

# CUMBERLAND CITY COUNCIL

# **Council Meeting**

Wednesday, 15 July 2020 at 6:30pm

Cumberland City Council Chambers

Merrylands Service Centre, 16 Memorial Avenue, Merrylands

### **Councillor Contact Details**

Granville Ward		
Clr Steve Christou (Mayor)	0419 651 187	Steve.Christou@cumberland.nsw.gov.au
Clr Ola Hamed	0405 070 007	Ola.Hamed@cumberland.nsw.gov.au
Clr Joseph Rahme	0418 995 471	Joseph.Rahme@cumberland.nsw.gov.au
Greystanes Ward		
Clr Greg Cummings	0417 612 717	Greg.Cummings@cumberland.nsw.gov.au
Clr Eddy Sarkis	0418 306 918	Eddy.Sarkis@cumberland.nsw.gov.au
(Deputy Mayor)		
Vacant	-	<del>-</del>
Regents Park Ward		
Clr Ned Attie	0419 583 254	Ned.Attie@cumberland.nsw.gov.au
Clr George Campbell	0409 233 315	George.Campbell@cumberland.nsw.gov.au
Clr Kun Huang	0418 911 774	Kun.Huang@cumberland.nsw.gov.au
South Granville Ward		
Clr Glenn Elmore	0418 459 527	Glenn.Elmore@cumberland.nsw.gov.au
Clr Paul Garrard	0414 504 504	Paul.Garrard@cumberland.nsw.gov.au
Clr Tom Zreika	0400 805 303	Tom.Zreika@cumberland.nsw.gov.au
Wentworthville Ward		
Clr Lisa Lake	0418 669 681	Lisa.Lake@cumberland.nsw.gov.au
Clr Suman Saha	0419 546 950	Suman.Saha@cumberland.nsw.gov.au
Clr Michael Zaiter	0418 432 797	Michael.Zaiter@cumberland.nsw.gov.au

For information on Council services and facilities please visit <a href="www.cumberland.nsw.gov.au">www.cumberland.nsw.gov.au</a>



## **ORDER OF BUSINESS**

1	Opening Prayer / Acknowledgement of Country / National Anthem		
2	Notice of Live Streaming of Council meeting		
3	Apologies / Requests for Leave of Absence		
4	Declarations of Pecuniary & Non Pecuniary Conflicts of Interest		
5	Confirmation	n of Previous Minutes	
	C07/20-494	Minutes of the Ordinary Meeting of Council - 01 July 20205	
6	<b>Mayoral Min</b>	utes	
	Nil		
7	Public Foru	m / Presentation of Petitions	
8	Items Resol	ved by Exception	
9	Reports to C	Council	
	General Mar	nager	
	C07/20-495	Legal Report17	
	<b>Director Cor</b>	nmunity and Organisation Development	
	C07/20-496	Emergency Relief Fund Applications19	
	C07/20-497	Quarterly Update on the Implementation of the Stronger Communities Fund27	
	Director Fina	ance & Governance	
	C07/20-498	Bi-Annual Report on Councillor Expenses and Facilities31	
	C07/20-499	Response to Notice of Motion Council Overheads43	
	C07/20-500	Update on Sale and Remediation of 615A Great Western Highway Greystanes51	
	Director Env	rironment & Planning	
	C07/20-501	Cumberland Local Environmental Plan - Post Exhibition Report on new Planning Controls for Cumberland City55	
	<b>Director Wo</b>	rks & Infrastructure	
	Nil		
10	Reports of C	Council Committees	
	Nil		
11	<b>Motions Pur</b>	suant to Notice	
	Nil		
12	Notices of R	Rescission	



Nil

#### 13 Questions on Notice

Nil

#### 14 Closed Session Reports

C07/20-502 Budget Savings Initiatives Post COVID-19

Note: Included in Closed Council in accordance with Section 10A(2)(a) of the Local Government Act as the information involves personnel matters concerning particular individuals (other than Councillors).

#### 15 Other / General Matters

#### 16 Close



Item No: C07/20-494

#### MINUTES OF THE ORDINARY MEETING OF COUNCIL - 01 JULY 2020

Responsible Division: Finance & Governance

Officer: Director Finance & Governance

#### **RECOMMENDATION**

That Council confirm the minutes of the Ordinary Meeting of Council held on 1 July 2020.

#### **ATTACHMENTS**

1. Draft Minutes - 1 July 2020 J

# DOCUMENTS ASSOCIATED WITH REPORT C07/20-494

Attachment 1
Draft Minutes - 1 July 2020





#### Minutes of the Council Meeting 1 July 2020

#### Meeting commenced at 6:30pm

#### Present:

Steve Christou (Mayor) Councillor Eddy Sarkis (Deputy Mayor) Councillor Ned Attie Councillor

George Campbell Councillor (via web conferencing)

Greg Cummings Councillor
Glenn Elmore Councillor
Paul Garrard Councillor

Ola Hamed Councillor (via web conferencing)

Kun Huang Councillor
Lisa Lake Councillor
Joseph Rahme Councillor
Suman Saha Councillor
Michael Zaiter Councillor
Tom Zreika Councillor

Hamish McNulty General Manager

Melissa Attia Director Community and Organisation

Development

Daniel Cavallo Director Environment & Planning
Peter Fitzgerald Director Works & Infrastructure
Richard Sheridan Director Finance & Governance

#### Also Present:

Charlie Ayoub Executive Manager Corporate Services

Colin McFadzean General Counsel

Carol Karaki Governance Coordinator Laith Jammal Governance Officer

#### **Opening Prayer**

The opening prayer was read by the Mayor, Councillor Christou.

#### **Acknowledgement of Country**

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

"I would like to acknowledge the traditional owners of this land – the Darug People, and pay my respects to their elders past, present and emerging."





#### National Anthem

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

#### Notice of Live Streaming of Council Meeting

The Mayor, Councillor Christou advised that the Council meeting was being streamed live on Council's website and members of the public must ensure their speech to the Council is respectful and use appropriate language.

#### Apologies/Leave of Absence

Nil

#### **Declarations of Pecuniary & Non Pecuniary Conflicts of Interest**

There were no declarations of interest.

#### **Confirmation of Minutes**

Min.739 C07/20-479 Minutes of the Ordinary Meeting of Council - 17 June

2020

#### Resolved (Cummings/Sarkis)

That Council confirm the minutes of the Ordinary Meeting of Council held on 17 June 2020.

#### Min.740 MM07/20-34 Mayoral Minute – Service NSW Centre at Granville

#### Resolved (Christou)

That Council:

- Approve in principle the provision of office space for the potential location of a Service NSW Centre within the new Council Administration Building proposed at Granville.
- 2. Write to the Premier of NSW and Minister for Customer Service requesting their strong support for this proposal.

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

Councillor(s) For the Motion: Attie, Christou, Cummings, Garrard, Rahme,

Sarkis, Zaiter and Zreika.

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

Saha.





Min.741

MM07/20-35 Mayoral Minute – Mayoral Minute - Energy Savings for Businesses in the LGA

#### Resolved (Christou)

That Council:

- Promote the use of green energy throughout the LGA via our usual media means such as, however not limited to, the Council website, Facebook page, Mayoral column, quarterly newsletter and business rate notice mail out.
- Provide support and advice, with the assistance of experienced green energy consultants to businesses in the LGA, in an attempt to reduce their energy costs and promote clean, green, renewable energy sources for electricity supply.
- The above is to be done with no additional cost to council's budget utilising the media resources mentioned above.

#### Carried Unanimously

Councillor Campbell left the Meeting at 7:08pm and returned to the Meeting at 7:11pm during the consideration of this item.

#### Min.742 Items by Exception

#### Resolved (Sarkis/Cummings)

That Council adopt items C07/20-481, C07/20-485 and C07/20-493 on the Council Agenda in bulk as per the recommendations in the reports.

#### Min.743 C07/20-481 Mayor and Councillor Remuneration 2020/21

#### Resolved (Sarkis/Cummings)

That Council:

- Set the annual Councillor Fee for the period 1 July 2020 to 30 June 2021 at \$30,410 in accordance with the provisions of section 248 of the Local Government Act 1993; and
- Set the annual Mayoral Fee for the period 1 July 2020 to 30 June 2021 at \$88,600 in accordance with the provisions of section 249 of the Local Government Act 1993.

## Min.744 C07/20-485 Cumberland City Council - Future Companion Animal Management Requirements

#### Resolved (Sarkis/Cummings)

That Council:

 Enter into a contract with Hawkesbury City Council to utilise their Companion Animal Shelter, in accordance with Section 55(3)(c) of the Local Government Act 1993; and





Delegate authority to the General Manager for the purpose of executing the contract and any associated documents.

## Min.745 C07/20-493 Tender for the Receipt & Processing of Recyclable Material - T-2020-006

#### Resolved (Sarkis/Cummings)

That Council:

- Decline all tenders in accordance with Clause 178(1)(b) of the Local Government (General) Regulation 2005.
- Enter into negotiations with Visy Recycling Pty Ltd and Polytrade Recycling Pty Ltd
  for the receival and processing of recyclable material in accordance with Clause 178
  of the Local Government (General) Regulation 2005, as the number of capable and
  available tenderers are limited, and calling fresh tenders would not yield an optimal
  financial outcome for this contract.
- 3. Receive a report on the outcome of negotiations for determination.

#### Min.746 C07/20-480 Monthly Management Accounts April 2020

#### Resolved (Saha/Elmore)

That Council receive the information contained in this report.

#### Carried Unanimously

#### C07/20-481 Mayor and Councillor Remuneration 2020/21

This item was dealt with earlier in the meeting.

C07/20-482 Cumberland Local Environmental Plan – Post Exhibition Report on New Planning Controls for Cumberland City

This item was withdrawn by the General Manager.

C07/20-483 Cumberland Local Environmental Plan – Post Exhibition Report on Proposed Amendments to Planning Controls

This item was withdrawn by the General Manager.

C07/20-484 Cumberland Local Environmental Plan – Post Exhibition Report on Site Specific Requests and Council's Strategic Planning Work Program

This item was withdrawn by the General Manager.





### C07/20-485 Cumberland City Council - Future Companion Animal Management Requirements

This item was dealt with earlier in the meeting.

Min.747 C07/20-486 Cumberland Traffic Committee - Minutes of the Electronic Meeting held on 3 June 2020

#### Resolved (Rahme/Garrard)

#### That:

- 1. The minutes of Part 1 Items of the Cumberland Traffic Committee electronic meeting of 3 June 2020, be received and noted; and
- The minutes of Part 2 Items of the Cumberland Traffic Committee electronic meeting on 3 June 2020, be received and recommendations contained therein be approved.

#### Carried Unanimously

#### Min.748 C07/20-487 Notice of Motion - Skate Park in Greystanes

#### Resolved (Sarkis/Garrard)

That Council advise on previous reports with respect to a skate park in the Greystanes area as this has been ongoing for some years, identifying appropriate locations for the same and seek State and Federal funding to build the skate park.

#### **Carried Unanimously**

#### Min.749 C07/20-488 Notice of Motion - Outdoor Gyms

#### Resolved (Sarkis/Garrard)

That Council receive a report to introduce more outdoor gyms/fitness stations in the Cumberland LGA.

#### Carried Unanimously

#### Min.750 C07/20-489 Notice of Motion - Signage

#### Resolved (Sarkis/Garrard)

That Council receive a report on the cost of updating all the signs on the Lower Prospect Canal cycle track to reflect Cumberland City Council.





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

Councillor(s) For the Motion: Attie, Christou, Cummings, Elmore

Garrard, Hamed, Huang, Lake, Rahme, Saha,

Sarkis, Zaiter and Zreika.

Councillor(s) Against the Motion: Campbell.

#### Min.751 C07/20-490 Notice of Motion - Animal Defecation

#### Resolved (Sarkis/Garrard)

That council receive a report on implementing and installing signs in the Cumberland LGA around recognised walking, biking and other routes regularly used by constituents as a means of exercise to remind pet owners of their responsibilities with respect to cleaning up animal defecation, as there has been a marked increase of this recently.

#### Carried Unanimously

Councillor Hamed left the Meeting at 7:47pm and returned to the Meeting at 7:48pm during the consideration of this item.

#### Min.752 C07/20-491 Notice of Motion - Community Service Centre

#### Resolved (Zaiter/Attie)

That Council be provided with a report regarding the feasibility of establishing a community service centre within an existing facility or otherwise, located in Wentworthville and any other local Centre that Council may deem appropriate.

#### **Carried Unanimously**

Councillors Cummings and Rahme left the Meeting at 7:56pm during the consideration of this item.

Councillors Cummings and Rahme returned to the Meeting at 7:59pm during the consideration of this item.

#### Min.753 C07/20-492 Notice of Motion - Council Overheads

#### Resolved (Attie/Zaiter)

#### That:

 Council be provided with a report by the next ordinary meeting of Council regarding the cost rationale associated with the overheads for the 12 service areas of Council.







Page 7

2. The report outline why the costs associated with children's services was stated at the ordinary meeting of 17 June 2020 as approximately 15% of corporate expenses.

#### **Carried Unanimously**

Councillor Sarkis left the Meeting at 8:21pm and returned to the Meeting at 8:23pm during the consideration of this item.

#### Other/General Matters

Councillor Lake requested that the General Manager organise a workshop in relation to the Code of Meeting Practice, as this will allow various issues or questions to be raised and discussed by the Councillors regarding the interpretation of the Code. The Chamber concurred and the Mayor, Councillor Christou confirmed that the Workshop will be arranged.

The Mayor, Councillor Christou close	ed the meeting at 8:35pm.
Chairperson	General Manager

C07/20-494 – Attachment 1 Page 15



Item No: C07/20-495

#### LEGAL REPORT

Responsible Division: General Manager Officer: General Counsel

File Number: 2041456

Community Strategic Plan Goal: Transparent and accountable leadership

#### **SUMMARY**

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

#### **RECOMMENDATION:**

That the report be received.

#### **REPORT**

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

It does not include the following types of legal proceedings:

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

The report is current to 1 July 2020. It does not capture changes that have occurred between that date and the date the report is considered by Council.

Total external legal expenditure for the 2019-2020 financial year was \$532,232 which represents a \$745,748 (58.4%) reduction from \$1,277,880 in 2018-2019 and continues a downward trend from \$1,942,263 in 2017-2018 and \$2,214,490 in 2016-2017.

#### **COMMUNITY ENGAGEMENT**

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

#### **POLICY IMPLICATIONS**

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



#### **RISK IMPLICATIONS**

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

#### **FINANCIAL IMPLICATIONS**

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

#### **CONCLUSION**

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

#### **ATTACHMENTS**

1. Legal Report (confidential)



Item No: C07/20-496

#### **EMERGENCY RELIEF FUND APPLICATIONS**

Responsible Division: Community and Organisation Development

Officer: Director Community and Organisation Development

File Number: SC619

Community Strategic Plan Goal: Transparent and accountable leadership

#### **SUMMARY**

The Emergency Relief Fund was established to provide financial support to the community at any time for donations to fundraising appeals that respond to crisis or disaster situations, or for new community-led initiatives that address an emerging or unexpected community need where action is time critical.

This report presents four new applications and two deferred applications received for the consideration of Council.

#### RECOMMENDATION

That Council endorse the four applications recommended for funding as outlined under Attachment 1 of this report and allocate \$21,590 from the 2020/21 Emergency Relief Fund to support vulnerable community members affected by the COVID-19 pandemic.

#### **REPORT**

#### Background

Since the meeting of Council held 3 June 2020, four applications have been received from local community organisations that are seeking donations for community initiatives to support vulnerable community members impacted by COVID-19.

With the recent easing of restrictions and in line with Council's determination of Emergency Relief Fund applications on 3 June, the two pending applications which were deferred at the Council meeting held 20 May 2020, are re-presented to Council for determination.

In accordance with the Emergency Relief Fund Guidelines, applications are assessed in accordance with the Community Grants and Donations Policy and established Emergency Relief Fund criteria and reported to Council for consideration.



#### **Application Process**

In accordance with the Guidelines, submitted applications were assessed internally for eligibility and conformance with the assessment criteria.

#### Funding Priorities and Eligibility Criteria

Not-for-profit organisations including registered charities and auspicing organisations are eligible to apply, with priority given to organisations located within the Cumberland Local Government Area or providing services to residents of Cumberland.

Requests for financial assistance under the Emergency Relief Fund will typically constitute one-off financial assistance for donations to fundraising appeals that respond to crisis or disaster or for new community-led initiatives that address an emerging or unexpected community need where action is time critical.

Applicants can apply through two funding streams: *Donations to Fundraising Appeals* or *Community Initiatives*.

#### Applications Received and Assessment Outcomes

Two of the four new applications received, were deemed ineligible. Two applications are recommended for funding. The two deferred applications are also recommended for funding.

The schedule provided in Attachment 1 provides a summary of the assessment outcomes.

#### **COMMUNITY ENGAGEMENT**

Information about the Cumberland Emergency Relief Fund is available on Council's website and open all year round.

Council will notify the applicants of the outcome of their applications.

#### **POLICY IMPLICATIONS**

The Community Grants and Donations Policy outlines the framework under which grants and donations made by Council to the community are governed.

The Policy ensures Council meets legislative requirements prescribed in Section 356 of the *Local Government Act 1993*. All applications submitted under the Emergency Relief Fund have been assessed in accordance with this Policy and the Emergency Relief Fund Guidelines.

#### **RISK IMPLICATIONS**

If funded, the successful applicants will be required to enter into a Financial Assistance Agreement with Council and meet all requirements of project delivery, reporting and acquittal.



#### FINANCIAL IMPLICATIONS

There is a total of \$50,000 allocated in the 2020/21 Emergency Relief Fund budget to fund the applications recommended for funding (\$21,590) which will leave \$28,410 available for the remainder of the financial year, should Council resolve to endorse the applications outlined in this report.

#### **CONCLUSION**

The Emergency Relief Fund was established to provide financial support to the community at any time for community initiatives and donations to fundraising appeals that respond to crisis and address an emerging or unexpected community need where action is time critical.

The four applications recommended for funding support local community-led initiatives and provides a direct benefit to vulnerable residents of the Cumberland LGA impacted by COVID-19.

#### **ATTACHMENTS**

1. Attachment 1 - Schedule of Applications <a href="#">J</a>

# DOCUMENTS ASSOCIATED WITH REPORT C07/20-496

# Attachment 1 Attachment 1 - Schedule of Applications



Schedule of Applications – Emergency Relief Fund – 15 July 2020

#### Schedule of Applications: Emergency Relief Fund

Applicant Name	Community Care Kitchen	Uniting Church Australia UCA - Parramatta Mission	Uniting Church Australia UCA - Parramatta Mission	Barnardos Australia – Auburn Family Care Program
NEW APPLICATIO	NS RECEIVED			
Project Category	Community Initiatives	Community Initiatives	Community Initiatives	Donations to fundraising Appeals
Amount requested	\$5,000	\$10,000	\$5,000	\$10,000
Need identified	Seeking funds to assist vulnerable clients impacted by COVID-19 and whom are ineligible for government income support and assistance. Funds will be used to provide \$50 vouchers to 100 families and individuals.	Seeking funds to assist with additional costs associated with the delivery of their amended Meals Plus Program as a result of the COVID -19 restrictions and the phases of restrictions to follow.	Seeking funds to assist with additional costs associated with providing Personal Protective Equipment; Training and Police Checks for newly recruited Volunteers to their Volunteers Program in response to the increased demand for service provision resulting from COVID-19.	Seeking funds to assist vulnerable clients impacted by COVID-19. Funds will be used to purchase and distribute 200 care packs (grocery, pharmacy, household items, meals, and toiletries) to risk families and clients experiencing family trauma, mental health and domestic violence issues.
Recommendation	Recommended for funding.	Ineligible for funding.	Ineligible for funding.	Recommended for funding.
	Application meets the Community Initiatives stream of the funding guidelines and provides a one off financial donation addressing a community need for vulnerable residents of the Cumberland LGA impacted by COVID-19.	Application has been deemed ineligible for funding due to application for funds are to support operational expenses of the organisation; and have applied for amount above the cap.	Application has been deemed ineligible for funding due to application for funds are to support operational expenses of organisation.	Application meets the Donations to Fundraising Appeals stream of the funding guidelines and provides a one off financial donation addressing a community need for vulnerable residents of the Cumberland LGA impacted by COVID-19.
Comments	Application meets the funding guidelines and responds to an urgent and increased need for emergency assistance for vulnerable residents of the Cumberland LGA impacted by COVID-19.	Application does not meet the funding guidelines.  Applicant will be provided with information about other grant opportunities they may be eligible to apply for and connected with Council's Grants Team.	Application does not meet the funding guidelines.  Applicant will be provided with information about other grant opportunities they may be eligible to apply for and connected with Council's Grants Team.	Application meets the funding guidelines and responds to an urger and increased need for emergency assistance for vulnerable residents of the Cumberland LGA impacted by COVID-19.

C07/20-496 – Attachment 1 Page 25



Applicant Name	St Francis Social Services T/A House of Welcome	Australian Afghan Hassanian Youth Association	
Project Category	Donations for Fundraising Appeals	Donations for Fundraising Appeals	
Amount requested	\$5,000	\$5,000	
Need identified	Seeking funds to assist vulnerable clients impacted by COVID-19 and ineligible for income support and assistance. Funds will assist with food security, general living expenses, pharmaceuticals and medical expenses (as ineligible for health card discounts), mobile phone and Opal card top-ups and financial assistance to alleviate immediate housing stress and maintain housing, particularly for those in informal housing situations and at risk of homelessness.	Seeking funds to purchase food packages to distribute to vulnerable families (newly arrived migrants and refugees many of whom have lost their jobs and on temporary visas) as a result of COVID-19 as well as transport, face masks, hand sanitizer and gloves.	
Recommendation	Recommended for partial funding (\$3,740).	Recommended for partial funding (\$2,850).	
Comments	Application meets the funding guidelines and responds to an urgent and increased need for emergency assistance for vulnerable residents of the Cumberland LGA impacted by COVID-19 and increases in job losses. Partial funding is recommended excluding costs related to rental assistance.	Application meets the funding guidelines and provides a direct benefit to vulnerable residents of the Cumberland LGA in urgent need and impacted by COVID-19. Funding for gloves and masks has been excluded as this is not a compulsory public health measure for residents residing in NSW.	

C07/20-496 – Attachment 1 Page 26



Item No: C07/20-497

## QUARTERLY UPDATE ON THE IMPLEMENTATION OF THE STRONGER COMMUNITIES FUND

Responsible Division: Community and Organisation Development

Officer: Director Community and Organisation Development

File Number: T065312/2018

Community Strategic Plan Goal: A great place to live

#### **SUMMARY**

Under the NSW Government Stronger Communities Fund, Council was provided with \$15 million in funding for the benefit of the local community. Council is required to provide progress reports on the expenditure and outcomes of the Stronger Communities Fund.

This report provides a progress update on the implementation of the Stronger Communities Fund Major Projects Program for the period from January 2020 to June 2020.

#### RECOMMENDATION

#### That Council:

- 1. Note the progress on the implementation of the Stronger Communities Fund Major Projects Program.
- 2. Submit a copy of this report to the Office of Local Government in meeting the reporting requirements of the NSW Government's Stronger Communities Fund Guidelines.

#### REPORT

The Stronger Communities Fund was established by the NSW Government to provide newly merged councils with funding to kick start the delivery of projects that improve community infrastructure and services.

Cumberland Council was provided with \$15 million in funding via two programs:

- A Community Grants Program, allocating up to \$1 million in grants of up to \$50,000 in any single allocation to incorporated not-for-profit community groups for projects that build more vibrant, sustainable and inclusive local communities; and
- A Major Projects Program, allocating all remaining funding (\$14 million) to larger



scale priority infrastructure and services projects that deliver long term economic and social benefits to communities.

All funding allocated under the Stronger Communities Fund Community Grants Program has been acquitted.

#### Stronger Communities Fund Major Projects Program Progress Update

The following progress has been made on the major projects to date:

PROJECT TITLE	PROGRESS UPDATE
Granville Multi- Purpose Community Centre, Library, Arts and Cultural Facility	<ul> <li>The main building is structurally complete with relatively minor items to finalise (painting, vents, furniture installation, services, etc.). All civil works and landscaping are also nearing completion.</li> <li>Construction of the building and associated works is due for physical completion on 15 July, 2020.</li> <li>Final handover is dependent upon defects and omissions inspection and rectification, together with finalisation of the Occupation Certificate (OC) from the Principal Certifying Authority.</li> <li>Relocation of staff is being coordinated following OC.</li> <li>As at 30 June 2020 \$24,727,638 had been spent on this project and \$496,463 raised as commitments against the grant allocation, resulting in a total of \$25,224,101 of actuals plus commitments, fully acquitting the grant funding of \$10,300,000.</li> </ul>
Auburn Botanic Gardens Entertainment Precinct and Duck River Regional All Abilities Playground	<ul> <li>Project completed and the new entry access became available to the community from 1 June 2020.</li> <li>Due to COVID-19 restrictions the official opening has been deferred with a future date to be determined.</li> <li>\$148,000 in funding was transferred from the Central Gardens All Abilities Mixed Age Playground (from savings achieved on that project) to cover additional costs on this project due to the presence of latent conditions not expected within the original project scope; affecting the timber structure and asbestos containing material within the project area.</li> <li>As of 30 June 2020, \$847,611 had been spent on this project and zero raised as commitments resulting in a total of \$847,611 of actuals plus commitments, fully acquitting the grant funding of \$652,000.</li> </ul>
Central Gardens All Abilities and Mixed Age Playground	<ul> <li>Project completed and playground available to the community from 6 February 2020.</li> </ul>



PROJECT TITLE	PROGRESS UPDATE
	<ul> <li>Due to COVID-19 restrictions the official opening has been deferred with a future date to be determined.</li> <li>Project savings of \$148,000 were realised due to the engagement of different play equipment suppliers and transferred to the Auburn Botanic Gardens Entertainment Precinct and Duck River Regional All Abilities Playground Project to cover out of scope project costs.</li> <li>As of 30 June, 2020, \$1,196,802 had been spent on this project and zero raised as commitments resulting in a total of \$1,196,802 of actuals plus commitments, fully acquitting the grant funding of \$1,338,000.</li> </ul>
Replacement of Bridge Road Railway Overbridge	<ul> <li>Waiting on finalisation of design from Sydney Trains.</li> <li>As at 30 June 2020, \$504,358 had been spent on this project and zero raised as commitments resulting in a total of \$504,358 of actuals, fully acquitting the grant funding of \$500,000.</li> </ul>
Auburn District Library Expansion	Project Completed.
Prospect Hill Access & Lookout	<ul> <li>Council is in discussions with delegates from the ATSIC Committee and the Member of Parliament for Prospect to advocate for the project.</li> <li>Remediation and encapsulation works have now been completed. As at 30 June 2020, \$238,334 had been spent on this project and \$1,600 raised as commitments resulting in a total of \$239,933 of actuals plus commitments, fully acquitting the grant funding of \$195,000.</li> </ul>
CCTV Infrastructure and Lighting Upgrades	<ul> <li>The installation of the CCTV cameras commenced in mid-June following approval from Endeavour Energy for power connection to their electricity mains and pole attachments.</li> <li>The commissioning of the CCTV cameras is anticipated in early July.</li> <li>As at 30 June 2020, \$573,087 had been spent on this project and \$152,484 raised as commitments resulting in a total of \$725,571 of actuals plus commitments, fully acquitting the grant funding of \$585,000.</li> </ul>

#### **COMMUNITY ENGAGEMENT**

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



#### **POLICY IMPLICATIONS**

Council is required to submit a copy of this report to the Office of Local Government in accordance with the Stronger Communities Fund Guidelines.

#### **RISK IMPLICATIONS**

Council has Project Control Groups (PCGs) in place for the major projects, which meet on a regular basis to oversee each project. Council has a risk register in place for every major project, which is regularly monitored and updated through the PCGs for each project.

#### FINANCIAL IMPLICATIONS

Funding of \$15 million has been provided by the NSW Government to deliver the Stronger Communities Fund Program. A total of \$1 million was allocated under the Stronger Communities Fund Community Grants Program for community organisations. A total of \$14 million was allocated under the Stronger Communities Fund Major Projects Program.

Council has previously obtained a funding agreement variation from the OLG In relation to the Stronger Communities Fund Major Projects Program, which provided an extension for funding to be committed by 31 December 2019 and all funding to be acquitted by 30 June 2020.

The total amount of funding committed from the Stronger Communities Fund Major Projects grant as at 30 June 2020 was \$14,000,000. In addition, Council has committed \$15,169,146 towards Stronger Communities projects bringing the total amount committed to \$29,169,146.

#### CONCLUSION

The Stronger Communities Fund provides Council with a one off opportunity to deliver major infrastructure projects that build more vibrant, sustainable and inclusive local communities.

Council will continue to monitor and provide progress reports on its implementation plan to Council and the Office of Local Government to ensure funds are spent in accordance with the NSW Government's Guidelines.

#### **ATTACHMENTS**



Item No: C07/20-498

#### BI-ANNUAL REPORT ON COUNCILLOR EXPENSES AND FACILITIES

Responsible Division: Finance & Governance

Officer: Director Finance and Governance

File Number: HC-06-02-2/03

Community Strategic Plan Goal: Transparent and accountable leadership

#### **SUMMARY**

This report provides an update on Councillor Expenses and Facilities Expenditure for the period of 1 January 2020 to 30 June 2020, in accordance with the provisions of Council's adopted *Councillor Expenses and Facilities Policy*.

#### RECOMMENDATION

#### That Council:

- 1. Receive the information contained in this report; and
- 2. Place a copy of the Councillor Expenses and Facilities Expenditure included under Attachment 1 of this report on Council's website in accordance with clause 15.2 of the Councillor Expenses and Facilities Policy.

#### **REPORT**

Section 428 of the *Local Government Act 1993* and clause 217 of the *Local Government (General) Regulation 2005* requires Council to report on the provision of expenses and facilities to Councillors in its annual report.

In addition to this, clause 15.2 of Council's adopted *Councillor Expenses and Facilities Policy* states:

"Detailed reports on the provision of expenses and facilities to Councillors will be publicly tabled at a Council meeting every six months and published in full on Council's website. These reports will include expenditure summarised by individual Councillor and as a total for all Councillors."

Attachment 1 of this report outlines the provision of expenses and facilities to individual Councillors, as well as the total expenses and facilities provided to all Councillors for the period of 1 January 2020 to 30 June 2020 in accordance with the *Councillor Expenses and Facilities Policy*.



#### **COMMUNITY ENGAGEMENT**

A copy of Attachment 1 of this report will be placed on Council's website in accordance with clause 15.2 of the *Councillor Expenses and Facilities Policy*.

#### **POLICY IMPLICATIONS**

The adoption of the recommendations contained within this report ensure Council is compliant with the adopted *Councillor Expenses and Facilities Policy*.

#### **RISK IMPLICATIONS**

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

#### **FINANCIAL IMPLICATIONS**

All expenses and facilities detailed in Attachment 1 were budgeted in the 2019/20 budget.

#### CONCLUSION

The report on Councillor Expenses and Facilities Expenditure for the period of 1 January 2020 to 30 June 2020 has been finalised and is tabled for Council's information in accordance with the provisions of Council's adopted *Councillor Expenses and Facilities Policy*.

#### **ATTACHMENTS**

1. Councillor Expenses and Facilities Expenditure 1.

## DOCUMENTS ASSOCIATED WITH REPORT C07/20-498

# Attachment 1 Councillor Expenses and Facilities Expenditure



#### COUNCILLORS' EXPENSES AND PROVISION OF FACILITIES for the period up to 30 June 2020

Councillo	or Steve Christou (Mayor)
Allowances	January 2020 - June 2020
Mayoral allowance - \$88,600 per annum (excluding Councillor allowance)	\$44,299.5
Councillor allowance (per Councillor) - \$30,410 per annum	\$15,205.C
Telephone and Data Expenses	\$472.8
Travel Reimbursement	\$237.4
Mobile Phone / Tablet Hardware Cost (Returnable assets of Council)	\$0.0
Special requirement and carer expenses	\$0.0
Postage / stamps	\$0.0
Dedicated home office equipment (desk, chair, and printer)	\$0.0
Home Office Expenses Allocation (\$600)	\$547.3
Exempt conferences/seminars and Professional Development	\$0.0
Professional Development	\$605.0
Total	\$61,367.6
Councillor E	ddy Sarkis (Deputy Mayor)
Allowances	January 2020 - June 2020
Councillor allowance (per Councillor) - \$30,410 per annum	\$15,205.C
Telephone and Data Expenses	\$157.6
Travel Reimbursement	\$2782.4
Mobile Phone / Tablet Hardware Cost (Returnable assets of Council)	\$0.0
Special requirement and carer expenses	\$0.0
Postage / stamps	\$0.0
Dedicated home office equipment (desk, chair, and	\$0.0
printer)	
Home Office Expenses Allocation (\$600)	\$582.3
Exempt conferences/seminars and Professional	\$0.0
Development	
Professional Development	\$0.0
Total	\$18,727.3



Counc	cillor Greg Cummings
Allowances	January 2020 - June 2020
Councillor allowance (per Councillor) - \$30,410 per	\$15,205.0
annum	
Telephone and Data Expenses	\$472.8
Travel Reimbursement	\$0.0
Mobile Phone / Tablet Hardware Cost (Returnable	\$0.0
assets of Council)	
Special requirement and carer expenses	\$0.0
Postage / stamps	\$0.0
Dedicated home office equipment (desk, chair, and	\$0.0
printer)	
Home Office Expenses Allocation (\$600)	\$0.0
Exempt conferences/seminars and Professional	\$0.0
Development	
Professional Development	\$0.0
Total	\$15,677.8
Cour	ncillor Glenn Elmore
Allowances	January 2020 - June 2020
Councillor allowance (per Councillor) - \$30,410 per	\$15,205.0
annum	
Telephone and Data Expenses	\$472.8
Travel Reimbursement	\$14.1
Mobile Phone / Tablet Hardware Cost (Returnable	\$0.0
assets of Council)	
Special requirement and carer expenses	\$0.0
Postage / stamps	\$0.0
Dedicated home office equipment (desk, chair, and	\$346.5
printer)	
Home Office Expenses Allocation (\$600)	\$0.0
Exempt conferences/seminars and Professional	\$0.0
Development	
Professional Development	\$0.0
Total	\$16,038.5



Councillor Tom Zreika					
Allowances	January 2020 - June 2020				
Councillor allowance (per Councillor) - \$30,410 per	\$15,205.				
annum					
Telephone and Data Expenses	\$472.				
Travel Reimbursement	\$0.				
Mobile Phone / Tablet Hardware Cost (Returnable	\$0.				
assets of Council)					
Special requirement and carer expenses	\$0.				
Postage / stamps	\$0.				
Dedicated home office equipment (desk, chair, and	\$0.				
printer)					
Home Office Expenses Allocation (\$600)	\$0.				
Exempt conferences/seminars and Professional	\$0.				
Development					
Professional Development	\$279.				
Total	\$15,957.				
Councillan Issaach Balance					

Councillor Joseph Rahme					
Allowances	January 2020 - June 2020				
Councillor allowance (per Councillor) - \$30,410 per	\$15,205.02				
annum					
Telephone and Data Expenses	\$472.80				
Travel Reimbursement	\$72.19				
Mobile Phone / Tablet Hardware Cost (Returnable	\$260.00				
assets of Council)					
Special requirement and carer expenses	\$0.00				
Postage / stamps	\$0.00				
Dedicated home office equipment (desk, chair, and	\$0.00				
printer)					
Home Office Expenses Allocation (\$600)	\$600.00				
Exempt conferences/seminars and Professional	\$0.00				
Development					
Professional Development	\$0.00				
Total	\$16,610.01				



Councillor Michael Zaiter					
Allowances	January 2020 - June 2020				
Councillor allowance (per Councillor) - \$30,410 per	\$15,205.02				
annum					
Telephone and Data Expenses	\$472.80				
Travel Reimbursement	\$0.00				
Mobile Phone / Tablet Hardware Cost (Returnable	\$0.00				
assets of Council)					
Special requirement and carer expenses	\$0.00				
Postage / stamps	\$850.00				
Dedicated home office equipment (desk, chair, and	\$841.50				
printer)					
Home Office Expenses Allocation (\$600)	\$600.00				
Exempt conferences/seminars and Professional	\$0.00				
Development					
Professional Development	\$0.00				
Total	\$17,969.32				
Councillor Paul Garrard					

Councillor Paul Garrard					
Allowances	January 2020 - June 2020				
Councillor allowance (per Councillor) - \$30,410 per	\$15,205.02				
annum					
Telephone and Data Expenses	\$472.80				
Travel Reimbursement	\$448.82				
Mobile Phone / Tablet Hardware Cost (Returnable	\$124.95				
assets of Council)					
Special requirement and carer expenses	\$0.00				
Postage / stamps	\$100.00				
Dedicated home office equipment (desk, chair, and	\$0.00				
printer)					
Home Office Expenses Allocation (\$600)	\$150.00				
Exempt conferences/seminars and Professional	\$0.00				
Development					
Professional Development	\$0.00				
Total	\$16,501.59				



Co	uncillor Kun Huang	
Allowances	January 2020 - June 2020	
Councillor allowance (per Councillor) - \$30,410 per	\$15,205	.02
annum		
Telephone and Data Expenses	\$472	2.80
Travel Reimbursement	\$41	.95
Mobile Phone / Tablet Hardware Cost (Returnable	\$64	1.95
assets of Council)		
Special requirement and carer expenses	\$0	0.00
Postage / stamps	\$555	.40
Dedicated home office equipment (desk, chair, and	\$660	00.0
printer)		
Home Office Expenses Allocation (\$600)	\$304	.04
Exempt conferences/seminars and Professional	\$0	0.00
Development		
Professional Development		0.00
Total	\$17,304	1.16
Co	ouncillor Lisa Lake	
Allowances	January 2020 - June 2020	
Councillor allowance (per Councillor) - \$30,410 per	\$15,205	.02
annum		
Telephone and Data Expenses	\$472	.80
Travel Reimbursement	\$0	0.00
Mobile Phone / Tablet Hardware Cost (Returnable	\$0	0.00
assets of Council)		
Special requirement and carer expenses	\$0	0.00
Postage / stamps	\$0	0.00
Dedicated home office equipment (desk, chair, and	\$181	.06
printer)		
Home Office Expenses Allocation (\$600)	\$0	0.00
Exempt conferences/seminars and Professional	\$0	0.00
Development		
Professional Development		0.00
Total	\$15,858	3.88

\$17,728.59



Total

Coun	cillor Suman Saha	
Allowances	January 2020 - June 2020	
Councillor allowance (per Councillor) - \$30,410 per	\$1	15,205.02
annum		
Telephone and Data Expenses		\$472.80
Travel Reimbursement		883.32
Mobile Phone / Tablet Hardware Cost (Returnable		\$0.00
assets of Council)		
Special requirement and carer expenses		\$0.00
Postage / stamps		\$0.00
Dedicated home office equipment (desk, chair, and		\$1694.72
printer)		
Home Office Expenses Allocation (\$600)		\$546.74
Exempt conferences/seminars and Professional		\$0.00
Development		
Professional Development		\$1227.50
Total	\$2	20,030.10
Cour	ncillor Ola Hamed	
Allowances	January 2020 - June 2020	
Councillor allowance (per Councillor) - \$30,410 per	\$1	15,205.02
annum		
Telephone and Data Expenses		\$1640.50
Travel Reimbursement		\$69.50
Mobile Phone / Tablet Hardware Cost (Returnable		\$0.00
assets of Council)		
Special requirement and carer expenses		\$756.00
Postage / stamps		\$0.00
Dedicated home office equipment, computer and desk		\$0.00
and chair (including consumables)		
Home Office Expenses Allocation (\$600)		\$57.57
Exempt conferences/seminars and Professional		\$0.00
Development		
·		



Counc	illor George Campbell	
Allowances	January 2020 - June 2020	
Councillor allowance (per Councillor) - \$30,410 per	\$15,	205.0
annum		
Telephone and Data Expenses	\$	210.0
Travel Reimbursement	\$	371.9
Mobile Phone / Tablet Hardware Cost (Returnable		\$0.0
assets of Council)		
Special requirement and carer expenses		\$0.0
Postage / stamps		\$0.0
Dedicated home office equipment (desk, chair, and	\$	660.0
printer)		
Home Office Expenses Allocation (\$600)		\$0.0
Exempt conferences/seminars and Professional		\$0.0
Development		
Professional Development		\$0.0
Total	\$16,	446.9
Co	ouncillor Ned Attie	
Allowances	January 2020 - June 2020	
Councillor allowance (per Councillor) - \$30,410 per	\$15,	,205.0
annum		
Telephone and Data Expenses	\$	472.8
Travel Reimbursement	\$1	429.3
Mobile Phone / Tablet Hardware Cost (Returnable		\$34.0
assets of Council)		
Special requirement and carer expenses		\$0.0
Postage / stamps		\$0.0
Dedicated home office equipment (desk, chair, and		\$0.0
printer)		
Home Office Expenses Allocation (\$600)		\$0.0
Exempt conferences/seminars and Professional		\$0.0
Development		
Professional Development		\$0.0
Total	¢17	141.1



Counc	cillors Total
Allowances	January 2020 - June 2020
Mayoral allowance - \$88,600 per annum (excluding	\$44,299.98
Councillor allowance)	
Councillor allowance (per Councillor) - \$30,410 per	\$212,870.28
annum	
Telephone and Data Expenses	\$7,208.90
Travel Reimbursement	\$6,351.17
Mobile Phone / Tablet Hardware Cost (Returnable	\$483.90
assets of Council)	
Special requirement and carer expenses	\$756.00
Postage / stamps	\$1505.40
Dedicated home office equipment (desk, chair, and	\$4,383.78
printer)	
Home Office Expenses Allocation (\$600)	\$3,388.02
Exempt conferences/seminars and Professional	\$0.00
Development	
Professional Development	\$2111.79
Grand Total	\$283,359.22
Othe	r Expenses
Events	January 2020 - June 2020
Attendance of the Mayor & their partner (or nominated	
delegates) at key industry specific functions and community	
events where there is an associated ticket fee to a maximum of	\$0.00
\$10,000 per year (Cl. 10.6 of the Councillor Expenses and	Ç0.00
Facilities Policy).	
In accordance with Cl. 10.7 of the Councillor Expenses and	
Facilities Policy , the Mayor may host civic events/delegations to	\$470.40
a maximum of \$5,000 per year	3470.40

### Other Mayoral Facilities

**Staff:** A Personal Assistant has provided clerical support on a full-time basis during the period.

Mayoral Vehicle: A fully serviced and maintained vehicle with a value (inclusive of GST) below the Luxury Car Tax (LCT) threshold for official civic duties and incidental use was utilised by the Mayor from 1 January 2020 - 30 June 2020.

**Parking:** A Mayoral car parking space was available to the Mayor to park in the Auburn Administration Building and Merrylands Administration Building during this period.

Office: A furnished office was available to the Mayor during the period in the Merrylands Administration Building.

Newspaper Subscription: Annual subscription to the Daily Telegraph and Sydney Morning Herald.

### Other Councillor Facilities

**Meals:** Councillors are provided with a meal and refreshments, excluding alcohol, prior to Council meetings and Councillor briefings.

**Parking**: Parking spaces are available to Councillors to park in the Auburn Administration Building, Merrylands Administration Building and the Granville Town Hall. In addition, access to the Public car park adjoining the Council administration building in Auburn is available for any Councillors on request.

Office: A furnished Councillors room with light refreshments is provided in the Auburn Administration Building, Merrylands Administration Building and the Granville Town Hall.

**Uniform:** On request Councillors are provided with a Council branded uniform and name badge to be worn at civic functions indicating that the wearer holds the office of Mayor, Deputy Mayor and/or Councillor once per Council term.

Digital News Subscription: All Councillors are provided access to a digital news subscription to the Daily Telegraph



Item No: C07/20-499

### RESPONSE TO NOTICE OF MOTION COUNCIL OVERHEADS

Responsible Division: Finance & Governance

Officer: Director Finance & Governance

File Number: HC-06-13-22

Community Strategic Plan Goal: Transparent and accountable leadership

### **SUMMARY**

This report provides a response to the Notice of Motion – *Corporate Overheads* resolved at the Ordinary Meeting of Council on 1 July 2020 (Min. 753).

### RECOMMENDATION

That Council receive and note this report.

### **REPORT**

### **Background**

At the Ordinary Meeting of Council held on 1 July 2020, Council considered a Notice of Motion – *Corporate Overheads* and resolved (Min. 753):

- "1. Council be provided with a report by the next ordinary meeting of Council regarding the cost rationale associated with the overheads for the 12 service areas of Council.
- 2. The report outline why the costs associated with children's services was stated at the ordinary meeting of 17 June 2020 as approximately 15% of corporate expenses."

### Context

Council introduced the twelve service areas following the adoption of the Community Strategic Plan (CSP) in 2016-2017. Corporate costs were assigned to the twelve services, with a view to ensure all services are accurately and fairly costed based on their usage.

The purpose of adopting this cost rationale was to ensure Council could accurately report to the community the total subsidy (from rates and federal grant assistance) after assigning all the costs incurred by Council.



Furthermore, following the allocation of corporate costs to the services, Council would then apportion the subsidy to each of the twelve services so the services have a breakeven position at the commencement of each year. This process provided the benefit of increased transparency in relation to the amount of subsidy provided to each service.

### **Annual Disclosures**

In the Operational Plan, Council discloses the following:

- 1) Rates and Grants income that subsidises services is reported based on the proportion of each \$10 that Council spends. This provides transparency in regards to how much each service is subsidised.
- 2) The list of corporate services that form part of cost reallocation.
- 3) Service plans have individual profit and loss that break-even, highlighting the corporate overhead allocation and subsidy allocation.

### **Quarterly Disclosure**

Council will also report, on a quarterly basis, an update to the budget by each of the twelve services. The rates subsidy will not change, which highlights any budget variances that have arisen during the year.

### **Cost Rationale**

The goal of allocating indirect cost is to ensure they are consistently applied and output provides the fairest and most equitable allocation of indirect costs.

The costing system used in Local Government is activity-based costing (ABC). The plain English explanation of this cost rationale is as follows:

ABC is a costing method that assigns overhead and indirect costs to related products and services. This accounting method of costing recognises the relationship between costs, overhead activities, and assigning indirect costs to services based on the usage or a share of the overhead.

A traditional overhead model would only assign cost using a single allocation method. The ABC model uses multiple allocation method so to improve the accuracy of cost allocated to the product or service that uses the overhead cost.

To implement this cost rationale, the Finance team calculates the corporate overheads by following the process agreed to in 2017:

- 1) Create cost pools for all activities (i.e. Finance, HR, IT, procurement etc.).
- 2) Analyse the best cost driver that will fairly allocate the cost to the customer or consumer of the cost pool. Council is using 'Cost per FTE' for payroll, 'Cost per Square Metre' for floor space, and 'Cost per Device' for IT. If there is no data available, then a % of total expenses will be applied proportionate to the total cost of Council's expenditure.



3) Allocate the cost driver by recording the total volume per service of the activity and applying the cost per activity per unit. For example the Payroll allocation will calculate the total Budget FTE for that service and then apply the rate per FTE to determine the total cost allocated.

### **Preparation of the Cost Allocation**

Volume and Cost per unit data is collated in December, during the draft budget, and then will be applied to the following year's budget. Occasionally, a time lag is observed in this system if there are changes to services. To maintain consistency, the same logic has been applied for all services for the last 4 Operational Plans.

### The 2019-2020 Operational Plan - Children's Services

The corporate overhead before property assigned to *Children's Services is 14.9%*. This confirms the information requested in point 2 of the above-mentioned resolution.

It should be noted that Children's Services represents 22.1% of Council's FTE and 12.6% of the total Council costs. Therefore, a 14.9% allocation of corporate overhead is a fair allocation.

The table below identifies an example for Children Service and attached is the summary calculation for corporate allocation including property of \$40.8m.

		2019/20	2019/20	
		Children	2015/20	
		Services	Total	
				% Total
Cost Pool	Allocation method	Amount	Total	Council
Finance	% Expenses	508,480	4,043,000	12.6%
Payroll	FTE	75,185	340,324	22.1%
Human Resources	FTE	505,312	2,287,000	22.1%
Procurement	% Expenses	207,605	1,651,094	12.6%
Information Systems	30 % usage and 70% allocated	1,175,905	8,371,346	14.0%
Communications	% Expenses	326,814	2,599,176	12.6%
		2,799,302	19,291,940	14.5%
Allocated Services				
Corporate including Councillors,				
Records, Governance, Risk and	FTE for Corporate and usage			
Customer services	Customer Service	1,346,284	7,931,000	17.0%
Leadership Team	% Expenses	431,592	3,421,000	12.6%
Business Excellence	% Expenses	48,850	338,507	14.4%
		1,826,726	11,690,507	15.6%
				_
Corporate charges before				
Property		4,626,028	30,982,447	14.9%
Total Property Development &				
Buildings	Allocated Costs and % Usage	990,447	9,823,000	10.1%
		990,447	9,823,000	10.1%
				_
		5,616,475	40,805,447	13.8%

### **COMMUNITY ENGAGEMENT**

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



### **POLICY IMPLICATIONS**

The allocation of corporate overheads is a component of increased transparency over Council costs, which is Strategic Goal 6 in Council's CSP. The process is designed to be equitable to all twelve services. Cost allocation is based on the best available information to ensure indirect costs are charged based on usage.

The service cannot function without the corporate services, so having a fair allocation of the cost is best practice for transparency and informing the community of the total cost of running the service as a local government body.

### **RISK IMPLICATIONS**

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

### **FINANCIAL IMPLICATIONS**

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

### CONCLUSION

The information provided addresses the request for information surrounding the Notice of Motion. The service cannot function without the corporate services. The allocation of corporate overheads to the Children's Services business is fair, equitable and consistent with the practice expected in local government.

### **ATTACHMENTS**

1. Allocation of Corporate Overheads <a href="#">J</a>

# DOCUMENTS ASSOCIATED WITH REPORT C07/20-499

# Attachment 1 Allocation of Corporate Overheads



		Community	Roads									(	Community		2019/20
		Services	Stormwater	Parks E	nvironment	Waste	Children	Planning	Regulatory	Library	Pools	Governance	Facilities	Corporate	Total
Cost Pool	Allocation method														
<u>Essential Services</u>															
Finance	% Expenses	332,110	742,292	574,417	72,004	326,551	508,480	410,182	275,073	189,719	135,514	33,980	410,991	32,662	4,043,977
Payroll	FTE	24,574	59,837	59,468	5,738	2,459	75,185	34,877	23,771	24,742	11,680	410	15,123	2,459	340,324
Human Resources	FTE	165,159	402,156	399,677	38,563	16,527	505,312	234,407	159,761	166,289	78,503	2,754	101,641	16,527	2,287,275
Procurement	% Expenses 30 % usage and 70%	135,596	303,067	234,526	29,398	137,082	207,605	167,471	112,308	77,460	55,328	13,873	167,802	9,579	1,651,095
Information Systems	allocated	788,295	1,394,192	1,064,734	161,420	559,232	1,175,905	916,972	627,279	457,047	242,511	72,836	861,070	49,853	8,371,346
Communications	% Expenses	213,456	477,092	369,194	46,279	215,796	326,814	263,636	176,797	121,938	87,099	21,840	264,156	15,080	2,599,176
	•	1,659,190	3,378,636	2,702,015	353,403	1,257,647	2,799,302	2,027,546	1,374,989	1,037,195	610,635	145,692	1,820,782	126,160	19,293,193
Allocated Services															
Corporate including Councillors, Records,	FTE for Corporate and														
Corporate, Customer	usage Customer Service	526,175	1,418,186	1,111,240	139,789	544,128	1,346,284	1,069,324	538,959	463,662	206,161	7,234	517,287	43,403	7,931,830
Leadership Team	% Expenses	281,891	630,048	487,558	61,116	284,981	431,592	348,158	233,478	161,031	115,022	28,841	348,844	9,914	3,422,476
Business Excellence	% Expenses	31,906	71,312	55,185	6,917	32,256	48,850	39,406	26,426	18,226	13,019	3,264	39,484	2,254	388,507
		839,972	2,119,546	1,653,982	207,823	861,365	1,826,726	1,456,887	798,864	642,919	334,202	39,340	905,615	55,571	11,742,813
		7.15%	18.05%	14.09%	1.77%	7.34%	15.56%	12.41%	6.80%	5.48%	2.85%	0.34%	7.71%	0.47%	100.00%
Corporate charges before Property		2,499,162	5,498,183	4,355,997	561,226	2,119,012	4,626,028	3,484,433	2,173,853	1,680,114	944,837	185,032	2,726,397	181,731	31,036,006
		8.05%	17.72%	14.04%	1.81%	6.83%	14.91%	11.23%	7.00%	5.41%	3.04%	0.60%	8.78%	0.59%	100.00%
	Allocated Costs and %														
Total Property Development & Buildings	Usage	1,007,230	1,128,736	518,608	457,596	244,051	990,447	3,264,184	1,372,787	-	-	30,506	1,098,230	342,935	9,769,441
		3,506,392	6,626,919	4,874,605	1,018,822	2,363,063	5,616,475	6,748,617	3,546,640	1,680,114	944,837	215,538	3,824,627	161,204	40,805,447

C07/20-499 – Attachment 1 Page 49



Item No: C07/20-500

# UPDATE ON SALE AND REMEDIATION OF 615A GREAT WESTERN HIGHWAY, GREYSTANES

Responsible Division: Finance & Governance

Officer: Director Finance & Governance

File Number: T-2019-018

Community Strategic Plan Goal: A safe accessible community

### **SUMMARY**

This report provides an update on the disposal of Council property located at 615A Great Western Highway, Greystanes and recommends that Council approve a variation to the contract due to extent of additional remediation works required.

### RECOMMENDATION

### **That Council:**

- 1. Endorse the approval of a total maximum project variation of \$1,100,089 Ex GST, to finalise the remediation of the site to enable the sale to proceed according to the contractual agreement with the purchaser.
- 2. Delegate authority to the General Manager to finalise the documentation.

### REPORT

At the 16 October 2019 Council Meeting, Council resolved (Min.738):

### That Council:

- "1. Accept the Tender Evaluation Panel's recommendation to award the contract to RMA Contracting Pty Ltd (ABN 28 092 116 704) in accordance with clause 178(1)(a) of the Local Government (General) Regulations 2005, for \$546,338 excluding GST.
  - 2. Delegate to the General Manager the authority to execute the contract and any associated documents."

Following the Council resolution, the contract was awarded and the remediation works commenced. For additional assurance, Council appointed an expert accredited site auditor to oversight the remediation works, as recommended by the Environmental Protection Authority (EPA).

Whilst Council's pre-tender estimate on the remediation works provided by its remediation expert consultant JBS&G was \$1.5 million, all tender bids came in



markedly below this figure when the remediation action plan was assessed and agreed to by the successful tenderer as part of the tender process. Whilst this report outlines a number of unforeseen factors including significant additional site contamination identified, the maximum variation sought for endorsement by Council is within an acceptable range when compared in the pre-tender estimate by JBS&G.

Following site establishment and works commencing, the remediation methodology as identified in the revised Remediation Action Plan (RAP) was not producing the expected remediation results onsite, due to the unforeseen excessive amounts of anthropogenic fines, including small pieces of asbestos including friable dispersed throughout the site. It was determined that continuing with this RAP methodology was not sustainable, would lead to markedly increased costs and jeopardise Council delivering on its contractual obligations under the agreement with the purchaser of the site.

It was then determined that the introduction of a Table Screen and Power Screen methodology was required to be implemented for management of the soil remediation. This has delivered positive results and Practical Completion of this project is anticipated to be by the end of July 2020.

As a result of the above, and due to unforeseen contamination underground, additional estimate costs (\$1,050,000 in total) and activities to reach Practical Completion are required to be endorsed by Council. A summary of these works are below:

- \$ 106,466 for works completed to date including power screen hire, extension
  of preliminaries, and disposal offsite of 148 tonnes of Special Waste as per
  schedule unit and provisional rates detailed as follows:
  - \$ 39,600 for Variation 24 days of Power Screen hire
  - \$ 5,950 for Variation 7 days stand down time offset by savings on waste classification and tip fees
  - \$ 22,855 for Variation 30 days extension to preliminaries
  - \$ 38,061 for Variation Special Waste disposal using schedule rates.
- 2. **\$ 60,000** estimate for additional Table Screen hire which has resulted in net savings to Council of approximately \$300,000 in disposal costs.
- 3. **\$ 489,000** estimate for off-site disposal of estimated 1,900 tonnes of Special Waste asbestos at tendered provisional unit rates.
- 4. **\$ 27,000** estimate for Spraygrass application to control dust and erosion at tendered provisional unit rates.
- 5. **\$ 334,000** estimate for remediation of hotspot at Power Pole latent condition disposal of an estimated 1,300 tonnes of soil contaminated with friable asbestos at tendered provisional unit rates.
- 6. \$ 33,534 estimate for disconnection of power lines the removal & disposal of existing power pole, dispose approximately 25 cubic metres of friable asbestos at tendered provisional unit rates and reinstall new power pole and reconnection of power line.



Items 5 and 6 are currently being reviewed for alternative solutions, and the full extent of these costs may not be required if an appropriate solution is reached with respect to the remediation/relocation of electrical power lines and power pole.

The approval of this Project Request will lead to a total maximum project cost of \$1,792,854. This amount is based on current known quantities to be disposed offsite. The final contract sum for RMA Consulting will be based on actual quantities multiplied by the applicable tendered unit rates.

The Remediation Contractor must remediate the site as per the approved Remedial Action Plan (RAP).

Under the contract agreement, any remediation costs over \$1.5 million are equally shared by Council and the purchaser. Therefore in this instance, should the project reach the total maximum amount of \$1,792,854, the purchaser is required to pay a share of \$146,427. Therefore, the total maximum project cost to Council is \$1,646,427. In the initial contract executed, it was estimated that project remediation costs would be in the vicinity of \$1,500,000.

The variation claims have been assessed by Council's Capital Works team and are considered fair and reasonable. The variations are required to ensure the project is completed and the sale of the parcel of land can occur in accordance with the signed Contract with the purchaser.

The quantities are verified by JBS&G, Council's appointed Specialist Consultant onsite and audited by Napier & Blakeley, Council's appointed Quantity Surveyor Consultant. The "quality and standard" of remediation works are verified by ZOIC, Council's appointed Site Auditors.

### **COMMUNITY ENGAGEMENT**

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

### **POLICY IMPLICATIONS**

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

### **RISK IMPLICATIONS**

Council is already committed to the sale and remediation of this site and has executed a contract with the purchaser. As a result, Council must continue with these works in order to meet the contractual obligations to the purchaser and the deadline as specified. Should Council not proceed, it would present significant legal, reputational and financial risks to Council.

### FINANCIAL IMPLICATIONS

The additional remediation works will be funded by the deposit received from the sale and cost sharing arrangement specified in the contract. Whilst Council will receive a reduction in net proceeds from the sale, the final cost is within the limits expected and



with the complexity of remediating land, Council has taken all possible due diligence in relation to this matter and the level of remediation is always difficult to calculate.

The amount being sought for Council resolution is a total maximum amount, and if alternative elements of the remediation works are able to be resolved then only the amount required to be expended will be utilised.

### **CONCLUSION**

This report provides an update in relation the disposal of Council property located at 615A Great Western Highway, Greystanes and recommends that Council approve a variation to the contract due to additional remediation works required. The additional costs that contribute to the variation are detailed in the report.

### **ATTACHMENTS**

Nil



Item No: C07/20-501

# CUMBERLAND LOCAL ENVIRONMENTAL PLAN - POST EXHIBITION REPORT ON NEW PLANNING CONTROLS FOR CUMBERLAND CITY

Responsible Division: Environment & Planning

Officer: Director Environment & Planning

File Number: CS-202

Community Strategic Plan Goal: A resilient built environment

### **SUMMARY**

This report provides an update on the public exhibition for the new Cumberland Local Environmental Plan and outlines the recommended planning controls in response to further review and submissions. The report also identifies Council's strategic planning work program to progress further work following the finalisation of the new Local Environmental Plan. It is recommended that Council endorse the proposed planning controls for Cumberland City as outlined in this report, and that the planning proposal be forwarded to the Department of Planning, Industry and Environment for finalisation.

### RECOMMENDATION

### **That Council:**

- 1. Note the submissions received prior to, during and immediately following the public exhibition period for the new Cumberland Local Environmental Plan.
- 2. Note the advice from the Cumberland Local Planning Panel on the planning proposal for the new Cumberland Local Environmental Plan
- 3. Endorse the planning controls for Cumberland City, as provided at Attachment 1, which were included in the draft planning proposal for the Cumberland Local Environmental Plan and have not changed following exhibition.
- 4. Endorse the planning controls for places of public worship, as provided at Attachment 5, which were included in the draft planning proposal for the Cumberland Local Environmental Plan and have not changed following exhibition.
- 5. Endorse the planning controls for Cumberland City, as provided at Attachment 7, which reflect proposed general amendments following public exhibition and further review by Council officers.



- 6. Endorse the planning controls for Cumberland City, as provided in Attachment 8, which reflect proposed site specific amendments following public exhibition and further review by Council officers.
- 7. Note the site specific requests received as part of the process for the new Cumberland Local Environmental Plan.
- 8. Endorse the strategic planning work program for 2020/21 and 2021/22 on Cumberland City's key centres and strategic corridors, as provided in Attachment 12.
- 9. Prepare a planning proposal for each of the key centres and strategic corridors identified in the strategic planning work program as provided in Attachment 12, with the following activities to be undertaken prior to further reports being considered by Council:
  - a. Completion of background analysis
  - b. Early community consultation on the planning proposal
  - c. Preparation of draft planning proposal
  - d. Preparation of draft planning controls associated with the planning proposal
  - e. Consideration of draft planning proposal by the Cumberland Local Planning Panel
  - f. Councillor briefings prior to early community consultation and prior to consideration by the Cumberland Local Planning Panel
- 10. Endorse the updated planning proposal for the new Cumberland Local Environmental Plan, as provided at Attachment 13.
- 11. Delegate to the General Manager the authorisation to make minor revisions to the planning proposal and supporting documentation, as necessary, following Council's deliberations, to ensure the desired objectives and intended outcomes can be achieved.
- 12. Forward the planning proposal for the new Cumberland Local Environmental Plan to the Department of Planning, Industry and Environment for finalisation, in line with agreed State Government milestones.
- 13. Note the Cumberland Local Environmental Plan will be published in the Government Gazette upon finalisation.



### **REPORT**

### 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.

Early consultation (pre-Gateway) on planning for the future of Cumberland City was undertaken in July and August 2019 in conjunction with *Cumberland 2030: Our Local Strategic Planning Statement*. A range of submissions were received and helped to inform the detail of the planning proposal for the new Cumberland LEP.

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.



Figure 1: Planning proposal status

This report provides further information in the following areas:

- Post exhibition report for new Cumberland Local Environmental Plan
- Proposed planning controls for places of public worship
- Proposed post exhibition amendments to planning controls
- Proposed post exhibition site specific amendments and Council's strategic planning work program
- Updated planning proposal for the new Cumberland Local Environmental Plan



## 1. POST EXHIBITION REPORT FOR THE NEW CUMBERLAND LOCAL ENVIRONMENTAL PLAN

### Public exhibition of new Cumberland Local Environmental Plan

The planning proposal for the new Cumberland LEP was on public exhibition for a six week period from 1 April 2020 to 8 May 2020. Information was made available on Council's website, with a letter and brochure posted to properties in Cumberland City. Phone enquiries were answered by Council officers, and virtual book-in sessions were also available for detailed discussions on the LEP. Due to the COVID-19 pandemic, physical copies of the documents were not provided at the administration centres and libraries as these facilities were closed during this time.

### Public submissions

A total of 222 individual submissions on the draft LEP were received in response to the public exhibition. Council officers also fielded numerous phone calls during the exhibition period, assisting residents and stakeholders with their enquiries. Further information on the submissions is provided in Figure 2.

Of the total submissions received, 53 were from church groups and community members raising concerns about the proposed planning controls for places of public worship. Overwhelmingly, the submissions objected to the proposed changes to land use permissibility and implications for the continued operation and potential future expansion of established sites. A number of submissions also raised concerns about the proposed 2,000 sqm minimum lot size requirement for new places of public worship in the R3 and R4 zones and the likely constraints this would place on church groups supporting the community. This issue is considered in a latter part of this report.

Total of 222 submissions received on the draft Cumberland LEP (as at 12 June 2020)			
Recurring themes and messages:  • Support planning for strategic	Breakdown of submissions by strategic planning outcomes and key changes	No.	
corridors and centres	Auburn Town Centre Planning Controls Strategy	3	
Support for higher densities around stations/transport nodes	Lidcombe Town Centre Planning Controls Strategy – including site specific requests	3	
Amenity concerns with high density	Parramatta Road Corridor – including site specific requests	5	
development – referencing COVID-19 social distancing requirements and	Woodville Road Corridor – including site specific requests	19	
the need for adequate open space  Concerns around permissibility and	New Cumberland heritage list with proposed de-listing of 9 heritage items	9	
proposed minimum lot size provisions	Minimum lot sizes for dual occupancy development	5	
for places of public worship	Consistent planning approach for places of public worship	53	
Sustainability and climate change concerns	Consistent planning approach for sex services premises	3	
Zoning and land use permissibility	Targeted minor zoning and/or planning control changes (exhibited)	1	
concerns – ensuring sufficient diversity in housing provision	New requests for site specific zoning and planning control changes	55	
General comments concerning traffic	Other/general LEP submissions	108	
and local road networks	Note: some submissions covers multiple topic area, so total number of comments i different from submissions received	s	

Figure 2: Summary of public submissions



### Agency submissions

As part of the public exhibition on the draft Cumberland LEP, Council sought feedback from 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
- Water NSW
- Western Sydney Local Health District

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, and 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). Should TfNSW ultimately not agree to support the targeted changes to planning controls at selected locations along the Parramatta Road Corridor, these sites will be removed from the planning proposal for the Cumberland LEP prior to finalisation.

A submission was also received from Western Sydney Local Health District. The submission commended Council on the overall objectives and controls outlined in the LEP, and provided general feedback on a range of areas.

A submission was received from Water NSW advising that they have no comments on the draft LEP as they do not own or manage land in the area.

The other listed authorities did not make a submission.

### Advice from Cumberland Local Planning Panel

A post exhibition report on proposed changes to the draft LEP, in response to further review and submissions, was considered by the Cumberland Local Planning Panel in



June 2020. The Panel generally supported the Council officer recommendations for administrative items and minor zoning changes to be included in the LEP prior to finalisation. The Panel also considered a report on site specific requests for rezoning and/or planning control changes and supported the proposed stream classification approach and scope of Council's strategic planning work program.

### Proposed planning controls for Cumberland City

Council previously considered and endorsed much of the detail of the planning proposal for the new Cumberland LEP through various reports that dealt with particular issues and planning controls. The planning proposal has been prepared and exhibited in accordance with these Council resolutions, as outlined in Table 1. Where no changes are proposed, the existing planning controls will carry over into the new LEP controls for Cumberland City.

	ltem No.	Date	Council resolution – pre Gateway	Post exhibition status
Planning proposal for the new Cumberland LEP	C09/19-219	18 September 2019	Endorse planning proposal to be forwarded for a Gateway Determination	Updated to reflect CLPP advice and address administrative items associated with the LEP (refer to relevant section in this report)
				Minor changes to site specific planning controls in response to submissions received (refer to relevant section in this report)
Early consultation for the new Cumberland LEP	C09/19-1218	18 September 2019	Endorse proposed minor zoning changes to be included in the planning proposal for the new Cumberland LEP	No changes to exhibited minor zoning changes – proceed to finalisation
Lidcombe Town Centre planning controls strategy	C09/19-189	4 September 2019	Endorse proposed planning controls to be included in the new Cumberland LEP	No changes to exhibited planning controls – proceed to finalisation
Auburn Town Centre planning controls strategy	C08/19-176	21 August 2019	Endorse proposed planning controls to be included in the new Cumberland LEP	No changes to exhibited planning controls – proceed to finalisation



Council Report	Item No.	Date	Council resolution – pre	Post exhibition status
Preparation of Planning Proposal for new Cumberland LEP	C07/19-151	17 July 2019	Note approach and key milestones for the planning proposal for the new Cumberland LEP	No changes to approach – proceed to finalisation
Part 1 Preliminary	C07/19-152	17 July 2019	Adopt Standard Instrument clauses Update name of plan and set out particular aims relevant to the Cumberland local area	No changes to exhibited planning controls – proceed to finalisation
Part 2 Permitted or prohibited development	C07/19-152 C08/19-163	17 July 2019 7 August 2019	Adopt Standard Instrument clauses Update local content where applicable Carry over the range of land uses under the existing LEPs	No changes to exhibited planning controls – proceed to finalisation
Land Use Table	C08/19-164 C09/19-192	7 August 2019 4 September 2019	General rule of permissibility retention	No changes to general rule – proceed to finalisation  Minor updates to Land Use Table to ensure consistency with planning proposal and correct anomalies – (refer to relevant section in this report)
Part 3 Exempt and complying development	C07/19-152	17 July 2019	Adopt Standard Instrument clauses	No changes to exhibited planning controls – proceed to finalisation
Part 4 Principal development standards	C08/19-163	7 August 2019	Adopt Standard Instrument clauses Update local content where applicable Carry over existing site specific controls where applicable	Minor updates to reflect CLPP advice and address administrative items associated with the LEP (refer to relevant section in this report)



Council Report	Item No.	Date	Council resolution – pre Gateway	Post exhibition status
Part 5 Miscellaneous provisions	C08/19-163	7 August 2019	Adopt Standard Instrument clauses Update local content where applicable Carry over existing site specific controls where applicable	No changes to exhibited planning controls – proceed to finalisation
Part 6 Additional local provisions	C09/19-191	4 September 2019	Carry over existing controls where applicable Update and/or introduce new controls as appropriate	No changes to exhibited planning controls – proceed to finalisation  Additional local content to address administrative issues and site specific anomalies (refer to relevant section in this
Schedule 1 Additional permitted uses	C08/19-163	7 August 2019	Carry over additional permitted uses in existing LEPs	report)  No changes to exhibited planning controls – proceed to finalisation  Additional permitted uses in response to site specific requests (refer to relevant section in this report)
Schedule 2 Exempt development	C07/19-152	17 July 2019	Adopt Standard Instrument clause	No changes to exhibited planning controls – proceed to finalisation
Schedule 3 Complying development	C07/19-152	17 July 2019	Adopt Standard Instrument clause	No changes to exhibited planning controls – proceed to finalisation
Schedule 4 Classification and reclassification of land	C08/19-163	7 August 2019	Adopt Standard Instrument clause	No changes to exhibited planning controls – proceed to finalisation



Council Report	Item No.	Date	Council resolution – pre Gateway	Post exhibition status
Schedule 5 Environmental heritage	C09/19-193	4 September 2019	Carry over heritage items listed under existing LEPs, with the exception of 9 items assessed as no longer meeting the NSW heritage criteria for assessing heritage significance	No changes to exhibited planning controls – proceed to finalisation
Schedule 6 Pond based and tank based aquaculture	C07/19-152	17 July 2019	Adopt Standard Instrument clause	No changes to exhibited planning controls – proceed to finalisation
Dictionary	C08/19-163	7 August 2019	Adopt Standard Instrument definitions	No changes to exhibited planning controls – proceed to finalisation
Planning approach for Woodville Road Corridor	C07/19-131	3 July 2019	Endorse land use planning approach for the Woodville Road corridor and that Stage 2 initiatives be included in the new Cumberland LEP	No changes to exhibited planning controls – proceed to finalisation
Planning approach for Parramatta Road Corridor	C07/19-132	3 July 2019	Endorse land use planning approach for the Parramatta Road corridor and that Stage 2 initiatives be included in the new Cumberland LEP	No changes to exhibited planning controls – proceed to finalisation
Planning Proposal  – Minimum Lot Area for Low and Medium Dual Occupancy Housing	C06/19-103	5 June 2019	Endorse minimum lot size planning controls for dual occupancy development for inclusion in the new Cumberland LEP	No changes to exhibited planning controls – proceed to finalisation



Council Report	Item No.	Date	Council resolution – pre Gateway	Post exhibition status
Request for revised gateway determination – Planning Proposal for 264 Woodville Road Merrylands (also referred to as the Merrylands East Neighbourhood Centre)		February 2019	Pursue B2 Local Centre and RE1 Public Recreation Zones in the new Cumberland LEP	No changes to exhibited planning controls – proceed to finalisation

Table 1: Council resolutions on planning controls for new Cumberland LEP

It is recommended that Council endorse the planning controls for Cumberland City, as provided at Attachment 1, which were included in the draft planning proposal for the Cumberland Local Environmental Plan and have not changed following exhibition. These planning controls cover the following areas:

- Harmonisation of planning controls to provide a single Cumberland LEP removing duplication of planning controls and aligning, where possible, the land uses and controls within the current instruments.
- Revised planning controls for the Auburn and Lidcombe Town Centres
- Minimum lot sizes for dual occupancy development across the Cumberland area
- Targeted changes to planning controls along the Parramatta and Woodville Road Corridors
- 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
- 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



### 2. PROPOSED PLANNING CONTROLS FOR PLACES OF PUBLIC WORSHIP

### **Draft planning controls**

Places of public worship are currently permissible in all zones under the Auburn LEP (except for the E2 Environmental Conservation and W1 Natural Waterways zones), all zones under the Holroyd LEP (except for the SP2 Infrastructure, RE1 Public Recreation, RE2 Private Recreation, E2 Environmental Conservation and W1 Natural Waterways zones), and all zones under the Parramatta LEP (except for R2 Low Density Residential, SP2 Infrastructure, RE1 Public Recreation, RE2 Private Recreation, and E2 Environmental Conservation zones).

Council previously endorsed and exhibited the following planning approach for places of public worship in the draft Cumberland LEP:

- Permit places of public worship with consent in the R3, R4, IN1 and IN2 zones
- Specifically prohibit them in all other zones in the Cumberland LEP
- For existing places of public worship zoned SP1 in the Parramatta LEP area, apply the surrounding zone in place of the SP1 zone, providing a consistent approach across the city. Existing use rights will apply where a valid development consent is in place
- Insert an additional objective in the Land Use Table for the R3 and R4 zones to ensure that places of public worship are located in a context and setting that minimises impacts on the amenity of a low density residential environment
- Introduce new local provisions regarding places of public worship in R3 and R4 zones, including a minimum lot size of 2,000m² for places of public worship and consent authority considerations

### Further review of proposed planning controls

A further review of the proposed planning controls for places of public worship has been undertaken by Council officers in response to the public submissions.

Whilst there is genuine concern about the potential prohibition of places of public worship in certain zones, some parties may be unclear in the application of existing use rights provisions and how these laws protect places of public worship with a valid development consent.

There are a number of pathways in relation to planning controls for places of public worship where the new Cumberland LEP would prohibit its use that could be considered by Council, as shown in Figure 3. This includes the following pathways:

 Existing places of public worship with a valid development consent in prohibited zones have existing use rights, where minor works are permitted within the existing site



- Expansion of places of public worship with a valid development consent in prohibited zones could have a targeted expansion if an additional clause is included in the new Cumberland LEP
- New places of public worship and other proposals in prohibited zones could pursue an owner-initiated planning proposal; however, this would need to following the usual processes and would require support from Council

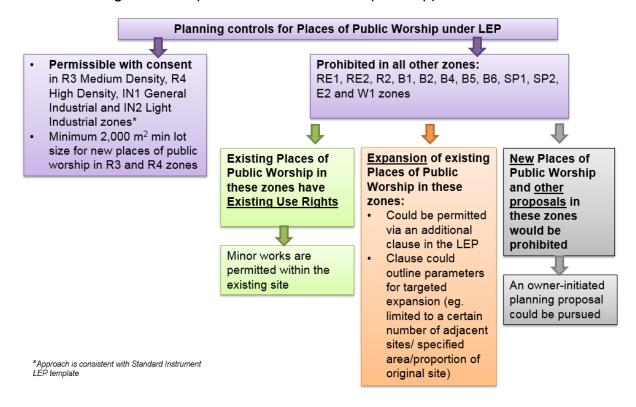


Figure 3: Potential planning pathways for places of public worship in proposed prohibited zones

In support of these pathways, a range of options regarding potential LEP clauses to permit places of public worship in residential areas have been prepared that may be considered by Council. These are further outlined in Attachment 6 and include:

- Allowing existing and new places of public worship in the R2 Low Density Residential zones
- Prohibiting new places of public worship in the R2 Low Density Residential zone but permitting existing places of public worship to expand within their own site under existing use rights
- Prohibiting new places of public worship in the R2 Low Density Residential zone and permitting existing places of public worship to expand to one adjoining site
- Prohibiting new places of public worship in the R2 Low Density Residential zone and permitting existing places of public worship to expand to multiple adjoining sites (with the number of sites to be determined by Council)



- Permit new places of public worship in the R2 Low Density Residential zone subject to a 2,000m<sup>2</sup> lot size that cannot be varied
- Permit new places of public worship in the R2 Low Density Residential zone subject to a 2,000m<sup>2</sup> lot size that can be varied by way of a clause 4.6 submission

While these clauses relate to residential zones, it is noted that some of these options may also be applicable for other zones (eg. business zones) where places of public worship are proposed to be prohibited.

### Advice from Cumberland Local Planning Panel

The Cumberland Local Planning Panel provided advice on the planning controls for places of public worship at the June 2020 meeting. This advice indicated that:

- Council consider permissibility of places of public worship in business zones
- Supports places of public worship as a prohibited use in the R2 Low Density Residential zone
- Believes existing use rights provide sufficient protection for all existing places of public worship
- Supports the minimum site area of 2000m<sup>2</sup> for places of public worship in the R3 Medium Density Residential zone and R4 High Density Residential zone

### 3. PROPOSED POST EXHIBITION AMENDMENTS TO PLANNING CONTROLS

### Post exhibition review

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

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

Following consideration of advice from the Panel, the following amendments are proposed to be included in the Cumberland LEP as outlined in Table 2 and Attachment 7.



Advice from Cumberland Local Planning Panel	Proposed Approach
Pre exhibition (February 2020)	
Preliminary matters  Aims of the plan – include an additional aim 'To encourage and promote development that is environmentally sustainable'  Preliminary matters  Aims of the plan – include an additional aim 'To encourage and promote development that is environmentally sustainable'	Include new aim in final LEP
Land Use Table	
Consider places of public worship in the Business Zones	Noted. Covered in relevant section of this report
Consider sex services premises in the B4 and B6 Zones	No change
Review the applicability of waste land use definitions to ensure consistency between industrial zones	Review and update Land Use Table
<ul> <li>Principal development standards</li> <li>Building heights and FSRs – include an additional objective 'To minimise the visual impact of development and ensure sufficient solar access and privacy for neighbouring properties is achieved'</li> </ul>	Include new objective in final LEP
Miscellaneous provisions     Miscellaneous permissible uses –     increase gross floor area of kiosks to     50sqm	Include change in final LEP
Architectural roof features – delete objective 'e' as it does not encourage innovation in roof design	Remove objective from final LEP
Post exhibition (June 2020)	
<ul> <li>Woodville Road Corridor</li> <li>Site specific rezonings along the Woodville Road Corridor should be examined holistically as part of Stream 2 and given a high priority</li> </ul>	All requests for site specific rezonings to be considered as part of Stream 2
<ul> <li>Places of public worship</li> <li>Consider permitting places of public worship in business zones (particularly B4, B5 and B6 zones)</li> </ul>	Noted. Covered in relevant section of this report

Table 2: Proposed changes following advice from Cumberland Local Planning Panel

### Proposed administrative amendments

Following further review by Council officers, the following administrative amendments are proposed to be included in the Cumberland LEP, as outlined in Table 3 and Attachment 7.



Issue	Description	Proposed Approach
Exclusions to development standards under Clause 4.6	Clause 4.6 exceptions currently limited to:     Development standards for certain subdivisions in rural and environmental zones     Development standards for complying development     In connection with BASIX commitments     Clause.5.4 Miscellaneous permitted uses	<ul> <li>Additional exclusions to be added to Clause 4.6 of Cumberland LEP:</li> <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</li> </ul>
		<ul> <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 permissibility of specific development types)</li> <li>Schedule 3 – complying development (complying development references contained within the LEP)</li> </ul>



Permissibility of office premises in the B6 Enterprise Corridor zone	Draft Cumberland LEP proposes to prohibit office premises, which is an intended land use in this zone	<ul> <li>Include office premises as a land use that is permitted with consent in the B6 Enterprise Corridor zone</li> <li>Provides consistent approach across the Cumberland area, and is a carryover of a permissible land use in the current Auburn and Parramatta LEPs</li> </ul>
Complying development mapping	Need to ensure consistency of mapping for environmentally sensitive areas	<ul> <li>Proposed addition of land identified as 'remnant native vegetation' on the Biodiversity Map</li> </ul>

Table 3: Proposed administrative amendments to Cumberland LEP **Proposed minor site-specific amendments** 

It is recommended that the following amendments be incorporated into the draft Cumberland LEP prior to finalisation. These amendments, outlined in Table 4 and Attachment 7, 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.

Ref.	Site address	Proposal	Reasons
G1.1a	Mays Hill and Finlayson Transitway Precincts	Retain B6 zoning for Mays Hill and Finlayson Transitway Precincts and include a local provision to allow shop-top housing, consistent with DCP controls	Intent of existing DCP controls is that shop top housing is permitted in this location
G1.1b	Merrylands Town Centre (Neil St and Merrylands Rd)	Rezone B6 zoned land in Merrylands Town Centre (224-240 Pitt St, 4 Terminal Pl, 2-6 Gladstone St, 15 Neil St, 17 Neil St, Merrylands) to B4	Site is in town centre core, prohibiting residential development appears to be an unintended consequence of this harmonisation
G1.1c	B6 Zone (Great Western Highway / Pendle Way)	Rezone B6 land at intersection of Great Western Highway and Pendle Way to B1 (no change to height and FSR)	Inconsistent application of B6 zone under draft Cumberland LEP



G1.2	B6 Zone (Parramatta Road Corridor)	Update mapping of Clause 4.4(2B) to reflect revised boundary of B6 zone along Parramatta Road Corridor – ie. to exclude proposed B1 zone under draft Cumberland LEP	Clause 4.4(2B) provides an FSR incentive for certain types of development within the B6 zone (registered clubs, function centres, entertainment facilities, specialised retail premises, office premises and hotel/motel accommodation)
------	---------------------------------------	--	---

Table 4: Proposed minor site-specific amendments to the Cumberland LEP

# 4. PROPOSED POST EXHIBITION SITE SPECIFIC AMENDMENTS AND COUNCIL'S STRATEGIC PLANNING WORK PROGRAM

### 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 5.

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 5: 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.

A selected number of site specific requests have been identified to be included in the new Cumberland LEP. These amendments, as outlined in Table 6 and Attachment 8,



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. The site specific amendments are also supported by the Cumberland Local Planning Panel. It is recommended that these site specific amendments are included in the new Cumberland LEP and identified in the planning proposal for finalisation.

Ref.	Site address	Proposal	Reasons
S1.1	Octavia Street and Toongabbie Road	R2 to R4 (Octavia St) with corresponding increase in height and FSR  R3 to R4 (Toongabbie Rd) 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
S1.2	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
S1.3	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
S1.4	Merrylands Road, Burnett Street and Ruth Street, Merrylands	Review height and FSR controls (Merrylands Road B1 zone)	Minor zoning anomaly in the context of surrounding land
		R2 to B1 with corresponding changes to height and FSR (Burnett Street and Ruth Street)	Located in neighbourhood centre with bus services accessing key centres
S1.5	233-249 Merrylands Road, Merrylands	Review FSR controls	Minor FSR anomaly in the context of application of planning controls on the site (town centre core)
S1.6	242-252 Pitt Street, 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



Ref.	Site address	Proposal	Reasons
S1.7	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
S1.8	101-123 Parramatta Road and 58- 66 Adderley Street, Lidcombe	Permit '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
S1.9	Lidcombe Hospital precinct	Identify three Nurses Quarters Buildings as individual heritage items	Request from property owner.  Is in addition to existing State Heritage Listing and local heritage status of area
S1.10	Lidcombe Anglican Church	Include 'place of public worship' as an Additional Permitted Use	Request from property owner to support proposed development outcomes for the site, consistent with ongoing discussions on the matter

Table 6: Proposed post-exhibition amendments to draft Cumberland LEP

The remaining site specific requests received as part of the process for the new Cumberland LEP are provided in Attachments 9, 10 and 11. It is recommended that these requests are noted and may be considered in the future by Council.

### Strategic planning work program

As outlined in *Cumberland 2030: Our Local Strategic Planning Statement*, a high level strategic planning work program was identified to progress more detailed planning for Cumberland City's key centres and strategic corridors (Figure 4). Since the preparation of this high level program, Council officers have further considered the scope and implementation approach for this planning work.



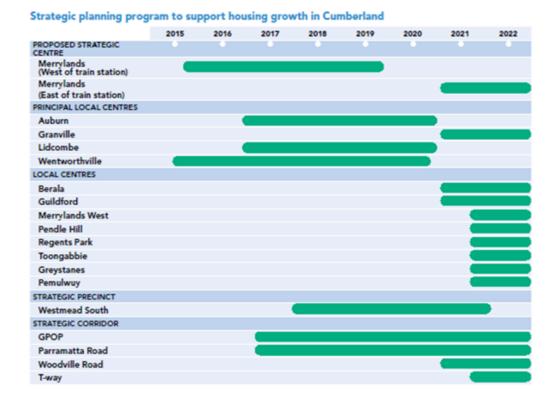


Figure 4: High level strategic planning work program

In relation to the scope of works for this program, it is proposed that planning work be undertaken for Cumberland City's key centres and strategic corridors. As outlined in Table 7, the focus of this work will be to review the existing planning framework and consider future requirements to ensure that planning controls are appropriate to support development in the area. Site specific requests received as part of the Cumberland LEP process may be further considered as part of this program.

Locations	Indicative scope of works
Woodville Road corridor, Guildford, Merrylands (east of train station), Granville	Planning work to be undertaken, including consideration of submissions received during the preparation of the draft LEP
Merrylands (west of train station), Auburn, Lidcombe and Wentworthville	Further planning work to consider submissions received during the preparation of the draft LEP or advice on additional planning work identified by the Cumberland Local Planning Panel
Berala, Regents Park, Pendle Hill, Toongabbie, Transitway corridor, Merrylands West, Greystanes and Pemulwuy	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	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

Table 7: Indicative scope of works for strategic planning work program



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 if required as part of this program.

In relation to implementation, it is proposed that the majority of this work be undertaken during 2020/21 and 2021/22. This provides an opportunity to have a consistent approach to planning for Cumberland City's key centres and strategic corridors that is aligned with Council's available resources. It is also noted that the timing of work on Westmead South, Parramatta Road Corridor and the Greater Sydney Olympic Peninsula (GPOP), will be subject to the status and progression of State Government work in these areas.

Further details on the strategic planning work program, including the staging of planning reviews, key activities and milestones, are provided in Attachment 12. It is recommended that Council endorse the strategic planning work program for 2020/21 and 2021/22 on Cumberland City's key centres and strategic corridors.

As part of this program, it is also recommended that Council endorse the preparation of planning proposals for the identified key centres and strategic corridors. This will enable planning work to be progressed that is supported by background analysis, early community consultation, feedback from Councillor briefings, and advice from the Cumberland Local Planning Panel. A further report to Council will be provided following the completion of these activities for each location.

# 5. UPDATED PLANNING PROPOSAL FOR NEW CUMBERLAND LOCAL ENVIRONMENTAL PLAN

### Planning proposal for new Cumberland LEP

An updated planning proposal has been prepared following public exhibition, consideration of submissions and further review by Council officers. The key objectives and intended outcomes of the planning proposal for the new Cumberland LEP include:

- Harmonising existing planning controls into a single planning framework
- A consistent minimum lot size for dual occupancy development in Cumberland
- 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 significance
- Consistent planning approach for specific land use, including places of public worship and sex services premises

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



Earlier sections of this report outline the detail of the proposed planning controls for Cumberland City, and proposed changes to the draft Cumberland LEP in response to further review and submissions. The Gateway Determination (Attachment 14) has also been reviewed by Council officer and the conditions have been addressed, as outlined in Attachment 15.

It is recommended that Council endorse the updated planning proposal for the new Cumberland LEP, provided at Attachment 13, to be forwarded to the Department of Planning, Industry and Environment for finalisation and gazettal.

### **COMMUNITY ENGAGEMENT**

Following the early (pre-Gateway) consultation undertaken in July and August 2019, a further, extensive program of consultation on the draft planning proposal for the new Cumberland LEP was undertaken from April to May 2020. Stakeholder consultation with government agencies, as required by the conditions of the Gateway Determination, was also undertaken.

### **POLICY IMPLICATIONS**

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*.

### **RISK IMPLICATIONS**

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.

### **FINANCIAL IMPLICATIONS**

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.

The strategic planning work program outlines the scope and implementation approach using current resources. Prioritisation of stages within this program can be reviewed; however, acceleration of this work would require additional resources.

### CONCLUSION

The planning proposal for the new Cumberland LEP has been publicly exhibited in accordance with the Gateway Determination, and updated in response to further review and submissions. It is recommended that Council endorse the planning controls for Cumberland City as outlined in this report, and that the planning proposal be forwarded to the Department of Planning, Industry and Environment for finalisation.



### **ATTACHMENTS**

- 1. Recommended planning controls for Cumberland LEP with no changes post-exhibition  $\underline{\mathbb{J}}$
- 2. Government agency submissions J.
- 3. Cumberland Local Planning Panel minutes February 2020 J.
- 4. Cumberland Local Planning Panel minutes June 2020 \$\Bar{y}\$
- 5. Recommended planning controls for places of public worship 4.
- 6. Options analysis for additional LEP clauses on places of public worship 4
- 7. Recommended general amendments (post-exhibition) to Cumberland LEP J.
- 8. Recommended site specific amendments (post-exhibition) to Cumberland LEP U
- 9. Site specific requests may consider as part of Council's work program (Stream 2) U
- 10. Site specific requests may consider as future applicant-initiated planning proposal (Stream 3) <u>J</u>
- 11. Site specific requests no further action at this time (Stream 4) 4
- 12. Strategic planning work program key centres and strategic corridors <u>U</u>
- 13. Cumberland LEP planning proposal (updated post exhibition) \$\Price\$
- 14. Gateway Determination U
- 15. Summary of response to Gateway conditions U

# DOCUMENTS ASSOCIATED WITH REPORT C07/20-501

# Attachment 1

Recommended planning controls for Cumberland LEP with no changes post-exhibition





Recommended planning controls for Cumberland LEP (No changes post-exhibition)









# Part 1 Preliminary

No changes to exhibited planning controls

Proposed new content added post-exhibition to reflect CLPP advice (refer to report)

LEP clause	Recommended planning controls for Cumberland LEP
1.1 Name of Plan [compulsory]	Cumberland Local Environmental Plan
1.1AA Commencement [compulsory]	Adopt Standard Instrument approach
1.2 Aims of Plan [compulsory]	<ol> <li>Adopt new LEP aims:         <ol> <li>Establish a planning framework for sustainable land use and development in Cumberland</li> <li>Provide for a range of land uses and development across the Cumberland area</li> <li>Facilitate economic growth and employment opportunities in Cumberland</li> <li>Protect and enhance the natural, built and cultural heritage of the Cumberland area</li> </ol> </li> <li>Support the provision of community facilities and services in Cumberland to meet the needs of residents, workers and visitors</li> <li>Encourage and promote development that is environmentally sustainable</li> </ol>
1.3 Land to which Plan applies [compulsory]	Adopt Standard Instrument approach *New Cumberland LEP LAP map to be prepared for finalisation





# Part 1 Preliminary

No changes to exhibited planning controls

LEP clause	Recommended planning controls for Cumberland LEP
1.4 Definitions [compulsory]	Adopt Standard Instrument approach
1.5 Notes [compulsory]	Adopt Standard Instrument approach
1.6 Consent authority [compulsory]	Adopt Standard Instrument approach
1.7 Maps [compulsory]	Adopt Standard Instrument approach
1.8 Repeal of planning instruments applying to land [compulsory]	Adopt Standard Instrument approach
1.9 Application of SEPPs [compulsory]	Adopt Standard Instrument approach Include list of SEPPS that do not apply to land to which the Cumberland LEP applies





# Part 2

Permitted or prohibited development





# Part 2 Permitted or prohibited development

No changes to exhibited planning controls

LEP clause	Recommended planning controls for Cumberland LEP
2.1 Land use zones [compulsory]	Adopt carry over range of land use zones under existing LEPs
2.2 Zoning of land to which Plan applies [compulsory]	Adopt Standard Instrument approach *New Cumberland LEP LZN maps to be prepared for finalisation
2.3 Zone objectives and Land Use Table [compulsory]	Adopt Standard Instrument approach
2.4 Unzoned land [compulsory]	Adopt Standard Instrument approach
2.5 Additional permitted uses for particular land [compulsory]	Adopt Standard Instrument approach *Relates to Schedule 1
2.6 Subdivision [compulsory]	Adopt Standard Instrument approach
2.7 Demolition requires development consent [compulsory]	Adopt Standard Instrument approach
2.8 Temporary use of land [compulsory]	Adopt Standard Instrument approach (52 days) for the maximum period of development consent for a temporary use in any zone





# Land Use Table

No changes to exhibited planning controls

Proposed minor changes post-exhibition to ensure carry over permissibility is maintained (refer to report)

LEP zone	Recommended planning controls for Cumberland LEP*
Residential Zones	Adopt land use table as exhibited
Business Zones	Adopt land use table as exhibited  Proposed inclusion 'office premises' as a permitted use in the B6 Enterprise Corridor zone – carry over permissibility under ALEP and PLEP
Industrial Zones	Adopt land use table as exhibited
Recreation Zones	Adopt land use table as exhibited
Special Purpose Zones	Adopt land use table as exhibited
Environment Zones	Adopt land use table as exhibited
Waterways Zones	Adopt land use table as exhibited

<sup>\*</sup>Refer to individual zone land use tables for specific details





## Proposed land use table – Zone R2 Low Density Residential

### 1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

### 2 Permitted without consent

Home occupations

### 3 Permitted with consent

Boarding houses; Bed and breakfast accommodation; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Emergency services facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Hospitals; Hostel; Neighbourhood shops; Oyster aquaculture; Pond-based aquaculture; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Roads; Seniors housing; Semi-detached dwellings; Tank-based aquaculture; Water recycling facilities

### 4 Prohibited

Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Places of public worship; Port facilities; Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Service stations; Sewerage systems; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies; Any other development not specified in item 2 or 3

Standard Instrument LEP content

Proposed Cumberland LEP content





## Proposed land use table – Zone R3 Medium Density Residential

### 1 Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that non-residentialland uses are located in a context and setting that minimises impacts on the amenity of the surrounding residential environment.

#### 2 Permitted without consent

Home occupations

### 3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Emergency services facilities; Environmental protection works; Exhibition homes; Exhibition villages; Group homes; Home-based child care; Home businesses; Home industries; Hostels; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor) Recreation facilities (outdoor); Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Tank-based aquaculture; Water recycling facilities

### 4 Prohibited

Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Pond-based aquaculture; Port facilities; Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Service stations; Sewerage systems; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies; Any other development not specified in item 2 or 3

Standard Instrument LEP content

Proposed Cumberland LEP content





## Proposed land use table – Zone R4 High DensityResidential

### 1 Objectives of zone

- To provide for the housing needs of the community within a high density residential environment.
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that non-residentialland uses are located in a context and setting that minimises impacts on the amenity of the surrounding residential environment.

#### 2 Permitted without consent

Home occupations

### 3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Emergency services facilities; Environmental protection works; Exhibition homes; Flood mitigation works; Home-based child care; Home businesses; Home industries; Hostels; Hotel or motel accommodation; Kiosks; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Water recycling facilities; Any other development not specified in item 2 or 4

#### 4 Prohibited

Agriculture; Air transport facilities; Airstrip; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Helipad; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Pond-based aquaculture; Port facilities; Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Service stations; Sewerage systems; Sex services premises; Signage; Storage premises; Tank-based aquaculture; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

Standard Instrument LEP content

Proposed Cumberland LEP content





## Proposed land use table – Zone B1 Neighbourhood Centre

### 1 Objectives of zone

 To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.

### 2 Permitted without consent

Home occupations

### 3 Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Community facilities; Environmental protection works; Group homes; Health consulting rooms; Home businesses; Home industries; Home occupations; Hostels; Medical centres; Neighbourhood shops; Neighbourhood supermarkets; Oyster aquaculture; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Self-storage units; Seniors housing; Service stations; Signage; Shops; Shop top housing; Take away food and drink premises; Tank-based aquaculture; Veterinary hospitals; Warehouse or distribution centres

#### 4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Cellar door premises; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Function centres; Garden centres; Hardware and building supplies; Health services facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Landscaping material supplies; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Places of public worship; Plant nurseries; Pond-based aquaculture; Port facilities; Pubs; Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Roadside stalls; Rural industries; Rural supplies; Sewerage systems; Sex services premises; Specialised retail premises; Storage premises; Timber yards; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies; Any other development not specified in item 2 or 3

Standard Instrument LEP content

Proposed Cumberland LEP content





## Proposed land use table – Zone B2 Local Centre

### 1 Objectives of zone

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.

### 2 Permitted without consent

Home occupations

#### 3 Permitted with consent

Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Group homes; Hostels; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Service stations; Serviced apartments; Shop top housing; Signage; Tank-based aquaculture; Tourist and visitor accommodation; Any other development not specified in item 2 or 4

### 4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home industries; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Places of public worship; Pond-based aquaculture; Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Resource recovery facilities; Rural industries; Sewage systems; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal facilities; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies

Standard Instrument LEP content

Proposed Cumberland LEP content





## Proposed land use table - Zone B4 Mixed Use

### 1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.

#### 2 Permitted without consent

Home occupations

### 3 Permitted with consent

Backpackers' accommodation; Boarding houses; Building identification signs; Business identification signs; Business premises; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hostels; Hotel or motel accommodation; Information and education facilities; Medical centres; Office premises; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Retail premises; Roads; Seniors housing; Serviced apartments; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4

#### 4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home industries; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Places of public worship; Pond-based aquaculture; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Resource recovery facilities; Rural industries; Service stations; Sewerage systems; Sewage treatment plants; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal facilities; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies

### Standard Instrument LEP content

### Proposed Cumberland LEP content





## Proposed land use table – Zone B5 Business Development

### 1 Objectives of zone

- To enable a mix of business and warehouse uses, and specialised retail premises that require a large floor area, in locations that are close to, and that support the viability of, centres.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.

## 2 Permitted without consent

Nil

#### 3 Permitted with consent

Building identification signs; Business identification signs; Centre-based child care facilities; Food and drink premises; Funeral homes; Garden centres; Hardware and building supplies; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Oyster aquaculture; Passenger transport facilities; Respite day care centres; Plant nurseries; Roads; Self-storage units; Specialised retail premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

### 4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Community facilities; Correctional centres; Crematoria; Ecotourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home businesses; Home industries; Home occupations; Home occupations (sex services); Industrial retail outlets; Industries; Industrial training facilities; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Places of public worship; Pond-based aquaculture; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Resource recovery facilities; Restricted premises; Retail premises; Rural industries; Sewerage systems; Sewage treatment plants; Sex service premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Waste disposal facilities; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities Standard Instrument LEP content

Proposed Cumberland LEP content





## Proposed land use table – Zone B6 Enterprise Corridor

### 1 Objectives of zone

- To promote businesses along main roads and to encourage a mix of compatible uses.
- To provide a range of employment uses (including business, office, retail and light industrial uses).
- To maintain the economic strength of centres by limiting retailing activity.

# 2 Permitted without consent Nil

### 3 Permitted with consent

Building identification signs; Business identification signs; Business premises; Community facilities; Food and drink premises; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Kiosks; Landscaping material supplies; Light industries; Markets; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport facilities; Plant nurseries; Roads; Self-storage units; Shop top housing; Specialised retail premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

#### 4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Amusement centres; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home businesses; Home industries; Home occupations; Home occupations (sex services); Industrial retail outlets; Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Places of public worship; Pond-based aquaculture; Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Restricted premises; Retail premises; Rural industries; Sewerage systems; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Veterinary hospitals; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities

### Standard Instrument LEP content

### Proposed Cumberland LEP content

Proposed to include Office premises as permitted with consent

(refer to report)





## Proposed land use table – Zone IN1 General Industrial

### 1 Objectives of zone

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- · To support and protect industrial land for industrial uses.

# 2 Permitted without consent Nil

#### 3 Permitted with consent

Building identification signs; Business identification signs; Depots; Food and drink premises; Freight transport facilities; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Liquid fuel depots; Neighbourhood shops; Oyster aquaculture; Places of public worship; Plant nurseries; Roads; Rural supplies; Sex services premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Warehouse or distribution centres; Any other development not specified in item 2 or 4

### 4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Funeral homes; Health services facilities; Heavy industries; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based childcare; Home businesses; Home industries; Home occupations; Home occupations (sex services); Industries; Information and education facilities; Jetties; Livestock processing industries; Marinas; Mooring pens; Moorings; Office premises; Open cut mining; Passenger transport facilities; Pond-based aquaculture; Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Respite day care centres; Restricted premises; Retail premises; Rural industries; Sawmill or log processing works; Stock and sale yards; Tourist and visitor accommodation; Veterinary hospitals; Water recreation structures; Water supply systems; Wharf or boating facilities

### Standard Instrument LEP content

Proposed Cumberland LEP content





## Proposed land use table – Zone IN2 Light Industrial

### 1 Objectives of zone

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To support and protect industrial land for industrial uses.

### 2 Permitted without consent

Nil

#### 3 Permitted with consent

Building identification signs; Business identification signs; Depots; Garden centres; Hardware and building supplies; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Markets; Neighbourhood shops; Oyster aquaculture; Places of public worship; Plant nurseries; Restaurants or cafes; Roads; Rural supplies; Tank-based aquaculture; Timber yards; Warehouse or distribution centres; Waste or resource transfer stations; Any other development not specified in item 2 or 4

#### 4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Eco-tourist facilities; Educational establishments; Electricity generating works; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Health services facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home businesses; Home industries; Home occupations; Home occupations (sex services); Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture; Recreation facilities (major); Research stations; Residential accommodation; Restricted premises; Retail premises; Rural industries; Sewerage systems; Sewage treatment plants; Sex services premises; Tourist and visitor accommodation; Vehicle body repair workshops; Veterinary hospitals; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities

Standard Instrument LEP content

Proposed Cumberland LEP content





## Proposed land use table - Zone SP1 Special Activities

### 1 Objectives of zone

- To provide for special land uses that are not provided for in other zones.
- To provide for sites with special natural characteristics that are not provided for in other zones.
- To facilitate development that is in keeping with the special characteristics of the site or its existing or intended special use, and that minimises any adverse impacts on surrounding land.

# 2 Permitted without consent Nil

#### 3 Permitted with consent

The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose; Aquaculture; Building identification signs; Business identification signs; Cemeteries; Community facilities; Crematoria; Depots; Environmental facilities; Environmental protection works; Funeral homes; Kiosks; Markets; Mortuaries; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Roads

### 4 Prohibited

Any other development not specified in item 2 or 3

### Standard Instrument LEP content

### Proposed Cumberland LEP content





# Proposed land use table – Zone SP2Infrastructure

### 1 Objectives of zone

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

### 2 Permitted without consent

Nil

### 3 Permitted with consent

The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose; Aquaculture; Building identification signs; Business identification signs; Car parks; Community facilities; Depots; Environmental facilities; Environmental protection works; Flood mitigation works; Freight transport facilities; Funeral homes; Kiosks; Markets; Mortuaries; Passenger transport facilities; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Roads; Signage

#### 4 Prohibited

Any other development not specified in item 2 or 3

### Standard Instrument LEP content

### Proposed Cumberland LEP content





# Proposed land use table - Zone RE1 PublicRecreation

### 1 Objectives of zone

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

### 2 Permitted without consent

Environmental protection works; Flood mitigation works

### 3 Permitted with consent

Aquaculture; Centre-based child care facilities; Community facilities; Depots; Environmental facilities; Function centres; Information and education facilities; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Signage; Take away food and drink premises; Water recreation structures; Water recycling facilities

### 4 Prohibited

Any other development not specified in item 2 or 3

Standard Instrument LEP content

Proposed Cumberland LEP content





## Proposed land use table - Zone RE2 Private Recreation

### 1 Objectives of zone

- To enable land to be used for private open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

### 2 Permitted without consent

Environmental protection works; Flood mitigation works

### 3 Permitted with consent

Aquaculture; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Emergency services facilities; Entertainment facilities; Environmental facilities; Food and drink premises; Function centres; Information and education facilities; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restaurants or cafes; Roads; Signage; Take away food and drink premises; Tourist and visitor accommodation; Water recreation structures; Water recycling facilities

### 4 Prohibited

Pubs; Any other development not specified in item 2 or 3

Standard Instrument LEP content

Proposed Cumberland LEP content





# Proposed land use table – Zone E2 Environmental Conservation

### 1 Objectives of zone

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.

#### 2 Permitted without consent

Environmental protection works; Flood mitigation works

#### 3 Permitted with consent

Building identification signs; Business identification signs; Environmental facilities; Information and education facilities; Oyster aquaculture; Recreation areas; Roads

### 4 Prohibited

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Pond-based aquaculture; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Tank-based aquaculture; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Standard Instrument LEP content

Proposed Cumberland LEP content





# Proposed land use table – Zone W1 Natural Waterways

### 1 Objectives of zone

- To protect the ecological and scenic values of natural waterways.
- To prevent development that would have an adverse effect on the natural values of waterways in this zone.
- To provide for sustainable fishing industries and recreational fishing.

### 2 Permitted without consent

Environmental protection works; Flood mitigation works

### 3 Permitted with consent

Aquaculture; Building identification signs; Business identification signs; Environmental facilities; Roads

#### 4 Prohibited

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

### Standard Instrument LEP content

Proposed Cumberland LEP content





# Part 3

Exempt and complying development





# Part 3 Exempt and complying development

No changes to exhibited planning controls

Proposed minor changes post-exhibition to address DPIE comments (refer to report)

LEP clause	Recommended planning controls for Cumberland LEP
3.1 Exempt development	Adopt Standard Instrument approach *Relates to Schedule 2
3.2 Complying development	Adopt Standard Instrument approach *Relates to Schedule 3
3.3 Environmentally sensitive areas excluded	Adopt Standard Instrument approach Proposed addition of land identified as 'remnant native vegetation' on the Biodiversity Map





# Part 4

Principal development standards





# Part 4 Principal development standards

No changes to exhibited planning controls

Proposed minor changes post-exhibition to address administrative items (refer to report)

LEP clause	Recommended planning controls for Cumberland LEP
4.1 Minimum subdivision lot size [optional]	Adopt clause objectives and development/site specific controls for minimum subdivision lot zones
4.1A Exceptions to minimum lot sizes for certain residential development	Adopt clause objectives and carry over HLEP approach
4.1AA Minimum subdivision lot size for community title schemes [optional if clause 4.1 is adopted]	Adopt clause objectives and carry over HLEP approach
4.3 Height of buildings [optional]	Adopt clause objectives and carry over ALEP controls relating to Parramatta Road Precinct
4.4 Floor space ratio [optional]	Adopt clause objectives and carry over ALEP controls relating to Former Lidcombe Hospital Site and retail premises on land in B6 within the Commercial Precinct
4.5 Calculation of floor space ratio and site area [optional]	Adopt Standard Instrument approach
4.6 Exceptions to development standards [compulsory]	Proposed additional exclusions to development standards





# 4.1 Minimum subdivision lot size

No changes to exhibited planning controls

Clause 4.1 Minimum subdivision lot size	Recommended planning controls for Cumberland LEP	
(1) Objective	Adopt new objectives:     a) to ensure that lot sizes are able to accommodate development consistent with relevant development controls     b) to ensure that subdivision of land is capable of supporting a range of development types     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.	
(2) This clause applies to subdivision of any land shown on the Lot Size Map	Adopt Standard Instrument approach *New Cumberland LEP LZN maps to be prepared for finalisation	
(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map	Adopt Standard Instrument approach Carry over development and site specific controls as applicable to areas in Cumberland LEP:  • ALEP clause 4.1(3A) Development specific controls for dwelling houses (3B) battle-axe blocks/lots with an access handle and (3C) Site specific controls for former Lidcombe Hospital site  • PLEP clause 4.1(4A) and (4B) [Despite subclause (3)]: Development specific controls for battle-axe blocks/lots with an access handle and subdivision of dual occupancies	
(4) This clause does not apply to subdivision of Strata Schemes or Community Land	Adopt Standard Instrument approach	





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

No changes to exhibited planning controls

Clause 4.1A Exceptions to minimum lot sizes for certain residential development	Recommended planning controls for Cumberland LEP
(1) Objective	Adopt clause objective:  a) to encourage housing diversity without adversely impacting on residential amenity.
(2) Minimum lot size resulting from subdivision	Adopt carry over HLEP approach
(3) Development consent may be granted if the application is for the subdivision of land into 3 or more lots where each lot will contain either an attached dwelling or a semi- detached dwelling	Adopt carry over HLEP approach





# 4.1AA Minimum subdivision lot size for community title schemes

No changes to exhibited planning controls

Clause 4.1AA Minimum subdivision lot sizes for community title schemes	Recommended planning controls for Cumberland LEP
(1) Objective	Adopt clause objective:  a) to ensure that land to which this clause applies is not fragmented by subdivisions that would create additional dwelling entitlements.
(2) Land zones that can be subdivided under this clause (Standard Instrument does not specify any zones)	Adopt carry over HLEP approach – Zone R2 Low Density Residential
(3) Size of lot resulting from a subdivision is not to be less than the minimum size shown on the Lot Size Map	Adopt Standard Instrument approach
(4) This clause applies despite clause 4.1.	Adopt Standard Instrument approach





### 4.3 Height of buildings

No changes to exhibited planning controls

Clause 4.3 Height of buildings	Recommended planning controls for Cumberland LEP
(1) Objective	<ul> <li>Adopt clause objectives:</li> <li>a) to establish a maximum height of buildings to enable appropriate development density to be achieved</li> <li>b) to ensure that the height of buildings is compatible with the character of the locality</li> <li>c) to minimize the visual impact of development and ensure sufficient solar access and privacy for neighbouring properties</li> <li>d) to reinforce and respect the existing character and scale of low density residential areas</li> </ul>
(2) Maximum height of buildings not to exceed height shown on Height of Buildings map	Adopt Standard Instrument approach * New Cumberland LEP HOB map to be prepared for finalisation
(2A) Despite Subclause (2), site specific controls apply for particular sites and types of development	Adopt carry over ALEP controls relating to Parramatta Road Precinct





### 4.4 Floor space ratio

No changes to exhibited planning controls

Clause 4.4 Floor space ratio	Recommended planning controls for Cumberland LEP
(1) Objective	Adopt clause objectives:  a) to establish a maximum floor space ratio to enable appropriate development to be achieved  b) to ensure that development intensity reflects its locality
(2) The maximum floor space ratio for a building is to be as per the Floor Space Ratio Map	Adopt Standard Instrument approach * New Cumberland LEP FSR map to be prepared for finalisation
Subclauses (2A), (2B), (2C) and (2D)  Site/development specific controls apply for certain areas as marked on Floor Space Ratio Map	<ul> <li>Adopt carry over of applicable controls from existing LEPs:</li> <li>ALEP clause 4.4(2A) Former Lidcombe Hospital Site, (2B) Parramatta Road Precinct and</li> <li>(2D) Retail premises on land in B6 within the Commercial Precinct</li> <li>HLEP clause (2A), (2B) and (2C)</li> </ul>





### 4.6 Exceptions to development standards

No changes to exhibited planning controls

Proposed new content added post-exhibition to address administrative items (refer to report)

Clause 4.6 Exceptions to development standards	Recommended planning controls for Cumberland LEP
(1) Objective	Adopt clause objectives:     a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,     b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.
Subclauses (2) to (7) Exceptions to development standards	Adopt Standard Instrument approach
Subclauses (8) Exceptions to development standards	<ul> <li>Proposed additional exclusions:</li> <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 permissibility of specific development types)</li> <li>Schedule 3 – complying development (complying development references contained within the LEP)</li> </ul>









### Part 5 Miscellaneous provisions

No changes to exhibited planning controls

Proposed minor changes post-exhibition to reflect CLPP advice (refer to report)

LEP clause	Recommended planning controls for Cumberland LEP
5.1 Relevant acquisition authority [compulsory]	Adopt Standard Instrument approach
5.1A Development on land intended to be acquired for public purpose	Adopt carry over existing LEPs approach
5.2 Classification and reclassification of public land [compulsory]	Adopt Standard Instrument approach
5.3 Development near zone boundaries [compulsory]	Adopt clause objectives Adopt 20m as the relevant distance between any two zones
5.4 Controls relating to miscellaneous permissible uses [compulsory]	Adopt exhibited controls for bed and breakfast, home business, home industries, industrial retail outlets, farm stay accommodation, neighbourhood shops, neighbourhood supermarkets, roadside stall, secondary dwellings and artisan food and drink exclusions  Adopt proposed 50 square metres for kiosks
5.6 Architectural roof features [optional]	Adopt proposed clause objectives subject to removal of draft objective e)





### Part 5 Miscellaneous provisions

No changes to exhibited planning controls

LEP clause	Recommended planning controls for Cumberland LEP
5.8 Conversion of fire alarms [compulsory]	Adopt Standard Instrument approach
5.10 Heritage conservation [compulsory]	Adopt Standard Instrument approach
5.11 Bush fire hazard reduction [compulsory]	Adopt Standard Instrument approach
5.12 Infrastructure development and use of existing buildings of the Crown [compulsory]	Adopt Standard Instrument approach
5.19 Pond-based, tank-based and oyster aquaculture	Adopt Standard Instrument approach





# 5.1A Development on land intended to be acquired for public purposes

No changes to exhibited planning controls

	Clause 5.1A Development on land intended to be acquired or public purposes	Recommended planning controls for Cum	berland LEP
	(1) Objective	Adopt clause objective: a) to limit development on certain land intendacquired for a public purpose	led to be
	(2) Where this clause applies	Adopt carry over Land Reservation Acquisition *New Cumberland LEP LRA map to be preparation	•
	(3) Development consent must not be	Adopt carry over existing LEPs approach, as follows:	
	granted except for	Zone SP2 Infrastructure and marked "Classified road"	Roads
		Zone SP2 Infrastructure and marked "Drainage"	Drainage
		Zone RE1 Public Recreation and marked "Local open space"	Recreation areas
		Zone R4 High Density Residential and marked "Classified road"	Roads
		Zone R4 High Density Residential and marked "Local Road"	Roads
		Zone B6 Enterprise Corridor and marked "Local Road"	Roads
		Zone B1 Neighbourhood Centre, B2 Local Centre, B4 Mixed Use, B6 Enterprise Corridor or R2 Low Density Residential and marked "Local road widening"	Roads
		Zone E2 Environmental Conservation and marked "Local environmental conservation"	Environmental facilities





## 5.3 Development near zone boundaries

No changes to exhibited planning controls

Clause 5.3 Development near zone boundaries	Recommended planning controls for Cumberland LEP
(1) Objective	Adopt clause objective:  a) to provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone.
(2) Controls setting the relevant distance	Adopt 20m as the relevant distance between any two zones
(3) Land to which this clause does not apply (RE1, E1, E2, E3, W1, or land within the coastal zone, or land proposed to be developed for the purpose of sex services or restricted premises.)	Adopt Standard Instrument approach
(4) Conditions that must satisfy the consent authority	Adopt Standard Instrument approach
(5) This clause does not prescribe a development standard that may be varied under this Plan	Adopt Standard Instrument approach





## 5.4 Controls relating to miscellaneous permissible uses

No changes to exhibited planning controls

Proposed minor changes post-exhibition to reflect CLPP advice (refer to report)

Clause 5.4 Controls relating to miscellaneous permissible uses	Recommended planning controls for Cumberland LEP
(1) Bed and breakfast accommodation (Must consists of no more than xx bedrooms)	Adopt Standard Instrument approach of 3 bedrooms
(2) Home businesses (No more than xx sqm of floor area)	Adopt Standard Instrument approach of 30 square metres of floor area
(3) Home industries (No more than xx sqm of floor area)	Adopt Standard Instrument approach of 30 square metres of floor area
(4) Industrial retail outlets (The retail floor must not exceed:)	Adopt approach of 10% of gross floor area
(5) Farm stay accommodation (Must consists of no more than:)	Adopt Standard Instrument approach of 3 bedrooms
(6) Kiosks (The gross floor area must not exceed:)	Adopt proposed approach of 50 square metres
(7) Neighbourhood shops (The gross floor area must not exceed:)	Adopt Standard Instrument approach of 80 square metres
(7AA) Neighbourhood supermarkets (The gross floor area must not exceed:)	Adopt approach of 1,000 square metres
(8) Roadside stalls (The gross floor area must not exceed:)	Adopt Standard Instrument approach of 8 square metres
(9) Secondary dwellings (The total floor area of the dwelling must not exceed:)	Adopt approach of 10% of total floor area
(10) Artisan food and drink industry exclusion (The floor area used for retail sales must not exceed:)	Adopt approach of 10% of gross floor area





#### 5.6 Architectural roof features

No changes to exhibited planning controls

Proposed minor changes post-exhibition to reflect CLPP advice (refer to report)

Clause 5.6 Architectural roof features	Recommended planning controls for Cumberland LEP
(1) Objective	<ul> <li>Adopt clause objectives:</li> <li>a) to encourage innovative and high quality design for new buildings</li> <li>b) to allow varying roof forms that contribute positively to the streetscape</li> <li>c) to ensure that new development is consistent with the existing neighbourhood character</li> <li>d) to ensure that any decorative roof element does not detract from the architectural design of the building</li> <li>Delete draft objective e) – 'to ensure that prominent architectural roof features are contained within the height limit'</li> </ul>
(2) Development consent is required for architectural roof feature that exceeds the height limit set by cl. 4.3	Adopt Standard Instrument approach
(3) Conditions that must satisfy the consent authority	Adopt Standard Instrument approach





### 5.11 Bush fire hazard reduction

No changes to exhibited planning controls

Clause 5.11 Bush fire hazard reduction	Recommended planning controls for Cumberland LEP
Bush fire hazard reduction work authorised by the <i>Rural Fires Act 1997</i> may be carried out on any land without development consent	Adopt Standard Instrument approach



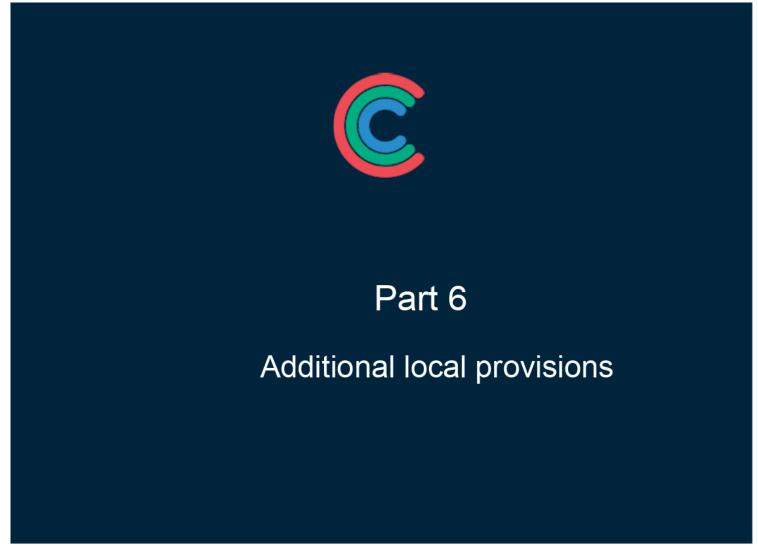


# 5.12 Infrastructure development and use of existing buildings of the Crown

No changes to exhibited planning controls

Clause 5.12 Infrastructure development and use of exiting buildings of the Crown	Recommended planning controls for Cumberland LEP
(1) Relationship to <u>State Environmental</u> <u>Planning Policy (Infrastructure) 2007.</u>	Adopt Standard Instrument approach – this Plan does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be carried out with or without development consent, or that is exempt development, under
(2) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.	Adopt Standard Instrument approach









### Part 6 Additional local provisions

No changes to exhibited planning controls

LEP clause	Recommended planning controls for Cumberland LEP
6.1 Acid sulfate soils	Adopt carry over existing LEPs approach *New Cumberland LEP ASS map to be prepared for finalisation
6.2 Biodiversity protection	Adopt carry over existing LEPs approach *New Cumberland LEP BIO map to be prepared for finalisation
6.3 Buffer area between industrial and residential zones	Adopt carry over existing LEPs approach *New Cumberland LEP SSP map to be prepared for finalisation
6.4 Design excellence	Adopt carry over HLEP approach *New Cumberland LEP DEX map to be prepared for finalisation
6.5 Development in the Commercial Precinct	Adopt carry over ALEP approach
6.6 Development of certain land at 1A and 1B Queen Street, Auburn	Adopt carry over ALEP approach





### Part 6 Additional local provisions

No changes to exhibited planning controls

LEP clause	Recommended planning controls for Cumberland LEP
6.7 Development on land at 42-44 Dunmore Street, Wentworthville	Adopt carry over HLEP approach
6.8 Earthworks	Adopt carry over existing LEPs approach
6.9 Essential services	Adopt carry over existing LEPs approach
6.10 Flood planning	Adopt carry over existing LEPs approach
6.11 Foreshore building line	Adopt carry over existing LEPs approach *New Cumberland LEP FBL map to be prepared for finalisation
6.12 Ground floor development in Zone B2 and B4	Adopt carry over existing HLEP approach
6.13 Location of sex services premises	Adopt sex services premises as a permitted use with consent only in Zone IN1 General Industrial Retain Schedule 1 Additional Permitted Uses for sex services premises *Existing use rights to apply where development consent in place





### Part 6 Additional local provisions

No changes to exhibited planning controls

Proposed new content post-exhibition to address administrative items and site specific submissions (refer to report)

LEP clause	Recommended planning controls for Cumberland LEP
6.14 Minimum lot area for low and medium density dual occupancy housing	Adopt minimum lot area of 585 sq.m
6.15 Places of public worship in Zones R3 and R4	Adopt exhibited planning controls
6.16 Restricted premises	Adopt carry over existing LEPs approach
6.17 Riparian land and watercourses	Adopt carry over existing LEPs approach *Includes PLEP clause 6.5 Water protection
6.18 Salinity	Adopt carry over existing LEPs approach
6.19 Stormwater management	Adopt carry over existing LEPs approach
6.20 Urban heat management	Adopt exhibited planning controls
6.21 Development of land at 244, 246, 248, 256 and 258 Woodville Rd, Merrylands	Adopt carry over existing PLEP clause 6.21
6.22 Residential development in Zone B6	Proposed planning controls to permit shop-top housing in certain B6 zone (former Holroyd area)





### 6.1 Acid sulfate soils

No changes to exhibited planning controls

Clause 6.1 Acid sulfate soils	Recommended planning controls for Cumberland LEP
(1) Objective	Adopt clause objective:  a) to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.  Adopt carry over of existing LEP approach
(2) This clause applies to land shown on Acid Sulfate Soils Map	Adopt carry over of existing LEP approach
(3) Conditions that must satisfy the consent authority	Adopt carry over of existing LEP approach
(4) & (5) Conditions that pre-exempt the need for development consent	Adopt carry over of existing LEP approach
(6) Conditions that pre-exempt the need for development consent	Adopt carry over ALEP description of works that could involve disturbance of less than 1 tonne of soil





## 6.2 Biodiversity protection

No changes to exhibited planning controls

Clause 6.2 Biodiversity protection	Recommended planning controls for Cumberland LEP
(1) Objective	Adopt clause objective:  a) to maintain terrestrial and aquatic biodiversity by:  i. protecting native fauna and flora, and  ii. protecting the ecological processes necessary for their continued existence, and  iii. encouraging the conservation and recovery of native fauna and flora and their habitats.
(2) This clause applies to land identified as 'Biodiversity' on the new Biodiversity Map	Adopt transfer of HLEP maps and PLEP lands that are located within the Cumberland LGA *New Cumberland LEP BIO maps to be prepared for finalisation
(3) Conditions that the consent authority must consider	Adopt carry over of HLEP approach, including subclause (3)(b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development
(4) Conditions that must satisfy the consent authority	Adopt carryover of HLEP approach, including subclause (4)(a) the development will not have any adverse impact on the condition, ecological value and significance of the fauna and flora on the land





## 6.3 Buffer area between industrial and residential zones

No changes to exhibited planning controls

Clause 6.3 Buffer area between industrial and residential zones	Recommended planning controls for Cumberland LEP
(1) Objectives	<ul> <li>Adopt clause objective to:</li> <li>a) maintain an adequate separation between industrial residential land uses,</li> <li>b) prevent any likely adverse impacts of outputs of industrial land uses</li> <li>c) ensure that neighbouring residents can enjoy a reasonable level of amenity</li> <li>d) to provide visual separation</li> </ul>
(2) Land to which clause applies to be mapped	Adopt transfer of mapping *New Cumberland LEP SSP map to be prepared for finalisation
(3) Development must not be carried out on certain land	Adopt clause: despite any other provision of this Plan, development must not be carried out on land to which this clause applies other than:  a) if the land is in Zone R2 Low Density Residential—development permitted on land in that zone (excluding residential accommodation), or  b) if the land is in Zone IN1 General Industrial—development permitted on land in that zone, but only if the consent authority is satisfied that the development is consistent with the objectives of this clause.





### 6.4 Design excellence

No changes to exhibited planning controls

Clause 6.4 Design excellence	Recommended planning controls for Cumberland LEP
(1) Objectives	Adopt clause objective:  a) to ensure that development to which this clause applies exhibits the highest standard of architectural and urban design as part of the built environment
(2) Application of clause	Adopt carry over of HLEP clause and extent of application (mapped areas) *New Cumberland LEP DEX maps to be prepared for finalisation
(3) Development consent considerations	Adopt carry over of HLEP approach
(4) Consent authority considerations	Adopt carry over of HLEP approach
(5) (6) Specific bonus provisions	Adopt carry over of HLEP approach





# 6.5 Development in the commercial precinct

No changes to exhibited planning controls

Clause 6.4 Development in the commercial precinct	Recommended planning controls for Cumberland LEP
(1) This clause applies to land known as the Commercial Precinct, as shown edged dark blue and marked "Commercial Precinct" on the Key Sites Map	Adopt carry over of ALEP clause and extent of application (mapped areas) *New Cumberland LEP KYS maps to be prepared for finalisation
(2) Despite any other provisions of Plan	Adopt ALEP planning controls to permit retail premises as permissible in Zone B6 Enterprise Corridor





# 6.6 Development of certain land at 1A and1B Queen Street, Auburn

No changes to exhibited planning controls

Clause 6.6 Development of certain land at 1A and 1B Queen Street, Auburn	Recommended planning controls for Cumberland LEP
(1) This clause applies to Lots 1 and 2, DP 1160950, 1A and 1B Queen Street, Auburn.	Adopt carry over of ALEP approach
(2) Considerations for consent authority	Adopt carry over of ALEP planning controls requiring consent authority to take into consideration whether or not:  i. the height of any proposed building is compatible with the existing and likely future scale of development in the immediate vicinity, and  ii. the height of any proposed building adequately transitions to any adjoining residential accommodation, and  iii. the development provides an appropriate level of solar access to common open spaces, and  iv. the development results in a visually interesting and varied built form





# 6.7 Development on land at 42-44 Dunmore Street, Wentworthville

No changes to exhibited planning controls

Clause 6.7 Development on land at 42-44 Dunmore Street, Wentworthville	Recommended planning controls for Cumberland LEP
(1) This clause applies to Lot 11, DP 746514, being land at 42–44 Dunmore Street, Wentworthville	Adopt carry over of HLEP approach
(2) Despite any other provisions of Plan	Adopt carry over of HLEP planning controls allowing additional FSR subject to:  a) at least 4,400 square metres of floor space above the ground floor of the building is used for the purposes of commercial premises or a health services facility—of up to 0.5:1 and  b) if at least 4,000 square metres of floor space within the building is used for the purposes of a supermarket—of up to 1:1
(3) Amount of additional floor space	Adopt carry over HLEP controls





### 6.8 Earthworks

No changes to exhibited planning controls

Clause 6.8 Earthworks	Recommended planning controls for Cumberland LEP
(1) Objectives	Adopt clause objectives:  a) to ensure earthworks requiring consent will not have a detrimental impact on environment, neighbouring uses, heritage items, and features of the surrounding land b) to allow earthworks of a minor nature without separate development consent.
(2) Conditions that pre-exempt the need for development consent	Adopt exhibited planning controls which require development consent unless:  a) ground level not altered by more than 600 mm; or b) the work is exempt development; c) the work is ancillary to other development for which development consent has been given.
(3) Conditions that must satisfy the consent authority	Adopt exhibited planning controls requiring consideration of the following:  a) the likely detrimental effect on existing drainage patterns  b) likely future use or redevelopment of the land, c) quality of fill or soil to be excavated, d) effect on the amenity of adjoining properties, e) the source of any fill material, f) the likelihood of disturbing relics, g) potential for adverse impacts on watercourse, catchment or environmentally sensitive area.





### 6.9 Essential services

No changes to exhibited planning controls

Clause 6.9 Essential services	Recommended planning controls for Cumberland LEP
(1) Conditions that must satisfy the consent authority	Adopt exhibited controls requiring the satisfaction of the consent authority that the following essential services are available or adequate arrangements have been make to make them available:  (a) the supply of water,  (b) the supply of electricity,  (c) the disposal and management of sewage,  (d) stormwater drainage or on-site conservation,  (e) suitable road access.
(2) Where this clause does not apply	Adopt exhibited controls which specify that the above controls do not apply to providing, extending, augmenting, maintaining or repairing any essential service.





## 6.10 Flood planning

No changes to exhibited planning controls

Clause 6.10 Flood planning	Recommended planning controls for Cumberland LEP
(1) Objectives	<ul> <li>Adopt clause objectives:</li> <li>a) to minimise the flood risk to life and property,</li> <li>b) to allow development compatible with land flood hazard,</li> <li>c) avoid significant adverse impacts on flood behaviour and the environment.</li> </ul>
(2) Application	Adopt exhibited controls regarding application to land at or below the flood planning level
(3) Granting of consent	Adopt exhibited controls requiring the consent authority be satisfied that development is:  a) compatible with the flood hazard of the land, b) not likely to result in increases in potential flooding, c) incorporates measures to manage risk to life, d) not likely to significantly affect the environment e) not likely to result in unsustainable social/economic costs
(4) Meaning	Adopt exhibited controls which specify that words/expressions have same meaning as NSW Government's <i>Floodplain Development Manual</i> 2005, unless otherwise defined.
(5) Flood planning level and flood planning map	Adopt exhibited controls which define:  flood planning level - level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.  Flood Planning Map – carry over Auburn Local Environmental Plan 2010 Flood Planning Map.





### 6.11 Foreshore building line

No changes to exhibited planning controls

Clause 6.11 Foreshore building line	Recommended planning controls for Cumberland LEP
(1) Objective	Adopt clause objective:  a) to ensure development in the foreshore area will not impact foreshore processes, significance or amenity.
(2) Application	Adopt exhibited Foreshore Building Line Map (carry over ALEP/ PLEP).
(3) Granting of consent	Adopt exhibited controls – consent not be granted for development on land in the foreshore area except for the following:  a) extension, alteration or rebuilding of an existing building,  b) levels, depth of the site make it appropriate to do so,  c) boat sheds, sea walls, wharves, jetties, access stairs, swimming pools, cycleways, trails, picnic facilities.
(4) Consent must not be granted unless	Adopt exhibited controls - consent not be granted unless authority is satisfied that:  a) development contributes to zone objectives, b) appearance of proposed structure, will be compatible with surroundings, c) development not likely to cause environmental harm, d) development will not cause congestion or generate conflicts between open space and waterway users, e) continuous public access along the foreshore will not be compromised, f) significance eg. historic, scientific, cultural, archaeological, natural etc. is maintained, g) extension, alteration or rebuilding will not have an adverse impact on foreshore amenity; h) sea level rise or change of flooding patterns has been considered.





# 6.12 Ground floor development in Zone B2 and B4

No changes to exhibited planning controls

Clause 6.12 Ground floor development in Zone B2 and B4	Recommended planning controls for Cumberland LEP
(1) Objective	Adopt clause objective:
	a) to ensure that active uses are provided at the street level in certain business zones to encourage the presence and movement of people
(2) Applies to land in the following zones:	Adopt existing HLEP approach – Zone B2 Local Centre and Zone B4 Mixed Use
(3) Conditions that must satisfy the consent authority that the ground floor of the building:	Adopt existing HLEP controls:  (a) will not be used for the purpose of residential accommodation, and  (b) will not be used for a car park or to provide ancillary car parking spaces, and  (c) will provide for uses and building design elements that encourage interaction between the inside of the building and the external public areas adjoining the building
(4) Conditions that allows flexibility on subclause (3)(b)	Adopt existing HLEP approach – If the site is >60m in depth from all street frontages, or has a gradient steeper than 15%, or is to be used as a public or commuter car park owned by a public authority
(5) Conditions that allows flexibility on subclause (3)(c)	Adopt existing HLEP approach – If any part of a building faces a service land that does not require active street frontages, or is used for i. a lobby, ii) access for fire services, iii) vehicular access





### 6.13 Location of sex services premises

No changes to exhibited planning controls

Clause 6.13 Location of sex services premises	Recommended planning controls for Cumberland LEP
(1) Objective	Adopt clause objective:  a) 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.
(2) Despite any other provision of this Plan	Adopt existing LEPs locational criteria for sex services premises
(3) Considerations for consent authority	Adopt existing LEPs approach





# 6.14 Minimum lot area for low and medium density dual occupancy housing

No changes to exhibited planning controls

Clause 6.14 Minimum lot area for low and medium density dual occupancy housing	Recommended planning controls for Cumberland LEP
(1) Objective	<ul> <li>Adopt clause objectives:</li> <li>a) to ensure the lot size proposed for dual occupancy development facilitates good design that can accommodate an appropriate built form, driveways and sufficient landscaped areas,</li> <li>b) to retain the low density residential character of the R2 Low Density Residential zone,</li> <li>c) to identify the appropriate locations for growth and align projected growth with existing and proposed local roads, transport and social infrastructure,</li> <li>d) to achieve a consistency of minimum lot size for dual occupancy development across the Cumberland area.</li> </ul>
(2) Minimum lot size for development for the purposes of low and medium density dual occupancy	Adopt minimum lot size of 585 square metres



# 6.15 Places of public worship in Zones R3 and R4

No changes to exhibited planning controls

Clause 6.15 Places of public worship in Zones R3 and R4	Recommended planning controls for Cumberland LEP
(1) Objective	<ul> <li>Adopt clause objectives:</li> <li>a) to establish a minimum lot size for places of public worship</li> <li>b) to ensure that places of public worship are compatible with and located in a context and setting that minimises impacts on the amenity of the surrounding residential environment</li> <li>c) to ensure that sites for places of public worship have adequate usable areas for buildings, car parking and landscaping.</li> </ul>
(2) Where this clause applies	Adopt exhibited planning approach – clause applies to development for the purpose of a place of public worship on land in the following zones:  a) Zone R3 Medium Density Residential,  b) Zone R4 High Density Residential
(3) Minimum lot size for development of a place of public worship	Adopt minimum lot size of 2,000 square metres
(4) Conditions that the consent authority must consider	<ul> <li>Adopt exhibited planning controls, including:</li> <li>a) the extent to which the place of public worship and its design will integrate into the locality, and</li> <li>b) the extent to which the proposed development will respond to the local character, and relate to the scale and streetscape of the locality, and</li> <li>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.</li> </ul>





## 6.16 Restricted premises

No changes to exhibited planning controls

Clause 6.16 Restricted premises	Recommended planning controls for Cumberland LEP
(1) Development consent must not be granted for development for the purpose of restricted premises if the premises would be located on land that adjoins land, or is separated only by a road from land within Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential or Zone RE1 Public Recreation.	Adopt carry over of PLEP approach
(2) Conditions that must satisfy the consent authority	Adopt carry over of PLEP approach, including subclause (2)(a)(b)(c)(d)
(3) Conditions that the consent authority must consider	Adopt carry over of PLEP approach





## 6.17 Riparian land and watercourses

No changes to exhibited planning controls

Clause 6.17 Riparian land and watercourses	Recommended planning controls for Cumberland LEP
(1) Objective	Adopt clause objectives:  a) To protect and maintain the following:  i. water quality within watercourses  ii. the stability of the bed and banks  of watercourses  iii. aquatic and riparian habitats,  iv. ecological processes within  watercourses and riparian areas
(2) Land applies to this clause	Adopt transfer of HLEP maps and PLEP lands that are located within the Cumberland LGA *New Cumberland LEP Riparian land and watercourses map to be prepared for finalisation
(3) Conditions that the consent authority must consider	Adopt carry over of HLEP approach, including subclause (3)(a)(b)(c)
(4) Conditions that the must satisfy the consent authority	Adopt carry over of existing LEP approach





## 6.18 Salinity

No changes to exhibited planning controls

Clause 6.18 Salinity	Recommended planning controls for Cumberland LEP
(1) Objective	Adopt clause objective:  a) 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.
(2) Land applies to this clause	Adopt transfer of HLEP maps *New Cumberland LEP Salinity map to be prepared for finalisation
(3) Conditions that the consent authority must consider	Adopt carry over of HLEP approach, including subclause (3)(a)(b)(c)
(4) Conditions that the must satisfy the consent authority	Adopt carry over of HLEP approach, including subclause (4)(a)(b)(c)





#### 6.19 Stormwater management

No changes to exhibited planning controls

Clause 6.19 Stormwater management	Recommended planning controls for Cumberland LEP
(1) Objectives	Adopt clause objectives:     a) to minimise the impacts of urban stormwater on properties, native vegetation and receiving waters,     b) to avoid any adverse impacts on soils and land stability,     c) to protect the environmental values of water identified for urban waterways in the Sydney Harbour and Parramatta River and Georges River catchments
(2) Conditions that must satisfy the consent authority	Adopt carry over of HLEP approach, including subclause (2)(a)(b)(c)





#### 6.20 Urban heat management

No changes to exhibited planning controls

Clause 6.20 Urban heat management	Recommended planning controls for Cumberland LEP
(1) Objective	Adopt clause objective:  a) to ensure new development incorporates effective design and ongoing operation to reduce and remove urban heating from the environment and protects community health and wellbeing.
(2) This clause applies to all commercial premises, industry and residential accommodation developments	<ul> <li>Adopt exhibited planning controls, as follows:</li> <li>a) the building roof, paved surfaces and podium have been designed to reflect and re-radiate absorbed solar heat away from urban areas and to maximise user comfort of roofing, paved surfaces and podium areas; and</li> <li>b) the building facades minimise solar heat being reflected downward towards private open space and or the public domain; and</li> <li>c) the awnings and eaves are designed to provide shelter from the sun and improve user comfort at street level; and</li> <li>d) the buildings' heating and cooling systems minimise heat rejection to private open space and the public domain; and</li> <li>e) the buildings maximise the use of green infrastructure; and</li> <li>f) the development is capable of accommodating adequate open space and deep soil zones to achieve urban cooling benefits; and</li> <li>g) the buildings are designed to improve thermal performance eg. insulation, glazing, drought proofing and renovations to apply passive design principles to reduce the need for heating or cooling.</li> </ul>
(3) Conditions that the consent authority must consider	Adopt exhibited planning controls
(4) Definitions	Adopt exhibited content





# 6.21 Development of land at 244, 246, 248, 256 and 258 Woodville Rd, Merrylands

No changes to exhibited planning controls

Clause 6.21 Development of land at 244, 246, 248, 256 and 258 Woodville Rd, Merrylands

(1) This clause applies to land at land at 244, 246, 248, 256 and 258 Woodville Rd, Merrylands

Adopt existing planning controls, as follows: In calculating the gross floor area of proposed development on land to which this clause applies for the purpose of applying a floor space ratio, the consent authority may exclude the floor area of enclosed balconies with a frontage on to Woodville Road.



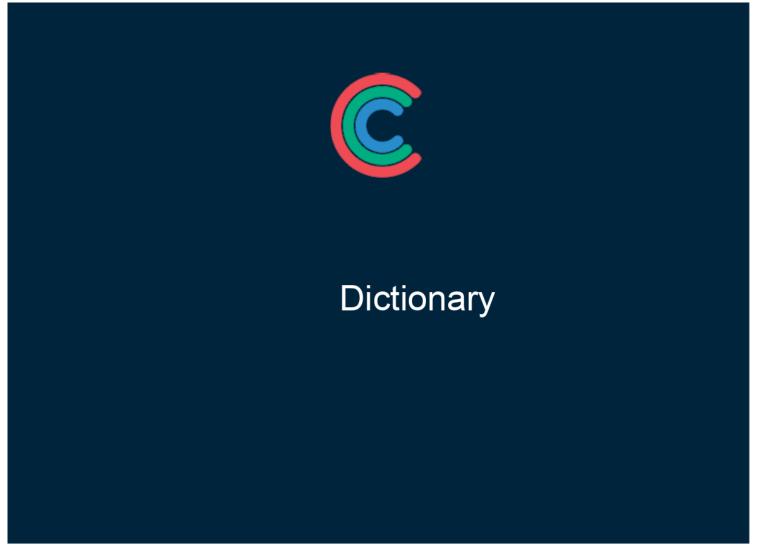


## 6.22 Residential development in Zone B6

Proposed new content postexhibition to address administrative items and site specific submissions (refer to report)

Clause 6.22 Residential development in Zone B6	Recommended planning controls for Cumberland LEP
(1) Where this clause applies	Adopt proposed LEP clause and associated mapping applying to B6 zoned land in the Mays Hill and Finlayson Transitway Precincts
(2) Despite any other provisions of Plan	Adopt proposed planning controls – despite any other provision of this Plan, shop top housing is permissible with development consent on land to which this clause applies in Zone B6 Enterprise Corridor







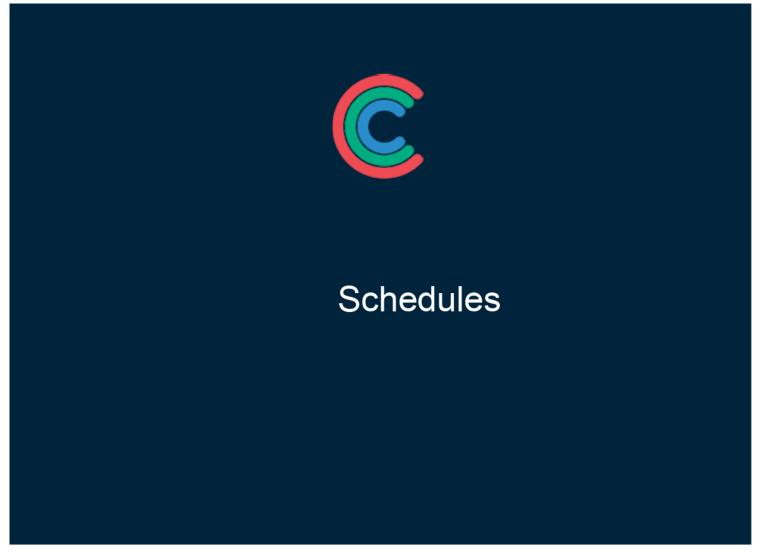


#### Dictionary

No changes to exhibited planning controls

LEP Dictionary	Recommended planning controls for Cumberland LEP
Definitions	Adopt Standard Instrument definitions









#### Schedules

No changes to exhibited planning controls

Proposed new content added post-exhibition to address site specific submissions (refer to report)

LEP Schedule	Recommended planning controls for Cumberland LEP
Schedule 1 Additional permitted uses	Adopt carry over existing LEPs additional permitted uses  Adopt proposed additional permitted use for place of public worship on certain land at the corner of Mark Street and Taylor Street, Lidcombe (Lidcombe Anglican Church)  Adopt proposed additional permitted use for 'specialised retail premises' on certain land at Parramatta Road and Adderley Street, Lidcombe (Domayne)
Schedule 2 Exempt development	Adopt carry over existing LEPs approach
Schedule 3 Complying development	Adopt carry over existing LEPs approach
Schedule 4 Classification and reclassification of land	Adopt carry over classified and reclassified land *Schedule 4 will appear blank upon the making of Cumberland LEP
Schedule 5	Adopt carry over existing LEPs heritage items, with exception of proposed sites to be de-listed (as exhibited)  Adopt proposed new heritage items (Nurses Quarters) to be listed in Cumberland LEP
Schedule 6 Pond based and tank based aquaculture	Adopt Standard Instrument approach





#### Schedule 1 Additional permitted uses

No changes to exhibited planning controls

Proposed new content added post-exhibition to address site specific submissions (refer to report)

#### Recommended planning controls for Cumberland LEP

Use of certain land at 265 Parramatta Road, Auburn

Use of certain land at 67-73 St Hilliers Road, Auburn

Use of certain land at 9 and 11 Gelibolu Parade, Auburn

Use of certain land at Girraween

Use of certain land known as "Gipps Road Sporting Complex" at Greystanes

Use of certain land at 615 Great Western Highway, Greystanes

Use of certain land at 11 Byron Road, Guildford

Use of certain land at Guildford West

Use of certain land known as "Holroyd Gardens" at Holroyd

Use of certain land at 32 Walpole Street, Holroyd

Use of certain land known as "Central Gardens" at Merrylands Road, Merrylands

Use of certain land known as "Merrylands Park" at 367P Merrylands Road, Merrylands

Use of certain land at 348 and 350 Merrylands Road, Merrylands

Use of certain land at Smithfield

Use of certain land at Junia Avenue and Aurelia Street and Toongabbie Road, Toongabbie

Use of certain land at Hawkesbury Road, Westmead

Use of certain land at Yennora

Use of certain land at 528–530 Great Western Highway, Pendle Hill

Use of certain land at 459 Merrylands Road, Merrylands

Use of certain land at the corner of Mark Street and Taylor Street, Lidcombe

Use of certain land at 101-123 Parramatta Road and 58- 66 Adderley Street, Lidcombe





#### Schedule 2 Exempt development

No changes to exhibited planning controls

#### Recommended planning controls for Cumberland LEP

Advertisements/Signage—general requirements

Advertisements/Signage—business identification signs for businesses in business zones

- · Under awning sign
- Projecting wall sign (excluding under awning signs)
- · Flush wall sign
- · Top hamper sign
- Fascia signs

Advertisements/Signage—business identification signs for home occupations in residential zones

Advertisements/Signage—business identification signs for businesses (other than sex services premises) in Zone IN1

Signage—business identification signs in residential zones

Advertisements/Signage—real estate signs (advertising land development)

Advertisements/Signage—real estate signs (advertising premises or land for sale or rent) in business or industrial zones

Advertisements/Signage—real estate signs (advertising premises or land for sale or rent) in residential zones

Advertisements/Signage—signs behind the glass line of a shop window in Zone B1, B2, B4, B7 or IN2 (other than sex services premises)

Advertisements/Signage—temporary signs for religious, cultural, political, social or recreational events

Advertisements/Signage—wall signs in industrial zones

Advertisements/Signage—sports field advertising

Clothing bins in business and industrial zones (other than Zone B5 Business Development)

Markets

Removal or pruning of trees

Security grills, screens or shutters—commercial purposes

Temporary use of land (community events and fundraising events)

C07/20-501 – Attachment 1





#### Schedule 3 Complying development

No changes to exhibited planning controls

Schedule 3	Recommended planning controls for Cumberland LEP
Part 1 Types of development	Adopt existing LEPs approach including:     Subdivision for dual occupancies     Strata subdivision of dual occupancies
Part 2 Complying development certificate conditions	Adopt Standard Instrument approach





#### Schedule 5 Heritage

No changes to exhibited planning controls

Proposed new content added post-exhibition to address site specific submission (refer to report)

Schedule 5	Recommended planning controls for Cumberland LEP	
Environmental Heritage	Adopt carry over existing LEPs heritage items, with exception of the following sites to be de-listed: 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  Adopt proposed new heritage items to be listed in Cumberland LEP: • Former Lidcombe Hospital Nurses Home 1 (Building 72) • Former Lidcombe Hospital Nurses Home 2 (Building 73) • Former Lidcombe Hospital Nurses Home 3 (Building 74)	

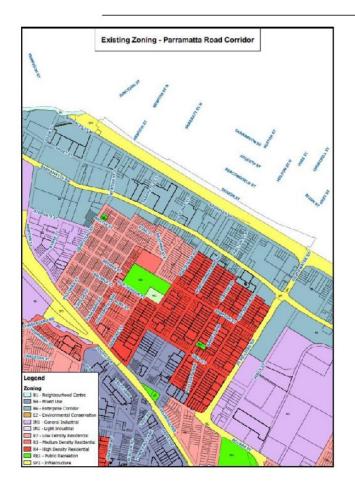


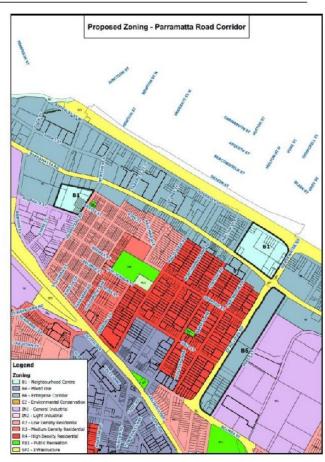






#### Parramatta Road Corridor - Zoning

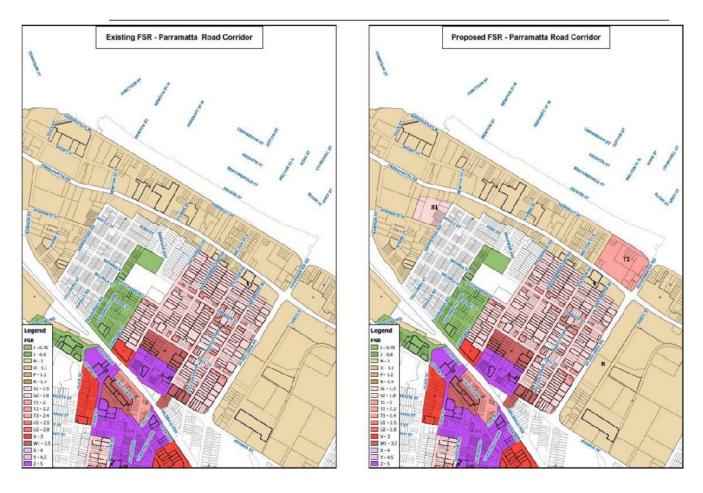








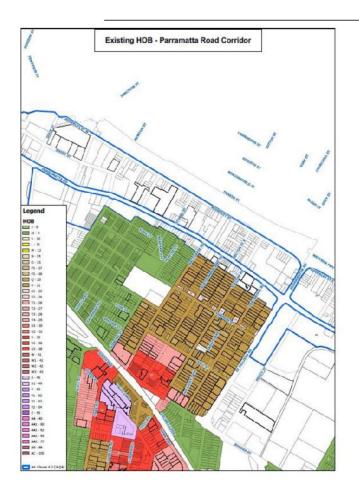
#### Parramatta Road Corridor - FSR

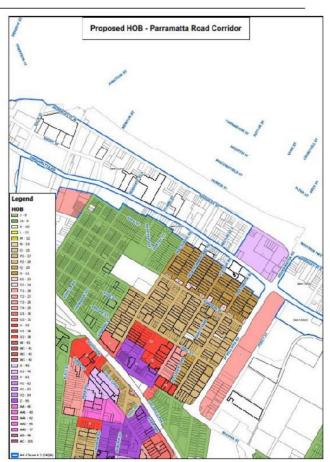




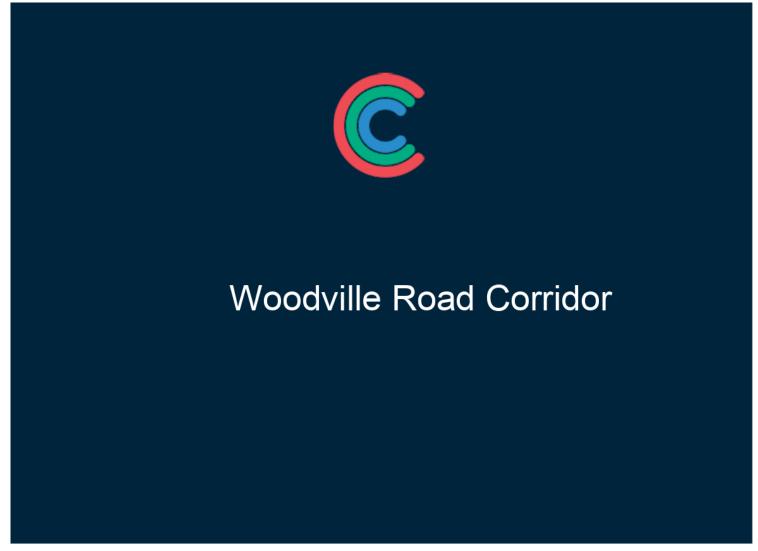


#### Parramatta Road Corridor - HOB





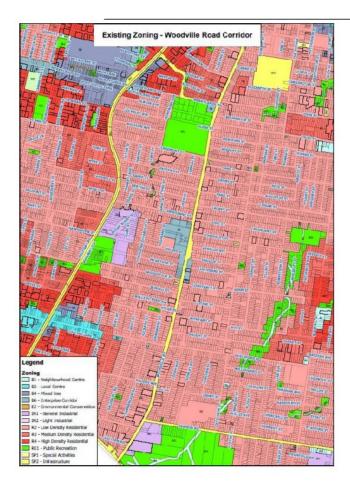


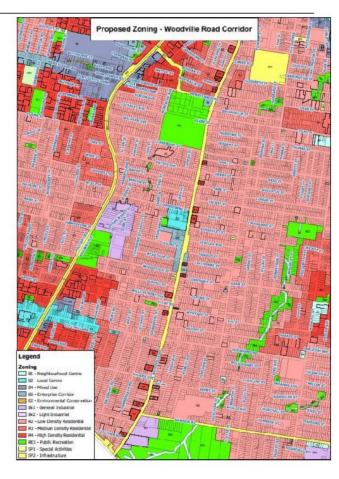






#### Woodville Road Corridor - Zoning

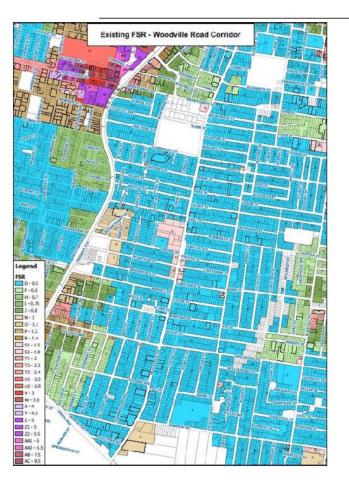


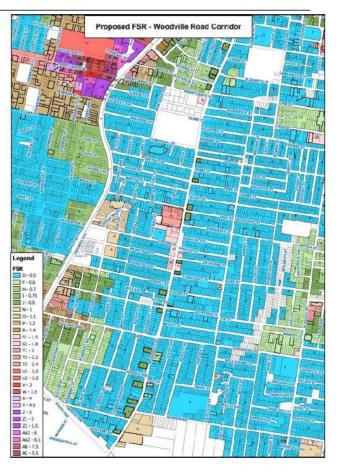






#### Woodville Road Corridor - FSR

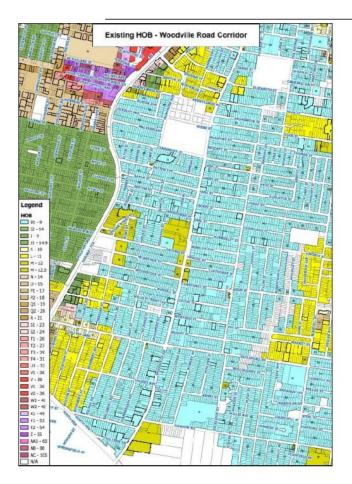


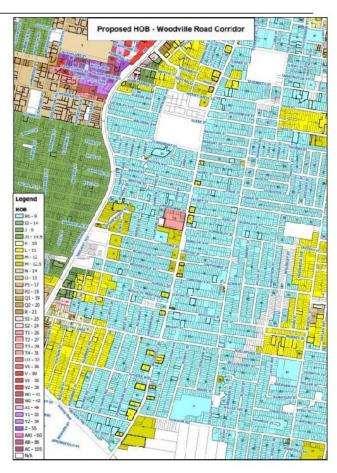




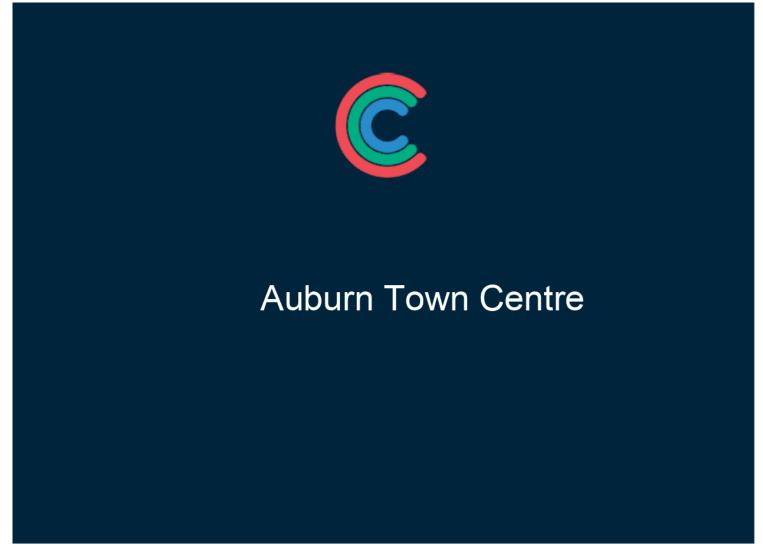


#### Woodville Road Corridor - HOB













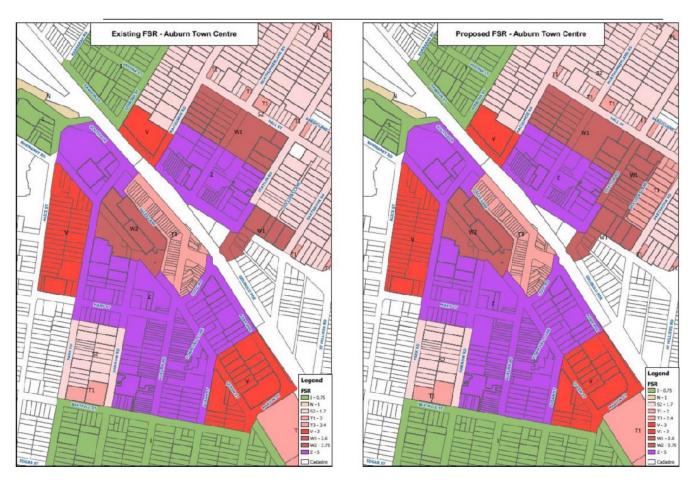
#### Auburn Town Centre - Zoning







#### Auburn Town Centre - FSR

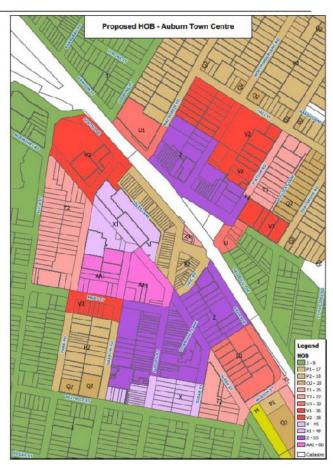




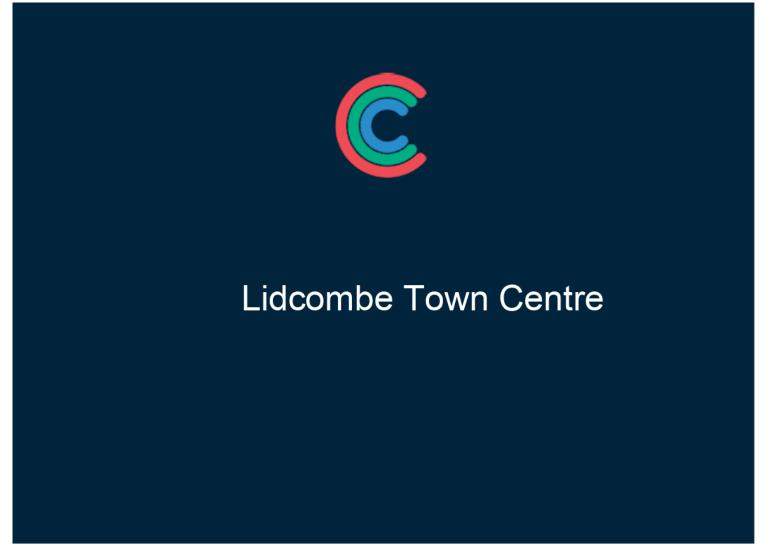


#### Auburn Town Centre - HOB





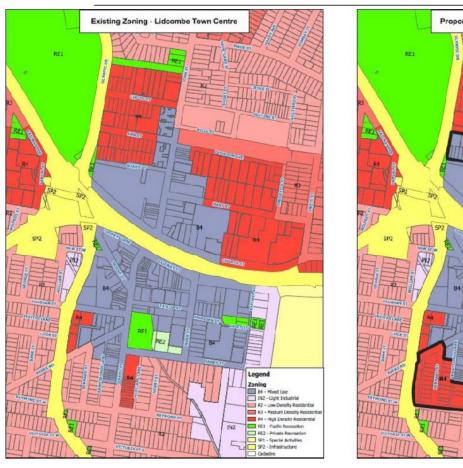


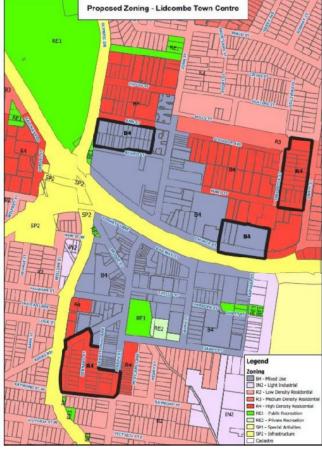






#### Lidcombe Town Centre - Zoning

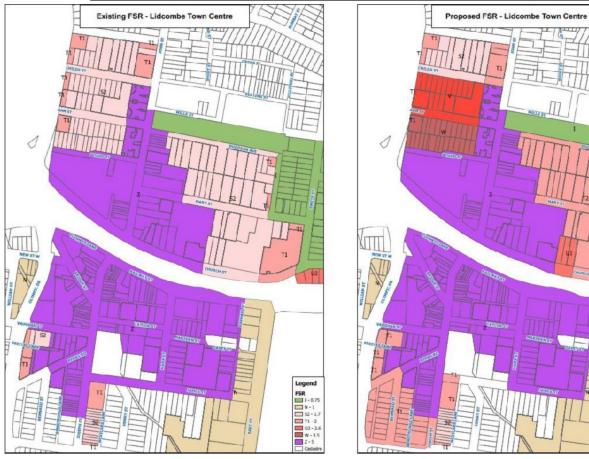


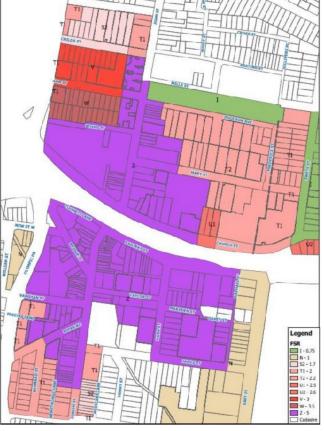






#### Lidcombe Town Centre - FSR

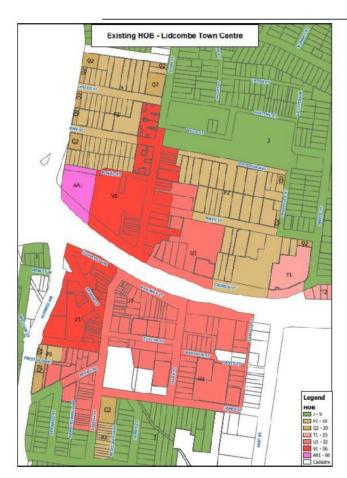


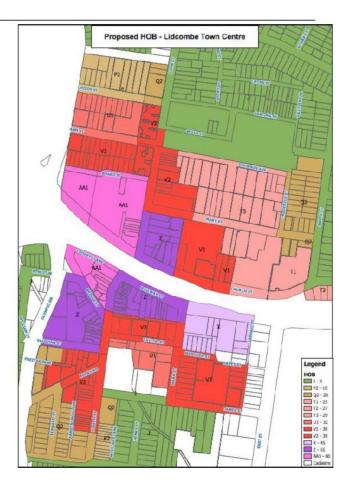






#### Lidcombe Town Centre - HOB









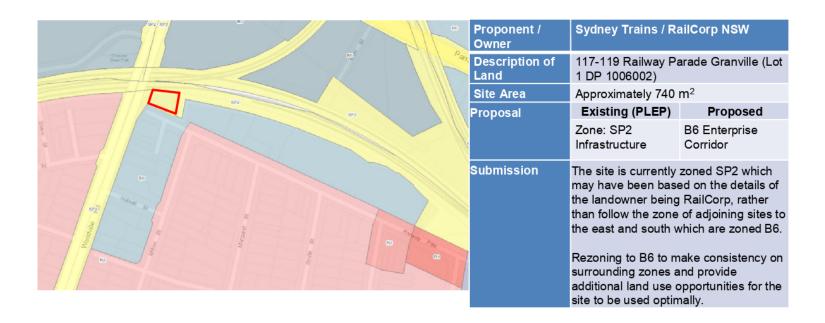
# Site specific rezonings Public landholdings





#### 117-119 Railway Parade, Granville

Rezone from SP2 to B6



Officer recommendation to Council

Include proposed planning controls (aligned with adjoining B6 zoned sites) in new Cumberland LEP





#### Amy Street, Regents Park

Rezone from SP2 to IN1



	Owner	Sydney Water	25
	Description of Land	Part of Lot 1 DP225817, Amy St Regents Park	
-	Site Area	Approximately 340 m <sup>2</sup>	
	Proposal	Existing (ALEP)	Proposed
		Zone: SP2 Height: N/A FSR: N/A	IN1 General Industrial
	Submission	The land does not form part of the operational requirements of Sydney Water and as such considered that the adjoining IN1 zone be appropriate.	
		An adjacent industrial business currently leases the area and uses this area for additional storage of materials. The business has made a request to purchase this area.	
		Sydney Water belie in zoning to match t industrial zoning is current and future u industrial storage.	he surrounding appropriate for the
	Current property use	The lot is identified a Potts Hill Pipeline. T is currently being lead industrial business for	his section of the lot ase to the adjacent

storage.

ficer recommendation to Council

Include proposed planning controls (aligned with adjoining IN1 zoned sites) in new Cumberland LEP





#### 69 Dartbrook Road, Auburn

Rezone from R4 to SP2



Owner	Sydney Water  69 Dartbrook Road, Auburn	
Description of Land		
Site Area	Approximately 1053 m <sup>2</sup>	2
Proposal	Existing (ALEP)	Proposed
	Zone: R4 High Density Residential, Height: 18m, FSR: 1.7:1	SP2 Infrastructure
Submission	Sydney Water has undertaken a review of its property portfolio that contain permanent operational infrastructure and has found a number of properties that it believes have an inappropriate zoning.  Rezoning to SP2 better reflects the lands ongoing, permanent use as vital water and sewerage infrastructure. And it will provide clarity to the community as to the current	
Current property use	and intended use of the land. Haslam Creek Storm Water Channel 13	

ficer recommendation to Council

Rezone to SP2 Infrastructure in new Cumberland LEP





#### 135 Sheffield Street, Auburn

Rezone from R2 to SP2



		The supplied that the supplied to the supplied	
	Owner	Sydney Water	1
	Description of Land	135 Sheffield Street, Auburn	
	Site Area	Approximately 1028 m <sup>2</sup>	
	Proposal	Existing (ALEP)	Proposed
		Zone: R2 Low Density Residential, Height: 9m, FSR: N/A	SP2 Infrastructure
	Submission	Sydney Water has undertaken review of its property portfolio that contain permanent operational infrastructure and has found a number of properties that it believes have an inappropriate zoning.	
(*		Rezoning to SP2 better ongoing, permanent use sewerage infrastructure. clarity to the community and intended use of the	as vital water and And it will provide as to the current
	Current	Sewer Pump SP0098	
	property use		

ficer recommendation to Council

Rezone to SP2 Infrastructure in new Cumberland LEP





#### Newman Street, Merrylands

Rezone from R4 to SP2



	Owner	Sydney Water	
4	Description of Land Site Area	Lot 21 Sec 1 DP 752, Newman Street Merrylands Approximately 650 m <sup>2</sup>	
	Proposal	Existing (HLEP)	Proposed
THE PERSON NAMED IN		Zone: R4 High Density Residential, Height: 15m, FSR: 1.2:1	SP2 Infrastructure
	Submission	Sydney Water has undertaken review of its property portfolio that contain permanent operational infrastructure and has found a number of properties that it believes have an inappropriate zoning.	
		Rezoning to SP2 better reflects the lands ongoing, permanent use as vital water and sewerage infrastructure. And it will provide clarity to the community as to the current and intended use of the land.	
	Current property use	Stormwater channel	

ficer recommendation to Council

Rezone to SP2 Infrastructure in new Cumberland LEP





### 47-53 Cardigan Street, Guildford

Rezone from R3 to SP2



	Owner	Sydney Water	
1	Description of Land	47-53 Cardigan Street, Guildford	
	Site Area	Approximately 1780 m <sup>2</sup>	
	Proposal	Existing (HLEP)	Proposed
		Zone: R3 Medium Density Residential, Height: 9m, FSR: 0.7:1	SP2 Infrastructure
The state of the s	Submission	Sydney Water has undertaken review of its property portfolio that contain permanent operational infrastructure and has found a number of properties that it believes have an inappropriate zoning.	
ongoing, permanent sewerage infrastructu clarity to the commur		Rezoning to SP2 better rongoing, permanent use sewerage infrastructure. clarity to the community and intended use of the l	as vital water and And it will provide as to the current
	Current	Stormwater channel	
	property use		

ficer recommendation to Council

Rezone to SP2 Infrastructure in new Cumberland LEP





#### 44-50 Cardigan Street, Guildford

Rezone from R3 to SP2



Owner	Sydney Water	
Description of Land	44-50 Cardigan Street, Guildford	
Site Area	Approximately 1380 m <sup>2</sup>	
Proposal	Existing (HLEP)	Proposed
	Zone: R3 Medium Density Residential Height: 9m FSR: 0.7:1	SP2 Infrastructure
Submission	Sydney Water has undertaken review of its property portfolio that contain permanent operational infrastructure and has found a number of properties that it believes have an inappropriate zoning.	
	Rezoning to SP2 better reflects the lands ongoing, permanent use as vital water and sewerage infrastructure. And it will provide clarity to the community as to the current and intended use of the land.	
Current	Stormwater channel	
property use		

ficer recommendation to Council

Rezone to SP2 Infrastructure in new Cumberland LEP





## 51-57 Bangor Street, Guildford Rezone from R3 to SP2



	Owner	Sydney Water		
1	Description of Land	51-57 Bangor Street, Guildford		
	Site Area	Approximately 1,770 m <sup>2</sup>		
	Proposal	Existing (HLEP)	Proposed	
		Zone: R3 Medium Density Residential Height: 9m FSR: 0.7:1	SP2 Infrastructure	
	Submission	Sydney Water has undertaken review or property portfolio that contain permaner operational infrastructure and has found number of properties that it believes hat inappropriate zoning.		
		Rezoning to SP2 better reflects the lands ongoing, permanent use as vital water and sewerage infrastructure. And it will provide clarity to the community as to the current and intended use of the land.		
	Current property use	Stormwater channel		

ficer recommendation to Council

Rezone to SP2 Infrastructure in new Cumberland LEP





# 188 Chetwynd Road, Guildford and 57 Berwick Street, Guildford

Rezone from R3 to SP2



	Owner	Sydney Water, Cumberl	and Council	
i	Description of Land Site Area	188 Chetwynd Road, Guildford and 57 Berwick Street Guildford Approximately 1180 m <sup>2</sup>		
1	Proposal	Existing (HLEP)	Proposed	
		Zone: R3 Medium Density Residential Height: 9m FSR: 0.7:1	SP2 Infrastructure	
	Submission	Sydney Water has under property portfolio that cor operational infrastructure number of properties that inappropriate zoning.	ntain permanent and has found a	
		Rezoning to SP2 better rongoing, permanent use sewerage infrastructure. clarity to the community and intended use of the l	as vital water and And it will provide as to the current	
	Current	Stormwater open channel		
	property use	Note that 59 Berwick Street is owned by Council and used for Beaufort Street Park.		

ficer recommendation to Council

Rezone to SP2 Infrastructure in new Cumberland LEP





## Vulcan Street, Guildford

### Rezone from R3 to SP2



	Owner	Sydney Water		
	Description of Land	Vulcan Street, Guildford		
	Site Area	Approximately 880m <sup>2</sup>		
	Proposal	Existing (HLEP)	Proposed	
1000000000000000000000000000000000000		Zone: R3 Medium Density Residential Height: 9m FSR: 0.7:1	SP2 Infrastructure	
	Submission	Sydney Water has undertaken review of its property portfolio that contain permanent operational infrastructure and has found a number of properties that it believes have an inappropriate zoning.  Rezoning to SP2 better reflects the lands		
		ongoing, permanent use sewerage infrastructure. clarity to the community and intended use of the I	And it will provide as to the current and.	
	Current	Stormwater open channe	el	
	property use			

ficer recommendation to Council

Rezone to SP2 Infrastructure in new Cumberland LEP





## 61A Bursill Street, Guildford

Rezone from R2 to SP2



ficer recommendation to Council

Rezone to SP2 Infrastructure in new Cumberland LEP





## 32A Thomas Street, Granville

Rezone from R2 to SP2



Owner	Sydney Water			
Description of Land	32A Thomas Street, Granville			
Site Area	Approximately 53m <sup>2</sup>			
Proposal	Existing (PLEP) Proposed			
	Zone: R2 Low Density Residential Height: 9m FSR: 0.5:1  Sydney Water has undertaken review of its property portfolio that contain permanent operational infrastructure and has found a number of properties that it believes have an inappropriate zoning.  Rezoning to SP2 better reflects the lands ongoing, permanent use as vital water and sewerage infrastructure. And it will provide clarity to the community as to the current and intended use of the land.			
Submission				
Current	Stormwater open chan	nel		
property use				

ficer recommendation to Council

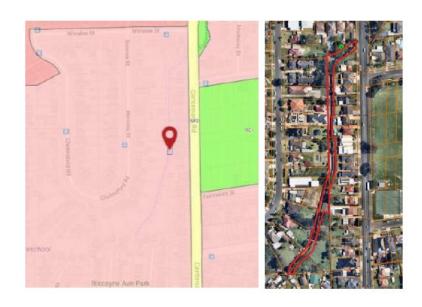
Rezone to SP2 Infrastructure in new Cumberland LEP





## 94 Centenary Road, South Wentworthville

Rezone from R2 to SP2



Owner	Sydney Water		
Description of Land	94 Centenary Road, South Wentworthville		
Site Area	Approximately 53m <sup>2</sup>		
Proposal	Existing (HLEP)	Proposed	
	Zone: R2 Low Density Residential Height: 9m FSR: 0.5:1		
Submission	Sydney Water has undertaken review of its property portfolio that contain permanent operational infrastructure and has found a number of properties that it believes have an inappropriate zoning.		
	Rezoning to SP2 better reflects the lands ongoing, permanent use as vital water a sewerage infrastructure. And it will provid clarity to the community as to the current and intended use of the land.		
Current property use	Stormwater open channel		

ficer recommendation to Council

Rezone to SP2 Infrastructure in new Cumberland LEP





## Vulcan Crescent, Berala

Rezone from R2 to SP2



Owner	Sydney Water			
Description of Land Site Area	Vivian Crescent, Berala (Lot 1 & 2 DP1036652) Approximately 230m²			
Proposal	Existing (ALEP) Proposed  Zone: R2 Low Density Residential Height: 9m Infrastructure			
Submission	Sydney Water has undertaken review of its property portfolio that contain permanent operational infrastructure and has found a number of properties that it believes have an inappropriate zoning.			
	Rezoning to SP2 better reflects the lands ongoing, permanent use as vital water and sewerage infrastructure. And it will provide clarity to the community as to the current and intended use of the land.			
Current property use	Stormwater open channe	el		

ficer recommendation to Council

Rezone to SP2 Infrastructure in new Cumberland LEP





## Sandra Street, Merrylands

Rezone from R2 to SP2



The same of the sa	Pipehead, water	Parramatta Transitway
	Pipehead, water	supply canal
		A COLUMN TO THE PARTY OF THE PA

ficer recommendation to Council

Rezone to SP2 Infrastructure in new **Cumberland LEP** 

Owner	Sydney Water		
Description of Land	Sandra Street, Merrylands		
Site Area	Approximately 1750m <sup>2</sup>		
Proposal	Existing (HLEP)	Proposed	
	Zone: R2 Low Density Residential Height: 9m FSR: 0.5:1		
Submission	Sydney Water has undertaken review of its property portfolio that contain permanent operational infrastructure and has found a number of properties that it believes have a inappropriate zoning.		
	Rezoning to SP2 better reflects the land ongoing, permanent use as vital water a sewerage infrastructure. And it will proviclarity to the community as to the currenand intended use of the land.		
Current	Water main		
property use	operty use Liverpool-Parramatta Transitway runs a the corridor.		





## 23 Cooper Street, Smithfield

Rezone from IN1 to SP2



	Description of Land	23 Cooper Street, Smithfield Approximately 83m²			
	Site Area				
	Proposal	Existing (HLEP)	Proposed		
		Zone: IN1 General Industrial	SP2 Infrastructure		
	Submission	Sydney Water has undertaken review of its property portfolio that contain permanent operational infrastructure and has found a number of properties that it believes have ar inappropriate zoning.			
		eflects the lands as vital water and And it will provide as to the current and.			
	Current	Water main			

ficer recommendation to Council

Rezone to SP2 Infrastructure in new Cumberland LEP





## 83-85 Harris Street, Merrylands

Rezone from R3 to RE1



Sydney Water Owner 83-85 Harris Street, Merrylands (Lot 42-45 Description of Land DP600) Approximately 1210m<sup>2</sup> Site Area Proposal **Proposed** Existing (HLEP) SP2 Zone: R3 Medium Density Residential Infrastructure Height: 9m FSR: 0.7:1 Submission Sydney Water has undertaken review of its property portfolio that contain permanent operational infrastructure and has found a number of properties that it believes have an inappropriate zoning. Rezoning to SP2 better reflects the lands ongoing, permanent use as vital water and sewerage infrastructure. And it will provide clarity to the community as to the current and intended use of the land. Water mains Current property use

No.83-85 is being used as a local public

park - Gloucester Park.

ficer recommendation to Council

Rezone to RE1 Public Recreation in new Cumberland LEP (rather than SP2 as proposed)





## 76W Harris Street, Merrylands

Rezone from R3 to SP2



	Owner	Sydney Water				
	Description of Land	76w Harris Street, Merrylands				
1	Site Area	Approximately 610m <sup>2</sup>				
	Proposal	Existing (HLEP)	Proposed			
		Zone: R3 Medium SP2 Density Residential Infrastructure Height: 9m FSR: 0.7:1  Sydney Water has undertaken review of its property portfolio that contain permanent operational infrastructure and has found a number of properties that it believes have an inappropriate zoning.  Rezoning to SP2 better reflects the lands ongoing, permanent use as vital water and sewerage infrastructure. And it will provide clarity to the community as to the current and intended use of the land.				
#	Submission					
-	Current	Water mains				
	property use					

ficer recommendation to Council

Rezone to SP2 Infrastructure in new Cumberland LEP





Site specific rezonings

Private landholdings





## 3 Samuel Street, Lidcombe

Rezone from SP2 to R4



## DOCUMENTS ASSOCIATED WITH REPORT C07/20-501

# Attachment 2 Government agency submissions





## WESTERN SYDNEY LOCAL HEALTH DISTRICT POPULATION HEALTH

SUBMISSION IN RESPONSE TO: DRAFT Cumberland Local Environmental Plan and DRAFT Cumberland Development Control Plan

May, 2020

WSLHD, Centre for Population Health, 'Gungurra' Building 68, Cumberland Hospital 5 Fleet Street, North Parramatta LBM 7118 Parramatta BC NSW 2124 Tel 9840 3603

**Contact Persons:** 

Natalie.virgona@health.nsw.gov.au Helen.ryan@health.nsw.gov.au



Western Sydney Local Health District (WSLHD), Centre for Population Health (CPH) welcomes the opportunity to comment on Cumberland's Draft Local Environment Plan (LEP) and Draft Development Control Plan (DCP).

### Introduction

The Centre for Population Health (CPH) comments are based on evidence relating to how the built environment impacts population health outcomes.

Chronic health conditions such as diabetes, overweight and obesity, cancer, heart disease and mental illness are the leading cause of ill health and hospitalisation within our community. Many of these conditions share a suite of *proximate* underlying behavioural determinants such as physical inactivity, sedentary behaviour, poor nutritional intake and smoking. The prevalence of these risk factors is in turn determined by a suite of *social and environmental* determinants of health such as housing, transport, education, employment, social networks and access to healthy food. While the links between these health determinants and planning are complex, there is a substantial body of evidence linking the built environment to health and wellbeing outcomes of the community, particularly in the following three domains of: getting people active, connecting and strengthening communities, and providing access to healthy food options<sup>1</sup>.

The CPH participated, in the 2019 Greater Sydney Commission's assurance process for Cumberland Council's Local Strategic Planning Statement development. The feedback to Council's Draft LEP and DCP detailed in this submission is a continuation of the work commenced in the LSPS process.

The CPH commends Cumberland Council on the overall objectives and controls outlined in their DRAFT Cumberland Local Environmental Plan and DRAFT Cumberland Development Control Plan and thank Council for the opportunity to provide feedback.

Specific feedback in this document has been arranged to reflect alignment with the strategies and planning priorities of the <u>Central City District Plan</u> and are listed in the following pages. If required, the CPH is willing to provide additional evidence or information relating to any of the recommendations made.

The CPH looks forward to a continued working relationship with Cumberland Council to ensure that the health and wellbeing of residents continues to thrive, especially as together we face the many challenges presented by the COVID-19 pandemic.

Yours sincerely

Dr Stephen Corbett

Director, Centre for Population Health Western Sydney Local Health District



### Document: DRAFT Cumberland Local Environmental Plan (March 2020)

Key Issue	LEP Section & Page(s)	WSLHD Recommendation
General		
Specific acknowledgement of the importance of health	p 4	CPH recommend adding to:  "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"  which ensures high quality development and enhances amenity, culture, health and the natural environment for the Cumberland community.  This will assist in linking the LSPS and DCP visions with that of the LEP. The inclusion of health will contribute to enabling greater LEP controls that support favourable health outcomes for the Cumberland community.
District Plan Strategy: Infr	astructure and	Collaboration
C1 A city supported by infrastructure  C2 Working through collaboration	Part B: Table 1 p 31	Parramatta Road Urban Transformation Strategy While CPH recognises the advantages of locating population growth adjacent to transport and employment hubs, we are concerned about the location of higher density housing along major transport arterial routes, as suggested in the Parramatta Road Urban Transformation Strategy.  CPH recommend that any population/residential growth adjacent to this transport corridor, be subject to 'best practice' standards that contribute to the health and wellbeing of residents, including the consideration of:  Environmental health hazards of: noise, air quality, risk of pedestrian injury from high volumes of traffic and heat stress.  Adequate social infrastructure and green open space for residents in high density dwellings located near to the transport corridor.  CPH support plans for increased infrastructure in areas located within or accessible to Town Centres, with services and existing multiple mode choice transportation links.  CPH support Council's commitment to ongoing collaboration with stakeholders (government, industry and community) to deliver land use outcomes, beneficial to the community.



Key Issue	LEP Section & Page(s)	WSLHD Recommendation
District Plan Strategy: Live	ability	
C3 Providing services and social infrastructure to meet people's changing needs  C4 Fostering healthy, creative, culturally rich and socially, connected communities  C5 Providing housing supply, choice and affordability with access to jobs, services and public transport  C6 Creating and renewing great places and local centres, and respecting the District's heritage	Part B: Table 1 p 31-32	cPH recommend that all developments and especially those adjacent to or on Parramatta Road and Woodville Road Corridors as well as Auburn and Lidcombe Town Centres, prioritise factors that contribute to positive health outcomes. Evidence indicates that living in poorly designed and located high density housing contributes to negative health impacts <sup>2</sup> .  Factors to consider include:  Access to adequate social infrastructure, such as quality green, open space and recreation facilities.  Building design that aims to reduce the impact of noise and air pollution and  Housing that caters to a variety of household size and needs.  CPH support Council plans to address the matter of affordable housing and amendment to the Cumberland LEP when available. The World Health Organisation Ottawa Charter for Health, identifies shelter as a fundamental prerequisite for good health <sup>3</sup> . Without the intervention of Council to secure and increase the stock of affordable rental housing, low income earners will continue to be predisposed to having poorer health outcomes, as they are pushed into poor quality housing, located in areas of lesser amenity due to lower housing costs.  CPH support plans to ensure seniors housing can continue to be located on sites that are accessible to shops, services, healthcare, social and recreation facilities.  CPH recommend Council pay particular attention to the housing needs of seniors, who wish to 'age in place' and families who require affordable, three-bedroom accommodation.
District Plan Strategy: Prod	uctivity	
C7 Growing a stronger and more competitive Greater Parramatta  C8 Delivering a more connected and competitive GPOP economic corridor  C9 Delivering integrated land use and transport planning and a 30-minute city	Part B: Table 1 p 33	CPH support Council plans to retain employment and business type land uses of the B6 Enterprise Corridor zone, as this will contribute towards realising the vision of 'delivering integrated land use, transport planning and a 30 minute' city.  CPH recommend the inclusion of CPH Public/Environmental Health teams, to advise Council on any potential health impacts of businesses being carried out in the employment and innovation lands.



Key Issue	LEP Section & Page(s)	WSLHD Recommendation
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		
District Plan Strategy: Sus	tainability	
c13 Protecting and improving the health and enjoyment of the District's waterways  c15 Protecting and enhancing bushland, biodiversity and scenic	Part B: Table 1 p 33 Urban Heat Management p 24	CPH support Council plans to maintain 'existing zonings for environmental conservation and public recreation'.  CPH support Council's new provisions for urban heat management to reduce, remove or mitigate urban heat resulting from new developments and alterations to existing developments.
and cultural landscapes		<b>CPH recommend</b> that as part of Councils efforts to manage urban heat, increasing tree canopy is prioritised.
C16 Increasing urban tree canopy cover and delivering Green Grid connections  C17 Delivering high quality open space		CPH encourage that Council aim for the recommended 40% tree canopy cover in suburban areas and 25% tree canopy cover in medium to high density <sup>4</sup> areas, where currently Cumberland LGA has 12% tree canopy coverage <sup>5</sup> . In addition to mitigating the effects of heat, street trees enhance the walkability of an area through enhanced amenity.
C18 Better managing rural areas C19 Reducing carbon emissions and managing		<b>CPH recommend</b> that where high density development is proposed adjacent to or on Parramatta Road and Woodville Road Corridors as well as Auburn and Lidcombe Town Centres, that the provision of
energy, water and waste efficiently  C20 Adapting to the impacts of urban and natural hazards and		open space within 400m of the dwellings is prioritised.
climate change.		



### **Document: DRAFT Cumberland Development Control Plan (DCP)**

The CPH would like to congratulate Cumberland Council on the detail provided in their DCP. The feedback outlined below provides support and suggestions for Council's consideration.

Feedback has focused on Sections A, B, C, F1, F2 and G of the DCP.

For consistency purposes, CPH feedback as above, has been aligned to the Central City District Plan Strategy.

Key Issue	DCP Section &	WSLHD Recommendation
	Page(s)	
General		
Specific acknowledgement of the importance	Part A1: 1.3 Aims, p A8	<b>CPH recommend</b> changing to: "protect the existing residents and wider community, including <u>health</u> , amenity"
of health	Part A1:1.4 Objectives, p A8	<b>CPH recommend</b> changing to: "ensure that development minimise and manage environmental and <u>health</u> risks"
Harmonisation of controls	General controls and site-specific controls, primarily Parts B, C and D and Part F.	CPH recommend greater harmonisation and consistency between general controls and site-specific controls and between site-specific controls particularly for larger sites.  Some of the inconsistencies noted were in the terminology used, provisions for vulnerable users and cyclists and the provision of amenities. Some examples are outlined in the sections below.
District Plan Strateg	y: Liveability	
C3 Providing services and social infrastructure to meet people's changing needs	Part F1: Residential Site Specific and Part F2: Business Site Specific	CPH recommend large residential developments and Town Centre plans outlined in F1 and F2 propose improved cycling infrastructure (similar to that at C2 & C3, pg. F1-44 and C10 pg. F1-45).  This should include end-of-trip facilities (including a lock-up facility) for cyclists at key transport hubs and Town Centres. This will provide a more secure option for commuters who require day-long- or longer-term storage. The provision of both lock-up and short-term options will support the various needs of cyclists and increase opportunities for active travel opportunities <sup>6</sup> .
C4 Fostering healthy, creative, culturally rich and socially, connected communities	Part C: 3.19 Safety and Security, 3.20 Pedestrian Access and Building Entry 3.21 Pedestrian Links, Arcades, Laneways and New Streets	<b>CPH support</b> Council controls identified in Part C; 3.19, 3.20 and 3.21 as they aim to increase safety, amenity and perceptions of safety contributing to the overall walkability of the area.
	Part F1 Residential Site- Specific Development Controls p F1-F341	CPH recommend greater harmonisation and consistency across site specific controls particularly for the larger sites.  It is recommended Development Controls:  Specify most homes and places of employment within a comfortable walking distance (400-500 metres) of frequent



Key Issue	DCP Section & Page(s)	WSLHD Recommendation
		<ul> <li>destinations to meet every day basic needs such as shops, schools, parks, transport stops. <sup>7</sup></li> <li>Avoid cul-de-sacs especially those without any pedestrian and bicycle access. <sup>7</sup></li> <li>Large developments include "where possible public open space includes areas for community gardens in locations that do not compromise the useability of the space for informal active and passive recreation activities" as per pF1 – 39.<sup>7</sup></li> <li>Specifically reference drinking water/fountains, wayfinding signage to nearby amenities, adequate lighting (not just at key points) and in larger spaces public toilets in park, playground and open space infrastructure.<sup>7</sup></li> <li>Specify footpaths along both sides of the street, where possible and the provision of kerb ramps. <sup>7</sup></li> <li>Consider wider footpaths to comfortably accommodate users travelling in each direction particularly in areas near schools, childcare centres, disability services and senior's developments and connected to local infrastructure.<sup>7</sup></li> <li>Are consistent in use of terms. Inconsistencies noted in the use of CPTED, safety, passive surveillance and casual surveillance.</li> <li>Specify provision of a legible, safe and convenient network of all-weather pathways for pedestrians and cyclists, including independent use by elderly and disabled users, including the vision impaired, wheelchair and electric scooter user (see C8 p f1-78, C11 p F1-79, &amp; C7 p F1-83).</li> </ul>
	Part F2: Business site  Overarching comments relevant to each Town Centre (TC); F2-1 - F2-16.	<ul> <li>CPH support the objective "promote public transport use, cycling and walking and reduce reliance on private car travel". Prioritising walking, cycling and public transport in a hierarchy of transport options, will play a vital role in creating environments that promote an active, and hence healthy lifestyle for the community. 8</li> <li>CPH recommend that this objective be applied to each Town Centre.</li> <li>CPH recommend the following Urban Design Strategies and Access Network Objectives be considered for each Town Centre plan:         <ul> <li>Outline how connections for cyclists are to be improved. CPH notes that cycle routes are mentioned in some instances (e.g. F2:2.3.2, F2:2.3.4) and encourage this for all sites.</li> <li>Separated paths provide cyclists with their own space and improve safety, as all street users remain in designated areas.9</li> <li>Where possible (with space permitting), cycling paths should:</li></ul></li></ul>



Key Issue	DCP Section & Page(s)	WSLHD Recommendation
		<ul> <li>Recommend that Town Centre's maintain a slow zone for vehicles, reduce long term on-street parking by offering short term parking and drop off zones, plan to widen the pedestrian footpaths and where possible introduce pedestrian crossings.</li> <li>Consistent wayfinding signage from Public Domain areas (Town Centre and key transport hubs) to green open space. In high density areas access to green, open space needs to be highlighted due to the important health benefits it offers for children and adults. 10 &amp; 11</li> </ul>
C5 Providing housing supply, choice and affordability with access to jobs, services and public transport	Part B: 5 2.2 Housing Mix Pg. B50	CPH support Councils' plans for an equal mix of residential dwelling types. Significant evidence exists to show that creating high quality diverse housing, that is well designed and located: 'density done well' will contribute to positive health outcomes, by increasing population rates of physical activity and social connection <sup>11</sup> .  CPH support provision for a mix of unit sizes in multi-level developments on the ground floor to allow for easy accessibility for families with young children and elderly.  CPH recommend progressing plans to increase affordable housing options to accommodate the needs of the Cumberland demographic profile.
	Part F2: Town Centre High Density Plans	High density that is poorly designed can contribute to negative health impacts <sup>2</sup> . It is important for high development areas surrounding Merrylands Town Centre, Parramatta Road Corridor, Lidcombe and Auburn Town Centres be developed according to standards that protect and enhance positive health outcomes.
C6 Creating and renewing great places and local centres, and respecting the District's heritage	Part C: Objective 3.4 C2 and C3	CPH support objectives for Public Art in the Local Government Area that reflect cultural diversity.  Suggested addition: Use public art design as an opportunity to incorporate 'playable' spaces. Design elements that act as a signal to children that this space is intended for their play and may be achieved through child-friendly street furniture, public art and play spaces <sup>12</sup> .  Increased housing density in Cumberland, require open public space to function as a child's backyard, a critical factor for the healthy development of children.
District Plan Strateg	y: Productivity	
C9 Delivering integrated land use and transport	Part G3: Traffic, Parking, Transport and Access (vehicle) p G42-58	<b>CPH recommend</b> providing a more holistic view of transport, taking consideration of active travel (public transport, walking and cycling) an integral part.



Key Issue	DCP Section &	WSLHD Recommendation
	Page(s)	
planning and a 30- minute city	Part G3:1.2 Purpose & 2:0 General Objectives p G44	<b>CPH recommend</b> the Objectives make reference to prioritising active travel modes.
	Part G3:3 Parking Rates, Table 1 p G46	<b>CPH recommend</b> that bicycle parking rates be specified for educational establishments, e.g. 1 space/ x staff, 1 space/x students.
	Part G3:4.5 Development in Industrial Zones, Traffic and Transport Management Plans p G52	<ul> <li>CPH recommend;</li> <li>Objectives specify prioritising active travel modes.</li> <li>Control C5 statement change "potential scope for public transport, walking and cycling access and facilities for staff and visitors on the site", to prioritise.</li> </ul>
	Part G3:4.7 Other Land Use Community Facilities, Educational Establishments, Places of worship p G54-G56	Objectives specify prioritising active travel modes.     Transport Management Plans and Transport Access Guides are required rather than impact statements.  Control statements prioritise rather than "identify opportunities for access by public transport, school transport, walking and cycling.     Provision of end of trip facilities be recommended.
C10 Growing investment, business opportunities and	Part F2: Business site Specifics F2-6: 2.2	<b>CPH support</b> Council's urban design strategies that contribute to Merrylands being established as a destination, economic and employment hub of Cumberland Council.
jobs in strategic centres		<b>CPH recommend:</b> Strong and easy transport links to Westmead Health, Education and Research district.
District Plan Strateg	y: Sustainability	
c16 Increasing urban tree canopy cover and delivering Green Grid connections	Part C:3.3 Landscaping and Open Space	<b>CPH support</b> Controls (3, 4, 9 and 10) pertaining to increasing tree canopy cover, as these are essential to mitigate the health impacts of heat. Western Sydney exhibits greater exposure and vulnerability to heat, with a greater number of extreme heat days compared with other areas of Sydney. The Greater Sydney Commission, Central District Plan identified Cumberland LGA as having a current tree canopy of 12% coverage <sup>5</sup> .
	Part F1: Residential Site- Specific Development Controls	CPH supports improved access, connectivity and amenity of green open space in many of these developments.  CPH recommend specifying where these connections contribute to Green Grid Connections.
		<b>CPH recommend</b> rephrasing "Maintain tree hazard at acceptable levels" to be more supportive of trees or consider the role of trees in mitigating hazards from heat stress (07 Page F1-189).



Key Issue	DCP Section & Page(s)	WSLHD Recommendation
		CPH recommend: Consistency in outlining how trees will be selected and retained across controls Specifying selection and retention of trees for shade, cooling and contribution to canopy on public and private land.
	Part G7: Tree Management and Landscaping p G105 -113 Objectives for 2.1, 2.2, 2.3, 2.5 & 2.7	CPH recommend Council specify objectives for increasing tree canopy and reference the role of increasing urban tree canopy in reducing urban heat.  CPH encourage that Council aim for the recommended 40% tree canopy cover in suburban areas and 25% tree canopy cover in medium to high density21 areas, where currently Cumberland LGA has 12% tree canopy coverage. <sup>13</sup>
	Part G:7 2.3 Landscaping Controls C2 p G109	<b>CPH recommend</b> Council consider increasing ratios to achieve an increase in tree canopy.
C17 Delivering high quality open space	Part C:3.3. Open Space and Landscaping (C7, C14 and C15)  Part F2: Town	CPH support Council's commitment to landscaping and tree planting in open space areas. There is substantial evidence to support the health benefits of high quality green open space for children and adults living in high and medium density housing. 2,11 &14  Where paving is required for open space areas as planned for in Town Centre public domain areas, it is recommended that Cancer
	Centre Open Space objectives.	Council Guidelines are followed to reduce UV exposure and building materials that have a lower heat retention are recommended. <sup>15</sup>
	Part F1: Open Space objectives	CPH recommend where possible larger residential developments should be encouraged to provide communal open space for residents, to improve availability and access of open space.  Quality green open space is critical in higher density areas to compensate for the lack of private open space. This supports active living and contributes to a more liveable neighbourhood. Child friendly design principles should also be considered in planning for open space areas to accommodate for needs for families with children living in high density <sup>14</sup> .
C19 Reducing carbon emissions and managing energy, water and waste efficiently	Part C 3.12- 3.17	CPH support Objectives and Controls in place for solar access, natural ventilation and energy efficiency to improve sustainability.
C20 Adapting to the impacts of urban and natural	Part C: 3.6 Facade design, shopfront and materials	<b>CPH recommend</b> incorporating Controls for use of building materials and surface materials in public domain areas that reduce UV radiation and heat retention. After the recent report; <i>Benchmarking heat across Cumberland Council</i> 15, and Cumberland Council's UV-



Key Issue	DCP Section & Page(s)	WSLHD Recommendation
hazards and climate change.		Smart, Cool Playground project, appropriate outdoor materials that are more resilient in extreme heat conditions are recommended.  Cancer Council Guidelines provide appropriate material recommendations to reduce urban heat and health effects <sup>15</sup> . <a href="http://www.cancercouncil.com.au/wp-content/uploads/2011/04/Guidelines_to_shade_WEB2.pdf">http://www.cancercouncil.com.au/wp-content/uploads/2011/04/Guidelines_to_shade_WEB2.pdf</a>
	Part C: 3.9 Awnings	CPH encourage a review of Cancer Council guidelines to ensure that planned awning controls meet sun protection standards.  http://www.cancercouncil.com.au/wp- content/uploads/2011/04/Guidelines to shade WEB2.pdf
	Part C:3.3 Landscaping and Open Space	<b>CPH support</b> Council on the range of initiatives through landscaping and tree planting. Protecting and enhancing green urban areas and natural waterways will contribute to addressing the issue of heat stress, responsible for increased rates of morbidity and mortality. <sup>16</sup>

### REFERENCE LIST

- Kent J, Thompson SM and Jalaludin B. Healthy Built Environments: A review of the literature. Sydney: Healthy Built Environments Program, City Futures Research Centre, UNSW; 2011. Report number; ISBN:978-0-7334-3046-6.
- 2. Udell T, Daley M, Johnson B, Tolley R. Does Density Matter? The role of density in creating walkable neighbourhoods. Melbourne: National Heart Foundation of Australia. 2014.
- 3. World Health Organization. Health Promotion The Ottawa Charter for Health Promotion [Internet]. Place of Publication unknown: World Health Organization; 2019 [cited 2019 Jul 26]. Available from:https://www.who.int/healthpromotion/conferences/previous/ottawa/en/
- NSW Government, Government Architect New South Wales. Greener Places: Urban Tree Canopy Guide [Internet]. NSW Government; 2018 [cited 2019 Jul 30]. Available from: https://www.activelivingnsw.com.au/assets/Uploads/Draft-Urban-Tree-Canopy-Guide-2018-07-11.pdf
- 5. Greater Sydney Commission. Central City District Plan. Sydney, NSW: Greater Sydney Commission; 2018.
- 6. Sustainable Development Commission, Health, Place and Nature. How outdoor environments influence health and wellbeing: a knowledge base, London: Sustainable Development Commission; 2008.
- NSW Health (2009) Healthy Urban Development Checklist- a guide for health services when commenting on development policies, plans and proposal.
- 8. Heart Foundation. Healthy Active by Design Master Checklist [Internet]. Place of publication unknown: Heart Foundation. [Updated 2017; cited 2017 Jan 8]. Available from: http://www.healthyactivebydesign.com.au
- 9. Victoria Walks (2015). Shared paths the issues, Melbourne, Victoria Walks
- 10. Diomedi BZ, Brown V, Veerman L. An evidence review and modelling exercise: The effects of urban form on health: costs and benefits. An evidence review commissioned by the Centre for Population Health, NSW Ministry of Health, and brokered by the Sax Institute for The Australian Prevention Partnership Centre; 2015.
- 11. The Committee for Sydney. Making Great Places Density Done Well. Sydney: The Committee for Sydney; 2016.
- Greater London Authority (2012) Shaping neighbourhoods: play and informal recreation supplementary planning guidance.
  - https://www.london.gov.uk/sites/default/files/osd30 shaping neighbourhoods play and informal recreation spg high res 7.pdf
- 13. Greater Sydney Commission. https://www.greater.sydney/pulse-of-greater-sydney



- 14. Heenan R, Healthy High Density for Kids. The effects of high-density housing on children's health and development: a literature review to inform policy development in Western Sydney. Western Sydney, Local Health District; 2017.
- 15. Cancer Council NSW. 2013, Guidelines to Shade, Cancer Council NSW, Sydney
- 16. WSROC. Turn Down The Heat Strategy and Action Plan. Sydney: WSROC; 2019. 45 p. Report Issue No.: A-Dr9.



From: Cheramie Marsden

**Sent:** Fri, 15 May 2020 20:48:01 +1000

To: Records Department

Cc: Fiona McDermott;Ilyas Karaman;Garth Alvares

Subject: High level comments on the draft Cumberland (consolidating) LEP

Attachments: 20200515 - Draft TfNSW Submission - Cumberland LEP May 2020.pdf

### Good evening Fiona

Please find attached our preliminary high level comments on the draft LEP for your consideration. As you are aware, we had very limited time to review the information provided, so would welcome the opportunity to run through our comments, and go through supporting transport study/ies and provide feedback prior to any determination of the LEP.

More than happy to discuss.

Kind regards

### Cheramie

Cheramie Marsden Senior Manager Strategic Land Use Planning & Programs | Greater Sydney M 0428 940 142 | E cheramie.marsden@transport.nsw.gov.au

#### Transport for NSW

27 Argyle Street, Parramatta NSW 2150



I acknowledge the traditional owners and custodians of the land in which I work and pay my respects to Elders past, present and future.



### Before printing, please consider the environment

IMPORTANT NOTICE: This email and any attachment to it are intended only to be read or used by the named addressee. It is confidential and may contain legally privileged information. No confidentiality or privilege is waived or lost by any mistaken transmission to you. Roads and Maritime Services is not responsible for any unauthorised alterations to this email or attachment to it. Views expressed in this message are those of the individual sender, and are not necessarily the views of Roads and Maritime Services. If you receive this email in error, please immediately delete it from your system and notify the sender. You must not disclose, copy or use any part of this email if you are not the intended recipient.





15 May 2020

TfNSW Reference: SYD20/00535

Council Ref: CS-202

The General Manager Cumberland Council PO Box 42 Merrylands NSW 2160

Attention: Fiona McDermott

Dear Mr McNulty,

### PUBLIC EXHIBITION: DRAFT CUMBERLAND LOCAL ENVIRONMENT PLAN (LEP)

Transport for NSW (TfNSW) advises that legislation to bring Roads and Maritime Services and TfNSW together as one organisation came into effect on 1 December 2019 so we can deliver more integrated transport services across modes, and better outcomes to customers and communities across NSW.

We appreciate the opportunity to review and provide comments on the draft Cumberland Local Environmental Plan (LEP). This letter represents the views of the new TfNSW organisation.

We note the draft Cumberland (consolidating) Local Environmental Plan includes the following:

- · Harmonising three sets of 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.

Due to time constraints, TfNSW has only been able to undertake a high level review of the draft LEP documents and has collated comments from across the Transport cluster, which are provided at **Attachment A** for Council's consideration. TfNSW is happy to facilitate a meeting to discuss the high level, and provide more specific, comments to Council prior to any determination of the LEP, specifically with regard to supporting transport studies underpinning the targeted changes to planning controls at selected locations, including Auburn Town Centre, Lidcombe Town Centre, Parramatta Road Corridor and Woodville Road Corridor.

Transport for NSW

18 Lee Street, Chippendale NSW 2008 | PO Box K659, Haymarket NSW 1240 **T** 02 8202 2200 | **F** 02 8202 2209 | **W** transport.nsw.gov.au | ABN 18 804 239 602



We would also appreciate the opportunity to work closely with Council early in the preparation of the Stage 2 LEP amendment (prior to exhibition) to ensure that the future LEP amendment and growth in the Cumberland LGA is aligned with TfNSW infrastructure and services to deliver better place-based outcomes.

Separate comments will be sent shortly on Council's draft Local Housing Strategy.

Should you have any questions or further enquiries in relation to this matter, Ilyas Karaman would be pleased to assist by phone 0447 212 764 or email: <a href="mailto:development.sydney@transport.nsw.gov.au">development.sydney@transport.nsw.gov.au</a>

Yours sincerely

Cheramie Marsden

Tuanden

Senior Manager Strategic Land Use

Land Use, Networks & Development, Greater Sydney



### Attachment A - Consolidate high level comments on the Draft Cumberland LEP

LEP - Section	Comment
Land Reservation Acquisition Map	All existing TfNSW corridors and reservations need to be maintained and appropriately reflected in the Land Zoning and Land Reservation Acquisition maps as SP2 Infrastructure, noting the exception of the site at 117-119 Railway Parade in Granville as discussed further below by Sydney Trains.  TfNSW will provide shapefiles of its reservations under separate correspondence to assist Council in reflecting these requirements. No new reservations or SP2 zones relating to TfNSW are to be added without prior written approval.
Transport Infrastructure	"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."
	TfNSW advises consideration for 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 not be left to the development application stage, and should be undertaken as part of this LEP process. This is to ensure all potential impacts associated with the proposed changes to planning controls can be appropriately considered, particularly relating required transport infrastructure to support new development. Identification of potential land components required need to occur early to enable identified improvements to occur in as cost effective and timely manner as possible. Costings, delivery responsibilities, and funding mechanisms also require early identification to avoid ad-hoc and potentially inequitable lengthy site-by-site lengthy negotiations. TfNSW requests a copy of the transport assessment, which was undertaken to support the targeted changes to planning controls at selected locations, including Auburn Town Centre, Lidcombe Town Centre, Parramatta Road Corridor and Woodville Road Corridor for review and comment prior to finalisation of the LEP. TfNSW looks forward to working with Council to address the above matters and would welcome an early meeting with Council to discuss the matters in more detail.
Revised planning controls for the Auburn and Lidcombe Town Centres	In 2019 Sydney Trains approached Council to discuss rezoning and land use options for sites within the LGA that have been deemed as Surplus Depot Sites by Sydney Trains. Sydney Trains welcomes the opportunity to discuss this matter further with Council during this process and investigate the possibility of rezoning the site/s or inserting Additional Permitted Uses as part of its revision of the planning controls for Lidcombe Town Centre, as part of the next stage Planning Proposal if unable to be accommodated through this process.
Miscellaneous minor zoning and/or planning	During the same discussions as above and subsequent correspondence, Sydney Trains requested that Council review the zoning of the site at 117-119 Railway Parade in Granville as part of its preparation of the new LEP. It was

Page 3 of 5



control changes	noted that this Granville site may have been zoned SP2 Infrastructure as an anomaly, where the zone has been based on the details of the landowners being RailCorp, rather than following the zone of the adjoining sites to the east and south which are zoned B6 Enterprise Corridor. Sydney Trains welcomes the changes identified in Attachment 13 in this Planning Proposal to change the zoning of this site.
General Comment	References to 'traffic' should be changed to 'transport' to incorporate all modes including walking, cycling, public transport and other sustainable access such as car share, carpool, sustainable freight and servicing.
General Comment	Council should consider a range of travel demand management measures for certain new developments/locations, including the requirement of green travel plans to encourage the use of sustainable transport.
General Comment	The proposal currently includes the rezoning of land at Auburn, within the Parramatta Road Corridor. However, traffic modelling to support these changes needs urgent discussion given Item 2 of the DPIE Gateway determination 23rd March 2020 specifically requires Council, prior to finalisation of the LEP to:  demonstrate that the proposed changes within the Parramatta Road Corridor will result in no net increase to traffic generation. If this cannot be adequately demonstrated in consultation with Transport for NSW and Roads and Maritime Services, then this proposed amendment shall be removed. TfNSW would welcome a meeting to discuss the matter in further detail with Council.
Page 8 - Planning controls for existing medium and high density residential development along the Woodville Road Corridor	Any increase in density along Woodville Road must have regard to its function as an important freight corridor. The Metropolitan Road Freight Hierarchy identifies Woodville Road as a secondary freight route and an approved HML B-double route. It provides an important north-south connection between M4/Parramatta Road and the Hume Highway. Any increased residential densities must not result in land use conflict with the road corridor.
Page 22 - Buffer area between industrial and residential zones	Council should consider expanding such buffers where possible for other potential sites in Cumberland LGA where residential land is located adjacent to industrial, such as the residential and industrial land along Dennistoun Ave, Yennora.
General Freight Comment	Council should consider how to give effect to actions contained in the District Plan on protecting freight corridors and industrial land from encroachment by sensitive land uses and managing the interfaces of industrial areas, trade gateways and intermodal facilities (such as Yennora Intermodal Terminal, Clyde Up Yard and Chullora Intermodal in adjacent Canterbury Bankstown LGA) in this and/or future LEP updates.
General Freight Comment	TfNSW wishes to avoid controls that lead to development approvals that:  • Block or otherwise impact freight corridors  • Allocate incompatible uses near, or encroaching on, freight corridors or facilities  • Reduce industrial land available near freight facilities (e.g. ports)
	TfNSW supports initiatives that: • Treat freight as a system • Protects and preserves the freight system • Permits future expansion of, and efficiency improvements to, the freight

Page 4 of 5



	system.
General Freight Comment	Freight rail forms an essential and invaluable component of NSW's freight and logistics network and in turn, for the NSW economy. The Metropolitan Freight Network, Main West line, Main South line, and Granville to Cabramatta line are all important rail freight corridors in Cumberland LGA.
	Freight rail operations:
	Have a unique noise profile, when compared to passenger rail and road noise
	Have other off-site impacts, including vibration
	Over time, are likely to result in increased movements (particularly at night) as the State Government continues to encourage freight rail as an alternative to the congested road network;
	Have long-standing and fixed corridors that cannot be moved without prohibitive costs to Government
	Have irregular, and in some cases, infrequent movements; and
	Make a substantial and significant contribution in economic terms.
General Freight Comment	The aims of the LEP should include protecting people from unreasonable freight noise impacts and protecting major freight corridors and facilities from urban encroachment. Urban encroachment on freight corridors will be to the detriment of both residential amenity (in the short term) and freight efficiency (in the medium to long term). The LEP should also balance the need to minimise negative impacts of freight movements on urban amenity with the need to support efficient freight movements and deliveries (e.g. 24/7 operations).
Land use matrix	It is suggested that Council may want to consider permitting local distribution premises in the B4 (mixed use) zone enabling Council with the flexibility to promote and approve local freight hubs in key urban centres (residential, commercial and/or retail) where freight demand is high, kerb and road space is constrained and freight movements have the potential to impact amenity and place-making objectives. Local freight hubs can support freight consolidation and the use of sustainable alternative modes, such as walking and cycling, for last mile delivery as well as support place outcomes.
Draft LEP land use zone objectives	To provide context to the recommended inclusion of local distribution premises land use type, it is suggested that Council consider the B4 zone including an objective that captures the concept of enabling lands uses that minimises congestion and supports the sustainability of the transport network for the movement of both people and goods in the local area. This objective may be more specific, to support land use types that enable precinct solutions for the management of freight and servicing activity, minimise total vehicle movements, encourage the use of sustainable, low emission transport modes and protect the amenity of the public domain.
General Comment	Council may wish to consider the introduction of appropriate maximum and clauses and objectives in the new LEP similar to the Sydney Local Environmental Plan 2012 which has Part 7 Local Provisions - General Division 1 Car parking ancillary to other development with supporting maps (Land Use and Transport Integration Maps and Public Transport Accessibility Level Maps). This would help identify the maximum number of car parking spaces that may be provided to service particular uses of land, and minimise the amount of vehicular traffic generated because of proposed development – particularly in areas well serviced/accessed by public transport.

Page 5 of 5



From: Stuart Little

**Sent:** Thu, 30 Apr 2020 15:56:59 +1000

To: Records Department

Subject: WaterNSW Submission on Planning Proposal (Local Environmental Plan) and

Draft Development Control Plan (Refs: CS-202; CS-203)

Attachments: WaterNSW Response - Cumberland Planning Proposal (LEP) & DCP Review.pdf

Attn: Please find attached correspondence from WaterNSW.

Kind regards

Stuart.

### Stuart J Little

Strategic Land Use Planner

For noting: I am currently working remotely.

Please reach me via email



PO Box 398, Parramatta NSW 2124

Level 14, 169 Macquarie Street

Parramatta NSW 2150 **T**: 02 9865 2449

M: 0436 948 347

Stuart.little@waternsw.com.au

www.waternsw.com.au









PO Box 398, Parramatta NSW 2124 Level 14, 169 Macquarie Street Parramatta NSW 2150 www.waternsw.com.au ABN 21147 934 787

30 April 2020

Contact: Stuart Little

Telephone: 02 9865 2449

Our ref: D2020/39306

General Manager Cumberland Council PO Box 42 Merrylands NSW 2160

Dear Sir/Madam.

RE: Notification of Planning Proposal for the Draft Cumberland Local Environmental Plan and Draft Cumberland Development Control (Ref No. CS-202 and CS-203)

Thank you for your letter of 8 April 2020 inviting WaterNSW to comment on the Planning Proposal for the Draft Cumberland Local Environmental Plan (LEP) and Draft Cumberland Development Control (DCP). We note that the Planning Proposal seeks to consolidate the former provisions of the Auburn, Parramatta and Holroyd Local Environmental Plans, as they currently apply to the Cumberland Local Government Area (LGA), providing a single planning framework for all of Cumberland City. This is supported by the draft DCP which provides a consolidated, single plan of detailed development controls to guide planning and development in Cumberland City.

WaterNSW does not own or manage any land in the Cumberland Local Government Area and therefore has no comment to make on the Planning Proposal or the supporting Draft DCP.

Yours sincerely

**ALISON KNIHA** 

Catchment Protection Planning Manager

### DOCUMENTS ASSOCIATED WITH REPORT C07/20-501

# Attachment 3 Cumberland Local Planning Panel minutes February 2020





Minutes of the Extraordinary Cumberland Local Planning Panel Meeting held at Merrylands Administration Building, 16 Memorial Avenue, Merrylands on Thursday 20 February 2020.

#### PRESENT:

The Hon. Paul Stein AM (Chairperson) QC, Larissa Ozog, Michael Ryan and Allan G Ezzy AM APM.

#### IN ATTENDANCE:

Karl Okorn, Monica Cologna, Esra Calim, Fiona McDermott, Olivia Shields and Paulette Maroon.

NOTICE OF LIVE STREAMING OF CUMBERLAND LOCAL PLANNING PANEL MEETING

The Chairperson advised that the Cumberland Local Planning meeting was being streamed live on Council's website and members of the public must ensure their speech to the Panel is respectful and use appropriate language.

The meeting here opened at 11:32a.m.

#### DECLARATIONS OF INTEREST:

There were no declarations of interest.

#### ADDRESS BY INVITED SPEAKERS:

The following persons had made application to address the Cumberland Local Planning Panel meeting:

<u>Speakers</u>	Item No. S	<u>Subject</u>					
Ms Shellie Oats	Planning Environme	•	for	the	new	Cumberland	Local
Mr Adan Davis	_	Proposal ental Plan x		the	new	Cumberland	Local
Helen Wong	Planning Environme	•	for	the	new	Cumberland	Local
Balwinder Singh	Planning Environme		for	the	new	Cumberland	Local
Rohit Sandlesh	Planning Environme	Proposal ental Plan	for	the	new	Cumberland	Local
Kim Riley	Planning Environme	Proposal ental Plan	for	the	new	Cumberland	Local

Page 1





The Chairperson enquired to those present in the Gallery as to whether there were any further persons who would like to address the Panel and the below individuals presented themselves.

Speakers Item No. Subject

Yilddiz Yigiter Planning Proposal for the new Cumberland Local

Environmental Plan

Lily Yin Planning Proposal for the new Cumberland Local

Environmental Plan

The open session of the meeting here closed at 12:15pm.

The closed session of the meeting here opened at 12:16pm

ITEM LPP007/20, LPP008/20, LPP009/20 -

PLANNING PROPOSAL FOR THE NEW CUMBERLAND LOCAL ENVIRONMENTAL PLAN.

APPROACH TO DRAFTING OF PLANNING CONTROLS FOR THE NEW CUMBERLAND LOCAL ENVIRONMENTAL PLAN

PROPOSED LAND USE TABLES AND PLANNING APPROACH FOR SELECTED LAND USES FOR THE NEW CUMBERLAND LOCAL ENVIRONMENTAL PLAN.

#### PANEL RECOMMENDATION:

That the Cumberland Local Planning Panel (CLPP) generally support the planning proposal for the new Cumberland Local Environmental Plan and progress the proposal to Gateway. The Panel also makes the following further recommendations and comments:

- 1. Response to submissions at public meeting:
- a. Submission of Shelley Oates and Malcolm Jacobson seeks residential and shop top housing in relation to 40-44, 46-48, 50-54 Parramatta Road and 75 and 76 Jellicoe Street, Lidcombe currently zoned B6 zone. This will be considered in the consideration of the Parramatta Road Corridor Strategy.
- b. Submission of Adan Davis on behalf of property owners of 224-240 Pitt Street and 2-6 Gladstone Street, Merrylands within the Neil Street Precinct seeking an R4 zoning with additional uses on the ground floor. The Panel sees merit in a B4 zoning being appropriate to these properties. However it is open to the owners to make a submission at the public exhibition stage. The Panel acknowledges there is an anomaly in the application of the B6 zone as it applies to the Neil Street Precinct which needs to be corrected.

Page 2





- c. Submission of Adan Davis on behalf of property owners 246-260 Woodville Road and 2-4 & 8-16 Lansdowne Street, Merrylands (John Cootes site) seeking a change of the FSR from 2:1 to 2.2:1. The Panel endorses the recommended FSR of 2:1. The Panel acknowledges that there is mapping anomaly in the draft LEP in relation to height and floor space ratio that needs to be corrected to reflect the Council resolution Min. 424, Item C02/19-15 dated 20 February 2019.
- d. Submission of Helen Wong, representing the owners of 524 Woodville Road, Guildford seeking R4 zoning from a presently R2 zoning. This will be considered in the preparation of the Woodville Road Corridor Strategy. However, it is open to the owners to make a submission at the public exhibition stage.
- e. Submission of Balwinder Singh, the owner of 270 Great Western Highway, Wentworthville seeking rezoning from R2 to R4. It is appropriate that this be considered at a later stage. Nonetheless, it is open to the owner to make a submission at the public exhibition stage.
- f. Submission of Rohit Sandlesh, the owner of 268 Great Western Highway, Wentworthville seeking rezoning from R2 to R4. It is appropriate that this be considered at a later stage. Nonetheless, it is open to the owner to make a submission at the public exhibition stage.
- g. Submission of Kim Riley seeking that places of public worship be permitted in all zones throughout the Local Government Area. The Panel is of the opinion that it would be inappropriate to extend places of public worship in the R2 zones. However, it may be appropriate to consider places of public worship in the business zones.
- h. Submission of Yildiz Yigiter owner of 116 Elizabeth Street, Granville seeking R4 in lieu of R2. This will be considered in the preparation of the Woodville Road Corridor Strategy. However, it is open to the owners to make a submission at the public exhibition stage.
- i. Submission of Lily Yin owner of 61 the Trongate Street, Granville speaking on behalf of her daughter said to be owner of 81 Woodville Road, Granville seeking to run a business in an R2 zone. The Panel notes that the R2 zone restricts certain business activities to a home occupation, home industry and home business.

#### 2. Sex Service Premises:

The draft Cumberland LEP permits sex services with consent only in the IN1 zone. The Panel is of the opinion that sex services with consent should be considered within the B4 and B6 zones.

#### 3. Places of Public Worship:

The Panel is of the opinion that it may be appropriate to consider places of public worship in the business zones. The Panel is of the view that this use is





consistent with the diversity of uses within business zones. The Panel acknowledges existing use rights apply to many such uses within the Local Government Area. The Panel endorses the recommended minimum lot size of 2000sqm in R3 and R4 zones. The Panel notes that the issue of parking will be dealt with by Development Control Plan provisions.

#### 4. B6 Zones

The Panel recommends that shop top housing be considered for inclusion in the B6 zones as part of the Council's future strategic corridor planning. The Panel is of the view that the non-residential component of the housing should be at least 30% of the gross floor area of the building.

#### 5. Waste Transfer Stations

The Panel is of the opinion that all land uses encompassing the disposal and management of waste be confined to the industrial zonings. The Panel also requests further investigation of the applicability of waste land use definitions for the purpose of consistency between the industrial zones.

#### 6. Industrial Zone Uses

The Panel recommends that an objective be added to all industrial zones to encourage and promote innovative and creative industries and for these uses to be permissible.

#### 7. Objectives of Height and FSR Development Standards

The Panel recommends that in relation to both the height and FSR development standards the following objective should be included to read as follows:

"To minimise the visual impact of development and ensure sufficient solar access and privacy for neighbouring properties is achieved."

#### 8. Aims of Plan

The Panel recommends that an additional aim of the plan be added as follows:

"6. To encourage and promote development that is environmentally sustainable".

#### 9. Architectural Roof Features

The Panel recommends that the proposed objective "e" be deleted as it does not encourage innovation in roof design.

#### 10. Kiosks

The Panel recommends that the proposed size of kiosks be a gross floor area maximum of 50sqm.

For: The Hon. Paul Stein AM (Chairperson) QC, Larissa Ozog, Michael Ryan and

Page 4





Allan G Ezzy AM APM.

Against: Nil.

The closed session of the meeting here closed at 2:40pm

The open session of the meeting here opened at 2:42pm. The Chairperson delivered the Cumberland Local Planning Panel's resolutions to the Public Gallery.

The meeting terminated at 2:43pm.

Signed:

The Hon. Paul Stein AM

Chairperson

### DOCUMENTS ASSOCIATED WITH REPORT C07/20-501

# Attachment 4 Cumberland Local Planning Panel minutes June 2020





#### Extraordinary Cumberland Local Planning Panel Meeting 3 June 2020

Minutes of the Electronic Extraordinary Cumberland Local Planning Panel Meeting held via Zoom on Wednesday 03 June 2020.

#### PRESENT:

The Hon. Paul Stein AM QC (Chairperson), Larissa Ozog, Michael Ryan and Allan Ezzy AM APM.

#### IN ATTENDANCE:

Monica Cologna, Fiona McDermott, Olivia Shields and Rashika Rani.

### NOTICE OF LIVE STREAMING OF CUMBERLAND LOCAL PLANNING PANEL MEETING

The Chairperson advised that the Cumberland Local Planning meeting was being streamed live on Council's website and members of the public must ensure their speech to the Panel is respectful and use appropriate language.

The meeting here opened at 11:45a.m.

#### DECLARATIONS OF INTEREST:

There were no declarations of interest.

#### ADDRESS BY INVITED SPEAKERS:

The following persons had made application to address the Cumberland Local Planning Panel meeting:

<u>Speakers</u>	Item No. Subject
Joel Vijayakumar	Cumberland Local Environmental Plan - Post Exhibition
Ranjit Dutt	Cumberland Local Environmental Plan - Post Exhibition
Michael Rowe	Cumberland Local Environmental Plan - Post Exhibition
Shellie Oates	Cumberland Local Environmental Plan - Post Exhibition
Megan Rowe	Cumberland Local Environmental Plan - Post Exhibition
Joseph Kafrouni	Cumberland Local Environmental Plan - Post Exhibition
Albert Becerra	Cumberland Local Environmental Plan - Post Exhibition
Tony Conides	Cumberland Local Environmental Plan - Post Exhibition
Oliver Mcgeachie	Cumberland Local Environmental Plan - Post Exhibition
Joseph Hage	Cumberland Local Environmental Plan - Post Exhibition

Page 1



	CUMBERLAND CITY COUNCIL
--	----------------------------

Jonathon Wood Cumberland Local Environmental Plan - Post Exhibition

Stephen Gouge Cumberland Local Environmental Plan - Post Exhibition

Hardik Dhrona Cumberland Local Environmental Plan - Post Exhibition

The open session of the meeting here closed at 12:55p.m.

The closed session of the meeting here opened at 1:15p.m.

ITEM ELPP025/20 - CUMBERLAND LOCAL ENVIRONMENTAL PLAN - POST EXHIBITION REPORT AND PROPOSED CHANGES IN RESPONSE TO FURTHER REVIEW AND SUBMISSIONS

#### PANEL RECOMMENDATION:

That the Cumberland Local Planning Panel (CLPP):

- Note the outcomes of the exhibition of the draft Cumberland LEP.
- 2. Generally support the proposed changes to be incorporated into the draft Cumberland LEP prior to finalisation subject to what appears below:

#### Woodville Road

a. The Panel recommends that all of the Woodville Road properties be examined as part of stream 2 for strategic planning reasons to be considered in conjunction with the draft Woodville Road Corridor Strategy. The Panel would endorse that this strategy be given high priority.

Should the Council not accept this recommendation the Panel recommends that the specific Woodville Road rezonings included in stream 1 be amended to R3 rather than R4 to be consistent with adjoining properties. Also the Panel recommends that the properties 138 and 140 Woodville Road be rezoned to B1. The Panel also recommend that the properties at 112-116 Elizabeth Street, Granville retain their existing zoning of R3.

#### Places of Public Worship

b. The Panel recommends (as it did on 20 February 2020) that the Council consider that business zones be included in the permissibility of places of public worship. More specifically, the Panel is of the view that places of public worship may be appropriate in B4, B5 and B6 zones.

The Panel supports the proposal that new places of public worship be prohibited in the R2 zone and the requirement of a minimum site area 2000sqm for places of public worship in the R3 and R4 zones be retained. The Panel believes that the protections provided by the Existing Use Rights under the Environmental Planning and Assessment Act 1979 as amended provide sufficient protections for all places of worship.

Page 2





#### Extraordinary Cumberland Local Planning Panel Meeting 3 June 2020

For: The Hon. Paul Stein AM QC (Chairperson), Larissa Ozog, Michael Ryan and Allan Ezzy AM APM.

Against: Nil.

ITEM ELPP026/20 - CUMBERLAND LOCAL ENVIRONMENTAL PLAN – PROPOSED APPROACH ON SITE SPECIFIC REQUESTS AND COUNCIL'S STRATEGIC PLANNING WORK PROGRAM

#### PANEL RECOMMENDATION:

That the Cumberland Local Planning Panel (CLPP):

- 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.

**For:** The Hon. Paul Stein AM QC (Chairperson), Larissa Ozog, Michael Ryan and Allan Ezzy Am. APM.

Against: Nil.

The closed session of the meeting here closed at 2:54p.m.

The meeting terminated at 2:55p.m.

Signed:

Paul Stein AM QC Chairperson

### DOCUMENTS ASSOCIATED WITH REPORT C07/20-501

# Attachment 5 Recommended planning controls for places of public worship





### Recommended planning controls for places of public worship

#### **Endorse approach as per draft LEP:**

Place of public worship as a permitted use with consent in industrial zones (IN1, IN2) and some residential zones (R3, R4)

Specifically identify as a prohibited use in other zones

For SP1 zone in Parramatta LEP where places of public worship are identified, change to adjacent zoning

Existing use rights where valid development consent in place

Minimum lot size of 2,000 square metres to be included for places of public worship in residential zones (R3, R4)

Local provisions on consent authority considerations (local character, traffic and transport, noise)

Background Information					
Zoning	SI LEP	Proposed LEP	Auburn LEP	Parramatta LEP	Holroyd LEP
R2 Low Density	N	N	Υ	N	Υ
R3 Medium Density	Υ	Υ	Υ	Υ	Υ
R4 High Density	Υ	Υ	Υ	Υ	Y
IN1 General Industrial	Υ	Y	Υ	Υ	Υ
IN2 Light Industrial	Υ	Υ	Υ	Υ	Y
B1 Neighbourhood Centre	N	N	Υ	Υ	Υ
B2 Local Centre	И	N	Υ	Υ	Υ
B4 Mixed Use	N	N	Υ	Υ	Υ
B5 Business Development	N	N	N/A	Υ	Υ
B6 Enterprise Zone	N	N	Υ	Υ	Υ

\*Note: SI LEP = Standard Instrument LEP

C07/20-501 – Attachment 5

### DOCUMENTS ASSOCIATED WITH REPORT C07/20-501

# Attachment 6 Options analysis for additional

LEP clauses on places of public worship



Scenario / Outcome	LEP action / clause	Notes
<ul> <li>Allow existing Places of Public Worship (PoPW) to remain in the R2 zone</li> <li>Allow new PoPW in the R2 zone</li> </ul>	<ul> <li>List PoPW as being permitted with consent in the land use table.</li> <li>No specific clause needed.</li> </ul>	Rebuilding, alterations, enlargement, expansion and intensification is all permissible including to adjoining sites, subject to DA approval.
<ul> <li>Allow existing PoPW to remain in the R2 zone but do not allow them to expand beyond their current site.</li> <li>Do not allow new PoPW in the R2 zone.</li> </ul>	<ul> <li>List PoPW as being prohibited in the land use table.</li> <li>No specific clause needed.</li> </ul>	For those with earlier approvals, existing use rights will arise. That will enable them to remain. It will also enable them to rebuild, be altered, enlarged, expanded or intensified subject to DA approval and subject to remaining within the boundary of their current site.
<ul> <li>Allow existing PoPW to remain in the R2 zone and allow them to expand to one adjoining site.</li> <li>Do not allow new PoPW in the R2 zone.</li> </ul>	<ul> <li>List PoPW as being prohibited in the land use table.</li> <li>Include the following clause in Part 6 of the LEP.</li> <li>6 Expansion of Places of Public Worship on Certain Land</li> <li>(1) The objective of this clause is to include a provision extending, expanding or supplementing the incorporated provisions for existing use rights as permitted by s.4.67(3) of the Environmental Planning and Assessment Act 1979.</li> <li>(2) The clause applies to land in the R2 Low Density Residential zone that is used for the purpose of a place of public worship as at the date of commencement of this plan and which benefits from existing use rights.</li> <li>(3) Development for the purpose of a place of public worship may take place on one lot of land that immediately adjoined the land to which this clause applies as at the date of the commencement of this plan so as to make permissible the extension / expansion of the existing use. This clause does not apply to land that would adjoin the existing use but for an intervening road. The benefit gained under this clause may be used on one occasion only and for one further lot only.</li> </ul>	This involves including an LEP clause that expands upon existing use rights incorporated provisions of the Environmental Planning and Assessment Act 1979.



Scenario / Outcome	LEP action / clause	Notes
Allow existing PoPW to remain in the R2 zone and allow them to expand to multiple adjoining sites     Do not allow new PoPW in the R2 zone.	<ul> <li>List PoPW as being prohibited in the land use table.</li> <li>Include the following clause in Part 6 of the LEP. Variables shown in blue text.</li> <li>6 Expansion of Places of Public Worship on Certain Land</li> <li>(1) The objective of this clause is to include a provision extending, expanding or supplementing the incorporated provisions for existing use rights as permitted by s.4.67(3) of the Environmental Planning and Assessment Act 1979.</li> <li>(2) The clause applies to land in the R2 Low Density Residential zone that is used for the purpose of a place of public worship as at the date of commencement of this plan and which benefits from existing use rights.</li> <li>(3) Development for the purpose of a place of public worship may take place on (number of lots to be specified) contiguous lots of land of which at least one lot immediately adjoined the land to which this clause applies as at the date of commencement of this plan so as to make permissible the extension / expansion of the existing use. This clause does not apply to land that would adjoin the existing use but for an intervening road. The benefit gained under this clause may be used on more than one occasion provided that the cumulative number of lots over which extension / expansion is sought does not exceed (number of lots to be specified).</li> </ul>	This involves including an LEP clause that expands upon existing use rights incorporated provisions of the Environmental Planning and Assessment Act 1979.
Allow new PoPW in the R2 zone subject to a 2000m² minimum lot size (or other size specified by Council) that cannot be varied	<ul> <li>List PoPW as being permitted with consent in the land use table.</li> <li>Include a clause in Part 6 of the LEP as shown below.</li> <li>List the part 6 clause in clause 4.6(8) as not being amendable to a clause 4.6 submission to vary the minimum lot size.</li> <li>6 Places of public worship in Zones R3 and R4</li> <li>(1) The objectives of this clause are as follows: <ul> <li>(a) to establish a minimum lot size for places of public worship</li> </ul> </li> </ul>	



Scenario / Outcome	LEP action / clause	Notes
Scenario / Outcome	(b) to ensure that places of public worship are compatible with and located in a context and setting that minimises impacts on the amenity of the surrounding residential environment (c) to ensure that sites for places of public worship have adequate usable areas for buildings, car parking and landscaping,  (2) This clause applies to development for the purpose of a place of public worship on land in the following zones:  (a) Zone R2 Low Density Residential,  (b) Zone R3 Medium Density Residential,  (c) Zone R4 High Density Residential  (3) The minimum lot size for development for the purposes of a place of public worship is 2,000m².  (4) Despite any other provision of this Plan, development consent must not be granted for development to which this clause applies unless the consent authority has considered the following:  (a) the extent to which the place of public worship and its design will integrate into the locality, and  (b) the extent to which the proposed development will respond to the local character, and relate to the scale and streetscape of the locality, and  (c) the extent to which the residential amenity of the locality will be protected from detrimental traffic-related impacts	Notes
	and noise associated with the development.	
<ul> <li>Allow new PoPW in the R2 zone subject to a 2000m<sup>2</sup> minimum lot size (or other size specified by Council), with that area able to be varied subject to a clause 4.6 submission</li> </ul>	<ul> <li>List PoPW as being permitted with consent in the land use table.</li> <li>Include a clause in Part 6 of the LEP as per the row above.</li> <li>Do not reference the part 6 clause within clause 4.6(8).</li> </ul>	

### DOCUMENTS ASSOCIATED WITH REPORT C07/20-501

### Attachment 7

Recommended general amendments (post-exhibition) to Cumberland LEP





Proposed general amendments (postexhibition) to Cumberland LEP





# Recommended post-exhibition amendments to draft Cumberland LEP (CLPP)

Advice from Cumberland Local Planning Panel	Proposed Approach
<ul> <li>Preliminary matters</li> <li>Aims of the plan – include an additional aim 'To encourage and promote development that is environmentally sustainable'</li> </ul>	Include new aim in final LEP
Land Use Table	
<ul> <li>Review the applicability of waste land use definitions to ensure consistency between industrial zones</li> </ul>	<ul> <li>Review and update Land Use Table</li> </ul>
Principal development standards	
<ul> <li>Building heights and FSRs – include an additional objective 'To minimise the visual impact ofdevelopment and ensure sufficient solar access and privacy for neighbouring properties is achieved'</li> </ul>	Include new objective in final LEP
Miscellaneous provisions	
<ul> <li>Miscellaneous permissible uses – increase gross floor area of kiosks to 50sqm</li> </ul>	Include change in final LEP
<ul> <li>Architectural roof features – delete objective 'e' as it does not encourage innovation in roof design</li> </ul>	Remove objective from final LEP





# Recommended post-exhibition amendments to draft Cumberland LEP (administrative)

Issue	Description	Proposed Approach
Exclusions to development standards under Clause 4.6	<ul> <li>Clause 4.6 exceptions currently limited to:</li> <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>	<ul> <li>Additional exclusions to be added to Clause 4.6 of Cumberland LEP:         <ul> <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 permissibility of specific development types)</li> <li>Schedule 3 – complying development (complying development references contained within the LEP)</li> </ul> </li> </ul>





# Recommended post-exhibition amendments to draft Cumberland LEP (administrative)

Issue	Description	Proposed Approach
Permissibility of office premises in the B6 Enterprise Corridor zone	<ul> <li>Draft Cumberland LEP proposes to prohibit office premises, which is an intended land use in this zone</li> </ul>	<ul> <li>Include office premises as a land use that is permitted with consent in the B6 Enterprise Corridor zone</li> <li>Provides consistent approach across the Cumberland area, and is a carryover of a permissible land use in the current Auburn and Parramatta LEPs</li> </ul>
Complying development mapping	Need to ensure consistency of mapping for environmentally sensitive areas	Proposed addition of land identified as 'remnant native vegetation' on the Biodiversity Map





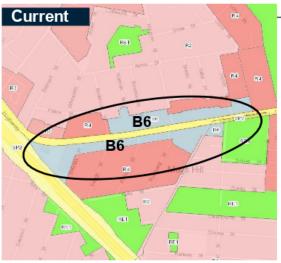
# Recommended post-exhibition amendments to draft Cumberland LEP (general)

Ref.	Issue	Description	Proposed Approach
G1.1	Application of B6 Business     Development zone in former     Holroyd area	<ul> <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, Merrylands Rd) 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> <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>
G1.2	<ul> <li>Application of FSR incentives for certain land uses in the B6 zone along Parramatta Roadcorridor</li> </ul>	<ul> <li>FSR incentives do not apply to proposed B1 zones</li> </ul>	<ul> <li>Update orange edging on FSR map to reflect revised boundary of B6 zone</li> </ul>

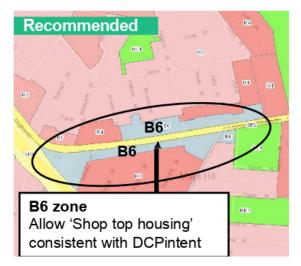


Application of the B6 zone (former Holroyd area)

G.1.1a



Existing Controls (HLEP 2013)	Submission	CLPP recommendation
Mays Hill and Finalyson Transitway Precincts B6 Shop top housing permitted	Shop-top housing be permitted	Supported (as per officer recommendation - intent of DCP)



Intent of existing DCP controls is that shoptop housing is permitted in this location

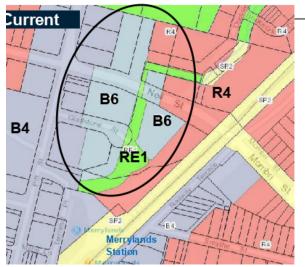
Officer recommendation to Council for LEP finalisation  Retain B6 zoning for Mays Hill and Finlayson Transitway Precinctsand include a local provision to allow shop-top housing, consistent with DCP controls



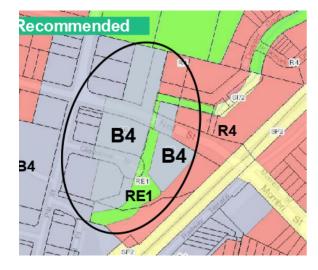


Application of the B6 zone (former Holroyd area)

G.1.1b



Existing Controls (HLEP 2013)	Submission	CLPP recommendation
Merrylands Town	Site is in town	Officer's
Centre (Neil St and Merrylands Rd) B6	centre core, prohibiting residential development appears to be an unintended consequence of this harmonisation	recommendation to rezone to B4 consistent with surrounding land supported



Officer recommendation to Council for LEP finalisation

Rezone B6 zoned landin Merrylands
Town Centre (224-240 Pitt St, 4
Terminal PI, 2-6 Gladstone St, 15Neil
St, 17 Neil St, Merrylands) to B4





## Application of the B6 zone (former Holroyd)



Current	1
Current	7
R2	1
JAN JAN	1
111111111111111111111111111111111111111	
B6	T
Great Western Highway	1
Western Highway	
	-
B6 1	-
R3	

Existing Controls (HLEP 2013)	Submission	CLPP recommendation
Great Western Highway/Pendle Way B6 Height 14m FSR 1:1	N/A	Officer recommendation to rezone to B1 supported



Officer recommendation to Council for LEP finalisation

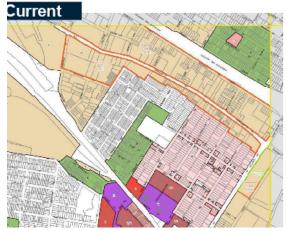
 Rezone B6 land at intersection of Great Western Highway and Pendle Way to B1 Neighbourhood centre. No change to height of 14m and FSR of 1:1

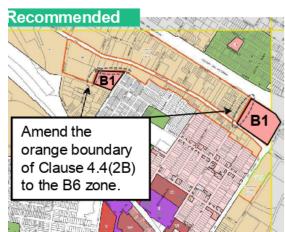




## Application of FSR incentives - Parramatta Road Corridor (B6 zone)

G.1.2





Existing Controls (ALEP 2010)	Submission	CLPP recommendation
Parramatta Road	Seeks these FSR	Officer
Corridor B6zone	incentives also	recommendation to
Clause 4.4(2B) provides	apply to the	adjust mapped
an FSR incentive for	proposed B1	alignment ofClause
certain types of	zones within the	4.4(2B) to reflectthe
development within the	Parramatta Road	adjustment to the B6
B6 zone (registered	corridor	zone is supported (ie
clubs, function centres,		the provisions of
entertainment facilities,		Clause 4.4(2B) under
specialised retail		ALEP 2010 will not
premises, office		apply to the proposed
premises and		B1 zoned land in the
hotel/motel		Parramatta Road
accommodation)	,	Corridor)

Officer recommendation to Council for LEP finalisation Update mapping of this clause to reflect revised boundary of B6 zone along Parramatta Road Corridor

## DOCUMENTS ASSOCIATED WITH REPORT C07/20-501

#### Attachment 8

Recommended site specific amendments (post-exhibition) to Cumberland LEP





Proposed site specific amendments (post-exhibition) to Cumberland LEP





# Recommended post-exhibition amendments to draft Cumberland LEP (Stream 1)

Ref.	Site address	Proposal	Reasons
S1.1	Octavia Street and Toongabbie Road	R2 to R4 (Octavia St) R3 to R4 (Toongabbie Rd) with corresponding increase in heightand FSR	Minor zoning anomaly in the context of surrounding land. Within walking distance of local centre and train services
S1.2	55 Fox Hills Crescent, Toongabbie	Include 'health services facility' as an Additional Permitted Use on part of the site	Minor impact with inclusion ofadditional permitted use, supporting the provision of health related services in the Cumberland area
S1.3	11-13 Bransgrove Street & 4-8 Irwin Place, Wentworthville	R2 to R4 with corresponding increase in height and FSR	Minor zoning anomaly in the contextof surrounding land Within walking distance of local centre and high frequency bus services
S1.4	Merrylands Road, Burnett St and Ruth St, Merrylands	R2 to B1 (6 Burnett St) R2 to B1 (2 Ruth St) B1 height and FSR	Minor zoning anomaly in the context of surrounding land Located in neighbourhood centre with bus services accessing key centres
S1.5	233-249 Merrylands Road, Merrylands	Review FSR controls	Minor FSR anomaly in the context of application of planning controls on the site (town centre core)
S1.6	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





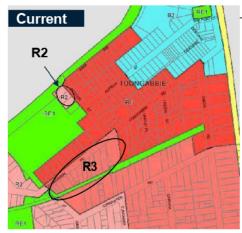
# Recommended post-exhibition amendments to draft Cumberland LEP (Stream 1)

Ref.	Site address	Proposal	Reasons
S1.7	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
S1.8	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 ofadditional permitted use, consistent with current land use activities and future plans for thesite
S1.9	Lidcombe Hospital precinct	Identify three Nurses Quarters Buildings as individual heritage items	Request from property owner. Is in addition to existing State Heritage Listing and local heritage status of area
S1.10	Anglican church Lidcombe (cnr Mark & Taylor Streets, Lidcombe)	Include 'place of public worship' as an Additional Permitted Use	Request from property owner to support proposed development outcomes for the site, consistent with ongoing discussions on the matter





# Octavia Street and Toongabbie Road, Toongabbie





Existing Controls (HLEP 2013)	Submission	CLPP recommendation
Octavia St: R2 Height 9m FSR 0.5:1	Rezone to R4	Supported (with corresponding height and FSR)
<b>Toongabbie Rd:</b> R3 Height 9m FSR 0.7:1	Corresponding height and FSR	Supported (with corresponding height and FSR)

Officer recommendation to Council for LEP finalisation

- Octavia St: Rezone to R4 with 15m height and 1.2:1 FSR, consistent with adjoining R4 zone
- Toongabbie Rd: Rezone to R4 with 15m height and 1.2:1 FSR, consistent with adjoining R4zone





#### 55 Fox Hills Crescent, Toongabbie



Existing Controls (HLEP 2013)	Submission	CLPP recommendation
RE2 Private Recreation	Permit 'health service facility' as an additional permitted use.	Supported



Officer recommendation to Council for LEP finalisation

 Permit 'health service facility' as an additional permitted use for 55 Fox Hills Crescent, Toongabbie





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



Existing Controls (HLEP 2013)	Submission	CLPP recommendation
R2	R4	Supported
Height 9m	Corresponding	Corresponding R4
FSR 0.5:1	height and FSR	height and FSR
		supported



Officer recommendation to Council for LEP finalisation

 Rezone to R4 with 15m height and 1.5:1 FSR, consistent with the adjoining R4zone



# Merrylands Road, Burnett Street and Ruth Street, Merrylands



Existing Controls (HLEP 2013)	Submission	CLPP recommendation
6 Burnett St: R2 Height 9m FSR 0.5:1	Rezone to B1	Supported
2 Ruth St: R2 Height 9m FSR 0.5:1	Rezone to B1	Supported
B1 zone: Height 14m FSR 1:1	Height 17m FSR 2:1 (400-426 Merrylands Rd)	17m height and 2:1 FSR for B1 zone supported (including 2 Ruth St and 6 Burnett St)

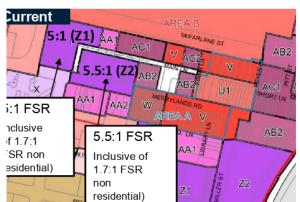
Officer recommendation to Council for LEP finalisation

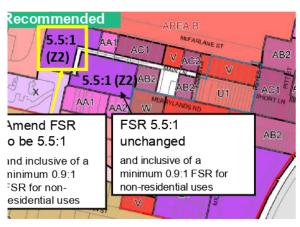
- Existing B1 zone: 17m height and 2:1 FSR at this location
- Rezone 6 Burnett St and 2 Ruth St to B1, with maximum height and FSR consistent with recommendation above





#### 233-249 Merrylands Road, Merrylands





Existing Controls (HLEP 2013)	Submission	CLPP recommendation
B4 Mixed Use SP2 Infrastructure Height 77m / 55m	Apply a consistent FSR of 5.5:1 across sites, inclusive of a minimum 0.9:1 requirement for non- residential uses	Supported
FSR 5:1 and 5.5:1 (split FSR) 1.7:1 minimum		
requirement for non-residential uses		
Officer Recommendation	Apply 5.5:1 FSR (across sites),     inclusive of a minimum 0.9:1     requirement for non-residential uses	





#### 242-252 Pitt St, Merrylands



Existing Controls (HLEP 2013)	Submission	CLPP recommendation
B4 Mixed Use	-	-
Height 65m	Height 86m	Supported
FSR 7:1	FSR 8.5:1	Supported



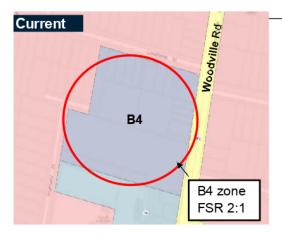
Officer recommendation to Council for LEP finalisation

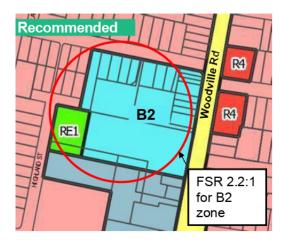
- Amend height to 86m (maximum)
- Amend FSR to 8.5:1 (maximum)





#### 246-260 Woodville Road, Merrylands





Existing Controls (PLEP 2011)	Submission	CLPP recommendation
B4 Mixed Use*  *Council resolved to rezone to B2/RE1 as part of CLEP	Realign RE1 zone to align with park area in planning agreement	Supported
Height 31m	-	-
FSR 2:1	FSR 2.17:1	FSR 2.2:1 (support officer recommendation)
PLEP Clause 6.21 (winter gardens)	Carryover PLEP Clause 6.21	Supported

Officer recommendation to Council for LEP finalisation

- Correct mapping anomaly
- Rezone to B2 and RE1
- FSR 2.2:1 to cover B2 zone (no change to height) and no FSR on RE1 zone
- Carry over PLEP Clause 6.21



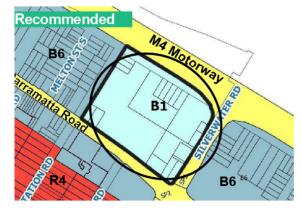


# 101-123 Parramatta Road and 58-66 Adderley Street, Lidcombe

S1.8

Existing Controls (ALEP 2010)	Submission	CLPP recommendation
B6 Enterprise Corridor	B1 Neighbourhood Centre	Occurs and a d
		Supported
Height N/A	Height 45m	(as exhibited)
FSR 1:1	FSR 2:1	
	Permit 'specialised retail premises' as	Supported

an additional permitted use



Officer recommendation to Council for LEP finalisation

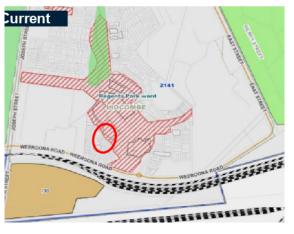
- Permit 'specialised retail premises' as an additional permitted use
- Zoning (B1), height (45m) and FSR (2:1) as exhibited



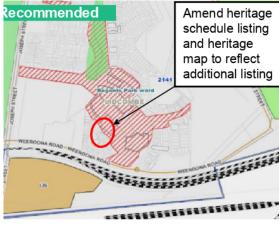


#### Lidcombe Hospital Precinct

Nurses quarters buildings



Existing Controls (ALEP 2010)	Submission	CLPP recommendation
State heritage listed and listed as conservation area in LEP	Individual LEP listing (nurses quarters buildings)	Supported



Officer recommendation to Council for LEP finalisation

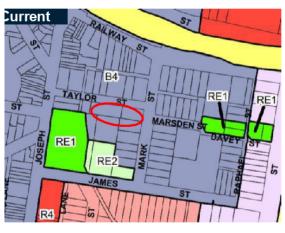
 Individual listingin LEP as part of Cumberland Heritage List



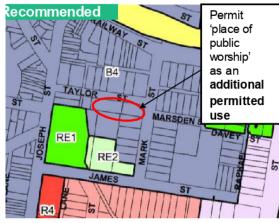


### Corner Mark & Taylor Street, Lidcombe

Additional permitted use - Lidcombe Anglican Church



Existing Controls (ALEP 2010)	Submission	CLPP recommendation
B4 Mixed use	Permit places of public worship as an additional permitted use	Supported



Officer recommendation to Council for LEP finalisation

Permit places of public worship as an additional permitted use

### DOCUMENTS ASSOCIATED WITH REPORT C07/20-501

#### Attachment 9

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





#### Site specific requests – Stream 2

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





### Stream 2: Consider in future work program

#### **Proposed Strategic Centre – Merrylands**

Site address	Proposal
Merrylands Town Centre	Apply consistent height and FSR controls to sites within similar radius of station
Merrylands Road, Merrylands	Extend design excellence to the southern side of Merrylands Road
348-350 Merrylands Road, Merrylands	Rezone from R2 to B4
Merrylands (East of Railway)	Increase height and FSR
1-38 Albion Avenue, Merrylands	Rezone from R2 to R4
87-91 Merrylands Road, Merrylands	Increase height and FSR
41-55 Merrylands Road and Smythe Street, Merrylands	Increase height and FSR





#### Merrylands Town Centre

Increase in height and FSR



Proposal	Current Controls (HLEP)	Proposed Controls	
	Mix of R3, R4, B1 B4 and B6,SP2	Increased corresponding uplift in height and	
	Various HOB and FSR controls	FSR	
Submission	Apply consistent height and FSR controls to sites within similar radius (eg. 200m) of station.		
	station on the easte by Woodville Road with Granville Park an R4 zone that ha of 0.8:1 and a heigh the same time there limits applying to ap developments withing general radius of the	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 imits applying to approved developments within the same general radius of the station. Council should fix inconsistencies.	

Officer recommendation to Council

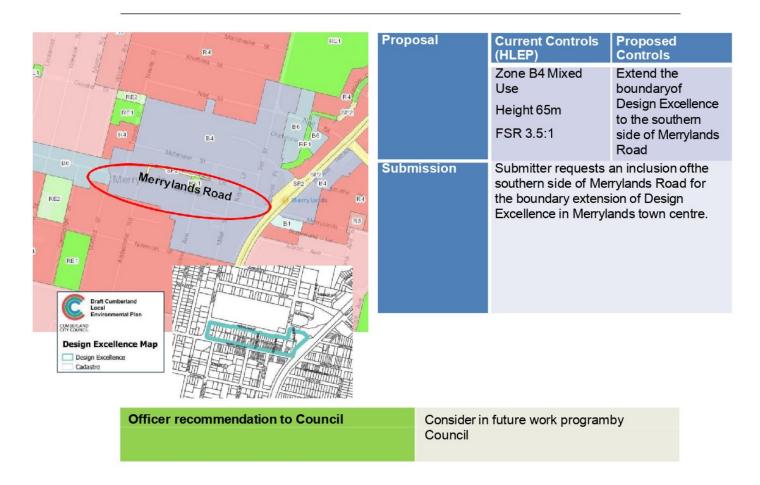
Consider in future work programby Council





#### Merrylands Road, Merrylands

Extend design excellence to the southern side of Merrylands Road

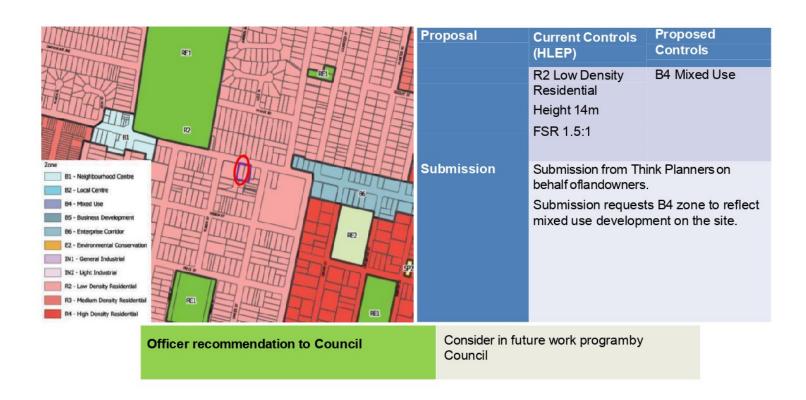






#### 348-350 Merrylands Road, Merrylands

Proposed rezoning - R2 toB4

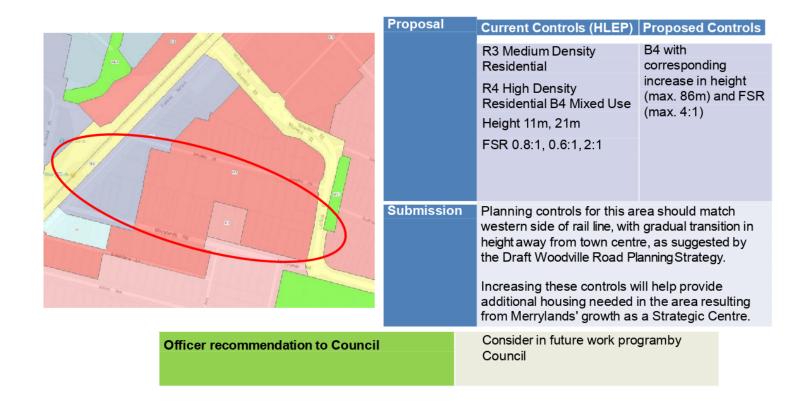






#### Merrylands (East of Railway)

Increase height and FSR

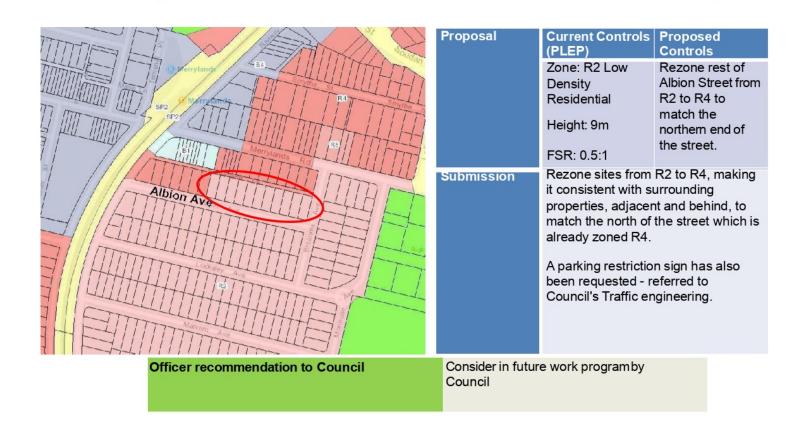






#### 1-38 Albion Avenue, Merrylands

Proposed rezoning - R2 toR4







#### 87-91 Merrylands Road, Merrylands

Increase height and FSR



Officer recommendation to Council

Consider in future work programby Council





### 41-55 Merrylands Road and Smythe Street, Merrylands

Increase height and FSR

		Proposal	Current Controls (PLEP)	Proposed Controls	
		·	Zone: R4 High Density Residential	Increase in height limit and FSR	
		<u> </u>	Height:11m	Height:11m	Allow for up to 15 level
	Control of the second of the s		FSR: 0.8:1	storey and, FSR of4:1	
Merrylands Road		Intention to amalgamate 41-55 Merrylands Roads and lots along Smythe Street to increase height limit and FSR.			
	Road dayson by		Owners had an initial meeting with Council staff and architects earlier this year for this proposed amalgamation of the area.		
0	Manylands Ref		Recommends Council to enco higher level development to n goals for forecasted population	neet increased housing	
			Located in proximate to Merryla 400 metres) and amenity. The parea would enhance the current Park, provide increased open sommunity activity area within the social activities.	oroposed changes to the up grading of Granville pace, provide	
	Officer recommendation to Coun	cil	Consider in future work program Council	by	





### Stream 2: Consider in future work program

#### Principal Local Centres – Auburn, Lidcombe and Granville

Site address	Proposal
Auburn Town Centre	Increase density to support housing affordability
Gelibolu Parade, Auburn	Allow for mixed use development
27 and 29 Gelibolu Parade, Auburn	Rezone from R2 to B4
Lidcombe Town Centre	Amend planning controls to allow variation in height and permit residential development
7 Mary Street, Lidcombe	Increase height for site from proposed 38m to 55m
15-19 Childs Street and 16-20 Ann Street, Lidcombe	Increase height (max. 50m) and FSR (max. 5:1)
5 Olympic Drive, 14 & 24 Childs Street, Lidcombe	Increase height and FSR (max. 3:1)
8 Childs Street, Lidcombe	Increase height (max. 32m) and FSR (max. 3:1)
60-62A Joseph Street, Lidcombe	Increase height (max. 50m)
1A Mark Street, Lidcombe	Increase height and FSR
9 The Avenue, Granville	Rezone from R2 to R3/R4
Clyde Station and Myrtle Street, Clyde	Rezone from R2 to R3
2 Factory Street, Granville (Clyde)	Rezone from IN1 to B4





#### **Auburn Town Centre**

Increase density to support housing affordability



Proposal	Current Controls (ALEP)	Proposed Controls
	Mix of R2, R3, R4, B4	Density Residential with corresponding uplift in height and FSR
Submission	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.	

Officer recommendation to Council

Consider in future work programby Council





#### Gelibolu Parade, Auburn

Proposed rezoning – R2 to R4



	Proposal	Current Controls (ALEP)	Proposed Controls	
/		Zone: R2 Low Density Residential, Height: 9m, FSR: N/A	Mixed Use (to allow ground level business development and high rise)	
1	Submission	Covers R2 zoned area on Gelibolu Parade between Station Road to Dartbrook Road and lands fronting Rawson St		
No.		Seeks a rezoning of the area to allow for high rise and ground level business development.		
		Situated in close proximity to Auburn railway station and other amenities.		

Officer recommendation to Council

Consider in future work programby Council





#### 27 and 29 Gelibolu Parade, Auburn

Proposed rezoning – R2 toB4



Proposal	Current Controls (ALEP)	Proposed Controls
	R2 Low Density Residential Height 9m	B4 Mixed Use with corresponding increase in height and FSR
Submission	The rezoning of the currently) bounded by Station Road, Gelibo Dartbrook Road to Be consistent with Coobjective to better a controls relating to z floor space ratios at Town Centre, thereb broader range of buit to be realized. In add this area to B4 woul of, and a transitional Centre allowing better residents within the least of the railway line.	y Rawson Street, olu Parade and 84 Mixed Use would ouncil's strategic slign the planning coning, height and cross the Auburn y enabling a lding design options dition, a rezoning of ld be an extension zone to, the Town er connectivity to higher density areas

Officer recommendation to Council

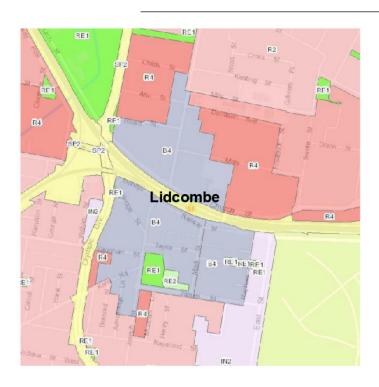
Consider in future work programby Council





#### Lidcombe Town Centre

#### Encourage variation in height and FSR



Proposal	Current Controls (PLEP)	Proposed Controls
	B4 Mixed Use RE1 Public Recreation RE2 Private Recreation Height: 32m	Change planning controls to vary building height by 10% and FSR by 0.5:1.
Submission	The Submission is from Think Planners and recommendsthat planning controls for Lidcombe To Centre should vary the building he by 10% and the FSR by 0.5:1 an introduce a unique provision in the LEP for larger land parcels thatw developed for 2 or more towers the encourages variations in height.	

Officer recommendation to Council

Consider in future work programby Council





### 7 Mary Street, Lidcombe

#### Increase height



Proposal	Current Controls (HLEP)	Proposed Controls
	B4 Mixed Use	Increase HOB to
	Height 32m	55m
	FSR 5:1	
Submission	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.	

Officer recommendation to Council

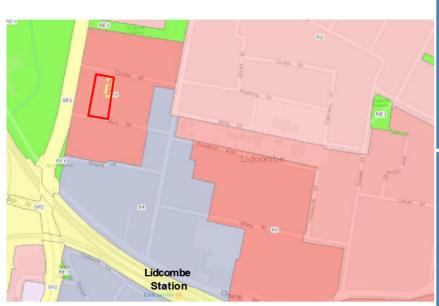
Consider in future work programby Council





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

Increase height and FSR



Proposal	Current Controls (ALEP)	Proposed Controls
	Zone: R4 High Density Residential	Increase height limit to50m,
	Height: 18m FSR: 1.7:1	FSR to 5:1
Submission	Located in proximate to Lidcombe train station and town centre.	
	The existing natural line (RE1 zoned Chadwick Reserve) separate higher density between R4 and RE1 zone. Height limit to 35m is not necessary for this site area.  The proposed increased height and density is recommended to be consistent with other Precincts within Lidcombe.	

Officer recommendation to Council

Consider in future work programby Council



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

#### Increase height and FSR



Officer recommendation to Council

Consider in future work programby Council

Page 287 C07/20-501 - Attachment 9





#### 8 Childs Street, Lidcombe

Increase height and FSR



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

Officer recommendation to Council

Consider in future work programby Council





## 60-62A Joseph Street, Lidcombe

Increase height



Proposal	Current Controls (ALEP)	Proposed Controls
	Zone: B4 Mixed Use	Increase height limit to 50m
	Height: 32m	
	FSR: 5:1	
Submission	FSR: 5:1  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.  Commented that a current FSR of 5:1 and height of 38m is a mismatch that would only permit development for short and wide buildings that have a high site coverage ratio.	

Officer recommendation to Council

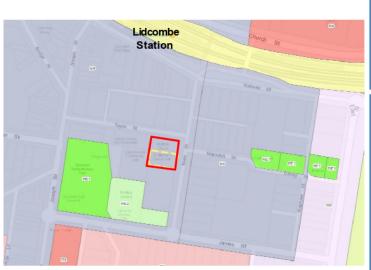
Consider in future work programby Council





## 1A Mark Street, Lidcombe

#### Increase height and FSR



	Proposal	Current Controls (ALEP)	Proposed Controls
		Zone: B4 Mixed Use Height: 32m FSR:5:1	Review of FSR and height limit to allow up to 15 storey development (in- part), and include place of public worship land use in B4 zoning.
70	Submission	Submitter provided a urban design study and space investigation on the subject site and Lie Remembrance Park precinct.	
1		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.	
			ey and part 15 storey (with d potentially deliver a range esign and open spaces.
		Commented that the propunder the general height Town Centre and the talks	hierarchy of the Lidcombe

Gateway location at the corner of Mark and Taylor

Officer recommendation to Council

Consider in future work programby Council

Streets.





## 9 The Avenue, Granville

Proposed rezoning - R2 to R3/R4



Proposal	Current Controls (PLEP)	Proposed Controls
	Zone: R2 Low Density Residential Height: 9m	R3 Medium Density Residential or R4 HighDensity Residential,
	FSR: 0.5:1	Allow for town house or apartments development
Submission	There are high demand for local housing needs inGranville	
	More housing need to be provided close to railway line for easy transportation	
	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.	

Officer recommendation to Council

Consider in future work programby Council





## Clyde Station and Myrtle Street, Clyde

Proposed rezoning – R2 to R3



Proposal Summary	Current Controls (PLEP)	Proposed Controls
	Zone: R2Low Density Residential Height: 9m FSR: 0.5:1	R3 Medium Density Residential
Rationale/ Submission	Would like to se areas in close p services and tra	roximity to bus
	Particular attention to existing R2 zoned area in between Clyde Station and Myrtle Street.	

Officer recommendation to Council

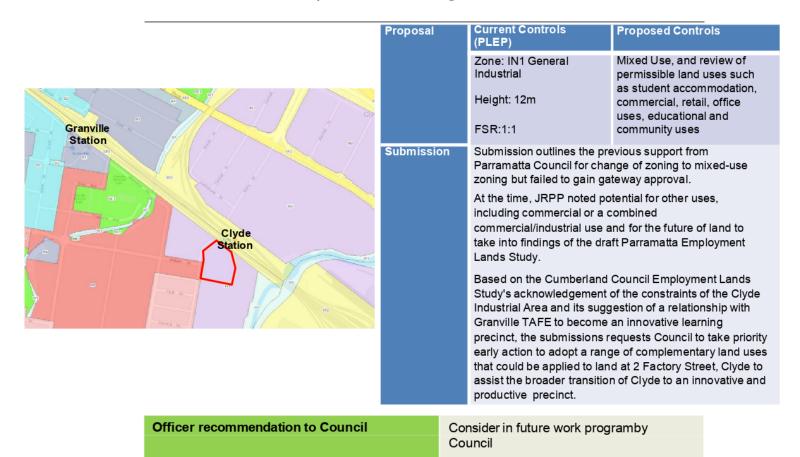
Consider in future work programby Council





#### 2 Factory Street, Granville (Clyde)

Proposed rezoning – IN1 toB4







# Stream 2: Consider in future work program

#### Local Centres – Berala, Guildford, Pendle Hill and Regents Park

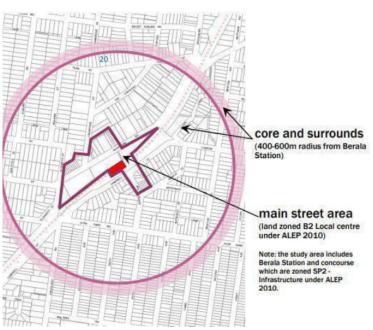
Site address	Proposal
Berala Town Centre and surrounds	Revisit the Berala village planning proposal and upzone where necessary to improve business
Wrights Avenue, Berala	Rezone from R2 to R3, and increase FSR and height
Marian Street precinct, Guildford	Rezone from R2/R3/R4 to R4, and increase FSR and height
33 Salisbury Road, Guildford	Rezone from R2 to R3, and increase FSR and height
Oxford Street, Marian Street, McArthur Street, and Woodstock Street, Guildford	Rezone from IN1 to R4, and increase FSR and height
Corner of McArthur Street, Marian Street and Woodstock Street, Guildford	Rezone from IN1 to R4, and increase FSR and height
Station Street, Guildford	Rezone from IN1 to R4, and increase FSR and height
Hawkesview Road, Guildford	Rezone from R2 to R4 or B4, and increase FSR and height
7 and 7a Billabong Street, Pendle Hill	Increase FSR on site
17 Amy Street, Regents Park	Rezone from R3 to B4, and increase in height





#### Berala Town Centre and surrounds

Revisit Berala Town Centre Planning Proposal



	Proposal	Current Controls (PLEP)	Proposed Controls
		R2 Low Density Residential and R3 Medium Density Residential	Rezone parts Berala Town Centre to R3, R4 and B2
S	Submission	The submissions is a petition from business owners in Berala TownCentre asking council to revisit the Berala village planning proposal and upzone where necessary to improve business.  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.	

Officer recommendation to Council

Consider in future work programby Council





## Wrights Avenue, Berala

Proposed rezoning – R2 to R3



Proposal	Current Controls (ALEP)	Proposed Controls
	R2 Low Density Residential Height: 9m	Rezone to R3 Medium Density Residential
Submission	Rezone both sid Avenue, Berala	

Officer recommendation to Council

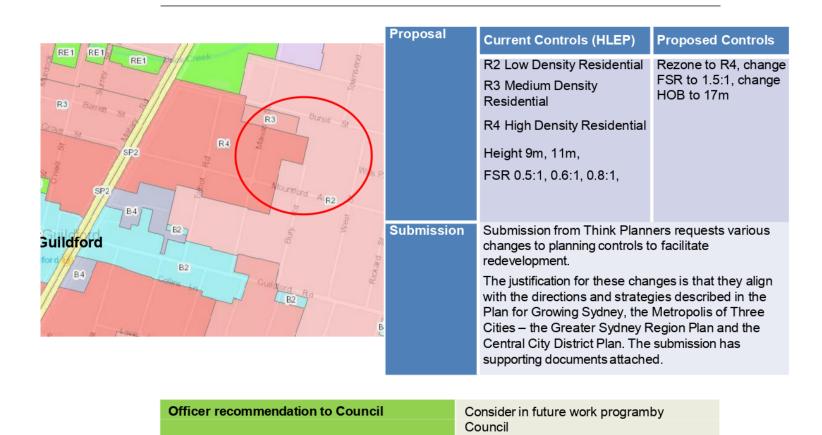
Consider in future work programby Council





#### Marian Street Precinct, Guildford

Proposed rezoning – R2toR4







## 33 Salisbury Road, Guildford

Proposed rezoning – R2 toR3



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

Officer recommendation to Council

Consider in future work programby Council





# Oxford, Marian, McArthur and Woodstock Street, Guildford

Proposed rezoning – IN1 toR4



Proposal	Current Controls (PLEP)	Proposed Controls
	IN1 zone 1:1 FSR 12m HOB	R4zone 38HOB
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.	

Officer recommendation to Council

Consider in future work programby Council





#### Marian, McArthur and Woodstock Street, Guildford

Proposed rezoning – IN1 toR4



,	Proposal	Current Controls (PLEP)	Proposed Controls
-		IN1 zone 1:1 FSR 12m HOB	R4zone 31HOB
	Submission	Rezone from IN1 increase HOB from allowing RFBs with Currently the site is showroom for wind manufacturing, empeople.	n 12m to 31m - n different heights. s a product dow and joinery

Officer recommendation to Council

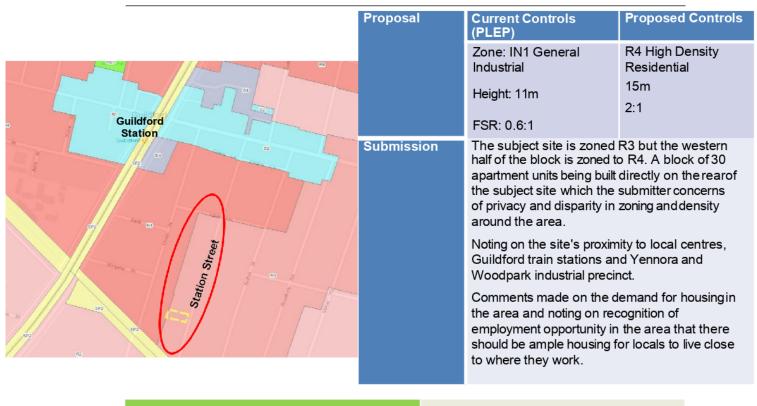
Consider in future work programby Council





#### Station Street, Guildford

Proposed rezoning - IN1 toR4



Officer recommendation to Council

Consider in future work programby Council





## Hawksview Road, Guildford

Proposed rezoning – R2 to R4 or B4



1	Proposal	Current Controls (HLEP)	Proposed Controls
7		Mixed	Zone B4 Mixed Use with corresponding uplift in height and FSR
177711111111111111111111111111111111111	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/amenitiesunderneath will benefit the area. 600m approx straight line distance from Guildford.	

Officer recommendation to Council

Consider in future work programby Council





## 7 and 7a Billabong Street, Pendle Hill

Increase FSR



Proposal	Current Controls (HLEP)	Proposed Controls
	Zone B2 Local Centre Height 17m FSR 2:1	Increase FSR to 3:1
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.	

Officer recommendation to Council

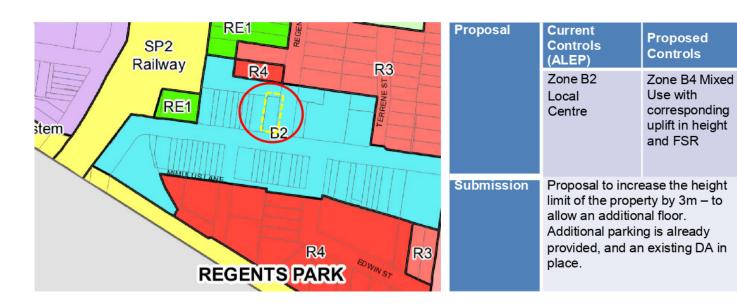
Consider in future work programby Council





#### 17 Amy Street, Regents Park

Increase in height



Officer recommendation to Council

Consider in future work programby Council





# Stream 2: Consider in future work program

#### Strategic Precinct-Westmead

Site address	Proposal
Area bounded by Hawkesbury Road, Alexandra Avenue, Grand Avenue and Bridge Road, Westmead	Rezone from R2 to R4, and increase FSR and height
79-87 Bridge Road, Westmead	Rezone from R2 to R4
Hawkesbury Road and Howe Street, Westmead	Rezone from R2/R3/B1 to R4
Pye Street and Good Street, Westmead	Rezone from R3 to R4
74 Hawkesbury Road, Westmead	Rezone from B1 to B4/R4

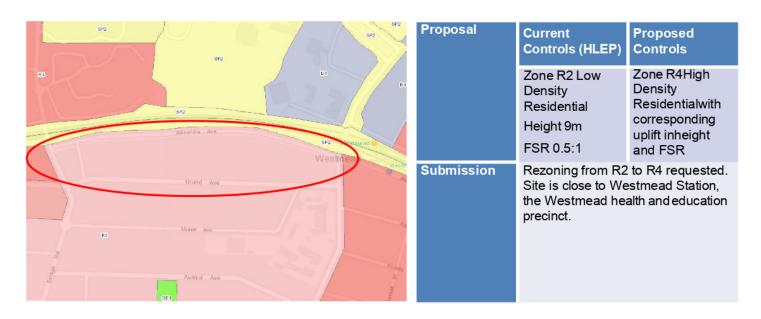


# nawkespury Ru, Alexanura Ave,



# Grand Ave and Bridge Rd, Westmead

Proposed rezoning - R2toR4



Officer recommendation to Council

Consider in future work programby Council

Page 306 C07/20-501 - Attachment 9





## 79-87 Bridge Road, Westmead

Proposed rezoning – R2 toR4



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

Officer recommendation to Council

Consider in future work programby Council





# Hawkesbury Road and Howe Street, Westmead Proposed rezoning – R2/R3/B1 toR4



Proposal	Current Controls (HLEP)	Proposed Controls
	Mix of R2 Low Density Residential, R3 Medium Density Residential and B1 Neighbourhood Centre	R4 High Density Residential Height: 15m FSR 1:1
Submission	Located in proximate to Parramatta CBD and open space.	
	Recommends Council to encourage higher density residential, affordable housing and business opportunities on this area in Westmead South.	
	Rezoning to R4 would bring more residents into this area and bring back the businesses and community back to 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.	

Officer recommendation to Council

Consider in future work programby Council





#### Pye Street and Good Street, Westmead

Proposed rezoning – R3 toR4



Proposal	Current	Proposed
	Controls (HLEP)	Controls
	Zone: R3 Medium Density Residential	R4 High Density Residential
	Height: 9m	
	FSR: 0.7:1	
Submission	Lots on the corner of Pye St an Good St are surrounded by unit many years. Developments aro the area are transitioning to hig density.	
	Short walk to Westmead railway station, Westmead hospitals, local schools, Parramatta CBD and Parramatta Park.	

Officer recommendation to Council

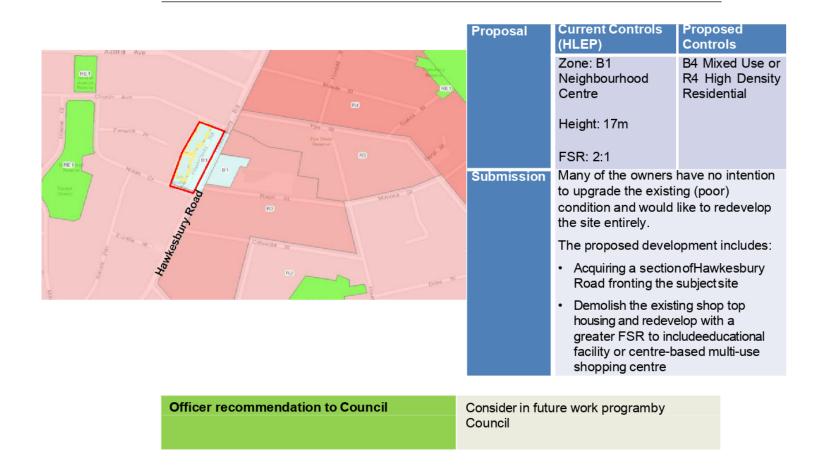
Consider in future work programby Council





#### 74 Hawkesbury Road, Westmead

Proposed rezoning - B1 toB4/R4







# Stream 2: Consider in future work program

#### Strategic Corridor – Parramatta RoadCorridor

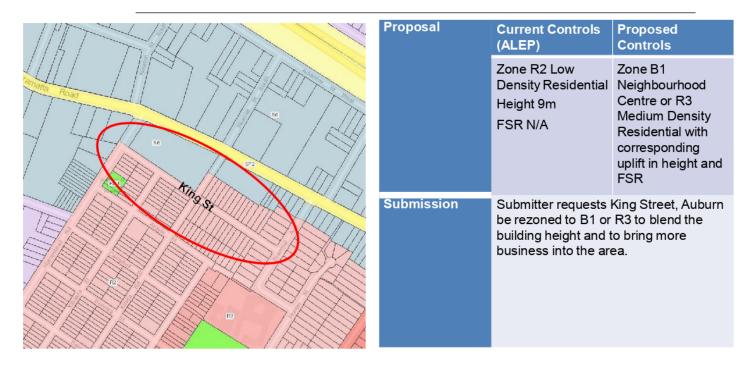
Site address	Proposal
King Street, Auburn	Rezone from R2 to B1 or R3, and increase FSR and height
61 Macquarie Road, Auburn	Increase height (max. 28m) and FSR (max. 2.5:1)
81 Northumberland Road, Auburn	Increase height (max. 7 storeys) and FSR (max. 4:1)
92 Parramatta Road, Auburn	Allow mixed use activities in B6 zone
219 Parramatta Road, Auburn	Request for flexible land uses
54-68 Hampstead Road and 276-282 Parramatta Road, Auburn	Rezone from B6 to B1, and apply FSR incentives for certain uses
•	
284-290 Parramatta Road, Auburn	Rezone from B6 to B1, and apply FSR incentives for certain uses
Parramatta Road and Jellicoe Street, Lidcombe	Allow mixed use activities in B6 zone
195-203 John Street, Lidcombe	Increase height and FSR
11-13 Fox Street, Holroyd	Rezone from IN2 to R3, and increase FSR and height
20 Crescent Street, Holroyd	Retain existing zoning of B5, rather than PRCUTS proposed zoning of RE1





#### King Street, Auburn

Proposed rezoning – R2 to B1 or R3



Officer recommendation to Council

Consider in future work programby Council





## 61 Macquarie Road, Auburn

Increase height and FSR controls



15	Proposal	Current Controls (HLEP)	Proposed Controls
1		Zone: R4 High Density Residential	Increase a maximum height of building
		Height:18m	28m
1		FSR: 1.7:1	2.5:1
	Submission	Units in North Auburn are aged and having an ongoing maintenance issues. North Auburn needs flexible height and FSR controls so thatthe area becomes attractive to potential investors.	
		Height increase to 21m-27m and zoning change to R4 are proposed to the area opposite (western side of Macquarie Road) to the subject site, under the PRCUTS.	

Officer recommendation to Council

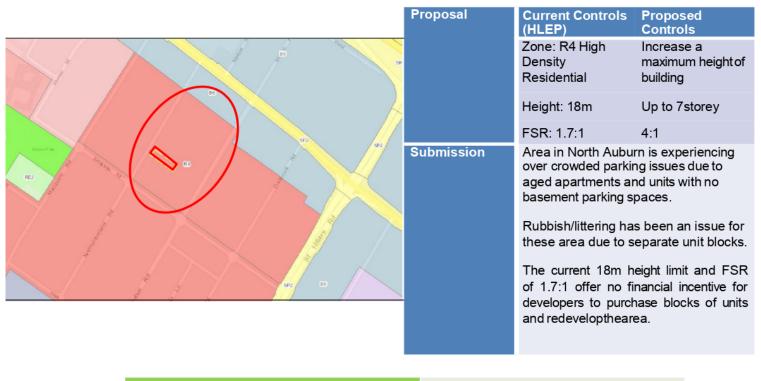
Consider in future work programby Council





#### 81 Northumberland Road, Auburn

Increase height and FSR controls



Officer recommendation to Council

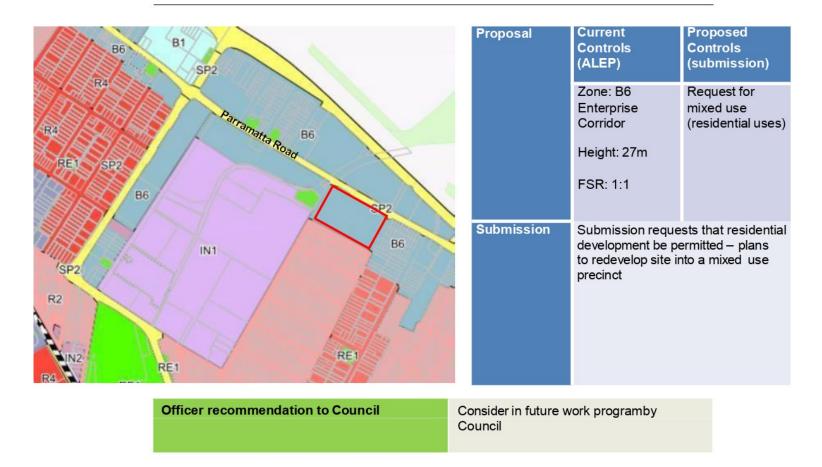
Consider in future work programby Council





#### 92 Parramatta Road, Auburn

Permit mixed use(residential)







#### 219 Parramatta Road, Auburn

Flexible land uses



	Proposal	Current Controls (ALEP)	Proposed Controls	
1		Zone: B6 Enterprise Corridor	Request for flexible land uses	
		Height: 27m		
7		F5R: 1:1		
	Submission	general retailing within the these types of businesse adjoining other bulky good This general retail space to 15% of the floor area.	omission requests consideration of neral retailing within the B6 zone to allow se types of businesses to operate bining other bulky goods retail outlets. It is general retail space could be restricted 15% of the floor area of the building to sure existing commercial centres are tected.	
		Submission notes that businesses along Parramatta Road have been struggling du to the impact of online retail shopping and notes that there is a need for purely bulky good retail areas to transform into viable and vibrant spaces.		

Officer recommendation to Council

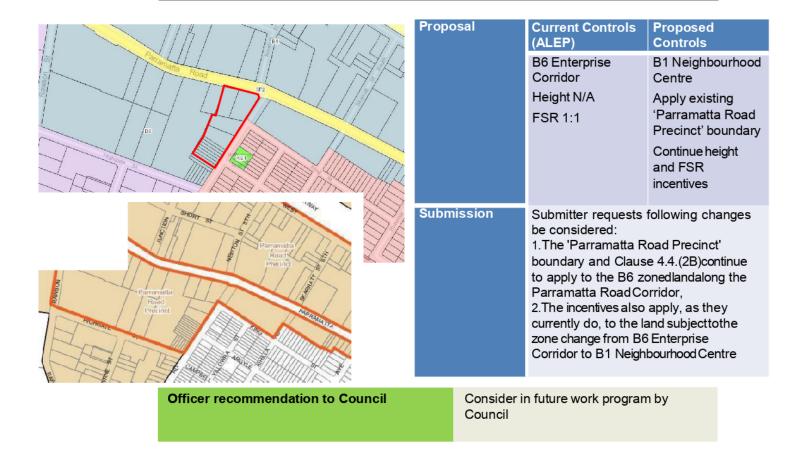
Consider in future work programby Council





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

Proposed rezoning – B6 to B1 and other controls

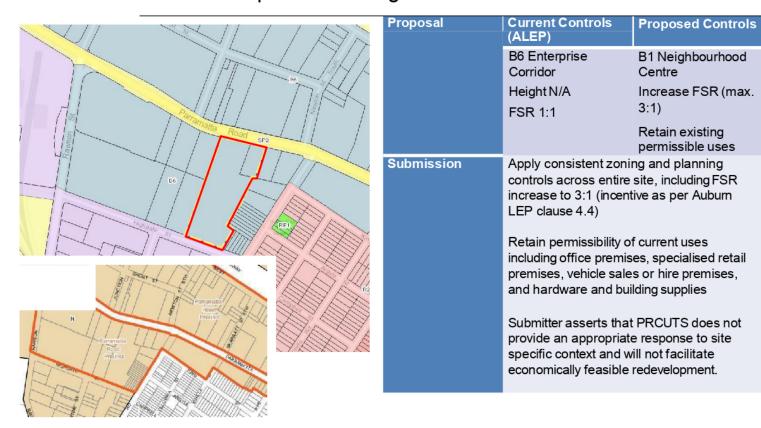






#### 284-290 Parramatta Road, Auburn

#### Proposed rezoning – B6 to B1 and increaseFSR



Officer recommendation to Council

Consider in future work program by Council





# Parramatta Road and Jellicoe Street, Lidcombe Allow residential inB6zone

ARRAMATA ROJO	
A STORAGE	
137 62-64 73 73 73 73 73 73 73 73 73 73 73 73 73	
130 56-60 50-50-72 126 B6 50-50-50-72	
126 120 120 120 128 128 128 128 128 128 128 128 128 128	
114 117 120 67 20 32 33 134 174 1 115 120 67 20 32 32 33 36 36 36 36 36 36 36 36 36 36 36 36	
111 116 63 1111 116 61 68 119 114 59 66	
105 110 57 64 63 63 66 26 103 108 55 62 61 66 28:30 24	1
7 100 54 53 63B 68	1
96 41 48 47 54 65 77 62 63 68	

Proposal	Current Controls (ALEP)	Proposed Controls
	Zone: B6 Enterprise Corridor Height: NA	To allow mixed use in the B6 zone within the Parramatta
	FSR: 1:1	Road corridor at Lidcombe.
Submission		o-top

Officer recommendation to Council

Consider in future work programby Council





#### 195-203 John Street, Lidcombe

#### Increase height and FSR



Proposal	Current Controls (HLEP)	Proposed Controls
	B6 Enterprise Corridor	Increase height and FSR
	Height	
	NA FSR	
	1:1	
Submission	Request for develor support similar scal the CarterStreet Prodevelopment of tow	e and density to recinct including the

Officer recommendation to Council

Consider in future work programby Council





## 11-13 Fox Street, Holroyd

Proposed rezoning – IN2 to R3



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

Officer recommendation to Council

Consider in future work programby Council





# 20 Crescent Street, Holroyd

Retain current zoning



	Proposal	Current Controls (HLEP)	Proposed Controls
PZ VIII		Zone: B5 Business Development	Does not agree with the PRCUTS recommended rezoning of the
16		Height: 15m FSR: 1:1	site to RE1.
	Submission	Rezoning to RE1 is inappropriate for this site. If a buffer is required between the proposed R3 and B6, this can be addressed throughappropriate setbacks or by a site-specific development control plan.	
		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.	

Officer recommendation to Council

Consider in future work programby Council





# Stream 2: Consider in future work program

#### Strategic Corridor – Woodville Road Corridor

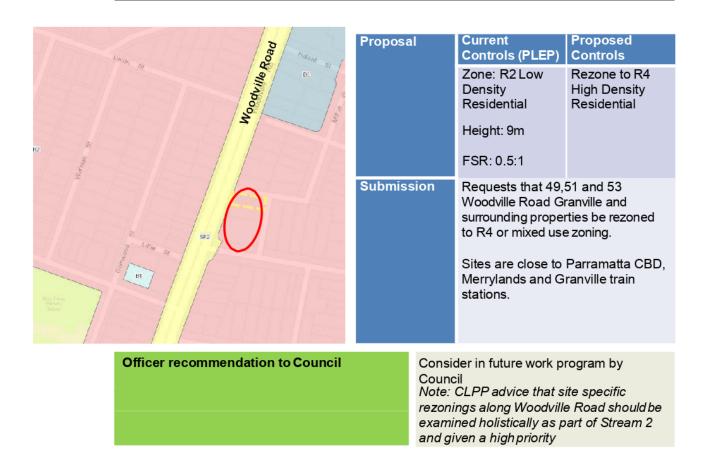
Site address	Proposal
49-53 Woodville Road, Granville	Rezone from R2 to R4
81 Woodville Road, Granville	Rezone from R2 to B4
118 Woodville Road, Granville	Rezone from R2 to B4
Woodville Road Corridor, Granville	Rezone to B4
205 Woodville Road, Merrylands	Rezone from R2 to R4
12-14 Brady Street, Merrylands	Rezone from R2 to R4/B6
112-116 Elizabeth Street, Granville	Rezone from R3 to R4
131-135 Woodville Road, Granville	Rezone from R2 to R4
138 Woodville Road, Granville	Rezone from R3 to B4
280-290 Woodville Road, Guildford	Rezone from B6 to B4
283-289 Woodville Road, Guildford	Rezone to allow for both commercial and residential uses
345-347 Woodville Road, Guildford	Rezone from R2 to B4
459 Woodville Road, Guildford	Rezone from R2 to B4
524-528 Woodville Rd, Guildford	Rezone from R2 to R4
533 Woodville Rd, Guildford	Rezone to allow for townhouses or units
3 and 7 Mountford Avenue, Guildford	Rezone from RE1 to R2 and remove from the land reservation acquisition map





#### 49-53 Woodville Road, Granville

Proposed rezoning – R2 toR4

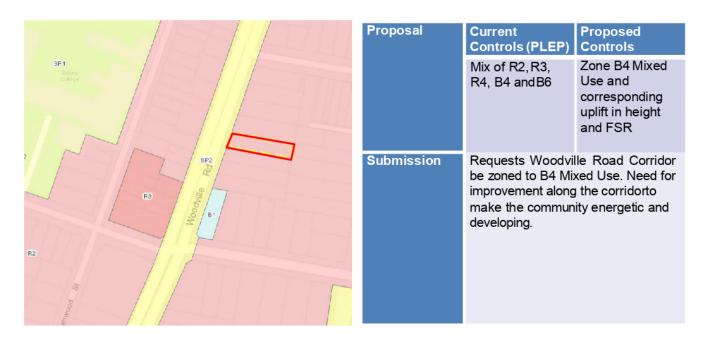






#### 81 Woodville Road, Granville

Proposed rezoning – R2 toB4



Officer recommendation to Council

Consider in future work program by Council

Note: CLPP advice that site specific rezonings along Woodville Road should be examined holistically as part of Stream 2 and given a high priority





#### 118 Woodville Road, Granville

Proposed rezoning – R2 toR4

TAFE		Current Controls (PLEP)	Proposed Controls
		Zone: R2 Low Density Residential	Zoning – R4 High Density Residential,
		Height: 9m FSR: 0.5:1	as per Woodville Road Strategy
	Submission	In 2001, the Woodville rezoned to allow for an density. In 2011, the coback to a low density zo Residential character ur to provide Council with sconduct its planning studstrategy.  In 2015, the former Paprepared the draft Woodstrategy.	increased residential rridor was rezoned oning (R2 Low Density oder the PLEP 2011) sufficient time to dy to inform a new

Officer recommendation to Council

Consider in future work program by Council

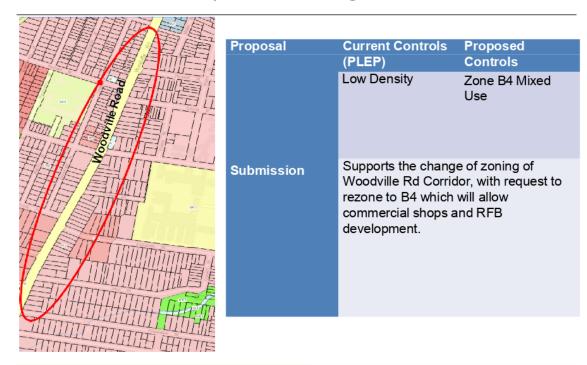
Note: CLPP advice that site specific rezonings along Woodville Road should be examined holistically as part of Stream 2 and given a high priority





#### Woodville Road Corridor, Granville

#### Proposed rezoning toB4



Officer recommendation to Council

Consider in future work program by Council

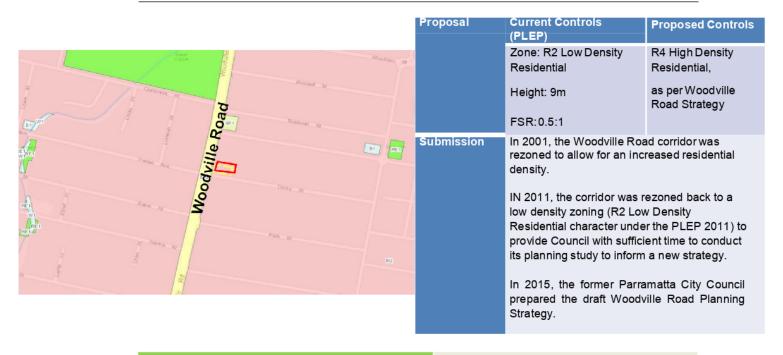
Note: CLPP advice that site specific rezonings along Woodville Road should be examined holistically as part of Stream 2 and given a high priority





#### 205 Woodville Road, Merrylands

Proposed rezoning - R2 toR4



Officer recommendation to Council

Consider in future work program by Council

Note: CLPP advice that site specific rezonings along Woodville Road should be examined holistically as part of Stream 2 and given a high priority





#### 12-14 Brady Street, Merrylands

Proposed rezoning – R3 to R4 or B6



Proposal	Current Controls (PLEP)	Proposed Controls
	Zone: R3Medium Density Residential	Rezone to R4/B6
	Height: 11m	
	FSR: 0.6:1	
Submission	Both properties are block of land from Woodville Rd and	the comer of

Officer recommendation to Council

Consider in future work program by Council

Note: CLPP advice that site specific rezonings along Woodville Road should be examined holistically as part of Stream 2 and given a high priority





#### 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 Counci 114 and 116 Elizab Granville to R4, as t are within walking d Granville Train Stat	eth Street these properties istance of

Officer recommendation to Council

Consider in future work program by Council

Note: CLPP advice that site specific rezonings along Woodville Road should be examined holistically as part of Stream 2 and given a high priority





#### 131-135 Woodville Rd, Granville

Proposed rezoning – R2 toR4



Proposal Summary	Current Controls (PLEP)	Proposed Controls
	Zone: R2 Low Density Residential	R4 High Density Residential, as per the Woodville
	Height: 9m	Road Strategy
	FSR: 0.5:1	
Background - Woodville Road corridor	In 2001, the Woodvill was rezoned to allow residential density. In was rezoned back to zoning (R2 Low Dens character under the Eprovide Council with a conduct its planning anew strategy.  In 2015, the former P Council prepared the Road Planning Strates.	for an increased 2011, the corridor a low density sity Residential PLEP 2011) to sufficient time to study to inform a  arramatta City draft Woodville

Officer recommendation to Council

Consider in future work program by Council

Note: CLPP advice that site specific rezonings along Woodville Road should be examined holistically as part of Stream 2 and given a high priority





#### 138 Woodville Road, Granville

Proposed rezoning – R3 to B4

	Prop		Current Controls (ALEP) Zone R3 Medium Density Residential	Proposed Controls  Zone B4 Mixed Use with corresponding uplift in height and FSR
	Subn Ratio	nitter's Request for Council t		Submission ociated with hanging
Officer recommendation to Council		Council Note: CL rezonings examined	in future work prog PP advice that site s along Woodville F d holistically as part n a high priority	specific Road should be





#### 280-290 Woodville Road, Guildford

Proposed rezoning – B6 toB4



Proposal	Current Controls (PLEP)	Proposed Controls
	Zone: B6 Enterprise Corridor Height:12m FSR: 1.5:1	B4 Mixed Use and allow flexible land uses to include 'shops'
Submission	Request for a rezo (ALDI) to B4 Mixed the new local cent the recommendation Woodville Road Plan Andensure the land included in this site	d Use, to support re, to align with ons of the draft anningStrategy.

Officer recommendation to Council

Consider in future work program by Council

Note: CLPP advice that site specific rezonings along Woodville Road should be examined holistically as part of Stream 2 and given a high priority





#### 283-289 Woodville Road, Guildford

Proposed rezoning – B6 toB4



Proposal	Current Controls (PLEP)	Proposed Controls
	Zone: B6 Enterprise Corridor Height: 12m	Appropriate zoning to allow both commercial and residential uses
	FSR: 1.5:1	Height – up to 15 storeys
Submission	Seeking a rezoning constructing both residential building	commercial and
	Would like to see both Granvil Guildford be evolving as the control Town Hall and Wynyard.	

Officer recommendation to Council

Consider in future work program by Council

Note: CLPP advice that site specific rezonings along Woodville Road should be examined holistically as part of Stream 2 and given a high priority





#### 345-347 Woodville Road, Guildford

Proposed rezoning – R2 toB4

	Proposal	Current Controls (PLEP) Zone: R2Low Density Residential Height: 9m FSR: 0.5:1 Rezone to Mixed existing developr Request to rezon as this would help aesthetics of this currently there is houses and 'multi and shops.	ment. e this land to B4 o improve the corridor as a mix of old
Officer recommendation to Council	Cound Note: rezon exami	der in future work pro cil CLPP advice that sit ings along Woodville ined holistically as pa iven a highpriority	te specific Road should be





#### 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 n commercial activit apartments to pro the area.	ies and shop top

Officer recommendation to Council

Consider in future work program by Council

Note: CLPP advice that site specific rezonings along Woodville Road should be examined holistically as part of Stream 2 and given a high priority





#### 524-528 Woodville Rd, Guildford

Proposed rezoning – R2 to R4



C07/20-501 – Attachment 9 Page 337

Note: CLPP advice that site specific rezonings along Woodville Road should be examined holistically as part of Stream 2

and given a high priority





#### 533 Woodville Rd, Guildford

Proposed rezoning – R2 to R4



	Proposal	Current Controls (PLEP)	Proposed Controls	
		Zone: R2 Low Density Residential	Appropriate zoning to allow townhouses or units for a consistent approach	
1 11		Height: 9m	with surrounding development. (Currently	
4		FSR: 0.5:1	experiences a lack of privacy.)	
)	Submission	In 2001, the Woodville Road corridor was rezoned to allow for an increased residential density.		
		IN 2011, the corridor was redensity zoning (R2 Low Den under the PLEP 2011) to prosufficient time to conduct its new strategy.	sity Residential character ovide Council with	
		In 2015, the former Parramatta City Council prepathe draft Woodville Road Planning Strategy.		

Officer recommendation to Council

Consider in future work program by Council

Note: CLPP advice that site specific rezonings along Woodville Road should be examined holistically as part of Stream 2 and given a high priority





#### 3 and 7 Mountford Avenue, Guildford

Proposed rezoning – RE1 toR2



Proposal	Current Controls (PLEP)	Proposed Controls
	Zone: RE1 Public Recreation	R2 Low Density Residential and,
	Height: N/A	Remove from the Land Reservation Acquisition map
Submission	Currently zoned RE1 since PLEP 2011 came into force identified for potential acq space in Parramatta section Plan 2004. It was noted the located west of Woodville in open space.  Cumberland Council inherity proposal from the former is seeking to rezone these 4 Mountford Avenue, 13, 15 from RE1 to R2, to correspond from the Land Resemap.	tee the property was uisition for open on 94 Contributions nat areas of Guildford Road were deficient ted a planning Parramatta Council parcels of land (3, 7 Grassmere Street) bond with their

Officer recommendation to Council

Consider in future work programby Council





#### Stream 2: Consider in future work program

#### Strategic Corridor – T-wayCorridor

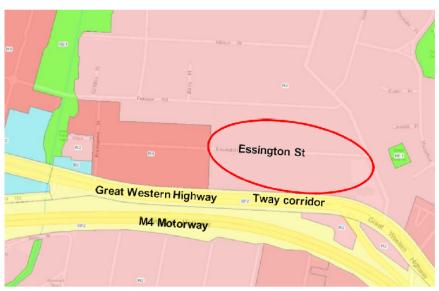
Site address	Proposal
Essington Street, Wentworthville	Rezone from R2 to R4
Perry Street to Fullagar Road, Wentworthville	Rezone from R2 to R4, and increase FSR and height
2-4 Monash Street, Wentworthville	Rezone from R2 to R4
242-278 Great Western Highway, Wentworthville	Rezone from R2 to R3 or R4, and increase FSR and height
326-336 Great Western Highway, Wentworthville	Rezone from B2 to B4, and allow for greater density and a mix of building heights





#### Essington Street, Wentworthville

Proposed rezoning - R2 toR4



Proposal	Current Controls (HLEP)	Proposed Controls
	Zone: R2Low Density Residential	R4 High Density Residential
	Height: 9m	
	FSR: 0.5:1	
Submission	Request for rezon remaining half of E strip to R4 or allow high density housin made on the surro vicinity is redevelop residential building.	ssington Street v for medium to ng. Comments unding area in bing for high rise

Officer recommendation to Council

Consider in future work programby Council





#### Perry Street to Fullagar Road, Wentworthville

Proposed rezoning – R2toR4



Proposal	(HLEP)	Proposed Controls
	Zone R2 Height 9m FSR 0.5:1	Rezone to R4, Increase HOB to 20m
Submission	Submitter believes p Street to Fullagar Ro included in the Wento Planning Proposal ar High-density resident with at least 20m he	worthville Centre nd be rezoned to tial and business

Officer recommendation to Council

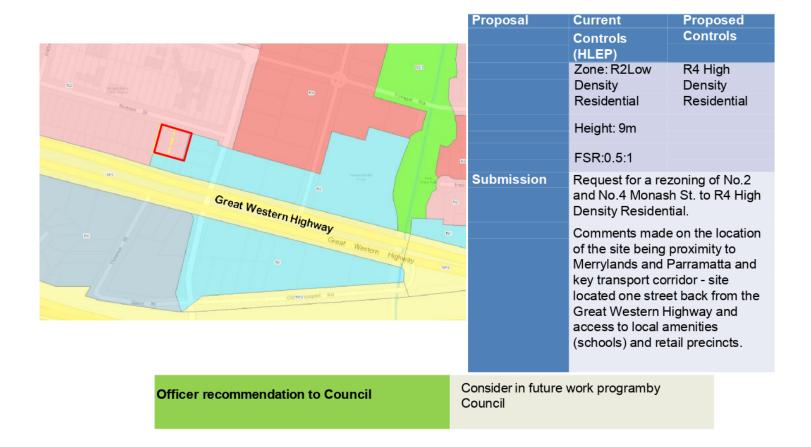
Consider in future work programby Council





#### 2-4 Monash Street, Wentworthville

Proposed rezoning - R2toR4

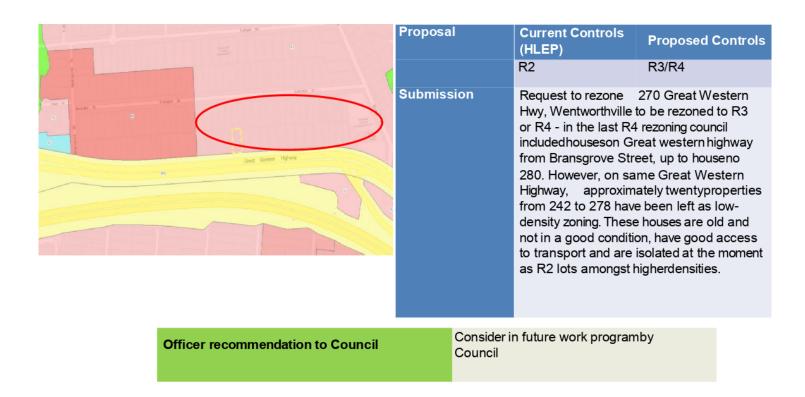






#### 242-278 Great Western Highway, Wentworthville

Proposed rezoning – R2 to R3 or R4

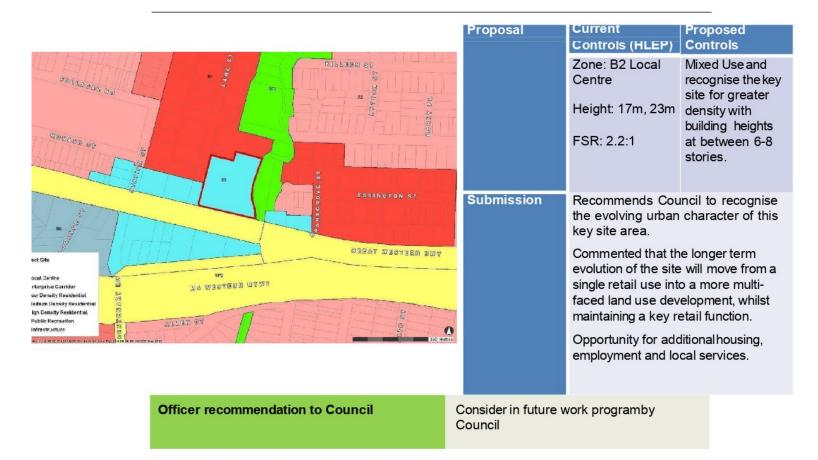






#### 326-336 Great Western Highway, Wentworthville

Proposed rezoning – B2 toB4



### DOCUMENTS ASSOCIATED WITH REPORT C07/20-501

#### Attachment 10

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





# Site specific requests – Stream 3 Further review of future planning proposal if submitted to Council as an owner-initiated planning proposal



## C Stream 3: Consider as future planning proposal

Site address	Proposal
Corner of Greystanes Road and Great Western Highway, Greystanes	Rezone from R3 to R4, and increase FSR and height
Great Western Highway and Crosby Street, Greystanes	Rezone from R2 to R4
395-397 Great Western Highway, Greystanes	Add 'Tourist & Visitor Accommodation', 'Function Centre' to permissible uses
431-433 Great Western Highway, Greystanes	Rezone from B5 to B6, and allow for flexible land uses
431-433 Great Western Highway and 12 Berith Road, Greystanes	Rezone from B5 to B4 or R4
10-12 Berith Road, Greystanes	Rezone from B5 to B6 to permit residential development
477 Great Western Highway, Greystanes	Increase FSR and height on site
Great Western Highway, Greystanes	Rezone from R2 to R3
528-530 Great Western Highway, Pendle Hill	Rezone from R2 to R3/R4, and increase in FSR and height
546-548 Great Western Highway, Pendle Hill	Rezone from R2 to R3
Emert Street, Wentworthville	Rezone from R2/R3 to R4
15 Mildred Street, Wentworthville	Rezone from R3 to R4
Stapleton Street, Wentworthville	Rezone from R3 to R4
128 Dunmore Street, Wentworthville	Rezone from R3 to R4
50 Smith Street, Wentworthville	Request for flexible land uses
19 Friend Street, South Wentworthville	Rezone from R2 to R3



## C Stream 3: Consider as future planning proposal

Site address	Proposal
Goodlet Street, Clarence Street and Windsor Road, Merrylands	Rezone from R2 to R4
16-20 Malvern Avenue, Merrylands	Rezone from R2 to R3
16 Hilltop Road, Merrylands	Rezone from R3 to B1
Palmer Street, Frank Street and Albert Street, Guildford West	Rezone from R3 to R3/R4
97-99 Fairfield Road, Guildford	Rezone from R2 to R3/R4
John Street, Granville (northern side)	Rezone from R2 to R3, and increase FSR andheight
Park Road between Mary Street and Edgar Street, Auburn	Rezone from R2 to B4
Auburn Road between Helena Street and Beatrice Street, Auburn	Rezone from R3 to B4
90A Auburn Road, Auburn	Rezone from R3 to R4
94-100 Auburn Road, Auburn	Rezone from R3 to B4, and increase FSR and height
102-126 Francis Street, Lidcombe	Rezone from R2 to R3
12 George Street, and generally around George Street, Albert Street and Hamilton Lane, Lidcombe	Rezone from R2 to R3/R4, and increase FSR and height
42-44 Boorea Street, Lidcombe	Include additional permitted uses, and increase FSR and height
1 Wilfred Street, Lidcombe	Rezone from R2 to R4
31 Birnie Avenue, Lidcombe	Rezone from IN1 to mixed use





# Corner of Greystanes Road and Great Western Highway, Greystanes

Proposed rezoning – R3 to R4



Proposal	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)
Submission	Requests corner of Greystanes Great Western Highway, Greys rezoned from R3 to R4, and F3 increased to 2:1 or higher. Rat that this will complement the no 7/11 petrol station and Mac Do while also improving the aesthology	

Officer recommendation to Council

Further review as future planning proposal if submitted to Council





# Great Western Highway and Crosby Street, Greystanes

Proposed rezoning – R2 to R4



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

Officer recommendation to Council

Further review as future planning proposal if submitted to Council





#### 395-397 Great Western Highway, Greystanes

#### Additional permitted use



Proposal	Existing (HLEP)	Proposed
	Zone: B5 Business Development Height: 15m FSR: 1:1	Add 'Tourist and Visitor Accommodation' , 'Function Centre' to permissible uses
Submission	Requests 'Tourist an Accommodation', 'F (currently prohibited HLEP2013) be added permissible use, as believes that there is such usage in the an property has all the	unction Centre' under ed as a Submitter s a demand for rea and the

Officer recommendation to Council

Further review as future planning proposal if submitted to Council





#### 431-433 Great Western Highway, Greystanes

Proposed rezoning – B5 to B6



Western Highway corridor.			
Zone: B5 Business Development, Height: 20m, FSR: 1:1  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			-
Development, Height: 20m, FSR: 1:1  Rationale/ Submission  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	Summary	(HLEP)	Controls
Rationale/ Submission  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		Zone: B5 Business	•
Rationale/ Submission  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			Corridor
Rationale/ Submission  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			Allow flexible land
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		FSR: 1:1	uses
		Requests rezoning from B5 Business Development to B6 Enterprise Corridor to allow a greater variety of land uses of 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 idea opportunity for Council to intensify	

Officer recommendation to Council

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





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

Proposed rezoning - B5 to B4 or R4



Proposal	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)
Submission	Mixed use zoning (E and maximum heigh ranging between 50 up to 10:1.	nt of building

Officer recommendation to Council

Further review as future planning proposal if submitted to Council





#### 10-12 Berith Road, Greystanes

Proposed rezoning - B5 to B6



Proposal	Current Controls (HLEP)	Proposed Controls
	Zone B5 Business Development Height 20m FSR 1:1	Zone B6 or to appropriate zoning for residential development
Submission	zoning that allows to development). Con rezoning to B6 (or to	6 (or to appropriate for residential ments that a co allow residential d make it beneficial

Officer recommendation to Council

Further review as future planning proposal if submitted to Council





#### 477 Great Western Highway, Greystanes

Increase height and FSR



Proposal	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
Submission	Submitter requests to increased to 2:1 and to 17m for properties Great Western High	d HOB be increased s located at 477

Officer recommendation to Council

Further review as future planning proposal if submitted to Council





#### Great Western Highway, Greystanes

Proposed rezoning – R2 to R3



	Proposal	Existing Controls (HLEP)	Proposed Controls	
89		Zone: R2 Low Density Residential, Height: 9m, FSR: 0.5:1	R3 Medium Densi Residential	
	Submission	In 2015, Council has rezoned block of land that borders on the Great Western Highway Ettalong Road to R3 but has left out this pa of block to R2, next to B5 zone.		
1		Submitter claims that since the time of rezoning of surrounding area, there has bee and is ongoing extensive development, i.e. apartments, town houses, villas and duplexes.		
		lot size for dual occupan owners at a financial disa	rther, with the recent changes to minimur size for dual occupancies, this has put mers at a financial disadvantage to sell of develop on this R2 zoned area.	

Officer recommendation to Council

Further review as future planning proposal if submitted to Council





#### 528-530 Great Western Highway, Pendle Hill Proposed rezoning – R2 to R4



Officer recommendation to Council

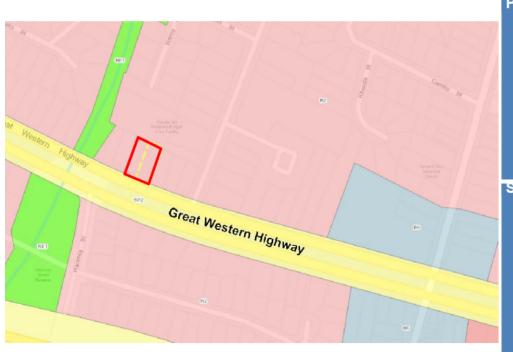
Further review as future planning proposal if submitted to Council





## 546-548 Great Western Highway, Pendle Hill

Proposed rezoning – R2 to R3



Proposal	Current	Proposed
	Controls	Controls
	(HLEP)	
	<u> </u>	
	Zone: R2 Low	R3 Medium
	Density	Density
	Residential	Residential
	residential	residential
	Height: 9m	
	FSR: 0.5:1	
Submission	Seeking a rezoning of the	
	amalgamated site	No. 546-548 to
	R3 Medium Density Residential	
	zone.	.,
/	zone.	
	Developments in v	icinity of the site
	have changed to r	nedium 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 s	. •

Officer recommendation to Council

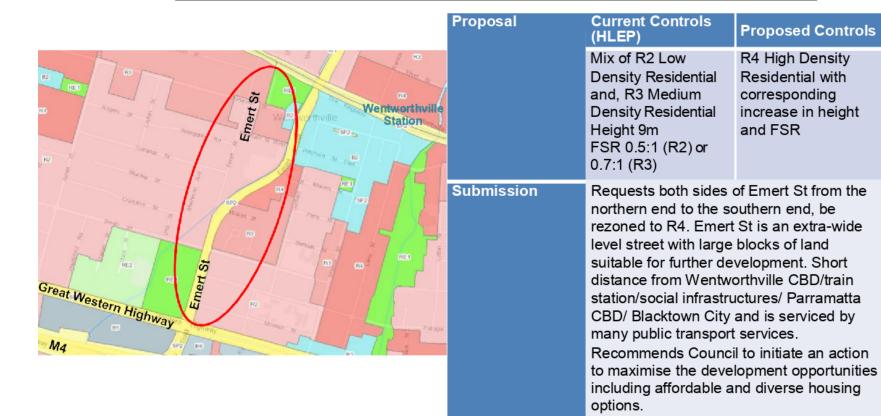
Further review as future planning proposal if submitted to Council





#### Emert Street, Wentworthville

Proposed rezoning - R2/R3 to R4



Officer recommendation to Council

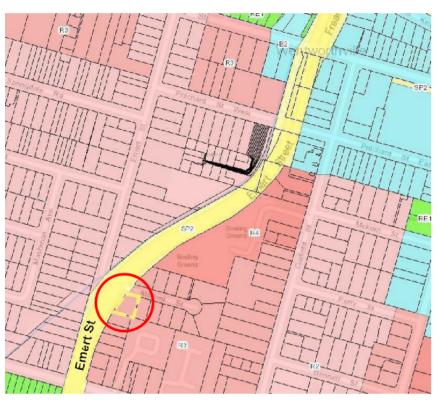
Further review as future planning proposal if submitted to Council





## 15 Mildred Street, Wentworthville

Proposed rezoning – R3 to R4



Proposal	Current Controls (HLEP)	Proposed Controls
	Zone R3 Medium Density Residential	Zone R4 High Density Residential
	Height 9m	Or change:
	FSR 0.7:1	Minimum lot size from 900m to 700- 800m and
		Minimum lot frontage from 20m, to 16-17m
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 rezoni this R3 area to R4. Concerns that the current controls only benefit develope when it comes to negotiating the land value.	

Officer recommendation to Council

Further review as future planning proposal if submitted to Council





## Stapleton Street, Wentworthville

Proposed rezoning – R3 to R4



No.	Proposal	Current Controls (HLEP)	Proposed Controls
		Zone: R3 Medium Density Residential	R4 High Density Residential
		Height: 9m	
1		FSR: 0.7:1	
(	Submission	Request for rezoning of the remaining ha of Stapleton Street strip to R4.	
		Comments raised that S located in vicinity of public available (Wentworthvill parks) and a short walk shops and both Pendle Wentworthville stations used as a main walking commuters and is prote roads making it safe for along.	olic open spaces le Pool and public ing distance to local Hill and . Stapleton Street is thoroughfare by cted from main

Officer recommendation to Council

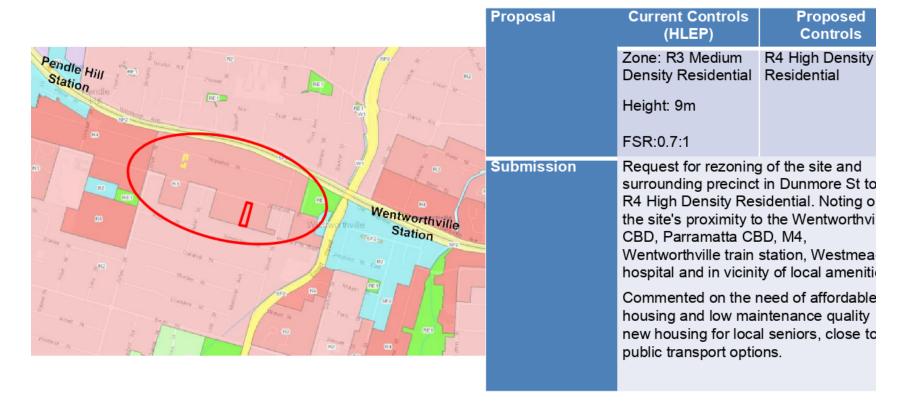
Further review as future planning proposal if submitted to Council





#### 128 Dunmore Street, Wentworthville

Proposed rezoning - R3 to R4



Officer recommendation to Council

Further review as future planning proposal if submitted to Council





## 50 Smith Street, Wentworthville

### Request for flexible land uses



	Proposal	Current Controls (HLEP)	Proposed Contro
		Zone: RE2 Private	Request for flexible
		Recreation Height: 23m	land uses
100		FSR: N/A	
	Submission	Site is Wenty Leagues Club	0
		Submission notes the range uses and built form controls reduced, and the range of provides a supply zoned lan supporting additional employand uses.	s must not be permitted uses nd capable of
		Opportunity to work with Co appropriateness of current permissible uses and built to particularly on adjacent R2 Housing as a permitted use	zones (including form controls), Iand. Adding Senio

Officer recommendation to Council

Further review as future planning proposal if submitted to Council





## 19 Friend Street, South Wentworthville

Proposed rezoning – R2 to R3



Proposal	Current Controls (HLEP)	Proposed Controls
	Zone: R2 Low Density Residential	R3 Medium Density Residential
<i>y</i>	Height: 9m	
Submission	FSR: 0.5:1  Request for rezoning of the area to allow a development of town houses with increased building heights.	
HE.	Rezoning to allow high rises woul fit into this modern society and th will be opportunity for their childre to live in close to them.	

Officer recommendation to Council

Further review as future planning proposal if submitted to Council





## Goodlet Street, Clarence Street and Windsor Road, Merrylands

Proposed rezoning – R2 to R4



_	_	_
Proposal	Current	Proposed
	Control	Controls
	S	
	(HLEP)	
	Zone: R2 Low	R4 High Density
	Density	Residential
	Residential	
	Height: 9m	
	FSR: 0.5:1	
Submission	Request for rezor side of Merryland	s Road, area
	St and Windsor R	·
	Higher density in	
	be good near the	Merrylands CBD.

Officer recommendation to Council

Further review as future planning proposal if submitted to Council





### 16-20 Malvern Ave, Merrylands

Proposed rezoning – R2 to R3



	Proposal	Current Controls (PLEP)	Proposed Controls
		R2 Low Density Residential	R3 Medium Density Residential
7		Height: 9m	
/		FSR: 0.5:1	
h	Submission	Request to allow town house development and for the area to be consistent with previous LEP/DCP for the immediate area Claremont St, Malvern Ave, Albion St, Bak St and Pattern Ave and other surrounding streets.  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.	

Officer recommendation to Council

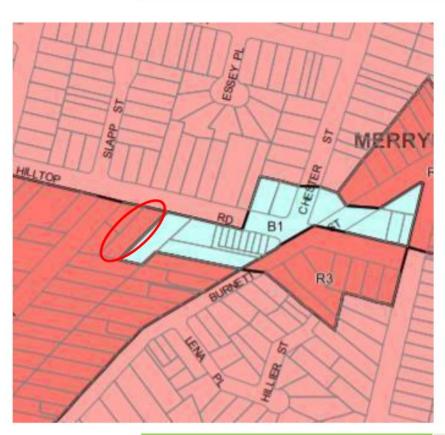
Further review as future planning proposal if submitted to Council





## 16 Hilltop Road, Merrylands

Rezone from R3 to B1



Proposal	Current Controls (HLEP)	Proposed Controls (submission)
	R3 Medium Density Residential	B1 Neighbourhood Centre with corresponding height and FSR
Submission	Request rezoning from R3 to B1 was corresponding height and FSR	

Officer recommendation to Council

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



Officer recommendation to Council

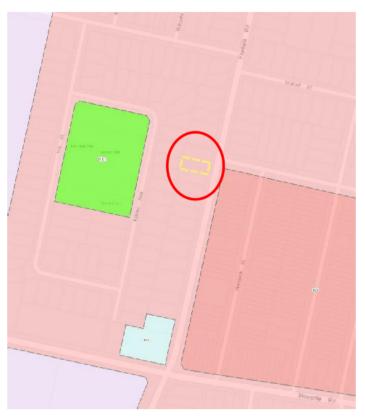
Further review as future planning proposal if submitted to Council





## 97-99 Fairfield Road, Guildford

Proposed rezoning – R2 to R3 and R4



Proposal	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
Submission	Proposed rezoning to townhouses, to replic which is already zone There is also front an Tom Uren Park which favourable to build to rise units surrounding also close to shops a	cate the eastern side and Medium density. It rear access from a would make it withouses and high of the park. Site is

Officer recommendation to Council

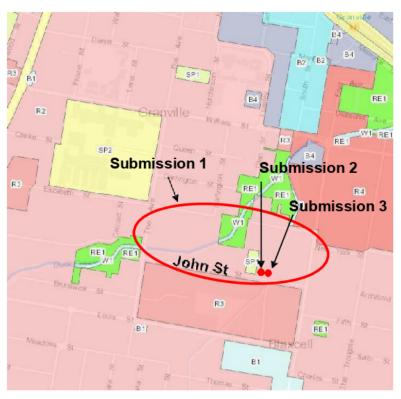
Further review as future planning proposal if submitted to Council





## John Street (northern side), Granville

Proposed rezoning - R2 to R3/R4



Proposal	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
Submission	3 submissions Submission 1: Inconsistent zoning; southern side R3. Rezoning will assist with dwe target.	
	Submission 2: 13-1 (R4/R3); comparab properties	
	Submission 3: 17-1 (R4/R3)	9 John St

Officer recommendation to Council

Further review as future planning proposal if submitted to Council





## Park Road between Mary Street and Edgar Street, Auburn

Proposed rezoning - R2 to B4



Officer recommendation to Council

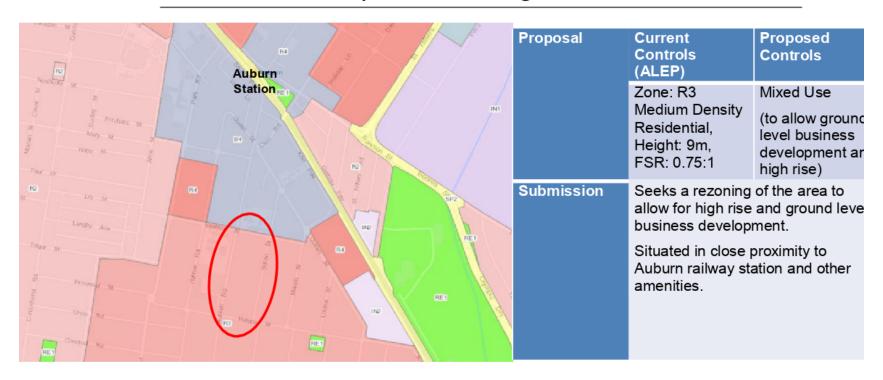
Further review as future planning proposal if submitted to Council





# Auburn Road between Helena Street and Beatrice Street, Auburn

Proposed rezoning – R3 to B4



Officer recommendation to Council

Further review as future planning proposal if submitted to Council





## 90A Auburn Road, Auburn

Rezone from R3 to R4



	Proposal	Current Controls (HLEP)	Proposed Controls (submission)
UNI		R3 Medium Density Residential	R4 High Density Residential with corresponding increase in height and FSR
	Submission	Submission from H Church of Christ	arvest Indonesian

Officer recommendation to Council

Further review as future planning proposal if submitted to Council





## 94-100 Auburn Road, Auburn

Proposed rezoning – R3 to B4



Proposal	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
Submission	B4 will assist Count housing targets. Su previous planning p rezoning did not pro	bject of a proposalbut

Officer recommendation to Council

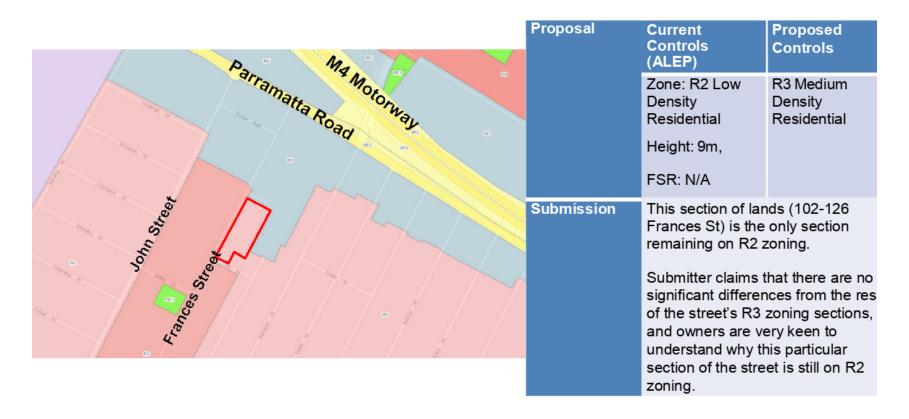
Further review as future planning proposal if submitted to Council





#### 102-126 Francis Street, Lidcombe

Proposed rezoning – R2 to R3



Officer recommendation to Council

Further review as future planning proposal if submitted to Council





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

Proposed rezoning – R2 to R3/R4



Proposal	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
Submission	Area is close to	the station.

Officer recommendation to Council

Further review as future planning proposal if submitted to Council





## 42-44 Boorea Street, Lidcombe

Additional land uses, heights, FSR



Proposal	Current Controls (ALEP)	Proposed Controls
	Zone IN1 General Industrial	Additional land uses,
	Height N/A FSR 1:1	HOB- N/A or 38m, FSR 1.5:1
Submission	Seeks an expanded uses permitted (including fice premises, heat facilities, and retail prequests increased building height limit FSR.	uding childcare, llth services oremises). / no maximum

Officer recommendation to Council

Further review as future planning proposal if submitted to Council





## 1 Wilfred Street, Lidcombe

Proposed rezoning – R2 to R4



Proposal	Current Controls (ALEP)	Proposed Controls
	Zone: R2 Low Density Residential	R4 High Density Residential
	Height: 9m	
	FSR:N/A	
Submission	Request for rezoning of the site in align to surrounding zoning.	
	Commented on to proximity to Lide there are 4 store in vicinity. The si in around 1999 at to 2a.	ombe station and y level buildings te was zoned 2b

Officer recommendation to Council

Further review as future planning proposal if submitted to Council





### 31 Birnie Avenue, Lidcombe

Proposed rezoning – IN1 to mixed use



Proposal	Current Controls (ALEP)	Proposed Controls
	Zone: IN1 General Industrial	Request for a flexible land uses (Mix of
	Height: N/A	employment uses, diversity of
	FSR: 1:1	dwellings, open spaces and other amenity)
Submission	Submission notes the Lidcombe Business assets), is well positive higher order mix of that Council identify Business Park as a area' to enable constalternative, more apthat of the existing lawarehouse uses at the submission of th	Park (one of their ioned for a future uses and requests the Lidcombe future investigation sideration of propriate uses to arge format

Officer recommendation to Council

Further review as future planning proposal if submitted to Council Proposal will need to align with Council's Employment and Innovation Lands Strategy and State government policy

## DOCUMENTS ASSOCIATED WITH REPORT C07/20-501

#### Attachment 11

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





## Site specific requests – Stream 4 No further action at this time





#### Stream 4: No further action at this time

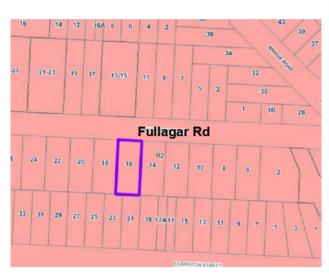
Site address	Proposal
16 Fullagar Road, Wentworthville	Delisting of existing heritage item
152 William Street, Granville	Delisting of existing heritage item
Area bounded by Hawkesbury Road, Alexandra Avenue, Hassell Street and Bailey Street	Show Sydney Metro station box on zoning map
18-20 McFarlane Street, Merrylands	Objection to recent changes in height controls
Planning control change request	Apply a foreshore building line across both sides of the Duck River
Auburn – Lidcombe area	Reintroduce FSR controls for R2 Low Density Residential zoning in the former Auburn LGA
Lot 2066/ DP1151368 Driftway Drive, Pemulwuy	Rezone from R3/R4/E2 to E2
83-85 Francis Street, Lidcombe	Rezone from RE1 to R3
74-78 John Street, Lidcombe	Rezone from RE1 to Residential
103-105 Chelmsford Road, South Wentworthville	Rezone from R2 to R3





#### 16 Fullagar Road, Wentworthville

#### Proposed de-listing of heritage item



Proposal	Current Controls (HLEP)	Proposed Controls
	Zone: R2 Low Density Residential Height: 9m	De-listing the heritage status of 16 Fullagar Road, Wentworthville.
	FSR: 0.5:1	
Submission	The submission seeks de-listin Wentworthville, which was pur submitter has been trying to go of its heritage status (given in they purchased it, however thi disclosed (and not on 149 Cer 2001 an application was subm property demolished but was rethe time. The submitter indicat which have been exacerbated have this property de-listed. A the property, or pay for the rep them.	rchased in 1993. The et the property de-listed 1991) two years before information was never tificate att he time). In litted to have the rejected by Council at the family health issues by the ongoing battle to sks that council delist

Officer recommendation to Council

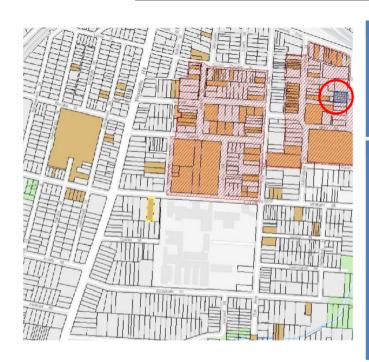
No further action at this time. Heritage status to be retained. Heritage study prepared to inform Cumberland Heritage List reconfirmed heritage significance of the property





#### 152 William Street, Granville

#### Request de-listing of heritage item



Proposal	Current Controls (PLEP)	Proposed Controls
	Listed as a local general heritage item Single storey residence Significance: Local	De-list the property
Submission		

Officer recommendation to Council

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





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

Show Metro West station area on zoning map



Officer recommendation to Council

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

Officer recommendation to Council

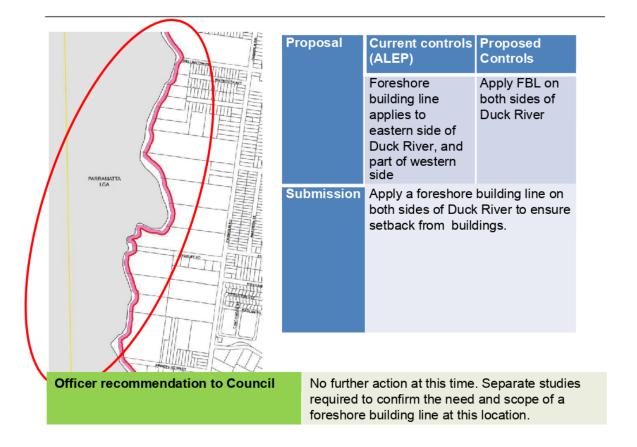
No further action at this time. Changes to height controls already in place for some time, and are used by applicants for development applications





### Planning Control change request

Apply foreshore building line on both sides of Duck River







#### Auburn-Lidcombe Area

#### Reintroduce FSR for R2 zone



Officer recommendation to Council

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.





### Lot 2066/ DP1151368 Driftway Drive, Pemulwuy

Proposed rezoning – R3/R4/E2 to E2



Proposal	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
	,	
Submission	environmental conserv	
	Recommends a rezon Environmental Conser	•

Officer recommendation to Council

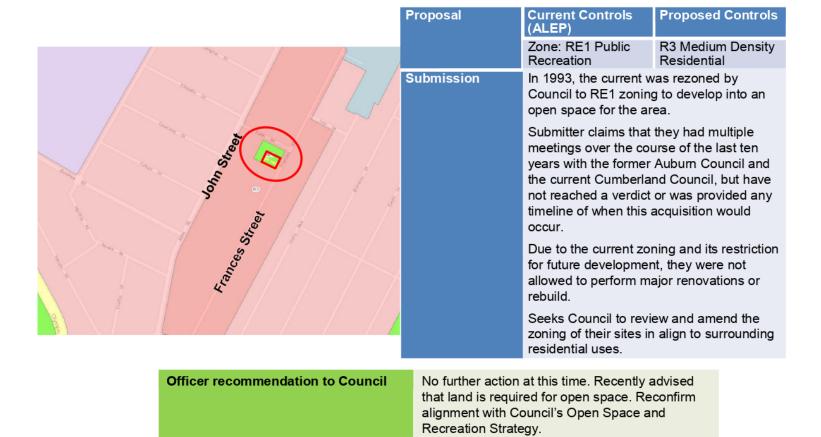
No further action at this time. Subdivision approved for residential development.





#### 83-85 Francis Street, Lidcombe

Proposed rezoning – R2 to R3







### 74-78 John Street, Lidcombe

#### Rezone from RE1 to Residential



Proposal	Current Controls (HLEP)	Proposed Controls (submission)
	RE1 Public Recreation	Permit residential uses, or broaden scope of recreation uses
Submission	Requests that 74, 7 Street Lidcombe be Land Reservation /	e removed from the

Officer recommendation to Council

No further action at this time.

Council previously resolved to retain the RE1 zone for these properties (C12/19-304 Open Space Acquisition Review – 74,76 & 78 John Street Lidcombe – 4 December 2019)



## © 103-105 Chelmsford Road, South Wentworthville

Proposed rezoning – R2 to R3





	Proposal	Current Controls (HLEP)	Proposed Controls
		Zone: R2 Low	R3 Medium
		Density	Density
		Residential	Residential, or
	Height: 9m	Allow 'multi dwelling housing'	
		FSR: 0.5:1	similar to town houses adjacent
			to the subject site
	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.

Officer recommendation to Council

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

# DOCUMENTS ASSOCIATED WITH REPORT C07/20-501

# Attachment 12

Strategic planning work program key centres and strategic corridors





# Strategic planning work program

Cumberland City's key centres and corridors – high level program

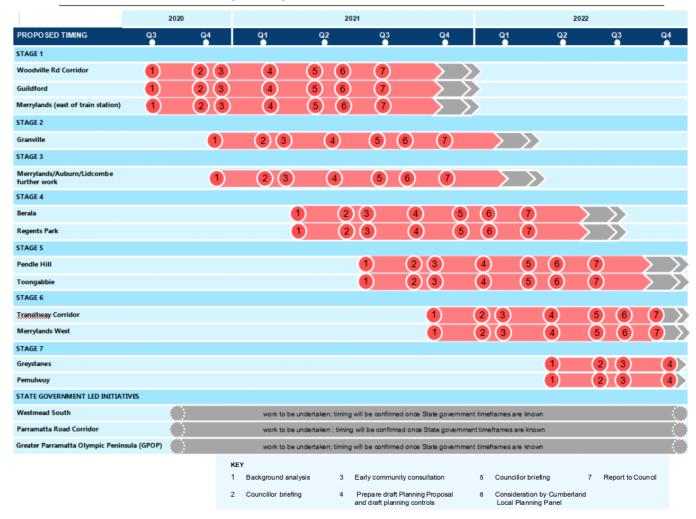






# Strategic planning work program

Cumberland City's key centres and corridors – indicative detail



C07/20-501 – Attachment 12 Page 400

# DOCUMENTS ASSOCIATED WITH REPORT C07/20-501

# Attachment 13

Cumberland LEP planning proposal (updated post exhibition)





# **PLANNING PROPOSAL**

# DRAFT CUMBERLAND LOCAL ENVIRONMENTAL PLAN

July 2020 (Post exhibition)

PLANNING PROPOSAL – DRAFT CUMBERLAND LOCAL ENVIRONMENTAL PLAN – JULY 2020

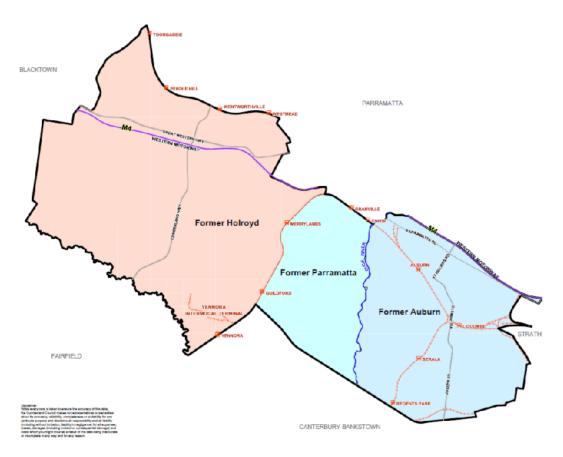


Contents EXECUTIVE SUMMARY	3
PART 1 OBJECTIVES OR INTENDED OUTCOMES	6
PART 2 EXPLANATION OF PROVISIONS	9
Part 1 Preliminary	9
Part 2 Permitted or Prohibited development	
Land Use Table	
Open and closed zones	
Key land use considerations	
Part 3 Exempt and complying development	
Part 4 Principal development standards	
Part 5 Miscellaneous provisions	
Part 6 Local provisions	
Schedule 1 Additional permitted uses	
Schedule 2 Exempt development	
Schedule 3 Complying development	
Schedule 4 Classification and reclassification of public land	
Schedule 5 Environmental Heritage	
Schedule 6: Pond-based and tank-based aquaculture	
Dictionary	
Maps	
PART 3 JUSTIFICATION	
A Need for the Planning Proposal	
B Relationship to Strategic Planning Framework	
C Environmental, social and economic impact	
D State and Commonwealth interests	
PART 4 MAPPING	
PART 5 COMMUNITY CONSULTATION	
DART 6 DRO IECT TIMELINE	47



# **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)
- 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.

PLANNING PROPOSAL – DRAFT CUMBERLAND LOCAL ENVIRONMENTAL PLAN – JULY 2020



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.

# Gateway Determination, Local Planning Panel advice and Councile ndorsement

The draft Cumberland LEP Planning Proposal was reported to the Cumberland Local Planning Panel in February 2020 with a recommendation to process to the next stage for a Gateway Determination. The Panel supported the Council officer recommendation. A copy of the Panel report and advice is provided at Attachment 1. Council considered the matter at its Ordinary Meeting of 4 March 2020 [C03/20-388], prior to undertaking public exhibition.

At its meeting in September 2019 [C09/19-219] Council resolved to endorse the Planning Proposal for the new Cumberland LEP and proceed to Gateway. A copy of the Council report and resolution is provided at Attachment 3.

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.

A post exhibition report on proposed changes to the draft LEP Planning Proposal, in response to further review and submissions, was considered by the Cumberland Local Planning Panel in June 2020. The Panel generally supported the Council officer recommendations for administrative items and minor zoning changes to be included in the LEP prior to finalisation. The Panel also considered a report on site specific requests for rezoning and/or planning control changes and supported the proposed stream classification approach and scope of Council's strategic planning work program.

The outcomes and recommendations of the post exhibition review, including consideration of submissions, are included in this Planning Proposal.



# Council resolutions

The Planning Proposal has been prepared in accordance with Council's resolutions on 18 September 2019 and 4 March 2020.

# Supporting documentation

The Planning Proposal is supported by the following documentation:

Attachment 1 – Cumberland Local Environmental Plan - Post Exhibition Report on new Planning Controls for Cumberland City, 15 July 2020

Attachment 2 – C09/19-218 Early Consultation for the New Cumberland Local Environmental Plan, 18 September 2019

Attachment 3 – C09/19-219 Planning Proposal for the New Cumberland Local Environmental Plan, 18 September 2019

Attachment 4 - C03/20-288 Update on Planning Proposal for the New Cumberland Local Environmental Plan, 4 March 2020

Attachment 5 – Background Report: Cumberland Local Environmental Plan Harmonisation

Attachment 6 - Auburn Town Centre Planning Controls Strategy

Attachment 7 - Lidcombe Town Centre Planning Controls Strategy

Attachment 8 - Auburn and Lidcombe Town Centres: Urban Form Modelling

Attachment 9 – Auburn and Lidcombe Town Centres: Indicative Development Potential

Attachment 10 - Proposed zoning changes for the Merrylands East Centre

Attachment 11 – Proposed planning approach for the Woodville Road Corridor

Attachment 12 - Proposed planning approach for the Parramatta Road Corridor

Attachment 13 – Proposed planning controls for Schedule 5 of the new Cumberland LEP

Attachment 14 – Summary table of proposed miscellaneous (site specific) zoning and/or planning control changes

Attachment 15 – 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:

- 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).
- 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)
- Targeted changes to planning controls along the Parramatta and Wood ville Road Corridors (as previously considered and adopted by Council on 3 July 2019).
- iν. 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).
- 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 underthis 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 6. Indicative urban form modelling in support of the proposed changes is also provided at Attachment 8. An indication of development potential within the town centre under both the existing and proposed planning controls is provided at Attachment 9. 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 7. Indicative urban form modelling in support of the proposed changes is also provided at Attachment 8. An indication of development potential within the town centre under both the existing and proposal planning controls is provided at Attachment 9. Specific details of the proposed planning controls changes are shown on the draft LEP maps.

# Merrylands East Neighbourhood 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 10. Further minor post-exhibition amendments are provided in Attachment 1.



# 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:

- introduce B1 Neighbourhood Centre zones on corners at Parramatta Road/Silverwater Road and Parramatta Road/Hampstead Road (and adjust the alignment of the orange edging denoting the FSR incentive for the B6 zone accordingly),
- 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 11.

# 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-overthese 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 13.

# 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, as well as privately owned land. A small number of additional minor zonings are proposed following further review and consideration of issues raised in submissions. A summary table of proposed site specific zoning and/or planning control changes is provided at Attachments 1 and 14. 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
- f) To encourage and promote development that is environmentally sustainable



# 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.

# Consentauthority

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.

## Landuse 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

11

PLANNING PROPOSAL – DRAFT CUMBERLAND LOCAL ENVIRONMENTAL PLAN – JULY 2020



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.

# Temporaryuse 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
ResidentialZones	
R2 LowDensityResidential	Closed
R3 Medium Density Residential	Closed
R4 High Density Residential	Open
Business Zones	



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

# Office premises

Office premises are currently permissible in the B6 Enterprise corridor zone under the Auburn LEP and Parramatta LEP. The Planning Proposal seeks to carry over this permissibility and include 'office premises' as a permitted use in the B6 zone for the new Cumberland LEP.

# 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.

# Shop top housing

Residential accommodation in the form of shop top housing is currently permitted with consent within the B6 zone in the Holroyd LEP (it is prohibited in the B6 under the Auburn and Parramatta LEPs). Similar to the above, in order to support business development in the B6 zones, the Planning Proposal seeks to prohibit residential accommodation within the B6 zones in the new Cumberland LEP. Notwithstanding, the Planning Proposal also seeks to include a new local provision to continue to allow shop top housing on land zoned B6 in the Mays Hill and Finlayson Transitway Precincts in accordance with the existing strategic intent for these precincts described in the Development Control Plan.

# 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. One minor post-exhibition change is proposed: the addition of land identified as 'remnant native vegetation' to the Biodiversity map to ensure adequate protection of this land and vegetation.



# 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:

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

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 maximum floor space ratio to enable appropriate development to be achieved
- 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.

It is also proposed to include an additional objective for building heights and FSR on minimising visual impact of development and ensuring sufficient solar access and privacy for neighbouring properties, as recommended by the Cumberland Local Planning Panel.

# 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. The Planning Proposal seeks to include additional exclusions to provide clarity and certainty in the development assessment process.



# 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:

- 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
- 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.

# Development on land intended to be acquired for public purposes

This clause seeks to limit development on certain land intended to be acquired for a public purpose. It applies to land shown on the Land Reservation Acquisition map. The Planning Proposal seeks to include this clause 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:



Bed and breakfast accommodation	not more than 3 bedrooms
Home businesses	not more than 30 sq.m of floor area
Home industries	not more than 30 sq.m of floor area
Industrial retail outlets	not more than 10% of gross floor area
Farm stay accommodation	not more than 3 bedrooms
Kiosks	not more than 50 sq.m of floor area
Neighbourhood shops	not more than 80 sq.m of retail floor area
Neighbourhood supermarkets	not to exceed 1,000 sq.m of floor area
Roadside stalls	not more than 8 sq.m of gross floor area
Secondary dwellings	not more than 10% of total floor area of principal dwelling
Artisan food and drink industry exclusion	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. A minor amendment to the intended objectives of this clause is recommended, following advice of the Cumberland Local Planning Panel, to provide greater clarify.

## 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 anyway 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
- 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 protection

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 are a 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.

# **Designexcellence**

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 intentor 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.

# Groundfloor 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 15.

# 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
- 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.

# Development of land at 244, 246, 248, 256 and 258 Woodville Road, Merrylands

This existing clause within the Parramatta LEP applies to the Merrylands East neighbourhood centre and provides site specific controls for calculating the gross floor area of proposed development on certain land within this centre fronting Woodville Road. It states that for the purpose of applying a floor space ratio, the consent authority may exclude the floor area of enclosed balconies with a frontage on to Woodville Road. The Planning Proposal seeks to carry over this clause and include it in the new Cumberland LEP.

# Residential development in Zone B6

This clause seeks to permit shop top housing in certain B6 zones in the former Holroyd area, consistent with the existing strategic intent for these areas known as the Mays Hill and Finlaysons Transitway Precincts. The Planning Proposal seeks to include this new clause and associated mapping in the Cumberland LEP.



# 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. In addition, the Planning Proposal seeks to include the following in the new Cumberland LEP:

- additional permitted use for place of public worship on certain land at the corner of Mark Street and Taylor Street, Lidcombe (Lidcombe Anglican Church)
- additional permitted use for 'specialised retail premises' on certain land at Parramatta Road and Adderley Street, Lidcombe (Domayne site)

# 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. In addition, the Planning Proposal seeks to list three new heritage items (Nurses Quarters, former Lidcombe Hospital site) in the new Cumberland LEP.



# 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 5).

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
- Open Space and Recreation Strategy
- 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 prosed 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 focused 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	A city for people	A well connected	A city in its
infrastructure	Housing the city	city Jobs and skills	landscape
A collaborative city	A city of great	for the city	An efficient city
	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, land owners, 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 red evelopments
  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 though 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 urbandesign,
  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 Infrastructure and collaboration

C1: Planning for a city supported by infrastructure

C2: Working through collaboration

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.

Response

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.

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.

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.

This Planning Proposal, when on public exhibition, will be available to state government agencies that are responsible for planning and provision of infrastructure.

#### Liveability

A city for people

C3: Providing services and social infrastructure to meet people's changing needs
Planning Priority C4: Fostering healthy, creative, culturally rich and socially connected

Housing the city

communities

C5: Providing housing supply, choice and affordability with

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.

The key exceptions to this are related to the:

 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.

3



access to jobs, services and public transport

#### A city of great places

C6: Creating and renewing great places and local centres, and respecting the District's heritage

- As initiated under the Auburn and Lidcombe Town Centres Strategy and subsequently progressed through 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.
- 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.

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.

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.

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.

The Planning Proposal also addressees 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.

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.



#### **Productivity**

A well-connected city

C7: Growing a stronger and more competitive Greater Parramatta

Jobs and skills for the city

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

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.

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.

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.

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.

#### Sustainability

A city in its landscape

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

An efficient city

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.

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.

Providing a new provision under Part 6 of the LEP relating to urban heat management to reduce, remove or



C19: Reducing carbon emissions and managing energy, water and waste efficiently

A resilient city

C20: Adapting to the impacts of urban and natural hazards and climate change

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.

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

## 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
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	Comme nt
Employment and Resource	s	
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.

37



1.2 Rural Zones	V	The DD will work have a service and a serviction
	Yes	The PP will not have any impact on existing
		rural zoning and as such remains consistent with this direction.
1.2 Mining Detrolous	Yes	
1.3 Mining, Petroleum Production and Extractive	res	The PP will not have any impact on Mining, Petroleum and Extractive Industries and as
Industries		such remains consistent with this direction.
	Yes	
1.4 Oyster Aquaculture	165	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
1.5 RufaiLands	IVA	government areas in the Greater Sydney
		Region.
Environment and Heritage		rtegion.
2.1 Environment Protection	Yes	The PP will contain provisions that facilitate
Zones	165	the protection and conservation of
Zones		environmentally sensitive areas and as
		such is consistent with this direction.
2.2 Coastal Protection	Yes	The PP will not contain provisions that will
2.2 Soustain Totection	163	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	N/A	Not applicable
Zones and Environmental Overlays in Far North Coast		
LEPs	l Urban Develo	pment
LEPs Housing, Infrastructure and		•
LEPs	l Urban Develo Yes	Noting that the permissibility of RFBs is to
LEPs Housing, Infrastructure and		Noting that the permissibility of RFBs is to be removed from B4 zone. However, it is
LEPs Housing, Infrastructure and		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
LEPs Housing, Infrastructure and		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
LEPs Housing, Infrastructure and		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
LEPs Housing, Infrastructure and 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.
LEPs Housing, Infrastructure and 3.1 Residential zones  3.2 Caravan Parks and		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.  The PP will not have any impact on
LEPs Housing, Infrastructure and 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.  The PP will not have any impact on caravan parks and manufactured home
LEPs Housing, Infrastructure and 3.1 Residential zones  3.2 Caravan Parks and	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.  The PP will not have any impact on caravan parks and manufactured home estates and as such remains consistent
Housing, Infrastructure and 3.1 Residential zones  3.2 Caravan Parks and Manufactured Home Estates	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.  The PP will not have any impact on caravan parks and manufactured home estates and as such remains consistent with this direction.
LEPs Housing, Infrastructure and 3.1 Residential zones  3.2 Caravan Parks and	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.  The PP will not have any impact on caravan parks and manufactured home estates and as such remains consistent with this direction.  The PP will not have any impact on home
Housing, Infrastructure and 3.1 Residential zones  3.2 Caravan Parks and Manufactured Home Estates	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.  The PP will not have any impact on caravan parks and manufactured home estates and as such remains consistent with this direction.  The PP will not have any impact on home occupations and as such remains
Housing, Infrastructure and 3.1 Residential zones  3.2 Caravan Parks and Manufactured Home Estates  3.3 Home Occupations	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.  The PP will not have any impact on caravan parks and manufactured home estates and as such remains consistent with this direction.  The PP will not have any impact on home occupations and as such remains consistent with this direction.
Housing, Infrastructure and 3.1 Residential zones  3.2 Caravan Parks and Manufactured Home Estates  3.3 Home Occupations  3.4 Integrating land use and	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.  The PP will not have any impact on caravan parks and manufactured home estates and as such remains consistent with this direction.  The PP will not have any impact on home occupations and as such remains consistent with this direction.  The PP will not have any impact on
Housing, Infrastructure and 3.1 Residential zones  3.2 Caravan Parks and Manufactured Home Estates  3.3 Home Occupations	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.  The PP will not have any impact on caravan parks and manufactured home estates and as such remains consistent with this direction.  The PP will not have any impact on home occupations and as such remains consistent with this direction.  The PP will not have any impact on integrating land use and transport and as
Housing, Infrastructure and 3.1 Residential zones  3.2 Caravan Parks and Manufactured Home Estates  3.3 Home Occupations  3.4 Integrating land use and transport	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.  The PP will not have any impact on caravan parks and manufactured home estates and as such remains consistent with this direction.  The PP will not have any impact on home occupations and as such remains consistent with this direction.  The PP will not have any impact on integrating land use and transport and as such remains consistent with this direction.
Housing, Infrastructure and 3.1 Residential zones  3.2 Caravan Parks and Manufactured Home Estates  3.3 Home Occupations  3.4 Integrating land use and transport  3.5 Development Near	Yes Yes 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.  The PP will not have any impact on caravan parks and manufactured home estates and as such remains consistent with this direction.  The PP will not have any impact on home occupations and as such remains consistent with this direction.  The PP will not have any impact on integrating land use and transport and as such remains consistent with this direction.  The PP will not have any impact on integrating land use and transport and as such remains consistent with this direction.
Housing, Infrastructure and 3.1 Residential zones  3.2 Caravan Parks and Manufactured Home Estates  3.3 Home Occupations  3.4 Integrating land use and transport	Yes Yes 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.  The PP will not have any impact on caravan parks and manufactured home estates and as such remains consistent with this direction.  The PP will not have any impact on home occupations and as such remains consistent with this direction.  The PP will not have any impact on integrating land use and transport and as such remains consistent with this direction.  The PP will not have any impact on integrating land use and transport and as such remains consistent with this direction.  The PP will not have any impact on regulated airports and defence fields and
Housing, Infrastructure and 3.1 Residential zones  3.2 Caravan Parks and Manufactured Home Estates  3.3 Home Occupations  3.4 Integrating land use and transport  3.5 Development Near	Yes Yes 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.  The PP will not have any impact on caravan parks and manufactured home estates and as such remains consistent with this direction.  The PP will not have any impact on home occupations and as such remains consistent with this direction.  The PP will not have any impact on integrating land use and transport and as such remains consistent with this direction.  The PP will not have any impact on integrating land use and transport and as such remains consistent with this direction.
Housing, Infrastructure and 3.1 Residential zones  3.2 Caravan Parks and Manufactured Home Estates  3.3 Home Occupations  3.4 Integrating land use and transport  3.5 Development Near Licensed Aerodromes	Yes Yes 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.  The PP will not have any impact on caravan parks and manufactured home estates and as such remains consistent with this direction.  The PP will not have any impact on home occupations and as such remains consistent with this direction.  The PP will not have any impact on integrating land use and transport and as such remains consistent with this direction.  The PP will not have any impact on integrating land use and transport and as such remains consistent with this direction.  The PP will not have any impact on regulated airports and defence fields and as such remains consistent with this direction.
Housing, Infrastructure and 3.1 Residential zones  3.2 Caravan Parks and Manufactured Home Estates  3.3 Home Occupations  3.4 Integrating land use and transport  3.5 Development Near	Yes Yes Yes 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.  The PP will not have any impact on caravan parks and manufactured home estates and as such remains consistent with this direction.  The PP will not have any impact on home occupations and as such remains consistent with this direction.  The PP will not have any impact on integrating land use and transport and as such remains consistent with this direction.  The PP will not have any impact on integrating land use and transport and as such remains consistent with this direction.  The PP will not have any impact on regulated airports and defence fields and as such remains consistent with this



3.7 Reduction in non-hosted short term rental accommodation period	N/A	This direction only applies to the Byron Shire Council.
Hazard and Risk		
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.
Re gional Planning		
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.
Local Plan Making		
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.
Metropolitan Planning		
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 like lihood that critical habitator 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 a chieve 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 a imed at renewing and re-invigorating these two places by aligning building heights to FSRs so at 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.

42



- 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 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 provides 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 were consulted in accordance with the Gateway Determination and 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.

Transport for NSW made a submission in response to the statutory exhibition of the Planning Proposal, 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, and 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). Should TfNSW ultimately not agree to support the targeted changes to planning controls at selected locations along the Parramatta Road Corridor, these sites will be removed from the planning proposal for the Cumberland LEP prior to finalisation.

45



A submission was also received from Western Sydney Local Health District. The submission commended Council on the overall objectives and controls outlined in the LEP, and provided general feedback on a range of areas.

A submission was received from Water NSW advising that they have no comments on the draft LEP as they do not own or manage land in the area.

#### 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 1 and 14 to this details the site specific amendments to planning controls to be included in the new Cumberland LEP.



#### PART 5 COMMUNITY CONSULTATION

On 23 March 2020, the Department of Planning, Industry and Environment issued a Gateway Determination granting Council permission to publicly exhibit the Planning Proposal.

The Planning Proposal was publicly exhibited for a six week period from 1 April 2020 to 8 May 2020. Information was made available on Council's website, with a letter and brochure posted to properties in Cumberland City. Phone enquiries were answered by Council officers, and virtual book-in sessions were also available for detailed discussions on the LEP. Due to the COVID-19 pandemic, physical copies of the documents were not provided at the administration centres and libraries as these facilities were closed during this time.

State agencies were notified of the exhibition, including:

- 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
- Water NSW
- · Western Sydney Local Health District



#### 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	July 2020
9	Submit to Department for finalisation	Mid 2020

# DOCUMENTS ASSOCIATED WITH REPORT C07/20-501

Attachment 14
Gateway Determination





#### **Gateway Determination**

Planning proposal (Department Ref: PP\_2019\_CUMBE\_006\_00): to harmonise the Auburn Local Environmental Plan (LEP) 2010, Parramatta LEP 2011 and Holroyd LEP 2013 into a new LEP, to be known as the Cumberland LEP.

I, the Executive Director, Central River City and Western Parkland City at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to create a new Cumberland Local Environmental Plan (LEP) (2020) should proceed subject to the following conditions:

- Prior to undertaking public exhibition, the planning proposal is required to be amended as follows:
  - ensure the supporting documentation is updated to align with the outcomes in the planning proposal;
  - b) include mapping to demonstrate the delisting of heritage items; and
  - c) include a note that any draft proposed clauses will be subject to legal drafting and may change under this process.
- Prior to finalisation, demonstrate that the proposed changes within the Parramatta Road Corridor will result in no net increase to traffic generation. If this cannot be adequately demonstrated in consultation with Transport for NSW and Roads and Maritime Services, then this proposed amendment shall be removed.
- 3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - a) the planning proposal must be made publicly available for a minimum of 28 days; and
  - b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 6.5.2 of A guide to preparing local environmental plans (Department of Planning and Environment, 2018).

PP\_2019\_CUMBE\_006\_00 (IRF 19/6804)



- 4. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
  - 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; and
  - Sydney Water.

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

- 5. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
- 6. The time frame for completing the LEP is to be 9 months from the date of the Gateway determination.

Dated 23rd day of March 2020.

Catherine Van Laeren
Executive Director, Central River City
and Western Parkland City
Greater Sydney, Place and
Infrastructure
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning and Public Spaces

PP\_2019\_CUMBE\_006\_00 (IRF 19/6804)

# DOCUMENTS ASSOCIATED WITH REPORT C07/20-501

# Attachment 15 Summary of response to Gateway conditions



#### Cumberland LEP - Summary of response to Gateway Determination conditions

	Gateway Conditions	Council response	Status
1	Ensure the supporting documentation is updated to align with the outcomes in the planning proposal;	Planning proposal and supporting documentation updated in accordance with Gateway Determination, prior to undertaking public exhibition.	
	Include mapping to demonstrate the delisting of heritage items; and	A new map was created for this purpose and this has been publicly exhibited in accordance to the Gateway Determination.	
	Include a note that any draft proposed clauses will be subject to legal drafting and may change under this process.	Planning proposal updated by inserting a note on page 7.	
2	Prior to finalisation, demonstrate that the proposed changes within the Parramatta Road Corridor will result in no net increase to traffic generation. If this cannot be adequately demonstrated in consultation with Transport for NSW and Roads and Maritime Services, then this proposed amendment shall be removed.	Consultation with TfNSW was undertaken during the public exhibition. Council is currently progressing discussions with TfNSW on the proposed changes within the Parramatta Road Corridor. 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.	
3	The planning proposal must be made publicly available for a minimum of 28 days; and	An extensive program of consultation on the draft planning proposal for the new LEP was undertaken for more than 28 days from 1 April 2020 to 8 May 2020.	
	Comply with the notice requirements for public exhibition of planning proposals.	In accordance with the requirements of the Environmental Planning and Assessment Act (1979), the planning proposal and its supporting documentation were exhibited from 1 April to 8 May 2020. Exhibition material was made publicly available in electronic form on Council's website. Council also wrote directly to landowners and occupiers throughout Cumberland City.	
4	Consultation is required with the following public authorities/organisations;  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; and	Stakeholder consultation with the government agencies, as required by the conditions of the Gateway Determination, was undertaken.  Transport for NSW made a submission providing comments from across the Transport cluster (including Roads and Maritime Services and Sydney Trains).  Submissions were also received from the Western Sydney Local Health District and Water NSW.  The other listed authorities did not make a submission.	

Key

Complete

In progress