes Creek to be classified as an area of extensive salinity hazard, with the remaining land to be areas of localised hazard.

Potential salinity on the site is therefore considered to be an environmental constraint which requires appropriate management.

Objectives

O1. Minimise disturbance to natural hydrological systems as a result of development, and to provide for appropriate management of land affecting the process of land salinisation, or affected by salinity.

O2. Prevent damage to buildings and infrastructure in urban areas caused by salinity.

O3. Identify areas of the site that have sufficient cover of non saline soils to warrant no formal salinity treatments.

O4. Increase the volume of non saline soils won from road reserves, etc to be utilised as an "asset" in managing actual salinity affected soils, building sites, drainage and landscaping works.

O5. Decrease the volume of salinity affected soils that require treatment/management.

Controls

C1. Prepare a soil salinity management strategy for each stage of development. The main components of the strategy should include:

- Review of existing geotechnical and geochemical site data to refine interpreted distribution of non saline A and B1 Horizons and slightly to moderately saline B2 and C Horizons;
- Additional investigations to further refine the soil salinity data base;
- Co-ordinate subdivision design to optimise earthworks and civil works in relation to soil salinity management. Initiatives could include but not be limited to:
  - winning/stockpiling A and B1 Horizon materials from road reserves and other areas prior to filling;
  - considering lime stabilised subgrades to enable reduced pavement thicknesses and
  - decreased excavation volumes of potential salinity affected soils from road reserves;
  - scheduling salinity affected soils to be placed at depth in fill areas;
  - gypsum/lime modification to B1 Horizon sourced fill or insitu material to improve soil condition for revegetation capacity and rate.

- Prepare and implement an "earthworks management plan" for each subdivision stage: this work should include basic terrain evaluation so that earthworks methods can be tuned for slight, moderate and steep slopes. Induct the earthworks contractor and machine operators on relevant aspects of the earthworks strategy;
- Implementation and validation of the earthworks management plan will include stockpile quality assurance and management and a level of geotechnical supervision that will require regular engineering inputs in addition to technical inputs for compaction control;
- Assessment of the need for further salinity management interventions during residential construction, e.g. granular vapour barriers, lime/gypsum treatments, durable concretes, suspended floor construction, etc.

Monitoring

C2. Complement baseline monitoring of soil salinity (performed prior to development) by ongoing monitoring during the development phase to determine any potential changes and inform future stages/sites.

C3. Prepare a salinity monitoring program by an appropriately qualified person.

C4. The monitoring program should consist of monthly sampling, in addition to sampling after rainfall events greater than 20 mm in 24 hours.

C5. Prepare a report consolidating the results of the first 12 months of monitoring and submitted to Council.

C6. Locate the monitoring wells shall be located to facilitate the long term monitoring of the deep and shallow water tables.

C7. Salinity monitoring shall be the responsibility of the owner of the land.

Site Design

C8. Avoid disturbance of natural flow lines and the use of cut and fill construction techniques without adequate alternative drainage provisions - this is where the salinity is first likely to appear.

C9. Retain native vegetation along watercourses.

C10. Rehabilitate disturbed areas using native vegetation.

Stormwater and Drainage

Note: Salinity problems generally occur in the areas where water accumulates, or which are subject to continuous wetting and drying cycles. This can be where natural through flow or surface flow is impeded by buildings, or by associated retaining walls or land resurfacing. Therefore:

C11. Ensure correct drainage, which helps protect foundations, footings and walls from salt attack.

C12. Avoid areas of impeded sub-surface flow and the interception of groundwater.

C13. Minimise deep infiltration and throughflow when designing stormwater management.

C14. Design and construct detention and retention basins to avoid high velocity runoff and soil erosion in susceptible areas, and for ease of maintenance.

Building Slabs/Concrete

C15. In order to prevent moisture rising through the slab, firstly lay a thick layer of sand on the site. Next, lay a damp-proof membrane of thick plastic.

C16. Make concrete more resistant to salinity by increasing its strength to reduce the permeability.

C17. Consider using a sulphate resistant concrete, which will reduce reinforcement corrosion. Minimum of 65 millimetres of concrete cover on strip or slab reinforcement is recommended in saline environments. Compaction and curing of the concrete are also advised.

C18. Consider suspended slab or pier and beam housing construction methods, to minimise the expose of building materials to corrosive elements and to minimise cut and fill so that groundwater and sub-surface water flow is not impeded.

Bricks

C19. Consider a brick damp course, which if correctly installed, will prevent moisture moving into the bricks.

C20. Consider salt resistant bricks (or exposure quality bricks) and concrete. These are available and are more suitable for use in saline environments.

C21. Consider adding waterproofing to the mortar to prevent water entry.

C22. Vegetation and Landscaping:

C23. Favour gardens which do not require a lot of watering. This includes:

- use of native plants which do not require excess watering,
- deep rooted trees to prevent the ground water table rising,
- the use of mulch, and
- the reduction of lawn areas.

C24. Do not locate gardens close to buildings, as watering may affect foundations or render the dampcourse ineffective.

3.10.6 Noise and Vibration Management

Objectives

O1. Achieve external noise goals where feasible or reasonable.

O2. Where this is considered impractical, to achieve internal noise criteria by appropriate façade treatment.

Controls

External Noise Levels

C1. Achieve the Road Traffic Noise Criteria for Residential Receivers as detailed in Table 2

C2. Achieve the Industrial Noise Criteria for Residences adjoining Clunies Ross Street as detailed in Table 3. In particular, though not exclusively.

Internal Noise Levels

C3. Achieve the Internal noise criteria for both traffic and industrial noise in habitable areas as detailed in Table 4. In particular, though not exclusively.

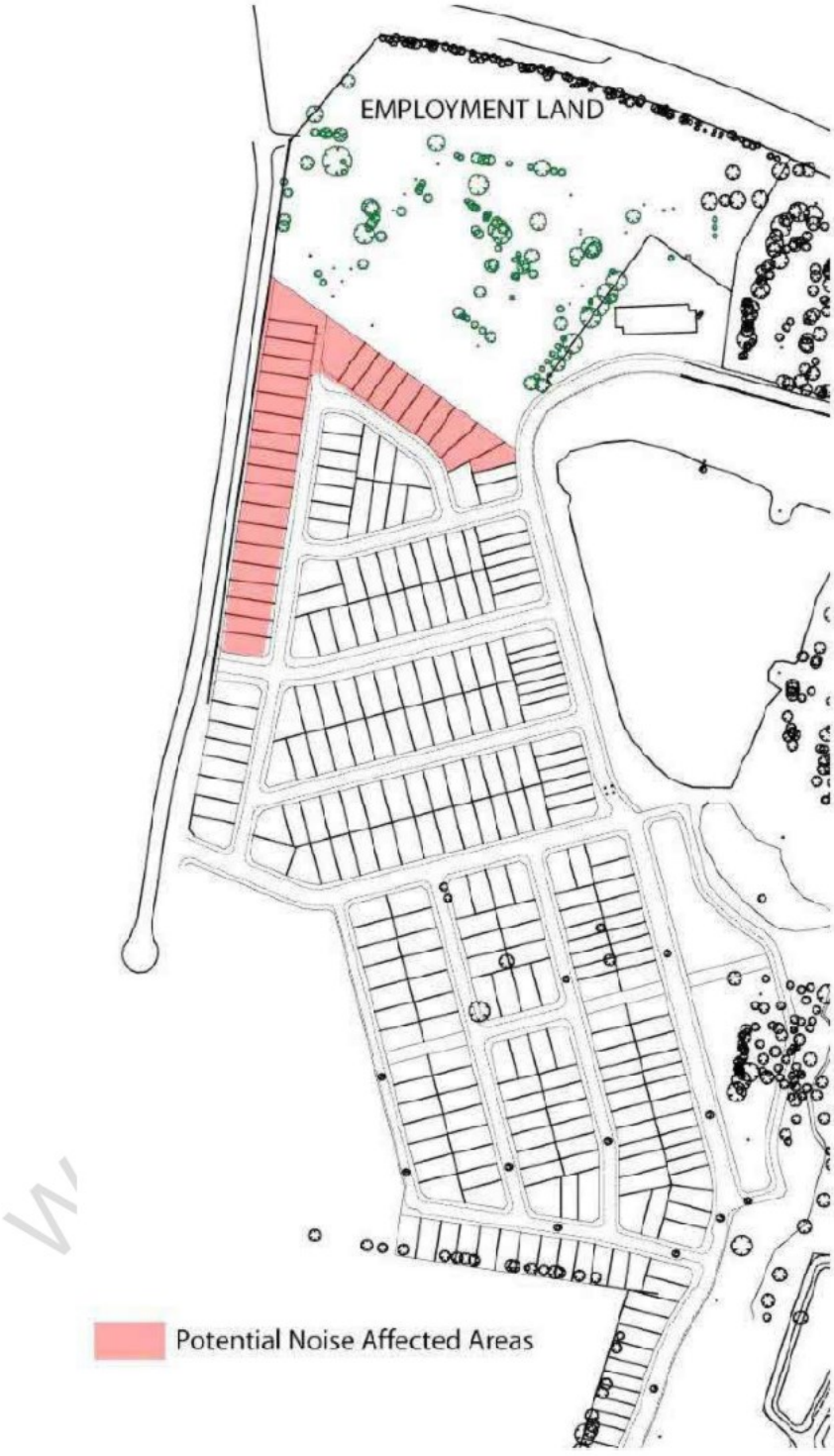


Figure 78: Area requiring acoustic treatment

Table 2

Type of Development	Day (7.00 am – 10.00 pm)	Night (10.00 pm - 7.00 am)	Where Criteria are Already Exceeded
New residential land use developments affected by freeway/arterial traffic noise.	LAeq(15hour) 55 dBA	LAeq(9hour) 50 dBA	Where feasible and reasonable, existing noise level should be reduced to meet the noise criteria via judicious design and construction of the development. Location, internal layouts, building materials and construction should be chosen so as to minimise noise impacts.
New residential Developments affected by collector traffic noise.	LAeq(1hour) 55 dBA	LAeq(1hour) 50 dBA	Where feasible and reasonable, existing noise level should be reduced to meet the noise criteria via judicious design and construction of the development. Location, internal layouts, building materials and construction should be chosen so as to minimise noise impacts.

Note: These criteria are non-mandatory in nature and the design solutions should take into account cost, feasibility, and equity and community preferences

Table 3:

Time of Day	Intrusive LAeq(15minute) Criterion for New Sources	Amenity LAeq(period) Criterion for New Sources
Day	51 dBA	47 dBA
Evening	51 dBA	44 dBA
Night	46 dBA	42 dBA

Table 4

Internal space	Time Period	Noise Level
Sleeping Areas	Day (7.00 am to 10.00 pm)	LAeq(1hour) 40 dB(A)
	Night (10.00 pm to 7.00 am)	LAeq(1hour) 35 dB(A)
Other Living Areas	Day (7.00 am to 10.00 pm)	LAeq(1hour) 45 dB(A)
	Night (10.00 pm to 7.00 am)	LAeq(1hour) 40 dB(A)

Sleep Arousal Design

C4. For the purpose of setting an acceptable sleep arousal criterion, and taking into consideration the duration of noise level events such as those associated with trucks near or on Clunies Ross Street for example, adopt the Finegold approach, as documented in the Environmental Criteria for Road Traffic Noise (ECRTN; Office of Environment and Heritage, or its equivalent).

C5. Adopt a design indoor sleep arousal ASEL (A-weighted Sound Exposure Level) of 57 dBA to protect future residences, such as those facing Clunies Ross Street.

C6. Limit noise impacts from vehicle traffic upon nearby and adjoining residential land by permitting bus only access on Butu Wargun Drive between the residential and industrial areas.

C7. In the event that Butu Wargun Drive is open to other classes of traffic, the consent authority must consider the noise impacts likely to arise, in particular, whether the ECRTN criteria relevant to Pemulwuy residential areas will be exceeded.

Measuring Traffic Noise

C8. Where required, quantify the external acoustic environment using the methods outlined below. Methods departing the procedural requirements outlined should be supported by a scientifically valid rationale to demonstrate that the method is no less accurate than that described.

C9. Undertake preliminary LAeq (1hour) noise measurements between the periods 7.00 am to 9.00 am or 4.00 pm to 6.00 pm.

C10. Where the measured facade corrected LAeq (1hour) exceeds 55dBA, the requirements of this Plan are triggered and long-term, unattended measurements are required.

C11. Conduct long-term, unattended measurements over a minimum of three consecutive weekdays (ie Monday to Friday, not weekends).

C12. Conduct noise measurements in accordance with Australian Standard AS2702-1984 – Acoustics – Methods for the Measurement of Road Traffic Noise.

Note: LAeq(1hr) is the LAeq noise level for a specific 1 hour period. For assessment purposes, the LAeq(1hr) represents the highest tenth percentile hourly A-weighted Leq noise level (or if this cannot be accurately defined, the LAeq noise level for the noisiest hour) during the period 7am to 10pm or the period 10pm to 7am, as relevant.

C13. Measure LAeq on a 15-minute basis. To calculate the logarithmic average over a 1 hour period, LAeq(1hr) = 10 X log10 ((● i=1 to 410(LAeq,15min,i/10)/4), where there are 4 X 15 minute measurements conducted over a 1 hour period.

C14. Carry out noise measurements in positions representative of the nearest facade noise level. Where this is not possible, select a location where accurate extrapolation of the facade noise level can be made from the measurement position.

C15. Where measurements are acquired in the free field façade, apply correction factor of +2.5 dBA.

Measuring Industrial Noise

C16. Conduct operator-attended noise measurements, supplemented by long-term noise logging where appropriate, at residential areas adjacent to Clunies Ross Street.

C17. Noise measurement procedures shall be generally guided by the requirements of AS 1055-1997 "Acoustics - Descriptions and Measurement of Environmental Noise" and the NSW Industrial Noise Policy (INP) 2000.

C18. Carry out noise measurements in positions representative of the yard areas of present and future residences.

Operating Conditions of the Building – Ventilation Measures

C19. Where the indoor design noise levels cannot be satisfied with windows open to an area of 5% of the floor area of the room under consideration, alternative means of ventilation are required.

C20. The following hierarchy of alternatives should be considered in the options analysis with (i) being most preferred and (ii) least preferred:

- i) Design the building to ensure that passive ventilation will not seriously compromise the acoustic integrity of the building. Noise sensitive uses should be located as far as practicable from noise sources. Windows should be orientated away from noise sources.
- ii) Provide the building with mechanical ventilation satisfying the requirements of the Building Code of Australia.

C21. For the purpose of design analysis, a room by room approach is acceptable and hence assumes that internal doors are closed and that negligible noise transfer between rooms occurs. If a perimeter approach is adopted, the lower indoor design noise level shall be adopted for the composite space.

Acoustic Compliance Reporting

C22. Accompany Development Applications by a Preliminary Report demonstrating compliance with established noise levels (see Table 11.6.1 and 11.6.2).

C23. Where measured noise levels exceed criteria, state in the Preliminary Report whether a Design Report for road traffic or industrial noise is required.

C24. Ensure that the preliminary report, as a minimum includes:

- A site plan of the development proposal showing the locating of the noise measurement locations;
- A summary of the measured industrial or adjusted facade traffic noise levels; and
- A statement qualifying whether the measured noise levels comply with established noise criteria and whether a Design Report is required.

C25. Where the Preliminary Report demonstrates that a Design Report is applicable, (that is, where the preliminary road traffic or industrial noise measurements exceed the noise goals detailed in Table 11.6.1 and 11.6.2), submit a design report with the Development Application.

C26. The design report shall include:

- A site plan of the development proposals showing the location of the noise measurement points;
- Where applicable a graphical representation of the acquired road traffic or industrial noise data.
- Tabulated results of operator attended noise measurements.
- A statement quantifying the measured or adjusted facade noise levels derived for design purposes for road noise or, in the case of industrial noise levels, at the yard areas of residential properties.
- Recommendations for specific noise controls to satisfy the design noise goals.
- A statement indicating that the design noise levels will be achieved following the effective implementation of the required noise controls.

C27. Following completion of the attenuation measures, submit a statement from "an acoustic consultant having the technical eligibility criteria required for membership of the Association of Australian Acoustical Consultants (AAAC) and/or grade membership of the Australian Acoustical Society (MAAS)", clearly indicating that the acoustic recommendations of the design report have been satisfactorily incorporated.

C28. Submit the validation statement to Council/Principal Certifying Authority (PCA) prior to the issue of Subdivision/Occupation Certificates.

3.10.7 Air Quality Management

Objectives

O1. Minimise trip length and encourage the use of pedestrian/cycleways.

O2. Reduce traffic emissions overall by improvement of local bus services and linkage to major transport routes and transitways.

O3. Improve energy efficiency through design and orientation of houses.

Controls

C1. Design roadways to minimise trip length and encourage the use of pedestrian/cycleways.

C2. Locate and provide access to services and facilities in order to minimise trip length and encourage the use of pedestrian/cycleways.

C3. Include linkages to centres of employment, cultural and natural interest to minimise trip lengths.

C4. Improve local bus services and linkages to major transport routes and transitways.

C5. Design and orientate houses for energy efficiency.

RAAF Stores Depot

Contents

1. Introduction

1.1 Land to which this Part applies

This Part applies to land zoned R3 Medium Density Residential within the Former RAAF Stores Depot site under Cumberland LEP XXXX. Refer to Figure 1 below.

Figure 1: Area to which this Part applies

1.2 Purpose of this Part

The purpose of this part is to provide land use provisions to guide redevelopment of the former RAAF Stores Depot site.

2. General Objectives

O1. Encourage design that will enhance the existing character of the locality; and

O2. Ensure that redevelopment is integrated with the surrounding development.

3. Specific Objectives and Controls

3.1 Residential density and dwelling mix

Objectives

O1. Encourage a range of housing types to meet the needs of the community.

O2. Provide interesting and varied streetscapes.

O3. Ensure development is not excessive in scale and the distribution of housing forms reflects the scale and character of existing development.

O4. Incorporate a range of dwelling types and sizes. Locate higher density housing to act as a buffer to industrial development to the south of the site.

Controls

C1. Residential development shall not exceed a gross residential density of 28 dwellings per hectare.

C2. Courtyards shall not be built within the front building alignment.

C3. Single dwelling traditional lot development shall occur along the interface with existing residential areas.

3.2 Car parking

The applicant shall refer to Part H of this DCP.

3.3 Noise

The applicant shall refer to Part B of this DCP.

3.4 Adaptable housing

The applicant shall refer to the relevant adaptable housing provisions in Part B5 of this DCP.

3.5 Stormwater management

The applicant shall refer to the Part G of this DCP.

3.6 Tree preservation

The applicant shall refer to Part G of this DCP.

3.7 Public domain

The applicant shall refer to the Former RAAF Stores Depot Public Domain Plan for public domain requirements. This Plan is available from Cumberland Council on request.

Item No: C02/20-357

NOMINATIONS FOR ACCESS AND SAFETY COMMITTEE AND ADOPTION OF REVISED TERMS OF REFERENCE

Responsible Division:	Community Development
Officer:	Acting Director Community Development
File Number:	C-37-01/09
Community Strategic Plan Goal:	*Transparent and accountable leadership*

SUMMARY

At the Ordinary Meeting of Council held on 16 October 2019, Council considered the Notice of Motion - *Council Committees* (Min.728, Item C10/19-255), and resolved:

"That Council:

1. *Combine the Access Committee and Community Safety Committee to form the Access and Safety Committee;*

2. *Abolish the following Committees:*
   a. Arts Advisory Committee;
   b. Culturally & Linguistically Diverse (CALD) Advisory Committee;
   c. Library Committee; and
   d. Companion Animals Advisory Committee.

3. *Amend the terms of reference for remaining committees with the exception of Civic Risk Mutual, Civic Risk Metro (Which remain as the Mayor or nominee & General Manager) and Wentworthville Community Garden Committee (Which will become 1 Ward Councillor) to have a maximum of 2 Councillors as representatives."*

This report provides an update on the formation of the Cumberland Access and Safety Committee and the arrangements for the current term.

RECOMMENDATION

That Council:

1. **Adopt the Draft Terms of Reference for the Cumberland Access and Safety Committee (included in Attachment 1).**
2. **Adopt the community representatives listed in the report for membership on the Access and Safety Committee.**
3. **Advise all applicants in writing of the outcome of their nomination for membership.**

4. Receive the information arising from the consultation on the formation of the Access and Safety Committee.

REPORT

Background

This report presents a summary of community nominations received for prospective members of the Access and Safety Committee, following an Expression of Interest process.

The Committee is a formal advisory body to Cumberland City Council. Its purpose is to:

- Assist Council to consult and respond to access and safety issues that impact on communities across the Cumberland Local Government Area.
- Provide advice on Council community infrastructure project.
- Provide community representation, advice and input to Council on the implementation and evaluation of Council's Disability Inclusion Action Plan 2017-2021, including Council's policies, strategies, services, programs, community events and engagement practices.
- Participate in community inclusion audits of Council services, facilities and events to identify and discuss potential solutions to address access and safety issues.

Consultation Meeting on the Formation of the Access and Safety Committee

A consultation meeting on the formation of the Access and Safety Committee was held at Council on 17 December 2019. Former members of the Cumberland Access Committee and the Cumberland Community Safety and Crime Prevention Committee were invited to attend to provide input. A total of 13 community representatives and three (3) Councillors were in attendance.

Outcomes of the meeting included clarification around how the two committees would come together with a focus on access issues and general safety issues with proposed 'inclusion audits' covering access and general safety issues. The Draft Terms of Reference were discussed with attendees agreeing that the purpose and membership, selection criteria of the former committees were the main sections of the terms of reference that would be merged/amended. It was agreed that community representation on the Committee would be capped at between 14 to 16 members. All nominations would be assessed by an assessment panel consisting of staff members from community and place, seniors and disability services as well as an independent staff member.

Membership and Selection Criteria

As per the Draft Terms of Reference, membership of the Access and Safety Committee will consist of up to 16 community members or representatives and two (2) appointed Councillors. In accordance with the resolution of Council made at the meeting held on 20 November 2019 (Min.795), the Mayor, Councillor Christou, and Councillor Zreika are the elected Council representatives.

To be eligible as a community representative, members must live, work, study or have connections to the Cumberland Local Government Area (LGA) and meet at least one of the following criteria:

(i) Be a person with disability or mobility restriction or represent a group of persons who have a disability or mobility restriction.
(ii) Have demonstrated knowledge, skills or expertise in access and safety issues and in improving the physical environment in the Cumberland Local Government Area.

Community membership of the Committee shall be for a period of up to two years and aligned to the term of Council.

Nominations Received for the Access and Safety Committee

A total of 16 community nominations were received for the Committee. All nominations were reviewed against the selection criteria by an internal panel of Council staff. All applications were found to be successful in meeting one or more of the selection criteria. It is recommended that Council approve the nominations of the following 16 community members to the Committee:

- Amit Golwala
- Flavia Del Zio
- Jo Steinwede
- John Brodie
- Kevin Horne
- Lilly Velickovich
- Margaret Chapman
- Mark Kunach
- Pamela Colman
- Peter Simpson
- Richard Silberer
- Ron Gibson
- Sandra McDermott
- Sanjeev Goyal
- Sue Huxtable Jones
- Zhila Hasanloo

Proposed Draft Terms of Reference

After consultation with those in attendance at the consultation meeting and further review by Council staff, it is recommended that Council adopt the Draft Terms of Reference included under Attachment 1 of this report, noting the following:

- The purpose, membership and selection criteria of the former committees were the main sections of the terms of reference that were to be merged/amended.
- The selection criteria reflects the purpose as well as the previous selection criteria's of both former committees.
- The Access and Safety Committee will continue to meet between 6pm to 8pm at the Committee Rooms at the Merrylands Administration Centre.
- Quorum has been removed.
- It is proposed the Committee will have up to 16 community members.
- Changes to wording to reflect Council name change to Cumberland City Council including logo with new branding.
- Other Councillors are able to attend as non-voting members.
- Draft Minutes will be reported to Council every three (3) months.
- Cumberland City Council will not authorise payment or provide remuneration to Committee members.
- Committee members are covered by Council's public liability and professional indemnity insurance, so long as they are undertaking their duties in good faith.

COMMUNITY ENGAGEMENT

Council held a consultation meeting on the formation of the Access and Safety Committee on 17 December 2019 and has incorporated the recommendations from the consultation into the Draft Terms of Reference. Former members of the Cumberland Access Committee and the Cumberland Community Safety and Crime Prevention Committee were invited to attend to provide input.

POLICY IMPLICATIONS

All Council Committees and members are expected to comply with Council's Code of Conduct and related policies, as well as the Council's Code of Meeting Practice when conducting meetings. All former and new Committee members upon each new term will be required to undertake compulsory induction training.

Council staff will provide administrative support to the Committee to ensure the appropriate governance requirements and protocols are followed.

RISK IMPLICATIONS

There are low risk implications associated with the operation of this Committee. The Access and Safety Committee provides an advisory function to Council. Committee members are covered by Council's public liability and professional indemnity insurance, so long as they are undertaking their duties in good faith.

FINANCIAL IMPLICATIONS

Council's Operational Budget provides funding for the administration and operation of the Committee. Members of the Access and Safety Committee are not remunerated for their role on the Committee.

CONCLUSION

It is recommended that Council adopt the proposed Draft Terms of Reference and appoint the nominated community members listed in this report to the Access and Safety Committee.

ATTACHMENTS

1. Draft Terms of Reference - Cumberland Access and Safety Committee

DOCUMENTS ASSOCIATED WITH REPORT C02/20-357

Attachment 1

Draft Terms of Reference - Cumberland Access and Safety Committee

CUMBERLAND CITY COUNCIL

Draft Access and Safety Committee
TERMS OF REFERENCE

1. Purpose

The Access and Safety Committee is an advisory body to Cumberland City Council.

The purpose of the Committee is to:

- Assist Council to consult and respond to access and safety issues that impact on communities across the Cumberland Local Government Area.
- Provide advice on Council community infrastructure projects relating to access and safety.
- Provide community representation, advice and input to Council on the implementation and evaluation of Council's Disability Inclusion Action Plan 2017-2021, including Council's policies, strategies, services, programs, community events and engagement practices.
- Participate in community inclusion audits of Council services, facilities and events to identify and discuss potential solutions to address access and safety issues.

2. Membership

Membership of the Access and Safety Committee will consist of:

- Up to sixteen (16) community members or representatives.
- Up to two (2) Councillors.

Councillor members are to be elected by Council (Ordinary Meeting of Council). Membership can be altered at any time by Council resolution.

All community nominations for appointment to the Committee are to be formally submitted in writing to Council. Nominees must complete an Expression of Interest and declare formally, in writing to Council any potential conflicts of interest (such as being a member of other committees or other community affiliations) directly relating to the purpose of the Committee.

All nominations will be assessed by an internal panel of Council staff and recommendations made to Council. Committee membership will be formalised by resolution of Council.

Community membership of the Committee shall be for a period of up to two years and aligned to the term of Council.

Council staff will provide administrative support to the Access and Safety Committee and be in attendance at meetings as resource people. Representatives from Council's planning, engineering, capital works, community facilities, parks and recreation or other relevant service areas may be required to attend meetings (subject to availability) to provide technical expertise and advice.

3. Selection Criteria

To be eligible as a community representative, members must live, work, study or have connections to the Cumberland Local Government Area (LGA) and meet at least one of the following criteria:

- Be a person with disability or mobility restriction or represent a group of persons who have a disability or mobility restriction.
- Have demonstrated knowledge, skills or expertise in access and safety issues and in improving the physical environment in the Cumberland Local Government Area.

4. Meeting Attendance

Committee members are expected to attend all committee meetings where possible. If a Member is unable to attend, an apology is to be provided to the meeting Convenor prior to the meeting. A Member who fails to attend two (2) consecutive meetings without submitting a satisfactory explanation will forfeit his/her place on the Committee.

Where a Councillor cannot attend a meeting of the Committee, another person delegated by the Councillor may act as a Member of the Committee for that meeting. All other Councillors are able to attend Committee meetings as non-voting members.

5. Times and Places for Meetings

The Committee will meet quarterly. An extraordinary meeting may be called where circumstances warrant. Meetings may include face to face meetings or via online platform(s). Meetings will take place at accessible venues in the Cumberland Local Government Area.

6. Chairperson

The Chairperson will be nominated by the Committee. In his/her absence the Committee may elect another Chairperson.

7. Conflict of Interest & Pecuniary Interest

Committee members must tell the Committee Convenor of any conflicts of interest or pecuniary interest at the start of each meeting, or before discussion of a relevant agenda item or topic. Details of any conflicts of interest or pecuniary interest will be included in the meeting minutes.

If members or those invited to Committee meetings find they do have a real or perceived conflict of interest or pecuniary interest they are not allowed to be a part of Committee discussions on the issue.

8. Administration of the Committee

The Committee will be convened by a Council Officer from Council's Community Development Directorate. Other Council staff will attend meetings and provide advice to the Committee as required.

Council staff will provide the following administrative support to the Access and Safety Committee, as required:

- All correspondence to members of the Committee.
- Notification of times of meetings, meeting agenda and meeting venue.
- Preparation and distribution of minutes.
- Background reports and other information as required.
- Reports to Council.

9. Meeting Notifications, Agenda and Minutes

Council will notify members of the time and place of each meeting at least one week in advance, together with a copy of the agenda and any reports. Minutes will be sent out after each meeting.

A report on the Committee will be submitted every three (3) months to the next Ordinary Meeting of Council.

10. Expenses of Committee Members

Cumberland City Council does not authorise payment or provide remuneration to Committee members.

11. Insurance

Committee members are covered by Council's public liability and professional indemnity insurance, so long as they are undertaking their duties in good faith.

12. Media Contact

Committee members may not speak to the media on behalf of the Committee or Council without approval in advance from Council's Media Team.

13. Induction

Advisory Committees operate under Council's Corporate Governance Framework, including Council's Code of Conduct. New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

14. Standard Operating Procedures

All other procedures are to be in accordance with Council's Manual for Standard Operating Procedures and Code of Meeting Practice.

Item No: C02/20-358

CUMBERLAND HERITAGE COMMITTEE MEETING HELD 26 NOVEMBER 2019 AND LOWER PROSPECT CANAL HERITAGE NOMINATION REQUEST

Responsible Division: Environment & Planning
Officer: Director Environment & Planning
File Number: SC481
Community Strategic Plan Goal: *A resilient built environment*

SUMMARY

This report addresses the meeting of the Cumberland Heritage Committee held on 26 November 2019. As a quorum of Committee members was not achieved for this meeting, no formal meeting was conducted and no minutes are presented.

This report also outlines the external heritage consultant's advice to Council regarding the Lower Prospect Canal. The advice was sought in response to a request made by a community member that Council support nomination of the Lower Prospect Canal for National Heritage Listing. The advice indicates that the Lower Prospect Canal is unlikely to meet the threshold for national heritage listing. It is recommended that the nomination is not supported and that this advice is provided to the requestor.

RECOMMENDATION

That Council:

1. **Note that a formal meeting of the Cumberland Heritage Committee was not held and so no minutes are provided;**
2. **Note that the heritage consultant advice indicates that the Lower Prospect Canal is unlikely to meet the criteria threshold for National Heritage listing; and**
3. **Not proceed with a nomination for National Heritage Listing of the Lower Prospect Canal and that this advice is provided to the requestor.**

REPORT

Heritage Committee

The final meeting of the Cumberland Heritage Committee (the Committee) for 2019 was held on 26 November 2019 at the Merrylands Service Centre.

The meeting was attended by three (3) community representatives and three (3) Councillors. In accordance with the Terms of Reference for the Committee, as a quorum of Committee members was not achieved, no formal meeting was held and no minutes taken.

An informal discussion of attendees was held, including with the Committee's invited guest Mr Terry Kass, and an overview of current major planning projects that have heritage aspects, including the Cumberland LEP and DCP, and the status of the heritage study.

As this was the last meeting of this membership term of the Cumberland Heritage Committee, members were thanked for their involvement in the Committee. The establishment of a new term of the Committee and its membership, was considered by Council on 4 December 2019.

Lower Prospect Canal

The Lower Prospect Canal Reserve was listed on the State Heritage List in June 2015 and so is currently protected under the NSW *Heritage Act 1977*. At that time, Council indicated support for this State listing of the Reserve and offered resources to the nominee (Canal Reserve Action Group) to assist that nomination.

In March 2019, the then Mayor received a request from a community member seeking Council support for the nomination of the Lower Prospect Canal to the National Heritage List. The National Heritage List comprises those places of outstanding heritage significance to the nation and they are protected under the Australian *Environmental Protection and Biodiversity Conservation Act 1999*.

At present, water supply schemes that are currently on the National Heritage List are the Snowy Mountains Scheme and the Goldfields Water Supply Scheme, which have social, economic, political, and historic elements as well as technical engineering values for their listings.

Following this request, Council sought external advice from a heritage consultant on the potential merit of this proposed nomination, including whether the Lower Prospect Canal may or may not meet the criteria for the National Heritage List.

The consultant's advice has now been received and, from the assessment undertaken, concludes that it is unlikely that the Lower Prospect Canal (Reserve) would meet the threshold for National Heritage Listing. The assessment leading to that conclusion indicates;

- While the canal is important to the history and development of Sydney and the State, it is not necessarily of national significance.

- Other water supply systems across Australia may be older and/or have more technical merit for national listing than the Lower Prospect Canal.

- The Lower Prospect Canal is a part of a wider water supply system.

Furthermore, the Official Register of Engineering Heritage Site, managed by Engineers Australia industry group, identifies the Prospect Dam Complex including the Lower Prospect Canal as a heritage site, but not as a national heritage type.

Given the advice received, it is recommended that Council not to proceed with a nomination on the National Heritage List of the Lower Prospect Canal. It is further recommended a letter be sent to the requestor to advise of the outcome.

This subject request and the intention to seek external advice on this matter had been noted at a previous meeting of the Cumberland Heritage Committee. The outcome of the request as resolved by Council will also be advised to the Cumberland Heritage Committee. The committee will therefore be informed of the outcome of the request as resolved by Council.

COMMUNITY ENGAGEMENT

Nominations for membership of the 2020-2021 term of the Cumberland Heritage Committee were sought through an open public process. A report on this was provided to the Council Meeting of 4 December 2019.

A reply will be sent to the requestor on Council's decision on a nomination for National Heritage Listing of the Lower Prospect Canal. The Cumberland Heritage Committee will also be advised of this outcome.

POLICY IMPLICATIONS

There are no policy implications for Council associated with this report should the recommendation be adopted that the nomination of the Lower Prospect Canal as a national heritage listing could not proceed.

Should Council wish to support the nomination, Council may be requested to provide resources towards that nomination as was done for the State Heritage List.

RISK IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Funding for the external specialist heritage advice on the potential nomination for the Lower Prospect Canal was provided through existing budget allocations.

CONCLUSION

The Cumberland Heritage Committee met on 26 November 2019. However as a quorum of Committee members was not achieved, no formal meeting was held and no minutes prepared. Informal discussions including commentary from the guest speaker and planning projects update were held.

Following a community member request to Council to support the nomination of the Lower Prospect Canal to the National Heritage List, external heritage consultant advice was sought and indicated that the threshold for national heritage listing was unlikely to be met. It is recommended that Council not proceed with the nomination of the Lower Prospect Canal for National Heritage Listing.

ATTACHMENTS

Nil