

An Electronic Extraordinary Meeting of Cumberland Local Planning Panel will be held at 11:30am via Zoom on Wednesday, 3 June 2020.

Business as below:

Yours faithfully

Hamish McNulty  
General Manager

## ORDER OF BUSINESS

1. Receipt of Apologies
2. Declaration of Interest
3. Address by invited speakers
4. Reports
  - Development Applications
  - Planning Proposals
5. Closed Session Reports





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Item No: ELPP025/20

## **CUMBERLAND LOCAL ENVIRONMENTAL PLAN - POST EXHIBITION REPORT AND PROPOSED CHANGES IN RESPONSE TO FURTHER REVIEW AND SUBMISSIONS**

Responsible Division:	Environment & Planning
Officer:	Executive Manager City Strategy
File Number:	CS-202

### **SUMMARY:**

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This report outlines proposed changes to the draft Cumberland Local Environmental Plan (LEP) following receipt of a Gateway Determination and in response to submissions from public exhibition. The changes include the Council officer response to the Panel's pre-exhibition advice, changes to selected administrative items and various minor site-specific changes in response to submissions received. It is recommended that the Panel support the proposed changes to be included in the Cumberland LEP.

### **REPORT:**

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#### ***Background***

Council commenced preparation of the new Cumberland Local Environmental Plan (LEP) in 2019 with the focus on harmonising the planning controls of the existing Auburn, Parramatta, and Holroyd LEPs into a single set of planning controls for Cumberland.

The proposal was reported to the Cumberland Local Planning Panel in February 2020 with a recommendation to proceed to the next stage for a Gateway Determination. The Panel supported the Council officer recommendation.

A Gateway Determination was received in March 2020, and the Planning Proposal for the draft Cumberland LEP was publicly exhibited in April and May 2020.

The status of the planning proposal is provided in Figure 1 below.

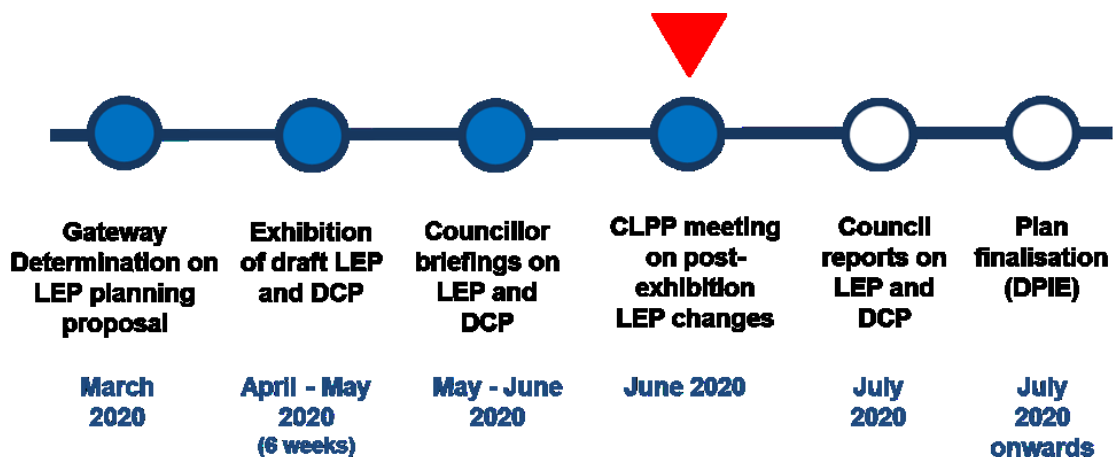


Figure 1: Planning proposal status

### Draft Cumberland Local Environmental Plan (LEP)

The Planning Proposal for the new Cumberland LEP describes how the provisions of the Auburn, Parramatta, and Holroyd LEPs, as they currently apply to the Cumberland local government area, will be consolidated to provide a single planning framework for all of Cumberland City.

The Planning Proposal includes:

- Harmonising existing planning controls into a single planning framework
- A consistent minimum lot size for dual occupancy development in Cumberland of 585 square metres
- Targeted changes to planning controls at selected locations, including Auburn Town Centre, Lidcombe Town Centre, Parramatta Road Corridor, Woodville Road Corridor, and government owned sites
- New Cumberland Heritage List, with the proposed delisting of nine heritage items that no longer meet the NSW heritage criteria for assessing heritage significance
- Consistent planning approach for places of public worship
- Consistent planning approach for sex services premises

Where no changes are proposed, the existing planning controls will carry over into the new planning controls for Cumberland City.

### Public Exhibition

The Planning Proposal for the draft Cumberland LEP was exhibited for a period of six weeks, from 1 April to 8 May 2020, in accordance with the requirements of the Environmental Planning and Assessment Act (1979) (refer to Attachment 1).

Exhibition material was made publicly available in electronic form on Council's website. Council also wrote directly to landowners and occupiers throughout Cumberland City.

Due to Covid-19, Council was required to change how we typically consult and connect with our community in relation to planning matters. The restrictions around social distancing necessarily meant greater reliance on online and phone communication to ensure we were able provide information and continue to offer opportunities for people to have their say on the draft plans.

### Public Submissions

During the public exhibition period, 168 individual submissions on the draft LEP were received. Council officers also fielded numerous phone calls during the exhibition period, assisting residents and stakeholders with their enquiries.

Recurring themes and messages raised in the public submissions included:

- Support planning for strategic corridors and centres
- Support for higher densities around stations/transport nodes
- Amenity concerns with high density development – referencing COVID-19 social distancing requirements and the need for adequate open space
- Sustainability and climate change concerns
- Zoning and land use permissibility concerns – ensuring sufficient diversity in housing provision
- General comments concerning traffic and local road networks

### Public Authorities

The Gateway Determination also required Council to consult with the following public authorities:

- Transport for NSW
- Roads and Maritime Services
- Sydney Trains
- City of Parramatta Council
- Department of Premier and Cabinet – NSW Heritage
- Environment, Energy and Science Group
- Sydney Water

Transport for NSW made a submission providing collated comments from across the Transport cluster (including Roads and Maritime Services and Sydney Trains). In particular, TfNSW advised that consideration of the additional public infrastructure associated with the targeted changes to planning controls at selected locations, including Auburn Town Centre, Lidcombe Town Centre, Parramatta Road Corridor,

Woodville Road Corridor should be undertaken as part of the LEP process, and not left to the development application stage. Council will continue to work with TfNSW to demonstrate that the proposed changes within the Parramatta Road Corridor will result in no net increase to traffic generation, prior to finalisation of the LEP (in accordance with condition 2 of the Gateway Determination).

The other listed authorities did not make a submission.

### **Site specific requests**

A number of site specific requests for zoning and/or planning control changes were received during the public exhibition of the new Cumberland LEP. These submissions have been considered on their merit and categorised into one of four streams, as outlined in Table 1 below.

<b>Categories of site specific requests for zoning changes</b>	<b>No. of sites</b>	<b>Locations</b>
Stream 1: Include in new Cumberland LEP	12	Various sites across Cumberland
Stream 2: Consider in Council's future work program of planning reviews for strategic corridors and centres	66	Strategic corridors and centres identified in Cumberland 2030: Our Local Strategic Planning Statement
Stream 3: Further review of future planning proposal if submitted to Council as an owner initiated planning proposal	28	Various sites across Cumberland
Stream 4: No further action at this time	9	Various sites across Cumberland
Total	115 (including 64 early LEP submissions)	

Table 1: Categories of site specific requests for zoning changes

This approach to the categorisation of site specific submissions was previously endorsed by Council following consideration of early LEP feedback in September 2019 (Council Report Item No. C09/19-218). Those early LEP submissions have been included in the overall tally of submissions for Streams 2 and 3.

In accordance with Council's endorsed approach, it is proposed that:

- The requests identified in Stream 1 are included as part of the new Cumberland LEP. Further details of these requests are outlined in this report.
- The requests identified in Stream 2 are considered as part of Council's work plan in 2020/21 and 2021/22 following the completion of the new Cumberland LEP.

Applicants on these sites may also choose to progress through a planning proposal request ahead of this timeframe.

- The requests identified in Stream 3 can be further reviewed by Council as part of an applicant initiated planning proposal. The timing of any such proposal would be dependent on the intention of the applicant in regard to their site specific request for zoning changes.

### ***Post Exhibition Review and Proposed Changes to the Cumberland LEP***

Following the completion of the public exhibition process, a detailed review has been undertaken. The review considered submissions received and other items identified by Council, including the Council officer response to the Cumberland Local Planning Panel's pre-exhibition advice, administrative items associated with the LEP and various site specific requests for zoning and/or planning control changes.

#### Proposed changes following advice from Cumberland Local Planning Panel

Following consideration of pre-exhibition advice from the Panel, the following changes are proposed to be included in the Cumberland LEP as outlined in Table 2.

<b>Advice from Cumberland Local Planning Panel</b>	<b>Proposed Approach</b>
<b>Preliminary matters</b> <ul style="list-style-type: none"> <li>• Aims of the plan – include an additional aim <i>'To encourage and promote development that is environmentally sustainable'</i></li> </ul>	<ul style="list-style-type: none"> <li>• Include new aim in final LEP</li> </ul>
<b>Land Use Table</b> <ul style="list-style-type: none"> <li>• Consider places of public worship in the Business Zones</li> <li>• Consider sex services premises in the B4 and B6 Zones</li> <li>• Review the applicability of waste land use definitions to ensure consistency between industrial zones</li> </ul>	<ul style="list-style-type: none"> <li>• No change</li> <li>• No change</li> <li>• Review and update Land Use Table</li> </ul>
<b>Principal development standards</b> <ul style="list-style-type: none"> <li>• Building heights and FSRs – include an additional objective <i>'To minimise the visual impact of development and ensure sufficient solar access and privacy for neighbouring properties is achieved'</i></li> </ul>	<ul style="list-style-type: none"> <li>• Include new objective in final LEP</li> </ul>

<p><b>Miscellaneous provisions</b></p> <ul style="list-style-type: none"> <li>• Miscellaneous permissible uses – increase gross floor area of kiosks to 50sqm</li> <li>• Architectural roof features – delete objective ‘e’ as it does not encourage innovation in roof design</li> </ul>	<ul style="list-style-type: none"> <li>• Include change in final LEP</li> <li>• Remove objective from final LEP</li> </ul>
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Table 2: Proposed changes following advice from Cumberland Local Planning Panel

Proposed administrative changes

Following further review by Council officers and consideration of submissions, the following administrative changes are proposed to be included in the Cumberland LEP as outlined in Table 3.



Issue	Description	Proposed Approach
Exclusions to development standards under Clause 4.6	<ul style="list-style-type: none"> <li>• Clause 4.6 exceptions currently limited to:               <ul style="list-style-type: none"> <li>– Development standards for certain subdivisions in rural and environmental zones</li> <li>– Development standards for complying development</li> <li>– In connection with BASIX commitments</li> <li>– Clause.5.4 Miscellaneous permitted uses</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Additional exclusions to be added to Clause 4.6 of Cumberland LEP:               <ul style="list-style-type: none"> <li>○ clause 2.5 (additional permitted uses for particular land)</li> <li>○ clause 2.6(2) (subdivision of secondary dwellings not permitted)</li> <li>○ clause 2.8(3) (heads of consideration for the temporary use of land)</li> <li>○ clause 3.2 (complying development references contained within the LEP)</li> <li>○ clause 3.3(f) (environmentally sensitive areas exclusions)</li> <li>○ clause 5.19 (pond based, tank based and oyster aquaculture permitted without consent in certain zones)</li> <li>○ clause 6.1 (acid sulphate soils – where consent is required and not required)</li> <li>○ clause 6.20 (urban heat management – heads of consideration for granting of development consent)</li> <li>○ Schedule 1 – additional permitted uses (these standards are used to determine the</li> </ul> </li> </ul>

		<p>permissibility of specific development types)</p> <ul style="list-style-type: none"> <li>○ Schedule 3 – complying development (complying development references contained within the LEP)</li> </ul>
<p>Application of B6 Enterprise Corridor zone in former Holroyd area</p>	<ul style="list-style-type: none"> <li>• Mays Hill and Finlayson Transitway Precincts currently permit residential/shop-top housing in B6 zoned land</li> <li>• B6 zoned land in Merrylands town centre (Neil Street, and Merrylands Road west of Burford Street) that permits residential/shop-top housing</li> <li>• B6 zoned land at Great Western Highway / Pendle Way that permits residential/shop-top housing</li> </ul>	<ul style="list-style-type: none"> <li>• Retain B6 zoning and include local provision to allow shop-top housing, consistent with DCP controls</li> <li>• Rezone identified B6 zoned land in Merrylands town centre to B4 Mixed Use to allow shop-top housing</li> <li>• Rezone identified B6 zoned land on Great Western Highway / Pendle Way to B1 Neighbourhood Centre</li> </ul>
<p>Planning controls for places of public worship</p>	<ul style="list-style-type: none"> <li>• Sites may lose continued permissibility of place of public worship when included as part of a proposed redevelopment</li> </ul>	<ul style="list-style-type: none"> <li>• Additional permitted use identified for sites where redevelopment proposed and identified by landowners (eg. Lidcombe Town Centre)</li> </ul>
<p>Application of FSR incentives for certain land uses in the B6 zone along Parramatta Road corridor</p>	<ul style="list-style-type: none"> <li>• FSR incentives do not apply to proposed B1 zones</li> </ul>	<ul style="list-style-type: none"> <li>• Update orange edging on FSR map to reflect revised boundary of B6 zone</li> </ul>
<p>Further development uplift in town centres</p>	<ul style="list-style-type: none"> <li>• Requests for amended planning controls to support development uplift in town centres</li> </ul>	<ul style="list-style-type: none"> <li>• Include local provision for development uplift, subject to satisfactory arrangements</li> </ul>

Table 3: Proposed administrative changes to Cumberland LEP

Proposed site-specific changes in response to submissions

It is recommended that the site specific requests for zoning changes in Stream 1 are endorsed for inclusion in the Cumberland LEP (refer to detail provided at Attachment 2). These requests, outlined in Table 4, are for minor zoning and/or planning control changes to address particular issues and anomalies, and that will have only a minor impact on the overall plan.

<b>Site address</b>	<b>Proposal</b>	<b>Reasons</b>
58-66 Toongabbie Road, Toongabbie	R3 to R4 with corresponding increase in height and FSR	Minor zoning anomaly in the context of surrounding land. Within walking distance of local centre and train services
12-18 Octavia Street, Toongabbie	R2 to R4 with corresponding increase in height and FSR	Minor zoning anomaly in the context of surrounding land. Within walking distance of local centre and train services
11-13 Bransgrove Street and 4-8 Irwin Place, Wentworthville	R2 to R4 with corresponding increase in height and FSR	Minor zoning anomaly in the context of surrounding land Within walking distance of local centre and high frequency bus services
233-249 Merrylands Road, Merrylands	Review FSR controls	Minor FSR anomaly in the context of application of planning controls on the site. Located in town centre and within walking distance to train services
242-252 Pitt St, Merrylands	Proposed increase in height and FSR	Minor height and FSR change in the context of town centre. Located within walking distance to train services
101-123 Parramatta Road and 58-66 Adderley Street, Lidcombe	Include 'specialised retail premises' as an Additional Permitted Use on the Domayne holding	Minor impact with inclusion of additional permitted use, consistent with current land use activities and future plans for the site
400-426 Merrylands Road, Merrylands West	Proposed increase in height and FSR	Minor height and FSR anomaly in the context of surrounding land. Located in neighbourhood

		centre with bus services accessing key centres
6 Burnett Street and 2 Ruth Street, Merrylands West	R2 to B1 with corresponding increase in height and FSR	Minor zoning anomaly in the context of surrounding land. Located in neighbourhood centre with bus services accessing key centres
55 Fox Hills Crescent, Toongabbie	Include 'health services facility' as an Additional Permitted Use on part of the site	Minor impact with inclusion of additional permitted use, supporting the provision of health-related services in the Cumberland area
131-141 and 138-140 Woodville Road, Merrylands and 112-116 Elizabeth St, Granville	R2 to R4 with corresponding increase in height and FSR	Minor zoning anomaly in the context of surrounding land on Woodville Road. Located in strategic corridor with bus services accessing key centres
Lidcombe Hospital precinct	Identify three Nurses Quarters Buildings as individual heritage items	Request from property owner, consistent with State Heritage Listing and local heritage status of area
246-260 Woodville Road, 2-16 Lansdowne Street and 19 Highland Street, Guildford	Clarifications on planning controls applicable on site, consistent with development concept for site	Request from property owner, consistent with strategic intent and development outcomes for Merrylands East centre

Table 4: New minor zoning changes to be included in Cumberland LEP (post-exhibition)

### Next Steps

Following consideration by the Cumberland Local Planning Panel, a report will be provided to Council for consideration, including a summary of issues raised in submissions as well as other proposed amendments to the draft Cumberland LEP following exhibition. This report will seek Council's endorsement of the proposed approach and a resolution to finalise the draft Cumberland LEP, in line with agreed State government milestones. The advice of the Panel will form part of this report.

### CONCLUSION:

The report outlines proposed changes to the draft Cumberland Local Environmental Plan (LEP) following receipt of a Gateway Determination and in response to

submissions from public exhibition. It is recommended that the Panel support the proposed changes to be included in the Cumberland LEP.

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**COMMUNITY ENGAGEMENT:**

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An extensive program of consultation on the draft planning proposal for the new LEP was undertaken from April to May 2020. Stakeholder consultation with the government agencies, as required by the conditions of the Gateway Determination, was also undertaken

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**POLICY IMPLICATIONS:**

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

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**RISK IMPLICATIONS:**

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Council is required to submit a planning proposal on the new Cumberland LEP to the Department of Planning Infrastructure and Environment for finalisation by mid-2020. The release of funds from the accelerated Local Environmental Plan Funding Grant provided by the NSW Government is also linked to this milestone. As such, consideration of this matter cannot be deferred or delayed.

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**FINANCIAL IMPLICATIONS**

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Work undertaken on the Cumberland LEP, including strategic studies and planned community consultation activities, is funded by the accelerated Local Environmental Plan Funding Grant provided by the NSW Government.

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**REPORT RECOMMENDATION:**

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**That the Cumberland Local Planning Panel (CLPP):**

- 1. Note the outcomes of the exhibition of the draft Cumberland LEP.**
- 2. Support the proposed changes to be incorporated into the draft Cumberland LEP prior to finalisation.**

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**ATTACHMENTS**

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1. Cumberland LEP Planning Proposal (as exhibited) [!\[\]\(5d60fe8e38bc12bfb78103fc624e324c\_img.jpg\)](#) 
2. New minor zoning changes to be included in Cumberland LEP (post-exhibition) [!\[\]\(643201da8ca427135d452a5259d9e20e\_img.jpg\)](#) 



DOCUMENTS  
ASSOCIATED WITH  
REPORT ELPP025/20

Attachment 1  
Cumberland LEP Planning  
Proposal (as exhibited)







CUMBERLAND  
CITY COUNCIL

## **PLANNING PROPOSAL**

### **DRAFT CUMBERLAND LOCAL ENVIRONMENTAL PLAN**

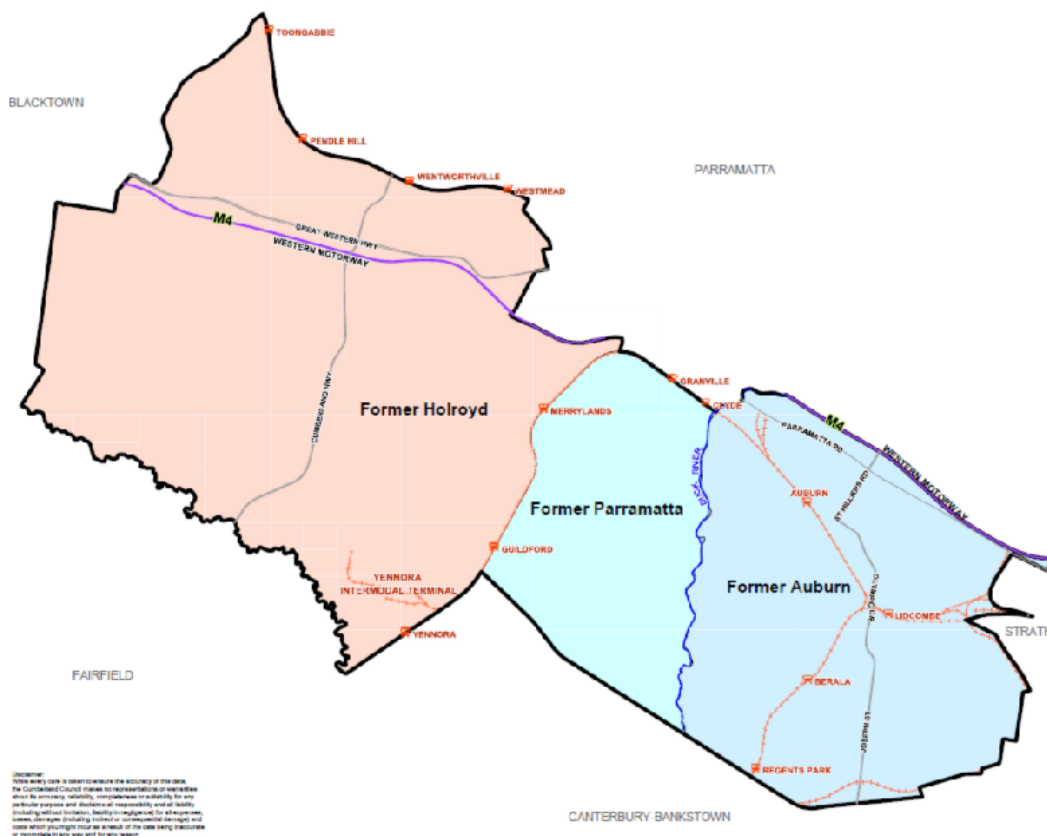
**March 2020  
(Gateway Submission)**

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## EXECUTIVE SUMMARY

Cumberland City Council was proclaimed on 12 May 2016, comprising of the majority of the former Holroyd City Council, approximately two thirds of the former Auburn City Council (south of the M4) and the Woodville Ward of the former Parramatta City Council. As a result, the Cumberland Local Government Area (LGA) covers more than 72 sq.km stretching from Rookwood Cemetery in the east, along the M4 Motorway and Western Rail Line in the north, and Prospect Creek in the south to Prospect Hill in the west – refer to map below.



Cumberland City Council is currently operating under three separate Local Environmental Plans, which represent the planning controls for the Cumberland local area prior to amalgamation. These include:

- i. *Auburn Local Environmental Plan (ALEP) 2010*, which applies to land in the former Auburn City Council area (eastern part of Cumberland)
- ii. *Parramatta Local Environmental Plan (PLEP) 2011*, which applies to land in the former Parramatta City Council area (central part of Cumberland)
- iii. *Holroyd Local Environmental Plan (HLEP) 2013*, which applies to land in the former Holroyd City Council area (western part of Cumberland).

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.

This Planning Proposal seeks to harmonise the three existing LEPs applying to Cumberland City with the aim of creating a consolidated and clear planning framework under a single Cumberland LEP.

The Planning Proposal has been prepared by Cumberland City Council and describes the proposal to consolidate the planning controls of the former Auburn, Parramatta and Holroyd Councils as they apply to land in Cumberland City. It has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* and the relevant the Department of Planning, Industry and Environment's guidelines, including:

- A Guide to Preparing Local Environmental Plans
- A Guide to Preparing Planning Proposals
- LEP Roadmap: Guidelines for updating LEPs to give effect to the District Plans in the Greater Sydney Region.

The Planning Proposal applies to all land in Cumberland City.

### **Planning context**

Changes to the *Environmental Planning and Assessment Act 1979* in March 2018 require all metropolitan councils to review and amend their existing LEPs to make sure they align with the relevant District Plan and Greater Sydney Region Plan. Cumberland has been identified as a priority council by the Greater Sydney Commission meaning it must complete the LEP review within two years (by 30 June 2020).

Council is taking the opportunity presented by the LEP review process to harmonise the provisions of the three legacy LEPs operating across Cumberland City into a single set of planning controls under a consolidated Cumberland LEP.

### **Council resolutions**

The Planning Proposal has been prepared in accordance with Council's resolutions on 18 September 2019 and 4 March 2020 (copies provided at Attachments 1 – 3).

### **Supporting documentation**

The Planning Proposal is supported by the following documentation:

- Attachment 1 – C09/19-218 Early Consultation for the New Cumberland Local Environmental Plan, 18 September 2019
- Attachment 2 – C09/19-219 Planning Proposal for the New Cumberland Local Environmental Plan, 18 September 2019
- Attachment 3 – C03/20-288 Update on Planning Proposal for the New Cumberland Local Environmental Plan, 4 March 2020
- Attachment 4 – Background Report: Cumberland Local Environmental Plan Harmonisation
- Attachment 5 – Auburn Town Centre Planning Controls Strategy
- Attachment 6 – Lidcombe Town Centre Planning Controls Strategy
- Attachment 7 – Auburn and Lidcombe Town Centres: Urban Form Modelling
- Attachment 8 – Auburn and Lidcombe Town Centres: Indicative Development Potential
- Attachment 9 – Proposed zoning changes for the Merrylands East Centre
- Attachment 10 – Proposed planning approach for the Woodville Road Corridor
- Attachment 11 – Proposed planning approach for the Parramatta Road Corridor
- Attachment 12 – Proposed planning controls for Schedule 5 of the new Cumberland LEP
- Attachment 13 – Summary table of proposed miscellaneous (site specific) zoning and/or planning control changes

Attachment 14 – Planning Proposal - Minimum lot area for Low and Medium Density dual occupancy housing

## PART 1 OBJECTIVES OR INTENDED OUTCOMES

This Planning Proposal seeks to facilitate a new Local Environmental Plan (LEP) for Cumberland which provides the key planning controls for the area, including land use activities, zoning, building heights and density.

A single Cumberland LEP will simplify the planning process by reducing the number of planning instruments applicable to land in the Cumberland LGA, removing duplication of planning controls and aligning, where possible, the land uses and controls within the current instruments. The new LEP is not intended to be a comprehensive review of all planning controls, but a consolidation of the existing LEPs applicable across the Cumberland local area. The approach to the harmonisation (merge) of Cumberland's three legacy LEPs into a single consolidated Plan is summarised 'in principle' below.

**Principle 1:** As far as practicable, apply the same planning approach across the LGA (focus on creating a consistent set of general land use policies and development controls for Cumberland).

**Principle 2:** Adopt Standard Instrument LEP clauses as required, with local content included where possible.

**Principle 3:** Use 'best-fit' to retain/continue current planning outcomes in instances where the existing Cumberland LEPs do not align.

**Principle 4:** Introduce new policy/planning approach only if appropriate.

In addition to harmonising the existing LEPs, the planning proposal seeks to implement a targeted range of other strategic planning work that has been substantially progressed as separate and individual projects, including:

- i. Revised planning controls for the Auburn and Lidcombe Town Centres (implementation of the Auburn and Lidcombe Town Centres Planning Controls Strategies, adopted by Council on 21 August and 4 September 2019 respectively, and considered by the CLPP on 20 June 2019).
- ii. Minimum lot sizes for dual occupancy development, by providing a consistent lot size across the Cumberland area (adopted by Council on 19 June 2019, and considered by the CLPP on 15 May 2019)
- iii. Targeted changes to planning controls along the Parramatta and Woodville Road Corridors (as previously considered and adopted by Council on 3 July 2019).
- iv. Stage 1 of the Cumberland Heritage Study, including the proposed de-listing of 9 properties that have been assessed as no longer meeting the NSW heritage criteria for assessing heritage significance (delisting of properties adopted by Council on 4 September 2019).
- v. Miscellaneous minor zoning and/or planning control changes. In particular, the planning proposal seeks to clarify the land use permissibility of government owned land, and address selected site specific anomalies on privately owned sites, through appropriate minor zoning and/or planning control changes in various locations across Cumberland.

Details and justification for these changes are outlined below and in the respective attachments to this Planning Proposal.

The draft Cumberland LEP may also be amended prior to being made to incorporate any proposed amendments to the Auburn, Parramatta and/or Holroyd LEP, if the amendment to the existing instrument is made prior to the making of the Cumberland LEP.

Note: Any draft proposed LEP clauses will be subject to legal drafting and may change under this process.

#### **Auburn Town Centre Planning Controls Strategy**

The Planning Proposal seeks to implement the recommendations of the Auburn Town Centre Planning Controls Strategy to support better built form design outcomes that will contribute to the quality of amenity and public domain in the area.

The primary focus of the strategy and proposed changes to planning controls is to better align the zoning, height and density controls (floor space ratios) to enable a broader range of building design options to be realised. The proposed controls provide better opportunities for innovation in the built form in the town centre, and contribute to the quality of amenity and public domain within the Cumberland area.

A copy of Council report and resolution C08/19-176 in support of the Auburn Town Centre Planning Controls Strategy is provided at Attachment 5. Indicative urban form modelling in support of the proposed changes is also provided at Attachment 7. An indication of development potential within the town centre under both the existing and proposed planning controls is provided at Attachment 8. Specific details of the proposed planning controls changes are shown on the draft LEP maps.

#### **Lidcombe Town Centre Planning Controls Strategy**

The Planning Proposal seeks to implement recommendations of the Lidcombe Town Centre Planning Controls Strategy. The strategy supports better built form design outcomes that will contribute to the quality of amenity and public domain in the area.

The primary focus of the strategy and proposed changes to planning controls is to better align the zoning, height and density controls (floor space ratios) to provide better opportunities for built form within the projected dwelling capacity without increasing density. The proposed controls provide better opportunities for innovation in the built form in the town centre, and contribute to the quality of amenity and public domain within the Cumberland area.

A copy of Council report and resolution C09/19-189 in support of the Lidcombe Town Centre Planning Controls Strategy is provided at Attachment 6. Indicative urban form modelling in support of the proposed changes is also provided at Attachment 7. An indication of development potential within the town centre under both the existing and proposal planning controls is provided at Attachment 8. Specific details of the proposed planning controls changes are shown on the draft LEP maps.

#### **Merrylands East Centre (John Cootes site)**

The Planning Proposal seeks to rezone the Merrylands East Centre (John Cootes Site) at 264 Woodville Road, Merrylands, from B4 Mixed Use to part B2 Local Centre and part RE1 Public Recreation to reflect Council's strategic approach to local centres and objectives of the Central City



District Plan. A copy of Council report and resolution C02/29-15 outlining the proposed zoning changes is provided at Attachment 9.

**Targeted changes to planning controls along the Parramatta Road Corridor**

The Planning Proposal seeks to implement part of the NSW Government's Parramatta Road Urban Transformation Strategy. In particular, the planning proposal seeks to:

- i. introduce B1 Neighbourhood Centre zones on corners at Parramatta Road/Silverwater Road and Parramatta Road/Hampstead Road,
- ii. introduce a B6 Enterprise Corridor zone along St Hilliers Road, and
- iii. revise FSR and height of building controls (as mapped) for the introduced B1 and B6 zones in accordance with the Strategy.

Inclusion of these proposed changes is subject to NSW government approval.

**Planning controls for existing medium and high density residential development along the Woodville Road Corridor**

The Planning Proposal seeks to rezone various sites along the Woodville Road Corridor from R2 Low Density Residential to either R3 Medium Density or R4 High Density Residential to reflect existing approved development, with corresponding changes to building height and floor space ratio controls consistent with similar developments in the area. A copy of Council report and resolution C07/19-131 outlining the proposed planning approach for the Woodville Road Corridor is provided at Attachment 10.

**Cumberland Heritage Study Stage 1**

The Planning Proposal seeks to implement the recommendations of Stage 1 of the Cumberland Heritage Study, involving a review of all existing heritage items (including conservation areas) listed in the Auburn, Holroyd and Parramatta LEPs and located in the Cumberland LGA. This includes the proposed de-listing of 9 properties that no longer meet the NSW heritage criteria for assessing heritage significance (ie. the Planning Proposal does not seek to carry-over these properties to the new Cumberland LEP).

The 9 properties that will not be carried over as heritage items for the new Cumberland LEP are:

- i. 36 and 38 Jamieson Street, Granville
- ii. 10 William Street, Granville
- iii. 9-11 Woodville Road, Granville
- iv. 4 Myall Street, Merrylands
- v. Guildford Railway Station, Railway Terrace, Guildford
- vi. 1-7 Neil Street, Merrylands (Millmaster Feeds Site)
- vii. 34 Garfield Street, Wentworthville
- viii. 15 Abbott Street, Merrylands
- ix. 70 Jersey Road, South Wentworthville

A copy of the Council report and resolution C09/19-193 outlining the proposed planning controls for Schedule 5 of the new Cumberland LEP is provided at Attachment 12.

**Miscellaneous minor zoning and/or planning control changes**

The Planning Proposal seeks to clarify the land use permissibility of government owned land, and address selected site specific anomalies on privately owned sites, through appropriate and minor zoning changes and/or planning controls changes in various locations across Cumberland. This includes changes on land owned by Sydney Water and Sydney Trains. A summary table of proposed site specific zoning and/or planning control changes is provided at Attachment 13. Specific details of the proposed planning controls changes are shown on the draft LEP maps.





## PART 2 EXPLANATION OF PROVISIONS

The objectives and intended outcome of this Planning Proposal will be facilitated by the preparation of a single LEP in accordance with the Standard Instrument (LEP) Order 2006, which harmonises and consolidates the planning controls within the following documents currently in force across the Cumberland LGA:

- i. *Auburn Local Environmental Plan 2010*
- ii. *Parramatta Local Environmental Plan 2011*
- iii. *Holroyd Local Environmental Plan 2013*

Each of the existing LEPs were prepared in the Standard Instrument LEP format. However, they include objectives and clauses in addition to those mandated in the Standard Instrument LEP and therefore differ in various ways. For the most part, the content and controls generally align in so far as application and intent. Where there is a fundamental difference across the three LEPs, particularly in the case of the land use tables and principal development standards, for the purpose of harmonisation and consolidation the Standard Instrument LEP approach will prevail and/or the provision has been adjusted so that a 'best fit' approach applies.

The proposed contents of the new Cumberland LEP as a result of this Planning Proposal are as follows:

### Part 1 Preliminary

Part 1 of the consolidated Cumberland LEP covers a range of preliminary matters including the overall aims of the Plan, where the Plan applies, relationships with other instruments as well as transitional arrangements. Most items in this part are compulsory clauses under the Standard Instrument LEP and must be included in the new Cumberland LEP. Where appropriate, the Planning Proposal seeks to include specific content relevant to the Cumberland local area.

An explanation of proposed clauses to be included in Part 1 of the new Cumberland LEP is provided below.

#### **Name of Plan**

The Plan will be called the *Cumberland Local Environmental Plan 2020*.

#### **Commencement**

The Plan will commence on the day on which it is published on the NSW legislation website.

#### **Aims of Plan**

The aims of the Plan, being a consolidation of the aims of the existing three LEPs and updated to reflect the future desired direction for Cumberland, are:

- a) Establish a planning framework for sustainable land use and development in Cumberland
- b) Provide for a range of land uses and developments in appropriate locations across the Cumberland area
- c) Facilitate economic growth and employment opportunities in Cumberland
- d) Protect and enhance the natural, built and cultural heritage of the Cumberland area
- e) Support the provision of community facilities and services in Cumberland to meet the needs of residents, workers and visitors

**Land to which Plan applies**

The land to which the Plan applies will be shown on the Land Application Map and includes the whole of the Cumberland LGA.

**Definitions**

This clause will be as per the Standard Instrument LEP. The clause references the Dictionary to be included at the end of the Plan to define certain words and expressions.

**Notes**

This clause will be as per the Standard Instrument LEP. This is an advisory clause only.

**Consent authority**

Council will be the consent authority for the purposes of the Plan (subject to the Act).

**Maps**

This clause will be as per the Standard Instrument LEP.

**Repeal of planning instruments applying to land**

This clause will be as per the Standard Instrument LEP.

**Application of SEPPs**

This clause will be as per the Standard Instrument LEP.

**Savings Provision**

The Planning Proposal seeks to include a savings provision within the new Cumberland LEP to ensure that any development applications which were submitted prior to the [gazetted] Plan will be decided in accordance with the current LEPs in force.

## Part 2 Permitted or Prohibited development

Part 2 of the consolidated Cumberland LEP provides information on permitted or prohibited development, including land use zones and the application area for zones. Reference is also made to the Land Use Table, which outlines the zone objectives, permitted land uses and prohibited land uses. Most items in this part are compulsory clauses under the Standard Instrument LEP and must be included in the new Cumberland LEP. Where appropriate, the Planning Proposal seeks to include specific content relevant to the Cumberland local area.

An explanation of proposed clauses to be included in Part 2 of the new Cumberland LEP is provided below.

### Land use zones

This clause will include a list of all zones used across the existing three LEPs, as follows:

#### **Residential Zones**

R2 Low Density Residential  
R3 Medium Density Residential  
R4 High Density Residential

#### **Business Zones**

B1 Neighbourhood Centre  
B2 Local Centre  
B4 Mixed Use  
B5 Business Development  
B6 Enterprise Corridor

#### **Industrial Zones**

IN1 General Industrial  
IN2 Light Industrial

#### **Special Purpose Zones**

SP1 Special Activities  
SP2 Infrastructure

#### **Recreation Zones**

RE1 Public Recreation  
RE2 Private Recreation

#### **Environment Protection Zones**

E2 Environmental Conservation

#### **Waterway Zones**

W1 Natural Waterways

The Planning Proposal does not seek to introduce any new zones, or remove any existing zones as applicable to the Cumberland LGA.

### Zoning of land to which Plan applies

This clause will be as per the Standard Instrument LEP. The clause states that land is within the zones shown on the Land Zoning Map.

The Planning Proposal does not seek to change the zoning of most of the land that is already zoned under the Auburn, Parramatta or Holroyd LEPs within the Cumberland LGA. The Planning Proposal seeks to continue the existing application of zones for the new Cumberland LEP Land Zoning Maps, as far as possible. In instances where zoning changes are proposed to be made, these are identified in this Planning Proposal.

**Zone objectives and Land Use Table**

This clause will be as per the Standard Instrument LEP. The clause references the Land Use Table and requires the consent authority to have regard to the objectives for development in a zone when determining a development application.

**Unzoned Land**

This clause will be as per the Standard Instrument LEP. The clause states that consent is required for development on unzoned land.

**Additional permitted uses for particular land**

This clause will be as per the Standard Instrument LEP. The clause allows the consent authority to grant consent for particular development not otherwise permitted in a zone. The clause refers to Schedule 1 which will include all additional permitted uses that currently apply to land in Cumberland under the existing Auburn, Parramatta and Holroyd LEPs.

**Subdivision – consent requirements**

This clause will be as per the Standard Instrument LEP. The clause requires development consent for land to be subdivided, and specifically excludes subdivision of land comprising secondary dwellings unless each resulting lot achieves the applicable minimum lot size.

**Demolition requires development consent**

This clause will be as per the Standard Instrument LEP. The clause requires development consent for demolition of a building, unless identified as exempt development under Schedule 2 or the Exempt and Complying Development Codes SEPP 2008.

**Temporary use of land**

This clause allows development consent to be granted for a temporary use provided it does not compromise future development of the land, or cause any detrimental economic, social, amenity or environmental effects. Both the Auburn LEP 2010 and Parramatta LEP 2011 stipulate 28 days as the maximum period of development consent for a temporary use in any zone. The Holroyd LEP allows up to 52 days.

The Planning Proposal seeks to include 52 days as the maximum period of development consent for a temporary use in any zone in the new Cumberland LEP. This approach is consistent with the suggested approach in the Standard Instrument LEP and will further reduce the regulatory burden in the former Auburn and Parramatta LEP areas to facilitate opportunities for creative and artistic expression and participation, consistent with the Liveability Priorities (Action 14) of the Central City District Plan.

## Land Use Table

The Planning Proposal seeks to merge the Land Use Table provisions in the existing Auburn, Parramatta Holroyd LEPs to form a combined and consistent suite of land use zones for the new Cumberland LEP.

In preparing the Land Use Table, a general rule of permissibility retention has been used. This means that the permissible land uses in most zones proposed for the new Cumberland LEP are a combination of the permissible land uses of the existing LEPs that apply in the Cumberland area. For example, if a use is permissible within a zone under the current Auburn, Holroyd or Parramatta LEPs, it is generally proposed to be permitted within that zone under the new Cumberland LEP. However, some changes to the permissible or prohibited uses within each zone are necessary to establish consistent controls for each land use zone.

## Open and closed zones

In preparing the Land Use Table, Council has considered whether a zone should be open or closed. An open zone is one where a broad variety of land uses can be considered allowing greater flexibility and minimising the need to undertake 'spot rezonings'. A closed zone is one where the diversity of land uses is more restrictive, meaning development types are chosen primarily from only one or two key 'group' terms.

Where the Planning Proposal seeks to adopt an 'open' approach, the Land Use Table for that zone will:

- specifically list any mandated or other uses that may be undertaken without consent under Item 2 'Permitted without consent'
- specifically list any mandated or other land uses as prohibited under Item 4 'Prohibited'
- specifically list any mandated or other uses in Item 3 'Permitted with consent' to achieve the zone objectives. In addition, the zone table will include the words 'Any development not specified in Item 2 or 4.'

Where the Planning Proposal seeks to adopt a 'closed' approach, the Land Use Table for that zone will:

- specifically list any mandated or other uses that may be undertaken without consent under Item 2 'Permitted without consent'
- specifically list any mandated or other land uses as permitted with consent under Item 3 'Permitted with consent' to achieve the zone objectives
- specifically list any mandated land uses as prohibited in item 4 and add 'Any development not specified in Item 2 or 3'.

The Planning Proposal seeks to include the following approach to the Land Use Table for the new Cumberland LEP, based on the recommended approach in the Department of Planning, Industry and Environment's LEP Practice Note PN 11-002 and the principle of maintaining consistency and permissibility retention across the three existing LEPs as far as possible:

Zone	Approach to Land Use Table
<b>Residential Zones</b>	
R2 Low Density Residential	Closed
R3 Medium Density Residential	Closed
R4 High Density Residential	Open
<b>Business Zones</b>	

B1 Neighbourhood Centre	Closed
B2 Local Centre	Open
B4 Mixed Use	Open
B5 Business Development	Open
B6 Enterprise Corridor	Open
<b>Industrial Zones</b>	
IN1 General Industrial	Open
IN2 Light Industrial	Open
<b>Special Purpose Zones</b>	
SP1 Special Activities	Closed
SP2 Infrastructure	Closed
<b>Recreation Zones</b>	
RE1 Public Recreation	Closed
RE2 Private Recreation	Closed
<b>Environment Protection Zones</b>	
E2 Environmental Conservation	Closed
<b>Waterways Zones</b>	
W1 Natural Waterways	Closed

#### Key land use considerations

In harmonising and consolidating the existing Auburn, Parramatta and Holroyd LEPs, several key land use issues were identified. The Planning Proposal seeks to address them as follows:

#### Places of Public Worship

The permissibility of places of public worship currently varies across the existing three LEPs. They are permissible uses in all the residential, business and industrial zones under the Auburn and Holroyd LEPs. Under the Auburn LEP, places of public worship are also permissible within the SP1 Special Activities, SP2 Infrastructure, RE1 Public Recreation and RE2 Private Recreation zones. The Parramatta LEP does not permit places of public worship within the R2 Low Density Residential zone. Where existing places of public worship are located within a low-density residential area in the Parramatta area, they are zoned SP1.

The Planning Proposal seeks to adopt the Standard Instrument LEP approach to the permissibility of places of public worship for the new Cumberland LEP by permitting them with consent only in the R3, R4, IN1 and IN2 zones (and specifically prohibiting them in all other zones). This will protect the amenity of low density residential areas in all of Cumberland by prohibiting the development of places of public worship in the R2 zone while continuing to permit them only where they are compatible with both the existing and future desired character of the area.

Existing sites identified as SP1 Place of Public Worship in the Parramatta LEP, within low density residential areas, will assume the adjacent zoning at that location. Existing use rights will permit the continuation of current approved places of public worship in the R2 zone under the new Cumberland LEP. This approach is appropriate to allow for a transition of land to the new preferred planning outcomes.

In addition, the Planning Proposal seeks to include a special local provision in the new Cumberland LEP that sets a minimum lot size of 2,000 sq.m for places of public worship in the R3 and R4 zones, along with urban design considerations for development assessment. This will be reinforced by the inclusion of the following additional objective in the land use table for the R3 and R4 zones:



- to ensure that non-residential land uses are located in a context and setting that minimises impacts on the amenity of the surrounding residential environment.

The LEP control will be supported by detailed Development Control Plan provisions relating to locational requirements, site coverage, setbacks, built form, car parking and traffic management, landscaping, amenity, operational management and the like, to be prepared and considered separately to this Planning Proposal.

#### **Residential Flat Buildings**

Residential flat buildings (RFBs) are currently permitted within the R4 zone in all three LEPs, whereas only Auburn LEP permits RFBs in the B1 and B2 zones. Both Parramatta and Auburn LEPs currently permit RFBs in the B4 Zone. Only the Holroyd LEP permits RFBs within the B6 zone.

The objectives of the B6 zone are to promote business and provide a range of employment uses. In addition, one of the key messages of *Cumberland 2030: Our Local Strategic Planning Statement* is to 'promote access to local jobs'. A continued increase in residential development within business zones has the potential to create a negative impact. In addition, RFBs often do not include active ground floor street frontage which especially within the B4 zone can have a negative impact on the vibrancy, amenity and economic offering of the zone. The Planning Proposal therefore seeks to prohibit RFBs within the B4 and B6 zones in the new Cumberland LEP to support these outcomes.

#### **Seniors housing**

Seniors Housing can either be specifically permissible within land use zones or, in certain circumstances approved under *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*. The Policy encourages the provision of housing for seniors and people with a disability in areas where this form of housing might otherwise not be permissible. It specifically applies to land zoned for urban purposes where dwellings houses, residential flat buildings, hospitals and special uses are permissible.

The Planning Proposal seeks to include 'seniors housing' as a specifically permitted use in the B4 zone to ensure that this form of housing can continue to be located on sites that are accessible to shops, services, health care, social and recreation facilities.

#### **Sex services premises**

Sex services premises are currently permissible in the IN1 zone under the Auburn LEP, and in both the IN1 and IN2 zones under the Parramatta LEP. Sex services premises are prohibited in all zones under the Holroyd LEP, with the exception of a handful of sites identified in Schedule 1 Additional permitted uses.

The Planning Proposal seeks to permit sex services premises with consent in the IN1 zone only, and specifically exclude them elsewhere in the new Cumberland LEP. The Planning Proposal will also continue to allow sex services premises on sites currently listed in Schedule 1 of the Holroyd LEP.



### Part 3 Exempt and complying development

Part 3 and associated Schedules 2 and 3 of the new Cumberland LEP specify development types which may be undertaken as either Exempt (which does not require an approval from Council) or Complying Development (certain development that can be undertaken subject to a limited approval) and subject to *State Environmental Planning Policy (Exempt and Complying Development) 2008*. All items in this Part and Schedules are compulsory and must be included in the LEP.

An explanation of proposed clauses to be included in Part 3 of the new Cumberland LEP is provided below.

#### **Exempt development**

The Planning Proposal does not seek to introduce any new controls for exempt development. It relies upon the provisions of Schedule 2 and *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. The range of exempt land uses to be included in the new Cumberland LEP is consistent with the existing three LEPs.

#### **Complying development**

The Planning Proposal does not seek to introduce any new controls for complying development. It relies upon the provisions of Schedule 3 and *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. The range of complying land uses to be included in the new Cumberland LEP is consistent with the existing three LEPs.

#### **Environmentally sensitive areas excluded**

This clause will be as per the Standard Instrument LEP. The clause defines an 'environmentally sensitive area' where exempt or complying development must not be carried out.

#### Part 4 Principal development standards

Part 4 of the new Cumberland LEP provides key development standards relating to the use of land. Many of the provisions are optional under the Standard Instrument LEP, but if adopted contain standard content that can be tailored to local conditions. The Planning Proposal seeks to include a range of principal development standards in the new Cumberland LEP based on the following principles:

- i. Apply a consistent planning approach across the Cumberland area as far as practicable
- ii. Adopt Standard Instrument LEP clauses as required, with local content included where possible
- iii. Use 'best-fit' to retain/continue current planning outcomes in instances where the existing LEPs operating in Cumberland do not align
- iv. Introduce new policy or planning approach only if appropriate.

The Planning Proposal seeks to continue the relevant principal development standards included in the existing Auburn, Parramatta and Holroyd LEPs to the new Cumberland LEP largely unchanged. An explanation of proposed clauses to be included in Part 4 of the new Cumberland LEP is provided below.

#### Minimum subdivision lot size

This clause allows Council to identify subdivision lot sizes for the Cumberland LGA on the Lot Size Map for the new LEP. The clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent.

Currently the three LEPs contain different objectives for this clause. The Planning Proposal seeks to include a consolidated and consistent set of clause objectives in the new Cumberland LEP, as follows:

- a) to ensure that lot sizes can accommodate development consistent with relevant development controls
- b) to ensure that subdivision of land is able to support the objectives of the relevant land use zone
- c) to prevent fragmentation of land that would preclude the achievement of the land uses or development desired in a given locality
- d) to ensure that new subdivisions reflect characteristic lot sizes and patterns of the area.

In addition, the Planning Proposal seeks to continue certain development and site specific controls from the Auburn and Parramatta LEPs relating to dwelling houses, battle-axe lots, subdivision of dual-occupancies and the former Lidcombe Hospital site.

#### Minimum subdivision lot size for community title schemes

This clause seeks to ensure that land is not fragmented by subdivisions that would create additional dwelling entitlements. The clause enables the consent authority to control the size of lots under community title schemes through the Minimum Lot Size Map. Currently only the Holroyd LEP has adopted this provision. The Planning Proposal seeks to include this clause in the new Cumberland LEP.

#### Height of buildings

This clause allows Council to identify building heights for the Cumberland LGA on a Height of Buildings Map in the LEP. The objectives of the clause currently differ across the three LEPs, with the Parramatta LEP including more detail with an additional focus on preservation of historic views and

existing character. The Holroyd and Auburn LEPs both promote appropriate development which is compatible with the character of the locality. The Holroyd LEP also focusses on solar access and privacy.

The Planning Proposal seeks to consolidate the objectives and controls from the three LEPs, as follows:

- a) to establish a framework of building heights that achieve appropriate urban form and density
- b) to ensure that the height of buildings is compatible with the character and scale of the locality
- c) to minimize the visual impact of development and ensure sufficient solar access and privacy for neighbouring properties

In addition, the Planning Proposal seeks to continue specific provisions for key sites and the Parramatta Road Precinct from the Parramatta and Auburn LEPs respectively into the new Cumberland LEP.

#### **Floor space ratio**

This clause allows Council to identify floor space ratios in the Cumberland LGA on a Floor Space Ratio Map in the LEP. The Planning Proposal seeks to consolidate the objectives and controls from the existing three LEPs, as follows:

- a) to establish a framework of floor space ratios that achieve appropriate urban form and density
- b) to ensure that development intensity reflects its locality

Both the Auburn and Holroyd LEPs include development and site specific controls for certain areas including the former Lidcombe Hospital site, Parramatta Road Precinct and retail premises on land in the B6 zone. The Planning Proposal seeks to include these specific provisions in the new Cumberland LEP.

#### **Calculation of floor space ratio and site area**

This clause will be as per the Standard Instrument LEP. The clause sets out additional provisions for the purposes of applying floor space ratios to development sites.

#### **Exceptions to development standards**

This clause will be as per the Standard Instrument LEP. The clause allows for development consent to be granted even though the development would contravene a development standard imposed by this or any other environmental planning instrument.

## Part 5 Miscellaneous provisions

Part 5 of the new Cumberland LEP provides specialised provisions to address local issues. The proposed miscellaneous provisions for inclusion in the new Cumberland LEP are based on the following general rules of retention:

- i. Additional local provisions and additional permitted uses will generally be retained
- ii. New provisions that address specific local circumstances will be included where justified, such as a result of relevant planning components of Council's local strategic planning
- iii. Additional permitted use provisions may be used to allow certain land uses/development on land where they would otherwise be prohibited, subject to conditions.

The key miscellaneous provisions identified in the existing LEPs will be included in the new Cumberland LEP largely unchanged. An explanation of proposed clauses to be included in Part 5 of the new Cumberland LEP is provided below.

### Relevant acquisition authority

This clause will be as per the Standard Instrument. The clause will contain a consolidated list of acquisition authorities from the three existing LEPs. The Planning Proposal will not change the existing acquisition liabilities across the existing Auburn, Parramatta and Holroyd LEP areas, which will be reflected in the new Cumberland LEP.

### Classification and reclassification of public land

This clause will be as per the Standard Instrument. The clause enables Council to classify or reclassify public land as operational land or community land in accordance with the LG Act. The land to be reclassified or classified is described in Schedule 4 of the LEP. The Planning Proposal does not seek to classify or reclassify any public land. Schedule 4 will therefore appear blank when the new Cumberland LEP is made.

### Development near zone boundaries

This clause provides flexibility to allow a use that is permitted on one side of a zone boundary to occur on the immediate other side if this would enable a more logical and appropriate development of the site, provided that it is compatible with the objectives of both zones.

The existing Auburn, Parramatta and Holroyd LEPs include different distances within which this clause applies. The Planning Proposal seeks to include this clause to apply to land that is within 20 m of a boundary between any two zones, consistent with the existing Auburn LEP approach. This permits flexibility to offset the limitations of broad LGA/Precinct-scale zone mapping, or to address changes in development needs and/or market conditions over time.

### Controls relating to miscellaneous permissible uses

This clause enables Council to insert numerical standards for certain types of development to reflect the unique characteristics of the Cumberland LGA. The existing Auburn, Parramatta and Holroyd LEPs include different controls for the various uses to which this clause applies. The Planning Proposal seeks to adopt a moderate approach to miscellaneous permissible use controls for inclusion in the new Cumberland LEP, as follows:

<i>Bed and breakfast accommodation</i>	not more than 3 bedrooms
<i>Home businesses</i>	not more than 30 sq.m of floor area
<i>Home industries</i>	not more than 30 sq.m of floor area
<i>Industrial retail outlets</i>	not more than 10% of gross floor area

<i>Farm stay accommodation</i>	not more than 3 bedrooms
<i>Kiosks</i>	not more than 10 sq.m of floor area
<i>Neighbourhood shops</i>	not more than 80 sq.m of retail floor area
<i>Neighbourhood supermarkets</i>	not to exceed 1,000 sq.m of floor area
<i>Roadside stalls</i>	not more than 8 sq.m of gross floor area
<i>Secondary dwellings</i>	not more than 10% of total floor area of principal dwelling
<i>Artisan food and drink industry exclusion</i>	not more than 10% or 400 sq.m (whichever is the lesser) of the gross floor area to be used for retail sales

#### **Architectural roof features**

This clause enables consent to be granted to development that includes an architectural roof feature which exceeds the height limits set elsewhere in the Plan. The clause is consistent across the existing Auburn, Parramatta and Holroyd LEPs. The Planning Proposal seeks to include this clause in the new Cumberland LEP.

#### **Conversion of fire alarms**

This clause will be as per the Standard Instrument LEP. The clause specifies when consent is required for the conversion of fire alarm systems, and which development is complying development.

#### **Heritage conservation**

This clause will be as per the Standard Instrument LEP. The objective of the clause is to conserve the environmental heritage of the Cumberland LGA, including individual items, conservation areas, archaeological sites, Aboriginal objects and Aboriginal places of heritage significance. The clause is consistent across the existing Auburn, Parramatta and Holroyd LEPs. The Planning Proposal seeks to include this clause in the new Cumberland LEP. Heritage items and conservation areas will be listed and described in Schedule 5 of the Cumberland LEP and shown on the Heritage Map.

#### **Bush fire hazard reduction**

This clause will be as per the Standard Instrument LEP. The clause makes it clear that bush fire hazard reduction work which is authorised by the Rural Fires Act 1997 can be carried out without consent.

#### **Infrastructure development and use of existing buildings of the Crown**

This clause will be as per the Standard Instrument LEP. The clause specifies that nothing in the Plan in any way restricts or prohibits permitted or exempt development undertaken by or on behalf of a public authority under *State Environmental Planning Policy (Infrastructure) 2007*.

#### **Pond-based, tank-based and oyster aquaculture**

This clause will be as per the Standard Instrument LEP. The clause seeks to encourage sustainable oyster, pond-based and tank-based aquaculture in the State. Location and operational requirements for permissible pond-based and tank-based aquaculture development are set out in Schedule 6 of the LEP.



## Part 6 Local provisions

Part 6 of the new Cumberland LEP provides additional specialised provisions to address local issues. The proposed specialised provisions for inclusion in the new Cumberland LEP are based on the following general rules of retention:

- a) Existing Local Provisions and Additional Permitted Uses will generally be retained
- b) Additional local provisions that address specific local circumstances where justified – such as a result of relevant planning components of Council’s local strategic planning
- c) Additional permitted use provisions may be used to allow certain land uses/development on land where they would otherwise be prohibited (subject to conditions)

The key specialised provisions identified in the three existing LEPs will be included in the new Cumberland LEP largely unchanged. An explanation of proposed clauses to be included in Part 6 of the new Cumberland LEP is provided below.

### **Acid sulfate soils**

This clause seeks to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage. The clause is based on the model local clause provided by Parliamentary Counsel’s Office and is generally consistent across the existing Auburn, Parramatta and Holroyd LEPs. The Planning Proposal seeks to include this clause in the new Cumberland LEP. It does not seek to change the intent or operation of the clause as it currently applies to land identified on the Acid Sulfate Soils Maps under the existing LEPs.

### **Biodiversity**

This clause seeks to maintain terrestrial and aquatic biodiversity by protecting native fauna and flora, protecting the ecological processes necessary for their continued existence, and encouraging the conservation and recovery of native fauna and flora and their habitats.

The Planning Proposal seeks to consolidate the existing clauses relating to ‘terrestrial biodiversity’ and ‘biodiversity protection’ from the Parramatta and Holroyd LEPs respectively, due to their similarity, for inclusion in the Cumberland LEP. The Planning Proposal does not seek to change the intent or operation of the clause as it currently applies to land identified on the Remnant Native Vegetation or Biodiversity Maps under the existing Parramatta and Holroyd LEPs.

### **Buffer area between industrial and residential zones**

This clause seeks to preserve the amenity of existing residential dwellings, without preventing the operation of general industrial land uses on adjacent land in the Smithfield/Greystanes area. The Planning Proposal seeks to include this clause in the new Cumberland LEP, to apply to land currently identified on the Holroyd LEP Site Specific Provisions Map.

### **Design excellence**

Design excellence has been identified as a key focus for the Cumberland LGA. Currently on the Holroyd LEP includes design excellence provisions which specifically relate to parts of the Merrylands Centre.

The Planning Proposal seeks to include continue the existing Holroyd LEP design excellence provisions in the new Cumberland LEP, as follows:

- To apply to development on land identified on the Design Excellence Map
- To ensure that development exhibits the highest standard of architectural and urban design
- Development must be endorsed by the Cumberland Design Excellence Panel

- Allow potential variance for development of up to 10% additional building height and/or up to 0.5:1 additional FSR.

**Development in the Commercial Precinct**

This clause permits retail premises in the B6 zone in the vicinity of Parramatta Road and St Hilliers Road, Auburn. The Planning Proposal seeks to include this clause in the new Cumberland LEP, to apply to land currently identified on the Auburn LEP Key Sites Map. The Planning Proposal does not seek to change the intent or operation of the clause.

**Development of certain land at 1A and 1B Queen Street, Auburn**

This clause applies to land zoned R4 at 1A and 1B Queen Street, Auburn. The clause seeks to protect the amenity of adjoining lower density residential areas by requiring the consent authority to take into consideration the likely height and design impacts of any proposed building on the site. The Planning Proposal seeks to include this clause in the new Cumberland LEP.

**Development on land at 42-44 Dunmore Street, Wentworthville**

This clause applies to land at 42-44 Dunmore Street, Wentworthville. The clause provides scope for additional FSR if a development on the land comprises at least 4,000 sq.m of commercial space above the ground floor, and a supermarket of at least 4,000 sq.m within the building. The Planning Proposal seeks to include this clause and FSR mapping in the new Cumberland LEP. The Planning Proposal does not seek to change the intent or operation of the clause which currently exists in the Holroyd LEP.

**Earthworks**

This clause seeks to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land. It also allows earthworks of a minor nature without requiring separate development consent.

The clause is common to and generally consistent across the existing Auburn, Parramatta and Holroyd LEPs. The Planning Proposal seeks to include this clause in the new Cumberland LEP. It does not seek to change the intent or operation of the clause.

**Essential services**

This clause requires that development consent must not be granted to development unless the consent authority is satisfied that essential for the proposed development are available or that adequate arrangements have been made to make them available when required. The clause is common to and generally consistent across the existing Auburn, Parramatta and Holroyd LEPs. The Planning Proposal seeks to include this clause in the new Cumberland LEP. It does not seek to change the intent or operation of the clause.

**Flood planning**

This clause seeks to minimise the flood risk to life and property associated with the use of land, whilst allowing development that is compatible with the flood hazard, taking into account projected changes as a result of climate change, and avoid significant adverse impacts on flood behaviour and the environment. The clause is common to and generally consistent across the existing Auburn, Parramatta and Holroyd LEPs.

The Planning Proposal seeks to include this clause in the new Cumberland LEP, with a minor change to refer to land '*at or below the flood planning level*'. It is proposed to carry-over the existing Auburn LEP Flood Planning Map.

**Foreshore building line**

This clause to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area. The clause applies to land identified on the Foreshore Building Line Map. The Planning Proposal seeks to include this clause in the new Cumberland LEP. It also seeks to adopt the Auburn LEP approach of requiring the consent authority to take into consideration sea level rise, or change of flooding patterns as a result of climate change, before granting development consent. The Planning Proposal does not seek to change the intent or operation of the clause.

**Ground floor development in Zones B2 and B4**

This clause seeks to ensure that active uses are provided at street level in certain business zones to encourage the presence and movement of people. The Planning Proposal seeks to include this clause in the new Cumberland LEP. The Planning Proposal does not seek to change the intent or operation of the clause, except that it would apply to all B2 and B4 zones in the Cumberland LGA whereas currently only the Holroyd LEP adopts this clause.

**Location of sex services premises**

This clause seeks to minimise land use conflicts and adverse amenity impacts by providing a reasonable level of separation between sex services premises, specified land uses and places regularly frequented by children. The Planning Proposal seeks to include this clause in the new Cumberland LEP. It does not seek to change the intent or operation of the clause.

**Minimum lot area for low and medium density dual occupancy housing**

This clause will be consistent with the Council-led Planning Proposal seeking to introduce a minimum lot area for low and medium density dual occupancy housing in the Auburn and Holroyd LEP areas, currently awaiting finalisation by the Department of Planning, Industry and Environment.

The clause seeks to balance planned growth in our centres, by including a minimum lot size provision of 585 sq.m for dual occupancy development in the R2 and R3 zones to retain the general low-density scale and character of our suburbs. This approach is generally consistent with an existing provision in the Parramatta LEP and is intended to mitigate any unintended implications of the State Government's Low Rise Medium Density Housing Code on the amenity of our low and medium density residential zones, and on the capacity of local infrastructure.

A copy of the Council report and resolution C06/19-103 outlining the Planning Proposal for minimum lot area for low and medium density dual occupancy housing is provided at Attachment 14.

**Places of public worship in Zones R3 and R4**

This clause seeks to guide the appropriate location of places of public worship by setting a minimum lot size of 2,000 sq.m in the R3 and R4 zones. This will ensure that sites of places of public worship are appropriate with regard to the character and use of the area, and capable of containing the required parking and associated operational facilities on the site. The clause also seeks to protect the amenity of residential areas by requiring the consent authority to take into consideration the following before granting consent for a place of public worship in the R3 and R4 zones:

- a) the extent to which the place of public worship and its design will integrate into the locality
- b) the extent to which the proposed development will respond to the local character, and relate to the scale and streetscape of the locality
- c) the extent to which the residential amenity of the locality will be protected from detrimental traffic-related impacts and noise associated with the development.



The Planning Proposal seeks to include this new clause in the Cumberland LEP.

**Restricted premises**

This clause sets locational requirements for restricted premises to ensure that they do not impact on any nearby sensitive land uses. It also requires consideration of hours of operation of restricted premises. The Planning Proposal seeks to include this clause in the new Cumberland LEP.

**Riparian land and watercourses**

This clause seeks to protect and maintain the quality of watercourses and riparian areas. The clause applies to land identified on the Riparian Land and Watercourses Map. The Planning Proposal seeks to include this clause and mapping in the new Cumberland LEP.

**Salinity**

This clause seeks to provide for the appropriate management of land that is subject to salinity and the minimisation and mitigation of adverse impacts from development that contributes to salinity. The clause applies to land identified on the Salinity Map in the Holroyd LEP. The Planning Proposal seeks to include this clause and mapping in the new Cumberland LEP. The Planning Proposal does not seek to change the intent or operation of the clause.

**Stormwater management**

This clause seeks to minimise the impacts of urban stormwater on properties, native vegetation and receiving waters, and protect the environmental values of water identified for urban waterways in the Sydney Harbour and Parramatta River and Georges River catchments. The Planning Proposal seeks to include this clause and mapping in the new Cumberland LEP. The Planning Proposal does not seek to change the intent or operation of the clause.

**Urban heat management**

The Planning Proposal seeks to include controls that address urban heat management in the new Cumberland LEP. The proposed clause seeks to ensure that new development incorporates effective design and ongoing operation to reduce and remove urban heating from the environment and protects community health and wellbeing.

#### Schedule 1 Additional permitted uses

This Schedule outlines a range of additional permitted uses that are not identified in the Land Use Table or standard provisions for zoning and/or permitted land uses. The Planning Proposal seeks to continue the range of additional permitted uses for identified sites and locations in the Auburn LEP and Holroyd LEP. The Parramatta LEP does not include any additional permitted uses that are located within the area of the new Cumberland LEP.

The Planning Proposal seeks to merge the Schedule 1 planning provisions under the existing Auburn, Parramatta and Holroyd LEPs to form Schedule 1 under the proposed Cumberland LEP. The merge of Schedule 1 will result in no significant impacts as a result of the Planning Proposal.

#### Schedule 2 Exempt development

The Planning Proposal seeks to merge the Schedule 2 planning provisions under the existing Auburn, Parramatta and Holroyd LEPs to form Schedule 2 under the proposed Cumberland LEP. The merge of Schedule 2 will result in no significant impacts as a result of the Planning Proposal.

#### Schedule 3 Complying development

The Planning Proposal seeks to merge the Schedule 3 planning provisions under the existing Auburn, Parramatta and Holroyd LEPs to form Schedule 3 under the proposed Cumberland LEP. The merge of Schedule 3 will result in no significant impacts as a result of the Planning Proposal.

#### Schedule 4 Classification and reclassification of public land

This Schedule provides a location for Council to capture information on the classification and reclassification of public land as either community or operational land in accordance with the Local Government Act. This schedule will appear blank for the new Cumberland LEP but may be used during the life of the LEP should changes to public land classification be adopted by Council.

The Planning Proposal seeks to merge the Schedule 4 planning provisions under the existing Auburn, Parramatta and Holroyd LEPs to form Schedule 4 under the proposed Cumberland LEP. The merge of Schedule 4 will result in no significant impacts as a result of the Planning Proposal.

#### Schedule 5 Environmental Heritage

The Planning Proposal seeks to merge the Schedule 5 planning provisions under the existing Auburn, Parramatta and Holroyd LEPs to form Schedule 5 under the proposed Cumberland LEP. The exception is the removal of nine heritage items for existing LEPs, as an independent assessment has found that these items no longer meet the NSW heritage criteria for heritage significance.

#### Schedule 6: Pond-based and tank-based aquaculture

This Schedule provides further information on aquaculture activities, including site location and operational requirements. All items in this Schedule are compulsory and must be included in the LEP.

#### Dictionary

The Dictionary provides the definition for the range of land uses included in the LEP. The Dictionary is part of the Standard Instrument and unable to be amended.

### Maps

The Planning Proposal seeks to combine all mapping from the Auburn, Parramatta and Holroyd LEPs as relevant to the Cumberland local area into a consolidated set of maps.

## PART 3 JUSTIFICATION

## A Need for the Planning Proposal

**1. Is the Planning Proposal the result of any strategic study or report?**

The Planning Proposal has been prepared in accordance with the Department of Planning, Industry and Environment's document 'Guidance for merged councils on planning functions' on 12 May 2016.

This Planning Proposal will provide continuity of planning controls across the LGA and will ensure residents and the development industry have access to an integrated document that will guide the sustainable development of the LGA. It is needed so as to enable a single LEP for the LGA that provides a consistent approach to planning and development, that introduces new provisions that respond to the challenges of urban heat management and to update information held.

The resulting Cumberland LEP is to replace and supersede the existing three LEPs which have differences in their content and details to direct planning and development. It should be noted that in harmonising controls and other provisions into a single LEP, the wording of some provisions as currently exist have been reviewed and may be slightly modified or newly applied (extended) to some areas when 'carried across' to the Cumberland LEP so as to be appropriate to the Cumberland LGA and to result in that one consistent approach.

This Planning Proposal is supported by a technical analysis report being the '*Background Report: Cumberland Local Environmental Plan Harmonisation*' prepared by City Plan on behalf of Council (copy provided at Attachment 2).

The Planning Proposal, and in particular the objectives and intended outcomes and the explanation of provisions sections, have also been informed by the following specific studies and reports undertaken by Council addressing the Cumberland LGA:

- Local Housing Study
- Affordable Housing Study
- Traffic and Transport Study
- Employment and Innovation Lands Strategy and Land Use Planning Framework
- Bushfire Prone Land Study
- Heritage Study

The following other strategies and guidance prepared by Council have also been considered and incorporated as relevant to the LEP provisions as nominated in this Planning Proposal:

- Biodiversity Strategy
- Draft Open Space and Recreation Strategy
- Draft Community Facilities Strategy

Separate to the strategic studies and reports completed specific to the Cumberland LEP preparation, this planning proposal is also to implement other strategic planning activities that have gone through as separate and individual projects but are to be implemented under this Cumberland LEP Planning Proposal, including for the Auburn and Lidcombe Town Centres and parts of the ~~Parramatta Road~~ and Woodville Road Corridor.

The planning controls (including zoning, height of buildings, and reservation of land for public purposes) have recently been amended for the Merrylands Town Centre following an urban design and planning proposal process, and proposed changes are underway (through a separate planning

proposal process) for the Wentworthville Town Centre following the Revitalisation Project strategic planning work and may be finalised prior to the Cumberland LEP coming into force. As such no further revision of controls has been nominated for those two centres under this Planning Proposal.

Detailed place specific planning, drawing on background studies of this LEP, will be undertaken for other centres of the LGA to determine if any changes to planning controls are warranted, and this would form a subsequent stage activity with associated planning proposal and amendment to the Cumberland LEP. This new work is outside the scope and time available for this, essentially harmonisation, Planning Proposal.

**2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes or is there a better way?**

The subject Planning Proposal is the only means of delivering a new Cumberland LEP, which will include the merge of existing planning provisions contained within the current Auburn, Parramatta and Holroyd LEPs.

**B Relationship to Strategic Planning Framework**

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

**Regional Strategy - Greater Sydney Region Plan**

The Greater Sydney Region Plan, titled *A Metropolis of Three Cities*, is NSW's principal strategic plan to guide the future growth and development of Greater Sydney to 2056. The three cities of the Greater Sydney Region Plan are the Eastern Harbour City focused on the Sydney CBD and eastern suburbs, the Central River City focused on Greater Parramatta and the surrounding areas including the Cumberland LGA and the Western Parkland City focussed on the greater west and south-west areas including Penrith, Badgerys Creek Aerotropolis, and Campbelltown-Macarthur.

Achieving the vision and intent of the Greater Sydney Region Plan focuses on the elements of infrastructure and collaboration, liveability, productivity and sustainability; and identifies ten directions or outcomes. These directions under their respective elements are:

Infrastructure	Liveability	Productivity	Sustainability
A city supported by infrastructure	A city for people	A well connected city	A city in its landscape
A collaborative city	Housing the city	Jobs and skills for the city	An efficient city
	A city of great places		A resilient city

This Planning Proposal is consistent with the aims and objectives of the Greater Sydney Region Plan as it seeks to:

- Harmonise planning controls which will provide a consistent approach to planning and development across the LGA that will benefit residents, landowners, developers and Councils.
- Retain those provisions that may have been within only one or two LEPs, to make them available for application across the entire LGA.
- Retain the majority of the planning controls (zoning, maximum building height and floor space ratio) as currently given, with some exceptions noted below.



- In combination with the Local Strategic Planning Statement (LSPS), inform state government agencies of the location and scale of future development for the planning of infrastructure needs.
- Retain the focus of existing urban centres for higher residential and employment densities that provide services, facilities, social infrastructure as currently supported under the existing controls. Most of these urban centres also have public transport connections, in particular train stations, which provide access to key employment centres within the LGA, the Greater Parramatta area including Westmead and Sydney CBD. The proximity of higher density centres to public transport modes and issues of private vehicles in centres, encourages use of public transport by people.
- Retain and support lower scale residential development in suburbs surrounding centres. The scale of commercial and residential development as permitted under the controls reflects the relative significance and hierarchy of the centre to the LGA as well as to reflect its current and future character and aspirations, and support diversity of type and size.
- Implement the Parramatta Road Urban Transformation Strategy to provide additional housing and employment opportunities with access to urban centres for supporting services. This includes, for the Auburn Precinct in particular, the introduction of a B1 Neighbourhood Centre zoning for proposed small centres, introduce a B6 zoning along part of St Hilliers Road, and refine maximum building height and FSR controls in these rezoned areas.
- Implement amended controls, as initiated under the Auburn and Lidcombe Town Centres Strategy, to encourage redevelopment through enhanced feasibility potential and to achieve improved built form outcomes. These future enabled redevelopments will lead to increased housing and employment opportunities in these key centres that currently provide local services and transport options.
- Implement specific planning changes along the important Woodville Road corridor, including the planning controls for 264 Woodville Road Merrylands following its planning proposal process, and redress land use to zoning issues along parts of the road where previously permissible higher density developments exist within what is now an lower density zoning.
- Rezone specified land as requested by state agencies, which has been identified as surplus to requirements or for consistency of zoning of land holdings supporting operations. These specified lots are typically relatively small and, in the case of rezoning that applies the adjoining land zoning, would have negligible implications.
- Provide the same development types and to keep the current protections for open space lands including those identified for recreation use and as environmentally important lands including waterways and coastal management, having remanent vegetation and other biodiversity values. Protection of these lands will also enhance their value to the community and contribute to Sydney's Green Grid.
- Retain existing employment (industrial) lands which are in proximity to existing and established transport routes. The existing more traditional industrial lands and activities through permissible land use types per the existing LEPs are supported. Concurrently, the permissibility of land use types within industrial lands is proposed to be 'open' so as to support innovation, creative and technological opportunities as detailed in the EILS for uses

not specifically listed as prohibited in the LEP. Some ancillary uses within industrial lands are to be supported through the miscellaneous controls part of the LEP.

- Provide a new provision relating to urban heat management to reduce, remove or mitigate urban heat resulting from new developments and alterations to existing developments of specified types. This is increasingly recognised as an issue for the LGA and the western Sydney region and seeks to better manage this into the future.
- Update the list of heritage items in the LGA, so as to provide a current list of environmental heritage at schedule 5 of the Cumberland LEP. All currently listed heritage items in the LGA are to be carried across to the Cumberland LEP with the exception of nine items that have since been assessed as no longer having heritage significance. Further investigations of potential new items of environmental heritage are to be undertaken, and if any new items are confirmed for listing, will form a subsequent amendment to the Cumberland LEP.
- Provide new objectives to the Floor Space Ratio, Height of Building, and Exceptions to Development Standards provisions to ensure that new developments are appropriate to the place in which they are located, better manage the form of the urban design, and the resulting amenity for the community.
- Include 'seniors housing' as a specifically permitted use in the B4 Mixed Use zone to ensure that this form of housing can continue to be located on sites that are accessible to shops, services, health care, social and recreation facilities, and transport options to the wider area. This accessibility would benefit residents as well as staff. The B4 zoned land which is located within existing town centres in particular would meet this locational outcome.

#### Central City District Plan

The Greater Sydney Region Plan is supported by the Central City District Plan, which is the District encompassing the Cumberland LGA. The Central City District Plan seeks to implement a strategic and integrated approach to managing Greater Sydney's growth by linking State and regional level aspirations with LEPs, aligning land use decisions and infrastructure planning, and monitoring and reporting on the Plan's implementation. At a more local level, a primary focus of the Plan is to promote significant infrastructure investment and growth with Parramatta identified as Sydney's second CBD. Under the District Plan, Lidcombe is identified as a Local Centre.

The Planning Proposal is consistent with the District Plan in the same ways in that it is consistent with the Greater Sydney Metropolitan Plan as noted above. In summary, the Planning Proposal is to bring together and harmonise the existing three LEPs of the Cumberland LGA into a single LEP that provides a consistent approach to planning and development across Cumberland.

The Planning Proposal is also to implement the Parramatta Road Corridor Urban Transformation Strategy as applies to the LGA, in particular to the Auburn Precinct, to implement existing initiatives for the important Woodville Road Corridor including the Planning Proposal for 264 Woodville Road and to redress zoning anomalies for existing developments, and to implement Council resolved changes to planning controls for the Auburn and Lidcombe Town Centres to encourage redevelopment that will provide jobs, housing and (human and economic) activity, and improve built form outcomes.

Specific key relevant planning priorities and actions of the District Plan, and a response to these with respect of this Planning Proposal, are provided below.

**Table 1: District Plan – Planning Priorities**

Direction and Planning Priorities	Response
<b>Infrastructure and collaboration</b>	
<p>C1: Planning for a city supported by infrastructure</p> <p>C2: Working through collaboration</p>	<p>The Planning Proposal is to essentially harmonise the existing three LEPs (as applicable to the LGA) into a single consistent approach to planning and development across the LGA.</p> <p>The key exceptions to this are related to the implementation of the Parramatta Road Urban Transformation Strategy, revised planning controls (notable height of buildings) that were initiated under the Auburn and Lidcombe Town Centres Strategy and existing initiatives along the Woodville Road corridor, which will increase development potential through changes to planning controls as mapped for zoning, maximum building heights and FSR to support increased housing and economic activity.</p> <p>As such there will be minimal increased demand on infrastructure, other than those exceptions noted which themselves are all located within or accessible to town centres with services and have existing multiple mode choice transportation links.</p> <p>Some State agencies made submissions during the preliminary consultation on the future Cumberland LEP. These submissions sought rezoning of small parcels of land that were identified as either surplus to requirements or for consistency of zoning and use of land required for ongoing operational purposes. Where land is surplus to requirements, the nominated new zoning is typically per that of the adjacent lands. These requested rezonings have been incorporated into this Planning Proposal to support these stage agencies.</p> <p>This Planning Proposal, when on public exhibition, will be available to state government agencies that are responsible for planning and provision of infrastructure.</p>
<b>Liveability</b>	
<p><u>A city for people</u></p> <p>C3: Providing services and social infrastructure to meet people's changing needs</p> <p>Planning Priority C4: Fostering healthy, creative, culturally rich and socially connected communities</p>	<p>The Planning Proposal is to essentially harmonise the existing three LEPs (as applicable to the LGA) into a single consistent approach to planning and development across the LGA.</p> <p>The key exceptions to this are related to the:</p> <ul style="list-style-type: none"> <li>• Implementation of the Parramatta Road Strategy, which is to increase housing (amount and range) and employment/business opportunities in the corridor including to introduce B1 and B6 zoning in selected places and to amend height and FSR controls for these zones which will support the redevelopment envisaged by the Strategy.</li> <li>• As initiated under the Auburn and Lidcombe Town Centres Strategy and subsequently progressed through</li> </ul>
<p><u>Housing the city</u></p> <p>C5: Providing housing supply, choice and affordability with access to jobs, services and public transport</p>	
<p><u>A city of great places</u></p>	



<p>C6: Creating and renewing great places and local centres, and respecting the District's heritage</p>	<p>Council, to increase development potential in the Auburn and the Lidcombe town centres through changes to planning controls (notably maximum building height) to enable increased local human and economic activity as well as improve built form outcomes.</p> <ul style="list-style-type: none"> <li>• Implementing specific planning changes along the Woodville Road corridor, including the planning controls for 264 Woodville Road Merrylands following its planning proposal process, and redress zoning issues along parts of the road.</li> </ul> <p>The land uses permissible in the B4 zoning is to specifically include 'seniors housing' as a permitted use to ensure that this form of housing can continue to be located on sites that are accessible to shops, services, health care, social and recreation facilities, and transport options to the wider area . This accessibility would benefit residents as well as staff.</p> <p>The planning proposal seeks to provide new objectives to the Floor Space Ratio, Height of Building, and Exceptions to Development Standards provisions to ensure that new developments are appropriate to the place in which they are located, the form of the urban design and the resulting amenity for the wider community.</p> <p>The existing design excellence clause of the Holroyd LEP will be carried across to the Cumberland LEP. It is noted this may be applicable to other areas in the future.</p> <p>The Planning Proposal also addresses the heritage of the LGA. Following a technical study, all currently listed items of environmental heritage within the LGA are to be carried over to the Cumberland LEP, with the exception of those nine (9) items which were assessed as no longer having sufficient heritage value to warrant listing (including items demolished). Further investigations of potential new items of environmental heritage are to be undertaken, and if any new items are confirmed for listing, will form a subsequent amendment to the Cumberland LEP.</p> <p>The Planning Proposal does not specifically address the matter of affordable housing, however an affordable housing study has been commenced as part of the Cumberland LEP preparation project and recommendations would (if applicable) be progressed as an amendment to the future Cumberland LEP (ie. a later stage activity) when they can be given greater time to consider and address this important matter.</p>
<p><b>Productivity</b></p>	

<p><u>A well-connected city</u> C7: Growing a stronger and more competitive Greater Parramatta</p> <p><u>Jobs and skills for the city</u> C8: Delivering a more connected and competitive GPOP Economic Corridor C9: Delivering integrated land use and transport planning and a 30-minute city C10: Growing investment, business opportunities and jobs in strategic centres C11: Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land C12: Supporting growth of targeted industry sectors</p>	<p>The Planning Proposal is to essentially harmonise the existing three LEPs (applicable to the LGA) into a single consistent approach to planning and development across the LGA.</p> <p>The key exception/s to this are related to the implementation of the Parramatta Road Strategy, existing initiatives along Woodville Road corridor, and to implement amended controls for the Auburn and Lidcombe Town Centres. These will increase development potential through changes to planning controls to support increased human and economic activity and employment opportunities. These places are located on or near key transport routes including major roads and public train services connecting to key employment centres such as Parramatta, Westmead, and the Sydney CBD.</p> <p>The planning proposal seeks to retain the existing industrial and business zoned lands in the LGA, while nominating an 'open' approach to permissible land uses so as to enable innovative and non-traditional employment lands to be considered in employment zones.</p> <p>The planning proposal seeks to reinforce the employment and business type land uses of the B6 Enterprise Corridor zone by not permitting residential flat buildings in this zone. This is to ensure that employment opportunities are provided through appropriate uses in all developments in these zones.</p>
<p><b>Sustainability</b></p> <p><u>A city in its landscape</u> C13: Protecting and improving the health and enjoyment of the District's waterways C14: Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element C15: Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes C16: Increasing urban tree canopy cover and delivering Green Grid connections C17: Delivering high quality open space C18: Better managing rural areas</p> <p><u>An efficient city</u> C19: Reducing carbon emissions and managing energy, water and waste efficiently</p> <p><u>A resilient city</u></p>	<p>The Planning Proposal is to essentially harmonise the existing three LEPs (as applicable to the LGA) into a single consistent approach to planning and development across the LGA. As such the existing zonings for environmental conservation and public recreation will be retained.</p> <p>Those additional local provisions within Part 6 of the respective LEP specific to environmental matters that are applicable to the Cumberland LGA, such as terrestrial biodiversity/biodiversity protection, riparian land and water courses/water protection, and salinity, are to be carried across in essence to the Cumberland LEP and the existing mapped (applicable) areas will also be kept as-is and carried across. Noting some of these provisions are compulsory requirements of the Standard Instrument LEP, and so are incorporated into the Cumberland LEP.</p> <p>Providing a new provision under Part 6 of the LEP relating to urban heat management to reduce, remove or mitigate urban heat resulting from new developments and alterations to existing developments of specified types. Considerations within developments include materials, design to improved thermal performance, awnings, green infrastructure, and provision of open space.</p>

C20: Adapting to the impacts of urban and natural hazards and climate change	The majority of currently listed heritage items of the three LEPS, under Schedule 5, will be carried over to the new Cumberland LEP. It is noted that nine (9) items that have been assessed as no longer having heritage significance are not to be carried across to the Cumberland LEP
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#### 4. Is the Planning Proposal consistent with a local strategy or other local strategic plan?

##### Community Strategic Plan

Council's Community Strategic Plan 2017-27 '*Welcome, Belong, Succeed*' provides a 10-year strategic vision and planning framework for balancing its commitment to social cohesion, the local economy, the natural and built environments and the wider community. The key strategies relevant to the Planning Proposal are:

- Strategic Goal 1 – A great place to live
- Strategic Goal 2 – A safe accessible community
- Strategic Goal 3 – A clean and green community
- Strategic Goal 4 – A strong local community
- Strategic Goal 5 – A resilient built environment
- Strategic Goal 6 – Transparent and accountable leadership

The Planning Proposal is consistent with these overall strategic goals by:

- Providing a clear and consistent approach to planning and development across the LGA, to be supported by a new development Control Plan for the LGA.
- Providing a further opportunity for community involvement and input into the broad strategic planning across the LGA, in conjunction with as the external technical advice received, the reporting process and decisions of Council as part of the open and transparent planning proposal/LEP preparation process as set out by the NSW Government.
- Retain the existing business land use zones that apply to the majority of town centres across the LGA which support business, community services and other economic activities and have public transport nodes. To note that the planning controls for the Merrylands Centre have recently been amended to support redevelopment in this centre and a separate Planning Proposal process is occurring for the revitalisation of the Wentworthville Centre.
- The implementation of the Parramatta Road Urban Transformation Strategy with a focus within the Auburn Precinct, initiatives along the Woodville Road Corridor, amended controls for the Auburn and Lidcombe Town Centres (as initiated through the Council Strategy for those centres) through the Planning Proposal will support and enable redevelopment of these areas providing increased housing choice, employment opportunities and business diversification.
- Retaining the existing land use zones that apply across the LGA which include areas of public recreation and to protect areas of heritage and environmental value including waterways.
- Providing a new provision under Part 6 of the LEP relating to urban heat management to reduce, remove or mitigate urban heat resulting from new developments and alterations to existing developments of specified types. Considerations within developments include

materials, design to improved thermal performance, awnings, green infrastructure, and provision of open space.

- Providing new objectives to the Floor Space Ratio, Height of Building, and Exceptions to Development Standards provisions to ensure that new developments are appropriate to the place in which they are located, the form of the urban design and the resulting amenity for the wider community.
- Including 'seniors housing' as a specifically permitted use in the B4 Mixed Use zone to ensure that this form of housing can continue to be located on sites that are accessible to shops, services, health care, social and recreation facilities, and transport options to the wider area. This accessibility would benefit residents as well as staff. The B4 zoned land which is located within existing town centres in particular would meet this locational outcome.
- Permitting places of public worship within R3 and R4 zones, in addition to the industrial zones, so that such places are located in the vicinity of and accessible by the community, with an additional objective for those zones to manage any impacts and protect the amenity of those residential areas.

#### 5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal will not detrimentally impact on, and is considered to be consistent with the provisions of, relevant State Environmental Planning Policies (SEPPs) and Ministerial Directions.

In particular, the Planning Proposal is consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan (LUIIP) and related Ministerial Direction to implement the Interim Plan. The Planning Proposal achieves the overall intent of the LUIIP and does not undermine the achievement of its objectives, planning principles and priorities for the Greater Parramatta Priority Growth Area. The targeted changes to planning controls included in this Planning Proposal provides a mechanism to progress planning for the Parramatta Road Corridor and meet the NSW Government's Ministerial Direction.

Table 1 - Consistency with state environmental policies (SEPPs)

SEPP Title	Consistency	Comment
1. Development Standards Consistent	Yes	The Standard Instrument Clause 4.6 will supersede the SEPP.
19. Bushland in Urban Areas	Yes	The PP will not contain provisions that will contradict or would hinder the application of this SEPP.
21. Caravan Parks	N/A	Not applicable
33. Hazardous and Offensive Development Complex	Yes	The PP will not contain provisions that will contradict or would hinder the application of this SEPP.
36. Manufactured Home Estates	N/A	Not applicable
44. Koala Habitat Protection	N/A	Not applicable
47. Moore Park Showground	N/A	Not applicable
50. Canal Estate Development	N/A	Not applicable
55. Remediation of Land	Yes	The PP will not contain provisions that will contradict or would hinder the application of this SEPP

64. Advertising and Signage	Yes	The PP will not contain provisions that will contradict or would hinder the application of this SEPP
65. Design Quality of Residential Flat Development	Yes	The PP will not contain provisions that will contradict or would hinder the application of this SEPP
70. Affordable Housing (Revised Schemes)	No	The Planning Proposal does not specifically address the matter of affordable housing. However, an affordable housing study has been commenced as part of the LEP review and recommendations would (if applicable) be progressed as an amendment to the Cumberland LEP.
State Environmental Planning Policy (Aboriginal Land) 2019	N/A	Not applicable
State Environmental Planning Policy (Affordable Rental Housing) 2009	Yes	The PP will not contain provisions that will contradict or would hinder the application of this SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.
State Environmental Planning Policy (Coastal Management) 2018	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.
State Environmental Planning Policy (Concurrences) 2018	Yes	The PP will not contain provisions that will contradict or would hinder the application of this SEPP
State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017	Yes	Applicable and consistent.
SEPP (Exempt and Complying Development Codes) 2008	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.
SEPP (Housing for Seniors or People with a Disability) 2004	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.
SEPP (Infrastructure) 2007	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.
SEPP (Kosciuszko National Park-Alpine Resorts) 2007	N/A	Not applicable
State Environmental Planning Policy (Kurnell Peninsula) 1989	N/A	Not applicable
SEPP (Sydney Region Growth Centres) 2006	N/A	Not applicable
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.



State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007	N/A	Not applicable
State Environmental Planning Policy (Primary Production and Rural Development) 2019	Yes	The PP will not contain provisions that will contradict or would hinder the application of this SEPP
State Environmental Planning Policy (State and Regional Development) 2011	N/A	Not applicable
State Environmental Planning Policy (State Significant Precincts) 2005	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	N/A	Not applicable
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	N/A	Not applicable
State Environmental Planning Policy (Three Ports) 2013	N/A	Not applicable
State Environmental Planning Policy (Urban Renewal) 2010	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	Yes	The PP will not contain provisions that will contradict or would hinder the application of this SEPP
State Environmental Planning Policy (Western Sydney Employment Area) 2009	Yes	The PP will not contain provisions that will contradict or would hinder the application with this SEPP
State Environmental Planning Policy (Western Sydney Parklands) 2009	N/A	Not applicable

Table 2 - Consistency with Clause 9.1 Ministerial Directions

Direction Title	Consistency	Comment
<b>Employment and Resources</b>		
1.1 Business and Industrial Zones	Yes	The PP will not have any impact on existing Business and Industrial Zones and as such remains consistent with this direction.
1.2 Rural Zones	Yes	The PP will not have any impact on existing rural zoning and as such remains consistent with this direction.
1.3 Mining, Petroleum Production and Extractive Industries	Yes	The PP will not have any impact on Mining, Petroleum and Extractive Industries and as such remains consistent with this direction.
1.4 Oyster Aquaculture	Yes	The PP will not have any impact on Oyster Aquaculture and as such remains consistent with this direction.
1.5 Rural Lands	N/A	This direction is not applicable to local government areas in the Greater Sydney Region.
<b>Environment and Heritage</b>		

2.1 Environment Protection Zones	Yes	The PP will contain provisions that facilitate the protection and conservation of environmentally sensitive areas and as such is consistent with this direction.
2.2 Coastal Protection	Yes	The PP will not contain provisions that will contradict or would hinder application of State Environmental Planning Policy (Coastal Management) 2018, and as such remains consistent with this direction.
2.3 Heritage Conservation	Yes	The PP will not contain provisions that contradict or would hinder the facilitation of the conservation of heritage items and as such remains consistent with
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	Not applicable
<b>Housing, Infrastructure and Urban Development</b>		
3.1 Residential zones	Yes	Noting that the permissibility of RFBs is to be removed from B4 zone. However, it is considered that the B4 zone is not a zone in which significant residential development is permitted and is focussed on mixed and commercial uses.
3.2 Caravan Parks and Manufactured Home Estates	Yes	The PP will not have any impact on caravan parks and manufactured home estates and as such remains consistent with this direction.
3.3 Home Occupations	Yes	The PP will not have any impact on home occupations and as such remains consistent with this direction.
3.4 Integrating land use and transport	Yes	The PP will not have any impact on integrating land use and transport and as such remains consistent with this direction.
3.5 Development Near Licensed Aerodromes	Yes	The PP will not have any impact on regulated airports and defence fields and as such remains consistent with this direction.
3.6 Shooting Ranges	Yes	The PP will not have any impact on shooting ranges and as such remains consistent with this direction.
3.7 Reduction in non-hosted short term rental accommodation period	N/A	This direction only applies to the Byron Shire Council.
<b>Hazard and Risk</b>		
4.1 Acid sulphate soils	Yes	The PP will not have any impact on land containing acid sulphate levels and as such remains consistent with this direction.
4.2 Mine Subsidence and Unstable Land	Yes	The PP will not have any impact on land within a Mine Subsidence District or identified as unstable land and as such remains consistent with this direction.

4.3 Flood Prone Land	Yes	The PP will not have any impact on flood prone land and as such remains consistent with this direction.
4.4 Planning for Bushfire Protection	Yes	The PP will not have any impact on bushfire prone land and as such remains consistent with this direction.
<b>Regional Planning</b>		
5.1 Implementation of Regional Strategies	N/A	Not applicable
5.2 Sydney Drinking Water Catchments	N/A	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	Not applicable
5.5 - Revoked	N/A	Revoked
5.6 - Revoked	N/A	Revoked
5.7 - Revoked	N/A	Revoked
5.8 Second Sydney Airport: Badgerys Creek	N/A	Revoked August 2018
5.9 North West Rail Link Corridor Strategy	N/A	Not applicable
5.10 Implementation of Regional Plans	Yes	The PP will be consistent with this Ministerial Direction and the Regional Plan
5.11 Development of Aboriginal Land Council land	N/A	Aboriginal Land SEPP does not apply.
<b>Local Plan Making</b>		
6.1 Approval and Referral Requirements	Yes	The PP will be consistent with this Ministerial Direction.
6.2 Reserving Land for Public Purposes	Yes	The PP will be consistent with this Ministerial Direction.
6.3 Site Specific Provisions	Yes	The PP will be consistent with this Ministerial Direction.
<b>Metropolitan Planning</b>		
7.1 Implementation of the Metropolitan Plan for Sydney 2036	Yes	The PP will be consistent with this Ministerial Direction and the Metropolitan Plan
7.2 Implementation of Greater Macarthur Land Release Investigation	N/A	Not applicable
7.3 Parramatta Road Corridor Urban Transformation Strategy	Yes	The PP will not contain provisions that contradict or hinder the implementation of the PRCUTS and will be consistent with this Ministerial Direction.
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	Not applicable



7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation	Yes	The PP will not contain provisions that contradict or hinder the implementation of the Greater Parramatta Priority Growth Area. As such the PP remains consistent with this direction.
Plan 7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation	N/A	Not applicable
Plan 7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A	Not applicable
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	N/A	Not applicable
7.9 Implementation of Bayside West Precincts 2036 Plan	N/A	Not applicable
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	N/A	Not applicable

## C Environmental, social and economic impact

**7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities or their habitats will be adversely affected?**

The Planning will not adversely affect critical habitat, threatened species, populations or ecological communities or their habitats.

The Planning Proposal does not involve changes to zoning other than to implement the Parramatta Road Corridor Urban Transformation Strategy, to amend controls within the Auburn and Lidcombe Town Centres Strategies, and to implement targeted planning controls for the Woodville Road corridor. These areas are heavily urbanised and developed and are not known to support any such environmental values.

Land currently zoned for public recreation, environmental conservation and/or waterways is to be retained without change and therefore the existing protection and management of this land will continue. No changes are proposed to the permissible land uses under the respective zonings and therefore there are no impacts from this.

Land currently mapped under the respective existing LEPs located within the LGA for biodiversity (remnant vegetation) and as riparian lands and watercourses are also to be retained and so protected under the respective provision of the LEP. Similarly the existing provisions of the current LEPs relating to biodiversity and riparian lands and watercourses are also to be adopted.

Given the high level and broad nature of this Planning Proposal, and the minor changes in planning controls and provisions to achieve consistency, specific environmental impacts are difficult to assess but are considered to be limited. These impacts would be taken into consideration in detail at any future Development Application stage for a specific development.

**8. Are there any environmental impacts and how will they be mitigated?**

The Planning Proposal will not result in any significant negative environmental effects.

Given the high level and broad nature of this Planning Proposal, and the minor changes in planning controls and provisions to achieve consistency, specific environmental impacts are difficult to assess but are considered to be limited. These environmental impacts would be taken into consideration at any future Development Application stage.

The Planning Proposal seeks to retain all existing planning controls of zoning, FSR, and building heights, except for specific places or situations. As such there will be few changes to the type and scale of development that could result. Significant place-based exceptions for which planning controls are intended are the Parramatta Road Corridor, specific sites along Woodville Road Corridor, and within the Auburn and Lidcombe town centres. These proposed changes to controls are to implement previous planning work of the NSW Government or through Council, for which the environmental impacts have been assessed and addressed. In general, for these place based exceptions, there may be some environmental impacts relating to, for example, solar access and overshadowing, noise, amenity, traffic related. Environmental impacts may be positive as well as negative.

The 'items of environmental heritage' list as contained in Schedule 5 is to be updated based on a comprehensive LGA-wide heritage study of all such items in the LGA. All existing listed heritage

items are to be retained for inclusion under Schedule 5 of the Cumberland LEP with the exception of nine items that have been assessed as no longer having heritage significance, including those which have been demolished to warrant continued listing and so will be excluded. Further investigations of potential new items of environmental heritage are to be undertaken, and if any new items are confirmed for listing, will form a subsequent amendment to the Cumberland LEP.

The Planning Proposal seeks to broadly retain existing LEP provisions, and associated mapping, for each of the environmental matters of salinity, acid sulfate soils, flood planning and stormwater management, earthworks, bushfire hazard reduction, and the buffer zone between industrial and residential zones. As such there will be no new impacts or implications associated with these provisions.

Providing new objectives to the Floor Space Ratio, Height of Building, and Exceptions to Development Standards provisions to ensure that new developments are appropriate to the place in which they are located, improve urban design outcomes and the resulting amenity for the wider community.

The Planning Proposal introduces a new provision under Part 6 of the LEP relating to urban heat management to reduce, remove or mitigate urban heat resulting from new developments and alterations to existing developments of specified types. Considerations within developments include materials, design to improved thermal performance, awnings, green infrastructure and open space. As such these provisions are to reduce the need for mechanical heating and cooling, enhance greening, and manage heat generation, and would mitigate potential environmental impacts of the development.

#### **9. Has the Planning Proposal adequately addressed any social and economic impact?**

The Planning Proposal is not expected to result in any significant negative economic or social impacts.

The Planning Proposal will generally not result in substantial changes to zoning or development potential within the LGA. As this Planning Proposal is applicable to the entire LGA, but no plans or concepts of the outcomes are available, the social and economic impacts can only be generally indicated and would be minor and consistent with what could currently occur through redevelopment applying existing controls.

However there are specific sites, for which previous strategic planning work has been done and decisions made, which will be implemented under this Planning Proposal. The specific social and economic impacts of these have been assessed as part of that earlier work, and are summarised below.

Some changes to land use zones, building height, and FSR, and therefore development type and potential, are nominated within the Parramatta Road Corridor, at 264 Woodville Road and other specific sites along Woodville Road, and the Auburn and Lidcombe Town Centres as a result of and so to implement separate strategic planning projects. Details on these are provided below.

- The Auburn and Lidcombe Town Centres project, initiated by the Strategy for these centres, is aimed at renewing and re-invigorating these two places by aligning building heights to FSRs so as to improve development feasibility and so encourage reinvestment into these centres as well as to improve built form outcomes. As such, their economic activity should be enhanced through new developments and associated commercial opportunities and increased local

population. Only targeted changes to FSR (as development potential/yield) or zoning are proposed under this aspect, there are expected to be few social or economic impacts. There are anticipated to be social implications of this new and expanded residential and commercial activity.

- The Planning controls for the Merrylands East Local Centre at 264 Woodville Road, will enable commercial and residential uses on this site. A community hub including public open space is also to be provided as part of the development. A detailed assessment of the social and economic impacts was undertaken as part of the merit assessment process for that planning proposal. In general, project will provide additional housing, employment opportunities, and public parks, for the development and the local community, in a location serviced by transport and accessible to the wider higher order centres of Merrylands and Granville.
- Changes are needed to zoning and associated height and FSR controls for specific areas along the Woodville Road Corridor – to implement new controls to accommodate existing higher density developments that were permissible under previous controls but are not permitted under the existing lower residential density zone. These changes will provide consistency of controls and fairness to other properties / owners, such as between higher density developments, which currently are not able to redevelop to the same scale. As these affect existing developments, minimal social or economic impacts are anticipated.
- The Parramatta Road Corridor Urban Transformation (Strategy) project of the NSW Government is to be implemented by relevant councils under the s9.1 Ministerial direction. The *Parramatta Road Corridor Urban Transformation Strategy* and associated *Parramatta Road Corridor Implementation Took Kit* guides the future land use change for the corridor through additional homes, new employment opportunities, access to transport and provision of public places.

In particular the planning proposal introduces the B1 Neighbourhood Centre zoning for proposed small centres and a B6 zoning along St Hilliers Road, consistent with this Strategy for the Auburn precinct in particular, that will provide local shops and service, and employment opportunities for that increased local population and reinvigorate and support the area generally. An Economic Analysis Report and a Social Infrastructure Analysis Report were produced as background reports that informed the Strategy and its planning controls. The controls are to reinforce and support the existing and future business activities in these areas, and specific amenity improvements are nominated to support those businesses.

- The requested rezonings by state agencies are for specific lots only, typically small in size, and have either been identified as surplus to requirements or are to achieve consistency in zoning of required lands for ongoing operational purposes. For those lands identified as surplus, it is intended these will be rezoned consistent with the adjacent land zoning and being small in area would have a very minor impact.

Providing new objectives to the Floor Space Ratio, Height of Building, and Exceptions to Development Standards provisions to ensure that new developments are appropriate to the place in which they are located, improve urban design outcomes, and the resulting amenity for the wider community.

The significant employment and innovation lands of the LGA will be maintained and protected in retaining all currently zoned industrial lands and the majority of business (B) zoned land in the LGA. and by providing an 'open' permissibility of land uses ie permitting with consent those not explicitly identified as not permissible, for the IN1, IN2, and most Business 'B' zoned lands. This approach will

also enable some non-traditional, innovative, and emerging industries to be considered as uses within those zones. This approach would support the implementation of Cumberland Employment and Innovation Lands Strategy (EILS) and associated Land Use Planning Framework, being a background study to inform this Planning Proposal and the Cumberland LEP.

The Planning Proposal seeks to allow (make permissible) seniors housing in the B4 Mixed Use zone. This is to recognise aging of the population, but who may still be independent, and their need for proximity to services, shops, conveniences, transport and so also accessible to the wider area (transport) and places of interest etc. This type of housing not only provides accommodation for this group of the population, but also the social and economic benefits. Furthermore, as this zoning is often in town centres, this provision would also allow the employment opportunities of this housing type in locations accessibly by public transport.

The Planning Proposal does not specifically address the matter of affordable housing, however an affordable housing study has been commenced as part of the Cumberland LEP preparation project and recommendations would (if applicable) be progressed as an amendment to the Cumberland LEP (ie. a later stage activity) when any such inclusion can be given greater time to consider and address this important matter.

The planning proposal seeks to permit places of public worship within R3 and R4 zones, in addition to the industrial zones, so that such places are located in the vicinity of and accessible by the community, with an additional objective for those zones to manage any impacts and protect the amenity of those residential areas.



## D State and Commonwealth interests

**10. Is there adequate public infrastructure for the Planning Proposal?**

Access to public infrastructure has been considered in the Planning Proposal. It is considered that the Planning Proposal will not create significant additional demand for public infrastructure given that the Planning Proposal will generally not result in substantial changes to development potential. Where changes are proposed that will result in development potential, such as ~~along Parramatta Road~~, specific areas along Woodville Road, and the Auburn and Lidcombe town centres, these have been considered under their respective specific planning projects, and will be more intensely assessed as part of future development applications that seek to utilise the applicable planning controls, as will development in any location within the LGA.

With specific reference to the Parramatta Road Urban Transformation Strategy, an Infrastructure Schedule was produced that outlines the transport, community and open space infrastructure works to support the implementation of that Strategy, and includes works to be undertaken by Council or in conjunction with the state government through mechanisms including the developer contributions plans and redevelopment. These will be progressed with respect of funding availability, per need, and /or as redevelopment occurs.

This Planning Proposal will be provided to public agencies and placed on public exhibition, and infrastructure providers will be able to make a submission to Council.

The Planning Proposal does not include any Greenfield sites as future development areas and as such there is already substantial public infrastructure located across the LGA to support and provide a basis for expansion to support growth that may result under the existing controls.

**11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?**

State and Commonwealth public authorities will be consulted in accordance with the Gateway Determination and will be given at least 21 days to comment on the proposal.

State agencies (Sydney Water and Sydney Trains/RailCorp) made submissions to Council during the preliminary consultation period to seek rezoning of small land parcels that were either identified as surplus to requirements or for consistency with other land holding zonings. Many of these specific rezoning submissions have been accommodated within this Planning Proposal.

#### PART 4 MAPPING

Mapping will be prepared as part of this Planning Proposal. The maps will consolidate existing mapping from the Auburn, Holroyd and Parramatta LEPs into the new Cumberland LEP. The mapping will be consistent with requirements of the Department of Planning, Industry and Environment.

Attachment 2 to this details the site specific amendments to planning controls to be included in the new Cumberland LEP.

#### PART 5 COMMUNITY CONSULTATION

Council will place the Planning Proposal on public exhibition for a period of not less than 28 days and undertake consultation with the community as directed. Council will also undertake consultation with State public agencies as required by any Gateway determination from the Department of Planning, Industry and Environment.



#### PART 6 PROJECT TIMELINE

The following project timeline is intended to be a guide only and may be subject to changes in response to the public consultation process and/or community submissions.

This proposed timeline meets the Department's expectation that the Planning Proposal and LEP finalisation can be sought in mid-2020.

Step	Task	Date
1	Preparation of the draft Planning Proposal	August 2019
2	Draft Planning Proposal report prepared and presented to Council	September 2019
3	Draft Planning Proposal considered by Cumberland Local Planning Panel	March 2020
4	Forward Planning Proposal to Department for Gateway Determination	March 2020
5	Gateway Determination received	March 2020
6	Community Consultation on Planning Proposal	April 2020
7	Consider submissions and review Planning Proposal	May 2020
8	Report to Council	June 2020
9	Submit to Department for finalisation	Mid 2020



DOCUMENTS  
ASSOCIATED WITH  
REPORT ELPP025/20

Attachment 2

New minor zoning changes to be  
included in Cumberland LEP  
(post-exhibition)





CUMBERLAND  
COUNCIL

## Proposed post-exhibition changes to LEP (new rezonings)



## Stream 1: New rezonings in Cumberland LEP

Site address	Proposal	Reasons
58-66 Toongabbie Road, Toongabbie	R3 to R4 with corresponding increase in height and FSR	Minor zoning anomaly in the context of surrounding land. Within walking distance of local centre and train services
12-18 Octavia Street, Toongabbie	R2 to R4 with corresponding increase in height and FSR	Minor zoning anomaly in the context of surrounding land. Within walking distance of local centre and train services
11-13 Bransgrove Street & 4-8 Irwin Place, Wentworthville	R2 to R4 with corresponding increase in height and FSR	Minor zoning anomaly in the context of surrounding land Within walking distance of local centre and high frequency bus services
233-249 Merrylands Road, Merrylands	Review FSR controls	Minor FSR anomaly in the context of application of planning controls on the site. Located in town centre and within walking distance to train services
242-252 Pitt St, Merrylands	Proposed increase in HOB and FSR	Minor HOB and FSR change in the context of town centre. Located within walking distance to train services
101-123 Parramatta Road and 58- 66 Adderley Street, Lidcombe	Include 'specialised retail premises' as an Additional Permitted Use on the Domayne holding	Minor impact with inclusion of additional permitted use, consistent with current land use activities and future plans for the site



## Stream 1: New rezonings in Cumberland LEP

Site address	Proposal	Reasons
400-426 Merrylands Road, Merrylands West	Proposed increase in HOB and FSR	Minor HOB and FSR anomaly in the context of surrounding land. Located in neighbourhood centre with bus services accessing key centres
6 Burnett Street and 2 Ruth Street, Merrylands West	R2 to B1 with corresponding increase in height and FSR	Minor zoning anomaly in the context of surrounding land. Located in neighbourhood centre with bus services accessing key centres
55 Fox Hills Crescent, Toongabbie	Include 'health services facility' as an Additional Permitted Use on part of the site	Minor impact with inclusion of additional permitted use, supporting the provision of health related services in the Cumberland area
131-141 and 138-140 Woodville Road, Merrylands and 112-116 Elizabeth St, Granville	R2 to R4 with corresponding increase in height and FSR	Minor zoning anomaly in the context of surrounding land on Woodville Road. Located in strategic corridor with bus services accessing key centres
Lidcombe Hospital precinct	Identify three Nurses Quarters Buildings as individual heritage items	Request from property owner, consistent with State Heritage Listing and local heritage status of area
246-260 Woodville Road, 2-16 Lansdowne Street and 19 Highland Street, Guildford	Clarifications on planning controls applicable on site, consistent with development concept for site	Request from property owner, consistent with strategic intent and development outcomes for Merrylands East centre





# 58-66 Toongabbie Road, Toongabbie

## Proposed rezoning – R3 to R4



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	R3 Medium Density Residential Height 9m FSR 0.7:1	R4 High Density Residential with corresponding increase in height and FSR
Submitter's Rationale	<p>Various submissions from and on behalf of landowners.</p> <p>Submitters assert their lots should be zoned the same as those across the road – recognising proximity to open space, town centre and transport.</p> <p>The submitters also request that council liquidate the tram carriageway behind their property as it is currently a security risk.</p>	

### Recommendation:

Include proposed planning controls (aligned with adjoining R4 zoned sites) in new Cumberland LEP



# 12-18 Octavia Street, Toongabbie

## Proposed rezoning – R2 to R4



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	R2 Low Density Residential Height 9m FSR 0.5:1	R4 High Density with corresponding increase in height and FSR
Submitter's Rationale	<p>Various submissions from and on behalf of landowners.</p> <p>Submitters assert their lots should be zoned the same as those across the road – recognising proximity to open space, town centre and transport.</p> <p>The sites were previously excluded from the R4 zone due to flooding concerns. However this can be overcome with design solutions. Similarly affected lots (including those opposite) are zoned R4.</p>	

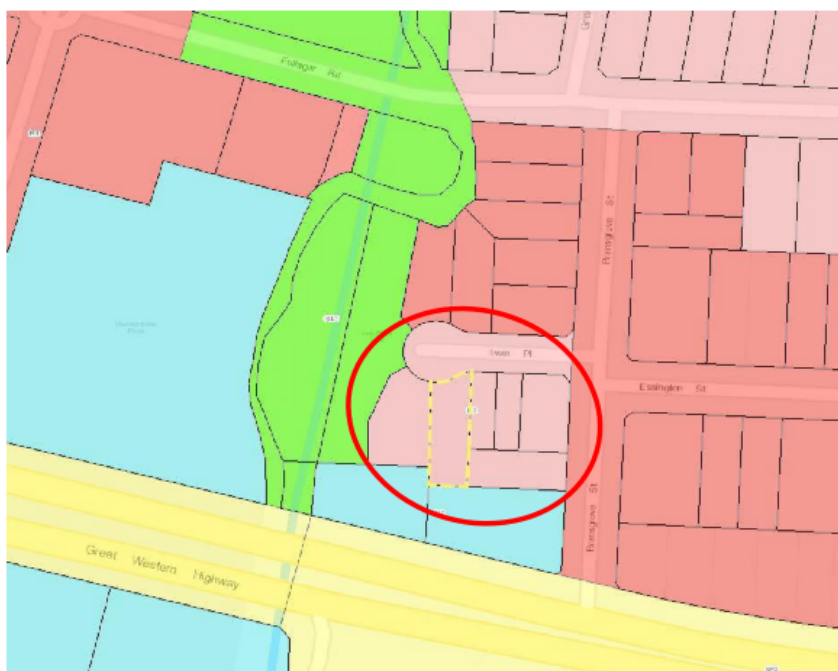
### Recommendation:

Include proposed planning controls (aligned with adjoining R4 zoned sites) in new Cumberland LEP



# 11-13 Bransgrove Street and 4-8 Irwin Place, Wentworthville

## Proposed rezoning – R2 to R4



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	R2 Low Density Residential Height 9m FSR 0.5:1	R4 High Density with corresponding increase in height and FSR
Submitter's Rationale	<p>Various submissions from landowners. Submitters assert their lots should be zoned the same as those across the road – recognising proximity to open space, local centre and transport services.</p> <p>The sites are surrounded by land zoned for higher density housing and/or local centre uses.</p>	

### Recommendation:

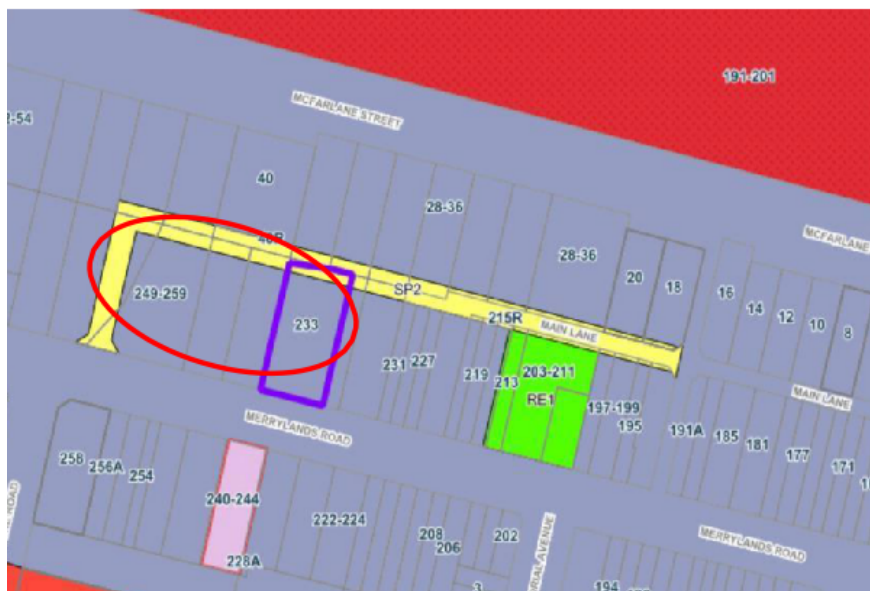
Include proposed planning controls (aligned with adjoining R4 zoned sites) in new Cumberland LEP





# 233-249 Merrylands Road, Merrylands

## Review FSR controls



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	B4 Mixed Use SP2 Infrastructure Height 77m / 55m FSR 5.5:1	Apply a consistent FSR and 0.9:1 requirement for non-residential uses
Submitter's Rationale	<p>Submission from Think Planners on behalf of landowners requests that:</p> <ul style="list-style-type: none"> <li>The FSR be applied across the entire site area, inclusive of the laneway zoned SP2, and</li> <li>The FSR 'split' as it relates to this site, be varied to require 0.9:1 of non-residential uses.</li> </ul>	

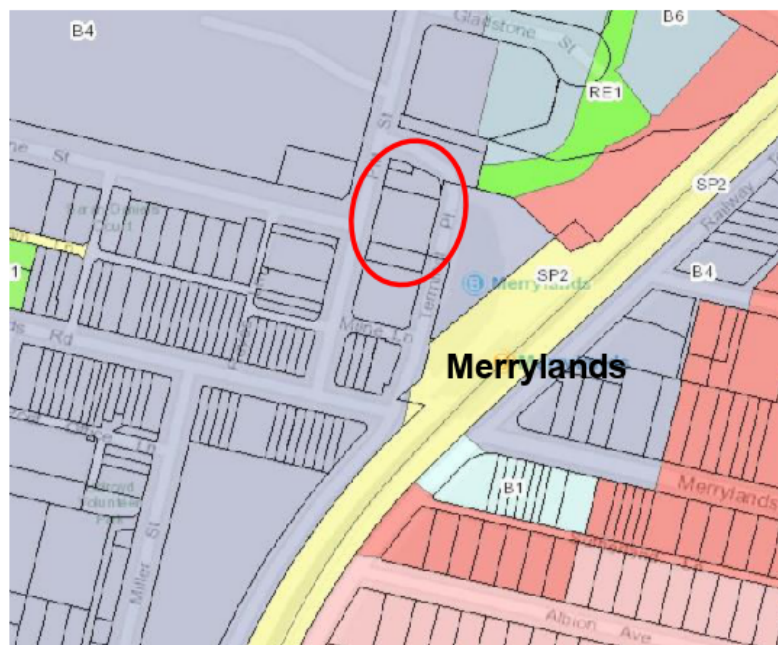
### Recommendation:

Include local provision to clarify site-specific planning controls regarding the laneway and application of FSR in new Cumberland LEP



# 242-252 Pitt St, Merrylands

## Proposed increase in height and FSR



Proposal Summary	Existing (HLEP)	Proposed
	B4 Mixed Use	Increase height of buildings (max. 86m)
	Height: 65m	Increase FSR (max. 8.5:1)
	FSR: 7:1	
Submission	<p>Submission requests an increase in height and FSR in recognition of the site's strategic location adjacent to the station and bus interchange, and to be consistent with the development potential of the adjoining site (Merrylands Station and McFarlane St Precinct PP).</p> <p>The submitter suggests that the proposed changes are vital for retail activation (social &amp; economic benefits) on the site and to facilitate the provision of a direct visual connection and pedestrian thoroughfare from McFarlane Street and Stocklands shopping centre to the railway station.</p>	

### Recommendation:

Include proposed planning controls in new Cumberland LEP



# 101-123 Parramatta Road and 58-66 Adderley Street, Lidcombe

Proposed rezoning – B6 to B1 and additional permitted use



Proposal Summary	Existing (ALEP)	Proposed
	B6 Enterprise Corridor	B6 to B1 Neighbourhood Centre with HOB (max. 45m) and FSR (max. 2:1).
	Height: NA	Permit 'specialised retail premises' as an additional permitted use.
	FSR: 1:1	
Rationale/ Submission	<p>The submission seeks confirmation of the proposed B1 Neighbourhood Centre zone for the Domayne holding at Lidcombe, with a maximum height control of 45m and FSR of 2:1. In addition, the submission seeks to permit 'specialised retail premises' as an additional permitted use on the site.</p> <p>The submission also asks that Council seek to have the Gateway Determination modified to delete Condition No 2 on the basis that there are wider economic, community and access benefits that justify the rezoning proceeding as part of the CLEP.</p> <p>Should this not occur, that ongoing discussions be held with Harvey Norman on ways in which the condition can be addressed in order for the rezoning to proceed as part of the CLEP.</p>	

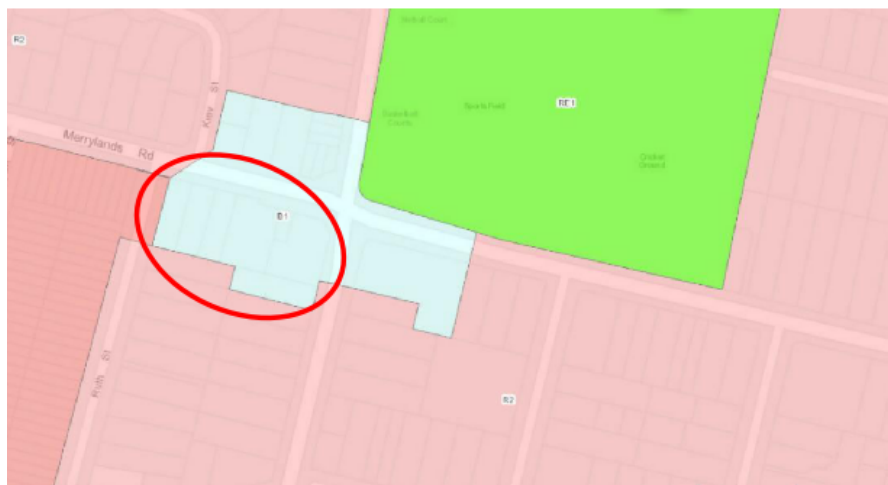
## Recommendation:

Include additional permitted use in new Cumberland LEP



# 400-426 Merrylands Rd, Merrylands West

## Proposed increase in height and FSR



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	B1 Neighbourhood Centre Height 14m FSR 1:1	Increase height of buildings (max. 17m)  Increase FSR (max. 2:1)
Submitter's Rationale	The submission requests an increase in height and FSR in recognition of the site's position in a neighbourhood centre with access to bus services to key centres.	

### Recommendation:

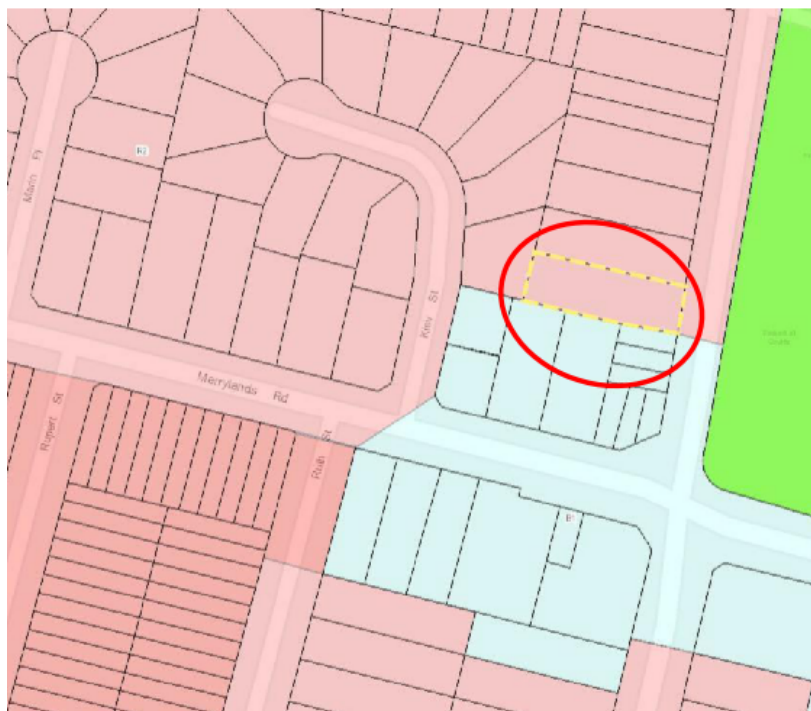
Include proposed planning controls to all of B1 zone at this location in new Cumberland LEP





# 6 Burnett Street, Merrylands West

## Proposed rezoning – R2 to B1



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	R2 Low Density Residential	B1 Neighbourhood Centre with corresponding increase in height and FSR
Submitter's Rationale	<p>The submission seeks rezoning to the B1 Neighbourhood Centre zone with corresponding increase in height and FSR, consistent with adjoining lots to the south.</p> <p>The proposal recognizes the site's proximity to an existing neighbourhood centre with access to bus services to key centres.</p>	

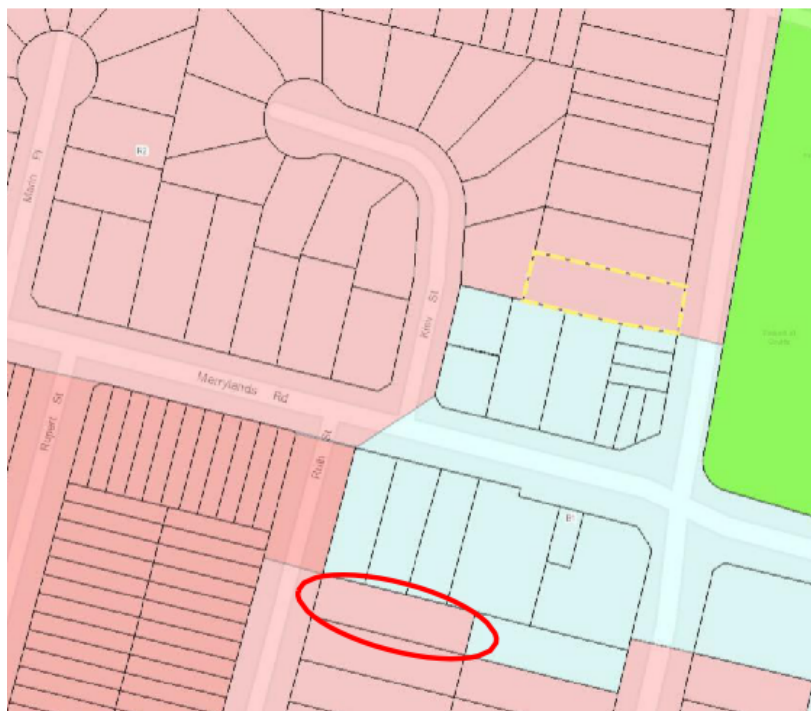
### Recommendation:

Include proposed planning controls (aligned with adjoining B1 zoned sites) in new Cumberland LEP



## 2 Ruth Street, Merrylands West

### Proposed rezoning – R2 to B1



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	R2 Low Density Residential	B1 Neighbourhood Centre with corresponding increase in height and FSR
Submitter's Rationale	<p>The submission seeks rezoning to the B1 Neighbourhood Centre zone with corresponding increase in height and FSR, consistent with adjoining lots to the south.</p> <p>The proposal recognizes the site's proximity to an existing neighbourhood centre with access to bus services to key centres.</p>	

#### Recommendation:

Include proposed planning controls (aligned with adjoining B1 zoned sites) in new Cumberland LEP



# 55 Fox Hills Crescent, Toongabbie

## Additional permitted use – ‘health service facility’



Site Area	Approx. 3399 sqm	
Proposal Summary	Current Controls (HLEP)	Proposed Controls
	RE2 Private Recreation Height 10m FSR	Permit ‘health service facility’ as an additional permitted use.
Submitter’s Rationale	<p>The submission is from Keylan Consulting Pty Ltd on behalf of Save Our Sons.</p> <p>The submission seeks to permit a ‘health service facility’ as an additional permitted use on the site.</p>	

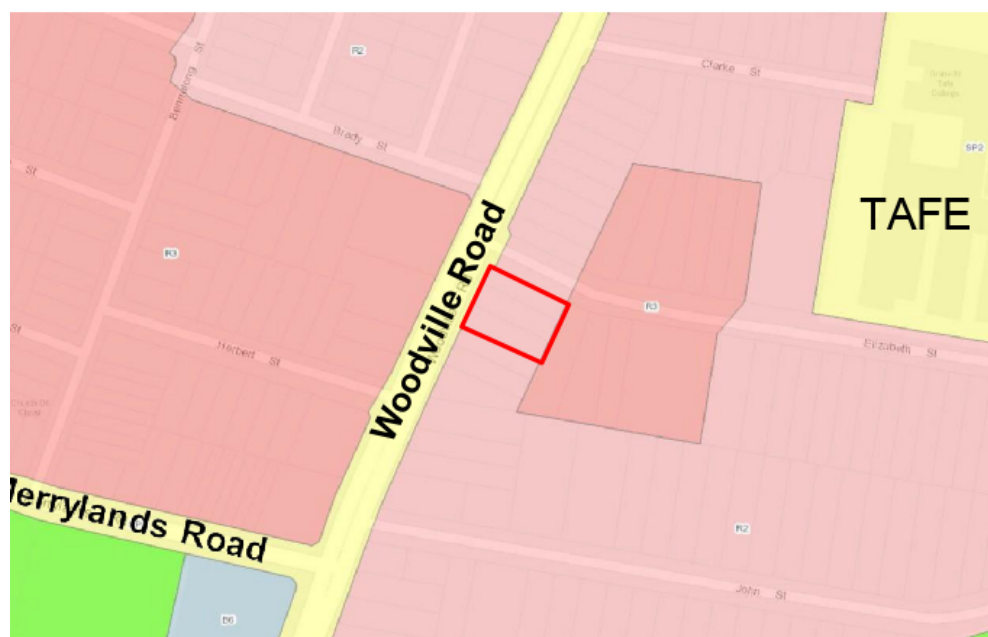
### Recommendation:

Include additional permitted use in new Cumberland LEP



# 131-135 Woodville Rd, Merrylands

## Proposed rezoning – R2 to R4



### Recommendation:

Include proposed planning controls (aligned with proposed controls for adjoining R4 zoned sites and applied for 131-141 Woodville Road, Merrylands City Council LEP

	Current Controls (PLEP)	Proposed Controls
<b>Proposal Summary</b>	<p>Zone: R2 Low Density Residential</p> <p>Height: 9m</p> <p>FSR: 0.5:1</p>	<p>R4 High Density Residential,</p> <p>as per the Woodville Road Strategy</p>
<b>Background - Woodville Road corridor</b>	<p>In 2001, the Woodville Road corridor was rezoned to allow for an increase in residential density.</p> <p>IN 2011, the corridor was rezoned back to a low density zoning (R2 Low Density Residential character under the PLEP 2011) to provide Council with sufficient time to conduct its planning study to inform a new strategy.</p> <p>In 2015, the former Parramatta City Council prepared the draft Woodville Road Planning Strategy.</p>	



# 135 Woodville Rd, Merrylands

Proposed rezoning – R2 to R4



Proposal Summary	Current Controls (PLEP)	Proposed Controls
	R2 Low Density	R4 High density and corresponding uplift in height and FSR
Submitter's Rationale	Woodville Road corridor is a major arterial road that provides access to and from Parramatta and there is inconsistent development along the corridor.	

## Recommendation:

Include proposed planning controls (aligned with proposed controls for adjoining R4 zoned sites and applied for 131-141 Woodville Road, Merrylands) in new Cumberland LEP





# 138 Woodville Road, Merrylands

## Proposed rezoning – R3 to B4



Proposal Summary	Current Controls (ALEP)	Proposed Controls
	Zone R3 Medium Density Residential	Zone B4 Mixed Use with corresponding uplift in height and FSR
Submitter's Rationale	Request for Council to rezone this site to mixed use. Submission details issues associated with Woodville Road, changing development and increased traffic.	

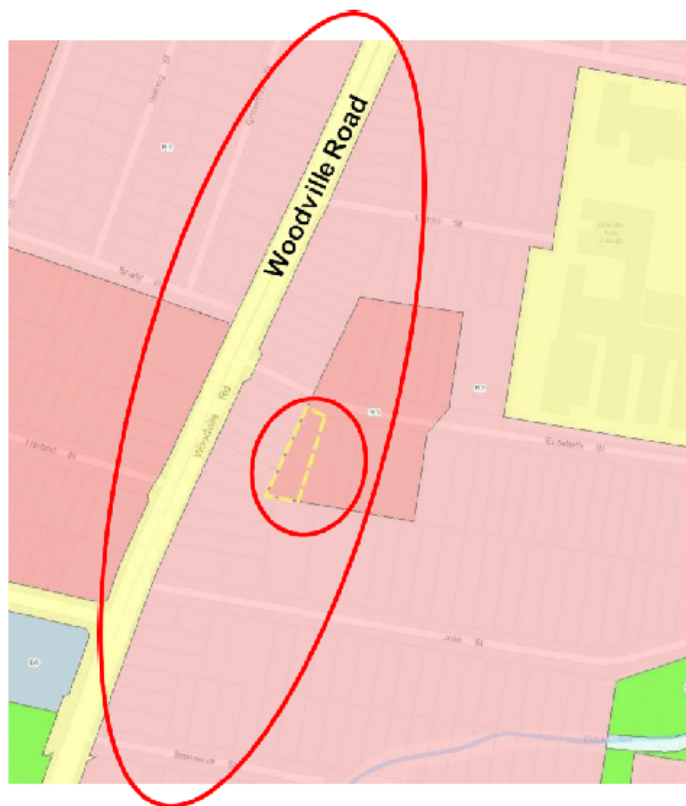
### Recommendation:

Include proposed planning controls (aligned with proposed controls for adjoining R4 zoned sites and applied for 138-140 Woodville Road, Merrylands) in



# 116 Elizabeth Street, Granville

Proposed rezoning – R3 to R4



Proposal Summary	Current Controls (PLEP)	Proposed Controls
	R3: Medium Density Residential 0.6 to 1 FSR 11m HOB	R4 High Density Residential
Submitter's Rationale	Request for rezoning of the site to R4 High Density Residential, and include the site within the Woodville Road planning strategy.	

## Recommendation:

Include proposed planning controls (aligned with proposed controls for adjoining R4 zoned sites and applied for 112-116 Elizabeth Street, Granville) in new Cumberland LEP





# 112-116 Elizabeth Street, Granville

## Proposed rezoning – R3 to R4



Proposal Summary	Current controls (PLEP)	Proposed controls
	Zone: R3 Medium Density Residential	Rezone to R4 High Density Residential
	Height: 11m	
	FSR: 0.6:1	
Rationale/ Submission	Request for Council to rezone 112, 114 and 116 Elizabeth Street Granville to R4, as these properties are within walking distance of Granville Train Station.	

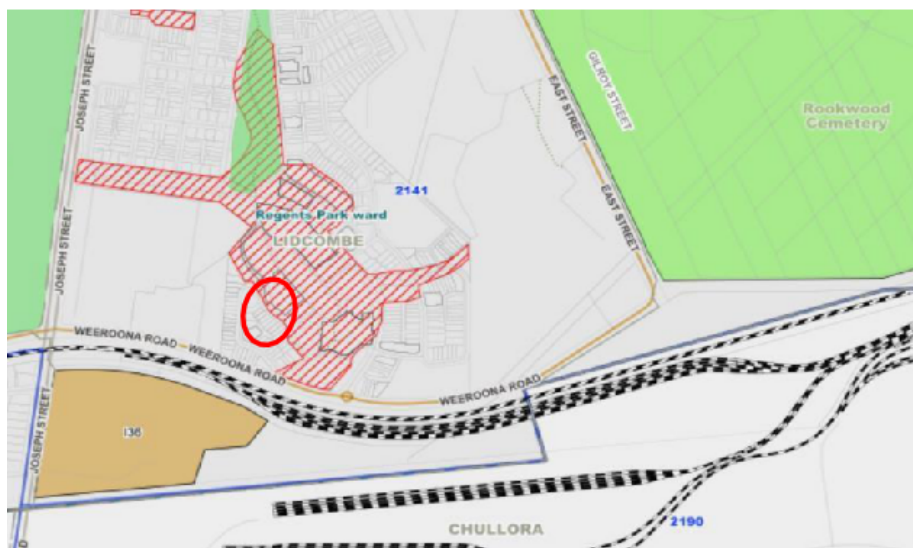
### Recommendation:

Include proposed planning controls (aligned with proposed controls for adjoining R4 zoned sites) in new Cumberland LEP



# Lidcombe Hospital Precinct

## Nurses quarters buildings



Proposal Summary	Existing	Proposed
	State Heritage listed	Individual LEP heritage listings
<b>Rationale/ Submission</b>	<p>The submissions request that three Nurses Quarters Buildings – Nurses Home 1 (Building 72), Nurses Home 2 (Building 73) and Nurses Home 3 (Building 74), be included in Council's heritage inventory as heritage items at the "Lidcombe State Hospital" to be individually listed as local heritage items in the Cumberland LEP2020.</p> <p>The submission claims that in the 2010 LEP process the sites were downgraded from a Heritage Group to a Heritage Conservation Area. Submitter has provided detailed heritage information for listing.</p>	

### Recommendation:

Include clarification of heritage items in new Cumberland LEP



# 246-260 Woodville Road, Merrylands

## Mapping anomaly, realign RE1 and clarify FSR provisions



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	B4 Mixed Use Height 31m FSR 2:1	Realign RE1 Public Recreation zone Increase FSR (max. 2.17:1) Carry over Parramatta LEP clause 6.21
Submitter's Rationale	<p>Submission from Knight Frank Town Planning on behalf of Green Dior Holdings Pty Ltd in regards to the Merrylands East Neighbourhood Centre (former John Cootes site).</p> <p>Realign RE1 Public Recreation zone to be consistent with the area required for a public park as per the executed Planning Agreement and Draft Cumberland DCP (2000 sqm).</p> <p>Carry over clause 6.21 of the Parramatta LEP as an additional local provision, or alternatively amend the FSR to provide an additional 0.1:1 (total 2.27:1) across the B2 Zone.</p>	

### Recommendation:

Correct mapping anomaly, FSR to apply on B2 portion of the site and carryover of clause 6.21 in new Cumberland LEP





Item No: ELPP026/20

**CUMBERLAND LOCAL ENVIRONMENTAL PLAN – PROPOSED APPROACH ON SITE SPECIFIC REQUESTS AND COUNCIL’S STRATEGIC PLANNING WORK PROGRAM**

Responsible Division: Environment & Planning  
Officer: Executive Manager City Strategy  
File Number: CS-202

**SUMMARY:**

This report provides an overview of proposed approach on site specific requests and Council’s forthcoming strategic planning work program. Many of the site specific requests received during the exhibition of the Cumberland LEP will be considered in further detail as part of detailed planning for Cumberland’s key centres and strategic corridors. Other site specific requests may be further considered by Council as part of future applicant-initiated planning proposals, with discussions required on these requests to ensure that relevant issues are considered at an early stage. It is recommended that the Panel support the proposed planning approach for site specific requests and Council’s strategic planning work program.

**REPORT:*****Background***

Cumberland Council recently exhibited the new draft Cumberland Local Environmental Plan (LEP), which harmonises and updates the planning controls under the three existing LEPs which currently apply to Cumberland City: *Auburn Local Environmental Plan (ALEP) 2010*; *Parramatta Local Environmental Plan (PLEP) 2011*; and *Holroyd Local Environmental Plan (HLEP) 2013*.

***Site specific requests***

A number of site specific requests for zoning and/or planning control changes were received during the public exhibition of the new Cumberland LEP. These submissions have been considered on their merit and categorised into one of four streams, as outlined in Table 1 below.

Categories of site specific requests for zoning changes	No. of sites	Locations
Stream 1: Include in new Cumberland LEP	12	Various sites across Cumberland
Stream 2: Consider in Council’s future work program of planning reviews for strategic corridors and centres	66	Strategic corridors and centres identified in Cumberland 2030: Our

		Local Strategic Planning Statement
Stream 3: Further review of future planning proposal if submitted to Council as an owner initiated planning proposal	28	Various sites across Cumberland
Stream 4: No further action at this time	9	Various sites across Cumberland
Total	115 (including 64 early LEP submissions)	

Table 1: Categories of site specific requests for zoning changes

This approach to the categorisation of site specific submissions was previously endorsed by Council following consideration of early LEP feedback in September 2019 (Council Report Item No. C09/19-218). Those early LEP submissions have been included in the overall tally of submissions.

In accordance with Council's endorsed approach, it is proposed that:

- The requests identified in Stream 1 are included as part of the new Cumberland LEP, with further details provided in the other report provided to the Panel for this meeting.
- The requests identified in Stream 2 are considered as part of Council's work plan in 2020/21 and 2021/22 following the completion of the new Cumberland LEP. Applicants on these sites may also choose to progress through a planning proposal request ahead of this timeframe.
- The requests identified in Stream 3 can be further reviewed by Council as part of an applicant initiated planning proposal. The timing of any such proposal would be dependent on the intention of the applicant in regard to their site specific request for zoning changes.
- No further action is proposed at this time for the requests identified in Stream 4.

Further details of the requests identified in Streams 2, 3 and 4 are provided in Attachments 1, 2 and 3.

### ***Strategic planning work program***

As outlined in Cumberland 2030: Our Local Strategic Planning Statement, a high level strategic planning work program has been identified to progress more detailed planning for Cumberland's key centres and strategic corridors (Figure 1). The site specific requests identified in Stream 2 will be further considered as part of Council's strategic planning work program.

Based on the submissions received, further strategic work by Council will also be undertaken on centres of Merrylands (west of the train station), Auburn and Lidcombe,



based on the submissions received as part of the draft Cumberland LEP and advice provided by the Panel on further work to be undertaken at the Auburn and Lidcombe town centres. Further work for Wentworthville will also be considered as required for this program.

Additional details of the strategic planning work program are provided in Table 2.

Strategic planning program to support housing growth in Cumberland

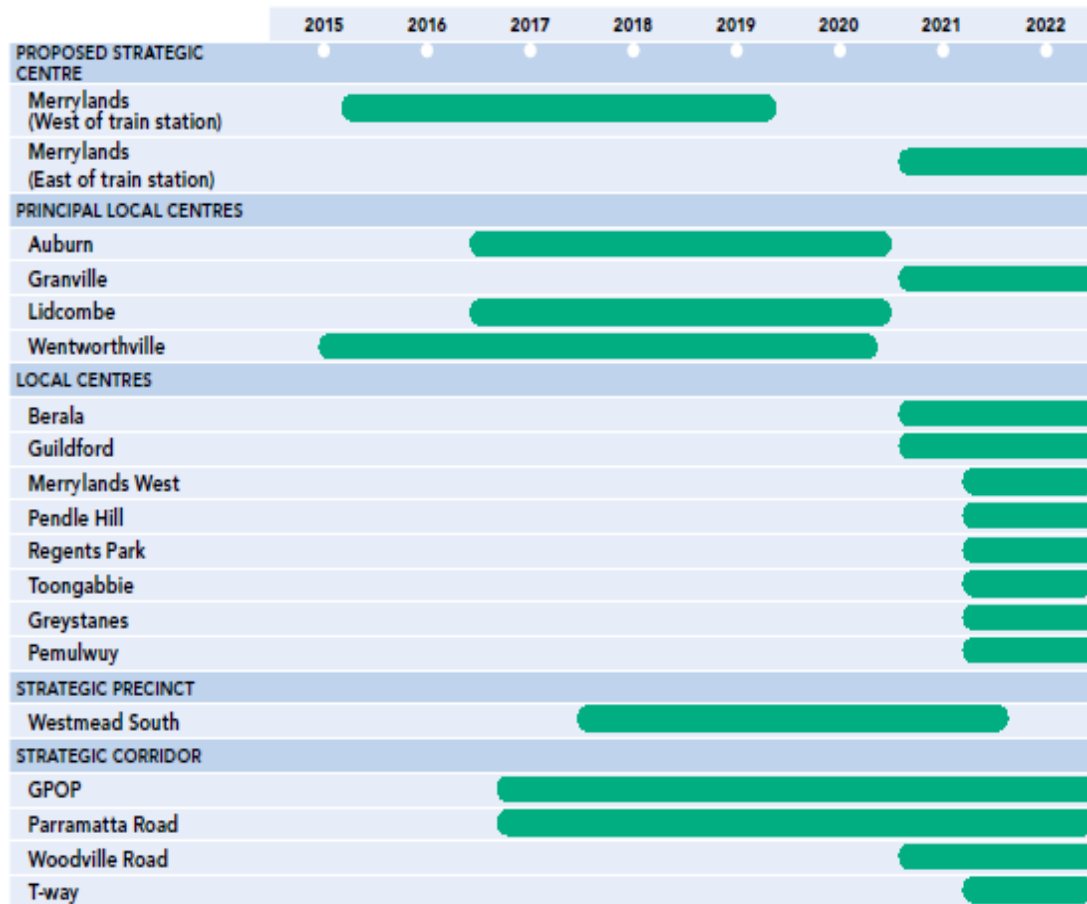


Figure 1 High level strategic planning work program

Location	Scope of Work
Merrylands (west of train station)	Further planning work on Merrylands Road corridor and consideration of submissions received during the preparation of the draft LEP
Merrylands (east of train station), Granville, Berala, Guildford, Merrylands West, Pendle Hill, Regents Park, Toongabbie, Greystanes, Pemulwuy, Woodville Road corridor and T-way corridor	Detailed planning work to be undertaken, including consideration of submissions received during the preparation of the draft LEP
Westmead South, Greater Parramatta to Olympic Park (GPOP) corridor and Parramatta Road corridor	Detailed planning work to be undertaken, including consideration of submissions received during the preparation of the draft LEP. This work will also align with strategic planning and infrastructure investment by the NSW Government
Auburn, Lidcombe and Wentworthville	Further planning work to consider submissions received during the preparation of the draft LEP and advice on additional planning work identified by the Cumberland Local Planning Panel

Table 2: Scope of strategic planning work program

### **Next Steps**

Following consideration by the Cumberland Local Planning Panel, a report will be provided to Council for consideration, including the proposed approach on site specific requests and Council's forthcoming strategic planning work program. The advice of the CLPP will form part of this report.

### **CONCLUSION:**

This report provides an overview of proposed approach on site specific requests and Council's forthcoming strategic planning work program. Many of the site specific requests received during the exhibition of the Cumberland LEP will be considered in further detail, with other requests may be further considered by Council as part of future applicant-initiated planning proposals. It is recommended that the Panel support the proposed planning approach for site specific requests and Council's strategic planning work program.

### **COMMUNITY ENGAGEMENT:**

An extensive program of consultation on the draft planning proposal for the new LEP was undertaken from April to May 2020. Stakeholder consultation with the government agencies, as required by the conditions of the Gateway Determination, was also undertaken.

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**POLICY IMPLICATIONS:**

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

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**RISK IMPLICATIONS**

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Council is required to submit a planning proposal on the new Cumberland LEP to the Department of Planning Infrastructure and Environment for finalisation by mid-2020. The release of funds from the accelerated Local Environmental Plan Funding Grant provided by the NSW Government is also linked to this milestone. As such, consideration of this matter cannot be deferred or delayed.

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**FINANCIAL IMPLICATIONS:**

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Work undertaken on the Cumberland LEP, including strategic studies and planned community consultation activities, is funded by the accelerated Local Environmental Plan Funding Grant provided by the NSW Government.

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**REPORT RECOMMENDATION:**

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**That the Cumberland Local Planning Panel (CLPP):**

- 1. Note the site specific requests received during the preparation of the draft Cumberland LEP.**
- 2. Support the proposed planning approach on site specific requests and scope of Council's strategic planning work program.**

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**ATTACHMENTS**

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1. Site specific requests – Stream 2 (consider as part of Council's work program) [!\[\]\(69baca079ef3ab6f03d58fd7e9f950f1\_img.jpg\)](#)
2. Site specific requests – Stream 3 (consider as future applicant-initiated planning proposal) [!\[\]\(2da321c3dc978a55192cb9c452297973\_img.jpg\)](#) 
3. Site specific requests – Stream 4 (no further action at this time) [!\[\]\(37ed9c3cda1f09fc6bf9b8799015713a\_img.jpg\)](#) 



DOCUMENTS  
ASSOCIATED WITH  
REPORT ELPP026/20

Attachment 1

Site specific requests – Stream 2  
(consider as part of Council's  
work program)





CUMBERLAND  
COUNCIL

## Appendix

# Details of Other Rezoning Proposals





CUMBERLAND  
COUNCIL

**Stream 2** – Consider in Council's future work  
program of planning reviews for centres and strategic  
corridors



# Merrylands Town Centre

## Increase in height and FSR



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	Mix of R3, R4, B1 B4 and B6, SP2 Various HOB and FSR controls	Increased corresponding uplift in height and FSR
Rationale/ Submission	<p>Apply consistent height and FSR controls to sites within similar radius (eg. 200m) of station.</p> <p>Currently, within 200m of the railway station on the eastern side, bordered by Woodville Road into the CBD and with Granville Park alongside, there is an R4 zone that has a maximum FSR of 0.8:1 and a height limit of 11m. At the same time there are much higher limits applying to approved developments within the same general radius of the station. Council should fix inconsistencies.</p>	

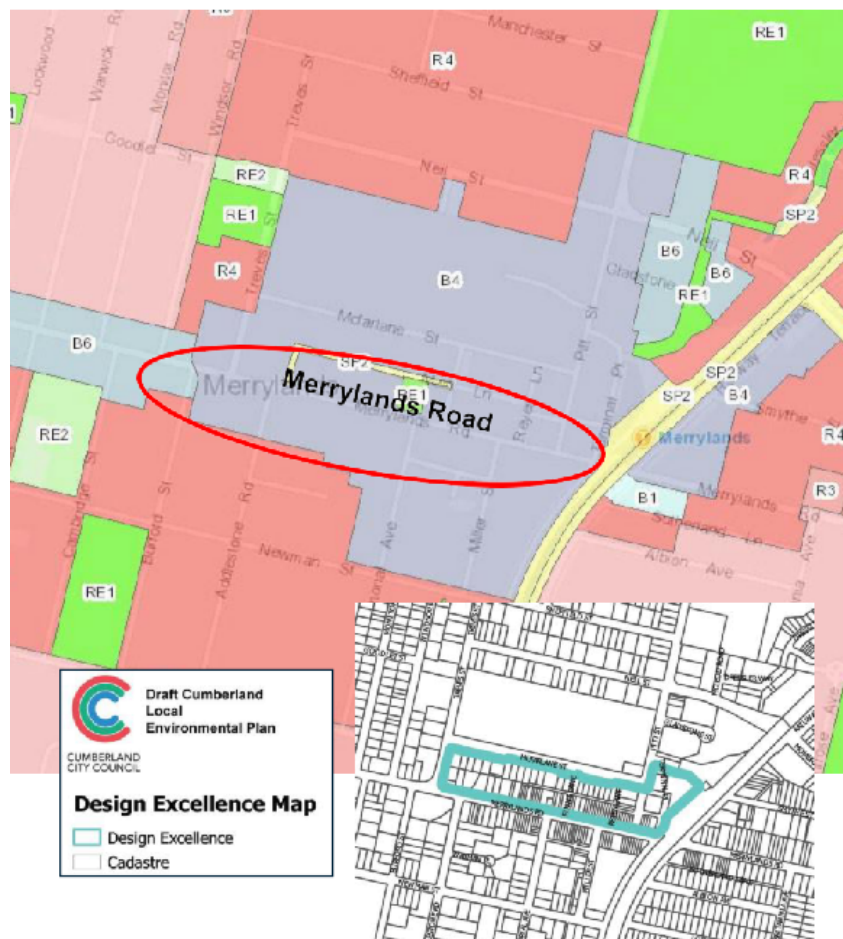
### Recommendation:

Consider in future work program by Council



# Merrylands Road, Merrylands

Extend design excellence to the southern side of Merrylands Road



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	Zone B4 Mixed Use Height 65m FSR 3.5:1	Extend the boundary of Design Excellence to the southern side of Merrylands Road
Rationale/ Submission	Submitter requests an inclusion of the southern side of Merrylands Road for the boundary extension of Design Excellence in Merrylands town centre.	

## Recommendation:

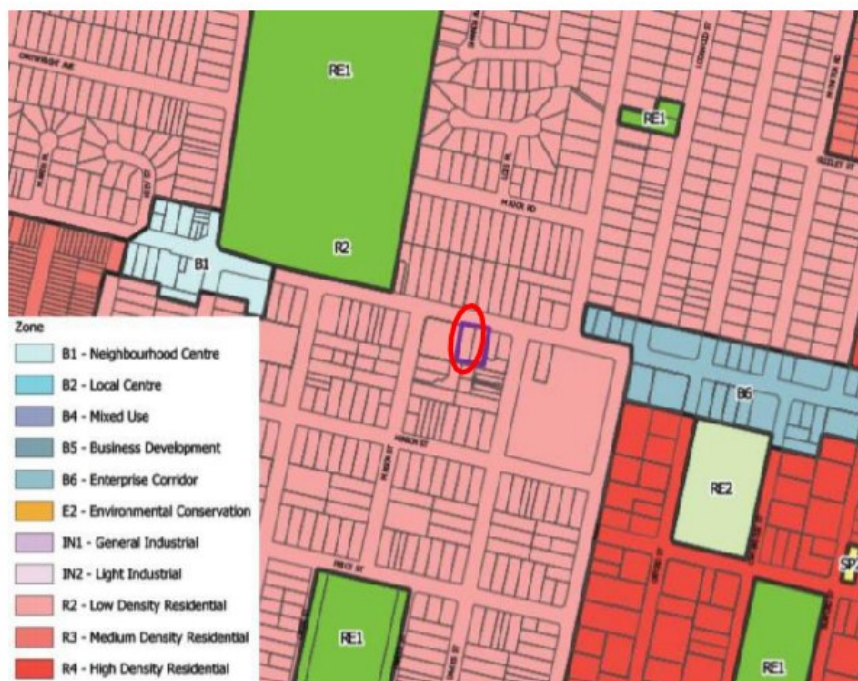
Consider in future work program by Council





# 348-350 Merrylands Road, Merrylands

## Proposed rezoning – R2 to B4

	Proposal Summary	Current Controls (HLEP)	Proposed Controls
		R2 Low Density Residential Height 14m FSR 1.5:1	B4 Mixed Use
	Rationale/ Submission	Submission from Think Planners on behalf of landowners. Submission requests B4 zone to reflect mixed use development on the site.	

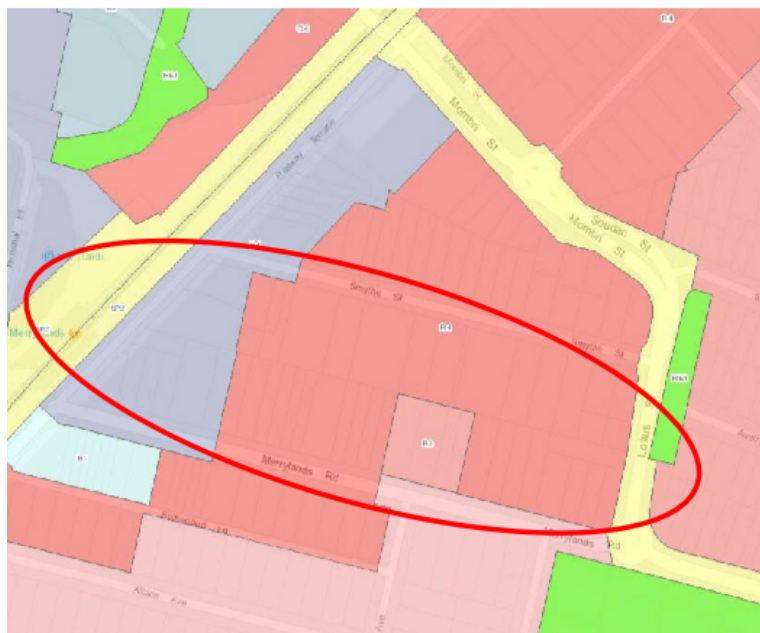
### Recommendation:

Consider in future work program by Council



# Merrylands (East of Railway)

## Increase height and FSR



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	R3 Medium Density Residential R4 High Density Residential B4 Mixed Use Height 11m, 21m FSR 0.8:1, 0.6:1, 2:1	B4 with corresponding increase in height (max. 86m) and FSR (max. 4:1)
Rationale/ Submission	<p>Planning controls for this area should match western side of rail line, with gradual transition in height away from town centre, as suggested by the Draft Woodville Road Planning Strategy.</p> <p>Increasing these controls will help provide additional housing needed in the area resulting from Merrylands' growth as a Strategic Centre.</p>	

### Recommendation:

Consider in future work program by Council



# 1-38 Albion Avenue, Merrylands

## Proposed rezoning – R2 to R4



Proposal Summary	Current Controls (PLEP)	Proposed Controls
	<p>Zone: R2 Low Density Residential</p> <p>Height: 9m</p> <p>FSR: 0.5:1</p>	<p>Rezone rest of Albion Street from R2 to R4 to match the northern end of the street.</p>
Rationale/ Submission	<p>Rezone sites from R2 to R4, making it consistent with surrounding properties, adjacent and behind, to match the north of the street which is already zoned R4.</p> <p>A parking restriction sign has also been requested - referred to Council's Traffic engineering.</p>	

### Recommendation:

Consider in future work program by Council





# 87-91 Merrylands Road, Merrylands

## Increase height and FSR



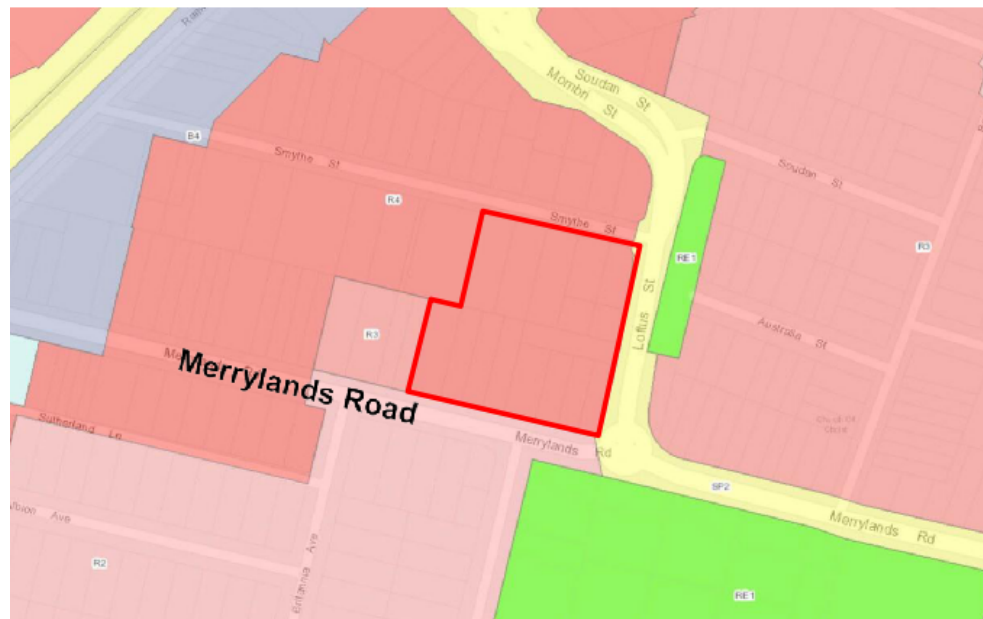
### Recommendation:

Consider in future work program by Council

	Current Controls (PLEP)	Proposed Controls
<b>Proposal Summary</b>	<p>Zone: B4 Mixed Use</p> <p>Height: 21m</p> <p>FSR: 2:1</p>	<p>Increase in height limit and FSR</p>
<b>Rationale/ Submission</b>	<p>The site is currently zoned for ground level shops and 5 levels of apartment.</p> <p>Recommends Council to encourage even higher level development on site given proximity to transport and amenities.</p>	

# 41-55 Merrylands Road and Smythe Street, Merrylands

## Increase height and FSR



### Recommendation:

Consider in future work program by Council

Proposal Summary	Current Controls (PLEP)	Proposed Controls
	Zone: R4 High Density Residential  Height: 11m  FSR: 0.8:1	Increase in height limit and FSR  Allow for up to 15 level storey and,  FSR of 4:1
Rationale/ Submission	Intention to amalgamate 41-55 Merrylands Roads and lots along Smythe Street to increase height limit and FSR.  Owners had an initial meeting with Council staff and architects earlier this year for the proposed amalgamation of the area.  Recommends Council to encourage higher FSR and higher level development to meet increased housing goals for forecasted population growth towards 2030.  Located in proximity to Merrylands train station (within 400 metres) and amenity. The proposed changes to the area would enhance the current up grading of Granville Park, provide increased open space, provide community activity area within the buildings for various social activities.	



# Auburn Town Centre

## Increase density to support housing affordability



Proposal Summary	Current Controls (ALEP)	Proposed Controls
	Mix of R2, R3, R4, B4	Zone R4 High Density Residential with corresponding uplift in height and FSR
Rationale/ Submission	<p>Submitter requests Council to consider Auburn to provide more high density, high rise units that will help bring down the cost of living in Auburn, notes on the housing affordability. Comments made that Auburn is the place for many new migrants looking for the best transition into community for its multicultural life.</p>	

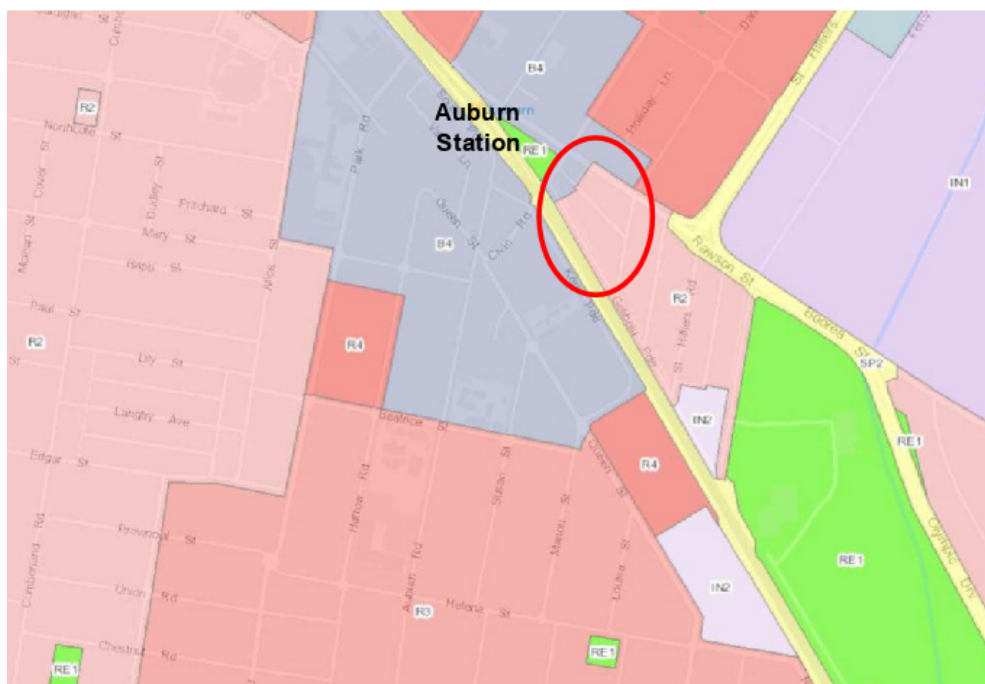
### Recommendation:

Consider in future work program by Council



# Gelibolu Parade, Auburn

## Proposed rezoning – R2 to R4



	Current Controls (ALEP)	Proposed Controls
<b>Proposal Summary</b>	Zone: R2 Low Density Residential, Height: 9m, FSR: N/A	Mixed Use (to allow ground level business development and high rise)
<b>Rationale/ Submission</b>	<p>Covers R2 zoned area on Gelibolu Parade between Station Road to Dartbrook Road and lands fronting Rawson St</p> <p>Seeks a rezoning of the area to allow high rise and ground level business development.</p> <p>Situated in close proximity to Auburn railway station and other amenities.</p>	

### **Recommendation:**

Consider in future work program by Council





# 27 and 29 Gelibolu Parade, Auburn

## Proposed rezoning – R2 to B4



Proposal Summary	Current Controls (ALEP)	Proposed Controls
	R2 Low Density Residential Height 9m	B4 Mixed Use with corresponding increase in height and FSR
Rationale/ Submission	<p>The rezoning of the land (from R2 currently) bounded by Rawson Street, Station Road, Gelibolu Parade and Dartbrook Road to B4 Mixed Use would be consistent with Council's strategic objective to better align the planning controls relating to zoning, height and floor space ratios across the Auburn Town Centre, thereby enabling a broader range of building design options to be realized. In addition, a rezoning of this area to B4 would be an extension of, and a transitional zone to, the Town Centre allowing better connectivity to residents within the higher density areas east of the railway line.</p>	

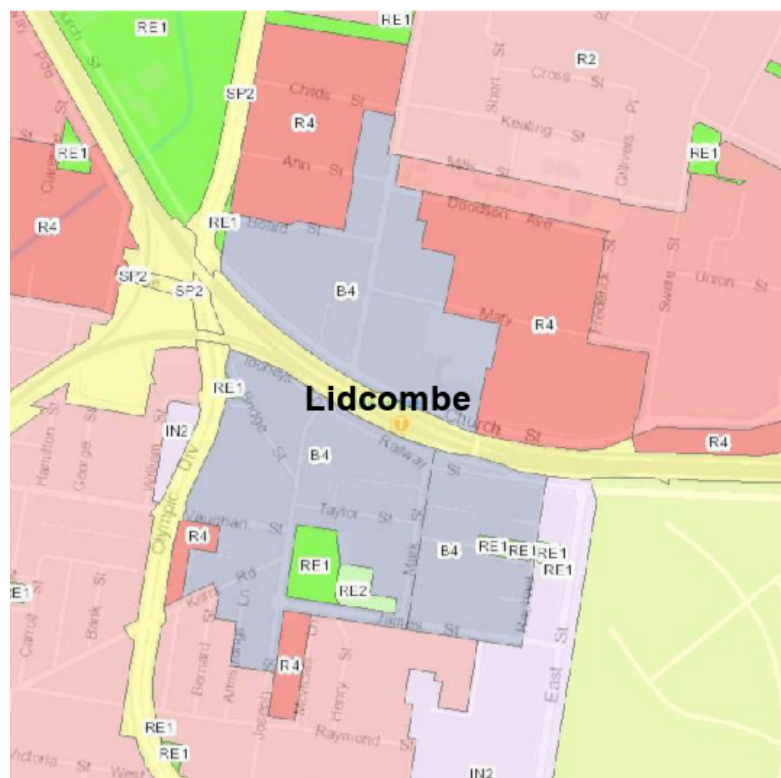
### Recommendation:

Consider in future work program by Council



# Lidcombe Town Centre

## Encourage variation in height and FSR



Proposal Summary	Current Controls (PLEP)	Proposed Controls
	B4 Mixed Use RE1 Public Recreation RE2 Private Recreation  Height: 32m  FSR: 5:1	Change planning controls to vary building height by 10% and FSR by 0.5:1.
Rationale/ Submission	The Submission is from THINK Planners and recommends that planning controls for Lidcombe Town Centre should vary the building height by 10% and the FSR by 0.5:1 and/or introduce a unique provision in the LEP for larger land parcels that will be developed for 2 or more towers that encourages variations in height.	

### Recommendation:

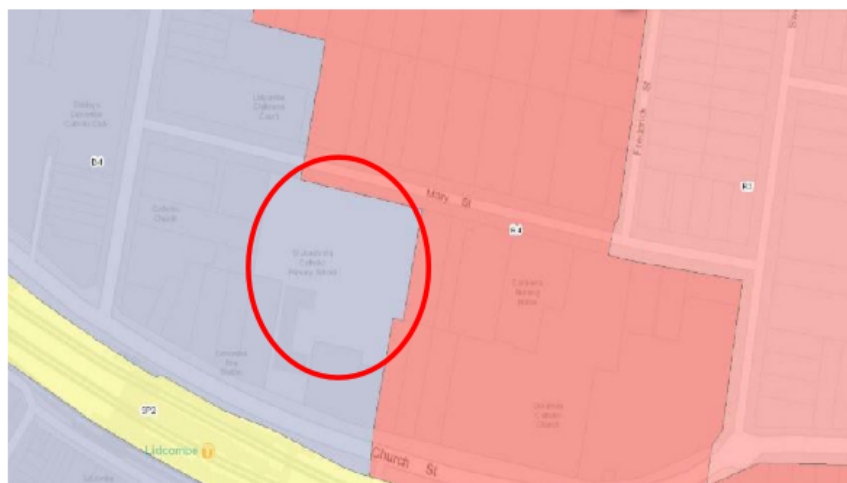
Consider in future work program by Council





# 7 Mary Street, Lidcombe

## Increase height



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	B4 Mixed Use Height 32m FSR 5:1	Increase HOB to 55m
Rationale/ Submission	<p>The Submissions is from Ethos Urban on behalf of the Catholic Archdiocese of Sydney in regards to 7 Mary Street, Lidcombe which the Archdiocese is proposing to redevelop. The submissions proposes increasing the proposed HOB to 55m as the already proposed 38m will not be enough to allow the site to reach the full proposed 5:1 FSR. The submitters have also offered to meet with council staff in person to discuss the matter further. The submissions has supporting documents attached.</p>	

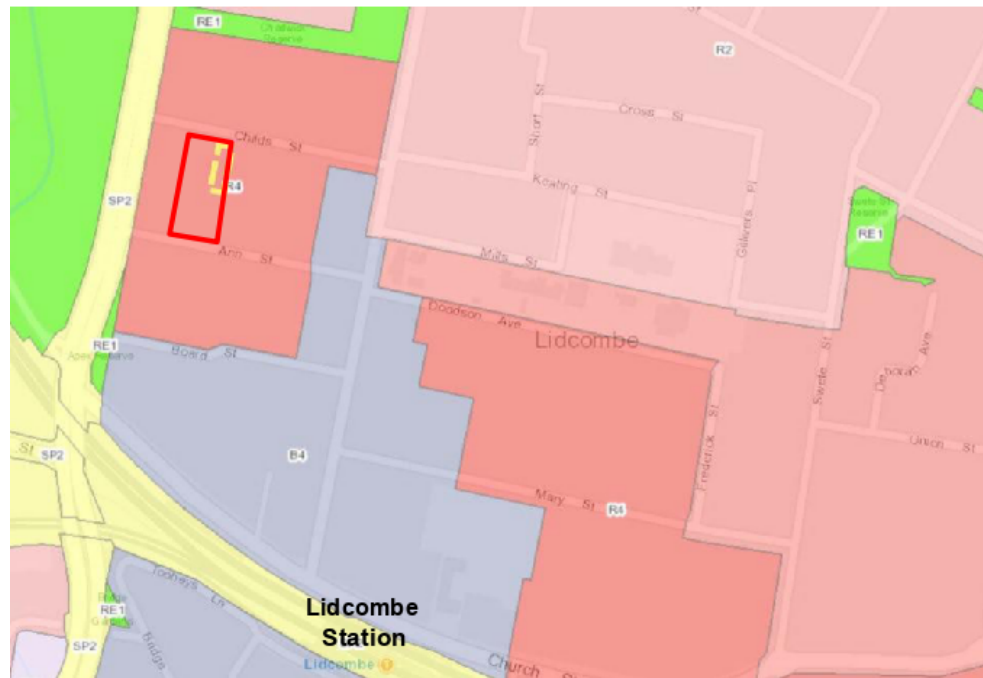
### Recommendation:

Consider in future work program by Council



# 15-19 Childs Street and 16-20 Ann Street, Lidcombe

## Increase height and FSR



### Recommendation:

Consider in future work program by Council

	Current Controls (ALEP)	Proposed Controls
<b>Proposal Summary</b>	<p>Zone: R4 High Density Residential</p> <p>Height: 18m</p> <p>FSR: 1.7:1</p>	<p>Increase height limit to 50m,</p> <p>FSR to 5:1</p>
<b>Rationale/ Submission</b>	<p>Located in proximate to Lidcombe train station and town centre.</p> <p>The existing natural line (RE1 zone Chadwick Reserve) separate higher density between R4 and RE1 zone. Height limit to 35m is not necessary this site area.</p> <p>The proposed increased height and density is recommended to be consistent with other Precincts within Lidcombe.</p>	

# 5 Olympic Drive, 14 & 24 Childs Street, Lidcomb

## Increase height and FSR



### Recommendation:

Consider in future work program by Council

### Proposal Summary

#### Current Controls (ALEP)

Zone: R4 High Density Residential

Height: 18m, 20m

FSR: 1.7:1, 2:1

#### Proposed Controls

Request for high FSR of 3:1 and increase in height limit

### Rationale/ Submission

Request for upzoning of the site on the corners of Childs St and Olympic Drive (the Liberty Plains motel) for higher FSR of 3:1 and increase in height limit, in alignment with the surrounding development.



# 8 Childs Street, Lidcombe

## Increase height and FSR



Proposal Summary	Current Controls (ALEP)	Proposed Controls
	R4 Height 18m FSR 1.7:1	FSR: 3:1 Height: 32m
Rationale/ Submission	<p>Submission from 8 Childs Street, but refers to entire northern side of Childs Street.</p> <p>Site is just outside Lidcombe TC boundary. South of street is within precinct 11 of Lidcombe TC strategy work. Proponent wants Council to apply the same HOB and FSR of Precinct 11 for entire Childs Street and make it uniform.</p>	

### Recommendation:

Consider in future work program by Council



# 60-62A Joseph Street, Lidcombe

## Increase height



### Recommendation:

Consider in future work program by Council

	Current Controls (ALEP)	Proposed Controls
Proposal Summary	Zone: B4 Mixed Use Height: 32m FSR: 5:1	Increase height limit to 50m
Rationale/ Submission	<p>Recommends an increase in height limit to 50m to reflect a more contemporary style of building and allow for development of a higher standard both in terms of architectural style, public domain outcomes, deep soil planting and potential through site links.</p> <p>Commented that a current FSR of 5 and height of 38m is a mismatch that would only permit development for short and wide buildings that have a high site coverage ratio.</p>	





# 1A Mark Street, Lidcombe

## Increase height and FSR



### Recommendation:

Consider in future work program by Council

### Proposal Summary

Current Controls (ALEP)	Proposed Controls
Zone: B4 Mixed Use	Review of FSR and height limit to allow up to 15 storey development (in part), and include place of public worship land use B4 zoning.
Height: 32m	
FSR:5:1	

### Rationale/ Submission

Submitter provided a urban design study and open space investigation on the subject site and Lidcombe Remembrance Park precinct.

Submitter commented that the existing planning control on the site would deliver a poor urban design outcome and could cast significant overshadowing on the Lidcombe Remembrance Park.

The proposed part 5 storey and part 1 storey (with no change to FSR), would potentially deliver a range of benefits to its urban design and open spaces.

Commented that the proposed outdoor area still falls under the general height hierarchy of the Lidcombe Town Centre and the taller tower addresses the Gateway location at the corner of Mark and Taylor Streets.





# 9 The Avenue, Granville

## Proposed rezoning – R2 to R3/R4



### Recommendation:

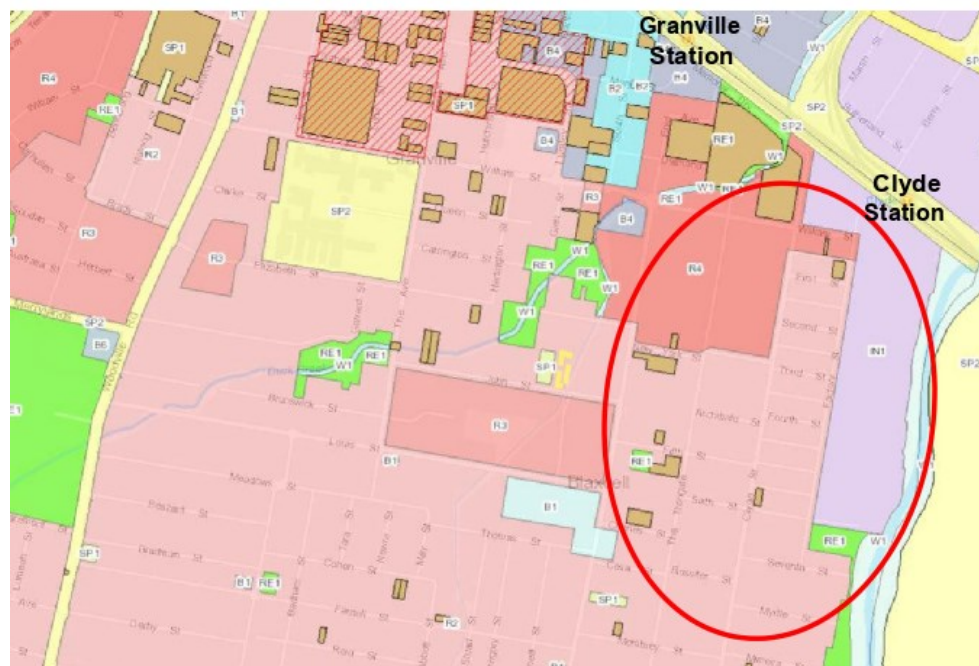
Consider in future work program by Council

Proposal Summary	Current Controls (PLEP)	Proposed Controls
	<p>Zone: R2 Low Density Residential</p> <p>Height: 9m</p> <p>FSR: 0.5:1</p>	<p>R3 Medium Density Residential or R4 High Density Residential,</p> <p>Allow for town house or apartments development</p>
Rationale/ Submission	<ul style="list-style-type: none"> <li>• There are high demand for local housing needs in Granville</li> <li>• More housing need to be provided close to railway line for easy transportation</li> <li>• Amalgamate smaller lots for a joint development would provide better neighbourhood look and feel, rather than irregular size of lands with house and unit mixed together.</li> </ul>	



# Clyde Station and Myrtle Street, Clyde

## Proposed rezoning – R2 to R3



### Recommendation:

Consider in future work program by Council

### Proposal Summary

Current Controls (PLEP)	Proposed Controls
Zone: R2 Low Density Residential	R3 Medium Density Residential
Height: 9m	
FSR: 0.5:1	

### Rationale/ Submission

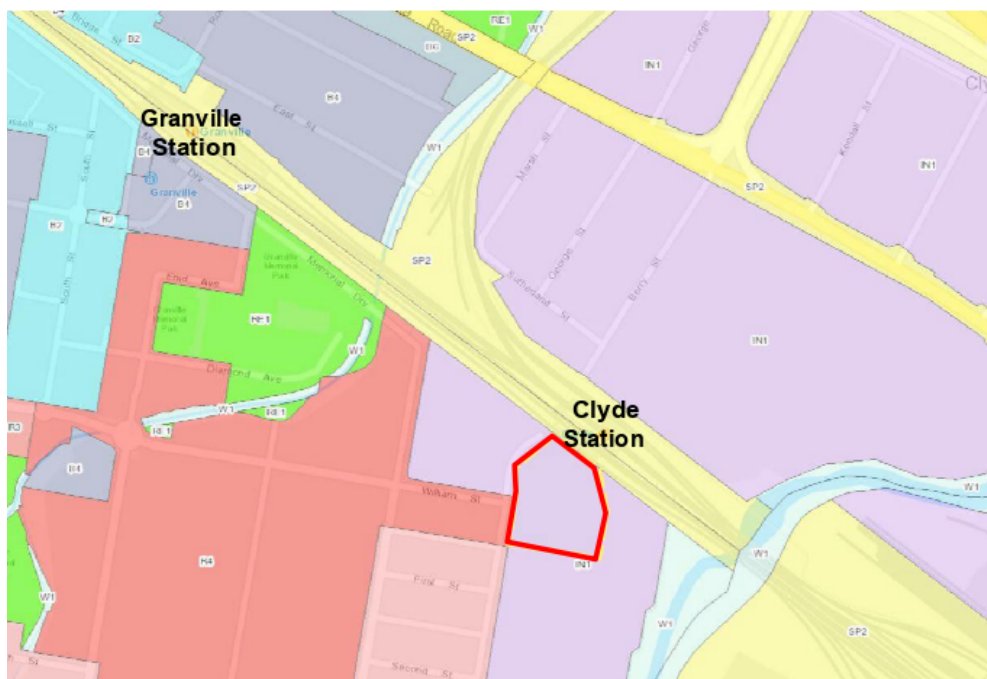
Would like to see a focus on areas in close proximity to bus services and train services.

Particular attention to existing R2 zoned area in between Clyde Station and Myrtle Street.



# 2 Factory Street, Granville (Clyde)

## Proposed rezoning – IN1 to B4



### Recommendation:

Consider in future work program by Council

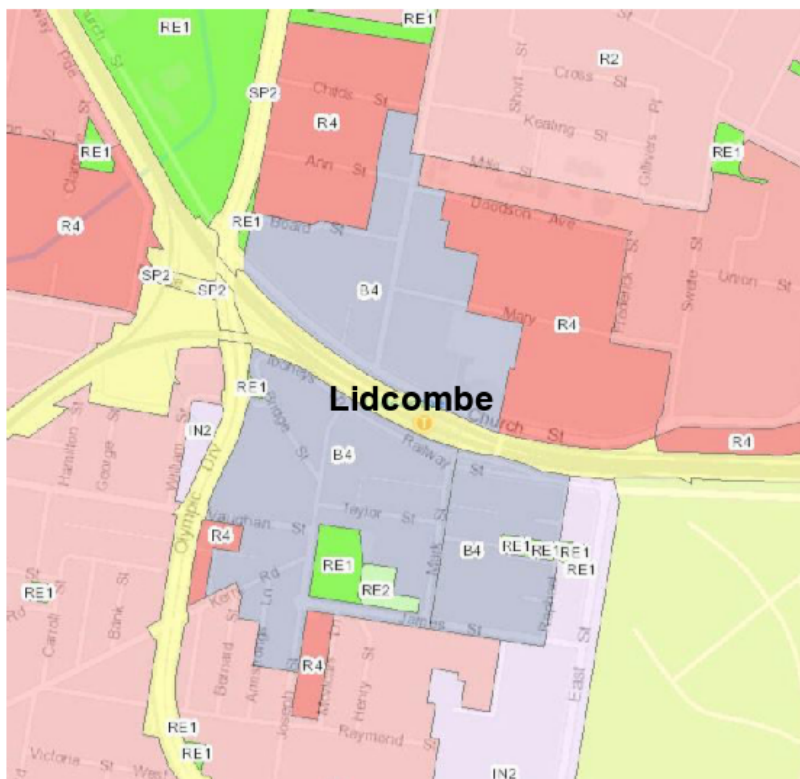
	Current Controls (PLEP)	Proposed Controls
<b>Proposal Summary</b>	<p>Zone: IN1 General Industrial</p> <p>Height: 12m</p> <p>FSR:1:1</p>	<p>Mixed Use, and review of permissible land uses such as student accommodation, commercial, retail office uses, educational and community uses</p>
<b>Rationale/ Submission</b>	<p>Submission outlines the previous support from Parramatta Council for change of zoning to mixed-use zoning but failed to gain gateway approval.</p> <ul style="list-style-type: none"> <li>- At the time, JRPP noted potential for other uses, including commercial or a combined commercial/industrial use and for the future land to take into findings of the draft Parramatta Employment Lands Study.</li> <li>- Based on the Cumberland Council Employment Lands Study's acknowledgement of the constraints of the Clyde Industrial Area and its suggestion of a relationship with Granville TAFE to become an innovative learning precinct, the submissions requests Council to take priority early action to adopt range of complementary land uses that could be applied to land at 2 Factory Street, Clyde to assist the broader transition of Clyde to an innovative and productive precinct.</li> </ul>	





# Berala Town Centre and surrounds

## Revisit Berala Town Centre Planning Proposal



Proposal Summary	Current Controls (PLEP)	Proposed Controls
	R2 Low Density Residential and R3 Medium Density Residential	Rezone parts Berala Town Centre to R3, R4 and B2
Rationale/ Submission	<p>The submissions is a petition from business owners in Berala Town Centre asking council to revisit the Berala village planning proposal and upzone where necessary to improve business.</p> <p>The Berala village planning proposal would see areas to the West of Woodburn Road rezoned from R2 and R3 to R4 and B2 and areas east of Woodburn Road rezoned from R2 and R3 to R3, R4 and B2. Specific information has been provided in the submission.</p>	

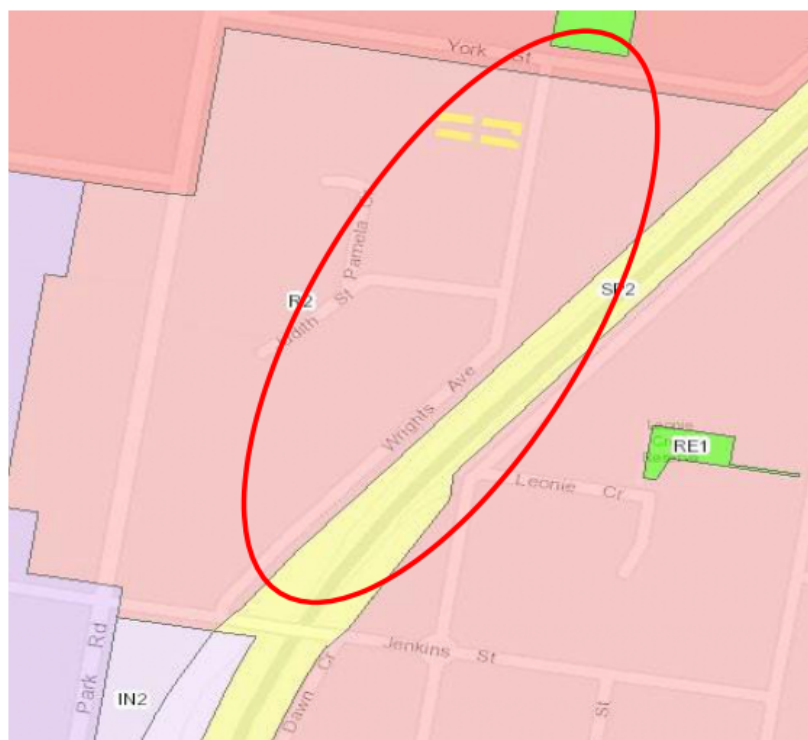
### Recommendation:

Consider in future work program by Council



# Wrights Avenue, Berala

## Proposed rezoning – R2 to R3



Proposal Summary	Current Controls (ALEP)	Proposed Controls
	R2 Low Density Residential Height: 9m	Rezone to R3 Medium Density Residential
Rationale/ Submission	Rezone both sides of Wrights Avenue, Berala to R3	

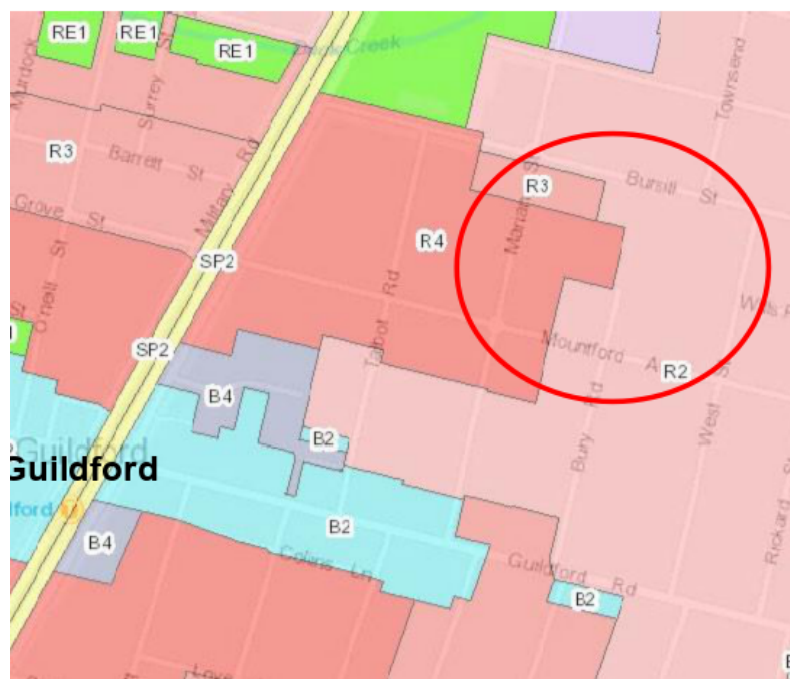
### Recommendation:

Consider in future work program by Council



## Marian Street Precinct, Guildford

### Proposed rezoning – R2 to R4



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	R2 Low Density Residential R3 Medium Density Residential R4 High Density Residential  Height 9m, 11m, FSR 0.5:1, 0.6:1, 0.8:1,	Rezone to R4, change FSR to 1.5:1, change HOB to 17m
Rationale/ Submission	Submission from Think Planners requests various changes to planning controls to facilitate redevelopment.  The justification for these changes is that they align with the directions and strategies described in the Plan for Growing Sydney, the Metropolis of Three Cities – the Greater Sydney Region Plan and the Central City District Plan. The submission has supporting documents attached.	

#### Recommendation:

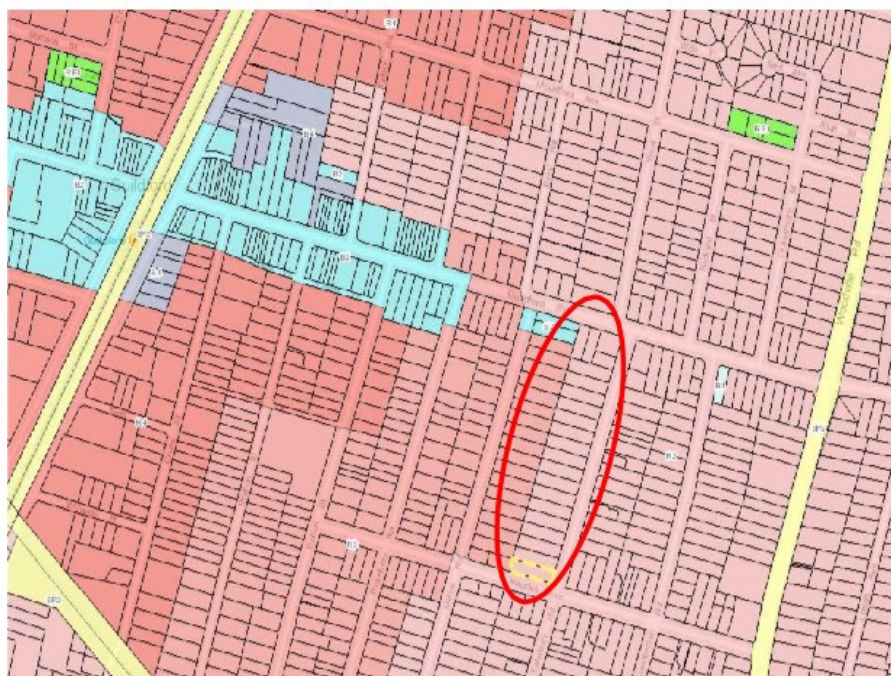
Consider in future work program by Council





# 33 Salisbury Road, Guildford

## Proposed rezoning – R2 to R3



Proposal Summary	Current Controls (PLEP)	Proposed Controls
	R2 Low Density Residential Height 9m FSR 0.5:1	R3 Medium Density
Rationale/ Submission	Properties on Milner Rd which are directly behind are zoned R3.	

### Recommendation:

Consider in future work program by Council



# Oxford, Marian, McArthur and Woodstock Street, Guildford

## Proposed rezoning – IN1 to R4



Proposal Summary	Current Controls (PLEP)	Proposed Controls
	IN1 zone 1:1 FSR 12m HOB	R4 zone 38 HOB
Rationale/ Submission	Rezone from IN1 to R4, and increase HOB from 12m to 38m - allowing RFBs and multi-dwellings (townhouses) with different heights. Currently the site is a hardware, bathroom and kitchen wholesaler employing 10 staff.	

### Recommendation:

Consider in future work program by Council



# Marian, McArthur and Woodstock Street, Guildford

## Proposed rezoning – IN1 to R4



Proposal Summary	Current Controls (PLEP)	Proposed Controls
	IN1 zone 1:1 FSR 12m HOB	R4 zone 31 HOB
Rationale/ Submission	Rezone from IN1 to R4, and increase HOB from 12m to 31m - allowing RFBs with different heights. Currently the site is a product showroom for window and joinery manufacturing, employing 16 people.	

### Recommendation:

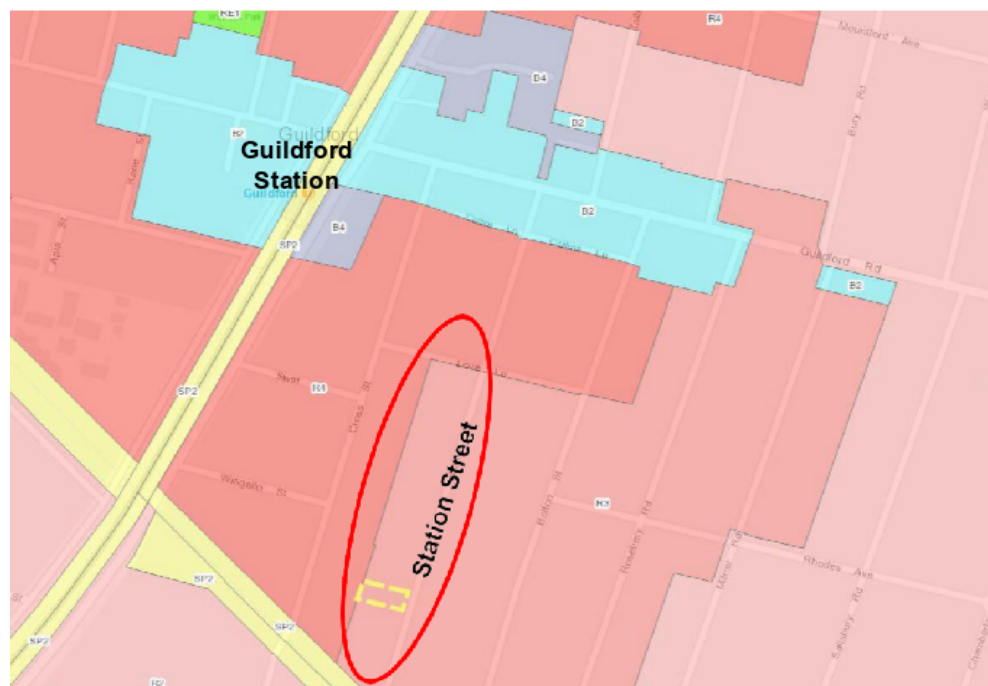
Consider in future work program by Council





# Station Street, Guildford

## Proposed rezoning – IN1 to R4



### Recommendation:

Consider in future work program by Council

	Current Controls (PLEP)	Proposed Controls
Proposal Summary	Zone: IN1 General Industrial	R4 High Density Residential
	Height: 11m	15m
	FSR: 0.6:1	2:1
Rationale/ Submission	The subject site is zoned R3 but the western half of the block is zoned to F. A block of 30 apartment units being built directly on the rear of the subject site which the submitter concerns of privacy and disparity in zoning and density around the area.	
	Noting on the site's proximity to local centres, Guildford train stations and Yennora and Woodpark industrial precinct.	
	Comments made on the demand for housing in the area and noting on recognition of employment opportunities in the area that there should be ample housing for locals to live close to where they work.	



# Hawksview Road, Guildford

Proposed rezoning – R2 to R4 or B4



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	Mixed	Zone B4 Mixed Use with corresponding uplift in height and FSR
Rationale/ Submission	Rezone Hawksview Rd Guildford including customer's property (no address provided) to either R4 or B4 zoning, as it is opposite St Elias church and having both parking, and cafes/amenities underneath will benefit the area. 600m approx straight line distance from Guildford.	

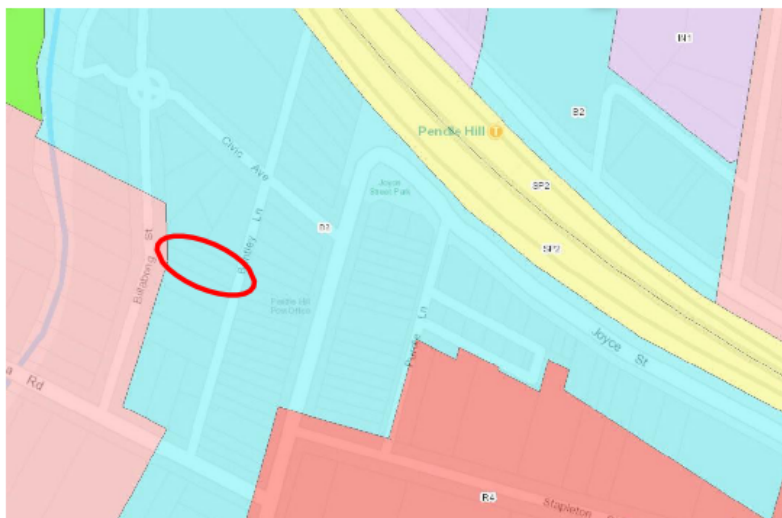
## Recommendation:

Consider in future work program by Council



# 7 and 7a Billabong Street, Pendle Hill

## Increase FSR



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	Zone B2 Local Centre Height 17m FSR 2:1	Increase FSR to 3:1
Rationale/ Submission	Submitter requests that FSR be increased to 3:1 for 7 and 7a Billabong Street. It is in the town centre and within 160 meters of the station.	

### Recommendation:

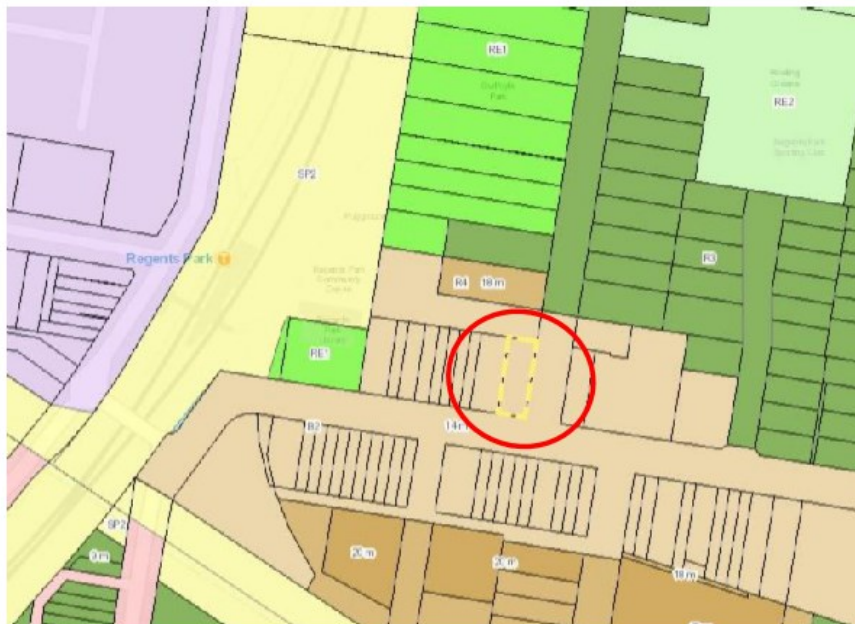
Consider in future work program by Council





# 17 Amy Street, Regents Park

## Increase in height



Proposal Summary	Current Controls (ALEP)	Proposed Controls
	Zone R3 Medium Density Residential	Zone B4 Mixed Use with corresponding uplift in height and FSR
Rationale/ Submission	Proposal to increase the height limit of the property by 3m – to allow an additional floor. Additional parking is already provided, and an existing DA in place.	

### Recommendation:

Stream 2 – Regents Park Town Centre  
(Height and FSR to be considered)



CUMBERLAND  
COUNCIL

## Appendix

# Details of Other Rezoning Proposals



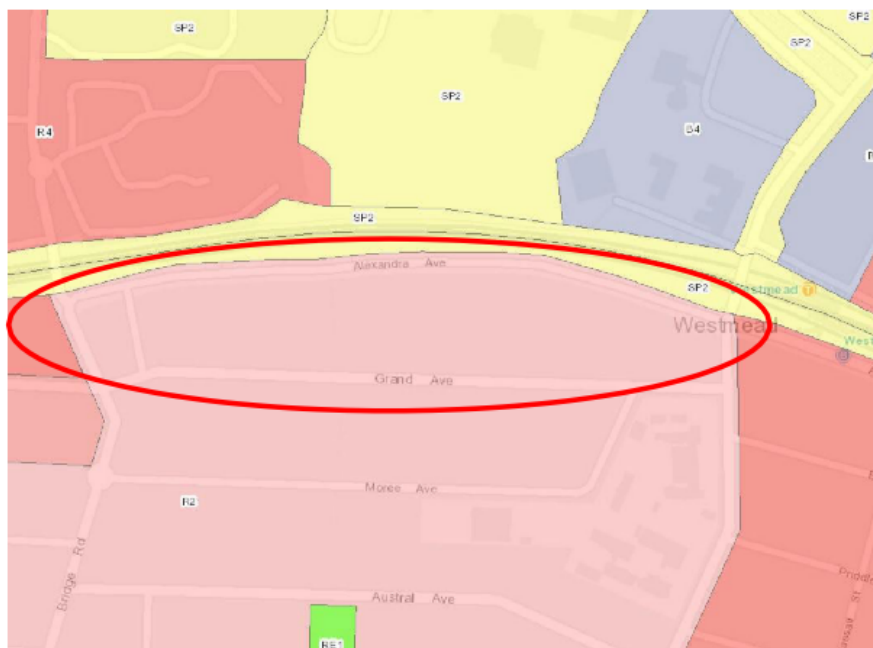
CUMBERLAND  
COUNCIL

**Stream 2** – Consider in Council's future work  
program of planning reviews for centres and strategic  
corridors



# Hawkesbury Rd, Alexandra Ave, Grand Ave and Bridge Rd, Westmead

## Proposed rezoning – R2 to R4



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	Zone R2 Low Density Residential Height 9m FSR 0.5:1	Zone R4 High Density Residential with corresponding uplift in height and FSR
Rationale/ Submission	Rezoning from R2 to R4 requested. Site is close to Westmead Station, the Westmead health and education precinct.	

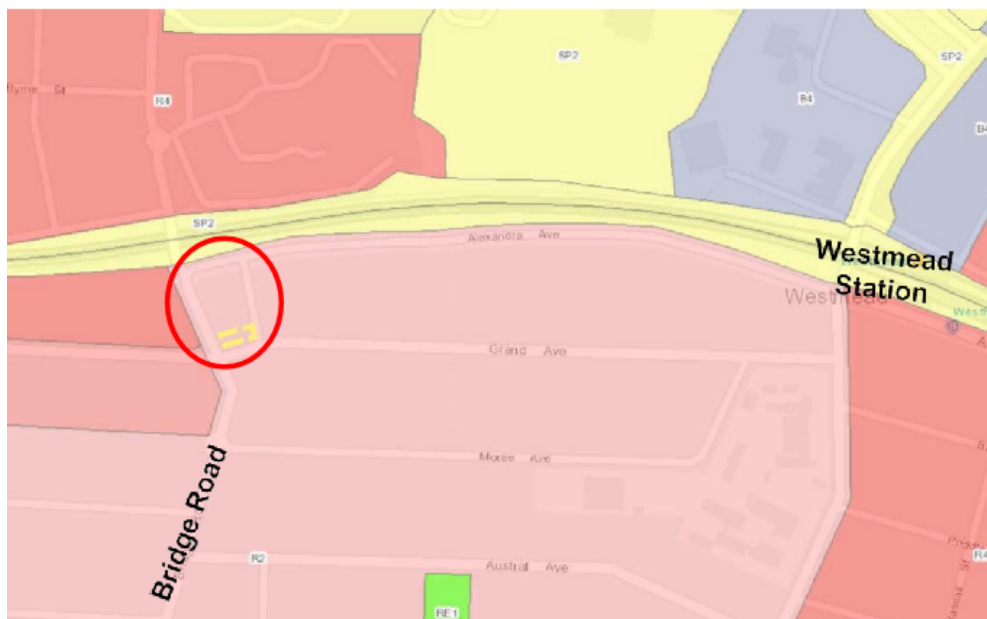
### Recommendation:

Consider in future work program by Council



# 79-87 Bridge Road, Westmead

## Proposed rezoning – R2 to R4



### Recommendation:

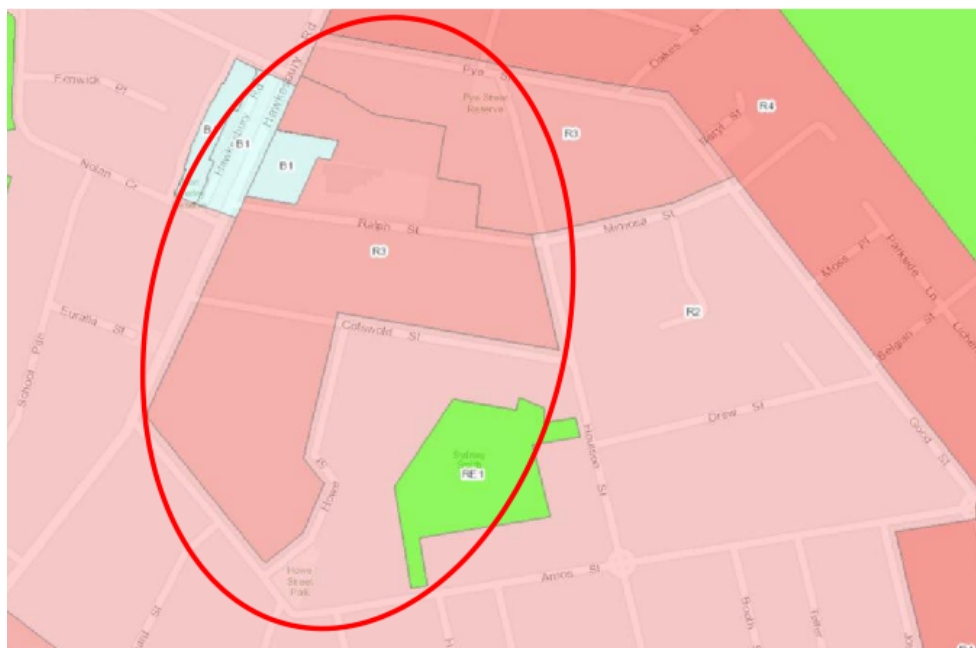
Consider in future work program by Council

	Current Controls (HLEP)	Proposed Controls
Proposal Summary	Zone: R2 Low Density Residential	R4 High Density Residential
	Height: 9m	
	FSR: 0.5:1	
Rationale/ Submission	These lots are located on one block with a rear access lane. There are units across the railway and immediately across the road from these lots.	
	Short walk (approx. 630m) to Westmead railway station, Westmead hospitals and local schools.	



# Hawkesbury Road and Howe Street, Westmead

## Proposed rezoning – R2/R3/B1 to R4



### Recommendation:

Consider in future work program by Council

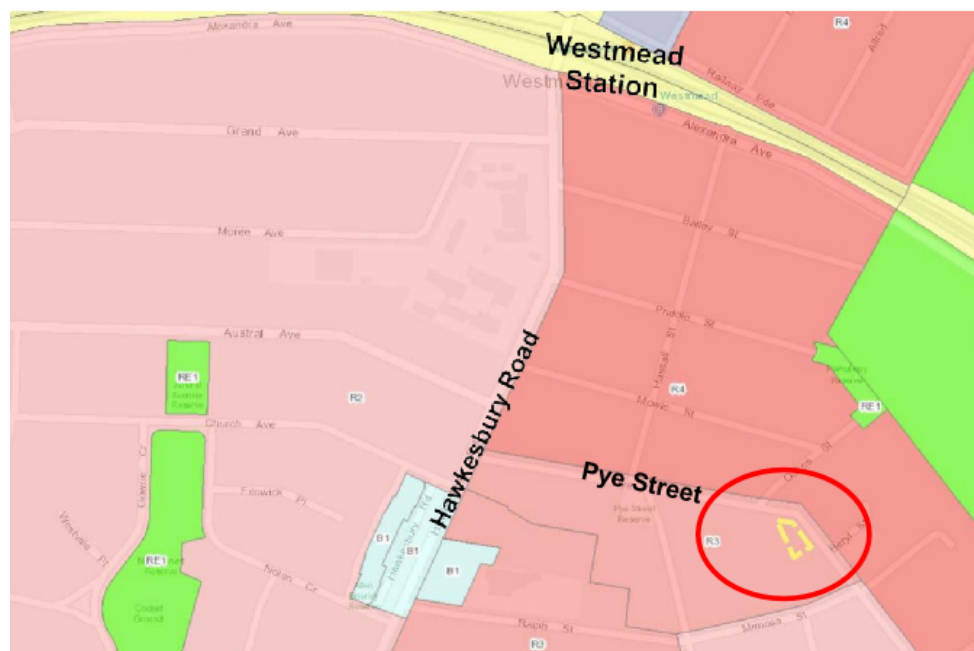
	Current Controls (HLEP)	Proposed Controls
<b>Proposal Summary</b>	Mix of R2 Low Density Residential, R3 Medium Density Residential and B1 Neighbourhood Centre	R4 High Density Residential  Height: 15m FSR 1:1
<b>Rationale/ Submission</b>	<p>Located in proximate to Parramatta CBD and open space.</p> <p>Recommends Council to encourage higher density residential, affordable housing and business opportunities this area in Westmead South.</p> <p>Rezoning to R4 would bring more residents into this area and bring back the businesses and community back life with potential for new light rail. The Oakes Street shopping complex is experiencing vacant shops due to not enough density allowed in the area.</p>	





# Pye Street and Good Street, Westmead

## Proposed rezoning – R3 to R4



### Recommendation:

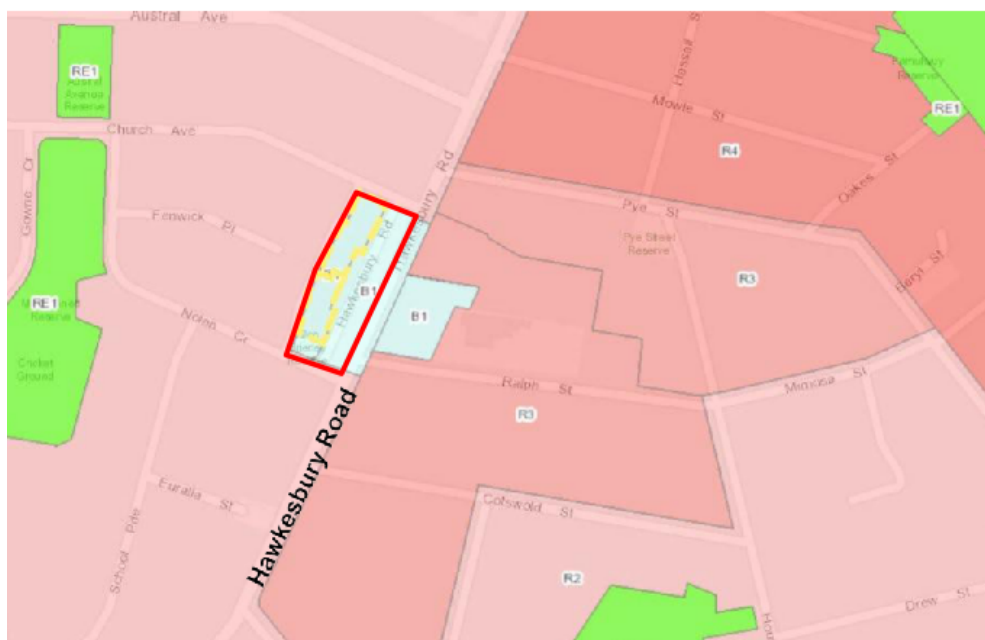
Consider in future work program by Council

	Current Controls (HLEP)	Proposed Controls
Proposal Summary	Zone: R3 Medium Density Residential	R4 High Density Residential
	Height: 9m	
	FSR: 0.7:1	
Rationale/ Submission	<p>Lots on the corner of Pye St and Good St are surrounded by units for many years. Developments around the area are transitioning to higher density.</p> <p>Short walk to Westmead railway station, Westmead hospitals, local schools, Parramatta CBD and Parramatta Park.</p>	



# 74 Hawkesbury Road, Westmead

## Proposed rezoning – B1 to B4/R4



### Recommendation:

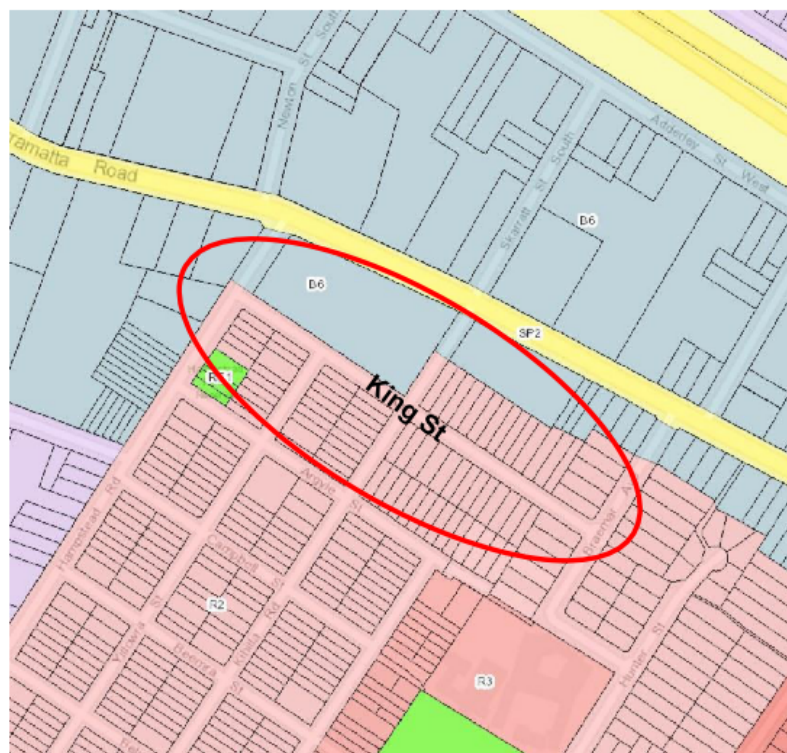
Consider in future work program by Council

	Current Controls (HLEP)	Proposed Controls
<b>Proposal Summary</b>	<p>Zone: B1 Neighbourhood Centre</p> <p>Height: 17m</p> <p>FSR: 2:1</p>	<p>B4 Mixed Use or R4 High Density Residential</p>
<b>Rationale/ Submission</b>	<p>Many of the owners have no intention to upgrade the existing (poor) condition and would like to redevelop the site entirely.</p> <p>The proposed development includes</p> <ul style="list-style-type: none"> <li>Acquiring a section of Hawkesbury Road fronting the subject site,</li> <li>Demolish the existing shop top housing and redevelop with a greater FSR to include educational facility or centre-based multi-use shopping centre</li> </ul>	



# King Street, Auburn

## Proposed rezoning – R2 to B1 or R3



Proposal Summary	Current Controls (ALEP)	Proposed Controls
	Zone R2 Low Density Residential Height 9m FSR N/A	Zone B1 Neighbourhood Centre or R3 Medium Density Residential with corresponding uplift in height and FSR
Rationale/ Submission	Submitter requests King Street, Auburn be rezoned to B1 or R3 to blend the building height and to bring more business into the area.	

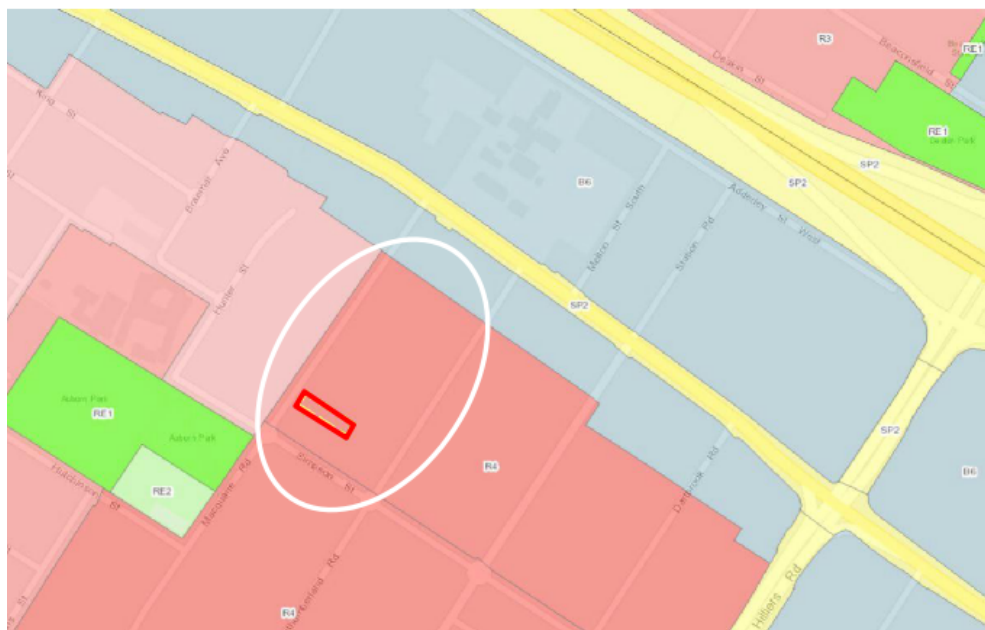
### Recommendation:

Consider in future work program by Council



# 61 Macquarie Road, Auburn

## Increase height and FSR controls



### Recommendation:

Consider in future work program by Council

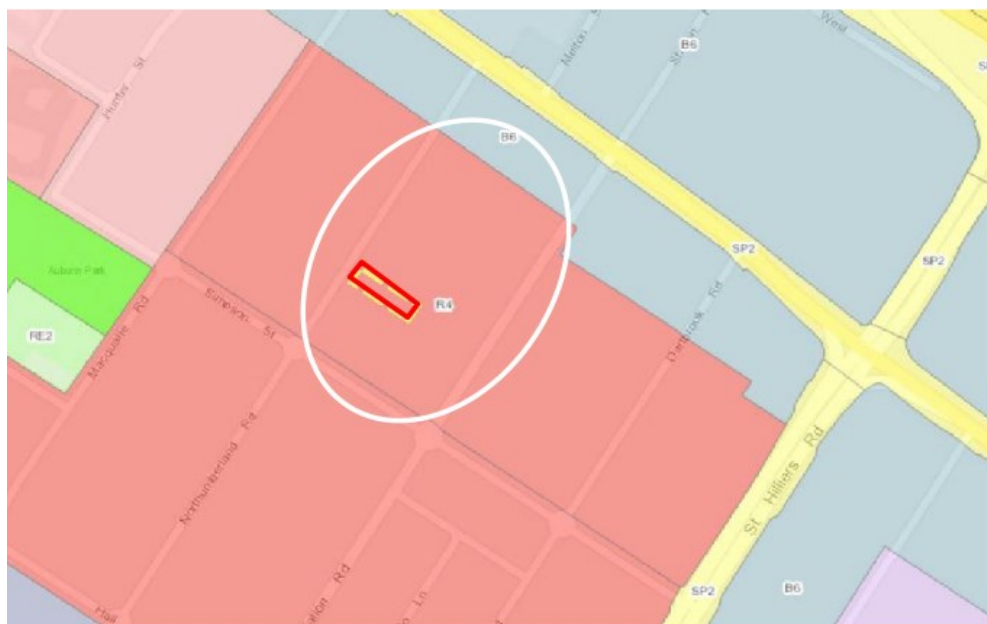
	Current Controls (HLEP)	Proposed Controls
Proposal Summary	Zone: R4 High Density Residential	Increase a maximum height of building
	Height: 18m	28m
	FSR: 1.7:1	2.5:1
Rationale/ Submission	<ul style="list-style-type: none"> <li>Units in North Auburn are aged and having an ongoing maintenance issues. North Auburn needs flexible height and FSR controls so that the area becomes attractive to potential investors.</li> </ul>	
	<ul style="list-style-type: none"> <li>Height increase to 21m-27m and a zoning change to R4 are proposed to the area opposite (western side of Macquarie Road) to the subject site, under the PRCUTS.</li> </ul>	





# 81 Northumberland Road, Auburn

## Increase height and FSR controls



### Recommendation:

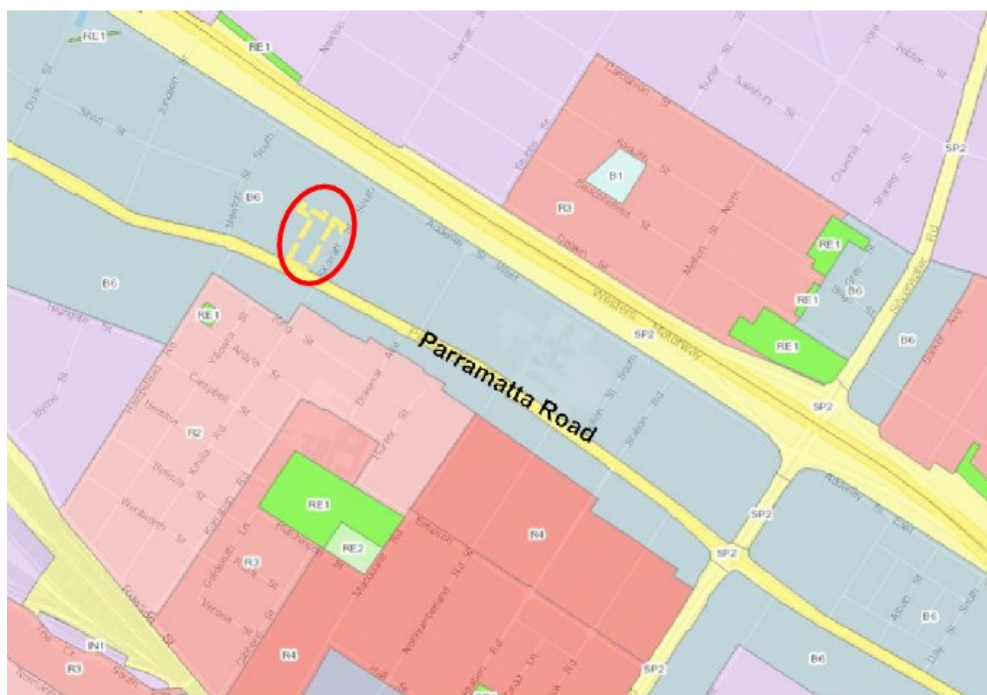
Consider in future work program by Council

	Current Controls (HLEP)	Proposed Controls
Proposal Summary	Zone: R4 High Density Residential	Increase a maximum height of building
	Height: 18m	Up to 7 storey
	FSR: 1.7:1	4:1
Rationale/ Submission	<ul style="list-style-type: none"> <li>Area in North Auburn is experiencing over crowded parking issues due to aged apartments and units with no basement parking spaces.</li> <li>Rubbish/littering has been an issue for these area due to separate unit blocks.</li> <li>The current 18m height limit and FSR of 1.7:1 offer no financial incentive for developers to purchase blocks of units and redevelop the area.</li> </ul>	



## 219 Parramatta Road, Auburn

### Flexible land uses

**ecommmendation:**

Consider in future work program by Council

## Proposal Summary

### Current Controls (ALEP)

Zone: B6  
Enterprise Corridor

Height: 27m

FSR: 1:1

### Proposed Controls

Request for a flexible land uses

### Rationale/ Submission

- Submission requests consideration of general retailing within the B6 zone to allow these types of businesses to operate adjoining other bulky goods retail outlets. This general retail space could be restricted to 15% of the floor area of the building to ensure existing commercial centres are protected.

- Submission notes that businesses along Parramatta Road have been struggling due to the impact of online retail shopping and notes that there is need for purely bulky good retail areas transform into viable and vibrant space





# 54-68 Hampstead Road and 276-282 Parramatta Road, Auburn

## Proposed rezoning – B6 to B1 and other controls



Proposal Summary	Current Controls (ALEP)	Proposed Controls
	B6 Enterprise Corridor Height N/A FSR 1:1	B1 Neighbourhood Centre Apply existing 'Parramatta Road Precinct' boundary Continue height and FSR incentives
Rationale/ Submission	<p>Submitter requests following changes be considered:</p> <ol style="list-style-type: none"> <li>1. The 'Parramatta Road Precinct' boundary and Clause 4.4.(2B) continue to apply to the B6 zoned land along the Parramatta Road Corridor,</li> <li>2. The incentives also apply, as they currently do, to the land subject to the zone change from B6 Enterprise Corridor to B1 Neighbourhood Centre</li> </ol>	

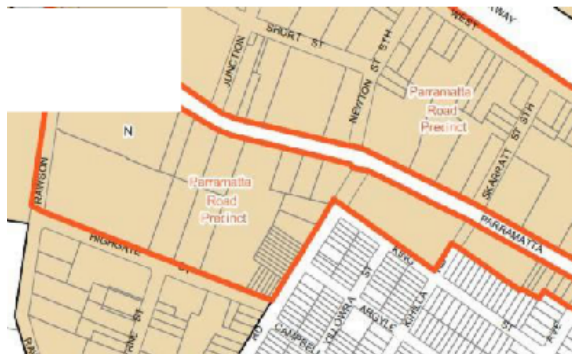
### Recommendation:

Consider in future work program by Council



# 284-290 Parramatta Road, Auburn

Proposed rezoning – B6 to B1 and increase FSR



Proposal Summary	Current Controls (ALEP)	Proposed Controls
	B6 Enterprise Corridor Height N/A FSR 1:1	B1 Neighbourhood Centre Increase FSR (max. 3:1) Retain existing permissible uses
Rationale/ Submission	<p>Apply consistent zoning and planning controls across entire site, including FSR increase to 3:1 (incentive as per Auburn LEP clause 4.4)</p> <p>Retain permissibility of current uses including office premises, specialised retail premises, vehicle sales or hire premises, and hardware and building supplies</p> <p>Submitter asserts that PRCUTS does not provide an appropriate response to site specific context and will not facilitate economically feasible redevelopment.</p>	

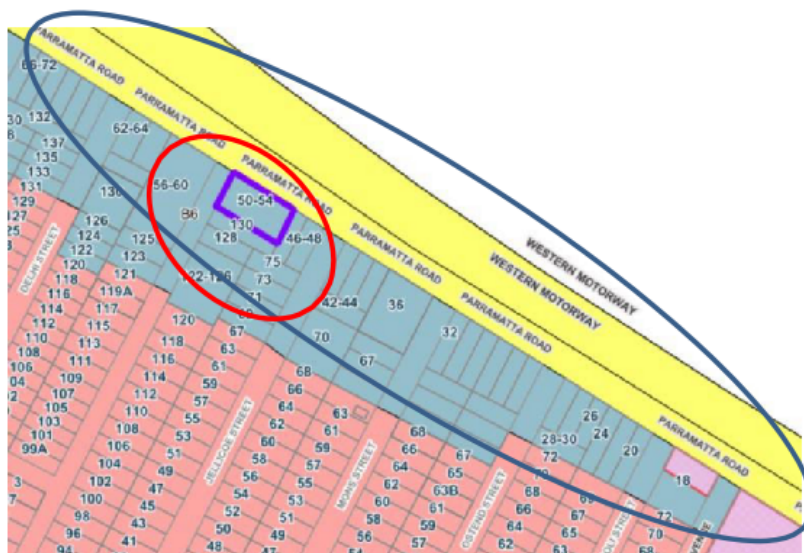
## Recommendation:

Consider in future work program by Council



# Parramatta Road and Jellicoe Street, Lidcombe

## Allow residential in B6 zone



Proposal Summary	Current Controls (ALEP)	Proposed Controls
	<p>Zone: B6 Enterprise Corridor</p> <p>Height: NA</p> <p>FSR: 1:1</p>	To allow mixed use in the B6 zone within the Parramatta Road corridor at Lidcombe.
Rationale/ Submission	Requests that mixed use (including shop-top housing/residential use) be permitted in the B6 zone within the Parramatta Road corridor at Lidcombe.	

### Recommendation:

Consider in future work program by Council



# 195-203 John Street, Lidcombe

## Increase height and FSR



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	B6 Enterprise Corridor Height NA FSR 1:1	Increase height and FSR
Rationale/ Submission	Request for development controls to support similar scale and density to the Carter Street Precinct including the development of towers.	

### Recommendation:

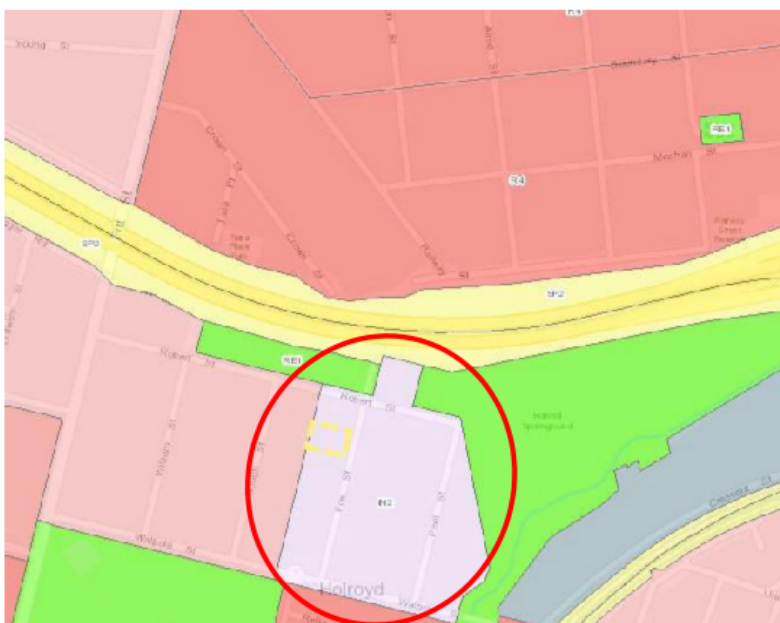
Consider in future work program by Council





# 11-13 Fox Street, Holroyd

## Proposed rezoning – IN2 to R3



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	Zone IN2 Light Industrial	R3, and FSR 1.5 to 1 and HOB 15m
Rationale/ Submission	Requests site be rezoned to R3, and FSR 1.5 to 1 and HOB 15m, referencing PRCUTS. Submitter notes that a SEPP restriction on the site should not be a deterrent for keeping the same zone.	

### Recommendation:

Consider in future work program by Council



# 20 Crescent Street, Holroyd

## Retain current zoning



### Recommendation:

Consider in future work program by Council

	Current Controls (HLEP)	Proposed Controls
<b>Proposal Summary</b>	<p>Zone: B5 Business Development</p> <p>Height: 15m</p> <p>FSR: 1:1</p>	<p>Does not agree with the PRCU recommended rezoning of the site to RE1.</p>
<b>Rationale/ Submission</b>	<ul style="list-style-type: none"> <li>Rezoning to RE1 is inappropriate for this site. If a buffer is required between the proposed R3 and B6, this can be addressed through appropriate setbacks and by a site-specific development control plan.</li> <li>The site does not provide direct access point to the Holroyd Sports Ground. A'Becketts Creek runs between the site and the Holroyd Sports Ground. If access is required, a bridge to be constructed over A'Becketts Creek.</li> </ul>	





# 49-53 Woodville Road, Granville

## Proposed rezoning – R2 to R4



Proposal Summary	Current Controls (PLEP)	Proposed Controls
	Zone: R2 Low Density Residential  Height: 9m  FSR: 0.5:1	Rezone to R4 High Density Residential
Rationale/ Submission	Requests that 49,51 and 53 Woodville Road Granville and surrounding properties be rezoned to R4 or mixed use zoning.  Sites are close to Parramatta CBD, Merrylands and Granville train stations.	

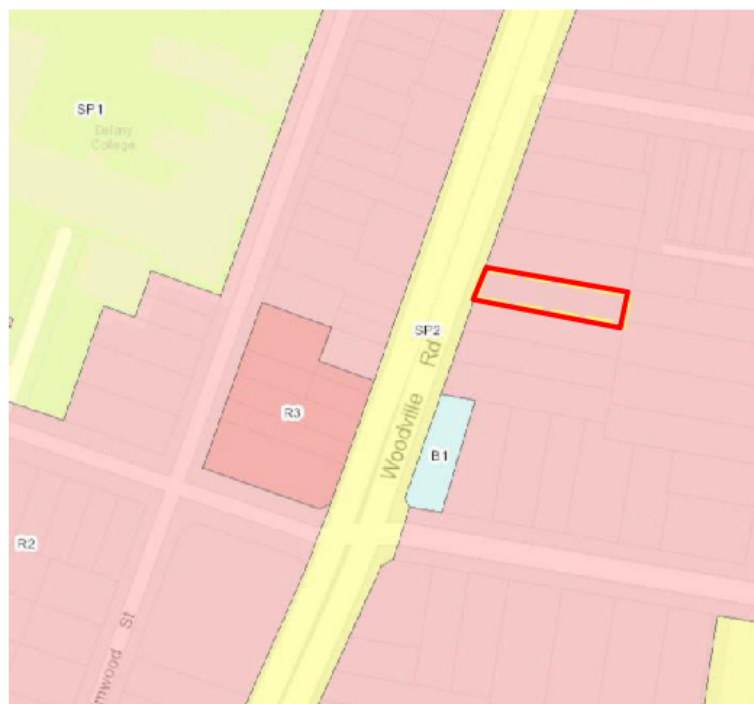
### Recommendation:

Consider in future work program by Council



# 81 Woodville Road, Granville

## Proposed rezoning – R2 to B4



Proposal Summary	Current Controls (PLEP)	Proposed Controls
	Mix of R2, R3, R4, B4 and B6	Zone B4 Mixed Use and corresponding uplift in height and FSR
Rationale/ Submission	Requests Woodville Road Corridor be zoned to B4 Mixed Use. Need for improvement along the corridor to make the community energetic and developing.	

### Recommendation:

Consider in future work program by Council



# 118 Woodville Road, Granville

## Proposed rezoning – R2 to R4



### Recommendation:

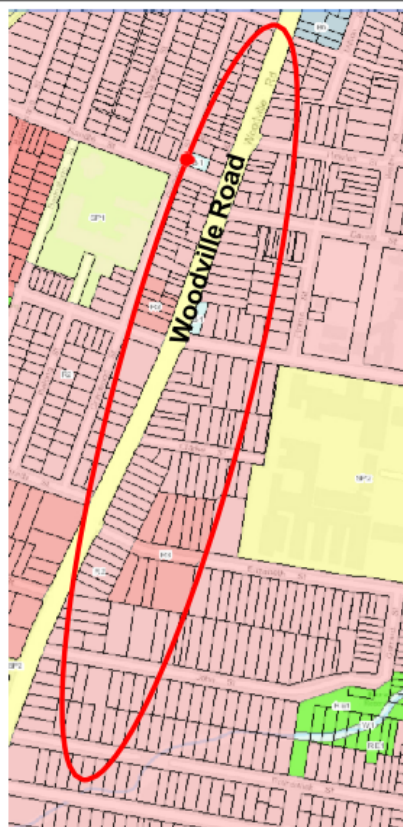
Consider in future work program by Council

Proposal Summary	Current Controls (PLEP)	Proposed Controls
	Zone: R2 Low Density Residential  Height: 9m  FSR: 0.5:1	Zoning – R4 High Density Residential,  as per Woodville Road Strategy
Rationale/ Submission	In 2001, the Woodville Road corridor was rezoned to allow for an increase in residential density.	
	IN 2011, the corridor was rezoned back to a low density zoning (R2 Low Density Residential character under the PLEP 2011) to provide Council with sufficient time to conduct its planning study to inform a new strategy.	
Rationale/ Submission	In 2015, the former Parramatta City Council prepared the draft Woodville Road Planning Strategy.	



# Woodville Road Corridor, Granville

## Proposed rezoning to B4



Proposal Summary	Current Controls (PLEP)	Proposed Controls
	Low Density	Zone B4 Mixed Use
Rationale/ Submission	Supports the change of zoning of Woodville Rd Corridor, with request to rezone to B4 which will allow commercial shops and RFB development.	

### Recommendation:

Consider in future work program by Council



# 205 Woodville Road, Merrylands

## Proposed rezoning – R2 to R4



### Recommendation:

Consider in future work program by Council

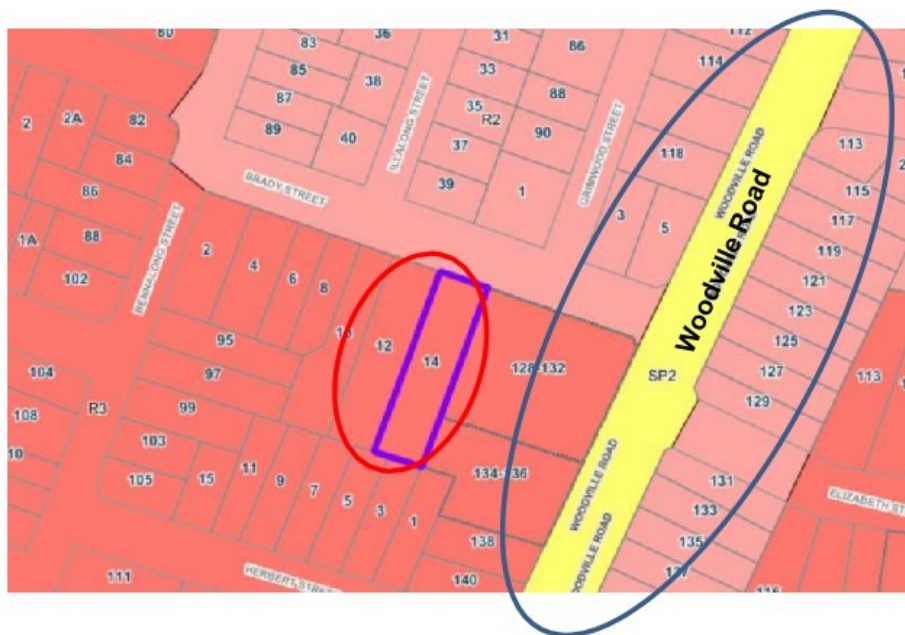
	Current Controls (PLEP)	Proposed Controls
<b>Proposal Summary</b>	<p>Zone: R2 Low Density Residential</p> <p>Height: 9m</p> <p>FSR: 0.5:1</p>	<p>R4 High Density Residential, as per Woodville Road Strategy</p>
<b>Rationale/ Submission</b>	<p>In 2001, the Woodville Road corridor was rezoned to allow for an increase in residential density.</p> <p>IN 2011, the corridor was rezoned back to a low density zoning (R2 Low Density Residential character under the PLEP 2011) to provide Council with sufficient time to conduct its planning study to inform a new strategy.</p> <p>In 2015, the former Parramatta City Council prepared the draft Woodville Road Planning Strategy.</p>	





# 12-14 Brady Street, Merrylands

Proposed rezoning – R3 to R4 or B6



Proposal Summary	Current Controls (PLEP)	Proposed Controls
	Zone: R3 Medium Density Residential  Height: 11m  FSR: 0.6:1	Rezone to R4/B6
Rationale/ Submission	Both properties are located one block of land from the corner of Woodville Rd and Brady St.	

## Recommendation:

Consider in future work program by Council



# 280-290 Woodville Road, Guildford

## Proposed rezoning – B6 to B4

**ecommendation:**

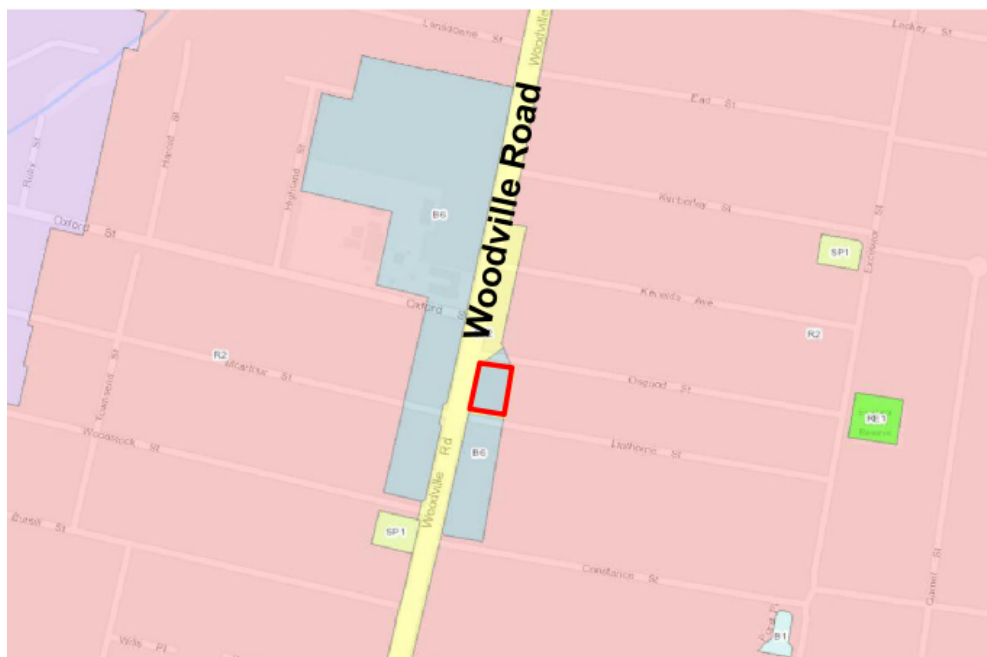
Consider in future work program by Council

Proposal Summary	Current Controls (PLEP)	Proposed Controls
	<p>Zone: B6 Enterprise Corridor</p> <p>Height: 12m</p> <p>FSR: 1.5:1</p>	<p>B4 Mixed Use allow flexible land uses to include 'shops'</p>
Rationale/ Submission	<p>Request for a rezoning of the site (AL to B4 Mixed Use, to support the new local centre, to align with the recommendations of the draft Woodville Road Planning Strategy.</p> <p>And ensure the land use 'shops' be included in this site for the new LEP.</p>	



# 283-289 Woodville Road, Guildford

## Proposed rezoning – B6 to B4



	Current Controls (PLEP)	Proposed Controls
<b>Proposal Summary</b>	<p>Zone: B6 Enterprise Corridor</p> <p>Height: 12m</p> <p>FSR: 1.5:1</p>	<p>Appropriate zone to allow both commercial and residential uses</p> <p>Height – up to 15 storeys</p>
<b>Rationale/ Submission</b>	<p>Seeking a rezoning of sites to allow constructing both commercial and residential building up to 15 storeys.</p> <p>Would like to see both Granville and Guildford be evolving as the current Town Hall and Wynyard.</p>	

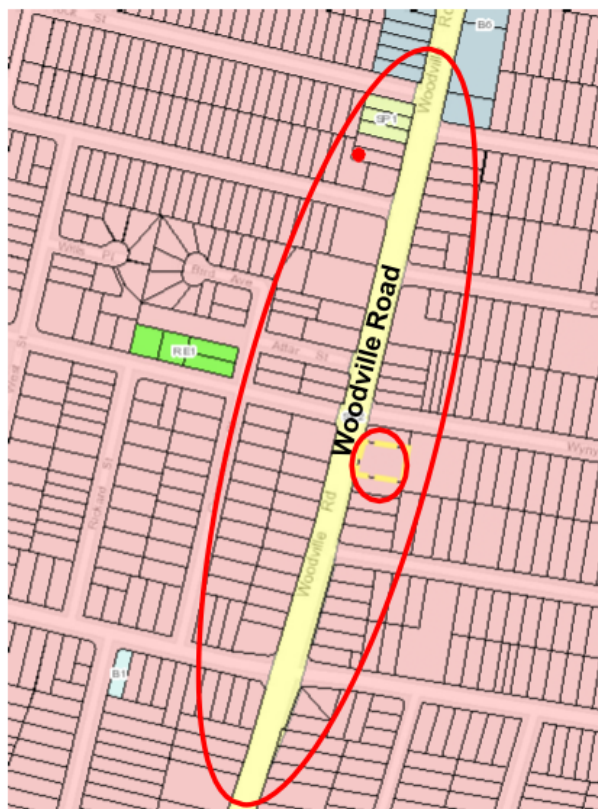
### Recommendation:

Consider in future work program by Council



# 345 Woodville Road, Guildford

## Proposed rezoning – R2 to B4



Proposal Summary	Current Controls (PLEP)	Proposed Controls
	R2 Low Density	Zone B4 Mixed Use
Rationale/ Submission	Woodville Road From Guildford Road to Wynyard Street should be rezoned to Mixed Use, or to B4 so that it is consistent with the properties across the road.	

### Recommendation:

Consider in future work program by Council



# 347 Woodville Rd, Guildford

## Proposed rezoning – R2 to R4



Proposal Summary	Current Controls (PLEP)	Proposed Controls
	Zone: R2 Low Density Residential  Height: 9m  FSR: 0.5:1	Rezone to R4 High Density Residential with corresponding increase in height and FSR
Rationale/ Submission	Request to rezone this land to B4 as this would help improve the aesthetics of this corridor as currently there is a mix of old houses and 'multi use buildings' and shops.	

### Recommendation:

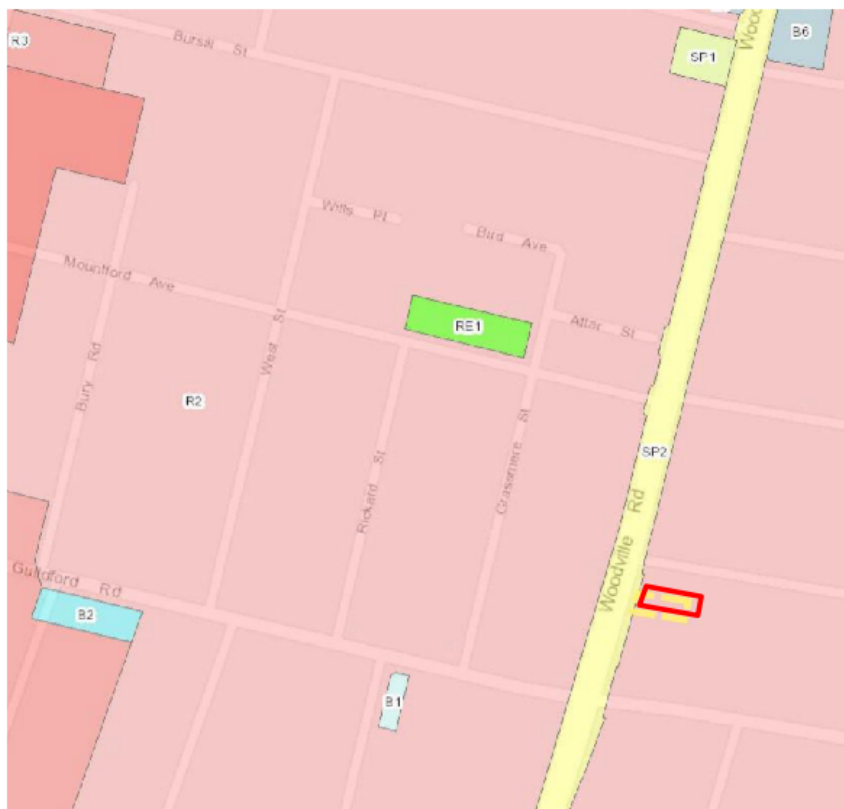
Consider in future work program by Council





# 459 Woodville Road, Guildford

## Proposed rezoning – R2 to B4



Proposal Summary	Current Controls (PLEP)	Proposed Controls
	Mix of R2, R3, R4, B4 and B6	Zone B4 Mixed Use and corresponding uplift in height and FSR
Rationale/ Submission	Woodville Road needs more commercial activities and shop top apartments to provide renewal of the area.	

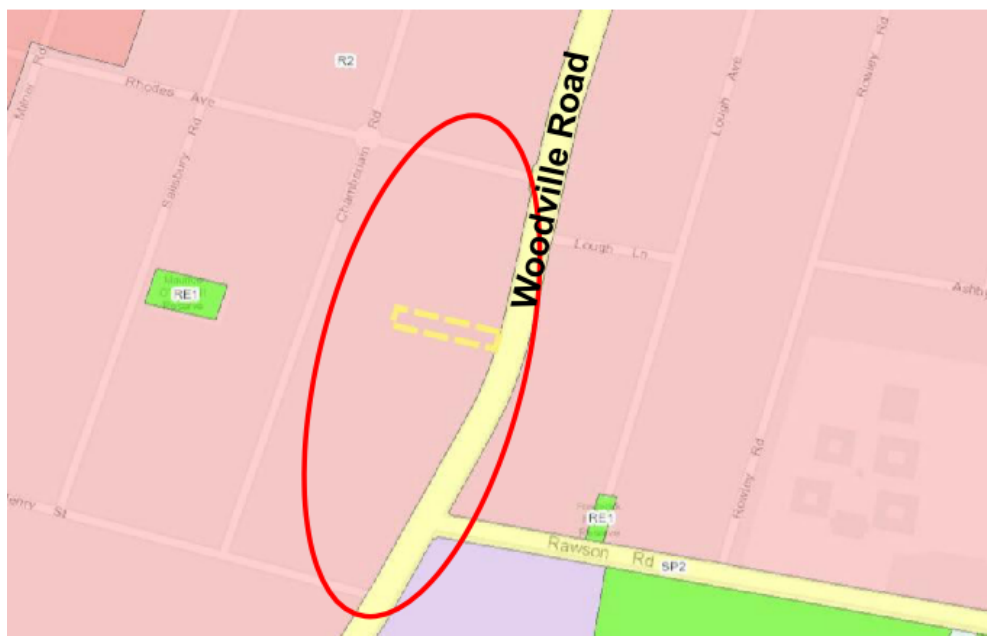
### Recommendation:

Consider in future work program by Council



# 524-528 Woodville Rd, Guildford

## Proposed rezoning – R2 to R4



### Recommendation:

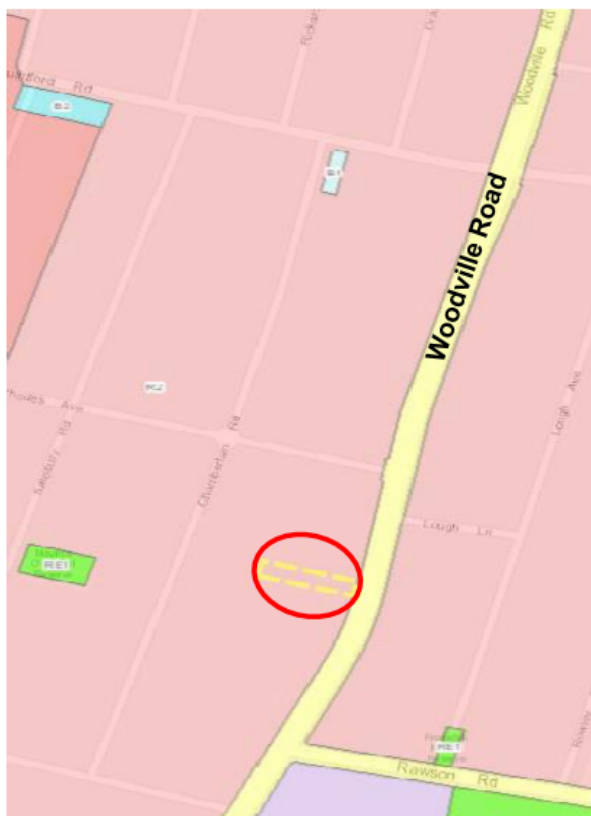
Consider in future work program by Council

	Current Controls (PLEP)	Proposed Controls
<b>Proposal Summary</b>	<p>Zone: R2 Low Density Residential</p> <p>Height: 9m</p> <p>FSR: 0.5:1</p>	<p>R4 High Density Residential,</p> <p>as per Woodville Road Strategy</p>
<b>Rationale/ Submission</b>	<p>In 2001, the Woodville Road corridor was rezoned to allow for an increase in residential density.</p> <p>IN 2011, the corridor was rezoned back to a low density zoning (R2 Low Density Residential character under the PLEP 2011) to provide Council with sufficient time to conduct its planning study to inform a new strategy.</p> <p>In 2015, the former Parramatta City Council prepared the draft Woodville Road Planning Strategy.</p>	



# 523 Woodville Rd, Guildford

## Proposed rezoning – R2 to R4



Proposal Summary	Current Controls (PLEP)	Proposed Controls
	Zone R2 Low Density Residential Height 9m FSR 0.5:1	Zone R4 High Density
Rationale/ Submission	This area is close to Guildford Library, shops, bus and trains. Rezoning the corridor to R4 would allow old houses in this corridor to be redeveloped and match existing 5 storey RFBs	

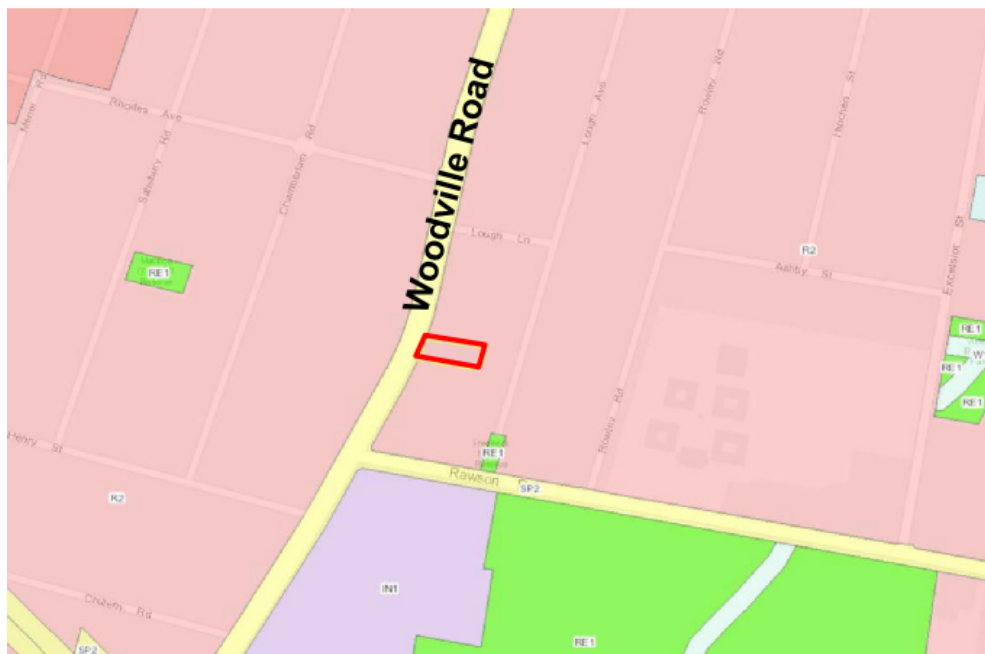
### Recommendation:

Consider in future work program by Council



# 533 Woodville Rd, Guildford

## Proposed rezoning – R2 to R4



### Recommendation:

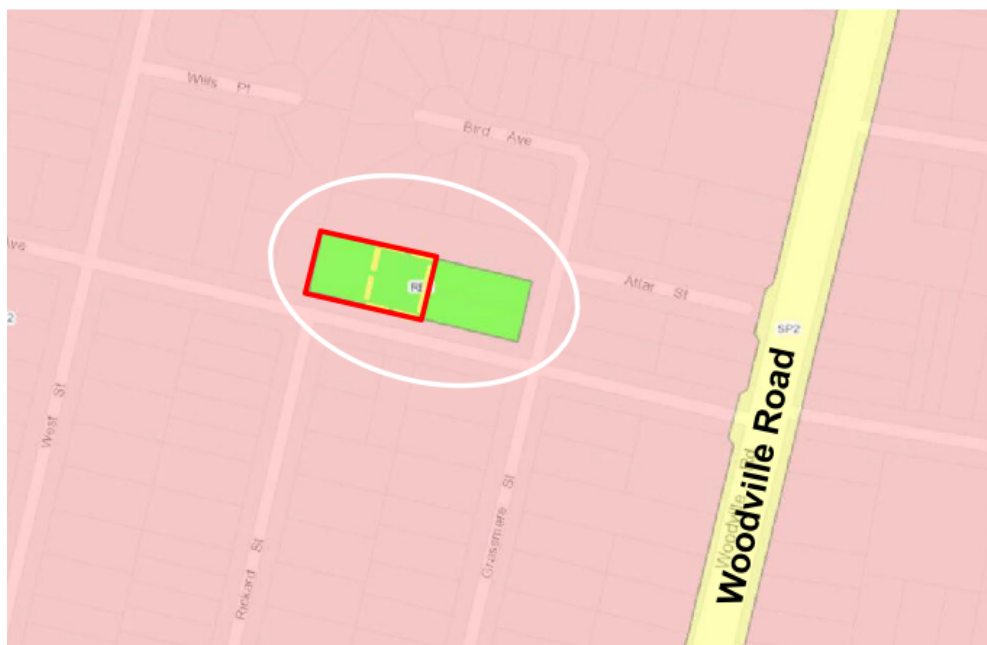
Consider in future work program by Council

	Current Controls (PLEP)	Proposed Controls
Proposal Summary	Zone: R2 Low Density Residential	Appropriate zone to allow townhouses or units for a consistent approach with surrounding development. (Currently experiences a lack of privacy.)
	Height: 9m FSR: 0.5:1	
Rationale/ Submission	In 2001, the Woodville Road corridor was rezoned to allow for an increase in residential density.	
	In 2011, the corridor was rezoned back to a low density zoning (R2 Low Density Residential character under the PLEP 2011) to provide Council with sufficient time to conduct its planning study to inform a new strategy.	
	In 2015, the former Parramatta City Council prepared the draft Woodville Road Planning Strategy.	



# 3 and 7 Mountford Avenue, Guildford

## Proposed rezoning – RE1 to R2



### Recommendation:

Consider in future work program by Council

	Current Controls (PLEP)	Proposed Controls
<b>Proposal Summary</b>	<p>Zone: RE1 Public Recreation</p> <p>Height: N/A</p> <p>FSR: N/A</p>	<p>R2 Low Density Residential and</p> <p>Remove from the Land Reservation Acquisition map</p>
<b>Rationale/ Submission</b>	<p>Currently zoned RE1 since 2011 when the PLEP 2011 came into force,</p> <p>The property was identified for potential acquisition for open space Parramatta section 94 Contributions Plan 2004. It was noted that areas of Guildford located west of Woodville Road were deficient in open space.</p> <p>Cumberland Council inherited a planning proposal from the former Parramatta Council seeking to rezone these 4 parcels of land (3, 7 Mountford Avenue, 13, 15 Grassmere Street) from RE1 to R2, to correspond with their removal from the Land Reservation Acquisition map.</p>	





# Essington Street, Wentworthville

## Proposed rezoning – R2 to R4



	Current Controls (HLEP)	Proposed Controls
Proposal Summary	Zone: R2 Low Density Residential	R4 High Density Residential
	Height: 9m	
	FSR: 0.5:1	
Rationale/ Submission	Request for rezoning of the remaining half of Essington Street strip to R4 to allow for medium to high density housing. Comments made on the surrounding area in vicinity is redeveloping for high rise residential buildings.	

### Recommendation:

Consider in future work program by Council



# Perry Street to Fullagar Road, Wentworthville

## Proposed rezoning – R2 to R4



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	Zone R2 Height 9m FSR 0.5:1	Rezone to R4, Increase HOB to 20m
Rationale/ Submission	Submitter believes properties from Perry Street to Fullagar Road should be included in the Wentworthville Centre Planning Proposal and be rezoned to High-density residential and business with at least 20m height.	

**Recommendation:**

Consider in future work program by Council



## 2-4 Monash Street, Wentworthville

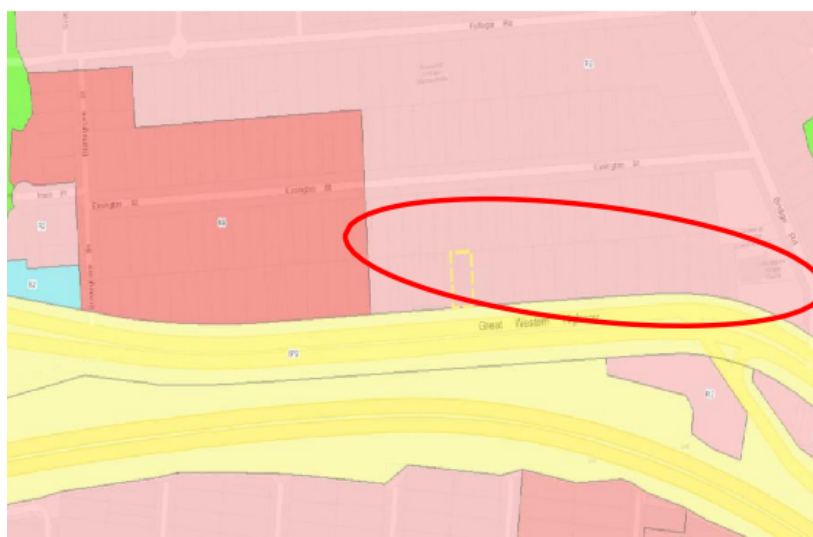
### Proposed rezoning – R2 to R4





# 242-278 Great Western Highway, Wentworthville

## Proposed rezoning – R2 to R3 or R4



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	R2	R3/R4
<b>Rationale/ Submission</b>	Request to rezone 270 Great Western Hwy, Wentworthville to be rezoned to R3 or R4 - in the last R4 rezoning council included houses on Great western highway from Bransgrove Street, up to house no 280. However, on same Great Western Highway, approximately twenty properties from 242 to 278 have been left as low-density zoning. These houses are old and not in a good condition, have good access to transport and are isolated at the moment as R2 lots amongst higher densities.	

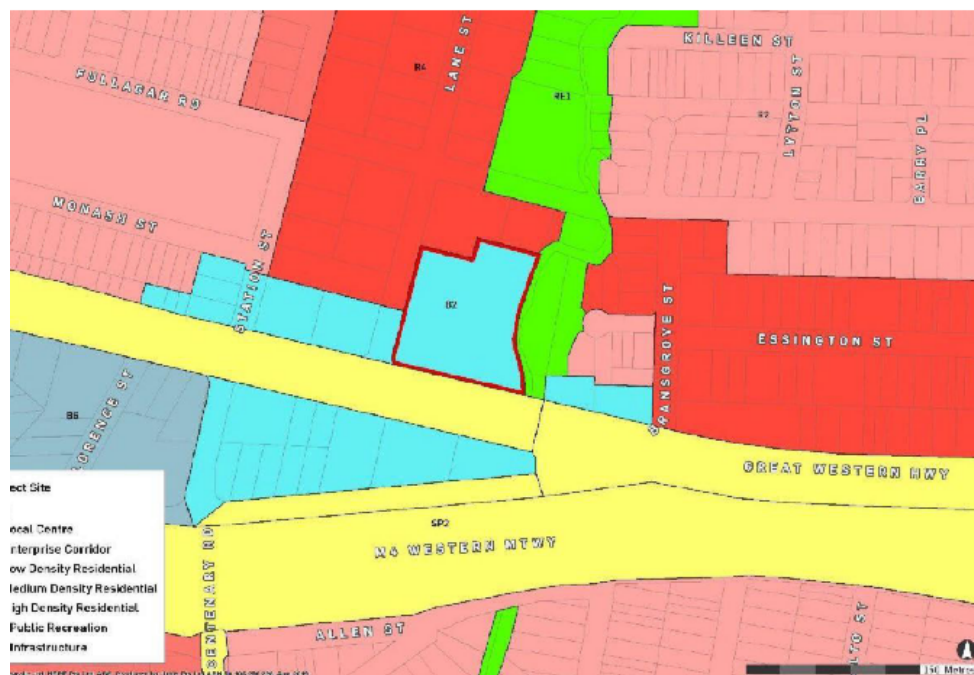
### Recommendation:

Consider in future work program by Council



# 326-336 Great Western Highway, Wentworthville

## Proposed rezoning – B2 to B4



### Recommendation:

Consider in future work program by Council

### Proposal Summary

Current Controls (HLEP)	Proposed Controls
Zone: B2 Local Centre	Mixed Use and recognise the key site for greater density with building heights between 6-8 stories.
Height: 17m, 23m	
FSR: 2.2:1	

### Rationale/ Submission

Recommends Council to recognise the evolving urban character of this key site area.

Commented that the longer term evolution of the site will move from a single retail use into a more multi-faceted land use development, whilst maintaining a key retail function.

Opportunity for additional housing, employment and local services.





DOCUMENTS  
ASSOCIATED WITH  
REPORT ELPP026/20

Attachment 2

Site specific requests – Stream 3  
(consider as future applicant-  
initiated planning proposal)





CUMBERLAND  
COUNCIL

# Appendix

## Details of Other Rezoning Proposals



CUMBERLAND  
COUNCIL

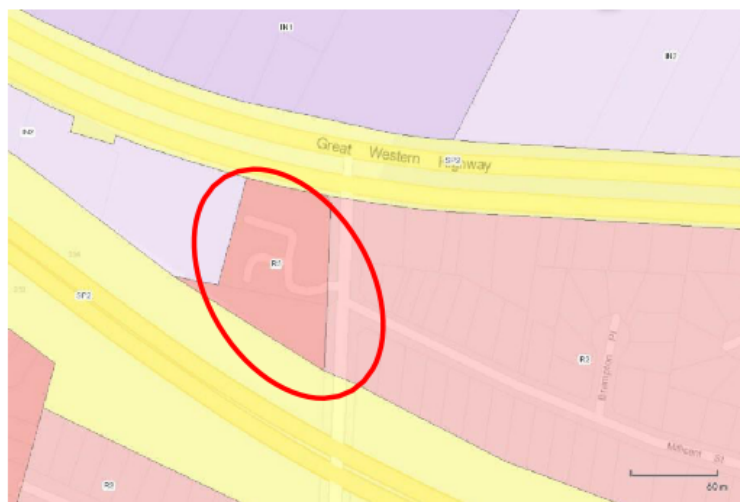
**Stream 3 – Further review of future planning  
proposal if submitted to Council as an owner-initiated  
planning proposal**





# Corner of Greystanes Road and Great Western Highway, Greystanes

## Proposed rezoning – R3 to R4



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	R3 Medium Density Residential Height 9m FSR 0.7:1	R4 with corresponding increase in height and FSR (max. 2:1)
Rationale/ Submission	Requests corner of Greystanes Rd and Great Western Highway, Greystanes, be rezoned from R3 to R4, and FSR to be increased to 2:1 or higher. Rationale is that this will complement the new 24 hr. 7/11 petrol station and Mac Donald's while also improving the aesthetics of the area.	

### Recommendation:

Further review as future planning proposal if submitted to Council



# Great Western Highway and Crosby Street, Greystanes

## Proposed rezoning – R2 to R4



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	Zone: R2 Low Density Residential Height: 9m FSR: 0.5:1	Rezone R2 to R4
Rationale/ Submission	Noise from GWH and M4 has a significant impact on low and medium density housing. New high rise buildings built under current controls would better alleviate noise, pollution and environmental issues. Mixed business should also be allowed.  Also raised in early consultation.	

### Recommendation:

Further review as future planning proposal if submitted to Council



# 395-397 Great Western Highway, Greystanes

## Additional permitted use



Proposal Summary	Existing (HLEP)	Proposed
	Zone: B5 Business Development Height: 15m FSR: 1:1	Add 'Tourist and Visitor Accommodation', 'Function Centre' to permissible uses
Rationale/ Submission	Requests 'Tourist and Visitor Accommodation', 'Function Centre' (currently prohibited under HLEP2013) be added as a permissible use, as Submitter believes that there is a demand for such usage in the area and the property has all the potential to do so.	

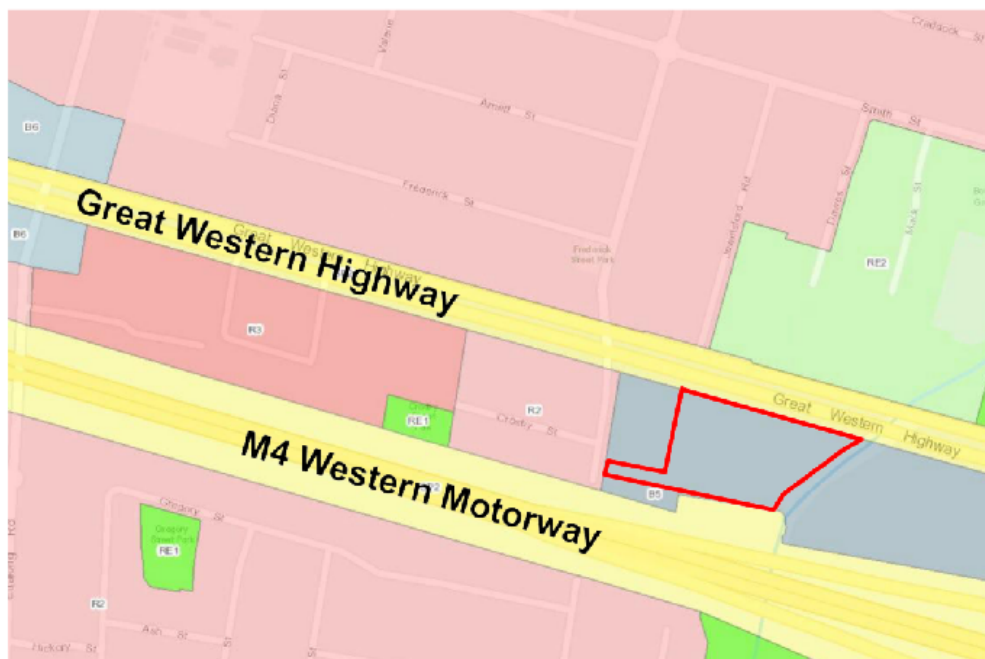
### Recommendation:

Further review as future planning proposal if submitted to Council



# 431-433 Great Western Highway, Greystanes

## Proposed rezoning – B5 to B6



### Recommendation:

Further review (additional non-residential uses) as future planning proposal if submitted to Council

	Current Controls (HLEP)	Proposed Controls
Proposal Summary	Zone: B5 Business Development, Height: 20m, FSR: 1:1	B6 Enterprise Corridor  Allow flexible land uses
Rationale/ Submission	<p>Requests rezoning from B5 Business Development to B6 Enterprise Corridor to allow a greater variety of land uses on the site, including opportunities for a mixture of compatible business, light industrial, and residential land uses.</p> <p>There has been an increase in residential development along this Great Western Highway corridor.</p> <p>The location of the site presents an ideal opportunity for Council to intensify development and increase housing and jobs.</p>	

Requests rezoning from B5 Business Development to B6 Enterprise Corridor to allow a greater variety of land uses on the site, including opportunities for a mixture of compatible business, light industrial, and residential land uses.

There has been an increase in residential development along this Great Western Highway corridor.

The location of the site presents an ideal opportunity for Council to intensify development and increase housing and jobs.



431-433 Great Western Highway  
and 12 Berith Road, Greystanes

## Proposed rezoning – B5 to B4 or R4



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	Zone B5 Business Development Height 20m FSR 1:1	B4 or R4 with corresponding increase in height (max. 70m) and FSR (max. 10:1)
Rationale/ Submission	Mixed use zoning (B4 or B6 with R4) and maximum height of building ranging between 50 to 70m and FSR up to 10:1.	

**Recommendation:**

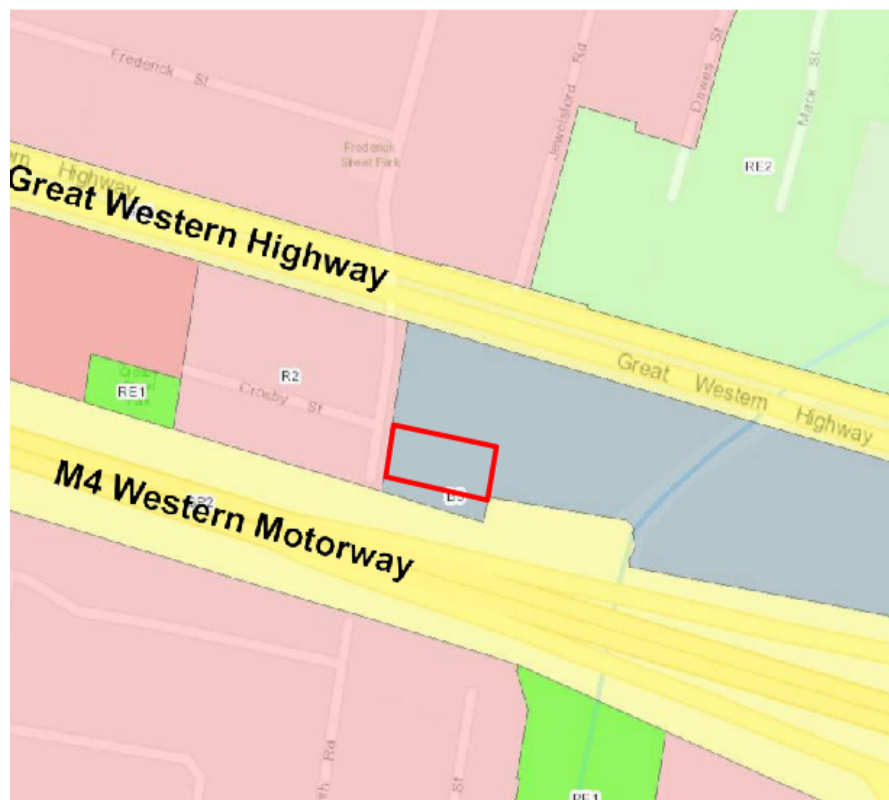
Further review as future planning proposal if submitted to Council





# 10-12 Berith Road, Greystanes

## Proposed rezoning – B5 to B6



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	Zone B5 Business Development Height 20m FSR 1:1	Zone B6 or to appropriate zoning for residential development
Rationale/ Submission	Submitter requests the subject site be zoned from B5 to B6 (or to appropriate zoning that allows for residential development). Comments that a rezoning to B6 (or to allow residential development) would make it beneficial to the area, local business and local facilities available.	

### Recommendation:

Further review as future planning proposal if submitted to Council





# 477 Great Western Highway, Greystanes

## Increase height and FSR



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	Zone R3 Medium Density Residential Height 9m FSR 0.7:1	Increase FSR to 2:1 and HOB to 17m
Rationale/ Submission	Submitter requests that FSR be increased to 2:1 and HOB be increased to 17m for properties located at 477 Great Western Highway.	

### Recommendation:

Further review as future planning proposal if submitted to Council



# Great Western Highway, Greystanes

## Proposed rezoning – R2 to R3



### Recommendation:

Further review as future planning proposal if submitted to Council

	Existing Controls (HLEP)	Proposed Controls
<b>Proposal Summary</b>	Zone: R2 Low Density Residential, Height: 9m, FSR: 0.5:1	R3 Medium Density Residential
<b>Rationale/ Submission</b>	<p>In 2015, Council has rezoned block of land that borders on the Great Western Highway, Ettalong Road to R3 but has left out this part of block to R2, next to zone.</p> <p>Submitter claims that since the time of rezoning of surrounding area, there has been and is ongoing extensive development, i.e. apartments, town houses, villas and duplexes.</p> <p>Submitter claims that with the recent changes to minimum lot size for dual occupancies, this has put owners at a financial disadvantage to sell or redevelop on this R2 zoned area.</p> <p>Seeks Council to consider rezone of the area to medium density zone that includes affordable housing, which would increase the housing supply in Cumberland and would also maintain</p>	



## 528-530 Great Western Highway, Pendle Hill

### Proposed rezoning – R2 to R4



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	Zone R2 Low Density Residential Height 9m FSR 0.5:1	Zone R4 High Density Residential with corresponding uplift in height and FSR
Rationale/ Submission	Request for R3/R4 rezoning to permit 4 storey RFB and match what is already being built/have been approved near/adjoining the site. Rezoning will also complement B6 nearby. Additional justification provided in detail.	

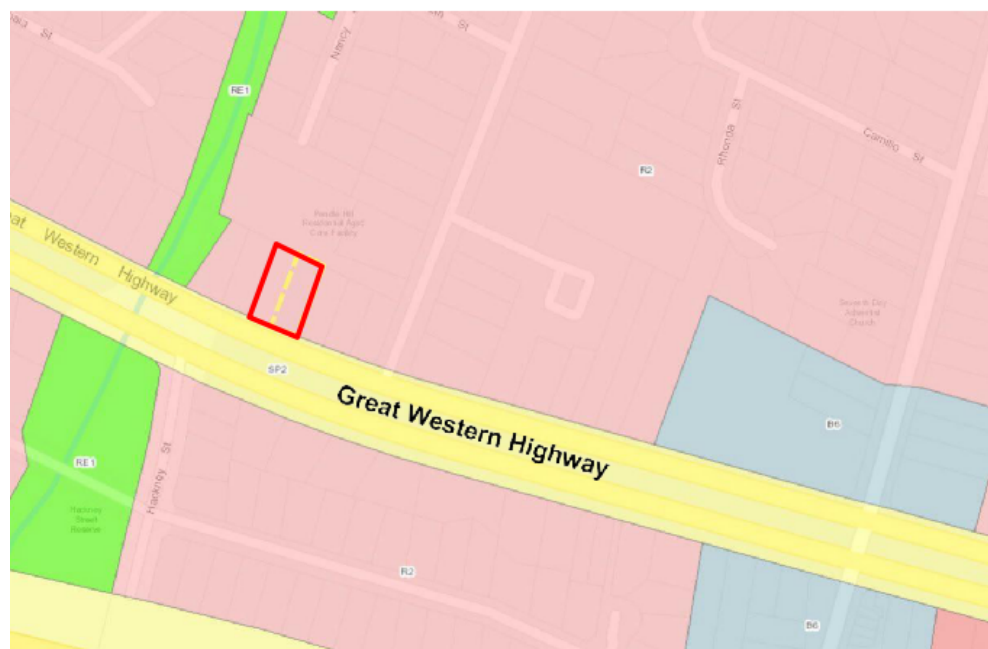
#### Recommendation:

Further review as future planning proposal if submitted to Council



# 546-548 Great Western Highway, Pendle Hill

## Proposed rezoning – R2 to R3



### Recommendation:

Further review as future planning proposal if submitted to Council

	Current Controls (HLEP)	Proposed Controls
Proposal Summary	Zone: R2 Low Density Residential	R3 Medium Density Residential
	Height: 9m	
	FSR: 0.5:1	
Rationale/ Submission	<p>Seeking a rezoning of the amalgamated site No. 546-548 to R3 Medium Density Residential zone.</p> <p>Developments in vicinity of the site have changed to medium density (townhouses and villas). The subject site is serviced by a range of amenities at a close proximity including childcare, aged care, primary and high schools.</p>	



# Emert Street, Wentworthville

## Proposed rezoning – R2/R3 to R4



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	Mix of R2 Low Density Residential and, R3 Medium Density Residential Height 9m FSR 0.5:1 (R2) or 0.7:1 (R3)	R4 High Density Residential with corresponding increase in height and FSR
Rationale/ Submission	Requests both sides of Emert St from the northern end to the southern end, be rezoned to R4. Emert St is an extra-wide level street with large blocks of land suitable for further development. Short distance from Wentworthville CBD/train station/social infrastructures/ Parramatta CBD/ Blacktown City and is serviced by many public transport services. Recommends Council to initiate an action to maximise the development opportunities including affordable and diverse housing options.	

### Recommendation:

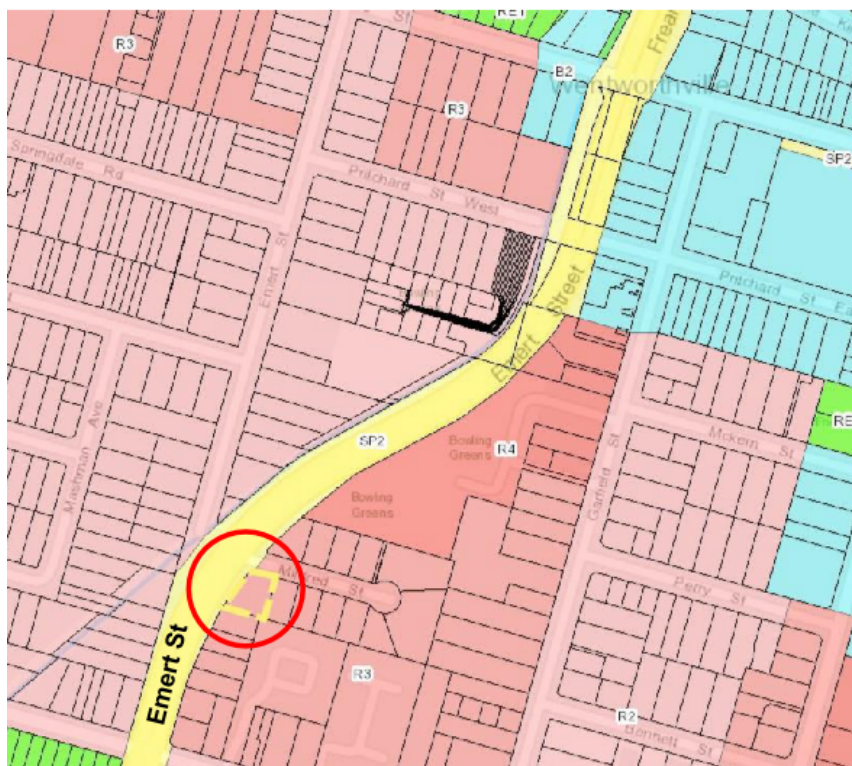
Further review as future planning proposal if submitted to Council





# 15 Mildred Street, Wentworthville

## Proposed rezoning – R3 to R4



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	Zone R3 Medium Density Residential Height 9m FSR 0.7:1	Zone R4 High Density Residential Or change: Minimum lot size from 900m to 700-800m and Minimum lot frontage from 20m, to 16-17m
Rationale/ Submission	Requests the minimum lot size of 900sqm in R3 zone be decreased to 700-800sqm and reduce a minimum frontage to 16-17m from 20m. Also recommends Council consider rezoning this R3 area to R4. Concerns that the current controls only benefit developers when it comes to negotiating the land value.	

### Recommendation:

Further review as future planning proposal if submitted to Council





# Stapleton Street, Wentworthville

## Proposed rezoning – R3 to R4



### Recommendation:

Further review as future planning proposal if submitted to Council

	Current Controls (HLEP)	Proposed Controls
Proposal Summary	Zone: R3 Medium Density Residential	R4 High Density Residential
	Height: 9m	
	FSR: 0.7:1	
Rationale/ Submission	Request for rezoning of the remaining half of Stapleton Street strip to R4.	
	Comments raised that Stapleton Street is located in vicinity of public open space available (Wentworthville Pool and public parks) and a short walking distance to local shops and both Pendle Hill and Wentworthville stations. Stapleton Street is used as a main walking thoroughfare by commuters and is protected from main roads making it safe for families to walk along.	
	Rezoning the area would have a similar appeal as Veron St, Wentworthville through the units running along the train line accessible to stations, shops and amenities for residents.	



# 128 Dunmore Street, Wentworthville

## Proposed rezoning – R3 to R4



### Recommendation:

Consider as future planning proposal if submitted to Council

### Proposal Summary

#### Current Controls (HLEP)

Zone: R3 Medium Density Residential

Height: 9m

FSR:0.7:1

#### Proposed Controls

R4 High Density Residential

### Rationale/ Submission

Request for rezoning of the site and surrounding precinct in Dunmore St to R4 High Density Residential. Noting the site's proximity to the Wentworthville CBD, Parramatta CBD, M4, Wentworthville train station, Westmead hospital and in vicinity of local amenities.

Commented on the need of affordable housing and low maintenance quality new housing for local seniors, close to public transport options.



# 50 Smith Street, Wentworthville

## Request for flexible land uses



### Recommendation:

Consider as future planning proposal if submitted to Council

### Proposal Summary

#### Current Controls (HLEP)

Zone: RE2 Private Recreation

Height: 23m

FSR: N/A

#### Proposed Controls

Request for flexible land uses

### Rationale/ Submission

Site is Wentworth Leagues Club

Submission notes the range of current permitted uses and built form controls must not be reduced, and the range of permitted uses provides a supply zone land capable of supporting additional employment generating land uses.

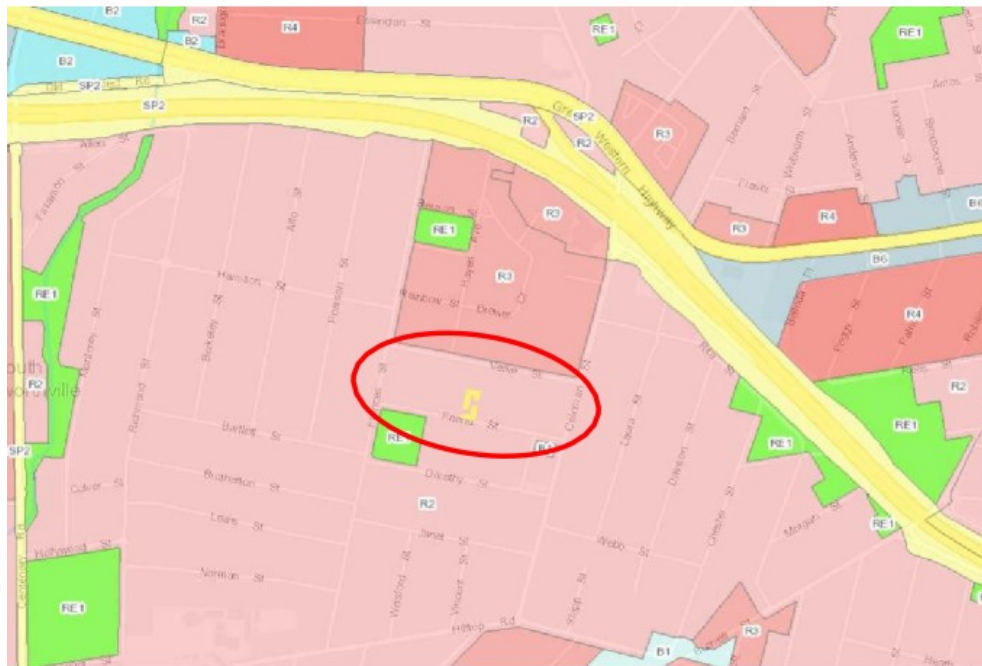
Opportunity to work with Council to review the appropriateness of current zones (including permissible uses and built form controls), particularly on adjacent R2 land. Adding Seniors Housing as a permitted use could be an option.





# 19 Friend Street, South Wentworthville

## Proposed rezoning – R2 to R3



### Recommendation:

Further review as future planning proposal if submitted to Council

### Proposal Summary

Current Controls (HLEP)	Proposed Controls
Zone: R2 Low Density Residential	R3 Medium Density Residential
Height: 9m	
FSR: 0.5:1	

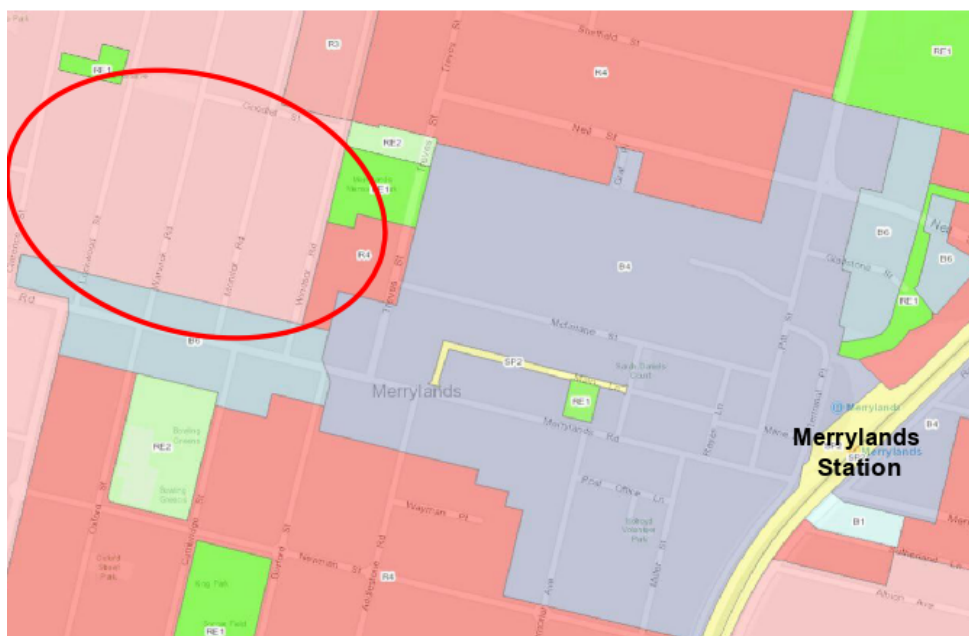
### Rationale/ Submission

Request for rezoning of the area to allow a development of town houses with increased building heights.

Rezoning to allow high rises would fit into this modern society and this will be an opportunity for their children to live close to them.



# Goodlet Street, Clarence Street and Windsor Road, Merrylands Proposed rezoning – R2 to R4



## Recommendation:

Consider as future planning proposal if submitted to Council

	Current Controls (HLEP)	Proposed Controls
Proposal Summary	Zone: R2 Low Density Residential	R4 High Density Residential
	Height: 9m	
	FSR: 0.5:1	
Rationale/ Submission	<p>Request for rezoning the northern side Merrylands Road, area bounded by Goodlet St, Clarence St and Windsor Road to R4.</p> <p>Higher density in the area would be good near the Merrylands CBD.</p>	



# 16-20 Malvern Ave, Merrylands

## Proposed rezoning – R2 to R3



Proposal Summary	Current Controls (PLEP)	Proposed Controls
	R2 Low Density Residential	R3 Medium Density Residential
	Height: 9m	
	FSR: 0.5:1	
Rationale/ Submission	<p>Request to allow town house development and for the area to be consistent with previous LEP/DCP for the immediate area of, Claremont St, Malvern Ave, Albion St, Baker St and Pattern Ave and other surrounding streets.</p> <p>Development of these three sites with 2000 sqm block will contribute to the housing needs of the local area, that are less than 400m from Merrylands train station and 150m from bus transport.</p>	

### Recommendation:

Further review as future planning proposal if submitted to Council

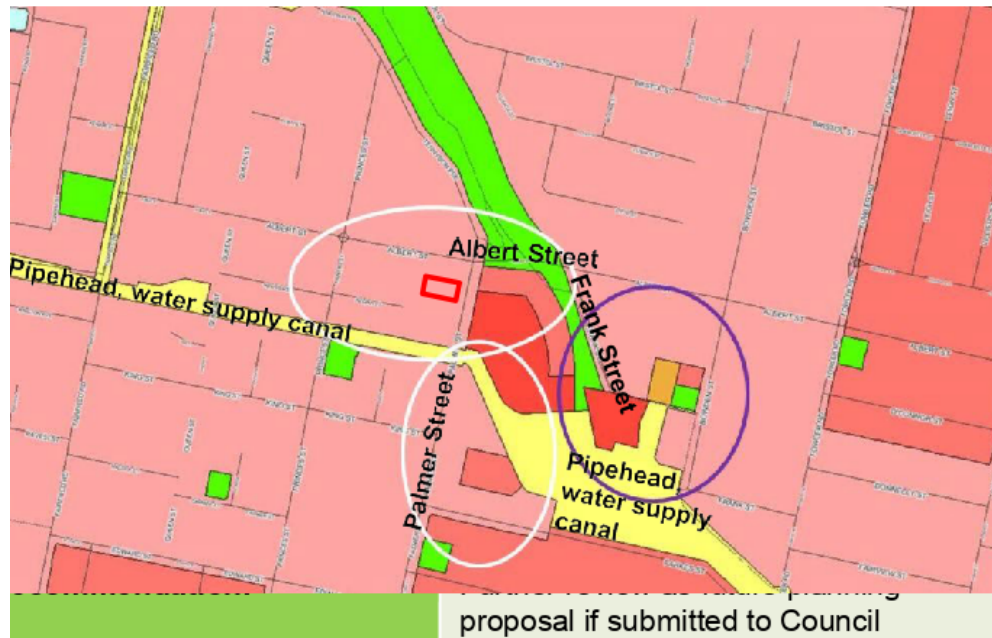




# Palmer Street, Frank Street and Albert Street,

## Guildford West

### Proposed rezoning – R2 to R3/R4

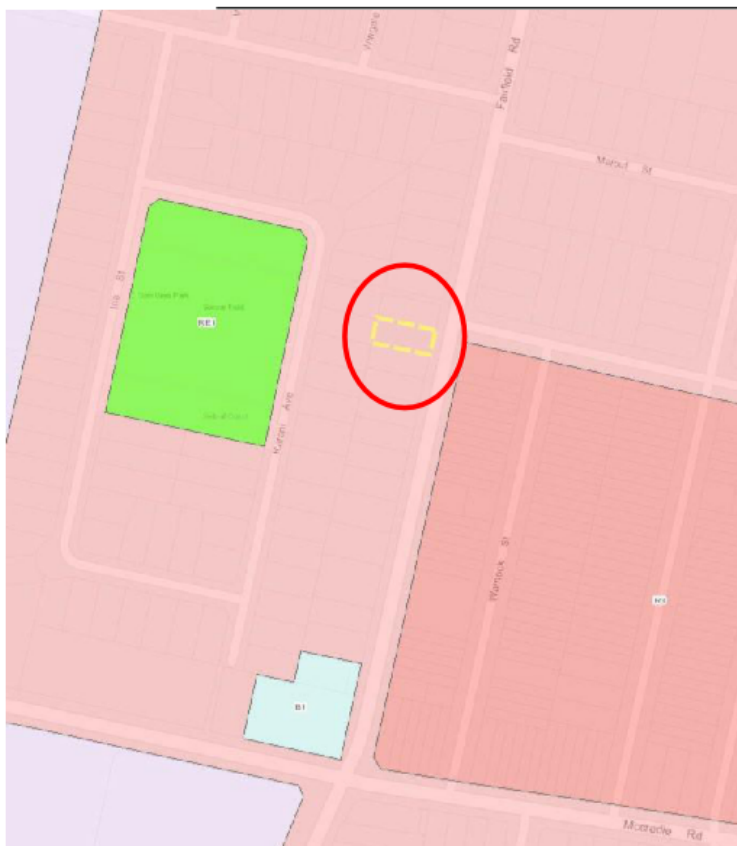


	Current Controls (HLEP)	Proposed Controls
Proposal Summary	Zone: R2 Low Density Residential  Height: 9m  FSR: 0.5:1	R3 Medium Density Residential or,  R4 High Density Residential
Rationale/ Submission	Resident wants rezoning of their land and surrounding lands to R3 or R4, similar to development under DA2017/52/1.  (DA-52/2017: Subdivision of land into lots and development of 5 storey residential flat buildings and 2 storey town houses.)	



# 97-99 Fairfield Road, Guildford

Proposed rezoning – R2 to R3 and R4



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	R2 Low Density Height 9m FSR 0.5:1	Zone R3/R4 – Medium and High Density Residential with allow multi- dwellings and RFBs
Rationale/ Submission	Proposed rezoning to allow units and/or townhouses, to replicate the eastern side which is already zoned Medium density. There is also front and rear access from Tom Uren Park which would make it favourable to build townhouses and high rise units surrounding the park. Site is also close to shops and public transport.	

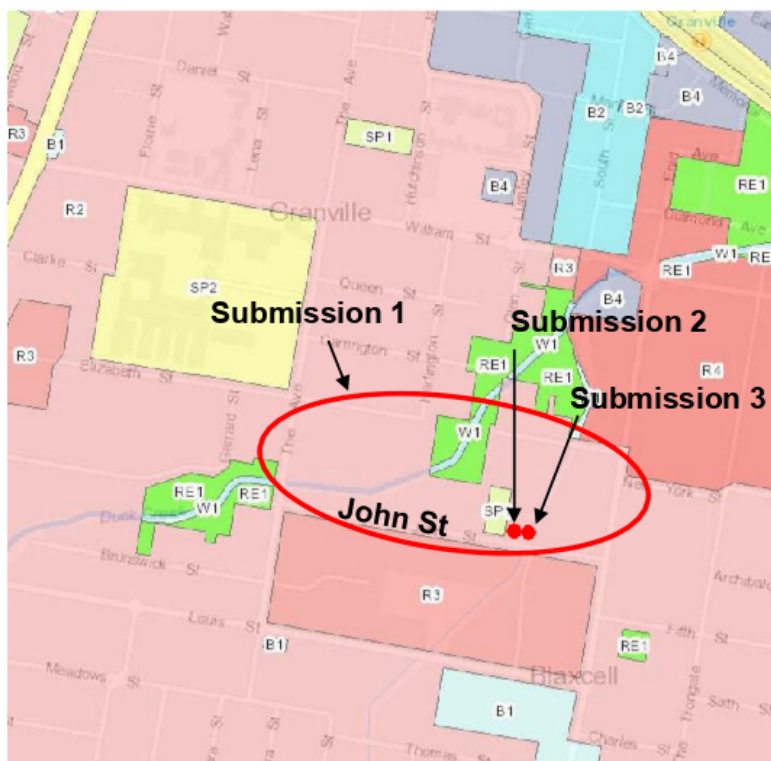
## Recommendation:

Further review as future planning proposal if submitted to Council



# John Street (northern side), Granville

## Proposed rezoning - R2 to R3/R4



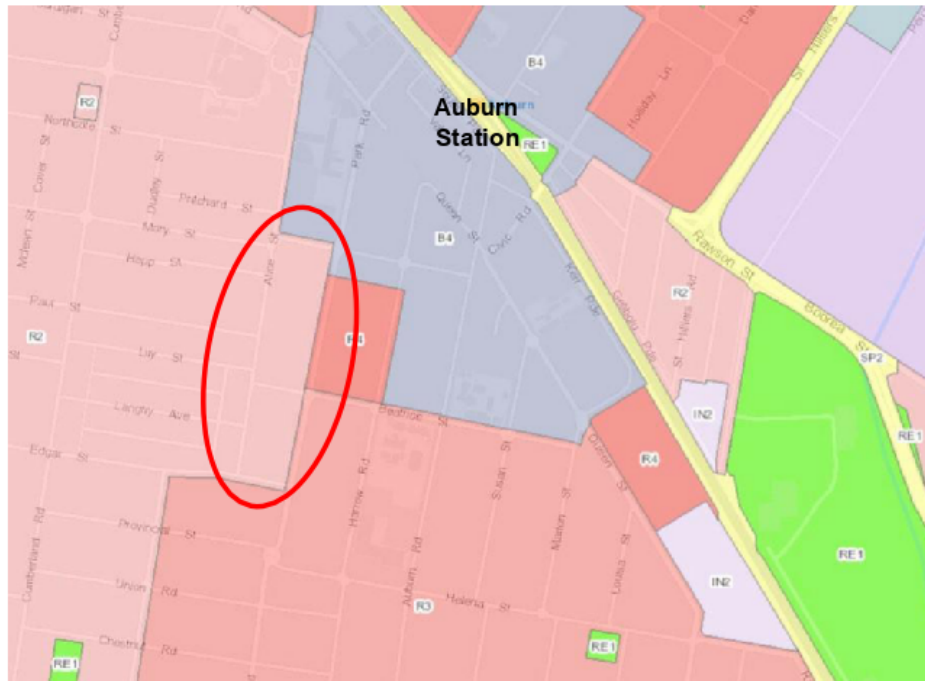
Proposal Summary	Current Controls (PLEP)	Proposed Controls
	Zone R2 Low Density Residential Height 9m FSR 0.5:1	Zone R3 Medium Density (or R4) Residential with corresponding uplift in height and FSR
Rationale/ Submission	<b>3 submissions</b> Submission 1: Inconsistent zoning; southern side is R3. Rezoning will assist with dwelling target.  Submission 2: 13-15 John St (R4/R3); comparable with other properties  Submission 3: 17-19 John St (R4/R3)	

### Recommendation:

Further review as future planning proposal if submitted to Council

# Park Road between Mary Street and Edgar Street, Auburn

## Proposed rezoning – R2 to B4



### Recommendation:

Further review by Council in future  
if planning proposal received

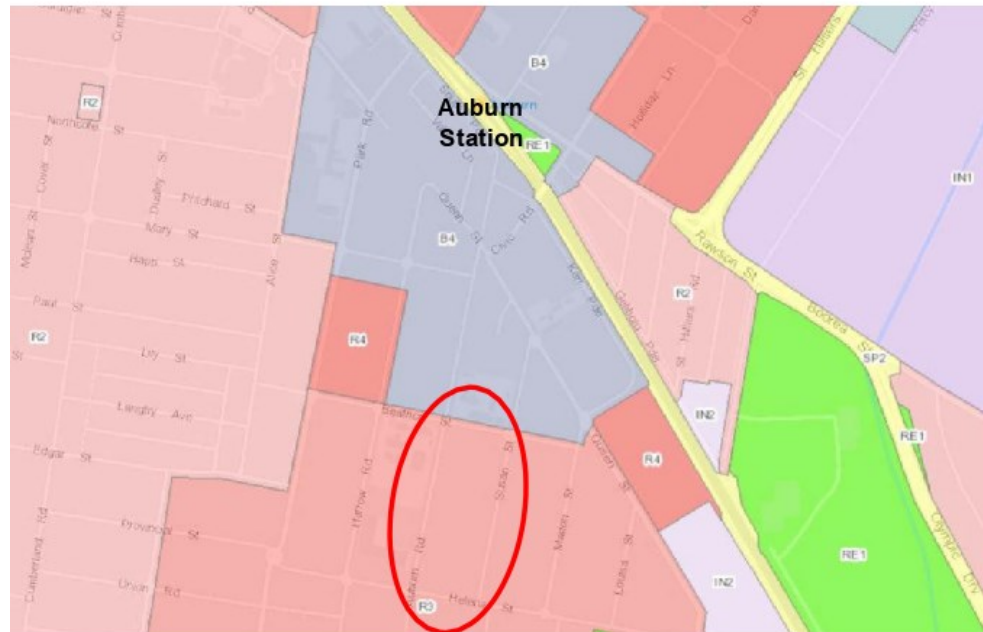
	Current Controls (ALEP)	Proposed Controls
<b>Proposal Summary</b>	Zone: R2 Low Density Residential, Height: 9m, FSR: N/A	Mixed Use  (to allow ground level business development and high rise)
<b>Rationale/ Submission</b>	<p>Seeks a rezoning of the area to allow for high rise and ground level business development.</p> <p>Situated in close proximity to Auburn railway station and other amenities.</p>	





# Auburn Road between Helena Street and Beatrice Street, Auburn

## Proposed rezoning – R3 to B4



### **Recommendation:**

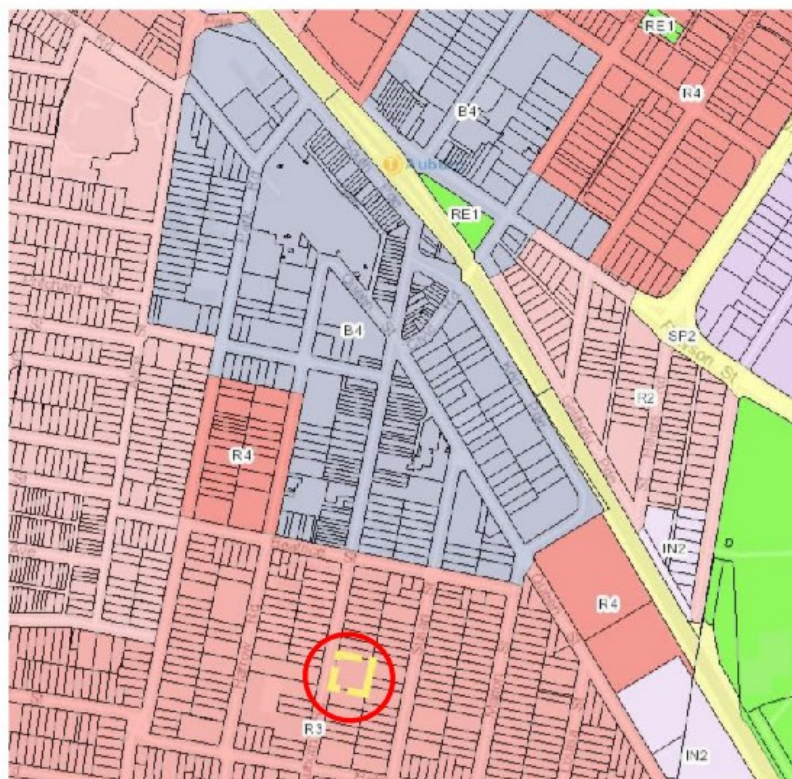
Further review by Council in future if planning proposal enquiry received.

	Current Controls (ALEP)	Proposed Controls
<b>Proposal Summary</b>	Zone: R3 Medium Density Residential, Height: 9m, FSR: 0.75:1	Mixed Use (to allow ground level business development and high rise)
<b>Rationale/ Submission</b>	<p>Seeks a rezoning of the area to allow high rise and ground level business development.</p> <p>Situated in close proximity to Auburn railway station and other amenities.</p>	



# 94-100 Auburn Road, Auburn

## Proposed rezoning – R3 to B4



Proposal Summary	Current Controls (ALEP)	Proposed Controls
	Zone R3 Medium Density Residential Height 9m FSR 0.75:1	Zone B4 Mixed Use with corresponding uplift in height and FSR
Rationale/ Submission	B4 will assist Council to achieve housing targets. Subject of a previous planning proposal but rezoning did not proceed.	

### Recommendation:

Further review as future planning proposal if submitted to Council





# 102-126 Francis Street, Lidcombe

## Proposed rezoning – R2 to R3



### Recommendation:

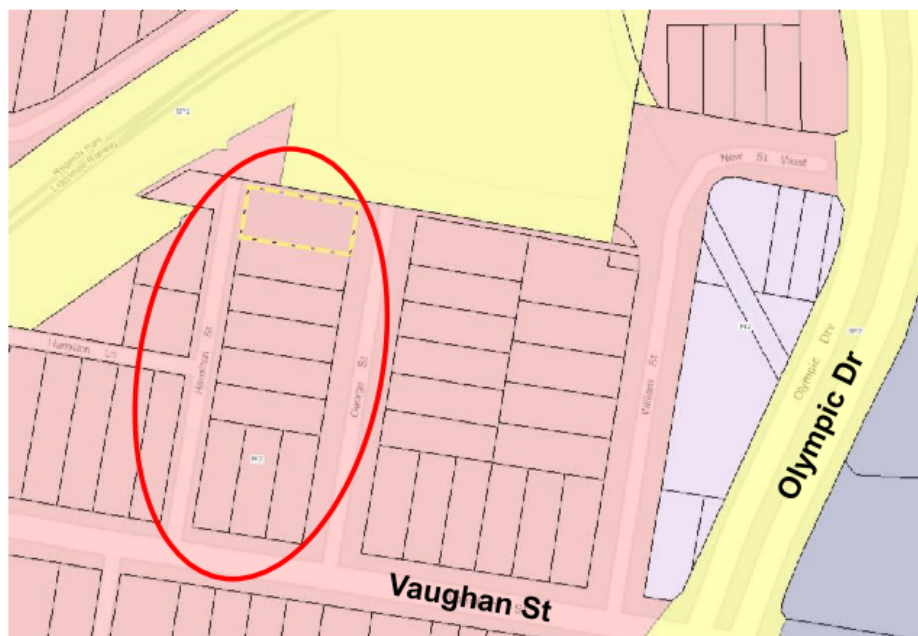
Further review as future planning proposal if submitted to Council

Proposal Summary	Current Controls (ALEP)	Proposed Controls
	Zone: R2 Low Density Residential  Height: 9m,  FSR: N/A	R3 Medium Density Residential
Rationale/ Submission	This section of lands (102-126 Francis St) is the only section remaining on R2 zoning.	
	Submitter claims that there are no significant differences from the rest of the street's R3 zoning sections, and owners are very keen to understand why this particular section of the street is still on R2 zoning.	



# 12 George Street (Albert Street - Hamilton Lane), Lidcombe

Proposed rezoning – R2 to R3/R4



Proposal Summary	Current Controls (ALEP)	Proposed Controls
	Zone R2 Low Density Residential	Zone R3 Medium Density or R4 High Density Residential with corresponding uplift in height and FSR
Rationale/ Submission	Area is close to the station.	

## Recommendation:

Further review as future planning proposal if submitted to Council



# 42-44 Boorea Street, Lidcombe

## Additional land uses, heights, FSR



Proposal Summary	Current Controls (ALEP)	Proposed Controls
	Zone IN1 General Industrial Height N/A FSR 1:1	Additional land uses, HOB- N/A or 38m, FSR 1.5:1
Rationale/ Submission	Seeks an expanded range of land uses permitted (including childcare, office premises, health services facilities, and retail premises). Requests increased/ no maximum building height limit and increased FSR.	

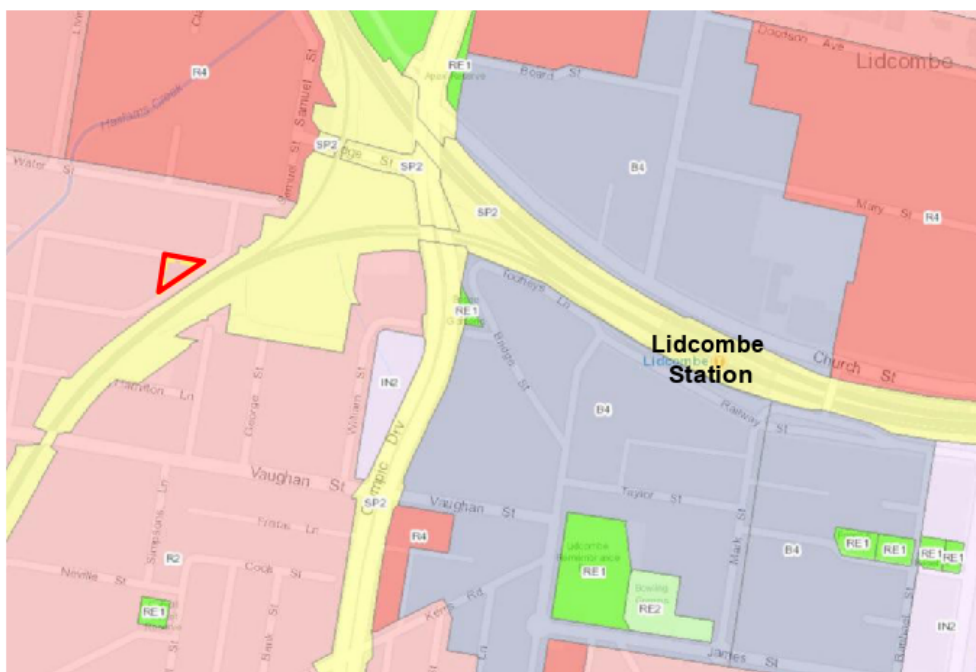
### Recommendation:

Further review as future planning proposal if submitted to Council



# 1 Wilfred Street, Lidcombe

## Proposed rezoning – R2 to R4



### Recommendation:

Further review as future planning proposal if submitted to Council

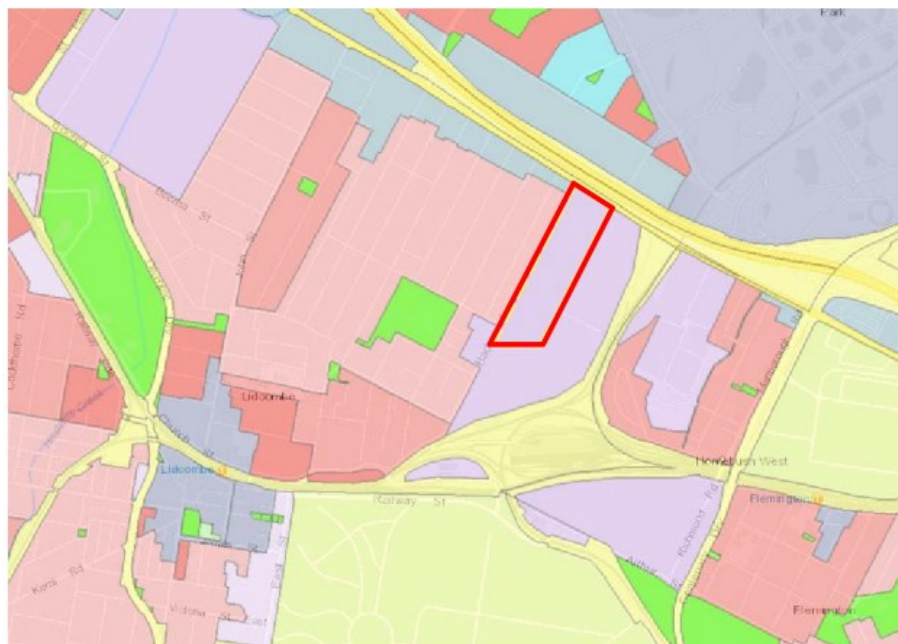
Proposal Summary	Current Controls (ALEP)	Proposed Controls
	Zone: R2 Low Density Residential  Height: 9m  FSR:N/A	R4 High Density Residential
Rationale/ Submission	<p>Request for rezoning of the site in align to surrounding zoning.</p> <p>Commented on the site's proximity to Lidcombe station and there are 4 storey level buildings in vicinity. The site was zoned 2b in around 1999 and was rezoned to 2a.</p>	





# 31 Birnie Avenue, Lidcombe

## Proposed rezoning – IN1 to mixed use



### Recommendation:

Consider as future planning proposal if submitted to Council.

Proposal will need to align with Council's Employment and Innovation Land Strategy and State government policy

Proposal Summary	Current Controls (ALEP)	Proposed Controls
	Zone: IN1 General Industrial  Height: N/A  FSR: 1:1	Request for a flexible land uses (Mix of employment uses, diversity of dwellings, open spaces and other amenity)
Rationale/ Submission	Submission notes that the Goodmans Lidcombe Business Park (one of their assets), is well positioned for a future higher order mix of uses and requests that Council identify the Lidcombe Business Park as a 'future investigation area' to enable consideration of alternative, more appropriate uses to that of the existing large format warehouse uses at the site.	





DOCUMENTS  
ASSOCIATED WITH  
REPORT ELPP026/20

Attachment 3

Site specific requests – Stream 4  
(no further action at this time)





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# Appendix

## Details of Other Rezoning Proposals



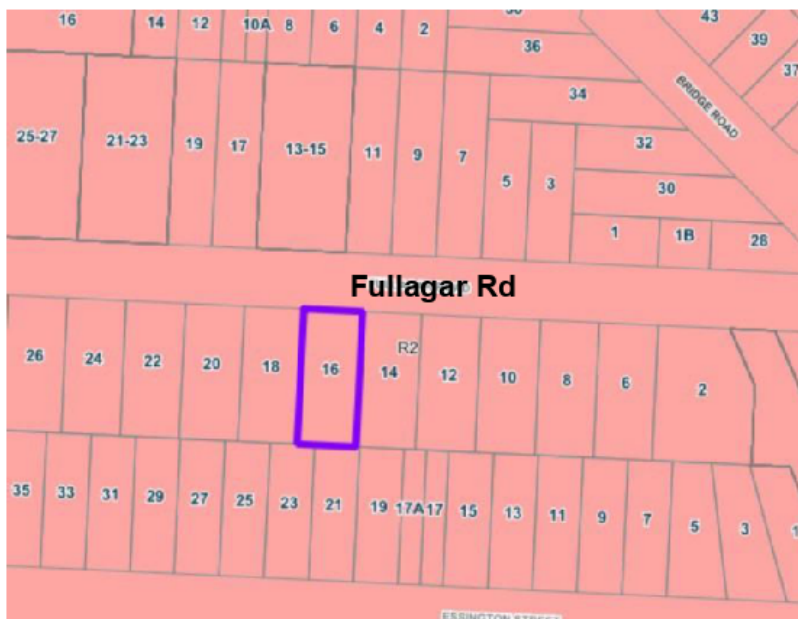
CUMBERLAND  
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**Stream 4 – No further action at this time**



# 16 Fullagar Road, Wentworthville

## Proposed de-listing of heritage item



### Recommendation:

No further action at this time.  
Heritage status to be retained.  
Heritage study prepared to  
inform Cumberland Heritage List  
reconfirmed heritage  
significance of the property

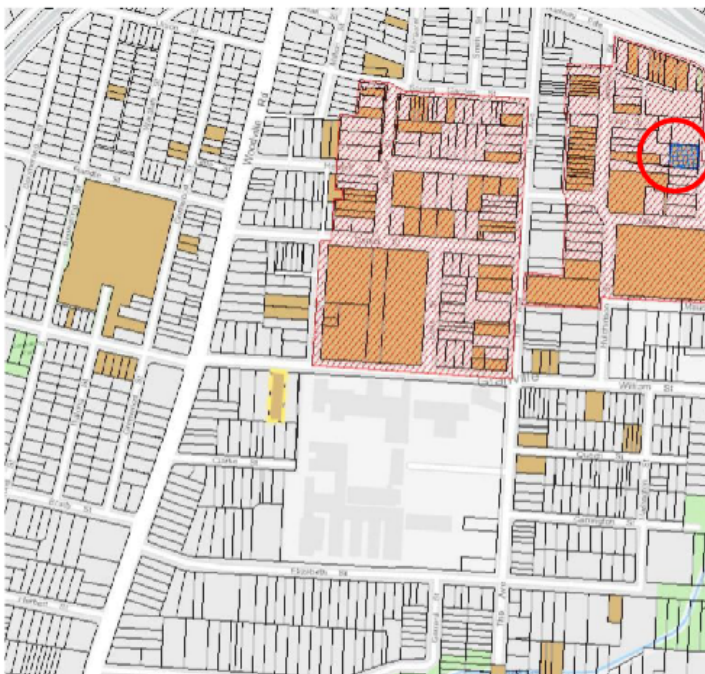
	Current Controls (HLEP)	Proposed Controls
<b>Proposal Summary</b>	<p>Zone: R2 Low Density Residential</p> <p>Height: 9m</p> <p>FSR: 0.5:1</p>	<p>De-listing the heritage status of 16 Fullagar Road, Wentworthville.</p>
<b>Rationale/ Submission</b>	<p>The submission seeks de-listing of 16 Fullagar Road, Wentworthville, which was purchased in 1993. The submitter has been trying to get the property de-listed of its heritage status (given in 1991) two years before they purchased it, however this information was never disclosed (and not on 149 Certificate at the time). In 2001 an application was submitted to have the property demolished but was rejected by Council at the time. The submitter indicates family health issues which have been exacerbated by the ongoing battle to have this property de-listed. Asks that council delist the property, or pay for the repairs, or buy it from them.</p>	





# 152 William Street, Granville

## Request de-listing of heritage item



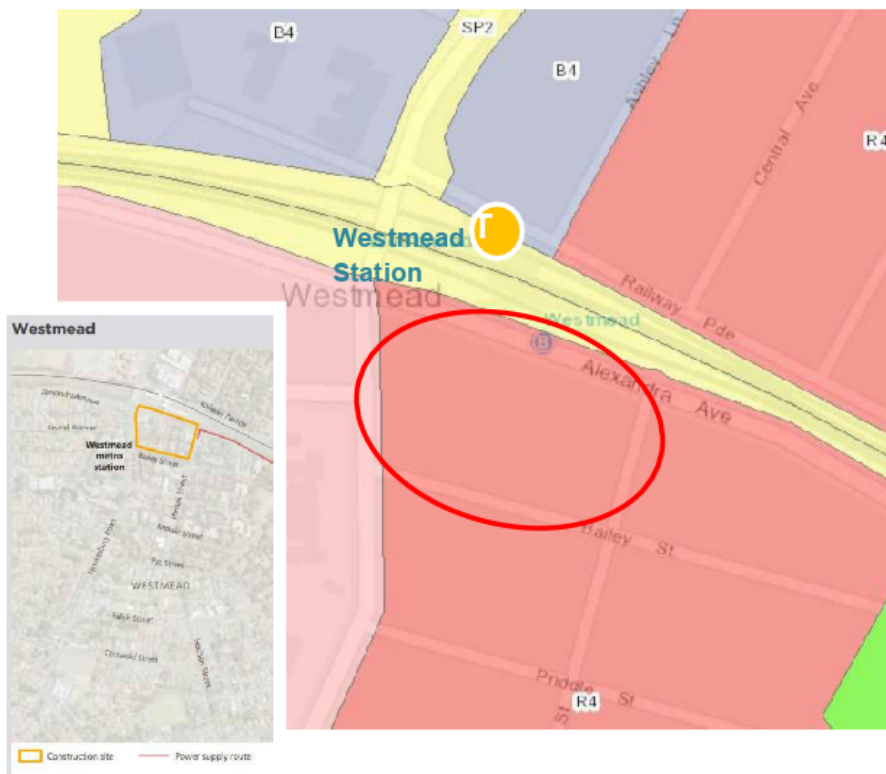
**Recommendation:** No further action at this time. Heritage status to be retained. Heritage study prepared to inform Cumberland Heritage List reconfirmed heritage significance of the property

Proposal Summary	Current Controls (PLEP)	Proposed Controls
	Listed as a local general heritage item Single storey residence Significance: Local	De-list the property
Rationale/ Submission	Heritage De-listing Request: due to incidents caused by recent extreme weather conditions, included falling debris that caused safety concerns. Also, due to the age and overall condition of the property, issues such as structural and roof integrity, mould and asbestos. In addition, the feasibility to re-instate the building to environmental and heritage building standards expected will be financially prohibitive in comparison to a knock-down and re-build scenario. Submitter has attached photos showing the house condition.	



# Hawkesbury Road, Alexandra Avenue, Hassell Street and Bailey Street, Westmead

Show Metro West station area on zoning map



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	Zone R4 High Density Residential Height 15m FSR 1.2:1	Show 'Sydney Metro West station box' area on the zoning map
Rationale/ Submission	Zoning map to show the proposed station box area for Sydney Metro West - the area bounded by Hawkesbury Road, Alexandra Ave, Hassell St and Bailey Street.	

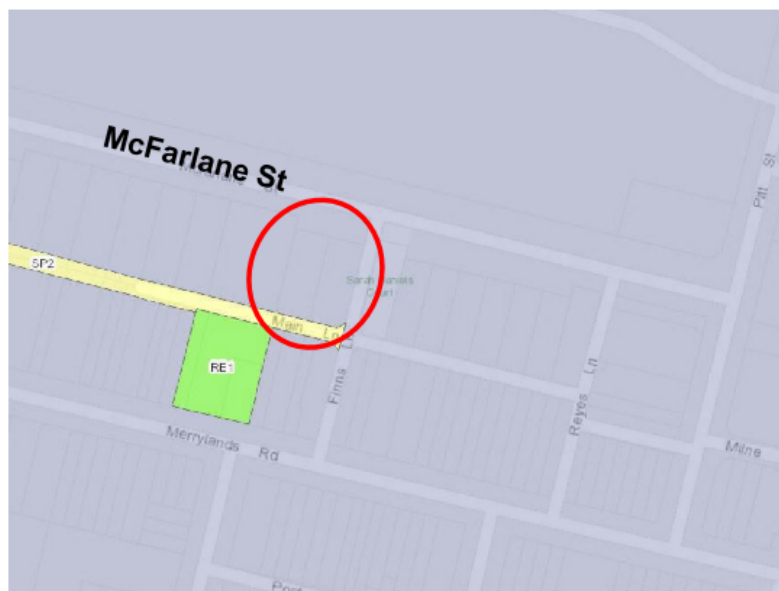
## Recommendation:

No further action at this time. Metro corridor and stations identified for planning protection under draft amendment to the State Environmental Planning Policy (Infrastructure)



# 18-20 McFarlane Street, Merrylands

## Objection to recent changes to height controls



Proposal Summary	Current Controls (HLEP)	Proposed Controls
	Zone B4 Mixed Use Height 77m FSR 8.5:1	Objection to the removal of the maximum height restrictions
Rationale/ Submission	Objects to the LEP's removal of the maximum height restrictions for the area and incorporation of much higher heights in the DCP. The submission has supporting documents attached.	

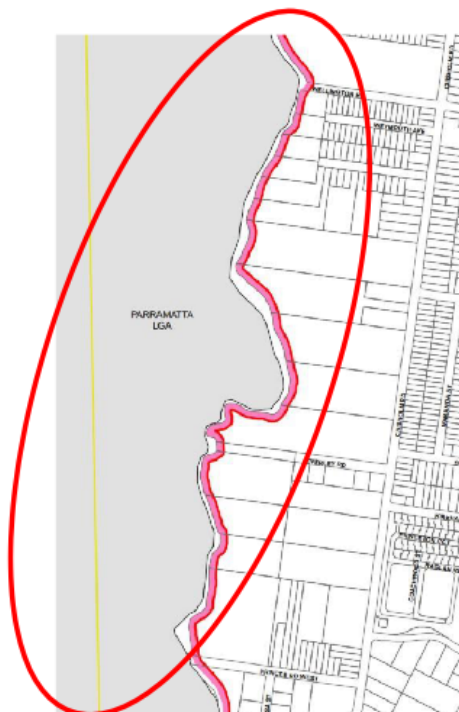
### Recommendation:

No further action at this time. Changes to height controls already in place for some time, and are used by applicants for development applications



# Planning Control change request

## Apply foreshore building line on both sides of Duck River



	Current controls (ALEP)	Proposed Controls
<b>Proposal Summary</b>	Foreshore building line applies to eastern side of Duck River, and part of western side	Apply FBL on both sides of Duck River
<b>Rationale/ Submission</b>	Apply a foreshore building line on both sides of Duck River to ensure setback from buildings.	

### Recommendation:

No further action at this time. Separate studies required to confirm the need and scope of a foreshore building line at this location





# Auburn-Lidcombe Area

## Reintroduce FSR for R2 zone




### Recommendation:

No further action at this time. Separate studies required to confirm the need and scope of FSR changes for development in R2 Low Density Residential zone

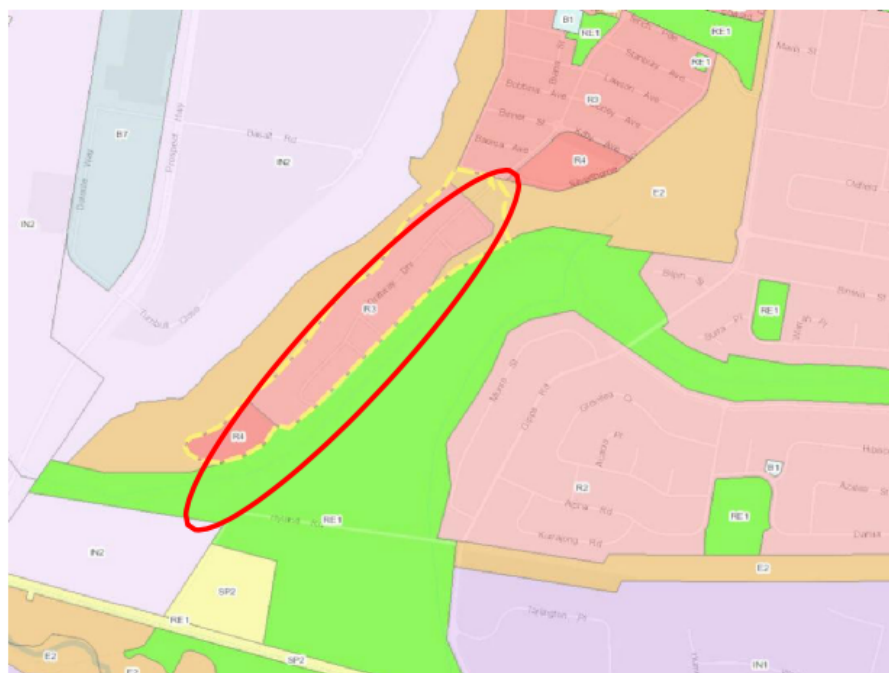
	Current Controls (ALEP)	Proposed Controls
Proposal Summary	<p>Zone: R2 Low Density Residential</p> <p>Height: 9m</p> <p>FSR:</p>	<p>Reinstate FSR for R2 zones in the Auburn-Lidcombe area to pre-2010.</p>
Rationale/ Submission	<p>Submitter believes the FSR for R2 zones in the Lidcombe- Auburn area should be reinstated to what they were before they were changed by the previous Auburn council in 2010.</p>	





# Lot 2066/ DP1151368 Driftway Drive, Pemulwuy

## Proposed rezoning – R3/R4/E2 to E2



### Recommendation:

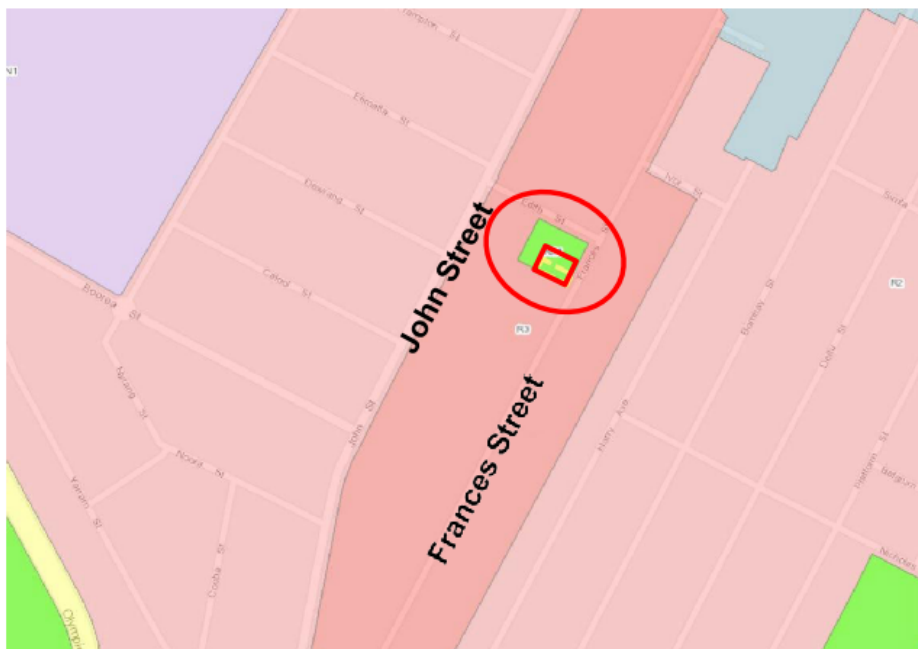
No further action at this time.  
Subdivision approved for residential development

Proposal Summary	Current Controls (HLEP)	Proposed Controls
	Zone: R3 Medium Density Residential, R4 High Density Residential, E2 Environmental Conservation  Height: 11m, 12.5m,  FSR: 0.85:1, 0.7:1	E2 Environmental Conservation
Rationale/ Submission	Currently zoned as both residential and environmental conservation.  Recommends a rezoning to E2 Environmental Conservation	



# 83-85 Francis Street, Lidcombe

## Proposed rezoning – R2 to R3



### Recommendation:

No further action at this time. Recently advised that land is required for open space. Reconfirm alignment with Council's Open Space and Recreation Strategy.

Proposal Summary	Current Controls (ALEP)	Proposed Controls
	Zone: RE1 Public Recreation	R3 Medium Density Residential
Rationale/ Submission	<p>In 1993, the current was rezoned by Council to RE1 zoning to develop into open space for the area.</p> <p>Submitter claims that they had multiple meetings over the course of the last ten years with the former Auburn Council and the current Cumberland Council, but have not reached a verdict or was provided any timeline of when this acquisition would occur.</p> <p>Due to the current zoning and its restriction for future development, they were not allowed to perform major renovations or rebuild.</p> <p>Seeks Council to review and amend the zoning of their sites in align to surrounding residential uses.</p>	

# 103-105 Chelmsford Road, South Wentworthville

## Proposed rezoning – R2 to R3



### Recommendation:

No further action at this time.  
Advice provided recently that spot rezoning would not be supported.

Proposal Summary	Current Controls (HLEP)	Proposed Controls
	Zone: R2 Low Density Residential  Height: 9m  FSR: 0.5:1	R3 Medium Density Residential, or  Allow 'multi dwelling housing similar to town houses adjacent to the subject site'
Rationale/ Submission	Intention to subdivide the land for multi dwelling housing.  The amalgamated land adjacent to the subject site was developed for town houses under Zone 2(a) of the Holroyd LEP 1991. At that time, multi dwelling housing was permitted with consent, provided that minimum site dimensions were achieved.	