CUMBERLAND
CITY COUNCIL

Council Meeting

Wednesday, 19 August 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 Joseph Rahme	0418 995 471	Joseph.Rahme@cumberland.nsw.gov.au
Clr Ola Hamed	0405 070 007	Ola.Hamed@cumberland.nsw.gov.au
Greystanes Ward		
Clr Eddy Sarkis (Deputy Mayor)	0418 306 918	Eddy.Sarkis@cumberland.nsw.gov.au
Clr Greg Cummings	0417 612 717	Greg.Cummings@cumberland.nsw.gov.au
Vacant	-	-
Regents Park Ward		
Clr Ned Attie	0419 583 254	Ned.Attie@cumberland.nsw.gov.au
Clr George Campbell	0409 233 315	George.Campbell@cumberland.nsw.gov.au
Clr Kun Huang	0418 911 774	Kun.Huang@cumberland.nsw.gov.au
South Granville Ward		
Clr Paul Garrard	0414 504 504	Paul.Garrard@cumberland.nsw.gov.au
Clr Tom Zreika	0400 805 303	Tom.Zreika@cumberland.nsw.gov.au
Clr Glenn Elmore	0418 459 527	Glenn.Elmore@cumberland.nsw.gov.au
Wentworthville Ward		
Clr Michael Zaiter	0418 432 797	Michael.Zaiter@cumberland.nsw.gov.au
Clr Suman Saha	0419 546 950	Suman.Saha@cumberland.nsw.gov.au
Clr Lisa Lake	0418 669 681	Lisa.Lake@cumberland.nsw.gov.au

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

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 of Previous Minutes

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Nil

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Nil

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Nil

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Nil

14 Closed Session Reports

C08/20-527 Tender For Manufacture and Supply of Multi-Function Poles Contract

Note: Included in Closed Council in accordance with Section 10A(2)(d)(ii) of the Local Government Act as the information involves information that would, if disclosed, confer a commercial advantage on a competitor of the council.

C08/20-528 Contract for the Supply of Natural Gas for Council Facilities

Note: Included in Closed Council in accordance with Section 10A(2)(d)(i) of the Local Government Act as the information involves commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

C08/20-529 Variation to Tender Evaluation Report - Neil Street Merrylands - Road and Drainage Works

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

15 Other / General Matters

16 Close

Item No: C08/20-514

MINUTES OF THE ORDINARY MEETING OF COUNCIL - 05 AUGUST 2020

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

RECOMMENDATION

That Council confirm the minutes of the Ordinary Meeting of Council held on 5 August 2020.

ATTACHMENTS

1. Draft Minutes - 5 August 2020 ⇩

DOCUMENTS ASSOCIATED WITH REPORT C08/20-514

Attachment 1

Draft Minutes - 5 August 2020

CUMBERLAND CITY COUNCIL

Council Meeting
5 August 2020

Minutes of the Council Meeting 5 August 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 (via web conferencing)
Lisa Lake	Councillor
Joseph Rahme	Councillor (arrived 6:36pm)
Suman Saha	Councillor (via web conferencing)
Michael Zaiter	Councillor
Hamish McNulty	General Manager
Melissa Attia	Director Community and Organisation Development
Daniel Cavallo	Director Environment & Planning
Richard Sheridan	Director Finance & Governance
Stewart Rodham	Acting Director Works & Infrastructure

Also Present:

Charlie Ayoub	Executive Manager Corporate Services
Colin McFadzean	Legal Counsel
Carol Karaki	Senior Governance & Civic Events Coordinator
Laith Jammal	Governance Officer

Opening Prayer

The opening prayer was read by Father Peter Blayney from Guildford Catholic Church.

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.

CUMBERLAND CITY COUNCIL

Council Meeting
5 August 2020

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.

Minute of Silence

The Deputy Mayor, Councillor Sarkis requested that the Chamber observe a minute of silence in reflection of the explosion which occurred in Beirut, Lebanon earlier today. The Mayor, Councillor Christou requested that the Chamber stand for a minute of silence.

Min.769 Apologies/Leave of Absence

Resolved (Attie/Zaiter)

That Councillor Zreika be granted Leave of Absence for this Council Meeting.

Declarations of Pecuniary & Non Pecuniary Conflicts of Interest

Councillor Cummings declared a significant non-pecuniary interest in Item RES08/20-6 as a reasonable person may have a perception that because of past issues between Councillor Campbell and himself, it may influence his voting on this item. As such, Councillor Cummings exited the Chamber during the consideration of this item.

Councillor Attie declared a less than significant non-pecuniary interest in Item C08/20-504 as he is a member of a panel which may be discussed during the consideration of this item.

Councillor Sarkis declared a less than significant non-pecuniary interest in Item C08/20-504 as he is a member of a panel which may be discussed during the consideration of this item.

Confirmation of Minutes

Min.770 C08/20-503 Minutes of the Ordinary Meeting of Council - 15 July 2020

Resolved (Sarkis/Attie)

That Council confirm the minutes of the Ordinary Meeting of Council held on 15 July 2020.

Min.771 Matter of Urgency – Councillor Garrard

Resolved (Garrard/Sarkis)

That in accordance with Clause 9.3(b) of the Cumberland Council Code of Meeting Practice, Standing Orders be suspended to permit the Matter of Urgency in relation to the COVID-19 pandemic.

CUMBERLAND CITY COUNCIL

Min.772 Matter of Urgency – COVID-19 Pandemic

Resolved (Garrard/Sarkis)

That:

1. For the duration of the ongoing COVID-19 pandemic, all groups and users of Council sporting fields and facilities adhere to public health orders in relation to the use of these facilities and that Council provide the necessary documentation and requirements to groups and users at the time of hire to facilitate this process.
2. In managing the risks within our community the provision of a COVID safety plan be endorsed as a condition of hire of Council's facilities and that resources be allocated from within Council to undertake checks of our facilities to ensure groups are complying with the safety plans they have developed.
3. Hirers must be required to maintain a record of attendance sheet so that spectator and participant details can be recorded (for purposes of contact tracing) and that all hirers be provided with the most current health advice about restrictions and practical containment measures such as hygiene, social distance and the prevention of attendance by anyone with symptoms or who is being tested due to contact.
4. Groups and hirers should also be required to appoint a registered COVID Safety Marshall to ensure these measures are implemented and adhered to.
5. Council officers should be responsible for the implementation and monitoring of this process and a report should be provided back to Council after a month of implementing the above measures, to evaluate and review these measures and recommend any improvements which may be useful.

Carried Unanimously

Min.773 Items by Exception

Resolved (Sarkis/Attie)

That Council adopt items C08/20-505, C08/20-506, C08/20-507, C08/20-509, C08/20-510, C08/20-512 and C08/20-513 on the Council Agenda in bulk as per the recommendations in the reports.

Min.774 C08/20-505 Investment Report - June 2020

Resolved (Sarkis/Attie)

That Council receive the report.

Min.775 C08/20-506 Update on Approved Mayoral Community Fund Applications

Resolved (Sarkis/Attie)

That Council receive the report.

CUMBERLAND CITY COUNCIL

Min.776 C08/20-507 Review of Cumberland Design Excellence Panel

Resolved (Sarkis/Attie)

That Council:

1. Re-adopt the *Design Excellence Panel Policy*.
2. Note the refinements to the *Design Excellence Panel Procedures*.

Min.777 C08/20-509 Sustainability Action Plan - Post Exhibition Report

Resolved (Sarkis/Attie)

That Council adopt the Sustainability Action Plan as outlined in Attachment 1 of this report.

Min.778 C08/20-510 Response to Matter of Urgency - Dumping of Trolleys

Resolved (Sarkis/Attie)

That Council:

1. Receive the information contained within this report.
2. Continue to liaise with local shopping centre management and major retailers, in relation to their obligations to prevent abandoned shopping trolleys being discarded throughout the community.
3. Write to the Office of Local Government and the Minister for Local Government, requesting change to the *Impounding Act 1993* to place greater responsibility on commercial retailers in preventing the abandonment of shopping trolleys on public land.

Min.779 C08/20-512 Request from Fire & Rescue NSW for a Fire Safety Audit on Identified Building

Resolved (Sarkis/Attie)

That Council delegate authority to the General Manager to conduct a fire safety audit as requested by Fire & Rescue NSW [Ref No: BFS20/1561(11595)] and take appropriate regulatory action to ensure all essential fire safety measures are in accordance with the National Construction Code Volume One 2019 Building Code of Australia.

CUMBERLAND CITY COUNCIL

Min.780 C08/20-513 Renewal of Computers

Resolved (Sarkis/Attie)

That Council:

1. In accordance with section 55(3)(G) of the *Local Government Act 1993*, endorse the Lease Agreement with Macquarie Bank Limited (ABN: 46 008 583 542) for computers under the Local Government Procurement Operating Lease Prequalification Scheme (LGP1107-3) for a total amount of $674,125 ex GST over a 4 year contract period.
2. Delegate authority to the General Manager to execute the contracts.

Min.781 C08/20-504 Delegations to Determine Applications to Modify Development Consents

Resolved (Cummings/Elmore)

That pursuant to s.377 of the *Local Government Act 1993,* Council:

1. Delegate power to the General Manager to determine all applications to modify a development consent under s.4.55(1) and s.4.55(1A) of the *Environmental Planning and Assessment Act 1979*.
2. Note s.4.55(2) applications which must be determined by the Cumberland Local Planning Panel pursuant to the direction issued under s.9.1 of the *Environmental Planning and Assessment Act 1979* by the Minister for Planning and Public Spaces on 30 June 2020.
3. Delegate power to the General Manager to determine all applications to modify a development consent under s.4.55(2) of the *Environmental Planning and Assessment Act 1979* other than those applications which must be determined by the Cumberland Local Planning Panel pursuant to the s.9.1 direction.
4. Delegate power to the General Manager to determine all applications to modify a development consent under s.4.56 of the *Environmental Planning and Assessment Act 1979* other than those applications which would be determined by the Panel if the application was treated as a s.4.55(2) application, in which case the Panel is to be the consent authority.
5. Note s.4.55(2) applications which must be determined by the Sydney Central City Planning Panel pursuant to clause 123BA of the *Environmental Planning and Assessment Regulation 2000* and the *Instruction on Functions Exercisable by Council on Behalf of Sydney District or Regional Planning Panels – Applications to Modify Development Consents* published on the NSW planning portal on 30 June 2020.

Carried Unanimously

CUMBERLAND CITY COUNCIL

C08/20-505 Investment Report - June 2020

This item was dealt with earlier in the meeting.

C08/20-506 Update on Approved Mayoral Community Fund Applications

This item was dealt with earlier in the meeting.

C08/20-507 Review of Cumberland Design Excellence Panel

This item was dealt with earlier in the meeting.

Min.782 C08/20-508 Urban Tree Strategy - Post Exhibition Report

Resolved (Hamed/Sarkis)

That Council adopt the *Urban Tree Strategy* as outlined in Attachment 1 of this report.

Carried Unanimously

C08/20-509 Sustainability Action Plan - Post Exhibition Report

This item was dealt with earlier in the meeting.

C08/20-510 Response to Matter of Urgency - Dumping of Trolleys

This item was dealt with earlier in the meeting.

Min.783 C08/20-511 Draft Wyatt Park Plan of Management

Resolved (Huang/Sarkis)

That Council:

1. Refer the Draft Wyatt Park Plan of Management to the NSW Department of Planning, Industry and Environment for Ministerial consent.
2. Upon receipt of Ministerial consent, place the Draft Wyatt Park Plan of Management on public exhibition for a period of 42 days, inviting submissions throughout that time in accordance with Section 38 of the *Local Government Act 1993*.
3. Provide a further report to Council detailing the outcome of the public exhibition period.

Carried Unanimously

CUMBERLAND CITY COUNCIL

C08/20-512 Request from Fire & Rescue NSW for a Fire Safety Audit on Identified Building

This item was dealt with earlier in the meeting.

C08/20-513 Renewal of Computers

This item was dealt with earlier in the meeting.

Min.784 RES08/20-6 Notice of Rescission - Mayoral Minute - Councillor Briefings and Workshops during Covid-19

Note: Councillor Campbell tabled a letter he received from the Office of Local Government during the consideration of this item. Council's General Manager, Hamish McNulty also displayed on screen a letter addressed to the Office of Local Government during the consideration of this item. These letters are attached to the Minutes.

Councillor Cummings exited the Chamber at 7:05pm prior to the consideration of this item as he had declared a significant non-pecuniary interest in this item.

Motion (Campbell/Lake)

Pursuant to Notice, Councillors Campbell, Hamed and Lake move the following Resolution of Council 17/06/2020 (Item MM06/20-33) be rescinded:

That Council conduct all future Councillor Briefings and Workshops in person, with appropriate social distancing implemented in accordance with the NSW Public Health Order, with all Councillors required to attend in person to confirm their attendance.

The Rescission Motion moved by Councillor Campbell, seconded by Councillor Lake on being Put was declared Lost on the casting vote of the Mayor.

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

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

The Mayor, Councillor Christou closed the meeting at 7:35pm.

Chairperson_____ General Manager_____

CUMBERLAND CITY COUNCIL

Strengthening local government

NSW GOVERNMENT Office of Local Government

5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541

Our Reference: A708264
Contact: Council Governance
Phone: 02 4428 4100

7 July 2020

Councillor George Campbell
Cumberland Council

By email: George.Campbell@cumberland.nsw.gov.au

Dear Councillor Campbell

Thank you for your email of 22 June 2020 to the Minister for Local Government, the Hon. Shelley Hancock MP, about Cumberland Council's resolution of 17 June 2020 requiring councillors to attend briefings and workshops in person. The Minister has asked the Office of Local Government to respond to you on her behalf.

The Office of Local Government shares your concerns and has written to the Council's General Manager, requesting that the Council reconsider its decision.

Thank you for bringing this matter to the Minister's attention.

Yours sincerely

Tim Hurst
Deputy Secretary
Local Government, Planning and Policy

T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

CUMBERLAND CITY COUNCIL

14 July 2020

Contact Hamish McNulty
Telephone 8757 9855

Mr Tim Hurst
Deputy Secretary
Local Government, Planning and Policy
Office of Local Government
Locked Bag 3015
NOWRA NSW 2541

By Email: tim.hurst@olg.nsw.gov.au

Dear Mr Hurst

RESPONSE TO LETTER REF: A708264

Thank you for your correspondence dated 7 July 2020, in relation to Cumberland City Council's resolution of 17 June 2020, requiring Councillors to attend briefings and workshops in person.

Council is closely following the recent COVID-19 Amendments to the *Local Government Act 1993*, OLG issued guidance and the current NSW Public Health Order with respect to this matter.

In addition, Council has implemented appropriate social distancing measures via commissioning a number of technological and physical alterations in the Merrylands Council Chamber, to ensure each Councillor has a minimum of 1.5 metres social distancing at Council meetings and briefings should they wish to attend in person.

Council has also previously made contact with your office and sought OLG advice in relation to the requirements around Councillors' obligations in participating in Council meetings and briefings via audio/visual link. These enquiries were made as Council was previously experiencing disruptive behaviour by some Councillors attending Councillor briefings by audio/visual link, circumstances which may have contributed to the eventual Council resolution of 17 June 2020.

Council has also confirmed via internal legal review, that Council's resolution via Mayoral Minute on 17 June 2020 complies with the COVID-19 Amendments to the *Local Government Act 1993*. Whilst I appreciate your feedback I have raised your correspondence with the Mayor, and ultimately the Mayoral Minute put forward at the 17 June 2020 Ordinary Council Meeting was a legal motion, in accordance with current legislation, and ultimately, was a matter for Council to determine by way of conducting a vote at the meeting.

16 Memorial Avenue, PO Box 42, Merrylands NSW 2160
T 02 8757 9000 E council@cumberland.nsw.gov.au W cumberland.nsw.gov.au
ABN 22 798 563 329

Welcome *Belong* Succeed

CUMBERLAND CITY COUNCIL

Whilst this remains as the current resolution of Council, Councillor Campbell continues to be furnished via email with the relevant Councillor briefing information prior to, and after every Councillor briefing. In addition, I would be willing to facilitate the full audio/visual recording of each briefing conducted, and provide access to Councillor Campbell to this, providing he adheres to the *Code of Conduct* with respect to not releasing this information, as Councillor briefings are not considered public meetings.

Finally, Councillor Campbell is free to contact any officer listed on the *Councillor and Staff Interaction Policy* including myself should he have any requests for information or queries in relation to a Councillor briefing matter and he is aware of this.

I trust this information assists. Please feel free to contact me if you wish to discuss further.

Yours faithfully

Hamish McNulty
GENERAL MANAGER

Item No: C08/20-515

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 3 August 2020. It does not capture changes that have occurred between that date and the date the report is considered by Council.

No external legal expenses for legal proceedings covered by this report were incurred during July 2020.

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: C08/20-516

QUARTER 4 PERFORMANCE REPORT ON THE OPERATIONAL PLAN 2019-20

Responsible Division: Community and Organisation Development
Officer: Director Community and Organisation Development
File Number: S-57-50
Community Strategic Plan Goal: *Transparent and accountable leadership*

SUMMARY

The purpose of this report is to update Council and the community on the progress made in implementing the activities outlined in the Operational Plan 2019-2020.

In total, 85% of projects planned for the 2019-2020 year have been completed or are running on track for completion by their due date, 15% of projects have been placed on hold and 0% require attention. The projects on hold for the quarter are largely due to the service impacts of the COVID-19 pandemic that commenced at the end of quarter 3 and resourcing constraints associated with a lack of available funding. The amount of projects requiring attention for quarter 4 was nil, in comparison to 4% for quarter 3.

In total, Council has reported on 73 projects in 2019-20 with 0 projects experiencing major issues and 11 formally placed on hold and carried into the next Operational Plan (2020-21).

RECOMMENDATION

That Council:

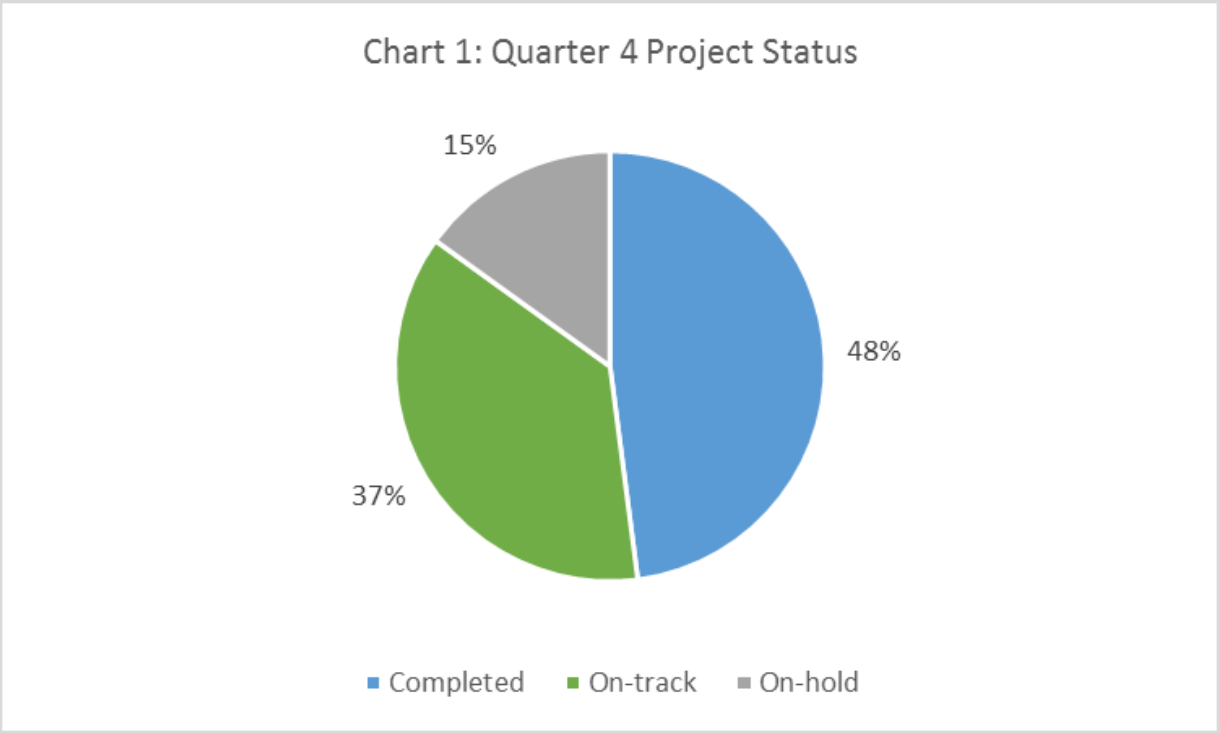
1. **Receive and note the information contained in this report.**

2. **Carry over 11 projects into the Operational Plan 2020-21, and discontinue 4 projects as outlined in this report.**

REPORT

The Operational Plan 2019-2020 identifies the key projects and programs planned for delivery throughout the year, as well as the allocated budget. These activities are in direct response to the strategic goals and community vision contained within the Community Strategic Plan 2017-27. The Quarter Four Performance Report highlights progress in implementing the planned activities over the period 1 April to 30 June 2020 and is provided under attachment 1 to this report.

The overall project status as at the end of the fourth quarter period is shown in Chart 1 below:



During the fourth quarter, 15 additional projects were completed bringing the total number of completed projects to 35 for the 2019-20 period.

COVID-19 Update

Council is closely monitoring the outbreak of COVID-19 and is taking advice from NSW Health and both the Federal and State Governments to assist in its response. The health, well-being and safety of staff, volunteers and the community continues to be Council's main priority. Council has remained open during the COVID-19 pandemic to provide essential services and to support vulnerable residents and the wider community.

Council's Social Inclusion and Nutrition Services teams, continued to provide essential services and meals to seniors, people with disabilities and vulnerable residents in the Cumberland Local Government Area. Details of the support and program incentives delivered during the quarter included the following:

- Welfare Wellness Checks
- Re-designed the Shopping Centre Model to non-contact delivery method, and on a weekly basis
- Walk and Talk Sessions Program
- Leisure Links Program
- Seniors Care Packages
- Emergency Hardship Relief Packages
- Business Continuity Campaign
- Business Support Program
- Free Flu Vaccination to over 170 people, across two days

Highlights this Quarter

- Council administered the Cumberland Art Awards 2020
- The Granville Centre is progressing ahead of schedule and on track for practical completion in September 2020
- The Parks and Recreation team received a special mention in a local community publication, the Voice of the Maltese, due to their commitment to the consultation process at Civic Park, Pendle Hill
- Works for the Woodville Golf Course Irrigation Works were completed in April 2020
- The *Draft Sustainability Action Plan* was endorsed by Council for public exhibition which was undertaken in June 2020
- Council's Mobile Community Recycling Service recorded 1,286 collections this quarter.
- A total of 4,983 collections have been completed across the Cumberland and Parramatta Local Government Areas during 2019-20, which is an increase of 11.5% in bookings from the previous year
- Children's Services received two grants:
  1. $71,793 in grant funding from the NSW Department of Education through the 2020 Quality Learning Environments Program
  2. $1,153,190 under the COVID-19 Local Government Early Childhood Education and Care Payment Program
- Council adopted the *Cumberland Local Housing Strategy*
- The *Draft Cumberland Affordable Housing Strategy* has progressed to public exhibition
- Council's Booking team transitioned all tennis court hirers online and developed new terms and conditions to support the new process and as a result, has recovered outstanding court hire fees

As expected during the final quarter of the Annual Operational Plan, many projects were completed during the April-June period. Other multi-year projects will carry over into the 2020-21 Operational Plan.

Projects Completed During Quarter 4

Group Service Area	Project Name
Community Programs and Events	• Delivery the CCTV in Public Spaces Program expansion project • Expand the Place Management Model across the LGA
Roads, Stormwater and Street Cleaning	• Stormwater Drainage CCTV Audit
Parks and Recreation	• Commence a Parks Plan of Management Review Program • Delivery of irrigation to Woodville Golf Course • Delivery of Merrylands Remembrance Park - Howitzer Gun Project (additional project included during quarter 3)
Environmental Programs	• Develop a sustainability strategy

Group Service Area	Project Name
Urban Planning & Development	• Prepare Wentworthville Public Domain Upgrade Plan.
Library Services	• Library procedures and operations review • Harmonisation of Library Opening Hours
Pools	• Modernisation of Swim Centres (excluding ongoing renewable capital expenditure and small projects)
Governance & Administration	• Develop a robust Governance Framework underpinned by principles of transparency and accountability • Implement a Sponsorship Policy and Program to govern income and outgoing sponsorship* • Implement dedicated rolling community engagement programs that create an ongoing conversation between Council and the community* • Investigate joint purchase opportunities with neighbouring Councils

*The project has been absorbed into business as usual tasks

The majority of remaining projects are running on track for delivery and will be ongoing projects reported in the Operational Plan 2020-21.

Projects Carried Forward into the Operational Plan 2020-21

Projects that were originally scheduled for completion in the 2019-2020 period and that were not completed due to the reasons outlined in the below table will now be carried forward into the Operational Plan 2020-21. These projects are all on track for completion in 2020-21.

Group Service Area	Project	Reason not completed
Community Programs and Events	Deliver the Peacock Gallery and Auburn Artist Studio expansion project	Due to a lack of funding
Roads, Stormwater and Street Cleaning	Design and acquisition for Merrylands Ring Road	The development of Merrylands Town Centre has not occurred. The developer funds were going to contribute, and the project is anticipated to commence late into the 2020-21 Operational Plan period
Roads, Stormwater and Street Cleaning	Develop Pedestrian Access Management Plan	The Pedestrian Access Management Plan project will be carried forward. The works are underway however not completed
Parks and Recreation	Develop an Urban Tree Strategy	The project will be rolled over and anticipated to be completed for quarter 1, Q1 2020/21. The Draft Tree Strategy was placed on public exhibition between 1 June and 6 July. All submissions were reviewed, and responses will be provided in a Council report on 5 August 2020. We expect the Strategy to be adopted on 5 August 2020

Group Service Area	Project	Reason not completed
Parks and Recreation	Deliver Wyatt Park Plan of Management	The project will be carried over into 2020-21 and expect a completion date during December 2020
Parks and Recreation	Complete Granville Park Pavilion and playing surface renewal works.	Carry over into 2020-21, expect completion date during August 2021
Parks and Recreation	Develop a Cumberland Synthetic Surfaces Plan	Carry over and expect completion date during March 2021
Parks and Recreation	Develop a plan for the upgrade of all public amenity blocks in Cumberland	Carry over and need to get approval for resources
Parks and Recreation	Commence a Sportsground Plan of Management Review Program	Carry over and expect a completion date during June 2021
Community Property and Facilities	Develop the Granville Multipurpose Community Facility	The project is in near completion and due to open in September 2020. COVID-19 has impacted with its continued community engagement with local services, artists and residents, who would be interested in using this facility when it opens

These projects were largely delayed due to the impact of COVID-19 which placed restrictions on the way Council provides services. Additionally, restrictions due to social distancing meant that some scheduled community engagement programs and consultations, were postponed or limited. Other factors resulting in projects being carried forward included resourcing constraints, such as funding from grants and changes in service delivery capacity.

Projects recommended to be discontinued in 2020-21

Projects that are recommended to be discontinued in the Operational Plan 2020-21 are outlined below.

Group Service Area	Projects Discontinued for 2020-21	Reason
Parks and Recreation	Deliver a Sports Facilities Plan	Change of Council planning priorities
Parks and Recreation	Prospect Hill Lookout and Access	Heritage issues to be resolved.
Governance and Administration	Develop and implement the Think Local, Buy Local Program	Project will be discontinued for 2020/21 due to budget and financial constraints from COVID-19. Council in general at the moment must proceed with the best and lowest cost quotations received when undertaking Procurement activities. Council does however undertake a range of initiatives to support local businesses and has a dedicated business support website
Community Property and Facilities	Design and construction of amenities and grandstand at C V Kelly Park	Funding restrictions

Projects on hold

The following projects were placed on hold during the first three quarters of the 2019-20 period and will carry over into the Operational Plan 2020-21:

- Design and acquisition for Merrylands Ring Road
- Widening of Boundary Road / Wolumba Street Bridge, Regents Park
- Improve customer satisfaction in open space provision and presentation
- Deliver a Play Space Infrastructure Plan
- Develop a plan for the upgrade of all public amenity blocks in Cumberland
- Develop a Sports Facilities Plan
- Park Development Plan - Bike Plan
- Deliver a Youth Recreation Facilities Strategy
- Integrated Interpretation Plan - Prospect Hill
- Design and construction of amenities and grandstand at C V Kelly Park

The majority of these projects were placed on hold due to resourcing constraints associated with funding and staff requirements and also the impacts of the COVID-19 pandemic.

COMMUNITY ENGAGEMENT

The report will be placed on Council's website for public viewing.

POLICY IMPLICATIONS

Projects outlined to be carried over to the Operational Plan 2020-21 will be updated and reflected in the report due to Council in November 2020 for the Quarter 1 period.

RISK IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The end of year financial statements will be reported to Council in October following the External Auditor engagement.

CONCLUSION

Council has performed well delivering on commitments made in the Operational Plan 2019-20. Despite financial and global challenges, 85% of key projects planned for the year have been completed or have experienced minor delays and are on track for completion in 2020-21.

ATTACHMENTS

1. Quarter 4 Performance Report on the Operational Plan 2019-2020 ⇩
2. Major Project Update 30 June 2020 - Merrylands CBD ⇩

3. Major Project Update 30 June 2020 - Swim Centre Upgrades ⇩
4. Major Project Update 30 June 2020 - Granville Centre ⇩

DOCUMENTS ASSOCIATED WITH REPORT C08/20-516

Attachment 1

Quarter 4 Performance Report on the Operational Plan 2019-2020








Cumberland City Council

Quarter 4 Performance Report

April to June 2020

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THE INTEGRATED PLANNING AND REPORTING FRAMEWORK

Under the *NSW Local Government Act 1993*, councils are required to develop a hierarchy of plans known as the Integrated Planning and Reporting (IP&R) Framework. The IP&R Framework is designed to ensure that all NSW councils are using community engagement to undertake long term planning for their future.

The four year Delivery Program is informed by the overarching community vision in the 10 year Community Strategic Plan and resourced by the Resourcing Strategy. The one year Operational Plan details how Council plans to deliver the Community's vision for that financial year.

The IP&R Framework is designed to give Council and the community, a clear and transparent picture of:

1. Where we want to go (Community Strategic Plan).

2. How we plan to get there (Delivery Program, Operational Plan and Resourcing Strategy).

3. How we will measure our progress (Quarterly and Annual Reporting and the End of Term Report).

The Delivery Program and Operational Plan contain information about Council's Service Areas, Key Projects and the Performance Measures used to assess how Council is tracking towards achieving the Community's vision for its future. Council reports on a quarterly basis to ensure thorough monitoring of the commitments it has made to the community.

This report provides a summary of Council's progress over the fourth quarter (1 April 2020 - 30 June 2020), in implementing the Operational Plan 2019– 2020 which is year three of the Delivery Program 2017- 2021 (shown in the diagram below).



GUIDE TO READING THE QUARTERLY REPORT

There are two main sections in the Quarterly Report:

1. The Service Area Status Update section is where Council provides a snapshot of the overall progress for each Service Area, including achievements and highlights, along with issues and setbacks that are affecting the delivery of ongoing business activity.

SERVICE AREA STATUS UPDATE

Key Achievements and Highlights	Any good news stories, key events or milestones relating to the service that helps display progress.
Issues and Setbacks	Any issues experienced such as a lack of resources, unforseen circumstances or poor conditions that have slowed progress on service delivery.

Also included in this section are the progress of Performance Measures or Key Performance Indicators (KPI's).

PERFORMANCE MEASURES (KPI's)

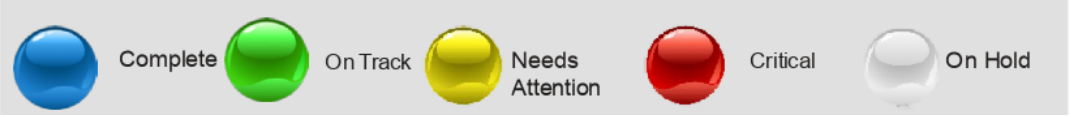
Performance Measure	Result
Performance Measure Indicator such as the number of attendees or the provision of programs.	The data relevant to the indicator measure.

2. The Key Projects section provides a progress comment and status update for each of the major projects for the Operational Plan of that year. This update helps readers to understand how a project is tracking, if it is likely to be completed, as well as any milestones or key highlights.

KEY PROJECTS

Key Project	Responsible Officer	Project Status Update	Status
Name and description of the Key Project as it appears in the Operational Plan and the Delivery Program	Manager in charge of delivering the Key Project	Update on progress of Key Project including milestones, highlights, issues or changes that affect the delivery of the Key Project	Traffic light status of the Key Project

Key to traffic light status symbols



EXECUTIVE SUMMARY

At the end of Quarter 4, 48% of key projects were completed and a further 37% were on track and will be carried over into the Operational Plan 2020-21. 15% of projects were placed on hold and no projects experienced major issues, other than service interuptions associated with COVID-19.

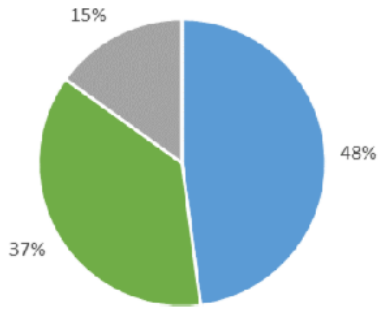
KEY PROJECTS

35/73 Completed

27/73 On Track

11/73 On Hold

0/73 Needs Attention



COVID-19 Update

Council is closely monitoring the outbreak of COVID-19 and is taking advice from NSW Health and both the Federal and State Governments to assist in the response. The well-being and safety of staff, volunteers and community continues to be Council's main priority. Council has remained open during the COVID-19 pandemic to provide essential services and to support our vulnerable residents and the wider community.

The Social Inclusion and Nutrition Services Team, provided essential services and meals to our seniors, people with disabilities and vulnerable residents in the Cumberland area. Details of the support and program incentives delivered during the quarter included the following:

- Welfare Wellness Checks
- Re-designed the Shopping Centre Model to non-contact delivery method, and on a weekly basis
- Walk and Talk Sessions
- Leisure Links Program
- Seniors Care Packages
- Emergency Hardship Relief Packages
- Business Continuity Campaign
- Business Support Program
- Free Flu Vaccination to over 170 people, across two days

Other services and incentives provided by Council included:

- Increased service levels that focused on sanitising touch points within CBD's and shopping centres
- Environmental Health Officers completed approximately 300 food inspections while staying protected from COVID-19
- Library Services initiated a suite of online services, including eCollections, Ask A Librarian Service, and video Storytime sessions during the COVID-19 pandemic
- Council has exceeded the financial forecast, and efficiently managed the risks and costs associated with COVID-19

EXECUTIVE SUMMARY

- As Council re-opens facilities such as pools and parks, COVID-19 safe plans are in place

HIGHLIGHTS THIS QUARTER

During the quarter, Council has successfully delivered and implemented projects and programs across the Cumberland area. Some of these highlights included the following:

- Administered the Cumberland Art Awards 2020
- The Granville Centre is progressing ahead of schedule and on track for practical completion in September 2020.
- The Parks and Recreation team received a special mention in a local community publication, the Voice of the Maltese, due to their commitment to the consultation process at Civic Park, Pendle Hill.
- Works for the Woodville Golf Course Irrigation Works was completed in April 2020.
- The ***Draft Sustainability Action Plan*** was endorsed by Council for public exhibition which was undertaken in June 2020.
- Council's Mobile Community Recycling Service recorded 1,286 collections completed this quarter. A total of 4,983 collections have been completed across the Cumberland and Parramatta Local Government Area (LGA) during the 2019/20 year. This was an 11.5% increase in bookings from the previous year.
- Children's Services received two grantfunds:
    1. $71,793 in grant funding from the NSW Department of Education through the 2020 Quality Learning Environments Program.
    2. $1,153,190 under the COVID-19 Local Government Early Childhood Education and Care Payment Program.
- Council adopted the ***Cumberland Local Housing Strategy***.
- The ***Draft Cumberland Affordable Housing Strategy*** was endorsed by Council for public exhibition.
- Council's Bookings Team has transitioned all tennis court hirers online and developed new terms and conditions, to support the new process and as a result, Council has recovered $33,966 in outstanding court hire fees.



HIGHLIGHTS THIS QUARTER

Image: Completion of the Howitzer Gun Project at Merrylands Rememberance Park

1. COMMUNITY PROGRAMS AND EVENTS

SERVICE AREA STATUS UPDATE

Key Achievements and Highlights	Council's Response to COVID-19 Our community spirit has always been strong. To help the community, Council has continued to provide essential and additional services. To protect staff, volunteers and the community, Council has listened to and actioned public health orders and provided initiatives and support to local businesses. The level of support provided by Council during the quarter for the COVID-19 pandemic is categorised into three areas: Supporting our seniors and people with disabilities: • Welfare wellness checks • Meals • Shopping • Library books • Activity packs • Walk and Talk Sessions Program/Lifestyle and Leisure Links Program Supporting our local businesses: • Business Continuity Campaign • Business SupportPrograms Other services to the community: • Good Neighbour Initiative • Seniors Care Packages and Emergency Hardship Relief Packages • Flu Vac Partnership • Living Safe in Cumberland Domestic Violence Community Education Program • Cumberland Art Award 2020 • National Reconciliation Week • Discover Cumberland - Community Education Program • Club GRANTS Scheme
Issues and Setbacks	COVID-19 saw a reduction in service delivery, resulting in a decrease in income and outcomes for the quarter. Council responded to COVID-19 by: • Closing its Community Centres and the Gallery • Cancelled all face-to-face programs, training and events • Delivered face-to-face programs, training and events online through Council's website, social media and through webinars, events and online forum • Staff work hours were also reduced during the quarter

1. COMMUNITY PROGRAMS AND EVENTS (CONTINUED)

PERFORMANCE MEASURES (KPIs)

Performance Measure	Result Q3	Result Q4
Percentage of community organisation satisfied with support and capacity building initiatives provided.	97%	N/A – annual survey undertaken in Quarter 3.
Percentage of community reporting an improvement with their health and wellbeing after accessing Council's Aged and Disability Services.	N/A, reported in Q4.	97%
Number of customers accessing Council's Aged and Disability Services.	593	542
Number of hours provided through Cumberland Lifestyles and Leisure Links.	746 hours	878 hours
Amount of income generated through Cumberland Lifestyles and Leisure Links.	$99,409	$30,254
Number of transport trips provided to seniors.	2,098 trips	Nil
Number of hours of social inclusion, individual and group support programs provided to seniors and people with a disability.	11,807 hours	1,390 hours
Number of meals provided by Cumberland's Nutrition Services to seniors and people with a disability.	8,330 meals	12,057 meals
Community satisfaction levels met with the provision of Aged and Disability services.	N/A	97%
Percentage of young people participating in Council's youth programs who would recommend the program to another young person. (Average Target <75%).	98.7%	100%
Percentage of Council's youth programs that involve youth participation in their planning.	89.3%	70%
Community Satisfaction levels met for Council festivals, events and programs delivered.	100%	Staffed centres were closed during this period due to COVID-19 public health orders.
Number of visitors to staffed community centres (Auburn, Berala, Guildford).	38,360 visitors to staffed community centres: January: 18,684 February: 14,622 March: 5,054	N/A – annual survey undertaken in Quarter 3.
Number of visitors to arts facilities (Peacock Gallery and Auburn Artist Studio).	Council recived a total of 3,771 visitors to Arts Facilities	There were 4,943 online and in person visitors to the digital and physical exhibitions in the quarter.

1. COMMUNITY PROGRAMS AND EVENTS (CONTINUED)

KEY PROJECTS

Key Project	Responsible Officer	Project Status Update	Status Q3	Status Q4
Deliver the CCTV in Public Spaces Program expansion project	Director Community and Organisation Development	Project completed in quarter 4. The CCTV in Public Spaces expansion project has been completed with 17 new CCTV cameras, 2 of which are licence plate recognition equipped, installed in the Merrylands CBD.		
Expand the Place Management Model across the LGA	Director Community and Organisation Development	Project completed in quarter 4. Council's Place Liaison Officers provided responsive and proactive support to a range of internal and external stakeholders as a result of COVID-19 in addition to undertaking place based service delivery.		
Deliver economic development initiatives to promote local economic growth	Director Community and Organisation Development	Council's economic and business support activities to local businesses, industry, employers and job search were implemented responsively during the early stages of the COVID-19 pandemic, resulting in the online initiatives of ShopLocal, and EmployLocal Campaigns.		
Deliver the Peacock Gallery and Auburn Artist Studio expansion project	Director Community and Organisation Development	Following the cancellation of uncommitted capital funding in February 2020, the project has been placed on hold. A scaled back version of the original proposed project outcome is in development, with the balance of architectural design contract fees and other arts funding being utilised to deliver an amended spatial layout of the Peacock Gallery art spaces to better support multipurpose uses, including artist studios.		

2. ROADS, STORMWATER AND STREET CLEANING

SERVICE AREA STATUS UPDATE

Key Achievements and Highlights	• Due to the COVID-19 pandemic, Council has increased its service levels focusing on sanitising high touch points within CBD's and shopping centres. • The Granville Centre is progressing ahead of schedule and on track for practical completion in September 2020.
Issues and Setbacks	• The COVID-19 pandemic has adversely impacted Council's ability to service the public. • Restrictions due to public health orders have reduced staffing levels in some areas.

PERFORMANCE MEASURES (KPIs)

Performance Measure	Result Q3	Result Q4
Kilometres of local roads renewed.	2.45km	3.96 km
Number of potholes repaired.	430	693
New footpath construction program completed.	4.99km	2.99 km
Maintenance inspections of roads.	0 Precincts	0 Precincts
Maintenance inspection of CBD/high profile footpaths.	100%	100%
Inspection of bridges.	18	26
Number of stormwater pits inspected.	1	25
Maintenance and cleaning of town centres.	100%	100%
Square metres of graffiti removed.	916	1,870
Number of instances of illegally dumped rubbish collected.	2,373	2,542
Number of clean up services provided.	12,167	12,188

2. ROADS, STORMWATER AND STREET CLEANING (CONTINUED)

KEY PROJECTS

Key Project	Responsible Officer	Project Status Update	Status Q3	Status Q4
Design and acquisition for Merrylands Ring Road	Director Works and Infrastructure	Project on-hold. The project remains on hold while Council awaits the results of the Cumberland Local Government Area wide traffic study.		
Develop Pedestrian Access Management Plan	Director Works and Infrastructure	A consultant's brief has been prepared to obtain quotes to complete the LGA wide plan.		
Develop Council's Public Place Cleansing Strategy	Director Works and Infrastructure	Project completed in quarter 1.		
Widening of Hector Street Bride, Regents Park	Director Works and Infrastructure	Project commenced in May 2020. Completion is scheduled for October 2020.		
Widening of Boundary Road / Wolumba Street Bridge, Regents Park	Director Works and Infrastructure	Project on-hold. Project will commence once Hector Street Bridge Works are completed.		
Stormwater Drainage CCTV Audit	Director Works and Infrastructure	Project completed in quarter 4. Project successfully completed. Data is being processed.		
Merrylands CBD Revitalisation Project Development	Director Works and Infrastructure	Modifications to building 219 Merrylands Rd and inviting tenders in June 2020 and works carried out during August to November 2020. The main works include major culverts under the main lane and Addlestone Road, local drainage upgrade along Merrylands Rd and other local streets and substation relocation to Sarah Daniel Court.		

3. PARKS AND RECREATION

SERVICE AREA STATUS UPDATE

Key Achievements and Highlights	• Council's Parks and Recreation team received a special mention in a local community publication, the Voice of the Maltese (issue 229), due to their commitment to the consultation process at Civic Park, Pendle Hill. • Council is reopening parks and sports fields for training and play purposes, following closures due to COVID-19. • The Wentworthville Swimming Centre works commenced in January 2020 and are due to be completed by summer 2021. • The Auburn Botanical Gardens Entrance works were completed in June 2020. • The construction contractor for the Granville Park Pavilion works took possession of the site on 30 June 2020. • Works for the Woodville Golf Course Irrigation Works was completed in April 2020.
Issues and Setbacks	• COVID-19 resulted in the closure of Council's open space and recreation assets. • Council's capital budget has declined due to loss of income, as a result of COVID-19.

PERFORMANCE MEASURES (KPIs)

Performance Measure	Result Q3	Result Q4
Percentage of Strategic Open Space Planning projects completed within the specified time and budget.	Completed	Nil in Quarter 4.
Percentage of Plans of Management reviewed by review date.	50%	80%
Percentage of Capital Works and Park Renewal projects completed within the specified time and budget.	Parks SRV 95% Parks Renewal 75%	Parks SRV 99% Parks Renewal 99%
Number of organisational and network meetings attended.	1	1 organisational, 12 networking
Amount of grant funding received annually for parks and recreation projects.	Nil in Quarter 3.	Nil in Quarter 4.
Percentage increase in seasonal occupancy rates at sportsgrounds.	Usage ceased in March due to social distancing regulations.	Nil due to COVID-19.
Number of Council's representatives at sports club and local park committee meetings.	6	Meetings being suspended due to COVID-19
Number of Sports Forum and Recreation and Sport Advisory Panel (RSAP) meetings held.	Nil in Quarter 3.	Nil in Quarter 4
Number of work orders received and completed.	212 work orders recieved. 165 work orders completed.	300 work orders received. 272 completed.

3. PARKS AND RECREATION (CONTINUED)

KEY PROJECTS

Key Project	Responsible Officer	Project Status Update	Status Q3	Status Q4
Develop a Cumberland Open Space and Recreation Strategy	Director Works and Infrastructure	Project completed in quarter 3.		
Deliver Wyatt Park Plan of Management	Director Works and Infrastructure	Draft finalised, reported to Council in July for a resolution to refer the PoM to Minister for Crown Lands for endorsement to place on public exhibition.		
Complete Granville Park Pavilion and playing surface renewal works	Director Works and Infrastructure	The work on the Granville Park Pavilion commenced on 30 June 2020. The work on the playing surface is awaiting contract signoff.		
Commence a Parks Plan of Management Review Program	Director Works and Infrastructure	Project completed in quarter 4. Plan of Management Review Strategy completed and prioritised in accordance with resourcing.		
Improve customer satisfaction in open space provision and presentation	Director Works and Infrastructure	Placed on hold due to COVID-19.		
Develop a Cumberland Synthetic Surfaces Plan	Director Works and Infrastructure	The draft Synthetic Surfaces Plan is 70% complete.		
Deliver a Play Space Infrastructure Plan	Director Works and Infrastructure	Project placed on hold. Extensive community engagement will be required as part of this project, which presents challenges in the current climate and also due to Council's budget review process.		
Deliver a range of asset and capital projects for parks and sportsgrounds	Director Works and Infrastructure	Project completed in quarter 4. Works completed 100%.		
Prospect Hill Lookout and Access	Director Works and Infrastructure	Remediation works are complete. The design package for the Path to Lookout Project is with the Minister for approval following consultation with OEH, ATSICC, Merrylands RSL.		
Delivery of irrigation to Woodville Golf Course	Director Works and Infrastructure	Project completed in Quarter 4.		

3. PARKS AND RECREATION (CONTINUED)

Develop a plan for the upgrade of all public amenity blocks in Cumberland	Director Works and Infrastructure	Project On-Hold, due to funding requirements.	

3. PARKS AND RECREATION (CONTINUED)

KEY PROJECTS (CONTINUED)

Key Project	Responsible Officer	Project Status Update	Status Q3	Status Q4
Commence a Sportsground Plan of Management Review Program	Director Works and Infrastructure	Sportsground Plan of Management is due for delivery in the Operational Plan 2020-21.		
Develop a Sports Facilities Plan	Director Works and Infrastructure	Project is on hold due to resourcing constraints and updated priorities. The project will no longer take place within the current operational year.		
Develop service specifications for all open space maintenance services	Director Works and Infrastructure	Project completed in quarter 3.		
Deliver an Urban Tree Strategy	Director Environment and Planning	A draft Urban Tree Strategy was approved by Council and placed on public exhibition in June 2020.		
Implementation of Park Management Plan	Director Works and Infrastructure	The Parks Plan of Management is planned for delivery in the Operational Plan 2020-21.		
Park Development Plan - Bike Plan	Director Works and Infrastructure	The project is on hold as the scope of this project is yet to be confirmed, considering available resources.		
Deliver a Youth Recreation Facilities Strategy	Director Works and Infrastructure	This project was scheduled for a future year of the Delivery Program however due to resourcing constraints, the project will no longer take place.		
Delivery of Merrylands Remembrance Park Howitzer Gun Project	Director Works and Infrastructure	Project completed in Quarter 4. The project is complete and grant funding from the NSW Office for Veterans Affairs has been acquitted.		
RAAF Stores Park - RAAF Stores Depot Memorial Plaques	Director Works and Infrastructure	Council was successful in recieving Commonwealth grant funding under the Saluting The Service Commemorations Program. The Cumberland RSL sub-branch is a co-contributor to the project and consultation has commenced.		
Prospect Hill Integrated Interpretation Plan	Director Works and Infrastructure	Council applied to the grant funding partner, the OEH, to delay implementation until the 2021/22 financial year due to the consideration of available resources and consultative limitations during COVID-19.		
Civic Park and Pendle Hill Wetlands Masterplan and Development	Director Works and Infrastructure	The draft Master Plan is now finalised following public exhibition. Design and specification has commenced.		

3. PARKS AND RECREATION (CONTINUED)

Deliver Granville Park Plan of Management	Director Works and Infrastructure	The draft Granville Park Plan of Management has been completed for Council approval to refer to the Minister for Crown Lands for endorsement to place on public exhibition.	

4.ENVIRONMENTAL PROGRAMS

SERVICE AREA STATUS UPDATE

Key Achievements and Highlights	• A final design is confirmed for the UV Smart and Cool Playgrounds Project, and a workshop was held to select the final design. • The draft Sustainability Action Plan was endorsed by Council for public exhibition, which was undertaken in June 2020.
Issues and Setbacks	• Business continuity and alternate arrangements were in place in response to COVID-19, with some activities suspended during this time.

PERFORMANCE MEASURES (KPIs)

Performance Measure	Result Q3	Result Q4
Number of Community Environmental Workshops held.	4	Nil, due to COVID-19.
Number of new trees planted in public places.	20	34
Number of trees given to Cumberland residents at tree giveaway events.	Nil. Scheduled for Quarter 4.	Nil, due to COVID-19.
Number of native beehives distributed to residents.	2	Nil, due to COVID-19.
Environmental programs developed and implemented.	Priority 1 actions completed.	Priority 2 actions to be reviewed.

KEY PROJECTS

Key Project	Responsible Officer	Project Status Update	Status Q3	Status Q4
Develop and implement Environmental Management Framework	Director Environment and Planning	Project completed in Quarter 1.		
Develop and implement a Biodiversity Strategy and Action Plan	Director Environment and Planning	Project completed in Quarter 1.		
Develop an Asbestos Management Plan	Director Environment and Planning	Work is continuing to delevelop the plan.		
Develop a Sustainability Strategy	Director Environment and Planning	Currently being fnialised for consideration by Council.		

4.ENVIRONMENTAL PROGRAMS

5. HOUSEHOLD WASTE AND RECYCLING

SERVICE AREA STATUS UPDATE

Key Achievements and Highlights	**Problem Waste Collection** Council's Mobile Community Recycling Service has recorded a high number of bookings with 1,286 collections completed this quarter. During the 2019/20 year, a total of 4,983 collections have been completed across the Cumberland and Parramatta Local Government Area. This is an 11.5% increase in bookings from the previous year. Council has received grant funding from the NSW Government Community Recycling Centre (CRC) Program to further promote the service to local residents. Grant funding has also been awarded to Council to provide small collection stations at Council facilities, such as Libraries and Community Centres. **Illegal Dumping** Council's Regional Illegal Dumping (RID) Officer has investigated 128 incidents of illegal dumping during the quarter. The investigations into illegal dumping has resulted in two infringements being issued this quarter. **Bin Inspection Program** The Program recognises the residents good effects to recycle correctly by leaving a blue 'congratulations' tag on the bin. To date Council has inspected 11,645 bins which included re-inspections and non-presented bins. The Resource Recovery Engagement Officer (MUDs) have audited and provided engagement to 341 households. Further, 91 managing agent organisations were engaged and delivered information and resources to bin bays, residents and property managers. The MUD Officers have also identified 23 bins, which were highly contaminated and notified property managers to remove the contamination before collection. There were 43 properties notified of leaving bins out after collection, which were subsequently placed back onto the property. **Education Workshops** • A total of 48 community members participated in two online educational workshops.
Issues and Setbacks	• Business continuity and alternate arrangement were in place in response to the COVID-19, with some activities not progressed during this time.

5. HOUSEHOLD WASTE AND RECYCLING (CONTINUED)

PERFORMANCE MEASURES (KPIs)

Performance Measure	Result Q3	Result Q4
Percentage of waste diverted from landfill.	38%	40%
Percentage of illegal dumping incidents reported that are investigated and/ or collected.	100%	100%
Number of bookings for the Asbestos Collection Program.	23	25
Tonnes collected from bookings for the Asbestos Collection Program.	2.48	1.48
Number of Mobile Problem Waste Collection bookings.	1,299	1,286
Number of Waste Education workshops and events held.	55	2 (online)
Number of people attending Waste Education workshops and events.	1,405	48

KEY PROJECTS

Key Project	Responsible Officer	Project Status Update	Status Q3	Status Q4
Release of Council's Residential Waste App for mobile devices	Director Enironment and Planning	Project completed in Quarter 1.		
Explore the viability of enhancing Council's Waste Drop Off Services	Director Works and Infrastructure	Project completed in Quarter 3.		

6. CHILDREN'S SERVICES

SERVICE AREA STATUS UPDATE

Key Achievements and Highlights	Grant Funding
	A total of $71,793 in grant funding was recieved from the NSW Department of Education through the 2020 Quality Learning Environments Program. The grant will fund the following programs and recourses:
	• Professional Learning Program: delivered to staff by Western Sydney University to develop knowledge, skills and capabilities of early childhood educators.
	• Aboriginal Educational Program: to further develop the staff understanding of inclusive practices for Aboriginal children and families.
	• Sports Programs for children at the Pemulwuy Children's Centre.
	• Cover the cost of educational, cultural and inclusive resources.
	• Upgrade education and care facilities including; external outdoor fans, privacy partitions in children's bathrooms, upgrade of shade structures, children's lockers and the replacement of children's furniture.
	Council recieved $1,153,190 under the COVID-19 Local Government Early Childhood Education and Care Payment Program.
	• **This program provided payments to Council for eligible early childhood education and care services to support their continued operation and viability through the COVID-19 pandemic.**
	• The Education and Care Team developed an online Learning from Home program for children enrolled in Council's education and care centres. This allowed children and families to remain connected to a service during the peak of COVID-19, sharing activities and children's developmental records.
	Delivery of Services and Programs
	This quarter, Council provided a range to support of young families, young children and youth in the Cumberland area, which included the following:
	• Be You on-line Professional Training Program: this has been completed by staff to meet the needs of their communities and assist with their mental health. This program provides educators with knowledge, resources and strategies for helping children and young people achieve the best possible mental health.
	• **Youth Week: was delivered differently for the quarter, with all planned activities being taken online and consisted the following:**
	  • Cumberland Youth Song: a collaboratively created music video featuring young people coming together virtually and communicating the positive messages of resilience, social responsibility and cohesion.
	  • Youth Stories: highlighting Cumberland youth representatives across different areas.
	  • Youth Services Video: promoting youth services across the Cumberland area through a young person's story.
	  • Arts and Performance Workshops: 3 virtual workshops on song writing, dancing and magic tricks.

6. CHILDREN'S SERVICES

Issues and Setbacks	Due to COVID-19 Children's Services either delayed or cancelled its activities and services. This included the following: • The opening for the newly renovated Friend Park Children's Centre was delayed. • All Youth Week plans were amended to be delivered vitually. • All April Community School Holiday Programs were cancelled. Services have seen a decline in utilisation in comparison from Quarter 2 and 3 however, the Federal and State funding has continued to fund services, as part of government relief packages.

6. CHILDREN'S SERVICES (CONTINUED)

PERFORMANCE MEASURES (KPIs)

Performance Measure	Result Q3	Result Q4
Percentage of Children's Services operating at "meeting or exceeding" the National Quality Standards.	100%	100%
Number of children transitioning to school.	199	N/A
Number of programs providing resources, support, education and care services for families with additional needs and number of families and children supported.	54	12
Utilisation of available childcare spots across all centres:		
Long Day Care utilisation	92.65%	90.66%
Before School Care utilisation - 60 students	51.63%	46.51%
Before School Care utilisation - 120 students	25.81%	23.25%
After School Care utilisation - 60 students	86.40%	77.50%
After School Care utilisation - 120 students	43.19%	38.75%
School Holiday Program utilisation - 60 students	76.73%	26.95%
School Holiday Program utilisation - 120 students	38.36%	13.47%
Family Day Care utilisation - Equivalent Full Time	105	107
Occasional Care – Hours	N/A	N/A

KEY PROJECTS

Key Project	Responsible Officer	Project Status Update	Status Q3	Status Q4

Develop and deliver a Professional Development Program that targets specific areas of Education and Care	Director Community and Organistion Development	Children's Services has undertaken the following activities to target specific areas of education and care:
		• Face to face training sessions were suspended due to COVID-19 restrictions, however educators and team members attended virtual training on the following:
		  • Be You training facilitated by Beyond Blue
		  • Child Safe Standards Training by The Office of the Children's Guardian
		  • Law and Regulations for Approved Providers by Australian Children's Education and Care Quality Authority (ACECQA).
		• Two First Aid sessions completed.
		• Staff have commenced, maintained and completed their Education and Care Traineeships.
				

6. CHILDREN'S SERVICES (CONTINUED)

		• Scheduling of upcoming training, which include behaviour management in the OOSH setting, CPR and First Aid training.	

6. CHILDREN'S SERVICES (CONTINUED)

KEY PROJECTS (CONTINUED)

Key Project	Responsible Officer	Project Status Update	Status Q3	Status Q4
Develop a Children and Family Strategy	Director Community and Organisation Development	During the development of the Strategy a number of activities were undertaken under the themes of: • Child Protection • Education and Care • Community Participation • Health and Wellbeing		
Provide inclusive programs and activities that support the educational engagement of children and provide pathways into preschool	Director Community and Organisation Development	Children's Services has maintained links with Playgroups NSW and Local Playgroups to promote education and care once their services recommence. Children's Services received funding from the Department of Communities and Justice for the coordination of a supported playgroup with the aim of highlighting the importance of early education and care. Holroyd Children's Centre also received a grant to promote early education and care and provide clear pathways for newly arrived families to access Education and Care services. Due to COVID-19, Bush School story times were suspended however a recovery plan was submitted to continue this from Quarter 1, 2020-21.		
Lead the development and implementation of a best practice Child Protection Framework and training model	Director Community and Organisation Development	During the development and implementation of the Child Protection Framework and training model, the following activities were undertaken: • Information sharing completed with Liverpool, Inner West and Ryde councils. This also included E-Learning modules, which was shared across all staff and other councils. • Council's webpage was updated to include online safety information for families during the COVID-19 crisis. • A review of the Child Protection Framework documents was undertaken by the Children's Development Team. • An HR review of the Selection and Recruitment Guideline led to the removal of child safe organisation messages in advertising. The Children's Development team is working with HR to have them reinstated. • Council joined a LGNSW working party for the Child Protection in a Local Government Setting Forum to be held in September 2020.		

7. URBAN PLANNING AND DEVELOPMENT

SERVICE AREA STATUS UPDATE

Key Achievements and Highlights	• Completion of public exhibition of the new Cumberland Local Environmental Plan and the new Cumberland Development Control Plan. • Adoption of the Cumberland Local Housing Strategy by Council. • Draft Cumberland Affordable Housing Strategy considered by Council and to proceed to public exhibition.
Issues and Setbacks	• Business continuity and alternate arrangements were in place in response to COVID-19, with some activities not progressed during this time.

PERFORMANCE MEASURES (KPIs)

Performance Measure	Result Q3	Result Q4
Number of community consultation on urban planning proposals, agreements and policies.	3	1
Average processing times for development applications.	119	102
Median processing times for development applications.	114	96
Development applications proceed within 90 days.	11%	48%
Development applications processed within 40 days.	16%	21%

KEY PROJECTS

Key Project	Responsible Officer	Project Status Update	Status Q3	Status Q4
Finalise the Cumberland Development Contributions Plan for Local Infrastructure	Director Environment and Planning	Project completed in quarter 2.		
Progress town centre and precinct review	Director Environment and Planning	The project is underway with initial analysis continuing on the Town Centres and Precinct reviews.		

7. URBAN PLANNING AND DEVELOPMENT

Develop new Cumberland LEP to implement studies and strategies (employment, residential, heritage and bushfire)	Director Environment and Planning	Public exhibition of the draft Cumberland Local Environmental Plan was undertaken in April and May 2020. Submissions are being reviewed with recommendations to be considered by Council in Mid-2020	

7. URBAN PLANNING AND DEVELOPMENT (CONTINUED)

KEY PROJECTS (CONTINUED)

Key Project	Responsible Officer	Project Status Update	Status Q3	Status Q4
Development Operations Program (including fire safety, external cladding, awning safety and swimming pools)	Director Environment and Planning	Council has continued to partner with the NSW Cladding Task Force, under the Better Regulation Division of the NSW Department of Customer Service. All premises whose owners self-identified as containing combustible cladding have now been inspected. Appropriate regulatory action is being processed. Council is partnering with Fire and Rescue NSW in relation to educational materials to advise residents of the fire safety issues associated with high-rise apartment living. Complaints of defective swimming pool barriers continue to be investigated as per statutory requirements under the *Swimming Pools Act 1992*.		
Prepare Wentworthville Public Domain Upgrade Plan	Director Environment and Planning	Project completed in Quarter 4. The Wentworthville Public Domain Plan has been adopted by Council.		



7. URBAN PLANNING AND DEVELOPMENT (CONTINUED)

Image: Community engagement during the development of the new Strategic Planning Framework

8. REGULATORY PROGRAMS

SERVICE AREA STATUS UPDATE

Key Achievements and Highlights	• Environmental Health Officers exhibited great resilience completing approximately 300 food inspections this quarter with all officers also protected from COVID-19 during this time. • Three large pollution incidents were attended to with one facility installing a number of measures to prevent future incidents at their site. The other two incidents involved the NSW EPA. A number of collaborative online meetings were held with agreements made to explore future training opportunities for councils, NSW Fire & Rescue/Hazmat and other first responders. • Around 90 Development Application Referrals were completed with some highly complex DAs assessed through Q4. • Over 3,000 CRMs were responded to over Q4 across Council's Environmental Health, Environmental Protection and Parking Patrol teams. • 6,569 Penalty Notices were issued across all three teams during the quarter. • The temporary Animal Holding Facility at the Auburn Depot was completed.
Issues and Setbacks	• Business continuity and alternate arrangements were in place in response to COVID-19, with some activities not progressed during this time. • The Environmental Health team was unable to complete the Cooling Tower Inspection Program this year, as a decision was made to protect Council's limited P2 mask supply in the event that the COVID-19 pandemic required a need to utilise this stock. • The Environmental Protection Officers were unable to undertake heavy vehicle patrols due to COVID-19. • A third of Environmental Protection staff were redeployed to the Parking Patrol team for a period of 2 months.

PERFORMANCE MEASURES (KPIs)

Performance Measure	Result Q3	Result Q4
Percentage of complaints about unauthorised building works responded to.	100%	100%
Number of swimming pool inspections carried out.	23	34
Percentage of food premises inspected under Council's Food Surveillance Program.	70%	100%
Percentage of skin penetration premises inspected under Council's Public Health Surveillance Program.	100%	100%
Percentage of cooling towers inspected under the Legionella Surveillance Program.	25% complete	20%. Program ceased due to lack of P2 mask (WHS requirement) supplies during COVID-19
Number of registered dangerous and restricted dogs throughout the Cumberland area.	8 Dangerous 5 Restricted 18 Menacing	8 Dangerous 5 Restricted 18 Menacing
Percentage of complaints about abandoned vehicles, road enforcement, illegal umping and parking compliance complaints responded to.	100%	100%
Percentage of complaints about limited load road enforcement responded to.	Not reported	Program ceased due to COVID-19 (PPE WHS requirements)

8. REGULATORY PROGRAMS

Percentage of complaints about illegal dumping responded to.	Not reported	100%
Percentage of complaints about parking compliance responded to.	Not reported	100%

8. REGULATORY PROGRAMS (CONTINUED)

KEY PROJECTS

Key Project	Responsible Officer	Project Status Update	Status Q3	Status Q4
Develop the Cumberland Environmental Health Strategy	Director Works and Infrastructure	Project completed in quarter 1.		





Images: Examples of pollution incidents during Q4 that were attended by Council regulatory officers.

9. LIBRARIES

SERVICE AREA STATUS UPDATE

Key Achievements and Highlights	Library Services initiated a suite of online services, including eCollections, Ask A Librarian Service, and video Storytime sessions during the COVID-19 pandemic.
Issues and Setbacks	All physical library services were closed from mid-March until mid-June due to the COVID-19 pandemic.

PERFORMANCE MEASURES (KPIs)

Performance Measure	Result Q3	Result Q4
Public Library PC usage.	31,394	20,957
WiFi own devices usage.	61,835	960
Number of new library memberships.	2,870	588
Number of visitors to libraries.	194,066	20,957
Number of library loans.	151,481	4,005
Number of library programs delivered.	720	4
Number of attendees at library programs.	7,016	45

KEY PROJECTS

Key Project	Responsible Officer	Project Status Update	Status Q3	Status Q4
Granville Multipurpose Facility - Branch Library Component	Director Community Development	Project completed in Quarter 2.		
Library Digital Literacy Programs	Director Community Development	Project completed in Quarter 3.		
Library procedures and operations review	Director Community Development	Project completed in Quarter 4. Library Services have completed reviewing procedures and operational reviews across the 8 libraries in the Cumberland area.		

9. LIBRARIES

Harmonisation of Library opening hours	Director Community Development	Project completed in Quarter 4. Library Services have phased the reopening of libraries and will continue to do so until final opening harmonisation at the end of Quarter 1 2020-21.	

10. POOLS

SERVICE AREA STATUS UPDATE

Key Achievements and Highlights	• Council is reopening Guildford and Granville pools with COVID-19 safe plans in place. • During the COVID-19 shutdown, staff undertook maintenance of facilities including plants, paintings and fixtures.
Issues and Setbacks	• The COVID-19 closures impacted Councils income and programs during the March – June period.

PERFORMANCE MEASURES (KPIs)

Performance Measure	Result Q3	Result Q4
Number of attendees at Council's pools.	73,361 attendees	Nil due to COVID-19
Subsidy per attendee at Council's pools.	$14.75 per patron	Nil due to COVID-19
Percentage water quality compliance with health regulations	100%	100%
Number of attendees at Council's Learn-to-Swim program.	17,147	Nil due to COVID-19
Number of workplace near misses and safety incidences reported at Council's Pools.	Nil	Nil

KEY PROJECTS

Key Project	Responsible Officer	Project Status Update	Status Q3	Status Q4
Modernisation of Swim Centres	Director Works and Infrastructure	Project completed in quarter 4. Wentworthville Swim centre modernisation works are progressing and the completion date is scheduled for January 2021.		

11. GOVERNANCE AND ADMINISTRATION

SERVICE AREA STATUS UPDATE

Key Achievements and Highlights	• Council has successfully tested the Business Continuity Plan. • Council has exceeded the financial forecast, and efficiently managed the risks and costs associated with COVID-19.
Issues and Setbacks	• COVID-19 restrictions adversely impacting Council's operations.

PERFORMANCE MEASURES (KPIs)

Performance Measure	Result Q3	Result Q4
Percentage of compliance with Office of Local Government statutory reporting.	100%	100%
Percentage of Access to Information Applications (GIPA Act) completed within timeframe.	100%	100%
Percentage of Internal Audit recommendations implemented within due date.	46%	67%
Percentage of Customer Calls answered in 60 seconds on average.	57%	86.47%
Counter average wait time.	4 min and 33 Seconds	3min 32 sec
Customer contact average wait times.	3 mins and 5 seconds	56 Sec
Percentage of Abandoned calls (Abandonment Rate).	13%	3.2%
Percentage of tier one complaints resolved within 15 days.	96%	94%
Percentage of business papers and meeting minutes published on time.	100%	100%
Percentage of compliance with Integrated Planning & Reporting legislative requirements.	100%	100%
Percentage of Council meetings livestreamed and widely accessible to public.	100%	100%

11. GOVERNANCE AND ADMINISTRATION (CONTINUED)

KEY PROJECTS

Key Project	Responsible Officer	Project Status Update	Status Q3	Status Q4
Develop a robust governance framework underpinned by principles of transparency and accountability	Director Finance and Governance	Project completed in Quarter 4. Framework document drafted and will be reported to the Audit, Risk and Improvement Committee in August for feedback.		
Implement dedicated rolling community engagement programs that create an ongoing conversation between Council and the community	Director Community and Organisation Development	Project completed in Quarter 4. During COVID-19, Council's Community Engagement Programs continued through an increased online presence. Planned face to face interactions were replaced with one-to-one phone calls. Engagement was designed to build and maintain ongoing communication between Council and the community, including Connecting Cumberland Communities during COVID-19, Share Your Stories, and links to resources.		
Link developed between Council's Integrated Planning and Reporting website and the data systems Council uses for performance reporting.	Director Community and Organisation Development	Tech One performance reporting module is progressing well and should be implemented by September 2020. Work can begin on website integration for reporting data once implementation is complete.		
Conduct an extensive community engagement program to underpin the development of the End of Term Report and inform the four yearly review of the Community Strategic Plan	Director Community and Organisation Development	Work is continuing. Due date for this project has been pushed back 12 months due to the change in date for the local government elections.		
Undertake and report an annual Community Satisfaction Survey to measure our progress towards the community vision in the Community Strategic Plan	Director Community and Organisation Development	Project completed in Quarter 1.		
Develop an ongoing Councillor Professional Development Program	Director Finance and Governance	Project completed in Quarter 1.		
Develop and implement the Think Local, Buy Local Program	Director Finance and Governance	Council has implemented a new e-procure tendering platform. Local businesses are able to register themselves and be notified of available tender opportunities.		

11. GOVERNANCE AND ADMINISTRATION (CONTINUED)

Investigate joint purchase opportunities with neighbouring councils	Director Finance and Governance	Project completed in Quarter 4. Regional procurement meetings have been put on hold due to COVID-19, however, any relevant collaborative opportunity will be investigated, as required. Council is also investigating the implementation of a Power Purchase Agreement, through buying power with other Western Sydney Regional Organisation of Councils (WSROC).	 

11. GOVERNANCE AND ADMINISTRATION (CONTINUED)

KEY PROJECTS (CONTINUED)

Key Project	Responsible Officer	Project Status Update	Status Q3	Status Q4
Undertake an annual Customer Satisfaction Survey in conjunction with other feedback to measure Council's progress in delivering excellent customer experience outcomes	Director Community and Organisation Development	Project completed in Quarter 1.		
Provide new and improved customer online services through the delivery of an online Customer Portal platform, including a fully integrated Customer Request Management (CRM) system	Director Finance and Governance	Project completed in Quarter 2.		
Develop and commence implementation of a Customer Experience Strategy, setting Council's Customer experience focus for 5 years	Director Community and Organisation Development	Customer Experience Strategy is on target with the completion of the project to improve and expand access to Council services by creating a new landing page platform linking all of our online eservices in a user friendly format. Council Dashboards for RM, ECM and Application processing are in final stages of production.		
Implement a Sponsorship Policy and Program to govern incoming and outgoing sponsorship	Director Community and Organisation Development	Project completed in Quarter 4. $47,000 incoming sponsorship was received for the 2019/2020 financial year. This number was affected by the COVID-19 virus that saw the reminder of the events for 2019 FY cancelled. $25,000 outgoing sponsorship was funded to the Cumberland Local Business Awards with $25,000 remaining unallocated and put towards savings.		
Auburn Civic Centre Rectification	Director of Works and Infrastructure	Project completed in Quarter 3.		
Develop and commence a Quality Assurance Program for Council's Customer Service Team	Director Community and Organisation Development	Project completed in Quarter 3.		

12. COMMUNITY FACILITIES AND PROPERTY

SERVICE AREA STATUS UPDATE

Key Achievements and Highlights	• Council's Booking System has transitioned all tennis court hirers online and developed new terms and conditions, to support this new process. As a result, Council has recovered $33,966 in outstanding court hirefees.
Issues and Setbacks	• COVID-19 restrictions adversely impacting Council's operations.

PERFORMANCE MEASURES (KPIs)

Performance Measure	Result Q3	Result Q4
Number of ECM Booking tasks (applications) received	863	1,989
Number of ECMs completed	100%	78.9%
Community Satisfaction levels met for all Council Community Centres and Facilities.	88% of responses are 'satisfied' with the quality of Community Centres and Facilities. 91% of responses are 'satisfied' with access to Community Centres and Facilities.	N/A completed in Q3.
ECM Booking enquiries for all Council community centres and facilities.	344	N/A
Percentage of Capital Works and Building Renewal Projects completed within the specified time and budget.	65%	Minor to moderate projects, 100% completed. Major projects 99% completed.
Percentage of service contracts renewed and up to date.	Under review	Nil

KEY PROJECTS

Key Project	Responsible Officer	Project Status Update	Status Q3	Status Q4
Develop Property Strategy	Director Finance & Governance	Project completed in Quarter 3.		
Deliver the Granville Multipurpose Community Facility	Director Community and Organisation Development	The new Centre is nearing completion and due to open in September 2020. Planning has continued for operation of the new co-located community hub and Council has continued community engagement with local services, artists and residents interested in using the facility when it opens.		

12. COMMUNITY FACILITIES AND PROPERTY

KEY PROJECTS (CONTINUED)

Key Project	Responsible Officer	Project Status Update	Status Q3	Status Q4
Establish the Guildford Community Centre's 'one-stop-shop' facility	Director Community and Organisation Development	DA approval was finalised enabling the Community Centre to extend its operating hours and increase utilisation once public health restrictions allow the Centre to reopen in July. New signage is currently being installed at the Centre.		
Design and construction of amenities and grandstand at C V Kelly Park	Director Works and Infrastructure	Project recommended to be discontinued. In Quarter 1, this project was reported as no longer taking place. The project was scheduled for a future year of the Delivery Program but due to resourcing constraints and updated priorities, the project will no longer take place.		

CUMBERLAND CITY COUNCIL

Quarterly Performance Report

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Cumberland City Council Sydney

DOCUMENTS ASSOCIATED WITH REPORT C08/20-516

Attachment 2

Major Project Update 30 June 2020 - Merrylands CBD

Project Summary Report – Merrylands CBD Major Drainage Upgrade

Construction Commencement Date: Forecast late 2020 (CBD Project)

Estimated "Practical Completion" Date: Forecast late 2021 (CBD Project)

Total Project Budget (Includes Design and Negotiations): $31,900,000

Main Contractor: Landmark (WIKA); Statewide Civil; Dyldam (proposed WIKA)

Project Status: 30 June 2020

Project Background and Scope

The original CBD project was contained to the upgrade of the stormwater drainage system associated with the Stocklands Proposed development (233, 249-259 Merrylands Road & 52-54 McFarlane Street) and generally bounded by Merrylands Road, Treves Street, McFarlane Street and Finns Lane. This part of the project included Design, negotiations with property owners and adjustment to building structures to enable the stormwater upgrades to be constructed. The Project Control Group expanded the scope to include other major development areas within Merrylands which are affected by drainage upgrades, namely Landmark Development (1-11 Neil Street) and Dyldam/Rositano (224-240 Pitt Street, 4 & 4A Terminal Place) and HB Home Improvements (13 – 15 Neil Street). The purpose of the project is to consolidate the drainage infrastructure to enable the most cost efficient method of controlling floodwaters in the Merrylands CBD and to enable proposed development to be less encumbered by stormwater infrastructure. In order to achieve these outcomes agreements have or are currently being established with some of the property owners/developers in the form of Work in Kind Agreements (WIKA) and/or Voluntary Planning Agreements (VPA).

Project Status

The design of the stormwater culvert upgrades are complete. Design of the adjustments to building structures to enable the stormwater upgrades to be constructed are also complete pending approval of Construction Certificate. Negotiations for the Dyldam WIKA are ongoing. The Landmark WIKA has been finalized, work commenced on-site October 2018 and is approximately 90% complete.

Council has finalized the land dedication from HB Home Improvements to allow Council to carry out the required roads and drainage works. The Contract to carry out road and drainage works in the Neil St precinct was awarded to Statewide Civil in January 2020. Works commenced in late February 2020 and are due to be completed in late 2020.

Tender for modification to the building at 219 Merrylands Road, Merrylands are currently being assessed with work likely to commence in September 2020 and finish by December 2020. Tender for Merrylands CBD Infrastructure work was advertised on 16 July 2020 and it closes on 25 August2020. It is anticipated that these works will commence in February 2021.

Community consultation is being undertaken for Merrylands CBD Infrastructure works and Have Your Say webpage is now live on Council's external website.

Budget Summary

The total project budget for this project is $31.9m. (All figures below exclude GST).

To date total spend on this project over its life totals $7,005,358.

A breakdown of the project expenditure for 2019/20 is in the following table (note all figures exclude GST):

Project Description	Actual 30 June 2020	Approved budget	Unspent
Merrylands CBD Drainage	$2,907,715	$3,018,790	$111,075

DOCUMENTS ASSOCIATED WITH REPORT C08/20-516

Attachment 3

Major Project Update 30 June 2020 - Swim Centre Upgrades

Project Summary Report – Cumberland Swimming Centre Modernisation for the Wentworthville and Guildford Centres

Construction Commencement Date Forecast:
- Wentworthville: January 2020
- Guildford: TBA

Estimated "Practical Completion" Date Forecast:
- Wentworthville: February 2021
- Guildford: TBA

Total Project Budget (Includes Design, Authority Fee and Construction): $17,037,000

Main Contractor for construction phase at Wentworthville is Omnistruct Building (NSW) Pty Ltd

Project Status: 30 June 2020

Project Background and Scope

The Cumberland Council Swimming Centre Modernisation includes the centres located in Guildford, Wentworthville, Granville & Merrylands. The upgrades of the pools are to address statutory requirements such as water quality and disability access. Following community consultation, the modernisation of the pools will include facilities to better serve the current and future needs of the community.

The original approach was to focus on Guildford and Wentworthville Swimming Centres as priorities. Subsequently the redevelopment of Wentworthville Swimming Centre is the key priority with the design phase of Guildford, Merrylands and Granville have been deferred, however, in the case of Granville, future design components are being developed in conjunction with, the adjoining development of The Granville Centre.

Project Status

Wentworthville Memorial Swimming Centre

The Early Works Contract commenced on 4 June, 2019 and was completed in September, 2019.
Council resolved to accept the Tender Evaluation Panel's recommendation to award the construction contract for the Wentworthville Memorial Swim Centre Modernisation to Omnistruct Building (NSW) Pty Ltd for the amount of $8,887,581(excluding GST) with construction works commencing 20th January 2020 and a construction program completion date late.January 2021.

Works completed to date on site have included the final stages of detailed demolition and the removal of an unexpected amount of ACM located on the site. The Commencement Certificate has now been issued by the PCA and new construction works shall commence in early April. Works are continuing under the appropriate controls brought about by COVID-19 restrictions, yet to date there does not appear to be any expectation of significant effect on supply lines from both locally and overseas sourced materials.

Site works completed to date include the following:

a. Floor services and concrete floors to amenity blocks and entry block.
b. Construction of internal walls and services within these walls in progress.
c. Painting of existing steel portal frames in progress.
d. Construction of 25m pool and balance tank floors and walls in progress.
e. Civil Works are in progress.
f. Sewer replacement works in progress.

Guildford Swimming Centre

Design consultants have produced 80% Design Documentation. The Review of Environmental Factors, including the results of the Community Consultation process, was lodged with Council on 20 June, 2019 in accordance with the requirements of the planning requirements (Infrastructure SEPP). A pre Development Application meeting with Council's development section has been undertaken. Following a Council Workshop on 25 July,2019, work on the Guildford Swimming Centre has been deferred until the finalisation of the construction works at the Wentworthville Memorial Swimming Centre.

Budget Summary

The total project budget for this project is $17.037m. (All figures below exclude GST).

To date total spend on this project over its life totals $3,685,623.

A breakdown of the project expenditure for 2019/20 is in the following table (note all figures exclude GST):

Project Description	Actual 30 June 2020	Approved budget	Unspent
Guildford Swim Centre Upgrade	180,205	203,690	$23,485
Wentworthville Swim Centre Modernisation	2,033,210	2,656,608	$623,398
Total	2,213,415	2,860,298	$646,883

DOCUMENTS ASSOCIATED WITH REPORT C08/20-516

Attachment 4

Major Project Update 30 June 2020 - Granville Centre

Project Summary Report – The Granville Centre

Construction Commencement Date: 19 July 2019

Estimated "Practical Completion" Date: Forecast September 2020

Total Project Budget (Includes Design, Authority Fee and Construction): $25m

Main Contractor: Stephen Edwards Pty Ltd

Project Status: 30 June 2020

Project Background and Scope

The Site - "Granville Memorial Park" is bounded by Memorial Drive, Enid Avenue, Diamond Avenue and the Duck Creek storm-water canal, in Granville NSW.

The Project proposes to demolish the existing Youth and Recreation Facility including its associated multipurpose game court, the Granville Baby Centre Building, the St John's Ambulance Building and the Children's Playground and develop a new Multipurpose Community Centre including a new Youth and Recreation facilities, a new Library and a new Regional Art Gallery.

The area will include a new children's playground and additional car parking and be integrated with the existing Swimming Pool, Parkland, War Memorial and car parking at Granville Memorial Park.

The Project is being undertaken by Cumberland Council as part of its Stronger Communities Fund Major Projects Program, pursuant to the NSW Government's Stronger Communities Fund.

The proposed breakdown of the new multipurpose facility (nominally 3,500sqm) includes:

- A Community Centre – nominally 1500sqm
- Library – nominally 1000sqm
- Regional Gallery/Multi-Arts Spaces – nominally 1000sqm

Project Status

- The main building is structurally complete with relatively minor items to finalise (painting, vents, furniture installation, services, etc.). All civil works and landscaping is also nearing completion.
- Construction of the building and associated works is due for physical completion on 15 July, 2020.
- Final handover is dependent upon defects and omissions inspection and rectification, together with finalisation of the Occupation Certificate (OC) from the Principal Certifying Authority.

- Relocation of staff is being coordinated following OC.

Budget Summary

The total project budget for this project is $25m. (All figures below exclude GST).

To date total spend on this project totals $24,316,273.

A breakdown of the project expenditure for 2019/20 is in the following table (note all figures exclude GST):

Project Description	Actual 30 June 2020	Approved budget	Unspent
Granville Multipurpose Centre	$21,988,273	$18,905,572	-

*Spend budgeted for the 2020/21 period was brought forward to 2019/20. This will not increase the overall cost of the project.

Item No: C08/20-517

MONTHLY MANAGEMENT REPORT - JUNE 2020

Responsible Division: Finance & Governance
Officer: Director Finance & Governance
File Number: 8379927
Community Strategic Plan Goal: *Transparent and accountable leadership*

SUMMARY

Council is normally exempt from reporting a Quarter 4 financial report, as there is a requirement to undertake an audit of the full year financial results. This report is a management report and cannot be relied upon as Council's financial year statutory report. This report provides the benefit of reporting against the latest Q3 annual forecast in a timely manner.

RECOMMENDATION

That Council receive the information contained in this report.

REPORT

EXECUTIVE SUMMARY - PROFIT AND LOSS

The following table provides a summary of YTD Actual against Forecast and reflects a YTD surplus of $8.7 million as at 30 June 2020. The recurring budget is $0.2m loss

OPERATING	ORIGINAL BUDGET '$000	APPROVED BUDGET '$000	YTD ACTUAL $000	YTD FORECAST $000	YTD VARIANCE $000	VARIANCE %
Operating Income	205,017	194,450	200,301	194,450	5,851	3%
Capital Income	18,567	16,461	17,033	16,461	572	3%
Operating Expenses	202,937	198,318	196,007	198,318	2,311	1%
Surplus/(Deficit) before adjustments	20,647	12,593	21,327	12,593	8,734	69%
Surplus/(Deficit) (Excl. Capital Inc.)	2,080	(3,868)	4,294	(3,868)	8,162	-211%
Recurring Budget	2,080	(4,333)	(156)	(4,333)	4,177	-96%

The performance to budget at the end of June 2020 (Q3) is a favourable variance of $8.2m. This has increased since Q3, where the budget was downgraded by $7.5m due to expected forecasted losses from COVID-19. While the performance to budget is $8.2m favourable to Q3, this is due to a substantial amount of grants money received in June, as well as one-off salary savings relating to excess leave and unfilled vacancies.

While one-off advanced payments and $3m in child care subsidies were received from the Federal and State Government in response to COVID-19, they are not sufficient to secure a future sustainable financial position.

Operating Income

The operating income is $5.8m higher than the Q3 budget due to the following:

Above budget $7.4m –

- Operating Grants $6.8m ($3.9m prepayment of FAG, Childcare Grants $1.8m; offset by User Fees declining $0.95m and Other State Grants $0.3m).

- Interest is $0.8m higher due to unexpected increases of fixed term securities, which include $0.3m on medium growth options and $0.5m fair value gain on bonds and fixed securities due to declining discount and interest rates.

Below budget $1.5m –

- Rates income of $0.4m due to supplementary growth. It can be noted that some of the benefits will be received next year as supplementary rates were processed late June.

- User Fees and Charges $1.0m due to Childcare (see Operating Grants) and $0.2m DA Fees. DA Fees were previously $0.6m above budget but an issue relating to overcharging a levy was discovered in June and, therefore, Council accrued for refunds of $0.8m.

Operating Expenses

Operating expenses were previously reduced in the Q3 review to offset the loss of income. The actual costs decreased a further $2.3m due to additional savings in the employee expenses of $2.2m. This was mainly due to vacancies and excess leave provision resulting from an essential service model being in place.

End of Year Report

The 2019/20 financial year audit will present a great deal of challenges and, as such, Council will not be in a position to release the final numbers until October. Due to these reasons, additional information has not been included as the numbers are subject to change. The initial draft of the annual financial statements should be ready by mid-September, in time for the auditors to commence their review. While additional extensions are possible this year due to the increased risk created by COVID-19, Council feels comfortable the October 31 deadline can be met but are cognisant of the evolving epidemic.

Financial Sustainability Review

Council has committed to updating the financial position and unrestricted cash position as part of the Quarter 1 Business Review.

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

Council's June year-to-date financial position still indicates a negative unrestricted cash position and the COVID-19 crisis continues to be a large financial challenge.

The $8.2m positive variance to the budget will see an improvement from Council's forecasted $(9.7) m to an estimated unrestricted cash $(4)m. The $5.7m improvement is due to the following:

1) Net movement of $4.3m in operating result. This movement is due to budget improvements $8.2m which is offset by a $3.9m prepayment of Financial Assistance Grants. This prepayment will be recorded as an internal reserve.

2) Other cash inflows of net $1.4m due to an improvement in rates collection $3m compared to forecast and less additional capital spend from general reserve $1.4m, and other working capital including leave payments of $0.2m.

CONCLUSION

The June year-to-date recurring budget position is favourable to the revised Q3 budget, and there has been a large improvement from the 2018-19 deficit towards the goal of returning to a surplus. Council is committed to improving the financial position and will continue to implement plans to restore a sustainable financial position within the next 12 months.

ATTACHMENTS

Nil

Item No: C08/20-518

INVESTMENT REPORT - JULY 2020

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

SUMMARY

This is a report from the Director Finance & Governance providing an update on the performance of Council's investment portfolio to 31 July 2020.

RECOMMENDATION

That Council receive the report.

REPORT

Included in this report are the following items that highlight Council's investment portfolio performance for the month, an update of the investment environment and a 2019/20 Portfolio review.

Council Investments as at 31 July 2020

Council's investment portfolio has a current market value of $127,722,148. This represents a premium of $1,405,332 above the face value of the portfolio being $126,316,815 and generates a 2.25% average purchase yield. The following table reflects Council's holding in various investment categories.

Categories	Face Value ($)	Current Value ($)	Current Yield (%)
Bonds	4,750,000	5,178,468	3.0474
Cash	6,367,194	6,367,194	0.4632
Floating Rate Note	34,750,000	35,095,208	1.1153
Managed Funds	16,449,622	16,449,622	6.0706
Term Deposit	64,000,000	64,631,657	1.9947
	126,316,815	**127,722,148**	**2.2459**

Investment Portfolio Performance

The investment returns for the month of July outperformed the current month benchmark.

Performance – Current Month 31 July 2020

For the month of July, Council's portfolio generated interest earnings of $210,564. This is $5,085 lower than the budget of $215,649 and outperformed the AusBond Bank Bill Index by 0.20%, as detailed below:-

Monthly Results	Income	Budget	Variance	Portfolio Performance	AusBond BB Index	Outperformance
Total Portfolio	241,669	205,833	35,836	0.36%	0.01%	0.35%

COMMUNITY ENGAGEMENT

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

POLICY IMPLICATIONS

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

RISK IMPLICATIONS

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

Preservation of Capital

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

Diversification

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

Credit risk

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

Maturity risk

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

FINANCIAL IMPLICATIONS

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

CONCLUSION

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

ATTACHMENTS

1. Investment Summary Report July 2020 ⇩
2. Economic and Investment Portfolio Commentary July 2020 ⇩
3. Investment Strategy and Portfolio Review 2019/20 Financial Year ⇩

DOCUMENTS ASSOCIATED WITH REPORT C08/20-518

Attachment 1

Investment Summary Report July 2020



Investment Summary Report
July 2020



Cumberland Council
Investment Summary Report - July 2020

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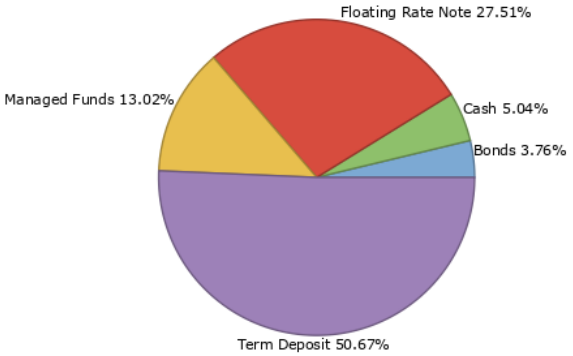
PRUDENTIAL INVESTMENT SERVICES CORP

Cumberland Council
Executive Summary - July 2020

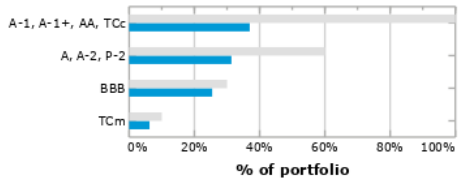
Investment Holdings

By Product	Face Value ($)	Current Value ($)	Current Yield (%)
Bonds	4,750,000.00	5,178,467.75	3.0474
Cash	6,367,193.69	6,367,193.69	0.4632
Floating Rate Note	34,750,000.00	35,095,208.17	1.1153
Managed Funds	16,449,621.80	16,449,621.80	6.0706
Term Deposit	64,000,000.00	64,631,656.69	1.9947
	126,316,815.49	**127,722,148.10**	**2.2459**

Investment Holdings

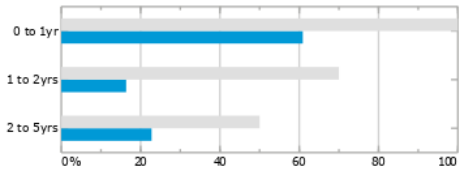


Investment Policy Compliance
Total Credit Exposure



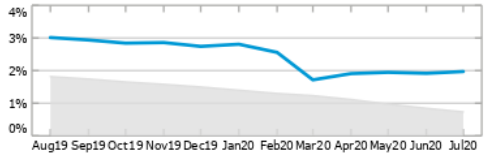
Portfolio Exposures | Investment Policy Limits

Investment Policy Compliance
Term to Maturity



Portfolio Exposures | Investment Policy Limit

Investment Performance



AusBond BB Index Rolling 12 month Return
Portfolio Rolling 12 month return

PRUDENTIAL INVESTMENT SERVICES CORP

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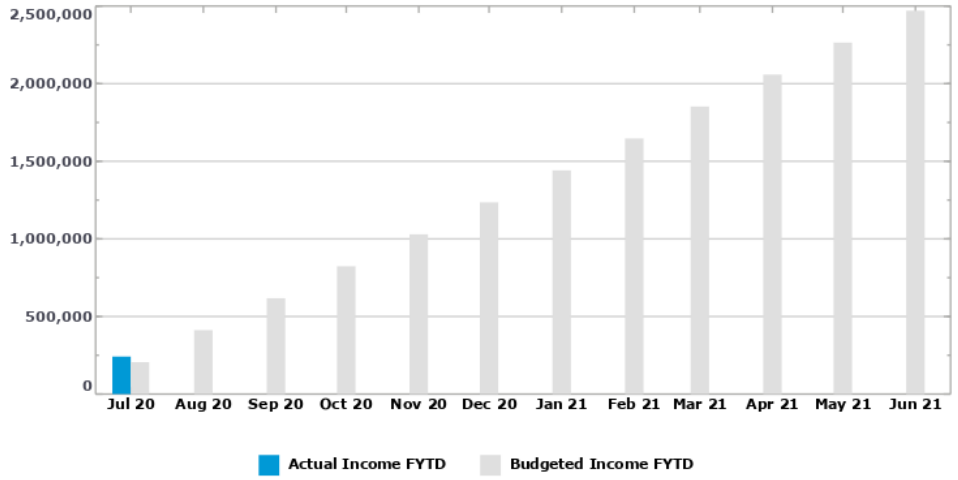
Cumberland Council
Actual Interest Report - July 2020

CUMBERLAND CITY COUNCIL

Budgeted vs Actual Returns

	Monthly Income	YTD Actual	YTD Budgeted
July 2020	241,669	241,669	205,833



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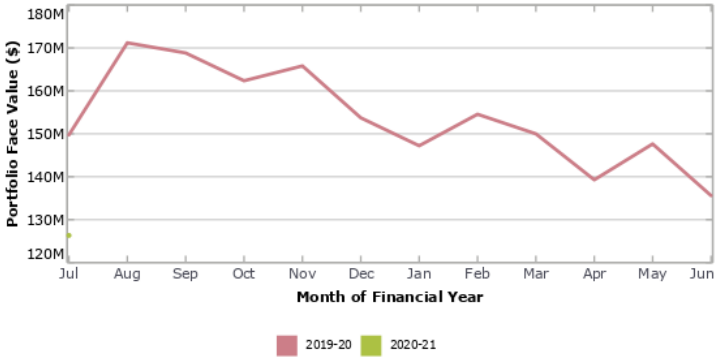
Cumberland Council
Investment Cashflows - July 2020

CUMBERLAND CITY COUNCIL

Historical Portfolio Balance

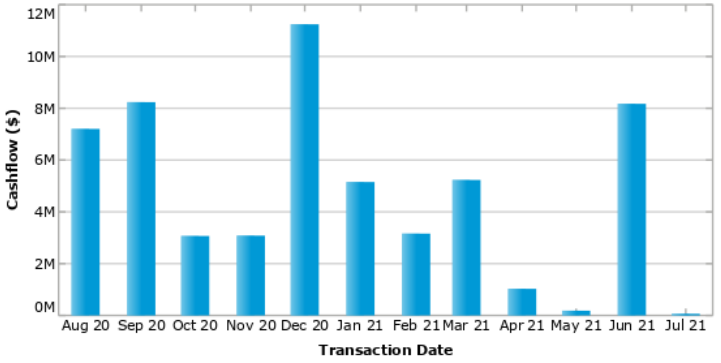


Historical Portfolio Balance

	2020-21	2019-20
July	126,316,816	149,746,425
August		171,194,994
September		168,825,526
October		162,351,811
November		165,813,514
December		153,714,732
January		147,208,089
February		154,552,547
March		149,988,069
April		139,269,346
May		147,636,618
June		135,604,806

Average 12 month Portfolio Balance 151,873,072

Upcoming Cashflow Summary



Upcoming Cashflow Summary

	Amount
August 20	7,201,960
September 20	8,235,838
October 20	3,068,012
November 20	3,080,420
December 20	11,242,055
January 21	5,150,749
February 21	3,159,133
March 21	5,231,198
April 21	1,027,473
May 21	182,576
June 21	8,171,865
July 21	61,607

PRUDENTIAL INVESTMENT SERVICES CORP

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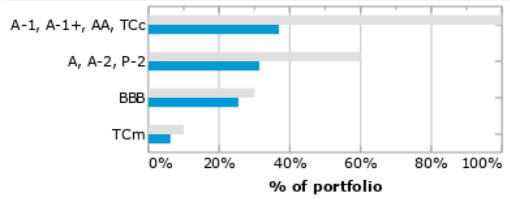
Cumberland Council
Investment Policy Compliance Report - July 2020

CUMBERLAND CITY COUNCIL

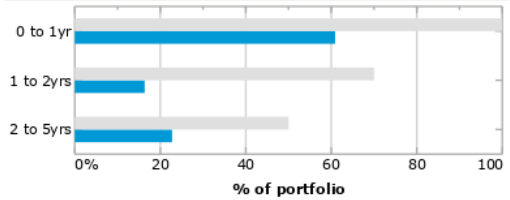
Total Credit Exposure



Portfolio Exposure Investment Policy Limit

Credit Rating		Exposures ($)	Exposures (%)	Policy Max	
Long Term	AA	11,750,000			
Short Term	A-1	8,000,000			
Short Term	A-1+	18,365,517			
Short Term	TCc	8,570,253			
		46,685,770	**37%**	**100%**	✓
Long Term	A	5,500,000			
Short Term	A-2	32,001,677			
Short Term	P-2	2,100,000			
		39,601,677	**31%**	**60%**	✓
Long Term	BBB	32,150,000			
		32,150,000	**25%**	**30%**	✓
Short Term	TCm	7,879,368			
		7,879,368	**6%**	**10%**	✓
		126,316,815	**100%**		

Term to Maturities



Portfolio Exposure Investment Policy Limit

Policy Minimum	Exposures ($)	Exposures (%)	Min (%)	
Less than 3 months	40,816,815	32%	10%	✓
Between 3 months and 1 year	36,100,000	29%	20%	✓

Policy Maximum	Exposures ($)	Exposures (%)	Max (%)	
Between 1 and 2 years	20,650,000	16%	70%	✓
Between 2 and 5 years	28,750,000	23%	50%	✓
	126,316,815			

✓ = compliant
X = non compliant

PRUDENTIAL INVESTMENT SERVICES CORP

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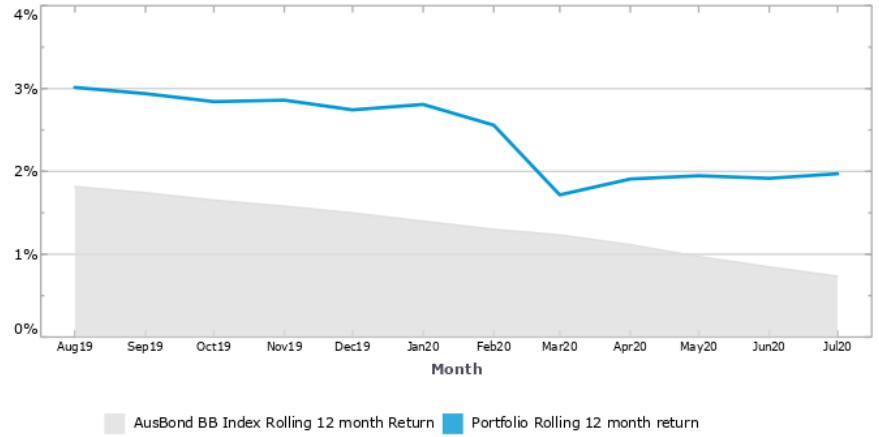
Cumberland Council
Investment Performance Report - July 2020

CUMBERLAND CITY COUNCIL

Historical Performance Summary



Historical Performance Summary (Annualised)

	1 Month	3 Months	6 Months	FYTD	12 months
Portfolio Return (1)	4.33%	3.50%	1.80%	4.33%	1.97%
Index Return (2)	0.11%	0.10%	0.50%	0.11%	0.73%
Outperformance (3)	4.22%	3.40%	1.30%	4.22%	1.24%

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

Historical Performance Summary (actual)

	1 Month	3 Months	6 Months	FYTD	12 months
Portfolio Return (1)	0.36%	0.87%	0.89%	0.36%	1.97%
Index Return (2)	0.01%	0.03%	0.25%	0.01%	0.73%
Outperformance (3)	0.35%	0.84%	0.64%	0.35%	1.24%

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

PRUDENTIAL INVESTMENT SERVICES CORP

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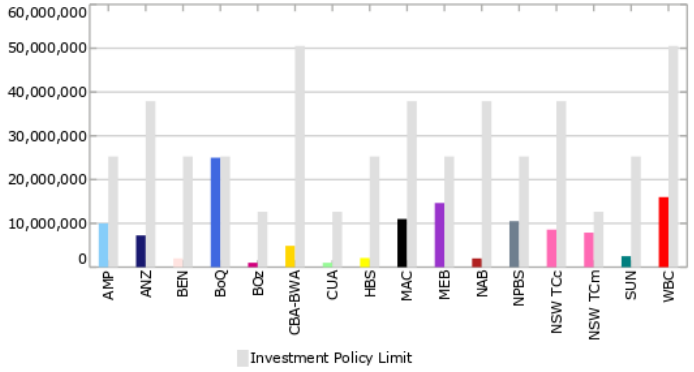
Cumberland Council
Individual Institutional Exposures Report - July 2020

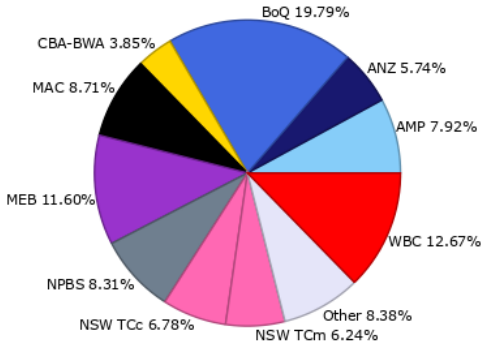
CUMBERLAND CITY COUNCIL

Individual Institutional Exposures

Parent Group	Credit Rating	Portfolio Exposure ($)	% of portfolio
AMP Bank	A-2, BBB+	10,000,000	8%
ANZ Group	A-1+, AA-	7,250,000	6%
Bank Australia	A-2, BBB	1,000,000	1%
Bank of Queensland	A-2, BBB+	25,000,000	20%
Bendigo and Adelaide Bank	A-2, BBB+	2,000,000	2%
Commonwealth Bank of Australia	A-1+, AA-	4,865,517	4%
Credit Union Australia	A-2, BBB	1,000,000	1%
Heritage Bank	P-2, Baa1	2,100,000	2%
Macquarie Bank	A-1, A+	11,000,000	9%
Members Equity Bank	A-2, BBB	14,651,677	12%
National Australia Bank	A-1+, AA-	2,000,000	2%
Newcastle Permanent Building Society	A-2, BBB	10,500,000	8%
NSW T-Corp (Cash)	TCc, TCc	8,570,253	7%
NSW T-Corp (MT)	TCm, TCm	7,879,368	6%
Suncorp Bank	A-1, A+	2,500,000	2%
Westpac Group	A-1+, AA-	16,000,000	13%
		126,316,815	

Individual Institutional Exposure Charts





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Cumberland Council
Investment Summary Report - July 2020

CUMBERLAND CITY COUNCIL

Cash Accounts

Face Value ($)	Rate (%pa)	Institution	Credit Rating	Current Value ($)	Deal No.	Reference
971,853.05	0.0000%	Commonwealth Bank of Australia	A-1+	971,853.05	250385	3010516
1,393,663.88	0.2500%	Commonwealth Bank of Australia	A-1+	1,393,663.88	533672	3010516
4,001,676.76	0.6500%	ME Bank	A-2	4,001,676.76	539882	3040620
6,367,193.69	**0.4632%**			**6,367,193.69**		

Managed Funds

Face Value ($)	Monthly Return	Institution	Credit Rating	Fund Name	Current Value ($)	Deal No.	Reference
5,438,817.14	0.0757%	NSW T-Corp (Cash)	TCc	Cash Fund	5,438,817.14	204877	3120516
3,131,436.32	0.2875%	NSW T-Corp (Cash)	TCc	Short Term Income Fund	3,131,436.32	204878	3120516
7,879,368.34	0.8663%	NSW T-Corp (MT)	TCm	Medium Term Growth Fund	7,879,368.34	538647	3021019
16,449,621.80					**16,449,621.80**		

Term Deposits

Maturity Date	Face Value ($)	Rate (%pa)	Institution	Credit Rating	Purchase Price ($)	Purchase Date	Current Value ($)	Deal No.	Accrued Interest ($)	Coupon Frequency	Reference
10-Aug-20	4,000,000.00	1.8200%	Westpac Group	A-1+	4,000,000.00	5-Sep-19	4,066,018.63	538500	66,018.63	At Maturity	3050919
24-Aug-20	2,000,000.00	3.0000%	Bank of Queensland	A-2	2,000,000.00	24-Aug-18	2,056,054.79	537008	56,054.79	Annually	3240818
14-Sep-20	4,000,000.00	1.8100%	Westpac Group	A-1+	4,000,000.00	10-Sep-19	4,064,664.11	538512	64,664.11	At Maturity	3100919
21-Sep-20	4,000,000.00	1.1500%	ME Bank	A-2	4,000,000.00	2-Jun-20	4,007,561.64	539864	7,561.64	At Maturity	3020620
19-Oct-20	3,000,000.00	1.6100%	Westpac Group	A-1+	3,000,000.00	19-Dec-19	3,029,906.30	538985	29,906.30	At Maturity	3191219
16-Nov-20	3,000,000.00	1.6100%	Westpac Group	A-1+	3,000,000.00	19-Dec-19	3,029,906.30	538986	29,906.30	At Maturity	3191219
8-Dec-20	3,000,000.00	3.0000%	Bank of Queensland	A-2	3,000,000.00	5-Dec-17	3,059,178.08	536048	59,178.08	Annually	3051217
14-Dec-20	4,000,000.00	1.7000%	Macquarie Bank	A-1	4,000,000.00	10-Mar-20	4,026,827.40	539559	26,827.40	At Maturity	3100320
21-Dec-20	4,000,000.00	1.7000%	Macquarie Bank	A-1	4,000,000.00	10-Mar-20	4,026,827.40	539560	26,827.40	At Maturity	3100320
18-Jan-21	2,500,000.00	1.7000%	AMP Bank	A-2	2,500,000.00	20-Jan-20	2,522,589.04	539174	22,589.04	At Maturity	3200120

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Cumberland Council
Investment Summary Report - July 2020

CUMBERLAND CITY COUNCIL

Term Deposits

Maturity Date	Face Value ($)	Rate (%pa)	Institution	Credit Rating	Purchase Price ($)	Purchase Date	Current Value ($)	Deal No.	Accrued Interest ($)	Coupon Frequency	Reference
25-Jan-21	2,500,000.00	1.7000%	AMP Bank	A-2	2,500,000.00	20-Jan-20	2,522,589.04	539175	22,589.04	At Maturity	3200120
22-Feb-21	3,000,000.00	2.9500%	Newcastle Permanent Building Society	A-2	3,000,000.00	22-Feb-19	3,038,552.05	537561	38,552.05	Annually	3220219
8-Mar-21	3,000,000.00	2.8500%	Newcastle Permanent Building Society	A-2	3,000,000.00	6-Mar-19	3,034,668.49	537619	34,668.49	Annually	3060319
7-Jun-21	4,000,000.00	1.1500%	ME Bank	A-2	4,000,000.00	2-Jun-20	4,007,561.64	539865	7,561.64	At Maturity	3020620
8-Jun-21	2,000,000.00	3.1400%	Westpac Group	A-1+	2,000,000.00	8-Jun-18	2,009,118.90	536727	9,118.90	Quarterly	3080618
28-Jun-21	2,000,000.00	2.0500%	Bank of Queensland	A-2	2,000,000.00	27-Jun-19	2,003,706.85	538086	3,706.85	Annually	3270619
4-Oct-21	3,000,000.00	1.7000%	Bank of Queensland	BBB+	3,000,000.00	4-Sep-19	3,046,389.04	538486	46,389.04	Annually	3040919
11-Oct-21	3,000,000.00	1.7000%	Bank of Queensland	BBB+	3,000,000.00	4-Sep-19	3,046,389.04	538488	46,389.04	Annually	3040919
23-May-22	2,000,000.00	2.4000%	Bank of Queensland	BBB+	2,000,000.00	24-May-19	2,008,942.47	537973	8,942.47	Annually	3240519
30-May-22	2,000,000.00	2.4000%	Bank of Queensland	BBB+	2,000,000.00	30-May-19	2,008,416.44	537991	8,416.44	Annually	3300519
14-Jun-22	2,000,000.00	2.2500%	Bank of Queensland	BBB+	2,000,000.00	11-Jun-19	2,006,287.67	538030	6,287.67	Annually	3110619
22-May-23	2,000,000.00	2.5500%	Bank of Queensland	BBB+	2,000,000.00	24-May-19	2,009,501.37	537974	9,501.37	Annually	3240519
	64,000,000.00	**1.9947%**			**64,000,000.00**		**64,631,656.69**		**631,656.69**		

Floating Rate Notes

Maturity Date	Face Value ($)	Rate (%pa)	Security Name	Credit Rating	Purchase Price ($)	Purchase Date	Current Value ($)	Deal No.	Accrued Interest ($)	Next Coupon Date	Reference
18-Aug-20	1,000,000.00	1.1978%	BEN Snr FRN (Aug20) BBSW+1.10%	A-2	1,000,000.00	18-Aug-15	1,002,785.76	533677	2,461.23	18-Aug-20	2180815
29-Mar-21	2,100,000.00	1.3300%	HBS Snr FRN (Mar21) BBSW+1.23%	P-2	2,100,000.00	29-Mar-18	2,112,731.18	536457	2,525.18	29-Sep-20	3290318
16-Apr-21	1,000,000.00	1.3700%	ME Bank Snr FRN (Apr21) BBSW+1.27%	A-2	1,000,000.00	17-Apr-18	1,004,990.55	536509	600.55	16-Oct-20	3170418
30-Aug-21	1,000,000.00	1.3950%	BOz 'SRI' Snr FRN (Aug21) BBSW+1.30%	BBB	1,000,000.00	30-Aug-18	1,008,516.03	536987	2,446.03	31-Aug-20	3300818
6-Sep-21	1,000,000.00	1.3506%	CUA Snr FRN (Sep21) BBSW+1.25%	BBB	1,000,000.00	6-Sep-18	1,010,331.15	537050	1,961.15	7-Sep-20	3060918

PRUDENTIAL INVESTMENT SERVICES CORP

Cumberland Council
Investment Summary Report - July 2020

CUMBERLAND CITY COUNCIL

Floating Rate Notes

Maturity Date	Face Value ($)	Rate (%pa)	Security Name	Credit Rating	Purchase Price ($)	Purchase Date	Current Value ($)	Deal No.	Accrued Interest ($)	Next Coupon Date	Reference
10-Sep-21	2,000,000.00	1.1800%	AMP Snr FRN (Sep21) BBSW+1.08%	BBB+	2,000,000.00	10-Sep-18	2,005,322.19	537065	3,362.19	10-Sep-20	3100918
10-Sep-21	3,000,000.00	1.1800%	AMP Snr FRN (Sep21) BBSW+1.08%	BBB+	3,021,240.00	31-May-19	3,007,983.29	537992	5,043.29	10-Sep-20	3310519
18-Jul-22	1,650,000.00	1.0849%	ME Bank Snr FRN (Jul22) BBSW+0.98%	BBB	1,650,000.00	18-Jul-19	1,658,574.52	538175	588.52	19-Oct-20	3180719
25-Jan-23	1,000,000.00	1.1521%	BEN Snr FRN (Jan23) BBSW+1.05%	BBB+	1,000,000.00	25-Jan-18	1,012,687.82	536142	157.82	26-Oct-20	3250118
6-Feb-23	500,000.00	1.5054%	NPBS Snr FRN (Feb23) BBSW+1.40%	BBB	501,370.00	21-Mar-18	508,854.11	536444	1,794.11	6-Aug-20	3210318
9-May-23	3,000,000.00	0.9962%	ANZ Snr FRN (May23) BBSW+0.90%	AA-	3,000,000.00	9-May-18	3,053,634.12	536582	6,714.12	10-Aug-20	3090518
19-Jun-24	2,000,000.00	1.0250%	NAB Snr FRN (Jun24) BBSW+0.92%	AA-	2,000,000.00	19-Jun-19	2,036,915.07	538035	2,415.07	21-Sep-20	3190619
11-Jul-24	4,000,000.00	1.1349%	BoQ Snr FRN (Jul24) BBSW+1.03%	BBB+	4,021,640.00	29-Aug-19	4,049,732.47	538417	1,492.47	19-Oct-20	3290819
30-Jul-24	2,500,000.00	0.8800%	SUN Snr FRN (Jul24) BBSW+0.78%	A+	2,495,800.00	12-Aug-19	2,510,920.55	538383	120.55	30-Oct-20	3120819
7-Aug-24	3,000,000.00	0.8950%	MAC Snr FRN (Aug24) BBSW+0.80%	A+	3,000,000.00	7-Aug-19	3,030,025.10	538349	6,326.30	7-Aug-20	3070819
29-Aug-24	2,000,000.00	0.8650%	ANZ Snr FRN (Aug24) BBSW+0.77%	AA-	2,000,000.00	29-Aug-19	2,030,390.92	538412	3,033.42	31-Aug-20	3290819
4-Feb-25	4,000,000.00	1.2153%	NPBS Snr FRN (Feb25) BBSW+1.12%	BBB	4,000,000.00	4-Feb-20	4,050,813.34	539180	11,853.34	4-Aug-20	3040220
	34,750,000.00	**1.1153%**			**34,790,050.00**		**35,095,208.17**		**52,895.34**		

Fixed Rate Bonds

Maturity Date	Face Value ($)	Rate (%pa)	Security Name	Credit Rating	Purchase Price ($)	Purchase Date	Current Value ($)	Deal No.	Accrued Interest ($)	Purchase Yield	Reference
8-Feb-24	2,250,000.00	3.1000%	ANZ Snr Bond (Feb24) 3.10%	AA-	2,250,000.00	8-Feb-19	2,473,927.91	537488	33,150.41	3.1125%	3080219
11-Jan-24	2,500,000.00	3.0000%	CBA Snr Bond (Jan24) 3.00%	AA-	2,500,000.00	11-Jan-19	2,704,539.84	537455	3,914.84	3.1850%	3110119
	4,750,000.00	**3.0474%**			**4,750,000.00**		**5,178,467.75**		**37,065.25**	**3.1507%**	

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DOCUMENTS ASSOCIATED WITH REPORT C08/20-518

Attachment 2

Economic and Investment Portfolio Commentary July 2020

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Cumberland City Council
Economic and Investment Portfolio Commentary
July 2020

Global issues:

- In the US, as widely anticipated, the June quarter GDP revealed a sharp drop due to the coronavirus related shutdowns. The -9.5% quarter-on-quarter result (-32.9% annualised) was the largest decline since 1946.
- The European Union passed a landmark agreement to provide significant support to member countries with a €750bln stimulus package. The markets took the news positively, both in regard to virus related support and the precedence the nations set for establishing a common fiscal policy.
- Asia's economic growth in the first quarter of 2020 was better than expectations due to early stabilization of the virus in some countries. But, economists have revised downward their projections for 2020 for most of the countries in the region on account of weaker global conditions and more protracted containment measures in several emerging economies.

Domestic issues:

- In Australia, the Government's budget deficit projection for 2020/21 was revealed to be $180bln off the back of $174bln in coronavirus related stimulus measures. Australia's virus related expenditures are among the world's most generous in relation to national GDP.
- June quarter inflation data had its biggest decline since 1997, at -1.9%pa. When adjusting for extraordinary price adjustments, like the Commonwealth Government's childcare fee relief plans, the underlying rate of inflation was 1.25%. Inflation is expected to rebound this quarter as government assistance is scaled back and petrol prices have increased.
- The Australian share market ended the month marginally higher and the AUD/USD closed out the month at 71.4c after spending the last third of the month above 70c.

Interest rates

- The RBA kept the official cash rate at 0.25%pa at its July meeting. The RBA again reiterated that a negative official cash rate is not a monetary option being considered, but it would consider cutting rates even lower, but not to zero.

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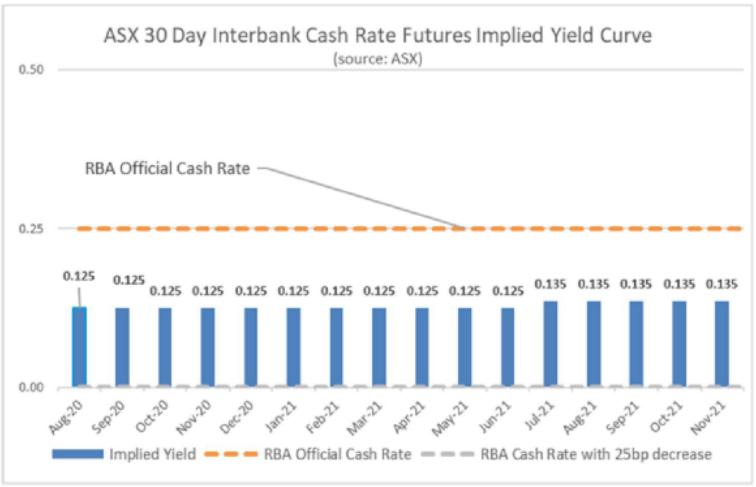
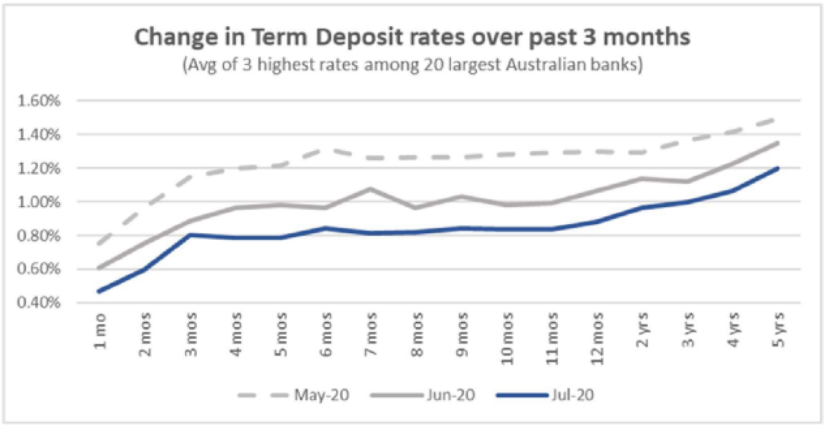


- Average term deposit rates continue to slip lower across all maturities. The average of the best term deposit rates among large banks were on average 16 basis points lower versus June month end:



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Investment Portfolio Commentary

Council's investment portfolio posted a return of 4.33%pa for the month of July versus the bank bill index benchmark return of 0.11%pa. For the past 12 months, the investment portfolio returned 1.97%pa, exceeding the bank bill index benchmark's 0.73%pa by 1.24%pa.

Without marked-to-market influences, Council's investment portfolio yielded 1.67%pa for the month. This is based on the actual interest rates being received on existing investments and excludes the underlying changes to the market value of the securities/deposits.

During July, Council's investment portfolio had a total of $7m in 10 and 12 month term deposits mature with an average rate of 1.85%pa. No new investments were made during the month.

The TCorpIM MT Growth fund rose 0.9% in July. The Australian share market posted its 4th month of gains in a row, up 1.0%. Materials (+5.9%) was the best performing sector as both base and precious metals gained during the month, with gold hitting an all time high. Energy (-6.3%) was again the worst performing sector. Overseas markets were mixed with the US S&P 500 (+5.6%) and Chinese S&P 300 (+13.0%) gaining, however the European S&P350 (-1.5%) and Japanese S&P 500 (-4.0%) were both down.

Council has a well-diversified portfolio invested among a range of term deposits and floating rate notes from highly rated Australian ADIs. 75% of the portfolio is spread among the top three credit rating categories (A long term/A2 short term and higher) and NSW TCorpIM managed funds. It is expected that Council can continue to achieve above benchmark returns with prudent investment selection for its short and long term holdings.

Disclaimer: The statements and opinions contained in this report are based on currently prevailing conditions in financial markets and are so contained in good faith and in the belief that such statements and opinion are not false or misleading. In preparing this report, Prudential Investment Services Corp has relied upon information which it believes to be reliable and accurate. Prudential Investment Services Corp believes that this report and the opinions expressed in this report are accurate, but no warranty of accuracy or reliability is given. Prudential Investment Services Corp does not warrant that its investigation has revealed all of the matters which a more extensive examination might disclose. This report may not be reproduced, transmitted, or made available either in part or in whole to any third party without the prior written consent of Prudential Investment Services Corp. AFS Licence No. 468145.

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Attachment 3

Investment Strategy and Portfolio Review 2019/20 Financial Year

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CUMBERLAND
CITY COUNCIL

Investment Strategy
and
Portfolio Review
2019/20 Financial Year

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Executive Summary

Investment Climate:

- In less than six months, the coronavirus has gripped the world, taking a terrible toll on families and pushing many nations' healthcare systems to the edge. Meanwhile, whole industries are in financial ruin and economic activity has been severely curtailed.
- The International Monetary Fund (IMF) is projecting the economic output of the world's advanced economies to plummet by 8% during 2020 with much of that drop showing up in the June quarter after the initial wave of the virus has traversed the globe.
- Australia has been lauded as a world leader in its handling of the coronavirus crisis, but it has not come without economic pain. Consumer sentiment has dropped to levels not seen since the GFC while key business surveys are reporting drops in conditions, confidence and capacity utilisation well below GFC-era responses.
- With the onset of Covid-19 in an already weak economic environment, the Australian Government and the RBA have taken aggressive fiscal and monetary action over the past six months.

Investment Portfolio:

- Council has been proactive in the management of its portfolio, taking advantage of good investment opportunities in the primary and secondary markets and locking in capital gains on marketable securities as opportunities arose.
- Council made its initial investments in the NSW TCorpIM Medium Term Growth Fund of $8m during the first half of 2019.
- Despite the share market sell off in February/March, Council's portfolio has outperformed the bank bill index for the 2019/20 FY generating a return of 1.40%%pa on a marked-to-market basis versus the benchmark's 0.85%pa return.

Investment Strategy:

- Based on the current interest rate outlook, competitively priced term deposits in the 6-9 month range are good value now as reinvestment rates upon their maturities will likely be similar to current levels.

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- The market is expecting interest rates to increase steadily across the yield curve between now and 2, 3 & 5 years. Therefore, a floating rate TD or FRN may be a better option than fixed rate alternatives for maturities of 2 years and greater.

The Investment Climate

International Economic Overview

In less than six months, the coronavirus has gripped the world taking a terrible toll on families and pushing many nations' healthcare systems to the edge. Meanwhile, actions being taken to limit the virus's spread including social distancing, travel bans and forced lockdowns are leaving whole industries in financial ruin and crippling economic activity.

Governments around the world have undertaken massive fiscal and monetary actions aimed at supporting their citizens through cash handouts and tax relief while providing cheap funding to the banking sector to maintain the liquidity critical to eventual recovery. While these actions have proven successful in largely staving off global financial panic, there is little doubt that more economic pain is in the offing as these measures are wound back.

The International Monetary Fund (IMF) is projecting the economic output of the world's advanced economies to plummet by 8% during 2020 with much of that drop showing up in the June quarter after the initial wave of the virus has traversed the globe. Optimistically, the IMF is predicting economies to stage a recovery in 2021 barring multiple waves of the virus and intermittent lockdowns & bans.

		PROJECTIONS	
(real GDP, annual percent change)	2019	2020	2021
World Output	**2.9**	**-4.9**	**5.4**
Advanced Economies	**1.7**	**-8.0**	**4.8**
United States	2.3	-8.0	4.5
Euro Area	1.3	-10.2	6.0
Germany	0.6	-7.8	5.4
France	1.5	-12.5	7.3
Italy	0.3	-12.8	6.3
Spain	2.0	-12.8	6.3
Japan	0.7	-5.8	2.4
United Kingdom	1.4	-10.2	6.3
Canada	1.7	-8.4	4.9
Other Advanced Economies	1.7	-4.8	4.2

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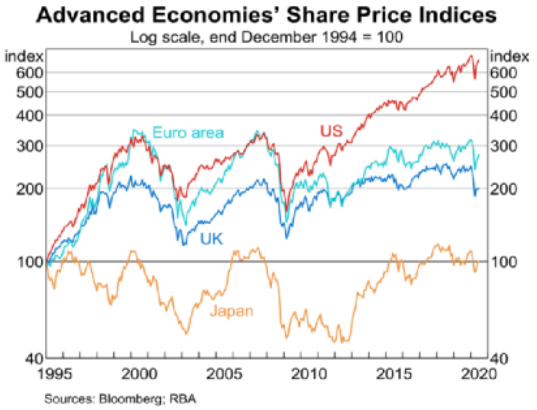
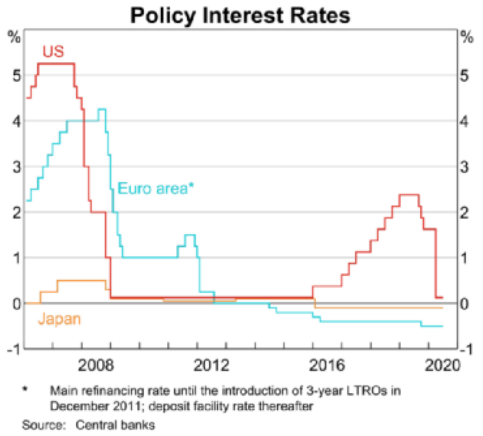
The stimulus measures taken by advanced nations have provided share markets with a, possibly false, sense of confidence with drops well short of GFC levels. Meanwhile central banks have slashed official interest rates, some going negative, and flooded the monetary system with cash to encourage spending and ease financial stress.





Australian Economic Overview

Australia has been lauded as a world leader in its handling of the coronavirus crisis, but it has not come without economic pain. Actions taken to limit the virus's spread, particularly lockdowns, have resulted in financial stress among households and businesses. While government stimulus plans such as JobKeeper have helped households make ends meet, consumers remain anxious regarding job security prospects and the possibility of a cut to the benefits before their jobs can support them again.

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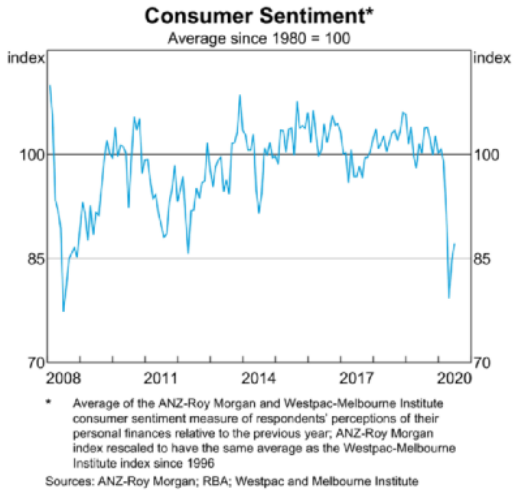
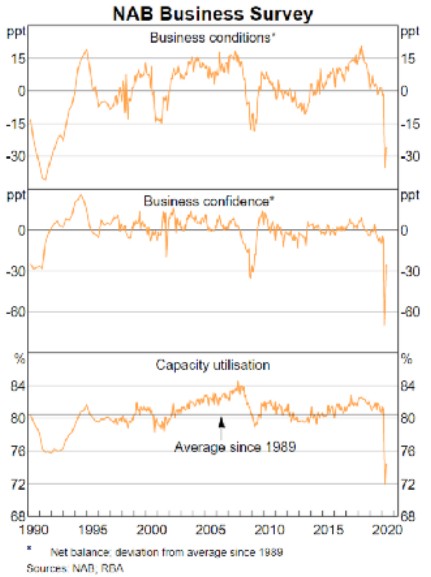
Consequently, consumer sentiment has dropped to levels not seen since the GFC while key businesses surveys are reporting drops in conditions, confidence and capacity utilisation well below GFC-era responses.





With April and May being the months with the most stringent restrictions in place, the June quarter GDP is expected to reveal a contraction of 8%pa, inline with IMF's expectations for the average of the world's advanced economies.

Modest recovery is expected in the upcoming 2020/21 financial year, but unemployment is projected to remain stubbornly high for several years:

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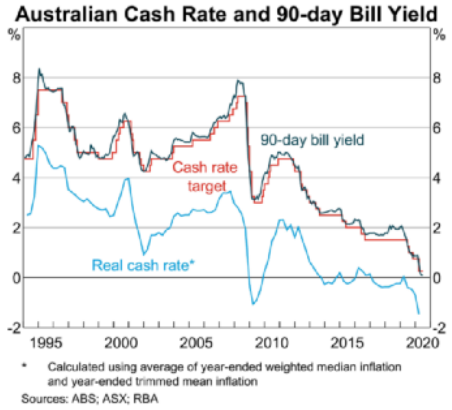
Long Term Forecasts July 2020	Current	1 2020/21 Forecast	2 2021/22 Forecast	3 2022/23 Forecast	4 2023/24 Forecast	5 2024/25 Forecast	6 2025/26 Forecast	7 2026/27 Forecast	8 2027/28 Forecast	9 2028/29 Forecast	10 2029/30 Forecast
ECONOMIC FORECASTS											
World GDP (w/June Qtr forecast)	-4.9% (fcst)	5.40%	3.60%	3.60%	3.60%	3.60%	3.60%	3.60%	3.60%	3.60%	3.60%
Australian GDP (w/June Qtr forecast)	-8.0% (fcst)	-2.50%	4.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
Australian CPI (w/June Qtr forecast)	-0.40% (fcst)	1.25%	1.00%	1.50%	2.00%	2.25%	2.50%	2.50%	2.50%	2.50%	2.50%
Australian Unemployment Rate	7.40%	8.75%	6.50%	6.25%	6.00%	5.75%	5.50%	5.25%	5.25%	5.25%	5.25%
Australian Wage Growth	2.10%	1.25%	2.00%	2.00%	2.50%	3.00%	3.00%	3.25%	3.25%	3.50%	3.50%
AUSTRALIAN INTEREST RATES											
RBA Cash Rate	0.25%	0.25%	0.25%	0.25%	0.25%	0.50%	0.50%	0.75%	1.00%	1.00%	1.00%
90 Day Bank Bill	0.10%	0.21%	0.33%	0.45%	0.64%	0.89%	1.12%	1.30%	1.41%	1.52%	1.63%
Approx performance over 90day Bank Bill (ex-growth)	1.10%	0.80%	0.70%	0.70%	0.70%	0.60%	0.60%	0.60%	0.60%	0.60%	0.60%
Forecast Investment Returns (yield, ex-growth)	1.20%	1.01%	1.03%	1.15%	1.34%	1.49%	1.72%	1.90%	2.01%	2.12%	2.23%

Sources: International Monetary Fund; Reuters; Reserve Bank of Australia; Commonwealth Budget forecasts

Interest Rate Environment

With the onset of Covid-19 in an already weak economic environment, the Australian Government and the RBA has taken aggressive fiscal and monetary action over the past six months. To provide cheap funding to the financial markets aimed at filtering through to business, the RBA lowered the official cash rate by 50 basis points over the past 6 months taking the benchmark rate to 0.25%pa. With an inflation rate of over 2%, the "real cash rate" is now close to -2%:



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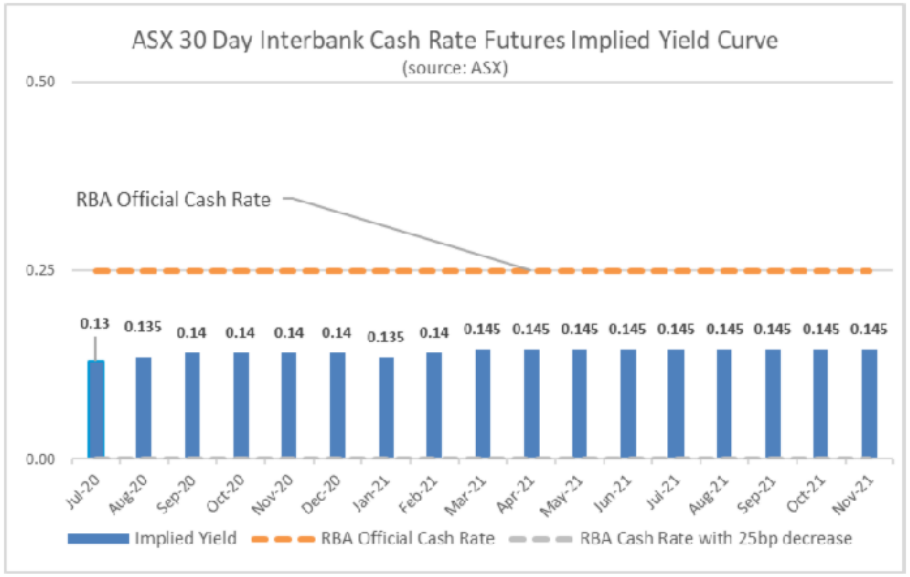
Another RBA initiative has been the introduction of the Term Funding Facility which provides banks with 3 year funds at 0.25%pa, thereby limiting their appetite for more expensive customer and market funding options such as term deposits and bond issues. These factors, along with a drop in loan demand as households and businesses limit their spending, are all helping to drive market interest rates lower.

The RBA has stated that it has no interest in taking the official cash rate to zero or negative, but their policy actions are keeping cash rate futures well below the official cash rate:



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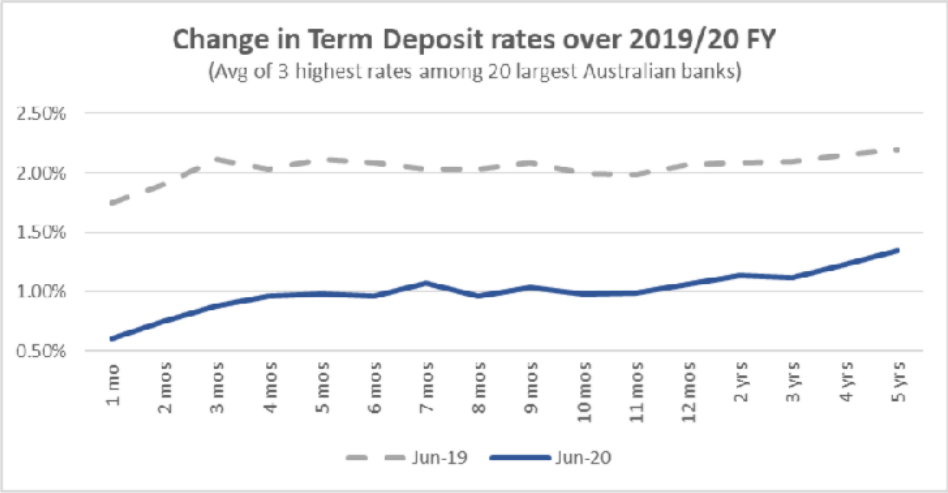
The economic environment and resultant RBA actions have filtered through to bank term deposit rates. Over the financial year, the average term deposit rates on a selection of the largest Australian banks have declined by approximately 100-115 basis points across the 1 to 12 month range and 85-95 basis points between the 1 to 5 year range:



Being flush with cash and having access to cheap funds via the RBA, many banks are now only accepting rollovers from existing clients or not taking new or rollovers at all. Fortunately, there are enough banks still in the market to provide Council with a diversified selection of institutions.

Despite the market pressures, term deposit rates are heavily influenced by individual banks' balance sheet and regulatory requirements, consequently there are often good "specials" available for terms that the banks require deposits. Taking advantage of these specials, particularly if they match Council's own needs, is recommended.

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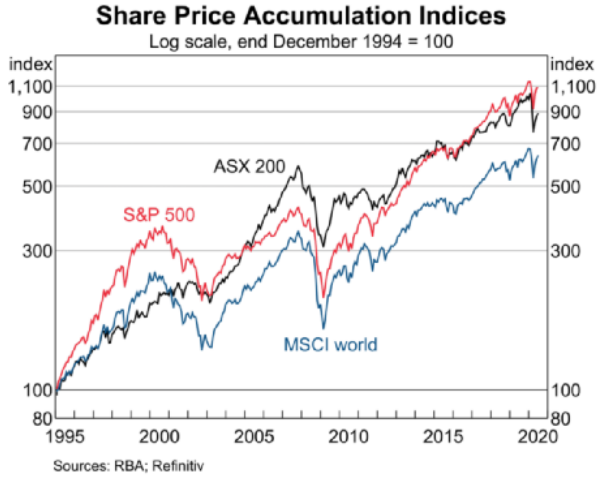
International & Australian Equities

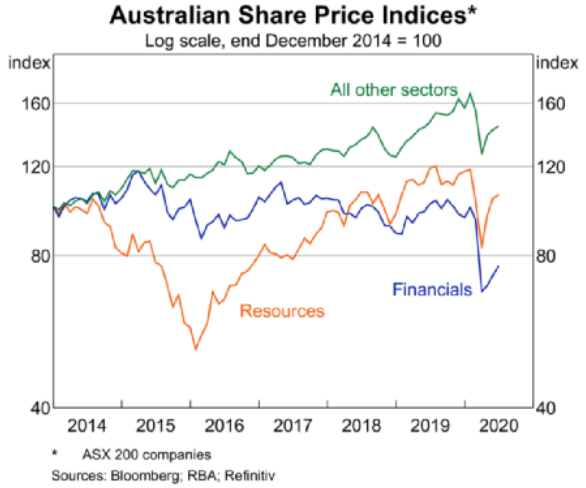
At the start of 2020, global share markets picked up where they left off in 2019, surging to record highs then the coronavirus struck. As fears of the unknown magnitude of the pandemic took hold in late February through mid-March, share markets around the world plummeted.

Businesses, both large well-known names as well as local shops, have gone into bankruptcy and unemployment is surging. Consumer confidence and business investment have dropped sharply as fears of further virus-related lockdowns have caused austerity measures to prevail across the economy.

The various monetary and fiscal recovery plans introduced by governments around the world have contributed to modest investor optimism despite the clear hurdles still ahead.

Despite the closures of economies around the world, equity markets came nowhere near the falls experienced during the GFC. From their March lows, share markets regained over 50% of their losses by the end of June.





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Many global and Australian economic data releases have seen a solid rebound which has helped support share markets including domestic shares. However, shares are still vulnerable to a further correction or consolidation, particularly if the recent resurgence in coronavirus cases in the US and Australia leads to renewed lockdowns. Further setbacks could occur if the recovery in economic indicators falters or slows.

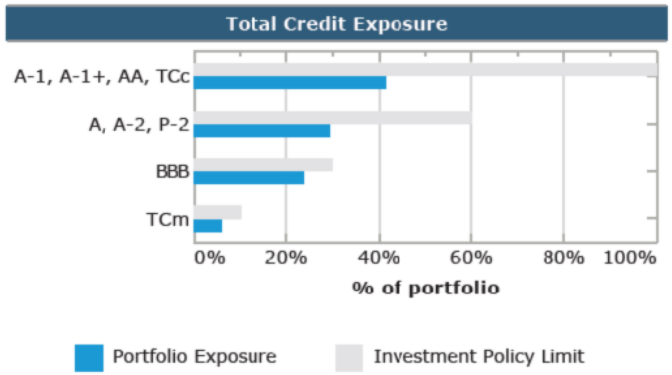
Shares and diversified funds with shares, property and other growth asset exposures are recommended for long term holdings only, preferably 7+ years in order to smooth out the short term volatility inherent in these asset classes. While the past six months have been particularly volatile, with more sell-offs very possible over the coming months, it remains recommended to maintain a long term view on holdings in growth assets.

Good Governance: Investment Portfolio vs Policy Limits

The following tables summarise Council's Investment Portfolio, as at the end of June 2020, in terms of its Investment Policy Framework:

A. Overall Portfolio Credit Limits;
B. Individual Institution Limits; and
C. Term to Maturity Limits.

A. Overall Portfolio Credit Limits:



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Credit Rating		Exposures		Policy Max	
		($)	(%)		
Long Term	AA	11,750,000			
Short Term	A-1	8,000,000			
Short Term	A-1+	27,734,269			
Short Term	TCc	8,557,163			
		56,041,432	**41%**	**100%**	✓
Long Term	A	5,500,000			
Short Term	A-2	32,001,677			
Short Term	P-2	2,100,000			
		39,601,677	**29%**	**60%**	✓
Long Term	BBB	32,150,000			
		32,150,000	**24%**	**30%**	✓
Short Term	TCm	7,811,697			
		7,811,697	**6%**	**10%**	✓
		135,604,806	**100%**		

Council's portfolio remains well diversified, and within policy limits, across investment grade rated banks and NSW TCorpIM funds.

A list of Australian ADIs with their current credit ratings are included in Appendix C of this review.

B. Individual Institution Limits:

Council's investments are predominately in deposits/securities with highly rated Australian Authorised Deposit taking Institutions (ADIs) regulated by the Australian Prudential Regulation Authority (APRA).

Council's exposures versus policy limits as at 30 June:

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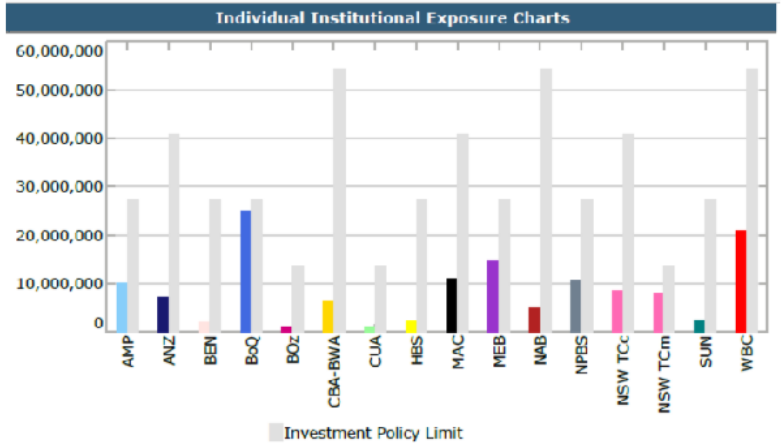

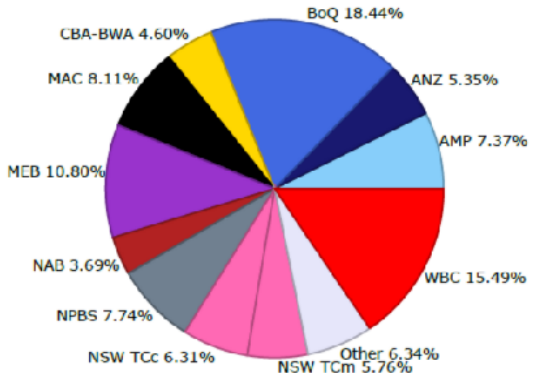

All of Council's portfolio exposures comply with legislation and are within Council's investment policy limits.

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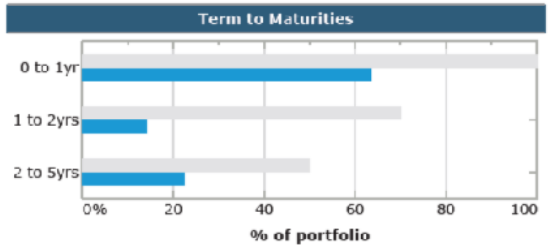
C. Term to Maturity Limits:

Council's investment portfolio maturity profile as at 30 June:



Portfolio Exposure Investment Policy Limit

Policy Minimum	Exposures ($)	Exposures (%)	Min (%)	
Less than 3 months	47,104,806	35%	10%	✔
Between 3 months and 1 year	39,100,000	29%	20%	✔

Policy Maximum	Exposures ($)	Exposures (%)	Max (%)	
Between 1 and 2 years	19,000,000	14%	70%	✔
Between 2 and 5 years	30,400,000	22%	50%	✔
	135,604,806			

✔ = compliant
✘ = non compliant

Council's portfolio has an approximate 65%/35% ratio between its short & long term holdings. Depending on Council's expenditure requirements, there is scope to increase Council's long term holdings as opportunities arise.

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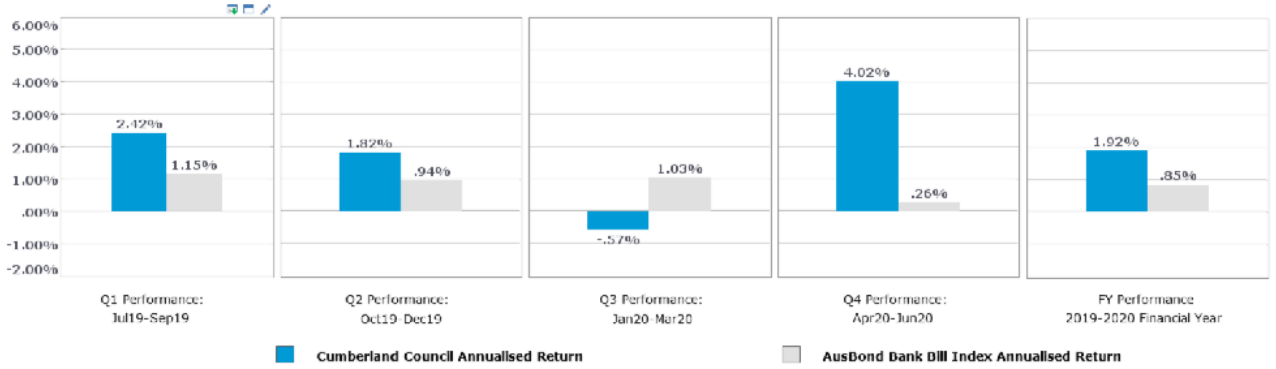
Portfolio Performance, Interest Details & Capital Movements

The charts below show Council's 2019/20 quarterly and FY investment portfolio returns against benchmark:



The portfolio outperformed the bank bill index generating a return of 1.92%pa on a marked-to-market basis versus the benchmark's 0.85%pa return for the 2019/20 Financial Year. *(Marked-to-market returns include any changes on underlying security valuations based upon current market interest rates).*

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Interest Accrued

Summary of Interest Accrued Calculations up to 30-Jun-20													
Instrument	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20	Mar 20	Apr 20	May 20	Jun 20	Grand Total
Cash	2,395.82	4,330.21	2,669.90	1,753.13	2,462.62	2,395.01	1,530.22	1,994.72	706.53	29.52	1,636.67	2,880.94	24,785.29
Fixed Rate Bond	12,278.75	12,098.76	11,673.39	12,062.50	11,673.39	12,062.50	12,146.69	11,495.19	12,327.60	11,929.95	12,327.61	11,929.94	144,006.27
Floating Rate Note	80,291.49	83,868.80	88,592.86	87,017.97	77,779.00	78,876.86	78,891.18	72,651.70	69,910.63	53,564.20	41,121.75	34,497.67	847,064.11
Floating Rate Term Deposits	6,989.27	1,127.30											8,116.57
Managed Fund	27,158.25	11,187.71	15,207.50	7,375.30	9,399.73	8,862.37	3,845.49	4,202.36	-32,321.70	45,538.42	16,859.21	9,868.70	127,183.34
Term Deposit	194,225.20	186,530.67	188,686.83	189,205.48	170,631.55	162,520.80	155,252.06	130,110.42	136,784.92	133,997.25	126,887.93	121,190.44	1,896,023.55
Grand Total	323,338.78	299,143.45	306,830.48	297,414.38	271,946.29	264,717.54	251,665.64	220,454.39	187,407.98	245,059.34	198,833.17	180,367.69	3,047,179.13

Council has accrued just over $3.04m in interest for the 2019/20 Financial Year.

Interest Received

Summary of Interest Received Calculations up to 30-Jun-20													
Instrument	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20	Mar 20	Apr 20	May 20	Jun 20	Grand Total
Cash	2,395.82	4,330.21	2,669.90	1,753.13	2,462.62	2,395.01	1,530.22	1,994.72	706.53	29.52	1,636.67	2,880.94	24,785.29
Fixed Rate Bond	37,500.00	34,875.00					37,500.00	34,875.00					144,750.00
Floating Rate Note	90,159.32	41,888.52	99,651.00	115,043.90	64,036.49	85,340.06	97,980.81	58,340.79	82,717.52	74,892.54	66,670.01	41,851.31	918,572.27
Floating Rate Term Deposits		20,291.42											20,291.42
Term Deposit	151,154.80	203,813.70	248,812.32	165,468.49	120,693.15	280,265.22	169,011.23	218,683.56	139,277.27		287,169.04	281,952.34	2,266,301.12
Grand Total	281,209.94	305,198.85	351,133.22	282,265.52	187,192.26	368,000.29	306,022.26	313,894.07	222,701.32	74,922.06	355,475.72	326,684.59	3,374,700.10

Council has received just over $3.37m in interest/coupons in the 2019/20 Financial Year.

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Capital Movements

Summary of Capital Movements Calculations up to 30-Jun-20													
Instrument	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20	Mar 20	Apr 20	May 20	Jun 20	Grand Total
Fixed Rate Bond	72,352.50	11,500.00	-17,960.00	-27,975.00	31,187.50	-60,130.00	63,497.50	13,450.00	-65,490.00	73,762.50	16,932.50	17,767.50	128,895.00
Floating Rate Note	65,446.91	-80,098.80	-26,604.43	-20,415.71	2,112.67	-2,944.92	23,947.69	-10,529.29	-412,894.21	228,046.46	82,773.77	75,674.26	-75,485.60
Managed Fund				-4,850.87	41,827.94	-42,825.66	140,087.78	-145,359.49	-467,010.95	134,893.60	124,737.82	30,196.43	-188,303.40
Grand Total	137,799.41	-68,598.80	-44,564.43	-53,241.58	75,128.11	-105,900.58	227,532.97	-142,438.78	-945,395.16	436,702.56	224,444.09	123,638.19	-134,894.00

The capital value of Council's fixed rate bonds, were purchased in early 2019, have increased by approximately $129,000 as their 3%pa+ fixed coupons are now more valuable in a lower interest rate environment.

The capital value of Council's floating rate notes decreased by $75,485 although nearly all of this ($74,405) was due to FRNs maturing within the financial year. Floating rate notes typically trade above their par prices in the final 12-18 months of their life which can bring about opportunities to sell for capital gains.

Council's investment in the NSW TCorp Medium Growth Fund decreased by $188,300 during the financial year.

Purchase/Maturities/Sales

Summary of Purchases/Maturities/Sales Calculations up to 30-Jun-20													
Instrument	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20	Mar 20	Apr 20	May 20	Jun 20	Grand Total
Floating Rate Note	1,650,000.00	11,505,942.47		-1,000,000.00	-2,000,000.00			-507,292.01	-6,000,000.00	-4,400,000.00			-751,349.60
Floating Rate Term Deposits		-3,000,000.00											-3,000,000.00
Managed Fund		11,000,000.00	-15,000,000.0	-1,000,000.00	4,750,000.00	-1,750,000.00	-500,000.00	13,000,000.0	-2,500,000.00	-4,750,000.00			3,250,000.00
Term Deposit	-6,000,000.00	-2,000,000.00	17,000,000.0	-6,000,000.00	-5,000,000.00	-2,000,000.00	-4,000,000.00	-9,000,000.00	4,000,000.00		-10,000,000.0	2,000,000.00	-21,000,000.0
Grand Total	-4,350,000.00	17,505,942.47	2,000,000.00	-8,000,000.00	-2,250,000.00	-3,750,000.00	-4,500,000.00	3,492,707.99	-4,500,000.00	-9,150,000.00	-10,000,000.0	2,000,000.00	-21,501,349.6

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During the financial year, Council:

- Decreased its floating rate note exposure by $0.75m ($13.9m in maturities, $4m in sales and $17.15M in new investments purchased at trading margins of between BBSW+0.77% and BBSW+1.12%).
- Decreased its floating rate term deposit exposure by $3m.
- Increased its managed fund exposure by $3.25m ($8m increase in the NSW TCorp Medium Term Growth Fund, and a $4.75m decrease in the NSW TCorp Cash Fund)
- Decreased its term deposit exposures by $21m ($83m in maturities and $62m in new investments), with new term deposits earning a weighted average rate of 1.76%pa.

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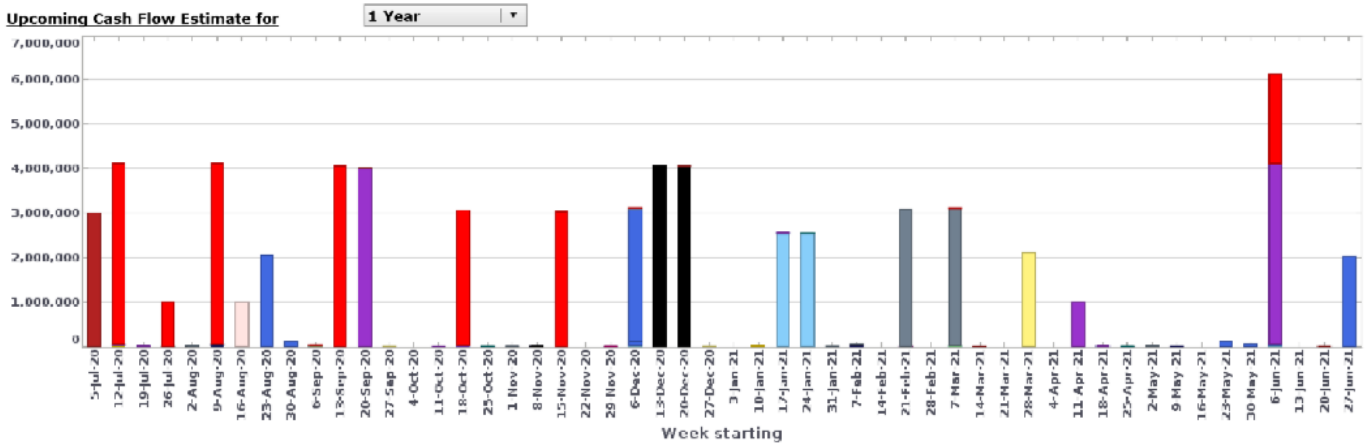
Investment Strategy Recommendations

Upcoming cash flow (existing investments):

Council continues to take advantage of market opportunities as they arise compiling a sound and diversified portfolio with a good spread of near term maturities to cater for upcoming cash requirements.

Short-term: weekly maturity schedule for 12 months:



Long-term: monthly maturity schedule for 5 years:

Council has been proactive in the management of its long term portfolio, taking advantage of good investment opportunities in the primary and secondary markets. Over the financial year, Council added $17.15M in new long dated investments purchased at trading margins of between BBSW+0.77% and BBSW+1.12% and took advantage of selling opportunities to lock in capital gains on face value $4m in FRNs.

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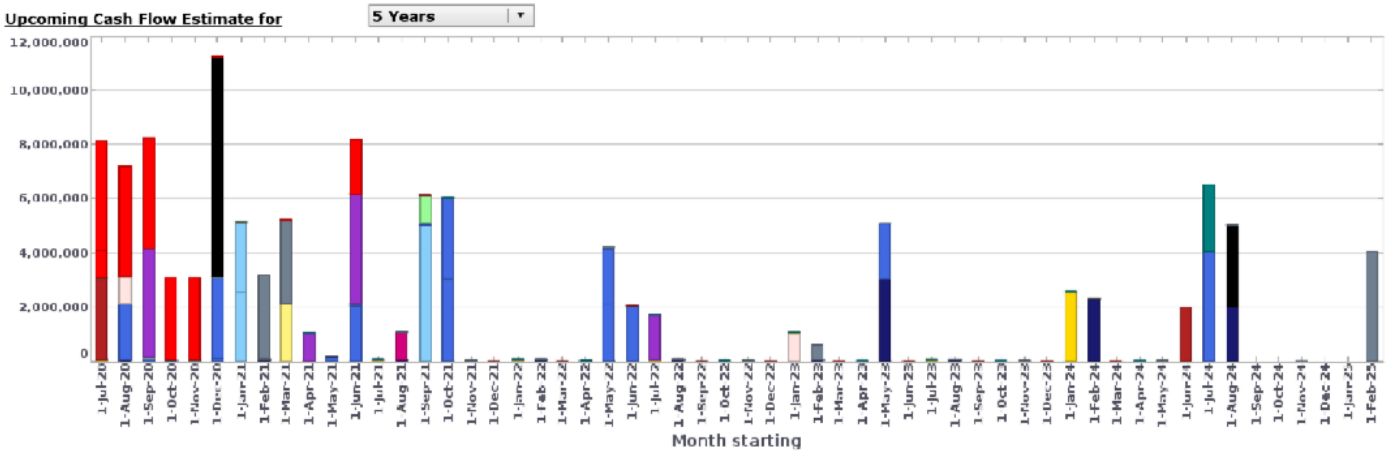

Looking Forward – Value in the Market

Short-term Outlook (up to 12 months): The 3 month and 6 month rates are expected to remain largely unchanged for the next six months (difference between the blue and grey lines below) and only a modest increase in the 12 month rate. By the end of the 2020/21 financial year, market rates are expected to be slightly higher than current levels (yellow line versus blue line)

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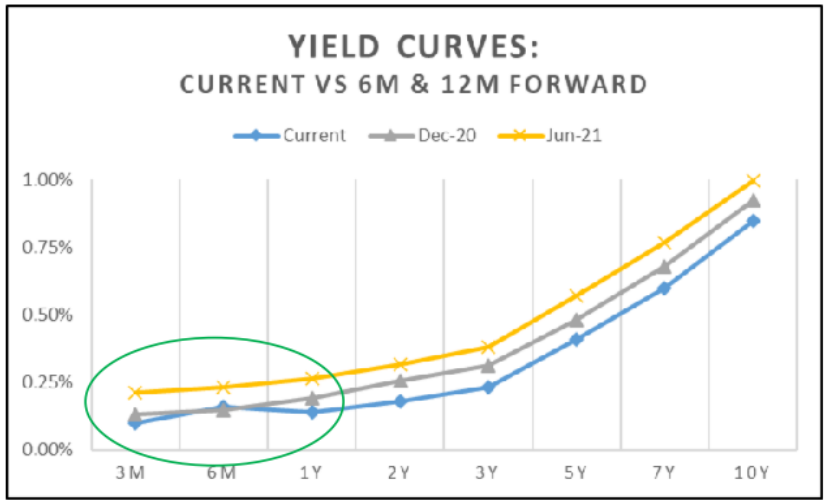

This indicates that competitively priced term deposits in the 6-9 month range are good value now as reinvestment rates upon their maturities will likely be similar to current levels.

The gap between today's rates and those expected to be offered in the future begins to widen at 12 months onward, therefore it is recommended to be particularly selective with longer dated TDs in the current environment to help minimise reinvestment risk.

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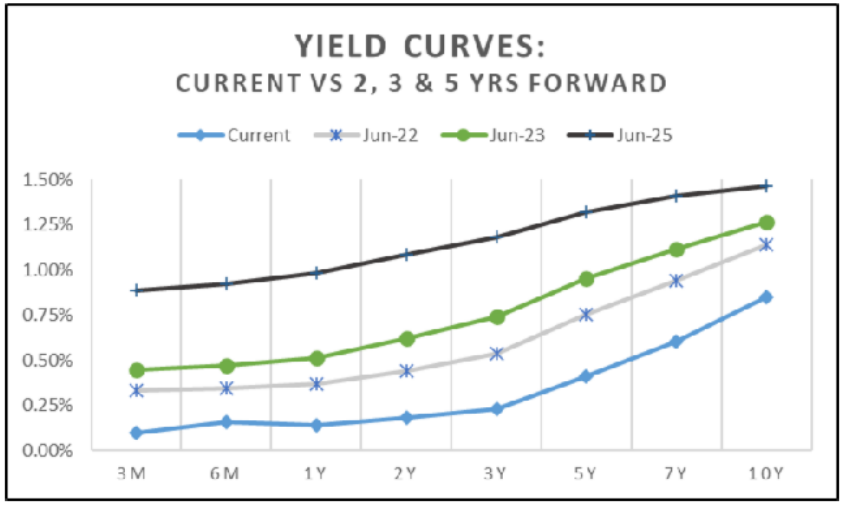
Long-term Outlook (12 months and greater): The market is expecting interest rates to increase steadily across the yield curve between now and 2, 3 & 5 years:



This implies that interest rates on floating rate securities that use the 3mo BBSW as its base is expected to increase markedly. Therefore, a floating rate TD or FRN may be a better option than fixed rate alternatives for maturities of 2 years and greater.

With the introduction of the RBA's Term Funding Facility which provides Australian banks with 3 year funds at 0.25%pa, their appetite for more expensive customer and market funding options such as term deposits and bond issues has decreased. Consequently, new bank issued bonds hitting the domestic market have been coming primarily from overseas banks which have limited access to the Term Funding Facility.

Forward looking comparisons between fixed and floating rate options are always undertaken when assessing long dated investments.

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Summary:

- Council's investment portfolio is prudently managed and consists of assets appropriate for a local government entity.
- With the onset of Covid-19 in an already weak economic environment, the Australian Government and the RBA have taken aggressive fiscal and monetary action over the past six months.
- The RBA slashed the official cash rate by 50 basis points over the past 6 months taking the benchmark rate to 0.25%pa.
- The economic environment and the RBA's monetary actions have filtered through to bank term deposit rates. Over the financial year, the average term deposit rates on a selection of the largest Australian banks have declined by approximately 100-115 basis points across the 1 to 12 month range and 85-95 basis points between the 1 to 5 year range.
- Council has been proactive in the management of its portfolio, taking advantage of good investment opportunities in the primary and secondary markets and has taken advantage of selling opportunities to lock in capital gains.
- Council made its initial investments in the NSW TCorpIM Medium Term Growth Fund of $8m during the first half of the financial year. Despite the share market sell off in February/March, Council's portfolio has outperformed the bank bill index for the 2019/20 FY generating a return of 1.92%pa on a marked-to-market basis versus the benchmark's 0.85%pa return.
- Based on the current interest rate outlook, competitively priced term deposits in the 6-9 month range are good value now as reinvestment rates upon their maturities will likely be similar to current levels.
- The market is expecting interest rates to increase steadily across the yield curve between now and 2, 3 & 5 years. Therefore, a floating rate TD may be a better option than fixed rate alternatives for maturities of 2 years and greater.
- Investment opportunities across all time periods will continue to be considered closely in conjunction with Council's cash expenditure requirements and policy limits to help ensure the portfolio remains well positioned to take advantage of the changing market conditions.

Disclaimer: The statements and opinions contained in this report are based on currently prevailing conditions in financial markets and are so contained in good faith and in the belief that such statements and opinion are not false or misleading. In preparing this report, Prudential Investment Services Corp has relied upon information which it believes to be reliable and accurate. Prudential Investment Services Corp believes that this report and the opinions expressed in this report are accurate, but no warranty of accuracy or reliability is given. Prudential Investment Services Corp does not warrant that its investigation has revealed all of the matters which a more extensive examination might disclose. This report may not be reproduced, transmitted, or made available either in part or in whole to any third party without the prior written consent of Prudential Investment Services Corp. AFS Licence No. 468145.

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Appendix A – Asset Allocation and Investment Security Review

The following is a synopsis of Council's investment holdings as of 30 June 2020 with comments on the underlying structures:

By Product	Face Value ($)
Bonds	4,750,000.00
Cash	7,735,945.90
Floating Rate Note	35,750,000.00
Managed Funds	16,368,859.95
Term Deposit	71,000,000.00
	135,604,805.85

Term Deposits and At Call Accounts

- Term Deposits with Australian licenced ADIs
- $71,000,000 investments in fixed rate term deposits
- Maturity: Jul 2020 to May 2023
- $7,735,946 invested at call

Term Deposits are hold to maturity investments which generally offer a fixed rate for terms under 12 months while terms over 12 months can be offered in both fixed and floating rate options. Rates offered by banks are often more dependent on the bank's funding requirements than the bank's credit ratings, as evidenced by the four major banks frequently paying higher rates than lower rated or unrated banks.

Council's term deposit exposures as at 30 June 2020 included:

Bank	Credit Rating	Geographic Operation	Bank Total Assets ($m)	Capital Adequacy Ratio	Current Exposure ($m)
AMP Bank	BBB+	Australia wide and internationally	29,404	10.5%	5,000,000
Bank of Queensland	BBB+	Australia wide	65,855	9.9%	27,000,000
Macquarie Bank	A+	Australia wide and internationally	141,341	12.2%	10,000,000
Members Equity Bank	BBB	Australia wide	25,559	9.6%	10,000,000
National Australia Bank	AA-	Australia wide and internationally	762,928	10.6%	40,000,000
Westpac Group	AA-	Australia wide and internationally	905,141	10.8%	64,000,000
					156,000,000

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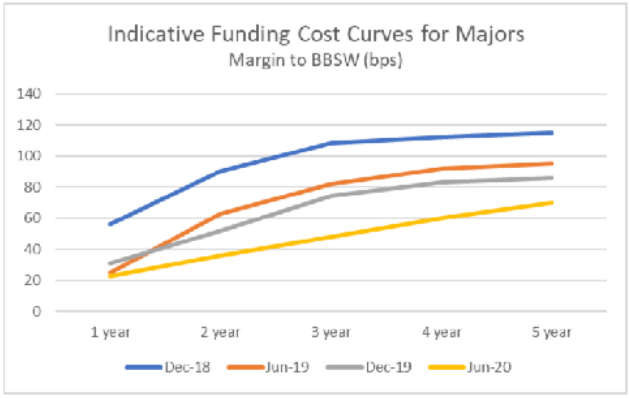
▪ Risk of Capital Loss: Low	
Bank Issued Fixed and Floating Rate Notes	
▪ 18 floating rate notes from 13 ADIs ▪ $35,750,000 investment ▪ Maturity: Jul 2020 to Feb 2025 ▪ 2 fixed rate bonds from 2 ADIs ▪ $4,750,000 investment ▪ Maturity: Jan 2024 to Feb 2024 ▪ Risk of Capital Loss: Low	These investments are senior ranked debt obligations of Australian ADIs. They are intended to be held to maturity but can be sold in the market if liquidity is required or if a favourable switch opportunity arises; the price obtained would be dependent upon market conditions and demand at the time. They are also subject to the market's scrutiny of the underlying risk of the issuer's ability to repay its obligations. Therefore, unlike term deposits, these securities provide a more transparent risk assessment of the ADI with lower rated banks paying higher margins than higher rated banks. Floating rate notes were caught up on in the "risk off" trade in March when global investors moved their funds to perceived "safer" locales, such as US Treasuries. This saw the trading margins of 5 year FRNs from the major banks were issued at BBSW+0.76% in January 2020 blow out to over BBSW+1.50%. However with market conditions now easing, any new 5 year issuance from the major banks is expected to be priced in the BBSW+0.65% area ie much lower than earlier this year despite the turmoil. 

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Source: CBA and ANZ

Council's fixed/floating rate note exposures as at 30 June 2020 included:

Bank	Credit Rating	Geographic Operation	Bank Total Assets ($m)	Capital Adequacy Ratio	Current Exposure ($m)
AMP Bank	A-2, BBB+	Australia wide and internationally	29,404	10.5%	5,000,000
ANZ Group	A-1+, AA-	Australia wide and internationally	694,861	10.8%	7,250,000
Bank Australia	A-2, BBB	Predominately VIC	8,834	15.8%	1,000,000
Bank of Queensland	A-2, BBB+	Australia wide	65,855	9.9%	4,000,000
Bendigo and Adelaide Bank	A-2, BBB+	Australia wide	88,972	9.7%	2,000,000
Commonwealth Bank of Australia	A-1+, AA-	Australia wide and internationally	968,384	10.7%	2,500,000
Credit Union Australia	A-2, BBB	Australia wide	19,765	13.8%	1,000,000
Heritage Bank	P-2, Baa1	Predominately QLD	13,029	13.4%	2,100,000
Macquarie Bank	A-1, A+	Australia wide and internationally	141,341	12.2%	3,000,000
Members Equity Bank	A-2, BBB	Australia wide	25,559	9.6%	2,650,000
National Australia Bank	A-1+, AA-	Australia wide and internationally	762,928	10.6%	2,000,000
Newcastle Permanent Building Society	A-2, BBB	Predominately NSW	13,500	20.0%	4,500,000
Suncorp Bank	A-1, A+	Australia wide	78,031	9.0%	2,500,000
Westpac Group	A-1+, AA-	Australia wide and internationally	905,141	10.8%	1,000,000
					40,500,000

These securities continue to deliver a high, consistent income stream in line with Council's original investment objectives.

Managed Funds

NSW TCorp Medium Term Growth Fund

- $7,811,697 investment

The NSW TCorp Medium Term Growth Fund aims 'to provide potential for capital growth, while maintaining a high exposure to defensive assets'. It is intended to be at least a 3 to 7 year investment, with occasion periods of negative monthly returns. The long run expectation of the fund is to provide a return of CPI plus 2%pa over a 7 year period with greater than 50% probability.

The fund has a 52% strategic asset allocation towards defensive assets, a 22% strategtic asset allocation towards alternative assets, and a 26% strategic asset allocation towards growth assets:

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- Unrated

NSW TCorpIM Medium Term Growth Fund

		Strategic Asset Allocation (%)	2019-20 FYTD Asset Return (%)
Defensive	Cash	37	1.5
	Australian bonds	10	4.5
	Inflation linked bonds	5	2.9
Alternatives	Alternatives	9	-6.8
	Bank loans	5	-4.2
	High yield	2	-3.9
	Global credit	2	4.6
	Emerging market debt	4	0.6
Growth	Australian shares	7.5	-6.1
	International shares (unhedged)	11.5	7.3
	International shares (hedged)	2	3.3
	Emerging market shares	0	N/A
	Listed property	5	-16.9

Despite the slump in the value of growth assets as a result of Covid-19, the NSW TCorpIM Medium Term Growth Fund made a small gain of 0.39% for the 2019-20 Financial Year.

Australian shares were down 7% in the financial year, with Healthcare (+27%), IT (+20%), and Consumer Staples (+12%) the only sectors producing positive results. The worst performing sectors were Energy (-29%), Financials (-21%) and the Real Estate (-21%) sectors. Despite facing more dire economic outlooks, overseas sharemarkets generally performed better than Australia's, with the US S&P (+8%), Japanese S&P (+12%) and Chinese S&P (+7%) all ending up for the financial year, although the European S&P (-5%) posted losses.

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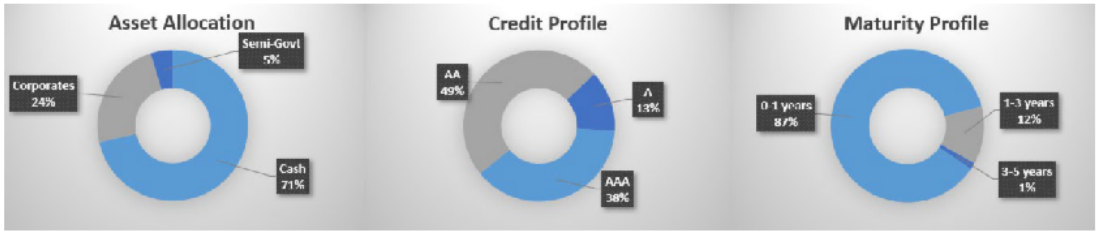
	Performance to June 2020			
	1 year	1 year CPI+2.0%	7 year	7 year CPI+2.0%
NSW TCorp Medium Term Growth Fund	0.39%	3.95%	4.96%pa	3.90%pa

NSW TCorp Cash Fund

- $5,434,705 investment
- Unrated

The NSW TCorp Cash Facility aims to earn an after-fee return similar to that of the Bloomberg Bank Bill Index (its benchmark). It is primarily a cash management tool allowing for same day access to funds whilst paying a slightly higher return than could be expected from a bank cash management account. This fund is designed as a high volume transactional account for investors that deposit and redeem large tranches of funds at least weekly.

The charts below show the current asset allocation, credit profile and maturity profile of the underlying holdings in the NSW TCorpIM Cash Fund:



The running yield on the fund is currently 0.34%pa or approximately 0.028% per month. With the fund still attracting a 0.01% buy and 0.02% sell spread, any funds that are deposited and withdrawn within the month will lose money (assuming no movement in credit spreads).

The low running yield also makes the fund susceptible to negative monthly returns if credit spreads widen during the month.

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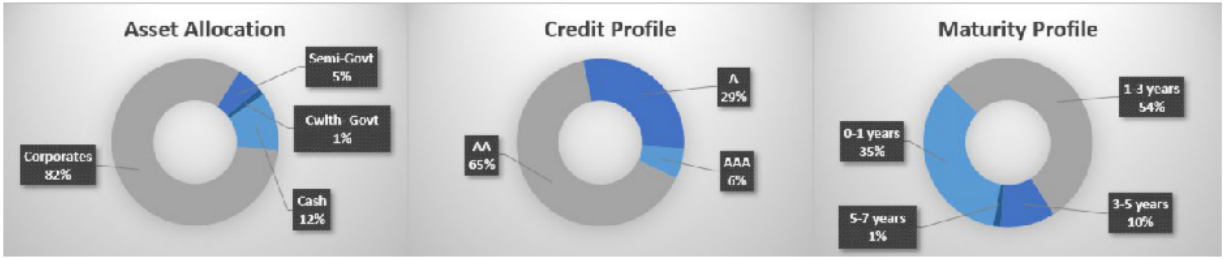
	Performance to June 2020			
	1 year	1 year benchmark	3 year	3 year benchmark
NSW TCorp Cash Fund	1.14%	0.85%	1.82%pa	1.53%pa

NSW TCorp ST Income Fund

- $3,122,459 investment
- Unrated

The NSW TCorpIM Short Term Income Fund aims to earn an after-fee return above that of the Bloomberg Bank Bill Index (its benchmark). It holds longer dated securities than the Cash Fund, consequently it has potential for more volatile month-to-month returns than its sister fund. The intended investment time horizon for the Short Term Income Fund is 1½ to 3 years, making it an alternative to medium length term deposits.

The charts below show the current asset allocation, credit profile and maturity profile of the underlying holdings in the NSW TCorpIM TCorpIM Short Term Income Fund:



The running yield on the fund is currently 0.69%pa or approximately 0.057% per month. With the fund still attracting a 0.02% buy and 0.05% sell spread, any funds that are deposited and withdrawn within the month will lose money (assuming no movement in credit spreads).

The low running yield also makes the fund susceptible to negative monthly returns if credit spreads widen during the month.

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	Performance to June 2020			
	1 year	1 year benchmark	3 year	3 year benchmark
NSW TCorp ST Income Fund	1.61%	0.85%	2.19%pa	1.53%pa

All of the holdings in the investment portfolio are considered to be very sound with little risk of capital loss when held for their recommended time horizons:

Other Key Risks: The following risks may also apply to Council's investments:

- **Liquidity risk**: The risk that Council may be unable to sell any or part of an investment on to the secondary market at a level suitable to them – or at all. Tradeable securities may be liquid in normal market conditions; however rates/margins may change substantially in periods of market stress.
- **Interest Rate Risk**: The risk to the value of an investment caused by changes in market interest rates. Floating Rate Securities have limited interest rate risk; Fixed Rate Securities are exposed to mark-to-market changes caused by movements in swap markets.
- **Market Risk**: The risk to the value of an investment caused by changes in related markets. Tradeable securities are exposed to market perceptions of issuer credit and credit markets generally.
- **Issuer/Credit risk:** The risk of default of the Issuer/Counterparty. Note that any issuer default may result in partial or total investor capital loss.

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Appendix B – NSW Local Government Eligible Investments

Definitions of Eligible ADI Investments:

At call deposits: Cash invested on an overnight basis with an Australian Authorised Deposit-taking Institution (ADI). Funds can be recalled or re-invested prior to the bank's Real Time Gross Settlement cut-off each day.

Benefits

- At call accounts provides a quick and easy investment solution for current balances that are not being used otherwise.

Major Risks / Disadvantages

- Potentially a lower return investment product.
- Credit risk is a function of the creditworthiness of the issuer.

Covered Bonds: interest bearing senior ranking debt obligations of an Authorised Deposit-taking Institution (ADI) which have specific bank assets, ie loans, backing the bond. Covered bonds are market traded securities. They can be either fixed rate or floating rate interest bearing and typically are issued with 5+ year maturities. In the case of a bank failure, holders of covered bonds rank ahead of depositors and unsecured senior bond holders having first recourse to the underlying pool of assets backing the bond. If the pool's assets are not sufficient to meet the covered bond's obligations, holders then have recourse to the bank's total assets equal to other senior unsecured bondholders.

Benefits

- Highest ranking securities within a bank's capital structure.
- Securities are liquid allowing them to be sold on the secondary market.
- Fixed rate: Future coupons are known which helps with cash flow forecasting.
- Floating rate: Coupons move with the market, allowing for investor participation when interest rates increase.

Major Risks / Disadvantages

- Credit risk is a function of the creditworthiness of the issuer/underlying assets.
- Fixed rate: interest rate risk applies in that a pre-determined coupon rate is locked in.
- Floating rate: coupons move with the market, allowing for reduced earning capacity when interest rates decrease.

Current Covered Bond offerings are not representing good value for Council's portfolio, however these are being reviewed on an ongoing basis and should any issuance present an attractive proposition for Council's portfolio Prudential shall bring it to Council's attention.

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Term deposits: interest bearing deposit held at an ADI for a specific contracted period. Term deposits are not tradeable in the market. They typically have a fixed rate for their life, but floating rate term deposits are also available. Prior to the introduction of Covered Bonds into the Australian market, in early 2012, term deposits ranked at the top of an ADI's capital structure.

Benefits

- Term deposits are considered to be a relatively low-risk investment.
- As these funds are not callable prior to maturity, banks generally offer a return premium.
- This type of investment allows investors to match cash flow requirements.
- The return is known.

Major Risks/Disadvantages

- Liquidity risk applies in that deposits are not redeemable before maturity. Deposits may not be breakable at all or may only be broken after a prohibitive break fee is paid.
- Interest Rate risk applies in that the rate of return is fixed.
- Credit risk is a function of the creditworthiness of the ADI.
- Counterparty/credit risk increases if invested with unrated/low rated financial institutions.

As noted, various Term Deposits are providing good value and where appropriate these are being actively recommended to Council and included in the portfolio. As with all investments there is a risk/reward trade-off - even with term deposits from Australian ADI's - and these are being actively monitored.

Bank Bills and Negotiable Certificates of Deposits (NCDs): are similar types of interest bearing securities issued/accepted by ADIs, typically short dated. Unlike term deposits, these are tradeable in the market prior to maturity.

Benefits

- Counterparty party risk is partially mitigated by the accepting/issuing bank, which is typically a bank with very high credit rating.
- The return on the bank Bill and NCD is known if held until maturity.

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- Bank bills and NCDs are liquid and can be traded on the secondary market.

Major Risks / Disadvantages

- Being a lower risk investment option, Bank Bills/NCDs provide a lower return.
- Interest Rate risk is present in that the rate is locked in for a fixed term.
- Credit risk is a function of the creditworthiness of the accepting/issuing bank.

These securities provide exceptional liquidity and in the current climate are very useful where this is a key requirement for cash flow management. However, most current offerings are not providing as attractive a return as available from Term Deposits. As with other eligible investments, these are being regularly monitored, particularly as the margins on Term Deposits narrow.

Senior Debt Bonds: interest bearing securities which are senior debt obligations of the issuing ADI. Senior bonds are tradeable in the market. They can be either fixed rate or floating rate interest bearing and are typically issued with 3+ year maturities. Interest is paid at scheduled intervals based on the face value of the bond with repayment of capital paid upon maturity. In the case of a bank failure, senior bond holders rank above subordinated debt holders and shareholders but below covered bond holders and depositors.

Benefits

- High ranking securities within a bank's capital structure.
- Securities are liquid allowing them to be sold on the secondary market.
- Fixed rate: Future coupons are known which helps with cash flow forecasting.
- Floating rate: Coupons move with the market, allowing for investor participation when interest rates increase.

Major Risks / Disadvantages

- Credit risk is a function of the creditworthiness of the issuer/underlying assets.
- Interest rate risk applies in that a pre-determined coupon rate is locked in.
- Fixed rate: interest rate risk applies in that a pre-determined coupon rate is locked in.
- Floating rate: coupons move with the market, allowing for reduced earning capacity when interest rates decrease.

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Senior ranked bank issued bonds often provide good value for Council's long term portfolio. Issues are reviewed and recommended on a case-by-case basis taking Council's policy, strategy and cash flow into consideration. These securities will continue to be brought to Council's attention when appropriate issues come to market.

Other NSW Local Government Eligible Investments (Non-ADI):

Commonwealth/State/Territory Government securities e.g. bonds:-
These are interest paying securities which are issued by one of the above Australian government bodies and are guaranteed by that issuer. As such, these securities carry the same credit rating as the issuing government body.

Benefits

- Among the most secure investments available to Australian investors.
- Future coupons are known which helps with cash flow forecasting.

Major Risks / Disadvantages

- Typically much lower yielding than other investment options due to low investment risk of issuer.
- Interest rate risk applies in that a pre-determined coupon rate is locked in.

Current Commonwealth and State and Territory Bond offerings are not representing good value for Council's portfolio. However, these are being reviewed on an ongoing basis and should any issuance present an attractive proposition for Council's portfolio Prudential shall bring it to Council's attention.

Deposits with NSW Treasury &/or Investments in NSW Treasury Corporation's Investment Management Funds:-

The NSW Treasury Corporation Investment Management Funds (TCorpIM Funds) comprises a number of pooled managed funds options each set up as a unit trust. The current cash and fixed income options available through TCorpIM are the Cash Fund and the Short Term Income Fund.

The Cash Fund provides the more transactional type option and is designed for investments ranging from overnight to 1.5 years, whilst the Short Term Income Fund is designed for investments ranging from 1.5 years out to 3 years. Both investments will pay back the balance of the investment generally within 24 to 72 hours.

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In addition, the NSW TCorpIM Medium Term Growth and Long Term Growth Funds provide Councils with access to growth assets which are not available via direct investment. Full details of the asset classes and their risks is available via the NSW TCorp website at https://www.tcorp.nsw.gov.au/html/tcorpim.cfm

Benefits

- Investments are pooled and as such a much more diversified pool of underlying investment is possible over investing in securities directly – particularly for small investment amounts.
- A broader investment pool usually allows for a smoothing of any volatility in the underlying investments.

Major Risks/Disadvantages

- As a unit trust, investment in the TCorpIM Funds are not deposits or liabilities of NSW TCorp.
- The TCorp IM Funds are subject to market and liquidity risk associated with their underlying securities.
- Usually an additional layer of fees is incurred via a managed fund to pay for fund manager costs.

Council currently has holdings in the Cash and Short Term Income Funds and the NSW TCorpIM Medium Term Growth Fund.

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Appendix C – Australian ADI Credit Ratings

S&P Ratings (unless noted otherwise)		As at 30 June 2020 (Changes within past 12 months in yellow)			
		Long Term Ratings		Short Term Ratings	
Issuer Name	Rating Type	Rating	Date	Rating	Date
Long term 'AA' rating category					
ANZ Bank New Zealand Ltd	Issuer	AA-	01-Dec-2011	A-1+	11-Sep-1996
	Outlook	Negative	07-Apr-2020		
Commonwealth Bank of Australia	Issuer	AA-	01-Dec-2011	A-1+	14-Jun-1996
	Outlook	Negative	07-Apr-2020		
National Australia Bank Limited	Issuer	AA-	01-Dec-2011	A-1+	15-Nov-1994
	Outlook	Negative	07-Apr-2020		
Westpac Banking Corporation	Issuer	AA-	01-Dec-2011	A-1+	12-Sep-1996
	Outlook	Negative	07-Apr-2020		
Bank of Melbourne		Refer to Westpac Banking Corp		Refer to Westpac Banking Corp	
Bankwest		Refer to Commonwealth Bank of Aust		Refer to Commonwealth Bank of Aust	
St George Bank		Refer to Westpac Banking Corp		Refer to Westpac Banking Corp	
Rabobank Australia Ltd	Issuer	A+ (parent rating)	04-Nov-2014	A-1 (parent rating)	04-Nov-2014
	Outlook	Negative	23-Apr-2020		
Long term 'A' rating category					
Cuscal Limited	Issuer	A+	22-Dec-2010	A-1	22-Dec-2010
	Outlook	Stable	05-Nov-2018		
HSBC Bank Australia Limited	Issuer	A+	30-Jul-2013	A-1	30-Jul-2013
	Outlook	Stable	30-Jul-2013		
Suncorp-Metway Limited	Issuer	A+	04-Oct-2010	A-1	11-Dec-2003
	Outlook	Positive	31-Jan-2020		
ABN AMRO Bank N.V.	Issuer	A	16-Nov-2012	A-1	05-Feb-2010
	Outlook	Negative	09-Apr-2020		
Bank of China Ltd	Issuer	A	30-Nov-2011	A-1	30-Nov-2011
	Outlook	Stable	30-Nov-2011		
Citigroup Pty Ltd	Issuer	A	17-Dec-2016	A-1	17-Dec-2016
	Outlook	Stable	17-Dec-2016		
Macquarie Bank Ltd	Issuer	A+	11-Dec-2019	A-1	17-Jan-1994
	Outlook	Negative	07-Apr-2020		
ING Bank (Australia) Ltd	Issuer	A	27-Jul-2017	A-1	27-Jul-2017
	Outlook	Stable	27-Jul-2017		
Long term 'BBB' rating category					
AMP Bank Ltd	Issuer	BBB+	27-Aug-2019	A-2	01-Mar-2019
	Outlook	Negative	27-Aug-2019		
Bank of Queensland Limited	Issuer	BBB+	22-May-2017	A-2	04-Sep-2013
	Outlook	Stable	22-May-2017		
Bendigo & Adelaide Bank Limited	Issuer	BBB+	22-May-2017	A-2	29-May-2002
	Outlook	Stable	22-May-2017		
Heritage Bank Ltd	Issuer	Baa1 (Moody's)	20-Jun-2017	P-2 (Moody's)	20-Jun-17
	Outlook	Stable	20-Jun-2017		
Mystate Financial Ltd	Issuer	Baa1 (Moody's)	17-Oct-2017	P-2 (Moody's)	17-Oct-17
	Outlook	Stable	17-Oct-2017		
QT Mutual Bank Limited	Issuer	BBB+	16-Jul-2012	A-2	16-July-2012
	Outlook	Stable	24-Nov-2016		
Rural Bank Ltd		Refer to Bendigo & Adelaide Bank		Refer to Bendigo & Adelaide Bank	
Australian Central Credit Union Ltd (Peoples Choice Credit Union)	Issuer	BBB	22-May-2017	A-2	15-Jun-2012
	Outlook	Stable	22-May-2017		
Auswide Bank Ltd	Issuer	Baa2 (Moody's)	18-Sep-2017	P-2 (Moody's)	18-Sep-2017
	Outlook	Stable	18-Sep-2017		
Bank Australia	Issuer	BBB	22-May-2017	A-2	21-Jan-2008
	Outlook	Stable	22-May-2017		
Credit Union Australia Ltd	Issuer	BBB	22-May-2017	A-2	15-Oct-2010
	Outlook	Stable	22-May-2017		
Defence Bank Ltd	Issuer	BBB	22-May-2017	A-2	22-Apr-2013
	Outlook	Stable	22-May-2017		
Greater Bank Ltd	Issuer	BBB	22-May-2017	A-2	12-Oct-2006
	Outlook	Stable	22-May-2017		
IMB Ltd	Issuer	Baa1 (Moody's)	22-Dec-2017	P-2 (Moody's)	22-Dec-2017
	Outlook	Stable	22-Dec-2017		
Members Equity Bank Pty Ltd	Issuer	BBB	22-May-2017	A-2	25-Aug-2006
	Outlook	Stable	22-May-2017		
Newcastle Permanent Building Society Ltd	Issuer	BBB	22-May-2017	A-2	12-Oct-2004
	Outlook	Stable	22-May-2017		
Police & Nurses Ltd	Issuer	BBB	01-Sep-2014	A-2	02-Feb-2012
	Outlook	Stable	22-May-2017		
Police Bank Ltd	Issuer	BBB	22-May-2017	A-2	02-Feb-2012
	Outlook	Stable	22-May-2017		
Teachers Mutual Bank Ltd	Issuer	BBB	22-May-2017	A-2	04-Aug-2010
	Outlook	Stable	22-May-2017		
Qudos Bank (Qantas Staff Credit Union Ltd)	Issuer	Baa1 (Moody's)	29-Jul-2019	P-2 (Moody's)	29-Jul-2019
	Outlook	Stable	29-Jul-2019		
QBank (QPCU Ltd)	Issuer	BBB-	22-May-2017	A-3	22-May-2017
	Outlook	Stable	22-May-2017		

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Appendix D – Standard & Poor's Credit Ratings Definitions

Short-Term Issue Credit Ratings	
Category	**Definition**
A-1	A short-term obligation rated 'A-1' is rated in the highest category by Standard & Poor's. The obligor's capacity to meet its financial commitment on the obligation is strong. Within this category, certain obligations are designated with a plus sign (+). This indicates that the obligor's capacity to meet its financial commitment on these obligations is extremely strong.
A-2	A short-term obligation rated 'A-2' is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations in higher rating categories. However, the obligor's capacity to meet its financial commitment on the obligation is satisfactory.
A-3	A short-term obligation rated 'A-3' exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.
B	A short-term obligation rated 'B' is regarded as vulnerable and has significant speculative characteristics. The obligor currently has the capacity to meet its financial commitments; however, it faces major ongoing uncertainties which could lead to the obligor's inadequate capacity to meet its financial commitments.
C	A short-term obligation rated 'C' is currently vulnerable to nonpayment and is dependent upon favorable business, financial, and economic conditions for the obligor to meet its financial commitment on the obligation.
D	A short-term obligation rated 'D' is in default or in breach of an imputed promise. For non-hybrid capital instruments, the 'D' rating category is used when payments on an obligation are not made on the date due, unless Standard & Poor's believes that such payments will be made within any stated grace period. However, any stated grace period longer than five business days will be treated as five business days. The 'D' rating also will be used upon the filing of a bankruptcy petition or the taking of a similar action and where default on an obligation is a virtual certainty, for example due to automatic stay provisions. An obligation's rating is lowered to 'D' if it is subject to a distressed exchange offer.

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Long-Term Issue Credit Ratings*

Category	Definition
AAA	An obligation rated 'AAA' has the highest rating assigned by Standard & Poor's. The obligor's capacity to meet its financial commitment on the obligation is extremely strong.
AA	An obligation rated 'AA' differs from the highest-rated obligations only to a small degree. The obligor's capacity to meet its financial commitment on the obligation is very strong.
A	An obligation rated 'A' is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations in higher-rated categories. However, the obligor's capacity to meet its financial commitment on the obligation is still strong.
BBB	An obligation rated 'BBB' exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.
BB; B; CCC; CC; and C	Obligations rated 'BB', 'B', 'CCC', 'CC', and 'C' are regarded as having significant speculative characteristics. 'BB' indicates the least degree of speculation and 'C' the highest. While such obligations will likely have some quality and protective characteristics, these may be outweighed by large uncertainties or major exposures to adverse conditions.
BB	An obligation rated 'BB' is less vulnerable to nonpayment than other speculative issues. However, it faces major ongoing uncertainties or exposure to adverse business, financial, or economic conditions which could lead to the obligor's inadequate capacity to meet its financial commitment on the obligation.
B	An obligation rated 'B' is more vulnerable to nonpayment than obligations rated 'BB', but the obligor currently has the capacity to meet its financial commitment on the obligation. Adverse business, financial, or economic conditions will likely impair the obligor's capacity or willingness to meet its financial commitment on the obligation.
CCC	An obligation rated 'CCC' is currently vulnerable to nonpayment, and is dependent upon favorable business, financial, and economic conditions for the obligor to meet its financial commitment on the obligation. In the event of adverse business, financial, or economic conditions, the obligor is not likely to have the capacity to meet its financial commitment on the obligation.
CC	An obligation rated 'CC' is currently highly vulnerable to nonpayment. The 'CC' rating is used when a default has not yet occurred, but Standard & Poor's expects default to be a virtual certainty, regardless of the anticipated time to default.
C	An obligation rated 'C' is currently highly vulnerable to nonpayment,and the obligation is expected to have lower relative seniority or lower ultimate recovery compared to obligations that are rated higher.
D	An obligation rated 'D' is in default or in breach of an imputed promise. For non-hybrid capital instruments, the 'D' rating category is used when payments on an obligation are not made on the date due, unless Standard & Poor's believes that such payments will be made within five business days in the absence of a stated grace period or within the earlier of the stated grace period or 30 calendar days. The 'D' rating also will be used upon the filing of a bankruptcy petition or the taking of similar action and where default on an obligation is a virtual certainty, for example due to automatic stay provisions. An obligation's rating is lowered to 'D' if it is subject to a distressed exchange offer.
NR	This indicates that no rating has been requested, or that there is insufficient information on which to base a rating, or that Standard & Poor's does not rate a particular obligation as a matter of policy.

*The ratings from 'AA' to 'CCC' may be modified by the addition of a plus (+) or minus (-) sign to show relative standing within the major rating categories.

Item No: C08/20-519

LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2020

Responsible Division: Finance & Governance
Officer: Director Finance & Governance
File Number: HC-08-02-5
Community Strategic Plan Goal: *Transparent and accountable leadership*

SUMMARY

This report outlines the details of the Local Government NSW (LGNSW) Annual Conference 2020, and requests that Council nominate Councillors to attend as voting delegates and submit potential motions for consideration at the Conference.

RECOMMENDATION

That Council:

1. **Confirm its intention to nominate the appointment of up to 10 voting delegates to vote on motions at the Local Government NSW Annual Conference; and**
2. **Consider submitting of any motions to be considered at the Local Government NSW Annual Conference.**

REPORT

The Local Government NSW (LGNSW) Annual Conference is an annual policy-making event for NSW general-purpose councils, where local councillors convene to share ideas and debate issues that influence the way councils are governed. Cumberland City Council is a financial member of Local Government NSW and is eligible to send representation to the Conference.

The LGNSW Annual Conference 2020 will be held from Sunday, 22 November 2020 to Tuesday, 24 November 2020 at the Crowne Plaza Hotel in the Hunter Valley, NSW.

Motions may be submitted for consideration at the Conference and must be submitted online by 12 midnight (AEST) on Monday, 28 September 2020. For a motion to be included in the Business Paper, it must meet the criteria detailed in the *Annual Conference 2020 Motions Submission Guide* (Attachment 1).

Motions will be grouped into categories, and councils are required to suggest one of the below categories when submitting a motion:

- Industrial relations and employment
- Governance and accountability

- Economic
- Infrastructure and planning
- Social and community
- Environment
- Don't know

When submitting motions to be considered at the Conference, a copy of the Council resolution or the signature of the Mayor and General Manager on Council letterhead must be provided.

Council is entitled to send up to 10 voting delegates to the Conference. LGNSW must be provided with the names of nominated voting delegates by 12 noon (AEDT) on Tuesday, 3 November 2020.

COMMUNITY ENGAGEMENT

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

POLICY IMPLICATIONS

The Local Government NSW Annual Conference 2020 is the key policy development conference for the local government sector. Councillor attendance at the Local Government NSW Annual Conference is provided for under the *Councillor Expenses and Facilities Policy.*

RISK IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Councillor attendance to the Local Government NSW Annual Conference 2020 is provided for under the *Councillor Expenses and Facilities Policy* and is budgeted within the 2020/21 annual budget.

CONCLUSION

The Local Government NSW Annual Conference is the key policy-making event for the local government sector. To ensure representation and participation at this key event, this report recommends that Council nominate Councillors to attend as voting delegates, and consider submitting motions to be debated at the Conference.

ATTACHMENTS

1. Annual Conference 2020 Motions Submission Guide ⇩

DOCUMENTS ASSOCIATED WITH REPORT C08/20-519

Attachment 1

Annual Conference 2020 Motions Submission Guide

LGNSW 2020 Annual Conference Motions Submission Guide

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LGNSW Annual Conference Motions Submission Guide

1. Introduction

The Local Government NSW (LGNSW) Annual Conference is the pre-eminent policy making event for the local government sector. At Conference, delegates vote on motions which help determine the policies and priorities for LGNSW and the sector. It is a key event for local government where councillors come together to share ideas and debate issues that shape the way the sector functions and is governed.

LGNSW member councils are invited to submit motions for possible debate at Conference to advance the sector wide policy agenda. Motions are strategic local government issues which affect members state-wide and introduce new or emerging policy issues and actions.

This guide outlines the process for councils to submit motions for LGNSW's Annual Conference.

2. Deadlines

Members are encouraged to submit motions online by **12 midnight (AEST) on Monday 28 September 2020** to allow assessment of the motions and distribution of the Business Paper before the Conference. However, in line with the LGNSW Rules, the latest date motions can be accepted for inclusion in the Business Paper is **12 midnight (AEDT) on Sunday 25 October 2020** (28 days prior to Conference).

3. Criteria for motion submission

The LGNSW Board has resolved that motions will be included in the Business Paper for the Annual Conference only where they:

1. are consistent with the objects of the Association (see Rule 4 of the Association's rules[1]);
2. relate to local government in NSW and/or across Australia;
3. concern or are likely to concern local government as a sector;
4. seek to advance the local government policy agenda of the Association and/or improve governance of the Association;
5. have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws);
6. are clearly worded and unambiguous in nature, and
7. do not express preference for one or several members over one or several other members.

Council members are encouraged to review Action Reports[2] from previous Conference(s) before submitting motions for this year's Annual Conference to ensure the proposed motion wording reflects any recent developments and does not duplicate existing positions.

4. How to write a motion

Motions adopted at the Annual Conference inform LGNSW's advocacy actions on behalf of the local government sector. LGNSW includes the exact wording of motions when writing to ministers, departments and agencies post-conference and so it is important that the wording of motions clearly outlines your council's policy intent or objective.

The format of motions, as much as possible, should call on a specific body (e.g. LGNSW, state government, federal government, a specific Department or Minister) and have a specific outcome

[1] LGNSW registered rules: fwc.gov.au/registered-organisations/find-registered-organisations/local-government-nsw-lgnsw
[2] Action Reports outline the advocacy actions taken by LGNSW for each Conference Resolution and the outcomes of these actions. Action reports are available via the Annual Conference page of the LGNSW website www.lgnsw.org.au.

that the motion is aiming to achieve. The motion should state whether it is seeking to change a LGNSW Fundamental Principle[3]. The wording should be unambiguous.

Examples of clearly-worded Annual Conference motions:

5. Demonstrating evidence of council support for motion

The member submitting the motion must provide accompanying evidence of support for the motion. Such evidence may include an attachment note or extract from the minutes of the Council meeting, at which the member Council resolved to submit the motion for consideration by the Conference. In the absence of a council meeting, the evidence should be a letter signed by both the Mayor and General Manager.

LGNSW has developed a template council report for members to use to resolve at their own council meetings to submit motions to LGNSW for Conference at Attachment C of this Guide.

6. How to submit a motion

LGNSW members are invited to submit motions through an online portal[4] from **17 July 2020**.

Each motion submission should include responses to the following eight fields:

1. Council name
2. Contact details of relevant officer
3. Motion category *(e.g. planning, economic, environment etc. This assists with assigning motions to the relevant policy staff and grouping related motions in the Conference Business Paper.)*
4. Motion title *(a few words)*
5. Motion *(a sentence or two which states the issue and the call to action)*
6. Background note *(a paragraph or two to explain the context and importance of the issue to the local government sector)*
7. Indicate if the motion conflicts with one or more of the Fundamental Principles[3]
8. Evidence of council support for the motion *(e.g. council meeting minutes)*

A sample motion submission form is at Attachment B.

[3] For more information on LGNSW's Fundamental Principles please see **Part 9** of this guide.
[4] Online motion submission portal: https://lgnsw-grants.fluidreview.com/

Once a motion has been submitted it cannot be edited without contacting LGNSW so please review the content carefully before submission.

7. How LGNSW manages incoming motions

The LGNSW Board has established a sub-committee and delegated the function of managing incoming motions for the Annual Conference to this sub-committee. The Chief Executive will refer motions to the sub-committee that are outside the criteria, or if it is unclear whether they meet the criteria. The sub-committee will make the final decision on inclusion of those motions into the Annual Conference Business Paper.

Prior to the sub-committee making a final decision, LGNSW may contact the council that submitted the motion to seek clarity on its intent or wording.

Incoming motions which seek to change any long-held Fundamental Principles[3], will be brought to the attention of the motions sub-committee and highlighted in the Business Paper for members' information at time of voting.

Motions which are consistent with current LGNSW actions or existing LGNSW positions may still be printed in the Business Paper but will not be debated at the Annual Conference.

8. What happens to motions at the LGNSW Annual Conference

Standing orders are outlined at the front of the Business Paper and adopted at the commencement of each Annual Conference. They outline the manner in which the Conference deals with motions. The standing orders adopted at the 2019 Conference can be found in Attachment A.

During debate on motions at Conference, the standing orders generally permit councillor delegates to speak in support of or against each motion. Following a vote on a motion, the motion is either carried and then becomes a resolution of the Annual Conference, or the motion is defeated.

9. Post-conference: Updates to the LGNSW Policy Platform

LGNSW's Policy Platform consolidates the voices of councils across NSW, reflecting the collective positions of local government on issues of importance to the sector. Importantly, the Policy Platform guides LGNSW in its advocacy on behalf of the local government sector.

The Policy Platform consists of two parts: LGNSW's Fundamental Principles, and the more targeted Position Statements.



Changing Fundamental Principles
Councils submitting motions to the Annual Conference will be asked to indicate whether the motion conflicts with any of LGNSW's Fundamental Principles.

Where a motion conflicts or may conflict with a Fundamental Principle, this will be clearly highlighted for delegates in the Conference Business Paper. If the motion is adopted as a resolution at Conference, then the relevant Fundamental Principle will be changed.

It is expected that changes to the Fundamental Principles will be uncommon, given their broad focus and general acceptance among the local government sector.

Changing Position Statements
Following each Annual Conference, LGNSW will review resolutions of that Conference to determine whether the intent of each resolution is adequately covered by existing Position Statements. Where the Position Statements do not adequately include the intent of a resolution, LGNSW will update an existing Position Statement or draft a new Position Statement, to be endorsed by the LGNSW Board as part of the LGNSW Policy Platform.

LGNSW members will be informed of updates to the LGNSW Policy Platform.

10. Post-conference: Determining LGNSW Advocacy Priorities

Following the LGNSW Annual Conference, LGNSW will review the resolutions and identify key areas of focus to guide LGNSW's advocacy for the coming year. These areas of focus will also be informed by member feedback, the strategic plan, position statements, emerging issues, and Board input.

This broad review will result in the development of LGNSW's Advocacy Priorities for the following year, for endorsement by the LGNSW Board and communication to members.

As LGNSW undertakes advocacy actions on each of the Conference resolutions throughout the year, these actions and their outcomes will be published in LGNSW's Action Report[5].

11. Further information

For further information on the motion submission process, please contact Elle Brunsdon, Policy Officer at elle.brunsdon@lgnsw.org.au.

[5] LGNSW's Action Reports are available via the Annual Conference page of the LGNSW website: lgnsw.org.au

Frequently Asked Questions

- **How do I know if my motion conflicts with a Fundamental Principle?**

  Identifying whether a motion conflicts with a Fundamental Principle can be difficult, particularly if you are unfamiliar with them. The knowledge expert within council is best placed to identify this (for example, if the motion relates to a planning matter, this question should be answered by the Planning Manager). Knowledge experts are encouraged to review the Fundamental Principles in LGNSW's Policy Platform. It can be helpful to review the relevant Position Statements as well to gain a further understanding of LGNSW's position on a particular matter to help identify whether your motion is conflicting.

- **What is the deadline for submitting motions?**

  Members are encouraged to submit motions online by **12 midnight (AEST) on Monday 28 September** to allow assessment of the motions and distribution of the Business Paper before the Conference. However, in line with the LGNSW Rules, the latest date motions can be accepted for inclusion in the Conference Business Paper is **12 midnight AEST on Sunday 25 October 2020** (28 days prior to Conference).

  LGNSW can receive up to 300 motions for an Annual Conference. Submitting motions as early as possible helps LGNSW to manage the large volume of motions received within a short period of time and allows LGNSW to seek clarification on any motions if required.

- **I'm unsure which motion category or sub-category I should select in the online portal**

  We have aligned the motion categories with the general council department streams. However, there may not be a suitable sub-category for your motion. Should this be the case, please feel free to leave this blank.

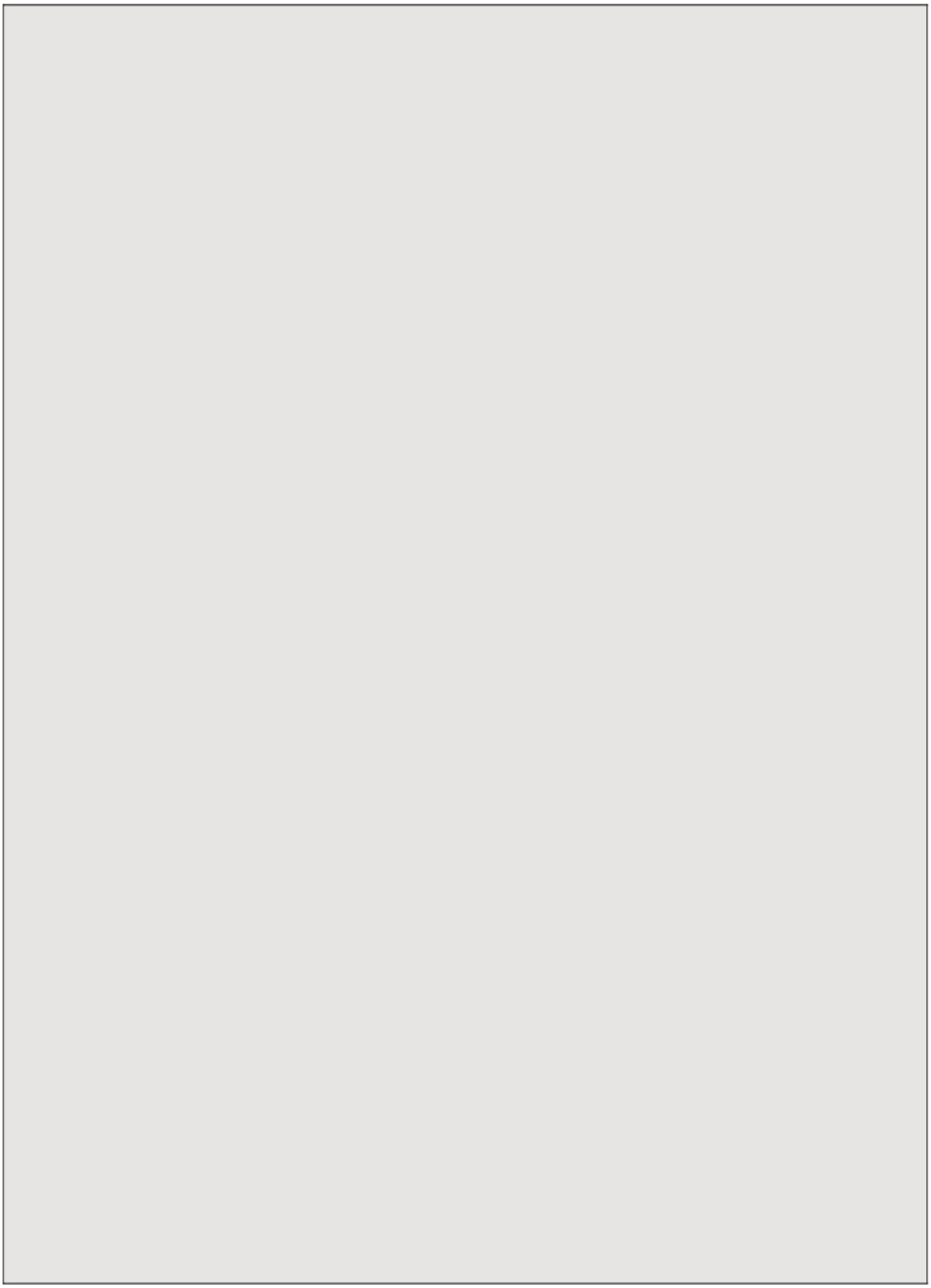
- **Who should be the council contact for motions?**

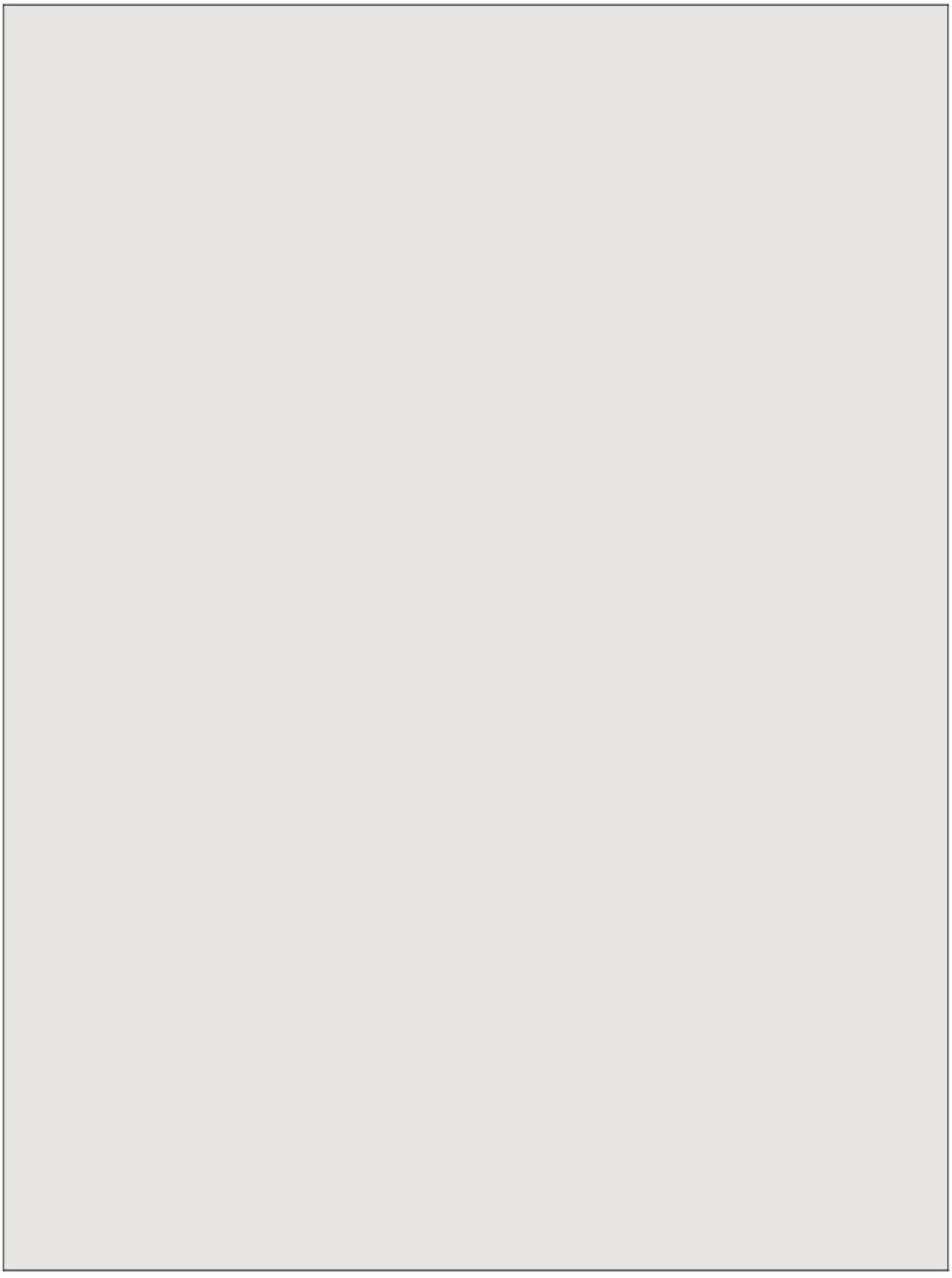
  We recommend the council contact is someone who is available during the months that motions are open, and able to respond promptly to communications between the knowledge expert, your council and LGNSW. Some councils have identified the General Manager and others have identified the Governance Officer – it is a decision for each council.

- **Will the COVID-19 pandemic affect the motions process?**

  The LGNSW Annual Conference motions process is an important policy setting process for the local government sector. The LGNSW Annual Conference will be following government guidelines on safe events and social distancing. COVID-19 precautions may change in the future and so LGNSW is considering suitable contingency plans to ensure that motions are appropriately managed and that this important process continues.

Attachment A – Excerpt of LGNSW 2019 Annual Conference Standing Orders





Attachment B - Sample Motion Submission Form

During the motion submission period, this form is available on the online motion submission portal: https://lgnsw-grants.fluidreview.com/

Council Name

Contact Details of Relevant Council Officer

Motion Category *(drop down list)*

- Industrial relations and employment
- Governance and accountability
- Economic
- Infrastructure and planning
- Social and community
- Environment
- Don't know

Motion Title

Motion Wording

Motion Background

Maximum 1 or 2 paragraphs

Please note: LGNSW may make minor amendments to the title and background of the motion for clarity.

Fundamental Principles conflict?

Fundamental Principles[6] are the overarching principles that are important to our members and direct our response to key issues. To change a Fundamental Principle, a motion to conference is required.

Does this motion conflict with one or more of the Fundamental Principles?

- ○ No. The motion does not conflict with the Fundamental Principles.
- ○ Unsure
- ○ Yes, this motion does or may conflict with the Fundamental Principles (select all that apply below)

Economic

A. Local government must have control of its revenue raising and investment decisions and be fairly funded by the Commonwealth and State/NSW Governments to meet its infrastructure and service responsibilities.

B. Local government promotes local and regional economic development and employment growth.

Infrastructure

C. Local government is best placed to plan for, deliver and manage essential local infrastructure.

Planning

D. Local government is best placed to lead and influence local and regional planning processes according to the needs and expectations of local communities.

E. Our communities' quality of life is a priority of local government planning.

Environment

F. Local government actions reflect Ecologically Sustainable Development (ESD). ESD requires the effective integration of economic, environmental and social considerations in decision making processes and is based on the following principles:

- Intergenerational equity – today's actions maintain or enhance the environment for future generations
- Precautionary principle – prevent environmental degradation and manage and mitigate risk
- Conservation of biological diversity and ecological integrity
- Improved valuation and pricing of environmental resources – recognising the value of the environment to the community.

Social and Community

G. Local government is committed to the principles of:

- Equity – fair distribution of resources
- Rights – equality for all people
- Access – to services essential to quality of life
- Participation – of all people in their community
- Recognition – of the unique place of Aboriginal people in NSW and the right of Aboriginal people to be involved in all decisions affecting Aboriginal communities
- Health and Safety – for all in the community.

Governance

H. Local government must be constitutionally recognised and respected as an equal sphere of government.

I. Local government is democratically elected to shape, serve and support communities.

J. Local government is committed to the principles of good governance.

Accountability

K. Local government is responsible and accountable to the citizens and the communities it represents, through consultative processes, legislative accountabilities, efficient delivery of services and effective customer service.

L. Local government is recognised as a responsible and place-based employer.

[6] For more information on LGNSW's Fundamental Principles please see **Section 9** of this guide.

Attachment C – Template – Council Meeting Report

Item number	XX	**Division**	XX
Responsible officer	XX	**Confidentiality**	XX
Date	XX	**Reference**	XX
Subject	2020 Local Government NSW Annual Conference Motions, Voting Delegates and Attendance		

Purpose of report/summary
To provide Council with the opportunity to nominate motions, voting delegates and attendance for the upcoming Local Government NSW (LGNSW) Annual Conference.

Overview
The 2020 LGNSW Annual Conference will be held from 22-24 November 2020 at the Crowne Plaza Hunter Valley, 430 Wine Country Drive, Lovedale, NSW.

The LGNSW Annual Conference is the pre-eminent policy making event for the local government sector. Delegates will vote on motions which help determine the policies and priorities for LGNSW and the sector. It is a key event for local government where councillors come together to share ideas and debate issues that shape the way the sector functions and is governed.

For Council to participate fully in the Annual Conference, it is recommended the Council register attendees, nominate voting delegates and submit motions for debate within the timeframes specified in this paper.

Registration to attend the Conference
Conference attendees are invited to register from 17 July 2020.

- Early bird registration rate is $840 and applies if you register and pay by 25 September 2020
- Standard registration rate is $940 for all registrations made between 26 September and 11 November 2020.

The following optional events are available to attendees at an additional cost:

- Conference Dinner - $132 per delegate
- Councillor Training Sessions - $44 per delegate
- ALGWA Breakfast - $55 per delegate

Accommodation has been secured at the XXXX hotel, with studio rooms accommodating up to two people incurring a cost of $XXX per night for two nights.

Attached to this report is a copy of Conference Registration Brochure ( ) and a copy of the draft program for the Conference ( ).

Registration as a voting delegate
Voting delegates must be registered to attend the Conference and be registered as a voting delegate.

Confirmation has been received from LGNSW that Council will have [7] voting entitlements at the Conference to vote on motions.

It is proposed that Council nominates the Mayor and number of Councillors to attend.

[7] Find your council's voting entitlements via the Annual Conference page of the LGNSW website: lgnsw.org.au.

The deadline to provide LGNSW with the names of voting delegates is **12 noon (AEDT) on Tuesday 3 November 2020**. Additional nominations received after the closing date cannot be accepted. However, the names of voting delegates may be substituted at any time, in line with Rule 34 of the LGNSW Rules.

Voting delegates may not appoint a proxy to attend or vote at formal business sessions on their behalf.

Conference Motions Submission Guide

Council is invited to submit motions for possible debate at the Annual Conference to advance the sector wide policy agenda. Motions are strategic local government issues which affect members state-wide and introduce new or emerging policy issues and actions.

Important information on the motions process, including submitting motions, motion criteria and a sample submission form are available in the *LGNSW 2020 Annual Conference Motions Submission Guide* at [redacted].

Deadlines

Members are encouraged to submit motions online by **12 midnight (AEST) on Monday 28 September 2020** to allow assessment of the motions and distribution of the Business Paper before the Annual Conference. However, in line with the LGNSW rules, the latest date motions can be accepted for inclusion in the Conference Business Paper is **12 midnight (AEDT) on Sunday 25 October 2020**.

Draft motions for consideration for LGNSW Annual Conference

Having regard to the above motion requirements set out by the LGNSW Board, the following draft motions are provided for consideration by Council:

[redacted]

Recommendations

1. Approve attendance by all interested Councillors at the 2020 LGNSW Annual Conference
2. Confirm one of the voting delegates at the LGNSW Conference to be the Mayor
3. Determine the other [redacted] Councillors to attend the Conference as Council's voting delegates
4. Adopt the proposed motions for submission to the 2020 LGNSW Business Paper
5. Determine any additional motions for submission at this meeting
6. That the Mayor be given delegated authority to submit any further proposed motions after consulting with Councillors prior to the deadline for submitting motions.

Item No: C08/20-520

DRAFT DATA BREACH RESPONSE POLICY

Responsible Division: Finance & Governance
Officer: Director Finance & Governance
File Number: 8378966
Community Strategic Plan Goal: *Transparent and accountable leadership*

SUMMARY

The *Draft Data Breach Response Policy* has been developed to provide direction to Council and the community in the event of a data breach or suspected data breach incident occurring at Cumberland City Council. This report recommends that the *Draft Data Breach Response Policy* be placed on public exhibition for consultation with the community.

RECOMMENDATION

That Council place the *Draft Data Breach Response Policy* on public exhibition for a period of 28 days, with a report to be provided back to Council following the conclusion of the exhibition period.

REPORT

The *Draft Data Breach Response Policy* has been prepared to accord with the best practice guidelines and principles issued by the Office of the Australian Information Commissioner (OAIC).

The document sets out the processes to be followed by Council in the event that a notifiable data breach incident occurs or is suspected to have occurred. A data breach involves the loss of, unauthorised access to, or unauthorised disclosure of, personal information.

The *Privacy Amendment (Notifiable Data Breaches) Act 2017* established a Notifiable Data Breaches (NDB) scheme requiring organisations covered by the Act to notify any individuals likely to be at risk of serious harm by a data breach. The OAIC must also be notified.

Accordingly, Council needs to be prepared to act quickly within an appropriate framework in the event of a data breach (or suspected breach), and determine whether it is likely to result in serious harm and whether it constitutes a Notifiable Data Breach.

This Policy sets out the process to follow including responsible officers within Council who are involved in the event that a data breach is suspected. The Policy also outlines

the reporting mechanisms required in the event that a data breach is suspected and confirmed.

The *Draft Data Breach Response Policy* was reported to the Audit, Risk and Improvement Committee Meeting held on 18 May 2020, and was met with positive feedback from the Committee. It is now recommended that Council place the *Draft Data Breach Response Policy* on public exhibition for a period of 28 days, with a report to be returned to Council with any feedback received.

COMMUNITY ENGAGEMENT

The Draft *Data Breach Response Policy* will be placed on public exhibition for a period of 28 days both in local newspapers and on Council's "Have Your Say" community engagement website, to enable the community to have an opportunity for input.

POLICY IMPLICATIONS

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

RISK IMPLICATIONS

By implementing a Data Breach Response Policy, Council will be implementing robust processes and control mechanisms for the management of potential data breaches.

FINANCIAL IMPLICATIONS

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

CONCLUSION

Council has now prepared a Data Breach Response Policy to accord with the OAIC guidelines and requirements for notification of data breaches. It is recommended this document proceed to public exhibition.

ATTACHMENTS

1. Draft Data Breach Response Policy ⇩

DOCUMENTS ASSOCIATED WITH REPORT C08/20-520

Attachment 1

Draft Data Breach Response Policy

CUMBERLAND
CITY COUNCIL

DRAFT

Data Breach Response Policy

AUTHORISATION & VERSION CONTROL

Policy Number	POL-053
Policy Owner	Director Finance and Governance
Date Approved	***
Version No	1
Document ID	ECM Number
Review Date	***

BACKGROUND

As of 22 February 2018, the Notifiable Data Breaches (NDB) scheme came into effect under the federal Privacy Act 1988 (Privacy Act). Under the NDB scheme organisations and must notify affected individuals and the Office of the Australia Information Commissioner (OAIC) when a data breach is likely to result in serious harm to an individual whose personal information has been compromised.

In addition to the NDB scheme, the NSW Information and Privacy Commission also offers a voluntary reporting scheme that encourages agencies that have experienced a serious data breach to report the details of the breach to the Privacy Commissioner, so that the Privacy Commissioner can assess the breach, provide advice or investigate.

Cumberland City Council maintains personal information such as ratepayer, resident and customer data/information from parties who interact with Council. Council also maintains personal and workforce data/information

This data is collected by Council as is used to plan, monitor and manage the workforce, services and properties across the Local Government Area (LGA).

Given the personal information is retained by Council to carry out its services, it is bound by the Notifiable Data Breaches (NDB) scheme and must take necessary care to manage personal data.
Council must comply with the notification requirements of the scheme in the event of any data breach occurring as failure to do so may render Council liable for significant penalties under Australian law.

DEFINITIONS

Data Breach A **data breach** is an incident, in which personal or confidential information, or non-personal information that could be sensitive or commercial, is compromised, disclosed, copied, transmitted, accessed, removed, destroyed, stolen or used by unauthorised individuals, whether accidentally or intentionally.

SCOPE

The purpose of this response plan is to provide a procedure detailing the key actions and responsibilities to be followed in the event of a data breach incident. It leverages the OAIC's 4 key steps in responding to a data breach (refer to **Appendix C**).

The scope of this policy applies to all data held by Council in either a paper based or electronic format and is applicable to all employees (including councillors, contractors, students, volunteers and agency personnel) as well as external organisations and contractors who have been granted access to Council's infrastructure, services and data.

This procedure supplements Cumberland City Council's Privacy Management Plan.

WHAT IS A DATA BREACH?

A data breach is an incident, in which personal or confidential information, or non-personal information that could be sensitive or commercial, is compromised, disclosed, copied, transmitted, accessed, removed, destroyed, stolen or used by unauthorised individuals, whether accidentally or intentionally. Examples of data breaches include;

- a device with a customer's personal information is lost or stolen
- a database with personal information is hacked
- personal information is mistakenly given to the wrong person

When do we know it has occurred?

Council may be made aware of a data breach through a report from a member of staff, a contractor, an affected third party or through a report from another government agency. Council may also receive a written request seeking an internal review of a privacy complaint relating to a data breach incident.

When does a breach become 'eligible' for notification

Under the Notifiable Data Breach (NDB) scheme an organisation or agency must notify affected individuals and the OAIC about an eligible data breach.

An eligible data breach occurs when:

- there is unauthorised access to or unauthorised disclosure of personal information, or a loss of personal information, that an organisation or agency holds
- this is likely to result in serious 'harm' to one or more individuals, and
- the organisation or agency hasn't been able to prevent the likely risk of serious harm with remedial action

'Harm' caused by a breach can be assessed in number of ways and may be determined based on the following factors;

- Physical safety of the person/organisation
- Financial loss
- Emotional wellbeing/loss
- Reputational damage
- Legal liability
- Breach of secrecy provisions

An organisation or agency that suspects an eligible data breach may have occurred must quickly assess the incident to determine if it is likely to result in serious harm to any individual.

How to report a data breach

In the event of a known or suspected data breach this should be reported either verbally or in writing to Council's **Executive Manager Corporate Services** as soon as practicable who will commence the response process.

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DATA BREACH RESPONSE PROCESS

1. Contain

- As soon as practicable after a potential breach is reported the **Executive Manager Corporate Services** should gather the necessary information and complete the **Data Breach Incident and Response Report - Part A** (See **Appendix A**) and retain any evidence of the breach occurring.
- Necessary steps should be taken by the **Executive Manager Corporate Services** immediately to contain the breach once details of the incident have been gathered (this may involve coordinating with other members of staff to ensure necessary steps/measures are put in place)
- Once a preliminary assessment of the level of risk posed by the breach (high, medium, low) has been established notify the **Response Team** and arrange a time to assess the breach.

2. Assess

- The **Response Team** should review the preliminary assessment carried out by the **Executive Manager Corporate Services** and complete the **Data Breach Incident and Response Report - Part B** (See **Appendix A**)
- Particular attention should be paid to the following as this will determine the implications on Council in regards to the notification process;
    - Whether the breach is likely to result in serious harm to any affected parties
- Council may engage 3rd party assistance or seek advice from the NSW Information and Privacy Commission to provide an opinion or validate the assessment made by the **Response Team.**
- Any further remedial actions identified by the **Response Team** to contain or minimise the severity of the breach should be taken.
- Assessment of the breach should be completed as soon as practicable and at latest within **30 days of the breach being reported.**

3. Notify

- After the **Data Breach Incident and Response Report** (See **Appendix A**) has been completed and reviewed by the **Response Team** and it is determined that Council are legally obliged to provide notification of the incident – it is expected that notification occurs within 72 hours of the assessment being made.
- If required, the OAIC and the NSW Information and Privacy Commission should be notified.
    - OAIC - https://www.oaic.gov.au/privacy/notifiable-data-breaches/report-a-data-breach/
    - NSW Information and Privacy Commission - https://www.ipc.nsw.gov.au/privacy/voluntary-data-breach-notification
- Council must then notify individuals at risk of serious harm either;
    - directly notify only those individuals at risk of serious harm, or
    - directly notify all individuals whose data was breached,

  If the individuals affected are not known or cant be identified then Council will;
    - Publicise the statement more broadly.
- Council's Manager Strategic Communications must be notified in order to prepare a Media Statement if appropriate in relation to the data breach.
- Guidelines for notifying a breach are outlined in **Appendix B**. This should be should be used as a guide when communicating breaches with individuals and more broadly.

4. Review

- After the incident has been assessed and notification has taken place the **Executive Manager Corporate Services** should carry out a review within 14 days to identify any actions required to prevent further breaches to be tabled at the Executive Team Meeting covering;
    - Recommended changes to system and physical security

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- Recommend changes to any Council policies or procedures
- Revision or changes recommended to staff training and education

ROLES & RESPONSIBILTIES

The Data Breach response team will generally comprise of staff in the following positions;

Position	Responsibilities
Executive Manager Corporate Services	General governance, compliance and records management advice and coordination of preliminary assessment and response team
Governance Coordinator	Governance advice
Manager Corporate Information Systems	Provide advice around application level data/information security
Manager Technology Services	Provide advice around technical/IT infrastructure security
Internal Ombudsman	Process oversight, quality assurance
Legal Counsel	Legal advice
Senior Coordinator Communications and Marketing	Communications advice
Director Finance and Governance	General advice and direct linkage to executive
General Manager (High Risk Only)	General advice

The Response Team may also seek advice from 3rd Party privacy specialists or the NSW Information and Privacy Commission if deemed necessary as part of the assessment process.

RELATED DOCUMENTS AND COUNCIL POLICY

Cumberland City Council's Privacy Management Plan

Office of the Australian Information Commissioner Website

Information and Privacy Commission Website

RELATED LEGISLATION

Privacy Act 1988 (Privacy Act)

DRAFT

APPENDIX

Appendix A - Data Breach Incident & Response Report

Part A – Data Breach Incident Report

To be completed by the Executive Manager Corporate Services on receipt of breach report

Name/Position:	**Date:**
When, where and how did the data breach occur?	
Who and how was the breach discovered?	
When the breach was first reported to the Governance Coordinator?	
How would you classify the breach? ○ Unauthorised access ○ Unauthorised disclosure ○ Loss ○ Alteration ○ Destruction of personal information	What information/data has been compromised? ○ Financial details ○ Tax File Number ○ Identity Information ○ Contact Information ○ Health Information ○ Other
What parties have been affected by the breach?	
Steps taken to immediately contain the breach?	
Do any external parties been notified about the breach? E.g. The OAIC, NSW Information and Privacy Commision, Police, Insurance providers, credit card companies etc	
Preliminary Assessment of risk posed by the data breach? ○ High Risk (established or suspected) = likely to result in serious harm to affected individual/s or organisation ○ Moderate Risk ○ Low Risk	

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Part B – Data Breach Response Report

To be completed by the Executive Manager Corporate Services at completion of the Response Team's assessment meeting.

Name/Position:	**Date:**
List the response team members	
Listing of preliminary steps that have been taken to contain the breach	
Any further steps identified to minimise the impact on affected individuals or organisations?	
Validation of risk posed by the data breach? ○ High Risk (established or suspected) = likely to result in serious harm to affected individual/s or organisation ○ Moderate Risk ○ Low Risk	
Confirmation of notification required ○ NDB Eligible data breach – mandatory disclosure (high risk) ○ Council elected voluntary disclosure (low or medium risk) ○ GDPR data breach – mandatory disclosure required within 72 hours (high, medium or low risk)	
Agencies notified ○ OAIC ○ NSW Information and Privacy Commission	
Confirmation of Notification Approach ○ Directly notify only those individuals at risk of serious harm, or ○ Directly notify all individuals whose data was breached, ○ Publicise the statement more broadly. Please specify whether notification is to occur via phone, letter, email or in person.	
Next steps for Review phase	

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Appendix B – Data Breach Notification Guidelines

Adapted from the NSW Information and Privacy Commisions Guidelines
https://www.ipc.nsw.gov.au/privacy/voluntary-data-breach-notification

Breach nature

Please provide as fully as possible:

The personal data that was breached

The number of data subjects (individuals) who were or might be affected by the data breach

The manner of the data breach (e.g. leakage, loss, unauthorized use, etc)

When, where, how and by whom the data breach was discovered

Impact assessment and risk of harm

Please provide the reason(s) for the assessment. Risks of harm can include:

Threat to personal safety

Identity theft

Financial loss

Damage to personal or corporate reputation

Loss of business and employment opportunities

Remedial action

Measures to remove or reduce the impact can include:

Changing users' passwords and system configurations to control access and use

Technical fixes to remedy the system security loopholes

Implementing training or process improvements

Ceasing use of a particular system if the data breach was caused by system failure

Ceasing or changing the access rights of individuals

Notifying other relevant agencies (e.g. Police if identity theft or other criminal activities are suspected)

Documenting the details of the data breach to assist any investigation and corrective actions

Other Considerations

Advise if the breach has been notified to other external bodies (i.e NSW Information and Privacy Commission, OAIC or Police)

Advise of any assistance offered by Council

If the breach relates to identity theft – provide details for IDCARE, the National Identity & Cyber Support Service, on 1300 432 273, or via www.idcare.org.

How Individuals can get in contact with Council with Council, the NSW Information and Privacy Commission and the OAIC)

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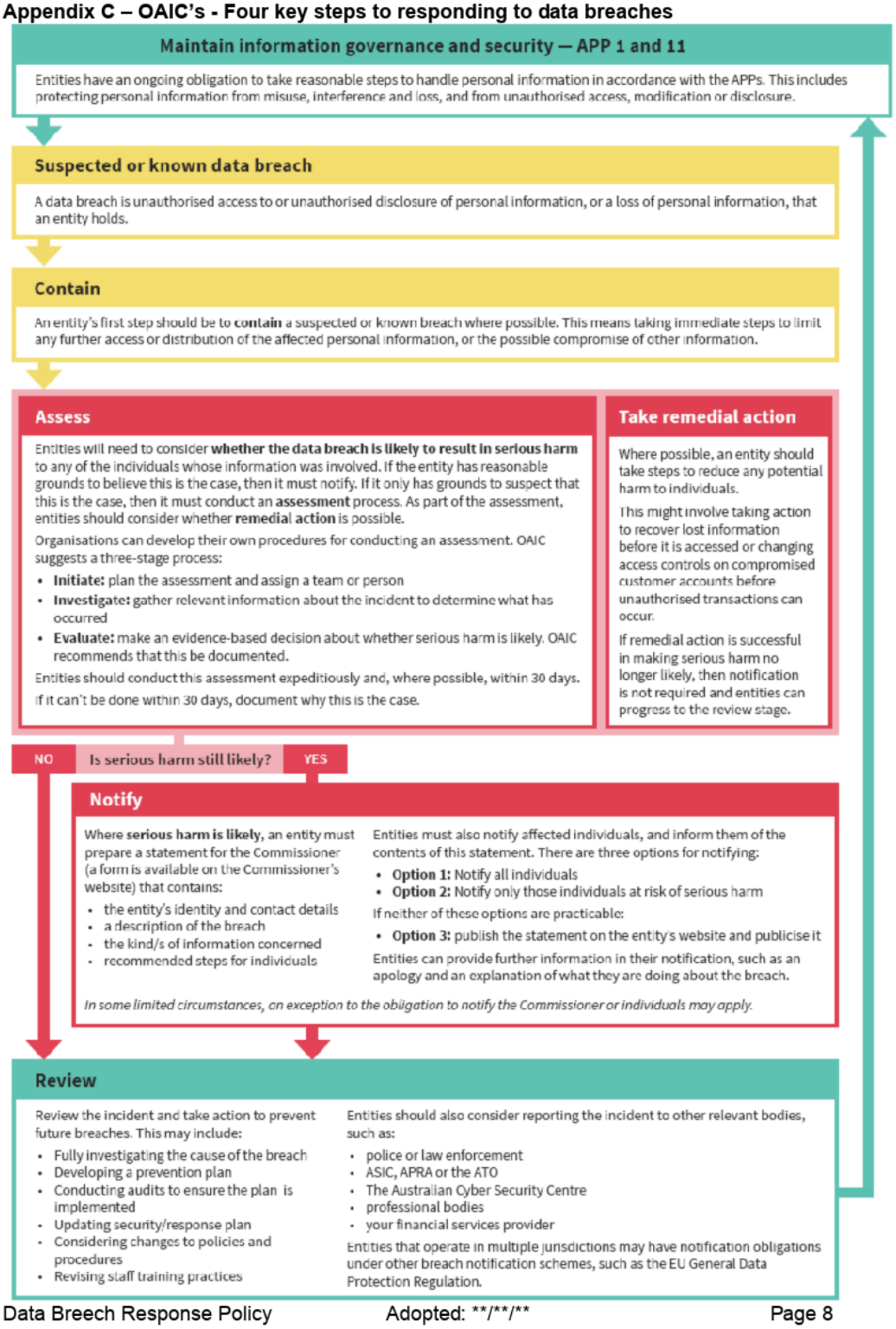
Appendix C – OAIC's - Four key steps to responding to data breaches



Item No: C08/20-521

FINALISATION OF MILTON STREET, LIDCOMBE PROPOSED ROAD CLOSURE

Responsible Division: Finance & Governance
Officer: Director Finance & Governance
File Number: 8378890
Community Strategic Plan Goal: *Transparent and accountable leadership*

SUMMARY

This report provides Council with an update on the Milton Street, Lidcombe road closure process, and recommends that Council proceeds with the road closure process following a public notification process undertaken.

RECOMMENDATION

That Council:

1. **Note the submissions received during the public notice period.**
2. **Endorse the lodgement of a road closure application for part of Milton Street, Lidcombe to the NSW Department of Industry - Lands.**
3. **Delegate authority to the General Manager to execute the documents to finalise this matter.**

REPORT

On 6 November 2019, Council considered the part closure of Milton Street between Railway Parade and Clarence Street, Lidcombe and resolved in accordance with Min.772, Item C11-19-262 to:

> *"Approve the permanent closure of Milton Street between Railway Parade and Clarence Street, Lidcombe to expand the open space (park) area for the community for recreational purposes."*

On 26 November 2019, Council gave public notice under section 38B of the *Roads Act 1993* of the proposed closure of Milton Street between Railway Parade and Clarence Street, Lidcombe by advertising the notice in the Auburn Review and Parramatta Advertiser and providing written notification of the proposal to all affected parties and authorities.

Six submissions were received in total. In accordance with the guidelines stipulated by the NSW Department of Industry - Lands, any submissions received are to be reported to Council for consideration, including appropriate actions taken or required to resolve any objections. A summary of all submissions is attached to this report (Attachment 1).

The main concerns cited by the local community indicated traffic and parking concerns. With respect to parking concerns, the land and properties directly adjoining the proposed road closure are Council controlled.

Council is not proposing to change the current road access from Railway Parade to Clarence Street, Lidcombe. Council has also previously prepared a Traffic Management Plan (TMP) which indicates that the proposed closure of Milton Street will not restrict any current resident's access or parking provisions.



Further, one submission was received by utility provider Jemena Asset Management. This submission raised an objection to the closure of Milton Street between Railway Parade and Clarence Street, Lidcombe due to a pre-existing gas main located in the area. Jemena possesses statutory rights to occupy the land to operate and maintain gas pipelines.

The objection was standard in the circumstances and is typically a mechanism which allows protection of the infrastructure and avoids interruption to services affecting other customers.

This objection has been resolved through the lodgement of a draft Section 88B instrument, and this was submitted to Jemena and approved via email to Council's Property team dated 30 March 2020.

Based on this, and the significant community amenity to be delivered by implementing a local park once the road is closed, it is now recommended that Council proceed to endorse the permanent closure of the part of the road.

COMMUNITY ENGAGEMENT

On 26 November 2019, Council provided notice under section 38B of the *Roads Act 1993* of the proposed closure of Milton Street between Railway Parade and Clarence

Street, Lidcombe by advertising the notice in the Auburn Review and Parramatta Advertiser and providing written notification of the proposal to all affected parties and authorities.

POLICY IMPLICATIONS

The proposed road closure will enable expanded open space to service local residents, in accordance with Council's *Open Space and Recreation Strategy*.

RISK IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are minor cost implications for Council associated with this report with respect to application and lodgement fees for the road closure with NSW Land Registry Services. There are costs associated with the works required to expand the park.

CONCLUSION

Council previously resolved its intention to close Milton Street between Railway Parade and Clarence Street, Lidcombe to expand the open space (park) area for the community for recreational purposes. It is now recommended that this road closure be approved for lodgement.

ATTACHMENTS

1. Summary of Submissions ⇩

DOCUMENTS ASSOCIATED WITH REPORT C08/20-521

Attachment 1

Summary of Submissions

Proposed Road Closure of Part Milton Street between Railway Parade and Clarence Street, Lidcombe

Summary of Submissions received during the Public Exhibition Period – 26 November 2019 to 14 January 2020.

In total, 6 submissions were received during public exhibition period – 4 submissions from the public/owners of land adjoining the property and 2 submissions from notifiable authorities. The following table summarises all comments and suggestions received.

Summary of Submissions Received and Responses provided by Council officers are outlined in the following table:

Theme	Comments/suggestions	Council response
Proposed road closure – Part Milton Street, Lidcombe	Support was given in favour of the proposed road closure.	Submissions were acknowledged.
Traffic Concerns	The submissions received suggest that the proposed road closure will create an issue turning right or left onto Railway Parade from Clarence Street as the road is angled creating a potential blind spot/ access.	Council has not changed the current Road access from Railway Parade to Clarence Street as this is still available to turn from or into without being hazardous. Council have previously prepared a Traffic Management Plan (TMP) which states the proposed closure of Milton Street will not restrict any residents' access or parking.
Parking Access	The submissions received had concerns on limiting available street parking to surrounding residences and their visitors.	Council have previously prepared a Traffic Management Plan (TMP) which states the proposed closure of Milton Street will not restrict any residents' access or parking.

Theme	Comments/suggestions	Council response
Pedestrian Access	The submissions received had concerns on creating an extended route to walk to Lidcombe Train Station via Railway Parade.	Pedestrians will be able to maintain access to Railway Parade via the proposed park. Council have previously prepared a Traffic Management Plan (TMP) which states pedestrians will not be affected by the proposal.
Notifiable authorities - Crown Lands	Crown Lands requested the following information: 1. Clear diagram of the proposed area; 2. Vesting upon closure; 3. Proof that the road is not a Crown road;	Council provided a clear diagram of the proposed area. Upon closure, Council provided the intention to vest this road as council land, utilising it as open space Auburn City Council published a notice in the Government Gazette of New South Wales, in accordance with Section 16 of the *Roads Act 1993* on the 12 February 2016, dedicating part of the land known as Milton Street, Lidcombe described as that road shown on DP 362 that runs between Lot 25 and 26 in DP 751 and which connects Clarence Street and Railway Parade, Lidcombe. Upon assessment of information, Crown Lands have submitted no objection to the proposed road closure.
Notifiable authorities - Jemena Asset Management Pty Ltd (Jemena)	Jemena advised that there are underground gas main on site that require an easement to be created.	Council have provided a draft easement to Jemena which Jemena have agreed to in principle. Council has engaged a consultant, Rygate Surveyors, to assist Council in its road closure process and to create an easement for the underground cables.

Item No: C08/20-522

PART BOARD STREET, LIDCOMBE - PROPOSED PART CLOSURE AND SALE

Responsible Division: Finance & Governance
Officer: Director Finance & Governance
File Number: 8378919
Community Strategic Plan Goal: *Transparent and accountable leadership*

SUMMARY

This report outlines the proposed road closure for the part Board Street, Lidcombe at the request of the applicant, Dooleys Lidcombe Catholic Club.

RECOMMENDATION

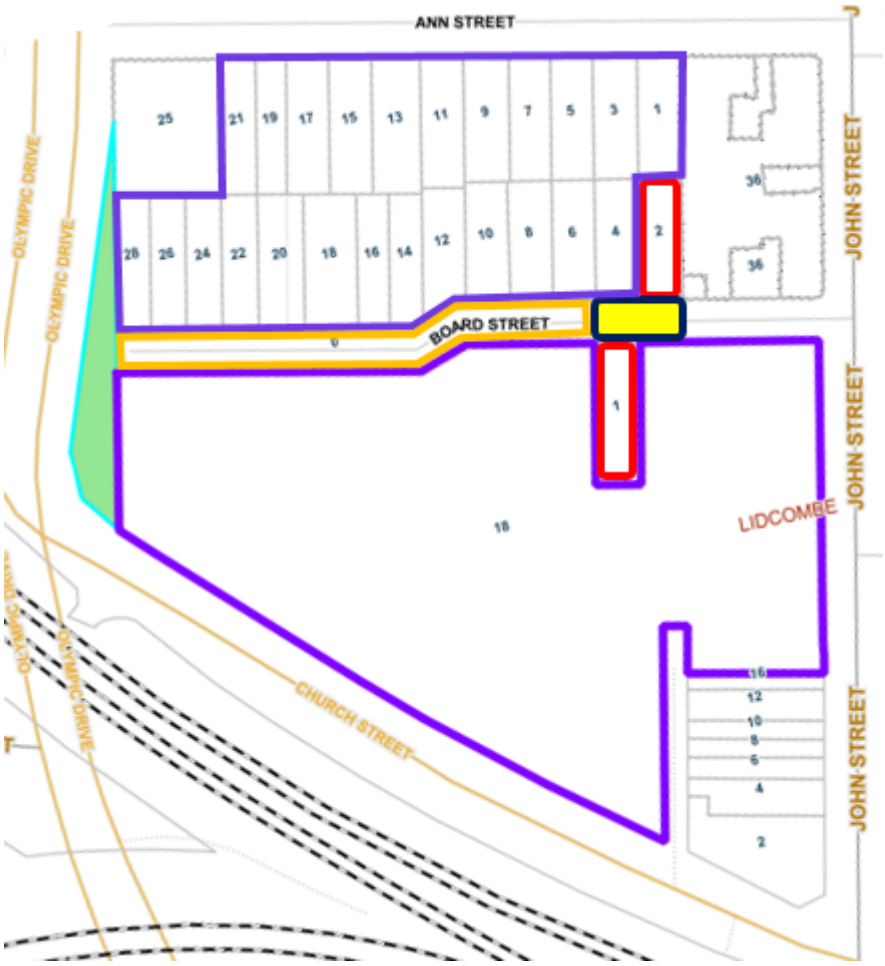
That Council:

1. **Approve in principle the permanent closure of part of Board Street, Lidcombe as attached.**
2. **Advertise the proposed closure and sale of the laneway for a period of 28 days in accordance with S.38B of the *Roads Act 1993*.**
3. **Authorise the General Manager to undertake a sale process for the road once closed, in accordance with independent valuation and legal advice if no adverse submissions are received.**

REPORT

By application and letter dated 19 February 2020, Dooleys Lidcombe Catholic Club Pty Ltd (Dooleys) approached Cumberland City Council with a proposal to purchase part of Board Street, Lidcombe (291sqm approximately), for consolidation with their existing land holdings. A copy of this letter is attached to this report (Attachment 1).

The subject part of Board Street that Dooleys wish to purchase is depicted on the following marked up photo highlighted in yellow. The purple outline denotes Dooleys existing holdings, with properties 1 and 2 marked in red recently acquired. Council previously resolved to close and sell part Board Street to Dooleys in 2018 (marked in orange).



Aerial image



Dooleys have recently acquired both 1 and 2 Board Street, Lidcombe and own the property immediately adjacent to both sides. Dooleys are also currently applicants to Council in another road closure, laneway off Church Street, Lidcombe.

Council has recently had the previous valuation of Board Street in 2017 updated by its valuer in 2020, with the review confirming that the offer from Dooleys is at the high end of the valuation methodology.

The proceeds for the sale of this part road in accordance with the attached offer is $916,068. All other costs relating to the road closure are borne by the applicant also.

In addition to this, Council relinquishes control and therefore maintenance arrangements for this further part of Board Street, reducing costs.

Given this request is an extension of the already held parcels of land by Dooleys, and have no material impact on other parties, it is recommended that this proposal be endorsed by Council to proceed to public notification, where any submissions opposing the proposal will be reported back to Council.

COMMUNITY ENGAGEMENT

Council will undertake a public notification process of the closure and sale as part of the subject Street with the community, as required by the road closure process under the *Roads Act 1993.* As Dooleys owns all the holdings around this proposed road closure, it is not anticipated that there will be a significant community impact.

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

The proceeds for the sale of this lot in accordance with the attached offer is $916,068. All other costs are borne by the applicant also should the sale proceed.

CONCLUSION

If this proposal is supported by Council, staff will prepare the necessary documentation to complete a part road closure under the provisions of *the Roads Act 1993*.

ATTACHMENTS

1. Letter of Offer - Dooleys ⇩

DOCUMENTS ASSOCIATED WITH REPORT C08/20-522

Attachment 1

Letter of Offer - Dooleys

DOOLEYS
LIDCOMBE CATHOLIC CLUB

17th July 2020

Hamish McNulty
General Manager
Cumberland Council

16 Memorial Avenue
PO Box 42
Merrylands NSW 2160

Dear Mr. McNulty,

Subject: Letter of Offer, Additional Area of Board Street, Lidcombe

Further to our previous initial letter of offer, dated 19th February 2020, to purchase a further area of Board St from Council, which was subject to contract and survey, I write to confirm that a survey of the area in question has now been completed as per the attached plan. Since the completion of the initial purchase DOOLEYS has completed the purchase of both number 1 & 2 Board St, Lidcombe, thus rendering the area of Board St subject to this offer an unnecessary road.

Both parties previously agreed a valuation methodology for the 1,683 square metres of Board St previously purchased for a gross price of $5,300,000, equating to a rate of $3,148 per square metre of land. We propose to use the same rate for the additional 291 square metres (now confirmed by survey) resulting in a purchase price of $916,068.

Therefore, I am pleased to be able to make the following formal offer:

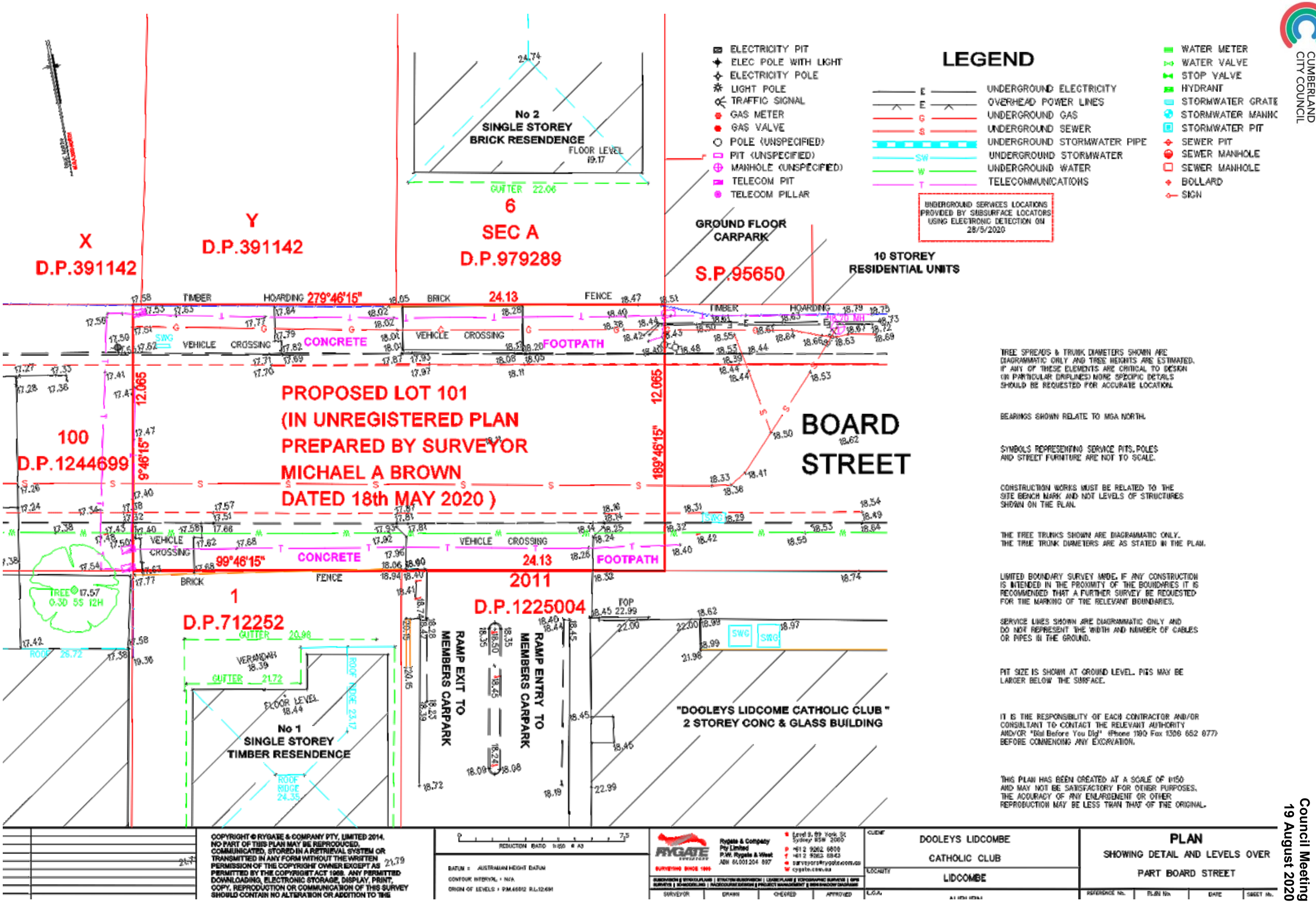
> DOOLEYS Lidcombe Catholic Club offer Cumberland Council the sum of **$916,068 (nine hundred and sixteen thousand and sixty-eight dollars)** excluding GST to purchase the land as shown outlined on the attached survey plan. The offer, made on a conditional basis, is **subject to contract.**

We hope that you find this offer acceptable and we believe it demonstrates our commitment to delivering the people of Lidcombe a revitalised Town Centre and all of the associated social and economic benefits.

We look forward to receiving your formal response in the near future. If you have any queries or require any further information, please do not hesitate to contact me.

Yours sincerely,

David Mantle
Chief Executive Officer
DOOLEYS Lidcombe Catholic Club


LEGEND
ELECTRICITY PIT
ELEC POLE WITH LIGHT
ELECTRICITY POLE
LIGHT POLE
TRAFFIC SIGNAL
GAS METER
GAS VALVE
POLE (UNSPECIFIED)
PIT (UNSPECIFIED)
MANHOLE (UNSPECIFIED)
TELECOM PIT
TELECOM PILLAR
UNDERGROUND ELECTRICITY
OVERHEAD POWER LINES
UNDERGROUND GAS
UNDERGROUND SEWER
UNDERGROUND STORMWATER PIPE
UNDERGROUND STORMWATER
UNDERGROUND WATER
TELECOMMUNICATIONS
WATER METER
WATER VALVE
STOP VALVE
HYDRANT
STORMWATER GRATE
STORMWATER MANHO
STORMWATER PIT
SEWER PIT
SEWER MANHOLE
SEWER MANHOLE
BOLLARD
SIGN
UNDERGROUND SERVICES LOCATIONS PROVIDED BY SIBSURFACE LOCATORS USING ELECTRONIC DETECTION ON 28/5/2020
CUMBERLAND CITY COUNCIL
No 2
SINGLE STOREY
BRICK RESENDENCE
FLOOR LEVEL
19.17
GUTTER 22.06
6
SEC A
D.P.979289
X
D.P.391142
Y
D.P.391142
GROUND FLOOR
CARPARK
S.P.95650
10 STOREY
RESIDENTIAL UNITS
TIMBER
HOARDING
279°46'15"
BRICK
24.13
FENCE
VEHICLE CROSSING
CONCRETE
FOOTPATH
PROPOSED LOT 101
(IN UNREGISTERED PLAN
PREPARED BY SURVEYOR
MICHAEL A BROWN
DATED 18th MAY 2020)
12.065
9°46'15"
189°46'15"
BOARD
STREET
100
D.P.1244699
99°46'15"
CONCRETE
24.13
FOOTPATH
2011
D.P.1225004
1
D.P.712252
TREE 17.57
0.3D 5S 12H
FENCE
BRICK
GUTTER 20.98
VERANDAH 18.39
GUTTER 21.72
ROOF RIDGE 23.17
FLOOR LEVEL 18.44
No 1
SINGLE STOREY
TIMBER RESENDENCE
ROOF RIDGE 24.35
RAMP EXIT TO MEMBERS CARPARK
RAMP ENTRY TO MEMBERS CARPARK
FOP 22.99
"DOOLEYS LIDCOME CATHOLIC CLUB "
2 STOREY CONC & GLASS BUILDING
SWG
TREE SPREADS & TRUNK DIAMETERS SHOWN ARE DIAGRAMMATIC ONLY AND TREE HEIGHTS ARE ESTIMATED. IF ANY OF THESE ELEMENTS ARE CRITICAL TO DESIGN (IN PARTICULAR DRIPLINES) MORE SPECIFIC DETAILS SHOULD BE REQUESTED FOR ACCURATE LOCATION.
BEARINGS SHOWN RELATE TO MGA NORTH.
SYMBOLS REPRESENTING SERVICE PITS, POLES AND STREET FURNITURE ARE NOT TO SCALE.
CONSTRUCTION WORKS MUST BE RELATED TO THE SITE BENCH MARK AND NOT LEVELS OF STRUCTURES SHOWN ON THE PLAN.
THE TREE TRUNKS SHOWN ARE DIAGRAMMATIC ONLY. THE TRUE TRUNK DIAMETERS ARE AS STATED IN THE PLAN.
LIMITED BOUNDARY SURVEY MADE. IF ANY CONSTRUCTION IS INTENDED IN THE PROXIMITY OF THE BOUNDARIES IT IS RECOMMENDED THAT A FURTHER SURVEY BE REQUESTED FOR THE MARKING OF THE RELEVANT BOUNDARIES.
SERVICE LINES SHOWN ARE DIAGRAMMATIC ONLY AND DO NOT REPRESENT THE WIDTH AND NUMBER OF CABLES OR PIPES IN THE GROUND.
PIT SIZE IS SHOWN AT GROUND LEVEL. PITS MAY BE LARGER BELOW THE SURFACE.
IT IS THE RESPONSIBILITY OF EACH CONTRACTOR AND/OR CONSULTANT TO CONTACT THE RELEVANT AUTHORITY AND/OR "Dial Before You Dig" (Phone 1100 Fax 1300 652 077) BEFORE COMMENCING ANY EXCAVATION.
THIS PLAN HAS BEEN CREATED AT A SCALE OF 1:150 AND MAY NOT BE SATISFACTORY FOR OTHER PURPOSES. THE ACCURACY OF ANY ENLARGEMENT OR OTHER REPRODUCTION MAY BE LESS THAN THAT OF THE ORIGINAL.
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REDUCTION RATIO 1:150 @ A3
DATUM : AUSTRALIAN HEIGHT DATUM
CONTOUR INTERVAL : N/A
ORIGIN OF LEVELS : P.M.46602 R.L.12.491
RYGATE
SURVEYING SINCE 1966
Rygate & Company Pty Limited
P.W. Rygate & West
ABN 64 003 204 897
Level 9, 99 York St Sydney NSW 2000
P +61 2 9262 6600
F +61 2 9262 6843
surveyors@rygate.com.au
rygate.com.au
SURVEYOR
DRAWN
CHECKED
APPROVED
CLIENT
DOOLEYS LIDCOMBE CATHOLIC CLUB
LOCALITY
LIDCOMBE
PLAN
SHOWING DETAIL AND LEVELS OVER PART BOARD STREET
REFERENCE No.
PLAN No.
DATE
SHEET No.

Item No: C08/20-523

RESPONSE TO NOTICE OF MOTION - DRAFT CODE OF MEETING PRACTICE - POST EXHIBITION

Responsible Division:	Finance & Governance
Officer:	Director Finance & Governance
File Number:	SC486
Community Strategic Plan Goal:	*Transparent and accountable leadership*

SUMMARY

This report presents Council the Draft *Code of Meeting Practice* following a recent resolution of Council and public exhibition period.

RECOMMENDATION

That Council adopt the *Code of Meeting Practice* per Attachment 1.

REPORT

At the Extraordinary Council meeting held on 27 May 2020, Council considered and resolved via a Notice of Motion (Min.709):

"That Council:

1. *Make the following amendments to the Code of Meeting Practice:*
   a) *Clause 3.10 – Remove the words "on the Monday,"*
   b) *Clause 4.1 – remove "of policy, the delivery of services, regulatory functions or issues of community concern" and add to the end: "on the business paper at the meeting of Council or Committee".*
   c) *Clause 4.2 – add the words to the end: "for all speakers combined".*
   d) *Clause 4.3 –*
      i. *Delete "Accepting requests received after this time will be at the discretion of the Chairperson. Where".*
      ii. *Amend the sentence following the above sentence to be as follows: "The application must relates to an item of business on the Council meeting agenda, and the application must identify the item of business the applicant wishes to speak on, and whether the applicant wishes to speak 'for' or 'against' the item".*
      iii. *Change "day of" to "day before".*
   e) *Clause 4.4 – Delete "An increase in this number may be granted at the discretion of the chairperson."*

f) Clause 4.9 – 3 minutes to be changed to 2 minutes.

g) Clause 10.21 – extension of 3 minutes to be changed to extension of 1 minute.

h) Clause 14.13 –3 speakers to be changed to 2 speakers and add the following to the end: "being no more than 1 for and 1 against".

i) Clause 14.16 – 3 speakers to be changed to 2 speakers and add the following to the end: "and being no more than 1 for and 1 against".

j) Clause 14.17 - 3 minutes to be changed to 2 minutes and add the words "with no extensions" after "to make representations".

k) Clause 19.12 – Delete "Note: Unless resolved otherwise, it is Council's practice not to implement decisions of the Council until 5pm on the Friday following the Council and/ or committee meeting."

2. Place the Draft Code of Meeting Practice on public exhibition for a period of 28 days with a report to be returned to Council following the exhibition period."

In accordance with the above resolution, Council exhibited the Draft *Code of Meeting Practice* incorporating these changes for a period of 42 days, in accordance with Section 361 of the *Local Government Act 1993*.

Council received a number of submissions during the 42 day submission period, covering a number of points within the document. A summary of the key points covered by the submissions are outlined in Attachment 2 of this report for Council's consideration.

In addition to this, to improve the effectiveness of meeting procedures the following minor amendments are also suggested to the Code:

Clause 3.10: Addition of the following sentence:

Another councillor may express their intent in advance to second a proposed notice of motion of a councillor given in accordance with this clause. This will be recorded in the agenda.

Clause 10.1: Addition of the following sentence:

A councillor noted as seconding a motion in the agenda will be given first priority in seconding the motion at the Council meeting where the motion is being considered.

These proposed additional sentences supplement the existing provisions within the *Code of Meeting Practice*, whilst ensuring the Code remains consistent with the provisions of the Office of Local Government – *Model Code of Meeting Practice for NSW Council's - 2018*.

COMMUNITY ENGAGEMENT

Council publicly exhibited the *Code of Meeting Practice* for a period of 42 days, from 9 June 2020 to 21 July 2020, both on Council's website and in local newspaper publications.

Council had 49 visits to the 'Have Your Say' community engagement website during the public exhibition period, with 14 people downloading the *Code of Meeting Practice* provided. Council received 4 submissions during the exhibition period.

POLICY IMPLICATIONS

If adopted, this version of the *Code of Meeting Practice* will supersede and therefore rescind the previous version of the same document. The version number and adopted date is indicated on the front page of the adopted Code.

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 Draft *Code of Meeting Practice* has been amended and exhibited in accordance with the recent resolution of Council. It is now being reported to Council for determination.

ATTACHMENTS

1. Code of Meeting Practice ⇩
2. Summary of Submissions ⇩

DOCUMENTS ASSOCIATED WITH REPORT C08/20-523

Attachment 1

Code of Meeting Practice

CUMBERLAND
CITY COUNCIL

CODE OF MEETING PRACTICE

AUTHORISATION & VERSION CONTROL

Policy Number	POL-005
Policy Owner	Director Finance & Governance
Date Adopted	19 August 2020
Version No	4.0
Document ID	5756427
Review Date	2 August 2022

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1 INTRODUCTION

This Code of Meeting Practice facilitates and guides the effective, open and orderly conduct of Council Meetings at Cumberland City Council. It ensures clarity of process, and seeks to align Council Meeting procedures with community expectations of open and transparent government whilst complying with legislative requirements. The Code has been prepared in accordance with the Local Government Act 1993 and Local Government (General) Regulation 2005, and complies with the Office of Local Government's Model code of Meeting Practice (2018).

This code applies to all meetings of Council's and Committees of Council's of which all the members are Councillors (Committees of Council). Council Committees whose members include persons other than Councillors may adopt their own rules for meetings unless the Council determines otherwise.

2 MEETING PRINCIPLES

2.1 Council and Committee meetings should be:

Transparent: Decisions are made in a way that is open and accountable.

Informed: Decisions are made based on relevant, quality information.

Inclusive: Decisions respect the diverse needs and interests of the local community.

Principled: Decisions are informed by the principles prescribed under Chapter 3 of the Act.

Trusted: The community has confidence that Councillors and staff act ethically and make decisions in the interests of the whole community.

Respectful: Councillors, staff and meeting attendees treat each other with respect.

Effective: Meetings are well organised, effectively run and skilfully chaired.

Orderly: Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

3 BEFORE THE MEETING

Timing of ordinary Council meetings

3.1 Ordinary meetings of the Council will be held on the following occasions: Generally, on the first and third Wednesday of each month commencing at 6.30pm, with the exception of January where no meetings (except in the case of an Extraordinary Meeting) will be held. Meetings are held in the Merrylands Council Chamber, 16 Memorial Ave Merrylands.

3.2 Council is required to schedule at least ten (10) Ordinary Meetings throughout each year. (S365 LGA).

Extraordinary meetings

3.3 If the Mayor or General Manager receive a request in writing, signed by at least two (2) Councillors, the Mayor or General Manager must call an extraordinary meeting of the Council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The Mayor can be one of the two Councillors requesting the meeting. (S.366 LGA)

Notice to the public of Council meetings

3.4 The Council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of Committees of the Council. (S.9(1) LGA)

3.5 For the purposes of clause 3.4, notice of a meeting of the Council and of a Committee of Council is to be published before the meeting takes place. The notice must be published on the Council's website, and in such other manner that the Council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

Notice to Councillors of ordinary Council meetings

3.7 The General Manager must send to each Councillor, at least seven (7) days before each meeting of the Council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting. (S.367(1) LGA)

3.8 The notice and the agenda for, and the business papers relating to, the meeting may be given to Councillors in electronic form, but only if all Councillors have facilities to access the notice, agenda and business papers in that form. (S.367(3) LGA)

Notice to Councillors of extraordinary meetings

3.9 Notice of less than three (3) days may be given to Councillors of an extraordinary meeting of the Council in cases of emergency. (S.367(2) LGA)

Giving notice of business to be considered at Council meetings

3.10 A Councillor may give notice of any business they wish to be considered by the Council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted by 5pm, 9 business days before the meeting is to be held. Another Councillor may express their intent in advance to second a proposed notice of motion of a Councillor given in accordance with this clause. This will be recorded in the agenda.

3.11 A Councillor may, in writing to the General Manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.

3.12 Where the General Manager considers a motion has legal, strategic, financial or policy implications which need to be taken into account, the General Manager may; (i) provide advice that the motion be deferred pending a report from officers; (ii) provide an officers comment with a Notice of Motion on the business paper; or (iii) provide a recommendation with a Notice of Motion on the business paper that the matter be deferred pending a report from officers. If, in the opinion of the General Manager, a report needs to be presented to Council to assist Councillors with consideration of the Notice of Motion, and if time permits, the General Manager may include a report in the business paper.

Questions with notice

3.13 A Councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the General Manager about the performance or operations of the Council.

3.14 A Councillor is not permitted to ask a question with notice under clause 3.13 that comprises a complaint against the General Manager or a member of staff of the Council, or a question that implies wrongdoing by the General Manager or a member of staff of the Council.

3.15 The General Manager or their nominee may respond to a question with notice submitted under clause 3.13 by way of a report included in the business papers for the relevant meeting of the Council or orally at the meeting.

Agenda and business papers for ordinary meetings

3.16 The General Manager must cause the agenda for a meeting of the Council or a Committee of the Council to be prepared as soon as practicable before the meeting.

3.17 The General Manager must ensure that the agenda for an ordinary meeting of the Council states:

(a) all matters to be dealt with arising out of the proceedings of previous meetings of the Council, and

(b) if the Mayor is the Chairperson – any matter or topic that the Chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
(c) all matters, including matters that are the subject of staff reports and reports of Committees, to be considered at the meeting, and
(d) any business of which due notice has been given under clause 3.10.

3.18 Nothing in clause 3.17 limits the powers of the Mayor to put a Mayoral minute to a meeting under clause 9.6.

3.19 The General Manager must not include in the agenda for a meeting of the Council any business of which due notice has been given if, in the opinion of the General Manager, the business is, or the implementation of the business would be, unlawful. The General Manager must report, without giving details of the item of business, any such exclusion to the next meeting of the Council.

3.20 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the General Manager, is likely to take place when the meeting is closed to the public, the General Manager must ensure that the agenda of the meeting:

(a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
(b) states the grounds under section 10A(2) of the Act relevant to the item of business.

(S.9(2A)(a) LGA)

3.21 The General Manager must ensure that the details of any item of business which, in the opinion of the General Manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to Councillors for the meeting concerned. Such details must not be included in the business papers made available to the public, and must not be disclosed by a Councillor or by any other person to another person who is not authorised to have that information.

Availability of the agenda and business papers to the public

3.22 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the Council and Committees of Council, are to be published on the Council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the Council, at the relevant meeting and at such other venues determined by the Council. (S.9(2) and (4) LGA)

3.23 Clause 3.22 does not apply to the business papers for items of business that the General Manager has identified under clause 3.20 as being likely to be considered when the meeting is closed to the public. (S.9(2A)(b) LGA)

3.24 For the purposes of clause 3.22, copies of agendas and business papers must be published on the Council's website and made available to the public at a

time that is as close as possible to the time they are available to Councillors. (S.9(3) LGA)

3.25 A copy of an agenda, or of an associated business paper made available under clause 3.24, may in addition be given or made available in electronic form. (S.9(5) LGA)

Agenda and business papers for extraordinary meetings

3.26 The General Manager must ensure that the agenda for an extraordinary meeting of the Council deals only with the matters stated in the notice of the meeting.

3.27 Despite clause 3.26, business may be considered at an extraordinary meeting of the Council, even though due notice of the business has not been given, if:

(a) a motion is passed to have the business considered at the meeting, and
(b) the business to be considered is ruled by the Chairperson to be of great urgency on the grounds that it requires a decision by the Council before the next scheduled ordinary meeting of the Council.

3.28 A motion moved under clause 3.27(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.

3.29 Despite clauses 10.19–10.29, only the mover of a motion moved under clause 3.27(a) can speak to the motion before it is put.

3.30 A motion of dissent cannot be moved against a ruling of the Chairperson under clause 3.27(b) on whether a matter is of great urgency.

Pre-meeting briefing sessions

3.31 Prior to each ordinary meeting of the Council, the General Manager may arrange a pre-meeting briefing session to brief Councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the Council and meetings of Committees of the Council.

3.32 Pre-meeting briefing sessions are to be held in the absence of the public.

4 PUBLIC FORUMS

4.1 Anyone may apply to address Council or a Committee in relation to a matter on the business paper at the meeting of Council or Committee.

4.2 Public Forum will be conducted at each Ordinary Council Meeting (in accordance with the order of business) for a maximum period of 30 minutes for all speakers combined.

4.3 To speak at a public forum, a person must first make an application to Council on the approved form available on Council's website and Customer Service Centres. Applications to speak at public forum must be received by no later

than 2pm on the day before the Council meeting. The application must relate to an item of business on the Council meeting agenda, and the application must identify the item of business the applicant wishes to speak on, and whether the applicant wishes to speak 'for' or 'against' the item.

4.4 A person may apply to speak on no more than 2 items of business on the agenda of the Council meeting.

4.5 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.

4.6 Speakers will be asked to speak in the alternative views of for and against.

4.7 Approved speakers at the public forum are to register with Council any written, visual or audio material to be presented in support of their address to the Council at the public forum by no later than 2pm on the day of the meeting. Examples of such material includes but is not limited to: photos, diagrams, videos, maps. The General Manager or their delegate will advise the applicant prior to the meeting, if such a presentation will not be technically possible. The General Manager or their delegate reserve the right to not display/distribute such material if it is of an offensive or inflammatory nature. Late material may be presented at the discretion of the Chairperson.

4.8 Generally, the order of public forum speakers will follow the items of business within the Council meeting agenda, and by chronological order of application receipt.

4.9 Each speaker will be allowed **2** minutes to address the Council. One extension of time (maximum 1 minute) may be granted at the discretion of the Chairperson. This time is to be strictly enforced by the Chairperson.

4.10 Speakers at public forums must not digress from the item on the agenda of the Council meeting they have applied to address the Council on. If a speaker digresses to irrelevant matters, the Chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the Chairperson, the speaker will not be further heard.

4.11 A Councillor (including the Chairperson) may, through the Chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.

4.12 Speakers are under no obligation to answer a question put under clause 4.11.

4.13 Speakers at public forums may ask questions of the Council, Councillors or the General Manager, providing questions are sent to the General Manager or their delegate in conjunction with their application to address Council under clause 4.3 of this code.

4.14 Council, Councillors or the General Manager are under no obligation to answer a question put under clause 4.13, but may if they wish, take the questions on notice and respond to the applicant after the meeting.

4.15 The General Manager or their nominee may, with the concurrence of the Chairperson, respond to an address to the Council at a public forum after the address and any subsequent questions and answers have been finalised.

4.16 When addressing the Council, speakers at public forums must comply with this code and all other relevant Council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the Council's code of conduct or making other potentially defamatory statements.

4.17 If the Chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.16, the Chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the Chairperson's request, the Chairperson may immediately require the person to stop speaking.

4.18 Clause 4.17 does not limit the ability of the Chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.

4.19 Where a speaker engages in conduct of the type referred to in clause 4.16, the General Manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the General Manager or their delegate considers appropriate.

5 COMING TOGETHER

Attendance by Councillors at meetings

5.1 All Councillors must make reasonable efforts to attend meetings of the Council and of Committees of the Council of which they are members.

Note: A Councillor may not attend a meeting as a Councillor (other than the first meeting of the Council after the Councillor is elected or a meeting at which the Councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.

5.2 A Councillor cannot participate in a meeting of the Council or of a Committee of the Council unless personally present at the meeting.

5.3 Where a Councillor is unable to attend one or more ordinary meetings of the Council, the Councillor should request that the Council grant them a leave of absence from those meetings. This clause does not prevent a Councillor from making an apology if they are unable to attend a meeting. However the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.

5.4 A Councillor's request for leave of absence from Council meetings should, if practicable, identify (by date) the meetings from which the Councillor intends to be absent and the grounds upon which the leave of absence is being sought.

5.5 The Council must act reasonably when considering whether to grant a Councillor's request for a leave of absence.

5.6 A Councillor's civic office will become vacant if the Councillor is absent from three (3) consecutive ordinary meetings of the Council without prior leave of the Council, or leave granted by the Council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the Council has been suspended under the Act, or as a consequence of a compliance order under section 438HA. (S.234(1)(d) LGA)

5.7 A Councillor who intends to attend a meeting of the Council despite having been granted a leave of absence should, if practicable, give the General Manager at least two (2) days' notice of their intention to attend.

The quorum for a meeting

5.8 The quorum for a meeting of the Council is a majority of the Councillors of the Council who hold office at that time and are not suspended from office. (S.368(1) LGA)

5.9 Clause 5.8 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the Council. (S.368(2) LGA)

5.10 A meeting of the Council must be adjourned if a quorum is not present:

(a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
(b) within half an hour after the time designated for the holding of the meeting, or
(c) at any time during the meeting.

5.11 In either case, the meeting must be adjourned to a time, date and place fixed:

(a) by the Chairperson, or
(b) in the Chairperson's absence, by the majority of the Councillors present, or
(c) failing that, by the General Manager.

5.12 The General Manager must record in the Council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the Council, together with the names of the Councillors present.

5.13 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the safety and welfare of Councillors, Council staff and members of the public may be put at risk by attending the meeting because of a natural disaster (such as, but not limited to flood or bushfire), the Mayor may, in consultation with the General Manager and, as far as is practicable, with each Councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the

Council's website and in such other manner that the Council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.

5.14 Where a meeting is cancelled under clause 5.13, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the Council or at an extraordinary meeting called under clause 3.3.

Entitlement of the public to attend Council meetings

5.15 Everyone is entitled to attend a meeting of the Council and Committees of the Council. The Council must ensure that all meetings of the Council and Committees of the Council are open to the public. (S.10(1) LGA)

5.16 Clause 5.15 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

5.17 A person (whether a Councillor or another person) is not entitled to be present at a meeting of the Council or a Committee of the Council if expelled from the meeting:

(a) by a resolution of the meeting, or
(b) by the person presiding at the meeting if the Council has, by resolution, authorised the person presiding to exercise the power of expulsion. (S.10(2) LGA)

Note: clause 15.14 authorises Chairpersons to expel persons other than Councillors from a Council or Committee meeting.

Webcasting of meetings

5.18 All meetings of the Council and Committees of the Council are to be webcast on the Council's website. All open session meetings of the Council are live streamed on the Council's website. Parts of the meeting which are held in confidential session or those parts of the meeting closed to the public as provided by section 10a of the Local Government Act 1993, are not livestreamed or later made available on the Council's website.

- Council's approach is to both livestream and provide a recording of the Council meeting on Council's website in audio/visual. Where this is not possible due to technical difficulties, at minimum an audio recording of the meeting will be made available on the Council's website.
- Generally, the audio visual recording of the Council meeting will be available on Council's website no later than 48 hours after the Council meeting.
- The streaming of open sessions of its meeting on Council's website is carried out for the information of the public. Should a member of the public make defamatory statements during the streaming, in accordance with s.28 of the *Defamation Act 2005*, the Council is not liable or responsible for the defamatory statements.
- Written transcriptions of such proceedings shall not be made available.

5.19 Clause 5.18 does not apply to parts of a meeting that have been closed to the public under section 10A of the Act.

5.20 At the start of each meeting the Chairperson is to make a statement informing those in attendance that the meeting is being webcast and that those in attendance should refrain from making any defamatory statements.

5.21 A recording of each meeting of the Council and Committee of the Council is to be retained on the Council's website for 12 months. Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

Attendance of the General Manager and other staff at meetings

5.22 The General Manager is entitled to attend, but not to vote at, a meeting of the Council or a meeting of a Committee of the Council of which all of the members are Councillors. (S.376(1) LGA)

5.23 The General Manager is entitled to attend a meeting of any other Committee of the Council and may, if a member of the Committee, exercise a vote. (S.376(2) LGA)

5.24 The General Manager may be excluded from a meeting of the Council or a Committee while the Council or Committee deals with a matter relating to the standard of performance of the General Manager or the terms of employment of the General Manager. (S.376(3) LGA)

5.25 The attendance of other Council staff at a meeting, (other than as members of the public) shall be with the approval of the General Manager.

6 THE CHAIRPERSON

The Chairperson at meetings

6.1 The Mayor, or at the request of or in the absence of the Mayor, the Deputy Mayor (if any) presides at meetings of the Council. (S.369(1) LGA)

6.2 If the Mayor and the Deputy Mayor (if any) are absent, a Councillor elected to chair the meeting by the Councillors present presides at a meeting of the Council. (S.369(2) LGA)

Election of the Chairperson in the absence of the Mayor and Deputy Mayor

6.3 If no Chairperson is present at a meeting of the Council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a Chairperson to preside at the meeting.

6.4 The election of a Chairperson must be conducted:

(a) by the General Manager or, in their absence, an employee of the Council designated by the General Manager to conduct the election, or
(b) by the person who called the meeting or a person acting on their behalf if neither the General Manager nor a designated employee is present at the meeting, or if there is no General Manager or designated employee.

6.5 If, at an election of a Chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes,

the Chairperson is to be the candidate whose name is chosen by lot.

6.6 For the purposes of clause 6.5, the person conducting the election must:

(a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
(b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

6.7 The candidate whose name is on the drawn slip is the candidate who is to be the Chairperson.

6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have precedence

6.9 When the Chairperson rises or speaks during a meeting of the Council:

(a) any Councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
(b) every Councillor present must be silent to enable the Chairperson to be heard without interruption.

7 MODES OF ADDRESS

7.1 If the Chairperson is the Mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.

7.2 Where the Chairperson is not the Mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.

7.3 A Councillor is to be addressed as 'Councillor [surname]'.

7.4 A Council officer is to be addressed by their official designation or as Mr/Ms [surname].

8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

8.1 The general order of business for an ordinary meeting of the Council shall be:

1. OPENING PRAYER / ACKNOWLEDGEMENT OF COUNTRY / NATIONAL ANTHEM
2. APOLOGIES/REQUESTS FOR LEAVE OF ABSENCE
3. DECLARATIONS OF INTERESTS
4. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS
5. MAYORAL MINUTES
6. PUBLIC FORUM/ PRESENTATION OF PETITIONS
7. ITEMS RESOLVED BY EXCEPTION
8. REPORTS TO COUNCIL
9. REPORTS OF COUNCIL COMMITTEES
10. NOTICES OF MOTION
11. NOTICE OF RESCISSION MOTIONS
12. QUESTIONS WITH NOTICE

13. MATTERS TO BE CONSIDERED IN CLOSED SESSION
14. RESOLUTIONS PASSED IN CLOSED SESSION
15. OTHER/GENERAL MATTERS
16. CLOSE

8.2 The order of business as fixed under clause 8.1 may be altered for a particular meeting of the Council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

8.3 Despite clauses 10.19–10.29, only the mover of a motion referred to in clause 8.2 may speak to the motion before it is put.

9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a Council meeting

9.1 The Council must not consider business at a meeting of the Council:

(a) unless a Councillor has given notice of the business, as required by clause 3.10, and
(b) unless notice of the business has been sent to the Councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.

9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:

(a) is already before, or directly relates to, a matter that is already before the Council, or
(b) is the election of a Chairperson to preside at the meeting, or
(c) subject to clause 9.9, is a matter or topic put to the meeting by way of a Mayoral minute, or
(d) is a motion for the adoption of recommendations of a Committee, including, but not limited to, a Committee of the Council.

9.3 Despite clause 9.1, business may be considered at a meeting of the Council even though due notice of the business has not been given to the Councillors if:

(a) a motion is passed to have the business considered at the meeting, and
(b) the business to be considered is ruled by the Chairperson to be of great urgency on the grounds that it requires a decision by the Council before the next scheduled ordinary meeting of the Council.

9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.19–10.29, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.

9.5 A motion of dissent cannot be moved against a ruling by the Chairperson under clause 9.3(b).

Mayoral minutes

9.6 Subject to clause 9.9, if the Mayor is the Chairperson at a meeting of the Council, the Mayor may, by minute signed by the Mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the Council, or of which the Council has official knowledge.

9.7 A Mayoral minute, when put to a meeting, takes precedence over all business on the Council's agenda for the meeting. The Chairperson (but only if the Chairperson is the Mayor) may move the adoption of a Mayoral minute without the motion being seconded.

9.8 A recommendation made in a Mayoral minute put by the Mayor is, so far as it is adopted by the Council, a resolution of the Council.

9.9 A Mayoral minute must not be used to put without notice matters that are routine and not urgent, or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the Council before the next scheduled ordinary meeting of the Council.

9.10 Where a Mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation.

Staff reports

9.11 A recommendation made in a staff report is, so far as it is adopted by the Council, a resolution of the Council.

Reports of Committees of Council

9.12 The recommendations of a Committee of the Council are, so far as they are adopted by the Council, resolutions of the Council.

9.13 If in a report of a Committee of the Council distinct recommendations are made, the Council may make separate decisions on each recommendation.

Questions

9.14 A question must not be asked at a meeting of the Council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clause 3.10.

9.15 A Councillor may, through the Chairperson, put a question to another Councillor about a matter on the agenda.

9.16 A Councillor may, through the General Manager, put a question to a Council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the General Manager at the direction of the General Manager.

9.17 A Councillor or Council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents. Where a Councillor or Council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the Council.

9.18 Councillors must put questions directly, succinctly, respectfully and without argument.

9.19 The Chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a Councillor or Council employee.

10 RULES OF DEBATE

Motions to be seconded

10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded. A Councillor noted as seconding a motion in the agenda will be given first priority in seconding the motion at the Council meeting where the motion is being considered.

Notices of motion

10.2 A Councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.

10.3 If a Councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to Councillors, the Councillor may request the withdrawal of the motion when it is before the Council.

10.4 In the absence of a Councillor who has placed a notice of motion on the agenda for a meeting of the Council:

(a) any other Councillor may, with the leave of the Chairperson, move the motion at the meeting, or
(b) the Chairperson may defer consideration of the motion until the next meeting of the Council.

Chairperson's duties with respect to motions

10.5 It is the duty of the Chairperson at a meeting of the Council to receive and put to the meeting any lawful motion that is brought before the meeting.

10.6 The Chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.

10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the Chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.

10.8 Any motion, amendment or other matter that the Chairperson has ruled out of order is taken to have been lost.

Amendments to motions

10.9 An amendment to a motion must be moved and seconded before it can be debated.

10.10 An amendment to a motion must relate to the matter being dealt with in the original motion before the Council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the Chairperson.

10.11 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.

10.12 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before Council at any one time.

10.13 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.

10.14 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.

10.15 An amendment may become the motion without debate or a vote where it is accepted by the Councillor who moved the original motion.

Foreshadowed motions

10.16 A Councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the Council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.

10.17 Where an amendment has been moved and seconded, a Councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the Council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.

10.18 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions

cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the number and duration of speeches

10.19 A Councillor who, during a debate at a meeting of the Council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.

10.20 A Councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.

10.21 A Councillor must not, without the consent of the Council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time. A Councillor with the consent of the Council however, may be granted an extension of one (1) minute in which to complete his/her speech.

10.22 Despite clause 10.21, the Chairperson may permit a Councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the Councillor to make a statement limited to explaining the misrepresentation or misunderstanding.

10.23 Despite clause 10.21, the Council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.

10.24 Despite clauses 10.19 and 10.20, a Councillor may move that a motion or an amendment be now put:

(a) if the mover of the motion or amendment has spoken in favour of it and no Councillor expresses an intention to speak against it, or
(b) if at least two (2) Councillors have spoken in favour of the motion or amendment and at least two (2) Councillors have spoken against it.

10.25 The Chairperson must immediately put to the vote, without debate, a motion moved under clause 10.24. A seconder is not required for such a motion.

10.26 If a motion that the original motion or an amendment be now put is passed, the Chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.19.

10.27 If a motion that the original motion or an amendment be now put is lost, the Chairperson must allow the debate on the original motion or the amendment to be resumed.

10.28 All Councillors must be heard without interruption and all other Councillors must, unless otherwise permitted under this code, remain silent while another Councillor is speaking.

10.29 Once the debate on a matter has concluded and a matter has been dealt with, the Chairperson must not allow further debate on the matter.

11 VOTING

Voting entitlements of Councillors

11.1 Each Councillor is entitled to one (1) vote. (S.370 LGA)

11.2 The person presiding at a meeting of the Council has, in the event of an equality of votes, a second or casting vote.(S.370(2) LGA)

11.3 Where the Chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

Voting at Council meetings

11.4 A Councillor who is present at a meeting of the Council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.

11.5 If a Councillor who has voted against a motion put at a Council meeting so requests, the General Manager must ensure that the Councillor's dissenting vote is recorded in the Council's minutes.

11.6 The decision of the Chairperson as to the result of a vote is final, unless the decision is immediately challenged and not fewer than two (2) Councillors rise and call for a division.

11.7 When a division on a motion is called, the Chairperson must ensure that the division takes place immediately. The General Manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the Council's minutes for the meeting.

11.8 When a division on a motion is called, any Councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.4 of this code.

11.9 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the Council may resolve that the voting in any election by Councillors for Mayor or Deputy Mayor is to be by secret ballot.

Voting on planning decisions

11.10 The General Manager must keep a register containing, for each planning decision made at a meeting of the Council or a Council Committee (including, but not limited to a Committee of the Council), the names of the Councillors who supported the decision and the names of any Councillors who opposed (or are taken to have opposed) the decision.

11.11 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the

Council or a Council Committee.

11.12 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.

11.13 Clauses 11.10–11.12 apply also to meetings that are closed to the public. (S.375A LGA)

12 COMMITTEE OF THE WHOLE

12.1 The Council may resolve itself into a Committee to consider any matter before the Council. (S.373 LGA)

12.2 All the provisions of this code relating to meetings of the Council, so far as they are applicable, extend to and govern the proceedings of the Council when in Committee of the whole, except the provisions limiting the number and duration of speeches.

Note: Clauses 10.19–10.29 limit the number and duration of speeches.

12.3 The General Manager or, in the absence of the General Manager, an employee of the Council designated by the General Manager, is responsible for reporting to the Council the proceedings of the Committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the Committee must be reported.

12.4 The Council must ensure that a report of the proceedings (including any recommendations of the Committee) is recorded in the Council's minutes. However, the Council is not taken to have adopted the report until a motion for adoption has been made and passed.

13 DEALING WITH ITEMS BY EXCEPTION

13.1 The Council or a Committee of Council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.

13.2 Before the Council or Committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the Chairperson must list the items of business to be adopted and ask Councillors to identify any individual items of business listed by the Chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.

13.3 The Council or Committee must not resolve to adopt any item of business under clause 13.1 that a Councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.

13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the Council or Committee must resolve to alter the order of business in accordance with clause 8.2.

13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.

13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.

13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the Council's code of conduct.

14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

14.1 The Council or a Committee of the Council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:

(a) personnel matters concerning particular individuals (other than Councillors),
(b) the personal hardship of any resident or ratepayer,
(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,
(d) commercial information of a confidential nature that would, if disclosed:
    (i) prejudice the commercial position of the person who supplied it, or
    (ii) confer a commercial advantage on a competitor of the Council, or
    (iii) reveal a trade secret,
(e) information that would, if disclosed, prejudice the maintenance of law,
(f) matters affecting the security of the Council, Councillors, Council staff or Council property,
(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
(h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
(i) alleged contraventions of the Council's code of conduct.

(S.10A(1) and (2) LGA)

14.2 The Council or a Committee of the Council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public. (S.10A(3) LGA)

Matters to be considered when closing meetings to the public

14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:

(a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
(b) if the matter concerned is a matter other than a personnel matter

concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the Council or Committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.
(S.10B(1) LGA)

14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:

(a) are substantial issues relating to a matter in which the Council or Committee is involved, and
(b) are clearly identified in the advice, and
(c) are fully discussed in that advice.
(S.10B(2) LGA)

14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1. (S.10B(3) LGA)

14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

(a) a person may misinterpret or misunderstand the discussion, or
(b) the discussion of the matter may:
    (i) cause embarrassment to the Council or Committee concerned, or to Councillors or to employees of the Council, or
    (ii) cause a loss of confidence in the Council or Committee.

(S.10B(4) LGA)

14.7 In deciding whether part of a meeting is to be closed to the public, the Council or Committee concerned must consider any relevant guidelines issued by the Chief Executive of the Office of Local Government. (S.10B(5) LGA)

Notice of likelihood of closure not required in urgent cases

14.8 Part of a meeting of the Council, or of a Committee of the Council, may be closed to the public while the Council or Committee considers a matter that has not been identified in the agenda for the meeting under clause 3.22 as a matter that is likely to be considered when the meeting is closed, but only if:

(a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
(b) the Council or Committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
    (i) should not be deferred (because of the urgency of the matter), and
    (ii) should take place in a part of the meeting that is closed to the public.

(S.10C LGA)

Representations by members of the public

14.9 The Council, or a Committee of the Council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed. (S.10A(4) LGA)

14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.

14.11 Where the matter has been identified in the agenda of the meeting under clause 3.20 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the Council in the approved form. Applications must be received by 5pm on the day before the meeting at which the matter is to be considered.

14.12 The General Manager (or their delegate) may refuse an application made under clause 14.11. The General Manager or their delegate must give reasons in writing for a decision to refuse an application.

14.13 No more than **2** speakers are to be permitted to make representations under clause 14.9 being no more than 1 for and 1 against.

14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the General Manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the Council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the General Manager or their delegate is to determine who will make representations to the Council.

14.15 The General Manager (or their delegate) is to determine the order of speakers.

14.16 Where the Council or a Committee of the Council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.20 as a matter that is likely to be considered when the meeting is closed to the public, the Chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The Chairperson is to permit no more than **2** speakers to make representations in such order as determined by the Chairperson and being no more than 1 for and 1 against.

14.17 Each speaker will be allowed **2** minutes to make representations with no extensions, and this time limit is to be strictly enforced by the Chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the Chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the Chairperson, the speaker will not be further heard.

Expulsion of non-Councillors from meetings closed to the public

14.18 If a meeting or part of a meeting of the Council or a Committee of the Council

is closed to the public in accordance with section 10A of the Act and this code, any person who is not a Councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.

14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Information to be disclosed in resolutions closing meetings to the public

14.20 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:

(a) the relevant provision of section 10A(2) of the Act,
(b) the matter that is to be discussed during the closed part of the meeting,
(c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

(S.10D LGA)

Resolutions passed at closed meetings to be made public

14.21 If the Council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the Chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.

14.22 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the Chairperson under clause 14.21 during a part of the meeting that is webcast.

15 KEEPING ORDER AT MEETINGS

Points of order

15.1 A Councillor may draw the attention of the Chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.

15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.

15.3 A point of order must be taken immediately it is raised. The Chairperson must suspend the business before the meeting and permit the Councillor raising the point of order to state the provision of this code they believe has been breached. The Chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of order

15.4 The Chairperson, without the intervention of any other Councillor, may call any Councillor to order whenever, in the opinion of the Chairperson, it is necessary to do so.

15.5 A Councillor who claims that another Councillor has committed an act of disorder, or is out of order, may call the attention of the Chairperson to the matter.

15.6 The Chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the Council.

15.7 The Chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

15.8 A Councillor can, without notice, move to dissent from a ruling of the Chairperson on a point of order or a question of order. If that happens, the Chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.

15.9 If a motion of dissent is passed, the Chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the Chairperson must restore the motion or business to the agenda and proceed with it in due course.

15.10 Despite any other provision of this code, only the mover of a motion of dissent and the Chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

15.11 A Councillor commits an act of disorder if the Councillor, at a meeting of the Council or a Committee of the Council:

(a) contravenes the Act or any regulation in force under the Act or this code, or
(b) assaults or threatens to assault another Councillor or person present at the meeting, or
(c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the Council or the Committee, or addresses or attempts to address the Council or the Committee on such a motion, amendment or matter, or

(d) insults or makes personal reflections on or imputes improper motives to any other Council official, or alleges a breach of the Council's code of conduct, or
(e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the Council or the Committee into disrepute.

15.12 The Chairperson may require a Councillor:

(a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a) or (b), or
(b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
(c) to retract and apologise without reservation for an act of disorder referred to in clauses 15.11(d) and (e).

How disorder at a meeting may be dealt with

15.13 If disorder occurs at a meeting of the Council, the Chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The Council, on reassembling, must, on a question put from the Chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of Councillors.

Expulsion from meetings

15.14 All Chairpersons of meetings of the Council and Committees of the Council are authorised under this code to expel any person other than a Councillor, from a Council or Committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the Council or the Committee of the Council.

15.15 Clause 15.14 does not limit the ability of the Council or a Committee of the Council to resolve to expel a person, including a Councillor, from a Council or Committee meeting, under section 10(2)(a) of the Act.

15.16 A Councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the Council for having failed to comply with a requirement under clause 15.12. The expulsion of a Councillor from the meeting for that reason does not prevent any other action from being taken against the Councillor for the act of disorder concerned.

15.17 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the Council for engaging in or having engaged in disorderly conduct at the meeting.

15.18 Where a Councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.

15.19 If a Councillor or a member of the public fails to leave the place where a meeting of the Council is being held immediately after they have been

expelled, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the Councillor or member of the public from that place and, if necessary, restrain the Councillor or member of the public from re-entering that place for the remainder of the meeting.

Use of mobile phones and the unauthorised recording of meetings

15.20 Councillors, Council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the Council and Committees of the Council.

15.21 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the Council or a Committee of the Council without the prior authorisation of the Council or the Committee.

15.22 Any person who contravenes or attempts to contravene clause 15.21, may be expelled from the meeting as provided for under section 10(2) of the Act.

15.23 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

16 CONFLICTS OF INTEREST

16.1 All Councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the Council and Committees of the Council in accordance with the Council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.

17 DECISIONS OF THE COUNCIL

Council decisions

17.1 A decision supported by a majority of the votes at a meeting of the Council at which a quorum is present is a decision of the Council. (S.371 LGA)

17.2 Decisions made by the Council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering Council decisions

17.3 A resolution passed by the Council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.10. (S.372 LGA)

17.4 If applicable, a proposed alternate resolution is to be provided at the same time

that a motion to rescind a resolution of the Council is submitted to the General Manager.

17.5 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with. (S. 372(2) LGA)

17.6 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.10. (S. 372(3) LGA)

17.7 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) Councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost. (S. 372(4) LGA)

17.8 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same. (S. 372(5) LGA)

17.9 The provisions of clauses 17.6–17.8 concerning lost motions do not apply to motions of adjournment. (S. 372(7) LGA)

17.10 A notice of motion submitted in accordance with clause 17.7 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.

17.11 A motion to alter or rescind a resolution of the Council may be moved on the report of a Committee of the Council and any such report must be recorded in the minutes of the meeting of the Council. (S. 372(6) LGA)

17.12 Subject to clause 17.8, in cases of urgency, a motion to alter or rescind a resolution of the Council may be moved at the same meeting at which the resolution was adopted, where:

(a) a notice of motion signed by three Councillors is submitted to the Chairperson, and
(b) a motion to have the motion considered at the meeting is passed, and
(c) the Chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the Council before the next scheduled ordinary meeting of the Council.

17.13 A motion moved under clause 17.12(b) can be moved without notice.

17.14 A motion of dissent cannot be moved against a ruling by the Chairperson under clause 17.12(c).

Recommitting resolutions to correct an error

17.15 Despite the provisions of this Part, a Councillor may, with the leave of the Chairperson, move to recommit a resolution adopted at the same meeting:

(a) to correct any error, ambiguity or imprecision in the Council's resolution, or
(b) to confirm the voting on the resolution.

17.16 In seeking the leave of the Chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the Councillor is to propose alternative wording for the resolution.

17.17 The Chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.

17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.19–10.29, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.

17.19 A motion of dissent cannot be moved against a ruling by the Chairperson under clause 17.15.

17.20 A motion moved under clause 17.15 with the leave of the Chairperson cannot be voted on unless or until it has been seconded.

18 TIME LIMITS ON COUNCIL MEETINGS

18.1 Meetings of the Council and Committees of the Council are to conclude no later than 10.00pm or if an item being discussed is unfinished at 10.00pm, at the conclusion of that item.

18.2 If the business of the meeting is unfinished at 10.00pm the Council or the Committee may, by resolution, extend the time of the meeting by an additional 30 minutes to conclude at 10.30pm or if an item being discussed is unfinished at 10.30pm, at the conclusion of that item.

18.3 If the business of the meeting is unfinished at 10.00pm, and the Council does not resolve to extend the meeting, the Chairperson must either:

(a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the Council, or
(b) adjourn the meeting to a time, date and place fixed by the Chairperson.

18.4 Clause 18.3 does not limit the ability of the Council or a Committee of the Council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.

18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the General Manager must:

(a) individually notify each Councillor of the time, date and place at which the meeting will reconvene, and
(b) publish the time, date and place at which the meeting will reconvene on

the Council's website and in such other manner that the General Manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

19 AFTER THE MEETING

Minutes of meetings

19.1 The Council is to keep full and accurate minutes of the proceedings of meetings of the Council. (S.375(1) LGA)

19.2 At a minimum, the General Manager must ensure that the following matters are recorded in the Council's minutes:

(a) details of each motion moved at a Council meeting and of any amendments moved to it,
(b) the names of the mover and seconder of the motion or amendment,
(c) whether the motion or amendment was passed or lost, and
(d) such other matters specifically required under this code.

19.3 The minutes of a Council meeting must be confirmed at a subsequent meeting of the Council. (S.375(2) LGA)

19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting. (S.375(3) LGA)

19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

19.7 The confirmed minutes of a Council meeting must be published on the Council's website. This clause does not prevent the Council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Access to correspondence and reports laid on the table at, or submitted to, a meeting

19.8 The Council and Committees of the Council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting. (S.11(1) LGA)

19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public. (S.11(2) LGA)

19.10 Clause 19.8 does not apply if the Council or the Committee resolves at the meeting, when open to the public, that the correspondence or reports are to

be treated as confidential because they relate to a matter specified in section 10A(2) of the Act. (S.11(3) LGA)

19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the Council

19.12 The General Manager is to implement, without undue delay, lawful decisions of the Council. (S.335(b) LGA)

Note: Clause 19.12 reflects section 335(b) of the Act.

20 COUNCIL COMMITTEES

Application of this Part

20.1 This Part only applies to Committees of the Council whose members are all Councillors.

Council Committees whose members are all Councillors

20.2 The Council may, by resolution, establish such Committees as it considers necessary.

20.3 A Committee of the Council is to consist of the Mayor and such other Councillors as are elected by the Councillors or appointed by the Council.

20.4 The quorum for a meeting of a Committee of the Council is to be:

(a) such number of members as the Council decides, or
(b) if the Council has not decided a number – a majority of the members of the Committee.

Functions of Committees

20.5 The Council must specify the functions of each of its Committees when the Committee is established, but may from time to time amend those functions.

Notice of Committee meetings

20.6 The General Manager must send to each Councillor, regardless of whether they are a Committee member, at least three (3) days before each meeting of the Committee, a notice specifying:

(a) the time, date and place of the meeting, and
(b) the business proposed to be considered at the meeting.

20.7 Notice of less than three (3) days may be given of a Committee meeting called in an emergency.

Attendance at Committee meetings

20.8 A Committee member (other than the Mayor) ceases to be a member of a Committee if the Committee member:

(a) has been absent from three (3) consecutive meetings of the Committee without having given reasons acceptable to the Committee for the member's absences, or
(b) has been absent from at least half of the meetings of the Committee held during the immediately preceding year without having given to the Committee acceptable reasons for the member's absences.

20.9 Clause 20.8 does not apply if all of the members of the Council are members of the Committee.

Non-members entitled to attend Committee meetings

20.10 A Councillor who is not a member of a Committee of the Council is entitled to attend, and to speak at a meeting of the Committee. However, the Councillor is not entitled:

(a) to give notice of business for inclusion in the agenda for the meeting, or
(b) to move or second a motion at the meeting, or
(c) to vote at the meeting.

Chairperson and Deputy Chairperson of Council Committees

20.11 The Chairperson of each Committee of the Council must be:

(a) the Mayor, or
(b) if the Mayor does not wish to be the Chairperson of a Committee, a member of the Committee elected by the Council, or
(c) if the Council does not elect such a member, a member of the Committee elected by the Committee.

20.12 The Council may elect a member of a Committee of the Council as Deputy Chairperson of the Committee. If the Council does not elect a Deputy Chairperson of such a Committee, the Committee may elect a Deputy Chairperson.

20.13 If neither the Chairperson nor the Deputy Chairperson of a Committee of the Council is able or willing to preside at a meeting of the Committee, the Committee must elect a member of the Committee to be acting Chairperson of the Committee.

20.14 The Chairperson is to preside at a meeting of a Committee of the Council. If the Chairperson is unable or unwilling to preside, the Deputy Chairperson (if any) is to preside at the meeting, but if neither the Chairperson nor the Deputy Chairperson is able or willing to preside, the acting Chairperson is to preside at the meeting.

Procedure in Committee meetings

20.15 Subject to any specific requirements of this code, each Committee of the Council may regulate its own procedure. The provisions of this code are to be taken to apply to all Committees of the Council unless the Council or the Committee determines otherwise in accordance with this clause.

20.16 Whenever the voting on a motion put to a meeting of the Committee is equal, the Chairperson of the Committee is to have a casting vote as well as an original vote unless the Council or the Committee determines otherwise in accordance with clause 20.15.

20.17 Voting at a Council Committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Closure of Committee meetings to the public

20.18 The provisions of the Act and Part 14 of this code apply to the closure of meetings of Committees of the Council to the public in the same way they apply to the closure of meetings of the Council to the public.

20.19 If a Committee of the Council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the Chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the Council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.

20.20 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the Chairperson under clause 20.19 during a part of the meeting that is webcast.

Disorder in Committee meetings

20.21 The provisions of the Act and this code relating to the maintenance of order in Council meetings apply to meetings of Committees of the Council in the same way as they apply to meetings of the Council.

Minutes of Council Committee meetings

20.22 Each Committee of the Council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a Committee must ensure that the following matters are recorded in the Committee's minutes:

(a) details of each motion moved at a meeting and of any amendments moved to it,
(b) the names of the mover and seconder of the motion or amendment,
(c) whether the motion or amendment was passed or lost, and
(d) such other matters specifically required under this code.

20.23 The minutes of meetings of each Committee of the Council must be confirmed at a subsequent meeting of the Committee.

20.24 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

20.25 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.

20.26 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

20.27 The confirmed minutes of a meeting of a Committee of the Council must be published on the Council's website. This clause does not prevent the Council from also publishing unconfirmed minutes of meetings of Committees of the Council on its website prior to their confirmation.

21 IRREGULARITES

21.1 Proceedings at a meeting of a Council or a Council Committee are not invalidated because of:

(a) a vacancy in a civic office, or
(b) a failure to give notice of the meeting to any Councillor or Committee member, or
(c) any defect in the election or appointment of a Councillor or Committee member, or
(d) a failure of a Councillor or a Committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a Council or Committee meeting in accordance with the Council's code of conduct, or
(e) a failure to comply with this code.

(S. 374 LGA)

22 DEFINITIONS

the Act	means the *Local Government Act 1993*
act of disorder	means an act of disorder as defined in clause 15.11 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
Chairperson	in relation to a meeting of the Council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a Committee – means the person presiding at the meeting as provided by clause 20.11 of this code
this code	means the Council's adopted code of meeting practice
Committee of the Council	means a Committee established by the Council in accordance with clause 20.2 of this code (being a Committee consisting only of Councillors) or the Council when it has resolved itself into Committee of the whole under clause 12.1
Council official	has the same meaning it has in the Model Code of Conduct for Local Council's in NSW
day	means calendar day
division	means a request by two Councillors under clause 11.7 of this code requiring the recording of the names of the Councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a Councillor under clause 10.18 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a Councillor under clause 10.17 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a Council under the *Environmental Planning and Assessment Act 1979* including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of Councillors or Committee members necessary to conduct a meeting
the Regulation	means the *Local Government (General) Regulation 2005*
webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
year	means the period beginning 1 July and ending the following 30 June

DOCUMENTS ASSOCIATED WITH REPORT C08/20-523

Attachment 2

Summary of Submissions

Summary of Submissions (4) received and Council's Draft Code of Meeting Practice are outlined in the following Table:

	Summary of Submission
1	Generally states that the proposed change limiting the ability of members of the public to address Council on matters not on the Agenda is anti-democratic.
2	Generally states that the proposed changes are restricting speaking rights and time, limiting the ability of members of the public to address Council on more than one item on the Agenda is an attack on Democratic Rights and Local Democracy.
3	Generally states that the proposed changes are restricting speaking rights and time which is a reduction of Democratic Rights. Limiting the number of speakers for and against an item is not permitting an accurate measure of community representation.
4	Generally states that: - The proposed changes to the Code of Meeting Practice restrict the opportunities for communication between the community and Councillors; - The Code of Meeting Practice should prevent Councillors from making decisions on items prior to the formal Council Meeting; - Members of the Community should be able to speak on multiple items in the same Council meeting and should be given 3 minutes each. Often the speakers do not get an appropriate response and are not taken seriously; and - The '2 for, 2 against' rule is inhibiting the ability for discussion, this is impacting Council's commitment to accountability, openness and transparency.

Item No: C08/20-524

CUMBERLAND DEVELOPMENT CONTROL 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 Development Control Plan and outlines the recommended planning controls in response to further review and submissions. It is recommended that Council adopt the proposed planning controls for Cumberland City as outlined in this report to be included in the new Cumberland Development Control Plan. This plan is to come into effect on the date of publication of the new Cumberland Local Environmental Plan.

RECOMMENDATION

That Council:

1. **Note the submissions received prior to, during and immediately following the public exhibition period for the new Cumberland Development Control Plan.**
2. **Endorse the planning controls for Cumberland City, as provided at Attachment 1, including those which were included in the draft Cumberland Development Control Plan and have not changed following exhibition, and those which reflect proposed general amendments following public exhibition and further review by Council officers.**
3. **Endorse the planning controls for Cumberland City, as provided at Attachment 2, which reflect proposed site specific amendments following public exhibition and further review by Council officers.**
4. **Note the site specific requests received as part of the process for the new Cumberland Development Control Plan, as provided at Attachment 3.**
5. **Adopt the Cumberland Development Control Plan, as provided at Attachments 4 to 14, to come into effect on the date of publication of the new Cumberland Local Environmental Plan in the Government Gazette.**
6. **Delegate to the General Manager the authorisation to make minor revisions to the new Cumberland Development Control Plan, as necessary, following Council's deliberations, to ensure the desired objectives and intended outcomes can be achieved.**

7. **Adopt the Cumberland Flood Risk Management Policy, as provided at Attachment 15, to come into effect at the same time as the new Cumberland Development Control Plan.**

8. **Review the new Cumberland Development Control Plan two years after commencement to ensure that the planning controls continue to support planning and development outcomes in Cumberland City.**

REPORT

Background

Council commenced preparation of the new Cumberland Development Control Plan (DCP) in 2019 with the focus on harmonising the planning controls of the existing Auburn, Parramatta, and Holroyd DCPs into a single set of planning controls for Cumberland.

Early consultation 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 new Cumberland DCP. Following endorsement of the various parts by Council, the draft Cumberland DCP was publicly exhibited in April and May 2020.

The status of the Cumberland DCP is provided in Figure 1.

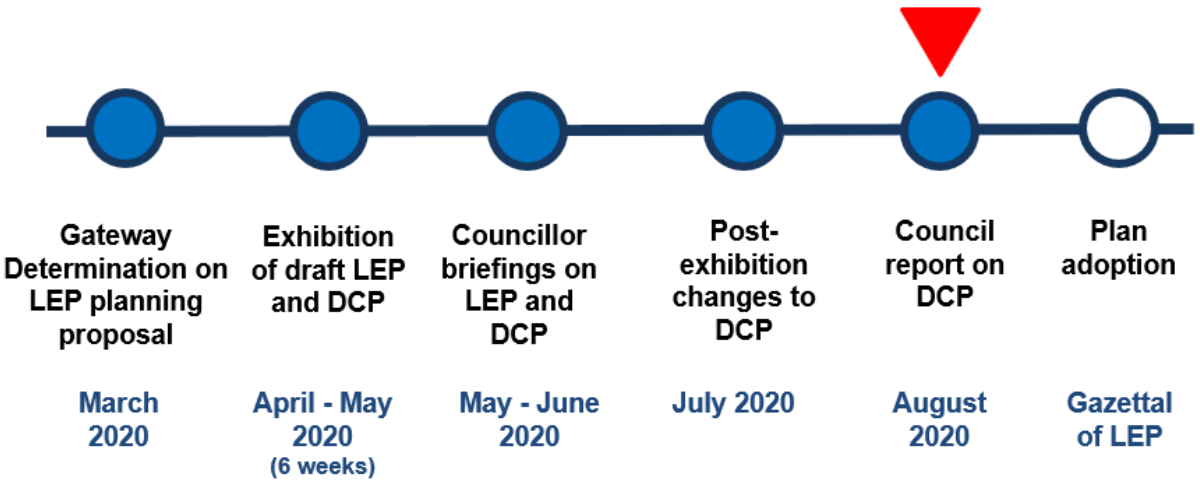


Figure 1: Development Control Plan status

Public exhibition of new Cumberland Development Control Plan

The draft Cumberland DCP 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 DCP. 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.

A total of 51 individual submissions on the draft DCP 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.

Total of 51 submissions received on the draft Cumberland DCP (as at 20 May 2020)

Recurring themes and messages:

- More rigorous notification and consultation requirements to ensure transparency in DA assessment process
- General concerns about carparking, traffic and local road networks – including for places of public worship
- Amenity concerns with increased dual occupancy development – including overcrowding and insufficient car parking. Also support for dual occupancy development to address housing affordability
- Concerns with boarding houses – including accessibility and compliance with ARH SEPP 2009
- General comments about telecommunications facilities
- Support for controls that encourage active transport and protect or improve the natural environment
- Design considerations – including solar access and overshadowing
- Concern that changes to planning controls will lead to increased rates
- New infrastructure required to support development
- Need to ensure the DCP as a whole is user friendly and easy to understand

Breakdown of submissions by topic	No.
Detailed comments on draft controls	25
Site specific requests for review of existing controls	5
Site specific requests for new controls	2
Other (General comments)	36

Note: Some submissions covers multiple topic area, so total number of comments is different from submissions received

Figure 2: Summary of public submissions

Post-exhibition review

Council previously considered and endorsed much of the detail of the new Cumberland DCP through various reports that dealt with particular issues and planning controls. The draft DCP has been prepared and exhibited in accordance with these Council resolutions. Table 1 outlines Council's resolutions and the post-exhibition status for the various parts of the Cumberland DCP.

Council Report	Item No.	Date	Council resolution – pre exhibition	Post exhibition status
Preparation of a new Cumberland Development Control Plan	C10/19-247	16 October 2019	Council noted the approach and key milestones for the preparation of the new Cumberland Development Control Plan	No change to planning approach
New Cumberland DCP – Draft Part A Introduction and General Controls	C12/19-327	18 December 2019	Council endorsed draft Part A for inclusion the draft Cumberland DCP	Minor amendments to selected controls and removal of requirements to advertise/notify development applications and consents in local newspapers following legislative changes
New Cumberland DCP – Draft Part B Development in Residential Zones	C12/19-328	18 December 2019	Council endorsed draft Part B for inclusion the draft Cumberland DCP	Minor amendments to selected controls and consistency with housing codes and guides
New Cumberland DCP – Draft chapter for Part C Development in Residential Zones	C02/20-354	5 February 2020	Council endorsed draft Part C for inclusion the draft Cumberland DCP	Minor amendments to selected controls
New Cumberland DCP – Draft chapter on Part D Development in Industrial Zones	C02/20-355	5 February 2020	Council endorsed draft Part D for inclusion the draft Cumberland DCP	Minor refinements to selected controls
New Cumberland DCP – Draft chapter on Part F Precinct and Site Specific Development Controls	C02/20-356	5 February 2020	Council endorsed draft Part F for inclusion the draft Cumberland DCP	Minor amendments to Part F2 Business Site Specific controls to reflect new Cumberland LEP and respond to submissions
New Cumberland DCP – Draft chapter on Part E Other Land Use Based Development Controls	C02/20-371	19 February 2020	Council endorsed draft Part E for inclusion the draft Cumberland DCP	Minor refinement to selected controls
New Cumberland DCP – Definitions and additions for draft chapter F Precinct and Site Specific Development Controls	C02/20-372	19 February 2020	Council endorsed draft Definitions and additions to draft Part F for inclusion the draft Cumberland DCP	Minor amendments to selected definitions and consistency with housing codes and guides

Council Report	Item No.	Date	Council resolution – pre exhibition	Post exhibition status
New Cumberland DCP – Draft chapter on Part G Miscellaneous Development Controls	C02/20-373	19 February 2020	Council endorsed draft Part G for inclusion the draft Cumberland DCP	Minor refinements to selected controls Proposed controls for electric vehicle charging points added Review and simplification of stormwater controls and proposed Cumberland Flood Risk Management Policy

Table 1: Council resolutions and post exhibition status for new Cumberland DCP

Following the completion of the public exhibition process, a further review has been undertaken by Council officers, with the following administrative amendments proposed to be included in the Cumberland DCP:

- amendments related to changes to planning regulations (e.g. notification and advertising requirements);
- carry over and clarification of controls for site specific locations to maintain consistency and strategic intent;
- amendments to planning controls to clarify technical provisions;
- administrative changes to reflect rezonings finalised since exhibition (e.g. Merrylands East Neighbourhood Centre); and
- minor formatting and wording changes.

It is recommended that Council endorse the planning controls for Cumberland City, as provided at Attachment 1, which have not changed from the draft Cumberland DCP, are proposed to refined and/or are proposed to be amended post exhibition to address administrative items.

A selected number of site specific requests have also been identified to be included in the new Cumberland DCP. These amendments, as outlined in Table 2 and Attachment 2, are for minor planning control changes to address particular issues and anomalies, and will have only a minor impact on the overall plan. It is recommended that these site specific amendments are included in the new Cumberland DCP.

Two additional site specific requests received as part of the process for the new Cumberland DCP are provided in Attachment 3. It is recommended that these requests are noted and may be considered in the future by Council.

Site address	Issue	Recommended approach
Merrylands Town Centre	Review site specific controls and car parking rates	Carry over of current planning controls
18-20 McFarlane Street, Merrylands	Closing off Finns Lane	DCP controls for the Merrylands Town Centre to reflect potential future change to Finns Lane
4-12 Railway Street, Lidcombe	Solar access to Friends Park	Refine planning controls to maximise solar access, with reference to site characteristics and interface with approved future developments in this location
17 Church Street, Lidcombe (Dooleys Lidcombe Catholic Club)	Ensure consistency with masterplan	Refine planning controls to be consistent with LEP amendments for the Lidcombe Town Centre and provide flexibility to ensure appropriate built form outcomes
190-220 Dunmore Street, Pendle Hill	Conservation incentives	Carry over of current Holroyd LEP conservation incentives to be undertaken

Table 2: Proposed minor site-specific amendments to the Cumberland DCP

Proposed planning controls for stormwater and flooding

A further review of the proposed planning controls for stormwater and drainage has been undertaken by Council officers following the conclusion of the exhibition period. This has been undertaken to ensure that the planning controls are consistent with State policies, easier to read and understand, and ensuring flexibility with emerging work in this area.

Following the review, it is proposed that the planning framework related to stormwater and flooding be retained in the Cumberland DCP, with the detailed flood management analysis and implementation approach included in a Flood Risk Management Policy. This approach ensures that there is appropriate planning detail in the new DCP, with flooding information included in a policy that can be more easily amended over time in response to emerging work in this area.

As the content identified for the policy has already been placed on exhibition as part of the draft Cumberland DCP, it is recommended that Council adopt the Cumberland Flood Risk Management Policy, as provided in Attachment 15. Subject to adoption, the policy will come into effect at the same time as the new Cumberland Development Control Plan.

Finalisation of the new Cumberland Development Control Plan

An updated Cumberland Development Control Plan has been prepared in response to public submissions and further review by Council officers. The new Cumberland DCP comprises a number of parts as outlined in Figure 3.



Figure 3: Parts in new Cumberland DCP

It is recommended that Council adopt the new Cumberland DCP, as provided in Attachments 4 to 14. Subject to adoption, the new Cumberland DCP comes into effect on the date of publication of the new Cumberland Local Environmental Plan in the Government Gazette. A review at two years from commencement is also recommended for the new Cumberland DCP, to ensure that the planning controls in this document continue to support planning and development outcomes in Cumberland City.

COMMUNITY ENGAGEMENT

Following the early consultation undertaken in July and August 2019, a further extensive program of consultation on the new Cumberland DCP was undertaken from April to May 2020.

POLICY IMPLICATIONS

The preparation of the Cumberland DCP supports the new Cumberland Local Environmental Plan, which is required under the *Environmental Planning and*

Assessment Act 1979. The Cumberland DCP will also align with the strategic directions outlined in Council's Community Strategic Plan and Cumberland 2030: Our Local Strategic Planning Statement.

RISK IMPLICATIONS

Council requires a new Cumberland DCP to accompany the new Cumberland Local Environmental Plan, which was endorsed by Council for finalisation in July 2020 and is now with the Department of Planning, Industry and Environment. Adoption of the DCP will ensure that detailed controls are in place to support the new Cumberland Local Environmental Plan.

FINANCIAL IMPLICATIONS

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

CONCLUSION

The draft Cumberland Development Control Plan has been publicly exhibited 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 new Cumberland Development Control Plan comes into effect on the date of publication of the new Cumberland Local Environmental Plan.

ATTACHMENTS

1. Recommended planning controls for Cumberland DCP post-exhibition ⇩
2. Recommended site specific amendments (post-exhibition) to Cumberland DCP ⇩
3. Additional site specific requests for future consideration ⇩
4. Recommended Cumberland DCP Part A Introduction and General Controls ⇩
5. Recommended Cumberland DCP Part B Development in Residential Zones ⇩
6. Recommended Cumberland DCP Part C Development in Business Zones ⇩
7. Recommended Cumberland DCP Part D Development in Industrial Zones ⇩
8. Recommended Cumberland DCP Part E Other Land Use Based Development Controls ⇩
9. Recommended Cumberland DCP Part F1 Site Specific Development Controls ⇩
10. Recommended Cumberland DCP Part F2 Site Specific Development Controls ⇩
11. Recommended Cumberland DCP Part F3 Site Specific Development Controls ⇩
12. Recommended Cumberland DCP Part F4 Site Specific Development Controls ⇩
13. Recommended Cumberland DCP Part G Miscellaneous Development Controls ⇩
14. Recommended Cumberland DCP Definitions ⇩
15. Cumberland Flood Risk Management Policy ⇩

DOCUMENTS ASSOCIATED WITH REPORT C08/20-524

Attachment 1

Recommended planning controls for Cumberland DCP post-exhibition

CUMBERLAND COUNCIL

Recommended planning controls for Cumberland DCP (post exhibition)

Part A Introduction and General Controls

No changes to exhibited planning controls

Proposed amendments post-exhibition to address administrative items, respond to submissions and/or further officer review

DCP Controls	Recommended planning controls for Cumberland DCP
A1 – Introduction	Adopt exhibited planning controls subject to minor amendments to selected controls and removal of requirements to advertise/notify development applications and consents in local newspapers following legislative changes
A2 – Subdivision	Adopt exhibited planning controls subject to minor amendments to selected controls
A3 – Site amalgamation and isolated sites	Adopt exhibited planning controls subject to minor amendments to selected controls

Part B Development in Residential Zones

No changes to exhibited planning controls

Proposed amendments post-exhibition to address administrative items, respond to submissions and/or further officer review

DCP Controls	Recommended planning controls for Cumberland DCP
B1 – Dwelling houses and secondary dwellings	Adopt exhibited planning controls subject to minor amendments to selected controls
B2 – Low rise medium density developments	Adopt exhibited planning controls subject to minor amendments to selected controls and consistency with housing codes and guides
B3 – Residential flat buildings	Adopt exhibited planning controls
B4 – Boarding houses	Adopt exhibited planning controls
B5 – Adaptable housing and housing mix	Adopt exhibited planning controls

Part C Development in Business Zones

No changes to exhibited planning controls

Proposed amendments post-exhibition to address administrative items, respond to submissions and/or further officer review

DCP Controls	Recommended planning controls for Cumberland DCP
Introduction	Adopt exhibited planning controls
Relationship with SEPP 65 and ADG	Adopt exhibited planning controls
Objectives and controls	Adopt exhibited planning controls subject to minor amendments to selected controls

Part D Development in Industrial Zones

No changes to exhibited planning controls

Proposed amendments post-exhibition to address administrative items, respond to submissions and/or further officer review

DCP Controls	Recommended planning controls for Cumberland DCP
Introduction	Adopt exhibited planning controls
Objectives and controls	Adopt exhibited planning controls subject to minor refinements to selected controls

Part E Other Land Use Development Controls

No changes to exhibited planning controls

Proposed amendments post-exhibition to address administrative items, respond to submissions and/or further officer review

DCP Controls	Recommended planning controls for Cumberland DCP
E1 – Centre based childcare facilities	Adopt exhibited planning controls
E2 – Community facilities	Adopt exhibited planning controls
E3 – Education establishments	Adopt exhibited planning controls
E4 – Places of public worship	Adopt exhibited planning controls subject to minor amendments to selected controls
E5 – Sex service premises	Adopt exhibited planning controls subject to minor amendments to selected controls

Part F1 Residential Site Specific

No changes to exhibited planning controls

Proposed amendments post-exhibition to address administrative items, respond to submissions and/or further officer review

DCP Controls	Recommended planning controls for Cumberland DCP
F1-1 1A and 1B Queen Street, Auburn	Adopt exhibited planning controls
F1-2 37-39 Pavesi Street, Smithfield	Adopt exhibited planning controls
F1-3 190-220 Dunmore Street, Pendle Hill (Bonds Spinning Mill Site)	Adopt exhibited planning controls
F1-4 Bradman Street, Greystanes (Proposed development and subdivision)	Adopt exhibited planning controls
F1-5 Crosby Street, Greystanes	Adopt exhibited planning controls
F1-6 Forest Gum Estate, Greystanes	Adopt exhibited planning controls
F1-7 Former Lidcombe Hospital Site	Adopt exhibited planning controls subject to minor refinements to selected controls
F1-8 Gary Street, Merrylands	Adopt exhibited planning controls

Part F1 Residential Site Specific

No changes to exhibited planning controls

DCP Controls	Recommended planning controls for Cumberland DCP
F1-9 Greystanes Creek	Adopt exhibited planning controls
F1-10 Guildford Pipehead Precinct	Adopt exhibited planning controls
F1-11 Hereford Place, Wentworthville	Adopt exhibited planning controls
F1-12 Hillier Street, Merrylands	Adopt exhibited planning controls
F1-13 Holroyd Gardens	Adopt exhibited planning controls
F1-14 Pemulwuy Residential	Adopt exhibited planning controls
F1-15 RAAF Stores Depot	Adopt exhibited planning controls
F1-16 Sherwood Scrubs and adjoining land	Adopt exhibited planning controls

Part F2 Business Site Specific

No changes to exhibited planning controls

Proposed amendments post-exhibition to address administrative items, respond to submissions and/or further officer review

DCP Controls	Recommended planning controls for Cumberland DCP
F2-1 Auburn Town Centre	Adopt exhibited planning controls subject to minor amendments to reflect new LEP controls
F2-2 Granville Town Centre	Adopt exhibited planning controls
F2-3 Guildford Town Centre (East)	Adopt exhibited planning controls
F2-4 Guildford Town Centre (West)	Adopt exhibited planning controls
F2-5 Lidcombe Town Centre	Adopt exhibited planning controls subject to minor amendments to reflect new LEP controls and respond to submissions
F2-6 Merrylands Town Centre	Adopt exhibited planning controls subject to minor refinements to selected controls
F2-7 Merrylands Neil Street Precinct	Adopt exhibited planning controls subject to minor refinements to selected controls
F2-8 Merrylands Station and McFarlane Street Precinct	Adopt exhibited planning controls subject to minor refinements to selected controls

Part F2 Business Site Specific

No changes to exhibited planning controls

Proposed amendments post-exhibition to address administrative items, respond to submissions and/or further officer review

DCP Controls	Recommended planning controls for Cumberland DCP
F2-9 Merrylands Station Precinct (East)	Adopt exhibited planning controls
F2-10 Merrylands East Neighbourhood Centre	Adopt exhibited planning controls
F2-11 Pendle Hill Town Centre	Adopt exhibited planning controls
F2-12 South Granville	Adopt exhibited planning controls
F2-13 Toongabbie Town Centre	Adopt exhibited planning controls
F2-14 Wentworthville Town Centre	Superseded by F2-14A following gazettal of planning proposal
F2-14~~A~~ Wentworthville Town Centre (Draft)	Adopt exhibited planning controls **Note F2-14A to replace F2-14 following adoption by Council of 'draft' controls on 4 December 2019 – Min. 815 C12/19-299*
F2-15 Wentworthville Mall Site – 42-44 Dunmore Street	Adopt exhibited planning controls
F2-16 Wentworthville – 108 Station Street	Adopt exhibited planning controls

Part F3 Industrial Site Specific

No changes to exhibited planning controls

DCP Controls	Recommended planning controls for Cumberland DCP
F3-1 Pemulwuy Northern Employment Lands	Adopt exhibited planning controls
F3-2 Regency Green Industrial Estate	Adopt exhibited planning controls
F3-3 Yennora Distribution Park	Adopt exhibited planning controls

Part F4 Special Precincts

No changes to exhibited planning controls

DCP Controls	Recommended planning controls for Cumberland DCP
F4-1 23-27 Lytton Street, Wentworthville	Adopt exhibited planning controls
F4-2 Mays Hill, Finlayson and Sherwood Transitway Precinct	Adopt exhibited planning controls **Note corresponding LEP amendment to reflect strategic intent for shop top housing along Great Western Highway*
F4-3 Tamplin Road Reserve	Adopt exhibited planning controls

Part G Miscellaneous Development Controls

No changes to exhibited planning controls

Proposed amendments post-exhibition to address administrative items, respond to submissions and/or further officer review

DCP Controls	Recommended planning controls for Cumberland DCP
G1 – Advertising and Signage	Adopt exhibited planning controls
G2 – Heritage	Adopt exhibited planning controls subject to carryover of Holroyd DCP controls relating to conservation incentives
G3 – Traffic, Parking, Transport and Access (Vehicle)	Adopt exhibited planning controls subject to minor refinements to selected controls and proposed controls for electric vehicle charging points
G4 – Stormwater and Drainage	Adopt exhibited planning controls subject to minor refinements to selected controls and transfer of flooding information to policy
G5 – Sustainability, Biodiversity and Environmental Management	Adopt exhibited planning controls
G6 – Telecommunications Facilities	Adopt exhibited planning controls
G7 – Tree Management and Landscaping	Adopt exhibited planning controls
G8 – Waste Management	Adopt exhibited planning controls

Definitions

No changes to exhibited planning controls

Proposed amendments post-exhibition to address administrative items, respond to submissions and/or further officer review

DCP Controls	Recommended planning controls for Cumberland DCP
Definitions	Adopt exhibited planning controls subject to minor amendments to selected controls and consistency with housing codes and guides

DOCUMENTS ASSOCIATED WITH REPORT C08/20-524

Attachment 2

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

CUMBERLAND COUNCIL

Proposed site specific changes to Cumberland DCP (post exhibition)

Merrylands Town Centre

Site specific controls and car parking rates



DCP reference

Part F – Special Precinct and Site Specific Development Controls
F2 – Merrylands Town Centre

Part G – Miscellaneous Development Controls
Part G3 – Traffic, Parking, Transport and Access (Vehicle)

Submission

Submission from Frank Knight on behalf of Dyldam Development.

The submission requests that existing site specific controls be carried over in their entirety. Also that the proposed DCP controls should clarify the base measure for determining car parking rates for 'commercial retail' uses in the B4 zone (ie. GFA or GLFA).

Recommendation:	Carryover of current planning controls to be undertaken

18-20 McFarlane Street, Merrylands

Closing off Finns Lane



DCP reference

Part F – Special Precinct and Site Specific Development Controls
F2 – Merrylands Town Centre

Submission

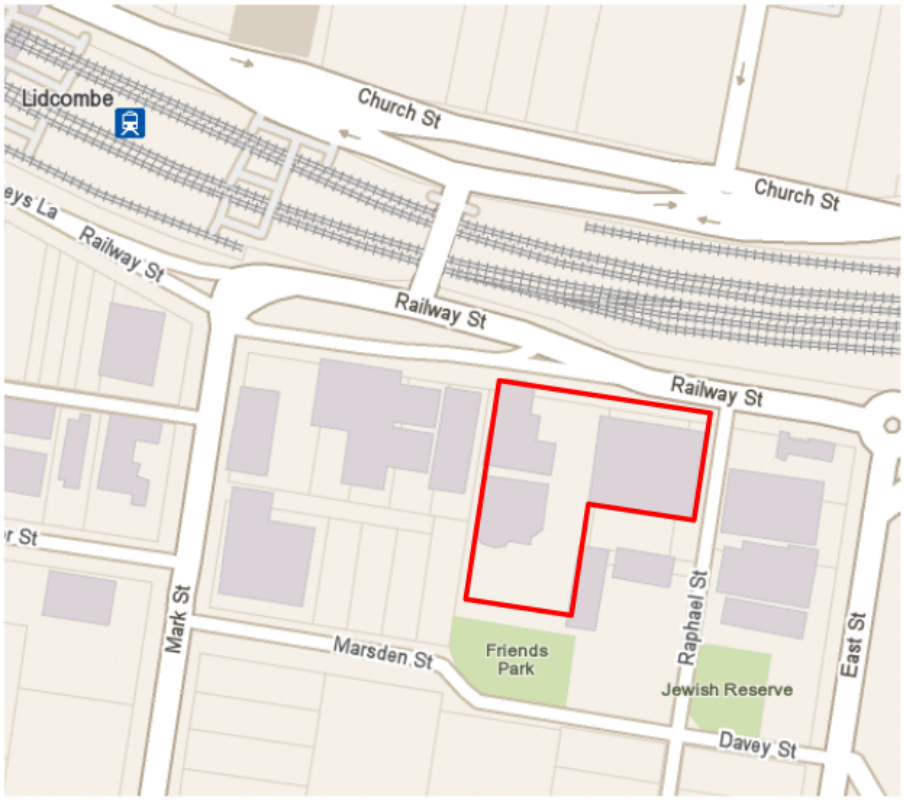
Submission from Katris Architects on behalf of landowners.

The submission opposes Council's decision to close the portion of Finns Lane that runs along the eastern boundary of.18 McFarlane Street, Merrylands. The submission notes this closure is not mentioned in the draft DCP.

Recommendation:	Closure of Finns Lane to be included in DCP controls for the Merrylands Town Centre

4-12 Railway Street, Lidcombe

Solar access to Friends Park



DCP reference

Part F2-5 Lidcombe Town Centre
Section 2.4 Key Sites
Site 7A-4-12 Railway Street

Submission

Delete objective 6 (p. F2-56) which seeks to ensure 3 hours of sunlight to a minimum of 50% of Friends Park between 11:00 am and 3:00 pm on 21 June.

The submission argues the objective cannot be reasonably achieved, as demonstrated through consideration of the recent site specific Planning Proposal and related VPA negotiations based on an agreed GFA.

Recommendation:	Refine planning controls to maximise solar access, with reference to site characteristics and interface with approved future developments in this location

17 Church Street, Lidcombe (Dooleys Lidcombe Catholic Club)

Ensure consistency with masterplan



DCP reference

Part F2 Business Site Specific Controls
F2-5 Lidcombe Town Centre

Submission

Amend town centre boundary to reflect extension of B4 zone to Ann Street.

The submission suggests amendments to the objectives and controls for Site 1, including update requirements for setbacks, active frontages and laneways to remove inconsistencies with indicative masterplan.

Also, ensure controls provide flexibility for future land use and development outcomes within the town centre.

Recommendation:	Refine planning controls to be consistent with LEP amendments for the Lidcombe Town Centre. Other matters to be further considered by Council officers as part of DCP review or as part of future strategic planning work

190-220 Dunmore Street, Pendle Hill

Conservation incentives



DCP reference

Part G – Miscellaneous Development Controls
Part G3 – Traffic, Parking, Transport and Access (Vehicle)

Submission

Submission from Frank Knight on behalf of Dyldam.

The submission requests that existing site specific controls be carried over without change.

Also that the conservation incentives under Part H Section 5 (C3) of Holroyd DCP 2013 be carried over to part G3 – Traffic, Parking, Transport and Access (Vehicle) of the Cumberland DCP.

Recommendation:	Carry over of existing Holroyd LEP conservation incentives to be undertaken

DOCUMENTS ASSOCIATED WITH REPORT C08/20-524

Attachment 3

Additional site specific requests for future consideration

CUMBERLAND COUNCIL

Site specific requests for new controls (for future consideration)

101-123 Parramatta Road and 58-66 Adderley Street, Auburn

Car parking rates and requirements



DCP reference

Part G – Miscellaneous Development Controls
Part G3 – Traffic, Parking, Transport and Access (Vehicle)

Submission

Submission from Knight Frank on behalf of Harvey Norman.

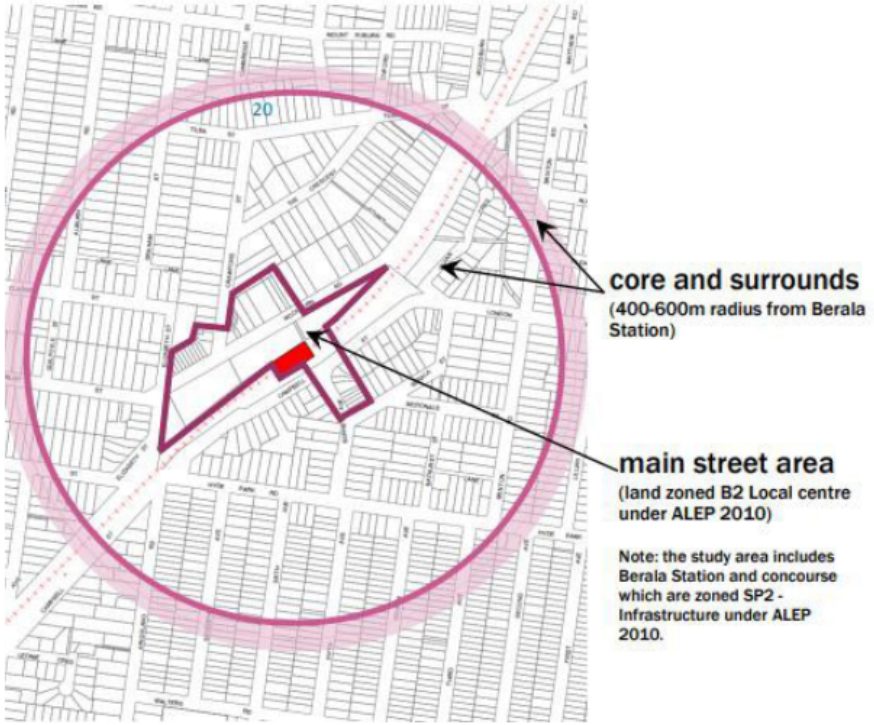
Submission seeks confirmation that site specific parking controls will be based on concept plans to be prepared in collaboration with Council.

Also, the proposed DCP controls should clarify the base measure for determining car parking rates (ie. GFA or GLFA).

Recommendation:	Submission pre-empts rezoning of site. Further consideration of site specific car parking controls to be undertaken as part of future strategic planning work for site

Berala Town Centre

Site specific controls



DCP reference

Part F – Special Precinct and Site Specific Development Controls

Submission

The submission urges Council to prepare and consider controls for the Berala Town Centre to support additional residential and commercial development.

Recommendation:	Consideration of planning controls for the Berala Town Centre to be undertaken as part of Council's strategic planning work program

DOCUMENTS ASSOCIATED WITH REPORT C08/20-524

Attachment 4

Recommended Cumberland DCP Part A Introduction and General Controls



CUMBERLAND
CITY COUNCIL

POS N DRAFT 2020

PART A
INTRODUCTION AND GENERAL CONTROLS

POST EXHIBITION DRAFT 2020

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CUMBERLAND CITY COUNCIL

PART A1
INTRODUCTION

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1. Introduction

1.1 Name and application

1.1.1 Citation

This Plan may be cited as the *Cumberland Development Control Plan 20XX* (*Cumberland DCP 20XX*).

1.1.2 Land covered by this DCP

The Cumberland DCP 20XX applies to land where Cumberland City Council is the consent authority.

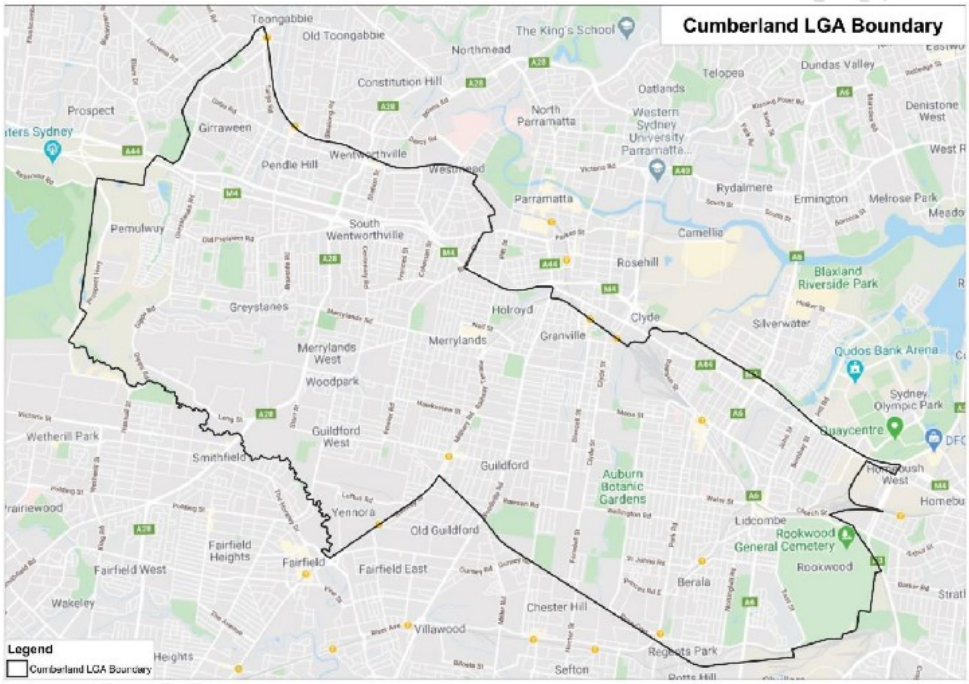

Figure 1: Cumberland City Boundary

1.1.3 Adoption

Council has consolidated all of its DCPs that apply to Cumberland City into one plan. This Plan was made under Section 3.43 of the *Environmental Planning and Assessment Act 1979* (*EP&A Act*) and Part 3 of the *Environmental Planning and Assessment Regulation 2000* (*EP&A Regulation*). It was adopted by Cumberland City Council on (insert date here) and became effective (insert date here).

1.1.4 Savings Provision

This DCP does not apply to an application under the *EP&A Act* which was lodged with Council but not finally determined before the commencement of this DCP. Any application lodged before the commencement of this DCP will be assessed in accordance with any relevant previous DCPs or other Council's policy which applied at the time of application lodgement.

1.1.5 Terms used in this DCP

In this DCP, terms have the meaning described in the *EP&A Act* and the *Cumberland Local Environment Plan 20XX (Cumberland LEP 20XX)*. Certain terms used in this DCP are defined in the glossary.

Any reference in a Part of this consolidated Development Control Plan to "this DCP" or "this Plan" is a reference to the Part of this consolidated DCP where the reference is contained.

1.2 Purpose

The purpose of the *Cumberland DCP 20XX* is to provide specific controls to guide development and achieve particular development outcomes within the Cumberland City.

This DCP is a supplementary development guideline that supports the *Cumberland LEP 20XX*.

1.3 Aims

The *Cumberland DCP 20XX* aims to:

- ensure high quality development across Cumberland by establishing a framework for sustainable land use;
- provide guidelines for applicants to formulate development proposals;
- manage development appropriately to support redevelopment and reinvestment in Cumberland;
- protect the existing residents and wider community; including amenity, culture, and the natural environment; and
- address recent and emerging issues with new controls which are relevant to the Cumberland City that will better manage development and its future implications.

1.4 Objectives

The objectives of this DCP are to:

- ensure that development promotes economically, socially and environmentally sustainability and is designed to avoid, minimise and manage potential environmental risks;
- ensure future development has consideration for all existing and future residents of the Cumberland City at all stages of their life cycle;
- ensure new developments enhance Cumberland as a great place to live and work and deliver the desired future character;
- ensure new development is integrated with existing and planned transport systems and promote sustainable transport behaviour within Cumberland; and
- provide an appropriate opportunity for the public to participate in the development process.

1.5 Relationship to other Plans and policies

1.5.1 Revocation of Auburn DCP 2010, Holroyd DCP 2013 and Parramatta DCP 2011

Pursuant to Section 3.43(4) of the *Environmental Planning and Assessment Act 1979,* the Cumberland DCP 20XX revokes *Auburn DCP 2010*, *Holroyd DCP 2013* and *Parramatta DCP 2011* which covered land for which this DCP now applies.

1.5.2 Cumberland Local Environmental Plan 20XX

The *Cumberland DCP 20XX* is to be read in conjunction with *Cumberland LEP 20XX*. It covers most of Cumberland City Council excluding land covered by the *State Environmental Planning*

POST EXHIBITION DRAFT 2020

Policy (State Significant Precincts) 2005. In the event of an inconsistency between the provisions of the *Cumberland LEP 20XX* and this DCP, the provisions of *Cumberland LEP 20XX* shall prevail to the extent of the inconsistency.

1.5.3 State Environmental Planning Policies

State Environmental Planning Policies (SEPPs) address matters of state significance and should be read in conjunction with the *Cumberland LEP 20XX* and the *Cumberland DCP 20XX*. Should there be a conflict in controls between a SEPP and a LEP or DCP, the provisions within a SEPP shall prevail unless otherwise stated.

1.5.4 Local Infrastructure Contributions Plans

Under Section 7.11 and/or 7.12 of the *EP&A Act*, Councils are able to levy contributions from developments for the provision of public services and facilities required as a consequence of development. These contributions are used for the upgrade and development of community facilities, recreation facilities, infrastructure, roads and traffic management and town centre improvements.

1.5.5 Public domain plans

The relevant public domain plan is required to be considered in the design of the public domain where Council is the consent authority, including:

- Auburn Town Centre Public Domain Plan;
- Berala Public Domain Plan;
- Former RAAF Stores Depot Public Domain Plan; and
- Wentworthville Town Centre Public Domain Plan.

Other public domain plans may be prepared during the life of the Cumberland DCP.

1.5.6 Other approvals

Approvals may also be required from other government agencies as in some cases a development proposal may constitute "designated" or "integrated" development under the *EP&A Act*.

1.5.7 Policies, guides, forms and checklists

Some types of development may require consulting Council's policies or guides, or completing forms or checklists. It is recommended applicants visit Council's website (www.cumberland.nsw.gov.au) and follow the prompts to this DCP.

1.6 Structure of Cumberland DCP 20XX

This DCP contains 8 Parts. Each part contains objectives and development controls that relate to development within Cumberland City. This DCP also contains Special Precincts and Site Specific Development Controls for certain areas within the Cumberland City. In the event of an inconsistency between the main body of this DCP and Special Precincts and Site Specific Development Controls, the latter shall prevail.

The plan is divided into the following Parts:

Part A - Introduction and General Controls

This Part explains Council's planning framework and details information which must be submitted with all development applications. It also details the notification requirements for development applications and controls for subdivision and site amalgamation.

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Part B - Development in Residential Zones

This Part contains the controls which apply to residential development within the residential zones.

Part C - Development in Business Zones

This Part contains the controls which apply to commercial and mixed use development and shop top housing development within business zones.

Part D - Development in Industrial Zones

This Part contains the controls which apply to industrial, employment and innovation-based development within industrial zones.

Part E - Other Land Use Based Development Controls

This Part contains the controls for places of public worship, centre based childcare centres, educational facilities, community facilities and sex services premises.

Part F - Special Precinct and Site Specific Development Controls

This Part contains specific controls for Council's nominated Special Precincts and Sites within Cumberland.

Part G - Miscellaneous Development Controls

This Part contains the controls for advertising and signage; traffic, transport, parking and access; heritage; waste management; stormwater management; tree management; sustainability; and urban heat management.

Definitions

This Part contains the definitions which the DCP relies on. The definitions sit separately to the standard instrument dictionary definitions held in the *Cumberland LEP 20XX*.

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2. Notification requirements

2.1 Application of this Part

This Part sets out the procedures for public exhibition and notification of development applications in the Cumberland City LGA.

In particular, this Part:

- summarises the public exhibition requirements contained in the *EP&A Act* and *EP&A Regulation* for certain types of applications;
- specifies the notification procedures for all other development applications including applications for modification of development consent; and
- aligns with guidance provided in Council's Community Participation Plan (Cumberland Community Engagement and Participation Strategy).

2.2 Application of this Part

In circumstances where there may be any inconsistency between the requirements contained in this Part and any other, the provisions of this Part shall apply.

2.3 Objectives

The objectives of notification are to:

- outline the public exhibition and notification procedures for applications to ensure the community is informed of development proposals and applicants are aware of Council's notification requirements;
- notify the appropriate owners and/or occupiers of development occurring on adjoining and nearby properties;
- provide the opportunity for public involvement in the development assessment process;
- ensure an efficient development assessment process by enabling Council to obtain the views of interested persons within logical timeframes before determining a DA; and
- specify circumstances when notification of development applications is not required.

2.4 Voluntary planning agreements

For the notification requirements relating to voluntary planning agreements please consult the *EP&A Act* and Council's *Planning Agreements Policy*.

2.5 Provisions

The provisions within this Part relating to notification areas and periods of notification are a minimum and may be increased at the discretion of Council once the nature and likely impact of the proposal have been considered.

Christmas/New Year period

In accordance with the *EP&A Act,* notification periods during the Christmas/New Year period may be extended to take into account public holidays.

2.5.1 Development to which advertising notification provisions apply

The advertising and notification procedures in this Part apply to all development and related applications lodged with Cumberland City Council.

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The *EP&A Act* and *EP&A Regulation* specify the advertising requirements for:

- designated development; and
- integrated development.

Notification and advertising of applications for the above developments will be in accordance with the requirements of the *EP&A Act* and *EP&A Regulation*.

Council will also implement any other advertising, notification and/or consultation requirements that may be specified within any other State policy or legislation, i.e. SEPPs.

The *EP&A Act* and *EP&A Regulation* specify the advertising requirements for the following:

- designated development;
- advertised development;
- state significant development and state significant advertised development; and
- other advertised development including nominated integrated development.

The above categories of development will be notified in accordance with the relevant provisions of the *EP&A Act and EP&A Regulation*.

2.5.2 Development applications requiring notification and advertising

Table 1 lists the notification and advertising requirements for development applications.

Table 1: Notification requirements

Proposed use or development	Letters to adjoining owners	Notice on Council's website	Notice on site	Notification period (days)	Re-notification (if required) (days)
Dwelling houses (including single and 2 storey dwellings, additions, secondary dwellings)	✓	✓	N/A	14 days	7 days
Dual occupancies and manor houses	✓	✓	N/A	14 days	7 days
All other development in residential areas or directly adjoining a residential area (including across a road, laneway or the like) Development includes residential subdivision (eg. Torrens Title and subdivision involving construction of a roadway) but excludes a strata and stratum subdivision, community title subdivision and health consulting rooms	✓	✓	N/A	14 days	7 days
Multi dwelling housing Residential flat buildings Seniors housing Boarding House	✓	✓	✓	14 days	7 days

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Proposed use or development	Letters to adjoining owners	Notice on Council's website	Notice on site	Notification period (days)	Re-notification (if required) (days)
Non-Residential development within residential zones being: Educational establishments Places of public worship Places of public entertainment Child care centres Hospitals (in any zone)	✓	✓	✓	14 days	7 days
Business and office premises – existing use rights	✓	✓	N/A	14 days	7 days
New business / office / retail premises (excluding uses addressed elsewhere in this table) – two storeys or more	✓	✓	✓	14 days	7 days
New business / office / retail premises (excluding uses addressed elsewhere in this table) adjoining or opposite to residential development	✓	✓	✓	14 days	7 days
Mixed use development and shop top housing	✓	✓	✓	14 days	7 days
New industrial building adjoining or adjacent to residential development	✓	✓	N/A	14 days	7 days
Industrial development adjoining or adjacent to residential area operating outside standard hours of operation OR Industrial development adjoining or adjacent to residential area that may impact on residential amenity	✓	✓	N/A	14 days	7 days
Industrial development – existing use rights	✓	✓	N/A	14 days	7 days
Automotive uses (eg. car parks, service station, transport depots, and truck depots)	✓	✓	N/A	14 days	7 days
Vehicle repair station and vehicle body repair workshops adjoining and/or	✓	✓	N/A	14 days	7 days

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Proposed use or development	Letters to adjoining owners	Notice on Council's website	Notice on site	Notification period (days)	Re-notification (if required) (days)
adjacent to residential development					
Telecommunications facilities	✓	✓	N/A	14 days	7 days
Home industry and home business	✓	✓	Yes	14 days	7 days
Food and drink premises excluding pubs adjoining and/or adjacent to residential development	✓	✓	N/A	14 days	7 days
Signage more than 20m² (Also see other requirements in State Environmental Planning Policy No. 64 – Advertising and Signage)	✓	✓	N/A	14 days	7 days
Sex service premises adjoining residential development or zone	✓	✓	✓	14 days	7 days
Amusement centre	✓	✓	✓	14 days	7 days
Demolition or use of an item/group of environmental heritage	✓	✓	✓	14 days	7 days
Heritage items and developments in a conservation/heritage area	✓	✓	✓	14 days	7 days
Hotel and motel accommodation and pubs	✓	✓	✓	14 days	7 days
Public administration buildings	✓	✓	✓	14 days	7 days

Note: Notification periods are also available on Council's website.

2.5.3 Development applications not requiring notification and advertising

Table 2 below lists the types of development applications which do not require advertising or notification.

Table 2: Types of development applications which do not require advertising or notification

Development NOT requiring advertising and notification
Exempt and Complying Development
Section 4.55 (1)
Section 4.55 (1A) (see also section 2.6 of this Part)

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General alterations only (and does not alter/modify the height or external configuration of a building and not a heritage item) where Council considers no adverse environmental impact is created
Changes which are the result of conditions of consent on an application previously notified
Strata subdivision application
Stratum subdivision application
Torrens title subdivision application not involving construction of a new road
Change of use in business zones where Council considers no adverse environmental impact is created
Change of use in industrial zones not adjacent to or adjoining residential development
Demolition of structures not of heritage significance

2.6 Development applications that are amended, modified or reviewed

2.6.1 Amended applications

Where an application is amended before it is determined, the amended application/plans will be re-advertised or re-notified if it is considered that there will be an additional likely environmental impact or impact of the development on adjoining or nearby land or development. However, if it is considered that the likely environmental impact is insignificant, the development application will not be re-advertised or re-notified, or the notification period may be reduced. This is at the discretion of Council.

If an application is withdrawn and a subsequent application is made, the new application will be advertised or notified in accordance with this Part, as if the previous application had not been made.

2.6.2 Modified applications

Section 4.55 (1) modifications involving minor error, misdescription or miscalculation

Applications for modification involving minor error, misdescription or miscalculation are not required to be notified.

Section 4.55 (1A) modifications involving minimal environmental impact

Section 4.55 (1A) applications will generally not be notified. However, if in the opinion of Council, the proposed modification has potential to increase the impact of the development on adjoining or nearby land or development, Council may notify the proposed modification under this section as follows:

- written notice to adjoining landowners and occupiers; and
- the notification period is 14 calendar days.

If Council considers the application will cause an increased environmental impact, the application may be amended to a Section 4.55 (2) application and be advertised and notified in accordance with this section.

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All persons who made a submission to the previous development application shall also be notified in accordance with this section.

Section 4.55 (2) other modifications

Applications received under Section 4.55 (2) shall be advertised and notified in the same manner as the original development application. All persons who made a submission to the previous development application shall also be notified in accordance with this section.

Section 4.56 modification by consent authority of consents granted by the court

Applications received under Section 4.56 of the *EP&A Act* shall be exhibited in accordance with the requirements prescribed by Section 4.56 of the *EP&A Act* and the *EP& A Regulations*.

Section 8.2 (determinations and decisions subject to review) applications

Applications under Section 8.2 Reviews may require:

- re-notification to previous persons who made a submission; and/or
- re-advertisement and/or notification in the same manner as the original application, if the development application is amended and considered to have greater impact than the original development application.

2.6.3 Notification of Building Information Certificate Application

Council may notify adjoining owners and occupiers where it is considered that the development, works and/or structures cause adverse impact.

Where written notice is given, it shall be for a minimum of 14 days.

2.7 Other notification considerations

2.7.1 NSW Land and Environment Court appeals

In the event of an application being refused, either on its merit or because the application is inadequate or incomplete and is subsequently subject to an appeal to the Land and Environmental Court, persons who made submissions shall be notified of the appeal.

2.7.2 Notification of adjoining local government areas

Where Council considers that there are adjoining properties located outside the boundaries of the Cumberland City which will be affected by development in the Cumberland City, Council shall endeavour to notify those properties in accordance with this Part.

2.7.3 Public notification of development consents

Council shall give written notice of the determination of a development application to each person who made a written submission in relation to that application. This notice will specify when the determination was made and the application outcome.

In the case of petitions submitted to Council, the principal author shall be notified of Council's decision. If the principal author is not readily identifiable then the first identifiable signatory shall be notified.

2.8 Procedures

2.8.1 Advertising procedures

The notification period for all development applications to be advertised and or notified shall commence a day after the date of the advertisement and/or letter.

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Development to be advertised will require a notice to be published on Council's website. Notification timeframes are provided in Table 1.

The notice shall contain the following information as a minimum:

- a description (including the address) of the land on which the development is proposed to be carried out;
- the name of the applicant and the consent authority;
- a description of the proposed development;
- whether or not the development is designated development, nominated integrated development, threatened species development, Class 1 aquaculture development or State significant development;
- a statement that the development application and the documents accompanying the application, including any environmental impact statement, are publicly available on the consent authority's website for the period specified in Schedule 1 to the Act for that kind of development; and
- a statement that any person, during the submission period specified in Schedule 1 to the Act for that kind of development, may make submissions to the consent authority concerning the development application and that the submissions must specify the grounds of objection (if any).

2.8.2 Notification procedures

Persons to be notified

The following are minimum requirements for notification:

- for buildings of single ownership, notification will be to the building owner/s;
- where the parcel of adjoining or opposite land is under more than one ownership, notification will be sent to one owner; and
- for strata title buildings, notification will be to the:
  - owners corporation. Subject to compliance of the owners corporation, a notice will be placed in the foyer of the strata building, and
  - owners of the strata units and occupiers within the building that adjoins the proposed development (at the discretion of Council).

Areas to be notified

The areas to be notified are outlined in Figure 2. This area shows minimum requirements and may be increased at the discretion of Council, depending on the nature and likely impact of the proposal.

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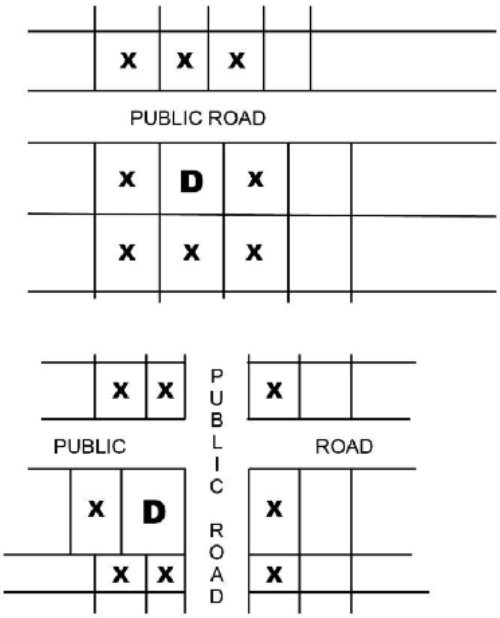

Figure 2: Areas to be notified

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Method of notification

Written notice (e.g. letters of notification) must contain as a minimum the following information:

- identification/description of the relevant parcel of land (lot description and address);
- a description of the proposed development;
- name of applicant;
- the registered number of the application;
- an A4 size plan including a site plan and the elevations of the building (if relevant);
- the place and times the application can be inspected and submissions made;
- the closing date for submissions;
- an invitation to make a written submission;
- Council address, telephone and email contact including the name of the assessing officer;
- date of the notification letter;
- length of notification period; and/or
- a statement outlining the privacy rights and that submissions will be disclosed to any person requesting information under the *Government Information (Public Access) Act 2009 (GIPA Act)* or alternatively seeking access to Council's documents under Section 12 of the *Local Government Act 1993*.

Council has discretion whether to:

- notify fewer properties than described in the diagram;
- notify properties beyond adjoining properties;
- extend the notification period;
- place a public notice in a local newspaper;
- exhibit plans at other public venues;
- hold a public meeting/public information session/workshop;
- consult with relevant community groups; and/or
- provide additional advice in the written notice.

Notification at the development site

When notice is required on the site, the following information shall be on the notice:

- development application number;
- the name of the applicant;
- site address of proposed development;
- a brief description of the development;
- advertising period and the period in which the application can be inspected and submissions made;
- a contact person within Council and the telephone number of that person;
- an invitation to make a submission; and
- the date of the notice.

Other forms of notification and advertisement

The details of the applications on notification and/or advertisement may be placed on exhibition on Council's website and at the Council's Customer Service Centres, and relevant Council libraries.

Period of public exhibition

The notification and advertising period for development is as specified in Table 1 – Notification Requirements.

The notification and advertising period may be varied at the discretion of Council after considering the scale, intensity and location of development, likely impact of the development on adjoining or nearby residents, and the level of public interest or likely public interest in the proposal.

The exhibition period may be extended to take into account public holidays.

The notification period for re-exhibition of amended plans may be reduced where in the opinion of Council, the amendments are of a minor nature with minimal effect on local amenity.

Circumstances where notification of an application may not be necessary

- if a development application is amended;
- Council has notified/advertised the original application in accordance with this Part;
- Council is of the opinion that the amended application differs only in minor respects from the original application, and does not result in a greater environmental impact or reduced levels of amenity to adjoining or nearby residents; and
- Council may decide to dispense with further notification/advertising in relation to the amended application at the discretion of the council for the management of assessment of the application.

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2.9 Submissions for advertising and notification

2.9.1 Submission period

The submission period will be in accordance with the notification period specified in the notification or advertisement.

The notification or advertisement will refer to the development application and accompanying material as being on exhibition for a stated period of days with the closing date for submissions being at the end of the stated period.

The period may be increased if the consent authority considers that a longer period shall be given.

2.9.2 Making a submission

Any person may make a submission within the submission period to either object to or support a proposed development. Submissions must be in writing and delivered to Council either by person, post or e-mail.

Submissions must be received by Council before the close of business on the last day of the exhibition period or otherwise determined by Council. Consideration of late submissions within a reasonable short period of the end of the exhibition period will be at the discretion of Council.

All submissions received in the correct manner during the submission period will be taken into consideration in the determination of the application.

Council will address submissions during the assessment prior to a determination.

As a minimum, submissions must include the following:

- clear identification of the subject property;
- the development application number;
- clear indication of the name, address and telephone number, email, facsimile of the author and the contact details of the respondent during business hours (to enable Council to notify the author in advance if the matter is to be considered at a Council meeting);
- reasons for the objection (this shall be brief and to the point and refer to the specific application);
- other relevant documents (e.g. surveys, plans or photographs); and
- suggestions for how the proposal might be amended to address their objections.

2.9.3 Form letters and petitions

When Council receives a petition in respect of a development application, modified application or Section 8.2 Reviews applications, the head petitioner, or where not nominated, the first petitioner will be acknowledged for the purpose of future contact.

Where a petitioner or contact is not nominated, one will be selected by Council. Only the head petitioner will be advised of Council meetings or receive confirmation of the determination of an application.

Form letters and petitions shall be counted as one submission.

2.9.4 Disclosure of submissions

All submissions are subject to a request for access by interested persons under section *12 of the Local Government Act 1993* or under the *Government Information (Public Access) Act 2009*.

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If such a request is received, the submission(s) – including names and addresses of submitters – will be made available for inspection.

A request for personal information to be suppressed by Council can be made under *section 58 of the Privacy and Personal Information Protection Act 1998*. Council will consider these requests in accordance with this Act. The final determination of such requests will be made by the General Manager.

The information contained within submissions is intended for the use by Council staff only. The information will be retained by Cumberland City Council and stored within its central records system.

2.9.5 Copyright

Copies of plans will not be copied or made available other than through public viewing.

2.9.6 Acknowledgment of submissions

All submissions will be acknowledged as soon as practicable, after receipt by Council. If the application is to be considered at a Council meeting, Council may notify the person who made the submission.

If the matter is to be determined at a Council meeting, contact will be made with the person who made the submission, provided the daytime contact details (e.g. telephone number, facsimile and or email) have been provided in the submission.

Best endeavours will be made to ensure that all persons who have provided their daytime contact details will be contacted prior to determination of the application to be considered by Council.

However, it is noted that the onus is on the person who made the submission to seek information about the meeting dates, times and or agenda from the officer responsible for the application or from the Council website.

In the event of a rescission motion being lodged, those persons having made a submission and the applicant will be notified of this either by telephone, mobile, mail, or email.

2.9.7 Anonymous submissions

Anonymous submissions will not be considered by Council.

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CUMBERLAND CITY COUNCIL

PART A2 SUBDIVISION

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1. Introduction

1.1 Land to which this part applies

This Part applies to all land in Cumberland City where development for the purpose of subdivision is permitted.

1.2 Purpose of this part

This Part is intended to guide the assessment of subdivisions.

2. Objectives and Controls

2.1 Design and landscaping for subdivision

Objectives

O1. Reflect the predominant subdivision pattern of the locality.

O2. Provide allotments of appropriate area and configuration to facilitate development that meets the requirements of different zones.

O3. Maintain and enhance existing streetscape and landscape character.

Controls

C1. In determining the suitability or otherwise of any subdivision application, consideration of the following matters will be taken into account:

- slope and orientation of land;
- opportunities for solar and daylight access to future development;
- design of roads, access ways and individual site access;
- retention of special qualities or features of a site, such as trees and views;
- availability of utilities;
- evacuation controls;
- provision of adequate site drainage; and
- provision of public open space.

C2. Avoid rear fences directly fronting public roads. Where this is unavoidable, the following measures may be required (see Figure 3):

- greater setbacks for landscaping against fences, consistent with acoustic and road design standards (Figure 3 (left)); and
- building frontages to face road by provision of parallel access road separated by landscaped buffer (Figure 3 (right)).

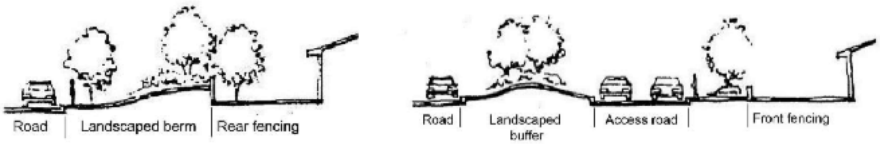

Figure 3: Landscaping

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Easement of support

C3. The provision of an easement of support will be required to cover all embankments that extend into the lots if the batters are steeper than 5 to 1.

Retaining walls

C4. Provide space for a retaining wall within the newly created allotment boundaries where required as a result of topography, new road construction and/or impact on existing allotments.

2.2 Services

Objectives

O1. Ensure the provision of public utilities to each allotment, within road reserves, in an efficient and cost-effective manner.

O2. Maximise the opportunities for shared (common) trenching and to reduce restrictions on landscaping within road reserves.

O3. Ensure residential, industrial and business areas are adequately serviced in a timely, cost effective, coordinated and efficient manner.

Controls

C1. Easements required by Council for the purpose of subdivision may include those necessary for utility services. The width of the easement is to be determined by the service authority.

C2. The design, construction and location of utility services shall conform to Council's stormwater standards and work specifications for subdivision and developments and the specific standards of the relevant servicing authority.

C3. Design road corridors and other accessways to take into account existing services to avoid any unnecessary alterations or diversions.

C4. Where possible, coordinate compatible public utility services in common trenching to minimise cost.

C5. Areas affected by construction works are to be reinstated to appropriate grades, covered with 100mm of topsoil and turf.

Electricity

C6. For subdivision requiring a new low voltage electricity supply, reticulate via an underground supply system. Service battleaxe blocks with underground electricity to the rear of the accessway.

Water supply

C7. Provide an adequate reticulation water supply system from water supply mains for domestic supply and firefighting purposes.

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Sewerage

C8. Arrange sewerage reticulation to allow the whole of each new allotment to be serviced by gravity drainage.

2.3 General residential

Objectives

O1. Enable flexibility in the choice of housing design and siting of a dwelling house as well as suitable space available for other activities normally associated with the use of a dwelling house.

O2. Provide an appropriate level of amenity for new and existing residential areas.

O3. Ensure appropriate levels of service for utilities and the road network are achieved and to optimise existing infrastructure.

O4. Adequately consider environmental constraints and impacts including flooding, drainage, vegetation, erosion on a proposed subdivision.

O5. Ensure the proposed development lot is of sufficient size to accommodate the form of dwelling house proposed.

Controls

Lot and road orientation

C1. Allotment orientation should ensure that living and private open space areas of any dwelling can be orientated to the north and that dwellings can be positioned so that the possible overshadowing impact on existing or future adjoining buildings can be minimised.

C2. Allotments shall be design and configured to:

- minimise boundary retaining walls;
- minimise potential overlooking; and
- maintain solar access, where slopes face south.

Allotment size and dimensions

C3. In addition to the minimum area specified in the Cumberland LEP, the frontage and depth of a proposed allotment shall be consistent with the prevailing subdivision pattern of the immediate locality where it is proposed to erect a dwelling house on the allotment.

C4. The access corridor of a battleaxe shaped allotment is not included in the calculation of the minimum area required for that allotment.

C5. Corner allotments shall have a minimum width of 14m.

C6. Multiple subdivisions of battleaxe lots is not permitted.

C7. Proposed allotments, which contain existing buildings and development, shall comply with the site coverage and other controls contained within Part B Residential.

Battleaxe lots

C8. Multiple subdivisions of into battleaxe lots are not permitted.

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C9. Any proposed vehicular access corridors shall have a maximum length of 60m, a minimum width of 4m and a minimum width of shared corridor of 6m.

C10. A maximum of 2 adjoining battle-axe lots is permitted. Access to more than 2 lots shall be via a dedicated road.

C11. Dwelling house development on battle-axe lot must comply with the site coverage, landscape area and private open space requirements set out in Part B1 of this DCP. The calculation of compliance with these controls will not include the area of any access corridor, right of carriageway or the like.

Access to battleaxe lots

C12. A maximum of two residential allotments may be served by a shared access corridor.

C13. Where two corridors are shared, reciprocal rights of way and easements for drainage and services shall be granted over the access corridors for the benefit of both allotments.

C14. An access corridor to a single allotment shall be constructed with full width concrete paving, minimum 3m wide.

C15. Shared access corridors (serving two allotments) shall be constructed with a full width centrally located driveway in accordance with AS2890 and relevant engineering specifications.

Access corridors

C16. Any proposed vehicular access corridors shall have a maximum length of 60m, a minimum width of 4m and a minimum width of shared corridor of 6m.

C17. The number of battleaxe shaped blocks in a subdivision should be kept to a minimum. No more than three battleaxe allotments shall adjoin each other, and access to more than three lots should be by a dedicated road.

C18. No more than two allotments should be served by a shared access corridor.

C19. Where two corridors are shared, reciprocal rights of way and easements for drainage and services shall be granted over the access corridors for the benefit of both allotments.

2.4 Residential flat building, multi-dwelling development and mixed use development

Objectives

O1. Ensure that subdivision and new development is sympathetic to the landscape setting and established character of the locality.

O2. Provide allotments of sufficient size and dimensions to facilitate development of the land at a density permissible within the zoning of the land having regard to site opportunities and constraints.

O3. Facilitate lot amalgamations to ensure better forms of housing development and design.

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Controls

Lot amalgamation

C1. Development sites involving more than one lot shall be consolidated.

C2. Plans of Consolidation shall be submitted to, and registered with, the office of the NSW Land and Property Management Authority. Proof of registration shall be produced prior to release of the Occupation Certificate.

C3. Adjoining parcels of land not included in the development site shall be capable of being economically developed and not result in site isolation.

Subdivision

C4. The community title or strata title subdivision of a residential flat building shall be in accordance with the approved development application plans, particularly in regard to the allocation of private open space, communal open space and car parking spaces.

C5. Proposed allotments, which contain existing buildings and development, shall comply with site coverage and other controls contained within this Part.

C6. Council will allow the strata subdivision of residential flat buildings subject to compliance with all other related controls contained in this DCP.

Creation of new streets

C7. A minimum width of 6m shall be provided for all carriageways on access roads. If parallel on-street parking is to be provided, an additional width of 2.5m is required per vehicle per side.

2.5 Centres

Objectives

O1. Ensure development sites are of a reasonable size to efficiently accommodate architecturally proportioned buildings and adequate car parking, loading facilities, etc.

O2. Provide lots which are of sufficient size to satisfy user requirements and to facilitate development of the land while having regard to site opportunities and constraints.

O3. Provide lots of a size and dimension that facilitate the orderly development of the commercial centres.

O4. Provide essential public utility services to the satisfaction of relevant authorities.

Control

Size and dimensions

C1. Proposed lots shall be of sufficient area and dimension to allow a high standard of architectural design, the appropriate siting of buildings and the provision of required car parking, loading facilities, access and landscaping.

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2.6 Roads

Objectives

O1. All new proposed streets are designed to convey the primary residential functions of the street including:

- responding to topography;
- integration with the existing street pattern in a fully connected system;
- safe and efficient movement of vehicles and pedestrians;
- provision for on street parking;
- provision of landscaping;
- location, construction and maintenance of public utilities; and
- movement of service and delivery vehicles.

Control

C1. Where a new street is to be created, the street shall be designed to Council's standards having regard to the circumstances of each proposal. Consideration shall be given to maintaining consistency and compatibility with the design of existing roads in the locality.

Road design speeds

C2. A combination of measures may be required to limit design speeds by:

- limiting street length; and/or
- introducing bends.

C3. Introducing slow points, bends and other traffic management measures such as constriction of carriageway width and speed humps. These may not be appropriate in all situations.

C4. Road design and speed profiles shall conform to Roads and Maritime Services (RMS) guidelines.

Road reserve

C5. Carriageway, verge and road reserve widths shall be provided as shown in Table 3 and Figure 4 below. Where not already provided, Council will require 4m x 4m splay corners to be dedicated in road reserves at intersections.

C6. While discouraged, where rear fences face major roads, greater verge widths may be required for landscape measures to screen fences, without compromising visibility at intersections.

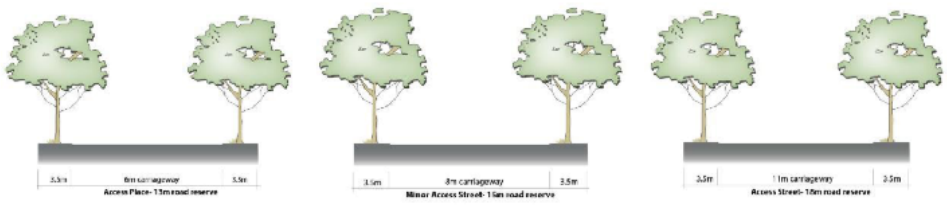

Figure 4: Carriageway widths

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Table 3: Carriageway, verge and road reserve widths

Road type	Minimum carriageway (m)	Minimum verge (m)	Minimum road reserve (m)	Maximum number of lots served
Access place minor cul-de-sac	8.5	2.2	13	15, including corner lots
Minor access street minor loop roads, and cul-de-sacs	10.5	2.2	15	30, including corner lots
Other road types	13	3.5	20	

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On street parking

C7. On street parking shall be provided as part of the carriageway.

Pedestrian/cyclist facilities

C8. An access place or street shall be provided with a 1.2m wide concrete footpath on all frontages. Council will consider the alternative of interlocking road pavements for short length access places serving up to 10 dwelling allotments.

C9. Where a cycleway and access approved plan exists, pedestrian and cyclist paths shall be provided in accordance with that plan.

Road formation

C10. New roads must be constructed with kerb and gutter, 1.2m wide concrete footpath and be sealed from gutter to gutter.

C11. Cul-de-sacs will be accepted only where surrounding land has been fully developed or where the DCP provides for cul-de-sacs roads. Cul-de-sac roads are to have a 12m radius with 12m reverse curves on boundary alignment.

2.7 Industrial subdivision

Objectives

O1. Maintain and protect the environmental amenity of adjacent land uses.

O2. Provide lots of sufficient size to satisfy user requirements and to facilitate development of the land having regard to site opportunities and constraints.

O3. Provide lots of a sufficient area and dimension to allow for the siting of buildings including provision of adequate car parking, landscaping, access and other potential site activity and where possible reduce driveways to main roads.

O4. Provide essential public utility services to the satisfaction of relevant authorities.

Controls

C1. New lots shall remove or reduce vehicular driveways and access points to main or arterial roads where alternatives are available.

C2. Adequate allowance shall be provided for the manoeuvring and turning of heavy vehicles on site.

C3. For industrial allotments with an area of 1,200m^2 or greater:

- the minimum width of the allotment at the building line shall be 24m; and
- the minimum depth of the allotment shall be 45m.

C4. For industrial allotments with an area of less than 1,200m^2:

- the minimum width of the allotment at the building line shall be 20m; and
- the minimum depth of the allotment shall be 40m.

C5. For corner allotments, a 6m x 6m corner splay is to be provided. In special circumstances, a deeper cut-off may be required.

Utility services

C6. The applicant shall demonstrate that each proposed lot can be connected to appropriate utility services including water, sewerage, power and telecommunications (and where available gas). This may include advice from the relevant service authority or a suitably qualified consultant.

C7. Any application for strata subdivision shall demonstrate that each lot is serviced for parking and loading and shall generally comply with the requirements of Part G3 of this DCP.

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CUMBERLAND CITY COUNCIL

PART A3
SITE AMALGAMATION AND ISOLATED SITES

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1. Introduction

This Part applies to all land within Cumberland City, except for certain land identified as Merrylands, Toongabbie, Pendle Hill, Wentworthville and Guildford local centres, and the Transitway Precincts contained within the Part F of this DCP.

2. Principles

The key principle is to ensure the subject site and adjoining site(s) can achieve development that is consistent with the planning controls. Isolation of small sites should be avoided as it may result in poor built form outcomes.

If variations to the planning controls are required, such as non-compliance with a minimum allotment size, both sites will be required to demonstrate how development of appropriate urban form with an acceptable level of amenity for all stakeholders will be achieved.

3. Process

Site amalgamation shall be considered and/or required if:

- the adjoining site will become isolated by the proposed development;
- the subject site cannot satisfy the minimum lot width and size requirements;
- there is a likely environmental impact of a proposed development upon the amenity and enjoyment of land locked and/or isolated sites including shadow, privacy, noise, odour and visual impacts;
- if there is a better streetscape amenity outcome to be achieved that would also reduce the number of access points along a street frontage; and
- the subject site and adjoining site(s) cannot achieve a satisfactory form of development that is consistent with the planning controls.

If any of the above applies, then negotiations for amalgamation between the owners of the properties should commence at an early stage and prior to the lodgement of the development application.

<u>If site amalgamation is not feasible</u>

Development proposals that create isolated sites or "landlocking" shall provide documentation with the development application that include details of the negotiations between the owners of the properties. The documentation should demonstrate that a reasonable attempt has been made by the applicant(s) to purchase the isolated site(s). Documentation shall, at least, include:

- two independent valuations that represents potential value of the affected site(s). This may include other reasonable expenses likely to be incurred by the owner of the isolated property in the sale of the property; and
- evidence that a genuine and reasonable offer(s) has been made by the applicant to the owner(s) of the affected adjoining site(s).

  Note: A reasonable offer shall be of current fair market value and shall be the higher of the two independent valuations and include for all expenses that would be incurred by the owner in the sale of the affected site.

The level of negotiation and any offers made for the isolated site are matters that can be given weight in the consideration of the development application. The amount of weight will depend on the level of

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negotiation, whether any offers are deemed reasonable or unreasonable, any relevant planning requirements and the provisions of Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

Where a proposed development is likely to result in an isolated site and site amalgamation cannot be achieved, the subject application may need to be amended, such as by a further setback than the minimum in the planning controls, or the development potential of both sites reduced to enable reasonable development of the isolated site to occur while maintaining the amenity of both developments.

Applicants for the development site are to demonstrate how future development on the isolated site can be achieved. To assist in this assessment, an envelope for the isolated site should be prepared which indicates the following:

- height;
- setbacks;
- pedestrian and carparking access;
- site coverage (both building and basement);
- constructability;
- envelope separation; and
- open space and landscaping.

This should be schematic but of sufficient detail to understand the relationship between the subject application and the isolated site and the likely impacts the developments will have on each other. This includes solar access and privacy impacts for residential development and the traffic impacts of separate driveways if the development is on a main road.

Where it has been demonstrated that the isolated site can be appropriately developed at a later stage, Council may consider alternative design solutions for the subject site.

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DOCUMENTS ASSOCIATED WITH REPORT C08/20-524

Attachment 5

Recommended Cumberland DCP Part B Development in Residential Zones

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PART B
DEVELOPMENT IN RESIDENTIAL ZONES

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PART B1

DWELLING HOUSES AND SECONDARY DWELLINGS

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1. Introduction

1.1 Land to which this Part applies

This Part applies to development types detailed within this Part within land zoned Residential under *Cumberland Local Environmental Plan 20XX*.

1.2 Purpose of this Part

This Part is intended to guide the assessment of the development of a dwelling house, secondary dwelling and associated outbuildings.

2. Objectives and Controls

2.1 Setbacks

Objectives

O1. Ensure that the bulk and scale of new dwelling housing and alterations and additions to existing dwelling houses maintains the established bulk, scale and existing streetscape character.

O2. Provide sufficient separation between dwelling housing/buildings to allow for privacy, sunlight access and a sense of openness between buildings/dwelling housing.

O3. Provide spatial separation between dwelling houses to minimise overshadowing of the proposed development and manage potential privacy issues on surrounding residences and their private open space.

Control

C1. Setbacks shall be provided in accordance with Table 1 and measured in accordance with Figure 1 and Figure 2.

Table 1: Dwelling house setbacks

Setbacks	
Front Setback (primary frontage)	Minimum 6m Dwelling house shall align with the street Balconies, porticos, entrances may protrude by a maximum of 0.9m
Side Setback	Minimum 0.9m
Side Setback (zero lot line)	Maximum length of walls along the first floor side boundaries shall be 10m without any indentations or offsets or other articulation features. Indentations or offsets shall be a minimum width of 1m
Rear Setback	Minimum 8m
Corner Dwelling House Setback	Minimum 2m (setbacks of less than 2m may be considered, subject to justification and merit assessment) A corner dwelling house shall address both streets through appropriate design Where a new building is located on a corner, the main frontage shall be determined on the basis of existing subdivision and streetscape patterns

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Secondary Frontage (setback where dwelling faces secondary street)	Minimum 4m, with garage to be setback a minimum 5.5m from property boundary

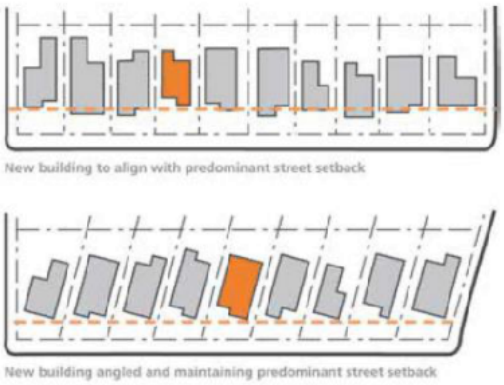

Figure 1: Front setback alignment

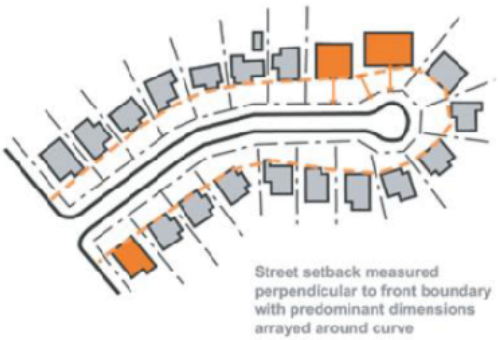

Figure 2: Front setback alignment (curved street/cul-de-sac)

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2.2 Height

Objectives

O1. Establish the maximum storey limit for single dwelling houses, their alterations and additions and associated outbuildings.

O2. Floor to ceiling heights provide well-proportioned rooms and spaces to allow for light and ventilation into the built form and ensures good internal amenity.

O3. Ensure sunlight access, privacy and amenity for new developments and neighbouring properties is maintained.

Controls

C1. A dwelling house and alterations and additions to a dwelling house shall be no more than 2 storeys in height.

C2. The minimum floor to ceiling height is 2.7m.

2.3 Attics

Objectives

O1. Allow attics where they do not impact on the bulk and scale of a dwelling house.

O2. Maintain sunlight access, privacy and amenity for the dwelling house and neighbouring properties.

Controls

General

C1. Attics may be incorporated in a dwelling house where they comply with height and floorspace ratio requirements.

C2. The design of a dwelling house with attics is to minimise roof bulk.

C3. Roofs containing attics are not to exceed a 32 degree pitch.

C4. The external walls of the building should not extend above the attic floor level.

C5. Attics are to be no greater than 25m² in floor area.

C6. Attics are to be designed to fit within the building envelope (with the exception of dormer windows) and are not to increase the bulk and height of the roof.

C7. Attic spaces shall have 1.5m minimum wall height at the edge of the room with a 30 degree minimum ceiling slope.

Two storey dwellings

C8. Attics within roof spaces of a 2 storey dwelling house may be used for storage purposes only and may not include any windows.

One storey dwellings

C9. Habitable attics are only permitted in one storey dwellings.

C10. Habitable spaces within attics are to be designed with the ability to cross ventilate.

C11. Dormer windows may be included in attics, provided they are no higher than the height of the main roof of the dwelling house, no greater than 1.5m in width and are not to incorporate or access a balcony.

C12. Any proposed attic windows are not to overlook windows of adjacent dwellings or their private open spaces. An outlook to the street should be provided from attic windows where appropriate.

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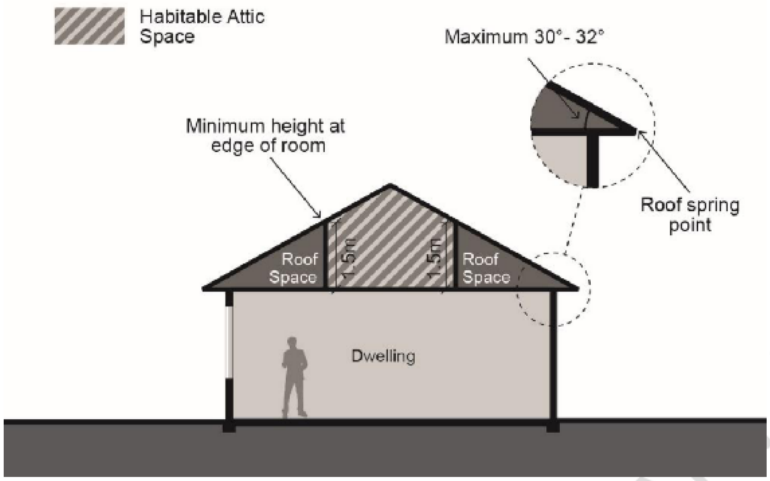

Figure 3: Attic diagram

2.4 Streetscape

Objectives

O1. Ensure that the appearance of development is of high visual quality that enhances and addresses the street.

O2. Ensure that dwelling house design, detailing and finishes provide an appropriate scale to the street and add visual interest.

O3. Ensure that a dwelling house located on corner lots are designed to address both street frontages including windows and doors.

Controls

C1. An articulation zone shall be permitted in the front setback to the primary street frontage. The articulation zone is to be a maximum of 0.9m in depth.

C2. Building elements permitted in the articulation zone include: verandahs, porticos/entry features, bay windows, awnings, shade structure, window box treatment, balcony, patio, pergola, terrace, verandah or steps.

C3. The dwelling house entry shall be visible from the street and provide a sense of address.

C4. Windows and doors in facades facing the street shall be provided in a balanced manner and respond to the orientation and internal uses.

C5. Large areas of blank, minimally or poorly articulated walls are not acceptable. Measures to avoid this may include windows, awnings, sun shading devices, pergolas, or a recognisable increased setback to the upper storey.

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2.5 Building materials

Objective

O1. Building design, detailing and finishes provide an appropriate scale to the street and add visual interest.

Controls

C1. New dwelling houses and alterations and additions to existing dwelling houses shall use durable, quality materials that provide consistency and compatibility with the streetscape and character of its locality.

C2. Building materials and/or colours shall be used to reduce the appearance of bulk.

C3. Building materials for dwelling houses and alterations and additions to existing dwelling houses must be compatible with the streetscape and character of its locality.

C4. Building materials and colours used for additions should integrate/blend with the original structure.

2.6 Site coverage

Objectives

O1. The site coverage must provide adequate areas for landscaping, including deep soil, infiltration of stormwater and private open space.

O2. Ensure that new dwelling housing and alterations and additions to existing dwelling housing are consistent with the character and the future amenity of its locality.

O3. Provide spatial separation between dwelling houses to minimise overshadowing of the proposed development and manage potential privacy issues on surrounding residences and their private open space.

Controls

C1. Site coverage shall be provided in accordance with Table 2 and Figure 4.

C2. The non-built upon area shall provide landscaping and deep soil opportunities as well as provide for private open space.

Table 2: Site coverage requirements

Lot Size	Maximum Site Coverage
450m^2 or less	70%
451m^2 or greater	65%

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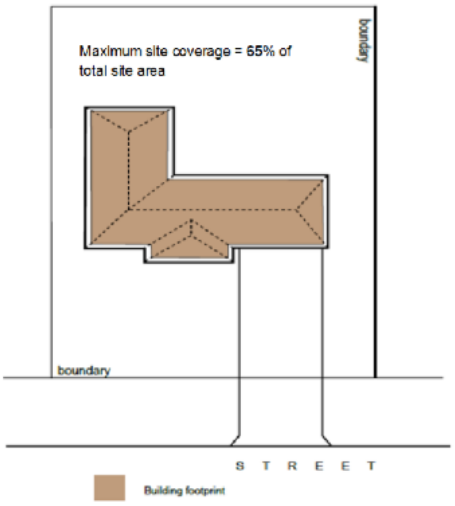

Figure 4: Site area diagram

2.7 Landscaping

Objectives

O1. Maintain and enhance the existing streetscape and landscaped character of the residential neighbourhoods.

O2. Provide adequate opportunities for water infiltration and tall trees to grow and to spread, so as to create a canopy effect.

O3. Ensure that the landscaped area provided for a dwelling house has good solar access, optimises usability, privacy, accessibility, neighbours' amenity and provides a central uninhibited area for passive and active recreation.

Controls

C1. The total landscaped area for a dwelling house shall be as follows:

Table 3: Site coverage

Lot Size	Minimum Landscaped Area
450m² or less	15%
451m² or greater	20%

C2. Landscaped area includes areas edged orange in Figure 5.

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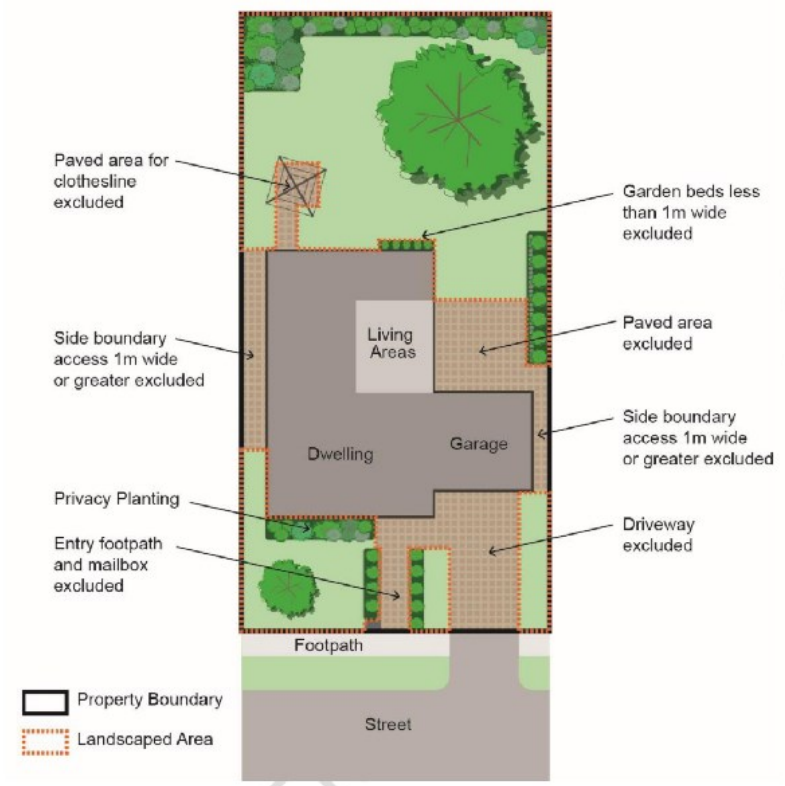

Figure 5: Landscaped areas inclusion/exclusions

C3. The landscaped area shall be a deep soil zone.

C4. The majority of the deep soil zone shall be provided as a consolidated area at the rear of a dwelling house to provide for continuous area of deep soil and vegetation and shall extend across at least 50% of the rear boundary.

C5. Deep soil zones shall have a minimum width of 1m.

C6. Landscaped area above structures (or planting on slab) shall not be considered deep soil zone.

2.8 Private open space

Objectives

O1. Part of the private open space area serves as an extension of the dwelling house for relaxation, dining, entertainment, recreation and children's play.

O2. Private open space:

- takes advantage of available outlooks or views and natural features of the site;
- reduces adverse impacts of adjacent buildings on privacy and overshadowing; and
- enhances surveillance, privacy and security when private open space adjoins public space.

Controls

C1. Private open space shall be located at ground level at the rear and/or side of the dwelling house and shall have:

- a minimum area of 50m² per dwelling house on lots greater than 451m²;
- a minimum area of 30m² per dwelling house on lots 450m² or smaller;
- a minimum dimension of 4m in any direction (a minimum dimension of 3m in any direction shall be considered on lots 450m² or smaller); and
- direct access from a living area of the dwelling house.

C2. Private open space shall be bounded by buildings, fencing or other screening devices and also incorporate dense landscaping that restricts views to a height of 1.8m.

C3. Additional private open space may be located above ground in the form of a balcony subject to site conditions and privacy considerations.

C4. Private open space and balconies shall predominantly face north, east or west, to enhance residential amenity.

2.9 Dwelling house mix

Objectives

O1. Internal dwelling house sizes are suitable for a range of household types.

O2. All rooms are adequate in dimension and accommodate their intended use.

Controls

General

C1. The size of the dwelling house shall determine the maximum number of bedrooms permitted as set out in Table 4.

Table 4: Dwelling house layout

Maximum Number of Bedrooms	Minimum Dwelling House Size*
1 bedroom	65m²
2 bedrooms	85m²
3 bedrooms	115m²
4 bedrooms	130m²

**Note: does not apply to secondary dwellings*

C2. At least one living area shall be spacious and connect to private outdoor areas.

Bedroom size

C3. A new dwelling house shall contain a minimum of 1 master/double bedroom. The minimum size for master/double bedroom shall be 12m² excluding built-in wardrobes.

C4. The minimum size for a single bedroom shall be 10m² excluding built-in wardrobes.

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2.10 Visual and acoustic privacy

Objectives

O1. Ensure the siting and design of buildings/dwelling house provides visual and acoustic privacy for residents and neighbours in their dwellings and private open spaces.

O2. Protect private open spaces and living areas of adjacent dwellings from overlooking through landscaping measures.

Controls

Visual Privacy

C1. Site layout and building design shall ensure that windows do not provide direct and close views into windows, balconies or private open spaces of adjoining dwellings.

C2. Windows to living rooms and main bedrooms shall be located to face the front and rear of the site.

C3. Bay windows and corner elements with windows at an angle to the main walls shall only be located on the front facade or on the ground floor at the rear of the dwelling house. These windows and corner elements shall not provide direct views onto adjoining private open space.

C4. The windows of a dwelling house are to be located so they do not provide direct and close views into the windows of habitable rooms and private open spaces of adjoining dwellings.

C5. Direct views onto adjoining private open space shall be obscured by:

- existing dense vegetation or new planting;
- in case of windows overlooking neighbouring private open space areas fixed obscure glazed or highlight window type; and/or
- in case of balconies/verandahs or similar elevated outdoor areas, screening is to be provided that has a maximum area of 25% openings, is permanently fixed and made of durable materials.

C6. Building design elements and landscaping shall be designed to increase visual privacy including but not limited to, recessed balconies and/or vertical screens blade walls between adjacent balconies, fencing, vegetation, louvers and pergolas which limit overlooking both horizontally and vertically to habitable rooms and/or private open space (refer to Figure 6).

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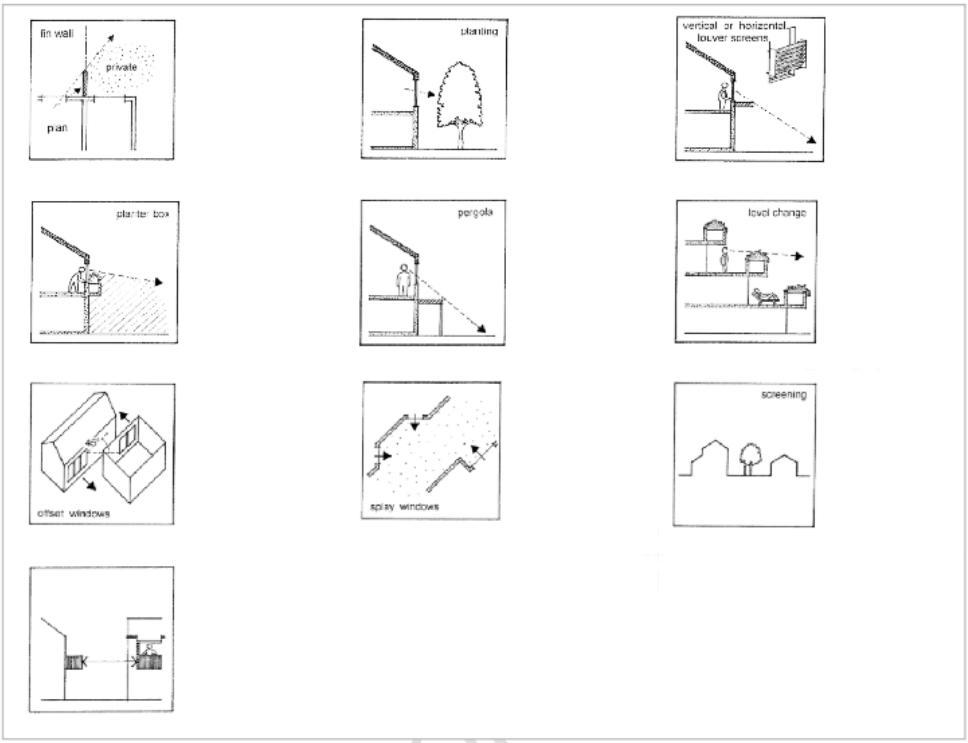

Figure 6: Privacy elements

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C7. The windows of living rooms that are within a distance of 9 metres of the windows of living rooms (other than bedrooms) of adjacent dwellings shall be offset by a distance sufficient to limit views between windows.

C8. Window of upper floor habitable rooms (excluding bedrooms) shall have a minimum sill height of 1500mm.

C9. Any proposed attic windows are not to overlook windows of adjacent dwellings or their private open spaces.

C10. Juliet balconies and bay windows are not to project more than 600mm outside the building envelope.

Acoustic privacy

C11. Where dwellings or dwelling house additions are proposed within close proximity to busy roads and rail corridors, non-habitable rooms should be located on the noise affected side of each dwelling house and should be able to be sealed off by doors from living areas and bedrooms where practicable, whilst maintaining good housing design and building appearance. Alternative design solutions incorporating noise attenuation measures may be considered in these circumstances.

C12. Air conditioners, swimming pool pumps and the like are not to exceed 5dba above background noise levels and should not be audible from habitable rooms of neighbouring dwellings.

C13. For development adjacent to a rail corridor, or major road corridor with an annual average daily traffic volume of more than 40,000 vehicles, applicants must consult *State Environmental Planning Policy (Infrastructure) 2007* and the relevant NSW guidelines. Where acoustic reports are required by the SEPP and Guidelines, the building is to be designed and detailed to comply with the recommendations of that report.

Balconies

C14. First floor rear balconies shall have a maximum depth of 3m.

C15. Balconies at the rear shall be semi recessed and/or screened so that the view lines are to the rear of that property and not to the adjacent properties. Screening shall be provided by durable fixed privacy screens, minimum 1.5m in height as measured above finished floor level and a minimum of 75% obscured.

C16. Balconies should be oriented to the rear or face the street or another element of the public domain, such as a park.

C17. Balconies shall not be located on side walls elevations or on the corner of a dwelling house. Exceptions may be granted where side elevation faces street or public open space.

C18. All balconies and decks higher than 800mm above existing ground level shall incorporate privacy measures to ensure that the privacy of surrounding residents is not unduly reduced.

2.11 Solar access

Objectives

O1. Ensure adequate residential amenity through the provision of sunlight access and good solar access to the living spaces and private open space areas of a dwelling house all year round.

O2. Ensure reasonable levels of direct sunlight to living areas and private open space of subject and adjoining developments.

O3. Minimise overshadowing of windows to internal living areas and private open space of adjoining dwellings through building design.

Controls

Solar access

C1. Development is to be designed and sited to minimise the extent of shadows that it casts on:

- private open space within the development;
- private open space of adjoining dwellings;
- public open space such as bushland reserves and parkland;
- solar collectors of adjoining development; and
- habitable rooms within the development and in adjoining developments.

C2. Subject and adjoining properties are to receive a minimum of 3 hours sunlight to one or more living areas, and to at least 50% of the private open space between 8:00am and 4:00pm on 21 June. Where existing development currently receives less sunlight than this requirement, this should not be unreasonably reduced.

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C3. In habitable rooms, head and sill heights of windows should be sufficient to allow sun penetration into rooms.

C4. Where practicable, living areas of a dwelling house such as kitchens and family rooms shall be located on the northern side of a dwelling house and service areas such as laundries and bathrooms to the south or west.

C5. Building setbacks may need to be increased to maximise solar access and to minimise overshadowing from adjoining buildings. Building heights may also need to be stepped to maximise solar access.

Solar collectors

C8. Solar collectors proposed as part of a new development shall have a minimum of 3 hours of solar access between 8am and 4pm on 21 June.

C9. Existing solar collectors on the adjoining properties shall have a minimum of 3 hours of solar access between 8am to 4pm on 21 June.

C10. Where adjoining properties do not have any solar collectors, a minimum of $3m^2$ of north facing roof space of the adjoining dwelling shall retain unimpeded solar access between 8am to 4pm on 21 June.

2.12 Cross ventilation

Objectives

O1. The design of development is to utilise natural breezes for cooling and fresh air during summer and to avoid unfavourable winter winds.

O2. All dwelling houses are designed to maximise natural ventilation.

Controls

C1. Rooms with high fixed ventilation openings such as bathrooms and laundries shall be situated on the southern side to act as buffers to insulate the dwelling house from winter winds. Garages may also useful as buffers on the southern and western sides.

C2. Dwelling houses shall be designed with bathrooms, laundries and kitchens sited in a position that allows natural ventilation of the room through an openable window.

2.13 Ancillary site facilities

Objectives

O1. Ensure that site facilities are integrated into the development and do not diminish or adversely affect residential amenity or dwelling house appearance.

O2. Ensure site facilities are adequate, accessible to all residents and easy to maintain.

O3. Cater for the efficient use of public utilities including water supply, sewerage, power, telecommunications and gas services and for the delivery of postal and other services.

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Controls

C1. If provided, a maximum of one TV antenna for each dwelling house shall be provided.

C2. Satellite dishes, telecommunication antenna and other ancillary facilities shall be located away from the primary street frontage and incorporated into the overall dwelling house design, where possible.

C3. Open air clothes drying facilities should be provided in a sunny, well ventilated and convenient location, which is adequately screened from the street and other public places.

C4. Mailbox structures shall:

- meet the relevant Australia Post service requirements; and
- be provided located centrally and close to the major street entry to the dwelling house.

C5. Where an air conditioning unit is to be installed, the motor unit shall be located at the rear or side of the dwelling house and shall be appropriately noise attenuated and appropriately screened.

2.14 Fencing

Objectives

O1. Establish a cohesive streetscape character with fencing that makes a positive contribution to the visual character of the street and neighbourhood.

O2. Protect the privacy, security and amenity of residents.

O3. Enable passive surveillance of the dwelling house and adjoining public realm.

O4. Provide fencing of an appropriate form and scale.

Controls

General

C1. New fences and walls are to be constructed of materials compatible with the associated dwelling house and adjoining fences.

C2. Fences are to respond to the architectural character of the street and/or area and the buildings that they front.

C3. Fences shall be stepped with the topography of the site.

C4. Fencing shall be constructed of durable materials and must not contain barbed wire, chain wire, razor wire, broken glass or be electrified.

Fencing along primary frontage

C5. Front fences should not exceed 1.5m in height. Any solid upstand section should be limited to 900mm in height. The top half of the fence should be an open design with a minimum open area of 50% (provided that there is articulation) for visibility to and from the site.

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C6. Where noise attenuation is required under the State Environmental Planning Policy (Infrastructure), front fences may be permitted to a maximum height of 1.8m and must be setback a minimum of 1m from the boundary to allow landscape screening to be provided. Landscape species chosen should be designed to screen the fence without impeding pedestrian movements along the roadway. Front fences and landscape screening must not compromise vehicular movement sightlines.

C7. Gates shall be of materials that are consistent with the front fence and shall open into the property and not onto a roadway, footpath or public space.

C8. Suitable planting should be used to soften the visual relationship between fences and the public domain.

C9. Front fences shall not be constructed of solid pre-coated metal type materials.

Side and rear fences

C10. Side dividing fences where located within the front yard area shall not exceed a height of 1.2m as measured above existing ground level and shall be a minimum of 50% transparent.

C11. Side fences shall not exceed a height of 1.2m within the front setback area of an allotment.

C12. Fences located on side or rear boundaries of the premises, behind the main building line, shall be a minimum of 1.8m high, and not exceed a maximum height of 2.1m from ground level.

C13. The construction of side and rear fences is required where a suitable fence does not exist, or the current fence is in poor condition.

Fencing on corner lots and secondary streets

C14. On secondary street frontages, fences shall be a minimum of 1.8m high and not exceed a maximum height of 2.1m from the front boundary to the rear of the dwelling house and shall be a minimum of 50% permeable.

C15. For corner sites, the maximum construction height for walls, fences and landscaping must be 900mm at the street corner of the allotment in an area measuring 1.5m x 1.5m from the corner. This will assist sight lines for pedestrian and vehicular movements. Council may permit fencing up to 1.2m where a corner lot 'splay' exists and it can be demonstrated that fencing will not impede sight lines.

2.15 Rainwater tanks

Objectives

O1. Facilitate the installation of rainwater tanks to facilitate capture of rainwater runoff to reduce the consumption of potable water.

O2. Minimise the visual impacts of rainwater tanks on the streetscape and neighbouring properties.

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Controls

C1. Above ground rainwater tanks shall not be located within the front setback of a dwelling house.

C2. Rainwater tanks that are visible from the street shall be suitably screened, unless Council is satisfied that the tank will not have an adverse impact on the streetscape.

2.16 Safety and security

Objectives

O1. Design dwelling houses and their landscaping in order to maintain the safety and security of a property.

O2. Implement key principles of Crime Prevention through Environmental Design (CPTED) for residential development through natural surveillance, access control and ownership.

O3. Provide personal and property security for residents and visitors and enhance perceptions of community safety.

O4. Maximise potential for passive surveillance of the public domain from residential dwelling houses.

O5. Provide clear delineation between public and private domain through dwelling house and landscape design.

Controls

Surveillance

C1. Dwelling houses adjacent to streets or public spaces shall be designed to allow casual surveillance over the public area. There shall be at least one living room window facing that area.

C2. Dwelling houses shall be oriented toward the street with entrances clearly visible both day and night (battleaxe lots excepted).

C3. Dwelling houses on battleaxe lots shall be designed with clear and uninterrupted sight lines to entrances.

C4. Blank walls along street frontages are prohibited.

C5. Secondary entries to dwelling houses may be provided off rear lanes where:

- the lane is well lit;
- there is some natural surveillance of the lane from adjoining dwellings; and
- the lane provides access to other dwellings.

C6. The use of roller shutters on window and door openings that have frontage to the street or are adjacent to public open space is discouraged.

C7. Security grilles, where used, should complement the architectural features and materials of the dwelling house.

C8. Landscaping that may provide concealment opportunities for potential intruders shall be avoided.

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Ownership

C9. Each property shall be clearly identified by street number, which is visible from a car on the street.

C10. Property lines and private areas should be defined through building materials, fencing and landscaping.

2.17 Cut and fill

Objectives

O1. Encourage dwelling houses/buildings to follow the natural topography of the land to minimise disruption on natural drainage patterns.

O2. Reduce the bulk and scale of dwelling houses.

O3. Ensure that excavation and filling of a site does not result in unreasonable amenity impacts to adjoining dwellings.

Controls

C1. Development shall be designed and constructed to integrate with the natural topography of the site.

C2. Cut and fill shall not create a detrimental impact on the overland flow of the site.

C3. Fill, up to 300mm, is permitted within 900mm of side or rear boundaries.

C4. Fill, 600mm or greater, is to be contained within the building envelope.

C5. Where fill is more than 150mm deep, it shall not occupy more than 50% of the landscaped area.

C6. Cut is permitted to a maximum of 1m (excluding basements).

C7. Cut is to be limited to 450mm where it is within 900mm of the rear or side boundaries.

C8. Where cut and fill is proposed, applicants are to ensure that the privacy and amenity of the development and surrounding dwellings is not affected.

C9. Excavation or fill is not to result in the loss of significant mature trees within the side, front or rear boundary setbacks.

2.18 Car parking and site access

Control

C1. Car parking and site access will comply with the provisions set out in Part G3 of this DCP.

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2.19 Garages and carports

Control

C1. Garage and carports will comply with the provisions set out in Part G3 of this DCP.

2.20 Outbuildings

Objectives

O1. Ensure outbuildings complement and do not dominate or detract from the built form character of the area.

O2. Protect the visual and acoustic privacy and amenity of adjoining properties.

O3. Maintain sufficient landscape and private open space areas and preserve existing mature trees.

Controls

Area

C1. The total combined amount of enclosed floor space (with roof and walls) for outbuildings shall not exceed 25m^2.

C2. Outbuildings are included as part of maximum site coverage calculations.

Height

C3. The height of outbuildings shall not exceed the following:

- Sheds 2.4m;
- Gazebos 2.7m;
- Cabanas 2.7m; and
- Garages 2.7m.

C4. The maximum building height of a new outbuilding or the alterations and additions to an existing outbuilding is 4.8m above existing ground level.

Setbacks

C5. Outbuildings shall be setback behind the front building line. Outbuildings are to be setback a minimum of 900mm of the property boundary.

C6. The external wall of outbuildings cannot extend across more than 50% of the rear property boundary.

C7. Where adjoining properties contain an outbuilding on the property line, it may be appropriate for an outbuilding to be built along the shared party wall.

Landscaped area

C8. Outbuildings shall be positioned to optimise private open space.

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2.21 Secondary dwellings

Objectives

O1. Ensure a secondary dwelling is integrated with the design of the principal dwelling house, and is subservient in size, scale and nature to the principal dwelling house.

O2. Ensure secondary dwellings does not detract from the amenity of adjoining neighbours.

O3. Ensure that room sizes within secondary dwellings are functional, of sufficient size and cater for the intended use of the secondary dwelling.

Controls

Design and appearance

C1. The appearance of a secondary dwelling is not to detract from the visual amenity of the development on the site and surrounding locality.

C2. Secondary dwellings shall compliment the principal dwelling house in style of construction, design and materials.

C3. Metal or corrugated iron materials should be avoided, with the exception of roofs.

C4. Secondary dwellings that are attached to the principal dwelling are to be integrated with the design, colour and materials of the principal dwelling house.

C5. Conversions of existing outbuildings will only be considered where:

- The building meets the standards required by the Building Code of Australia (BCA); and
- The principal dwelling house complies with the provisions of this DCP including, but not limited to, landscaping, setback, and parking requirements.

C6. Secondary dwellings shall not be forward of the principal dwelling house.

Lot restriction

C7. The minimum site area for a detached secondary dwelling shall not be less than 380m^2.

Height

C8. Detached secondary dwellings shall be a maximum of 2 storeys and, where 2 storeys in height, shall not be any higher than the principal dwelling house.

C9. Attics within secondary dwellings are not permitted.

C10. The floor to ceiling height of a habitable room within a secondary dwelling shall not be less than 2.4m and not greater than 2.7m.

C11. A secondary dwelling, where located above a garage facing a laneway, is permitted to be 1 storey above the garage.

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Setbacks

C12. Setbacks for secondary dwellings shall be provided in accordance with Table 5. Secondary dwellings are not permitted within the front setback area of the principal dwelling house.

Table 5: Setbacks – for secondary dwellings

Setback	
Secondary Street (Corner sites)	Minimum 3m
Side	Minimum 0.9m, 1.5m for 2 storeys
Rear Setback	Minimum 0.9m, 3m for 2 storeys

Minimum dwelling and bedroom size

C13. The size of a secondary dwelling shall not be less than 25m^2.

C14. The size of a bedroom of a secondary dwelling shall not be less than 8m^2.

Orientation

C15. A living area of a secondary dwelling shall be north-facing where possible, and be provided a window in its northern façade.

C16. Private open space for secondary dwelling and principal dwelling houses shall be provided with a northern orientation.

C17. The living area of the secondary dwelling shall be designed to be accessible to a private open space.

Privacy

C18. Secondary dwelling design shall minimise direct and close views into windows, balconies or private open spaces of adjoining dwellings.

C19. The windows of living rooms within a secondary dwelling that are within a distance of 9m of the windows of living rooms (other than bedrooms) of adjacent dwellings shall be offset by a distance sufficient to limit views between windows. In case of windows overlooking neighbouring private open space areas, windows shall be fixed obscure glazed or highlight window type with a minimum sill height of 1.5m above finished floor level.

C20. Balconies of secondary dwellings shall be semi recessed and/or screened so that the view lines are to the rear of the associated principal dwelling house and not to the adjacent properties. Screening shall be provided by durable fixed privacy screens, minimum 1.8m in height as measured above finished floor level and a minimum of 75% obscured.

C21. First floor balconies shall be a maximum of 12m^2.

C22. Balconies shall not be located on side walls. Exceptions may be granted where side elevations face the street or public open spaces.

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Site coverage

C23. The maximum site coverage for a secondary dwelling, combined with an existing or proposed dwelling house shall remain compliant with the site coverage controls for a single dwelling house.

Deep soil zone

C24. Establishment of a secondary dwelling must not reduce the deep soil zone to less than the minimum required for the principal dwelling house.

Facilities

C25. A secondary dwelling shall contain at the minimum:

- kitchen/kitchenette;
- bathroom;
- living room; and
- bedroom.

C26. A common laundry may be provided to share for the principal and secondary dwellings.

Landscaped area

C27. Private open space within the landscaped area shall be shared between secondary dwellings and principal dwelling house without any internal fencing or other method of demarcation.

C28. Private open space for secondary dwellings and principal dwelling house shall be located at ground level at the rear of the principal dwelling house.

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CUMBERLAND CITY COUNCIL

PART B2

LOW RISE MEDIUM DENSITY DEVELOPMENT

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1. Introduction

1.1 Land to which this Part applies

This Part applies to low rise dual occupancy development under the *Cumberland Local Environment Plan 20XX*.

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1.2 Purpose of this Part

This Part is intended to guide the assessment of low rise dual occupancy developments located with the R2 and R3 zones under *Cumberland Local Environmental Plan 20XX*.

2. Relationship with Design Guide

2.1 Relationship to Low Rise Housing Diversity Design Guide for Development Applications

The *Low Rise Housing Diversity Design Guide for Development Applications* provides consistent planning and design standards for low rise medium density residential dwellings across NSW.

All low rise medium density residential development in the Cumberland City will be assessed in accordance with the Principles, Objectives and Design Criteria set out in the *Low Rise Housing Diversity Design Guide*, including:

- dual occupancies;
- manor houses and 'one above the other' dual occupancies - buildings of between 2-4 dwellings; and
- multi-dwelling housing as described in the *Low Rise Housing Diversity Guide for Development Applications* including any variations to this interpretation considered by Council to fall within this category.

Where there are inconsistencies between the controls set out in this DCP and those within the *Low Rise Housing Diversity Design Guide*, this DCP shall prevail. Council may vary controls set out in both the Guide and the DCP in appropriate circumstances where improved amenity, response to streetscape character and context or reduced impacts can be achieved.

In some cases, Council has chosen to provide additional objectives and controls for criteria such as minimum site frontage and overshadowing. These objectives and controls are to be considered in addition to the *Low Rise Housing Diversity Guide for Development Applications*.

2.2 Development Control Standards to consider for Low Rise Housing Diversity Development

Controls

C1. For side by side dual occupancy controls on:

- building envelopes;
- landscaped area;
- local character and context;
- public domain interface;
- pedestrian and vehicle circulation;

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- orientation, siting and subdivision;
- solar and daylight access;
- natural ventilation;
- ceiling height;
- dwelling size and layout;
- principle private open spaces;
- storage;
- car and bicycle parking;
- visual privacy;
- acoustic privacy;
- noise and pollution;
- architectural form and roof design;
- visual appearance and articulation;
- pools and detached development;
- energy efficiency;
- water management and conservation; and
- waste management.

refer to section 2.1 of the *Low Rise Housing Diversity Design Guide for Development Applications*.

C2. For manor house and dual occupancy (one above the other) controls on:

- building envelopes;
- landscaped area;
- local character and context;
- public domain interface;
- pedestrian and vehicle circulation;
- orientation, siting and subdivision;
- solar and daylight access;
- natural ventilation;
- ceiling height;
- dwelling size and layout;
- principle private open spaces;
- storage;
- car and bicycle parking;
- visual privacy;
- acoustic privacy;
- noise and pollution;
- architectural form and roof design;
- visual appearance and articulation;
- pools and detached development;
- energy efficiency;
- water management and conservation;
- waste management;
- universal design; and
- communal areas and open space.

refer to section 2.2 of the *Low Rise Housing Diversity Design Guide for Development Applications*.

C3. For terrace objectives and controls on:

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- building envelopes;
- landscaped area;
- local character and context;
- public domain interface;
- pedestrian and vehicle circulation;
- orientation, siting and subdivision;
- solar and daylight access;
- natural ventilation;
- ceiling height;
- dwelling size and layout;
- principle private open spaces;
- storage;
- car and bicycle parking;
- visual privacy;
- acoustic privacy;
- noise and pollution;
- architectural form and roof design;
- visual appearance and articulation;
- pools and detached development;
- energy efficiency;
- water management and conservation;
- waste management; and
- universal design.

Refer to section 2.3 of the *Low Rise Housing Diversity Design Guide for Development Applications*.

C4. For multi dwelling housing objectives and controls on:

- building envelopes;
- landscaped area;
- local character and context;
- public domain interface;
- pedestrian and vehicle circulation;
- orientation, siting and subdivision;
- solar and daylight access;
- natural ventilation;
- ceiling height;
- dwelling size and layout;
- principle private open spaces;
- storage;
- car and bicycle parking;
- visual privacy;
- acoustic privacy;
- noise and pollution;
- architectural form and roof design;
- visual appearance and articulation;
- pools and detached development;
- energy efficiency;
- water management and conservation;
- waste management;

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- universal design; and
- communal areas and open space.

Refer to section 2.4 of the *Low Rise Housing Diversity Design Guide for Development Applications*.

3. Objectives and Controls

3.1 Site frontage

Objective

O1. The site frontage of a proposed development lot is of sufficient size to accommodate the form of low rise medium density residential development proposed.

Controls

C1. The minimum site frontage of the form of low rise medium density residential development shall be provided in accordance with Table 6.

Table 6: Minimum site frontage

Development type	Minimum frontage
Dual Occupancy (attached)	15m
Dual Occupancy (detached) side by side	18m
Manor Houses	15m
Terraces	18m
Multi Dwelling Housing	20m

C2. Sites with a width frontage less than that specified in Table 6 shall be amalgamated with 2 or more sites to provide sufficient width for good building design.

C3. Development proposals shall not result in one adjacent allotment of less than 15m in width being left over.

3.2 Overshadowing

Objectives

O1. Ensure reasonable levels of direct sunlight to living areas and private open space of adjoining developments.

O2. Minimise overshadowing of windows to internal living areas and private open space of adjoining dwellings through building design.

Controls

C1. Development is to be designed and sited to minimise the extent of shadows that it casts on:

- private open space of adjoining dwellings;
- public open space such as bushland reserves and parkland;
- solar collectors of adjoining development; and

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- habitable rooms in adjoining developments.

C2. Adjoining properties are to receive a minimum of 3 hours sunlight to at least one main living area, and to at least 50% of the private open space between 8am and 4pm on 21 June. Where existing development currently receives less sunlight than this requirement, this should not be unreasonably reduced.

3.3 Site Layout

Objective

O1. Ensure that site layout for multi-unit developments provide amenity to residents.

Control

C1. Multi dwelling housing units can face an internal roadway where amenity is maintained between units in terms of building separation, visual privacy and solar access.

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CUMBERLAND CITY COUNCIL

PART B3
RESIDENTIAL FLAT BUILDINGS

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1. Introduction

1.1 Land to which this Part applies

This Part applies to residential flat building development under the *Cumberland Local Environment Plan 20XX*.

1.2 Purpose of this Part

This Part is intended to guide the assessment of residential flat buildings under *Cumberland Local Environmental Plan 20XX*.

2. Relationship with SEPP65 and Apartment Design Guide

2.1 Relationship to SEPP 65/ NSW Apartment Design Guide

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

All residential flat building development in the Cumberland City will be assessed in accordance with SEPP 65 and the ADG and must be consistent with the design quality principles outlined in SEPP 65 and the objectives, design criteria and design guidance outlines in the ADG (or equivalent).

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

In some cases, Council has chosen to provide additional objectives and controls for criteria such as setbacks, basements, site area and site frontage. These objectives and controls are to be considered in addition to the SEPP 65 and ADG requirements.

2.2 Development Control Standards to consider for Residential Flat Buildings

Controls

C1. For residential flat buildings controls on:

- site analysis;
- orientation;
- public domain interface;
- communal and public open space;
- deep soil zones;
- visual privacy;
- pedestrian access and entries;
- vehicle access;
- bicycle and car parking;
- solar and daylight access;

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- natural ventilation;
- ceiling heights;
- apartment size and layout;
- private open space and balconies;
- common circulation and spaces;
- storage;
- acoustic privacy;
- noise and pollution;
- apartment mix;
- ground floor apartments;
- façades;
- roof design;
- landscape design;
- planting on structures;
- universal design;
- adaptive reuse;
- mixed use;
- awnings and signage;
- energy efficiency;
- water management and conservation;
- waste management; and
- building maintenance.

please refer to SEPP 65 and the ADG.

3. Objectives and Controls

3.1 Building envelope

Objectives

O1. The site area and frontage of a proposed development is of sufficient size to accommodate a residential flat development building and provide adequate open space, deep soil zones and car parking.

O2. Integrate new development with the established setback character of the street or in accordance with the emerging pattern of development in areas undergoing transition.

O3. Ensure that the height, bulk and scale of development is compatible with neighbouring developments and both the established character and the desired future amenity of particular residential areas.

O4. Minimise any overshadowing and manage privacy of adjacent properties and their private or communal open spaces.

O5. Avoid landlocking of adjoining sites or isolation of small sites which may result in poor built form outcomes.

Controls

C2. Residential flat building development shall be provided in accordance with Table 7.

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Table 7: Residential flat building setbacks

Setbacks	
Front setback (minimum)	No less than 6m or correspond with the existing prevalent building setback or with emerging setbacks in areas undergoing transition
Secondary street setback (min)	2m for laneways and 4m for other roads
Side Setback (min)	3m
Rear setback (min)	Up to four storeys: 20% the length of the site, or 6m, whichever is greater Five storeys or more: 30% the length of the site
Site area	1000m^2
Street frontage	24m

C3. For residential flat building not captured by SEPP 65, the development is also to achieve the objectives and design criteria of the ADG.

3.2 Basement design

Objective

O1. Basements allow for areas of deep soil planting.

Controls

C1. Basement walls shall be located directly under building walls, wherever practicable.

C2. A dilapidation report shall be prepared for all development that is adjacent to sites which build to the boundary.

C3. Where practicable, basement walls not located on the side boundary shall have minimum setback of 1.2m from the side boundary to allow planting.

C4. Basement walls visible above ground level shall be appropriately finished (such as face brickwork and/or render) and appear as part of the building.

3.3 Car parking

Control

C1. Refer to Part G3 of this DCP for car parking provision requirements.

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PART B4
BOARDING HOUSES

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1. Introduction

1.1 Land to which this Part applies

This Part applies to development of land for the purposes of a boarding house under the *Cumberland Local Environmental Plan 20XX*.

1.2 Purpose of this Part

This Part is intended to guide the assessment of boarding house developments under *Cumberland Local Environmental Plan 20XX*.

2. Objectives and Controls

2.1 General Objectives

O1. Encourage the provision of high-quality boarding houses within the Cumberland City.

O2. Ensure the size and design of boarding house developments are suitable for the zone in which they are proposed to be located.

O3. Ensure the safety, security, health and wellbeing of boarding house residents and the local community through appropriate location, design and management of boarding houses.

O4. Ensure that boarding houses are appropriately located within the Cumberland City to ensure the safety, security, health and amenity for both boarding house residents and adjoining neighbours.

2.2 Character and amenity

Objectives

O1. Conserving the physical character where relatively intact and of good quality.

O2. Maintaining the traditionally diverse population and housing mix.

O3. Ensuring new development is in context with surrounding development and has minimum adverse impact on environmental quality or residential amenity.

Controls

C1. The design of a boarding house is to be compatible with the character of the local area.

C2. New boarding houses (including alterations and additions) shall comply with the building setback controls comparable to the predominant building type in the relevant zones as set out below in Table 8.

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Table 8: Building envelope control

Zone	Development Type
R2 Low Density Residential	Dwelling house
R3 Medium Density Residential	Multi-dwelling housing
R4 High Density Residential	Residential flat building
B1 Neighbourhood Centre	Shop top housing
B2 Local Centre	Shop top housing
B4 Mixed Use	Shop top housing

2.3 Operational management

Objectives

O1. Minimise the potential adverse impacts of boarding houses on adjoining properties and the wider locality by introducing effective planning, design and on-going management controls.

O2. Ensure an acceptable level of amenity in boarding house premises to meet the needs of residents.

O3. Ensure that acceptable levels of service provision are maintained.

Controls

General

C1. All boarding houses are to have a managing agent, contactable 24 hours per day, 7 days per week. If a boarding house has capacity to accommodate 20 or more lodgers, it is required that there be an on-site resident manager. The on-site resident manager must be 18 years of age or over.

C2. The name and contact details of the on-site manager or managing agent is to be provided externally at the front entrance of the boarding house and internally within the communal living area.

C3. A Plan of Management must accompany a development application for any new boarding house or alterations/and or additions to an existing boarding house.

C4. 'House Rules' must be prepared as part of the Plan of Management. The approved House Rules must be clearly displayed within each bedroom and within the communal living area of the boarding house.

C5. An Emergency Evacuation Plan must be prepared as part of the Plan of Management detailing the evacuation procedures in the event of the emergency, provision of resident log book, identifying the assembly point and detailing how residents will be made aware of the procedures contained within the Plan.

C6. A list of contact details must be clearly displayed within the common area including the contact details for: the managing agent; emergency services including fire, ambulance and police; utilities such as gas, electricity and water, and any approved emergency repair persons, such as a plumber and electrician.

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C7. Developments of 3 storeys or more must incorporate a lift capable of accommodating a stretcher and must be accessible at each floor.

C8. The Manager/Caretaker bedroom plus ensuite must be a minimum of 16m².

C9. Secure storage facilities must be provided with a minimum capacity of 1m² per person. This space must be lockable.

Internal communal living area

C10. Living areas are to have a minimum dimension of 4m.

C11. Communal living area/s must be located on the ground floor and are to be located near commonly used spaces or adjacent to the communal outdoor open space.

C12. Communal living area/s should have a northerly aspect, where possible, and should be located where they will have a minimal impact on adjoining properties in terms of noise generation and visual privacy.

C13. Consideration should be given to ensure that bedrooms adjoining the living area/s are protected from excessive noise.

Laundry facility requirements

C14. 1 automatic washing machine for the first 12 residents plus 1 automatic washing machine for every additional 12 residents thereafter or part thereof.

C15. 1 domestic dryer for first 12 residents plus 1 domestic dryer for every additional 12 residents thereafter or part thereof.

C16. 1 large laundry tub with running hot and cold water for up to 12 residents and 1 additional tub for premises that contain more than 12 residents.

Location of clothes drying facilities

C17. Drying areas must not be visible from the street, or any public place.

C18. Drying areas shall be located to maximise solar access.

C19. Clothes drying and laundry facilities shall be wheelchair accessible.

2.4 Visual privacy

Objective

O1 Building design and landscaping elements should ensure privacy for the development and adjoining residential uses without compromising access to light, air and views from habitable rooms and private open space.

Controls

C1. Placement of windows and other openings should not result in direct overlooking of adjoining residential uses. Where overlooking may occur, use of highlight windows, window screening or other privacy measures should be provided.

C2. Landscape screening should be provided within outdoor communal areas to minimise overlooking of adjoining properties.

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C3. The main entrance of the boarding house should be provided within the front (street) elevation to address the street and to minimise potential privacy impacts upon neighbouring properties.

2.5 General design

Objective

O1 Ensure an acceptable level of amenity in boarding house premises to meet the needs of residents.

Controls

C1. Boarding houses must provide the following facilities within each building:

- bedrooms;
- laundry facilities;
- adequate communal kitchen facilities and dining area (one per floor for multi storey boarding houses) where individual kitchenettes are not provided within the boarding rooms;
- individual ensuite and/or adequate communal bathroom facilities;
- communal living area (one per floor for boarding houses more than three storeys in height);
- communal garbage storage and recycling facilities;
- communal outdoor open space area; and
- on-site boarding house manager (where 20 or more lodgers).

C2. Flyscreens are to be provided to all openable windows and doors.

C3. At least one phone must be provided within each communal area to allow residents to contact emergency services.

C4. A safety switch must be fitted to all electrical meter box/es.

C5. A maximum of one television antenna is to be provided per boarding house.

2.6 Acoustics

Objectives

O1. Ensure an acceptable level of amenity in boarding house premises to meet the needs of residents whilst minimising potential noise adverse impacts to surrounding development.

Controls

C1. Boarding house design should attempt to locate bedrooms away from significant internal and external noise sources.

C2. During the design of a boarding house consideration must be given to the potential acoustic impact upon adjoining neighbours. The following noise minimisation measures should be considered at the design stage:

- offsetting the location of windows in respect to the location of windows on neighbouring properties;
- appropriate building separation and setbacks to neighbouring properties;

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- sensitive location of communal outdoor areas away from main living areas or bedroom windows of any adjoining dwelling;
- the use of screen fencing or acoustic barriers as a noise buffer to external noise sources;
- incorporation of double glazing for windows; and
- locate similar building uses (such as bedrooms or bathrooms) back to back internally within the building, to minimise internal noise transmission.

2.7 Car parking

C1. Car parking will comply with the provisions set out in Part G3 of this DCP.

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CUMBERLAND CITY COUNCIL

PART B5
ADAPTABLE HOUSING AND HOUSING MIX

PUBLICATION DRAFT 2020

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1. Introduction

1.1 Land to which this Part applies

This Part applies to all residential development types except for single dwelling house development under the *Cumberland Local Environmental Plan 20XX*.

1.2 Purpose of this Part

This Part is intended to guide the assessment of adaptable housing and housing mix under *Cumberland Local Environmental Plan 20XX*.

2. Objectives and Controls

2.1 Adaptable housing

Objective

O1. To promote the design of buildings that are adaptable and flexible in design to suit the changing lifecycle housing needs of residents over time.

Control

C1. Adaptable housing complying with AS 4299 is to be provided in multi-dwelling housing, residential flat buildings, and the residential component of mixed use developments in accordance with the following:

Table 9: Adaptable dwelling requirement

Total No. of Dwellings in Development	No. of Adaptable Dwellings Required
Less than 10	1
10 – 20	2
More than 20	20% (unless justification provided for consideration by Council)

2.2 Housing mix

Objectives

O1. Provide a range of residential dwelling types and size, which cater for different household requirements now and in the future.

O2. The residential dwelling type mix is distributed to suitable locations within the building/development.

Controls

C1. An equal mix of residential dwelling types including studio, one, two, and three plus-bedroom dwellings shall be provided. An alternate mix of dwelling types may be considered by Council where the Applicant can demonstrate that the local demographic statistics indicates otherwise. Specific details would need to be provided with the development application to support this.

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C2. If an equal mix cannot be provided, a minimum 10% of the dwellings shall be three plus-bedroom dwellings.

C3. A mix of unit sizes in multi-level developments should be located on the ground floor where accessibility is easily achieved for families and the elderly.

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DOCUMENTS ASSOCIATED WITH REPORT C08/20-524

Attachment 6

Recommended Cumberland DCP Part C Development in Business Zones

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CUMBERLAND CITY COUNCIL

PART C
DEVELOPMENT IN BUSINESS ZONES

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1. Introduction

1.1 Land covered by this Part

This Part applies to commercial and mixed-use development types in the following zones under *Cumberland Local Environmental Plan 20XX*:

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

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

1.2 Purpose of this Part

This Part is intended to guide the assessment of the development types detailed within this Part.

2. Relationship with SEPP 65 and Apartment Design Guide

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

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

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

3. Objectives and controls

3.1 Lot size and frontage

Objectives

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

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

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

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

Controls

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

- up to 3 storeys: 20m; and
- 4 storeys or greater: 30m.

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

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

C3. Council may require the consolidation of more than 1 existing land holding to be undertaken in order to meet all the requirements of this development control plan.

C4. Commercial development is not permitted on battleaxe lots.

C5. In instances where lot amalgamation in order to meet the requirements of this DCP cannot be achieved, refer to Part A3 of this DCP.

3.2 Setbacks and separation

Objectives

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

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

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

Controls

Front setback

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

C2. For B2 and B4 zones, or unless otherwise stated in site specific controls within this DCP, a street wall height (i.e. podium height) of 3 storeys with a zero setback to the street is required.

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

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

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

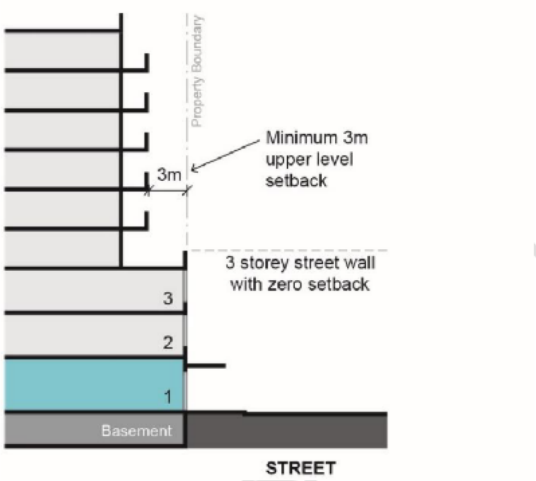

Figure 1: Street wall / podium height

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Side and rear setback

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

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

3.3 Landscaping and open space

Objectives

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

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

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

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

Controls

Landscaping

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

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

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

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

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

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

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

Street trees

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

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

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

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

C12. Services shall be located to preserve significant trees.

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

Open space

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

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

3.4 Public art

Objectives

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

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

Controls

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

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

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

3.5 Streetscapes

Objectives

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

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

Controls

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

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

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

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

C5. Require buildings at visually significant locations to be well designed and respond to the different characteristics of the streets the address.

C6. Development on corner sites will be required to accommodate a splay corner to facilitate improved traffic conditions.

C7. Buildings on corners must address both frontages to the street and/or public realm to:

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

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3.6 Building Use

Objective

O1. Encourage commercial activity within Cumberland's town centres.

Control

C1. Ground floor uses in business zones are to comprise non-residential uses.

3.7 Façade design, shopfront and materials

Objectives

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

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

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

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

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

Controls

Façade design

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

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

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

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

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

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

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

Shopfronts

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

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

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

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

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

Materials

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

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

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

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

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

Advertising in shopfronts

C18. For advertising on shopfronts, refer to Part G1 of this DCP.

3.8 Ceiling height

Objectives

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

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

Controls

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

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

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

3.9 Roof design

Objectives

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

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

Controls

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

C2. Design of the roof shall achieve the following:

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

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

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

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

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

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

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

3.10 Awnings

Objectives

O1. Ensure the amenity of pedestrians through weather protection.

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

Controls

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

C2. Awnings generally:

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

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

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

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

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

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

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

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

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

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

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

3.11 Visual and acoustic privacy

Objectives

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

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

O3. Minimise impacts from noise generating infrastructure.

Controls

Visual privacy

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

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

Acoustic privacy

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3.12 Hours of operation

Objectives

O1. Create vibrant centres by encouraging business activity.

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

Controls

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

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

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

- acoustic report (Note: for developments in town centres where there is no residential development within close proximity of the development site, Council may consider waiving the need for an acoustic report for hours of operation up to midnight);
- Crime Prevention Through Environmental Design (CPTED) report; and
- Plan of Management.

3.13 Solar access

Objectives

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

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

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

Controls

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

C2. The living rooms and private open spaces for at least 70% of dwellings on neighbouring sites shall receive a minimum of 3 hours of direct sunlight between 8am and 4pm in mid-winter.

C3. A minimum of 50% of public open spaces and a minimum of 40% of school playground areas are to receive 3 hours of daylight between 9am and 3pm in mid-winter.

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

C5. Shadow diagrams (plan and elevation) shall accompany development applications for buildings, to demonstrate that the proposal will not reduce sunlight to less than 3 hours between 8am and 4pm on 21 June.

3.14 Natural ventilation

Objectives

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

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

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Controls

C1. Natural ventilation is incorporated into the building design.

C2. Orient buildings to maximise prevailing breezes.

3.15 Building maintenance

Objectives

O1. Natural ventilation is incorporated into the building design.

O2. Orient buildings to maximise prevailing breezes.

Controls

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

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

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

3.16 Energy efficiency

Objectives

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

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

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

Controls

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

C2. Improve the efficiency of hot water systems by:

- encouraging the use of solar powered hot water systems. Solar and heat pump systems must be eligible for at least 24 Renewable Energy Certificates (RECs) and domestic type gas systems must have a minimum 3.5 star energy efficiency rating;
- insulating hot water systems; and
- installing water saving devices, such as flow regulators, 3 stars Water Efficiency Labelling and Standards Scheme (WELS Scheme) rated shower heads, dual flush toilets and tap aerators.

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

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

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

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

3.17 Water efficiency

Objectives

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

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

Controls

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

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

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

- the rainwater tank shall comply with the relevant Australian Standards;
- the rainwater tank shall be constructed, treated or finished in a non-reflective material that blends in with the overall tones and colours of the subject and surrounding development;
- rainwater tanks shall be permitted in basements provided that the tank meets applicable Australian Standards;
- the suitability of any type of rainwater tanks erected within the setback area of development shall be assessed on an individual case by case basis. Rainwater tanks shall not be located within the front setback; and
- the overflow from rainwater tanks shall discharge to the site stormwater disposal system. For details, refer to the Stormwater Drainage Part G4 of this DCP.

3.18 Wind mitigation

Objective

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

Controls

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

- set tower buildings back from lower structures built at the street frontage to protect pedestrians from strong wind downdrafts at the base of the tower;

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- ensure that tower buildings are well spaced from each other to allow breezes to penetrate local centres;
- consider the shape, location and height of buildings to satisfy wind criteria for public safety and comfort at ground level; and
- ensure usability of open terraces and balconies.

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

3.19 Food and drink premises

Objective

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

Controls

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

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

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

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

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

C6. All waste and recyclable material generated by the food and drink premises must be stored in a clearly designated, enclosed waste storage area with complies with AS4674 – *Construction and Fitout of food premises*. Commercial waste collections are to generally occur between 6:00am and 10:00pm where residential premises may be impacted.

3.20 Safety and security

Objectives

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

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

Controls

General

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

Surveillance

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

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

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

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

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

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

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

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

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

Access control

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

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

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

C14. Shared pedestrian entries to buildings shall be lockable.

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

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

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

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

C19. Security grilles shall:

- be at least 70% visually permeable;
- not encroach or project over Council's footpaths; and
- be made from durable, graffiti-resistant materials.

C20. Security bars are not permitted.

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

Lighting

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

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

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

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

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

Public / private interface

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

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

3.21 Pedestrian access and building entry

Objectives

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

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

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

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Controls

C1. The design of buildings shall comply with Australian Standards for Access and Mobility.

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

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

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

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

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

3.22 Pedestrian links, arcades, laneways and new streets

Objectives

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

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

O3. Promote permeability in the redevelopment of large sites.

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

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

Controls

Arcades / pedestrian links

C1. Arcades shall:

- be a minimum width of 6m, with a minimum floor to ceiling height of 4m, and free of all obstructions (e.g. columns and stairs). Public seating, waste bins, planter boxes and other like furnishings may be included, provided they do not unreasonably impede pedestrian access;
- accommodate active uses, such as shops, commercial uses, public uses, residential lobbies, cafes or restaurants;
- be obvious and direct thoroughfares for pedestrians;
- provide adequate clearance to ensure pedestrian movement is not obstructed;
- have access to natural light for all or part of their length and at the openings at each end;

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- have signage at the entry indicating public accessibility and to where the arcade leads; and
- have clear sight lines from end to end with no opportunities for concealment along its length.

C2. No goods are to be displayed within arcades.

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

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

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

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

Laneways

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

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

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

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

C11. Continuous awnings are not required on laneways.

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

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

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

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

Creation of new streets and laneways

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

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

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

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

C20. Road widths shall be consistent with Part A2 of this DCP.

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

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

3.23 B6 Enterprise Corridor Zone

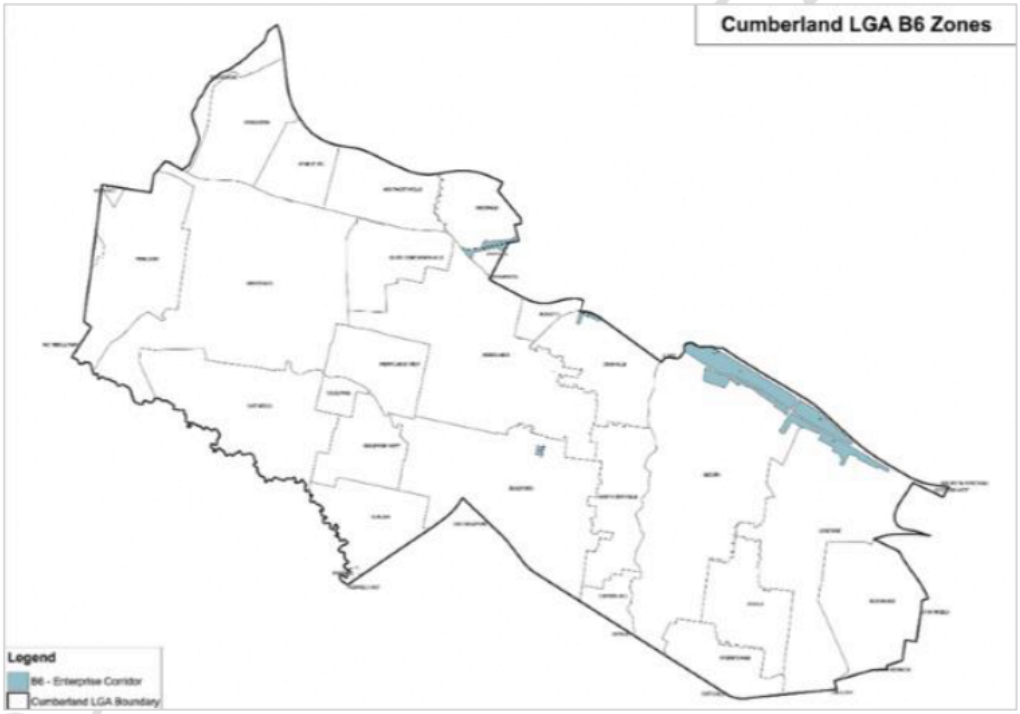

Figure 2: Cumberland City B6 Enterprise Corridor Zones

Objectives

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

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

Controls

C1. Commercial development shall be located at least at street level, fronting the primary street and where possible the secondary street.

C2. Minimum front setbacks for B6 Enterprise Corridor zones shall be 5m.

C3. Where development in a B6 Enterprise Corridor zone has access to a rear laneway, development may have a rear setback of 4m at ground level.

3.24 Parking

Control

C1. Car parking will comply with the provisions set out in Part G3 of this DCP.

3.25 Vehicle access

Control

C1. Vehicle access will comply with the provisions set out in Part G3 of this DCP.

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DOCUMENTS ASSOCIATED WITH REPORT C08/20-524

Attachment 7

Recommended Cumberland DCP Part D Development in Industrial Zones



CUMBERLAND
CITY COUNCIL

POS N DRAFT 2020

PART D
DEVELOPMENT IN INDUSTRIAL ZONES

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1. Introduction

1.1 Land to which this Part applies

This Part applies to development in industrial zones under *Cumberland Local Environmental Plan 20XX*.

1.2 Purpose of this Part

This Part is intended to provide design requirements and guide the assessment of the range of uses permitted in the industrial zones.

2. Objectives and controls

2.1 Setbacks and streetscape character

Objectives

O1. Encourage innovative industrial design which enhances the quality of the existing industrial areas in Cumberland City, whilst recognising the design attributes of traditional industrial development.

O2. Developments are separated to minimise operational constraints imposed by 1 industrial use upon an adjacent land use of any type.

O3. Reduce bulk/overbearing form and overshadowing on the street and adjoining properties.

O4. Reduce land use conflict between residential and non-residential uses.

Controls

General

C1. Landscape all front setbacks to provide a high quality streetscape.

C2. Front setback areas shall not be used for storage or display of goods or excessive signage, loading/unloading or large areas of car parking.

C3. Ensure landscaping setbacks comprise soft landscaping and deep soil zones only.

Setback where lots adjoin residential zones or open space

C4. Industrial development adjoining residential or open space zones shall comply with the setbacks in Table 1 below.

Table 1: Setback requirements for industrial development

Boundary	Minimum building setback (includes the required landscape setback)	Minimum width of landscaping within the building setback
Side – adjoining non-industrial zone other than residential	4m	2m
Side – adjoining a residential use / zone	6m	3m

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Boundary	Minimum building setback (includes the required landscape setback)	Minimum width of landscaping within the building setback
Rear – adjoining a non-industrial zone other than residential	4m	2m
Rear – adjoining a residential uses / zone	6m	3m

C5. Where an industrial development adjoins a residential zone, appropriate buffer mechanisms shall be provided to ensure that:

- neighbourhood residential amenity is maintained;
- the primary buildings and structures on the industrial land are visually separated from neighbouring residential dwellings; and
- overshadowing does not occur (see solar access below).

C6. Provide window placement and/or tall trees as ways to protect privacy, reduce noise and light pollution.

Front setbacks

C7. Front setbacks are to be 5m. Where the prevailing building setbacks within the street are significantly different, consideration will be given to an alternative setback.

Side and rear setbacks

C8. Buildings may be built on a nil side or rear setback, except where a setback is required to screen buildings from:

- public places;
- adjoining residential properties;
- other sensitive land uses;
- where rear access is required; and
- where land adjoins the M4 Motorway.

In such circumstances, a 4.5m landscape setback is required.

C9. Development adjacent to Duck River shall provide a 5m easement for public access within the foreshore building line area along Duck River. This easement shall be established under a Section 88B instrument and shall be registered with NSW Land Registry Services.

Setbacks for specific street frontages

C10. The building lines set out in Table 2 apply to the principal street frontage of land zoned General Industrial IN1 and Light Industrial IN2 within Cumberland City. They are based on a conversion from the previous imperial measures into metric.

Table 2: Building line requirements for principal street frontage in IN1 and IN2 zones

Smithfield Industrial Lots	
15m	• All Streets (west of Fairfield Road) • Yennora Industrial Area • Fairfield Road (south of Dursley Road) • Pine Road, Loftus Road (between Pine Road and Norrie Street) • Nelson Road (west of Yennora Ave)

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	• Norrie Street (west side) • Boola Avenue (east side between Loftus Road and Bend) • Loftus Road/Military Road (between Boola Avenue and Byron Road) • Byron Road (west side between Dennistoun Avenue and Military Road) • Loftus Road (south side between Norrie Street and Yennora Avenue)
10m	• Dursley Road
2m	• Nelson Road (north of Yennora Avenue)
7.5m	• Boola Avenue (north side between Norrie Street and Yennora Avenue) • Yennora Avenue (west side between Boola Avenue and Loftus Road), • Kiora Crescent • Norrie Street (east side between Boola Avenue and Loftus Road)
4.5m	• Loftus Road (south side between Yennora Avenue and Boola Avenue) • Boola Avenue (between Yennora Avenue and Bend), • Boola Avenue (west side between Bend and Loftus Road), • Yennora Avenue (east side)
3.5m	• Military Road • Boola Avenue (south side between Norrie Street and Yennora Avenue) • Yennora Avenue (west side between Boola Avenue and Military Road
5.5m	• Military Road (north side between Norrie Street and Yennora Avenue) • Norrie Street (east side between Boola Avenue and Nelson Road)
6m	• Boola Lane (r.o.w)
30.5m	• Dennistoun Avenue (southside)
10m	• Fairfield Road (east side between Dennistoun Avenue and Dursley Road)
Guildford Industrial Area	
4.5m	• Carrington Road (south side), • Cann Street, Guernsey Street, Clarke Street • Military Road (between Byron Road & Carrington) • Byron Road (east side between Military Road and Dennistoun Avenue)
15m	• Byron Road (west side between Military Road and Dennistoun Avenue)
Holroyd Industrial Avenue	
7.5m	• Walpole Street (north side between the Creek and Crescent Street) • Crescent Street • Walpole Street (north side between Fox Street and the Creek)
4.5m	• Peel Street, Fox Street • Robert Street (south side between Fox Street and Peel Street)
Girraween/Toongabbie Industrial Area	
10m	• Toongabbie Road, Amax Avenue • Mandoon Road, Magowar Road • Gilba Road, Wiltona Place
30.5m	• Oramzi Road (west side between Gilba Road and Wiltona Avenue) • Great Western Highway
15m	• Great Western Highway (between Toongabbie Road and Girraween Road)
Greystanes Industrial Area	
7.5m	• Great Western Highway (west of Greystanes Road)

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2.2 Siting and building design

Objectives

O1. Achieve high quality, innovative environmental and architectural design for all buildings within new and existing industrial areas.

O2. Ensure industrial development presents attractive and compatible facades to adjoining uses, and activates the public domain.

O3. Create identifiable, attractive and safe entrances to buildings.

Controls

C1. Use non-industrial aspects of a development (e.g. offices) to address the street.

C2. Avoid long blank walls of warehouse units, by providing articulation to the façade or division of massing, especially on street frontages.

C3. Entries to buildings should be clearly visible to pedestrians and motorists and be integrated into the form of the building.

C4. Architecturally express the structure of the building externally to address the primary street frontage and minimise use of reflective glass or large blocks of one material.

C5. Articulate entrances, office components and stairwells to create rhythm along facades to minimise the appearance of bulk and scale.

C6. Introduce a mix of materials, and incorporate horizontal and vertical modulation, including windows in appropriate proportions and configurations.

C7. New development on corner sites is to address both street frontages in terms of façade treatment, fenestration and articulation of elevations, to achieve a high standard of environmental design.

C8. Roof ventilation, exhaust towers, mechanical plant and the like should be located so as not to be readily visible from any public or residential area.

C9. All rooftop or exposed structures including lift motor rooms, plant rooms, together with air conditioning, ventilation and exhaust systems, are to be integrated into the building design in order to ensure interesting and high quality appearance.

2.3 External materials

Objectives

O1. Contribute to visual amenity of the urban environment through appropriate selection of materials and colours.

O2. Minimise the impact of glare onto the surrounding environment.

Controls

C1. Lighter colours shall be used on external walls of the building to reduce heat gain in summer, especially for building facades facing east, west and north.

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C2. Roofs and walls shall be well insulated in office components of buildings to reduce winter heat loss and summer heat gain.

2.4 Solar access

Objectives

O1. Maintain mid-winter solar access to primary indoor spaces and private open spaces within adjoining residential dwellings.

O2. Ensure office spaces within the subject and adjoining developments receive sufficient solar access.

O3. Minimise reduction of solar access to surrounding buildings resulting from a development.

Controls

C1. Where a site adjoins or is opposite to a residential property and the proposed structures are over 6m in height, shadow diagrams based on a survey of the site and adjoining development shall be provided. These diagrams shall demonstrate the impact on adjoining residential properties or public domain for 8am, 12noon and 4pm at 21 June.

C2. Development is not to unreasonably impact on solar access requirements of adjacent and adjoining residential properties.

C3. If adjoining residential, public open space or sensitive land uses (e.g. schools) already receives less than 3 hours of sunlight, any reduction may be unacceptable.

C4. Buildings shall be oriented towards the north so that they make best use of solar access to lower heating and cooling costs.

C5. Building elevation treatments shall control solar access into the building by the use of appropriate shading devices and methods.

2.5 Road design and construction

Controls

C1. Ensure that new roads are constructed with kerb and gutter and are sealed from gutter to gutter. Construction is to be of a standard not less than Council's standard specification for heavy duty roads.

C2. Ensure that the minimum width of carriageway plus verge is 20m wide with 12m carriageway and 4m verges. The construction of 1.2m wide concrete footpaths will be required.

C3. Cul-de-sac roads will only be accepted where surrounding land has been fully developed, or where the site specific controls for the area provide for cul-de-sac roads.

C4. Ensure that cul-de-sac roads have a 20m radius turning circle with 18m radius reverse curves on boundary alignments.

C5. Provide a higher strength pavement for cul-de-sacs at intersections in industrial areas. Generally a minimum of 1m clearance is required.

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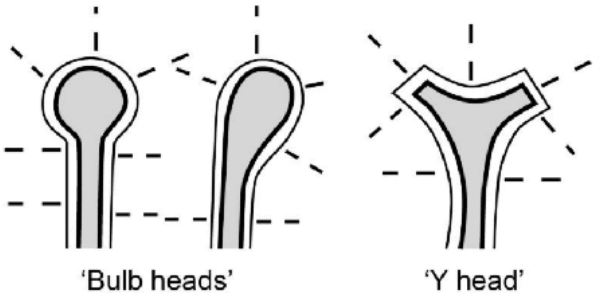

Figure 1: Types of cul-de-sacs

2.6 Pedestrian and cyclist facilities

Objectives

O1. Encourage greater bicycle use, decrease the reliance on private vehicles and encourage alternative, more sustainable modes of transport.

Controls

C1. Pedestrian access to private land shall be provided as part of the internal circulation network.

C2. Bicycle parking is to be provided as specified in AS 2890.3 – *Bicycle Parking Facilities*.

C3. Bicycle parking shall be located in a safe and secure location that is covered and convenient for users.

C4. Trip end facilities including showers and lockers must be provided to adequately service the number of bicycle parking spaces required for industrial development as per the provisions set out in Part G3.

2.7 Public domain improvements

Objectives

O1. Improve the visual quality and amenity of industrial development through effective landscape treatment of individual sites and to achieve high levels of amenity for employees, including passive/recreational use.

O2. Complement the pedestrian and cycle movement network and open space corridors.

O3. Design landscaping to enhance streetscape character and contribute to urban heat management.

Controls

C1. All areas not built-upon shall be landscaped to soften the impact of buildings and car parking areas.

C2. Landscaping within setback areas shall be of a similar scale to buildings. All landscaped areas shall be separated from vehicular areas by means of a kerb or other effective physical barriers.

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C3. Fencing shall be integrated as part of the landscaping theme so as to minimise visual impacts and to provide associated site security.

C4. Landscaping shall promote safety and surveillance of the street.

C5. A minimum of 15% of the site shall be provided and maintained as soft landscaping, with lawns, trees, shrubs, for aesthetic purposes and the enjoyment of workers of the site.

2.8 Biodiversity

Objective

O1. Ensure a high standard of environmental quality of individual sites.

Controls

C1. Landscape plant species used in the public domain shall be predominantly native, including local indigenous species.

C2. Plant species that are drought tolerant or will require minimal watering once established shall be used.

C3. Water-conserving landscape practices shall be applied where possible, including soil amendment, mulch, irrigation zoning, limited turf areas, planting in relation to micro-climate, water scheduling, and selection of plants with water needs that match site rainfall and drainage conditions.

C4. Landscape plant species used in the public domain shall be predominantly native, including local indigenous species.

C5. Native ground covers and grasses shall be used in lieu of turf where practicable.

C6. Development shall comply with the biodiversity requirements set out in Part G5 of this DCP and the tree management and landscaping requirements set out in Part G7 of this DCP.

2.9 Storage areas

Objective

O1. Protect and enhance visual amenity.

Control

C1. Storage areas and other potentially unsightly areas shall be screened from adjacent properties.

2.10 Safety and security

Objectives

O1. Ensure that adequate measures are taken to protect the personal safety of workers, clients and the general public.

O2. Reduce crime risk and minimise opportunities for crime.

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Controls

C1. Provide details on measures to be undertaken to safeguard workers, clients and the general public. Such details are to include:

- security personnel;
- lighting of access ways and car parking areas, particularly in respect of isolated premises;
- security doors;
- 'active' uses presented to the street to promote surveillance and safety;
- premises clearly numbered, with the number clearly visible from the street;
- avoid the use of isolated back lanes and poorly lit areas; and
- any landscaping that is proposed must not obstruct the visibility from public areas of entrances and exits.

C2. A crime risk assessment against the Crime Prevention and the Assessment of Development Applications" Guidelines is to be undertaken for larger developments. The recommendations of the assessment shall be used to inform the design and operation of the development.

2.11 Fencing

Objectives

O1. Minimise any visual impacts to the streetscape.

O2. Provide site security whilst allowing passive surveillance to and from the public domain.

O3. Ensure that fencing complements the building and landscape design for the site.

Controls

C1. Fencing shall be integrated as part of the landscaping theme, so as to minimise visual impacts and to provide associated site security.

C2. Ensure all fencing along the principal street frontage is an open/permeable style, incorporating pickets, slats, palings or the like.

C3. Fencing along the street frontage shall be a maximum height of 1.8m and incorporated with appropriate landscaping.

C4. Fences behind the front setback shall be a maximum of 2.1m and incorporated with appropriate landscaping.

C5. Chain wire fencing is not permitted.

C6. Solid metal panel fences (sheet metal or similar) of any height are not permitted along the street frontage or forward of the building alignment.

C7. If the side or rear boundary faces a side or rear boundary of a residential premises, a timber paling/pre-coated metal fencing (commencing at the front building alignment) is permitted along with acoustic fencing and planting.

2.12 Operational management

Objective

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O1. The hours of operation are managed to ensure residential amenity is protected.

O2. Ensure potential adverse environmental, public health and amenity impacts from industrial developments are adequately controlled.

O3. Development incorporates measures needed to protect the community from dangerous or hazardous goods storage and hazardous processes or uses.

O4. Ensure that the use of the land does not create an offensive noise or add significantly to the background noise level of a locality.

O5. Minimise impact of noise on sensitive receivers through appropriate design and measures.

O6. Provide a pleasant working environment and a high level amenity within industrial areas.

O7. Ensure adequate operational arrangements are provided for the development.

O8. Minimise unacceptable impacts on surrounding land uses and the transport/road network.

Controls

Hours of operation

C1. Where an industrial site is located adjoining or adjacent to, or within 200m of residential development, or where in the opinion of Council, truck movements associated with the industry will intrude on residential streets, hours of operation shall generally be restricted to 7am to 6pm Monday to Saturday with no work on Sundays.

C2. Retail trade in industrial zones are to be undertaken within the hours of 7am to 6pm, Monday to Saturday and 7am to 2pm on Sunday.

C3. Where an extension to the above hours is required due to the nature of the activities to be undertaken, a detailed submission shall be lodged with Council, demonstrating how environmental impacts can be minimised to acceptable levels to support the proposed extended hours of operation inclusive of an acoustic report and operation management plan

Hazardous goods and chemicals

C4. Where a development involves the storage and/or use of dangerous goods, full details of the quantities and types of goods and chemicals are to be submitted with the development application, together with the storage locations, mediums and the use intended for the goods and chemicals.

C5. Development is to comply with the requirements of *SEPP 33 – Hazardous and Offensive Development*. Based on the types and quantities of hazardous goods and of materials used/stored in a development, Council may require an assessment in accordance with SEPP 33.

Environmental management plan

C6. An Environmental Management Plan (EMP) shall be submitted with the application if the development is considered to pose a high risk of adverse environmental impacts. The plan should detail how all environmental impacts will be controlled and/or managed within the site during ongoing operation of the development. Depending on the extent

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and nature of the proposal under consideration, this could include but may not be limited to:

- noise and vibration control;
- surface water management and stormwater protection;
- trade waste arrangements (if applicable);
- control and treatment of air emissions;
- dust and erosion control (including stockpiles, if applicable);
- waste management, including handling of potentially contaminated material;
- identification of relevant person/s on site who are responsible for control strategies, including their position title and contact details; and
- details of complaints handling arrangements.

Noise

C7. Sources of noise, such as plant equipment and machinery, shall be sited away from adjoining properties as far as practicable and, where necessary, screened by walls or other acoustical treatment.

C8. Operations are to be conducted so as to avoid unreasonable noise and interference to adjoining development, particularly residential development.

C9. Operations are to be undertaken in accordance with licences and guidelines from relevant authorities.

Staff amenities

C10. Provide a high level of staff facilities and recreation space including as a minimum:

- indoor and outdoor breakout/communal space;
- kitchen; and
- end of trip facilities.

Plan of Management

C11. A plan of management is required to be prepared for the development. The plan is to bring together other plans related to the development and identified in this DCP, and to provide a framework for the management of complaints. A review mechanism shall also be provided to ensure the effectiveness of the plan of management and to refine the plan as required. The plan of management shall be made to available to Council or other relevant authority at any time if requested.

2.13 Environmental management

Objectives

O1. Any machinery or processes used should not result in air pollution emissions that have a detrimental impact on the environment.

O2. Potential adverse environmental, public health and amenity impacts from industrial developments must be adequately controlled.

O3. Ensure waste storage and removal will not have a detrimental effect on environmental amenity.

O4. Ensure that Council is satisfied that no new building works take place on land contaminated by previous land uses, unless suitably remediated in accordance with *SEPP 55 – Remediation of Land* (or equivalent).

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O5. Ensure future building works are constructed on stable sub-surfaces.

O6. Prevent potential contamination of land, groundwater and surface water from Underground Petroleum Storage Systems (UPSS) sites.

O7. Encourage a high standard of environmental design within new and existing industrial areas.

O8. Minimise energy use in buildings while creating a comfortable working environment.

O9. Reduce the amount of greenhouse gas emissions.

O10. Development incorporates discharge systems designed to minimise the discharge of pollutants into the waste water and stormwater system.

O11. Ensure that satisfactory measures are incorporated to alleviate negative environmental impacts associated with industrial zones.

Controls

Air quality

C1. Details of any equipment, processes and air pollution control or monitoring equipment shall be submitted to Council with a development application including an assessment of air quality according to EPA standards.

Waste

C2. An on-going waste management plan is required to be submitted with the application to detail how all solid and liquid wastes handled on site will be managed. The plan may include, but is not limited to, details on:

- all waste storage areas (including internal and external areas/rooms);
- waste collection arrangements, including collection location and times/frequency;
- measures to prevent potential pollution from waste storage/handling activities on site;
- any trade waste arrangements; and
- measures for dealing with contaminated and/or hazardous waste.

C3. Garbage storage areas shall be designed so as to:

- be readily serviced within the confines of the site with minimum impact on adjoining uses;
- incorporate ventilation measures; and
- have suitable access to water to maintain waste storage areas.

Contamination

C4. An assessment is to be made by the applicant under SEPP No. 55 – Remediation of Land (or equivalent) as to whether the subject land is contaminated prior to the submission of a development application.

C5. All underground petroleum storage systems (UPSS) must be designed, installed and operated in accordance with the *Protection of the Environment (Underground Petroleum Storage Systems) Regulation 2019* (the Regulation) and guideline to the Regulation published by the NSW EPA.

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C6. An application involving installation or modification to a UPSS must be accompanied by:

- detailed plans of the UPSS; and
- certification that the plans and proposed design comply with the Regulation and Australian Standard 897 – 2008 The design, installation and operation of underground petroleum storage systems.

C7. Service station forecourts must be designed and managed in accordance with environmental best practice as outlined in the NSW EPA Practice Note Managing runoff from service station forecourts (2019). An application for a service station must be accompanied by detailed plans of forecourt areas which identify all proposed design features and measures to manage runoff in accordance with the Practice Note.

Sustainability and energy efficiency

C8. Improve the efficiency of hot water systems by:

- providing solar powered hot water systems where possible. Solar and heat pump systems must be eligible for at least 24 Renewable Energy Certificates (RECs) and domestic type gas systems must have a minimum 3.5 star energy efficiency rating;
- insulating hot water systems; and
- installing water saving devices, such as flow regulators, 3 stars Water Efficiency Labelling and Standards Scheme (WELS Scheme) rated shower heads, dual flush toilets and tap aerators.

C9. An Energy Efficiency Report from a suitably qualified consultant that demonstrates a commitment to achieve no less than 4 stars under the Australian Building Greenhouse Rating Scheme or equivalent must be provided for all commercial and industrial development with a construction cost of over $5 million.

C10. The amount of exposed glazing to the eastern and western facades of buildings shall be minimised.

C11. Building design shall minimise reliance on existing energy supplies through the use of renewable energy sources including incorporation of photovoltaic cells, wind turbines, battery storage and solar hot water wherever practicable.

Water pollution and stormwater management

C12. For industrial developments such as mechanical repair workshops and garages, pollution control monitoring equipment, e.g. retention pits, traps, or bunding shall be used to control the discharge of pollutants into the stormwater system.

C13. If the premises are subject to licence under the Protection of the Environment Operations Act 1997, development is to comply with any conditions of such licence that form part of any building approval.

2.14 Loading requirements

Refer to Part G3 of this DCP for loading requirements.

2.15 Car parking design

Refer to Part G3 of this DCP for car parking design controls.

2.16 Traffic and transport management plan

Refer to Part G3 of this DCP for Traffic and Transport Management Plan requirements.

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DOCUMENTS ASSOCIATED WITH REPORT C08/20-524

Attachment 8

Recommended Cumberland DCP Part E Other Land Use Based Development Controls

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PART E

OTHER LAND USE BASED DEVELOPMENT CONTROLS

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PART E1
CENTRE BASED CHILD CARE FACILITIES

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1. Introduction

1.1 Land to which this Part applies

This Part of the DCP applies relates to centre based child care facilities as defined in the Cumberland LEP 20XX.

This Part of the DCP should be read in conjunction with the *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017* and the Child Care Planning Guideline.

2. Objectives and controls

2.1 General

Objectives

O1. Encourage the provision of high-quality child care which meets the needs of the community, including users of the facility and owners and users of surrounding land uses.

O2. Ensure that child care centres are compatible with neighbouring land uses and integrate into existing residential environments that are unobtrusive in terms of size, bulk, height and the amount of landscaped area provided.

O3. Ensure the amenity of adjoining neighbours is retained and is not detrimentally affected by noise emissions from the site.

2.2 Bulk and scale

Objectives

O1. Promote child care centre building forms that are compatible with the character of existing surrounding residential development.

O2. Ensure the privacy of surrounding properties is maintained and protected from any potential overlooking.

O3. Protect the visual and acoustic privacy needs of children using the child care centres, staff and other users.

Controls

C1. The minimum side setbacks for a new child care centre is 2m to allow for landscaping and separation of uses.

C2. The front and rear setback shall comply with the relevant building envelope controls for the established built form of the locality and zone.

C3. The front setback shall reflect the existing streetscape and desired future character of the locality.

C4. The child care centre building is to be designed so as to reflect the scale, bulk, size of surrounding residential uses. However, this does not preclude the use of 'U' shaped or

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'L' shaped buildings for the purpose of minimising acoustic impacts on neighbouring properties.

C5. The front setback area:

- may only be used for access, parking and landscaping purposes;
- shall not be used as an outdoor play space; and
- shall not be included in calculations of unencumbered outdoor space.

2.3 Traffic, parking and transport

Control

C6. Development for the purposes of centre based child care facilities will comply with the specific traffic, parking and transport requirements set out in Part G3 of this DCP.

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PART E2
COMMUNITY FACILITIES

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1. Introduction

1.1 Land to which this Part applies

This Part of the DCP applies to all land where community facilities are permissible and specifically applies to development applications for the following:

- the establishment of a new purpose-built community facility;
- alterations and/or additions to, or intensification of an existing community facility; and
- conversion or adaptation of existing buildings to a community facility.

2. Objectives and controls

2.1 Bulk and scale

Objectives

O1. Maintain and enhance the existing streetscape and landscaped character of its location in Cumberland.

O2. Ensure new development have facades that define and enhance the public domain and desired street character.

O3. Ensure that building elements are integrated into the overall building form and façade design.

Controls

C1. Community facilities are to be designed and landscaped in a manner that enhances the quality and visual amenity of the streetscape and are sensitive to the streetscape character, adjacent uses and buildings as well as views.

C2. The front entrance of all community facilities shall be in clear view of the street.

C3. Where a community facility has a dual frontage, the development shall be designed to address both streets, by way of windows, architectural features and to provide opportunities for passive surveillance.

2.2 Traffic, parking and transport

Control

C1. Development for the purposes of a community facilities will comply with the specific traffic, parking and transport requirements set out in Part G3 of this DCP.

2.3 Landscaping and open space

Objectives

O1. Maintain and enhance the existing streetscape and landscaped character of the location in the Cumberland City.

O2. Retain existing trees where possible.

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Controls

C1. Where community facilities are proposed in residential zones, a minimum of:

- 25% of the site area shall be landscaped area.
- 50% of the front setback shall be landscaped area.

C2. In residential areas, a minimum 1m landscaping strip between side setbacks and the driveway is required.

C3. Landscaped areas in industrial zones shall comply with the requirements of Part D and G7 of this DCP.

2.4 Operational Plan of Management

Objective

O1. Provide certainty for both the consent authority and the local community about the ongoing management practices to be employed by the proposed use to manage its impact upon the neighbourhood.

Controls

C1. A development application for the purposes of establishing a new community facility or intensification of an existing community facility or conversion/adaptation of existing buildings to a community facility must include an Operational Plan of Management. This will be used both for the assessment of the application as well as a means to manage the ongoing operation of the proposed premises through the conditions of development consent.

C2. This Operational Plan of Management must include, but is not limited to, the following information for each proposed use:

- a list of the types of community purposes (e.g. community colleges, senior citizens groups, youth groups and the like) the building may be used for outside the regular services, including how often and how many people it will attract;
- a list of the type of organisations that may let or use the building and for what purposes, including how often and how many people it will attract;
- an explanation of the measures that will be utilised to manage parking and local traffic when a special event is scheduled and measures to minimise potential for coinciding traffic peaks between scheduled events;
- an explanation of the measures that will be utilised to mitigate noise impacts during main events and crowd control; and
- contact persons who will be responsible for managing and responding to community feedback and complaints. This is to be updated periodically.

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PART E3
EDUCATIONAL ESTABLISHMENTS

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1. Introduction

1.1 Land to which this Part applies

This Part of the DCP applies to all land where educational establishments are permissible and specifically applies to development applications for any of the following:

- the establishment of a new purpose-built educational establishment;
- alterations and/or additions to, or intensification of an existing educational establishment; and
- conversion or adaptation of existing buildings to an educational establishment.

1.2 Relationship to other documents

This Part of the DCP should be read in conjunction with the *State Environmental Planning Policy (Education Establishments and Child Care Facilities) 2017* and Design Quality Guidelines.

2. Objectives and controls

2.1 Acoustics

Objective

O1. Minimise noise impacts of educational establishments that may impact upon neighbouring or nearby properties.

Controls

C1. The design of the proposed educational establishment shall minimise the projection of noise from the various activities anticipated to occur within the site. Adjoining and nearby residents should not be exposed to unreasonable levels of noise arising from the proposed use.

C2. A noise impact assessment statement, prepared by a suitably qualified acoustic engineer, is to be submitted with all applications for development within residential zones or development located in close proximity to residential development. This should describe hours of operation and predicted noise levels for regular lunch and tea breaks and for special events. Where possible, reference should be made to similar operating uses within the Cumberland City.

C3. Where it can be demonstrated that the development is of a minor nature involving alterations, additions or modifications to an established educational establishment, a noise report may not be required.

2.2 Traffic, parking and transport

Control

C1. Development for the purposes of an education establishment will comply with the specific traffic, parking and transport requirements set out in Part G3 of this DCP.

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2.3 Operational Plan of Management

Objective

O1. Provide certainty for both the consent authority and the local community about the ongoing management practices to be employed by the proposed use to manage its impact upon the neighbourhood.

Control

C1. An Operational Plan of Management must be provided for a new education establishment. This will be used both for the assessment of the application as well as a means to manage the ongoing operation of the proposed premises through the conditions of development consent. The Operational Plan of Management (including amendments, if any) will be incorporated as a condition of development consent. This plan must include, but is not limited to the following information:

- operation hours, including a schedule of the regular classes held, lunch and tea breaks, recurring events (such as sport afternoons) and special events throughout the year and location of these events;
- the maximum number of full-time equivalent staff;
- the number of enrolled students to be in attendance at regular classes. details of outdoor space provision (covered and uncovered);
- details of available public transport links, hub and frequency;
- a safety audit and its recommendations;
- consideration and details of CPTED principles to be implemented;
- a list of the types of community purposes (i.e. community colleges, senior citizens groups, youth groups etc) any building may be used for outside the regular classes, breaks and other events. how often and how many people it will attract;
- a list of the type of organisations that may lease or use any building and for what purposes. how often and how many people it will attract;
- an explanation of the measures that will be in place to manage parking, local traffic and pick up and drop off arrangements both in regular operations and when a special event is scheduled;
- contact persons who will be responsible for complaints handling. This is to be updated periodically;
- anticipated growth of the educational establishment and how these long- term projections will be factored into the development and managed in the future; and
- for senior level educational establishments, details of the number of student drivers, the number and location of allocated parking spaces and the measures to monitor the safety of student drivers (e.g. guardian permission slips).

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PART E4
PLACES OF PUBLIC WORSHIP

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1. Introduction

1.1 Land to which this Part applies

This Part of the DCP applies to all land where places of public worship are permissible and specifically applies to development applications for the following:

- the establishment of a new purpose-built place of public worship;
- alterations and/or additions to, or intensification of an existing places of public worship; and
- conversion or adaptation of existing buildings to a place of public worship.

2. Objectives and controls

2.1 Bulk and scale

Objectives

O2. Ensure compatibility with the scale, streetscape character and future amenity of the locality.

O3. Ensure new development have facades that define and enhance the public domain and desired street character.

O4. Ensure that building elements are integrated into the overall building form and façade design.

Controls

C2. Maximum site coverage for places of public worship in residential zones is 50%. Council will consider a variation to site coverage to facilitate at-grade parking if basement parking cannot be incorporated.

C3. Places of public worship are to be designed and landscaped in a manner that enhances the quality and visual amenity of the streetscape and are sensitive to the streetscape character, adjacent uses and buildings as well as views.

C4. The front entrance of all places of public worship shall be in clear view of the street.

C5. Where a place of public worship has a dual frontage, the development shall be designed to address both streets, by way of windows, architectural features and to provide opportunities for passive surveillance.

C6. Building setbacks shall respond to the existing character of the street.

2.2 Traffic, parking and transport

Control

C1. Development for the purposes of places of public worship will comply with the specific traffic, parking and transport requirements set out in Part G3 of this DCP.

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2.3 Acoustic privacy

Objective

O1. Ensure the design and material of places of public worship provide acoustic privacy to surrounding locality and minimise noise levels.

Controls

C2. The design of the proposed place of public worship shall minimise the projection of noise from the various activities anticipated to occur within the site.

C3. Adjoining and nearby developments, especially residential uses, shall not be exposed to unreasonable levels of noise arising from the proposed use.

C4. A noise impact assessment statement, prepared by a suitably qualified acoustic engineer, shall be submitted to accompany development of places of public worship within residential zones or which adjoin residential zones. This should detail hours of operation, typical activities and special events, such as festivals. The noise impact assessment should outline how noise impacts will be managed and mitigated, and consider any relevant EPA guidance notes.

C5. Council may consider exempting applications for minor modifications or alterations to existing premises from the preparation of a noise impact assessment statement.

2.4 Landscaping and open space

Objectives

O1. Maintain and enhance the existing streetscape and landscaped character of the location in the Cumberland City.

O2. Retain existing trees where possible.

Controls

C1. Where places of public worship are proposed in residential zones, a minimum of:

- 25% of the site area shall be landscaped area; and
- 50% of the front setback shall be landscaped area.

C2. In residential areas, a minimum 1m landscaping strip between side setbacks and the driveway is required.

C3. Landscaped areas in industrial zones will comply with the requirements of Part D and G7 of this DCP.

2.5 Operational Plan of Management

Objective

O1. Provide certainty for both the consent authority and the local community about the ongoing management practices to be employed by the proposed use to manage its impact upon the neighbourhood.

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Controls

C1. A development application for the purposes of establishing a new place of public worship or diversification of an established place of public worship and/or conversion/adaptation of existing buildings to a place of public worship shall include an Operational Plan of Management. This will be used both for the assessment of the application as well as a means to manage the ongoing operation of the proposed premises through the conditions of the development consent.

C2. Hours of operation for new places of public worship in residential areas (without existing development consent) shall be restricted from 7am to 9pm.

C3. This Operational Plan of Management must include, but is not limited to, the following information for each proposed use:

- details of the proposed hours of operation, a schedule of regular services held and recurring events and special events throughout the year. Where special events attracting greater than 250 occupants on site (including all staff, volunteers and attendees) will occur, details including the expected numbers of people are to be provided;
- a list of the types of community purposes (e.g. community colleges, senior citizens groups, youth groups and the like) the building may be used for outside the regular services, including how often and how many occupants (including all staff, volunteers and attendees) it will attract;
- a list of the type of organisations that may let or use the building and for what purposes, including how often and how many occupants (including all staff, volunteers and attendees) it will attract;
- an explanation of the measures that will be utilised to manage parking and local traffic when a special event is scheduled and measures to minimise potential for coinciding traffic peaks between scheduled events;
- an explanation of the measures that will be utilised to mitigate noise impacts during main events and crowd control;
- the estimated number of occupants on site at regular services main events and those other times where it is expected that the place of public worship will be in use (with occupants including all staff, volunteers and attendees);
- contact persons who will be responsible for managing and responding to community feedback and complaints. this is to be updated periodically; and
- anticipated growth of the congregation and how these long-term projections will be factored into the development and managed into the future.

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PART E5
SEX SERVICE PREMISES

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1. Introduction

1.1 Development to which this Part applies

This Part applies to sex services premises as defined in the Cumberland LEP 20XX.

1.2 Development application requirements

Any development application for sex service premises shall include:

- Traffic and transport management plan;
- Social impact assessment; and
- Crime prevention and safety audit.

2. Objectives and controls

2.1 General

Objectives

O1. Regulate and control sex services premises in appropriate locations so as to minimise amenity impacts upon adjoining land uses in the zone.

O2. Ensure high levels of safety and security are provided for sex services premises for the security and safety of staff, and users or occupiers of the respective premises as well as neighbouring properties.

O3. Provide an appropriate framework to effectively regulate the operation of sex service premises, through detailed provisions of development consent and plans of management.

2.2 Design of premises

Objectives

O1. Ensure that sex services premises are designed to minimise their potential impacts in the locality.

O2. Ensure that the design and external appearance of the premises and any associated structures do not have an adverse impact on and are in keeping with the character of the area.

Controls

C1. The external appearance of sex services premises must respect the architectural character of the streetscape and not be a prominent feature in the street.

C2. All entrances and exits to sex services premises shall be designed to facilitate the privacy of staff and visitors without compromising personal safety (through avoiding the use of isolated back lanes and poorly lit areas). Shared access to the premises is not permitted.

C3. The interior of sex services premises must not be visible from any place in the public domain. Where the interior of sex services premises may be visible from neighbouring

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buildings, adequate measures shall be taken to screen the interior of the building, for example using blinds and screens.

C4. Sex related products, sex workers, or performers, or nude or semi-dressed staff shall not be visible from the public domain.

C5. Adequate design measures must be provided to ensure the safety and security of sex services premises staff and visitors and where appropriate shall include:

- reception and visitor assessment areas that incorporate design measures and management procedures to ensure the safety and security of staff and visitors;
- design which minimises alcoves and entrapment spaces;
- adequate safety and surveillance systems; and
- adequate amenities (i.e. showers, basins and toilets) are to be provided for staff and visitors.

2.3 Hours of operation

Objective

O1. Ensure that sex services premises operate at times where they will have least impact on the community, the environment and nearby land uses.

Controls

C1. Council will exercise its discretion in relation to permitted hours of operation of sex services premises by taking into consideration the nature of adjoining land uses, hours of operation/use of those premises and possible conflicts with such uses.

C2. Operational requirements are to be supported by Plan of Management(s) and acoustic report(s).

2.4 Traffic, parking and transport

Control

C1. Development for the purposes of sex service premises will comply with the specific traffic, parking and transport requirements set out in Part G3 of this DCP.

2.5 Plan of Management

Objective

O1. Limit the potential for adverse social and environmental impact of sex service premises in any locality by controlling the intensity of operation.

Control

C1. A Plan of Management shall be submitted for all sex services premises and shall include the following information:

Business Details

- name and contact details of the operator(s) and manager(s);
- ABN, registered business name, trading name and insurance;
- record keeping procedures for employees;

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- the procedure for recording and dealing with complaints regarding the operation of the premises or the behaviour of visitors arriving or leaving the premises; and
- all of the above information, approvals for the establishment of the premises, the Plan of Management are to be made available to the public and be kept on the premises at all time. Confidential information on employee details is not expected to be released to the public.

Note: The consent authority must be advised of any changes of ownership, management, registered business or trading name during the period of consent.

Safety and Security

- detail systems ensuring safety for staff and visitors including:
  - risk management procedures appropriate to the service provisions (e.g. accident and injury, violent behaviour);
  - the number and role of security personnel;
  - procedures for the safe handling of money;
  - the method of surveillance of common areas; and
  - monitoring of alarms.

Induction and Training

- staff training and induction procedures and emergency evaluation procedures.

Health Access

- access arrangement for the attendance of health service providers must be detailed; and
- health and safety policies for workers together with incident reports and accident register.

Cleaning and Cleanliness

- detail of cleaning systems
- details of the surface materials of equipment and facilities including stages, sling room facilities, etc;
- details of cleaning products and equipment;
- identified cleaning areas for equipment and other removable items;
- details of cleaning procedures including staff allocations; and
- details of cleaning and management systems for swimming pools and spas and douching.

Waste

- details of disposing of commercial waste; and
- details for managing the safe disposal of sharps

Equipment

- details of all specialist equipment, including information on how it is to be used, and how it is to be cleaned and maintained.

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2.6 Signage

Objectives

O1. Ensure signage is discreet and suitably located for sex service premises and consider the amenity of the surrounding area.

O2. Ensure signage does not result in visual clutter or other visual impacts upon a locality.

O3. Minimise the potential for signage to cause offence to the public.

Controls

C1. A maximum of one (1) external sign per premises is permitted and shall indicate only the name of the business operated and/or the address. Additional signage for parking and traffic management may be provided.

C2. Where primary pedestrian access is from the rear of the site or from a car park, a second sign may be provided on the site indicating only the name of the business operated and the street number or address.

C3. The sign is to be limited in size to 0.3 x 0.6m (or other dimensions, but of equivalent surface area of 0.18m^2).

C4. Signs may be illuminated. Flashing signs are not permitted.

C5. The sign shall not display words or images, which are, in the opinion of the consent authority, sexually explicit, lewd or otherwise offensive.

C6. A clearly visible street number is to be displayed on the premises to avoid disturbance to surrounding premises.

2.7 Health and building matters

Objectives

O1. Ensure sex services premises comply with relevant health and building regulations.

O2. Promote the operation of sex services premises, in a manner which will ensure the meeting of best practice health standards.

Control

C1. Sex services premises shall comply with the relevant legislation and health requirements.

2.8 Safety and security

Objective

O1. To maximise the safety and security of sex workers, other staff, clients and the general public at all times by ensuring the development upholds the principles of Crime Prevention through Environmental Design (CPTED).

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Controls

C1. The pedestrian entrance to a building must be easily recognisable and provided at the front of the building.

C2. New buildings or alterations and additions to existing buildings should avoid the creation of recesses in the building form. In existing developments to which no new works are proposed, appropriate lighting should be provided.

C3. Opportunities to provide surveillance of common areas shall be maximised. CCTV shall be strategically placed to improve safety and security both internally and externally.

Blind corners

C4. Pathways must be direct and blind corners are to be avoided.

C5. All barriers beside pathways must be low in height or visually permeable including landscaping, fencing and the like.

Lighting

C6. The pedestrian entrance to the building must be well lit but not to the extent where it becomes a prominent feature in the streetscape. Details must be provided with the development application.

C7. External lighting should be vandal resistant by being high mounted and/or protected and must be directed towards access/egress routes rather than towards buildings (including the subject or neighbouring buildings).

Landscaping

C8. Landscaping must not conceal the building entrance from the street or obstruct sight lines between the building and the street.

C9. Any proposed plantings must not create opportunities for concealment.

Security measures

C10. All premises are to have either an intercom or a duress alarm in each room that is used for sexual activity. Alarms are to connect back to a central base (such as reception) that is to be monitored at all times.

C11. External storage areas, including waste storage, are adequately secured to prevent unauthorised access.

C12. All intruder alarm systems, security screens, door and window locks and intruder resistant materials used in the development should comply with relevant Australian Standards.

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DOCUMENTS ASSOCIATED WITH REPORT C08/20-524

Attachment 9

Recommended Cumberland DCP Part F1 Site Specific Development Controls

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CUMBERLAND CITY COUNCIL

PART F

PRECINCT AND SITE SPECIFIC DEVELOPMENT CONTROLS

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PART F1
RESIDENTIAL SITE SPECIFIC

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PART F1-1
1A AND 1B QUEEN STREET, AUBURN

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1. Introduction

1.1 Land to which this Part applies

This Part applies to land zoned R4 High Density Residential known as 1A and 1B Queen Street (Queen Street Site). The site is outlined in red in Figure 1 below.

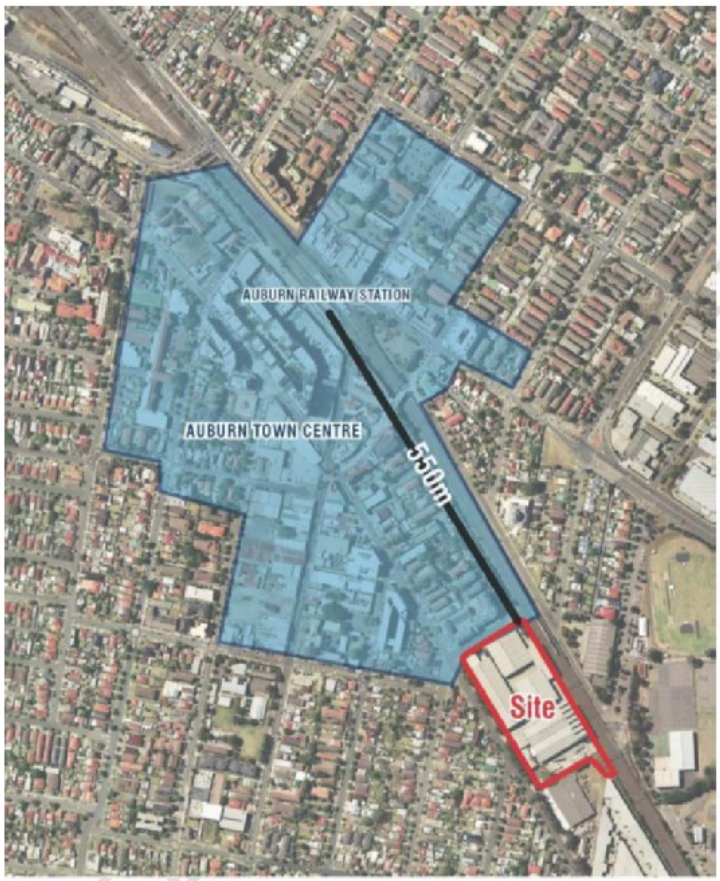

Figure 1: Area to which this Part applies

1.2 Purpose of this Part

The purpose of this part is to provide provisions to guide redevelopment of the site for residential purposes.

In the case of any inconsistency between the controls in other parts of the DCP and the controls in this Part, the controls in this part prevail to the extent of the inconsistency.

2. Vision and general objectives

2.1 Vision

The vision for the Queen Street site is to create a high quality residential development that has a scale and form that is compatible with surrounding land uses and takes advantage of the site's proximity to existing facilities, services and public transport infrastructure.

2.2 Objectives

General

O1. Provide new housing opportunities within walking distance of the town centre, rail station and other public transport opportunities.

O2. Ensure development is of a scale and character that is consistent with that planned for the neighbouring locality.

O3. Ensure that a range of housing types are provided across the site.

O4. Provide an overall built form that is varied and visually interesting.

O5. Be of a scale that provides logical transitions to the planned future scale of development in the area surrounding the site, particularly to the town centre, adjoining residential zones and the rail corridor.

O6. Provide visual interest through building articulation, variation in building form, building material palettes/textures when viewed from all external locations including the rail line.

O7. Incorporate building envelopes which are compatible with the scale of existing and future neighbouring development.

O8. Provide sufficient communal open space to satisfy the needs of residents.

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3. Specific objectives and controls

3.1 Connections and access

Objective

O1. Improve the site's connections to Auburn railway station by extending and improving pedestrian and cycle connections within the site.

Controls

C1. Provision for access and through site links should be generally consistent with the strategy shown in Figure 2.

C2. The Queen Street frontage is to complement surrounding existing and proposed development.

C3. In providing vehicular access, preference is to be given to Queen Street and to ensuring sufficient space for truck movements.

C4. Provide through site connectivity including pedestrian and cycle access through the public open space of the development.

3.2 Open space

Objectives

O1. Provide high quality public spaces that make a positive contribution to the visual quality of the development.

O2. Provide communal spaces that allow opportunities for amenity, outlook and visual separation for residents.

O3. Maximise the size of public open space areas to enhance useability and flexibility of the space.

Controls

C1. Open space provisions for the development should be generally consistent with the strategy shown in Figure 2.

C2. Public open space of at least 300 square metres in total, accessible to the public and legible from Queen Street, Louisa Street and/or Marion Street frontages is to be provided.

C3. The public open space should be focussed in one or two large, useable open spaces.

C4. Development should allow for the creation of open space areas that provide sufficient separation between buildings to enable appropriate levels of visual and acoustic privacy to be achieved and act as shared landscaped areas for use by residents.

C5. Open spaces should be well designed areas that include:

- a space that is legible as public space, rather than a space only for the use of residents,
- both soft and hard surfaces, (and therefore cannot all be considered deep soil),
- seating (formal and informal) for individual and group use,
- trees and other landscaping,

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- ideally provision for suitable recreation activities in a space designed for flexible use,
- public art in the main space.

C6. Communal open space and deep soil zones are to comply with the relevant provisions of SEPP No 65-Design Quality of Residential Apartment Development and the Apartment Design Guide.

C7. Deep soil planting areas should enhance site amenity and the streetscape along the rail corridor and all adjoining streets.

C8. The provision of communal space on roof top levels is supported.

C9. The associated owners' corporation will own and maintain public and communal open space and associated infrastructure servicing the proposed development.



Source: AJ&C, September 2016 (as amended by Council July 2017)

Figure 2: Access and open space strategy.

3.3 Building form

Objectives

O1. Encourage buildings with a scale and form that is compatible with those planned in neighbouring areas.

O2. Provide a transition in height and density from the site to surrounding residential areas, the railway line and the town centre.

O3. Ensure that built form defines and activates the site's open spaces and complements the surrounding land use context.

O4. Building forms should address street frontages along Marion Street and Queen Street and corner buildings shall address both streets.

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Controls

C1. Development within the site should be generally consistent with the built form strategy shown in Figure 3.

C2. Buildings are to reinforce the edges of public spaces and connections on the site.

C3. Development is to include a variety of residential dwelling types.

C4. Ground floor dwellings are to have direct street address where fronting a public street edge.

Building envelopes

C5. Lower scale housing forms such as townhouses / terraces are to be provided along Queen Street to provide an active address to this street and a scale that responds to neighbouring development.

C6. The following minimum setbacks shall apply to the site:

- front setback from Queen Street shall be 6m;
- building setback from the rail corridor shall be 6m;
- setback from Marion Street shall be 4m; and
- the setbacks at the corner of Queen and Marion Streets should apply to the final property boundary after any land dedication for the roundabout.

Note: the setback areas are to be unencumbered by balconies

C7. Building separation is to comply with the relevant provisions of SEPP No 65-Design Quality of Residential Apartment Development and the Apartment Design Guide.

C8. Building heights are shown in metres in the *Cumberland Local Environmental Plan 2020*Height of Buildings Map and site specific clauses are included within *Cumberland Local Environmental Plan 2020*.

C9. Appropriate building articulation, façade treatment and modulation is to be provided.

- buildings are to achieve visual interest through variations in massing, articulation and composition of building elements including fenestration, material use, entrances, balconies, balustrades and planters;
- development is to achieve a varied silhouette when viewed from the rail corridor; and
- design elements and façade treatments should aim to minimise glare affecting passing pedestrians, vehicles and trains.

C10. Vertical and horizontal articulation should be substantial, to enable the buildings to be read as separate buildings and should include:

- vertical recesses;
- separate façade components with distinct architectural detailing; and
- DCP enforced building setbacks and height controls.

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Source: AJ&C, September 2016

Figure 3: Built form strategy

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3.4 Acoustic amenity

Objective

O1. Achieving occupant amenity by responding appropriately to noise emitters.

Controls

C1. An acoustic assessment prepared by a suitably qualified acoustic consultant is to be submitted with any development application for the site. The assessment should address, at minimum:

- impacts on acoustic privacy of proposed residential uses from any surrounding noise sources, such as road and rail traffic and industrial uses;
- the impact of the development on the surrounding area, through mechanical services, earthworks, excavation and construction phases of development; and
- design of buildings shall comply with the internal noise levels in the Clause 102 (3) of the SEPP (Infrastructure) 2007.

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PART F1-2

37-39 PAVESI STREET, SMITHFIELD

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1. Introduction

1.1 Land to which this Part applies

This section applies to land at 37-39 Pavesi Street, Smithfield, being identified as Lot 36 DP 10958, as shown in Figure 1.



Figure 1: Land to which this section applies.

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2. Specific objectives and controls

2.1 Amenity

Objectives

O1. Maximise separation between industrial premises and residential dwellings to ensure amenity for residential dwellings and reduce any potential for conflict between these two land uses.

O2. Ensure that the adjoining industrial property cannot gain access to the road servicing the residential dwellings.

Controls

C1. The access road is located along the western boundary of the site.

C2. A minimum 1m landscaped buffer is provided between the cul-de-sac bulb and side property boundary, and between any parking bays and the property boundary (Figure 2).

C3. A minimum 2.5m landscaped buffer is provided between the road and property boundary in all other locations including the end of the cul-de-sac as shown in Figure 2.

C4. Access to the new road is only for the purpose of residential development.

C5. The dwellings at the front should face Pavesi St and all other dwellings must address the new road.

2.2 Traffic, access and parking

Objectives

O1. Avoid any impact on the operation of the Pavesi Street traffic control device (slow point).

O2. Ensure safe movement of all vehicles along the entire length of the access road.

O3. Enable pedestrian access to all dwellings.

Controls

C1. The access road is located to ensure passenger vehicles can turn left-in/right-out at Pavesi Street without being affected by the slow-point bollards.

C2. The width and alignment of the access road must enable two service vehicles to pass each other safely at any point along the road (i.e. without crossing the road centre-line).

C3. A 14m road reserve is provided (Figure 5), incorporating:

- an 8m carriageway if parking is on-street, or 7m carriageway if parking is in bays; and
- a 3.5m verge between property boundaries and the street (including the two front dwellings and two rear dwellings).

C4. The design speed for the access road is 25kph.

C5. A footpath is provided along the entire length of the access road.

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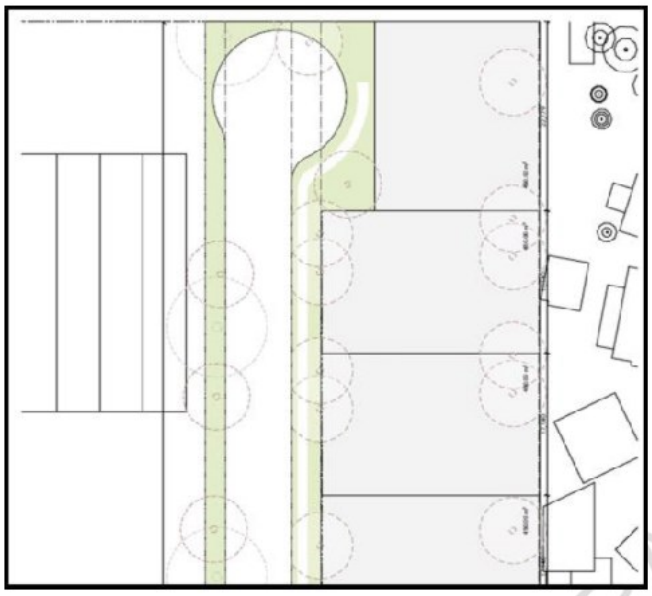

Figure 2: Dimensions of landscaped buffer.



Figure 3: Dimensions of road reserve.

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PART F1-3

190-220 DUNMORE STREET, PENDLE HILL (BONDS SPINNING MILL SITE)

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1. Introduction

1.1 Land to which this Part applies

This section applies to land at 190-220 Dunmore Street, Pendle Hill, being identified as Lot 1 DP 735207, as shown in Figure 1.



Figure 1: Land to which this Part applies

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2. Vision and general objectives

2.1 Vision

The Bonds Spinning Mill site is a vibrant, mixed use and compact urban precinct that respects and celebrates its past history and integrates with, complements and enhances the surrounding Pendle Hill community.

2.2 General objectives

O1. Development responds to and respects the site and its context, including its strategic, transit proximate location, topography and surrounding residential uses

O2. Development is predominantly residential in use, making an important contribution to the amount and choice of housing for the broader community

O3. Development creates a new heart for the precinct and surrounding Pendle Hill community, including the establishment of non-residential uses that enhance convenience and lifestyle and the provision of a new, publicly accessible, multi-use park and network of public open space

O4. Existing heritage is retained, restored and adaptively reused to reference the past and provide an asset and focal point for the precinct. New buildings adjacent to existing retained heritage buildings on the site achieve proportional relationships

O5. Development provides for public access to the precinct and an interconnected, fine-grain and permeable movement network that prioritises pedestrian and cyclist movement

O6. Development provides for a varied, integrated open space network that provides for a diverse range of informal active and passive recreational activities in a largely green, soft landscaped setting

O7. Buildings are sited, angled and designed to maximise climatic responsiveness and provide high levels of desirable solar access and natural ventilation

O8. Development creates a high level of residential amenity, including optimising outlook and views to desirable landscape elements, and respects the amenity of surrounding established residential areas

O9. Development defines and activates Jones Street, Dunmore Street and new streets

O10. Development is well designed, with a positive relationship between buildings and adjoining public domain, including providing for high levels of amenity for key public spaces

O11. Development provides for a high level of engagement between the public and private domains, in particular providing for pedestrian integration and extensive opportunities for passive casual surveillance.

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2.3 Master plan

The vision and principles for the site as identified above are spatially expressed in the urban structure for the precinct as shown in Figure 2.

To ensure that development provides key elements, where variations to the master plan are proposed, the development application is to demonstrate how the vision and principles have been achieved.



Figure 2: Master Plan

3. Specific objectives and controls

3.1 Land use

Objectives

O1. Development creates a high density, vibrant and active urban precinct while ensuring that local movement, community & open space infrastructure is maintained or improved.

O2. Development provides for centrally located, integrated non-residential uses that support the convenience and lifestyle needs of residents of the precinct and Pendle Hill community.

Controls

C1. Land use is generally in accordance with Figure 3

C2. Non-residential uses are located generally in accordance with Figure 3.

C3. Development provides for a maximum of 6,000sqm of GFA of non-residential uses.

Note: preferred non-residential uses include retail uses (including supermarket, cafes and specialty retail), local services / businesses, medical and community centres.

C4. Non-residential uses maximise activation of the multi-use park and public plaza as well as retained heritage buildings.



Figure 3: Land use

3.2 Building height

Objectives

O1. Building height is varied throughout the precinct to create an articulated and visually interesting skyline, and reinforces the visual prominence of the crest of the hill upon which Dunmore House is located.

O2. Building height adopts a height pyramid principle with taller buildings located in the centre of the site transitioning to lower rise buildings at the site's edges.

O3. Building height retains reasonable solar access to neighbouring sites.

Controls

C1. Maximum building height is generally in accordance with Figure 4.

C2. Basement levels are integrated with existing benched ground levels to create new communal landscaped open space.

C3. Storeys above level 4 are to be set back from the street front by an additional 3m from building line of the storeys below.

C4. Reduced level details must be in accordance with Part G Cumberland DCP 20XX.

C5. Maximum building height is limited to 4 storeys within the heritage precinct.

C6. Maximum building height adjacent to the site's boundary with properties in the R2 Low Density Residential zone is 3 storeys.

C7. Maximum building height fronting a street that separates the site from land in the R2 Low Density Residential zone is 4 – 6 storeys.

C8. Buildings are setback to allow adequate daylight access to neighbouring properties.

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Figure 4: Building height

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3.3 Building siting

Objectives

O1. Buildings are sited to optimise climatic responsiveness, in particular solar access to ground floor communal open space and public domain.

O2. Buildings are sited to frame and define streets.

O3. Buildings are sited to provide a high level of amenity for adjoining and nearby residential uses.

O4. Buildings are sited to create a physically and visually permeable and open character.

Controls

C1. Buildings are setback a sufficient distance from existing and new streets to provide a balance between activating the street and providing sufficient area for landscaping to soften the visual impact of the built form in the streetscape.

C2. Building setbacks and separations for buildings fronting internal streets and pocket parks, are generally consistent with Figure 7 - 9.

C3. Buildings provide a continuous street edge to Jones Street. This does not apply to locations for vehicle access or the location of the park as well as where mature trees that must be retained are present.

C4. Buildings are setback a minimum of 12m from the site's south-western, southern and eastern boundaries.

C5. Any possible overlooking to residential areas adjacent is treated with fixed privacy screens, fixed depth planter boxes or similar to maintain adequate privacy to adjoining residential areas.

C6. Building setbacks and separations for buildings:

- on the precinct's southern boundary, levels above 4 storeys are generally consistent with Figure 5; and
- on the precinct's eastern boundary, levels above 4 storeys are generally consistent with Figure 6.

C7. Buildings adjoining the precinct's southern boundary are separated into distinct, separate buildings and do not create a continuous boundary edge condition.

C8. Buildings to the Jones Street frontage will have a varying setback that allows ground floor courtyards (no closer than 12m to the Jones Street boundary) with a further setback for the building as well as increased setbacks to retain mature vegetation where relevant.

C9. Buildings are sited with their long axis aligned north-south to provide north-south views and accessibility throughout the precinct, in particular to the multi-purpose park and heritage buildings.

C10. Buildings along the southern edge are designed to enable possible future links to the south between main building forms.

C11. Buildings addressing Dunmore Street have a 4m front setback.

3.4 Built form

Objectives

O1. Buildings are designed to activate and engage with the adjoining public domain.

O2. Buildings are designed to reduce the bulk and scale when viewed from the public domain and provide visual interest.

O3. Internal street setbacks and upper level setbacks enable sunlight and view corridors, whilst allowing passive surveillance from upper level balconies and terraces.

Controls

C1. Buildings are designed to have their main living areas and adjoining private open space oriented to and directly overlook the public domain.

C2. Building facades are angled to optimise solar access to main internal living areas and adjoining private open space and optimise outlook and views to high amenity features such as open space.

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C3. The Jones Street and Dunmore Street street-walls are broken into a number of smaller parts through significant recesses, other facade modulation or via distinct building elements.

C4. Building facades feature articulation within a cohesive overall composition using design measures such as:

- recessed and / or projecting balconies;
- large windows and other openings;
- sun control devices such as eaves, louvres and screens;
- privacy screens;
- blades or fins;
- elements of a more lightweight material than the main structural framing balustrades to balconies that have a more lightweight appearance than masonry such as glass, metal or timber.

C5. In relation to residential uses at ground level:

- the number of individual dwelling entries from the adjoining public domain are maximised;
- where entries provide access to more than one dwelling, they relate to each lift core, are clearly defined and legible and preferably form an architectural feature of the building;
- pedestrian entries are directly accessible from and at the same level as the adjoining public footpath;
- main living areas and adjoining private open space are oriented to be parallel and directly overlooking the adjoining public domain;
- front boundary treatments combine level change, landscaping and fencing to provide a reasonable level of privacy for residents while providing for casual passive surveillance of the adjoining public domain;
- internal living areas are integrated with areas of outdoor private open space to provide a transition between the public and private domains.

C6. In relation to non-residential uses at ground level:

- the number of individual tenancies that adjoin and are directly accessible from the public domain are maximised;
- pedestrian entries are at the same level as the adjoining public domain;
- large areas of transparent glazing or other openings enable clear sightlines between the public domain and internal areas, in particular those with high levels of activity such as reception, seating and dining areas;
- cafes or restaurants include outdoor seating in the adjoining public domain;
- awnings or other overhangs provide shelter for pedestrians;
- universal access is provided.

C7. Maximum building depth and width is in accordance with the NSW *Apartment Design Guide* (ADG).

C8. Building separation is generally consistent with Figures 7 - 9.

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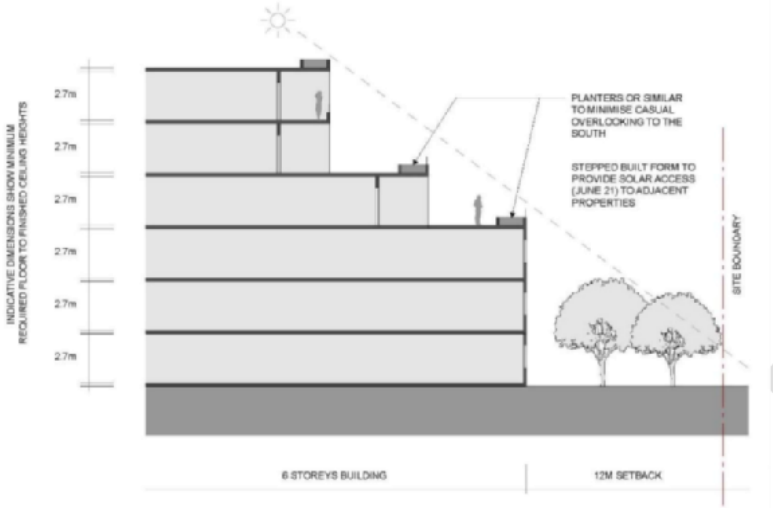

Figure 5: Indicative section at precinct southern boundary, adjoining Jones Street

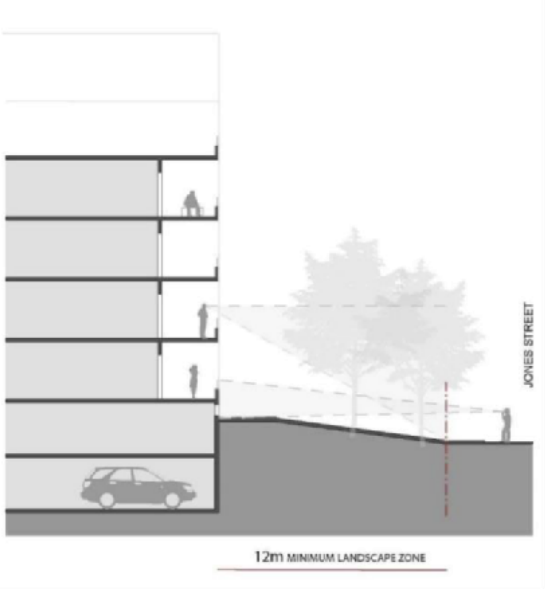

Figure 6: Indicative section at precinct eastern boundary, adjoining Jones Street

Note: Upper level building setbacks are indicative only. Refer to Figure 4 for indicative building heights.

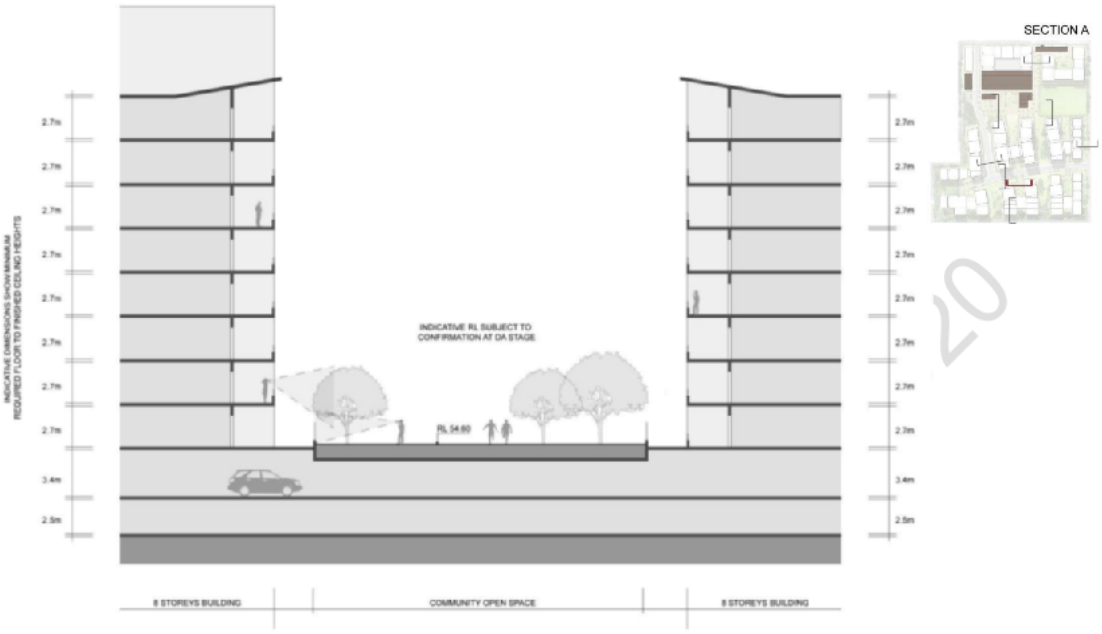

Figure 7: Indicative pocket park section

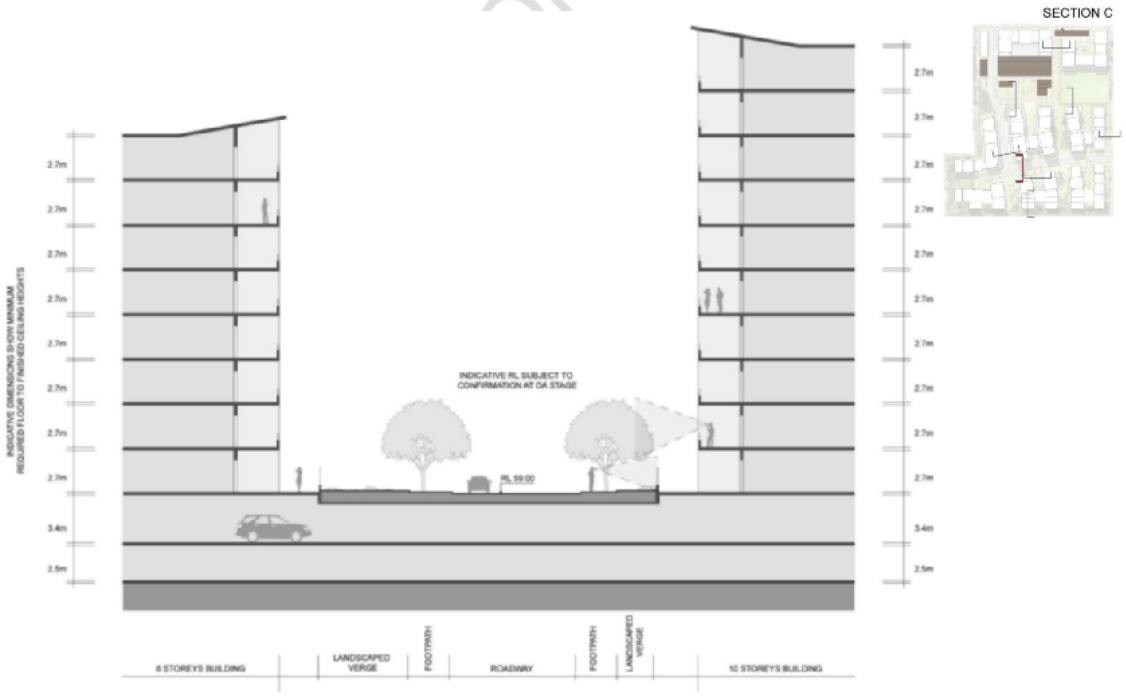

Figure 8: Indicative internal street section

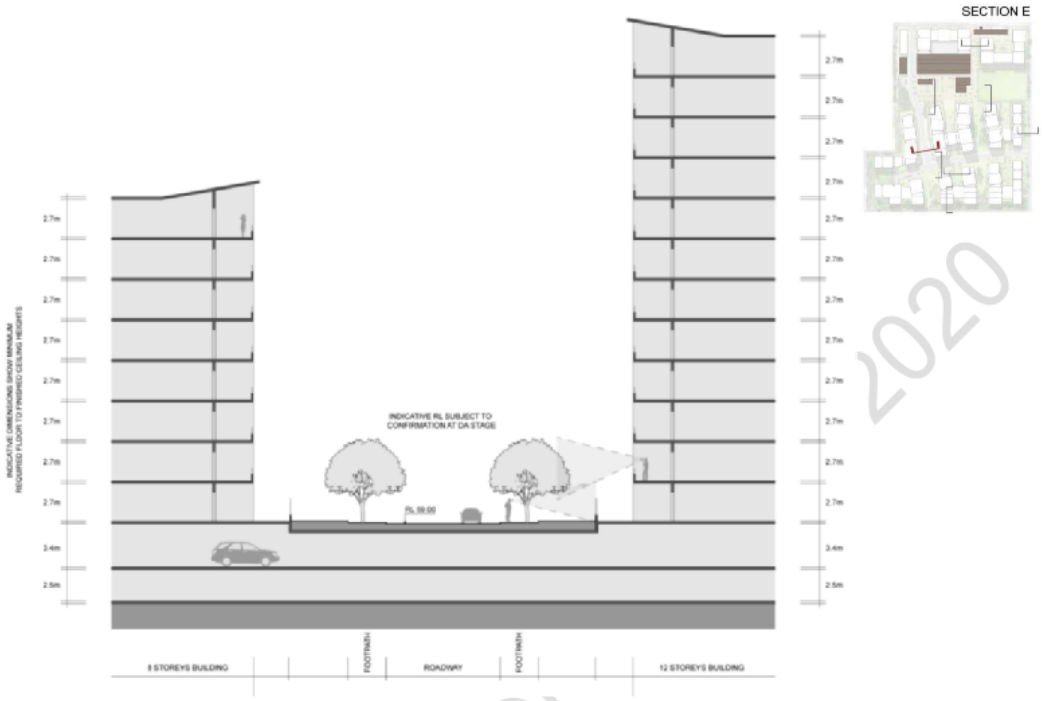

Figure 9: Indicative internal street section

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3.5 Open space

Objectives

O1. Development provides for open space that includes a publicly accessible multi-use park for the precinct and surrounding Pendle Hill community.

O2. Development provides for public and private open spaces that are well located and accessible, forming an interconnected network of green spaces.

O3. Development provides for public and private open spaces that have a layout, design, area and dimensions that are useable and fit for their intended purpose.

O4. Development provides for public and private open spaces that have a high level of amenity, including adequate solar access.

O5. Development provides for public and private open spaces that where publicly accessible, are physically and visually accessible and permeable, and are directly overlooked and activated by adjoining uses.

O6. Development provides for public and private open spaces that have a coherent, legible landscape character, and offers a high level of visual amenity.

O7. Development provides for public and private open spaces that cater for a diverse range of informal passive and active recreation activities.

O8. Development provides for public and private open spaces that cater for biodiversity, enable infiltration of stormwater into the ground and improves microclimate.

O9. Development that enhances the surrounding and internal street landscapes with quality landscaping and architectural responses, to facilitate a network of green links.

O10. Development promotes social cohesion and a sense of community through providing spaces that cater for organised and informal community gathering and interaction.

Controls

C1. Development creates a publicly accessible multi-use public park having a minimum area of 5,500sqm on the northern part of the site that is located between the heritage buildings and new development and has substantial frontage to Jones Street.

C2. The multi-use park includes the following facilities:

- soft and hard landscaping for passive recreation and active play;
- adaptable playground areas; and
- amenities such as BBQ facilities, shade structures, seating, lighting, bins and signage.

C3. Development provides for continuous linear space through-site links between development blocks that provide a physical and visual connection between the multi-use public park and public plaza and the site's southern boundary.

C4. Development includes at least five public pocket parks distributed throughout the precinct.

C5. Development provides for approximately 25,000sqm of publicly accessible open space.

C6. Where possible, public open space includes areas for community gardens in locations that do not compromise the useability of the space for informal active and passive recreation activities.

C7. Publicly accessible open space is provided with a range of amenities such as seating, lighting, paving and BBQ facilities.

C8. A minimum of 4 hours of solar access should be maintained to at least 60% of the public park on June 21.

C9. Open space is provided generally in accordance with Figure 10.

Indicative sections of the public park and marketplace plaza are provided in Figure 11 and 12.

C10. Existing significant trees around the perimeter of the site, in particular those that provide a screening function for adjoining uses, are retained where not required for site access points, and are integrated into the prevailing landscape character of the precinct.

C11. Development provides for:

- public open space;
- private communal open space;
- private, individual use open space; and
- landscaped areas and deep soil areas.

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C12. Development includes a public plaza as an extension of the multi-use park that features a combination of hard paving and soft landscaping and caters for informal community gathering and interaction, including occasional events.

C13. Deep soft landscape areas are located between buildings and the southern boundary of the site.

C14. Plantings in open space areas incorporate a diverse selection of locally native species including trees, shrubs and grasses/groundcovers.

C15. Except for the public plaza, public open space optimises permeable soft landscaping such as turf and planted areas.

C16. Open space includes sufficient area for deep soil planting to support large, spreading canopy trees.

C17. All streets:

- include a minimum 4m landscaped verge on both sides; and
- are generally in accordance with the landscaping elements shown in Figures 11 and 12.

C18. Extensive, co-ordinated tree plantings are provided within new street reserves.

C19. Development creates a community precinct focussed within and around the heritage buildings that includes public open space and non-residential uses.

C20. Development facilitates public access to the site by maintaining strong connections and a permeable pedestrian and public open space network.

C21. Development includes community gardens.

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Figure 10: Open space network

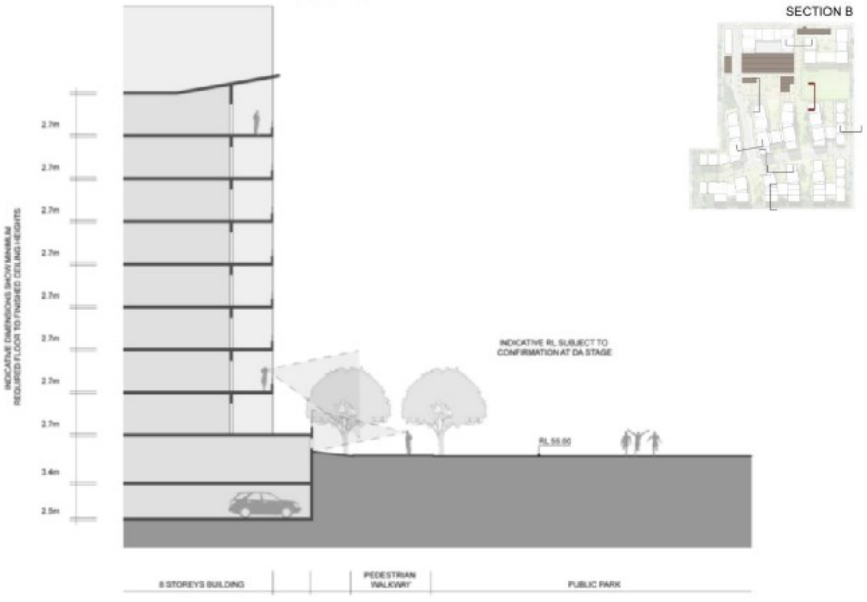

Figure 11: Indicative section of public park

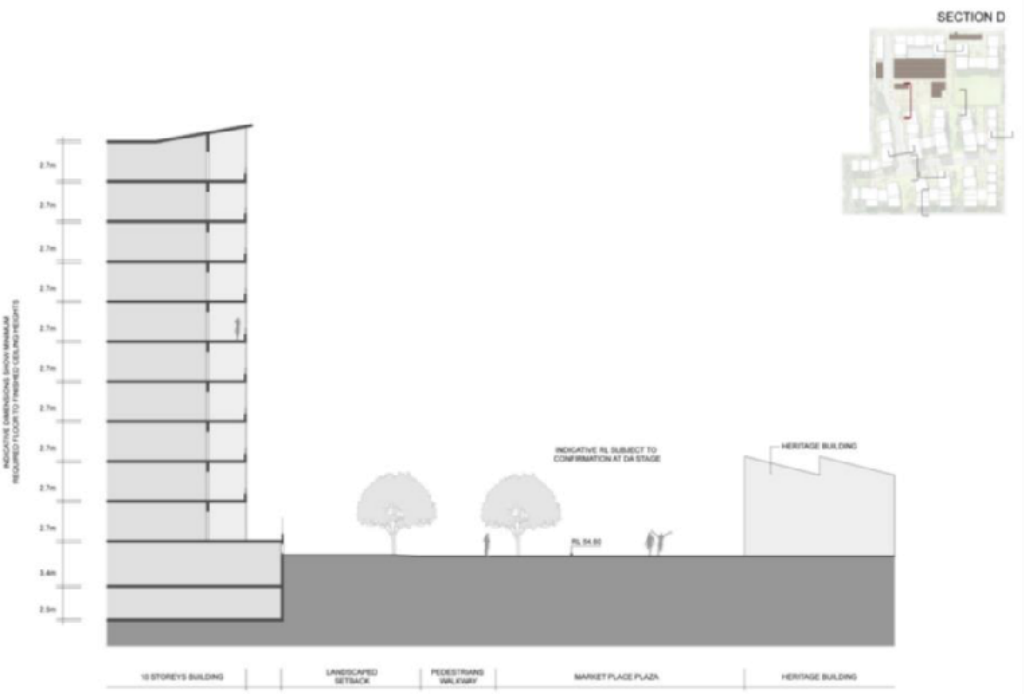

Figure 12: Indicative section of marketplace plaza

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3.6 Movement network

Objectives

O1. The movement network provides for multiple points of public access to the precinct.

O2. The movement network is functional and provides for the efficient and safe movement of vehicles, pedestrians and cyclists.

O3. The movement network provides a comfortable and attractive environment for pedestrians and cyclist.

O4. The movement network where appropriate, provides opportunities for social interaction and gathering.

O5. On-site car parking is provided at a rate that balances the need to provide for the convenience needs of residents and visitors with encouraging more sustainable forms of movement such as the public transport, walking and cycling for commuter and recreational trips.

O6. On-site car parking is provided in a form that reduces overall building size and enables the creation of a positive relationship between buildings and the adjoining public domain, in particular through high levels of integration at the ground level.

Controls

C1. The street network, pedestrian network, site access and car access points are provided generally in accordance with Figure 13 – Movement Network.

C2. The existing street network is extended into the site to provide for at least one vehicle access onto Dunmore Street and one access on to Jones Street.

C3. Vehicle ingress and egress to the site is two-way.

C4. Pedestrian and cyclist movement is prioritised over vehicular movement.

C5. Streets include pedestrian paths on both sides.

C6. The pedestrian and cycle access network:

- is direct and accessible to all;
- is easily identified by users;
- has a public character;
- includes signage advising of the publicly-accessible status of the link and the places to which it connects;
- is clearly distinguished from vehicle access-ways; and
- allows visibility along the length of the link to the public domain at each end

C7. Strong, legible pedestrian connections are established between the site and adjoining areas.

C8. The pedestrian and cycle access network:

- aligns with breaks between buildings so that views are extended and the sense of enclosure is minimised;
- includes materials and finishes (paving materials, tree planting, furniture etc.) integrated with adjoining streets and public spaces and be graffiti and vandalism resistant;
- is well-lit to safety standards;
- is open to the sky along the entire length; and
- is accessible 24 hours a day.

C9. Provision is made to allow possible future connections from the site to the south

C10. Street furniture is provided and includes a high quality, durable and co-ordinated selection of:

- paving;
- seating;
- lighting;
- rubbish bins; and
- signage.

C11. Street trees are to be provided within deep soil zones on all streets that:

- comprise a co-ordinated palette of climatically responsive species;
- are robust and low-maintenance;
- are planted in a co-ordinated, regularly spaced and formalised manner;
- increase the comfort of the public domain for pedestrians, including through the provision of shade in summer; and
- enhance the environmental performance of the precinct by increasing opportunities for energy conservation.

C12. In areas where deep soil zones cannot be achieved, suitable trees species still:

- comprise a co-ordinated palette of climatically responsive species;
- are robust and low-maintenance; and

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- provide adequate canopy shade, for the comfort of pedestrians.

C13. On-site car parking is provided in accordance with Part G, Cumberland DCP 2020.

C14. Carpark access is co-ordinated to provide for efficiently and convenience while not adversely affecting the pedestrian movement or the visual amenity of the public domain.

C15. On-site resident car parking is provided in basement form.

C16. Basement car parking protrudes above ground level:

- for ventilation purposes only; and
- for a maximum height of 1m.

3.7 Managing transport demand

Objective

O1. Ensure that the transport demand generated by development is managed in a sustainable manner.

Controls

C1. All development applications are to include a 'Transport Impact Study' addressing the potential impact of the development on surrounding movement systems, where the proposed development comprises:

- non-residential development of more than 1,000m² GFA;
- residential development of 100 or more new dwellings; or
- likely to generate significant traffic impacts according to the consent authority.

C2. The development application and applications for subdivision are to include a site wide 'Green Travel Plan' to outline initiatives for walking, cycling and the use of public transport. The Green Travel Plan should address different transport needs and patterns for residential and non-residential uses. Where relevant, initiatives are to be implemented prior to the issue of an Occupation Certificate.

C3. All development applications are to include a 'Transport Access Guide', and a strategy for its future availability to residents, employees and visitors, where the proposed development comprises:

- Multi-dwelling housing; or
- Non-residential development more than 1,000m² GFA.

C4. Residential development within an 800m radial catchment of a railway station must provide at least one car-share parking space for every 100 dwellings.

C5. Car-share parking spaces are included in the maximum number of visitor car parking spaces required for a development in Part G - Miscellaneous Controls, *Cumberland DCP 20XX*.

C6. Car-share parking spaces must be publicly accessible at all times, conveniently located, adequately lit and identified with sign-posting and road marking.

C7. Car-share spaces must comply with the relevant Australian Standard.

C8. Written evidence must be provided with the construction certificate demonstrating that offers of a car space to car-share providers have been made together with the outcome of the offers or a letter of commitment to the service.

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C9. All car-share parking spaces are to be retained as common property by the Owners Corporation of the site. A covenant is to be registered with the strata plan advising of any car-share parking space. The covenant is to include provisions that the car-share parking space(s) cannot be revoked or modified without prior approval of Council.

C10. End-of-trip facilities including showers and lockers must be provided to adequately service the number of bicycle parking spaces required for employees in commercial premises and are to be located close to the bicycle parking area, entry/exit points, and within an area of security camera surveillance preferably where there are such building security systems.

Note: Council will give consideration to granting a floor space exemption where the applicant demonstrates the provision of end of trip facilities within the residential and commercial components of the development.



Figure 13: Movement network

3.8 Heritage

Objectives

O1. All development seeks to respect and celebrate the site's former use as the Bonds Spinning Mill.

O2. All development seeks to identify the potential for archaeological remains.

O3. All development seeks to ensure adequate protection and best-practice management of archaeological relics.

O4. All development seeks to minimise the potential for the disturbance of archaeological relics likely to be located on the site.

Controls

C1. The following heritage buildings are retained as shown in Figure 14:

- Administration Building;
- Dance Hall;
- Cutting Room;
- Cotton Bale Stores; and
- John Austin Centre

C2. Development is sited and designed in accordance with Section 11.10 of the Conservation Management Plan (Design Guidelines). Refer to Council's website for a copy of the CMP.

C3. Retained heritage building are sympathetically restored, adaptively re-used and integrated with the balance of the precinct.

C4. The spaces around the heritage items are accessible to the public.

C5. New buildings adjacent to heritage buildings shown in Figure 14, are to achieve proportional relationships, including:

- fenestration proportions;
- materiality; and
- key elevational alignments.

C6. New development which falls within, or adjoins heritage curtilage zones, requires consideration of building materials that are complimentary to the retained heritage buildings, and are sympathetically designed in accordance with the CMP.

C7. Industrial archaeology such as information signage and public artwork is distributed throughout the site to provide a time line highlighting important events and characters from the site's history.

C8. The first development application is supported by a public art and interpretation strategy that complies with these controls.

C9. View corridors are provided from the public plaza to Dunmore House and from Jones Street through the multi-use park to the John Austin Centre.

C10. An historical archaeological assessment should be prepared by a suitably qualified and experienced historical archaeologist to inform the redevelopment of the site. This assessment should clearly identify and assess the potential for archaeological relics and engineering works, including providing an assessment of their significance in accordance with the NSW Heritage Division Guideline: *Assessing Significance for Historical Archaeological Sites and Relics, 2009*. The assessment should then consider what impacts, if any, the proposed activity will have on any potential archaeological resource and include appropriate recommendations for its management according to significance. The Assessment should be submitted to Council for consideration in support of the first development application.

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C11. Where the assessment determines that the development would disturb a potential historical archaeological resource, an application for an excavation permit under the *Heritage Act 1977* (NSW) must be submitted to the NSW Heritage Council. A copy of the report and the permit are to be provided to Council with the development application.

C12. The applicant is to lodge, prior to issue of a Construction Certificate, a Construction Heritage Management Plan which addresses the following:

- Mitigation measures that will be in relation to the likely archaeology onsite;
- The proposed monitoring in place for any archaeological relics uncovered;
- Training, resources and consultation for staff on the site during excavation;
- Incident management protocol; and
- Methods dealing with unexpected finds during works.

C13. During the development, if any archaeological remains are discovered, the developer is to stop works immediately and notify the NSW Heritage Division and Council. Any such find is to be dealt with appropriately, in accordance with the *Heritage Act 1977* (NSW), and recorded, and details given to Council prior to the continuing or works.



Figure 14: Heritage

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CUMBERLAND CITY COUNCIL

PART F1- 4

BRADMAN STREET, GREYSTANES (PROPOSED DEVELOPMENT AND SUBDIVISION)

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1. Introduction

1.1 Land to which this section applies

This section applies to land situated in the Cumberland City being Lot 5 DP 20650, Lot 6B DP 413844 and Lots 16 and 17 DP 238362, as shown in the diagram below.

This plan aims to provide a cul-de-sac at the eastern end of Bradman Street, Greystanes.

2. Specific Objectives and Controls

Objectives

O1. Facilitate the conventional subdivision of Lot 5, DP 20650, Lot 6B DP 413844, Part Lot 16 and Lot 17, DP 238362 into 12 lots; and

O2. Prevent the linking of the existing sections of Bradman Street.

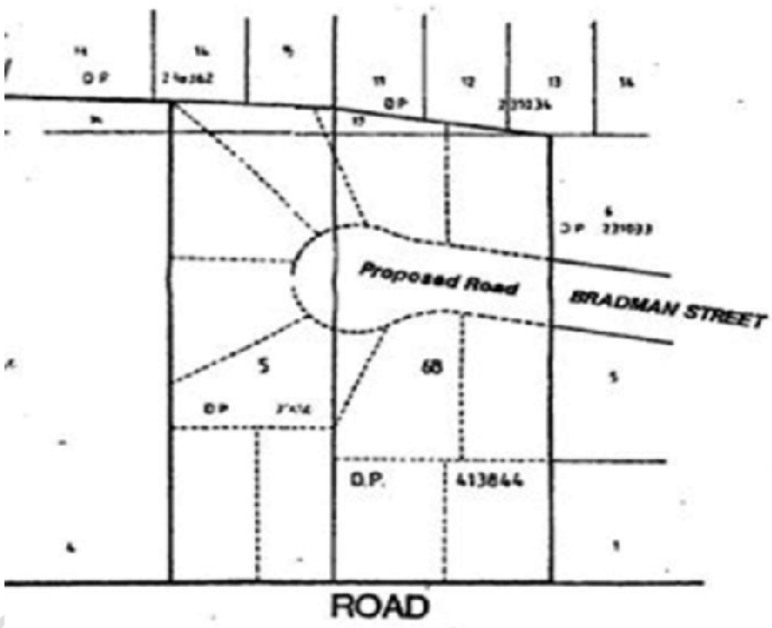

Figure 1: Bradman Street subdivision map

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CUMBERLAND
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PART F1-5
CROSBY STREET, GREYSTANES

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1. Introduction

1.1 Land to which this Part applies

This section applies to lands at Crosby Street precinct, Greystanes, as indicated in Table 1 and shown on Map 2.

2. Vision

As of 2010, Crosby Street, Greystanes, has been divided into two, unconnected sections. This section of the DCP is intended to guide future subdivision within the precinct to ensure that the two sections are connected, that development addresses the completed Crosby Street and that additional vehicular access from the parallel Great Western Highway is minimised.

3. Specific objectives and controls

Objectives

O1. Facilitate the reasonable development of the Crosby Street precinct by permitting the completion of Crosby Street, Greystanes.

O2. Minimise the number of properties with vehicular access from the Great Western Highway.

O3. Ensure that further development results in the completion of Crosby Street.

O4. Ensure that development addresses both sides of Crosby Street.

Controls

C1. This section of the DCP applies to all development within the Crosby Street precinct, as indicated in Table 1 and shown in Figure 1.

C2. Development for the purposes of the erection of a new detached dwelling house and additions and alterations to an existing, detached dwelling house is excluded from the provisions of this section.

C3. Subdivision of land in this precinct shall not result in:

- lots having a maximum dimension of more than 37m; or
- hatched-shaped allotments having vehicular access from the Great Western Highway.

C4. Land shall be dedicated for the Crosby Street extension in accordance with Figure 2 for a 15m wide road reservation.

C5. A 7.5m wide vehicular carriageway shall be constructed along the proposed extension of Crosby Street, with a 3.75m footpath verge with a roll-top kerb along either side to match adjoining.

C6. Road layout and geometry shall be in accordance with the provisions of Part A and G of this DCP and with other approved standards, either the *Guide to Traffic Engineering Practice* published by NAASRA, or the Roads and Maritime Services guidelines.

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C7. All roadworks, including drainage, kerb and gutter and footpaths, shall be constructed at the applicant's expense and the required land dedicated to Council prior to release of any Subdivision or Occupation Certificate. Alternatively, Council may accept lodgement of a bond, through a bank guarantee, for the agreed value of the works plus interest for 10 years, in lieu of construction of the works.

C8. Where hatched shaped allotments are created with frontage to both the Great Western Highway and the Crosby Street extension, a restriction to use under Section 88B shall be included upon the title, with Council listed as a party, to require no access from the Great Western Highway, upon extension of Crosby Street to the subject property.

C9. Temporary access shall be permitted from the Great Western Highway until such time as all land dedication and road construction for the Crosby Street extension is completed to the subject property.

C10. Approval of temporary access from the Great Western Highway shall be subject to the agreement of the Roads and Maritime Services and any affected landholders.

C11. Where temporary access from the Great Western Highway has been permitted, the following works shall be carried out at the expense of the landowner(s) at such time as the Crosby Street extension is completed to the subject property:

- all necessary works to permit vehicular access from Crosby Street, including removal of fences and construction of a suitable vehicular driveway from the property boundary to the kerb-line;
- all necessary works required to deny access from the Great Western Highway, including erection of fencing at the property line and removal of any vehicular driveway from the property boundary to the kerb-line.

C12. Development shall not extinguish the existing right of carriageways linking Crosby Street and Great Western Highway located on 477 and 485A Great Western Highway.

Table 1: Land subject to Section 1 of this Part.

Property Address	Lot No.	DP
22 Crosby Street, Pendle Hill	402	564607
467 Great Western Highway, Pendle Hill	1	1129553
469 Great Western Highway, Pendle Hill	401	564607
471 Great Western Highway, Pendle Hill	10	793480
475 Great Western Highway, Pendle Hill	2	217021
477 Great Western Highway, Pendle Hill	7	862464
485A Great Western Highway, Pendle Hill	10	1050994

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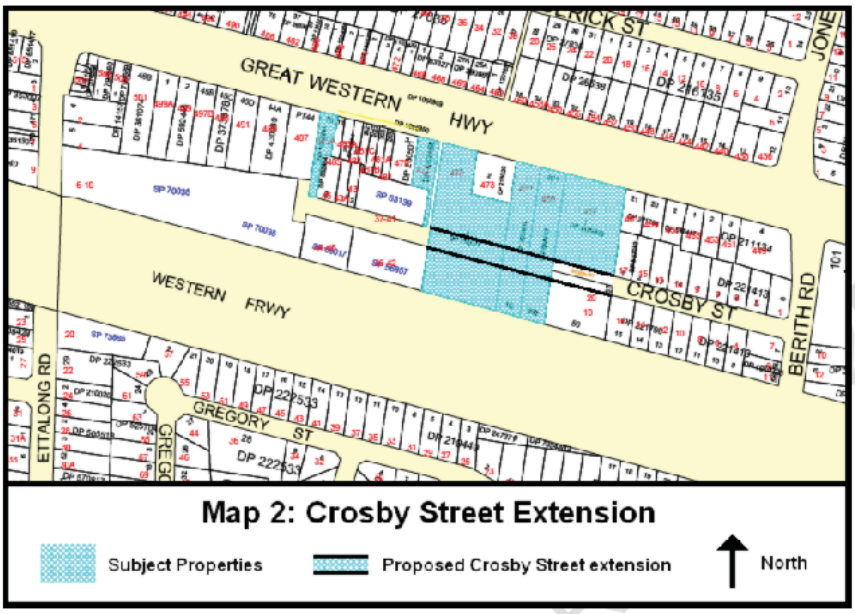

Figure 1: Crosby Street map

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PART F1-6
FOREST GUM ESTATE

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1. Introduction

The Forest Gum Estate, Greystanes is intended to be developed as a low density residential area.

As a response to potential over development, it is intended to impose additional development controls which would apply to this site. Rather than limiting the range of building forms by providing additional FSR controls, it is considered appropriate to contain development within an appropriate building envelope. In addition, controls on the minimum amount of private open space will ensure that sufficient private open space is provided for each dwelling.

As the Forest Gum Estate is a comparatively large development, it is appropriate to designate significant trees subject to Council's Tree Management Order and provide soil erosion and sedimentation controls within this Development Control Plan.

1.1 Land to which this Part applies

This section of the DCP applies to land outlined in heavy black as shown on the plan map below.



Figure 1: Forest Gum Estate map

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2. Specific objectives and controls

Objectives

O1. Ensure the low density development is consistent with that allowed under the R2 zone of *Cumberland LEP 20XX*.

O2. Ensure a building envelope is provided to contain the bulk and scale of development.

O3. Ensure significant trees are identified and protected.

O4. Ensure controls are provided relating to soil erosion and sedimentation during construction and building works.

Note: The provisions of Part B of this DCP relating to one and two Storey Residential Development" and "Dual Occupancy" specifically apply to the subject land except where the provisions of this section apply.

Controls

Private open space

C1. A minimum area of 80m² excluding side and rear setbacks shall be provided as usable private open space for each allotment.

Tree management

C2. Those trees identified as being significant on the map are subject to the provisions of Cumberland City Council's Tree Management Order.

C3. Those trees identified as being significant on the map are subject to the provisions of Cumberland City Council's Tree Management Order.

C4. In respect of Lot 9 DP 845448 shown on the map Council may consider the removal of trees provided four significant trees are retained and a schedule of replacement trees is provided to the satisfaction of Council.

Soil erosion and sedimentation

C5. Measures to prevent soil erosion and sedimentation as detailed in Part G of this DCP.

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PART F1-7
FORMER LIDCOMBE HOSPITAL SITE

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1. Introduction

1.1 Land to which this Part applies

This Part applies to land zoned R3 Medium Density Residential under the provisions of *Cumberland LEP 20XX* and known as the Former Lidcombe Hospital site, as shown in Figure 1 below.

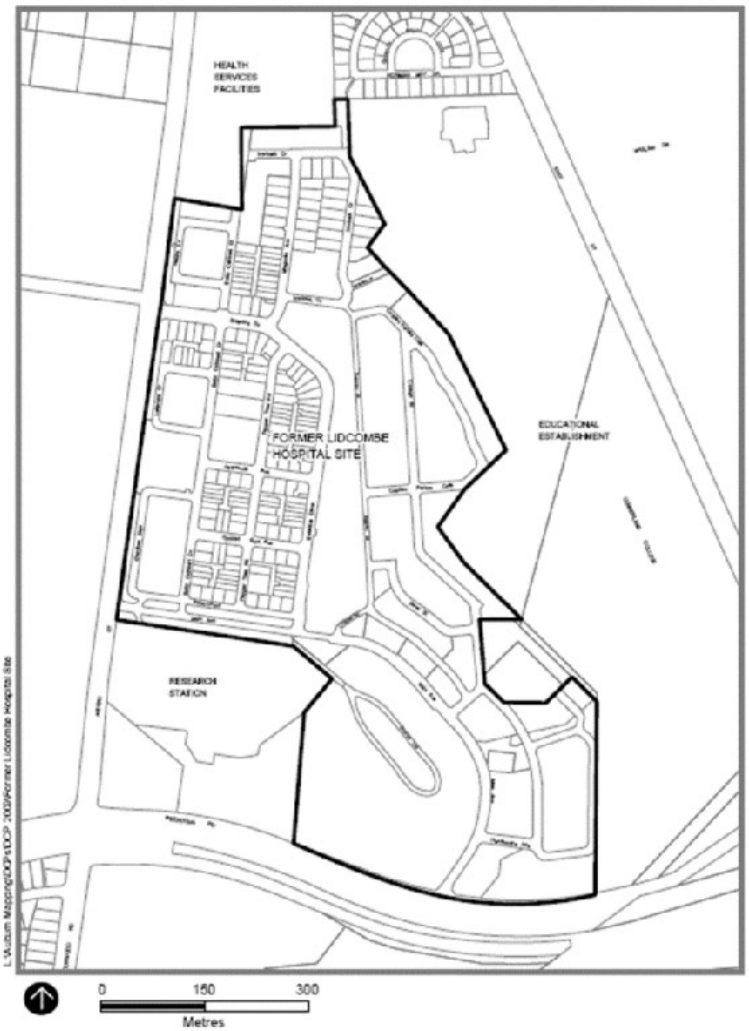

Figure 1: Area to which this Part applies

Where there is an inconsistency between this Part and other Parts within this DCP, the provisions of this Part prevail.

2. General objectives

This Part seeks to ensure that re-development achieves the following objectives and outcomes:

O1. The site, when re-developed, maintains its uniqueness and character.

O2. Future development retains and responds to key characteristics of the site.

O3. The features of the site are integrated into the overall planning of the site.

O4. Retention, adaptive reuse and integration of significant and other buildings to give unique character to the site, to enable future generations to read the "story" of the site and to reduce waste through reuse of existing building fabric.

O5. Retention of significant remnant vegetation, cultural plantings and landscape features in the public domain and retention of significant road alignments, to protect and enhance biodiversity and ecological niches.

O6. Provision of employment opportunities and opportunities for cultural development by providing for mixed uses in key heritage buildings.

O7. Provision of a range of quality open space to meet passive and active recreational needs of the community (excluding organised sport) in locations that are easily accessible and in locations that maximise the retention of key landscape features and significant vegetation in the public domain.

O8. Integration of landuse and transport planning by providing pedestrian, bicycle and transport connections within the site and between the site and its surrounds by way of bus transport and by co-location of services, facilities and employment opportunities.

O9. Development of safe, well designed subdivisions, residential areas and dwellings, taking account of energy efficiency and efficient water management principles.

O10. Create a sustainable community socially, culturally, environmentally and economically.

O11. Ensure that a comprehensive ecologically sustainable development (ESD) strategy applies to the design, development, conservation, construction and maintenance processes.

O12. Ensure that ESD principles underpin the overall development including the design of dwellings and living areas.

O13. Retain and reuse the existing buildings, where possible.

2.1 Staged development

On 7 July 2004, consent orders were issued by the Land and Environment Court approving development application number 572/02 for the staged development of the site for subdivision, civil works including roads, drainage and provision of open space, demolition of buildings, regrading, landscaping, removal of trees, site remediation and separate access and uses.

2.2 Terms Unique to the Part

Studio accommodation

Are a room or suite of rooms no greater than 55m² in floor area located over a garage which is not part of the front streetscape. The rooms are capable of separate occupation.

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Terrace houses

Are a form of multi dwelling housing. They are dwellings that have a common side wall(s) with an adjoining dwelling(s) in a group of three up to a maximum of 8 dwellings where the garage is detached from the dwelling and is accessed from the side or rear of the lot.

Town houses

Are a form of multi dwelling housing. They are dwellings that have a common side wall(s) with an adjoining dwelling(s) in a group of three up to a maximum of 8 dwellings where the garage is attached with the dwelling at the front or side.

3. Specific objectives and controls

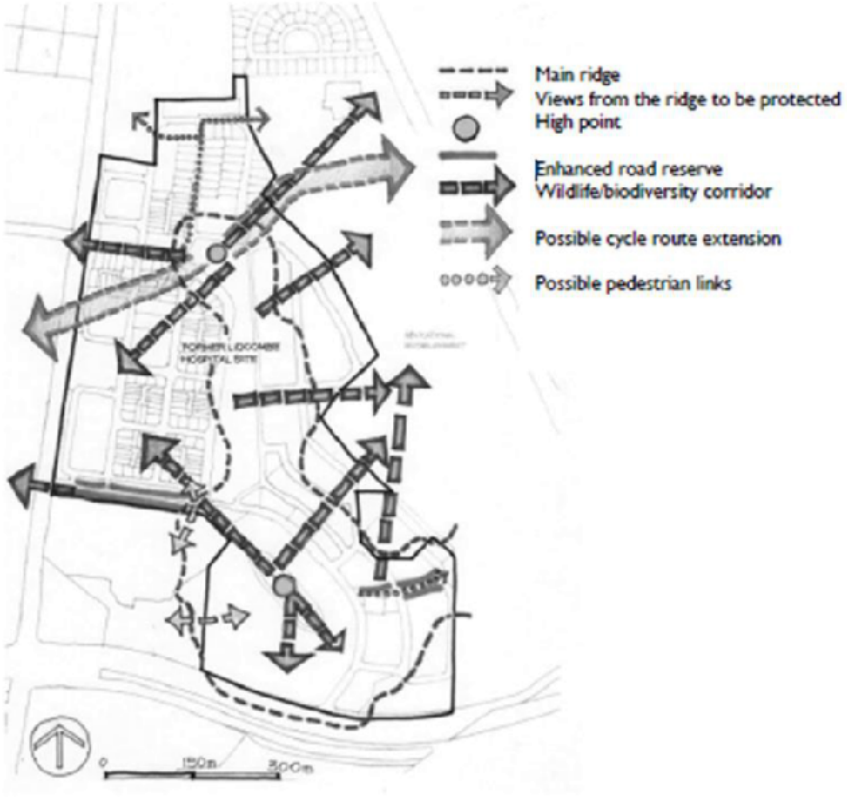

Figure 2 – Key features.

Figure 2: Key features

3.1 Planning Principles

This section sets out requirements that apply to the overall urban design and structure planning for the site. The key objective of this section is to ensure that the urban design/structure plan for the site retains key features (see Figure 2) of the site and responds to these.

3.1.1 Built elements to be retained

Objectives

O1. Ensure that, wherever possible, existing buildings and road alignments are retained and adaptively reused.

O2. Ensure that future generations are able to interpret the history of the site.

O3. Individual buildings of significance are to be retained and conserved, or adaptively reused, on the site to achieve quality conservation and urban design outcomes.

O4. Retain road alignments of significance to contribute to the historical layering of the site.

Control

C1. Buildings and elements to be retained shall be detailed in the plans approved as part of the determination of development application number 572/02 (as amended) for the staged development of the site.

3.1.2 Landscape elements to be retained

Objectives

O1. Ensure that overall landscape integrity of the site is retained.

O2. The landscape integrity and natural and cultural attributes of the site are utilised as opportunities to define the structure of future development on the site by:

- using the natural lines of drainage to define the location and form of streets and open spaces;
- protecting the ridge top and high points within the public domain;
- protecting significant tree groups within the public domain;
- protecting individual significant trees within the private domain, where it is not possible to protect in the public domain;
- responding to the different topography and character of the site on the western and eastern sides of the ridge;
- retaining existing water bodies and water detention basins as part of an ecologically sustainable approach to stormwater management;
- protecting the visual prominence of the site and protecting significant views from the site along the main ridge; and
- protecting significant remnant vegetation within the public domain.

Control

C1. Landscape elements shall be retained and incorporated into the overall urban design in accordance with the performance criteria above.

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3.1.3 Open space

Objectives

O1. Ensure that a variety of quality, conveniently located open space is provided to meet diverse passive and active recreation needs of the community, and where possible, to protect and promote biodiversity.

O2. Ensure that the open space network provides high quality and diverse recreational opportunities and responding to the special features of the site by:

- locating open space to protect significant tree groups;
- locating open space to protect significant remnant vegetation;
- locating open space to protect and highlight topographical features such as high points, ridgelines, drainage lines and other features;
- protecting significant heritage items;
- integrating stormwater management;
- protecting the landscape frontage to the site along Joseph Street;
- locating open space to reinforce pedestrian legibility and permeability through the site; and
- creating wildlife corridors linking across the site from Rookwood Cemetery to Carnarvon Golf Course.

Control

C1. Public open space shall be provided as detailed in the plans approved as part of the determination of development application number 572/02 (as amended) for the staged development of the site.

3.1.4 Street layout

Objectives

O1. Ensure that the road and street layout respects the history of the site and responds to key characteristics of the site.

O2. The roads and streets on the site are to be designed to respond to the site character by:

- respecting and retaining the significant existing road patterns, structure and character where possible;
- retaining the ridge road through the site as the main collector road;
- responding to existing site topography when determining street alignments;
- minimising cut and fill;
- protecting significant landscape or built elements;
- defining property boundaries or neighbourhood boundaries;
- fronting onto open space areas;
- providing opportunities for linkages to adjoining uses; and
- defining clear residential and open space precincts.

O3. The street pattern is organised so that

- the heritage buildings and landscape are retained and fully integrated into the development;
- there are long sight lines affording views and vistas; and
- the undulations of the topography are clearly visible.

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Control

C1. The street layout shall be detailed as shown in the plans approved as part of the determination of development application number 572/02 (as amended) for the staged development of the site.

3.1.5 Street hierarchy

Objectives

O1. Strengthen links and interconnections with adjoining sites.

O2. Minimise the adverse impacts of vehicular traffic on future residential environments.

O3. Optimise links to the surrounding road network and adjoining uses by:

- providing the main site entry of Joseph Street at the existing traffic lights;
- providing a secondary site entry point on Joseph Street with limited turns (left-in and left-out);
- upgrading the existing site entry on Weeroona Road;
- providing continued access to the MS Society site and Ferguson Lodge via the local road network;
- allowing for future road connections to the TAFE and University to the east of the site; and
- ensuring all roads (except laneways) are public streets.

O4. Minimise the impact of vehicular traffic on the amenity of the future residential environment by:

- providing a hierarchy of streets that concentrates the principal traffic on a collector road through the centre of the site;
- designing local streets to be low speed low volume roads that offer high pedestrian and residential amenity;
- providing rear laneways for private access to garages to reduce the visibility of garages on primary street frontages; and
- creating a landscape framework that reinforces the hierarchy of the streets.

Control

C1. The development shall adopt the street hierarchy consistent with the plans approved as part of the determination of development application number 572/02 (as amended) for the staged development of the site.

3.1.6 Pedestrian and cycle circulation

Objectives

O1. Encourage and facilitate walking and cycling within the site and the general neighbourhood.

O2. Encourage use by pedestrian and cyclist use of the site by:

- providing footpaths on all streets on the site;
- providing safe and high amenity pedestrian linkages connecting all major activities and open spaces;
- providing a cycleway through the centre of the site following the route of the main collector road along the ridge;
- designing for safe on-street cycling conditions along residential streets;
- providing bicycle parking at key locations;

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- providing new pedestrian and cycle access to adjoining housing development to the north and Coleman Park; and
- allowing for future pedestrian/cycle links to adjoining sites and regional routes and integrating accessibility for the mobility impaired.

Controls

C1. Pedestrian and cycle routes shall be provided as shown in the plans approved as part of the determination of development application number 572/02 (as amended) for the staged development of the site.

C2. Streetscaping/public domain design shall strengthen the role of these routes and take account of safety of these routes.

3.1.7 Car parking

Objectives

O1. Maintain high amenity of the residential neighbourhoods and heritage precinct by ensuring that adequate provision is made for resident, non-resident and visitor parking.

O2. Adequate car parking is to be incorporated on the site to cater for residents and visitors without compromising the setting and amenity of the residential environment by:

- ensuring all multi-unit dwellings have basement parking accessed from rear lanes;
- limiting on-street parking to one side on local streets;
- limiting parking along the main collector road, where necessary, to create a parkway character and enhance heritage setting; and
- allowing small discrete car parking areas to the rear of buildings within the heritage core.

Controls

C1. Public parking spaces shall be provided in addition to the resident parking provided for each dwelling.

C2. Public domain, street and landscape design shall clearly delineate parking areas

C3. All car parks shall be landscaped and screened.

3.1.8 Built form character and scale

Objectives

O1. Ensure that new buildings enhance the overall character of the site.

O2. The location, scale and character of new buildings are to protect the overall cultural significance of the site by:

- ensuring new buildings associated with the existing heritage buildings respect the scale, form and character of the heritage items;
- protecting the existing physical and visual relationship between groups or complexes of buildings;
- siting larger footprint buildings along the northern and eastern side of the site where there are less physical and cultural constraints; and
- developing buildings which protect the amenity of open spaces and key views into and out of the site.

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Controls

C1. The design of new buildings shall emphasise the street and open space hierarchy by defining built edges through building setback, height, articulation and historic/distinct architectural form.

C2. New development shall respond to and reflect the built form hierarchy.

3.2 Heritage

3.2.1 Built heritage

Objectives

O1. Ensure that use of the buildings does not expose the building to unusual risk of damage.

O2. Ensure that the heritage buildings are economically adapted and reused.

O3. Ensure that the works and uses of the heritage buildings contribute to the integration of the heritage core and precinct to the development as a whole.

O4. Ensure that the use of buildings does not compromise their heritage significance and does not expose the building to unusual risk of damage.

O5. New development is to be compatible with the overall residential character of the former Lidcombe Hospital site and the heritage core precinct (as identified on the NSW State Heritage Register).

O6. Ensure that the use of built heritage will not impact significantly on the heritage fabric of the building or reduce its heritage significance.

O7. The use of built heritage will not result in risk of damage to the heritage fabric of the building by virtue of how the building is to be managed or the intensity of that use.

Controls

C1. Buildings and landscape elements in the heritage core precinct shall be retained.

3.2.2 Maintenance schedule

Controls

C1. The detailed maintenance schedule for all buildings identified for retention shall include: immediate works; 5 year; 10 year; and continuing maintenance schedule.

C2. Specific levels of conservation/repair works for the buildings listed in the table above are required by this Part as follows:

- All items of exceptional, high and moderate significance be brought to the following level of condition prior to time of transfer, resale or lease.

Items of exceptional and high significance:

- All external fabric (including roofs, walls, windows, doors) shall be restored/repaired to a level of condition which gives the basis of a habitable building as defined by Council.
- All infestations of pest and vermin in proposed retained buildings shall be controlled and damaged fabric restored/repaired to a level of condition which gives the basis of a habitable building as defined by Council.

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- All electrical, water, sewerage, gas services shall be restored/repaired to a level of condition which will allow full and unrestricted use of the services in the building by a new occupant. This includes fixtures such as wires, pipes, switch boards, gas and water metres but does not include finishes and fittings.
- All interiors of items of exceptional and high significance shall be brought to a standard which provides the basis for a habitable interior as defined by Council.
- Interiors of items of exceptional significance as identified by Cumberland City Council are to be conserved and restored to the condition known at a determined date.

Items of moderate significance:

- Exteriors of items of moderate significance (to be retained) shall be repaired as required to an acceptable habitable standard.
- Interiors of items of moderate significance (to be retained) shall be retained/repaired as required to an acceptable level which provides the basis of a habitable interior.

3.2.3 Archaeological heritage

Controls

C1. Demolition and excavation of the site is to be carried out in accordance with the approved *Archaeological Management Plan* (which sits within the Conservation Management Plan). This work should also comply with the *Heritage Act 1977* and *Cumberland LEP 20XX* in relation to development works and disturbance of potential archaeological resources.

C2. The recording and conservation of archaeological resources shall be achieved in accordance with the heritage provisions of the *Heritage Act 1977*, *Cumberland LEP 20XX* and with the approved *Lidcombe Hospital Site Archaeological Management Plan*.

C3. Proposals for development and excavation of the site shall consider the need to obtain an excavation permit in accordance with the *Heritage Act 1977* and with reference to the *Conservation Management Plan* and *Archaeological Management Plan* referred to above. Permits will generally be required to carry out further archaeological assessment in areas identified as high or moderate archaeological significance prior to further site disturbance.

Note: No further action is required in relation to archaeological resources in other areas of the site unless relics or evidence is discovered during site disturbance or excavation and either the provision of the Heritage Act 1977 applies relating to European relics, or the National Parks and Wildlife Act 1974 applies regarding indigenous sites.

3.2.4 Landscape heritage

Objectives

O1. The Main Avenue heritage landscape element is to be restored to replace missing elements such as plantings of pines and palms.

O2. Any new development near heritage landscape elements are not to adversely affect the significance or character of those elements.

O3. Any items of heritage landscape significance, which are considered unsustainable by virtue of health, longevity, safety or other relevant consideration, are to be replaced with suitable new plantings in accordance with the approved landscape master plan.

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Controls

C1. The conservation of the heritage landscape elements must be achieved in accordance with the heritage provisions of the *Cumberland LEP 20XX* and with the approved *Lidcombe Hospital Site Conservation Management Plan*.

C2. Proposals for development of the site must be made in accordance with the approved *Lidcombe Hospital Site Conservation Management Plan and Heritage Impact Statement* prepared for the site, and take account of the landscape elements defined in the *Lidcombe Hospital Site Conservation Management Plan*.

Note: In this section, a landscape master plan is the plan prepared by the applicant which accompanies the first stage development application. It sets out the general principles of embellishment to be undertaken in subsequent stages of the development of those areas where the developer intends to undertake the embellishment of local open space. The landscape master plan is to be consistent with the principles and requirements of the Lidcombe Hospital Site Conservation Management Plan, September 2002.

3.3 Landscaping, public open space and public domain

3.3.1 Landscape Planting

Objectives

O1. Retain and enhance existing endemic vegetation and biodiversity.

O2. Retain significant heritage plantings.

O3. Provide quality private open space to meet the recreational and living needs of residents.

O4. Ensure that landscaping on private land contributes to the character of precincts and streetscapes.

O5. Provide quality public open space and public domain.

O6. Landscaping is to:

- enhance the amenity of all areas of the development;
- be easily maintained and robust; and
- contribute to the landscape masterplan of the development.

O7. Establish linkages and connections in the design of spaces through the selection of appropriate plant species.

O8. The selection of plant species are to be based on the following:

- appropriate remnant and endemic species;
- solar access to private open space and buildings;
- cultural landscape precedence; and
- demonstrated performance suitability of species within the planting environment.

O9. New plants are to be of species which are suited to the site conditions and have sympathetic character and style of the existing planted species.

O10. Ensure that the proposed planting considers the species endemic to the Auburn area and the preferred plant species list contained in the *Auburn Parks Infrastructure Manual*. This Manual is available from Cumberland City Council on request.

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Controls

C1. Existing vegetation consisting of significant heritage plantings and other mature plantings shall be retained when determining site layout and road alignments. The retention of these elements in development control shall be complemented with additional planting to provide identity to different parts of the development.

C2. Retention of trees shall consider:

- the safe useful life expectancy (assessed by a qualified arborist) and estimated future lifespan;
- the current and future amenity and contribution to the landscape that the tree provides;
- management and safety issues associated with retention; and
- heritage considerations including the natural and cultural history of the site.

C3. Landscape design of private lots and retained existing trees shall contribute to the landscape amenity of the neighbourhood and precinct landscape framework.

C4. Street patterns and street tree planting shall be strong components of the landscape framework.

C5. Streetscape planting shall ensure the coherence of new plantings and continuity with key elements and themes of the existing landscape.

C6. The detailed landscape design of streets and pathways shall reinforce people's understanding of the street hierarchy.

C7. Public open space areas shall be sized and designed as manageable parcels and readily accessible by maintenance personnel and equipment.

3.3.2 Public open space area

Objectives

O1. Ensure the provision of open space to allow suitable access and locations for both active and passive recreation activities appropriate to the size and function of the open space area. (Note: appropriateness in this sense includes matching the type of activities encouraged on that space to the proximity of dwellings to minimise disturbance of residents. Adequate protection must be provided to ensure significant existing trees are not damaged by construction activities).

O2. Ensure the retention and enhancement of existing significant vegetation contributes to the conservation of wildlife corridors.

O3. Existing vegetation complements the overall landscape scheme for the site and provides variety and visual identity to different residential areas.

O4. Open space associated with the heritage core precinct are to remain accessible to the public at all times.

O5. Pedestrian and cycle crossings of roads are to be sited in high usage locations and provide adequate safety for motorists, pedestrians and cyclists.

O6. Ensure that the design and layout of public open space takes advantage of available views and site features.

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O7. All open space areas are to be maintained to a high level to encourage resident usage and a sense of community ownership.

O8. The public domain needs to create focal points for the community and a hierarchy of spaces that provide a local identity.

O9. Landscape treatments are to be provided in open space areas in accordance with the landscape master plan.

O10. All ponds within public open space areas are to have dual use functions for water treatment and be embellished for passive recreation with appropriate safety measures.

Controls

C1. Landscape plans for local open space shall be consistent with the principles and requirements of the approved *Lidcombe Hospital Site Conservation Management Plan*.

C2. Open space areas shall be of manageable sizes and not fragmented pockets spread throughout the site.

C3. Footpath links shall be provided to, and through, open space areas in accordance with open space embellishment plans.

C4. Open space embellishments shall include some provision for car parking including parking for persons with disabilities.

C5. The maximum gradient of footpaths and cycle ways shall be similar to the adjacent road pavement.

C6. Shared pedestrian and cycle way paths along collector roads or through open space areas shall be 2.5m wide. A pedestrian footpath along local roads (where not a shared way) shall be 1.2m wide.

C7. Open space areas shall be designed to minimise the risk of crime and provide links to other areas of open space and focal nodes within the site.

C8. Significant vegetation shall be retained and included in embellishment designs wherever practicable and where medium to long term public safety and tree vigour can be expected.

C9. Drainage facilities shall be designed to provide multi use recreation opportunities and to be incorporated as an integral component of the public open space network.

C10. "Village green" within the heritage core shall be publicly accessible at all times.

C11. Signage in accordance with Council requirements shall be provided in all public areas to indicate street names, essential service locations, pedestrian routes and public facilities.

3.4 Roads and access

3.4.1 Roads, streets, lanes and footpaths

Control

C1. The following principles underpin the design of the roads, streets and lanes within the site:

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- the internal circulation network will comprise a system of roads, streets, lanes and pathways servicing the development within the site;
- all roads shall be dedicated to Council except for lanes and access lanes; and
- the visual appearance of roads of different classification shall also convey the purpose and function of that road.

3.4.2 Hierarchy

Objectives

O1. Provide a road and street hierarchy that is safe and efficient for vehicles as well as pedestrians and cyclists, endeavours to create safe travel speeds and minimises the adverse effects of through traffic.

O2. Ensure that the road and footpath system is fully accessible for elderly and people with disabilities.

O3. Ensure that there is a clear street hierarchy reinforced by building type.

O4. Ensure that existing roadways and associated service infrastructure to be retained, upgraded if necessary and reused as road and/or pathways within the site.

O5. Road and street hierarchy is reinforced through landscape embellishment.

O6. Internal roads and intersections are controlled by appropriate low impact means to slow and control traffic movement.

O7. Access to the arterial road system and the designated locations of an approved intersection form and design is to be satisfactory to the Roads and Traffic Authority (RTA).

O8. Footpaths and roads are accessible to people with disabilities.

Controls

C1. A network shall be established which provides convenient linkages for all modes of transport to all areas within the site and has regard to travel distances, drainage, public utilities and view corridors.

C2. A network of roads, streets and lanes shall be provided with a clear physical and visual distinction between each type based on function, convenience, amenity, safety and traffic volume.

C3. All junctions and intersections shall be detailed in response to the expected future traffic volumes and operational speeds, providing appropriate restraint of speed, clarity of priority, together with the safe accommodation of pedestrians' and cyclists' movements

C4. The network of roads, streets and lanes shall generally conform to the functions as set out in Table 1.

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Table 1: Road and street functions

Road Type	Max traffic volume (vpd)	Max number of dwellings	Design speed (kph)	Standard road reserve (m)
Collector Road	3,000	1,000	50	22.2
Local streets	1,000	200	40	13
Special streets	Variable	Variable	40	Variable
Lanes	160	16	10	7
Lane (access)	160	16	10	5

C5. Any collector roads permitted to carry loadings in excess of 3,000 vpd shall not to have direct vehicular access from the adjoining properties, and shall make provision for the restraint of over-speeding, for ease of pedestrian/cyclist crossing, and for control of intersection movements.

C6. Road and street lighting shall be compliant with the relevant Australian Standards to facilitate a safe environment for all users.

C7. Landscape embellishment shall be themed and respond to the road hierarchy.

C8. Acceptable levels of access, safety and convenience shall be provided to all users ensuring acceptable levels of amenity.

C9. New development shall make adequate provision for bus services to service the site and ensure that road and kerb design can accommodate articulated low floor buses.

C10. Non-resident parking and overflow parking from adjoining development shall be discouraged by the use of 'resident only' controls or other appropriate parking measures.

C11. A legible, safe and convenient network of all weather pathways for pedestrians and cyclists, including users with disabilities and limited mobility, shall be provided in accordance with provisions contained in the Disability Discrimination Act 1992.

C12. Cater for the integrated provision of landscaping, public utilities and drainage.

C13. No direct vehicular access except at controlled intersections shall be permitted to arterial or sub arterial roads

C14. Safe and convenient interaction between the use of the hall, particularly peak patron use, and the operation of the adjoining road and path/cycle ways shall be provided.

C15. The location and design of road intersection junctions with Weeroona Road will consider sight distance and expected future traffic volumes.

C16. Road geometry shall comply with the *RTA Road Design Guide*

C17. Footpaths and road interfaces shall be in accordance with disability standards.

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3.4.3 Design widths

Objectives

O1. Ensure that sufficient carriageway and verge widths are provided to allow streets to perform the designated functions within the overall road network and to accommodate public utilities and drainage.

O2. Ensure that the main collector road functions as a two way bus route that allows unobstructed movement in both directions

O3. Ensure safety at bus stop areas.

O4. Ensure that the overall dimension and appearance of the road network visually reinforces its intended function, and in particular conveys to motorists the appropriate travelling speed.

O5. Align with the dimensions and characteristics of the urban road hierarchy set out in Cumberland City Council's *Development Design Specifications – D1 Geometric Road Design: Urban* (Auspec March, 2001). Possible flexibility on some of the criteria enables the development to meet best management practice and the desired outcomes.

O6. The design and alignment of collector roads are provided for the efficient and unimpeded movement of buses and needs to comply with relevant State government agency and local contracted bus service provider requirements.

Controls

C1. Street planting in publicly dedicated roads shall only be permitted following Council approval of a tree planting plan prepared by a qualified Landscape Architect. All plans documenting the location of proposed street planting shall indicate the location of all services, vehicular entry points, road crossing areas, designated bus stops, traffic signs and street lighting.

C2. Carriageway and verge widths for particular street types are set out in Table 2 below:

Table 2: Appropriate carriageway and verge widths for particular road types

Type	Standard carriageway width (m)	Standard total verge width (m)	Standard road reserve (m)	Footpath required	Dedication to Council required
Collector Road	12.2	9	22.2	1.2m on both sides	Yes
Local streets	7.5	5.5	13	1.2m on one side	Yes
Special streets	Detailing to achieve heritage requirements.				
Lanes	4-5	2	7	No	No
Lane (access)	3	2-3	5	No	No

C3. Where lanes do not front garages the width of the carriageway shall be reduced to a minimum of 3m where adequate provision has been made for passing oncoming traffic.

C4. Collector roads fronting public open space may reduce the minimum verge width to 1m and reduce carriageway width by 2.6m (providing there is adequate parking space and road infrastructure requirements are allowed for).

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3.4.4 Streetscape, lighting and signage

Objectives

O1. Ensure the design of the streetscape contributes to a cohesive landscape theme that relates to the development concept for the site and complements the surrounding development.

O2. New development is compatible with the existing character of the locality in the context of the heritage precinct.

O3. Ensure that the development enhances the visual character and amenity of the street and reflects its function in the movement hierarchy developed for the site.

O4. Ensure that street planting defines the public realm from privately owned areas and reinforces the character of various street types and locations.

O5. Buildings are to address the street frontage and are compatible with adjoining development in terms of street elevation and presentation.

O6. New buildings adjacent to items of heritage significance need to comply with the requirements of the *Conservation Management Plan* regarding appropriate scale, materials and finishes.

O7. Ensure that the building heights at the street frontage do not dominate the streetscape.

O8. Ensure that double garage doors do not dominate the streetscape.

O9. Streetscape design should consider vehicle crossing points, pedestrian crossing points, visual amenity, fencing styles, lighting and any other necessary street furniture.

O10. Signage is to be clear and visible and conform with relevant Council requirements.

O11. Street trees should be planted in accordance with the landscape masterplan in particular its reference to the retention of existing trees in the plan.

Controls

C1. Streetscape elevations shall be required for development applications for individual blocks. Individual buildings within a block shall be considered as part of a greater whole, with particular reference to the place-making principle of creating areas of distinct character by concentrating certain dwelling types together

C2. Public street furniture shall include bus shelters, lighting poles and lighting, plant guards, barriers and signage and shall be of a design specified and approved by Council.

C3. Choice of materials for hard surfaces, especially carriageways and footpaths/cycle ways shall be of a type and specification approved by Council. Changes in paving material will be allowed to signal changes in street use and character.

C4. Street trees shall be planted at approximately 10m intervals or as otherwise in accordance with the approved landscape master plan. Plant selection and streetscape design shall consider:

- species habit;
- mature size of species;
- requirement for evergreen or deciduous trees depending on aspect;

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- likely impacts due to surrounding structures and services plus potential impact or nuisance from flower and/or fruit drop;
- lighting, visibility and safety considerations; and
- heritage items and landscape elements

3.4.5 Linkages

Objectives

O1. Ensure that the access points to the site minimises travel, provide safe and efficient access.

O2. Ensure that the transport network makes provision for access to adjoining land uses.

O3. Ensure that links between the site and adjoining land uses are agreed to by the adjoining owners prior to inclusion in any development application.

O4. Controls to discourage student parking within the Lidcombe Hospital site should be considered in consultation with Council.

Controls

C1. Provision shall be made in this development for all classes of access to the Multiple Sclerosis facility and to Ferguson Lodge, and also consideration being given to facilitating possible future connections into the adjoining lands to the south-west of the site.

C2. Pedestrian and cycle access shall be provided through to East Street and Norman May Drive; to Joseph Street/Georges Avenue signalled intersection by the shortest practicable and convenient route and provision shall be made for possible future connections to the educational institutions to the east.

C3. The satisfactory management of the base, casual, and the peak parking loadings and the consequent use of the parking sites shall be provided, off-street and on-street, for all land uses.

3.4.6 Pedestrian and cycle network

Objectives

O1. Ensure that the design of the development encourages residents to walk or cycle for trips within the site.

O2. Establish a network of pedestrian linkages to allow residents, including disabled residents and visitors, easy and safe access to the open space and other public amenity features of the site and public transport.

O3. Ensure that the cycle network is connected within the site and to other networks external to the site.

O4. Ensure a clear distinction between designated local internal routes and those used to connect to external areas of the site.

O5. Provide a pedestrian network of suitable material, width and design that can link to existing or possible future pedestrian networks on neighbouring areas and that is serviceable in all weather conditions.

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O6. Pedestrian links should function without conflict with cycle links and link key areas or high use areas of the site.

O7. Provide a cycleway of suitable material, width and design that can link into existing or a possible future cycle link on neighbouring areas.

O8. Provide safe pedestrian links throughout the site, to open space areas and to adjoining sites.

O9. Provide a cycleway and pedestrian network to link to Joseph Street, Weeroona Street and Norman May Drive.

O10. Safe pedestrian links are provided to access the existing linkage through Carnarvon Golf Course.

O11. Appropriate levels of lighting are provided to all road and pedestrian linkages.

Controls

C1. Pedestrian links shall not conflict with vehicular movements.

C2. Access and facilities for the disabled and physically impaired shall be provided in accordance with provisions of the Disability Discrimination Act 1992 and Council's standards.

C3. Road crossings shall be located where there is adequate sight distance and suitable lighting provided and to provide adequate safety for motorists, pedestrians, cyclists and disabled users.

C4. Changes in surface finish shall be considered at road crossings, designated bus stops and intersections.

C5. Where shared use of the street pavement is required, the design shall reflect that dual use to promote safety.

C6. Cycle links shall be of sufficient width and profile for the purpose intended and where used in conjunction with pedestrian links the pathway should be widened at conflict points to allow safe passage of both pedestrians and cyclists.

C7. Pedestrian facilities shall be consistent and continuous, and meet all the functional requirements for independent use by elderly and disabled users, including the vision impaired, wheelchair and electric scooter users.

C8. Tactile ground indicator tiles shall be used at all road crossings, bus stops etc.

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3.5 Site planning controls

This section sets out the objectives, performance criteria and development standards that relate to site planning and subdivision development.

Objective

O1. The site planning and subdivision controls are to ensure that:

- interference with the topography is minimised;
- the topography can be clearly read and understood;
- the subdivision patterns set up regular rows of buildings and spaces and are suitable for the dwelling types;
- a system of vehicular access to properties contributes to rather than dictates the resolution of the street; and
- there are precincts/streets with a range of discrete characters

Controls

C1. The street and block pattern shall:

- relate to the building types;
- minimise cut and fill;
- enable small increments of change between buildings;
- enable the street hierarchy to be reinforced by the building types;
- set up an appropriate spacing between buildings;
- create a regular pattern of driveway access from the street;
- provide views and vistas;
- reinforce the qualities of the site; and
- have the potential to provide external linkages over time.

3.5.1 Setbacks

Setbacks are required to protect the privacy of adjoining residents, to provide for sunlight to adjoining dwellings and to provide a visual rhythm and coherence to the streetscape. Refer also to the subdivision and allotment planning controls diagrams in section 3.6.

Objectives

O1. Ensure that the dwellings address the public domain and set up a spatial rhythm.

O2. Ensure there is adequate solar access and privacy

O3. The setbacks to the street need to provide:

- a clear reading of the topography;
- a clear edge to the street and/or open space system;
- a semi-private zone;
- houses which are more dominant than garages;
- reinforcement of the street hierarchy;
- reinforcement of the street block where appropriate; and
- an open streetscape with adequate areas for landscaping, fencing, and screen planting.

O4. The setbacks to the side boundary and the rear are to ensure that there is:

- adequate solar access to neighbours;
- privacy for residents and neighbours, and minimise overshadowing; and

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- an even spatial rhythm along the street so that individual building types do not dominate.

Controls

C1. Table 3 below sets out the minimum setback requirements for all dwelling types on the site.

Table 3: minimum setback requirements for all dwelling types

All dwelling types	
Primary front setback	4m to building façade of habitable rooms from the front boundary line. This setback may be reduced to 3m for dwellings fronting public open space or a corner, providing solar access and other environmental provisions are met.
Side and rear set back	A 1.2m side setback is required for 1 and 2 storey portions of dwellings.
	Garages, including those with studio accommodation above, in lanes can be located on the rear boundary provided a minimum of 7.5m is provided between the façade and opposite boundary fence or building façade. (Refer below for additional requirements).
Eaves/facias	825mm for 1 or 2 storey buildings.

C2. Garages facing a street shall be set back a minimum of 5.5m from the front boundary.

C3. Lots with rear vehicular access to the property can have a zero line setback at the rear where the minimum distance between building facades which contain habitable rooms with windows or another garage is 7.5m.

C4. Two storey, open, non-habitable structures including carports, pergolas, verandahs and entry features shall sit within the 2m articulation zone as measured from the primary front setback.

C5. Adjoining building facades shall be aligned. Building facades may vary in alignment only if a cohesive streetscape is achieved. Any variation to the alignment shall be derived from the building type and the topography, i.e. where a lot slopes away from an area of parkland or to achieve a more successful result by locating a building or group closer to the street edge.

3.5.2 Orientation

Objectives

O1. Ensure that the orientation and organisation of lots will enable dwellings to achieve the environmental performance guidelines as set out in section 2 of this Part.

O2. The building zone for the dwelling is predominantly at the front of the lot.

O3. The higher density areas with smaller lot frontages are predominantly east-west or north-south where the north is at the rear.

O4. Ensure the subdivision of allotments maximises the potential for energy efficient housing development whilst maintaining the design integrity of the overall development.

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O5. All allotments are to provide for sufficient area to allow the siting of dwellings and to allow for adequate areas of private open space, vehicle access and parking as set out elsewhere in this Part.

Control

C1. Lots shall be oriented to facilitate the siting of dwellings to meet the Ecologically Sustainable Development (ESD) criteria set out in this Part.

The above requirements may be varied in cases where an applicant submits an integrated subdivision and development application demonstrating that the performance criteria have not been compromised.

3.5.3 Safety (CPTED) requirements

Applicants must refer to Council's Policy on *Crime Prevention Through Environmental Design, 2006*.

3.5.4 Private open space and landscaping

Objective

O1. Private open space areas are to:

- relate to the living spaces, windows, access/egress points and function of the dwelling; and
- be amenable and suitable for the intended use

O2. All setback areas are to be landscaped to Council's satisfaction.

O3. Ensure private open space is of a size and location suitable for the intended use.

O4. Private open spaces and living areas are protected from overlooking from public and neighbouring areas.

O5. Private open space areas are clearly defined and screened for private use.

O6. Landscape treatment of private open space areas contribute to the master planned themes for streetscape and public open space (where private open space is visible from these public areas).

O7. Landscape treatments complement solar access requirements for buildings.

O8. Planting:

- is appropriate for its setting and environment;
- is provided in the public and private domain;
- complements the existing landscaping and topography, lighting and street furniture;
- is simple and robust; and
- provides privacy, screening and shading where required.

O9. All new landscaping is to be designed to be low maintenance and low water usage.

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Controls

C1. New plantings shall contain endemic species that are of low maintenance and low water usage.

C2. Cultural plantings shall be used where existing plantings are to be enhanced.

C3. The minimum area of soft landscaping for residential development as a percentage of the total site area for each dwelling type shall be as set out in Table 4 below.

C4. Private open space shall be of a minimum size as set out in Table 4 below and be able to contain a square measuring a minimum of 4m x 4m which is free from obstructions such as garden beds and steps.

C5. Private open space areas associated with residences shall accommodate outdoor recreation needs and function as an extension of interior living areas.

C6. Planting shall be used to minimise overlooking between dwellings, and between dwellings and public or common areas; having regard to crime prevention principles.

C7. Planting shall be of appropriate mature heights and volumes to the space allotted to them.

C8. The area between the front property boundary and the front building line shall not be considered as private open space unless solar access is principally to the front garden space and this area is suitably fenced and screened.

Table 4: Minimum private open space per dwelling type

	Detached	Semi-detached / zero lot line houses	Terrace houses & town houses
Minimum area of private open space	70m²	60m²	35m²
Minimum landscaped area of site	45%	40%	30%

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3.5.5 Fencing

Objectives

O1. Fencing is to:

- clearly demark the public, semi-public and private domains;
- complement the dwellings and the streetscape; and
- provide privacy where appropriate.

O2. All new dwellings to have side and rear boundary fences.

O3. Front fences, where appropriate, contribute to the streetscape and allow gardens to contribute to the public domain

O4. Front fences, where appropriate, extend alongside boundaries of corner sites back to the building line.

O5. Ensure that rear and side fencing assists in providing privacy to private open space areas.

O6. Fence height, location and design should not affect traffic sight distances at intersections.

O7. Ensure that front fences relate in proportion to the height of the building and are appropriate to the style of residence

Controls

C1. Side boundary fencing constructed behind the building alignment setback shall be a maximum height of 1.8m and be constructed from materials which complement the design of the dwelling.

C2. The front and side dividing fences where located within the front yard area shall not exceed a height of 1.2m as measured above existing ground level and shall be a minimum of 50% transparent.

C3. Front and side dividing fences where located within the front yard area shall not be constructed of solid pre-coated metal type materials such as colorbond or similar.

C4. Front fencing that is to provide privacy screening for external living areas shall be considered up to a maximum height of 1.8m if complementary to the dwelling design.

C5. Fencing to secondary road frontages and rear vehicular access shall be a maximum of 1.8m in height at the road boundary from the rear boundary up to the line of the front of the dwelling and must be of materials and design complementary to both the streetscape and dwelling.

C6. Front fences shall be compatible with and sympathetic to the dwelling design.

C7. Fencing styles shall complement both the architectural design of the dwelling and the streetscape. Front fences should not exceed 1.2m in height unless required for provision of privacy to private open space and unless appropriately screened by landscaping and with variations in materials and alignment.

3.5.6 Ancillary site facilities

Refer to Part B of this DCP.

3.5.7 Site drainage and stormwater management

The provision for and use of treated effluent is to be considered in housing development and public open space areas.

Stormwater runoff from the overall site should not occur at a rate greater than that which existed prior to site development works unless catered for in downstream control facilities and agreed by both the owner of the affected property and Council.

The conservation and re-use of stormwater is encouraged, but not so as to cause degradation of downstream waterway systems or result in economically unsustainable design alternatives. The system provided should ensure that there is no decline in the quality of stormwater leaving the site.

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Objectives

O1. The drainage strategy takes into account a total catchment management approach such that downstream drainage systems are not impacted adversely through alteration to existing drainage flows from the site.

O2. Drainage systems and ground surface areas are to be protected from pollutants and soil erosion. Pollutant and sediment control measures are required for all subdivision applications.

O3. The drainage works for the site are to preserve the effectiveness of existing downstream flood mitigation and drainage works.

O4. Proposed development is not to increase downstream flooding or increase pollutants on a total site performance basis. Off-site mitigation measures will be accepted as meeting this criteria subject to satisfactory arrangements with the affected landowner.

O5. Stormwater infrastructure is to be designed to be aesthetically pleasing and landscaped so as to serve a dual function as a continuation of the open space and stormwater management.

Controls

C1. Stormwater shall be detained so that it is discharged from the site at rates not exceeding those at present and so there is no increase in the rate of flow in the catchments below the land to which this Part applies.

C2. Stormwater shall be treated so that it is discharged from the site with a quality not less than the water quality of discharges at present and meeting all antecedent precipitation index (API) parameters for discharge of stormwater from new development sites up to 1 year ARI.

C3. Stormwater shall be collected, conveyed and discharged for storms up to a 20 year ARI frequency, without flooding or unacceptable inconvenience.

C4. Residential site drainage shall comply with the Part G of this DCP as well as additional site specific requirements provided below.

C5. Soil and water management plans shall be submitted with all subdivision applications, and development activities shall be staged in a manner to suitably manage the effects of land disturbance.

C6. Dual use of open space areas for drainage and stormwater management shall be encouraged as an efficient utilisation of land and shall be designed and constructed in accordance with appropriate standards relating to public safety and risk management.

C7. The developer shall determine with Council appropriate operation procedures and designs including fences and other measures to ensure appropriate public safety relating to stormwater infrastructure (both dedicated to Council and in private ownership), particularly permanent water bodies.

C8. Drainage facilities shall be of standard or other approved designs and supported by design calculations. Designs are to facilitate maintenance, cleaning and disposal of excess plant materials and other pollutants

C9. Drainage systems shall be designed and constructed in accordance with the design guidelines set out in the most current version of Australian Rainfall and Runoff published

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by the Institute of Engineers Australia. The adequacy of water quality systems shall be assessed by suitable modelling.

C10. On-site detention (OSD) systems shall be designed in accordance with the requirements set out in Australian Rainfall and Runoff and Part G of this DCP.

C11. Trapped sag points shall be avoided.

C12. Permanent structures (i.e. dwellings, garages, impervious fencing etc.) shall not be constructed within the 1% Average Exceedance Probability (AEP) storm level or drainage flow path. Habitable rooms shall have a freeboard of 500mm above the flow surface unless otherwise justified. Garages and basement car parks shall be designed to prevent storm flows from entering. Larger floods shall not to result in catastrophic impacts.

C13. Site servicing and building design shall provide for maximum practical rain water use in the private and public domain. Alternatively, these needs may be serviced by the installation of a treated effluent reticulated system to Sydney Water's requirements.

3.6 Residential development and subdivision controls

3.6.1 Housing and private domain principles

This section recognises that a range of densities is required to create a diverse built form that provides a wide choice of housing types.

A range of densities across the site is occurring and is further anticipated, and concentration of certain types is encouraged where it may be appropriate to create areas of distinct character where all other urban design, built form and housing controls can be met.

The private domain is to provide a high level of amenity to residents. The private domain includes private open space as well as the interface between private open space and dwelling interiors. Adequate solar access and privacy are fundamental qualities of the private domain.

To guide the built form and character of the private domain and to ensure that a high quality environment is created the following principles are to be met:

- a range of building types and densities are to be provided. This mix should include detached, semi-detached/zero lot line dwellings, town houses and terrace houses along with some studio accommodation above garages that are separate from the dwellings;
- buildings are to address the street and reinforce territorial definition;
- building design is to be responsive to, and integrated with, its environment and adjoining dwellings;
- building design is to be contemporary and be compatible in scale and proportion with the horizontal proportions of the heritage hospital buildings;
- the building design is to be energy efficient and may include eaves and other shading devices;
- building design is encouraged to link internal living and external courtyard/garden spaces;
- street facades and appearance are to be considered as part of overall streetscape design;
- building materials and finishes are to be durable; and
- private domain landscape is to contribute to the landscape masterplan for the site.

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3.6.2 Housing objectives

Objectives

To ensure that residential development of land:

O1. Creates a high level of residential amenity.

O2. Ensures that individual housing design is integrated and sympathetic to the approved master plan and intended character of the area.

O3. Ensures a distinctive architectural approach is adopted using a variety of housing types that incorporate strong contemporary roof forms and modulation, eave overhangs, as well as elements such as louvres that control and regulate the microclimate.

O4. Promotes the building of dwellings that maximise the opportunity for energy efficient usage and solar access.

O5. Provides residents with a high level of private amenity, particularly in relation to outlook and private open space.

O6. Creates a socio-economically diverse residential community that is safe and convenient for residents.

O7. Provides opportunities for social interaction, neighbourhood living, recreation, and cultural and environmental awareness.

Note: the Master plan is a plan prepared by the applicant that accompanied the Stage 1 development application. It sets out the general principles relating to the development of the site in relation to the principal road network, open space areas and drainage infrastructure. The master plan is consistent with the principles and requirements of the Lidcombe Hospital Site Conservation Management Plan September 2002.

3.6.3 Subdivision, allotment planning, size and shape

Objectives

O1. Subdivision provides for a variety of housing types to meet a variety of housing needs including meeting the needs of the aged and people with a disability.

O2. The allotment size and shape is adequate to contain the particular housing type, open space and car parking (with the required amenity).

O3. The allotment size and shape sets up a regular subdivision pattern related to the particular dwelling type, the street hierarchy and the block and street pattern.

O4. The allotment size and shape allows for buildings to align with the street system.

O5. Where there are special conditions relating to landscape, topography, heritage, retention of existing buildings, that unique sized and shaped allotments are created.

O6. Subdivision makes provision for dwelling houses and multi dwelling housing such as:

- detached housing;
- semi detached/zero lot line houses; and
- terrace houses.

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O7. Individual allotments permit sufficient area commensurate with the dwelling type to allow for useable outdoor open space and solar access as required elsewhere in this Part.

O8. The allotments and the location of the buildings are organised to set up regular patterns of buildings and space.

O9. The allotments enable a range of housing types and spatial distribution.

O10. The irregular shaped and sized allotments provide the opportunity for specific design solutions.

O11. The allotments are predominantly rectangular.

O12. The allotments which provide the higher density are located around the open space system.

O13. The allotments are located so that the dwellings relate to the street hierarchy.

Controls

C1. A street hierarchy shall be defined and related to housing types.

C2. Level changes along a street block shall be made incrementally with minimal cut and fill.

C3. Vehicular access ways at the rear of properties shall take advantage of level changes to increase the size of rear yard areas, and minimise cut and fill, and reflect the topography.

C4. Housing types shall be built to a height of up to 3 storeys where it is necessary to define and balance the spatial system.

C5. Minimum lot frontages for each of the dwelling types are set out in Table 5 below.

Table 5: Minimum subdivision standards for individual dwelling types

	Detached	Semi-detached /zero lot line houses	Terrace houses & town houses
Minimum frontage width at building line (m)	12*	7.5	6

*may be reduced to 10m if the dwelling has a garage that is accessed from the rear of the property

C6. Strata titling of studio accommodation shall be considered where the following outcomes are provided:

- both the primary residence and the studio have individual frontage to a public road;
- a minimum of 1 covered off-street car parking space is provided for the studio in addition to car parking required for the principal residence;
- the studio accommodation has a minimum habitable floor area of 45sqm;
- the studio accommodation has a balcony or private courtyard (designed to eliminate overlooking) of minimum 8sqm and a minimum depth of 2m;
- the allotment on which the studio accommodation is located has a minimum width of 10m and a maximum area of 55sqm; and

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- the privacy of the principal residence's rear yard and adjoining allotments is not compromised.

C7. Ensure subdivision and allotment planning for front and rear loading and multi dwellings are undertaken in accordance with Figures 3 and 4.

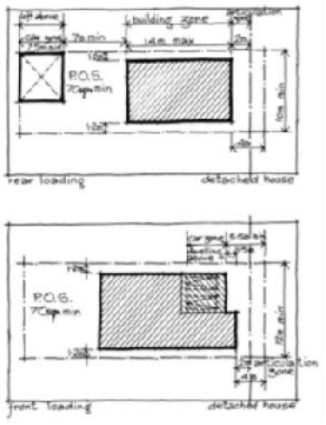

Figure 3: Subdivision and allotment planning control diagram – Front loading and rear loading.

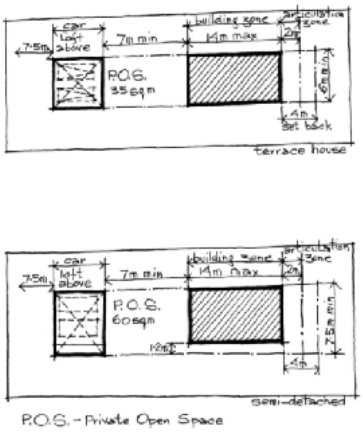

Figure 4: Subdivision and allotment planning control diagram – Multi dwellings.

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3.6.4 Dwelling design and form

Objectives

O1. A range of dwelling types form a series of neighbourhoods, each having a distinctive character arising from the predominance of a particular dwelling type related to the street hierarchy, topography, heritage features and open space.

O2. Housing variation caters for a socio-economically diverse community.

O3. Ensure dwellings and garages are designed with regard to site conditions and minimise impact on landform.

O4. Ensure dwelling and garage design has regard to the amenity of adjoining development and surrounding properties.

O5. Ensure that dwellings built in the vicinity of heritage or retained buildings are designed so as not to detract from the significance or character of the heritage building or group of heritage buildings.

O6. Ensure that dwellings have a high level of internal and external amenity.

O7. Denser housing forms are to be located around open space and on wide verges.

O8. Dwelling groups are not composed of different dwelling types (e.g., terrace dwellings are to stand alone as one group).

O9. Dwellings in the vicinity of heritage and/or retained buildings are to be sensitive to and compatible with such buildings and be designed so as to not detract from the significance or character of the heritage/retained building(s).

O10. Taller or raised housing forms are to be located where land slopes away from an open space or across the width of the street.

O11. Where land slopes along the street, dwellings to follow the slope of the land.

O12. Floor to ceiling heights to enable good light penetration and cross ventilation.

O13. Ensure that groupings of similar types of dwellings create areas of a particular identity in the built form and streetscape.

O14. Ensure that dwelling design and types reinforce corners, the street, and open space hierarchy.

O15. Dwellings and garages are designed with regard to the site conditions and minimise the impact on landform.

O16. Ensure the majority of garages for dwellings are located off the primary street frontage and are accessed by a rear lane.

Controls

C1. A minimum of 20% of the total number of dwellings shall be detached dwellings.

C2. The building height controls and floor to ceiling controls applicable to buildings are set out in the Table 6, below.

Table 6: Floor to ceiling heights

	Levels	Minimum	Maximum
Dwellings	Ground floor	2.7m	3m
	1st and 2nd floor	2.4m	2.7m

C3. Groupings shall comprise denser forms around parks, open space and wide verges.

C4. The maximum building depth of any second or third storey components of dwellings shall be 14m.

C5. Stairs, verandahs, entry features, courtyard walls, balconies, carports and porticos may encroach within the primary building line by not more than 2m provided the design, materials, colour and construction match the main dwelling.

C6. Dwellings shall be predominantly 2 storeys with some component of single storey. 3 storey dwellings shall be considered if they are on sites where it can be demonstrated that it enhances the streetscape and/or legibility.

C7. The floor level of any dwelling shall be a minimum of 500mm above the 1% AEP level of any adjacent drainage easement or water course or OSD facility.

C8. Garage door openings fronting a public road shall be not be more than 5m wide or 50% of the frontage width of the allotment measured at the building alignment, whichever is the greater.

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C9. Garage door fronts shall be setback a minimum of 5.5m from the street boundary and 1.5m back from the front dwelling façade.

C10. A minimum of 30% of dwellings shall have garage access from the rear of the allotment.

C11. Rear access shall be organised to optimise the street character and to limit the number of garage doors facing the street frontage.

C12. Garages, particularly doors, carports and parking areas shall be detailed to reduce their visual impact and add interest at ground level. The materials used in the garage shall complement those of the house.

C13. Garage and carport design shall be in the same application as the dwelling even if it is to be constructed at a later date.

C14. Carports shall be designed so that secondary elements do not dominate the dwelling façade.

C15. Pitched roofs to carports shall not permitted unless compliance with the streetscape objectives can be demonstrated and the carport structure does not dominate the dwelling façade.

C16. Carports shall be a maximum of 3.5m in width.

C17. Carports shall be designed as open pergola type structures. This may include a flat roof and shall not be screened on the sides or front.

C18. Carport structures shall be setback a minimum of 2m from a primary street front boundary.

C19. Carport structures shall not exceed 3.5m in height including all elements.

3.6.5 Density of dwellings

Objectives

O1. Ensure that the amount of development over the whole site is to enable a successful resolution between the new development, the heritage buildings and the public domain including open space.

O2. The highest density housing forms are located around the open spaces.

O3. Density is to be optimised while allowing for:

- adequate open space;
- appropriate curtilage for heritage and retained buildings;
- appropriate curtilage for landscape of exceptional and high value;
- a street and block system which suits the building typologies and enables the reading of the landscape setting; and
- minimum intrusion on the topography.

3.6.6 Site coverage

Objectives

O1. Site coverage enables the proposed building type, adequate open space and the required car parking.

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O2. Site coverage varies to suit the dwelling type i.e. terrace houses require greater site coverage than detached houses.

O3. Development achieves:

- a clear physical (bulk) relationship between each building type and its allotment size with regard to creating neighbourhoods of some homogeneity; and
- adequate separation between dwellings particularly at the rear of the site.

Control

C1. The maximum site coverage for residential development as a percentage of the total site area for each dwelling type shall be as per the table below:

Table 7: Maximum site coverage

	Detached	Semi detached/ zero lot line houses	Terrace houses and townhouses
Maximum site coverage	55%	60%	70%

3.6.7 Composition within street blocks and along streets

Objectives

O1. Ensure that the organisation of the dwellings within the street block relate to the street and open space hierarchy and desired future character of the precinct.

O2. Overall the composition within the residential street blocks is arranged so that:

- the street hierarchy is reinforced;
- the characteristics of the topography and landscaping are revealed;
- there is a setting for the dwellings;
- there is a public realm of high quality;
- view corridors are reinforced;
- views and vistas between dwellings are provided where appropriate;
- competing requirements for rear access, building type, streetscape and street hierarchy are balanced;
- the composition of lanes within street blocks sets up the response required for the housing to the street;
- the number of any particular housing type within a block responds to the street composition;
- building types on opposite sides of the street are of a similar type so that precincts and streets have a consistent character;
- for parks and vegetated areas that slope from one side to the other, housing fronting the low side of that slope is to be generally higher than the housing on the high side. Thus better defining the spatial volume of the park and street;
- vehicular access ways at the rear of properties can be open (permitted security gates) at both end; and
- rear vehicular access ways, streets and dwellings are located as closely as possible to the natural contours.

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Control

C1. Dwellings shall be organised so that:

- denser dwelling forms are to be located around open space and wide streets;
- high house forms are located on the main entrance park way;
- the spacing between different types of dwellings is to be regular and related to topography, length of street block and potential view corridors; and
- the qualities of the topography and spatial organisation are balanced by the built form.

See Figure 5 below.

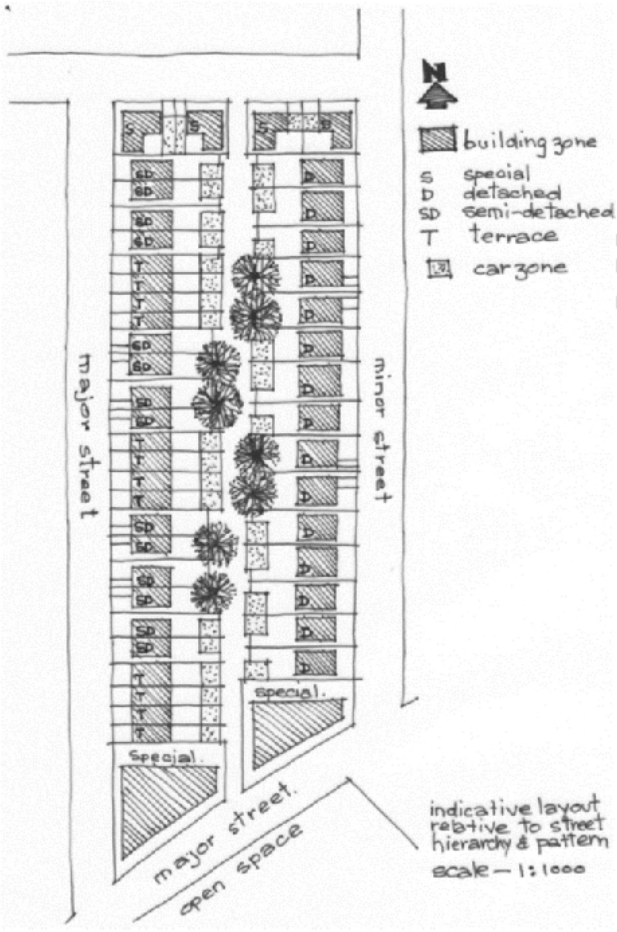

Figure 5: Composition within street blocks

3.6.8 Architectural Expression

Objectives

O1. Ensure that dwellings relate well to one another and contribute to the quality of each precinct and the overall quality of the development.

O2. The architectural expression of dwellings is to ensure that:

- attached housing has clearly defined party walls which enable buildings to adjust to the topography without large benching;
- roof forms in attached housing are to reflect the stepped changes at ground level;
- a high standard of architectural design of both individual dwellings and groups of dwellings;
- special design responds to unusual block shapes such as corner lots, non rectangular lots, and heritage buildings;
- special urban design features are reinforced such as the alignment of roads which curve towards a spatial gateway or landscape focus;
- building entries are clear and legible;
- windows, facades and rooms are well proportioned;
- materials and detailing are appropriately used;
- roof forms are used which relate to the definition of space and do not create big buildings such as hip roofs on runs up terrace houses are not appropriate;
- attention to both the building base and roof is required;
- roof forms in attached housing reflect the stepped changes at ground level;
- windows to main rooms are directed to the front and rear
- the head height of windows relate to the height of the ceiling; and
- there is variety but continuity between dwellings.

Controls

C1. Design of dwellings shall consider the following:

- Articulation of building facade using:
  - material and detailing;
  - legible building entrances;
  - balcony and other elements; and
  - well proportioned openings, window, type and size.
- corner buildings shall be articulated to reinforce the corner condition by addressing both street frontages;
- building elements such as balconies, verandahs, pergolas, sun shading, porches and other elements shall be used to articulate the façade;
- windows to living areas shall be directed either to the street or rear private open space (and vehicular access ways) to provide surveillance to the street and other open space areas;
- modulation of the facade shall be integral to the design of the building, its setting and not arbitrary;
- level changes along a street block shall be made incremental with minimal cut and fill; and
- vehicular access ways to the rear of properties shall take advantage of level changes to increase the area of the rear yard area, minimise cut and fill and reflect the topography. Refer to Figure 6 and 7 below.

C2. Windows and doors, particularly those that face the street, shall be provided in a balanced manner and respond to the orientation and internal uses.

C3. Roofs shall be pitched between 20 and 40 degrees with well resolved junctions. Refer to Figure 6 and 7 below.

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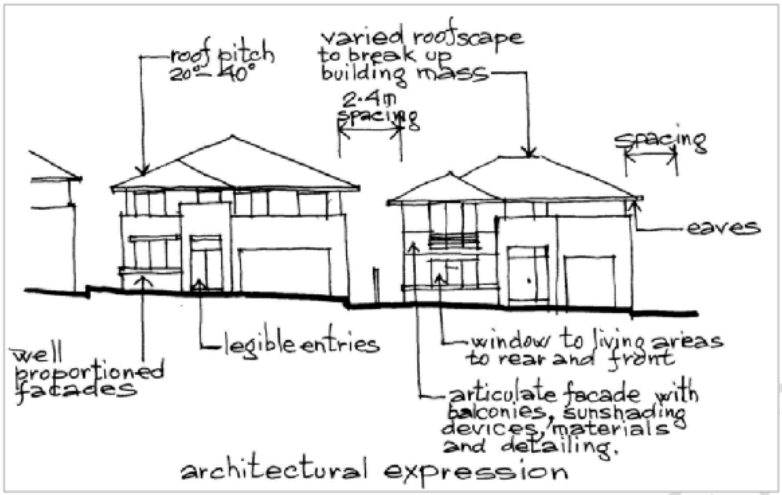

Figure 6: Forms of architectural expression

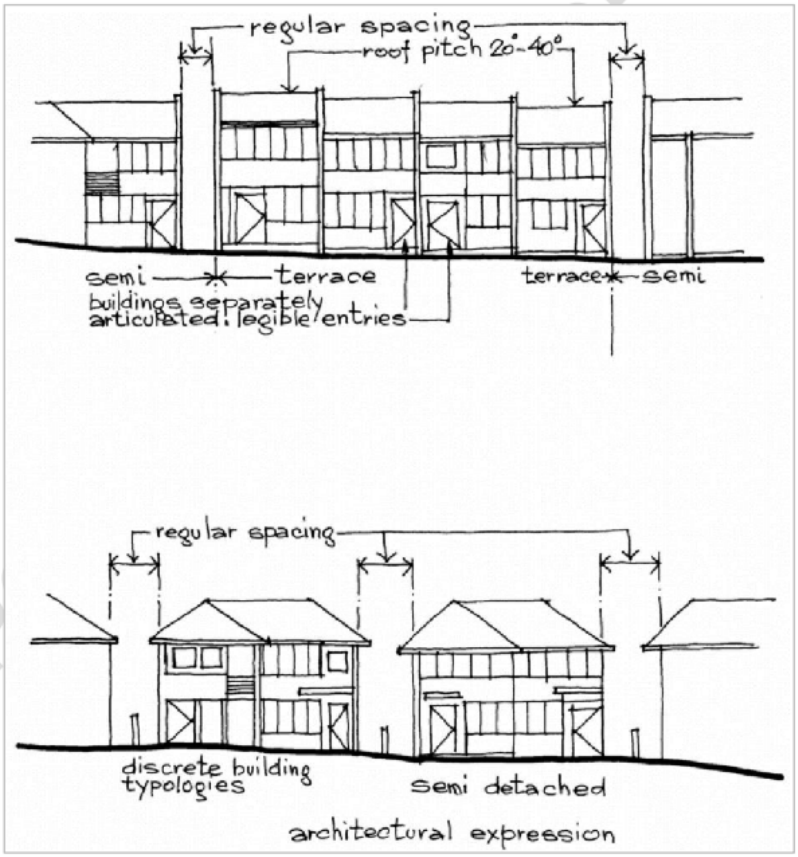

Figure 7: Forms of architectural expression

3.6.9 Adaptable housing

Objectives

O1. Ensure a sufficient proportion of dwellings include accessible layouts and features to accommodate changing environments of residents.

O2. Development to allow for dwelling adaptation that meet the changing needs of people's lifestyle.

Controls

C4. A minimum of 10% of the total number of dwellings shall be constructed so as to be adaptable for use by aged or disabled occupants in accordance with the relevant provisions of the *Building Code of Australia* and Australian Standards.

C5. Refer to the requirements for adaptable housing in Part B of this DCP.

3.6.10 Building materials

Objectives

O1. Ensure that materials are durable and have a long life.

O2. Ensure that materials have low embodied energy.

O3. Ensure that materials contribute to the design of the buildings in terms of aesthetics and comfort.

O4. Materials are to:

- create a high quality finish which is robust over time;
- be appropriate to the scale and detailing of the building;
- relate well to one another;
- respond to the heritage buildings on the site; and
- provide thermally responsive dwellings.

Controls

Walls

C1. Exterior walls shall be predominantly masonry and/or timber. Lightweight materials especially timber can be used to add interest and texture to the building and to break up larger expanses of wall.

C2. Bolder brighter shades for areas of detail shall be appropriate provided that these are in keeping with the overall colour scheme of the house and do not detract from the general harmony of the street.

Roofs

C3. Single colour tile roofs are preferred. Pre-finished metal sheeting may be used on concealed roofs or "lean to" construction.

C4. Colours shall reinforce the character of the precinct.

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Windows

C5. Windows may be constructed of timber or pre-finished aluminium and shall be in a dark colour.

3.6.11 Solar amenity

Objectives

O1. Ensure that housing design is energy efficient, assists in developing ecologically sustainable residential communities and leads to a reduction in the household use of fossil fuels.

O2. The design of buildings minimises household energy needs, utilises passive solar design principles and ensures adequate solar access.

O3. Shading to western walls is to be provided where not overshadowed by adjoining walls or vegetation.

O4. Roof insulation is incorporated into all residential development.

O5. All dwellings have high levels of light penetration.

O6. Cross ventilation is provided.

O7. Buildings are to be designed with windows that are located, sized and/or shaded (including the use of eaves) to facilitate thermal performance and minimise the use of artificial light during daylight hours.

O8. The design of residential dwellings is to demonstrate passive design principles including:

- window placement;
- building orientation;
- shading;
- insulation;
- ventilation; and
- sensitive landscaping.

Controls

C1. The use of materials shall minimise energy use over their whole lifecycle.

C2. All residential buildings, where not affected by external noise sources, shall be able to be operated in a naturally ventilated mode and achieve comfortable internal conditions.

C3. Vegetation shall be used to cool the ambient temperature within the development. Selective use of trees shall include consideration of deciduous trees to provide shading in summer and allow passive heat in winter.

C4. Buildings shall be designed to allow passive heating in winter. Selective shading shall be applied so that the high angles of sunlight in summer do not penetrate the buildings.

C5. Distances between buildings shall be designed to allow natural light to dwelling living spaces.

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3.6.12 Privacy and overshadowing

Objectives

O1. Ensure the design of buildings and position of windows respects the privacy of adjoining residents.

O2. Buildings are to be sited and designed to ensure provision of daylight to habitable rooms in adjacent dwellings and neighbouring open space including the private open space associated with dwellings.

O3. Buildings are to be designed to ensure appropriate levels of privacy.

O4. Developments are to include site planning, building design and landscaping that minimises the overshadowing of adjoining properties.

Controls

C1. Windows to living areas shall face predominantly to the street and to the rear.

C2. Windows to living areas that face directly on to windows, balconies or private open space of adjoining properties shall be appropriately screened and/or have reasonable separation. A distance of 9m between openings of separate dwellings is required unless other mitigating measures are adopted.

C3. First floor balconies shall not be permitted where directly overlooking living areas of adjacent dwellings unless suitable screening is provided.

C4. At least 50% of the ground level private open space shall receive not less than 3 hours of sunlight between 9:00am and 3:00pm on June 21 for a minimum of 80% of all dwellings.

C5. At least one internal living area shall have access to a minimum of 3 hours of direct sunlight between the hours of 9:00am and 3:00pm on June 21. This shall be achieved for a minimum of 80% of all dwellings.

3.7 Waste controls

Applicants must refer to the waste requirements held in Part G of this DCP.

3.8 Parking and loading controls

Applicants must refer to the parking requirements held in Part G of this DCP.

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PART F1-8
GARY STREET, MERRYLANDS

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1. Introduction

Proposed development and subdivision of Gary Street

This section provides a guideline for the creation of a cul-de-sac at the eastern end of Gary Street, Merrylands.

2. Specific objectives and controls

Objective

O1. Ensure the creation of a cul-de-sac occurs at the time redevelopment occurs on the subject land.

Control

C1. Redevelopment of the properties identified in bold outline below requires the dedication of land for the purpose of creating a cul-de-sac in accordance with the plan.

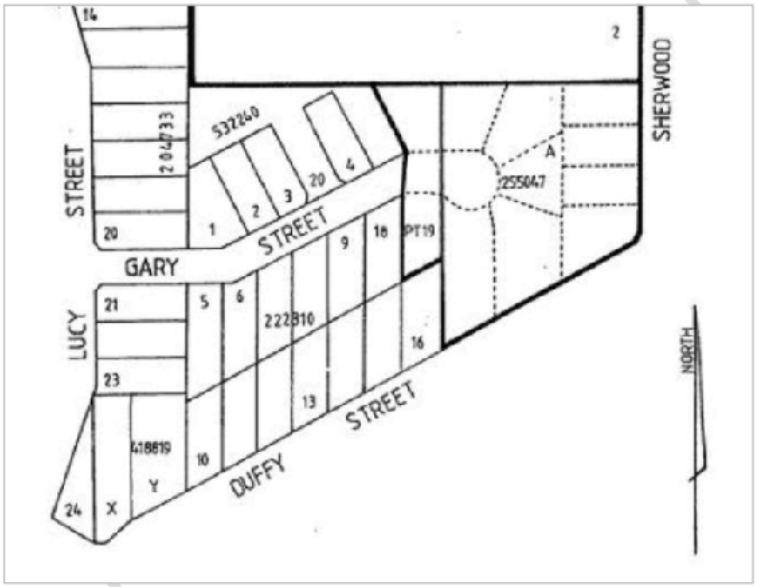

Figure 1: Gary Street Subdivision

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PART F1-9
GREYSTANES CREEK

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1. Introduction

1.1 Land to which this Part applies

This section applies to land situated in Cumberland City outlined in heavy black as shown on the plan map marked Figure 1. A list of the properties subject to this plan is contained in Appendix A.

All sections of the Plan shall apply when affected properties are developed for multiunit dwellings or are subdivided. For other forms of development the "Setback" and "Drainage" sections shall apply.

2. Vision and general objectives

2.1 Context

In early 1993, a portion of Greystanes Creek between Oklahoma Avenue/Memphis Crescent and Octavia Road, Toongabbie was realigned as part of flood mitigation works, and a program of regeneration to re-establish the native vegetation was commenced prior to the formation of Cumberland City Council.

A Plan of Management (POM) for Greystanes Creek Reserve has also been prepared, which outlines future management strategies and works which will enhance the Reserve's value for recreation, wildlife habitat, nature conservation, water quality improvement, drainage, and flood mitigation. Private property adjacent to the Greystanes Creek Reserve will play a vital role in supporting these works, and this section of the DCP aims to ensure that new development is compatible with the aims of the POM.

2.2 Aims

The purpose of this section of the DCP is to provide guidelines that will ensure development on land adjacent to Greystanes Creek Reserve is compatible with the Greystanes Creek Reserve Plan of Management by:

- extending the potential for a wildlife corridor by re-establishing the native bushland vegetation of the creek environment on land adjacent to the Reserve;
- enhancing the visual appeal, landscape characteristic and scenic quality of the Reserve;
- providing a visual buffer between the Reserve and development on land adjacent to the Reserve; and
- limiting sediment and nutrient run-off through the establishment of a vegetated buffer between new development and Greystanes Creek Reserve.

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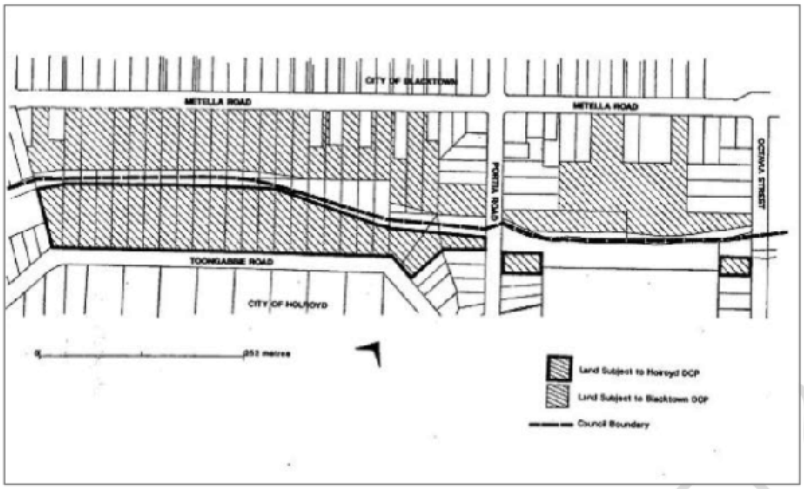

Figure 1: Greystanes Creek

3. Specific objectives and controls

3.1 Setback

Objectives

O1. Ensure the potential for a wildlife corridor onto land adjacent to the Reserve.

O2. Ensure a visual buffer is provided between the Reserve and development on adjacent land.

Controls

C1. All buildings and structures shall be set back 10m from the boundary adjacent to the Greystanes Creek Reserve. Buildings and hard surfaces shall not be permitted within this 10m zone. This zone will constitute part of the overall landscaped area of the development.

C2. The 10m setback has been derived from the expected size of the tree canopy for those tree species indigenous to the area. This will permit the planting of trees close to the property boundary adjacent to Greystanes Creek.

C3. Reserve with the reduced likelihood of tree roots interfering with buildings or utilities when the trees mature. The tree canopy will also not extend over the roof of any buildings, which could be a matter of concern.

C4. Consideration will be given to setbacks of less than 10m on those blocks that have a side boundary with the reserve.

3.2 Fences

Objectives

O1. Ensure there is a minimal physical barrier to the extension of the wildlife corridor from the Reserve onto adjacent land.

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O2. Ensure there is a minimal visual barrier between the Reserve and development on adjacent land.

Controls

C1. Fencing of property along boundaries with the Greystanes Creek Reserve shall have a maximum height of 1.8m and be of an open pool type construction.

C2. The fencing is to be of a dull metallic finish and of a colour that blends with the natural bushland environs. This type of fencing will extend the potential for a wildlife corridor by removing the physical barrier between plantings on the Reserve and adjacent land. The open fencing will enhance the scenic quality of the Reserve through the visual integration of the Reserve and adjacent land and increase safety by providing improved visibility.

3.3 Landscaping and site design

Objectives

O1. Extend the potential for a wildlife corridor by re-establishing the native bushland environment on land adjacent to the Reserve.

O2. Enhance the visual appeal, landscape characteristic and scenic quality of the Reserve.

O3. Provide for shade and acoustic and visual privacy on land adjacent to the Reserve.

Controls

Retention of native vegetation

C1. There shall be no removal of local endemic trees or understorey vegetation, other than noxious weeds, within the proposed 10m buffer.

C2. All plans for development must ensure that local endemic plant species are retained and protected.

C3. Vegetation to be retained is to be protected from damage during construction works, such as the compaction of soil and damage to root systems.

C4. Council's Tree Management Order forbids the removal or lopping of any tree without Council consent.

Vegetation

C5. Council shall require that all vegetation planted in the landscaped area are plants commonly found in the area, as per Appendix A. A list of specialist nurseries is available from Council.

C6. Developers will be required to submit landscape plans with the Development Application.

C7. The details of the proposed landscaping are to be prepared by a suitably qualified person acceptable to Council.

C8. Council requires that a landscape bond be lodged on the basis of the value of the proposed development. The bond is to be retained for a minimum period of 12 months

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after the completion of development to ensure that landscaping works have been undertaken, are successful, and have been satisfactorily maintained.

Landscape works

C9. Within the 10m buffer zone landscape works shall be undertaken in accordance with this plan so as to re-establish local bushland vegetation.

C10. The landscape works shall consist of a garden bed located adjacent to the boundary fence (Refer to Figure 2).

C11. The garden bed shall have a minimum width of 2.5m, be planted only with those endemic plant species listed in the Species List and include trees, shrubs and groundcover.

C12. The planting shall be of sufficient density to replicate a natural bushland ecosystem. The aim is to provide habitat for native wildlife, such as birds, invertebrates and insects.

C13. The following density of plantings are given as a guideline:

Planting Densities:

- Trees: 1 per 4-5 m²;
- Shrubs: 2 per 1m²; and
- Ground cover: 4-8per m².

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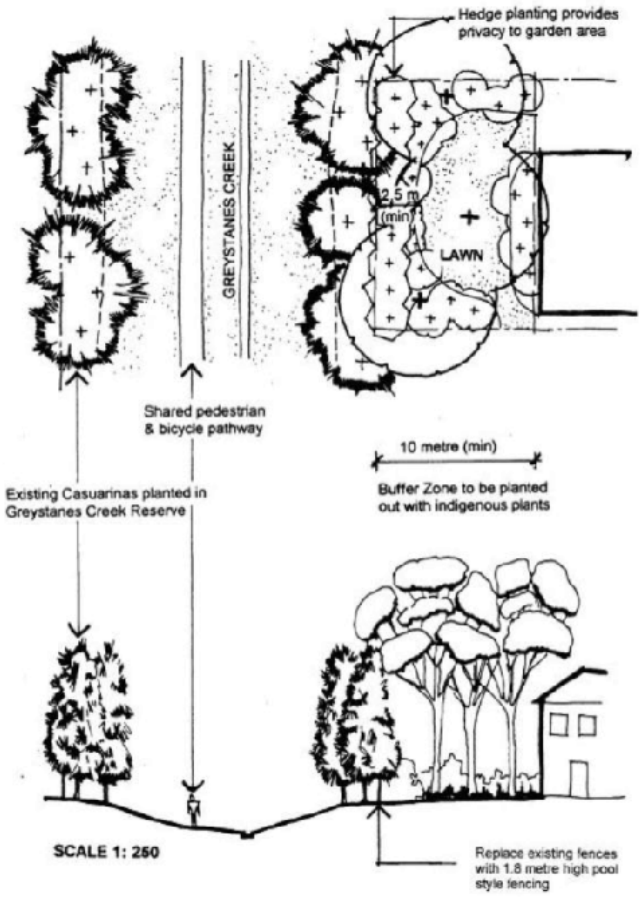

Figure 2: Landscape treatments

3.4 Drainage

Objectives

O1. Ensure the amount of urban run-off pollutants to Greystanes Creek is as minimal as possible.

O2. Ensure adequate control erosion measures are taken.

Controls

C1. Appropriate erosion and sedimentation controls shall be undertaken in accordance with Council's *Erosion and Sedimentation Control Policy* to the satisfaction of Council's Building Surveyor.

C2. Measures to minimise nutrients and sediment entering Greystanes Creek shall be undertaken through the establishment of a vegetated buffer between the development and Greystanes Creek.

3.5 Fire

Objectives

O1. Ensure the potential for bushfire risk on the Reserve and adjacent land is as minimal as possible.

Controls

C3. It is recommended that fuel reduction measures are undertaken on land adjacent to the Reserve.

O2. Measures include the provision of leaf guards to gutters. Within the Greystanes Creek Reserve itself, the creek and drainage channels form natural fire breaks, which, combined with fragmented and isolated nature of the vegetation, means that major fire events are unlikely to occur.

4. Appendix A – Greystanes Creek

Land within the Greystanes Creek Precinct

DP 837421 Lot 41 139 Toongabbie Road, Toongabbie

DP 837421 Lot 40 137 Toongabbie Road, Toongabbie

DP 837421 Lot 39 135 Toongabbie Road, Toongabbie

DP 837421 Lot 38 133 Toongabbie Road, Toongabbie

DP 837421 Lot 37 131 Toongabbie Road, Toongabbie

DP 837421 Lot 36 129 Toongabbie Road, Toongabbie

DP 837421 Lot 35 127 Toongabbie Road, Toongabbie

DP 837421 Lot 34 125 Toongabbie Road, Toongabbie

DP 837421 Lot 33 123 Toongabbie Road, Toongabbie

DP 837421 Lot 32 121 Toongabbie Road, Toongabbie

DP 837421 Lot 31 119 Toongabbie Road, Toongabbie

DP 837421 Lot 30 117 Toongabbie Road, Toongabbie

DP 837421 Lot 29 115 Toongabbie Road, Toongabbie

DP 837421 Lot 28 113 Toongabbie Road, Toongabbie

DP 837421 Lot 27 111 Toongabbie Road, Toongabbie

DP 837421 Lot 26 109 Toongabbie Road, Toongabbie

DP 837421 Lot 25 107 Toongabbie Road, Toongabbie

DP 837421 Lot 24 105 Toongabbie Road, Toongabbie

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DP 837421 Lot 16 103 Toongabbie Road, Toongabbie

DP 837421 Lot 18 101 Toongabbie Road, Toongabbie

DP 837421 Lot 23 99 Toongabbie Road, Toongabbie

DP 837421 Lot 22 97 Toongabbie Road, Toongabbie

DP 837421 Lot 21 95 Toongabbie Road, Toongabbie

DP 617512 Lot 1 26 Portia Road, Toongabbie

DP 11508 Lot 206 29 Portia Road, Toongabbie

DP 11508 Lot 181 18 Portia Road, Toongabbie

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CUMBERLAND CITY COUNCIL

PART F1-10
GUILDFORD PIPEHEAD PRECINCT

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1. Introduction

1.1 Land to which this Part applies

This part applies to the land shown on Figure 1 and known as the Guildford Pipehead Precinct.

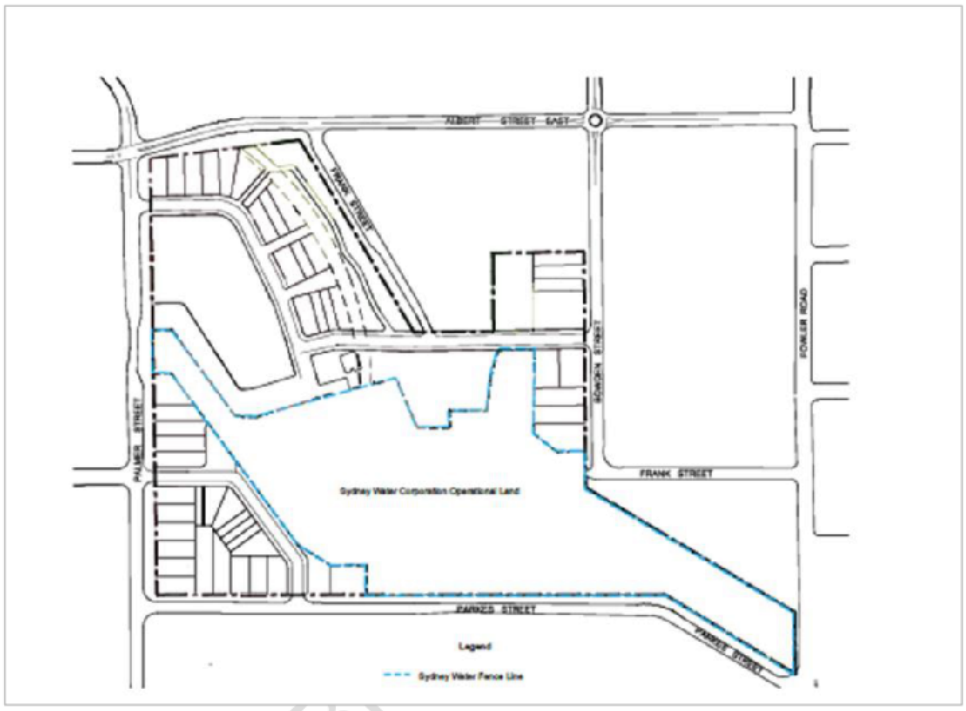

Figure 1: Guildford Pipehead precinct map

1.2 Relationship to other Parts of this DCP

Part F of the DCP shall be read in conjunction with the following Parts of *Cumberland DCP 20XX*, which contain objectives and development controls that may relate to development in this part:

- Part B – Development in the Residential Zones;
- Part C – Development in the Business Zones;
- Part E - Other Land Use Based Development Controls; and
- Part G – Miscellaneous Development Controls.

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2. Vision and general objectives

2.1 Objectives

O1. Facilitate the appropriate reuse of lands within the Guildford Pipehead Precinct that is surplus to current Government needs.

O2. Conserve and enhance the heritage significance of the Guildford Pipehead Precinct.

O3. Protect and conserve the natural heritage features of the Precinct and allow historic interpretation of the Guildford Pipehead Precinct.

O4. Only permit development that is reflective and sympathetic to the historic nature of the Guildford Pipehead Precinct and the character of the area surrounding it.

O5. Ensure that development on the perimeter of the precinct is compatible in character and scale with the surrounding residential area.

O6. Mitigate the impact of the change in land use with respect to the security needs of the operational Pipehead site.

O7. Provide for the conservation of and public access to:

- Land with significant natural heritage or conservation values; and
- That part of the Lower Prospect Canal outside the operational Pipehead site.

2.2 Sub-Precincts

For the purposes of this Part of the DCP, the Guildford Pipehead Precinct is divided into the three sub-precincts, as indicated on Figure 2, whose character is described below.

Sub-Precinct A

- having an approximate area of 24,011m²;
- bounded by Palmer, Albert and Frank Street;
- includes State heritage listed canal and significant heritage landscape plantings;
- land is generally flat, with several steep embankments;
- contains existing industrial sheds, from sites former use;
- provides vistas to Prospect Hill, Blue Mountains and Holsworthy;
- partial interface with low density, detached dwellings; and
- sub-Precinct A allows permeable views to Sydney Water site.

Sub-Precinct B

- approximate area of 17,842m²;
- frontage to Bowden Street;
- contains significant plantings, predominant woodland character;
- existing cycleway access is located within Sub-Precinct; and
- contains a number of steep slopes.

Sub-Precinct C

- approximate area of 13,600m²;
- located at the intersection of Palmer and Parkes Streets;
- separated from SWC land by existing pipeline;
- land is generally flat, although sloping along Parkes Street; and
- interface with existing low density, detached dwellings.

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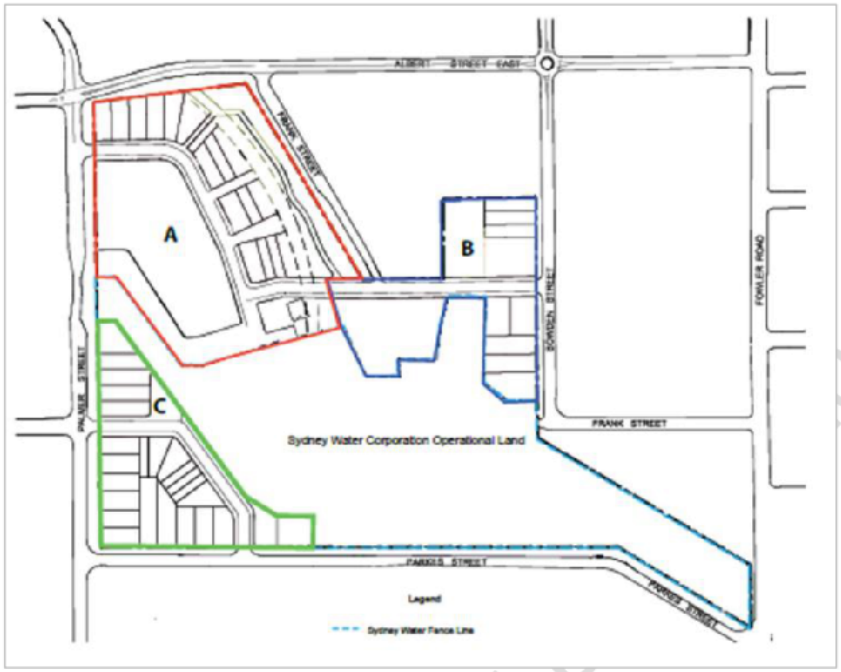

Figure 2: Sub-Precincts map

3. Specific Objectives and Controls

3.1 Urban Design

Objectives

O1. Provide passive surveillance to the Sydney Water operational land through road and lot layout to allow visual connectivity and security.

O2. Interpret key historic themes and heritage values of the site through urban design and built form.

O3. Conserve existing significant vegetation.

O4. Allow the provision of a network of well located and usable open spaces.

O5. Provide a range of housing types that integrate with the existing built interface and landscape features.

Controls

C1. Create an east/ west link through the site to provide physical and visual connectivity.

C2. Create connections with the established residential area of Guildford West.

C3. Maximise pedestrian access and visual connectivity to the existing canal.

C4. Integrate new housing with housing forms in the existing area.

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C5. Locate higher density housing types having regard for topography and significant visual corridors of the precinct.

C6. Facilitate pedestrian and vehicular access that allows connectivity within precinct.

C7. Design development to retain, as far as possible, the natural heritage features of the precinct.

C8. Maintain the landscape character of the precinct.

3.2 Lot Structure

Objectives

O1. Integrate new development with established development within the Guildford West area.

O2. Ensure all lots have a street address and enforce the street edge.

O3. Allow visual connectivity into and within the precinct.

O4. Create lot structures to ensure development maintains significant visual corridors.

O5. Ensure sustainable development through lot orientation.

O6. Ensure active surveillance of all public spaces.

Controls

C1. All lots shall have a primary frontage addressing a street.

C2. No battleaxe lots are to be created within the precinct.

Note: Refer to Figure 6.

Sub-Precinct A

C3. Lots located north of New Road 1 in Sub-Precinct A shall have a primary frontage to New Road 1 and a secondary frontage to Albert Street East.

C4. Lots located between New Road 1 and the Lower Canal in Sub-Precinct A shall have a primary frontage to New Road 1 or New Road 4.

Sub-Precinct B

C5. Lots in Sub-Precinct B shall have frontage to Bowden Street.

C6. Where possible, lots in Sub-Precinct B shall have a secondary frontage to New Road 1.

C7. Internal lots shall have frontage to New Road 1.

Sub-Precinct C

C8. Lots in Sub-Precinct C shall have frontage to either Palmer or Parkes Streets, or New Road 2.

C9. Lots Sub-Precinct C may have a secondary frontage to New Road 2.

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3.3 Built form

Objectives

O1. Ensure that building heights have regard for the heritage values of the Precinct, the topography and significant visual corridors of the Precinct and the character of the surrounding residential area.

O2. Ensure development is setback from internal and external roads and the Lower Canal so that the open appearance of the precinct is maintained.

O3. Allow row housing and zero-lot-line detached houses to be erected within the Precinct.

O4. Maintain existing views to, from and through the precinct.

O5. Ensure that the built form of the Precinct responds to existing vegetation and heritage items, including those on the Sydney Water operational land, and the surrounding built environment.

Controls

Building orientation and articulation

C1. All buildings shall address the relevant lots primary frontage to an existing or new road (or both) with appropriate articulation to provide interest to the public domain.

Building height

Note: The maximum permissible height (in metres) is detailed within Cumberland Local Environmental Plan 20XX, as a written statement and associated maps.

C2. The maximum height of buildings, in storeys, within the Guildford Pipehead Precinct shall be:

Table 1: Maximum height of buildings (storeys)

Building type	No. of storeys
Detached and Attached Housing	2
Multi Dwelling Housing	2
Residential Flat Building	4

C3. Notwithstanding C1, Council may permit 3-storey multi dwelling housing:

- within Sub-Precinct A, south and west of New Road 1; and
- within Sub-Precinct B, south of New Road 1 immediately east of the Community Park

Setbacks

C4. Buildings within Sub-Precinct A shall be setback from streets, side and rear boundaries in accordance with the requirements of Part B of this DCP but with the following exceptions (as shown on Figure 3):

- 15m from Palmer Street, between the Sydney Water operational land and New Road 1;
- 5m from the Lower Canal.

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C5. Buildings within Sub-Precincts B and C shall be setback from streets, side and rear boundaries in accordance with the requirements of Part B of the DCP, except where specified under C4 above.

C6. Despite the requirements of Part B of the DCP, except where the relevant lot boundary is also the boundary of the Guildford Pipehead Precinct:

- row houses forming part of multi dwelling housing may be constructed with no setback to a side lot boundary; and
- detached houses on lots less than 450m² may be constructed on one lot boundary.

View corridors

C7. The view corridors identified on Figure 3 shall be a minimum of 10m in width and be free of all buildings and structures, except:

- access ramps;
- barbeques;
- children's play equipment;
- clothes lines and hoists;
- driveways, paths and paving;
- fences less than 1.8m in height;
- on-site detention tanks and basins below finished ground level;
- rainwater tanks below finished ground level; and
- water features and ponds.

C8. Landscaping within the view corridors shall not include species greater than 1.8m in height at maturity.

Building form and materials

C9. Buildings shall respond to existing vegetation and heritage items, including those on the Sydney Water operational land, and the surrounding built environment through the use of:

- dark tones of brick sympathetic to the dark tones of the existing landscape;
- light tones for metal roofs;
- low pitched roofs and generous eaves; and
- natural or painted timber detail to complement the dark shades of existing vegetation.

C10. Apartment buildings are to incorporate:

- articulated facades to add character to the public domain and streetscape; and
- split face block structure or panels including the use of metal sheeting elements to reflect the former industrial heritage of the site.

C11. Gable and hipped roofs are to have a pitch of 20 – 30 degrees, to match that of existing Building 25, while skillion roofs are to have a pitch of 10 degrees.

Sub-Precinct A

C12. Housing within Sub-Precinct A should include a mixture of residential flat buildings, multi dwelling housing, attached housing and detached housing on small lots.

Sub-Precinct B

C13. Housing within Sub-Precinct B should include a mixture of residential flat buildings, multi dwelling housing, attached housing and detached houses.

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Sub-Precinct C

C14. Housing within Sub-Precinct C should include a mixture of multi dwelling housing, attached housing and detached houses.

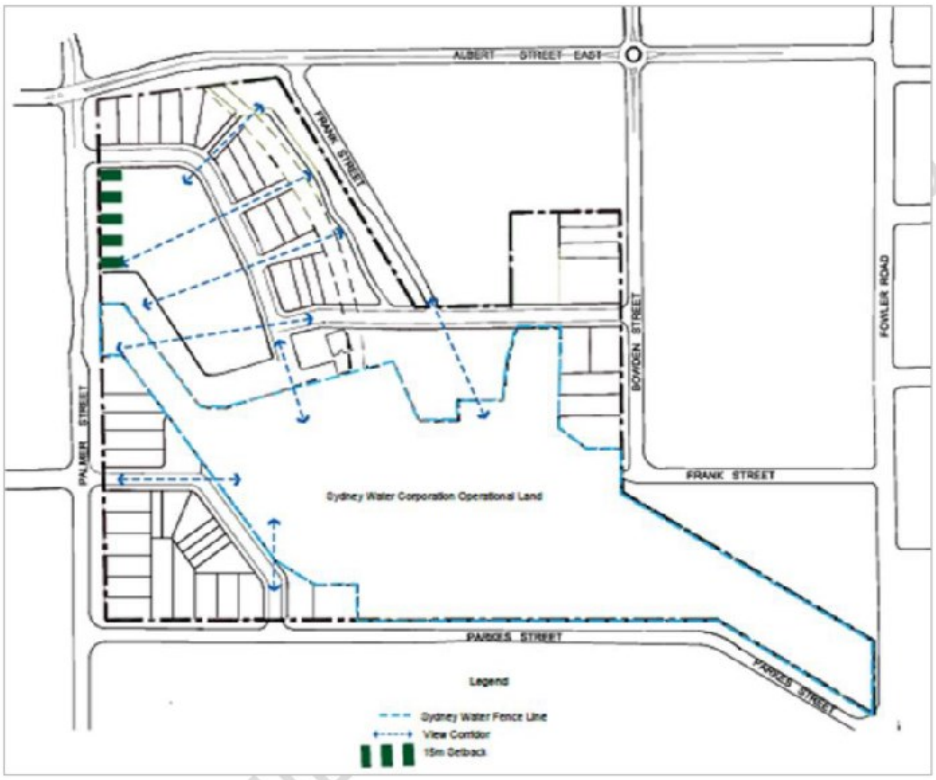

Figure 3: View corridors and setbacks

3.4 Landscape and Open Space

Objectives

O1. Conserve existing significant vegetation within the precinct.

O2. Enhance the appearance and amenity of the proposed development by sensitively integrating architecture and landscape through effective site planning and landscape design.

O3. Retain and enhance the landscaped amenity of the precinct.

O4. Provide areas of landscaped open space for a new residential community.

O5. Integrate proposed open spaces with the surrounding landscape, open spaces and streets.

O6. Consolidate stands of various species forming part of the Cumberland Plain Woodland endangered ecological vegetation community within the proposed open space areas.

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O7. Ensure any proposed fencing does not detract from the visual amenity and landscape character of the site, and is sympathetic to the built form of the precinct.

O8. The streetscape character shall reinforce and enhance the road hierarchy.

O9. Incorporate crime prevention through design principles in landscape and open space design.

O10. Ensure that the streetscape character and tree species reflect the precincts natural character and landforms while accommodating the function needs of pedestrian, cycle and vehicular movements along each of the roads.

Controls

C1. A variety of open spaces shall be provided. A number of areas have been identified by Council as suitable and are indicated on Figure 4:

- Canal Park;
- Community Reserve; and
- Woodland Reserve.

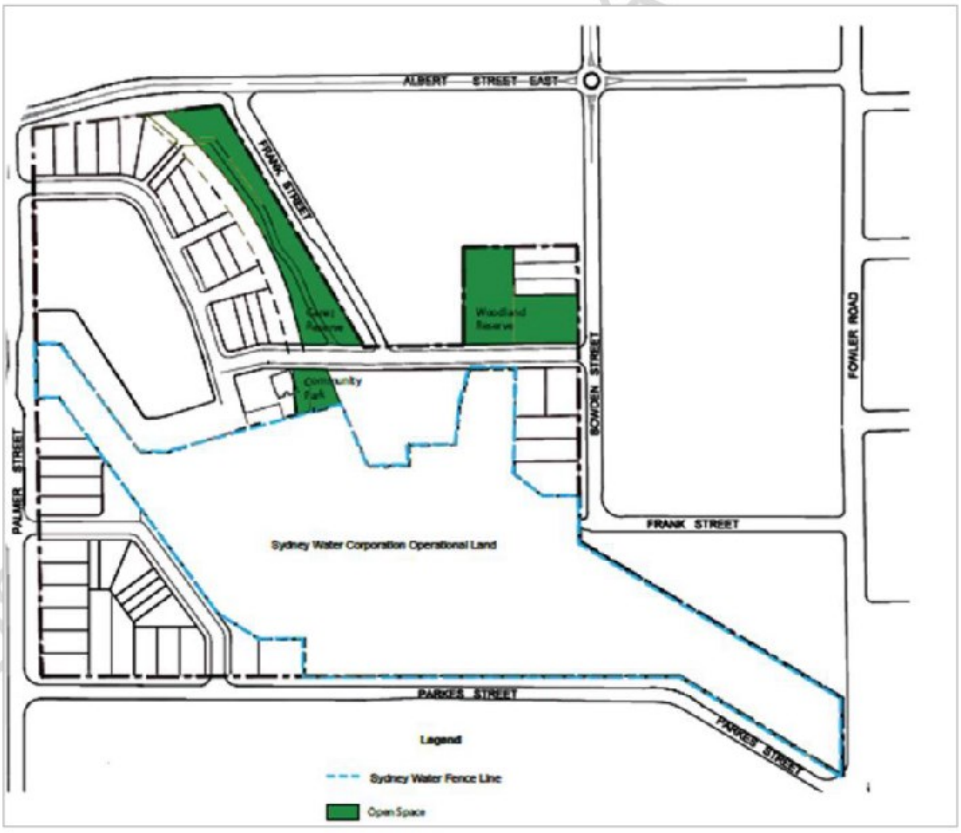

Figure 4: Open spaces map

C2. Landscape plans shall be prepare for each proposed open spaces, providing the following character and facilities for each:

- Canal Park – passive and active recreation, including a children's playground and a cycleway connecting the existing Lower Canal Cycleway with Bowden Street;
- Community Reserve – passive recreation, including picnic and BBQ facilities; and
- Woodland Reserve – passive recreation and native vegetation conservation.

C3. The creation of a Heritage Square for passive recreation, including picnic and BBQ facilities is encouraged. Refer to Section 3.6.

C4. Trees identified as high and moderate significance indicated on Figure 5 must be retained.

C5. All other trees should be incorporated into site planning.

C6. All tree species shall be in keeping with Councils native tree list and be low water, low maintenance and suitable for use in urban environmental. Planting shall build upon the existing landscaped character of the precinct, and not be in direct conflict with existing historical plantings.

C7. Street trees shall be located in accordance with those indicated on Figure 5.



Figure 5: Trees map

C8. Appropriate street tree species to be planted shall be in accordance with the table below.

Table 2: Appropriate street tree species

Appropriate street tree species		
Street	Species	Common name
New Road 1 New Road 2	Angophora Floribunda	Roughed Barked Apple
	Brachychiton Acerifolius	Illawarra Flame Tree
	Waterhouse Floribunda	Weeping Lilly Pilly
Other roads and accessways	Corymbia Ficifolia 'Summer Red'	Red Flowering Gum
	Jacaranda Mimosifolia	Jacaranda
	Melaleuca linaiifolia	Snow in September
	Tristaniopius laurina	Water Gum

3.5 Transport and Access

Objectives

O1. Provide pedestrian, cycle and vehicle connections to create permeable site.

O2. Draw on existing infrastructure, far as possible, by incorporating existing entry points into the road design of the precinct.

Controls

C1. The road structure within the precinct should be provided as shown on Figure 6.

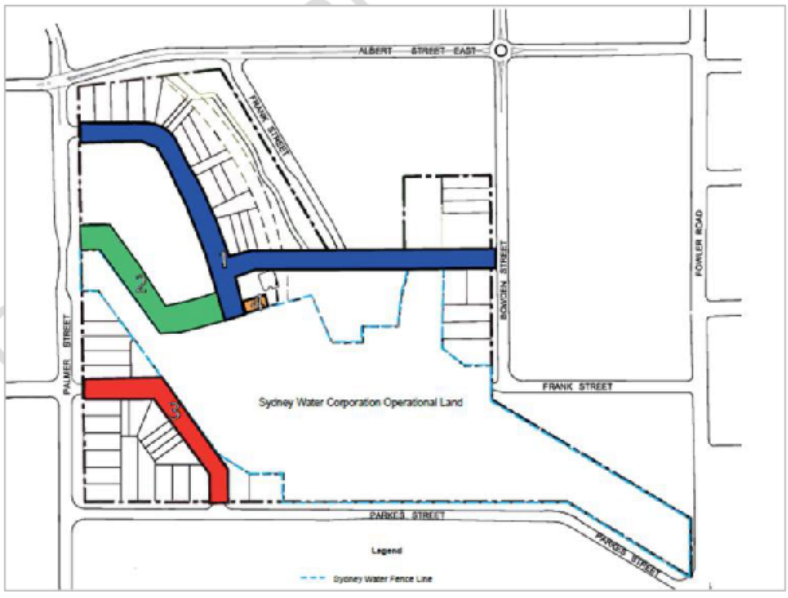

Figure 6: Road structure map

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C2. Roads shall be constructed to the following specifications:

New Road 1

- 15m road reserve;
- 8m carriageway, including provision for parking on one side;
- 2.5m shared path on one side where cycleway is located;
- 1.5m footpath on one side; and
- grass verges on both sides (2m or 1.5m where cycleway is located).

New Road 2

- 15m Road reserve;
- 8m carriageway, including provision for parking on one side;
- 1.5m footpath on one side; and
- grass verges on both sides (3.5m or 2m where footpath is located).

New Road 3

- 15m road reserve;
- 8m carriageway, including provision for parking on one side;
- 1.5m footpath on one side; and
- grass verges on both sides (3.5m or 2m where footpath is located).

New Road 4

- 6m carriageway; and
- grass verges on both sides (to match New Road 2).

C3. For the purposes of Sydney Water operational requirements, New Roads 2, 4 and the southern component of new road 1 shall be designed and constructed to a standard suitable to carry the loading of a 130 tonne crane.

C4. Suitable crash prevention barriers be included in the design of New Road 2 and 4 to ensure that vehicles cannot impact on Sydney Water Operational Infrastructure.

C5. Development in Sub-Precinct A shall not have vehicular access from Palmer Street or Albert Street East.

C6. Development located between New Road 1 and the Lower Canal shall not have vehicular access from New Road 1.

C7. Vehicular access to lots located between New Road 1 and the Lower Canal may be provided through a shared private accessway located within a view corridor shown on map 4.

3.6 Heritage

Objectives

O1. Acknowledge the historically significant role the precinct and the existing Sydney Water site combined played in delivering Sydney's water supply.

O2. Provide visual continuity across the site so there are vistas into the Sydney Water site from the surplus land.

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O3. Maximise public access through the site as well as adjacent to the Sydney Water boundary so that the Sydney Water function is readily apparent.

O4. Retain existing structures within the precinct to provide a connection with the character of the former use of the site.

O5. Interpret the history of the site through the retention of structures and moveable heritage items located in the precinct.

O6. Ensure the upper canal is a distinct landscape element of the site.

O7. Retain significant landscape vegetation, to allow interpretation of the site and landscape continuity between the precinct and the Sydney Water site.

Controls

C1. Development shall be sited to maintain significant view corridors between the precinct and the established residential area, as identified on Figure 4.

C2. Roads and residential development shall be located to maximise views into the operational Sydney Water site.

C3. Moveable items located in the precinct, that contribute to the story of the site and the history of water supply in Sydney should be retained and incorporated into the landscape as sculptural elements.

C4. Existing landscape vegetation, identified as significant heritage landscape elements are to be retained in order to provide interpretation of the site and continuity between the precinct and the Sydney Water site.

Note: Figure 5 details significant landscape vegetation to be retained.

C5. Public interpretation strategy for the lower canal and Pipehead site shall be developed and implemented during redevelopment of the site.

C6. Development in the precinct shall be designed to follow and not disrupt the topography of the landscape.

C7. Black palisade fencing shall be erected between the residential and operational lands within the precinct.

<u>Adaptive reuse of Building 25 structure</u>

Note: Building 25 was originally built as a storage depot for the construction of the Warragamba Dam and relocated to Guildford.

C8. Part of the structure of building 25 shall be retained in order to:

- provide a significant visual landmark element that recognises the former use of the site;
- visually connect the residential lands with the continuing operational Sydney Water site; and
- interpret the former use of the Pipehead site.

C9. Any part of the structure of building 25 retained within the proposed Heritage Square may be used for general recreation or social purposes and may retain a part of the roof sheeting for sun shading.

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C10. The roof character of new buildings shall integrate with, and not effect the character of the precinct.

Note: It is recommended that gable and hipped roofs are to have a pitch of 20 – 30 degrees, to match that of existing Building 25, while skillion roofs are to have a pitch of 10 degrees.

Sub-Precinct A

C11. Housing within Sub-Precinct A should include a mixture of residential flat buildings, multi dwelling housing, attached housing and detached housing on small lots.

Sub-Precinct B

C12. Housing within Sub-Precinct B should include a mixture of residential flat buildings, multi dwelling housing, attached housing and detached houses.

Sub-Precinct C

C13. Housing within Sub-Precinct C should include a mixture of multi dwelling housing, attached housing and detached houses.

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CUMBERLAND CITY COUNCIL

PART F1-11
HEREFORD PLACE, WENTWORTHVILLE

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1. Introduction

1.1 Land to which this Part applies

This Part applies to development on land as detailed within this Part.

The Hereford Place precinct comprises the land described in Table 1 below, known as 20-44 Jersey Road and 23-45 Hampden Road, South Wentworthville and as indicated on Figure 1. Medium density residential development is envisaged for this precinct.

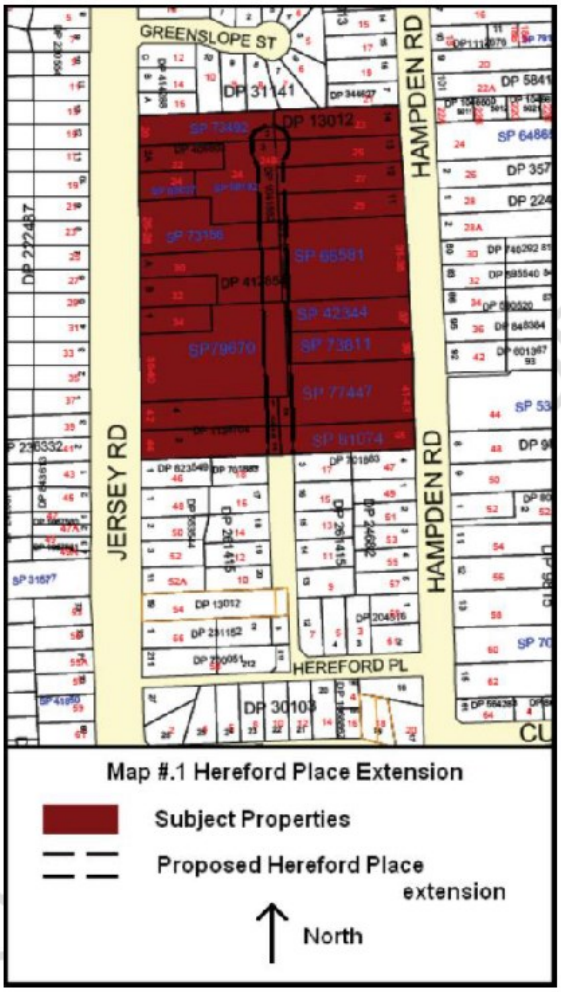

Figure 1: Hereford Place extension

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Property Address	Lot and DP or SP No.
20 Jersey Road (Cumberland Hwy) South Wentworthville	SP73491
22 Jersey Road (Cumberland Hwy) South Wentworthville	Lot 2A DP406503
24 Jersey Road (Cumberland Hwy) South Wentworthville	SP68037
24A Jersey Road (Cumberland Hwy) South Wentworthville	SP68192
26-28 Jersey Road (Cumberland Hwy) South Wentworthville	SP73156
30 Jersey Road (Cumberland Hwy) South Wentworthville	Lot A DP412854
32 Jersey Road (Cumberland Hwy) South Wentworthville	Lot B DP412854
34 Jersey Road (Cumberland Hwy) South Wentworthville	Lot A DP414666
36-40 Jersey Road (Cumberland Hwy) South Wentworthville	SP79670
42 Jersey Road (Cumberland Hwy) South Wentworthville	Lot 4 DP1138704
44 Jersey Road (Cumberland Hwy) South Wentworthville	Lot 3 DP1138704
23 Hampden Road, South Wentworthville	Lot 14 DP13012
25 Hampden Road, South Wentworthville	Lot 13 DP13012
27 Hampden Road, South Wentworthville	Lot 12 DP13012
29 Hampden Road, South Wentworthville	Lot 11 DP13012
31-35 Hampden Road, South Wentworthville	SP66581
37 Hampden Road, South Wentworthville	SP42344
39 Hampden Road, South Wentworthville	SP73811
41-43 Hampden Road, South Wentworthville	SP77447
45 Hampden Road, South Wentworthville	SP81074

Table 1: Land subject to Section 1 of this Part

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2. Vision

Medium density residential development requires adequate local road access. However, half of the properties within this precinct have vehicular access only from the Cumberland Highway (also known as Jersey Road). This is unsatisfactory given that the Highway is primarily a metropolitan arterial road. Given this, the provision of alternative vehicular access to these properties is required to facilitate satisfactory development and minimise traffic conflicts on the Highway.

To provide this alternative vehicular access, it is proposed to extend Hereford Place north from Jersey Lane. To achieve this, land is required from properties currently fronting both the Cumberland Highway and Hampden Road. To minimise traffic conflicts and congestion on Hampden Road, and to prevent private driveways from being used by through traffic, access from Hampden Road will not be permitted for redeveloped properties.

3. Objectives and Controls

Objectives

O1. Facilitate the reasonable development of the Hereford Place precinct by permitting the extension of Hereford Place, Wentworthville.

O2. Minimise vehicular access to properties from the Cumberland Highway.

O3. Ensure that alternative vehicular access is provided to properties with frontage to the Cumberland Highway, South Wentworthville.

O4. Reduce vehicular traffic and conflicts on Hampden Road, South Wentworthville, by providing alternative vehicular access from an extended Hereford Place.

Controls

C1. This section of the DCP applies to all development within the Hereford Place precinct, as indicated in Table 1 and shown on Figure 1.

C2. Development for the purposes of additions and alterations to existing detached dwelling houses is excluded from the provisions of this section.

C3. All development shall provide for future permanent vehicular access from the Hereford Place extension.

C4. Land shall be dedicated for the Hereford Place extension in accordance with Figure 1.

C5. An 8m wide vehicular carriageway shall be constructed along the proposed extension of Hereford Place, with a 4m footpath verge with a roll-top kerb along either side.

C6. Road layout and geometry shall be in accordance with the provisions of Part G of this DCP and with other approved standards, either the *Guide to Traffic Engineering Practice* published by NAASRA, or the Roads and Maritime Services guidelines.

C7. For all development except the erection of a dwelling house, all roadworks, including drainage, kerb and gutter and footpaths, shall be constructed at the applicant's expense and the required land dedicated to Council prior to release of any occupation certificate. Alternatively, Council may accept lodgement of a bond, through a bank guarantee, for the agreed value of the works plus interest for 10 years, in lieu of construction of the works.

C8. For the erection of a new detached dwelling house, all roadworks, including drainage, kerb and gutter and footpaths, shall be constructed at the applicant's expense and the required land dedicated to Council prior to release of any construction certificate.

C9. A restriction to use under Section 88B shall be included upon the title, with Council listed as a party, to require no access from either the Cumberland Highway or Hampden Road, upon extension of Hereford Place to the subject property.

C10. Temporary access shall be permitted from the Cumberland Highway or Hampden Road until such time as all land dedication and road construction for the Hereford Place extension is completed between Jersey Lane and the subject property.

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C11. Approval of temporary access from the Cumberland Highway or Hampden Road shall be subject to the agreement of the Roads and Maritime Services and any affected landholders.

C12. At such time as all land dedication and road construction for the Hereford Place extension is completed between Jersey Lane and the subject property, the following works shall be carried out at the expense of the landowner(s):

- all necessary works to permit vehicular access from Hereford Place, including removal of fences and construction of a suitable vehicular driveway from the property boundary to the kerb-line;
- all necessary works required to deny access from the Cumberland Highway or Hampden Road, including erection of fencing at the property line and removal of any vehicular driveway from the property boundary to the kerb-line.

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CUMBERLAND CITY COUNCIL

PART F1-12
HILLIER STREET, MERRYLANDS

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1. Introduction

1.1 Hillier Street, Merrylands

Hillier Street, Merrylands (Hilltop) is an incomplete cul-de-sac, where subdivision and development has not yet permitted the construction of a turning bulb. This section of the DCP is intended to guide future development within the precinct to ensure that a turning bulb may be constructed without unnecessarily preventing development of properties zoned R3 Medium Density Residential.

2. Specific objectives and controls

Objectives

O1. Facilitate the reasonable development of the Hillier Street precinct by permitting the completion of Hillier Street, Merrylands.

O2. Ensure that further development results in the completion of Hillier Street.

O3. Minimise the number of properties required to dedicate land to Council.

O4. Ensure that 82 Clarence Street retains the opportunity to subdivide broadly in accordance with Council's previous development control plan.

Controls

C1. This section of the DCP applies to all development within the Crosby Street precinct, as indicated in Table 1 and shown on Figure 1.

C2. Development for the purposes of the erection of a new detached dwelling house and additions and alterations to an existing, detached dwelling house is excluded from the provisions of this section.

C3. Land shall be dedicated to Council to allow creation of the cul-de-sac head in accordance with the layout shown on Figure 1.

C4. Land dedication is to occur prior to the redevelopment of 69 and 71 Burnett Street for medium density housing.

C5. Medium density residential development of 69 and 71 Burnett Street is subject to:

- amalgamation of these properties;
- a boundary adjustment between 69 Burnett Street and 82 Clarence Street, in accordance with Figure 1, to ensure that the later has a frontage to the Hillier Street extension; and
- vehicular access to the amalgamated site is only provided from the Hillier Street extension.

C6. An appropriate cul-de-sac turning bulb is to be constructed within the area shown on Figure 1.

C7. Road layout and geometry shall be in accordance with the provisions of Part G, of this DCP and with other approved standards, either the *Guide to Traffic Engineering Practice* published by NAASRA, or the Roads and Maritime Services guidelines.

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C8. All roadworks, including drainage, kerb and gutter and footpaths, shall be constructed at the applicant's expense and the required land dedicated to Council prior to release of any Subdivision or Occupation Certificate. Alternatively, Council may accept lodgement of a bond, through a bank guarantee, for the agreed value of the works plus interest for 10 years, in lieu of construction of the works.

Table 1: Land subject to Hillier Street extension

Property Address	Lot No.	DP
71 Burnett Street	5C	398018
69 Burnett Street	5D	398018
82 Clarence Street	8	22133
80 Clarence Street	4	23384

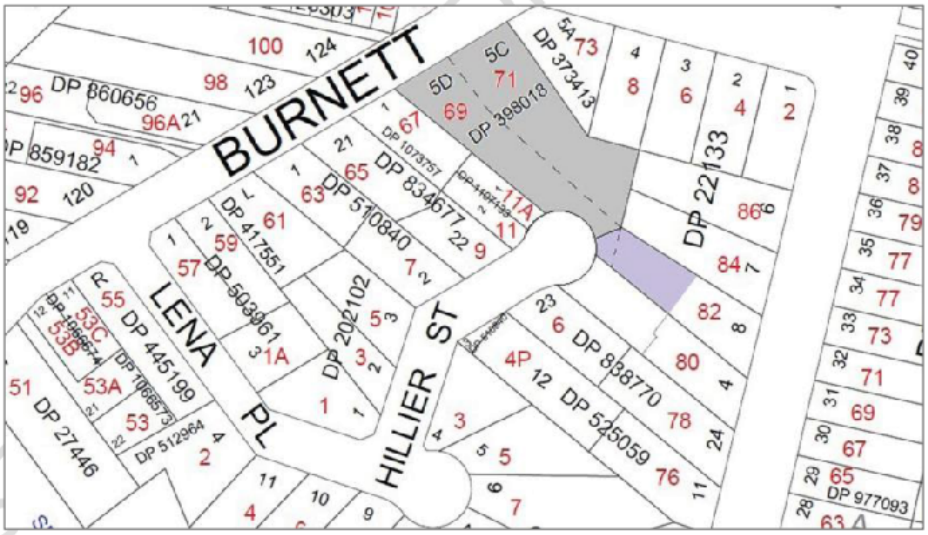

Figure 1: Hillier Street extension:

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CUMBERLAND CITY COUNCIL

PART F1-13
HOLROYD GARDENS

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1. Introduction

This Part of *Cumberland Development Control Plan 20XX* provides a framework that will guide future development in Holroyd Gardens.

The controls and guidelines demonstrate Cumberland City Council's commitment to ensuring redevelopment of the former Goodlet and Smith Brickworks site takes place in a sensitive, sustainable and exemplary manner.

Both Council and the joint venture development partner, Delfin Property Group, are committed to ensuing development of the site is of the highest quality.

1.1 Land to which this Part applies

This Part applies to land known as "Holroyd Gardens", located adjacent to Walpole Street, the Main Southern Railway and Walpole Street Park, Holroyd. The site is defined by the locality plan (Figures 1 and 2) Boundaries for this DCP may be extended in future by the inclusion of additional lands. Where this is the case, the DCP will be amended accordingly.

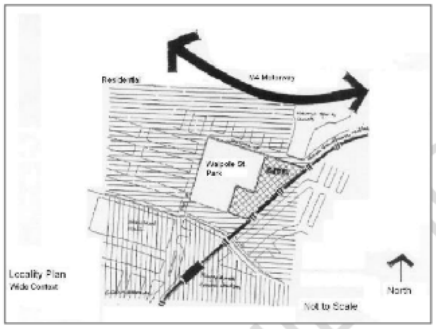

Figure 1: Locality plan - wide context

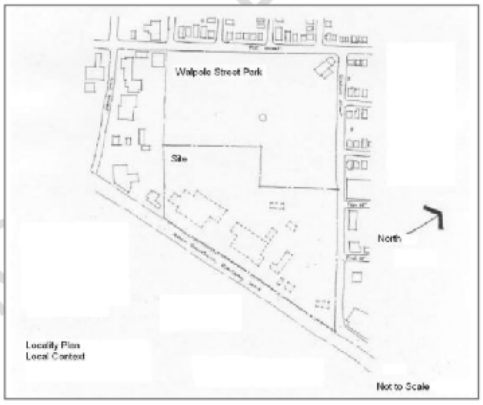

Figure 2; Locality plan – local context

1.2 Relationship to other Parts of this DCP

Part F of *Cumberland DCP 20XX* shall be read in conjunction with the following Parts of *Cumberland DCP 20XX*, which contain Objectives and Development Controls that relate to development in this Part:

- Part A – Introduction and General Controls;
- Part B – Development in Residential Zones;
- Part C – Development in Business Zones;
- Part E – Other Land Use Based Development Controls;
- Part G – Miscellaneous Development Controls; and
- Definitions.

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2. Vision and general objectives

2.1 Vision and context

Holroyd Gardens is intentionally considered as a garden neighbourhood, with ample open space throughout and the distinctive heritage precinct being actively used as interpretation, open space and community facilities at the heart of the neighbourhood.

A wide linear parkway traverses the length of the neighbourhood and has adjacent to its mid point a large artificial wetland. The site is also directly connected to Walpole Street Park, which extends through to the Heritage Precinct. This combined park system enables all residents to have easy access to a variety of pleasant recreation opportunities.

The main road system and pathway system through the centre of the neighbourhood is intended to give all residents easy access to Walpole Street Park and the Merrylands Town Centre. The road system and attention to streetscape gives the neighbourhood a distinctive character.

With the exception of the Heritage Precinct, the site will be developed for residential and activities ancillary to such residential development, such as open space and home offices.

Based on the current indicative Master Plan, this DCP envisages that the site will have a maximum density of 260-280 dwellings, comprised of a mix of detached, semi-detached and medium density multi- unit housing. Council may at its discretion consider and approve a variation to the Master Plan where compelling economic, environmental or social grounds are present, and where the overarching objectives and principles of this DCP can be achieved.

2.2 Objectives

General

O1. Redevelopment of the former Goodlet and Smith Brickworks site should:

- be responsive to the needs of the community,
- achieve high levels of design and appearance,
- be responsive to the heritage significance of the site, and
- be well integrated with its surrounding urban context.

O2. Ensure that the urban structure, layout and form of the development responds positively to its urban context, Specifically:

- incorporation and extension of Walpole Street Park into and through the site;
- establishing open space links, including pedestrian and bicycle linkages, which connect the site with Walpole Street Park, Merrylands Town Centre and areas further afield; and
- ensure an appropriate and supportive frontage to Walpole Street and Walpole Street Park

O3. Ensure a supportive relationship with the heritage significance of the site. Specifically:

- conserve and refurbish significant heritage buildings within an established heritage precinct;
- Introduce activities within the heritage precinct in order to ensure that the area becomes a "seamless" component of the greater site; and
- Implement specific controls for areas in close proximity to heritage items that ensure new buildings are complementary and not mimicking in terms of form and appearance.

O4. Ensure that buildings on the site provide a supportive relationship with the public domain and appropriately respond to the needs of pedestrians.

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O5. Enable a wide choice of housing types, including adaptable housing, in order to effectively respond the changing need of the community and residential market.

O6. Provide a high level of amenity for future residents and users of the site through the provision of a coordinated palette of urban elements including furniture, lighting, paving and vegetation.

2.3 Access and linkages

Collector Road

A collector road serves to provide a link road through the project. The collector road will have a strong landscape amenity with a regular row of advanced trees and wide verges with wide foot paths/cycleways. The collector road commences at Walpole Street near the Fox Street intersection.

Park Edge Terraces

Park Edge Terraces are positioned along the flanks of the Linear Park and elsewhere. These Terraces have two advantages: They allow access to houses overlooking the reserve; and, they also allow access to the Walpole Street Reserve, allowing the eastern side of the park to be accessible to potential users.

Cycleways and pedestrian paths

Cycleways and pedestrian paths are aligned with the open space system as well as streets. These cycleways and pathways link towards:

- Merrylands Town Centre;
- A'Becketts Creek;
- Merrylands railway station; and
- The Heritage Precinct.

2.4 Open spaces

Public open spaces

The open space system within Holroyd Gardens is extensive and provides variety of spaces appropriate for a wide range of activities. These include:

- linking visually and physically the heritage precinct buildings with the Walpole Street Reserve;
- the formation of a linear parkway that provides visual amenity, recreation areas and pedestrian/cycle linkages;
- the retention and the re-use of several of the former brickworks buildings as a centre piece for community use;
- a central open area adjacent to the Heritage Precinct, opens up to the linear parkway and lake, and provides direct visual links with Walpole Street Park; and
- creation of a variety of landscaped spaces throughout the neighbourhood.

Semi public/semi private open spaces - front gardens

The amenity of the front gardens is important for extending the general quality of Holroyd Gardens landscape system.

The front yard areas of housing are considered as an opportunity to extend the quality of the street landscape into the front areas of the housing. Colourful front area planting is encouraged.

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2.5 Built form

Objectives

Density and building height

O1. Housing is placed so that there is a clear transition in building height and bulk from Walpole Street, towards the railway line and from the Heritage Precinct outwards. This enables the gradual change in density from key elements of the open space system, as well as the vehicular and pedestrian approaches to the housing areas.

O2. Housing is positioned so that all houses provide direct surveillance of the proposed street and open space systems, with the majority of housing positioned so that it has frontage to reserves and open space. This strategy encourages a high level of community supervision of the open space areas, as well as maximising the benefit of the open space system to the enjoyment of the residents.

O3. Housing is grouped in order to provide areas with opportunity for distinct residential character. There are areas of terrace housing for instance forming two "crescents" facing open spaces. Multi- unit housing is placed alongside the Linear Parkway as well as the Collector Road. The longer building forms of the multi- unit dwellings assist in providing a noise buffer alongside the railway corridor.

O4. Residential buildings are to complement heritage buildings within and adjacent to the heritage precinct. It is intended that the addition of any new residential buildings will encourage a higher degree of supervision and better use of the heritage precinct. New buildings adjacent to heritage buildings are to complement (though not mimic) the heritage buildings by virtue of their height, scale, bulk, materials and appearance.

2.6 Streetscape

A high level of attention to streetscape is a key principle to the visual success of the Holroyd Gardens. This applies to the areas immediately fronting the street, as well as those spaces that are visible from the street.

Objectives

O1. The streetscape should be characterised by buildings with individual variety that give interest, while still forming a cohesive sense of neighbourhood.

O2. Ensure that each of the individual houses or groups of houses reinforce and add to the tree lined street environment with a high level of private area planting.

O3. Ensure consistent frontages, ridge heights and eave heights.

O4. Require a variety of materials within an agreed palette of building materials to be used.

2.7 Building envelope

Objectives

O1. Ensure housing is considered in terms of its relationship to adjoining buildings to encourage the reinforcement of street enclosure and street character.

O2. Encourage verandahs and projecting awnings, "Dutch Gable" roof forms and similar techniques that "break up" the roof shape.

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O3. Ensure long flat faced walls are avoided. Walls should incorporate bay windows, porches, small verandahs, French windows to give relief and articulation to exterior walling, and provide internal amenity.

2.8 Adaptable housing

Objective

O1. Ensure housing addresses, where practicable, the needs of the disabled and the elderly.

2.9 Energy efficiency

Objective

O1. Ensure housing demonstrates attention to energy efficient design by:

- Maximising north orientation;
- The use of wall and ceiling insulation;
- Building forms that allow cross ventilation and zoned heating and cooling;
- The use and sensible placement of thermal mass; and
- Appropriate landscape placement.

2.10 Waste management

Objective

O1. Ensure the provision of adequate dedicated spaces for the storage of waste and recycling away from street. Adequate storage is required for all dwellings.

2.11 Off street parking

Objectives

O1. Ensure parking complies with Council's provisions and is to be designed so as to reduce visual impact on the streetscape.

O2. Ensure driveways are designed to minimise the area of hard paving to a practicable minimum.

3. Specific objectives and controls

3.1 Open space

Objectives

O1. The open space system is generally as defined in Figure 3.

O2. Open space on the site will be interpreted as a continuous system, comprising places (the heritage precinct, landscaped spaces etc) and linkages (linear park corridor, streets etc).

O3. All parks are to be highly accessible, as well as framed and defined by the street system.

O4. The site is to provide for linkages to the wider open space system, such as the regional bicycle corridor and Walpole Street Park.

O5. Streets are important elements of the open space system. They should provide direct links between key open space destinations.

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Pedestrian linkages

O6. The pedestrian system is generally as defined in Figure 3.

O7. A Linear Park Corridor, generally corresponding to the alignment of A'Becketts Creek, will allow for a future pedestrian and bicycle linkage between the site, Merrylands and areas to the north. It will also incorporate a segment of the regional bicycle system.

O8. A strong pedestrian linkage will be developed between the Heritage precinct, artificial wetland, and will eventually continue on to the rotunda and Children's Museum in Walpole Street Park. This pathway will provide a strong physical and visual link between Walpole Street Park attractions, the heritage precinct and the site generally.

O9. Secondary pedestrian linkages will be provided adjacent to Walpole Street park, adjacent to Walpole Street and south west through Walpole Street Park, linking Merrylands to the site.

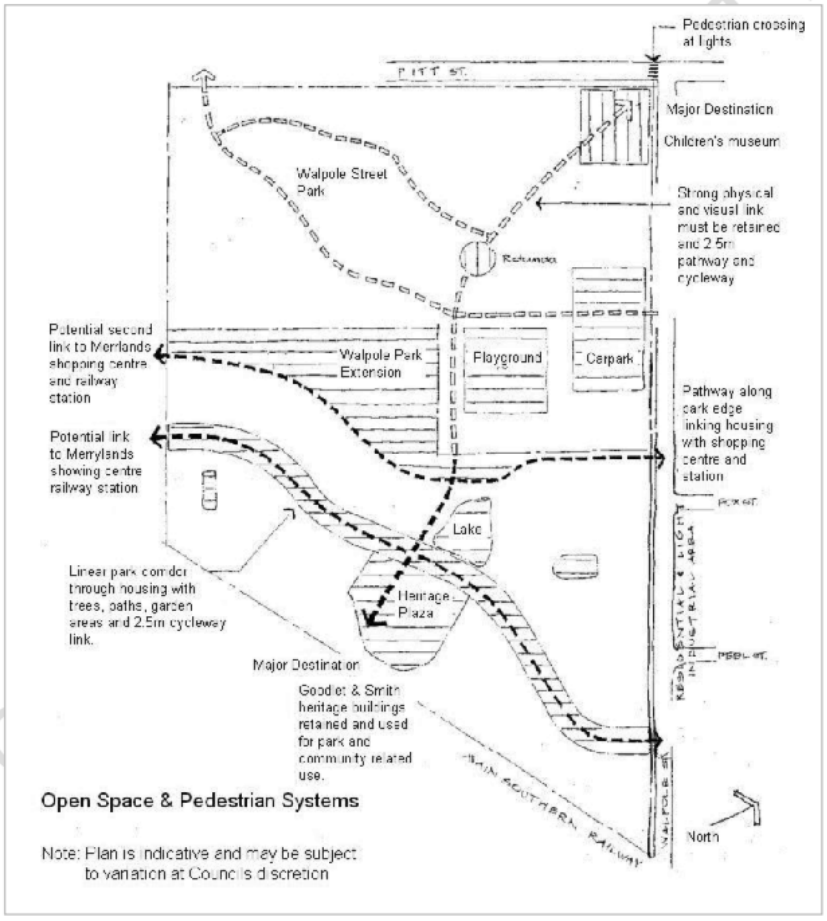

Figure 3: Open space and pedestrian systems map

Landscape

O10. A coordinated landscape master plan for the entire site will be developed and implemented.

O11. Plant species chosen for the site should be appropriate in terms of meeting the functional requirements of the environment in which they are to be utilised.

O12. The Heritage Precinct and link with Walpole Street Park will be enhanced through the use of (complementary) feature planting.

O13. Each Precinct and/or each major street type will contain subtle differences in landscape approach in order to accentuate legibility.

3.1.1 Elements of the Open Space System

The Heritage Precinct

The Heritage Precinct is located generally adjacent to the Main Southern Railway line, in a central location between Walpole Street and the southern boundary of the site. The location and extent of the Heritage Precinct is defined in Figure 4.

The Heritage Precinct should be the focus of development on the site. Refer to the Development Strategy for the Heritage Precinct of the Goodlet and Smith Brickworks Site.

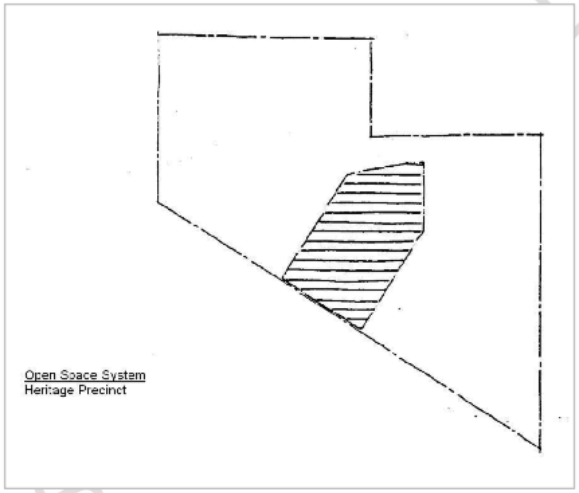

Figure 4: Open space system - Heritage precinct

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Linear Park Corridor

The location of the linear park corridor is described in Figure 5.

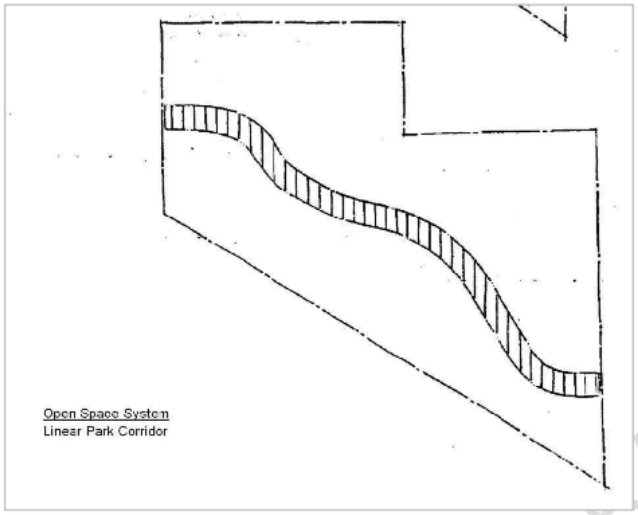

Figure 5: Open space system - linear park corridor

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Objectives

O1. Encourage the relocation of the weir currently located within the existing A'Becketts Creek alignment to a position within the Linear Park Corridor is encouraged. This will be confirmed following detailed hydraulic investigation ensuring the ability to maintain adequate flood capacity.

Controls

C1. The Linear Park corridor will be approximately 19m in width.

C2. The Linear Park corridor is to be accessible from both sides and is to incorporate a pedestrian and bicycle path of at least 2.5m width

C3. The Linear Park Corridor is to accommodate a component of the overland flow generated by development on the site and is to incorporate substantial planting and other landscape treatments to accentuate its appearance as a "creek-like" corridor.

3.1.2 Extension to Walpole Street Park

Objectives

O1. Provide a pedestrian connection to the principal east-west linkage between the Park and Heritage Precinct.

O2. Maximise casual surveillance from adjacent residences.

O3. Ensure the park extension is well lit.

O4. Ensure Walpole Street Park is to be highly accessible.

Controls

C1. Walpole Street Park is to be extended to a new boundary alignment immediately adjacent to residential development on the site (see Figure 6).

C2. The extension area of Walpole Street Park is to incorporate an informal pedestrian path linking Walpole Street to the southern extent of the site.

C3. Planting in the Walpole Street Park extension area is to be ground covers or clean trunked tree species only.

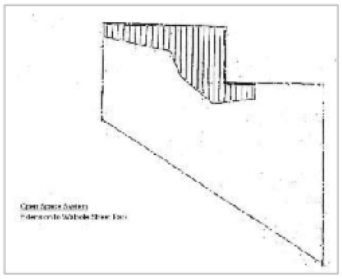

Figure 6: Open space system - extension to Walpole Street Park

3.1.3 Landscaped Spaces

Objective

O1. Ensure high quality landscapes spaces are provided at various locations throughout the site.

Controls

C1. The design of landscape spaces should complement and contribute to the urban setting and add value and amenity to adjacent areas. In addition, they should be designed to:

- be environmentally sustainable, particularly in their use and demand for water;
- clearly convey a message that they are available and meant to be used;
- allow a range of potential activities;
- be engaging from the outside and within; and
- foster a safe and secure public domain.

3.1.4 Pedestrian and Cyclist Facilities

The off-street pedestrian system is comprised of formed paths of either 2.5m width for major linkages and pedestrian/bicycle linkages, or 1.5m width for secondary (pedestrian only) linkages. These are detailed in Figure 3.

Objective

O1. Ensure all pedestrian and cyclist paths allow high levels of casual surveillance through their location, lighting and form of adjacent planting.

Development Controls

C1. All footpaths adjacent to streets are to be a minimum of 1.5m width.

C2. Footpaths are to be provided adjacent to streets according to the following schedule:

POST EXHIBITION DRAFT 2020

Table 1: Footpath provision

Street/location	Footpath provision
Collector Road	at least one side
Access Street	at least one side
Access Street serving a maximum of 8 dwellings	none required
Park Edge Terrace	at least one side
Shared Accessway	none required

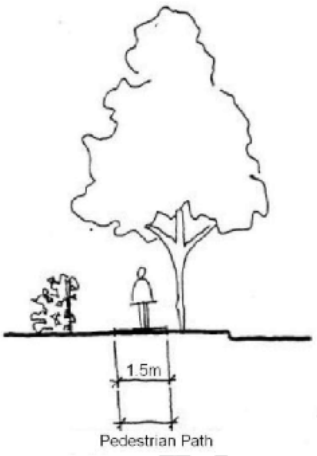

Figure 7: Pedestrian park

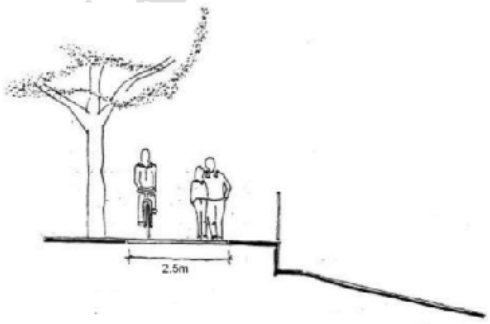

Figure 8: Pedestrian and cyclist facilities

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3.1.5 The Drainage System

Objectives

O1. Ensure the provision of a combination of underground culverts, the linear park corridor, existing overland flow corridors and the sub-street drainage system will accommodate the ARI 1 in 100 flow.

Development Controls

C1. An artificial wetland is to be provided adjacent to the Collector Road and Heritage Precinct. The wetland will be a permanent water body, designed to be an important visual amenity for Holroyd Gardens and to treat stormwater pollutants through the use of macrophytes and other such species. The wetland will accommodate a freeboard in order to accommodate on site detention from the western portions of the site.

C2. An on site detention system is to be designed and constructed to the satisfaction of Council.

3.2 Streets

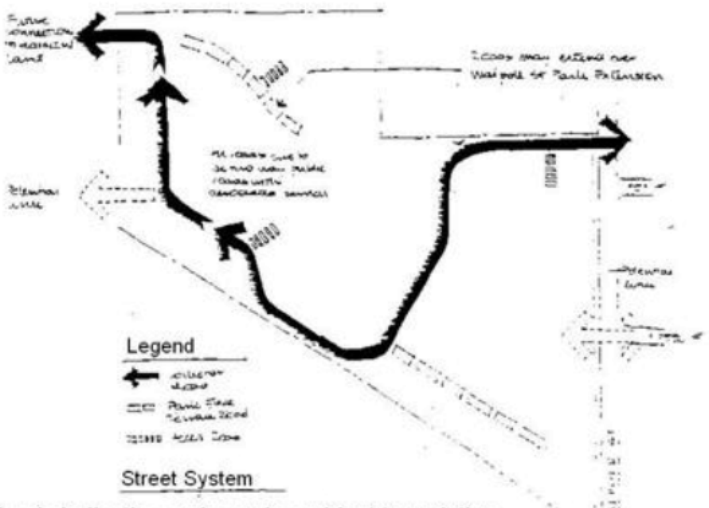
3.2.1 Key Principles

Street system

Objectives

O1. Ensure the street system (see Figure 9) will be the main north south link between Walpole Street and potential future development to the south. It will circulate around the heritage precinct (east) and will be linked by lower order roads at regular intervals along its length.

O2. Allow the Walpole Street Park Extension to be utilised for construction of streets, in order to maximise the developable area.



Note: Plan is indicative and may be subject to variation at Council's discretion.

Figure 9: Street system map

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Controls

C1. Require streets to frame and define key public spaces.

C2. Ensure the provision for the requirements of emergency and service vehicles are made.

Street character

Objective

O3. Ensure streets are designed such that they are appropriate for all potential users. The design of the street environment should support the establishment of distinct zones of activity, including public space (traffic, parking and pedestrian zones), semi-public space (front yards and porches) and private space (within the building).

Controls

C1. Buildings shall be sited so that they provide strong definition of the public realm. The ratio of building height (at any point) to the horizontal distance between buildings (at a corresponding point), across a street, should generally fall between 1:1.25 and 1:3.7, except in areas adjacent to heritage items. A ratio of up to 1:3.7 will be allowed in cases where smaller buildings are to be located opposite apartment buildings.

C2. In situations where no other building has been proposed for across the street, the horizontal distance between buildings is assumed to be the distance between the proposed building and the maximum building setback (as defined in Clause 4.2) behind the opposite verge/property boundary.

C3. Streets are to be designed such that there is a clear distinction and progression from private space to semi public, to public space.

C4. Buildings shall be sited and designed to maximise casual surveillance of the public realm.

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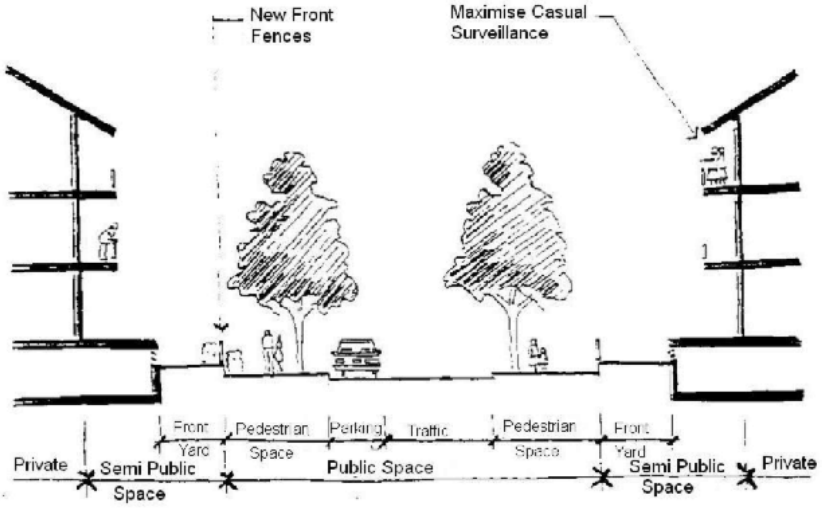

Figure 10: Street character - cross section

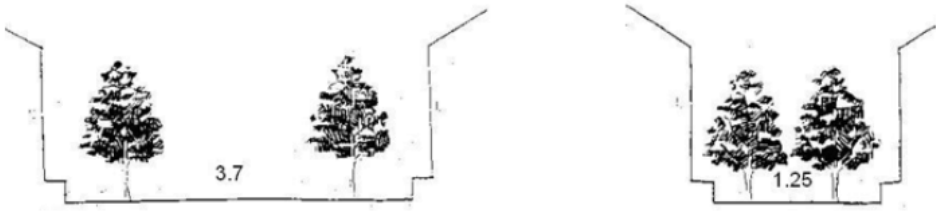

Figure 11: Street character – building height to road length

Principal entrance

The principal entrance to the site will be from Walpole Street, adjacent to the Walpole Street Park boundary.

Objectives

O1. Allow for a possible second entrance to the site to align with Peel Street.

O2. Ensure the main entrance is to be designed to provide and coordinate with speed and traffic control on Walpole Street.

O3. Ensure the main entrance will be designed to reflect its role as a gateway to the site.

3.2.2 Street Types and Dimensions

Collector road

Objectives

O1. Provide a principle access for the entire site by connecting with Walpole Street adjacent to Walpole Street Park and circulating east around the heritage precinct.

O2. Make provisions for future connections with residential development to the south of the site.

O3. Allow all potential housing types to have frontage to the Collector Road.

Controls

C1. Typical street sections for the collector road are illustrated in Figure 15:

- carriageway: 8m wide kerb to kerb over its entire length (any variation to be demonstrated to the satisfaction of Council's Engineer);
- verge area: 3m - 3.75m (both sides);
- building setback: 4.5m maximum to the principal façade; and
- the verge area may be reduced to 1.5m on one side where the collector road has development frontage to only one side.

C2. Council may consider variations to the above dimensions only where overarching principles for Street System, Street Character and Street Landscape (Section 3.3.1) are achieved.

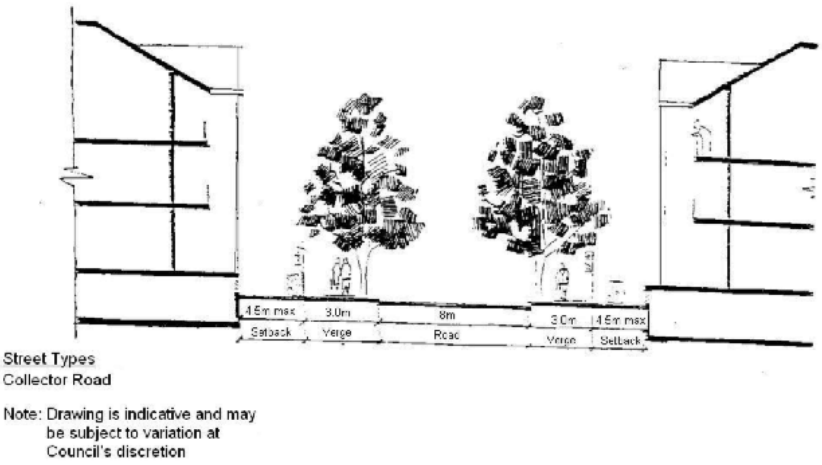

Figure 12: Street types – collector road

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Park edge terrace

The Park Edge Terrace is a street type which has dwellings located on one side and park frontage on the other.

Objectives

O4. Increase the level of casual surveillance, thereby enhancing activity, safety and security for park users through the positioning of a road between buildings and the park.

O5. Allow all potential housing types to have frontage to the Park Edge Terrace.

Controls

C3. A typical street section for the Park Edge Terrace is illustrated in Figure 16:

- carriageway: 6.5 – 7m maximum;
- verge area: 3 - 3.75m to development side 1.5m to the park side; and
- building setback: 4.5m maximum to the principal façade.

C4. Council may consider variations to the above dimensions only where overarching principles for Street System, Street Character and Street Landscape (Section 3.3.1) are achieved.

Access streets

Objectives

O6. Provide access streets that connects with the collector road and may be either through routes or cul-de-sacs.

Controls

C5. Typical street sections for Access Streets are illustrated in Figure 17:

- carriageway: 6.5-7m;
- verge Area: 3 - 3.75m (both sides); and
- building Setback: 4.5m maximum to the principal façade.

C6. The verge area may be reduced to 1.5m on one side where the access street has development frontage to only one side, or where the access street is a cul-de-sac and serves no more than 8 dwellings.

C7. Council may consider variations to the above dimensions only where overarching principles for Street System, Street Character and Street Landscape (Section 3.3.1) are achieved.

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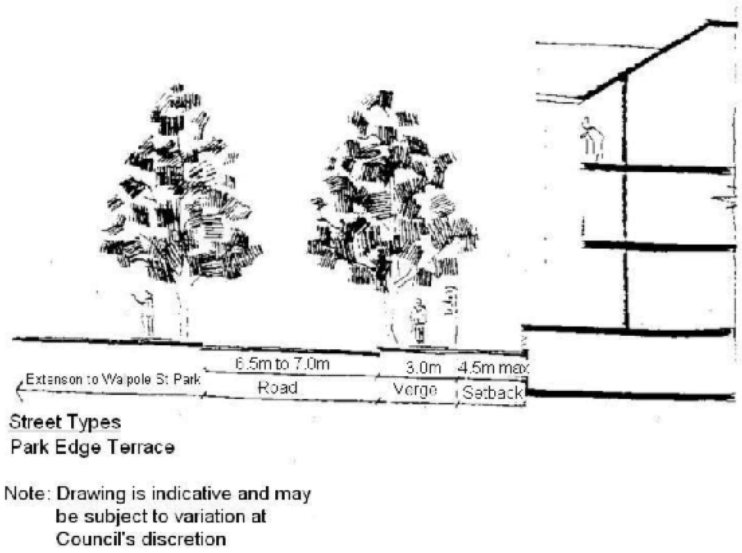


Figure 13: Street types – park edge terrace

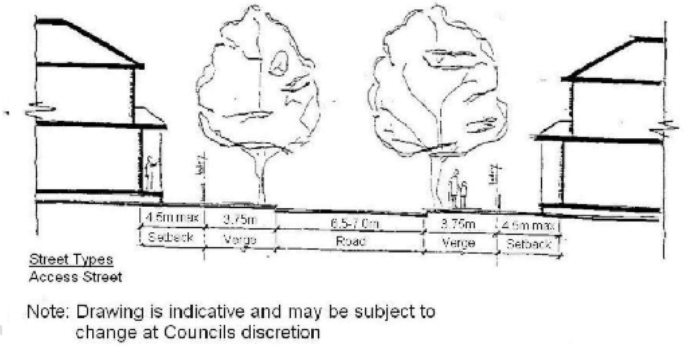


Figure 14: Street types – access street

Shared accessway

Objectives

O7. Allow for shared accessways which may be provided at various locations within Holroyd Gardens and will serve only a limited number of dwellings.

O8. Ensure the shared accessway will be designed in a manner which provides equal priority for both pedestrians and vehicles.

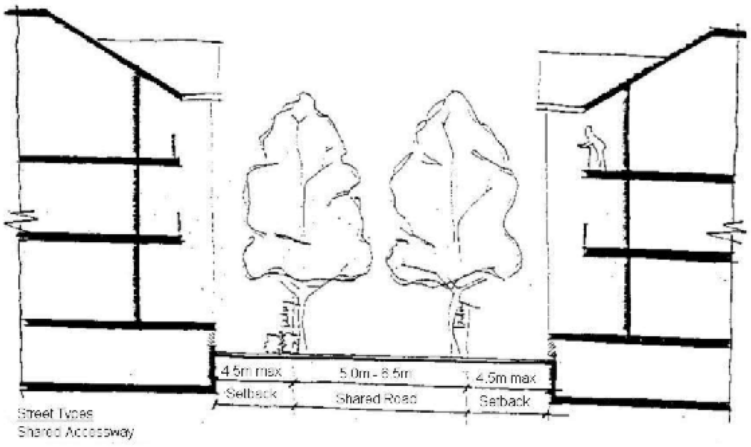
Controls

C8. A typical street section for the Shared Accessway is illustrated in Figure 15. Final dimensions and street design is subject to RMS concurrence:

- carriageway: 5m - 6.5m maximum;
- verge area: none required; and
- building setback: 4.5m maximum to the principal façade.

C9. Turning areas shall be provided for garbage services and delivery trucks in the form of 8m radius turning bulbs or equivalent turning areas within the road reserve at the end points of roads or at a location where garbage trucks can service residences.

C10. Allowance shall be made for visitors to the Heritage Precinct to turn and exit the site in that vicinity.



Note: Drawing is indicative and may be subject to change at Councils discretion

Figure 15: street type – shred accessway

3.2.3 Road Intersections

Objectives

O1. Ensure all road intersections encourage safe vehicle movement.

O2. Make provisions for efficient and safe pedestrian movement.

Controls

C1. Require minimum curb radius profiles to encourage slower vehicle turns.

C2. Pram ramps are to be provided for all pedestrian crossing movements.

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On street parking

Controls

C3. On Street parking will be available on all streets according to the following schedule:

Table 2: Parking provisions

Street/location	Parking provision
Collector Road	at least one side
Access Street	at least one side
Access Street serving a maximum of 8 dwellings	none required
Park Edge Terrace	at least one side
Shared Accessway	none required

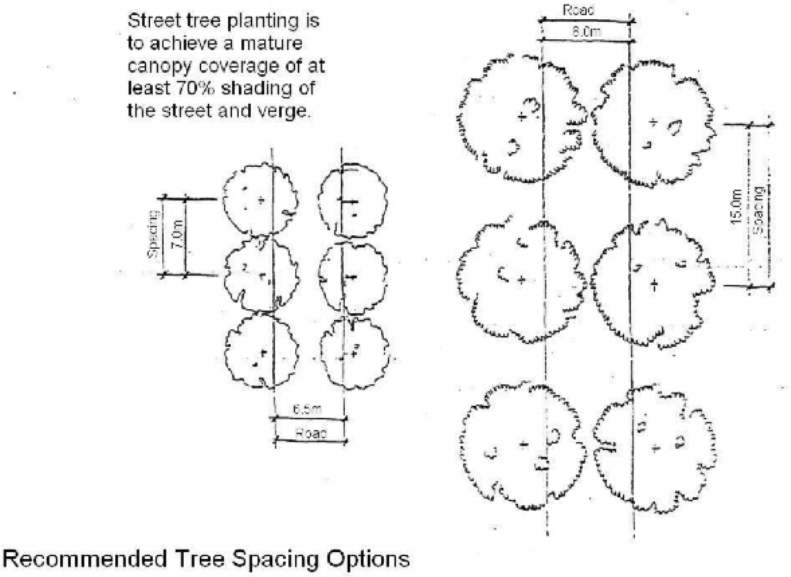

Figure 16: Recommended tree spacing options

3.2.4 Street Landscape

Street tree planting

Objectives

O1. Utilise thematic street tree planning to complement the functional role of streets.

O2. Ensure that separate species be utilised on separate street types

O3. Encourage deciduous street tree planting on all streets.

Controls

C1. Street trees will be planted at a maximum spacing of 15m, measured from centre of trunk to centre of trunk.

C2. At least one street tree shall be planted for each allotment.

C3. Street Tree species should be selected such that they achieve the following:

- super-advanced at planting (at least 200 litre);
- possess suitable anti vandal treatment;
- clean trunked to a height of at least 2m;
- a mature height which is complementary to the scale of the street and the height of predominant buildings which have frontage to that street; and
- a mature canopy diameter of at least 7m and which allows for 70% of the street and verge area.

Street furniture

Objectives

O4. Ensure there is to be a coordinated palette of street furniture utilised on the site.

O5. Ensure the items will be selected to relate strongly to the heritage significance of the site.

Control

C4. Items Detail of the palette of street furniture selected shall be submitted within a Landscape Master Plan for the site, which will address all elements of the public domain in a coordinated and holistic manner.

Lighting

Objectives

O6. Provide lighting to improve the level of safety within all streets.

O7. Ensure light pole and luminaires shall be of a style, colour and form compatible with the heritage context of the site and the style, colour and form of other urban elements.

O8. A strategy for lighting public spaces will be developed in conjunction with Council and will address the full range of issues including light type, appearance and spacing, as well as achievement of the relevant standards for acceptable ambient lux levels in public streets and spaces.

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Street Landscape
Lighting

Figure 17: Street landscape - lighting

Controls

C5. Light poles shall be compatible with the pedestrian scale by virtue of their height and relationship to street dimensions.

C6. Light poles shall be evenly spaced and contribute to establishing a regular pattern and rhythm in the street. Spacing of light poles is to be coordinated with the spacing of street trees.

Services

Controls

C7. All services are to be located below ground, both within streets and between streets and individual dwellings.

C8. All principal services are to be provided in accordance with the requirements of the responsible authority.

3.3 Built form

Objectives

O1. Buildings should address and define the public domain, including streets and open space.

O2. Buildings may be located up to the surveyed boundary of the Walpole Street Park Extension.

O3. Development should form an organised and visually supportive and pleasing appearance to Walpole Street Park and Walpole Street. A high level of casual surveillance is to be afforded by the design of buildings. Service spaces and private open space areas are to be appropriately screened from public view.

O4. Setbacks along each street should not be randomly composed. There should be a general consistency of building alignment and the street frontage.

O5. Development of the site will be staged, commencing in the area adjacent to Walpole Street.

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O6. Development of the site shall comprise a mix and variety of housing types throughout.

3.3.1 Building envelope and form

With the exception of the Heritage Precinct, the site will be developed for residential and activities ancillary to such residential development, such as open space and home offices.

Based on the current indicative Master Plan, this DCP envisages that the site will have a maximum density of 260- 280 dwellings, comprised of a mix of detached, semi-detached and medium density multi- unit housing. Council may at its discretion consider and approve a variation to the Master Plan where compelling economic, environmental or social grounds are present, and where the overarching objectives and principles of this DCP can be achieved.

Setbacks

Controls

C1. Buildings must be set back from the property boundary by a distance which supports the achievement of the preferred building height to street width principle. (refer to section 3.3.1).

C2. Building setbacks are described on the street sections appearing in Section 3.3. Specifically these correspond to a maximum of 4.5m to the principal facade.

Building height

C3. The building height on any street must fall within the range defined by achievement of the preferred building height to street width principle (refer to Section 3.3.1).

C4. Building height must conform with the Master Plan approved by Council. A revised Master Plan may be accepted and approved by Council from time to time.

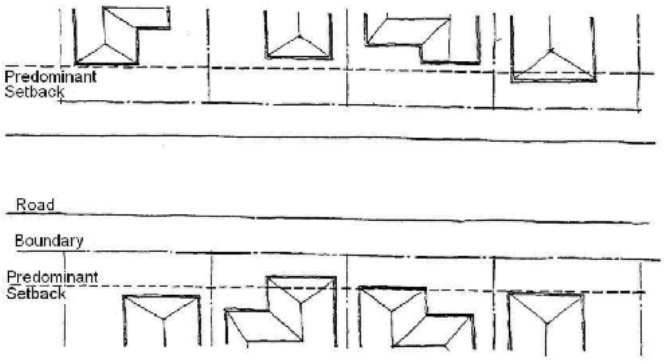

Figure 18: Built form setbacks

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Roof form

Objectives

O1. Ensure there is a defined palette of roof colours and materials to be utilised throughout the DCP area.

O2. Habitable use of roof space is encouraged in all residential development. Roof space is not counted as an additional storey for the purposes of this DCP.

Controls

C5. Roofs shall be pitched at a slope which allows their habitable use and which is compatible with the pitch of roofs present on the heritage structures within the Heritage Precinct.

C6. Roof form features such as hips, gables, chimneys etc. are encouraged in order to give greater visual interest and break up the bulk and mass of the roofscape

C7. Eaves overhang should be considered in order to provide weather protection to walls.

C8. Roofs should be of a colour and material which is compatible with important heritage buildings in the locality, and the surrounding urban context. Coloured corrugated steel and Marseilles tiles are encouraged due to their historic association with the site.

3.3.2 Massing and Fenestration

Objectives

O1. The massing of buildings on the site should serve to fragment larger building forms into more human scaled components, in both vertical and horizontal planes.

O2. Building facades are to be articulated and fragmented. They are to utilise building form, the play of light and shade, solid and void, and a variety of materials and elements in order to achieve visual interest and supportive relationship with the scale of pedestrians experiencing the urban environment both inside and outside the site.

O3. Building facades are to exhibit a clear expression of "base", "middle" and "top" components.

Controls

C1. The horizontal bulk of buildings shall be downplayed through the use of strong vertical elements, particularly in cases where long walls will address the street.

C2. There shall be regular spacing of solid elements and openings within the street facade of buildings.

C3. Windows shall be vertical in proportion in order to reduce the apparent bulk of buildings.

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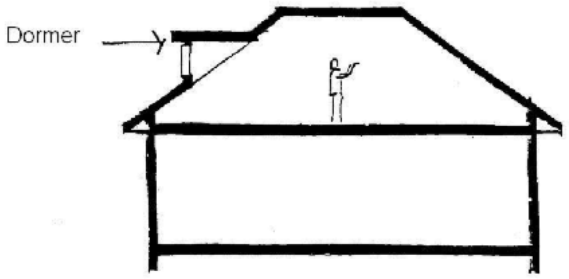

Figure 19: Habitable use of roof space

3.3.3 Orientation and Solar Access

Objectives

O1. While having regard to the orientation of the site, buildings are to be sited and designed in a manner which minimises their impact in terms of overshadowing.

O2. Buildings are to be sited and designed such that a maximum of solar access is gained to internal living spaces and outdoor private open spaces.

Controls

C1. North facing windows to main living spaces should receive a minimum of 4 hours direct sunlight during mid-winter while east and west facing windows should receive a minimum 2 hours direct sunlight during mid-winter. South facing windows in connection with main living areas should be minimised.

C2. No building should unreasonably overshadow a public space or neighbouring private space between the hours of 10:00am and 2:00pm during mid-winter.

3.3.4 Building appearance

Objectives

O1. The appearance of housing across the site should be coordinated such that there is a reasonable level of individual variety, within the context of achieving a compatible relationship between all buildings. There should be a mix of building forms.

O2. Porches and verandahs are encouraged in order to provide shelter, identity, enhance casual surveillance of the street and provide the opportunity for increased community interaction.

O3. Front yards are an important aspect for the setting and public appearance of buildings. Front yards should be seen as an opportunity to extend the quality of public landscape into semi-public areas.

O4. Front yards should be designed and planted to support the architecture of the building as well as the overall landscape concept for the site.

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Controls

C1. All new buildings must consider and respond supportively to buildings located in adjacent positions, as well as across the street. Consistency between ridge, eave and opening heights are important in this respect.

C2. Building materials and colours selected and utilised on the site are to be coordinated throughout the site and are to be compatible with the heritage structures currently, or formerly, located on the site, and adjoining buildings. Generally, buildings of masonry and/or render construction with light colours of a neutral tone are preferred.

C3. All housing shall have a clear and visible address point that is directly approached from the street. The front entrance pathway should not be shared with other buildings.

C4. Entry spaces shall be designed in a manner that restricts direct views into the living spaces of dwellings.

C5. Landscaping within front yards should enable high levels of casual surveillance of the street to be maintained.

C6. Landscape details shall be submitted with each development application.

3.3.5 Specific Precinct Controls

Heritage Precinct Transition area

Building controls for the heritage precinct transition area apply to the area defined on Figure 20. Specifically, this area encompasses all land within 25m inside of the Heritage Precinct's northern, eastern and southern boundaries.

Objectives

O1. Provide an appropriate visual setting for heritage items;

O2. Ensure that new development respects the established patterns in the former Goodlet and Smith Brickworks;

O3. Ensure a harmonious and compatible relationship between the scale of heritage buildings and new development;

O4. Ensure that new development respects the architectural style and character of the heritage precinct.

Controls

Setting

C1. Care should be taken in the placement of new buildings such that vistas of important heritage buildings are maintained along streets.

C2. No part of any new development within the heritage precinct should project below the eaves overhang of a heritage item.

C3. No new building should be located closer than 3m from a heritage item or its overhang, whichever is the greater.

C4. New buildings within the heritage precinct should be designed in a manner compatible with the appearance of existing heritage items, without mimicking those heritage items.

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Scale

C5. New buildings located within the heritage precinct should be compatible with existing heritage buildings. They should not visually dominate or compete with the scale of heritage items.

C6. New development within the heritage precinct should not have more than 2 storeys of habitable space (exclusive of roofspace). Roof pitch and form should reflect that of adjoining heritage items

C7. No portion of a new building located within the heritage precinct should extend above the ridge height of the Patent Kiln.

C8. Simple roof forms, which do not compete with heritage buildings, are appropriate.



Figure 20: Example of clearly defined entry

Materials

C9. While not mimicking existing heritage buildings, new buildings located within the heritage precinct should adopt and utilise external materials and finishes complementary to the heritage fabric. These should be neutral tones

C10. Front fences should be either low brick walls or incorporate a plinth, composed of simple rendered and painted brick. Exposed recycled brick is also appropriate.

C11. Balconies and verandahs should incorporate only simple railings and balustrades, sympathetic with fencing.

C12. Elaborate fretwork is to be avoided.

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C13. Gutters and flashings are to be of a traditional form. Fascia gutters are to be avoided.

C14. New development proposed for the heritage precinct should be reviewed by Council's heritage advisor.

3.3.6 Development Adjacent to the Heritage Precinct

Building controls for areas adjacent to the heritage precinct apply to the area defined on Figure 21. Specifically, this area encompasses all land outside 25m of the Heritage Precinct's northern, eastern and southern boundaries.

Objectives

O1. Provide an appropriate visual setting for heritage items.

O2. Ensure that new development respects the established patterns in the former Goodlet and Smith Brickworks.

O3. Ensure a harmonious and compatible relationship between the scale of heritage buildings and new development.

O4. Ensure that new development respects the architectural style and character of the heritage precinct.

Controls

Setting

C1. New development should be designed and sited in a manner which does not detrimentally effect the heritage significance of either the entire precinct, or individual elements within the precinct.

C2. New development should be designed in a manner sympathetic to the appearance of existing heritage items.

Scale

C3. The scale, bulk and height of new buildings located adjacent to the heritage precinct should be visually compatible with, and should not dominate, existing heritage items located within the precinct.

C4. Any proposed building (or part of a building) located within 20m of an identified heritage item should not have more than 2 storeys of habitable space (exclusive of roofspace).

C5. Roof forms which are sympathetic to those within the heritage precinct are encouraged.

Materials

C6. While not mimicking existing heritage buildings, new buildings located adjacent to the heritage precinct should adopt and utilise external materials and finishes complementary to the heritage fabric. These should be light colours and neutral tones

C7. Front fences should be either low brick walls or incorporate a plinth, composed of simple rendered and painted brick.

C8. Balconies and verandahs should incorporate only simple railings and balustrades, sympathetic with fencing.

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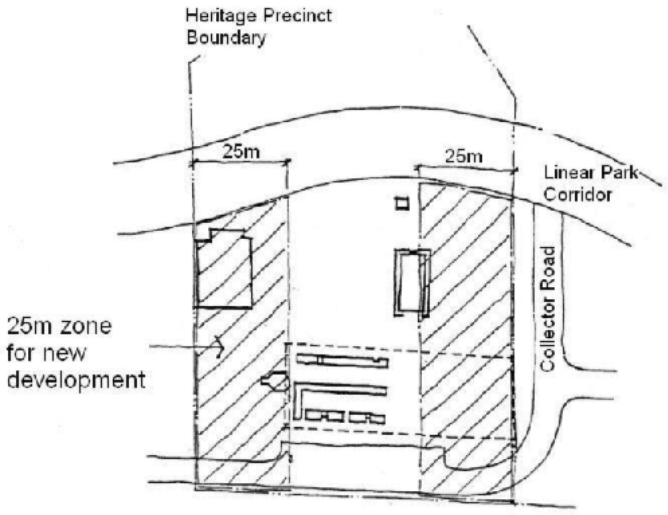
C9. Elaborate fretwork is to be avoided.

C10. Gutters and flashings are to be of a traditional form. Fascia gutters are to be avoided.



Built Form
Heritage Precinct Transition Area

Note: Location of Collector Road is indicative only. Alignment is subject to further design and confirmation.

Figure 21: Built form – heritage precinct transition area

3.3.7 Development Adjacent to Walpole Street

Objectives

O1. Ensure buildings experiencing dual frontage to both Walpole Street and streets internal to the site, present a suitable facade to Walpole Street and foster a suitable relationship to the public domain external to the site.

O2. Provide high levels of casual surveillance to Walpole Street.

O3. Ensure there is a balance between the requirements of privacy for dwellings and the creation of a suitable interface with Walpole Street.

Controls

C1. Service areas fronting Walpole Street are to be adequately screened such that they are obscured from pedestrian view.

C2. Building services such as water heaters, rainwater tanks etc may not be located on facades facing Walpole Street.

C3. Boundary fencing must be coordinated along the length of Walpole Street.

C4. Boundary fencing may be no higher than 1.8m in height.

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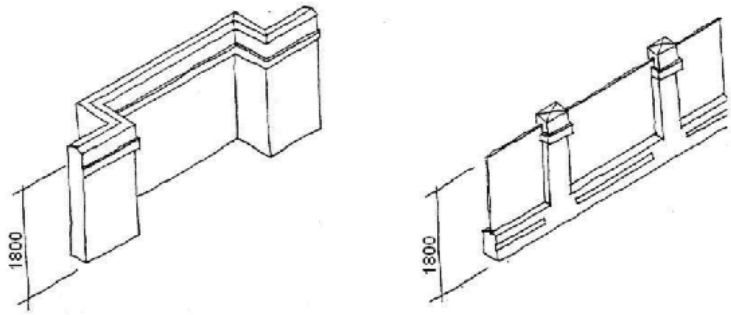
C5. Boundary fencing should utilise a variety of materials and/or incorporate substantial articulation and modulation in order to create visual interest. The creation of recessed bays, incorporating planting is encouraged in this respect.

C6. Buildings with frontage to Walpole Street shall include adequate measures to ameliorate noise impacts generated from both passing traffic and industrial activities located opposite. These measures, and their appropriateness, must be demonstrated through submission of an acoustic assessment.



Built Form
Potential Fencing Types for
Walpole Street.

Figure 22: Built form – potential fencing types for Walpole St

3.3.8 Development Adjacent to the Main Southern Railway and Adjoining Industrial Development

Objectives

O1. Ensure buildings located adjacent to the Main Southern Railway present a suitable facade to the railway alignment in order to enhance the visual perception of the site.

Controls

C1. Service areas fronting the railway alignment are to be adequately screened/obscured from view.

C2. Building services such as water heaters, rainwater tanks etc should not be located on facades facing the railway alignment.

C3. No building should be located within 3m of the railway alignment or the common boundary of adjoining industrial development.

C4. All buildings located adjacent to the railway alignment and/or adjoining industrial activities must include adequate measures to ameliorate noise impacts generated from the railway and/or industrial activities. These measures, and their appropriateness, must be demonstrated through submission of an acoustic assessment.

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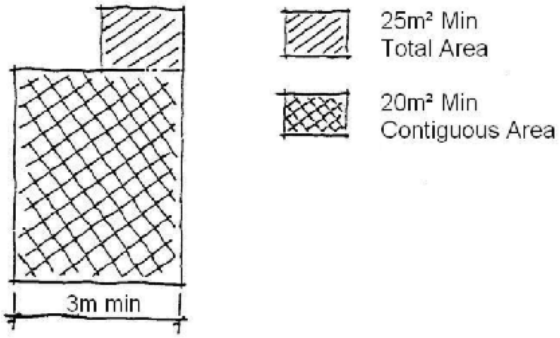

Built Form
On Site Open Space

Figure 23: Built form – on-site open space

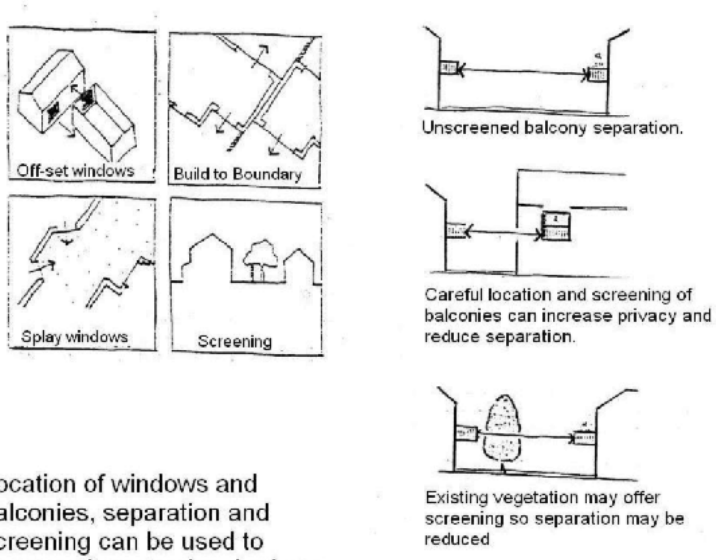

Figure 24: Examples of adequate visual privacy

3.3.9 Site development issues

On site open space

C1. All dwellings are to be provided with private open space which achieves the following principles:

- amenity, slope and dimensions suited to the needs of users;
- adequate privacy for residents;
- access to adequate direct sunlight, particularly during winter months; and
- be adjacent and/or visible from the main living areas of dwellings.

C2. Each dwelling must be provided with a minimum area of private open space consisting of one of the following attributes:

- ground level area totalling 25m², having a minimum contiguous area of 20m² and a minimum dimension of 3m; or
- a balcony, located immediately adjacent to the main living area, with a minimum area of 6m² and a minimum dimension of 1.5m (only applicable for blocks of units).

Privacy and overlooking

Visual privacy

C3. Direct overlooking of main internal living areas and private open spaces of adjacent properties should be minimised through building location, the offset positioning and design of windows, the positioning and design of balconies and/or the use of screening devices where necessary.

Acoustic privacy

C4. Site layout and building design minimises the transmission of external noise to habitable rooms through attention to:

- siting of buildings;
- internal room layout;
- location of private open space;
- location and design of windows; and
- building construction methods.

C5. Habitable rooms, particularly bedrooms, shall be separated from significant noise sources.

Casual surveillance

C6. Casual surveillance of streets and other public spaces is to be maximised through the following design principles:

- living areas should be located in areas which directly overlook public spaces;
- windows should be located such that they provide for casual surveillance of public spaces; and
- planting located in semi-public and private areas should be selected such that a generally unobstructed view of public spaces may be available.

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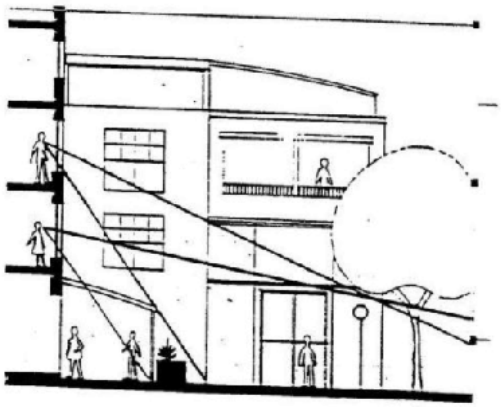

The location of living spaces and position of windows should maximise potential for casual surveillance of streets and public spaces.

Figure 25: Location of living spaces

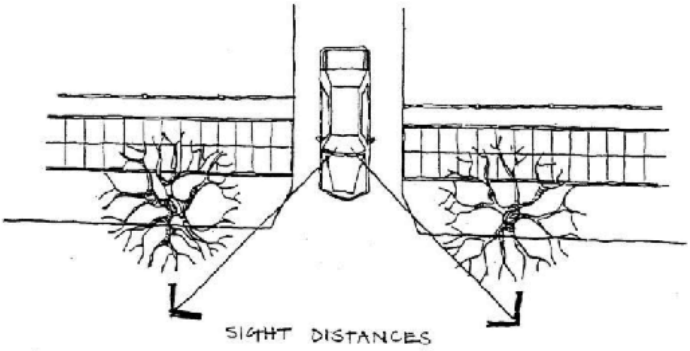

Figure 26: Site distances

Access and parking

C7. Parking areas, driveways and street access design are to comply with the relevant Australian Standards. Refer to Part G of *Cumberland Development Control Plan 20XX*.

Car parking

C8. On site car parking for residents is to be provided according to the following:

Table 3: Parking provision

Development type	Parking provision
Apartments	1 space per apartment, dedicated to that apartment; and 1 space per 5 apartments for visitor parking.
Houses, Duplexes, Terrace Houses	At least 1 space undercover; and at least 1 additional space on site.

C9. Bicycle parking is to be provided in multi- unit buildings at a rate of 1 space per 3 apartments.

Driveways

C10. Where paving materials are utilised, these should be:

- in materials, other than plain concrete, and of colours which complement the site;
- the use of colour and materials should be coordinated across the site and be selected from a defined palette for the site; and
- of adequate strength and non-slip qualities.

Access for the street

C11. Double driveways should be no greater than 5m in width. Single car driveways should be no greater than 3m in width.

Flooding and stormwater disposal

C12. Habitable floor levels of buildings are to be located at least 300mm above the 1 in 100 year ARI flood level.

C13. Basement level carparks are to incorporate measures such that they are able to remain flood free for the 1 in 100 year ARI flood event.

C14. Connection of developments to the street or piped stormwater disposal system.

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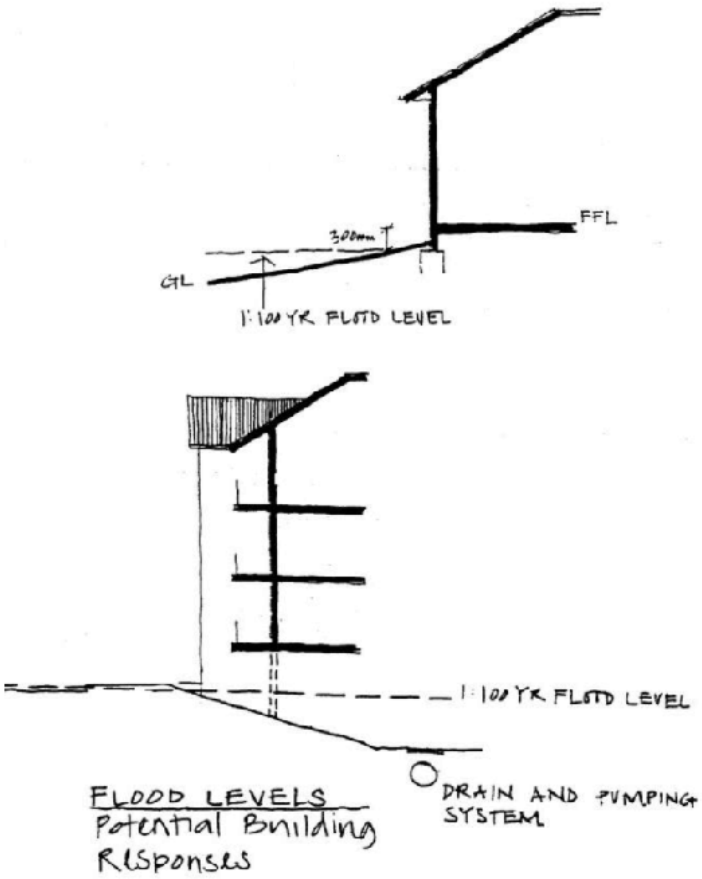

Figure 27: Flood levels and potential building responses

3.4 Disabled access and adaptable housing

The term adaptable housing implies that flexibility is built in at the design stage in order to allow dwellings to be modified when and if, changing circumstances dictate. In this way, adaptable housing achieves principles of robustness in the urban environment. Similarly, adequate provision of disabled access to buildings provides for greater equity and recognises the diversity of potential user groups in the community.

Controls

Disabled access

C1. Access into or around detached dwellings, townhouses and duplexes is to be flat, or gently sloping. The majority of all ground floor dwellings (detached, terrace houses and duplexes) should be capable of adaptation to allow barrier free access.

C2. All public spaces should be designed in a manner which allows their equitable use by disabled residents and visitors.

Adaptable housing

C3. Development of the site is to achieve the provision of a total of 26 adaptable dwellings, in accordance *with AS 4299-Adaptable Housing (Class C)*. This standard is based on a rate of provision of 1 adaptable unit per 10 dwellings.

3.5 Ancillary issues

3.5.1 Energy efficiency

Objectives

O1. Ensure the design and layout of housing on the site facilitates the achievement of appropriate levels of energy efficiency.

O2. Encourage building design to minimise fossil fuel energy use and to maximise use of natural ventilation, daylight and solar energy.

O3. Encourage buildings to utilise layouts that minimise winter heat loss and make use of solar energy for heating wherever possible.

O4. Ensure buildings are designed to minimise excessive exposure to summer sun.

Controls

C1. Windows shall be located to facilitate thermal control.

C2. Building materials should be durable and require low levels of maintenance.

C3. Materials, which have a higher thermal mass value (e.g. bricks, concrete and stone), shall be utilised where they may benefit thermal control and energy efficiency of a building.

C4. Buildings are to utilise materials which posses a low level of embodied energy.

C5. Buildings are to maximise the use of recycled and recyclable materials. In particular, building materials currently located on the site should be reused wherever possible.

C6. Building fitouts shall utilise energy efficient appliances where available.

C7. All dwellings are to achieve a minimum 3.5 star rating under the *Housing Energy Scheme* (NatHERS) Compliance with this requirement is to be demonstrated by the applicant as part of the development application submission.

3.5.2 Garbage disposal and waste storage

Controls

C1. Appropriate space shall be provided within each dwelling for the temporary storage of garbage and recyclables.

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C2. A waste storage area is provided on site, is accessible to users and is of a size that caters for the following requirements:

Tables 4a and 4b: Waste storage requirements

Capacity (litres)	Height (mm)	Width (mm)	Depth (mm)
120	930	480	550
240	1080	575	730
1100	1465	1360	1220

Dwelling type	Provision
Detached House	1 x 240litre bin 1 x 240litre split recycling bin
Villa or Townhouse	1 x 240litre bin 1 x 240litre split recycling bin
Apartments	1 x 1100litre container per 8 units
Apartments (not exceeding 10 units)	1 x 240litre split recycling bin
Apartments (>10 units)	1 x 240litre paper recycling bin per 6 units 1 x 240litre comingled bin per 6 units

C3. The location and design of waste storage facilities is complementary to the architecture, landscape and street frontage of the development.

3.5.3 Boundary fencing

Objectives

O1. Use fencing to enhance an image/perception of quality and provide appropriate levels of privacy.

O2. Use front fences to provide a suitable transition between the public domain and semi-public areas located within individual allotments.

O3. Discourage high front fences which are not transparent

Controls

C1. Detached, Terrace houses Duplexes:

- the option of no front fence is encouraged;
- front fences must not exceed 1.5m from ground level (excluding piers); and
- front fences must be highly transparent.

C2. Apartment Buildings:

- front fences are required for all buildings in order to provide an appropriate transition between public and semi-public space;
- front fences must not exceed 1.8m (excluding piers); and
- front fences must be highly transparent.

C3. Side and rear fencing should be generally no higher than 1.8m. They should provide an adequate level of privacy to private open spaces and should be consistent with building design and where visible from the street.

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Appropriate boundary fencing for detached dwellings



Appropriate boundary fencing and landscape treatment for apartment buildings

Figure 28: Boundary fencing and landscaping

3.5.4 Street numbers

Control

C1. All street numbers must be clearly visible from the principal street frontage.

3.5.5 Garages and outbuildings

Controls

C1. Garages and outbuildings are to comply with all other relevant sections of this DCP, Specifically, Building Envelope, Building Form, Building Appearance and Specific Precinct Controls where applicable.

C2. Garages and outbuildings should be designed to complement the architecture of the main building to which they are related.

C3. All garages and carports must be set back behind the main front facade of the building to which they are related.

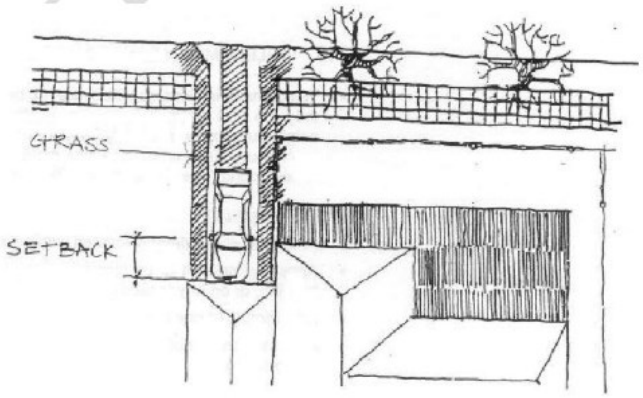

Figure 29: Garage setback

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3.5.6 Clothes drying areas

Controls

C1. Clothes drying areas are to be screened from both the street and adjoining properties.

C2. Clothes drying areas are to be easily accessible from dwellings and should not dominate the form and availability of private open space within a development.

3.5.7 Storage areas

Control

C1. Adequate storage space is to be provided for all residential development and may be provided either within a dwelling or within common areas such as parking garages.

3.5.8 Telecommunications facilities

Controls

C1. Telecommunications facilities are to be located such that they do not detract from the aesthetic appeal of the neighbourhood or adversely impact on the visual amenity of neighbours.

C2. Telecommunications services are to be located underground (see also section 3.3.6).

3.5.9 Antennae

Controls

C1. Antennae are preferably located within the roof cavity.

C2. Antennae are not to be located on the front facade of any building, or on any facade facing Walpole Street.

C3. A maximum of one antenna is permitted per building.

C4. Antennae must not extend above the uppermost ridge line of a building.

3.5.10 Cabling

Control

C1. All cabling for the purposes of pay TV etc must be located below ground.

3.5.11 Satellite Dishes

Controls

C1. No satellite dish is to be located on the front facade of a building, or be visible from a public street.

C2. Satellite dishes are to be located below the ridgeline (or parapet) of the roof.

C3. A maximum of one satellite dish is permitted per building.

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CUMBERLAND
CITY COUNCIL

PART F1-14
PEMULWUY RESIDENTIAL

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1. Introduction

1.1 Land to which this Part applies

Land to which this Part applies includes land identified as land within the residential precinct of Pemulwuy as shown in Figures 1 and 2.



Figure 1: Pemulwuy North sub precinct



Figure 2: Pemulwuy South sub precinct

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2. Vision and General Objectives

2.1 Vision

The vision for Pemulwuy is for a high quality public domain, incorporating the natural characteristics, ecology and heritage of the site. Sustainable development principles underlie the proposed urban outcome. While most of these objectives apply at the scale of precinct and subdivision planning, many can be applied also at the lot scale.

2.2 General Objectives

Objectives

O1. Ensure that development within the Pemulwuy Residential Precinct is primarily used for residential purposes and associated facilities.

O2. Provide for a range of housing types, including secondary dwellings, dual occupancies, attached dwellings, semi-detached dwellings and multi dwelling housing, in areas well served by public transport and near local shops.

O3. Allow people to carry out a reasonable range of activities from their homes while maintaining neighbourhood amenity.

O4. Allow for a variety of small scale local non-residential uses that primarily serve local residents and are compatible with the character of the living area.

O5. Allow home occupations where such activities are unlikely to adversely affect the living environment of neighbours.

O6. Prohibit development that is of an offensive, hazardous, noisy, intrusive or environmentally inappropriate nature.

O7. Allow for local open space that is accessible and well located, that promotes the use and enjoyment of local open space for both residents and the workforce, that may include elements of the natural environment, and that provides for active and passive recreation.

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3. Specific objectives and controls

3.1 Public open space

3.1.1 Public domain open space strategy

Objectives

O1. Develop a strong and high quality network of public open spaces that includes town squares, parks and streets.

O2. Develop a public domain that links the Pemulwuy community together through open space corridors.

O3. Design the public domain at a scale that encourages pedestrian use, and is well addressed by surrounding development.

O4. Provide areas of high amenity for the local community to focus upon and use.

O5. Design the public domain within the site (comprising parks, riparian and drainage corridors, water bodies, paths, cycleways and streets) to create a unique setting and exemplar for development throughout Pemulwuy.

O6. Ensure that the design of these facilities achieves longevity of the service life of the assets, and ease of maintenance of the public domain and open space areas and the improvements located in them.

O7. Reinforce within the mixed-use centre near the Driftway Drive/Butu Wargun Drive intersection civic, cultural and recreational facilities supported by workplaces, shops and a variety of housing types.

O8. Consider the Biodiversity Management Measures.

Controls

C1. Locate parks to achieve views from and towards Prospect Hill.

C2. Locate parks for the amenity of the residents and to be easily accessed.

C3. Design parks for the site appropriate to their place and role.

C4. Design open spaces which:

- are generally edged by streets. Where this does not occur, the public/private interface shall be suitably delineated;
- are within an easy 5 minute walk from most residences;
- are well distributed and part of a public domain network;
- provide a distinctive focus for local neighbourhoods;
- allow for a range of passive recreational activities;
- are part of a hierarchical public domain network of parks and streets which interpret points of difference within the site, related to topography, site features, orientation, and aspect; and
- may be reinforced with associated community facilities.

C5. Landscape open space areas using anti-graffiti treatment and materials, including wall treatment to masonry surfaces.

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C6. Design the Greystanes Creek Woodland Park and the Northern Bushland Park to provide access for Council's maintenance equipment through the provision of appropriate access points.

3.1.2 Trees and ecological habitats

Objectives

O1. Create neighbourhood identity using indigenous tree species.

O2. Enhance and maintain biodiversity by complementing other conservation initiatives.

O3. Use locally indigenous plant species, including threatened and regionally significant species, in drainage areas, streetscapes and open spaces.

O4. Conserve threatened species populations and their habitats.

O5. Create fauna movement corridors within the site and link to external ecological resources (where practicable allowing for other site uses).

O6. Reduce water and fertiliser demand.

O7. Maintain tree hazard at acceptable levels.

O8. Create an environmental corridor along Greystanes Creek.

O9. Retain and add to existing trees on Prospect Hill, consistent with the Prospect Hill Conservation Management Plan, thereby forming large stands of trees to provide a visual buffer to development when viewed from the top of Prospect Hill.

Controls

C1. Manage trees in accordance with Part G of this DCP.

C2. Ensure that the tree network and structure will provide a coherent wildlife corridor throughout the site from adjacent sites.

C3. Retain existing healthy trees unless there are clearly justifiable reasons for their removal and alternatives have been considered (see Part G).

C4. Retain where possible existing trees consist with Figure 1 (Pemulwuy South) and Figure 2 (Pemulwuy north).), subject to future detailed design. With regard to the latter and in the interest of the development generally, retain as many trees as possible under the direction of a qualified arborist.

C5. Retain where possible trees located in areas depicted as public open space, especially where species from the Cumberland Plain Woodland and Sydney Coastal River Flat Forrest suite of species are to be preserved and augmented. For example, stands or groups of trees are located predominantly around the existing creek line, and are to be retained as part of the riparian zone adjacent to the creek where possible.

C6. Wherever possible, to use correct genotypes and collect seed from the local trees. This applies throughout the public domain. In some locations, exotic species can be used for landscape accent and shade.

C7. Clear weeds and non-natives as part of a program to re-establish native plants.

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C8. Retain and add to existing trees on Prospect Hill, consistent with the Prospect Hill Conservation Management Plan, thereby forming large stands of trees to provide a visual buffer to development when viewed from the top of Prospect Hill.

C9. Replace the predominant pine forestation of Pemulwuy with native planting.

C10. Preserve and protect any scarred tree located in Pemulwuy, in consultation with Aboriginal/ Archaeological advice.

C11. Ensure tree species selection is consistent with Figure 1 (Pemulwuy North) and Figure 2 (Pemulwuy South).

C12. Ensure that the hierarchy of street trees reflect the scale of the streets, design intent, safe usage of trees and building size.

C13. Retain scattered trees of landscape and ecological value in the private domain.

C14. Apply the following process for tree selection and establishment for the site, whichever is the lesser:

- select the most appropriate tree species based on the suitability of the site; in particular, species which are resilient to storm damage (given appropriate establishment and maintenance);
- ensure that tree plantings mature with the highest possible root and structural strength by appropriate plant selection, procurement, site preparation, establishment and maintenance; and
- design the public domain to incorporate sufficient space to allow for tree establishment, where proposed. This includes the provision for the development of deep structural roots.

C15. Manage retained native trees within the public domain by integrating periodic hazard assessment (undertaken by a qualified arborist) with the implementation of appropriate arboricultural treatments to maintain tree hazard at acceptable levels. Ensure frequency of hazard assessments is 12 monthly or at a time when significant changes in the use of the site are proposed, whichever the lesser.

C16. Apply the following process for tree removal from the site:

- where possible, trees that may need to be removed are to be transplanted in the core riparian zone or outer protection zone of the Greystanes Creek Corridor;
- in addition, trees to be removed are those that fall within proposed road corridors, within or close to building foot prints or those identified as structurally unsound, dangerous or inappropriate for retention as outlined in the arborist report. The total extent of these additional trees to be removed is to be determined as part of the design development phase of the project;
- confirm the final extent of trees to be removed by a qualified arborist; and
- ensure tree removal involves the complete removal from site of the tree and root system. Roots less than 50mm diameter may remain.

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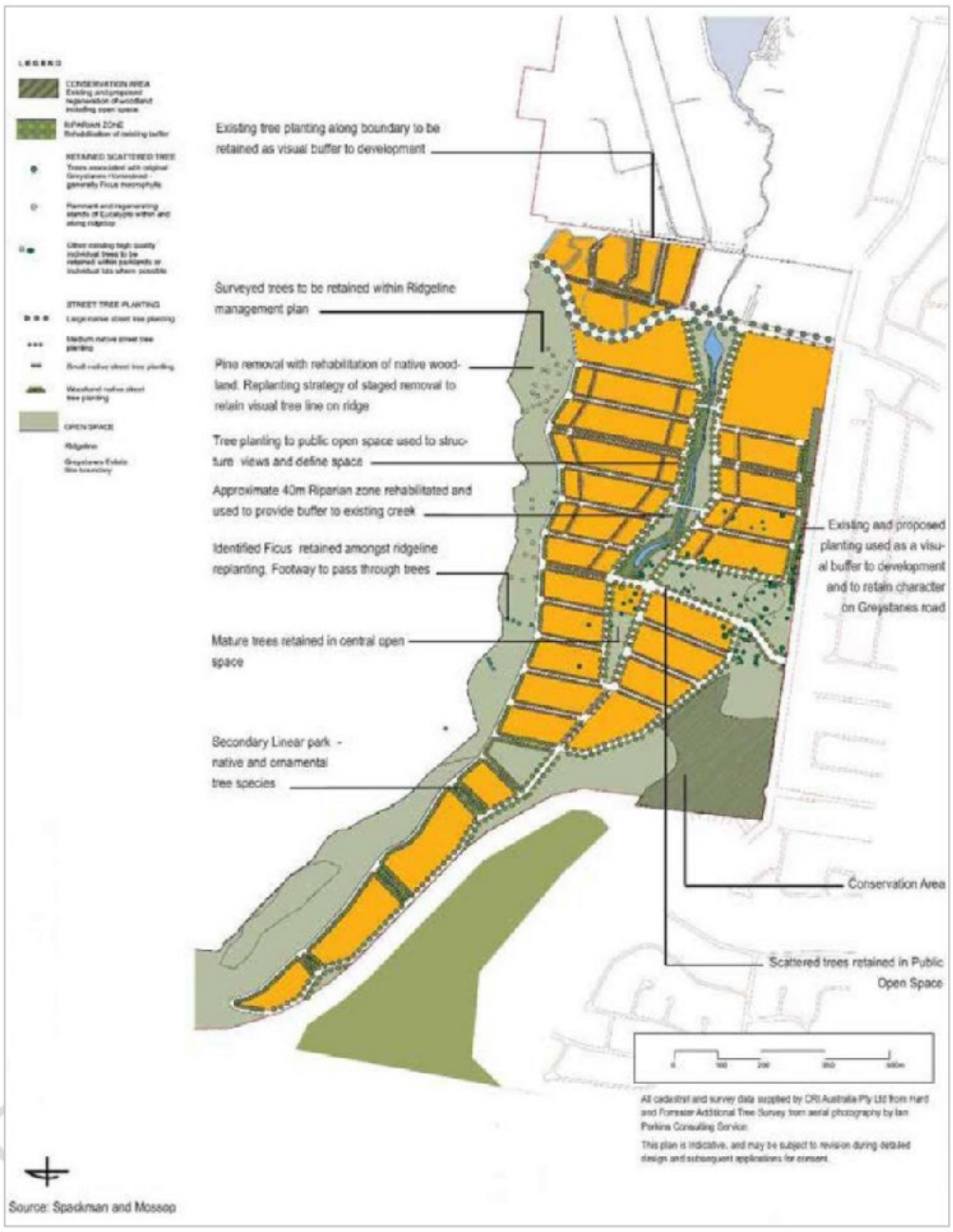

Figure 3: Trees and ecological habitat



Figure 4: Proposed vegetation strategy

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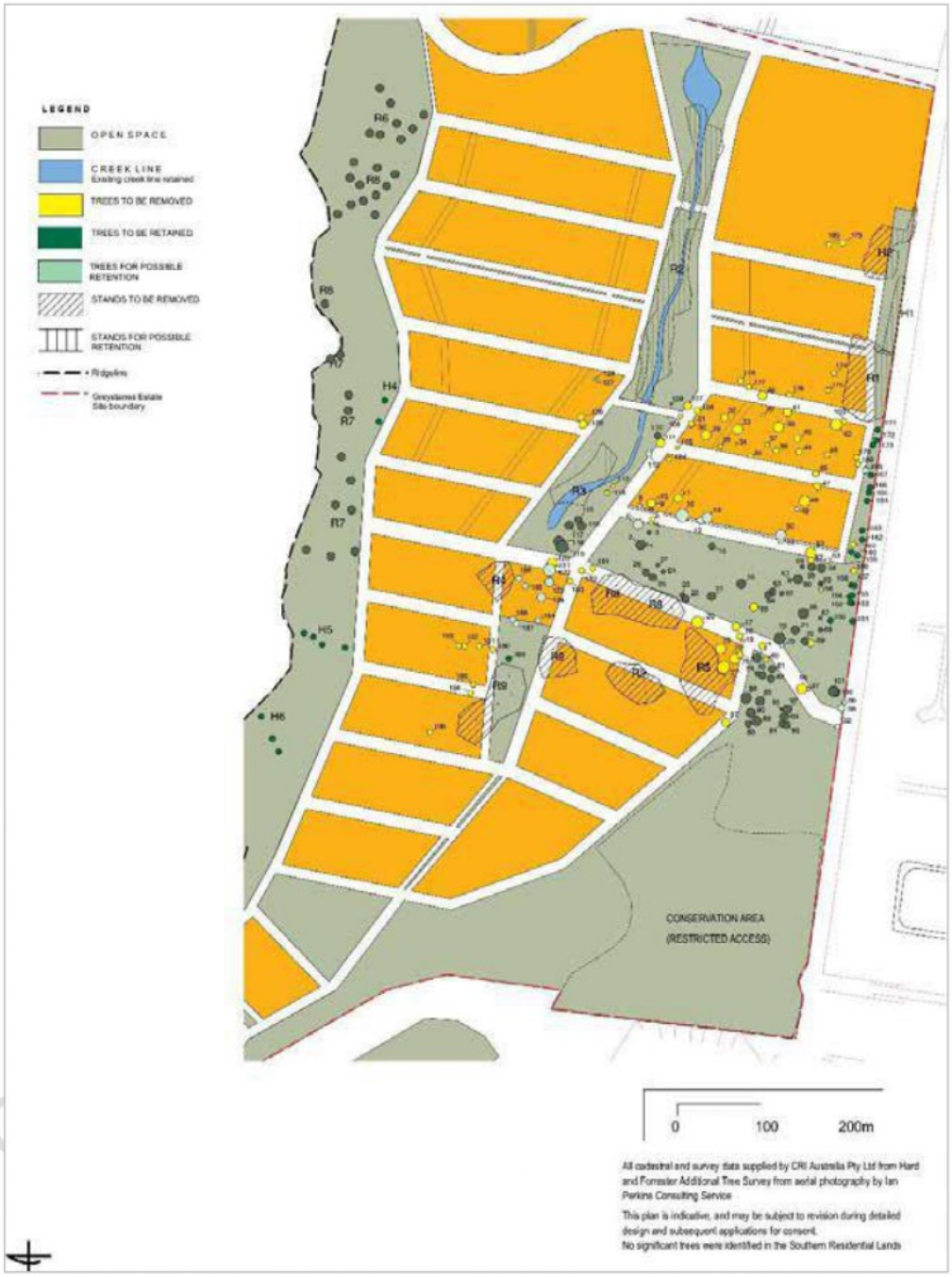

Figure 5: Existing individual tree strategy

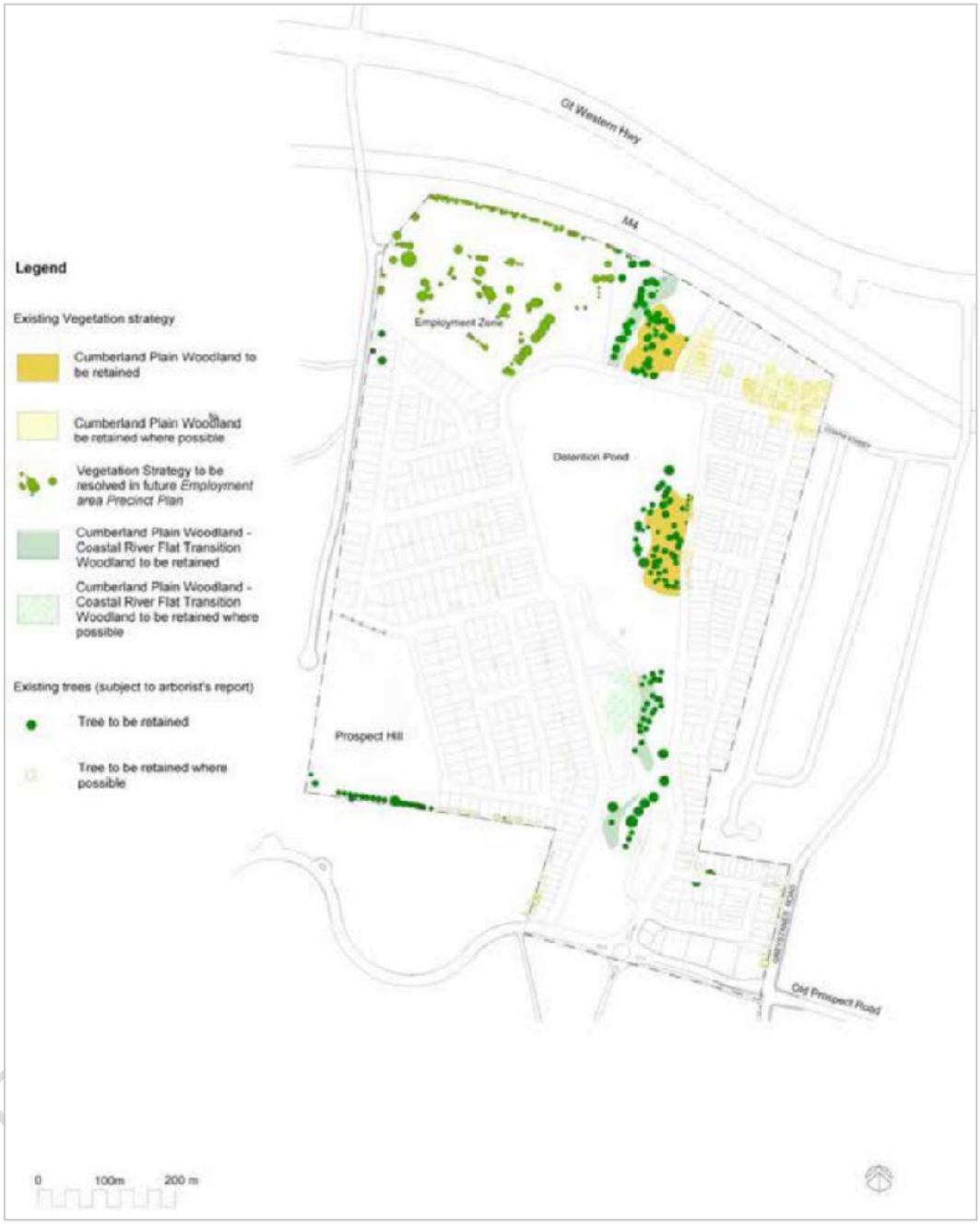

Figure 6: Existing vegetation/tree strategy

3.1.3 Public Open Spaces – Pemulwuy North

Greystanes Creek Woodland Park

Objectives

O1. Provide the Greystanes Creek Woodland Park as a linear Environmental Protection area, with some open space to protect and enhance the ecological riparian outcomes on the site.

O2. Service the community's recreational needs through provision of distinct areas.

O3. Locate the Woodland Park centrally and overlooked on both sides by houses to improve passive surveillance.

O4. Visually link the park clearly with the adjacent street system, enhanced by tree avenues and vistas to control views and enclose spaces.

O5. Enhance biodiversity and ecological processes on the site through the provision of a vegetated environmental protection zone.

Controls

C1. Greystanes Creek Woodland Park has been completed, and provides:

- a vegetated riparian zone (consisting of a core riparian zone and an outer protection zone) in accordance with the agreement reached between Stockland and the Department of Planning (refer to Figure 7);
- rehabilitation of the existing core environmental protection zone and outer protection zone and identified areas of Sydney Coastal River Flat Forest and Cumberland Plain Woodland;
- a diversity of local native trees, shrubs and groundcover species in the core riparian zone, as detailed in the Vegetation Management Plan/Bushland Management Plan for the Greystanes Creek Woodland Park;
- a coherent wildlife corridor linking surrounding open spaces and ecological habitat;
- lighting at key points;
- sedimentation ponding;
- open amenity areas, such as a picnic area on the eastern side of the lake, seating and small areas of hard standing/paving;
- unstructured recreation areas;
- dedicated pedestrian/cycle paths, generally in the outer protection area; and
- public art at appropriate locations and of an appropriate nature.

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Figure 7: Riparian corridor plan - Greystanes Creek Woodland Park

Prospect Hill State Heritage Register area

The Prospect Hill State Heritage Registered area is listed on the NSW State Heritage Register (SHR) and the Register of the National Estate. The area also includes land along the ridgeline south of Butu Wargun Drive, plus an identified curtilage.

The part of the SHR area south of Butu Wargun Drive, is addressed in the section on Prospect Hill under Public Open Space Precincts of Pemulwuy South.

Objectives

O6. Retain the open grass hill character as open space and preserve the distinctive ridgeline.

O7. Consult with local community groups to ensure that the future proposal reflects the historical relevance of the past.

O8. Because the topography of the ridgeline lends itself to prime viewing, to locate these within the pedestrian network, consistent with the *Prospect Hill Heritage Landscape Study and Plan* and the *Prospect Hill Heritage Interpretation Plan*.

Controls

C2. Ensure all development within Prospect Hill is informed by the following documents:

- *Prospect Hill Conservation Management Plan* (Conybeare Morrison; 2005);
- *Prospect Hill Heritage Landscape Study and Plan* (NSW Government Architect's Office; 2008); and
- *Prospect Hill Heritage Interpretation Plan* (MUSEcape; 2009).

Village Green

"Village Green" is located adjacent to the north-west corner of Butu Wargun Drive and Driftway Drive, Pemulwuy. This location is central to the residential developments and community and retail facilities of Pemulwuy for optimum accessibility.

Objectives

O9. Provide landscape and heritage interpretation which protects and interprets the natural, Indigenous and cultural significance of the Prospect Hill SHR area.

O10. Open views in to the Greystanes Creek Woodland Park from the entry road, adding to the feeling of a well connected open space network.

O11. Provide a hub for activity, close to the village centre.

Controls

C3. Village Green has been completed, and provides:

- a paved area for seating/meeting with an open pavilion structure;
- shade coverage and a play area for toddlers and young children allowing for parental supervision;
- amenity lighting at key points;
- low profile fencing around some areas of the park;
- a large area of flat maintained turf for informal and unstructured recreation (approximately half a playing field for informal ball games). The topography is graded around the edges to define the recreation space and the interface with the road; and

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- public art at appropriate locations and of an appropriate nature.

Northern Bushland

The "Northern Bushland" area is located north of the detention basin within the identified potential dam break flood hazard zone. The area contains the creek and identified ecological communities/trees of varying quality. An opportunity arises to create public open space in the form of unstructured open space with an ecological feel. See the Objectives below for three distinct bushland character types required.

Objectives

O12. Retain and enhance the existing creek line as a natural system through a vegetated riparian zone.

O13. Service the community's passive recreational needs.

O14. Provide a safe recreational environment.

Controls

C4. Vegetate in accordance with the Vegetation Management Plan/Bushland Management Plan prepared for the Northern Bushland Park.

C5. In the vegetated riparian zone, provide a diversity of local native trees, shrubs and groundcover species.

C6. Retain existing trees, and regenerate by planting further native bushland species.

C7. Provide a 2.5-3m pedestrian/cycleway through the area. Locate the pathway to facilitate a rider experience of the range of habitat types and the sequence of open and enclosed spaces.

C8. Where practicable, provide pedestrian/cycle links to the north using existing culverts.

C9. Within the open space area, provide activity nodes for a playground, fitness equipment/ sculpture/ seating and for environmental interpretation.

C10. Regenerate areas of bushland to protect existing trees and provide a buffer zone to the M4.

C11. Provide limited open maintained grassland with pedestrian access in accordance with Figure 8.

C12. Provide adequate lighting at key points.

Note: Refer to Figure 8 for the agreed riparian corridor for the Northern Bushland Park and Figure 9 for indicative concept plans.

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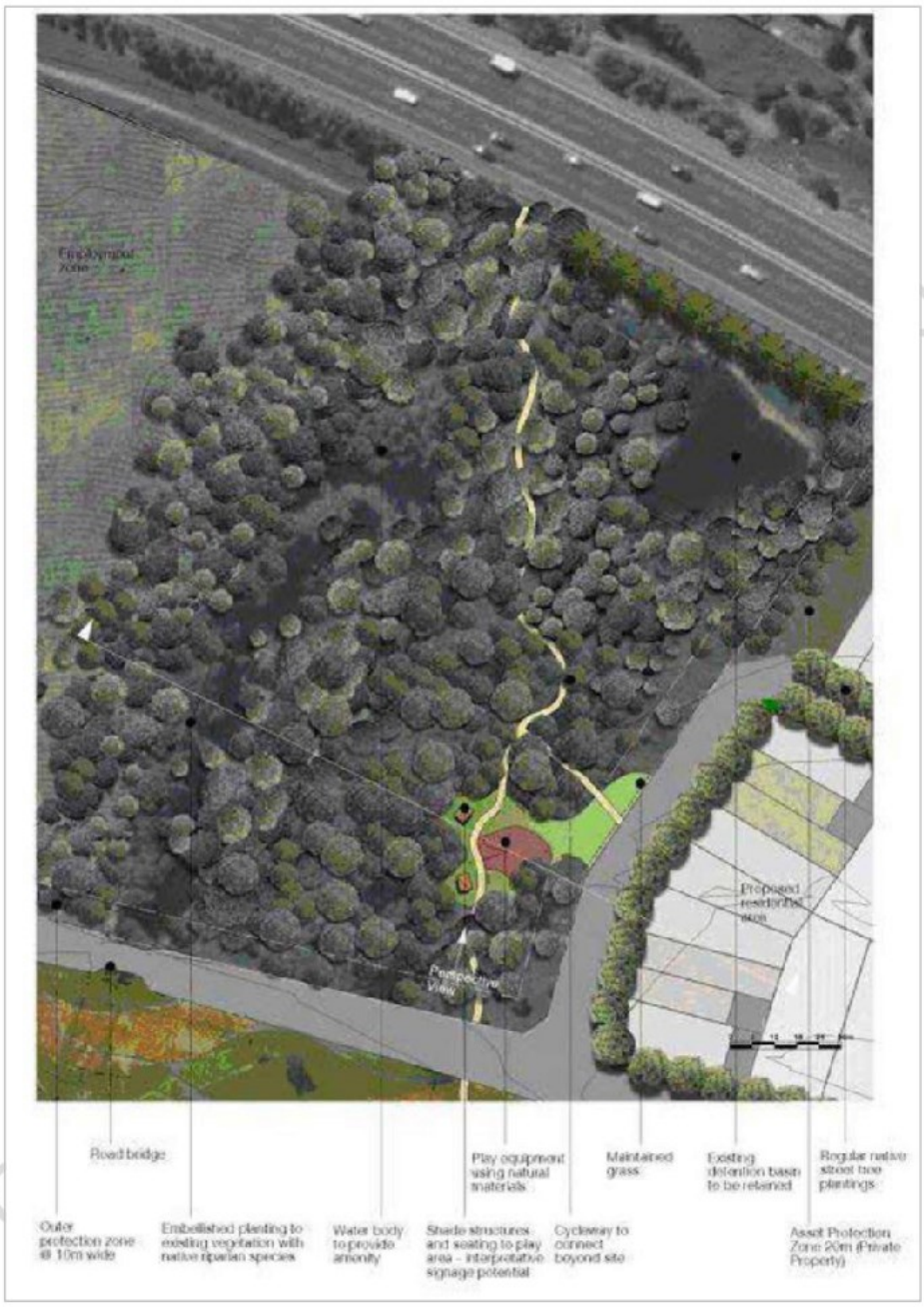

Figure 8: Concept plan for the Northern Bushland Park

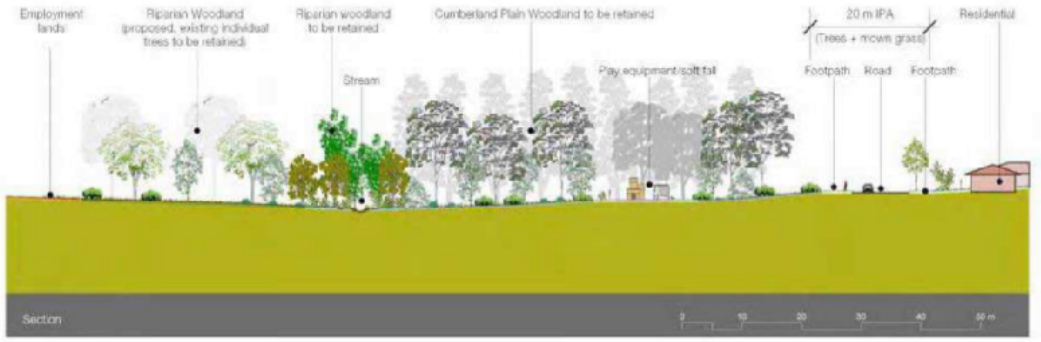

Figure 9: Concept section A for the Northern Bushland Park

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Lakeside area

Objectives

O15. Provide visual amenity for residents of Pemulwuy.

O16. Enhance the existing flora and fauna species.

O17. Sensitively locate circulation and viewpoints in order to minimise disturbance while providing the opportunity to observe and appreciate wildlife.

O18. Service the community's recreational needs.

O19. Provide a safe recreational environment.

Controls

C13. Create viewpoints overlooking the lake, linked by a cycle/pedestrian route around it.

C14. In the design of embankments and their surrounds, ensure safety around the water's edge. Fully investigate safety issues relating to the dam.

C15. Locate the cycle and pedestrian route along the top of the dam wall offering views up and down the creekline.

C16. Provide macrophyte zones for water quality treatment with baffling structures to direct flow.

C17. Provide adequate lighting at key points.

C18. Provide public art at appropriate locations of an appropriate nature.

Note: Refer to Figure – 11 for an illustrative view and concept plan of the area.



Figure 10: Perspective of southwest area of the lakeside



Figure 11: Concept plan for the southwest area of the lakeside

Neighbourhood pocket parks (Pemulwuy North)

Objectives

O20. Provide unstructured open spaces.

O21. Provide key pedestrian nodal points and connections.

O22. Provide a safe recreational environment.

Controls

C19. Define park tree avenues with the main aspect being in an easterly direction.

C20. Plant shrubs and trees of an ornamental character with larger species providing shade.

C21. Where the park is fronted by a pedestrian footpath, clearly delineate the public/private domain through the use of front fences.

C22. Use front verandas or porches in adjacent development to encourage use and overlooking.

C23. Create opportunities for play settings and seating.

C24. Provide appropriate lighting.

C25. Consider public art as part of the overall design.

Note: Refer to s 12 and 13 for an illustrative view and concept plans

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Figure 12: Perspective of Neighbourhood Pocket Park

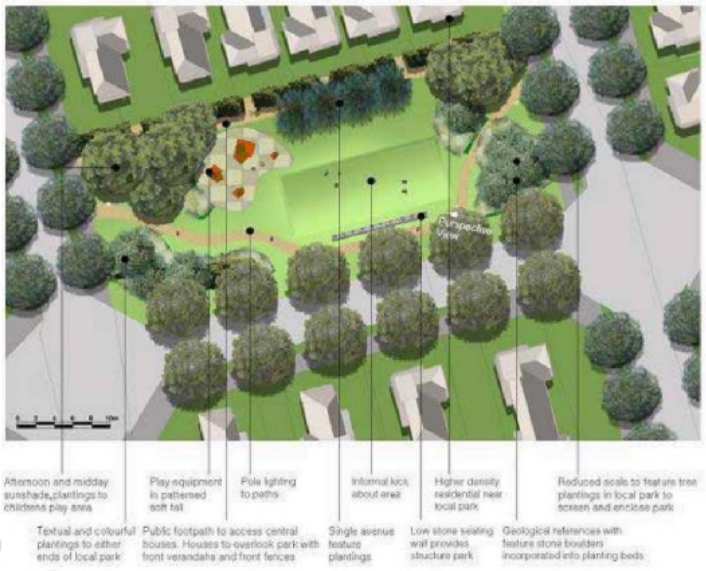

Figure 13: Concept plan for Neighbourhood Pocket Park

3.1.4 Public Open Spaces – Pemulwuy South

The Public Open Space Precincts of Pemulwuy south of Butu Wargun Drive (with a small exception in the north-west corner) are identified below in Figure 14.

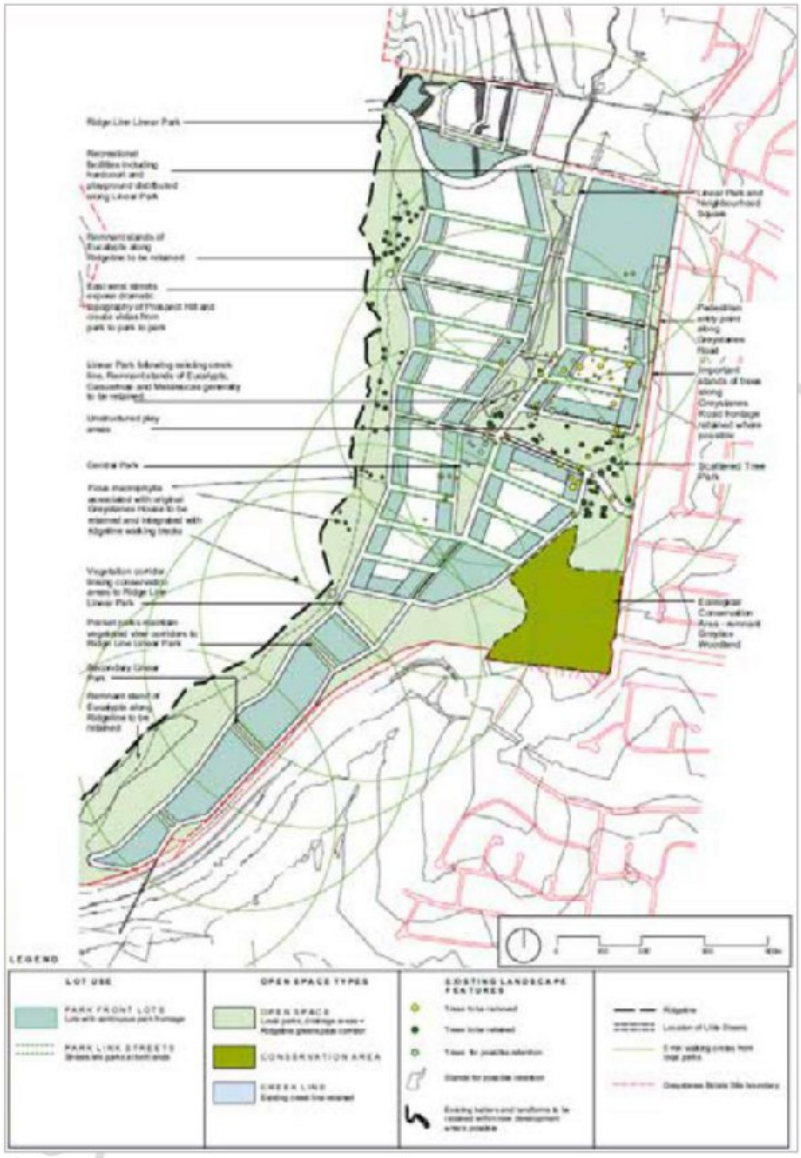

Figure 14: Open space precinct of Pemulwuy South

Greystanes Creek linear park (south of Butu Wargun)

Objectives

O1. Service the communities' recreational needs by providing three distinct areas of varying size:

- A neighbourhood square;
- riparian buffer/open amenity; and
- structured recreation.

O2. Make strong visual links with the adjacent street system, enhanced by tree avenues and vistas to control views and enclose spaces.

Controls

C1. Within Nelson Square, provide for:

- a paved area for seating/meeting;
- external café seating;
- ornamental tree and shrub planting;
- historical installation/public art;
- interactive edge to existing creek line;
- development as a visual gateway into site from east/west link street;
- shade coverage and play area for toddlers and young children allowing for parental supervision; and
- lighting at key points.

C2. Ensure that the riparian buffer/open amenity zone dominates the secondary area, defining the extent of open space and creating a distinct character to the park by providing:

- areas of open space for informal/passive recreation;
- seating;
- areas of hardstanding/paving;
- connectivity through the internal area of the park to pedestrian/cycle links with the wider Estate; and
- rehabilitation of existing riparian buffer zone.

C3. For structured activity areas, provide two half-size multi-use hardcourts that are central to the overall layout of development. Use strategic buffer planting to reduce noise and visual disturbance to immediate residential areas.

Central park

Controls

C4. In relation to the Linear Park, ensure that Central Park:

- is a smaller scale suitable for passive recreation;
- provides a space to service the mixed use buildings and bus stop;
- has potential for external café restaurant seating;
- provides a combination of paved areas, maintained grass and ornamental planting to create a character of small scale; and
- contains high quality eucalyptus trees that add a distinct character and are pivotal to the overall design of the central park.

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Scattered tree park

Objectives

O3. Retain wherever possible the existing trees of ecological or landscape values in this area.

O4. Form a link between the creekline vegetation and the narrow strip of Cumberland Plain Woodland which borders Greystanes Road.

O5. Protect known sites of Aboriginal heritage.

O6. Provide an unstructured recreation facility for residents.

O7. Maintain and enhance strong links to Grey Box Reserve.

O8. Ensure that activities and uses of this park do not to impinge on Grey Box Reserve.

O9. Generally, to provide low-key picnic and recreation activities for in this park.

Controls

C5. Ensure that new vegetation is primarily Cumberland Plain species.

C6. Enclose the open space to the eastern end with areas of regenerated bushland.

C7. Plant and screen known aboriginal sites to protect their location.

C8. Provide continuous shared access from Linear Park through Scattered Tree Park to Grey Box Reserve.

Secondary linear parks

Objectives

O10. Locate secondary parks close to residences.

O11. Provide for unstructured activities.

O12. Create a pedestrian/cycle link from the Prospect Hill ridgeline to the north-south connector road.

O13. Provide visual amenity in the public domain.

Controls

C9. Locate secondary parks within five minutes walking distance of the immediate community.

C10. Define parks by tree avenues, with the main aspect being in an easterly direction. (Figure shows a concept design for these parks and Figure shows a section through the Secondary Linear Park.)

C11. Enhance aspect by framing and opening up views in an easterly direction.

C12. Plant shrubs and trees of an ornamental character.

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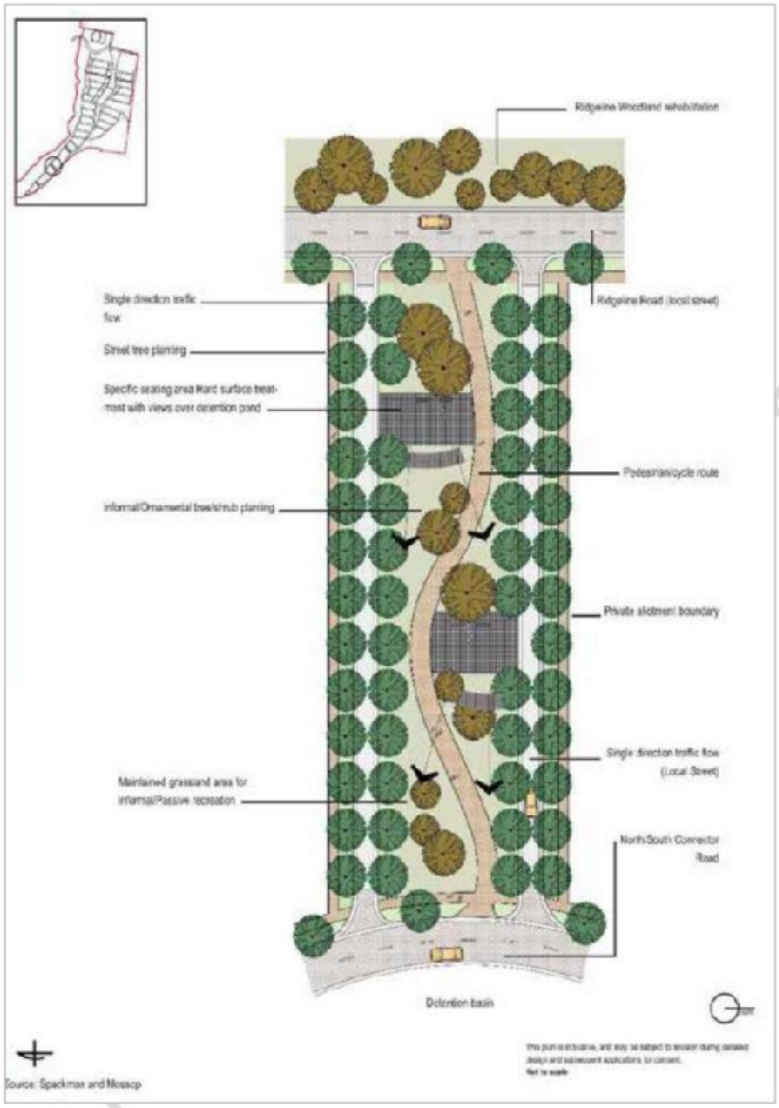

Figure 15: Secondary linear Parks

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Prospect Hill park

The Prospect Hill State Heritage Registered area is listed on the NSW State Heritage Register (SHR) and the Register of the National Estate. The area also includes land along the ridgeline south of Butu Wargun Drive, plus an identified curtilage.

The part of the SHR area north of Butu Wargun Drive, is addressed in the section on Prospect Hill under Public Open Space Precincts of Pemulwuy North.

Objectives

O14. Provide landscape and heritage interpretation which protects and interprets the natural, Indigenous and cultural significance of the Prospect Hill SHR area.

O15. Consult with local community groups to ensure that development reflects the historical relevance of the past.

O16. Because the topography of the ridgeline lends itself to prime viewing, to locate these within the pedestrian network, consistent with the Prospect Hill Heritage Landscape Study & Plan and the Prospect Hill Heritage.

Controls

C13. Ensure all development within Prospect Hill (Marrong Reserve) is to informed by the following documents:

- Prospect Hill Conservation Management Plan (Conybeare Morrison; 2005);
- Prospect Hill Heritage Landscape Study & Plan (NSW Government Architect's Office; 2008); and
- Prospect Hill Heritage Interpretation Plan (MUSEcape; 2009).

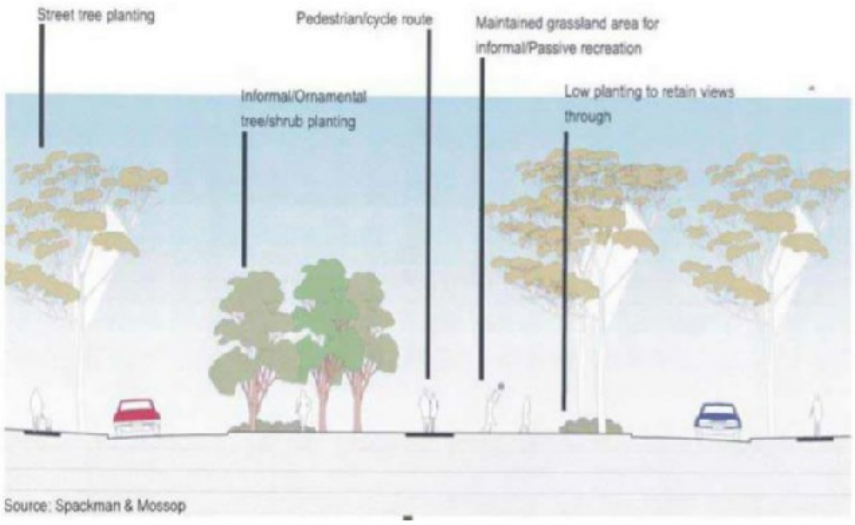

Figure 16: Section through secondary linear park

3.1.5 Wet Basins

Objectives

O1. Integrate water storage requirements within Pemulwuy South into a safe and natural setting.

O2. Design the wet basin and surrounding area as a feature within the landscape.

O3. Retain long distance views from the Secondary Linear Parks and promote casual surveillance.

O4. Be accessible for passive recreation only.

O5. Ensure safety is of prime importance.

Controls

C1. Control water levels to ensure safety is preserved.

C2. Secure deeper areas of the basins with a buffer of planting.

C3. Ensure that edge treatment of the Basins is natural, with riparian planting, shrubs and trees.

C4. Use local stone to set the pond into the existing topography.

C5. Keep vegetation to a minimum where it interferes with long distance views from the Secondary Linear Parks and casual surveillance.

Note: Figure and Figure provides an illustrative layout to the wet basins in the Southern Residential Lands

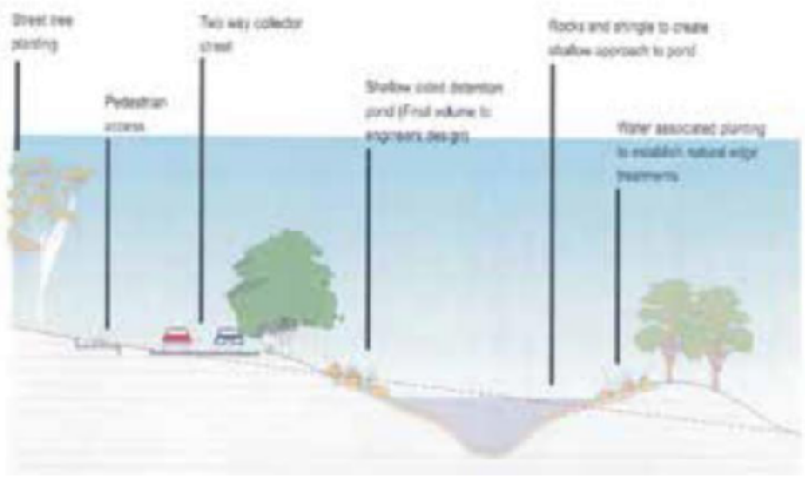

Figure 17: Section B-B through wet basin

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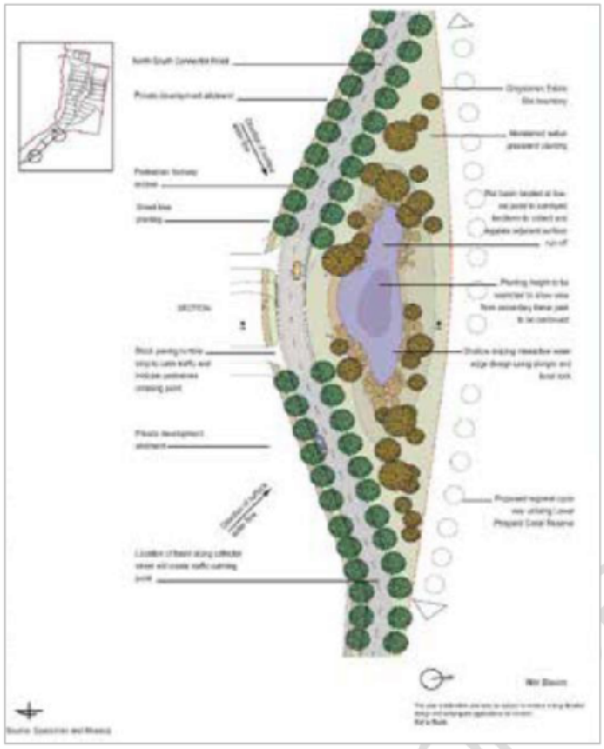

Figure 18: Wet basin landscape treatment

3.1.6 Grey Box Reserve

Objectives

O1. Conserve areas of high Potential Archaeological Deposits (PAD) and significant known artefacts or sites.

O2. Define the boundary of the bushland conservation area known as Grey Box Reserve.

O3. Incorporate areas of potential archaeological deposits and representative elements of the cultural landscape.

O4. Manage the impacts from recreation and access on the bushland ecology.

O5. Educate the local community in the pre-European history of the site.

Controls

C1. Retain the area on site that most closely reflects the pre-European cultural landscape. Refer to Figure 19.

C2. Limit recreational opportunities in the conservation area to passive activities.

C3. Prepare a plan of management detailing measures to appropriately manage the Aboriginal cultural heritage. This should be prepared in consultation with the local Aboriginal community, the National Parks and Wildlife Service (NPWS) and Council. An

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open artefact scatter representative of those identified elsewhere within the survey area, is shown in Figure 19 (Archaeological and Excavation Sites).



Figure 19: Bushland conservation area (Grey Box reserve)

Note:

- *Council will not consent to development within the area indicated by blue dashed line in Figure 19 below without the concurrence of the Heritage Office. Refer to Figure 20 below. under Solar Access and Sun Shading for further Lot.*

Orientation Principles

- *Develop a suitable educational program in consultation with the local Aboriginal community, National Parks and Wildlife Service and Council.*
- *Ensure that interpretive signs and other educational material are general in nature and do not draw attention to any physical aspects of the Aboriginal cultural heritage section through the wet basin.*

3.2 Subdivision

3.2.1 Geotechnical Considerations

Objectives

O1. Characterise site subsurface and geotechnical conditions based on test pit, borehole and laboratory data.

O2. Provide pavement thickness designs for the proposed road network. A range of subgrade conditions have been considered including the use of lime stabilised subgrade to control potential excessive in situ moisture at the time of construction and to improve subgrade strength and reduce pavement cover requirements.

O3. Provide guidance on earthworks requirements for proposed roads, residential lots and other civil works.

O4. Provide assessment of lot classifications in accordance with AS2870-1996 "Residential Slabs and Footings", together with recommendations on footings.

O5. Ensure that all designs for roads and pavements consider the impacts of soil salinity, soil sodicity, sulphate aggressive soils, dispersive soils and saline groundwater.

O6. Minimise disturbance to natural hydrological systems as a result of development, and to provide for appropriate management of land affecting the process of salinisation, or affected by salinity.

O7. Prevent damage to buildings and infrastructure caused by salinity.

Controls

C1. Develop road and pavement designs in accordance with the guidelines contained in the *Site Investigations for Urban Salinity*, *Roads and Salinity* and *Building in a Saline Environment* (DIPNR, 2003).

C2. Design pavements on natural subgrades for CBR values in the expected range from about 2.5% to 4.5%, for which pavement thicknesses of about 300mm to 500mm would be required. Excessively wet natural subgrade may necessitate a further 250mm to 400mm thickness of subgrade replacement. Review engineering plans for each staged development and prepare a specific pavement design in accordance with Council's requirements.

C3. Design pavements on natural subgrade stabilised by the in situ addition of lime for a CBR value of 10%, for which pavements thickness of about 250mm to 300mm would be required. Provided lime stabilisation is carried out to a depth of about 300mm to 350mm, it is anticipated that the need for conventional subgrade replacement (of excessively wet subgrade) would be unlikely.

C4. Carry out earthworks for pavement construction, lot filling and other civil works in accordance with Council's specifications for Subdivisions and Development and/or *AS3798-1996 Guidelines on Earthworks for Commercial and Residential Developments*. Compaction control for these works should also be in accordance with the above Standard.

C5. Assess AS2870 classifications for all lots and document findings in a report prepared by the geotechnical consultant towards the completion of each staged development.

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C6. Minimise the impact of the proposed development on local and regional salinity processes.

C7. Minimise the impact of salinity on the proposed development.

3.2.2 Block and Lot Structure

Objectives

O1. Design blocks and subdivisions that support and relate to the public domain.

O2. Efficiently utilise developable land.

O3. Provide for a diversity of housing choice.

O4. Minimise disturbance to natural hydrological systems as a result of development.

O5. Provide for appropriate management of land affecting the process of salinisation, or affected by salinity.

O6. Prevent damage to buildings and infrastructure caused by salinity.

O7. Design building blocks and lots to minimise cut and fill and retaining walls.

O8. Consider all relevant site constraints, including location of services, easements, available access, topography, privacy and solar orientation.

O9. Create a comfortable home, structure blocks to maximise the natural characteristics of an allotment. This includes taking into account:

- aspect,
- views,
- existing slope,
- trees,
- predominant breezes, orientating living rooms to the north, and
- drainage and flooding potential.

O10. Subdivide blocks to create a lot structure that anticipates the siting of dwelling types that support the public domain.

O11. Subdivide blocks to create a lot structure that anticipates the siting of dwelling types incorporating solar design principles.

O12. Increase the efficiency of dwellings and external spaces and minimise residual parcels.

O13. Maintain views to and from Prospect Hill.

Controls

C1. Design subdivision blocks which:

- value and efficiently use urban land - do not create difficult residual spaces and awkward boundary conditions;
- are capable of flexibility for future development involving re-subdivision or amalgamation;
- actively seek to ensure retention of all existing trees wherever possible; and

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- create a block structure that orientates streets to link public open spaces. For example, implement the principles shown in Figure 16 to accommodate pedestrian travel in the public domain, with urban street block dimensions generally within the following maximum dimensions:

  - Length - less than 250m or,
  - Depth - less than 80m deep or less than 40m deep in conjunction with little streets.

C2. Maximise the number of allotments in areas with the greatest amenity including those areas close to retail/community facilities, public transport and along park frontages.

C3. Maximise the number of allotments addressing streets in the southern part of each block to increase the number of dwellings with northerly aspect to rear living rooms and gardens. Refer Figure 21 below.

C4. Design lots which:

- have a generally orthogonal lot geometry to increase efficiency of dwellings and external spaces and minimise residual parcels;
- Accommodate a variety of housing types to suit different household mixes and sizes;
- reflect landscape features such as slope and waterways by addressing storm water run off, the opportunity for views and breezes and reduction in the height of retaining walls;
- achieve dwelling units oriented for optimal solar access, including the use of eaves, window awnings and screens that contributes to a comfortable living environment;
- maximise the number of allotments addressing streets to the south to increase the number of dwellings with northerly aspect to rear living rooms and gardens;
- align the setback to the front of the dwelling with the facades of adjoining dwellings on the street; and
- create lots within the Pemulwuy South precinct in accordance with the Lot Size and Frontage Width ranges for each dwelling type as specified for the Pemulwuy South precinct.

C5. Design corner lots to address both street frontages.

C6. Maximise solar access with either east-west lots or north-south lots, with special attention to lots that are on the south side of the street.

C7. For East-West orientated Lots in particular:

- provide generally wider frontages to lots addressing the Prospect Hill to accommodate dwellings with modulated side setbacks and courtyards to maximise solar access;
- provide generally wider frontages to lots addressing streets to the north to accommodate passive solar design in future dwellings;
- provide uniform scale, height, setbacks and consistent architectural character to dwellings addressing open spaces to reinforce the public domain;
- create corner lots that accommodate secondary street setbacks and allow dwellings to reinforce their prominent position and address both primary and secondary street frontages; and
- within the Pemulwuy South precinct, generally provide wider frontages to lots addressing Greystanes Road and Hyland Park where the Estate meets existing suburban areas.

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C8. For North-South orientated Lots in particular:

- coordinate cut and fill and finished levels between lots to provide equitable access to solar access and outlook;
- massing of dwellings should respond to existing site falls and topography;
- locate parking areas on the southern side of dwellings where possible; and
- create corner lots with adequate dimensions that allow dwellings to accommodate secondary street setbacks, respond to both street frontage and mark important corners in the subdivision.

Notes:

- *Applications for subdivision of land into less than 300m² lots parcels are Integrated Housing developments, and are subject to provisions set out in the following section on Coordinated Development and Integrated Housing Sites; and*
- *Topographically steep areas are generally considered sites for Coordinated Development and are subject to provisions set out in the following section on Coordinated Development and Integrated Housing Sites.*
- *Applications for Coordinated Development are subject to provisions set out in the following section on Coordinated Development and Integrated Housing Sites.*

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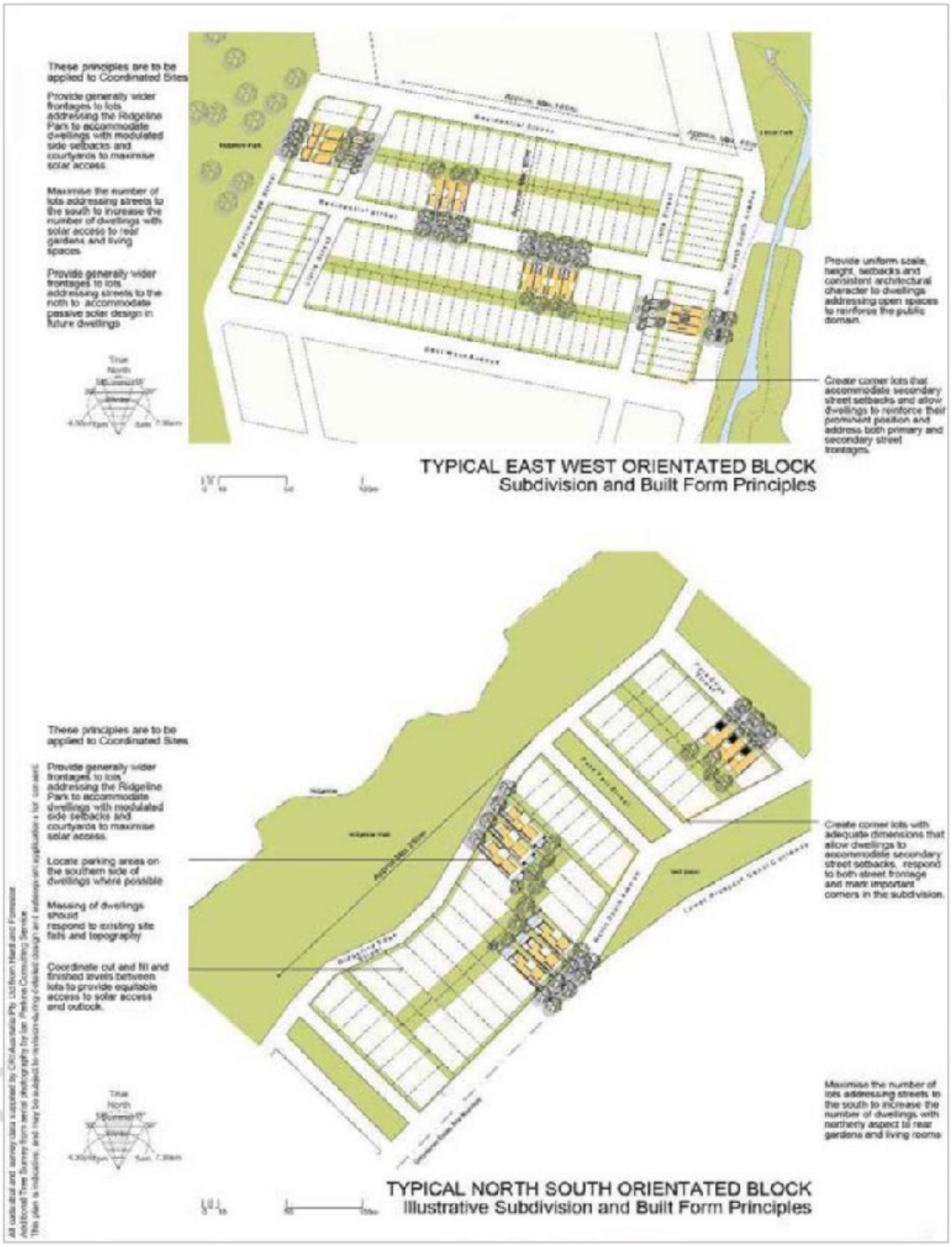

Figure 20: Typical subdivision.

3.2.3 Cut and Fill at Subdivision

Objectives

O1. Minimise cut and fill.

O2. Coordinate cut and fill between all lots to provide equitable access to sunlight, outlook and privacy to all dwellings.

O3. Ensure unimpeded natural groundwater flow.

O4. Protect the geotechnical integrity of lots, including adjoining lots.

Controls

C1. On cross-sloped land, ensure side boundary cut and fill (and associated retaining wall) at subdivision stage is no greater than 900mm (Pemulwuy South).

C2. On front-to-back-sloped land, ensure rear boundary cut and fill (and associated retaining wall) at subdivision stage is no greater than 1.5m, to reduce front to back lot grades. No further rear boundary retaining walls are permitted (Pemulwuy South).

C3. Limit retaining walls in the front setback to 1m in height, or tiered in sections of no more than 1m with at least 0.5m width landscaped separation between wall tiers.

Coordinated development and integrated housing sites

Topographically steep areas indicated in Figures 21 and 22 are considered sites for Coordinated Development.

Integrated Housing developments are applications for subdivision of parcels of land into less than 300m².

Objectives

O1. Ensure that the design of dwellings on steep sites, noise affected and small lots is carried out in an architecturally consistent and integrated manner.

O2. Ensure that the key focuses are a high quality streetscape, a strong neighbourhood character and residential amenity.

O3. Ensure that the built form responds to the topographical constraints, particularly the slope and orientation of each allotment.

O4. Ensure that new development provides appropriate residential amenity, particularly with respect to visual privacy, and the relationship between dwellings.

O5. Ensure that new development provides appropriate residential amenity, particularly with respect to solar gain to each allotment and the relationship between dwellings.

Note: Address these objectives during the subdivision application stage in particular.

Controls

C1. Design dwellings on Integrated Housing sites as a unified group of buildings with consistent alignments, articulation, material selection and architectural character.

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C2. For Coordinated Developments, coordinate side boundary setbacks, building envelopes, finished floor levels and cut and fill between all lots to provide equitable access to sunlight, outlook and privacy to all dwellings at the subdivision stage where possible.

C3. Where side and rear boundary retaining walls intersect, ensure that the maximum height difference between the lowest bottom of wall and highest top of wall is 2.4m.

C4. Council may consider variations to the controls within this DCP on Coordinated Development sites where applicants can demonstrate compliance with the objectives of the controls.

Lots with cross slopes

C5. The subdivision layout must incorporate wider lots on the steeper sections of the site.

C6. Narrower lots may be considered where it is proposed to subdivide the land as integrated development.

C7. Boundary cut or fill and retaining walls are to be constructed at subdivision stage no greater than 900mm, unless otherwise stated.

C8. Boundary retaining walls which extend beyond the front wall of the building must not be higher than 600mm (Pemulwuy South).

C9. Preliminary finished ground levels are to be constructed at subdivision stage.

Lots with front to back slopes - Pemulwuy south

C10. Rear boundary cut or fill and retaining walls of maximum 1.5m in height are to be constructed at subdivision stage of the development to reduce front to back lot grades.

C11. No further rear boundary retaining walls are permitted.

C12. Preliminary building pad levels shall be constructed at subdivision stage which provide for a minimum floor level split of 1m or as appropriate to facilitate split level house designs. See Section 3.3.2 - Elevated Sites (Steep Land) in Pemulwuy for requirements for cut and fill within building envelopes on front-to-back slopes.

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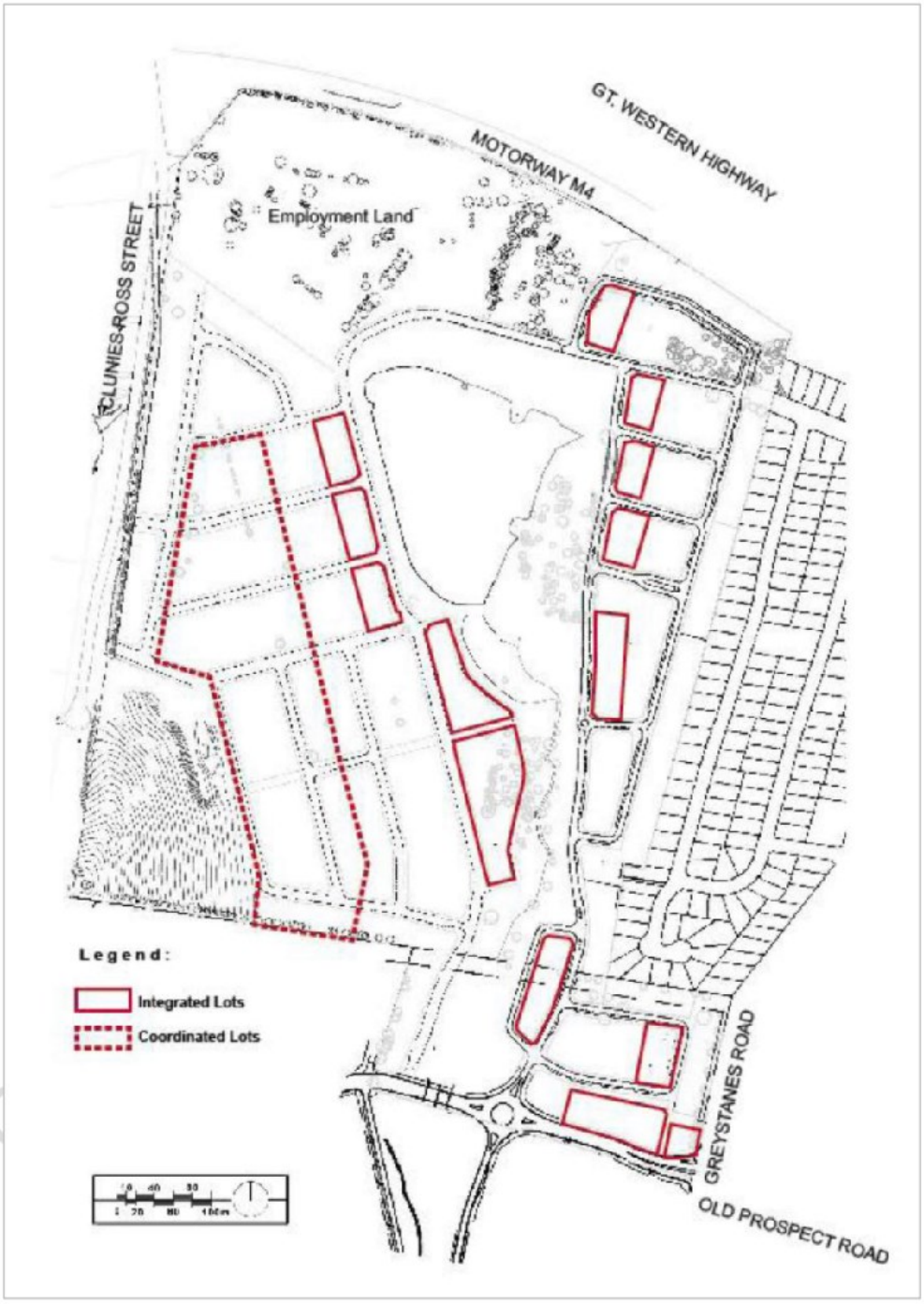

Figure 21: Integrated and coordinated sites in Pemulwuy North

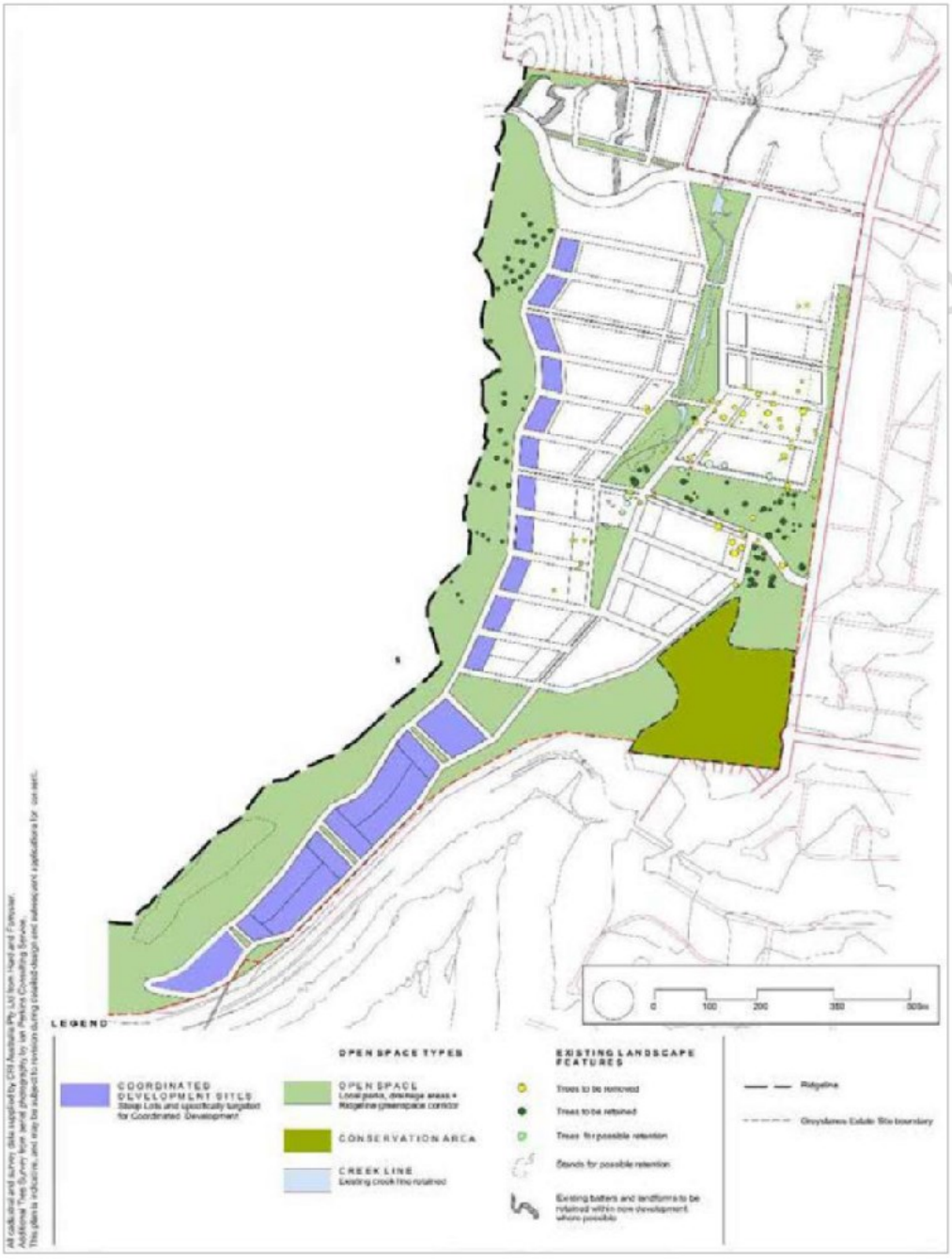

Figure 22: coordinated sides identified for Pemulwuy South

3.3 Building and Siting Requirements for Residential Development

3.3.1 Architectural Character

Objectives

O1. Interpret the subdivision pattern through building types.

O2. Minimise cut and fill and not impede natural groundwater flow.

O3. Reinforce the public domain, create attractive streetscapes with strongly defined parks and open spaces.

O4. Provide a high level of amenity for occupants.

O5. Maximise casual surveillance of dwellings from the street and of the street from the dwellings, to promote safer streets.

O6. Develop building types that minimise potential salinity problems.

O7. Provide for a variety of housing types and mix.

O8. Adopt a contemporary design form.

O9. Be responsive to the local climate, environment and lifestyle of western Sydney.

O10. Improve the outlook and surveillance of streets and open spaces.

O11. Develop a diverse range of housing styles of high quality, ranging from single lots to townhouses, integrated housing developments and apartments.

O12. Provide for a variety of occupants and ages, and provide a more sustainable life cycle model than conventional monocultural housing development.

Controls

C1. Provide a variety of building types and housing types throughout Pemulwuy in accordance with Figure 23 and Figure 24.

C2. Accommodate a range of innovative dwelling types including single dwellings, home offices and home/work spaces.

C3. Design, model and articulate dwellings with a consistent relationship to the street and to each other.

C4. Design with a simplicity of building elements that create a contemporary façade. Avoid historical reproduction styles and/or mixtures of styles such as Federation, Edwardian, Colonial, Victorian and Georgian.

C5. Modulate side boundary setbacks and incorporate courtyards, atria, toplights and the like to maximise solar access to dwellings.

C6. Prefer elevated finished floor levels and entries, balconies and street elevations to improve outlook and surveillance of streets and open spaces.

C7. Design corner dwellings to reinforce their prominent location and address both primary and secondary street frontages.

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C8. Ensure all dwelling entries are clearly visible from the street by day and night.

C9. Ensure a maximum 500mm cut and 500mm fill for allotments unless otherwise stated elsewhere.

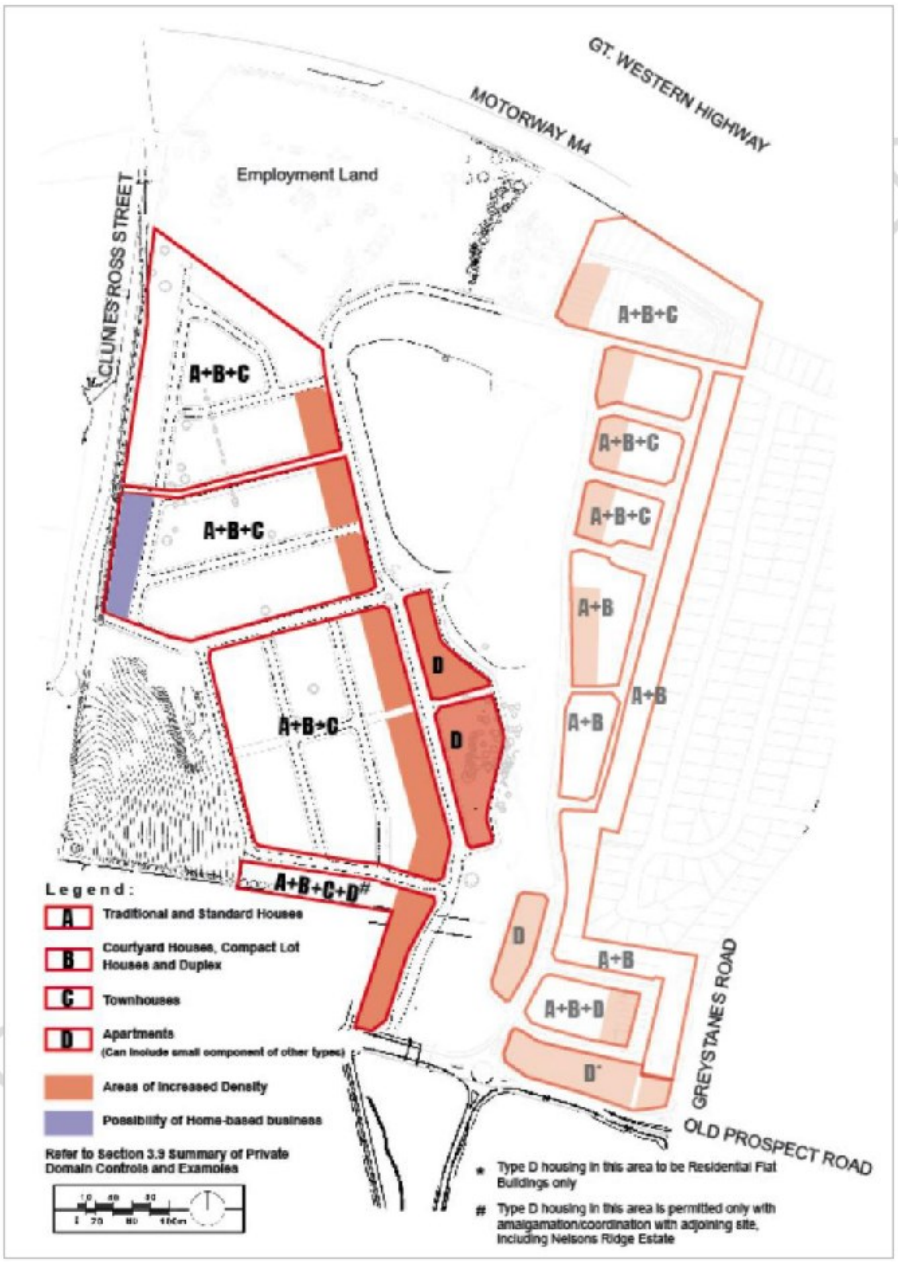

Figure 23: Housing types for Pemulwuy North

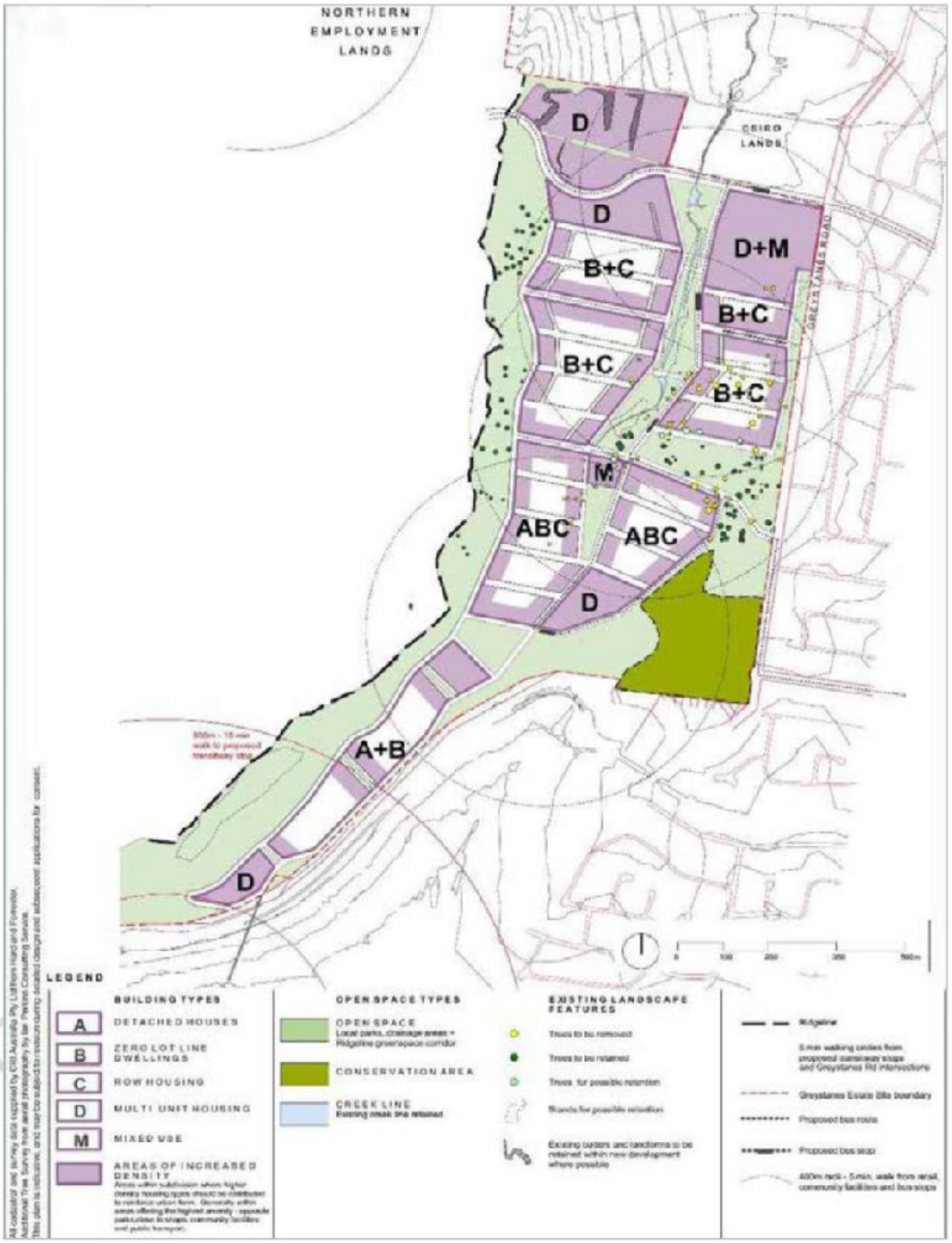

Figure 24: Housing types for Pemulwuy South

3.3.2 Elevated Sites (Steep Land)

Refer to Figures 25 and 26.

Objectives

O1. Ensure that the built form responds to the topographical constraints, particularly the slope and orientation of each allotment.

O2. Ensure that new development provides appropriate residential amenity, particularly with respect to visual privacy, and the relationship between dwellings.

O3. Ensure that new development provides appropriate residential amenity, particularly with respect to solar gain to each allotment and the relationship between dwellings.

O4. Ensure dwelling designs allow acceptable driveway grades for vehicular access to garages.

O5. Minimise the bulk and scale of dwellings on steep slopes when viewed individually and collectively within and external to the site.

Controls

C1. The maximum height for a dwelling house (in metres) is detailed within *Cumberland Local Environmental Plan 20XX*, as a written statement and associated maps.

C2. Dwelling designs must respond to the topography of the land through split level designs, unless privacy to adjacent properties can be maintained through alternative good design.

C3. Elevated entries should be no more than 1m above the natural ground level at a point 3m set back from the front boundary.

C4. The garage level is to be no greater than 500mm above or below natural ground level to help reduce driveway gradients.

C5. Ensure dwelling designs allow driveway grades for vehicular access to garages that comply with AS 2890.1.

C6. Retaining walls along on-street boundaries must be constructed of materials complementary to the home.

C7. Retaining walls must comply with the *Building Code of Australia* (BCA).

C8. No cut or fill is to be placed in easements to drain storm water.

C9. Retaining walls constructed alongside boundaries and protruding forward of the adjacent front building line must be tapered to meet the profile of the finished ground level.

C10. Where side and rear boundary retaining walls intersect, ensure that the maximum height difference between the lowest bottom of wall and highest top of wall is 2.4m (Pemulwuy North).

C11. Brick walls are to be of salt proof construction. Dwelling design should consider: -

- existing ground levels;

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- proposed cut and fill, and finished floor (FFL) and existing ground levels as indicated on the proposed site plan; and
- existing sewer and drainage easements for stormwater and overland flows, and the impact any proposed retaining walls will have. Easements cannot be obstructed or built over.

C12. Development applications for elevated sites must include:

- top of wall (TOW) and bottom of wall (BOW) levels for retaining walls;
- full construction details of proposed walls including drainage, materials and finishes;
- connection into the stormwater system for behind-wall drainage lines and surface pits; and
- proposed finished ground levels (FGL).

Lots with cross slopes

C13. Where lots have side cross slopes which exceed 3 degrees (5%), designs must respond to the slope of the land through split house designs (see Figures 27 and 28).

C14. Maximum 500mm cut and 500mm fill within building envelope.

C15. Finished floor levels are to be no greater than 500mm above finished ground level. Where it can be demonstrated that a better design outcome can be achieved without compromising privacy, amenity and views into and out of the site, overshadowing and height controls , particularly relating to the bulk and scale of the dwelling, Council may consider relaxing the 500mm restriction up to a maximum of a 900mm total above the finished ground level.

C16. Garden retaining walls are not to exceed 700mm above finished ground level. Any remaining slope is to be graded out (Pemulwuy North).

C17. Dwelling heights and designs are to ensure reasonable visual privacy to the down-slope side of the dwelling, by incorporating privacy measures to minimise potential overlooking.

C18. Garages are to be located on the lower (eastern) side of side cross-sloped lots, and access is to be provided in accordance with *AS 2890.1 – Off Street Parking*.

C19. Maximum height of side fencing is 1.5m to reduce the overall wall/fence height (Pemulwuy South).

Lots with front to back slopes

C20. Where front to back slopes are steep, i.e. above approximately 5 degrees (9%), house designs must respond to the topography of the land through front-to-back full level split designs (Type 1 as shown in Figure 30).

C21. Where front to back slopes are moderate, i.e. approximately between 3 degrees and 5 degrees (4.5% and 9%), house designs are to respond to the topography of the land through split level designs (Type 2, refer to Figure 31).

C22. Maximum 700mm cut and 700mm fill for lots requiring a full-level split type 1 house design on lots with a front to back slope, to be contained within the building envelope.

C23. Finished floor levels are to be no greater than 500mm above finished ground level. Where it can be demonstrated that a better design outcome can be achieved without compromising privacy, amenity and views into and out of the site, particularly relating to

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the bulk and scale of the dwelling, the Council may consider relaxing the 500mm restriction up to a maximum of a further 400mm (i.e. no more than 900mm total above the finished ground level).

C24. Dwelling designs are to ensure reasonable visual privacy to the down-slope side of the dwelling, by incorporating privacy measures to minimise potential overlooking. See Section 3.3.9.

C25. Where rear boundary retaining walls constructed at subdivision exceed 1.2m in height (to a 0.5m maximum), the maximum height of any boundary fence shall be 1.5m.

C26. No further rear boundary retaining walls are permitted.

C27. Garden retaining walls are not to exceed 700mm above finished ground level. Any remaining slope is to be graded out.

C28. Driveway grades are to be in accordance with AS 2890.1.

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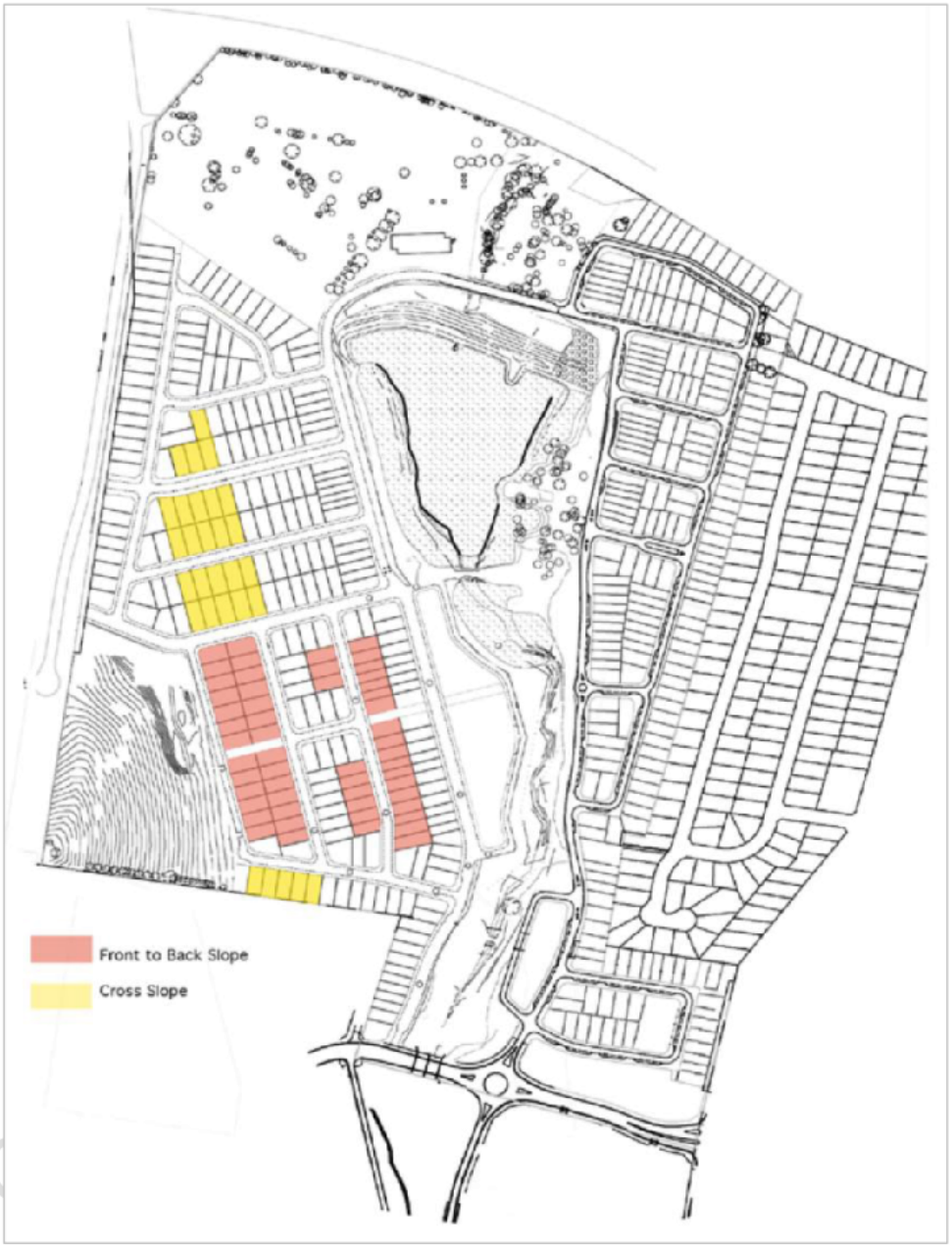

Figure 25: Steep land - Pemulwuy North



Figure 26: Steep Land - Pemulwuy South



Figure 27: Split level house designs for cross slopes

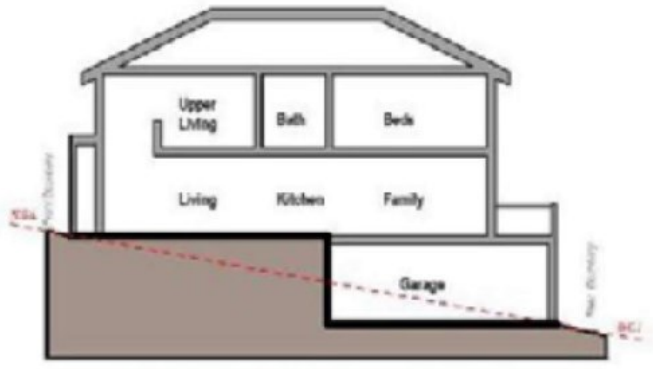

Figure 28: Section-cross slope lot

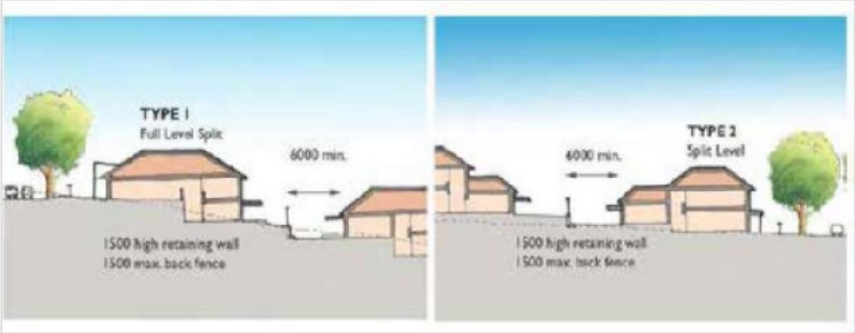

Figure 29: Front to back slope split level house design

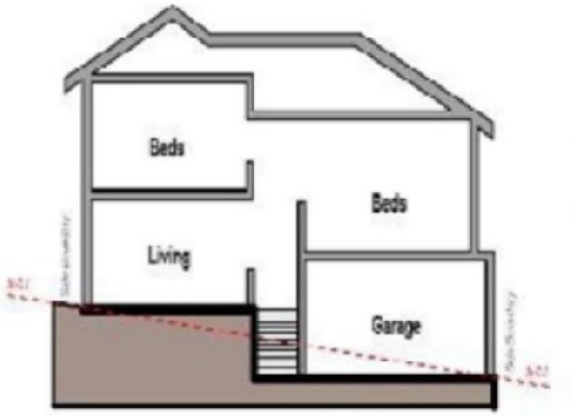

Figure 30: Type 1 Section through front to back slope lot

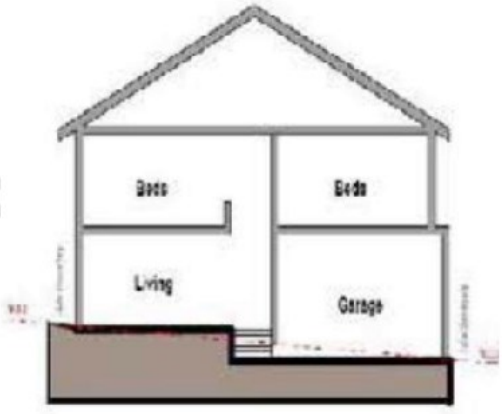

Figure 31: Type 2 Section front to back slope lot

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3.3.3 Building to a Side Boundary

Objectives

O1. Protect the residential amenity of immediately adjoining properties.

O2. Provide efficient access along easements for the purpose of maintenance of the wall built to the boundary.

O3. Protect adjoining properties from soil instability or damp arising from adjacent properties.

O4. Design footings of the building built to the boundary to support and protect the building from damage in the event that disturbance or settlement occurs within the zone of influence.

O5. Avoid significant adverse impacts upon stormwater behaviour along maintenance easements.

O6. Avoid significant adverse impacts on stormwater drainage pipes along maintenance easements.

Controls

Boundary walls

C1. For allotments with single street access (including corner allotments), only the ground floor wall of a 2 storey building may be built on the boundary, and for a maximum length of 10m.

Set first floor walls and balconies in 1m from the property boundary (see Figure 32).

C2. For allotments with dual access (garage entry to the rear or double fronted lots) 2 storey walls may be built to the boundary where the building envelope permits.

Note: A corner allotment is classified as a single access allotment in this instance.

C3. On sloping land, ensure that the wall built to the boundary is located on the lower side of the lot.

C4. Ensure that the wall built on the boundary is finished to match the front of the house.

C5. Generally locate the garage against the side property boundary.

C6. Design the footings and finish of the wall built to the boundary to allow for the maximum cut/fill on the adjoining allotment along the boundary. Ensure that the footings extend below their zone of influence, where they will affect the laying of services within excavation of the adjacent maintenance easement. If the adjoining dwelling has not yet completed construction, see Figure 34 - Detail A. If the adjacent house has completed construction, refer to Figure 35 - Detail B, showing the need for a retaining wall.

Note: Both figures assume a cut of 500mm, which may vary by up to a further 400mm in each instance (max. side boundary wall cut/fill is 900mm). Note: There may be further variations where slope is extreme, but these are subject to privacy, neighbour amenity, overshadowing and height controls.

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C7. All piers along the drainage easement boundary to have a minimum depth equal to the level of the invert of any potential or constructed stormwater pipe or culvert.

C8. Ensure that the drop-edge beam on the adjoining property is treated with a masonry surface treatment suitable to exposure to view.

Maintenance easements

C9. Where a maintenance easement is created on a property adjacent to a wall built to the boundary, ensure that any retaining wall constructed within the easement. In particular, ensure a maintenance easement of minimum width 900mm.

C10. The following should be considered for maintenance easements:

- a maximum cut into the easement of 300mm;
- any retaining wall within the easement has a maximum height of 300mm plus 300mm of post below ground, consistent with Figure 35 below;
- a minimum post width of 200mm;
- a minimum distance between the retaining wall and any built structure on the property of 600mm, to allow maintenance access;
- in the event of fill in the maintenance easement being placed against a wall built to the boundary on the adjacent property, ensure that the fill does not interrupt the effective discharge of moisture from weep-holes in that wall;
- landscape planters placed in the maintenance easement should not interfere with access to the wall, and to stormwater flow where appropriate.
- a drainage pipe between the retaining wall and property line to avoid significant adverse impacts upon stormwater behaviour; and
- a maximum timber paling fence height of 1.8m, comprising a 300mm retaining wall and 1.5m timber fence.



Figure 32: Side setback

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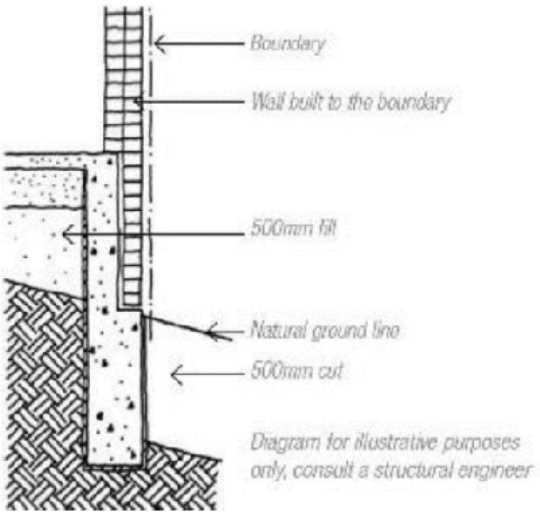

Figure 33: Drop edge beam detail A

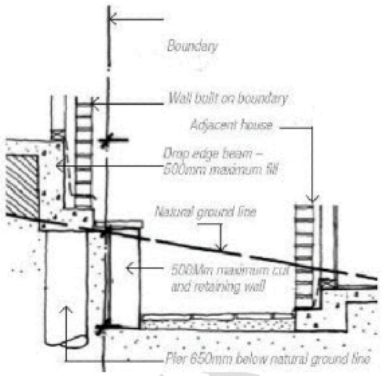

Figure 34: Drop edge beam detail B

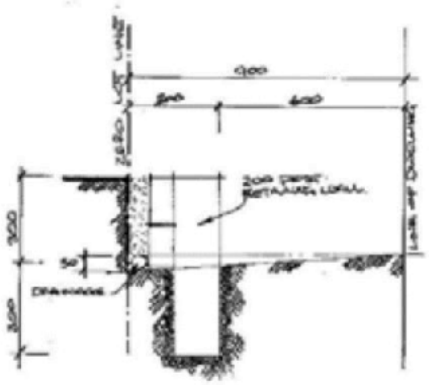

Figure 35: Retaining walls within maintenance easement

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3.3.4 Building Articulation and Street Address

Objectives

O1. Develop a relationship between buildings and the street through entries, porches, verandahs, balconies, bay windows and the like.

O2. Ensure entries to all houses are clearly visible from the street.

O3. Promote the safety and security of streets and parks through entry points, windows, doors and balconies in the front façade.

O4. Provide elements and features on those parts of the dwelling seen from the street to articulate the building as well as contribute to attractive and safer streets and parks.

Controls

C1. Develop the architectural character of buildings with appropriate solar protection elements, expressed door and window openings, and the like.

C2. Design buildings which incorporate articulation to the built form and do not rely on "add on" structures to break up the façade.

C3. Accommodate a range of roof forms in order to provide variety and reduce the bulk and scale of the streetscape.

C4. Design dwellings to incorporate variety in materials, colours and finishes to external elevations.

C5. A minimum 2m x 2m build free zone in the front setback area is required for a mandatory native tree in the front garden.

C6. Articulation elements are required in the design of your home. These elements may protrude 1.5m into the 3m setback, without encroaching on the 2m x 2m garden bed.

C7. Articulation elements must be lightweight in design and of an open nature. For example: pergolas, not solid roofs are permitted over balconies in the front setback area. Balustrades to balconies should be open and not solid.

C8. Where roofs are proposed to first floor balconies at the street elevation they must be set back a minimum 3m from the front boundary.

C9. On a corner allotment, articulation elements are also required to the secondary street. They may protrude up to 500mm into the side setback.

C10. For side elevations/facades on corner lots; the maximum run of un-broken wall length is 12m. A step of 480mm in the wall must otherwise be designed (Pemulwuy North).

C11. Consider active street frontage, defined as one or a combination of:

- clearly defined and accentuated building entrances;
- building articulation through modulation in the façade, incorporating elements such as blade walls, chimneys, entries, balconies, verandahs, porches, loggias, bay windows, screens, awnings and feature walls with a combination of materials and colours;

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- building designs which provide passive/active surveillance through providing living areas to the street frontage;
- shop front café or restaurant; and
- commercial and residential lobbies if accompanied by an entrance.

C12. Ensure garages and carports must not dominate the street frontage. Garages are to be a recessive element and shall be located a minimum distance of 1m behind the front wall of the dwelling (excluding any projecting elements).

C13. Ensure carports and garages facing a public street or accessway are no more than 6m or 50% of the frontage width, whichever is the lesser (Pemulwuy North).

C14. Individual entries are to be provided to 50% of ground floor dwellings within residential flat buildings.

C15. Address and activate all streets with street frontages that promote surveillance. The design and layout of any car courts should improve safety through short distances with good sight lines and the use of a mews dwelling above the garages in some places to increase potential for passive surveillance.

C16. Provide a path leading from the street to the front door that is physically separated from the driveway.

C17. Ensure access between a dwelling and street frontage is unobscured and direct.

C18. Finished floor levels of the porch/verandah for front to back slope lots in Pemulwuy North should be at the same level to the footpath. When the finished floor level of the porch/ verandah is lower than the footpath, it must not exceed 600mm from the footpath RL.

C19. Elevated front entries should be no more than 1m above the natural ground level.

C20. Open types of security screening maybe used on windows facing the street. Block out security shutters are not permissible on front elevations.

3.3.5 Setbacks

Note: Further to the general Setback controls below, certain specific setback requirements apply just to the Pemulwuy North or South sub-precincts. See Sections 3.4 (North) or Section 3.5 (South), and Section 3.4.3 Development Adjacent to Employment Lands (in particular the former CSIRO Employment Land).

Objectives

O1. Provide setbacks to reinforce the vegetated character of the public domain with front gardens.

O2. Establish continuous gardens in deep soil planting in the centre of blocks to increase the amenity of private blocks.

O3. Ensure no loss of amenity by neighbours.

Controls

The setback controls for Pemulwuy North and South vary slightly, and are therefore addressed under their specific precincts below (Sections 3.4 and 3.5), and summarised here. In all instances of building to a side boundary, the length and height of walls on the boundary ensure no loss of amenity by neighbours. Sections 3.3.5 to 3.3.7 also aim to control setbacks.

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Table 1a: Setbacks

	Pemulwuy North	Pemulwuy South
Front of building	3m-4.5m (depending on vicinity of riparian public open space - see Figure 5.4)	3m
Front garage	5.5m	5.5m
Front porch / verandah	⅓ into front setback, but not unroofed	
Rear set back	1 storey = 6m 2 storey = 8m If rear garage (as below) = 3m from garage to dwelling	A. North-South lots: Lot depth max. 35m = 6m Lot depth >35m = 8m B. East-West lots: little streets = 3m form garage to dwelling other streets = 4.5m
Rear garage	0m, (via a "shared vehicular access")	0m, if via a "little street" or "shared vehicular access" (not a public street)
Side setback	Type A detached dwelling = 0.9m to both Type B dual occupancy/courtyard = 0.9 + 0m Type C townhouse/rowhouse = 0m to both Type D Apartments = 3m	Type A detached dwelling + courtyard = 0.9m to both Type B dual occupancy only = 0.9 + 0m Type C low density townhouse/rowhouse = 0m to both Type D Apartments + higher density townhouse = 3m
Secondary street frontage	1.5m+	4m (from Part B Residential Controls)

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3.3.6 Soar Access and Sun Shading

Objectives

O1. Achieve a northerly orientation and midwinter solar access to main indoor living spaces and primary private open spaces.

O2. Provide sun protection on glazing with appropriate orientation.

Controls

C1. Windows of north facing/orientated habitable rooms of dwellings are to receive a minimum of 4 hours of direct sunlight between 8:00am and 4:00pm on 22 June.

C2. New development must not result in windows to north facing living areas of neighbouring dwellings receiving less than 4 hours direct sunlight between 8:00am and 4:00pm 22 June.

C3. Private open space is to achieve at least 3 hours of direct sunlight between 9:00am and 3:00pm in on 22 June for 50% of the required private open space.

Note: Relaxation of these controls may be permissible on Coordinated Development and Integrated Housing Sites where a development application for subdivision demonstrates that solar access has been maximised through integration of built form controls.

C4. Where relaxation of these controls has occurred, design initiatives that maximise natural light into dwellings are to be incorporated. For example, through wider frontages, courtyard housing, and material selection.

C5. On north facing facades, minimise summer solar access and maximise winter solar access. To achieve this, consider measures such as external horizontal shading, eaves, awnings, balconies, pergolas with appropriate planting and the like.

C6. On east and west facing facades, minimise summer solar access and maximise winter solar access. To achieve this, consider measures such as external adjustable vertical shading, sliding screens and adjustable louvers and the like.

C7. The design of dwellings shall generally be consistent with the Lot Orientation Principles in Figure 36 and Solar Orientation Principles in Figure 37 in order to achieve optimum solar access.

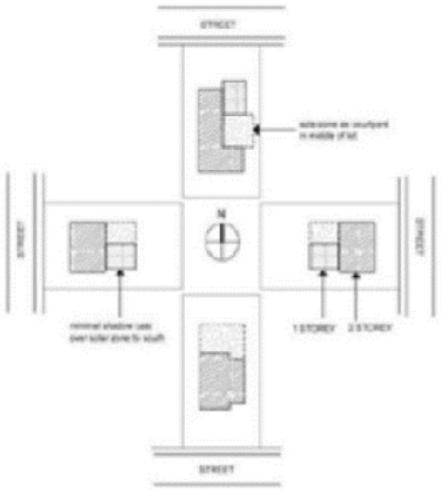

Figure 36: Solar access by lot orientation

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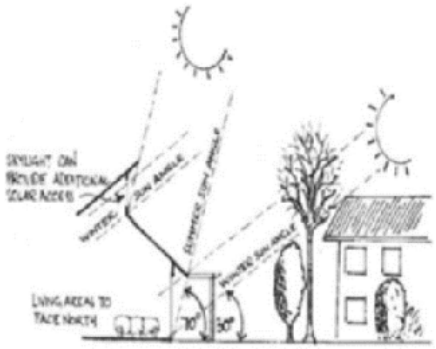

Figure 37: Solar access

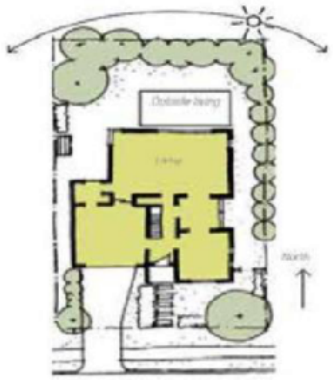

Figure 38: Solar access to private open space

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3.3.7 External Private Open Space

Objectives

O1. Provide useable private open space related to the needs of residents for leisure, recreation, outdoor entertaining and service functions.

O2. Soften the appearance and integrate the homes and fencing.

O3. Provide screening for privacy, and shade during the summer months.

O4. Complement street tree and parkland planting.

O5. Ensure continuation of green corridors from conservation areas through the riparian corridor and up onto Prospect Hill.

O6. Protect and enhance locally indigenous biodiversity.

O7. Reduce the impact of soil loss on adjoining properties.

Controls

C1. Provide useable private open space, directly accessible from living and/or dining areas to each dwelling.

Type A, B and C dwellings are required to provide an area equivalent to 20% for Pemulwuy South and 30% for Pemulwuy North of the total site area as a pervious (soft) surface.

C2. Type D dwellings (and Type M in the case of Pemulwuy South) are required to provide an area equivalent to 20% of the total site area as external private open space, at ground level or in the form of a balcony.

C3. Private open space is to achieve at least 3 hours of direct sunlight between 9:00am and 3:00pm on 22 June for 50% of the required private open space. Refer to Figure 38.

Private open space elements

C4. All private open space (excluding balconies) is to have a minimum dimension of 3m which is to be accessible from living or dining areas, and be suitable for outdoor living.

C5. Balconies are to have a minimum dimension of 2.4m where they are accessible from living or dining areas. In such cases, they can be used in the private open space calculation. This dimension may be reduced to 1.8m where functionality can be demonstrated.

C6. Balconies should be located to provide active street frontages.

C7. All existing trees shall be retained unless it can be demonstrated that this cannot be incorporated into the design.

C8. Private open space elements accessible from other habitable rooms and secondary living spaces are to have a minimum dimension of 1.2m. (Pemulwuy North).

Hard and soft landscaped area

C9. A minimum of 20% for Pemulwuy South and 30% for Pemulwuy North of the total site area shall remain as a pervious (soft) surface, unless otherwise noted on Figures 39 and 40.

Where impervious areas exceed 80% for Pemulwuy South and 70% for Pemulwuy North of the total site area, Council will require an on-site detention system.

Note: These figures may be affected by the future provision of community detention basins. Changes are at the discretion of Council's engineering staff.

C10. No more than 45% of the front setback area shall be paved or sealed (inclusive of driveway). Where a double garage is proposed, this may increase to no more than 50% of the front setback.

C11. Front and rear setback areas are to be landscaped in accordance with the setback requirements provided in Section 3.3.3 (Setbacks) and Figures 40 and 41. The area to be landscaped may incorporate garden beds, soft landscaping, paved areas, paths, swimming pools and driveways.

C12. The planting proposal for the front setback should utilise plants with varying heights with the overall objective being to reduce the impact of the development on the streetscape.

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Planting should comprise of all 3 canopy levels, i.e. upper and lower canopies, and groundcovers.

C13. A native tree is required to the front and rear of each proposed dwelling, with a mature height at least equivalent to the height of the proposed dwelling. Minimum pot size 75 Litres.

Note: in the case of a dual occupancy this means 1 tree to the front and rear of each unit.

C14. The entire front yard/setback of all new dwellings in Pemulwuy is to be planted out with only native plant species, at least 20% of which are to be locally indigenous to the Cumberland LGA (see Council's Native Tree List).

Note: The use of indigenous species or low water use species within a portion of the open space is required for certification under the new BASIX regulation from 1 July 2004. Visit www.basix.nsw.gov.au for more information.

C15. Plant predominantly native landscaping to the front and rear of each allotment to enhance the natural environment. The limited use of exotic species is permitted in the rear yard only.

C16. Planting in the front and rear setbacks should include additional plantings to provide both privacy and screening to adjoining residents as well as softening of retaining walls, and fencing.

C17. Type D and M dwellings are required to distribute this landscaped area as a combination of private and communal open space to provide privacy between dwellings, useable outdoor spaces and gardens.

C18. Provide a minimum 500mm setback (in the form of a landscape strip/garden bed) between the driveway and side boundary. It is required that this area be planted with suitable native plant species.

Note: take into consideration the possible accommodation of a retaining wall where cut and/or fill has occurred on sloping lots. Where there is a zero lot alignment, the 500mm setback may include both the landscape strip/garden bed and retaining wall where bed width is maximised to a minimum 270mm for planting.

C19. The driveway and pedestrian access path shall be separated by a landscape strip/garden bed.

C20. When constructing brick or masonry garden and retaining walls, water features, paving or other hardscape elements, select brick & mortar or masonry that is suitable for saline soils. For example, appropriate footings and linings should contain concrete Type C and 32MPa.

<u>Landscape documentation</u>

Accompany all applications with a fully documented landscape concept plan consistent with that required in Part G, prepared by a qualified Landscape Architect. The Council approved landscape plan is the plan to be used by the company, or owner, constructing the landscape works. As such it is important the plan provides enough details to enable construction. Likewise, an Implementation Report and Maintenance Report are required. See Part B (External Private Open Space) of this DCP for all built form development applications within Pemulwuy.

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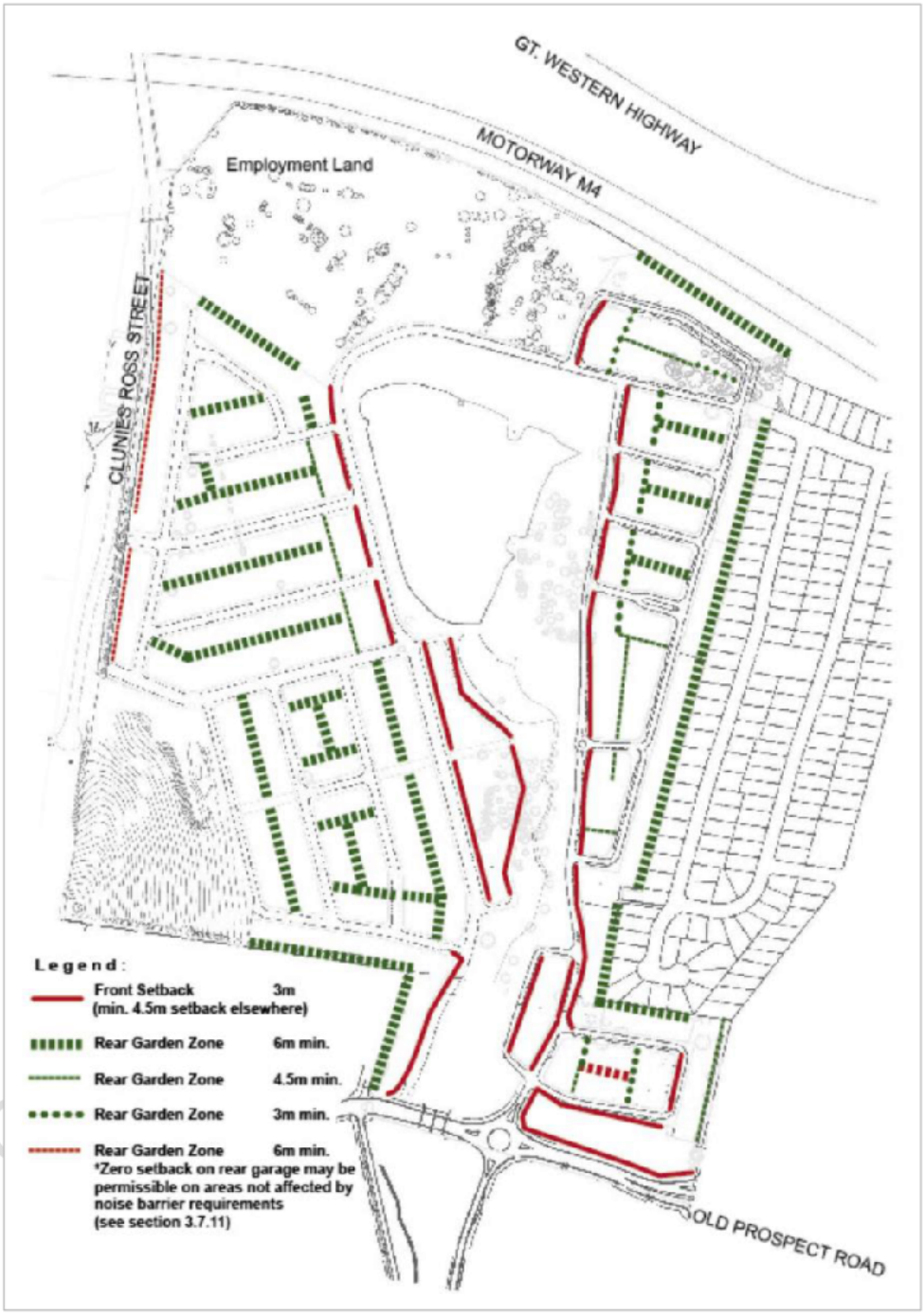

Figure 39: Private open space - Pemulwuy North



Figure 40: Private Open Space - Pemulwuy South

3.3.8 Plant Selection

Objectives

O1. Ensure a high standard of environmental quality of individual developments.

O2. Produce the highest landscape value for the local character.

O3. Provide a mix of native/endemic vegetation to promote low water use and encourage native wildlife into the area.

O4. Protect visual privacy through plant selection.

O5. Regulate micro-climate through plant selection.

O6. Manage the land to minimise groundwater salinity.

O7. Mitigate any adverse effects of the proposed development on the species, populations or ecological communities.

Controls

C1. The front setback area is to consist entirely of native plant species with at least 30% of the proposed species being local to the Cumberland City area. A list of native species suitable for Cumberland City Council area is provided on the following table.

C2. A suitable native tree shall be provided to both the front and rear setback.

C3. Screen planting should be provided along all side and rear boundaries to the private open space area (Pemulwuy North).

C4. Exotic species are permitted in rear yards only.

C5. Landscaping should provide a visual screen and contribute to summer shading and winter sun penetration.

C6. Species of plants shall be chosen to minimise water use.

C7. The selection of the type of plant should be based on:

- the purpose of the plant. If planting on the northern side of the house, deciduous (loses its leaves) trees and plants should be considered to provide summer shade and allow winter sun to get through; and
- the ultimate height and spread above and below ground of the plants in relation to adjacent buildings, services and other plants and the scale of the location.

C8. Council requires the use of Buffalo turf species including 'Sir Walter' in the front yard and encourages its use in the rear yard within all residential lots. Specify in landscape plans that existing turf to the nature strip is replaced at completion of construction works with 'Sir Walter'.

C9. Pemulwuy is affected by existing saline and sodic soils, as described in Section 3.9.6 of this Part of the DCP. Therefore, favour gardens which do not require a lot of watering, and avoid species that are sensitive to the above soil types.

Note: A table of trees, shrubs and ground covers specific to Pemulwuy but can be found on Council's website under Pemulwuy. This list can be read in conjunction with a

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broader list of native trees and shrubs suitable to the Cumberland City area, also found on Council's website.

3.3.9 Privacy

Objectives

O1. Ensure visual and acoustic privacy for residential development, both within a development and between a development and its neighbours.

O2. Ensure an acoustic environment suitable for residential uses.

O3. Ensure that the siting and design of development minimises the impacts of noise transmission between properties.

Controls

Visual Privacy

C1. Dwellings are to maximise visual privacy through consideration of the layout of internal rooms and external living spaces, design of openings, screens, walls and choice of materials.

C2. Protect privacy and encourage integrated outdoor living spaces by orienting primary openings in living areas to the street and/or rear gardens.

C3. Upper storey windows (excluding stairwells), and balconies (within 6m of the rear boundary) facing a side or rear boundary must incorporate privacy measures.

C4. Achieve privacy in the design of housing by providing the following separations to all openings (windows, doors or balconies) between rooms in multi-unit dwellings and between openings facing the rear boundary of single dwellings at ground level:

- 6m between non-habitable rooms;
- 9m between a habitable and non habitable room;
- 9m between a habitable room and a balcony; and
- 12m between habitable rooms.

C5. Where possible, openings should be off set to reduce setbacks, and in addition, screening and other treatments may be considered in reducing separation distance whilst maintaining adequate visual privacy.

C6. Minimise privacy conflicts through:

- careful consideration of the layout of internal rooms and external livings spaces;
- design of openings;
- 1.5m minimum sill height;
- fixed and obscure glass to 1.5m above first floor finished floor level with clear glass permitted above;
- screens;
- blade walls;
- external fixed privacy screen; and
- choice of materials.

C7. Within apartments, townhouses and Mixed Use Development containing Residential, such as Aged Housing, Apartments integrated with Retail/Commercial or Community Facilities, and Residential Flat Buildings, windows are to be offset from windows in an

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adjacent development to limit views. Alternatively, sill heights of 1.5m above finished floor level are to be provided.

C8. Bathroom or ensuite windows fronting the street must incorporate privacy measures.

C9. Elevated ground floor levels to the rear or side of the property, including the main built form, terraces, decks and balconies that exceed 500mm above natural ground level must incorporate privacy measures to minimise potential overlooking.

C10. Landscape screening at the rear of terraces, decks and balconies may be acceptable in some situations.

C11. Upper floor windows or balconies within 6m of the rear boundary must incorporate privacy measures.

Acoustic privacy

C12. Dwellings are to maximise acoustic privacy through consideration of the layout of internal rooms and external living spaces, design of openings, screens, walls and choice of materials.

C13. The design of buildings should minimise the opportunity for sound transition through the building structure and should protect noise sensitive areas such as bedrooms.

Note: Additional documentation may be required to be submitted with a Development Application to demonstrate that the privacy of adjacent properties will not be compromised

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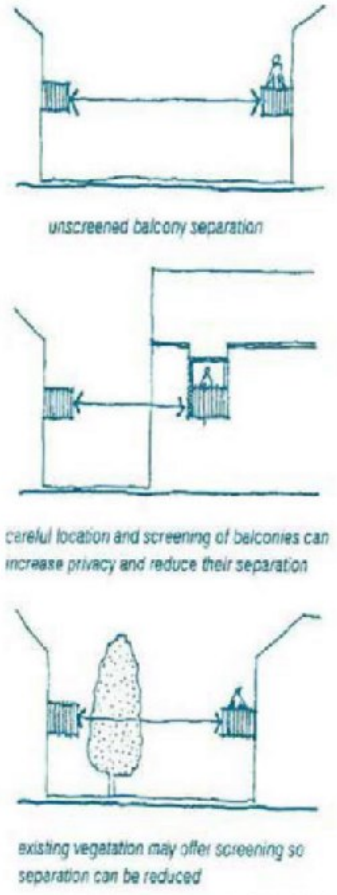

Figure 41: Achieving acoustic and visual privacy

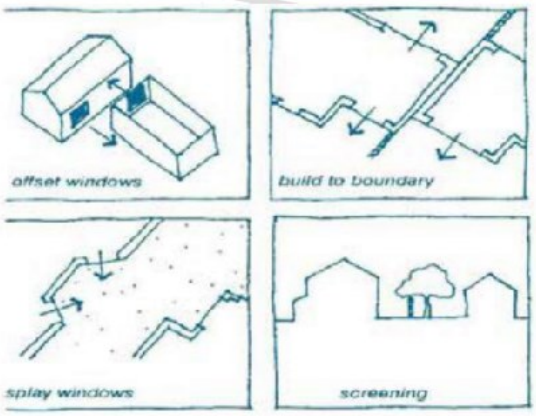

Figure 42: Achieving acoustic and visual privacy

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3.3.10 Clunies Ross Street Residential Frontage

Objectives

O1. Minimise the impact of noise from the existing employment sites to proposed residential areas.

O2. Achieve external noise goals where feasible or reasonable.

O3. Where this is considered impractical, to achieve internal noise criteria by appropriate façade treatment.

Controls

C1. A noise barrier ranging from 4m to 4.5m in height is to be erected along the western site boundary between the employment lands and the Clunies Ross Street access road to control noise to the ground floor of future dwellings (refer to Figure 44).

C2. Control sleep arousal to second storey bedrooms, additional attenuation measures are required. These should consist of, but are not limited to:

- improved glazing to windows and the provision of air conditioning to allow windows to be kept closed during night time periods; and/or
- locating bedrooms on the eastern side of the house away from the noise source, with bathrooms, study, media rooms and the like on the western side of the house.

Note: The combination of attenuation measures to the built form is to be determined at Development Application stage based on the advice of an acoustic consultant.

C3. Ensure that noise from employment related uses in Pemulwuy does not exceed stated criteria in Section 3.10.6 entitled *Environmental Management – Noise and Vibration Management*, when measured at the residential receiver.

C4. Ground floor bedrooms are to be setback a minimum of 10m from the acoustic barrier.

C5. Second storey bedrooms are to be setback a minimum of 14m from the acoustic barrier.

C6. A landscape buffer and mound of 3m in width consisting entirely of native species is to be provided in front of the acoustic barrier to ensure suitable aesthetic outcomes (refer to Figure 43 for landscape concept design) The landscaping design is to:

- consisting of entirely native species;
- screen the acoustic wall; and
- minimise on-going maintenance requirements.

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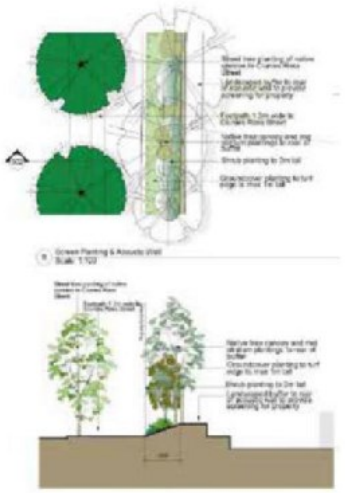

Figure 43: Extent of acoustic wall



Figure 44: Acoustic wall.

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3.3.11 Roof Design

Objectives

O1. Design roofs to contribute to the variety and diversity of homes in a street.

O2. Design roofs to reflect a contemporary style.

Controls

C1. Provide from these acceptable styles: hipped, gable, skillion, flat roofs with parapets and curved roofs.

C2. Prefer that traditional roof forms, such as hipped and gable roofs, have a minimum pitch of 25 degrees (Pemulwuy South), or 22.5 degrees (Pemulwuy North).

C3. Prefer that skillion roofs have a pitch between 10 and 20 degrees (Pemulwuy South), or above 5 degrees (Pemulwuy North).

C4. Ensure that all roofs have a minimum of 450mm eaves or other shading devices such as awnings, louvres, pergolas or screens.

3.3.12 Materials and Colours

Objectives

O1. Use building mass or bulk/reflective insulation in wall and ceiling systems to encourage an improved thermal performance.

O2. Use building materials and building techniques that will minimise salinity problems.

O3. Use external materials and colours that reflect the contemporary nature of Pemulwuy.

Controls

C1. Ensure a predominantly masonry external finish. Face brick, render, bagged or a painted finish are acceptable.

C2. Use by preference bulk or reflective insulation in roof systems and fall arrest sarking to improve thermal performance.

C3. Provide a mix of materials and colours to create visual interest and variety in the streetscape.

C4. For the parts of the home seen from the street, ensure a combination of materials including but not limited to:

- feature stonework; and
- light weight materials such as timber, feature panelling, plywood, pre-finished metal sheeting, etc.

C5. Use by preference building materials which minimise their impact on the environment. These materials can be from renewable resources, and are:

- energy efficient;
- durable;
- low maintenance;
- recycled or recyclable; and
- non-polluting in use, manufacture and disposal.

C6. Natural colours, such as off whites, creams, browns and greys, are permitted as major external wall colours. The use of stronger accent colours is acceptable for highlighting building elements such as entry porticos, feature materials, etc.

C7. Roofing materials are to be selected from the following:

- Low profile concrete or terracotta tiles; and
- Pre-finished and pre-coloured metal roofing.

C8. Multi -coloured tiled roofs are not permitted.

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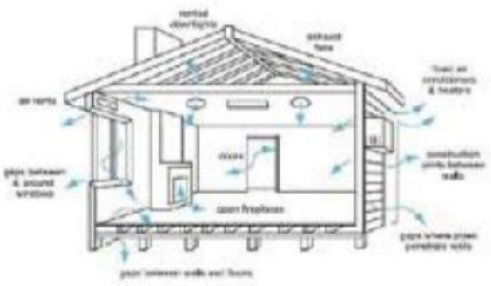

Figure 45: Energy smart house

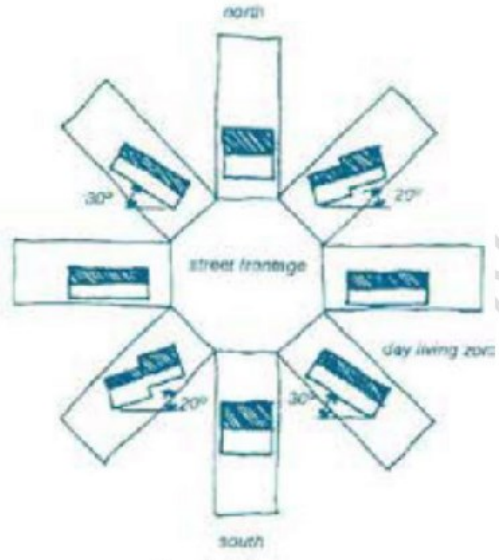

Figure 46: Lot orientation for good solar access

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3.3.13 Water and Energy Efficiency

Objectives

O1. Design living and working environments that minimise energy and water use; and

O2. Use passive and active design initiatives to ensure comfortable living environments that respect the principles of ecologically sustainable development.

O3. Implement sustainable practices in water and energy efficiency.

O4. Minimise reliance on artificial heating and cooling, and maximise natural lighting.

O5. To minimise water usage.

Controls

C1. Ensure all new residential development complies with the requirements of the Building Sustainability Index (BASIX) for energy efficiency. Obtain BASIX Certification prior to the final design submission.

C2. Take advantage of northerly aspects.

C3. Achieve cross ventilation. To do so, windows are to be located to take advantage of prevailing winds in summer.

C4. Design floor layout to allow penetration of light to rooms.

C5. Incorporate courtyards, light wells and atria to assist natural lighting and ventilation.

C6. Provide at least double orientation to all dwellings.

C7. Use building mass and/or building insulation to improve the climatic performance of buildings.

C8. Ensure all new residential development complies with the requirements of the Building Sustainability Index (BASIX) for water efficiency. Obtain BASIX Certification prior to the final design submission.

C9. Rainwater tanks are to be sited, and to be of a finish, that does not adversely impact on the amenity of future residents and/or adjoining properties in terms of bulk, scale, design, style, height and location

3.3.14 Garages, Car Parking and Driveways

Objectives

O1. Contain the per capita growth in VKT (vehicle kilometres travelled) by achieving higher than normal public transport usage.

O2. Manage the supply of parking facilities in a manner that supports the use of existing and proposed public transport services.

O3. Encourage a reduction in the level of vehicular traffic by reducing parking requirements.

O4. Ensure adequate parking for various land uses which sustain the market viability of the development within Pemulwuy.

O5. Limit the impact of garages and driveways along streets, to maximise the street address of buildings and to emphasise pedestrian safety.

O6. Minimise the provision of on-site parking, and to enhance the street activity of the neighbourhood.

O7. Seek a balance between satisfying a proportion of parking demand onsite, addressing car use reduction objectives and minimising the spread of parking into surrounding streets.

O8. Facilitate convenient and safe vehicular movement.

O9. Encourage efficient use of space.

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Controls

On-street parking

C1. On street parking should be designed to be consistent with the design principles and dimensional requirements of Australian Standards AS2890 and AS1742.

C2. Provide on-street parking which is well-lit and offers casual surveillance for street security.

C3. Limit on-street parking to not compromise the streetscape character nor the active streetscape.

C4. Provide sufficient on-street parking so that garages and carports do not dominate the street frontage.

Off-street parking

C5. Minimise off-street parking supply, having regard to:

- access to public transport (located within 400m);
- surveys of existing similar developments indicating a lower parking demand;
- land use synergies with surrounding land uses;
- complimentary/shared use of parking facilities; and
- the ability to manage the use of on street parking.

C6. A minimum of one off-street parking space with at least one enclosed garage is to be provided on each allotment. Three car garages are not permitted.

C7. Off street parking shall be consistent with the design principles and dimensional requirements of Australian Standards AS 2890.1.

C8. Where possible, locate parking on the southern side of dwellings or on the down-slope side of sloping lot frontages.

Garages

C9. On allotments with direct access from the main street the garage is to be set back at least 5.5m from the property boundary.

C10. Garage doors are to be panel lift or panel glide.

C11. Garages should incorporate additional space for storage, such as recesses for bins and recycling.

C12. Parking may be provided in basements under building footprints. Naturally ventilated semi-basement car parks extending to 1.2m above adjacent ground level are preferred in any under-building parking.

C13. Prefer garage access from car courts (shared rear access) where it is available.

C14. The minimum aisle width of car courts shall be 6m adjoining the public road and where accessing parking. This can be reduced to allow for landscaping where vehicle turning movements are not compromised.

C15. The design of car courts and associated garages is to ensure that vehicles enter and exit in a forward direction.

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C16. On site parking for residential flat building developments is to be provided at a rate not more than:

- 1 space per bed-sit, studio or one bedroom dwelling;
- 1.25 spaces per two bedroom dwelling;
- 1.5 spaces per dwelling with three or more bedrooms;
- visitor parking is to be provided at 0.25 spaces per dwelling and be provided in designated spaces.
- cycle parking spaces are required within parking areas for Residential flat buildings. For individual houses with 3 bedroom or more, storage spaces in the garage are preferred; and
- provide a vehicle wash bay of permeable material construction.

Driveways

C17. Driveway crossings are to be between 3m and 5m wide at the front boundary for single garages and tandem garages.

C18. Driveway crossings of between 5m and 6m in width for double garages are permitted; however, at least 25% of the width of the allotment must be soft landscaping. Driveway levels and vehicle crossings from street to front boundary must be submitted and approved by Council.

C19. Driveway crossings must be plain concrete. Refer to Figure 47.

C20. Driveway materials from the garage to the front boundary include paving, coloured concrete, patterned or stencilled concrete. Plain concrete driveways and car tracks will not be approved.

C21. A pedestrian pathway is required from the front boundary to the entry of the dwelling, and must be separate from the driveway.

C22. A vehicle crossing application must be made to Council for proposed works within the nature strip.

C23. 500mm of planting is to be provided between the side boundary and the driveway.

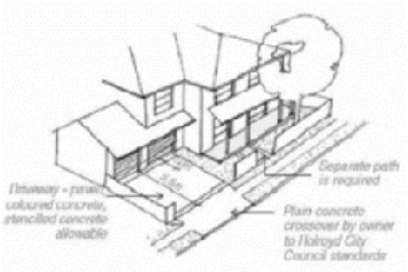

Figure 47: Driveway crossover

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3.3.15 Fencing

Controls

Note: Consider specific requirements for lots with sloping land.

Front fencing

C1. The front fence piers and base are to be constructed of rendered, bagged or face brickwork to match the style of the home, with a light weight see-through infill.

C2. Figure 48 shows the required dimensions of front fencing.

C3. Front fencing must return along the boundary to the front building facade.

C4. Fencing must step down to meet the slope of your allotment as shown in Figure 49.

C5. Front fencing can be used as a retaining feature.

C6. Maximum height of 1.2m from natural ground on the street side of the fence, except where slopes exceed 1:8.

Side and rear fencing

C7. The provision of side and rear fences is mandatory.

C8. Side and rear fencing is to be 1.8m high lapped and capped timber fencing, or must be reduced to 1.5m high when built on top of a retaining wall. Colorbond fencing or similar is not permitted. Where the retaining wall exceeds 1.2m, the combined wall and fence should not exceed 2.4m.

Note: See Section 3.3.2 Elevated Sites (Steep Land) in Pemulwuy - Lots with Front to Back Slopes, for exceptions.

C9. The side fencing and gate is to finish on the wall built to the boundary or 1m behind the front of the home. No side fencing is to be forward of the building line (at which point it becomes "front fencing" - see above).

C10. Maximum height of 1.8m from natural ground on the street side of the fence.

C11. An additional 300mm on top of the required 1.8m high lapped and capped timber fencing may be required to minimise overlooking into adjacent homes. Refer to elevated site requirements.

Corner/Secondary Street Fencing

C12. The piers and base are to be constructed of rendered, bagged or face brickwork to match the style of the home and not to exceed 1.8m above the level of the adjacent footpath or verge.

C13. Stained or painted timber infill panels. Hebel or similar aerated concrete product may be used as a lightweight masonry option, particularly where nearby easements for services are on the lot.

C14. Figure 50 shows required dimensions of corner or secondary street fencing.

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C15. On sloping land, the height of fencing must step to follow the slope of your allotment as shown in Figure 49. The low wall plinth must be no greater than 0.6m at the highest step.

C16. Fencing can be used as a retaining feature.

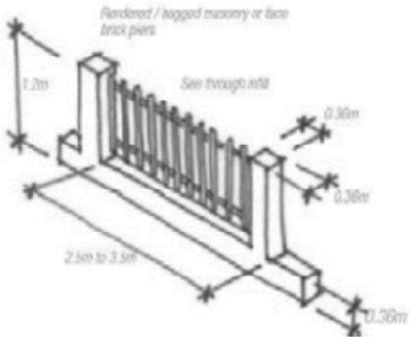

Figure 48: Front fence detail

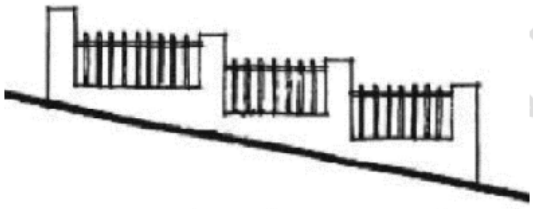

Figure 49: Sloping fence detail

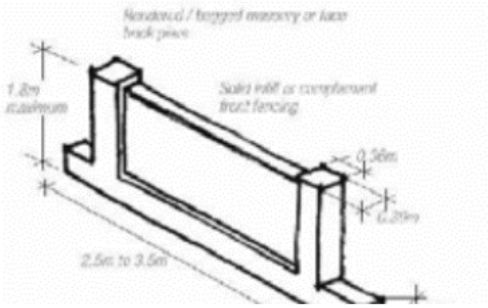

Figure 50: Corner allotment side fencing

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Figure 51: Lakefront front boundary fencing

3.3.16 Adaptable and Affordable Housing

Objectives

O1. Ensure dwellings within Pemulwuy are capable of being adapted to accommodate the needs of people with limited mobility.

O2. Provide some private market affordable housing within Pemulwuy.

O3. Offer affordable housing that supports the needs of changing populations.

Controls

C1. Ensure that 20% of multi-unit housing, shop-top housing and mansion house apartments are compliant with *Class C – Adaptable Housing Features* as set out in Australian Standard AS4299.

C2. Ensure that 100% of aged housing is compliant with *Class C – Adaptable Housing Features* as set out in Australian Standard AS4299.

C3. Ensure that 100% of adaptable housing is compliant with Adaptable Housing Class A or B.

C4. Council to encourage some private market affordable housing products in an integrated manner (i.e. not in clusters but distributed throughout the larger site), particularly in the latter stages of the development.

3.3.17 Safety, Security and Lighting

Objectives

O1. Address the principles of *Crime Prevention through Environmental Design* (CPTED).

O2. Design with safety and security as a key concern.

O3. Provide public open spaces with a strong physical connection to housing so as to achieve a clear ownership of public space. It is recognised that well used and valued public open spaces reduce opportunities for crime and increase risk for potential offenders.

O4. Avoid the misapprehension that a public park is a private space.

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Controls

C1. Edge open space areas with streets and housing, providing clear sight lines from private residences to public domain areas.

C2. Identify lots edging open spaces as suitable for increased densities, thereby maximising the number of dwellings which overlook open spaces. Incorporate passive open space surveillance into lot layout and design of residences, including balconies, porches, etc.

C3. Provide parking for open spaces along illuminated public streets edging parks rather than consolidating car parking within the parks themselves. This is designed to increase casual surveillance of parked vehicles and their occupants.

C4. Design parking areas at recreational locations to avoid loitering.

C5. Design public streets edging open spaces to provide safe, well lit pedestrian routes, eliminating the need to circulate across parks at night.

C6. Provide adequate lighting in recreational areas, parklands, cycleways, and pedestrian thoroughfares.

C7. Clearly articulate public spaces with public streets.

C8. Control vehicle access to public open space by the use of low fencing or bollards on accessways to the park edge. Avoid the use of high gates, fences and enclosures.

C9. Design street furniture and amenities to be vandal resistant, with walls treated with sacrificial coatings to deter and remove graffiti.

C10. Ensure landscaping maintains view corridors and clear sight lines.

C11. Locate bus stops in safe, well-lit locations with good surveillance.

C12. Adequately light entrances to buildings, with lighting that does not produce shadows.

C13. At building entrances, ensure clear sight lines are not be obscured by landscaping or other obstacles.

C14. Ensure all dwelling entries are clearly visible from the street by day and night.

C15. Design first floor uses to overlook the street and car parking areas.

C16. Ensure private landscaping does not provide opportunities for concealment e.g. along pathways or adjacent to service areas.

C17. Minimise the length of car courts accessing rear garages, with clear sight lines provided to/from the public road. In some places, mews dwellings above rear garages will increase the potential for passive surveillance. Provide sensor lighting mounted at appropriate locations within the car courts.

C18. Provide facilities at bus stop locations to encourage increased use and safety. Such facilities shall include:

- bus lay-bys and speed controls to protect pedestrians, depending on the particular road design; and

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- shelters and seating for waiting passengers, display of timetable information and street lighting for security.

3.3.18 Bushfire Protection

Objectives

O1. Provide residential development with adequate protection from the potential bushfire hazard.

Controls

C1. Development must comply with *Planning for Bushfire Protection* (NSW Rural Fire Service: 2019) or subsequent amendments.

C2. In the case of the riparian corridor, provide an Outer Protection Area and Inner Protection Area in the form of fuel reduced zones and perimeter road.

3.3.19 Salinity

Objectives

O1. Minimise disturbance to natural hydrological systems as a result of development.

O2. Provide for appropriate management where urban development may affect the process of salinisation.

O3. Provide for appropriate management where the land is affected by groundwater salinity.

O4. Prevent damage to buildings and infrastructure caused by salinity.

Controls

C1. Consent must not be granted for development to which this clause applies unless the consent authority has considered:

- the impact of the proposed development on local and regional salinity processes; and
- the impact of salinity on the proposed development. In particular, that appropriate measures have been carried out to the Engineer's satisfaction, including:
  - use of saline-resistant building materials;
  - treatment of outer walls below ground; and
  - drainage deviation.

3.3.20 Servicing

Objectives

O1. Minimise the impact of services on the public domain.

O2. Ensure efficient storage and collection of waste and quality design of facilities.

Controls

C1. Provide each dwelling with a secure external clothes drying area with access to sunlight and breezes, screened from the public domain.

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C2. Locate adequate rubbish and recycling areas where they are convenient and accessible:

- adjacent to access lanes or 'little streets' where they exist;
- not forward of the prevalent built edge to the street; and
- screened from the public domain

C3. Provision shall be made within all development for the convenient movement of bins to streets for collection.

C4. In addition to garages, the adequate storage of bulky goods in multi-unit housing is required at a rate of:

- 7.5 cubic metres for a studio/one bedroom unit;
- 10 cubic metres for a two bedroom unit; and
- 12.5 cubic metres for units with three or more bedrooms.

C5. Antennae, satellite dishes, water tanks, service metres and solar heating should be sited to minimise their impact on the public domain.

3.3.21 Telecommunications

Objectives

O1. Ensure the capacity for advanced telecommunications systems within Pemulwuy.

Controls

C1. Demonstrate the provision of telecommunication infrastructure:

- to all dwellings, community buildings and commercial premises;
- that has the capacity to support multiple telecommunication services; high speed internet (including broadband), voice and data systems;
- that can be duplicated and upgraded in a cost effective and timely manner; and
- that is located underground.

3.3.22 Dwelling Types – Summary

An abbreviated form of the essential differences between Types A, B, C, D and M, compared between Pemulwuy North and Pemulwuy South is shown in the following table:

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Table 1b: Dwelling types

	Pemulwuy North	Pemulwuy South
Side setbacks Type D South *Aged Housing *Apartments *Townhouses *Residential Flat Buildings (RFB's)	Type A detached dwelling = 0.9m to both. Type B dual occ. Only = 0.9 + 0m. Type C townhouse/rowhouse = 0m to both. Type D RFB/Mansion House Apartment = 3m*	Type A detached dwelling + courtyard = 0.9m to both. Type B dual occ. Only = 0.9 + 0m. Type C low density townhouse/rowhouse - 0m to both. Type D Apartment/RFB/Aged + higher density townhouses = 3m* Type M Mixed use development (Residential) = 3m* *Type M = Aged housing; Apartments integrated with Retail / commercial or Community Facilities; RFB's.
Lot size	Type A = 400 - 600m² Type B = 300 - 500m² Type C = 200 - 300m² Type D = 100 - 250m² Type D Mansion House Apartment = 80-150m² (total lot 1350m²)	Type A = 300 - 600m² Type B = 250 - 400m² Type C = 200 - 300m² Type D = 100 - 250m² Type M Mixed Use (Res) = 100 - 250m²
Frontage	Type A = 15 - 20m Type B = 10 - 14m Type C = 6 - 9m Type D Mansion House Apartment = 30m	Type A = 9 - 16m Type B = 6 - 12m Type C = 6 - 9m
Min. "Landscaped soft area" (Soft/pervious) as % of site area	Type A = 30% Type B = 30% Type C = 30% Type D Mansion House Apartment = 20%	Type A = 20% Type B = 20% Type C = 20% Types D/M = 20%
Front Setbacks	3-4.5m (depending on the vicinity of riparian public open space)	3m
Rear setbacks	1 storey = 6m 2 storey = 8m If rear garage (as below) = 3m from garage to dwelling	North-South lots: Lot depth max. 35m = 6m Lot depth >35m = 8m East-West lots: Little streets access = 3m from garage to dwelling Other streets = 4.5m

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3.4 Subprecinct Controls – Pemulwuy North

The following controls apply specifically to the Pemulwuy precinct predominantly to the north of Butu Wargun as identified in Figure 1.

3.4.1 Height Limits

Objectives

O1. Achieve building heights and forms that respect the streetscape and heritage values of Prospect Hill, and that assist in establishing an attractive streetscape.

Controls

Note: The maximum height for a dwelling house (in metres) is detailed within Cumberland Local Environmental Plan 20XX, as a written statement and associated maps.

C1. Height limits (expressed as storeys) are stipulated on Figure 52 and should be read in conjunction with the Height of Building map associated with *Cumberland Local Environmental Plan 20XX*.

C2. External wall height controls relate to site falls of up to 1 in 8. For sites steeper than 1 in 8 relaxation of these controls may be permissible. See Fencing in Section 3.3.15.

C3. The building elevation facing the street is to be a minimum of two storeys unless designated as a 'single storey permitted development'.

Single storey zone

C4. Buildings are limited to single storey height, with a maximum external wall height of 4m, with roof terraces or attic rooms permitted;

C5. Maximum building height is to be 6m.

Part one/two storey zone

For part one/two storey sites adjacent to Prospect Hill:

C6. The maximum external wall height is 4m at the front and 6.5m at the rear;

C7. The maximum building height is 9m and is not to exceed RL 79.

C8. Maximum building height may be permitted only where it can be demonstrated that the views into and within the site relating to the height, bulk, and scale of the dwelling are not compromised.

Two storey zone

C9. Two storey height limit, with a maximum external wall height of 6.5m.

C10. Maximum building height is to be 9m.

C11. On sites with slopes greater than 1:8, maximum external wall height may be increased to 7.5m and building height to 10m dependant on scale, bulk, privacy and overshadowing issues.

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Three storey zone

C12. Three storey height limit, with a maximum external wall height of 10m.

C13. Maximum building height is to be 12.5m.

C14. Three storey development is a minimum and maximum for the zone fronting the east/west link road adjacent to the village centre.

Note: The minimum floor to ceiling height of a dwelling is controlled by Part B of this DCP.

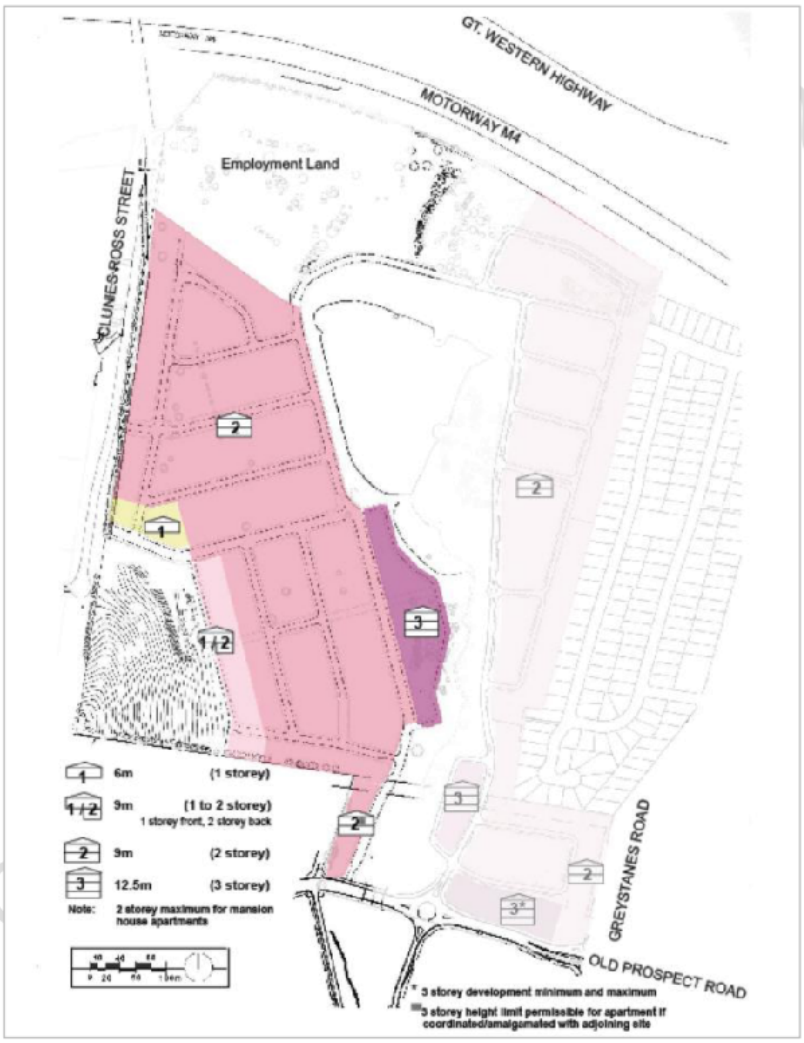

Figure 52: Building height - Pemulwuy North

3.4.2 Setbacks

Objectives

O1. Provide setbacks to reinforce the vegetated character of the public domain with front gardens.

O2. Establish continuous gardens in deep soil planting in the centre of blocks to increase the amenity of private blocks.

O3. Ensure no loss of amenity for neighbours.

Controls

C1. Provide 3m - 4.5m front setbacks to dwellings as specified in Figure 39 (Private Open Space).

C2. Provide a minimum 5.5m setback to garages from the front street boundary.

C3. Front porches or verandas are allowed to encroach within one third of the front setback area in which instance the porch or verandah must be unroofed.

C4. Rear setback to be 6m to single storey elements and 8m to 2 storey elements.

C5. Rear garages can be built to rear boundary alignment where accessed through shared vehicular access. Any studios over garages are not to overlook or overshadow adjacent dwellings or private open space.

C6. Provide a minimum side setback of 0.9m both sides for detached dwellings and 0.9m minimum for duplex and courtyard houses with a zero lot line permitted one side. No side setbacks required for townhouses/row houses.

C7. Apartment Buildings (Type D housing): Side setbacks provide for minimum separation distances in accordance with Section 3.3.9 (Visual and Acoustic Privacy), with a minimum of 3m.

C8. Side setback to secondary street frontage shall be 1.5m minimum.



Figure 53: Habitable room setback from employment lands

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3.4.3 Development Adjacent to Other Precincts

Development adjacent to employment lands

Objectives

O1. Ensure suitable residential amenity for dwellings adjacent to Employment Land (as shown in Figure 80).

O2. Minimise the impact of noise from the proposed former CSIRO Employment Land on the proposed residential areas.

Controls

C1. Habitable rooms/buildings are not permitted within 10m of the rear boundary (refer to Figure 53). Improved glazing is required on windows facing the Employment Land.

C2. Setbacks and landscaping buffer within the Employment Lands must also protect residential amenity.

Employment land uses

C3. Noise attenuation to the adjoining residential lands is to be achieved by the appropriate siting of employment buildings to the north (refer to 'Noise Impact Assessment' – Richard Heggie and Associates).

C4. If required, additional acoustic treatment is to extend along the northern boundary between Clunies Ross Street and the Employment Land buildings, the nature of which is to be determined at Development Application stage based on the advice of an appropriately qualified acoustic consultant.

Noise monitoring

C5. Compliance noise monitoring shall be conducted by Stockland to demonstrate compliance with established noise goals for both traffic and industrial noise. Internal and external noise monitoring shall be conducted by Stockland Corporation Ltd on site to establish that the implemented noise controls will result in an acceptable acoustic amenity in noise affected areas.

Traffic noise

C6. The installation of a noise logger on site for a period of a least 1 week is required where a noise barrier is adopted to achieve established noise criteria.

Industrial noise

C7. Ensure that the noise from employment related uses does not exceed stated criteria in Section 3.10 - Environmental Management entitled Industrial Noise Criteria for Residences adjoining Clunies Ross Street when measured at the residential receiver.

C8. Operator attended measurements, supplemented by noise logging where appropriate, on site for a period of a least one week is required where a noise barrier is adopted to achieve established noise criteria.

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Interface to existing residential to east

Objective

O3. Create new dwellings that do not create undue amenity impacts to the rear of existing dwellings in terms of overshadowing, overlooking, visual impacts or density/bulk of development.

Controls

C9. Provide a minimum rear garden zone setback of 6m between the eastern site boundary and the single storey rear elements.

C10. Provide a minimum rear setback of 8m between the eastern boundary and the two storey elements.

C11. Ensure that new development does not cause undue loss of visual privacy or undue overshadowing to rear of existing gardens and dwellings.

C12. New dwellings to moderate building bulk with generally single storey rear elements.

C13. Orientate windows of upper levels northwards rather than eastwards on rear elements where possible.

3.5 Subprecinct Controls - Pemulwuy South

The following controls apply specifically to the Pemulwuy precinct predominantly to the south of Butu Wargun as identified in Figure 2.

3.5.1 Height Limits

Objectives

O1. Achieve building heights and forms that respect the streetscape and heritage values of Prospect Hill, and that assist in establishing an attractive streetscape.

O2. Site and design development proposals that are in proximity to the Prospect Hill State Heritage Registered Area to ensure that views to and from the Prospect Hill ridgeline are maintained.

Controls

Note:

- *The maximum height for a dwelling house (in metres) is detailed within Cumberland Local Environmental Plan 20XX, as a written statement and associated maps.*
- *The minimum floor to ceiling height of a dwelling is controlled by Part B of this DCP.*
- *Cumberland Local Environmental Plan 20XX applies to views to and from Prospect Hill.*

C1. Height limits (expressed as storeys) are stipulated on Figure 55 and should be read in conjunction with the Height of Building map associated with *Cumberland Local Environmental Plan 20XX*.

C2. External wall height controls relate to site falls of up to 1 in 8. For sites steeper than 1 in 8, relaxation of these controls may be permissible. Refer to Figure 55.

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Two storey zone

C3. Two storey development is permissible within this zone.

C4. Maximum external wall height is to be 6.5m.

C5. Maximum building height is to be 9m.

C6. Where basement parking is proposed, on sites with slopes greater than 1:8, maximum external wall height can be increased to 7.5m and building height to 10m.

Two storey little street zone

C7. Two storey development is permissible within this zone.

C8. Maximum external wall height is to be 6.5m; and

C9. Maximum building height is to be 9m.

Two storey roof zone

C10. Two storey development with attic rooms or roof terraces permissible within this zone.

C11. Maximum external wall height is to be 7.5m.

C12. Maximum building height is 10m.

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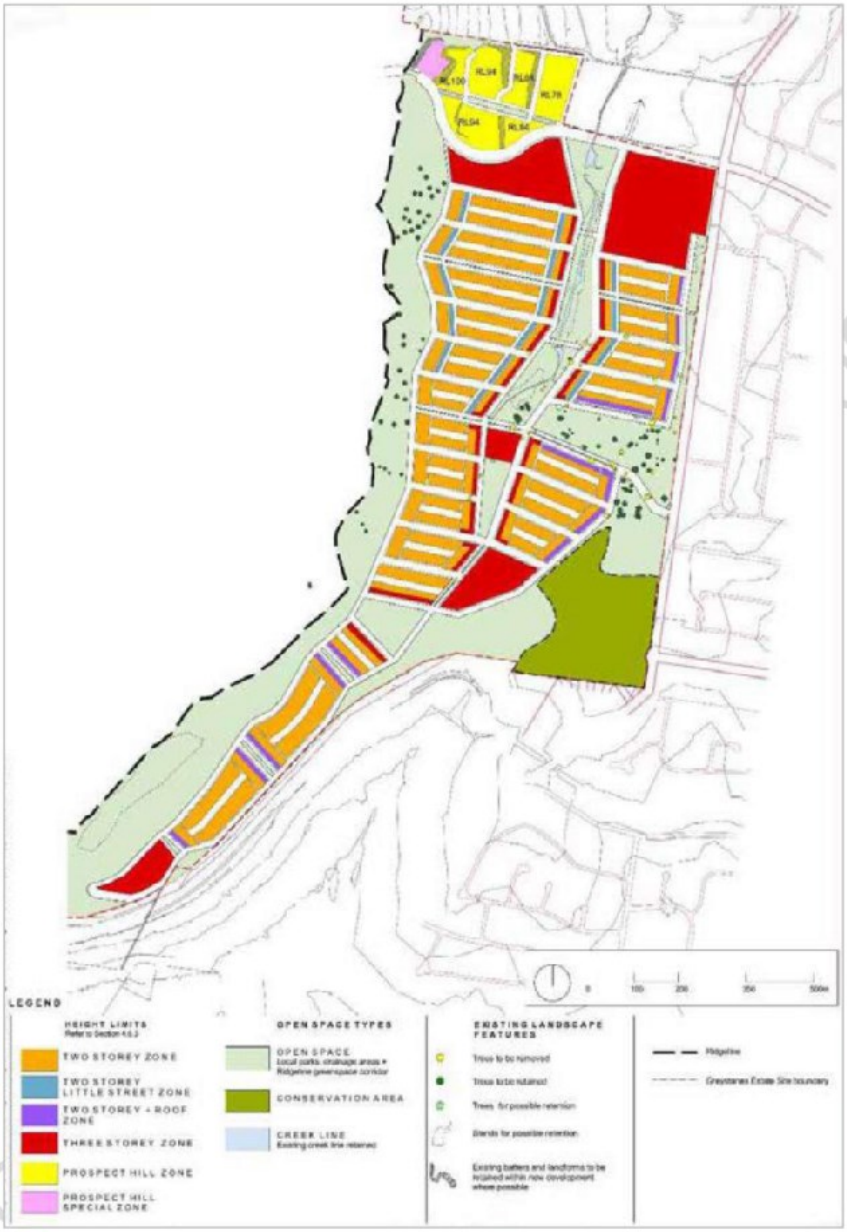


Figure 54: Height control strategy - Pemulwuy South

Three storey zone

C13. Three storey development permissible within this zone.

C14. Maximum external wall height is to be 10m.

C15. Maximum building height is to be 12.5m.

Prospect Hill development area

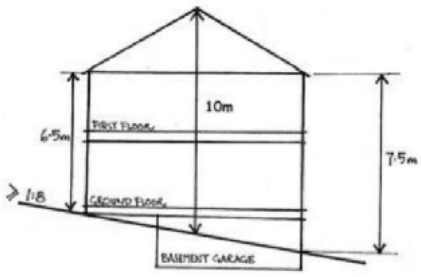
C16. Maximum building height is not to exceed the RLs stipulated in Figure 56.

C17. Three storey development is permissible in this zone, where achievable.

C18. The maximum external wall height is to be 10m.

Prospect Hill special area

C19. Maximum height of development to be determined in consultation with the Heritage Office.



Height Limits on Slopes ≥ 1:8
- Side sloping Lots
-Basement garages
Source: Greystanes Estate

Figure 55: Height limits on slopes>1:8

3.5.2 Setbacks

Objectives

O1. Provide setbacks to reinforce the vegetated character of the public domain with front gardens.

O2. Establish continuous gardens in deep soil planting in the centre of blocks to increase the amenity of private blocks.

O3. Ensure no loss of amenity for neighbours.

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Controls

C1. Provide a minimum 3m front setback to dwellings.

C2. Provide a minimum 5.5m setback to garages from the street frontages.

C3. Provide the following rear landscaped setbacks to north-south lots:

- up to 35m depth requires a minimum of 6m from rear boundary; and
- greater than 35m depth requires a minimum of 8m from the rear boundary.

C4. Provide the following rear setbacks to east-west lots:

- lots accessible from little streets require a minimum of 3m from rear of garage zone; and
- lots accessible from public streets require a minimum of 4.5m from the rear boundary.

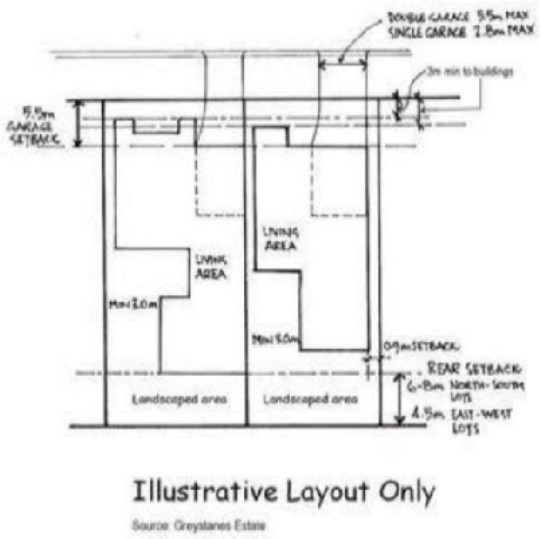

Figure 56: Type A detached dwelling - Pemulwuy south - setbacks layout

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3.6 Transport Plan

Principles for a Transport Plan:

Objectives

O1. Address transport targets.

O2. Establish guiding principles for design and layout of the site consistent with increasing the mode split towards public transport and non-private vehicle usage and minimise vehicle kilometres travelled (VKTs).

O3. Provide for all modes of transport which are integrated into the surrounding network of each mode.

O4. Identify a range of transport infrastructure which addresses site requirements including the staging and funding proposals.

O5. To identify pedestrian links to the Transitway and bus route networks.

Controls

C1. Reduce the mode split of 'car as driver' for the journey to work by at least 10% (e.g. from 75% to 65%) compared to the existing surrounding area.

C2. Reduce the total VKT (vehicle kilometres travelled) to be generated by the proposed development by at least 5% below that which would be generated by a 'conventional' approach to development.

3.6.1 Regional Requirements

Objectives

O1. Provide regional transport infrastructure which will achieve the transport targets established by *SEPP (Western Sydney Employment Area) 2009*.

O2. Develop transport infrastructure that will service the needs of the site and integrate into an improved regional transport network.

O3. Provide infrastructure which recognises the need to integrate all modes of transport including public transport, private vehicle transport, walking and cycling.

O4. Develop measures to mitigate potential transport impacts generated by the development of Pemulwuy on surrounding areas.

Controls

C1. Provide regional (and local) transport infrastructure improvements that are consistent with:

- The Deeds of Agreement between Stockland and the Roads and Maritime Services;
- The Deeds of Agreement between Boral Resources (NSW) Pty Ltd and the Roads and Maritime Services; and
- Council's relevant Local Infrastructure Contributions Plan.

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3.6.2 Transport Design Guidelines – Land Use Location

Objectives

O1. Generate efficient travel patterns across the site to reduce VKTs.

O2. Maximise the use and support the viability of public transport services.

O3. Avoid potential conflicts between various land uses.

O4. Site and design land uses to accommodate mobility impaired persons.

Controls

C1. Provide appropriate and conveniently located services (such as shops) and open space as shown on the Figures 58 and 59 to reduce trip length and to encourage use of pedestrian/ cycleway networks.

C2. Ensure that land uses are well integrated with public transport stops, nodes and interchanges so as to provide safe, attractive and inviting environments.

C3. Separate residential and employment precincts to avoid potential road function conflicts and unnecessary through traffic.

C4. Locate higher density development in close proximity to transport nodes.

C5. Locate the village centre as shown on the concept plan to avoid unnecessary traffic infiltration in residential streets. The layout strategy is shown in Figure 59.

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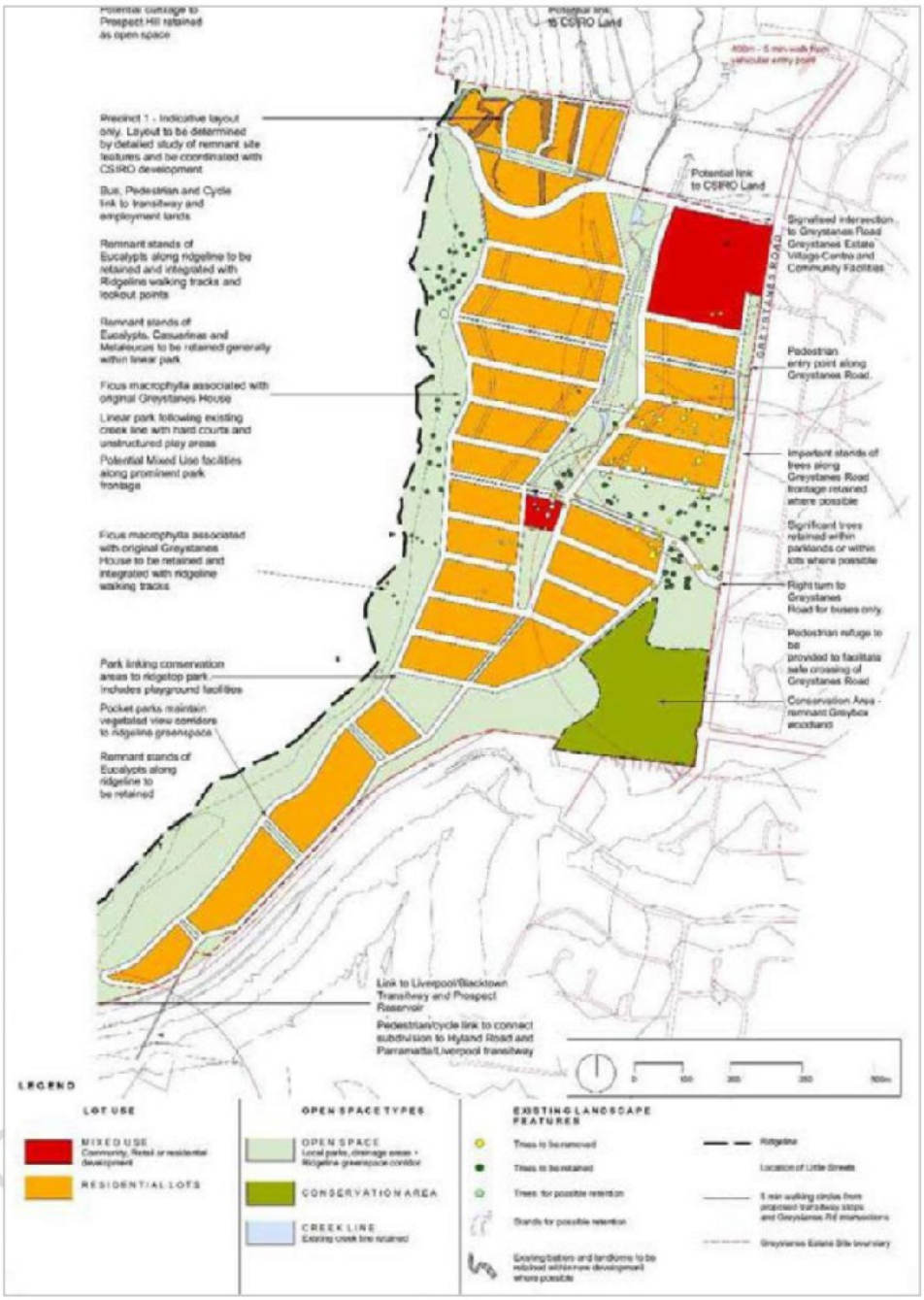

Figure 57: Urban Design Strategy - Pemulwuy South

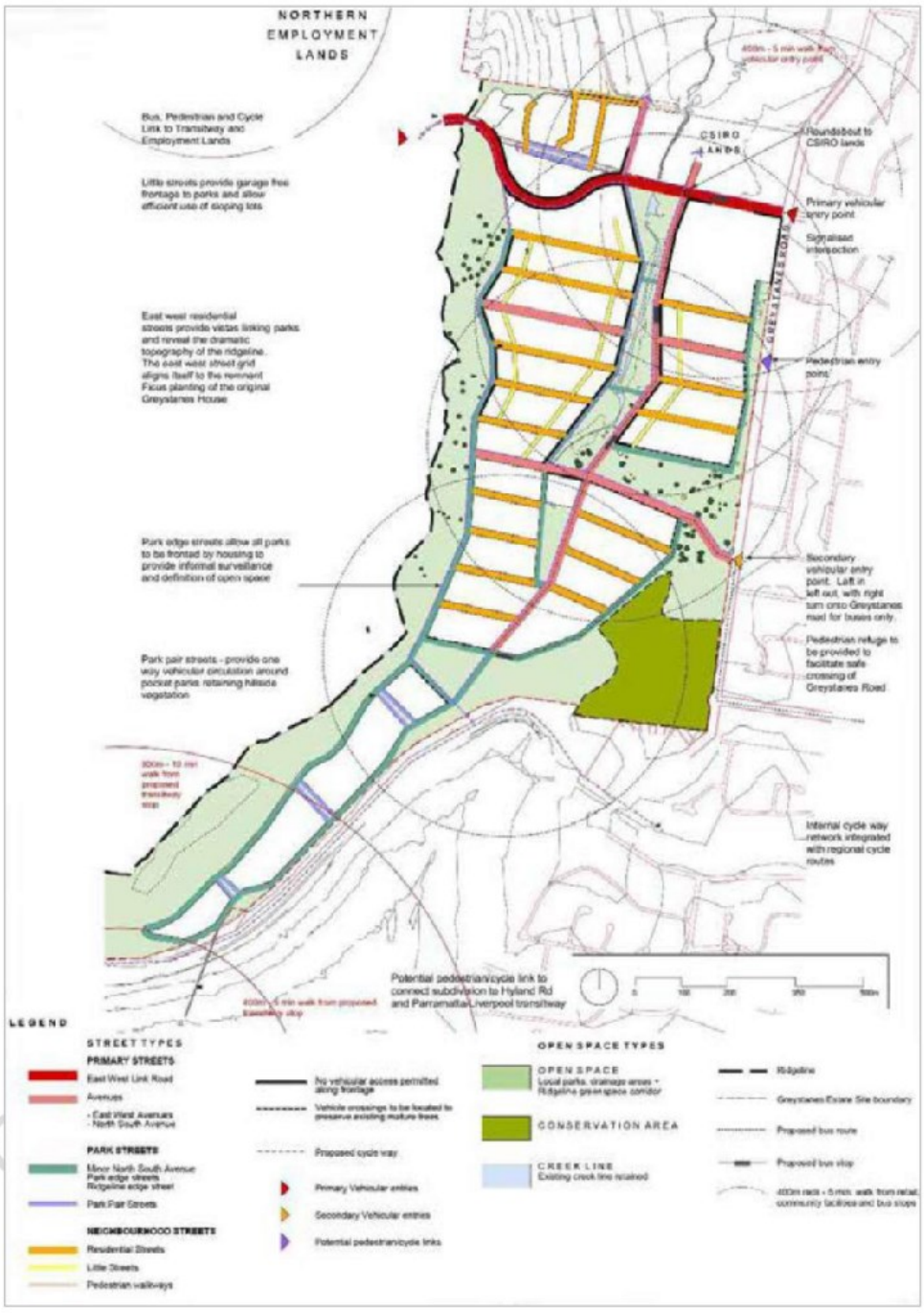

Figure 58: Road hierarchy layout - Pemulwuy South

3.6.3 Access to Pemulwuy

Objectives

O1. Ensure safe access to Pemulwuy.

O2. Provide access through Pemulwuy by improving the regional road network, including accessing Pemulwuy from Clunies Ross Street, linking through to Butu Wargun Drive.

O3. Design and construct roads in order to control the speed and noise of the anticipated traffic volume and contribute to safety.

O4. Ensure that walking and cycling are encouraged and not impeded by road design.

Controls

C1. Ensure that intersections into Pemulwuy are designed with sound traffic planning principles and relevant guidelines including, but not limited to:

- *RMS - Road Design Guide*;
- *AUSTROADS – Guide to Traffic Engineering Practice.*

C2. Locate vehicular access and linkages to Pemulwuy as shown on:

- Figure 60 (Street Types - Pemulwuy North); and
- Figure 59 (Road Hierarchy Layout - Pemulwuy South).

C3. Cowra Street is to provide for pedestrian and cyclist access only from Pemulwuy. Future subdivision layout is to maintain the opportunity for a vehicular link to Cowra Street.

C4. Consider construction of a northern connection from Butu Wargun Drive to Clunies Ross Street.

C5. Provide cycleway and footpath networks consistent with Section 3.6.9 Pedestrian and Cycle Routes.

3.6.4 Public Road Design

Objectives

O1. Create a clearly defined road hierarchy based on use, function, amenity and geometric design requirements.

O2. Maximise the efficiency of the Pemulwuy road network to reduce trip lengths and enhance the viability of public transport.

O3. Allow efficient movement through Pemulwuy for regional traffic while discouraging such traffic into the residential areas.

O4. Provide a safe road network for all modes using the roads including private and public transport, cyclists, pedestrians and mobility impaired persons.

O5. Design streets that enhance the physical and visual connectivity of neighbourhoods.

Controls

C1. The internal road network layout should be sufficiently permeable for convenient pedestrian and local vehicle movement. However, it should also be sufficiently constrained to discourage non-essential traffic from entering the residential precincts.

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C2. Detailed design of the road network (e.g. intersection layout, pavement materials) should be consistent with the traffic engineering principles of the *RMS - Road Design Guidelines* or *AUSTROADS Guide to Traffic Engineering Practice*. See Figure 59 (Pemulwuy North) and Figure 58 (Pemulwuy South) for an indicative road layout.

C3. The design of roads should seek to minimise the traffic noise impact on adjacent properties particularly at approaches to residential areas.

C4. Street reservations shall be used to accommodate landscaping, run-off treatment and infrastructure such as integrated underground services reticulation.

C5. The design of roads and bridges should seek to accommodate, whenever possible, the continuity of vegetation corridors and habitat to promote fauna movements.

C6. Road design principles are summarised in C7 which address the functional needs of traffic, pedestrians and cyclists. Figures 60 to Figure 65 shows street sections. These requirements do not apply to private access ways.

C7. The design of the roads should minimise the amount of cut and fill and to minimise impacts on salinity.

C8. Traffic flow is to be controlled in residential areas to 50 km/h and below (whilst maintaining the ability for street sweeping) through implementation of the following measures:

- low profile, landscaped roundabouts at major residential intersections;
- on-street parking used as an anticipated hazard through the action of parking cars;
- eliminating opportunities for vehicles to cross directly over intersections by staggering junctions, particularly local streets;
- overall street lengths are kept to a minimum to reduce potential for acceleration;
- median strips enclosing roadway carriageway restricting traffic to a single width eliminating overtaking and reducing overall speed;
- defined bus routes along the collector roads will control the flow of traffic by creating temporary traffic obstacles and slowing traffic, meaning bus bays within residential precincts to be used only when absolutely necessary;
- planting in median; and
- planting in parking lanes.

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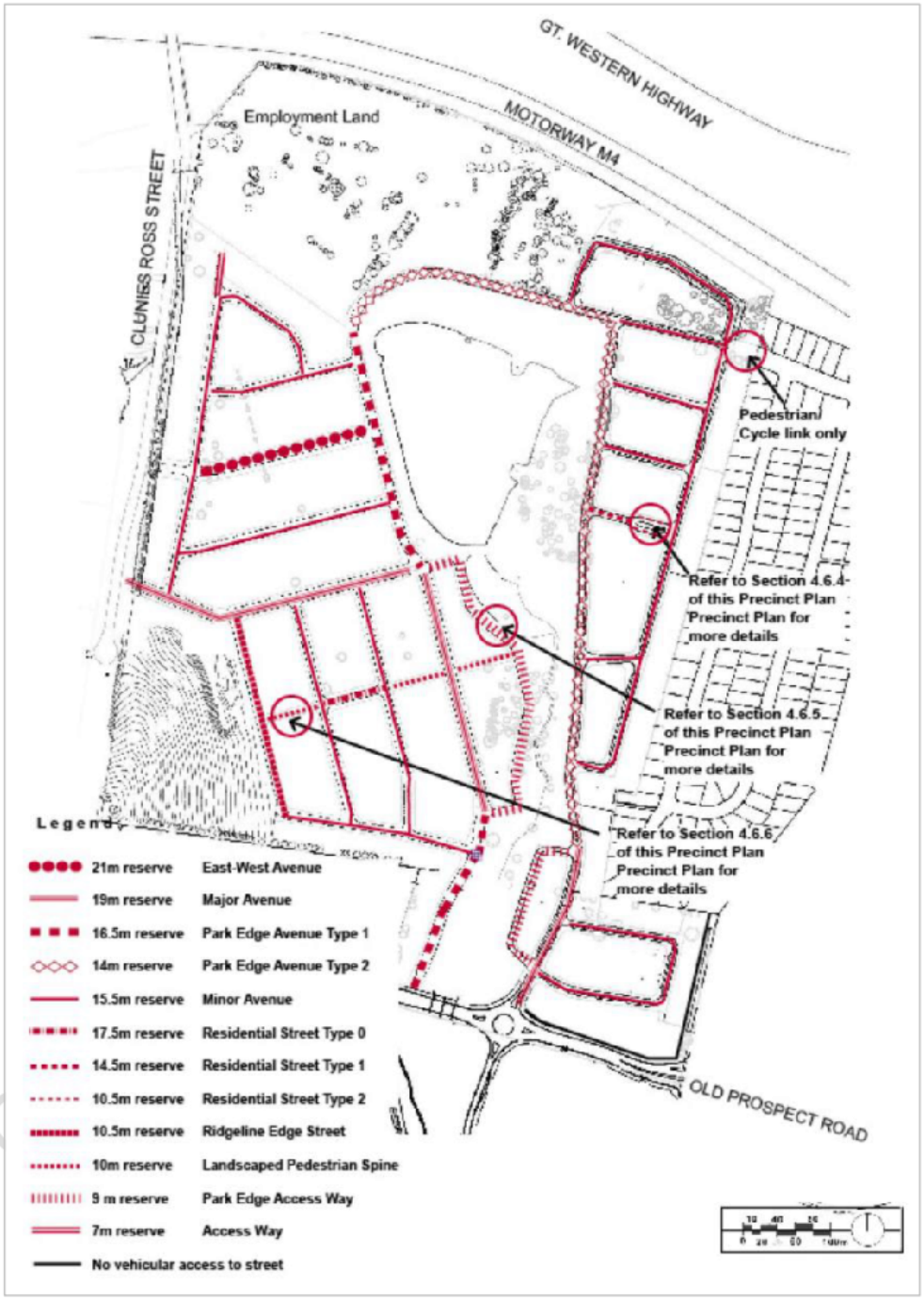

Figure 59: Street types - Pemulwuy north

3.6.5 Public Road Designs – Pemulwuy North

Controls

East-West avenues (Figure 58)

- indicative traffic volume – 3000– 7000 vehicles per day;
- 21m road reserve;
- 14m carriageway width;
- one through traffic lane of 3.5m, provided in each direction;
- parking provision in carriageway or indented between street trees on both sides; and
- 1.5m footpath width on one side, 2.9m footpath/cycleway on other.

Major avenue

- indicative traffic volume – 3,000 – 7,000 vehicles per day;
- 19m road reserve;
- 12m carriageway width;
- one through traffic lane of 3.5m, provided in each direction;
- parking provision in carriageway indented between street trees on both sides; and
- 1.5m footpath on each side.

Park edge avenues type 1

- indicative traffic volume – 300 – 3,000 vehicles per day;
- 16.5m road reserve;
- 12m carriageway width;
- one through lane of 3.5m, provided in either direction;
- parking provision in carriageway indented between street trees on both sides; and
- 1.5m minimum footpath width on residential side. Cycleway/footpath in reserve.

Park edge avenues type 2 (Figure 59)

- indicative traffic volume – 300 – 3,000 vehicles per day;
- 14m road reserve;
- 9.5m carriageway width;
- one through lane of 3.5m, provided in either direction;
- parallel parking provision in carriageway indented between trees on residential side; and
- 1.5m minimum footpath width on residential side. Cycleway/footpath in reserve.

Minor avenues

- indicative traffic volume – 300 – 3,000 vehicles per day;
- 15.5m road reserve;
- 8.5m carriageway width;
- parallel parking provision in carriageway indented between trees on one side; and
- 1.2m minimum footpath width on both sides.

Residential street type 0

- indicative traffic volume – 50 – 300 vehicles per day;
- 17.5m road reserve;
- 7.5m carriageway width; and
- 1.2m minimum footpath width on both sides.

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Residential street type 1

- indicative traffic volume – 50 – 300 vehicles per day;
- 14.5m road reserve;
- 7.5m carriageway width; and
- 1.2m minimum footpath width on both sides.
- Residential Street Type 2 (Figure 62)
- indicative traffic volume – 50 – 300 vehicles per day;
- 10.5m road reserve;
- 5.5m carriageway width;
- one way access; and
- 1.2m minimum footpath width on both sides.

Ridgeline edge streets

- indicative traffic volume – up to 50 - 300 vehicles per day;
- 10.5m road reserve;
- 6m carriageway width;
- one way access;
- 1.2m footpath; and
- cyclists to share road with vehicles.

Park edge access way

- indicative traffic volume – up to 20 - 50 vehicles per day;
- 9m road reserve;
- 5.5m carriageway width;
- 1.2m footpath on residential side;
- one way access;
- one parking lane on residential side;
- 2.5 - 3m pedestrian/cyclist path in the park reserve on eastern side; and
- 1.2m footpath in the park reserve on western side.

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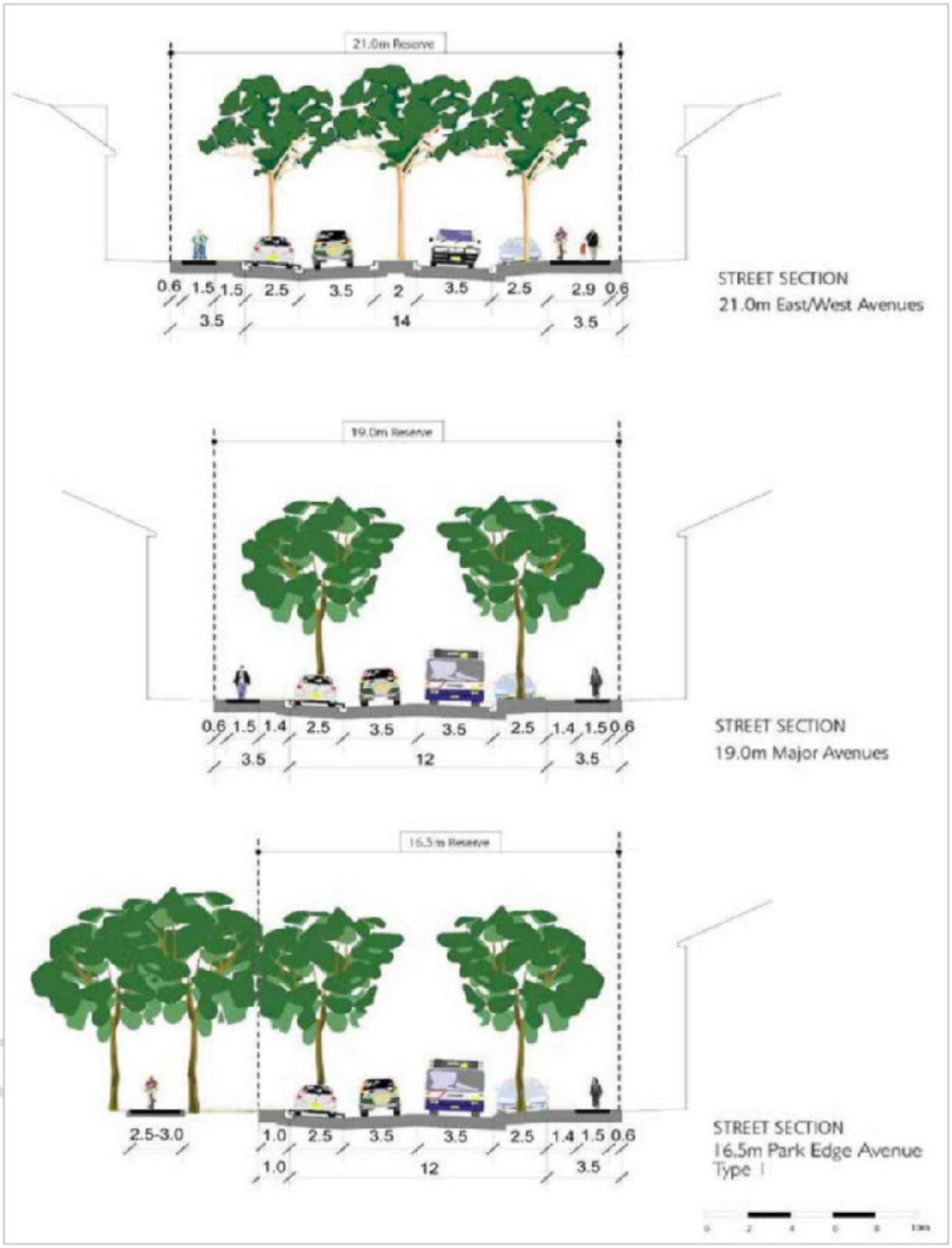

Figure 60: Street sections - Pemulwuy North

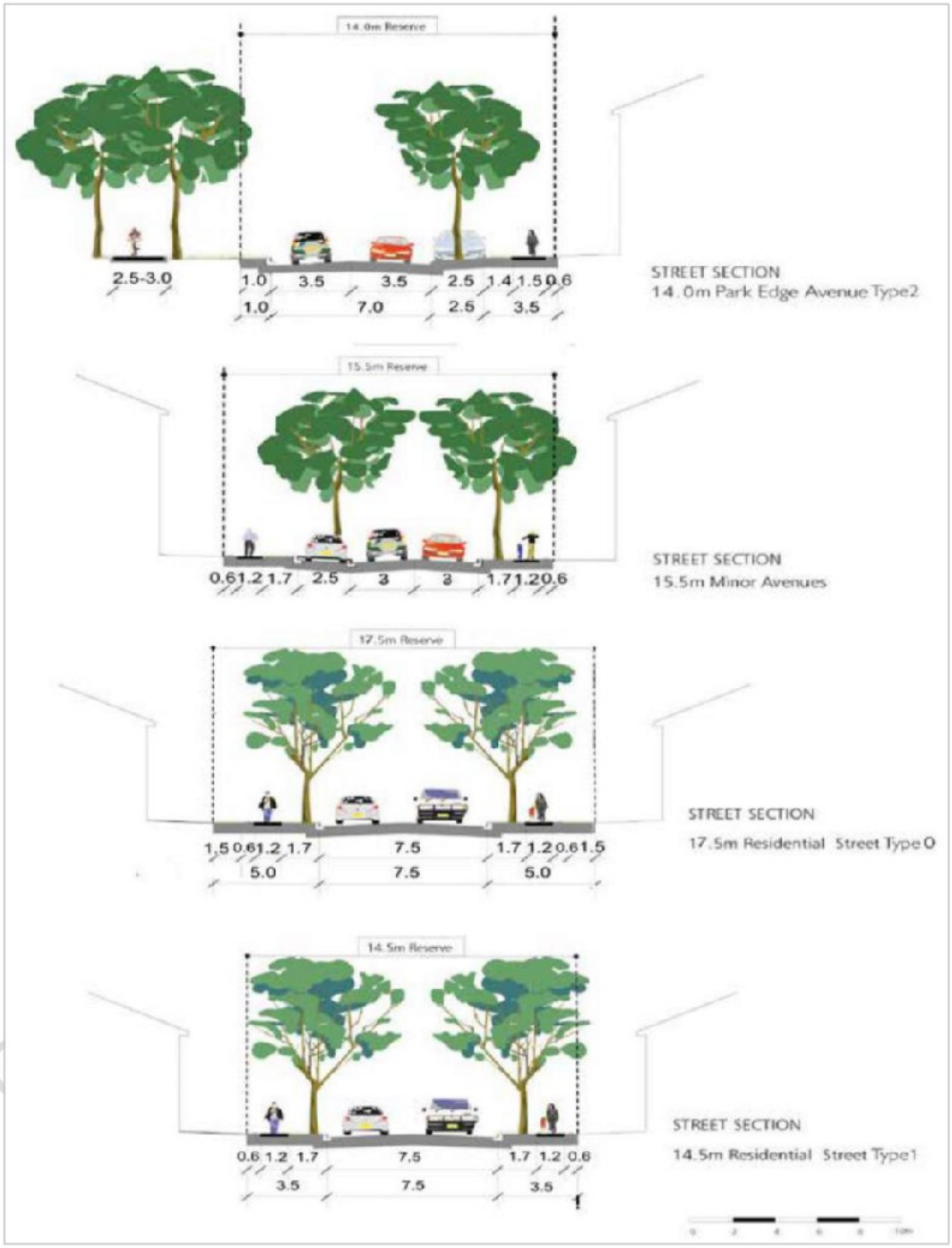

Figure 61: Street sections - Pemulwuy North

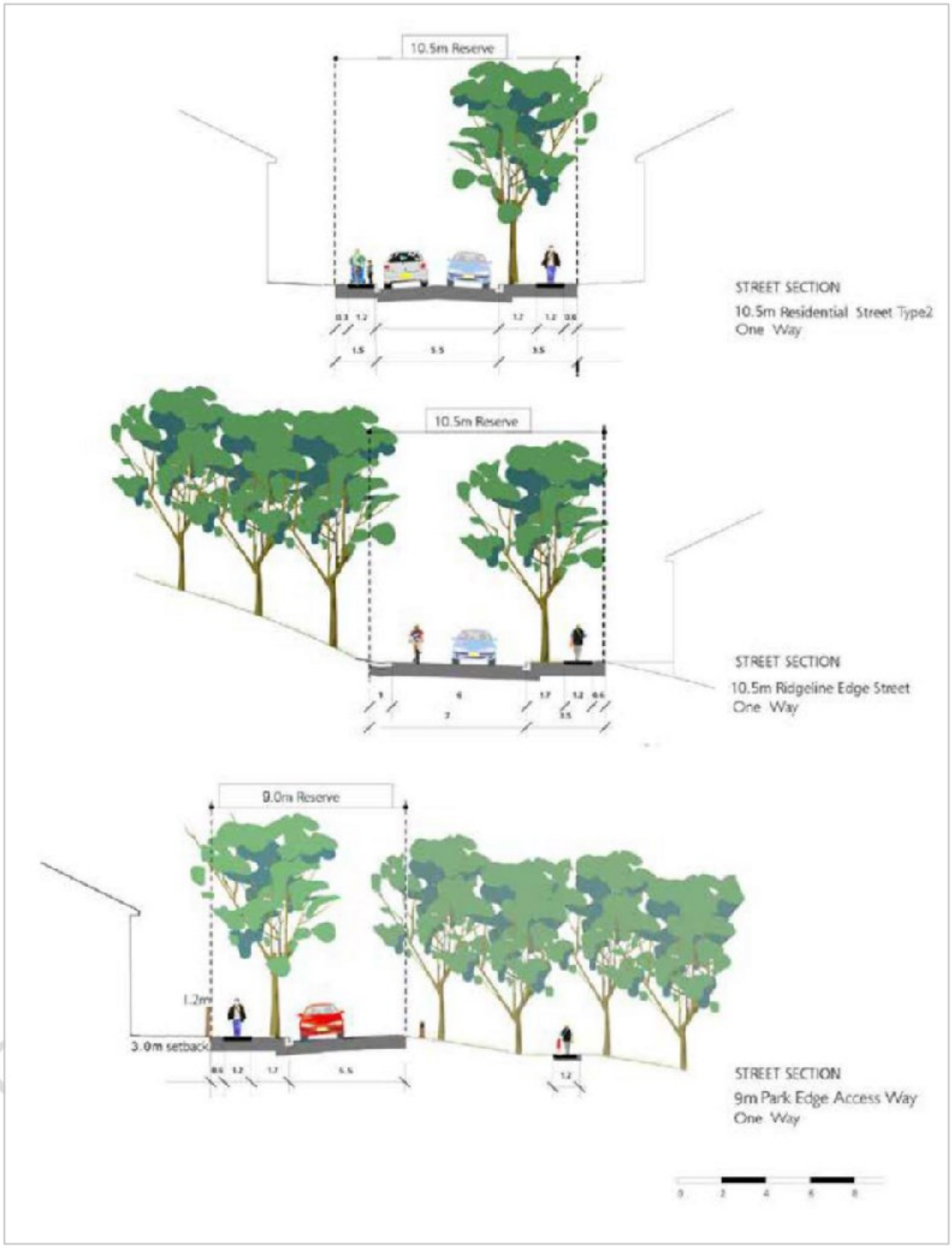

Figure 62: Street section - Pemulwuy North

3.6.6 Public Road Designs – Pemulwuy South

Controls

Distributor (East-West Link Road)

- indicative traffic volumes – 11,000 vehicles per day on completion and if open to all traffic;
- 24m road reserve;
- 2 lanes provided in each direction – (3.5m + 3.5m) x 2;
- potential to utilise clearway conditions during peak periods;
- no parking in carriageway from the intersection with Greystanes Road to the first roundabout.
- parking provision in carriageway during non-clearway periods (or indented) providing 2 through traffic lanes in each direction at peak times and one through lane in each direction at other times;
- 1.5m footpath width located on one side away from the kerb; and - designated 3m; and
- shared cycle/ pedestrian path provided.

Collector road (East-West and Major North-South Avenues)

- indicative traffic volume – 6,000 – 7,000 vehicles per day;
- 19 - 21m road reserve;
- one through traffic lane of 3.5m, provided in each direction;
- parking provision in carriageway or indented between street trees;
- 1.5m footpath width located both sides away from the kerb; and
- an additional 1.4m footpath for a cycle lane to be provided on the East- West Avenue.

Local streets (Minor North-South Avenues, Ridgeline Edge, Park Pair, Residential and Park Edge Streets)

- indicative traffic volume – 300 – 3,000 vehicles per day;
- 10 – 15.5m road reserve;
- 5.5 – 8.5m carriageway width;
- parallel parking provision in carriageway;
- Park Pair Streets one way access;
- 1.2m minimum footpath width on both sides excluding Ridgeline edge streets (one side only); and
- cyclists to share road with vehicles.

Local access street (Little Streets)

- indicative traffic volume – up to 300 vehicles per day;
- 10.5m road reserve;
- 5.5m carriageway width;
- one way access;
- no parking provision in carriageway;
- access to all sites;
- 1.2m footpath on both sides; and
- cyclists to share road with vehicles.

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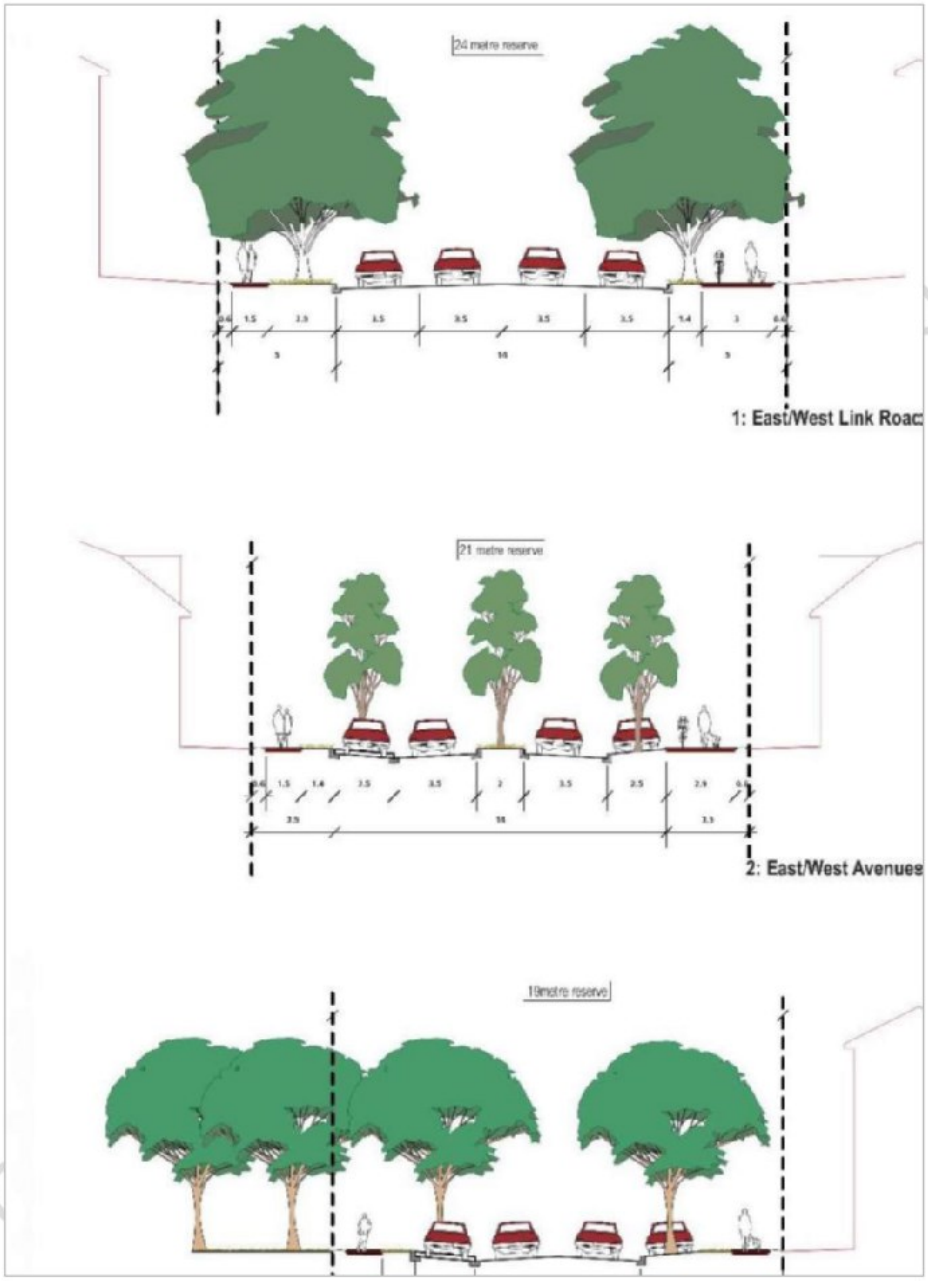

Figure 63: Distributor and collector roads - Pemulwuy South

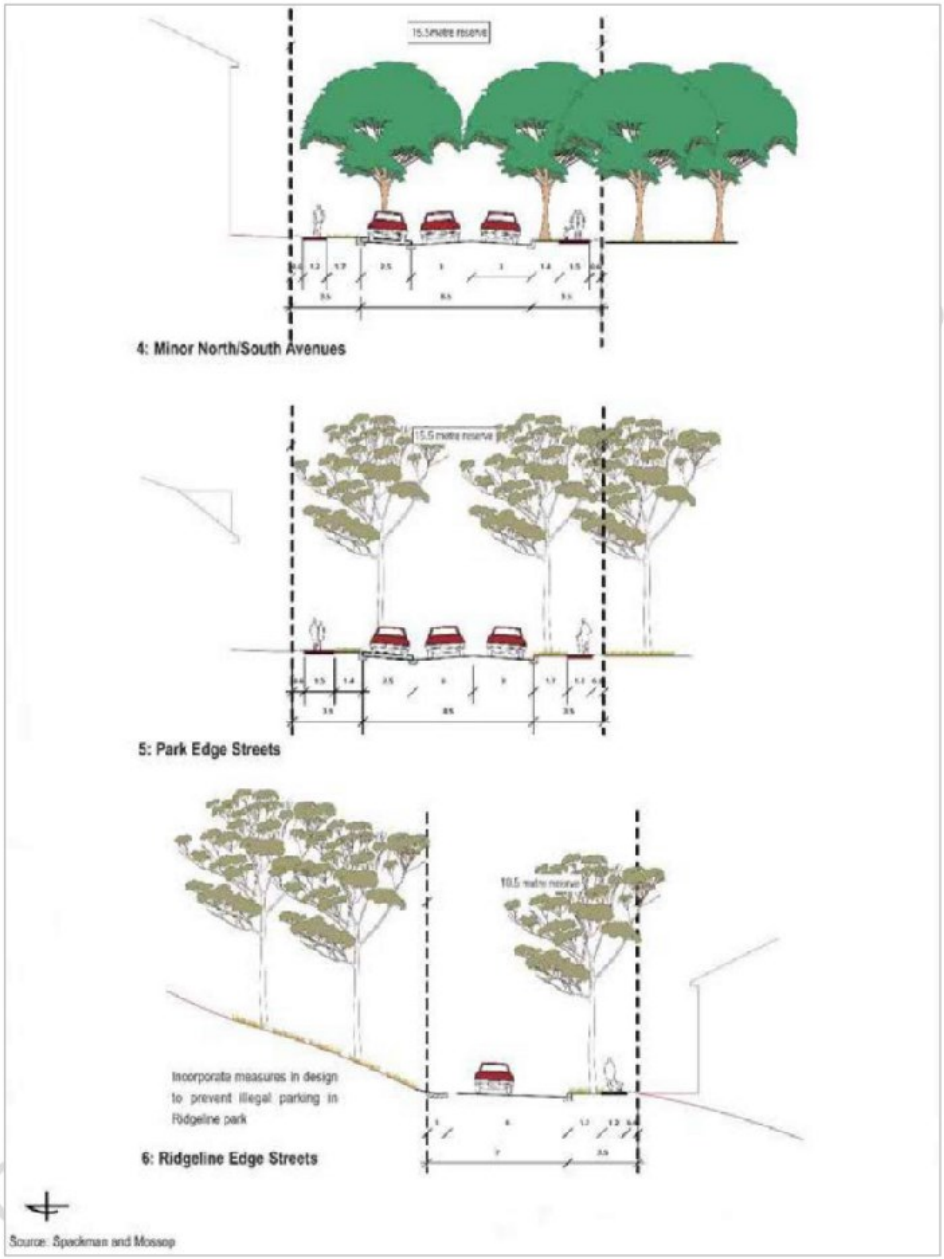

Figure 64: Minor north/south avenues - Pemulwuy South

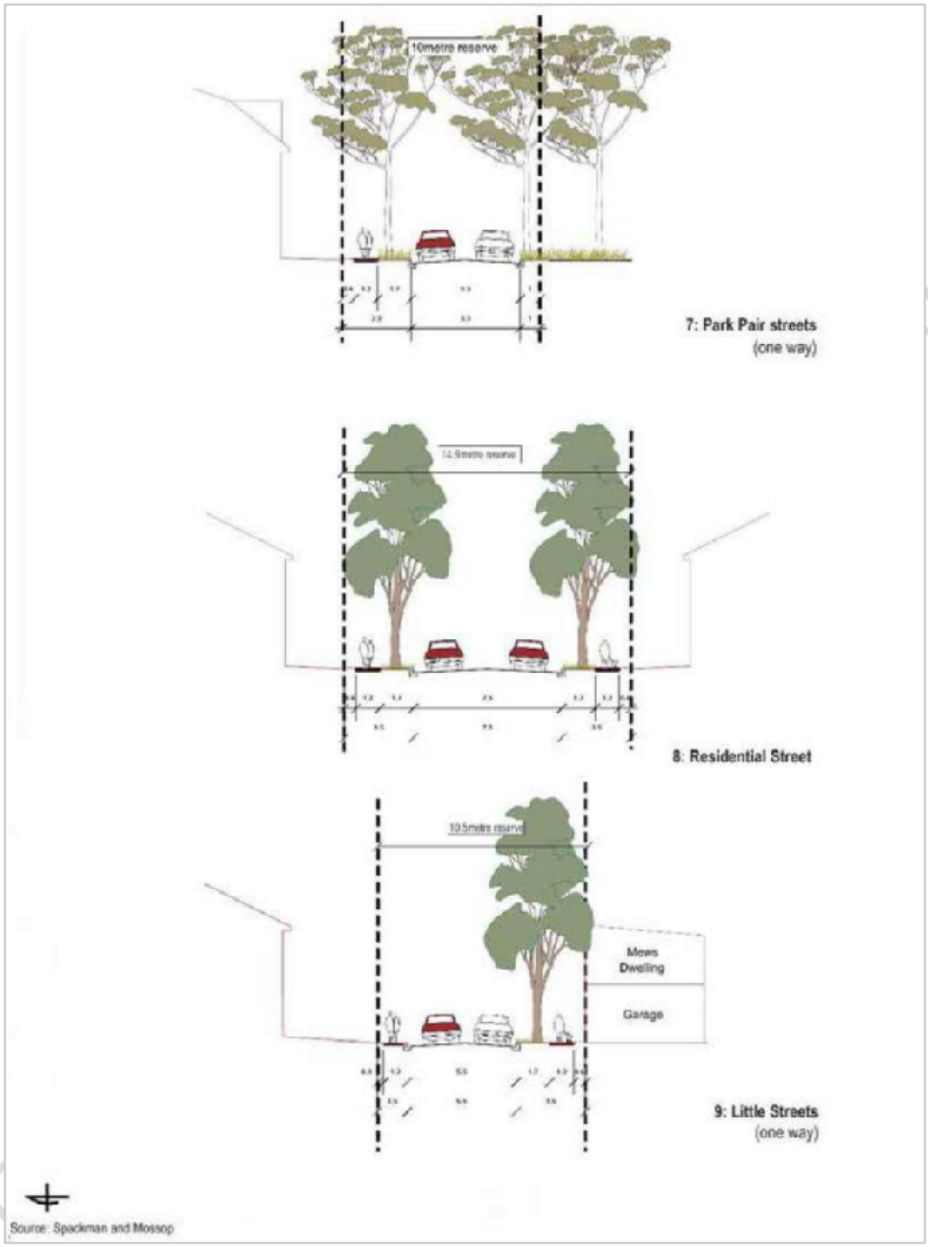

Figure 65: Park pair, residential and little streets - Pemulwuy South

3.6.7 Streets, Park Edges, Pedestrian Spines – Landscape Designs

Note: For Objectives for design of Street Landscape, Park Edges and Pedestrian Spines, refer to Section 3.6.6 above.

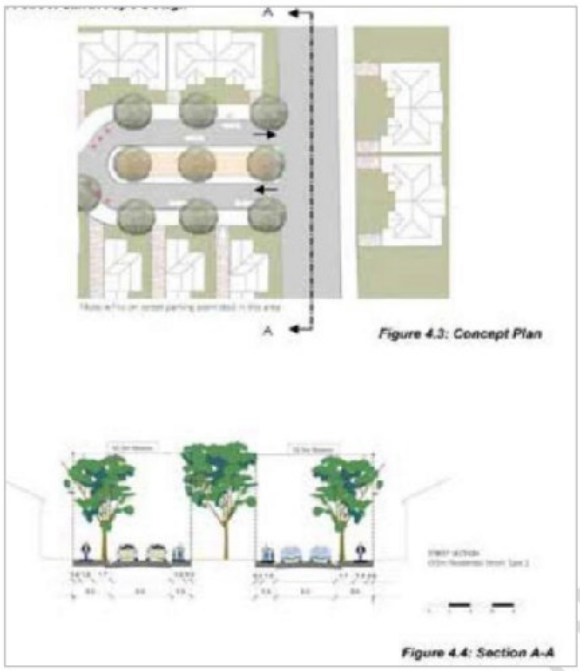

Figure 66: Streetscape design

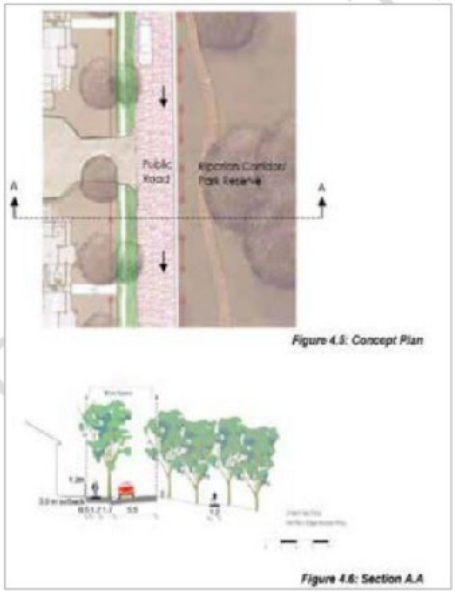

Figure 67: Park edge access ways

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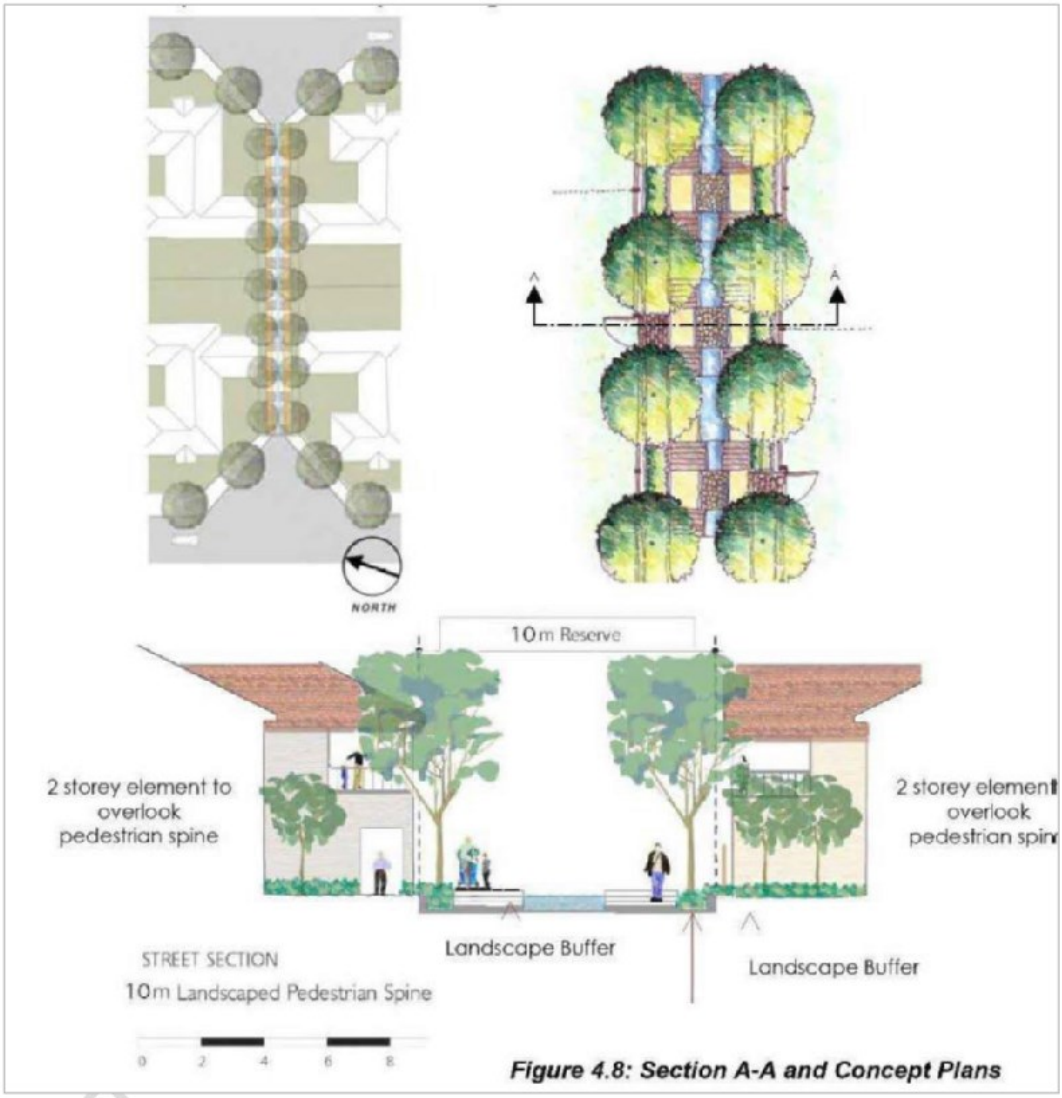

Figure 68: Landscaped pedestrian spine design

3.6.8 Public Transport

Objectives

O1. Achieve a minimum 10% increase in non-private vehicle mode splits for the journey to work compared to a "conventional development" approach.

O2. Provide a bus route through the site to link to local busways and the regional transport network.

O3. Ensure that public transport stops, nodes and interchanges are safe, attractive and inviting to maximise their use.

O4. Achieve reductions in VKT of at least 5% compared to 'conventional' residential development.

Controls

C1. Public transport access points are to be provided to maximise the proportion of residents who are located within 400m safe walk of a bus stop.

C2. Bus routes should create links to Blacktown, Merrylands Station, and any proposed transitways.

C3. Bus stops to be identified at 200m intervals with bus shelters to be provided at 400m intervals along designated bus routes.

C4. In developing the residential land, construct and dedicate roads.

Local Public Transport

C5. Provide appropriate facilities at bus stop locations to encourage increased use and safety. Such facilities may include bus lay-bys, speed controls to protect pedestrians, shelters and seating for waiting passengers, display of timetable information and street lighting for security.

C6. Make arrangements with bus operators to provide bus services as early as possible within the development in order to promote usage.

C7. Continue to seek optimum timetabling links to any proposed transitways/ bus routes.

C8. Provide link feeder services to surrounding local areas, i.e. Greystanes, to improve access, catchment size and hence service viability.

C9. Implement 'Demand Management' by promoting alternative modes of travel to the private car. This could include distribution of information packs on bus services and cycle routes, free bus tickets, advertising of services and introduction of bus services to each stage of development as the latter is completed.

C10. The site owner/developer is to provide welcome information to incorporate public transport information and timetabling, including links to any proposed transitway.

C11. The alignment and geometry of roads that form bus routes need to allow for efficient and unimpeded movement of buses without facilitating high traffic speeds. Where potential traffic calming devices are installed along bus routes specific design requirements for bus access must be employed; and

C12. Indicative performance guidelines for bus routes are as follows:

- Minimum geometric layout:
  - Radius: 12.5m;
- Road grades:
  - Max. desired pavement crossfall: 3%;
  - Max. desired gradient: (within 50m of stations): 6%;
  - Absolute max. gradient: (within 50m of stations): 12%.

(Source: RMS and AUSTROADS)

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3.6.9 Pedestrian and Cycle Routes

Objectives

O1. Encourage trips to be undertaken by walking and cycling instead of private vehicle.

O2. Promote connectivity throughout Pemulwuy.

O3. Create a clearly defined pedestrian and cycleway network within and through Pemulwuy.

O4. Make connections to regional cycle links and between major areas of proposed and existing open space and other recreational, community and employment land uses.

O5. Ensure non-vehicular links provide a safe and secure environment, both in terms of road safety and personal security, which encourages walking and cycling.

Controls

C1. Create pedestrian and cycle linkages between the residential precinct and areas of open space, recreational, community and employment land uses, broadly along the alignment shown on Council's Bike Plan.

C2. Within the Greystanes Creek Woodland Park, locate pedestrian and cycle routes as far as practicable in the outer protection zone.

C3. Continue a shared vehicle and cycle routes along the ridgeline edge street in Pemulwuy South.

C4. Locate and design walking and cycling networks to:

- provide direct routes between key trip origins and destinations;
- minimise steep grades; and
- be safe in terms of road safety and person security.

Pedestrian

C5. Undertake detailed design of pedestrian control and protection facilities is to be undertaken in accordance with the relevant sections of the Australian Standards (AS1742) and council's *Work Specifications for Subdivision and Development*. This includes pedestrian crossings, signage, local area traffic management and disabled access.

C6. Ensure pedestrian only footpaths have a minimum width of 1.2m (wider footpath may be required in areas of high pedestrian activity such as community facilities, shops and other activity centres) and a maximum grade of 15%, except where grades on Prospect Hill make this unachievable.

C7. Due to difficult grades, provide only walking tracks up to Prospect Hill linking to strategically located lookout points. The design and location of this path/s is to be in accordance with the *Prospect Hill Conservation Management Plan*, *Heritage Landscape Plan* and *Heritage Interpretation Plan*.

C8. For identified pedestrian spine connections from Prospect Hill to the Woodland Park (see Figure 60), provide a reserve of 10m, with appropriate landscaping. These connections are to be overlooked with 2 storey houses that address the pedestrian route, creating passive surveillance with windows, balconies, sit-outs, and the like. Design fencing to assist in the overlooking of this public domain area.

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Cycleways

C9. Design cycling routes within the road hierarchy to reflect the level of activity and function of the various roads such as dedicated cycleways on collector roads and shared access on local streets.

C10. Link designated cycleway routes to the surrounding regional cycleway network. Cycle routes along open spaces are to be between 2.5 – 3m in width (where shared with pedestrians), and designated accordingly.

C11. Dedicated cycle lanes are to be either line marked or separated from the road lanes.

C12. Provide opportunities for the cycle network to link with the proposed regional cycle route, including that along Lower Prospect Canal Reserve.

C13. Link the pedestrian/cycle route to the north under existing roads (M4, Great Western Highway) using existing culverts if possible. Consult Blacktown City Council in this regard.

C14. Link pedestrian/cycle routes within the Greystanes Creek Woodland Park with those in Pemulwuy South.

C15. Use cycle routes to link all amenities and areas of interest, including commercial/retail areas, play areas and viewpoints.

C16. Ensure technical design requirements such as pavement design and intersection/crossing treatments are consistent with *AUSTROADS Guidelines (1998) Guide to Traffic Engineering Practice, Part 14, Bicycles*.

C17. Distribute secure bike parking throughout the cycleway network and likely destination points. Parking facilities range from simple hitching rails to secure bike lockers. Key locations would be within the employment precinct, near public transport linkages, at the village centre, at the Village Green, at Prospect Hill Park, and at the eastern detention pond lookout.

C18. Provide for cycle refuge facilities at cycleway access points with collector roads.

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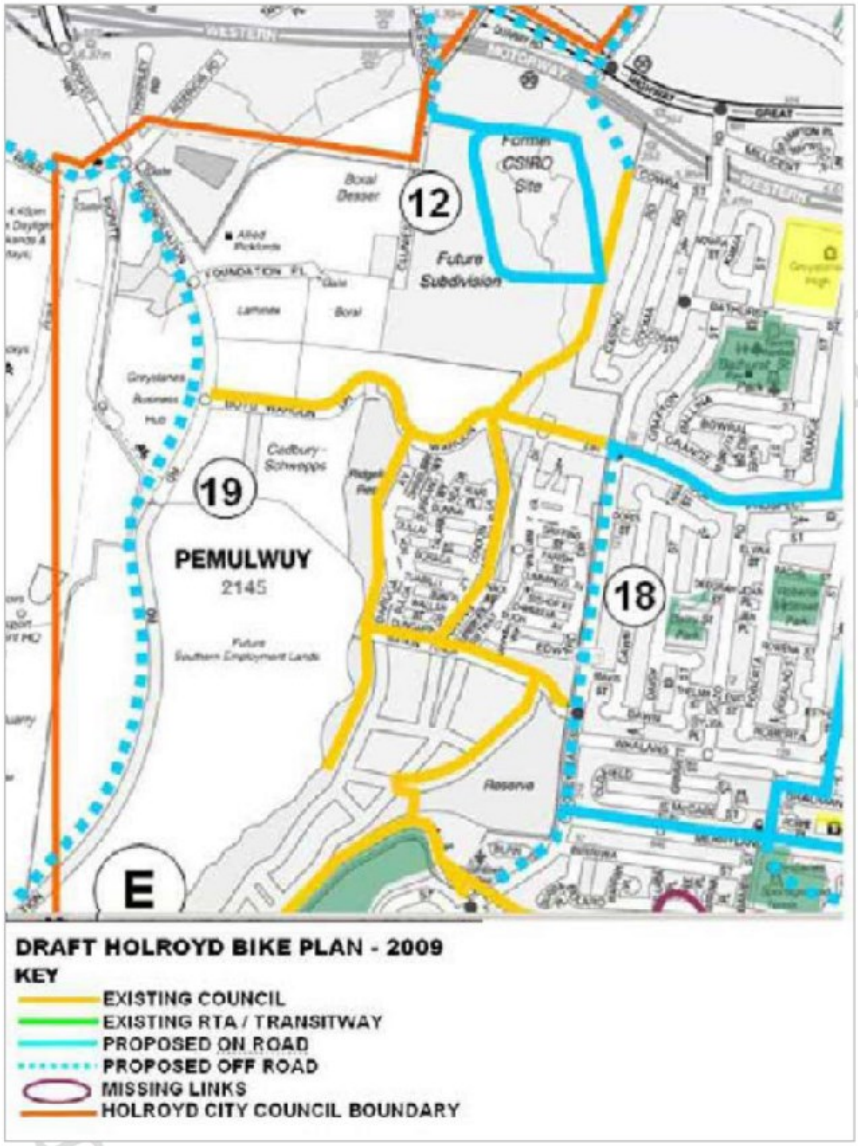

Figure 69: Bike Planning

3.6.10 Service Areas for the Village Centre (Pemulwuy South)

Objectives

O1. Provide adequate access for service and delivery vehicles.

Controls

C1. Ensure access and circulation design within development complies with Australian Standard AS 2890.

C2. Allow service and delivery vehicles to efficiently and safely access the Village Centre.

C3. Ensure loading dock and delivery areas are appropriately designed.

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3.7 Heritage

3.7.1 Aboriginal Archaeology and Heritage

To provide information that could be used for planning and impact assessment, detailed archaeological investigations have been completed for Pemulwuy. The sensitive nature of some of the findings means that the accompanying maps (Figure 70 and Figure 71) provide only a general indication of the vicinity of archaeological items. For further information, see the Biodiversity and Heritage Background Report (Pemulwuy South) and Aboriginal Heritage Reports by ERM, May 2004, March 2005 and Jo McDonald Cultural Heritage Management, August 2003; (Pemulwuy North).



Figure 70: Aboriginal sites sensitivity map - Pemulwuy North

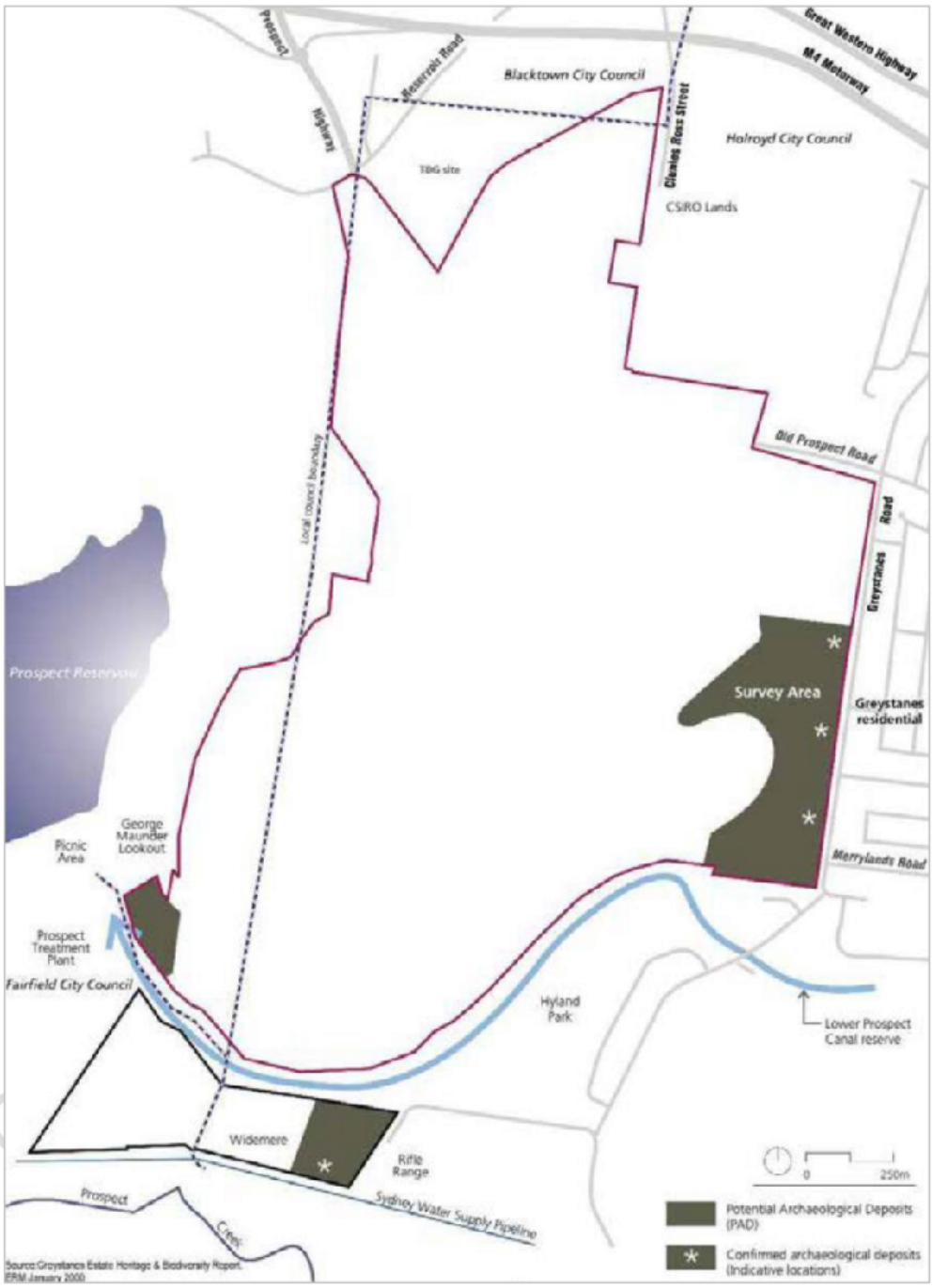

Figure 71: Archaeological and excavation sites - Pemulwuy South

3.7.2 Strategic Archaeological Management

The area is important to Aboriginal people, as Prospect Hill and the surrounding area is known to have been a significant meeting place. It also has historical significance for its association with conflict between local Aboriginal people and the first settlers at Prospect Hill. For further explanation, refer to the *Prospect Hill Conservation Management Plan*.

Objectives

O1. Retain and preserve some representative areas of high potential for archaeological deposits (PAD).

O2. Conserve representative Aboriginal artefacts, sites and sensitive areas (PADs) within open space, where possible.

O3. Salvage information and artefacts from PAD sites that will be impacted by development.

O4. Recreate and manage elements of the cultural landscape by rehabilitating a suitable area of woodland communities to resemble those that existed prior to European settlement. This would be undertaken in consultation with the local Aboriginal community.

O5. Incorporate recognition of the Aboriginal and European heritage of the site into conservation management strategies.

O6. Protect identified scarred trees.

Determine the ownership and ongoing management responsibility of the surrounding open space areas.

O7. Define the excavation program.

O8. Record findings.

O9. Obtain a Consent to Destroy.

O10. Educate the local community in the pre-European history of the site.

O11. Interpret the findings of the ERM archaeological excavations at CSIRO-4 and educate the local community on the pre-European history of the site.

O12. Protect site locations, contextualised in the broader cultural landscape.

O13. Reflect Aboriginal occupation and history in the public areas.

O14. Conserve areas of high PAD and significant known artefacts or sites within Grey Box Reserve.

O15. Manage the impacts from recreation and access.

O16. Educate the local community in the pre-European history of the site.

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Controls

C1. Create an area of open space with the primary function being conservation of ecological and archaeological resources.

C2. Undertake investigations prior to destruction of known or potential sites for the purposes of salvage and contextual information.

C3. Retain all potential scarred trees in open space that is accessible to the Aboriginal community.

C4. Seek comment to destroy CSIRO-4 (PAD2) under section 90 of the *National Parks and Wildlife Act 1974*.

C5. Develop a program to educate the local community on the pre-European history and heritage values of the Pemulwuy area.

C6. Recreate and manage the cultural landscape in conjunction with the local aboriginal community by vegetating open space to resemble the natural landscape prior to European settlement. These strategies are outlined elsewhere.

Scarred trees

Controls

C7. Ensure scarred trees are located within open space (e.g.: on the western side of Greystanes Creek), surrounded by enhanced locally indigenous vegetation, yet that is accessible to the Aboriginal community.

C8. Protect scarred trees and avoid drawing attention to them, place a screen using locally indigenous shrubs around the tree.

C9. Place any developments such as playground structures, benches, barbecue facilities etc. away from the trees.

C10. Dedicate the open space within which the tree is contained to Council prior to development of adjoining areas.

C11. Consult the Aboriginal community in naming of these open space areas.

C12. Involve representatives of the Aboriginal community in confirming and locating the tree prior to development commencing, and ensure that correct protection measures are in place.

C13. Note the existence and protected status of the scarred tree in any bushfire management plan so that the tree is not impacted during any hazard reduction burning.

Excavation for salvage and consent to destroy

Areas of PAD (Potential Archaeological Deposit) that are outside conservation areas will be developed. In order to obtain archaeological information about the site before it is destroyed, a salvage excavation program is required prior to development.

Controls

C14. For the area outside any conservation area and outside the drip line of any scarred tree, prepare an application for section 90 Consent to Destroy from NPWS, with permit to

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salvage/ collect any artefacts observed by the aboriginal community during monitoring of construction impacts.

C15. In order to obtain archaeological information about the archaeologically sensitive areas, develop a detailed salvage excavation program for selected areas outside any conservation area shown in Figures 70 and 71and 72 (E.g.: PADs 1 to 4).

C16. Prepare a detailed report that outlines the method and results of excavation. In the report discuss the results in light of all surface survey results and excavation results within Pemulwuy.

C17. Provide a copy of the report to the NPWS, Cumberland City Council, the Deerubbin Aboriginal Land Council, Darug Tribal Corporation, Darug Custodian Aboriginal Corporation, and Gandangara Local Aboriginal Land Council.

C18. Prepare a Plan of Management to ensure the ongoing protection of Indigenous cultural heritage that will be preserved within open space across Pemulwuy. Include within the Plan the scarred tree and any PAD within the open spaces, and incorporate relevant natural areas to achieve protection of a holistic cultural landscape. Involve the Aboriginal community in the preparation of the Plan of Management.

C19. Monitor ground clearing during the initial construction phase through the Aboriginal community under a Section 80 Permit in the event that archaeological material is encountered.

C20. If archaeological material is observed during or after clearing, cease work immediately, consult the Aboriginal community, and seek advice from NPWS. The Aboriginal community will collect this material. This work should be covered by the Section 87 Permit and should not impact on the construction schedule.

C21. Should human skeletal remains be encountered, then work must cease immediately and advice sought from NPWS and the Aboriginal community. The section 90 consent would not cover this type of evidence.

C22. Use information obtained from salvage excavation in conjunction with the existing ERM test excavation results when developing an Aboriginal heritage education program including signage for any conservation area and other open space locations.

Aboriginal Heritage management measures

Controls

C23. Do not make site locations and descriptions publicly available.

C24. Provide general knowledge of Aboriginal sites and their legal protection to developers and general maintenance staff. The proponent should make clear to construction crews/ subcontractors, the specific responsibilities regarding the protection of Indigenous cultural heritage items (e.g.: CSIRO-1), to ensure that inadvertent damage or destruction does not occur in those areas to be preserved.

C25. Prepare an education strategy for cultural heritage awareness for developers, contractors and Council. Include a fact sheet and sensitivity map indicating areas requiring particular attention and consultation with the Aboriginal community and NPWS.

C26. Invite the Aboriginal community to actively participate in developing the education strategy.

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C27. Consult the Aboriginal community prior to and during clearing and preliminary ground work to collect artefacts from areas to be developed.

C28. Do not erect signs which draw attention to the identified archaeological sites. This will prevent disturbance to Aboriginal and archaeological sites.

C29. In the naming of parklands and reserves, incorporate recognition of Aboriginal occupation and the history of the area. Consult the Aboriginal community in the naming of these features.

C30. Consult the Aboriginal community regarding an appropriate memorial under management measures.

C31. Consult the Aboriginal community on the development of any walking routes or areas within the precinct which incorporate descriptive signs and interpretation along these.

C32. Consult the Aboriginal community regarding the design of landscaping of waterways and parklands in the precinct as well as re-vegetation programs.

Grey Box Reserve Aboriginal Heritage management

Controls

C33. Preserve Grey Box Reserve, Pemulwuy, incorporating areas of potential archaeological deposits and representative elements of the cultural landscape.

C34. In particular, preserve the core conservation area in the south eastern corner of the site.

C35. Prepare a plan of management for Grey Box Reserve, detailing measures to appropriately manage the Aboriginal cultural heritage. This should be prepared in consultation with the local Aboriginal community, the National Parks and Wildlife Service (NPWS) and Council.

C36. Limit recreational opportunities in the conservation area to passive activities.

C37. Develop a suitable educational program in consultation with the local Aboriginal community, National Parks and Wildlife Service and Council.

C38. Ensure that interpretive signs and other educational material are general in nature and do not draw attention to any physical aspects of the Aboriginal cultural heritage.

3.7.3 European Heritage

Objectives

O1. Protect the integrity of the crown of Prospect Hill and other sites identified as being of European heritage significance.

O2. Research and document the history of the site of Pemulwuy and its role in the history of Sydney.

O3. Educate the community on the history and role of the site.

O4. Utilise the history of the site as a theme in its redevelopment.

O5. Preserve the original gates of Greystanes House as an integrated part of the development.

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Controls

C1. Record Pemulwuy as a whole in its current state photographically, utilising aerial photography and possibly digital video recording.

C2. All documentary, cartographic and photographic material related to the development, growth, buildings and history of the site should be sourced, accessioned and archived. Collect copies of accessible historic material into an archive which must be lodged in the care of an organisation which is acceptable to Council and where it is available for research and educational purposes. Identify archive material held elsewhere and cross-reference it with the above archive. A written description of major structures should accompany the photographic record.

C3. Incorporate the Greystanes House gates into the development at an appropriate location and keep them in a satisfactory condition.

3.7.4 Prospect Hill State Heritage Registered Area

Objectives

O1. Protect the integrity of the *Prospect Hill State Heritage Registered Area*.

O2. Research and document the history of the *Prospect Hill State Heritage Registered Area* and its role in the history of Sydney.

O3. Educate the community on the history and role of the site.

O4. Utilise the history of the site as a theme in its redevelopment.

Controls

C1. Maintain the prominence of Prospect Hill as a significant remnant geologic and topographic element. Site and design development at critical locations so that views of the ridgeline are maintained.

C2. Ensure that future use, landscape interventions, heritage interpretation and vegetation management of the *Prospect Hill SHRA* are informed by and consistent with:

- *Prospect Hill Conservation Management Plan* (Conybeare Morrison: 2005);
- *Prospect Hill Heritage Landscape Study and Plan* (Government Architect's Office: 2008); and
- *Prospect Hill Heritage Interpretation Plan* (MUSEcape: 2009).

C3. Development within the vicinity of the *Prospect Hill State Heritage Register Area* may require a Heritage Impact Assessment to accompany Development Applications. The Heritage Assessment shall be in accordance with the three documents listed above under C2. The need for a heritage assessment is at the discretion of Council.

C4. In the instance where a broad Heritage Assessment of the interface between the Prospect Hill State Heritage Register Area and the adjoining sites has been undertaken, submit with all Development Applications a Statement of Environmental Effects addressing this Heritage Assessment.

3.8 Biodiversity

Although Cumberland Plain Woodland occurs on site, these remnants are mostly small and in relatively poor condition. Despite this, the endangered status of the woodland has been recognised by the formulation of objectives. A high proportion of the woodland will be conserved

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and added to by regeneration. The ecological objectives of the site have been developed in recognition of the fact that the site has been extensively cleared, and have been devised to allow for retention and enhancement of the existing patches of native vegetation and, where possible, improving linkages between them.

Objectives

O1. Maintain the existing level of biodiversity during and after development.

O2. Conserve significant vegetation communities that are locally indigenous to Pemulwuy.

O3. Conserve threatened species populations and their habitats.

O4. Retain and enhance the riparian corridor.

O5. Create fauna movement corridors within the site and link to external ecological resources (where practicable allowing for other site uses).

O6. Balance the ecological values of the site with other development requirements.

Controls

C1. Create areas of public open space with the incorporation of conservation, ecological and archaeological resources.

C2. Provide an open space network which will have multiple functions, including increasing areas of native vegetation and providing fauna movement corridors.

C3. Plant and manage the site to minimise hazards and manage impacts from bushfire.

C4. Conserve remnant communities of Cumberland Plain Woodland and Sydney Coastal River Flat Forest.

3.8.1 Ecologically Sustainable Development

Objectives

O1. Abide by the precautionary principle.

O2. Promote social equity, including inter/generational equity.

O3. Conserve biological diversity and ecological integrity; and

O4. Improve valuation and pricing of environmental resources.

Controls

C1. Undertake adequate studies and analysis of the natural heritage of a site to determine an appropriate course of action having regard to the available information.

C2. Maximise use of renewable energy sources e.g. energy and service efficient subdivision layout; and minimise materials consumption e.g. recycling and re-use of materials in the enhancement and formation of on-site landforms.

C3. Practise water efficiency and conservation measures to reduce water consumption, the use of solar energy for heating appliances, and maintenance or improvement of water quality through a catchment management approach to the site.

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C4. Maintain and enhance significant vegetation and habitat.

C5. Minimise the use of non-native flora, and protect threatened ecological communities e.g. provide compensatory and additional habitat in appropriate areas for vegetation corridors, by tree propagation and planting native species within existing and proposed vegetation corridors.

C6. Recognise and integrate significant cultural and archaeological features/aspects into designs.

C7. Ensure that the Cumberland Plain Woodland/Sydney Coastal River Flat Forest along the Creek, containing several mature species typical of the area, is largely conserved and managed to enhance the ecological value of the site.

3.8.2 Fauna Movement Corridors

Objectives

O1. Provide vegetation which will facilitate movement through the site of non-ground dwelling fauna.

O2. Provide additional foraging habitat.

O3. Provide connectivity with off-site linkages for main corridors to and from external ecological resources.

Controls

C1. Use locally indigenous species in vegetating the corridor network including threatened and regionally significant species. Plantings should be propagated from locally collected seed and be hardened on site.

C2. Retain existing canopy species typical of Cumberland Plain Woodland and Sydney Coastal River Flat Forest where possible throughout the site.

C3. Provide a vegetated riparian corridor (consisting of a core riparian zone and outer protection zone) along either side of Greystanes Creek to protect water quality, aquatic habitat and allow for fauna movement, plus some passive recreational and aesthetic functions. Refer to Figures 72 and 73 below.

C4. Ridgeline and creekline corridors should have a minimum width of 20m.

C5. Extend the riparian corridor the entire length of Pemulwuy and provide additional opportunities to link westward to Cumberland Plain Woodland around Prospect Reservoir.

C6. Extend the riparian corridor along the eastern side of the detention pond as the primary corridor.

C7. Utility services and recreation uses may be located within the corridor provided they are sited and designed recognising the ecological function of the corridor.

C8. Facilitate fauna movement through the vegetation in the parks street trees and Grey Box Reserve.

C9. Provide details in development applications which demonstrate how connectivity with these off-site linkages can be achieved.

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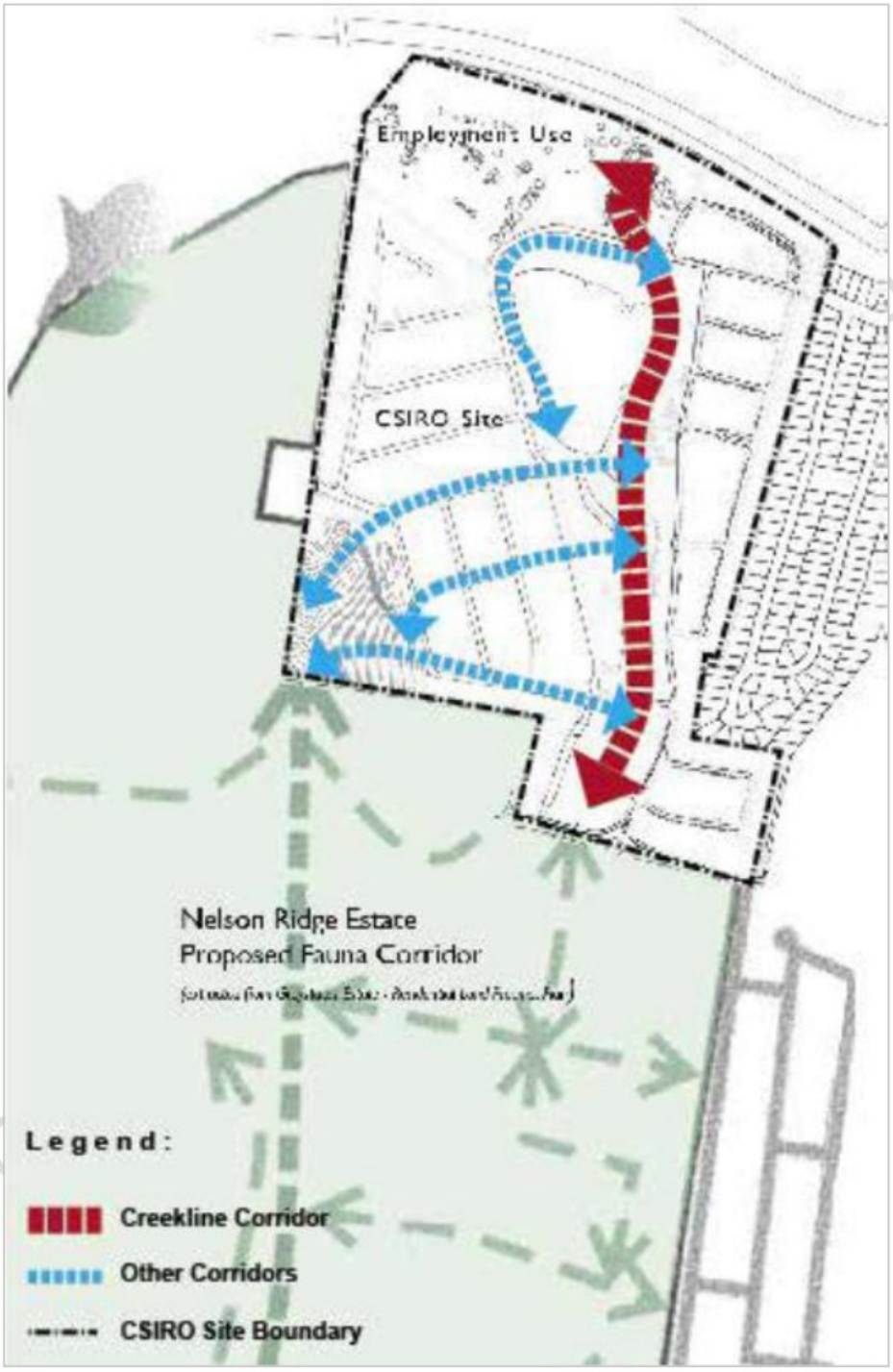

Figure 72: Flora and fauna corridors - Pemulwuy North



Figure 73: Flora and fauna corridors - Pemulwuy South

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3.8.3 Development Areas

Objectives

O1. Enhance and maintain biodiversity by complementing other conservation initiatives.

O2. Use locally indigenous plant species, including threatened and regionally significant species, in drainage areas, streetscapes and open spaces.

O3. Reduce water and fertiliser demand.

O4. Reduce salinity effects on the site, buildings and infrastructure.

Controls

C1. Manage any development proposal to provide opportunities to enhance and maintain biodiversity by complementing other conservation initiatives.

C2. Use locally indigenous plant species, including threatened and regionally significant species in drainage areas, streetscapes and open spaces. (Use of local native species will not only enhance biodiversity but will reduce water and fertiliser demand, resulting in decreased water and nutrient volumes draining from the site).

3.8.4 Biodiversity Management Measures

Objectives

O1. Rehabilitate and regenerate native vegetation.

O2. Protect threatened species.

O3. Manage weeds.

O4. Minimise impacts from access to the conservation areas.

O5. Minimise hazards and manage impacts from fire.

O6. Minimise litter and waste.

O7. Control and minimise impacts from sediment disturbance and erosion.

O8. Replace the pine plantation.

O9. Manage feral and domestic animals to minimise impacts on native flora and fauna.

O10. Protect water quality and aquatic habitat.

O11. Protect significant trees.

O12. Involve the community.

Controls

C1. Design any conservation area to optimise edge-to-area ratios and to incorporate areas of greatest biodiversity. The conservation areas include the Greystanes Creek riparian corridor, Prospect Hill ridgeline, Grey Box Reserve and other areas identified as bushland.

C2. Prepare a bushland management plan prior to any development which identifies areas to be revegetated, the species to be used and other detailed management issues.

C3. Regenerate the understorey in conservation areas to increase overall viability and robustness.

C4. Collect and propagate seeds of locally indigenous species as part of such development. These are to be used in revegetating the open space corridors, including the riparian corridor and ridgeline.

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C5. Prefer native grasses in service/open space areas rather than kikuyu, couch or other conventional non-native grasses. (“‘Sir Walter” Buffalo grass is a non-native turf species unsuited to these bushland areas).

Threatened Species

C6. Consult with NPWS and specialists in threatened flora to determine specific management measures for *Pimelea spicata* (a low spreading shrub that is listed as an endangered species) prior to any development within Pemulwuy South.

C7. Prior to development of the residential lands south of Watkin Tench Parade, a recovery plan for *Pimelea spicata* should be prepared which takes into account the population in Pemulwuy and connectivity with the population found along the Lower Prospect Canal Reserve.

C8. Retain and enhance continuous canopy in the conservation area and open space corridors to allow for possible squirrel glider movement onto the site.

C9. Retain and enhance foraging habitat (Cumberland Plain Woodland) as appropriate within conservation areas to provide for Greater Broad-nosed Bat, Eastern Freetail Bat and Eastern Falsistrelle.

C10. Elsewhere, where there is minimal potential conflict with urban development, retain significant mature trees with high ecological value as habitats for the Powerful Owl, Greater Broad-nosed Bat, Eastern Falsistrelle, Eastern Freetail Bat and the Masked Owl.

Weeds

C11. Remove all weeds from conservation areas.

C12. Ensure that weed control is an integral part of maintaining and enhancing biodiversity of the conservation areas and corridors.

C13. In any bushland management plan, address weed management and removal methods such as hand weeding, spraying etc. The plan is to give attention to the conservation and corridor areas.

C14. Replant cleared areas with locally indigenous plants following weed removal, to minimise soil erosion.

C15. Outline a priority listing of target and noxious weeds in any bushland management plan, including Lantana, African Olive, Smallleaved Privet and Large-leaved Privet.

C16. Ensure that houses have outlooks to the bushland to encourage residents to take ownership of the bush and minimise dumping of rubbish and garden clippings. Houses should not immediately abut conservation areas (ie be separated by road or some other divider).

Access to the conservation areas

C17. Minimise access to conservation areas to allow the sites to regenerate with minimal human contact.

C18. Domestic animals are prohibited in the conservation areas.

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Fire

C19. Prepare a fire management plan for the protection of life and property. The fire management plan should identify suitable fire regimes for the protection and maintenance of biodiversity.

C20. Ensure that fire management elements are incorporated into the design of the conservation areas and through the central ridgeline ie fire trails.

C21. Identify appropriate fire management regimes for vegetation management.

Litter and waste

C22. Provide adequate signs and rubbish bins to encourage proper disposal of litter.

C23. Secure rubbish bins sufficiently to prevent feral cats, dogs, rats and other undesirable species from opening them.

C24. Maintain and empty bins on a regular basis to prevent waste accumulating.

C25. Undertake regular patrols of conservation areas and report rubbish dumping.

Sediment disturbance and erosion

C26. Implement appropriate sediment and erosion controls as per Part G of this DCP.

C27. Commence planting and/or install fencing as soon as possible following weed removal to minimise erosion.

C28. Prepare a sediment and erosion control plan for each subdivision stage. It should address the conservation areas, open space corridors and creekline where applicable.

The pine plantation

C29. Remove the majority of pine trees from Pemulwuy, although some pine trees may be retained for street tree planting.

C30. A program for the removal of the pine trees is to occur on a staged basis.

Feral and domestic animals

C31. Prepare a feral and domestic animal management plan for Pemulwuy north and Pemulwuy South.

C32. Implement an education program for residents on responsible pet ownership.

Water quality and aquatic habitat

C33. Rehabilitate, enhance and re-establish the waterways of Pemulwuy, including creeklines and drainage lines.

C34. Provide an appropriate vegetated riparian corridor either side of Greystanes Creek. Vegetation within the buffer should be rehabilitated and weeds removed.

C35. Enhance vegetation using locally indigenous species of trees, shrubs, grasses and groundcovers.

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C36. Preserve indigenous vegetation in riparian corridors.

C37. Install appropriate pollution controls such as gross pollutant traps in upper catchments (at site boundary if necessary) to prevent ingress of litter.

Significant trees

C38. Where existing trees are healthy, sound and can reasonably be incorporated into the design, Council will normally require them to be retained. Council will consider concessions to the development control standards contained within this DCP in order to encourage the retention of existing mature trees. This should be discussed with officers prior to proceeding too far with your plans.

C39. An application to remove a tree may be refused by Council if the tree:

- form(s) a prominent part of the streetscape;
- stands alone and is thus of more significant than if it were part of a group of trees;
- is of historic or cultural significance or is/are registered on any Council register of significant trees;
- is prominent due to its height, size, position or age;
- is a locally indigenous, rare or endangered species;
- provides a significant visual screen;
- is part of an important habitat for wildlife;
- is part of remnant or riparian vegetation;
- can be effectively treated by applying appropriate remedial treatment such as pruning of branches, pruning of roots and removal of deadwood or by other appropriate action as recommended by an arborist; and
- is listed under the provisions of the *Threatened Species Conservation Act 1995*. (Listed as a threatened species, is habitat to a threatened species or is part of an endangered ecological community).

Note: Council may refuse an application to remove a tree(s) but may give conditional consent for the appropriate remedial "branch or root pruning" for that tree(s).

C40. Retain and maintain hollow-bearing trees on site for their fauna habitat value wherever possible.

Community involvement

C41. Prepare a community consultation strategy to involve the community in ongoing biodiversity management, including preparation of the bushland management plan.

C42. Develop an educational program highlighting the significance of the site and how the community can be involved in restoring and maintaining the open space corridor.

C43. Ensure that the Aboriginal community is consulted in reserve design, re-vegetation and interpretation programs.

C44. Involve the community in weed removal and replanting programs and continue to involve the community in maintenance to instil a sense of ownership.

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3.9 Stormwater and Flooding Management

3.9.1 The Catchments

Pemulwuy can be divided into two main catchments. These are:

- Catchment A = all of the area of Pemulwuy North (north of Butu Wargun) plus the "Northern Residential Lands" of Pemulwuy South that are north approximately of Bobbina Avenue / Morley Avenue, all of which drains northward to the central former CSIRO Basin in Pemulwuy North via Greystanes Creek; and
- Catchment B = that part of Pemulwuy South approximately south of Bobbina Avenue / Morley Avenue, which drains southwards to Prospect Creek, partially called the "Southern Residential Lands".

This is shown indicatively in Figure 74 and in Figure 75 below.

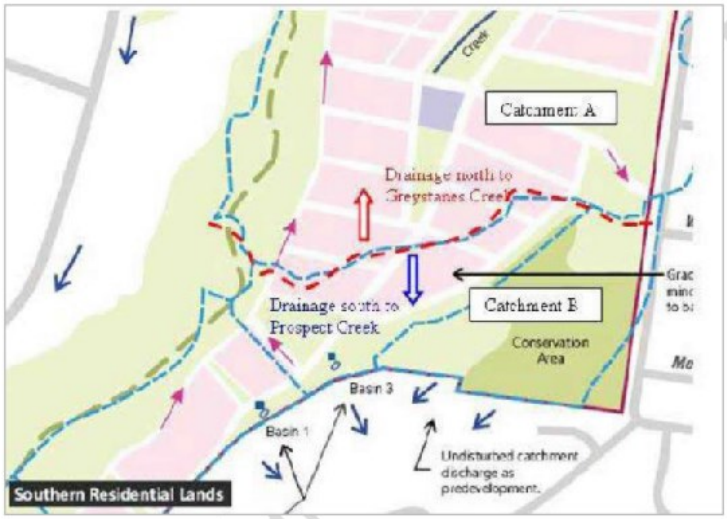

Figure 74: Boundary Catchment A (Greystanes Creek) and Catchment B (Prospect Creek)

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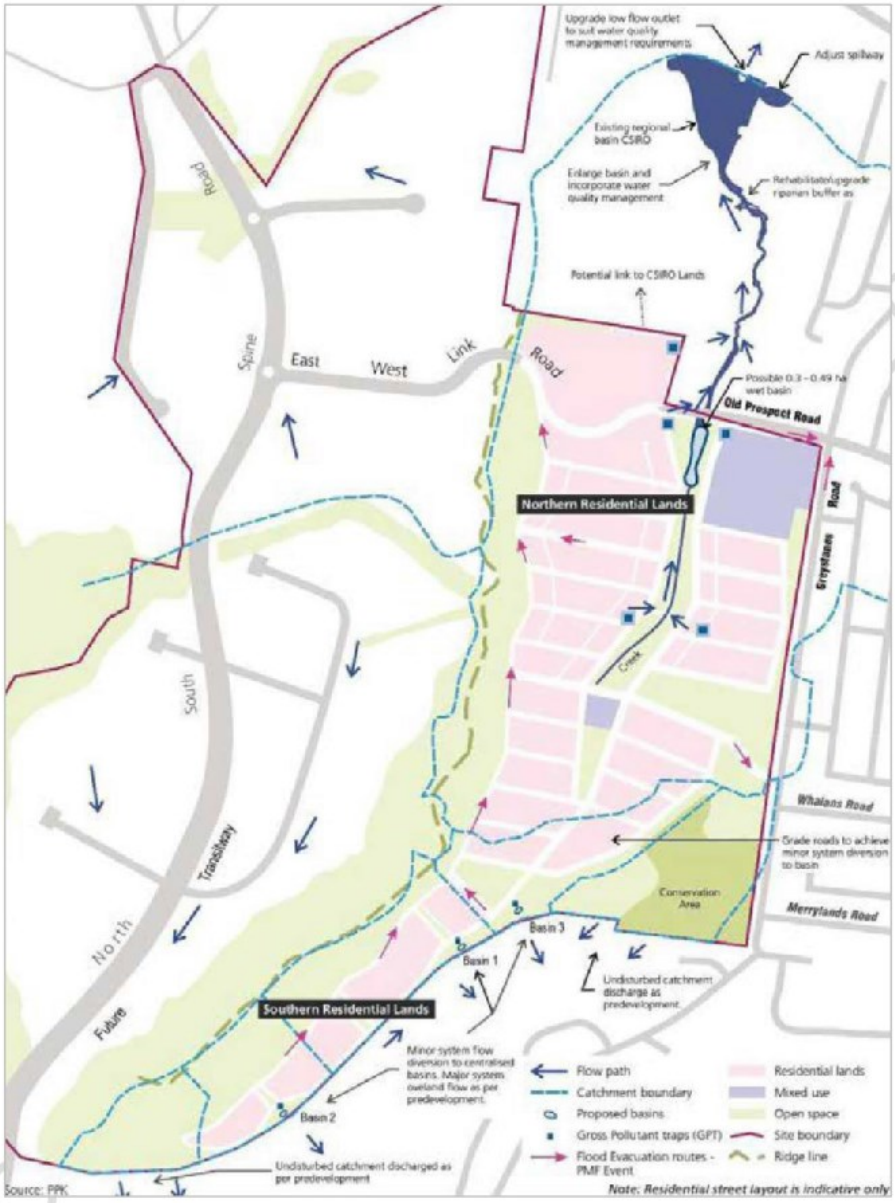

Figure 75: Prospect drainage strategy

3.9.2 Stormwater Management during Construction

Objectives

O1. Prevent sediment polluting creeks.

Controls

C1. Ensure that sediment control measures are in accordance with the requirements of the Managing Urban Stormwater Guidelines and with the *Managing Urban Stormwater: Soils and Construction* published by the NSW Department of Housing or its equivalent.

C2. Stage development activities to minimise land disturbance.

C3. Limit earthworks and disturbance of stable rehabilitated landforms.

C4. Divert clean run-off from upstream areas around disturbed areas.

C5. Stabilise and vegetate areas immediately following the completion of works.

C6. Provide temporary sediment basins, fences, catch drains, check dams and other structures to collect and treat run-off from disturbed areas.

C7. Monitor discharges from sediment basins and implement flocculation as required to limit TSS concentrations in water discharged from the temporary basins to 50 mg/L.

C8. Provide vegetated buffer strips around all water bodies and drainage channels.

C9. Temporarily stabilise stockpiles and disturbed areas.

C10. Restrict vehicle access to designated entry and exits.

C11. Provide stabilised site access.

3.9.3 Stormwater Management after Development

Objectives

O1. Provide a development consistent with the principles of total watercycle management but recognising potential salinity problems.

O2. Limit stream velocities to prevent erosion and scour of local waterways.

O3. Reduce pollutant loadings to maintain downstream water quality.

O4. Prevent the contamination of surface water or groundwater by stormwater run-off.

O5. Ensure reduced demand for imported mains water by water conservation measures and re-use of stormwater in accordance with the principles of Water Sensitive Urban Design.

O6. Protect and enhance the environmental and scenic value of the creek corridors.

O7. Ensure that additional stormwater runoff generated by the development does not adversely affect peak flows, velocities and water levels downstream of the site in the full range of flood up to 1 in 100 year storm event.

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Controls

Note: The water treatment objectives for Prospect Creek and the Upper Parramatta River catchments are listed in Tables 1 and 2 respectively. The objectives outlined in these tables are consistent with Council's Stormwater Management Plans.

C1. Ensure stormwater management systems are incorporated in the initial stages of design and infrastructure provided prior to the development of individual sites.

C2. Design stormwater management measures to the water quality objectives of:

- the Stormwater Management Plan;
- the flow requirements of the UPRCT;
- Cumberland City Council; and
- Fairfield City Council.

C3. Where feasible, incorporate in the proposed stormwater management measures, natural treatment mechanisms and features.

C4. Integrate public open space with the trunk stormwater drainage corridors.

C5. Where practical, reuse stormwater collected on developed lots. This can include rainwater tanks.

C6. Carry out further Stormwater Management consultation with authorities during the development application stage.

C7. As part of the development process, undertake detailed hydrologic, hydraulic and water quality modelling.

C8. Use the results of the monitoring program required by the section of this plan below dealing with salinity, to inform surface water management practices as required.

Table 2a: Pollutant Retention Criteria for Prospect Creek Catchment

Pollutant	Treatment Options
Suspended Solids	80% retention of the average annual load
Total Phosphorus	45% retention of the average annual load
Total Nitrogen	45% retention of the average annual load
Litter	Retention of litter greater than 50mm for flows up to 25% of the 1 year ARI peak flow
Coarse Sediment	Retention of sediment coarser then 0.125mm for flows up to the 1 in 1 year ARI peak flow. Discharge free of settleable matter for all storm events less than or equal to the capacity of the water quality control ponds.
Oil and Grease	No visible discharge
Unnatural discolouration	No visible discharge

Source: Prospect Creek Stormwater Management Plan

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Table 2b: Pollutant Retention Criteria for Greystanes Creek Catchment

Pollutant	Description	Retention Controls
Litter	All anthropogenic material	70% of objects 5mm diameter or great
Coarse Sediment	Coarse sand	80% of the load particles 0.5mm or less
Nutrients	Total phosphorus and Total Nitrogen	45% retention of the load
Fine Particulates	Fine sand	50% of the load for particles 0.1mm dia. or less
Cooking Oil and Grease	Free Floating Oils that do not emulsify in aqueous solutions	90% of the load with no visible discharges
Hydrocarbons	Anthropogenic hydrocarbons that can be emulsified	90% of the load with no visible discharges

Source: Upper Parramatta River Catchment Stormwater Management Plan

Stormwater Pollution Load Assessment in Pemulwuy

To provide preliminary sizes for the water quality ponds, a level one pollution load assessment was completed, as defined in the EPA guidelines. The recommended total wetland pond sizings are:

- *Greystanes Creek catchment – 2.2 hectare surface area; and*
- *Prospect Creek catchment – 0.75 hectare surface area.*

The above pond sizings are subject to confirmation by AQUALM modelling. The proposed Drainage Strategy is shown in Figure 75.

3.9.4 Source, Conveyance and Discharge

Objectives

O1. Adopt within the stormwater plans three types of runoff quality controls. In summary, the controls are:

- source controls - controls applied to the individual lots to address specific pollutants associated with the specific development;
- conveyance controls - controls applied to the local and trunk drainage systems which may include grass swales, and streams incorporating ponds, ripple zones and macrophytes; and
- discharge controls - controls applied to piped or channelised drainage systems prior to discharging in creeks or water quantity/quality control basins. These include gross pollutant traps, wetlands and water quality control ponds.

O2. Use Source controls to reduce runoff rates and minimise the pollutant loads discharged from individual development sites.

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O3. Apply Conveyance Controls to the local and trunk drainage systems to minimise the pollutant load transferred from the development sites to the discharge points.

O4. Use Discharge Controls to ensure that water quality targets in the Stormwater Management Plan are achieved.

Controls

Source Control

C1. Use Stormwater Harvesting – i.e.: maximise the amount of stormwater run-off used on the development, minimise impervious areas and, where possible use pervious paving systems.

C2. Install rainwater tanks along with water correcting fittings in accordance with the principles of Water Sensitive Urban Design.

C3. Use Buffer Strips, where the development lot layouts allow, where the landscaping is used to treat run-off. Use vegetated buffer strips to reduce the amount of fine sediment and nutrients discharged from the lot to the stormwater system.

Waterway protection control

C4. Protect and enhance the main watercourse flowing through Pemulwuy as a natural stream system.

C5. Collect treated stormwater.

C6. Include in the watercourse a meandering natural runoff channel with aquatic and terrestrial riparian vegetation.

C7. Where feasible, include in the watercourse a meandering low flow invert, ponds and ripple zones, and aquatic and riparian vegetation.

Discharge control

C8. Provide Gross Pollutant Traps incorporating a screen and coarse sediment sump upstream of the discharge points into the main creekline and not in the core riparian corridor.

C9. Design these to achieve the pollutant reduction targets set out in Tables 1 and 2 for coarse sediment and litter.

C10. Design the traps for cleaning by Cumberland City Council's drain cleaning equipment in order to minimise maintenance and cleaning costs.

C11. Provide integrated water quantity and water quality control ponds in the regional basin in Pemulwuy North. Ensure the ponds have been sized to meet the treatment objectives for sediments and nutrients outlined in the stormwater management plans.

C12. The ponds should consist of a series of shallow, densely planted zones and deep water areas.

C13. Locate a device immediately upstream of the basin to prevent floating pollutants and pollution spills entering the basin.

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3.9.5 Residential Catchment 'A' Flow Management (+ Detention ponds)

Objectives

O1. Design and maintain development so that existing peak flows from the Fox Hills basin are not adversely affected, taking into account the planned residential developments in the Catchment, and proposed modifications to the central basin.

O2. Ensure that the stormwater system for any development does not increase the downstream flooding of Pemulwuy.

O3. Convey stormwater within the northern Catchment A of Pemulwuy in the riparian channel/corridor of Greystanes Creek.

O4. Ensure the riparian channel/corridor of Greystanes Creek is part of an important recreational, ecological and visual linear park system capable of conveying the 1 in 100 year average recurrence interval flows.

O5. Link the drainage corridor with water bodies so as to maintain suitable water quality as well as provide further habitat.

O6. Ensure that development does not adversely affect pollution levels in the catchment.

Controls

General

C1. As part of any application for the subdivision of land in the Residential Catchment A (to Greystanes Creek), identify such proposals and confirm arrangements to be made for the expansion of the flood basin to attenuate post-development flows and treat run-off quality.

C2. Should it prove impractical or impossible, for whatever reason, to satisfy storage and quality treatment objectives with the flood basin, provide alternative arrangements within the built environment.

C3. Implement the stormwater management measures outlined above during construction. If sediment from the Residential Catchment A (to Greystanes Creek) is deposited off site in the basin or the downstream creek channel during development and construction on the site, remove it at regular intervals and prior to completion of construction.

C4. Provide the following drainage infrastructure:

- drainage corridor along central spine;
- water pollution control within the basin;
- detention storage within the basin;
- creek works to accommodate flows;
- collect runoff from Council drainage system which discharges from Greystanes Road onto the site;
- outlet structures;
- gross pollutant traps;
- pipe drainage; and
- overland flow paths.

C5. Ensure that the community based detention system negates the requirement for on-site detention on individual development lots, as specified in the UPRCT on-site detention policy.

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C6. Consider sourcing water from the detention basin to irrigate public reserves in the area, subject to the maintenance of environmental flows to Greystanes Creek.

C7. Ensure wetland planting (macrophyte zones) on the foreshore of the new basin will further increase the ability of the basin to improve stormwater quality.

Stormwater detention (Catchment A)

Objectives

O7. Ensure that the stormwater runoff generated from this portion of the western precinct does not adversely affect peak flows, velocities and water levels downstream of the existing regional basin (refer to Figure 76).

O8. Design on-site detention that is consistent with the conceptual modelling by Patterson Britton This modelling has identified a required storage which can be accommodated between the road and existing basin.

Controls

C8. Design on-site detention that is consistent with the conceptual modelling by Patterson Britton (see Figure 76 and 77).

C9. Ensure that detailed design of the basin is integrated with the landscape setting.

C10. Submit details of the basin to Council as part of the Development Application for the relevant stage.

C11. Locate the proposed stormwater detention basin outside the CSIRO basin 100-year flood zone.

C12. Provide preliminary sizes for the water quality ponds, a level one pollution load assessment was completed, as defined in the EPA guidelines. Ensure that the recommended total wetland pond sizings are:

- Greystanes Creek catchment – 2.2 hectare surface area; and
- Prospect Creek catchment – 0.75 hectare surface area.

Note: The above pond sizings are subject to confirmation by AQUALM modelling. The proposed Drainage Strategy is shown in Figure 75.

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Figure 76: On site detention concept



Figure 77: On site detention detail

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3.9.6 Residential Catchment 'B' Flow Management

The Southern Residential Catchment B is located in the Prospect Creek catchment, and stormwater management plans have been prepared by Cumberland City Council for these local catchments.

Fairfield City Council requires that there be no significant adverse impacts on flood levels in Prospect Creek. Refer to the Prospect Creek Stormwater Management Plan.

Objectives

O1. Design and maintain development in the Residential Catchment B (to Prospect Creek) so that downstream flows are not adversely affected, based on a comparison of peak flows, velocities and water levels in the 2 % AEP, 1% AEP and probable maximum floods at critical points downstream.

O2. Provide pollutant retention criteria for new developments and treatment objectives for various types of developments, through the stormwater management plans.

O3. Ensure that the stormwater runoff generated within Catchment B does not adversely affect peak flows, velocities and water levels within Prospect Creek.

Controls

C1. Implement the stormwater management measures outlined above during construction.

C2. If sediment from the Residential Catchment B (to Prospect Creek) is deposited off site in the downstream creek channel during development and construction on the site, remove it at regular intervals and prior to completion of construction.

C3. Provide integrated water quantity and water quality control ponds at each of the discharge points within the site.

C4. Provide the following drainage infrastructure:

- shaping drainage corridor to various outlets;
- water pollution control pond(s);
- detention storage;
- gross pollutant traps;
- pipe drainage; and
- overland flow paths.

C5. Ensure that the community based detention system will negate the requirement for on-site detention on individual development lots, as specified in the UPRCT on-site detention policy.

C6. Ensure that the recommended total wetland pond sizings are:

- Prospect Creek catchment – 0.75 hectare surface area; and
- Greystanes Creek catchment – 2.2 hectare surface area.

Note: The above pond sizings are subject to confirmation by AQUALM modelling.

3.9.7 Stormwater Documentation Requirements

Objectives

O1. Comply fully with Cumberland City Council's OSD policy and the Upper Parramatta River Catchment Trust handbook.

O2. Accommodate capacity for future development of the adjoining residential lands.

Controls

C1. Prepare detailed Hydraulic plans to accompany Development Applications for subdivision.

C2. Detail conveyance of existing and proposed overland flows to the satisfaction of Council.

C3. Design all overland flow paths and corridors to accommodate storm events stipulated under the Section below on Flood Risk Management.

C4. Land located along the southern boundary of the Residential Lands may be required to convey a large volume of overland flow from the existing adjoining property to the south/south west. To ensure that overland flow within this portion of the western precinct is adequately conveyed, Development Applications for subdivision of this area shall include the following details and must comply fully with Cumberland City Council's OSD policy and the Upper Parramatta River Catchment Trust handbook:

- a fully detailed catchment analysis in order to determine existing overland flows; and

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- a fully detailed hydraulic report and associated plans which indicate proposed method of conveying overland flows.

C5. Overland flow paths shall be designed so as to accommodate capacity for future development of the adjoining residential lands.

C6. Provide Stormwater Plans to accompany development applications for individual lots in Pemulwuy.

C7. Ensure these plans are consistent with stormwater management plans prepared by Council, under direction from the EPA.

C8. Adopt within the stormwater plans three types of runoff quality controls - Source, Conveyance and Discharge.

3.9.8 Water Bodies Management

Objectives

O1. Provide a safe and efficient urban water management system.

O2. Contribute to the amenity, appearance and urban structure of Pemulwuy.

O3. Achieve multiple use of drainage systems.

Controls

C1. Utilise the Pemulwuy North regional detention basin to control runoff rates and quality in Catchment A (incorporating Pemulwuy North and the Northern Residential Catchment of Pemulwuy South).

C2. Utilise Ponds to control runoff rates and quality in Catchment B (namely the Southern Residential Lands of Pemulwuy South).

C3. Maximise use of regional facilities to achieve the runoff flow rate and water quality controls.

C4. Assess adequacy of water quality pond sizes using AQUALM model for construction certificate approval.

C5. Integrate bush regeneration in the agreed core riparian zone to achieve a fully vegetated corridor of local native trees, shrubs and groundcover species and native macrophytes in the water quality ponds. Areas outside the core riparian zone can be multifunctional.

C6. Integrate the landscaping with the design of the waterbodies to improve the amenity of the area.

C7. Include emergent macrophyte plantation in the basin for control of nutrients. All control of sediment must be via source control before entering the Creek.

C8. Ensure the spillway outlet from the basin maintains a continuous downstream environmental flow as approved by Cumberland City Council.

C9. Prepare an operational plan for all ponds which is integrated across the entirety of Pemulwuy. The operational plan should set out how the main water bodies will be managed in terms of maintenance, safety, nominating activities, frequency and

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responsible authorities. This should be in accordance with the requirements of the *Constructed Wetlands Manual* (DLWC 2000).

C10. Design outlet to the ponds to allow water levels to be varied for aquatic plant management.

C11. Regularly maintain gross pollutant traps and coarse sediment sumps to prevent a build up of sediment in main water bodies.

C12. Rehabilitate and protect the existing Creek.

3.9.9 Flood Risk Management

Objectives

O1. Prevent the negative impact of water on human life and property.

O2. Prevent the negative impact of development on the receiving waters of the catchment.

Controls

C1. Accommodate the minor drainage system flows in pipes with capacity no less than the 5 year ARI storm.

C2. Accommodate flows in excess of the capacity of the minor system in overland flow paths and corridors (major systems), up to the 1 in 100 year ARI storm on the roads and open space.

C3. Provide multiple uses for drainage corridors incorporating a naturalistic meandering low flow channel with a series of pools and ripple zones.

C4. Locate habitable floor levels and developable land, other than open space, at least 0.5m above the Greystanes Creek 100 year ARI flood level.

C5. Provide appropriate flood hazard warning signage where appropriate.

C6. Design Butu Wargun Drive to provide a flood-free evacuation route in the event of a probable maximum flood (PMF).

C7. Integrate flood detention and water quality control basins for the Catchment B (Prospect Creek) Lands.

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3.10 Environmental Management

Redevelopment of the former CSIRO site and Boral lands into the Pemulwuy residential lands requires the implementation of numerous environmental management measures to ensure an environmentally sound and sustainable development.

3.10.1 Site Contamination and Remediation

The residential lands of Pemulwuy have been the subject of a number of site investigations concentrating on identifying areas of environmental concern (AEC) relating to former non-residential activities on the land. These AEC included quarrying, laboratories, chemical storage areas, sheep dips and waste disposal areas. These AEC have been investigated and (where necessary) remediated. The work conducted in assessing and remediating these AEC has been signed off by a NSW Environment Protection Authority (EPA) auditor through the issuing of Site Audit Statements. This does not exclude the need for future assessment and remediation of future AEC at Pemulwuy.

Objectives

O1. Ensure the appropriate assessment, remediation, validation and auditing of potentially contaminated land to reduce the risk of harm to human health or the environment.

O2. Ensure land is suitable for the intended use.

O3. Ensure that future occupants or workers at the site are not exposed to contaminated materials.

O4. Follow the contamination management strategies produced for the various precincts of Pemulwuy.

Controls

C1. During bulk earthworks activities, initiate an unexpected findings protocol to address the potential discovery of contaminated soil or other hazardous materials.

C2. As a result of the protocol, ensure that appropriate assessment, and (where necessary) remediation and validation occurs.

C3. Make provision in the protocol to inform Council of the discovery of such materials.

C4. Before the lodgement of any development application for the site, complete a groundwater Assessment in accordance with 'Schedule B(6) Guidelines for Risk Bases Assessment of Groundwater Contamination' in the *National Environmental Protection Councils National Environment Protection (Assessment of site Contamination) Measure (1999)*.

C5. Remediation is required to render the site suitable for the proposed land use, consistent with:

- the *Contamination Management Strategy* (prepared by Environmental and Earth Sciences and RES for Pemulwuy North); and
- the *Remediation Action Plan* (prepared by HLA Envirosciences for Pemulwuy South).

C6. Ensure the remediation of the site is certified by a NSW EPA Accredited Site Auditor.

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Note: Building waste and asphalt waste have been classified by the NSW EPA as 'inert waste' (Table 1, NSW EPA 1999 - Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes).

Therefore, materials meeting this description, and meeting the physical and other criteria stipulated in the Material Management Guidelines (HLA 2001, prepared for Pemulwuy South) are not considered to be contaminated, and are therefore not part of the remediation works.

3.10.2 Earthworks Management

Objective

O1. Ensure that any fill utilised throughout the site is clean and complies with relevant standards.

Controls

C1. Determine a Phase 1 Contamination Investigation by an environmental consultant.

C2. Evaluate each portion of the estate as required by the Phase 1 Investigation for:

- existing condition down to bedrock;
- groundwater monitoring; and
- validation of both fill zone foundation and proposed fill material to provide material within acceptable EPA criteria for re-use.

C3. Obtain approval of the above by a NSW EPA Accredited Site Auditor to allow placement of fill and the excavation and re-use of on-site material to provide a revised landform.

C4. Upon the validation and approval of fill foundation and fill material, place and compact material generally in accordance with:

- all material <300 mm in size;
- compaction up to 98% standard compaction to building and road lots;
- moisture content 60-90% of optimum;
- compaction to 95% standard in landscaped areas. Landscaped areas should then be ripped to a depth of 300/450 mm and organic material should then be mixed to improve soil quality as required; and
- fill to be placed in layers no more than 300mm thickness.

C5. Ensure that final verification of placement of clean fill material is undertaken through the process of design/construction Quality Assurance Audits and validated by a NSW EPA Accredited Site Auditor.

C6. Minimise the potential for establishment of perched water tables at the fill/natural soil interface by ensuring that drainage is established between the 2 layers.

3.10.3 Waste Management

Objectives

O1. Minimise waste generation and disposal to landfill during demolition and construction works in accordance with the "waste hierarchy" (which means promoting source separation and subsequent reuse/recycling of materials over and above disposal).

O2. Ensure that reuse/recycling options are utilised at every opportunity and that any necessary waste disposal is lawful and efficient.

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O3. Ensure that the provision of adequate and appropriate storage area for waste and recyclables during all stages of development.

O4. To maximise the amenity of the development and opportunity for reuse/recycling by residents through effective design of facilities.

Control

C1. Integrate waste management planning process into all stages of development.

C2. Provide source separation facilities (e.g. waste bays) on building sites so that different materials may be easily separated during demolition and construction works. This will maximise the potential for reuse/recycling during demolition and construction works.

C3. Locate garbage/recycling storage areas in Type D developments so as to be easily serviced, and to not cause any negative impacts in terms of visual appearance, noise or smell, to adjoining properties or to the street.

C4. Provide waste separation facilities in all Type D kitchens to encourage the separation of waste at its source.

C5. Use ventilation stacks wherever possible (and necessary) to vent shops and basements.

C6. Submit a Site Waste Minimisation and Management Plan (SWMMP) in accordance with Part G of this DCP with any development application prior to development approval.

3.10.4 Soil Erosion & Sediment Control

Soil Erosion & Sediment Control in Pemulwuy is controlled by Part G, Soil Management.

The control measures are to be in accordance with the Managing Urban Stormwater Guidelines including the *Managing Urban Stormwater: Soils and Construction* published by the Department of Housing, and have been incorporated into the stormwater management strategy described above in Section 3.9 entitled Stormwater and Flooding Management.

3.10.5 Salinity

Salinity within Pemulwuy is controlled by the *Cumberland Local Environmental Plan 20XX*, under Salinity in the Pemulwuy Precinct.

The draft *Salinity Hazard Mapping for Western Sydney* (DLWC 2000) indicates areas along Greystanes Creek to be classified as an area of extensive salinity hazard, with the remaining land to be areas of localised hazard.

Potential salinity on the site is therefore considered to be an environmental constraint which requires appropriate management.

Objectives

O1. Minimise disturbance to natural hydrological systems as a result of development, and to provide for appropriate management of land affecting the process of land salinisation, or affected by salinity.

O2. Prevent damage to buildings and infrastructure in urban areas caused by salinity.

O3. Identify areas of the site that have sufficient cover of non-saline soils to warrant no formal salinity treatments.

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O4. Increase the volume of non-saline soils won from road reserves, etc to be utilised as an "asset" in managing actual salinity affected soils, building sites, drainage and landscaping works.

O5. Decrease the volume of salinity affected soils that require treatment/management.

Controls

C1. Prepare a soil salinity management strategy for each stage of development. The main components of the strategy should include:

- review of existing geotechnical and geochemical site data to refine interpreted distribution of non-saline A and B1 Horizons and slightly to moderately saline B2 and C Horizons;
- additional investigations to further refine the soil salinity data base;
- co-ordinate subdivision design to optimise earthworks and civil works in relation to soil salinity management. Initiatives could include but not be limited to:
  - winning/stockpiling A and B1 Horizon materials from road reserves and other areas prior to filling;
  - considering lime stabilised subgrades to enable reduced pavement thicknesses and
  - decreased excavation volumes of potential salinity affected soils from road reserves;
  - scheduling salinity affected soils to be placed at depth in fill areas; and
  - gypsum/lime modification to B1 Horizon sourced fill or in situ material to improve soil condition for revegetation capacity and rate.
- prepare and implement an "earthworks management plan" for each subdivision stage: this work should include basic terrain evaluation so that earthworks methods can be tuned for slight, moderate and steep slopes. Induct the earthworks contractor and machine operators on relevant aspects of the earthworks strategy;
- implementation and validation of the earthworks management plan will include stockpile quality assurance and management and a level of geotechnical supervision that will require regular engineering inputs in addition to technical inputs for compaction control; and
- assessment of the need for further salinity management interventions during residential construction, e.g. granular vapour barriers, lime/gypsum treatments, durable concretes, suspended floor construction, etc.

<u>Monitoring</u>

C2. Complement baseline monitoring of soil salinity (performed prior to development) by ongoing monitoring during the development phase to determine any potential changes and inform future stages/sites.

C3. Prepare a salinity monitoring program by an appropriately qualified person.

C4. The monitoring program should consist of monthly sampling, in addition to sampling after rainfall events greater than 20mm in 24 hours.

C5. Prepare a report consolidating the results of the first 12 months of monitoring and submitted to Council.

C6. Locate the monitoring wells shall be located to facilitate the long term monitoring of the deep and shallow water tables.

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C7. Salinity monitoring shall be the responsibility of the owner of the land.

Site design

C8. Avoid disturbance of natural flow lines and the use of cut and fill construction techniques without adequate alternative drainage provisions - this is where the salinity is first likely to appear.

C9. Retain native vegetation along watercourses.

C10. Rehabilitate disturbed areas using native vegetation.

Stormwater and drainage

Note: Salinity problems generally occur in the areas where water accumulates, or which are subject to continuous wetting and drying cycles. This can be where natural through flow or surface flow is impeded by buildings, or by associated retaining walls or land resurfacing. Therefore:

C11. Ensure correct drainage, which helps protect foundations, footings and walls from salt attack.

C12. Avoid areas of impeded sub-surface flow and the interception of groundwater.

C13. Minimise deep infiltration and throughflow when designing stormwater management.

C14. Design and construct detention and retention basins to avoid high velocity runoff and soil erosion in susceptible areas, and for ease of maintenance.

Building slabs/concrete

C15. In order to prevent moisture rising through the slab, firstly lay a thick layer of sand on the site. Next, lay a damp-proof membrane of thick plastic.

C16. Make concrete more resistant to salinity by increasing its strength to reduce the permeability.

C17. Consider using a sulphate resistant concrete, which will reduce reinforcement corrosion. Minimum of 65 millimetres of concrete cover on strip or slab reinforcement is recommended in saline environments. Compaction and curing of the concrete are also advised.

C18. Consider suspended slab or pier and beam housing construction methods, to minimise the expose of building materials to corrosive elements and to minimise cut and fill so that groundwater and sub-surface water flow is not impeded.

Bricks

C19. Consider a brick damp course, which if correctly installed, will prevent moisture moving into the bricks.

C20. Consider salt resistant bricks (or exposure quality bricks) and concrete. These are available and are more suitable for use in saline environments.

C21. Consider adding waterproofing to the mortar to prevent water entry.

C22. Vegetation and landscaping:

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Favour gardens which do not require a lot of watering. This includes:

- use of native plants which do not require excess watering;
- deep rooted trees to prevent the ground water table rising;
- the use of mulch; and
- the reduction of lawn areas.

C23. Do not locate gardens close to buildings, as watering may affect foundations or render the dampcourse ineffective.

3.10.6 Noise and Vibration Management

Objectives

O1. Achieve external noise goals where feasible or reasonable.

O2. Where this is considered impractical, to achieve internal noise criteria by appropriate façade treatment.

Controls

External noise levels

C1. Achieve the Road Traffic Noise Criteria for Residential Receivers as detailed in Table 3.

C2. Achieve the Industrial Noise Criteria for Residences adjoining Clunies Ross Street as detailed in Table 4. In particular, though not exclusively.

Internal noise levels

C3. Achieve the Internal noise criteria for both traffic and industrial noise in habitable areas as detailed in Table 5.

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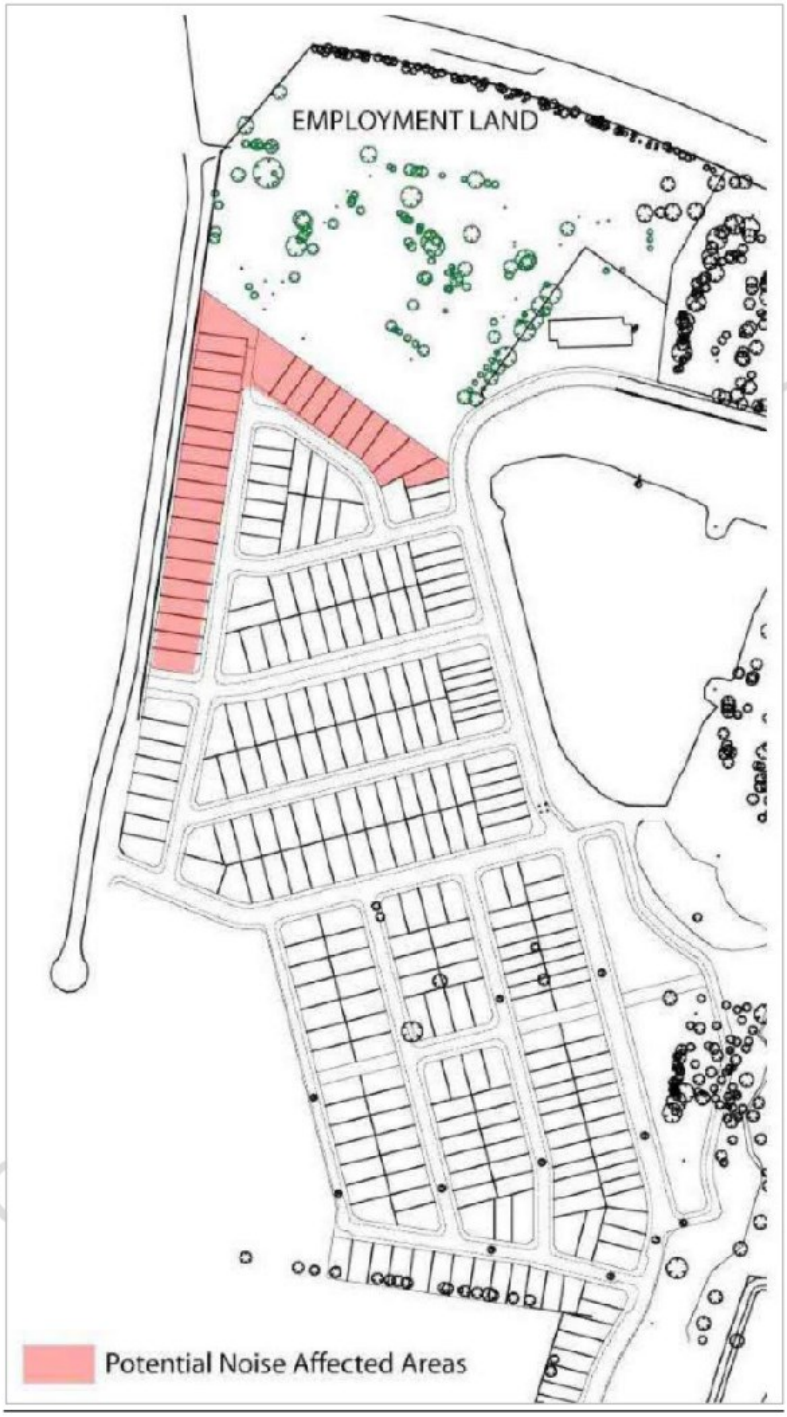

Figure 78: Area requiring acoustic treatment

Table 3: Road Traffic Noise Criteria for Residential Receivers

Type of Development	Day (7:00am - 10:00pm)	Night (10:00pm-7:00am)	Where criteria are Already Exceeded
New residential land use developments affected by freeway/arterial traffic noise.	LAeq (15hour) 55dBA	LAeq (9hour) 50dBA	Where feasible and reasonable, existing noise level should be reduced to meet the criteria via judicious design and construction of the development. Location, internal layouts, building materials and construction should be chosen so as to minimise noise impacts.
New residential land use developments affected by freeway/arterial traffic noise.	LAeq (1hour) 55dBA	LAeq (1hour) 50dBA	Where feasible and reasonable, existing noise level should be reduced to meet the criteria via judicious design and construction of the development. Location, internal layouts, building materials and construction should b
Note: These criteria are non-mandatory in nature and the design solutions should take into account cost, feasibility and equity and community preferences.			

Table 4: Industrial Noise Criteria for Residences adjoining Clunies Ross Street

Time of Day	Intrusive LAeq (15minute) Criterion for New Sources	Amenity LAeq(period) Criterion for New Sources
Day	51dBA	47dBA
Evening	51dBA	44dBA
Night	46dBA	42dBA

Table 5: Internal noise criteria for both traffic and industrial noise in habitable areas

Internal Space	Time Period	Noise Level
Sleeping Areas	Day (7:00am to 10:00pm)	LAeq(1hour) 40dB(A)
	Night (10:00pm to 7:00am)	LAeq(1hour) 35dB(A)
Other Living Areas	Day (7:00am to 10:00pm)	LAeq(1hour) 45dB(A)
	Night (10:00pm to 7:00am)	LAeq(1hour) 40dB(A)

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Sleep arousal design

C4. For the purpose of setting an acceptable sleep arousal criterion, and taking into consideration the duration of noise level events such as those associated with trucks

near or on Clunies Ross Street for example, adopt the Finegold approach, as documented in the *Environmental Criteria for Road Traffic Noise* (ECRTN; Office of Environment and Heritage, or its equivalent).

C5. Adopt a design indoor sleep arousal ASEL (A-weighted Sound Exposure Level) of 57 dBA to protect future residences, such as those facing Clunies Ross Street.

C6. Limit noise impacts from vehicle traffic upon nearby and adjoining residential land by permitting bus only access on Butu Wargun Drive between the residential and industrial areas.

C7. In the event that Butu Wargun Drive is open to other classes of traffic, the consent authority must consider the noise impacts likely to arise, in particular, whether the ECRTN criteria relevant to Pemulwuy residential areas will be exceeded.

Measuring traffic noise

C8. Where required, quantify the external acoustic environment using the methods outlined below. Methods departing the procedural requirements outlined should be supported by a scientifically valid rationale to demonstrate that the method is no less accurate than that described.

C9. Undertake preliminary LAeq (1hour) noise measurements between the periods 7:00am to 9:00am or 4:00pm to 6:00pm.

C10. Where the measured facade corrected LAeq (1hour) exceeds 55dBA, the requirements of this Plan are triggered and long-term, unattended measurements are required.

C11. Conduct long-term, unattended measurements over a minimum of three consecutive weekdays (ie Monday to Friday, not weekends).

C12. Conduct noise measurements in accordance with *Australian Standard AS2702-1984 – Acoustics – Methods for the Measurement of Road Traffic Noise*.

Note: LAeq(1hr) is the LAeq noise level for a specific 1 hour period. For assessment purposes, the LAeq(1hr) represents the highest tenth percentile hourly A-weighted Leq noise level (or if this cannot be accurately defined, the LAeq noise level for the noisiest hour) during the period 7:00am to 10:00pm or the period 10:00pm to 7:00am, as relevant.

C13. Measure LAeq on a 15-minute basis. To calculate the logarithmic average over a 1 hour period, LAeq(1hr) = 10 X log10 ((● i=1 to 410(LAeq,15min,i/10)/4), where there are 4 X 15 minute measurements conducted over a 1 hour period.

C14. Carry out noise measurements in positions representative of the nearest facade noise level. Where this is not possible, select a location where accurate extrapolation of the facade noise level can be made from the measurement position.

C15. Where measurements are acquired in the free field façade, apply correction factor of +2.5 dBA.

Measuring industrial noise

C16. Conduct operator-attended noise measurements, supplemented by long-term noise logging where appropriate, at residential areas adjacent to Clunies Ross Street.

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C17. Noise measurement procedures shall be generally guided by the requirements of *AS 1055-1997 "Acoustics - Descriptions and Measurement of Environmental Noise"* and the *NSW Industrial Noise Policy (INP) 2000*.

C18. Carry out noise measurements in positions representative of the yard areas of present and future residences.

Operating conditions of the building – ventilation measures

C19. Where the indoor design noise levels cannot be satisfied with windows open to an area of 5% of the floor area of the room under consideration, alternative means of ventilation are required.

C20. The following hierarchy of alternatives should be considered in the options analysis with (i) being most preferred and (ii) least preferred:

- i) Design the building to ensure that passive ventilation will not seriously compromise the acoustic integrity of the building. Noise sensitive uses should be located as far as practicable from noise sources. Windows should be orientated away from noise sources.
- ii) Provide the building with mechanical ventilation satisfying the requirements of the Building Code of Australia.

C21. For the purpose of design analysis, a room by room approach is acceptable and hence assumes that internal doors are closed and that negligible noise transfer between rooms occurs. If a perimeter approach is adopted, the lower indoor design noise level shall be adopted for the composite space.

Acoustic compliance reporting

C22. Accompany Development Applications by a Preliminary Report demonstrating compliance with established noise levels (see Tables 3 and 4).

C23. Where measured noise levels exceed criteria, state in the Preliminary Report whether a Design Report for road traffic or industrial noise is required.

C24. Ensure that the preliminary report, as a minimum includes:

- a site plan of the development proposal showing the locating of the noise measurement locations;
- a summary of the measured industrial or adjusted facade traffic noise levels; and
- a statement qualifying whether the measured noise levels comply with established noise criteria and whether a Design Report is required.

C25. Where the Preliminary Report demonstrates that a Design Report is applicable, (that is, where the preliminary road traffic or industrial noise measurements exceed the noise goals detailed in Tables 3 and 4), submit a design report with the Development Application.

C26. The design report shall include:

- a site plan of the development proposals showing the location of the noise measurement points;
- where applicable a graphical representation of the acquired road traffic or industrial noise data;
- tabulated results of operator attended noise measurements;

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- a statement quantifying the measured or adjusted facade noise levels derived for design purposes for road noise or, in the case of industrial noise levels, at the yard areas of residential properties;
- recommendations for specific noise controls to satisfy the design noise goals; and
- a statement indicating that the design noise levels will be achieved following the effective implementation of the required noise controls.

C27. Following completion of the attenuation measures, submit a statement from "an acoustic consultant having the technical eligibility criteria required for membership of the Association of Australian Acoustical Consultants (AAAC) and/or grade membership of the Australian Acoustical Society (MAAS)", clearly indicating that the acoustic recommendations of the design report have been satisfactorily incorporated.

C28. Submit the validation statement to Council/Principal Certifying Authority (PCA) prior to the issue of Subdivision/Occupation Certificates.

3.10.7 Air Quality Management

Objectives

O1. Minimise trip length and encourage the use of pedestrian/cycleways.

O2. Reduce traffic emissions overall by improvement of local bus services and linkage to major transport routes and transitways.

O3. Improve energy efficiency through design and orientation of houses.

Controls

C1. Design roadways to minimise trip length and encourage the use of pedestrian/cycleways.

C2. Locate and provide access to services and facilities in order to minimise trip length and encourage the use of pedestrian/cycleways.

C3. Include linkages to centres of employment, cultural and natural interest to minimise trip lengths.

C4. Improve local bus services and linkages to major transport routes and transitways.

C5. Design and orientate houses for energy efficiency.

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CUMBERLAND CITY COUNCIL

PART F1-15
RAAF STORES DEPOT

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1. Introduction

1.1 Land to which this Part applies

This Part applies to land zoned R3 Medium Density Residential within the Former RAAF Stores Depot site under *Cumberland LEP 20XX*. Refer to Figure 1 below.



Figure 1: Area to which this Part applies.

1.2 Purpose of this Part

The purpose of this part is to provide land use provisions to guide redevelopment of the former RAAF Stores Depot site.

2. General objectives

O1. Encourage design that will enhance the existing character of the locality; and

O2. Ensure that redevelopment is integrated with the surrounding development.

3. Specific objectives and controls

3.1 Residential density and dwelling mix

Objectives

O1. Encourage a range of housing types to meet the needs of the community.

O2. Provide interesting and varied streetscapes.

O3. Ensure development is not excessive in scale and the distribution of housing forms reflects the scale and character of existing development.

O4. Incorporate a range of dwelling types and sizes. Locate higher density housing to act as a buffer to industrial development to the south of the site.

Controls

C1. Residential development shall not exceed a gross residential density of 28 dwellings per hectare.

C2. Courtyards shall not be built within the front building alignment.

C3. Single dwelling traditional lot development shall occur along the interface with existing residential areas.

3.2 Car parking

The applicant shall refer to Part G of this DCP.

3.3 Noise

The applicant shall refer to Part B of this DCP.

3.4 Adaptable housing

The applicant shall refer to the relevant adaptable housing provisions in Part B of this DCP.

3.5 Stormwater management

The applicant shall refer to the Part G of this DCP.

3.6 Tree preservation

The applicant shall refer to Part G of this DCP.

3.7 Public domain

The applicant shall refer to the *Former RAAF Stores Depot Public Domain Plan* for public domain requirements. This Plan is available from Cumberland City Council on request.

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PART F1-16
SHERWOOD SCRUBS AND ADJOINING LAND

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1. Introduction

1.1 Land to which this Part applies

This section applies to Lots 1 DP 1002887 and Lot 12 DP 1075418 ("The Site") on Kenyons Road, Merrylands.

2. Specific Objectives and Controls

Objectives

O1. Ensure that the siting of any future development are appropriate to the locality and of significant vegetation and natural or built heritage are preserved;

O2. Ensure that future development meets sound environmental practices and standards; and

O3. Encourage adaptive re-use and restoration of heritage buildings within the site.

Controls

C1. Any dwelling or other building erected within Lot 1 DP1002887 shall be wholly contained within a designated "Residential Precinct" as identified on Appendix A.

C2. Unless otherwise directed by Council, all existing trees greater than 3.5m in height external to a designated "development precinct" are to be protected and preserved.

C3. As far as possible, disturbance of the ground surface within the drip line of all trees over 3.5m in height is to be avoided. All dwellings, structures and access roads are to be located to avoid disturbance of the following individual specimens:

Table 1: Identified Species –disturbance to be avoided

Tree Number*	Description
312	Broad-leaved Ironbark
192	Mature Grey Box
193	Mature Grey Box
249	Mature Grey Box

(* Tree Numbers as identified on Appendix A)

C4. The design of the second storey should be integrated into the overall dwelling design and the reduced building footprint should assist in the retention of trees.

C5. Preservation of existing trees within designated "Residential Precincts" is to be maximised by the appropriate siting of dwellings, buildings and associated private open space areas. Specific trees likely to be affected by the siting of dwellings or structures are to be clearly identified on any plans for erection of such and may only be removed with the express consent of Council.

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C6. Development within Lot 1 DP1002887 shall make provision for establishment and maintenance of a "Native Vegetation Precinct". The location and extent of this precinct is to be as shown on Appendix A.

2.1 Specific Requirements applying to Lot 12 DP 1075418

Objective

O1. Ensure the heritage significance of this site is retained.

Controls

C1. The provisions of *Cumberland Local Environmental Plan 20XX* with respect to adaptive re-use of heritage items apply to this site.

C2. Any application to Council for adaptive re-use and/or residential development within this lot shall be accompanied by a Conservation Plan prepared by a suitably qualified architect.

C3. The Conservation Plan will:

- describe the significance of buildings, structures and their setting as part of the environmental heritage of Cumberland City;
- consider appropriate steps for conservation of identified elements to be undertaken in conjunction with the proposed development; and
- describe appropriate steps to mitigate any adverse impact on the heritage significance of identified elements arising as a result of the proposed development.

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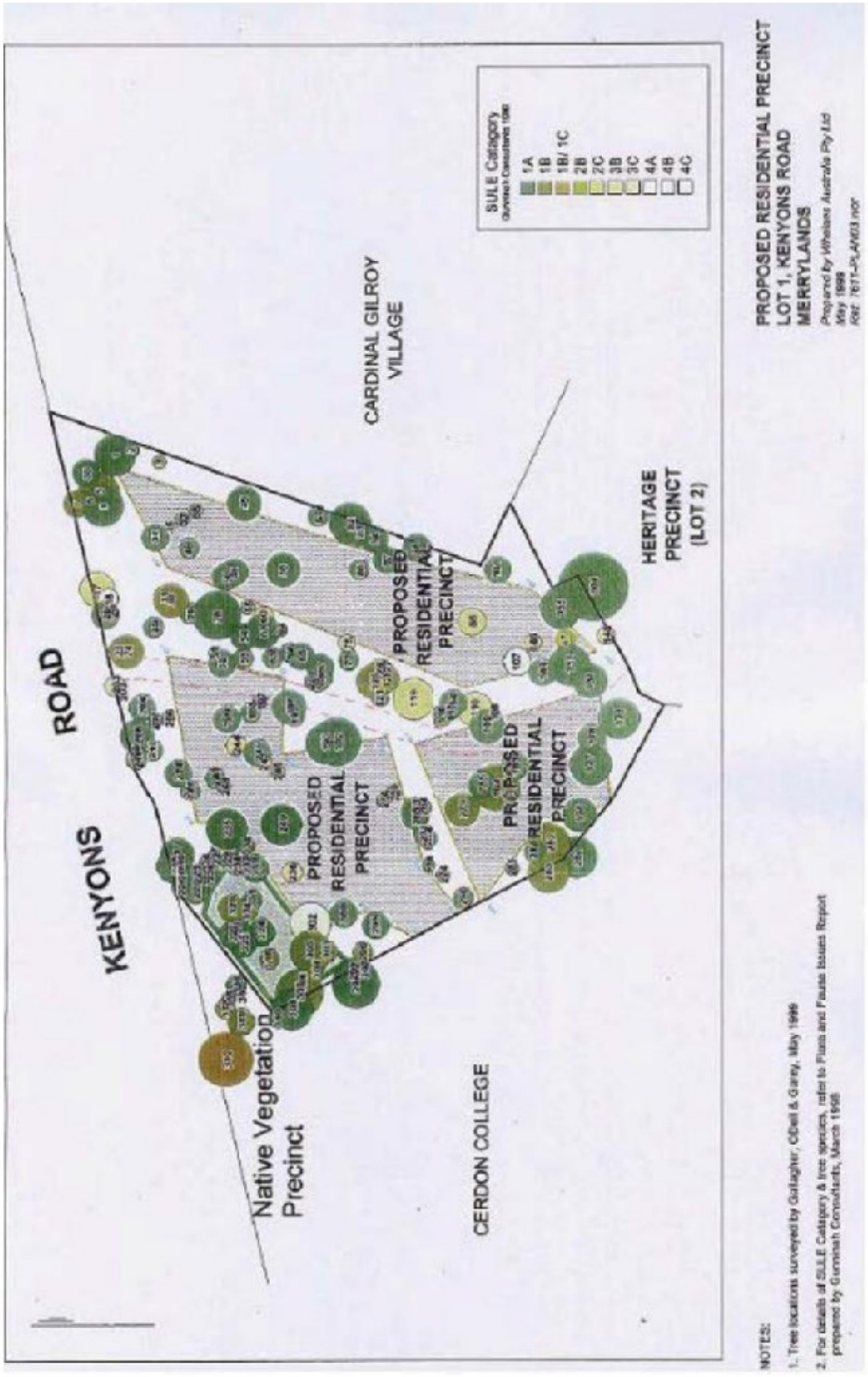
3. Appendix A – Guidelines for Development



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DOCUMENTS ASSOCIATED WITH REPORT C08/20-524

Attachment 10

Recommended Cumberland DCP Part F2 Site Specific Development Controls



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PART F2
BUSINESS SITE SPECIFIC

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PART F2-1
AUBURN TOWN CENTRE

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1. Introduction

1.1 Land to which this Part applies

This Part applies to the Auburn Town Centre which is zoned B4 Mixed Use under the *Cumberland LEP 20XX*. Refer to Figure 1. The development controls apply in addition to the development controls presented in previous Parts of this DCP. Where there are inconsistencies between the controls contained within this Part and other controls within this DCP, these controls prevail to the extent of the inconsistency.



Figure 1: Area to which this Part applies

2. Objectives and controls

2.1 Setbacks

Objective

O1. The built edge of development fronting the street contributes to a sense of enclosure, scale and appropriate transition within the town centre.

Control

C1. Setbacks within the town centre shall be consistent with Figure 2.

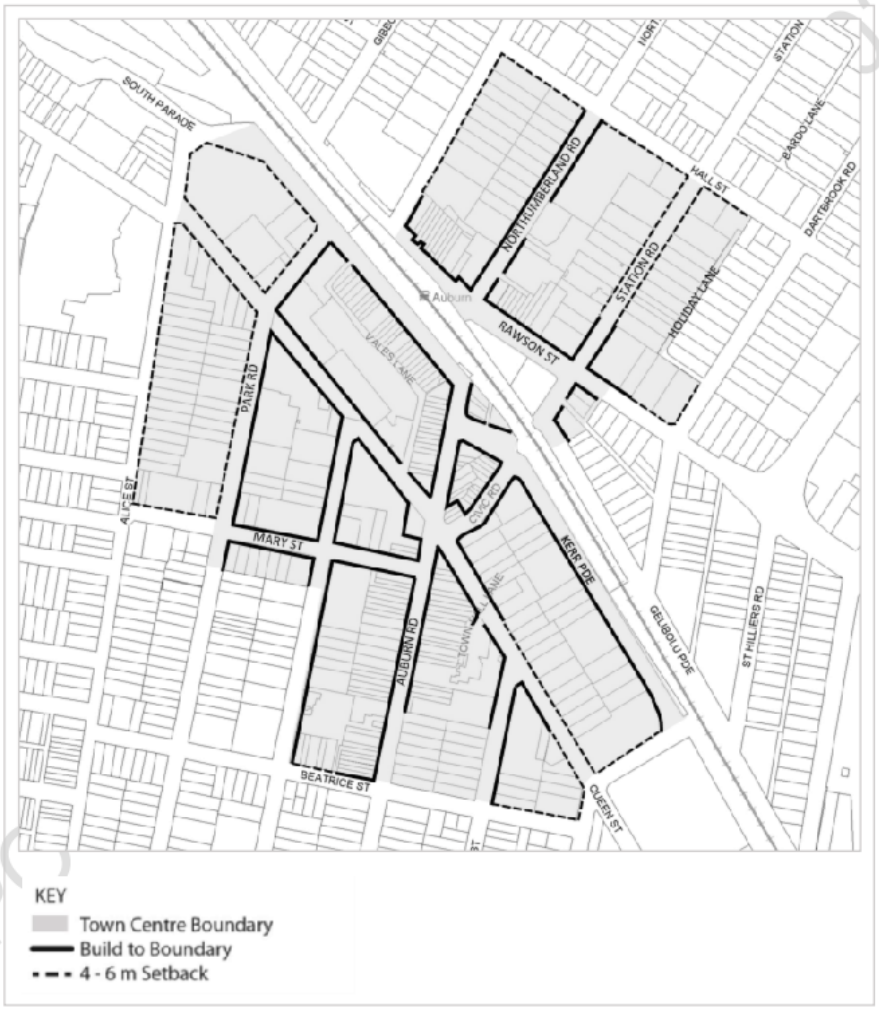

Figure 2: Building setbacks within the Auburn Town Centre

2.2 Active frontages

Control

C1. As a minimum, buildings shall provide active street frontages consistent with Figure 3.



Figure 3: Active street frontages within the Auburn Town Centre

2.3 Laneways

Control

C1. Redevelopment within the Auburn Town Centre shall make provision for the creation of new laneways as shown in Figure 4.

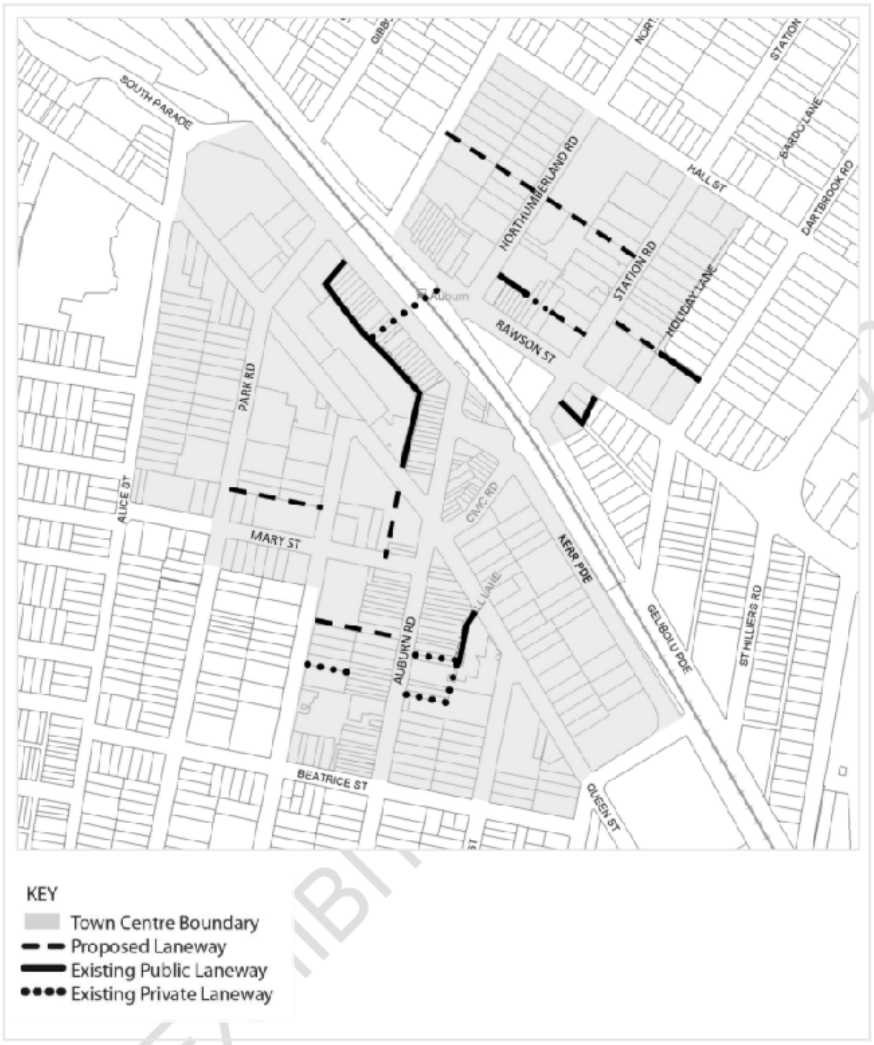

Figure 4: Location of laneways proposed within the Auburn Town Centre

2.4 Key Site – Five Ways

The Five Ways site within the Auburn Town Centre has been identified as having potential for intensification of mixed use development, including commercial and residential uses. The site is bounded by Auburn Road to the east, Queen Street to the north, Harrow Road to the west and Mary Street to the south.

The development controls for this site apply in addition to the development controls presented in previous sections of this Part.

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Objectives

O1. Ensure architectural design recognises:
- the strategic significance of the site within the Auburn Town Centre; and
- the visual prominence of the site from public areas including the future Five Ways open space and along Auburn Road.

O2. Reinforce Auburn Road as the main street of the southern section of the Auburn Town Centre.

O3. Ensure the new Five Ways open space will become a focal point of the town centre.

O4. Extend the active frontage along Queen Street, Harrow Road and Mary Street.

O5. Ensure development is sensitive in scale and character to the town centre.

O6. Improve pedestrian access and circulation within the town centre.

O7. Minimise overshadowing impact to the surrounding public domain.

Controls

C1. Development should be in accordance to Figure 5.

C2. An open space area shall be provided on the north-east corner of the site at the intersection of Auburn Road and Queen Street with a minimum width of 26m, including a 6m reservation as a pedestrian plaza to accommodate circulation and outdoor dining area.

C3. Pedestrian through-site links shall be provided to improve circulation and access to the town centre. Where possible, these linkages shall align to existing or proposed crossing points.

C4. The preferred vehicular access to the site shall be via Harrow Road with secondary access via Mary Street and Queen Street.

C5. Outdoor dining shall be encouraged within the Five Ways open space and along Auburn Road and Queen Street.

C6. For residential uses, the maximum building dimensions, inclusive of balconies and building articulation but excluding architectural features, is 24m x 60m.

C7. Future development is to consider opportunities to reconfigure Mary Street to facilitate one way traffic flow west bound between Auburn Road and Harrow Road.

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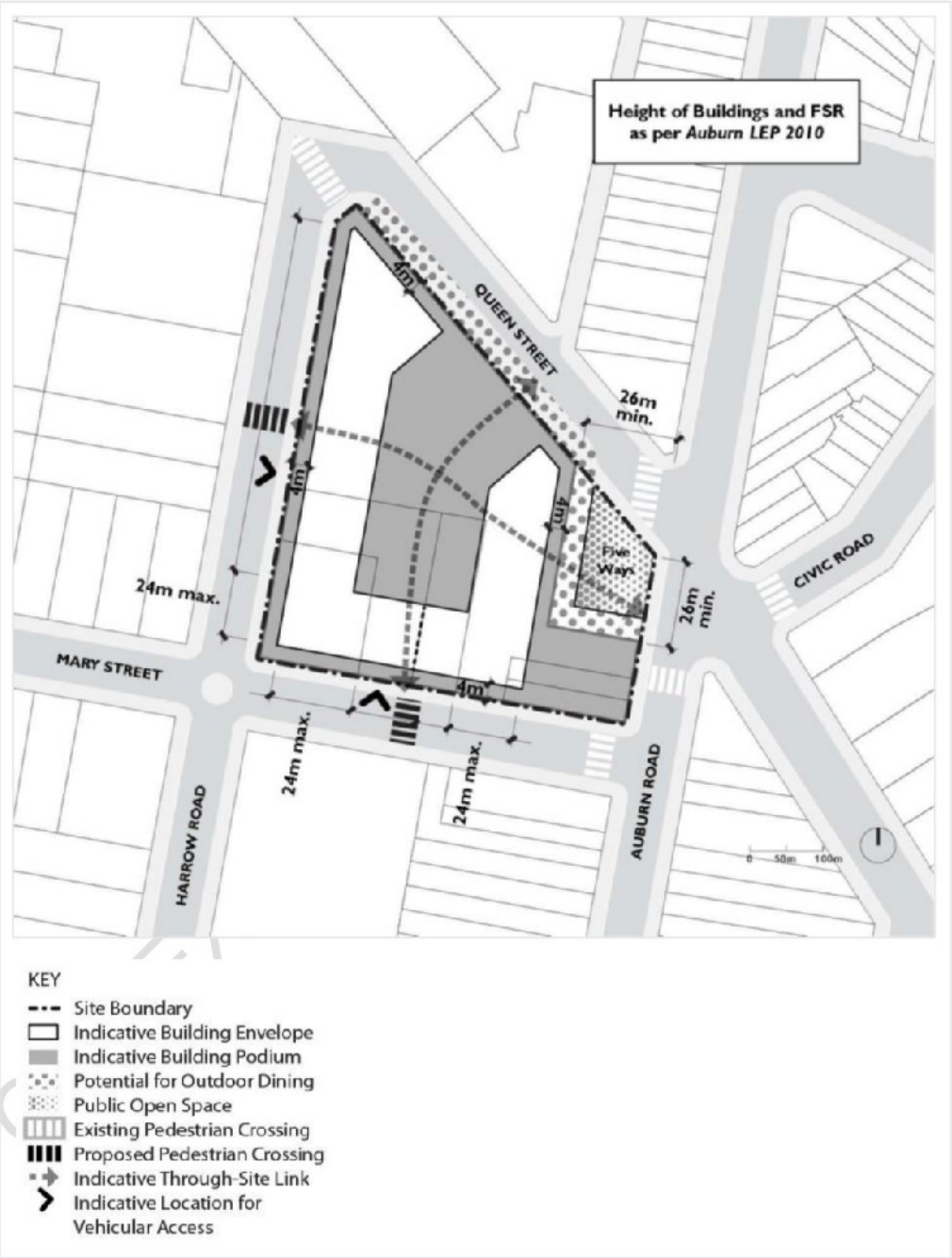

Figure 5: Five Ways site - indicative development layout

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PART F2-2
GRANVILLE TOWN CENTRE

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1. Desired Future Character

The Granville town centre precinct will continue to be a vibrant place with a variety of activities within and surrounding the centre. This will be achieved through a mix of uses, building heights and densities to support the role and function of Granville. Throughout the precinct new development is to retain and enhance the heritage character of the precinct. Specific characteristics for parts of the town centre are detailed below.

Parramatta Road Corridor: Parramatta Road is to accommodate non-residential development including business and office uses, light industries and specialised 'retail' developments that require large floor plates. New development is to be set back from the roadway to improve pedestrian amenity.

Mixed use development: to be located between the railway line and Cowper Street with increased height limits and floor space ratios permitted on larger sites. The amalgamation of lots will be required to achieve the maximum building heights and floor space ratios prescribed in the *Cumberland LEP 20XX*. Where the required site amalgamation does not occur, reduced building heights and floor space ratios apply (refer to the *Cumberland LEP 20XX*). The prescribed maximum floor space ratios may not be wholly achievable on all sites due to urban design considerations or site configuration. Residential development will be located away from Parramatta Road to minimise adverse amenity impacts. The interface between development along Parramatta Road and residential development to the rear will be carefully designed to ensure that privacy and visual amenity are managed and protected.

Retail Centre: New development in the main retail precincts north and south of the railway line will be consistent with the scale and fine grain form of existing development. Active ground level frontages are to be provided, with at grade pedestrian access. The existing street pattern, including rear lanes, will be retained to reflect the main streets' historical context. Shop top housing is encouraged and will be set back from the street alignment in order to respect pedestrian scale of the existing streetscape.

Residential zone: New residential development in Enid and Diamond Avenues facing Granville Memorial Park and pool will provide a residential edge to frame the public open space. New development is to maintain the heritage character and narrow subdivision pattern in the heritage conservation areas, and areas south of William Street and west of Duck Creek.

Investigation Areas

- As shown in Figure 2 Council will investigate the potential for redevelopment of the bus interchange and car park to provide for a mix of community, residential and commercial uses.
- Council will investigate the block bound by Railway Parade, Mary, Carlton and Jamieson Streets as shown in Figure 1. Development in this location will need to respect the significance of the existing heritage items and heritage conservation areas in relation to scale, character, form, siting, material, colour and detailing. In addition, the proportion and massing of buildings is to relate favourably to that of existing building patterns in the street.

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Figure 1: Granville Town Centre Precinct Map

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2. Objectives and Controls

Objectives

O1. Ensure that new development provides a strong interface to Granville Railway Station, Parramatta Road, South Street and Good Street.

O2. Ensure that new development maintains the character and function of South Street as a main retail/commercial street by continuing the fine grain pattern of retail and commercial uses.

O3. Ensure that new development responds well to existing heritage items.

O4. Ensure new development within the mixed use area provides active ground floor uses to increase the safety, use and interest of the area.

O5. Ensure new buildings within the mixed use area provide articulation and an attractive composition of building elements.

O6. New pedestrian connections, roads and laneways should be provided in accordance with Figure 2. Where a development provides for public access connections, a variation

to Council's floor space ratio control may be considered, subject to the objectives of this part.

Q7. New road connections and laneways should be provided to improve through block connections, remove dead end streets, extend existing connections, improve serviceability of retail development and improve the interface to the railway line.

Q8. Properties facing South Street are to form an extension of existing laneways to the rear to provide for vehicular access and servicing needs of development in the B2 Local Centre zone. The laneways will need to be located over or abutting the B2 Local Centre Zone.

Q9. New street links are to match the width of the existing public road that it forms and extension of. New laneways are to have a minimum width of 6 metres.

Q10. New pedestrian links are to improve through block connections and provide better links to and from Granville Railway Station.

Q11. New pedestrian connections are to have a minimum width of 3 metres and are to be consistent in width for their full length.

2.1 Setbacks

Objectives

Refer to section 2. Objectives.

Controls

Front Setbacks

C1. Front building setbacks are to be in accordance with Figure 2 and any additional controls set out below:

- for development along Parramatta Road, setbacks shown in Figure 2 apply to the first 4 storeys (15 metres) of development. An additional 3 metre upper level setback applies to any portion of development above 4 storeys (15 metres) in height.
- for development along Good Street, setbacks shown in Figure 2apply to the first 3 storeys of development. Remaining storeys are to be set back an additional 3 metres. Balconies are not to encroach the upper level setback area.
- for development in the B2 Local Centre zone, south of the railway line, setbacks shown in Figure 2 apply to the first 3 storeys of development. Remaining storeys are to be setback an additional 3 metres. Balconies are not to encroach the upper level set back area.
- for development in the B4 Mixed Use zone, south of the railway line, setbacks shown in Figure 2 apply to the first 2 storeys of development. Remaining storeys are to be set back an additional 3 metres. Balconies are not to encroach the upper level setback area.
- for development in the B4 Mixed Use Zone with frontage to Mary, Jamieson and Carlton Streets, the front setback to be between 5 and 9 metres.
- for development in the R4 High Density Housing Zone, south of the railway line, setbacks shown in Figure 2 apply to the first 4 storeys of development. Remaining storeys are to be set back an additional 3 metres. Balconies may encroach the upper level setback (levels 5 and 6 only) for a maximum depth of 1 metre.
- for development in the B4 Mixed Use zone between Parramatta Road and the railway line, setbacks shown in Figure 2 apply to the first 4 storeys (15 metres) of development. An additional 3 metre upper level setback applies An additional 3

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metre upper level setback applies to any portion of development above 4 storeys (15 metres) in height.

C2. Side and rear building setbacks are to be in accordance with Figure 2 and the below controls:

Rear Setbacks

B2 Local Centre Zone

C3. A zero rear setback is allowable for development in the B2 Local Centre Zone.

B4 Mixed Use Zone

C4. A minimum rear setback of 9 metres is required for development up to 25 metres in height.

C5. A minimum rear setback of 12 metres is required for development above 25 metres.

B6 Enterprise Corridor Zone

C6. A minimum rear setback of 4 metres is required.

Side Setbacks

B2 Local Centre Zone

C7. A zero side setback is allowable for development up to 4 storeys (15 metres) in height, except where the development addresses a lane.

B4 Mixed Use Zone

C8. A zero side setback is allowable for development up to 4 storeys (15 metres) in height, except where the development addresses a lane.

C9. For any portion of development above 4 storeys (15 metres) in height, a minimum side setback of 9 metres is required for habitable rooms and a minimum side setback of 6.5 metres is required for non-habitable rooms.

B6 Enterprise Corridor Zone

C10. A zero side setback is allowable for development up to 6 storeys (21 metres) in height.

Side setbacks (addressing lanes)

C11. Where lanes are indicated in Figure 2 (see Front Setbacks above), half of the width of the lane is to be provided by each adjoining property. For passive surveillance and a high quality public domain, continuous full length blank walls are discouraged to lanes. Streetscape setbacks to lanes are shown in Figure 3. For visual and acoustic privacy the following additional setbacks are required.

6 metre wide lanes

C12. Development up to 4 storeys (12 metres) in height are to be setback a minimum of 1.5 metres from the lane where there are non-habitable rooms and setback a minimum 3 metres where there are habitable rooms.

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C13. For the portion of development above 4 storeys (15 metres) but less than 25 metres, a minimum 3.5 metre setback to the lane is required for non-habitable rooms and a minimum 6 metre setback to the lane is required for habitable rooms.

3 metre wide lanes

C14. For privacy of buildings up to 4 storeys a minimum 3 metre setback to the lane is required for non-habitable rooms and a minimum 4.5 metre setback to the lane is required for habitable rooms.

C15. For the portion of development above 4 storeys (15 metres) but less than 25 metres, a minimum 5 metre setback to the boundary is required for non-habitable rooms and a minimum 7.5 metre setback for habitable rooms.

C16. To achieve a continuous street edge development in the B2 Local Centre zone should have a nil side setback where it will not have a detrimental impact upon adjoining development.

C17. Building setbacks to existing and desired laneways should be designed to activate the laneway while still allowing for the servicing needs of development.

C18. Where development proposes of adjoins residential development greater than 2 storeys in height, building separation requirements prescribed by the NSW *Apartment Design Guide* (ADG) should be achieved.

C19. The building separation distances between buildings on the same site are not to be less than those required between buildings on adjoining sites.

2.2 Site Frontage

Objectives

Refer to section 2. Objectives.

Control

C1. The minimum site frontage for development in B4 Mixed Use zone or B6 Enterprise Corridor zone on land between Parramatta Road and the railway line is to be in accordance with the following table:

Table 1: Minimum site frontage

Site Area	<950m²	950m² – 21000m²	>2100m² – 3200m²	>3200m²
Minimum frontage (m)	24	30	45	60

2.3 Land Amalgamation

Objectives

Refer to section 2. Objectives.

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Control

C1. The preferred pattern of land amalgamation is to be side by side to maximise lineal street frontage and to encourage east west built form for good solar access, as shown in Figure 4.

2.4 Landscaping and Deep Soil

Objectives

Refer to section 2. Objectives.

Controls

C1. In the B6 Enterprise Corridor zone along Parramatta Road, a minimum of 20% of the site is to be a deep soil zone.

C2. In the B4 Mixed Use zone between Parramatta Road and railway line, a minimum of 30% of the site is to be a deep soil zone, and not less than 40% of the site is to be landscaped.

C3. The required deep soil areas are to be predominantly located at the rear of the site to provide a landscape corridor and visual screening between buildings.

C4. Where a front building setback is required as shown in Figure 2 (with the exception of Parramatta Road), the front setback area is to be landscaped. Provision of street trees is required in this area.

C5. For development fronting Parramatta Road, the setback area is to form an extension of the footway. Landscape planting including street trees is encouraged.

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Figure 2: Building setbacks, pedestrian links and laneways

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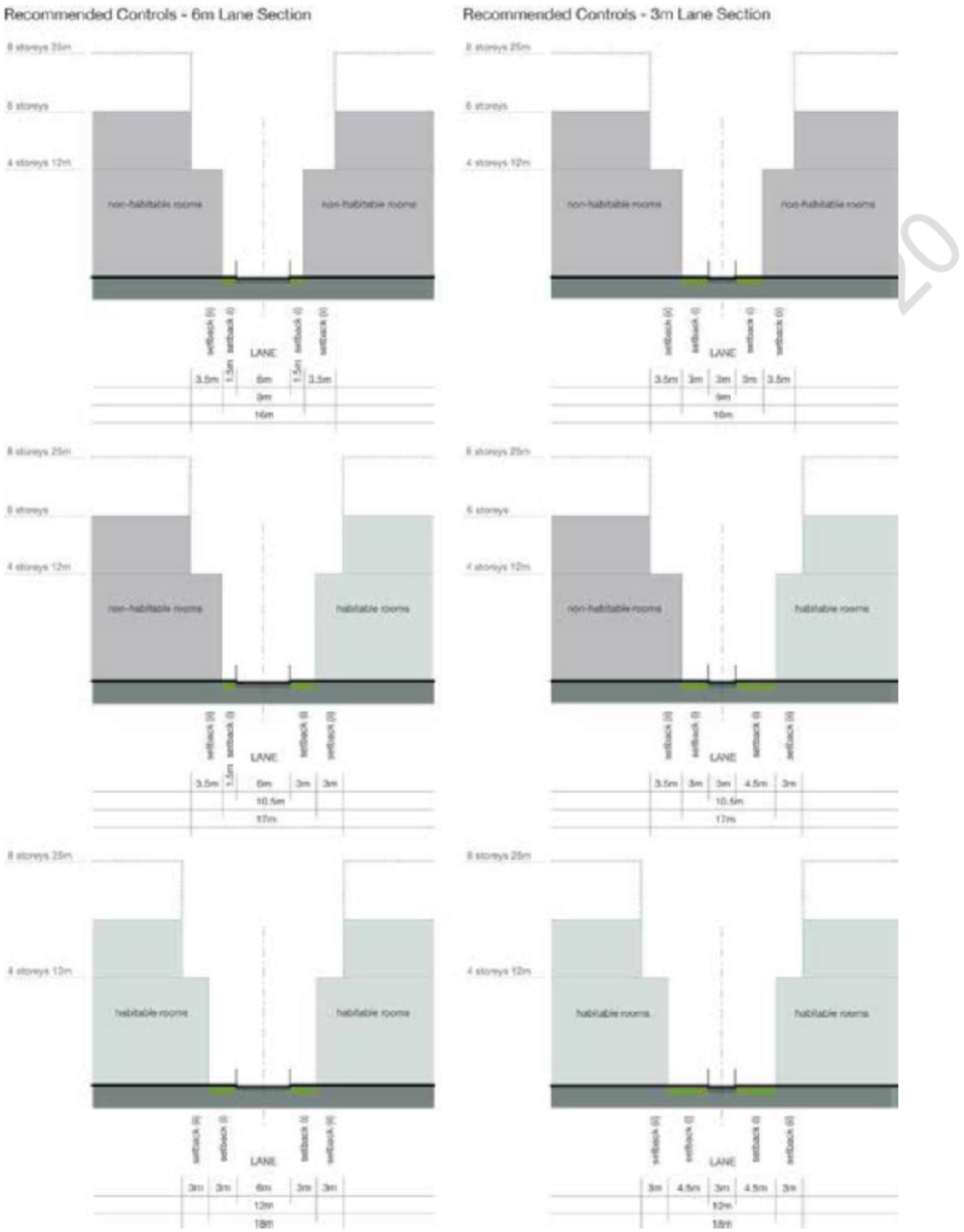

Figure 3: Lane and Street Sections

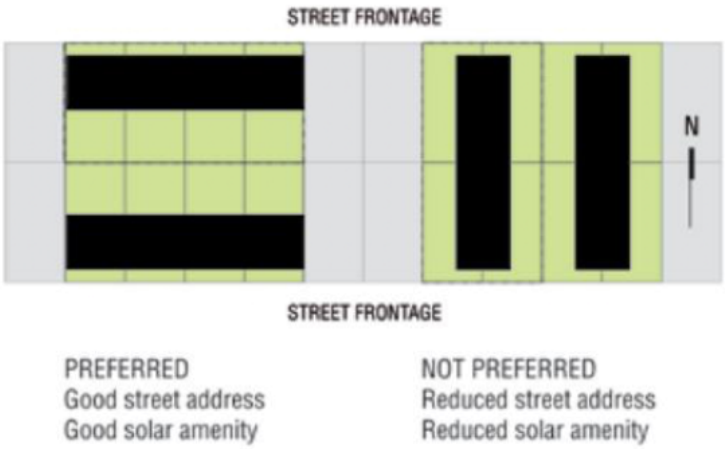

Figure 4: Preferred Street Frontage condition

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CUMBERLAND CITY COUNCIL

PART F2-3
GUILDFORD TOWN CENTRE (EAST)

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1. Desired Future Character

New development is to retain and enhance the character and function of Guildford Road as a 'main street' with active ground level uses. New development will be designed to respect and preserve the significance and contribution of heritage to the character and identity of the precinct. The design intent is to retain the human scale of development along Guildford Road and to retain the existing street pattern as a reflection of the main street's historical context.

New residential development in the form of residential flat buildings and multi dwelling housing will be located on the areas surrounding the town centre and the railway station. New development adjoining Railway Terrace should provide a strong interface to the roadway and nearby station reinforcing its role as a pedestrian and vehicular link between the railway station, the main street and nearby public open spaces. Development along Railway Terrace opposite the railway station is to provide an address to the station and development is to be designed to cater for retail and business uses at ground level.



Figure 1: Guildford Town Centre (East) Map

Investigation Areas

- Opportunities for a new area of open space area is to be investigated in proximity to the higher density housing in the precinct, to the south of Guildford Road. This area will provide a small local park to increase outdoor recreation opportunities for the local community.

- Council will investigate the potential for redevelopment of land shown in Figure 2 to make this a more active area with improved amenity, safety and accessibility whilst maintaining and enhancing the existing community activity associated with the library and community centre. Any redevelopment of this area should also provide improved and increased public open space in the form of a public square or similar.

2. Objectives and controls

Objectives

O1. Ensure that new development provides a strong interface to Guildford Road and Railway Terrace.

O2. Ensure that new development maintains the character and function of Guildford Road as a main retail/business street by continuing the fine grain pattern of retail and business uses.

O3. Ensure that new development responds well to existing heritage items.

2.1 Pedestrian Connections and Laneways

Objectives

Refer to section 2. Objectives.

Controls

C1. New pedestrian connections and laneways should be provided in accordance with Figure 2. Where a development provides for public access connections, a variation to Council's floor space ratio control may be considered, subject to consistency with objectives.

C2. New shared pedestrian and vehicular laneway links provided to properties facing Guildford Road are to form an extension of existing laneways and are to provide for vehicular access and servicing needs of development in the B2 Local Centre zone. The laneway will need to be located over or abutting the B2 Local Centre Zone.

C3. Shared vehicular and pedestrian lanes are to have a minimum width of 6 metres.

C4. New pedestrian links are to improve through block connections and provide links from the main street into existing car parking areas.

C5. New pedestrian connections are to have a minimum width of 3 metres, being consistent in width for its full length.

2.2 Setbacks

Objectives

Refer to section 2. Objectives.

Controls

C1. Building setbacks are to be in accordance with Figure 2 and any additional controls set out below:

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- the nil setback shown along Railway Terrace applies to the first 3 storeys of development. Where taller buildings are permitted, additional storeys shall be setback a minimum of 3 metres from the front boundary as shown in Figure 2.
- balconies may encroach the upper level setback area as shown on Figure 3 as follows:

  - an unroofed terrace area permitted to the 4th storey. Balustrade can extend from building line of storey below.
  - balconies may extend 1 metre into the setback area for the uppermost storey.

C2. Where a nil front setback is shown on Figure 2 development should have a nil side setback where it will not have a detrimental impact upon adjoining development, to achieve a continuous street edge.

C3. Building setbacks to existing and desired laneways should be designed to promote activation of the laneway while still allowing for the servicing needs of development.

2.3 Ground level land uses

Objectives

Refer to section 2. Objectives.

Controls

C1. Where a nil setback is shown on Figure 2 along Railway Terrace, development with non-residential ground level uses is desired to encourage an active street frontage.



Figure 2: Setbacks, pedestrian links and laneways

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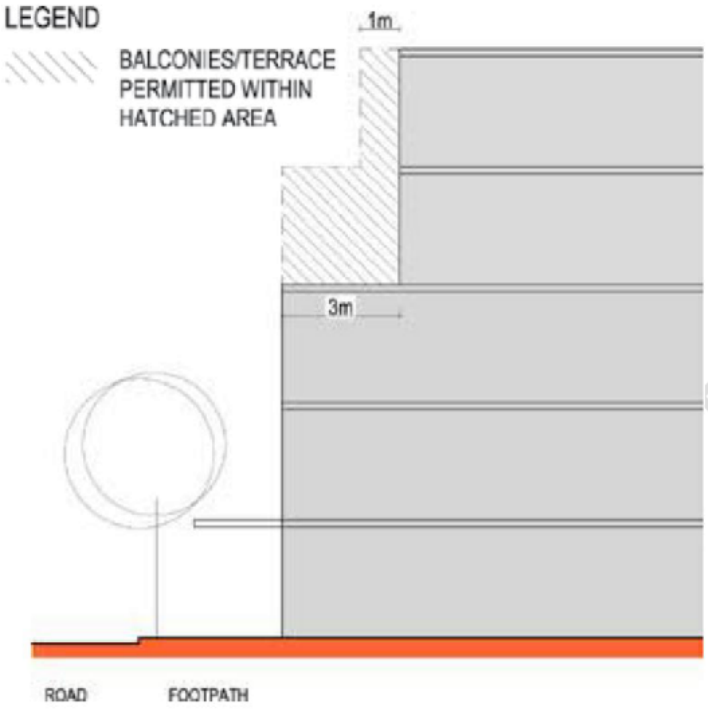

Figure 3: Upper level building setbacks

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PART F2-4
GUILDFORD TOWN CENTRE (WEST)

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1. Introduction

1.1 Land to which this Part applies

This Part applies to all development on land within Guildford Town Centre (West), as shown in Figure 1.



Figure 1: Guildford Town Centre (West)

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2. Objectives and controls

2.1 Site consolidation

Objectives

O1. Ensure all sites achieve the required minimum width to adequately provide for basement car parking.

O2. Minimise vehicular and pedestrian conflicts throughout the town centre through the appropriate location and number of vehicular access points.

O3. Ensure all sites achieve the required minimum width to allow for a site configuration that permits a consistent landscaped open space to the rear of sites.

O4. Ensure any site amalgamation pattern does not restrict the development opportunity of any adjoining site or the ability of adjoining sites to provide basement car parking or rear open space.

O5. Establish fine grain shopfronts along primary retail streets within the town centre.

O6. Ensure new developments do not reduce the opportunity for the development of adjoining properties to develop in accordance with this DCP and adversely impact on the economic viability of development in accordance with s79C of the *Environmental Planning and Assessment Act 1979*.

Controls

C1. The minimum lot frontage requirements for all development within a Business zone is located in Part C of this DCP.

C2. The minimum lot frontage requirements for all development within a Residential zone is located in Part B of this DCP.

C3. Development within Business zones located on Military Road are to provide a fine grain retail shopfront character.

C4. Sites must not be left such that they are physically unable to develop in accordance with the prescribed built form outcomes outlined in this DCP.

2.2 Rear laneways, land dedication, access and vehicular entries

Objectives

O1. Require the provision of rear access ways on properties for private and service vehicle access, in order to reduce vehicular and pedestrian conflict and provide greater amenity to future residents.

O2. Require buildings fronting primary roads to have vehicular access from the rear of the property in order to reduce vehicular and pedestrian conflict and create a safe retail environment.

O3. Require all sites with existing access ways from the rear of the property to be used for vehicular access and parking.

O4. Mitigate any impacts of vehicular traffic on adjoining residences.

O5. Allow improved circulation space for pedestrians and future residents within the precinct.

O6. Limit or prohibit vehicular access from primary street frontages.

Control

C1. Where new development has access available off existing or laneways, vehicular access must be provided from the laneway.

2.3 Building height

Objectives

O1. Require an appropriate scale relationship between building heights and street width.

O2. Ensure the appropriate management of overshadowing, access to sunlight and privacy.

O3. Enable flexibility of used by implementing higher floor to ceiling heights within buildings for the ground and first floors.

O4. Allow activation of the street edge on primary roads.

O5. Allow for reasonable daylight access to other development and the public domain.

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Controls

C1. The maximum height for development within the Guildford Town Centre (West) is detailed within *Cumberland LEP 20XX* as a written statement and associated maps.

C2. The maximum building height in storeys within the Guildford Town Centre (West) is detailed in Figure 2.

C3. The minimum floor to ceiling height requirement are located in Part B and C of this DCP.

C4. The prominence of street corners shall be reinforced by concentrating the tallest portion of the building on the corner in relation to the overall building height and predominant street wall height.

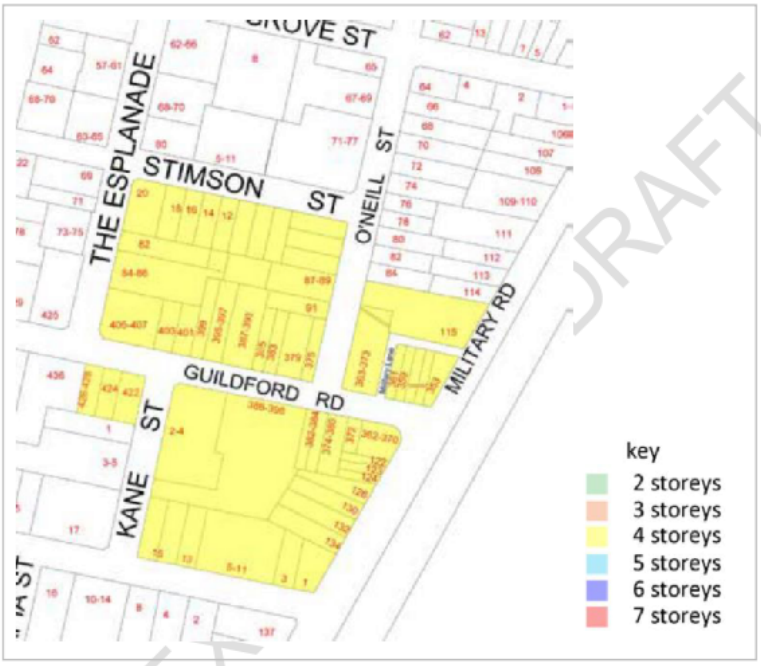

Figure 2: Building height

2.4 Building setbacks, separation and street presentation

Objectives

O1. Require suitable definition of the public domain and public spaces.

O2. Require a continuous built edge within commercial and mixed use development for activation of the street edge.

O3. Retain a landscaped setback character for residential development.

O4. Ensure setbacks respond to the building separation requirements.

O5. Reduce the visual impact of buildings on the public domain.

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Controls

C1. All building setbacks shall be in accordance with Figure 3.

C2. Where a 0 metre setback is permitted, buildings shall form a continuous street edge.

C3. Side setbacks (unless indicated otherwise in Figure 3) are to be in accordance with setbacks indicated in Part B or Part C of this DCP.

C4. Rear setbacks for development within business zones shall correspond to building depth and separation requirements in this Section.

C5. Rear setbacks for development within residential zones shall be in accordance with development controls within Part B of this DCP.

C6. Developments shall present and address the street.

C7. Sites with corner lots shall present and articulate to both street frontages.



Figure 3: Setbacks

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PART F2-5
LIDCOMBE TOWN CENTRE

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1. Introduction

1.1 Land to which this Part applies

This Part applies to the Lidcombe Town Centre which is zoned B4 Mixed Use, RE1 Public Recreation and RE2 Private Recreation under the *Cumberland Local Environmental Plan 20XX* (refer to Figure 1). Where there are inconsistencies between the controls contained within this Part and other controls within this DCP, these controls prevail to the extent of the inconsistency.



Figure 1: Lidcombe Town Centre - Area to which this Part applies

2. Objectives and controls

2.1 Setbacks

Objective

O1. The built edge of development fronting the street contributes to a sense of enclosure, scale and appropriate transition within the town centre.

Control

C1. Setbacks within the town centre shall be consistent with Figure 2.

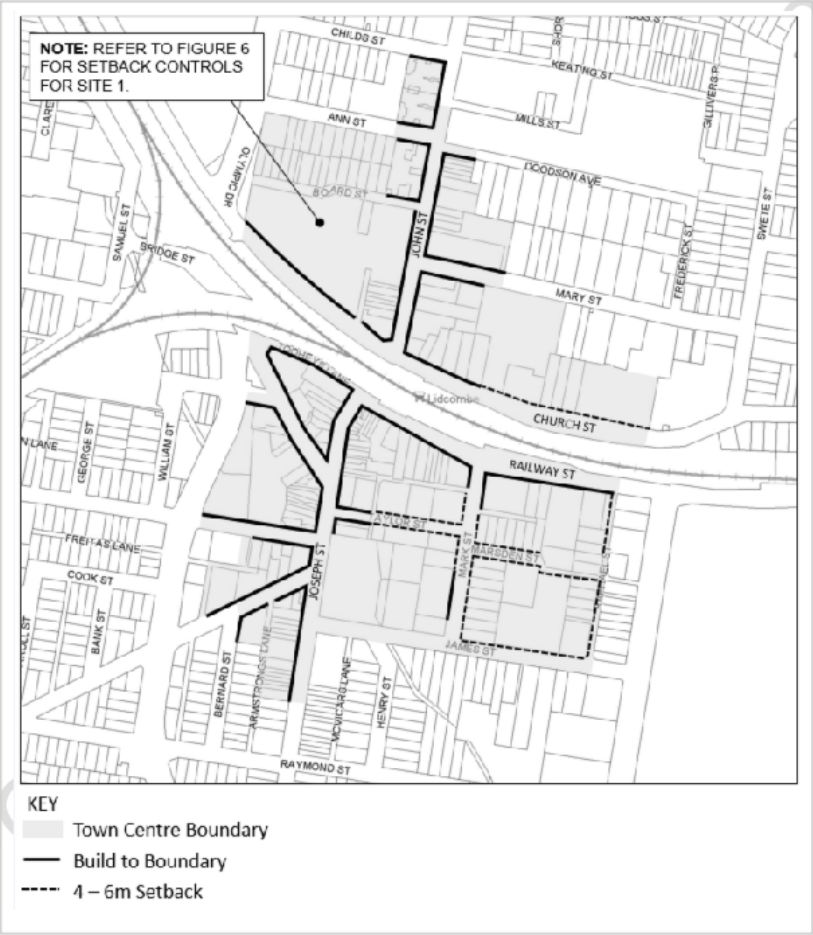

Figure 2: Building setbacks within Lidcombe Town Centre.

2.2 Active frontages

Control

C1. As a minimum, buildings shall provide active street frontages consistent with Figure 3.

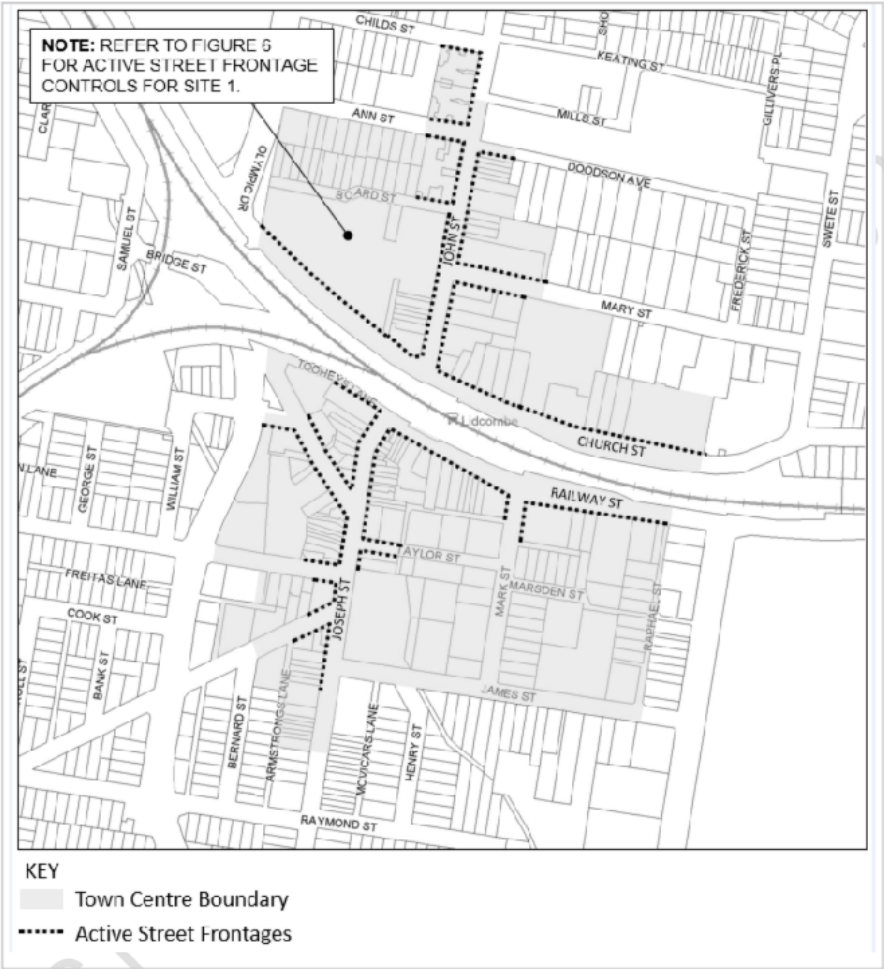

Figure 3: Active street frontages within the Lidcombe Town Centre

2.3 Laneways

Control

C1. Redevelopment within the Lidcombe Town Centre shall make provision for the creation of new laneways as shown in Figure 4.

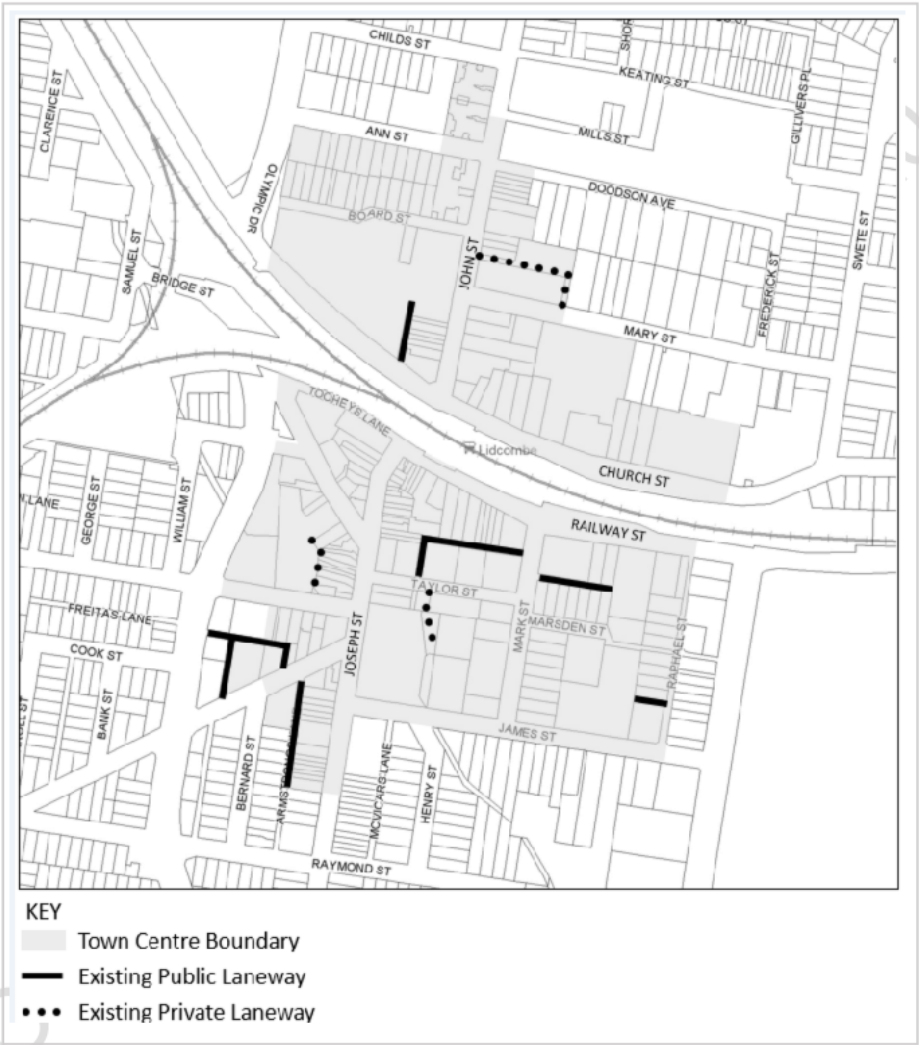

Figure 4: Location of laneways proposed within the Lidcombe Town Centre.

2.4 Key Sites

Several sites within the Lidcombe Town Centre have been identified as having the greatest potential for intensification with commercial, residential and mixed use development, as shown in Figure 5. Each site has an inherent capacity to contribute to the transformation of the urban form into one which will generate more activity and lead the development of the town centre. The development controls for these sites apply in addition to the development controls presented in previous sections of this Part.



Figure 5: Key sites within the Lidcombe Town Centre

Site 1 – Dooleys

Objectives

O1. Ensure architectural design recognises:
- the strategic significance of the site within the Lidcombe Town Centre; and
- the visual prominence of the site from public areas including the train station and the approach towards the site from the northern end of John Street.

O2. Reinforce John Street as the main street of the northern area of the Lidcombe Town Centre.

O3. Ensure development is sensitive in scale and character to the heritage item within the site.

O4. Provide an appropriate transition to the residential area to the north of the site.

O5. Improve pedestrian access and circulation within the town centre.

Controls

C1. Development shall be designed in accordance with the principles identified in Figure 6, particularly opportunities to enhance through-site pedestrian links, and integration with existing streetscapes.

C2. Development shall be designed to address all street frontages, including Olympic Drive, and to provide an active street frontage to Church Street and John Street as a minimum.

C3. Development shall provide a new pedestrian through-site link, shared way or street between Church Street and Ann Street, as well as a link to John Street via Board Street, with a minimum width of 12m.

C4. The preferred access to the site shall be via Church Street, with secondary access via Board Street and Ann Street.

C5. Outdoor dining is encouraged along John Street.

C6. Levels above the podium are to be setback by a minimum of 4-6m from the boundary of adjoining commercial or residential uses.

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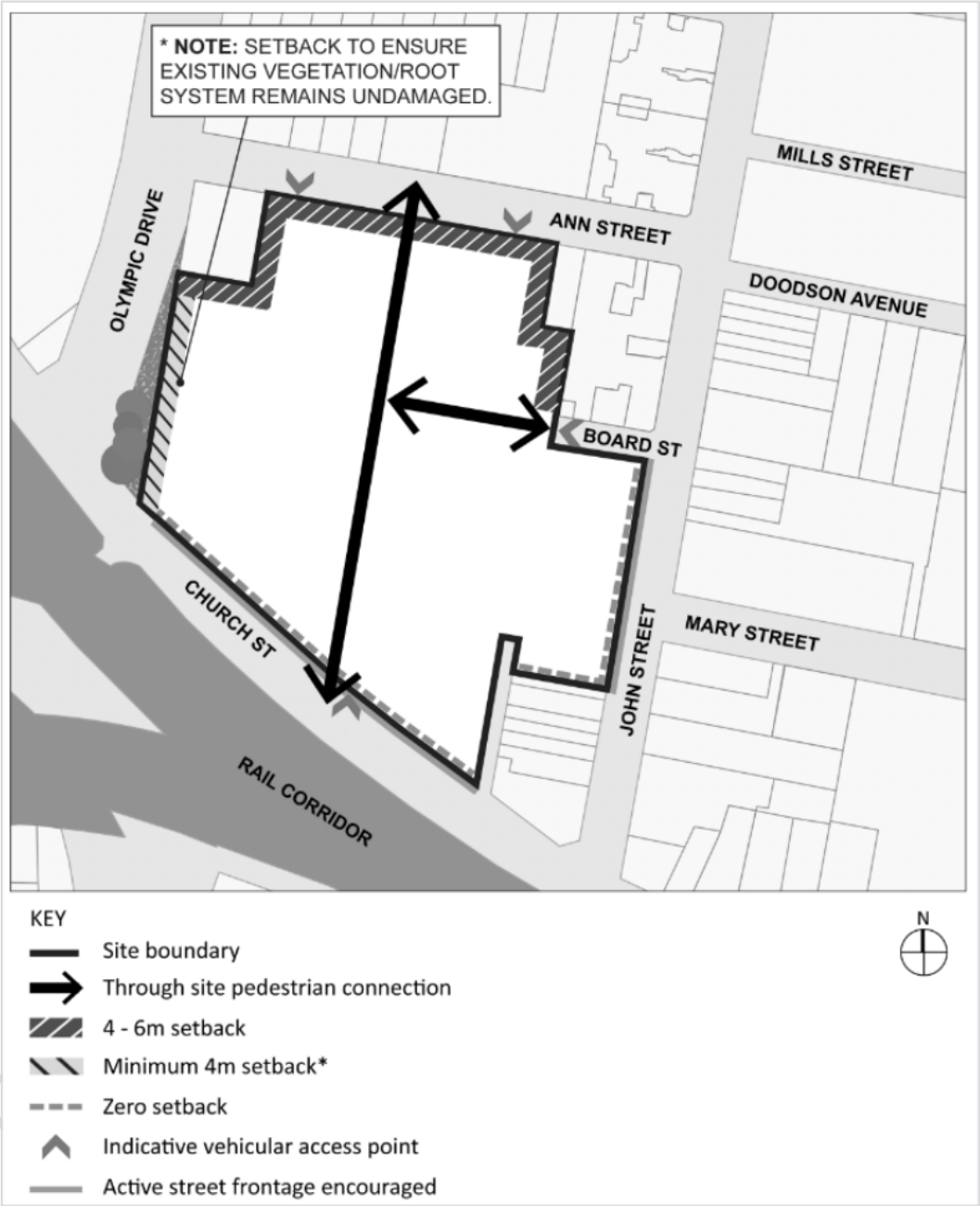

Figure 6: Dooleys site - indicative development layout

Site 2 – Mary Street North

O1. Ensure architectural design recognises:
- the strategic significance of the site within the Lidcombe Town Centre; and
- the visual prominence of the site from public areas, including the approach towards the site from the northern end of John Street.

O2. Provide a transition in scale from the proposed taller buildings on John Street to the adjacent residential zone.

O3. Provide development that is sensitive in scale and character to the heritage item within the site.

O4. Enhance the public domain and increase accessibility to public open space.

O5. Improve pedestrian access and circulation within the town centre.

Controls

C1. Public open space shall be provided at the intersection of John and Mary Streets, or within close proximity to this intersection.

C2. Retail frontages shall be provided at street level on John Street.

C3. Outdoor dining is encouraged along John Street.

Site 3 – Mary Street South

Objectives

O1. Ensure architectural design recognises the strategic significance of the site within the Lidcombe Town Centre and the visual prominence of the site from public areas, particularly the Lidcombe train station.

O2. Protect the amenity of the adjacent school and ensure appropriate transitions in scale from the proposed taller buildings on John Street.

O3. Encourage development that is sensitive in scale and character to the heritage items within the site.

O4. Enhance the public domain and increase accessibility to public open space.

Controls

C1. Public open space shall be provided at the intersection of John and Mary Streets, or within close proximity to this intersection.

C2. Through-site linkages shall be provided for pedestrians within the site to improve circulation and access to the town centre. The linkages shall enable connection between Church Street and Mary Street.

C3. Outdoor dining is encouraged along John Street and Church Street.

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Site 4 – Tooheys Lane

Objectives

O1. Encourage a mix of uses within the retail core.

O2. Reinforce Joseph Street as the main street of the southern area of the Lidcombe Town Centre.

O3. Improve the amenity and safety of Tooheys Lane.

O4. Ensure development is sensitive in scale and character to the heritage item within the site.

O5. Improve access to the Lidcombe Town Centre by the upgrading and widening of Tooheys Lane.

Controls

C1. Outdoor dining shall be encouraged along Joseph Street and Bridge Street.

C2. The preferred primary access to the site shall be provided via Bridge Street.

C3. Consultation with Council shall be undertaken to investigate opportunities to integrate the upgrading and widening of Tooheys Lane as part of the site's redevelopment.

Site 5 – Bridge Street

Objectives

O1. Encourage a mix of commercial, entertainment and residential uses in the retail core.

O2. Continue the main street character of Joseph Street and connect to the existing retail shops area on the southern end of the Lidcombe Town Centre.

O3. Encourage development that responds to the heritage significance of Remembrance Park.

O4. Improve pedestrian access and circulation within the town centre.

Controls

C1. Building separation distances shall be determined by having regard to the State Environmental Planning No. 65 – Design Quality of Residential Flat Development and accompanying Residential Flat Design Code.

C2. On the Olympic Drive frontage, development shall be designed to:

- address Olympic Drive; and
- provide an appropriately landscaped setback with a minimum depth of 6m. A double row of street trees shall be planted along the property boundary.

C3. Preferred primary access to the site shall be provided via Vaughan Street with a secondary access via Bridge Street.

C4. Through-site linkages shall be provided for pedestrians within the site to improve circulation and access to the town centre. The linkages shall enable connection between Vaughan Street and Bridge Street and Olympic drive and Bridge Street.

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C5. New development shall maintain and enhance pedestrian linkages and view corridors to Remembrance Park.

C6. Outdoor dining shall be encouraged along Joseph Street and Bridge Street.

Site 6 – Railway Street

Objectives

O1. Encourage a mix of uses within the retail core.

O2. Reinforce Joseph Street as the main street of the southern area of the Lidcombe Town Centre.

O3. Ensure architectural design recognises the strategic significance of the site within the Lidcombe Town Centre and the visual prominence of the site from public areas, particularly the Lidcombe train station.

O4. Ensure development is sensitive in scale and character to the heritage items within the site.

O5. Improve pedestrian access and circulation within the town centre.

O6. Improve the amenity and safety of Taylor Street.

Controls

C1. The lane between Taylor Street and Railway Street shall be retained to provide access to parking and loading areas and for waste removal.

C2. Outdoor dining shall be encouraged along Joseph Street and Railway Street.

C3. Through-site linkages shall be provided for pedestrians within the site to improve circulation and access to the town centre and Remembrance Park. The linkages shall enable connection between the lane and Joseph Street and/or the lane and Railway Street.

Site 7 – Marsden Street Precinct

Objectives

O1. Ensure architectural design recognises:

- the strategic significance of the site within the Lidcombe Town Centre; and
- the visual prominence of the site from public areas including Lidcombe train station and Railway Street/Church Street railway bridge.

O2. Provide an appropriate transition to the industrial area to the east of the site.

O3. Improve pedestrian access and circulation within the town centre, by upgrading and widening Davey and Raphael Street to improve their amenity and safety.

O4. Ensure development is sensitive in scale and character to all public open space in the precinct, including Friends Park and the Jewish Reserve.

O5. Enhance the public domain, and increase accessibility and safety to public open space.

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Controls

C1. Development shall be designed to address Railway, Mark, James, Marsden, Davey and Raphael Streets.

C2. Vehicular access to new developments shall not be permitted to or from Davey Street, to permit the pedestrianisation of the street.

C3. Development along Davey Streets shall dedicate to Council sufficient land of a minimum width of 2m to provide a pedestrian footpath on the south side of the street.

C4. Development along Raphael Streets shall dedicate to Council sufficient land of a minimum width of 2.5m to provide a pedestrian footpath and widened carriageway on the west side of the street.

C5. New buildings are to be setback a minimum of 4m from all open space uses and the new boundaries of Davey Street and Raphael Street created after the dedication described in control C29 and C30 above.

C6. New buildings to the north of the central open spaces shall be designed to minimise the loss of solar access to the open spaces.

C7. Outdoor dining and active uses shall be encouraged facing onto the proposed park on the corner of Railway and Mark Streets, to provide casual surveillance of the park and improve safety.

C8. Development adjacent to the existing and proposed public open spaces shall be designed to provide overlooking and casual surveillance of the park spaces to improve safety.

<u>Site 7A – 4-12 Railway Street</u>

These are additional provisions for 4-12 Railway Street. These apply to this site in addition to those provisions for site 7 - Marsden Street.

References to Friends Park/the Park means both the existing Friends Park (as at 2018) and the extension to the east.

Objectives

O1. To ensure adequate solar access to the Park for the amenity and enjoyment of this place by users throughout the year and for the health of the environment.

O2. To improve the amenity for users of the Park by minimising sun reflection, provide visual interest, and by softening the appearance, of the building walls that face the Park.

O3. To protect the amenity of the Park through provision of a landscaped (vegetated) transition that will provide privacy, a visual and noise interruption, and improve the interface and visual outcomes, between the Site (buildings) and the Park.

O4. To encourage the 'greening' of the site and improved amenity for Park users through vegetation planting of the buildings' external walls facing the Park and of the rooftop of the building/s in the southern portion of the Site.

O5. To enhance local biodiversity through the planting of diverse native plant species.

O6. To ensure building massing is designed to maximise solar access to Friend Park all year round.

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Controls

C1. The maximum height of the building in the south-western corner of the site is not to exceed 3 storeys.

C2. Building setbacks, build to lines, and street wall heights

A. Setbacks and Built-to Lines

Minimum setbacks and built-to lines must be provided as follows:

i. Zero setbacks / build-to lines to Railway Street.

ii. A 0m setback, for the full wall height, is to be provided for the building/s located on the western boundary of the site.

B. Street Wall Height

i. A maximum two storey street wall height is to be maintained along Railway Street and Raphael Street with upper level setbacks.

C. Upper Level Setbacks.

i. The building above the street wall is to provide a minimum 2m setback along Railway Street.

ii. The third storey of the building in the south-western corner of the site is to have a minimum 4m setback from the southern edge of the building below.

iii. The residential component along Railway Street, Raphael Street, southern and western boundaries must comply with the building separation recommendations in the NSW *Apartment Design Guide* (ADG).

C3. Buildings are to be designed to minimise the loss of solar access to Friend Park, with reference to site characteristics and interface with approved future development in this location.

C4. To utilise roof space for developing roof gardens (green roof) for those building/s on the southern portion of the Site. Where possible incorporate exterior green walls into the building/s for those walls facing the Park.

C5. The land within the rear setback (ie the land between the building and the Park) is to include landscaping and deep soil planting. This landscaped rear setback is to have a minimum width of 6m measured from the rear property boundary. The rear setback area is to be landscaped using native species of trees (minimum pot size 200L) and/or large shrubs (minimum 2m height when mature) which are robust and drought tolerant.

C6. To use variation in appropriate materials and neutral/subdued colours for those building walls facing the Park.

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CUMBERLAND
CITY COUNCIL

PART F2-6
MERRYLANDS TOWN CENTRE

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1. Introduction

1.1 Land to which this Part applies

This Part applies to all development within the Merrylands Centre, including land within the Neil Street Precinct as shown in Figure 1.



Figure 1: Precinct Plan

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2. Vision

2.1 Vision

Aims of the plan

- Renew and revitalise the Merrylands Centre.
- Provide increased growth capacity with Merrylands.
- Provide greater housing sustainability.
- Promote steady local economic growth over the next 20 years.

Objectives

O1. Strengthen the economic and employment role of Merrylands.

O2. Provide for an active and vibrant centre.

O3. Ensure buildings are designed to maximise appropriate amenity outcomes for the centre.

O4. Ensure development design promotes the principles of ecologically sustainable development.

O5. Create a centre for a diverse community.

O6. Promote public transport use, cycling and walking and reduce reliance on private car travel.

O7. Improve pedestrian and vehicular traffic movement within the centre.

O8. Achieve urban design strategies that acknowledge the role of Merrylands within Cumberland City and the subregion.

O9. Maintain and create clear linkages within the centre and with adjoining residential precincts.

3. Objectives and Controls

3.1 Urban design strategies

In order to achieve the objectives for the redevelopment of the Merrylands Centre, the following urban design strategies have been established. These have been implemented through development controls in this plan. The success of the centre plan is reliant on the achievement of these strategies.

Strengthen the economic and employment role of Merrylands.

- create an active centre for opportunities to live, work and play;
- facilitate the development of commercial, office and retail development at grade, with commercial and/or ancillary residential development above;
- facilitate the growth of retail, and commercial development within the Town Centre, with ancillary residential development;
- become a destination through additional retail, commercial and entertainment uses; and
- ensuring interim development does not hinder or detract from the attainment of commercial or mixed use development in the town centre.

Provide for an active and vibrant centre

- ensure buildings address the street and the public domain by providing a consistent built edge and street frontage height;
- facilitate of mixed use development with retail and commercial at grade and first floor, residential or commercial development above;
- maintain Merrylands Road as the main street within the precinct;
- improve the landscaping and public domain spaces along McFarlane Street;
- create an active town centre where walking is encouraged by requiring future development to activate the street with quality design and provide for at grade pedestrian connectivity;
- enable McFarlane Street to become an 'eat street' restaurant space; and

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- requiring development to activate the street and enhance at grade pedestrian connectivity.

Ensure buildings are designed to maximise appropriate amenity outcomes for the centre.

- provide setbacks and separation on upper storeys to lessen overshadowing impact;
- provide height transition from the lower scale residential buildings to the higher scale buildings on Merrylands Road and McFarlane Street in order to lessen overshadowing impacts;
- maintain the amenity of the Centre by maximising solar access to the street;
- require appropriate building setbacks and separation to allow for solar access and privacy;
- require the design of buildings to implement 'safer by design' principles;
- create a centre where pedestrians can feel safe during the day and night; and
- provide public open space and landscaping for amenity and passive recreation opportunities.

Ensure development design promotes the principles of ecologically sustainable development

- respond to the opportunities and constraints of the site; the hierarchy and proposed uses of streets and laneways; flood hazard and the need for high quality public spaces and public and private amenity;
- ensure that redevelopment within the Centre does not increase the impact of flood inundation on property or person (or both), within or beyond the Centre's boundaries;
- provide an overland flow path across which reduces flood levels while also serving as a pedestrian thoroughfare and focus for shopfronts and activity;
- minimise the impacts of development on the environment;
- create a centre for a diverse community;
- facilitate the provision of a variety of dwelling sizes within the residential component of buildings;
- promote a variety of uses within the centre; and
- provide public spaces for the community to meet and congregate.

Promote public transport use, cycling and walking and reduce reliance on private car travel

- create a safe, pedestrian friendly environment through the activation of streets and public places
- create clear linkages within the centre and to adjoining residential precincts;
- contribute to a mix of residential, business, commercial and entertainment uses in the centre to maximise public transport use;
- improve pedestrian connectivity through providing designated pedestrian linkages;
- improve pedestrian and vehicular traffic movement within the centre;
- restrict egress and ingress of vehicular traffic onto Merrylands Road from private properties;
- facilitate the creation of laneways and rear private access ways for key sites within the centre; and
- provide new roads and infrastructure to improve accessibility and circulation in the Neil Street Precinct.

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Achieve urban design that acknowledge the role of Merrylands within Cumberland City

- provide a transition in building heights through increasing height when approaching from the west and north east to enable the built form to signal the presence of the town centre;
- maintain the amenity of surrounding lower scale development;
- comply with site requirements to enable better amenity outcomes for taller buildings;
- development responds to site opportunities and constraints and the need for high quality public spaces;
- facilitate the location of civic and public uses within the centre;
- provide appropriate public open spaces within the core of the centre and with the Neil Street Precinct; and
- deliver quality designed buildings that reflect the role of the centre.

Maintain and create clear linkages within the centre and with adjoining residential precincts

- provide clear vehicular and pedestrian linkages with Neil Street Precinct, Holroyd Gardens and surrounding residential areas;
- maintain and enhance a primary north-south pedestrian corridor from Memorial Avenue to Neil Street;
- provide suitable crossings and infrastructure for pedestrians and cyclists; and
- create of pedestrian linkages that provide connections within the centre.

3.2 Public domain

3.2.1 Roads and circulation

A number of new intersections, roads, laneways and accessways are proposed under this plan, as indicated in the tables below and in Figure 2 Road widening along Merrylands Road will be required to enable a greater footpath area for street tree planting and pedestrian movement. Points where vehicular entry is not permitted are also identified. Indicative street sections are provided in Section 2.3.4.

Urban design strategies achieved:

- create clear linkages within the centre and to adjoining residential precincts;
- improve pedestrian connectivity through providing designated pedestrian linkages;
- restrict egress and ingress of vehicular traffic onto Merrylands Road from private properties;
- facilitate the creation of laneways and rear private access ways for key sites within the centre;
- provide new roads and infrastructure to improve accessibility and circulation in the Neil Street Precinct;
- provide clear vehicular and pedestrian linkages with Neil Street Precinct, Holroyd Gardens and surrounding residential areas;
- create of pedestrian linkages that provide connections within the centre;
- maintain Merrylands Road as the main street within the precinct; and
- create a safe, pedestrian friendly environment through the activation of streets and public place.

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Table 1: New Roads, laneways, accessways in Merrylands Centre

New Roads, laneways, accessways in Merrylands Centre
New Roads
Extension of Sheffield Street
Extension of Gladstone Street
New Road 1- between Terminal Place and Sheffield Street Extension
New Road 2- between Dressler Court and New Road 1
Signalised intersections
Neil Street and New Road 1
Gladstone Street and Pitt Street
Laneways (Public)
Extension of Main Lane (as part of redevelopment of 242-252 Pitt St Merrylands)
Laneway 1- between Merrylands Road and McFarlane Street ("eat street" part pedestrians only)
Laneway 2- between Memorial Avenue and Addlestone Road
Accessways (public or private)
Accessway 1- between Military Road and Miller Street
Accessway 2- between Addlestone Road and Burford Street
Accessway 3- between Neil Street and Sheffield Street

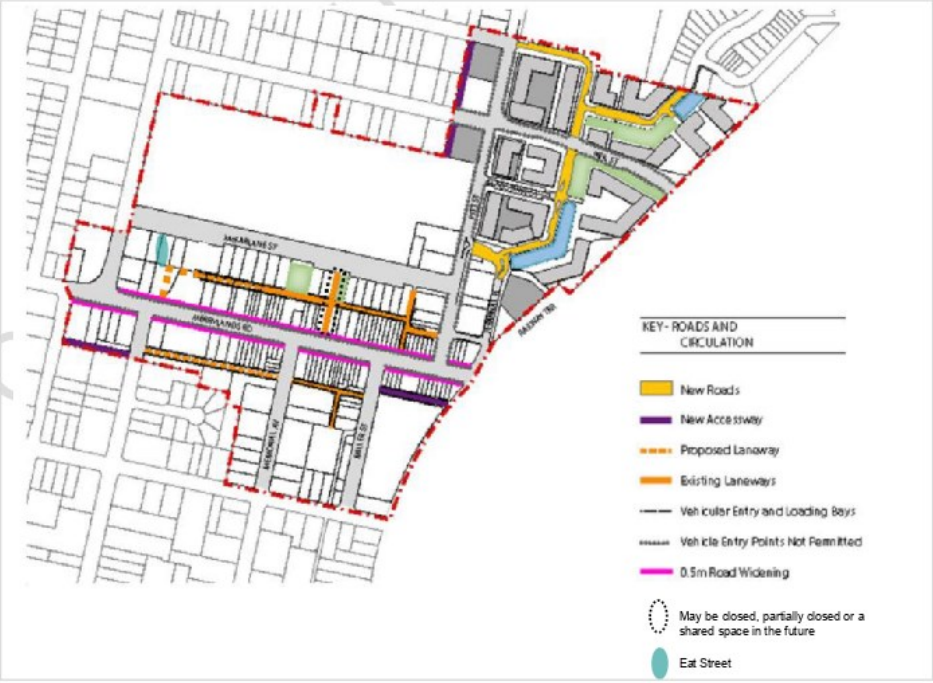

Figure 2: Road Widening

3.2.2 Pedestrian and Bicycle Network

Figure 3 includes footpaths, required new pedestrian access and crossings and bicycle access.

Pedestrian accessways create linkages to key locations in the centre. The proposed cycleway links to Holroyd Gardens, which is part of the regional cycle network.

Urban design strategies achieved:

- create an active town centre where walking is encouraged by requiring future development to activate the street with quality design and provide for at grade pedestrian connectivity;
- create a safe, pedestrian friendly environment through the activation of streets and public places;
- create clear linkages within the centre and to adjoining residential precincts;
- improve pedestrian connectivity through providing designated pedestrian linkages;
- provide clear vehicular and pedestrian linkages with Neil Street Precinct, Holroyd Gardens and surrounding residential areas;
- provide suitable crossings and infrastructure for pedestrians and cyclists; and
- create of pedestrian linkages that provide connections within the centre.

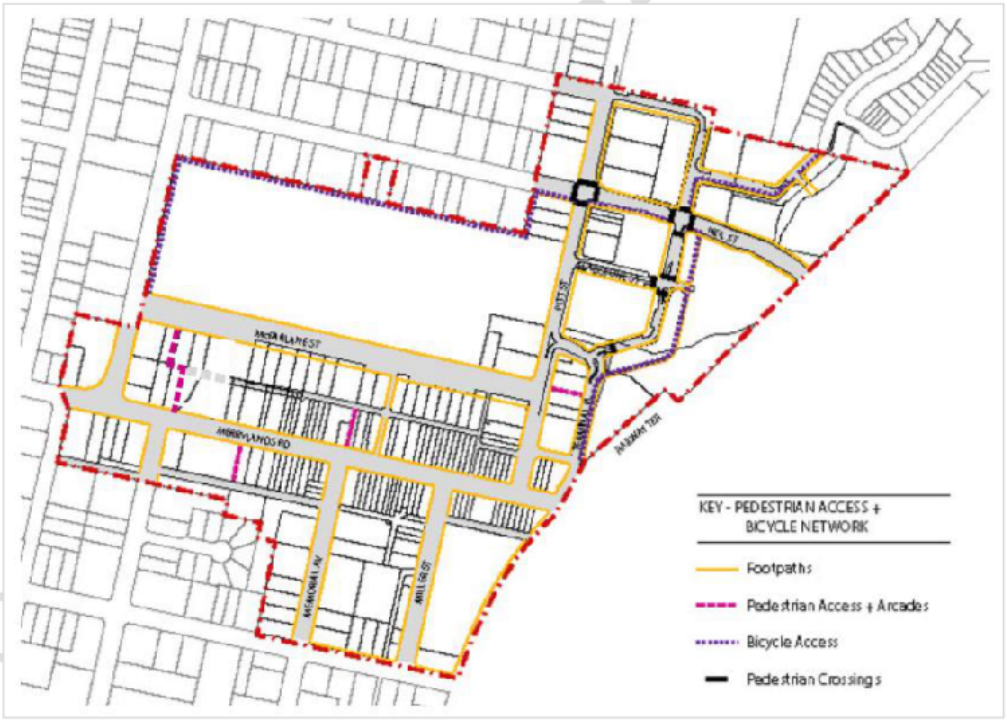

Figure 3: Pedestrian and bicycle network

3.2.3 Landscaping and open space

The Centre proposes public and private open spaces, including deep soil zones, swales and planting on structures. Parks in Neil Street are located adjacent to roads to provide overland flow paths and to increase the visibility and safety. They also provide connectivity within the precinct. A town square between Merrylands Road and McFarlane Street is to provide focus for the city.

Opportunity to provide deep soil zones within the centre is limited therefore opportunities for planting on structures (i.e roof gardens) is promoted.

Trees planting will be important to the centre in providing streetscape character and providing amenity. Figure 4 indicates locations for open spaces and landscaping, including indicative locations for existing and proposed street tree planting.

Urban design strategies achieved:

- create an active centre for opportunities to live, work and play;
- improve the landscaping and public domain spaces along McFarlane Street;
- provide public open space and landscaping for amenity and passive recreation opportunities;
- respond to the opportunities and constraints of the site; the hierarchy and proposed uses of streets and laneways; flood hazard and the need for high quality public spaces and public and private amenity;
- ensure that redevelopment within the Centre does not increase the impact of flood inundation on property or person (or both), within or beyond the Centre's boundaries;
- provide an overland flow path across which reduces flood levels while also serving as a pedestrian thoroughfare and focus for shopfronts and activity;
- minimise the impacts of development on the environment;
- provide public spaces for the community to meet and congregate; and
- provide appropriate public open spaces within the core of the centre and with the Neil Street Precinct.



Figure 4: Landscape and open space

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3.2.4 Indicative Street Section

The key map below shows a number of street sections within the centre. Indicative street sections have been provided on the following pages to indicate carriageway, footpath, verge widths and setbacks.



Figure 5: Key street sections

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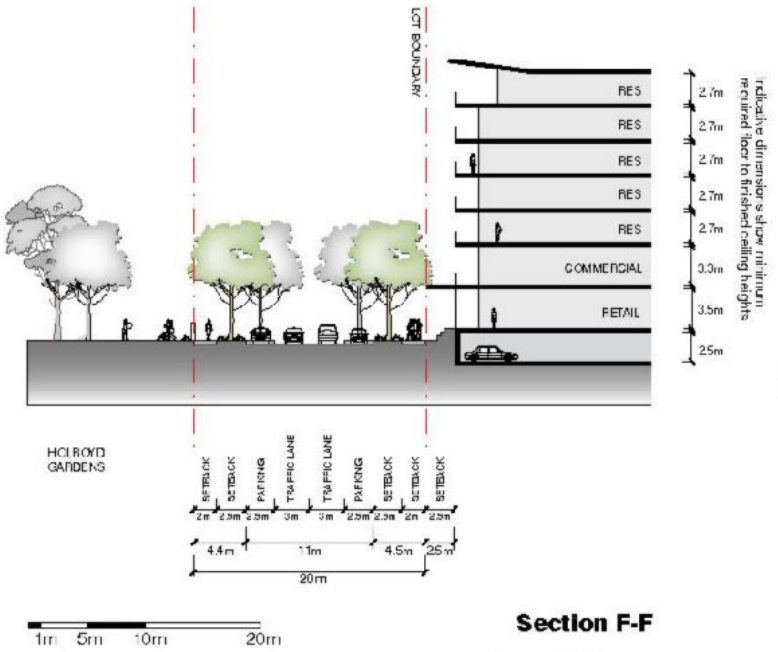

Figure 6: Section F-F

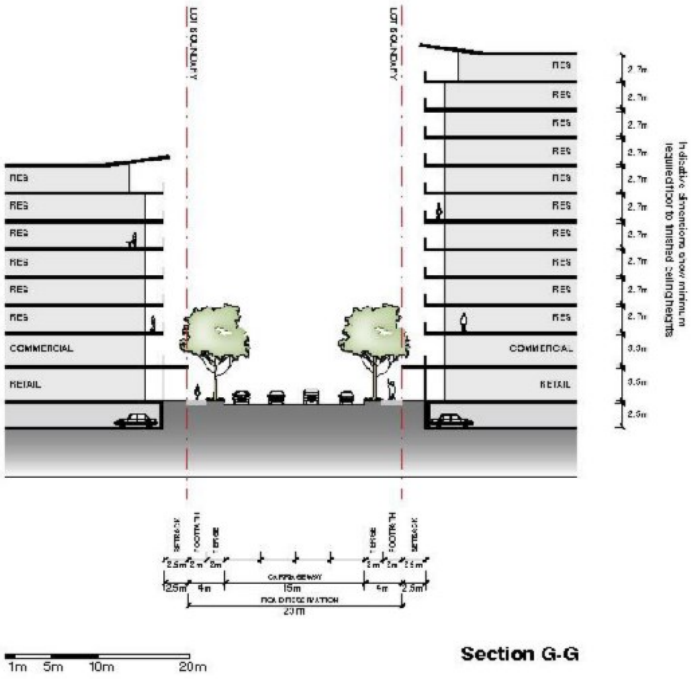

Figure 7: Section G-G

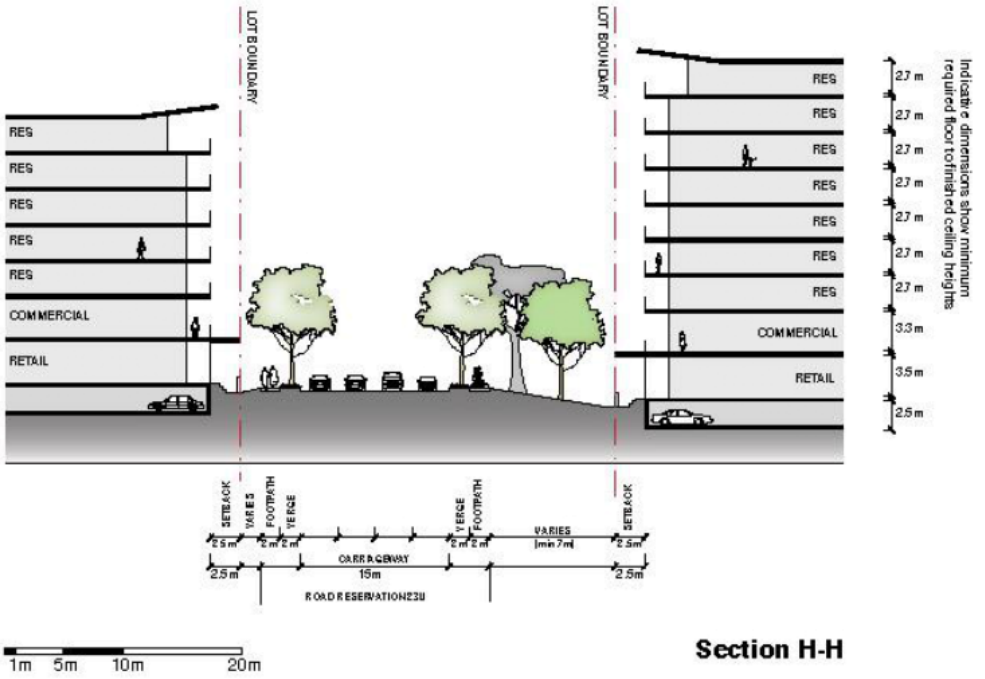

Figure 8: Section H-H

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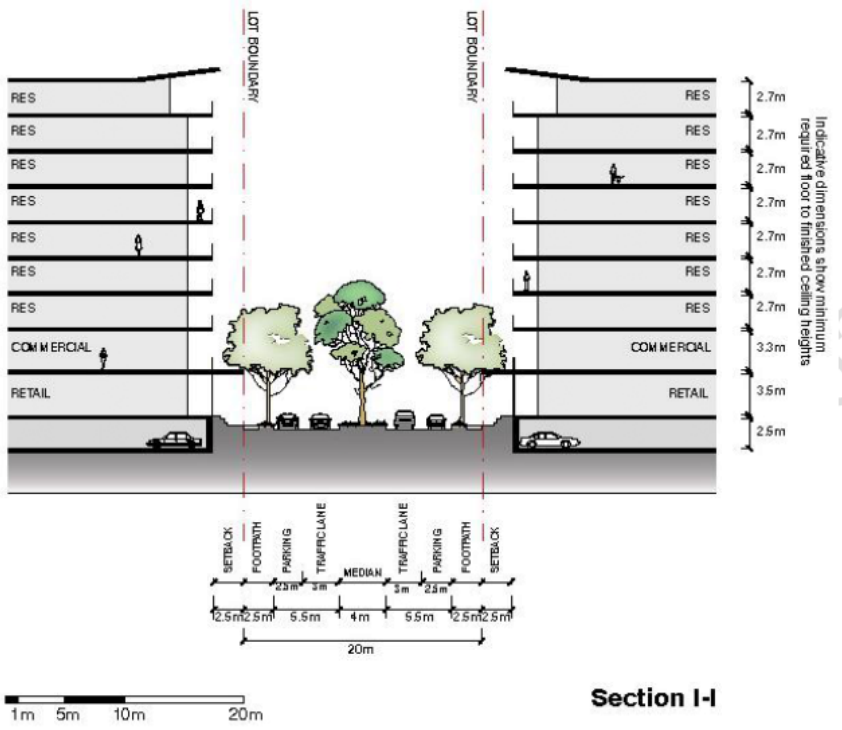

Figure 9: Section I-I

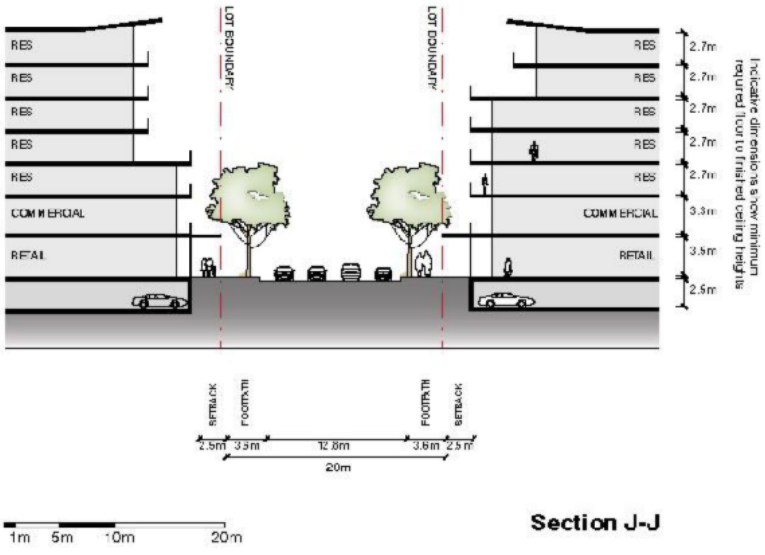

Figure 10: Section J-J

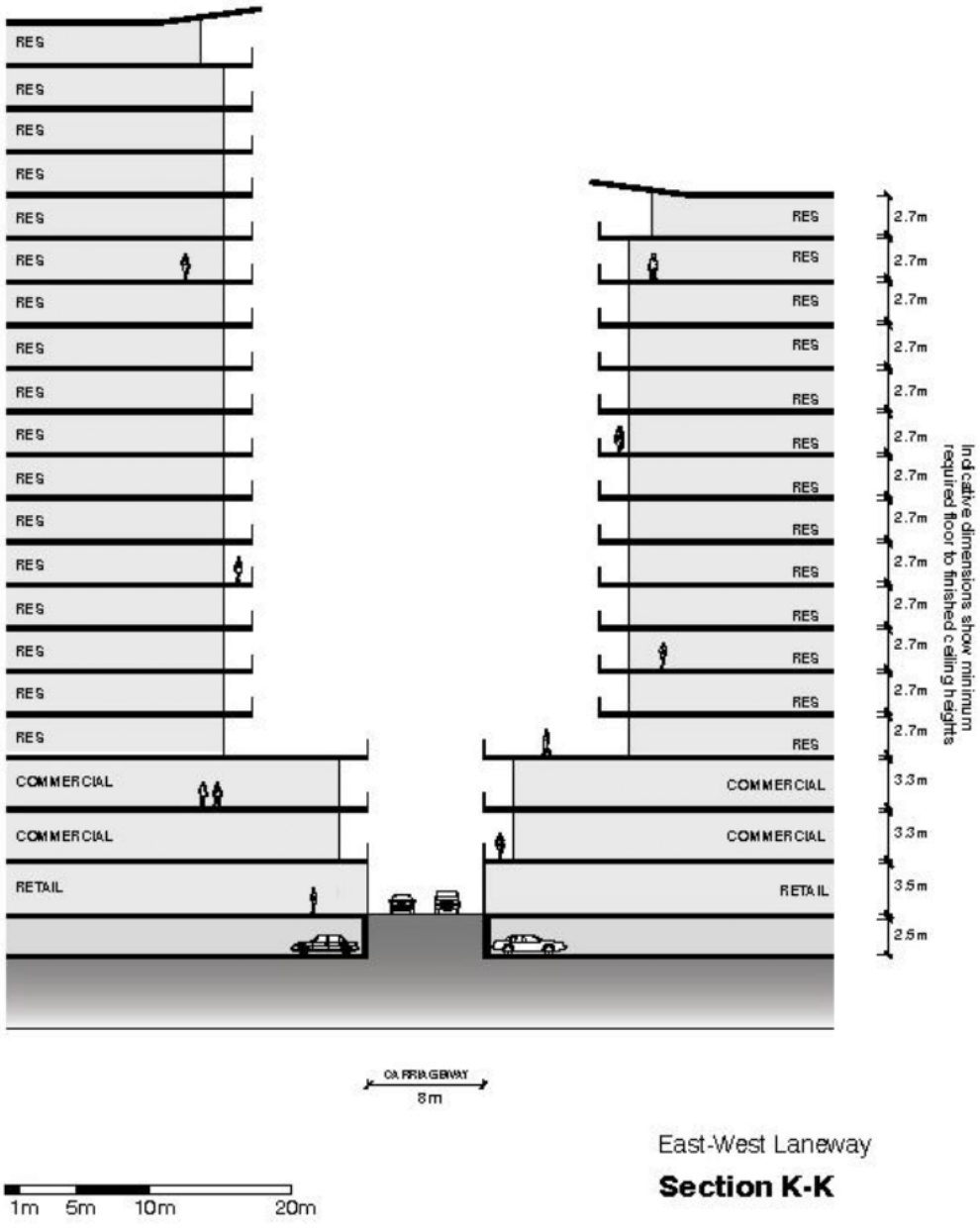

Figure 11: Section K-K

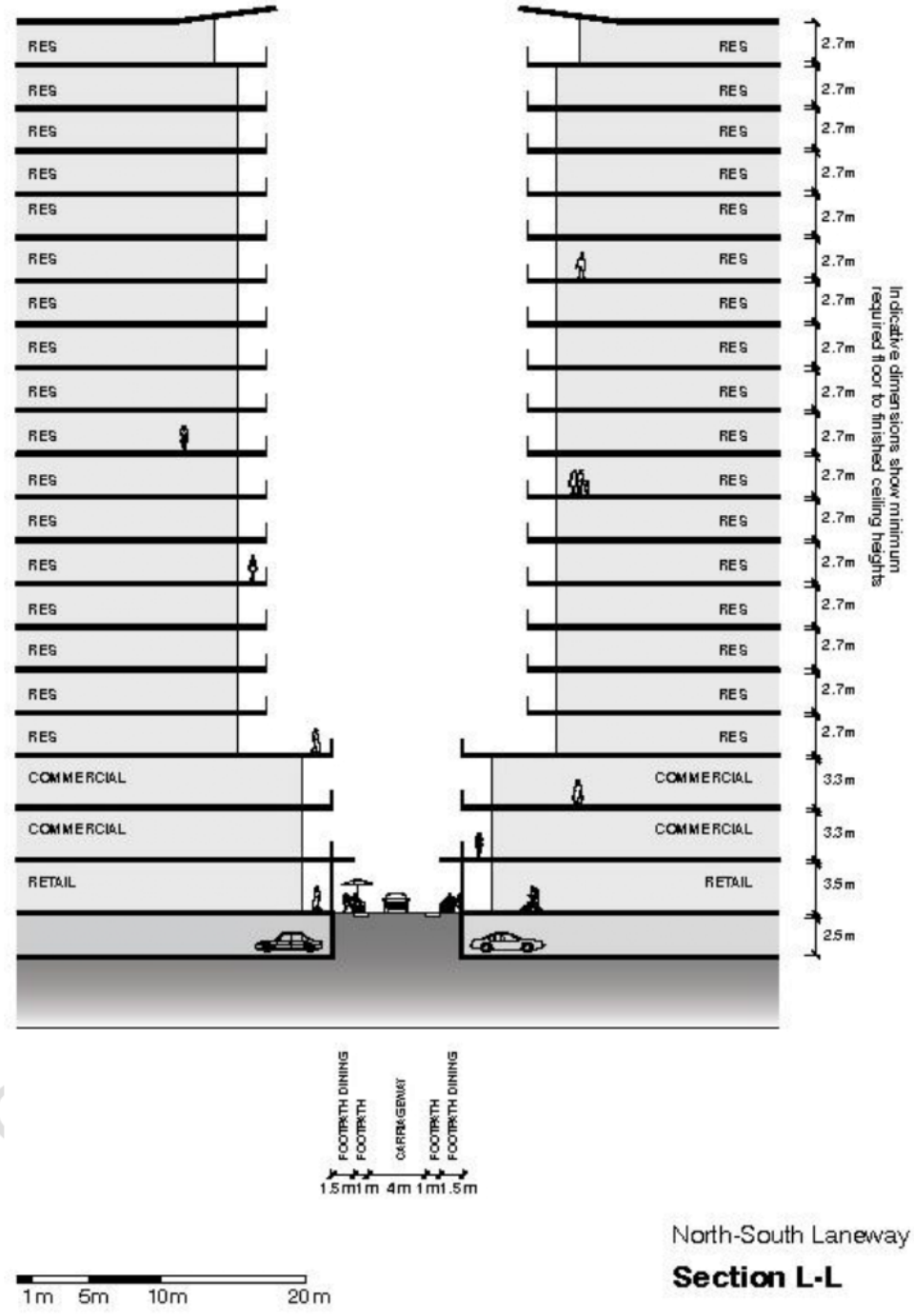

Figure 12: Section L-L

3.3 Building Envelope

3.3.1 Site amalgamation and minimum frontage

In order for taller buildings to achieve suitable building amenity outcomes and to ensure building sites can accommodate appropriate vehicular access and car parking facilities, a suitable minimum site frontage needs to be obtained for all developments.

In some instances specific site amalgamations will be required, this may be where the provision of a laneway is required, where vehicular entry points are required in a certain location or where a specific building footprint is required due to flood conditions.

Objectives

O1. Ensure the achievement of laneways and private accessways in order to require development fronting Merrylands Road to have rear vehicular access.

O2. Ensure vehicular access can be obtained from secondary streets and laneways.

O3. Ensure sites are sufficient in frontage in order to provide adequate vehicular access and basement car parking.

O4. Ensure site dimensions allow for the achievement of appropriate building setbacks and separation.

O5. For new development not to reduce the reasonable development opportunity of adjoining lots.

Controls

C1. Amalgamation of lots in accordance with Figure 13 is required for redevelopment.

C2. Where amalgamation is not required by this plan, the minimum site width for redevelopment is 20m.

C3. The minimum site width achieved shall determine the height of buildings (in storeys) in accordance with the table below. Site width shall be measured at the primary frontage.

Site Width (m)	Permitted Height (Storeys)
20m	Maximum 3 storeys
26m	Maximum 8 storeys
32m	Maximum 20 storeys

C4. Sites must not be left such that they are physically unable to reasonably develop a three storey building in accordance with the controls in Sections 2 and 3 of this Part.

C5. Development must not prevent the provision of laneways, accessways or vehicular access locations is prevented, or cannot be achieved in accordance with this plan.

C6. Where required amalgamations cannot be achieved:

- Applicants are to negotiate with all affected property owners prior to the lodgement of a development application, in an attempt to achieve the preferred development outcome.

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- In instances where amalgamation cannot be achieve (because a landowner chooses not to take-up a reasonable offer) the following information must be submitted with any development application:

  - two (2) written valuations indicating the value of the remaining sites that were to be developed in conjunction with the applicants properties. These are to be undertaken by two independent Valuers registered with the Australian Institute of Valuers, and
  - evidence that a reasonable offer has been made to the owner(s) of the affected sites to purchase and valuation reports

C7. Where amalgamation (as required) is not achieved the applicants must show that the remaining sites, which are not included in the consolidation will still be able to achieve the development outcome prescribed in this DCP (i.e. minimum site frontage of 20m). This includes achieving the required vehicular access, basement parking and built form.



Figure 13: Key site amalgamation

3.3.2 Building and Ceiling Height

Built form scale is important in establishing the role and character of a centre. It can provide visual cues to signal the presence of the town centre and also provide legibility within the centre itself. The built form of Merrylands centre will reflect its role as a town centre, whilst having regard for surrounding lower density development.

The built form scale established for Merrylands provides a height transition, from lower scale when approaching from the west, north-east and surrounding lower scale residential buildings to towers in the core of the centre. The scale has been specifically developed to ensure that an appropriate level of daylight access is achievable for dwellings within and immediately outside of the centre and that the scale of building reflects its proximity to the core of the centre.

Objectives

O1. Achieve appropriate management of overshadowing, access to sunlight and privacy

O2. Deliver a built form that provides a height transition, from lower scale on the edges of the centre to higher scale in the core of the centre.

O3. Ensure the scale of the built form provides for a legible centre.

O4. Provide appropriate transition in building heights from public spaces.

Controls

C1. Maximum permitted building height in storeys* shall be in accordance with the table below.

Permitted Height (storeys)	
Height (m)	Storeys
10	1
12.5	2
14	3
17	4
20	5
23	6
26	7
29	8
32	9
38	11
41	12
50	15
53	16
65	20

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C2. Each storey shall have the following minimum floor to ceiling heights:

- ground floor - 3.5m;
- first floor (regardless of use) - 3.3m; and
- all other floors - 2.7m.

C3. Development in the centre shall establish a consistent building height transition, from the edges of the centre, to the core of the centre.

C4. Ensure the achievement of daylight access to public open spaces in accordance with Section 2.6.

3.3.3 Street setbacks, road widening and street frontage heights

The street setback and frontage height of buildings establishes different character areas and spaces, through the definition of streets. Consistent street alignment provides continuity of street facades and enhances the character of the area. Street frontage height determines the scale of buildings on the street and reflects the role of the centre and the intended experiences for pedestrians.

The street setbacks in Merrylands reflect the retail and commercial uses within the core, civic streets and the transition to lower scale residential areas. Street frontage heights provide a human scale to the centre, to optimize pedestrian experience and allow for the achievement of sunlight access.

Objective

O1. Provide street edges that reinforce and reflect the various uses and characters within the centre.

O2. Ensure the location of shop fronts are adjacent to pedestrian activity.

O3. Create a pleasant environment and amenity for residents and visitors through the provision of street trees and wider footpaths on Merrylands Road.

O4. Encourage the establishment of active laneway uses through street setbacks.

O5. Enhance the character of the centre through consistent and continuous street facades.

O6. Ensure building heights at street level are at a human scale.

O7. Ensure the pedestrian environment is pleasant and inviting through access to sunlight, appropriate scale and massing of buildings and wind mitigation.

Controls

C1. Street setbacks in accordance with Figure 14 are required for redevelopment.

C2. 0.5m road widening is required for both sides of Merrylands Road in accordance with Figure 2.

C3. On Pitt Street a 0.65m road widening is required for 185 Pitt Street, to enable the cycle path connection.

C4. A 3m x 3m splay corner is required at the south-western corner of the Neil Street/Pitt Street intersection.

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C5. On Neil Street, road widening is required at 185 and 208 Pitt Street; and on Pitt Street, road widening is required at 208 and 212 Pitt Street and 8 Gladstone Street.

C6. Street wall height of buildings (podium) shall be 3 storeys, with a minimum height of 11m and maximum height of 14m.

C7. Upper level (above street wall) street frontage setbacks for Merrylands Road, McFarlane Street and Pitt Street will be based on storey height, in accordance with the table below and Figure 15:

Storeys	Street frontage setback (m)
4-8	4m
9-12	5m
13-20	6m

C8. Upper level street frontage setbacks for Memorial Avenue shall be in accordance with Figure 16

C9. Minor projections into the street setback will be accepted for sites where 0m setback is required, in accordance with the table below:

Permitted projection	Permitted length of projection
Awnings	3m
Awnings (laneways)	Maximum 1.5m
Balconies (above 3rd storey)	600mm



Figure 14: Setbacks and street frontages

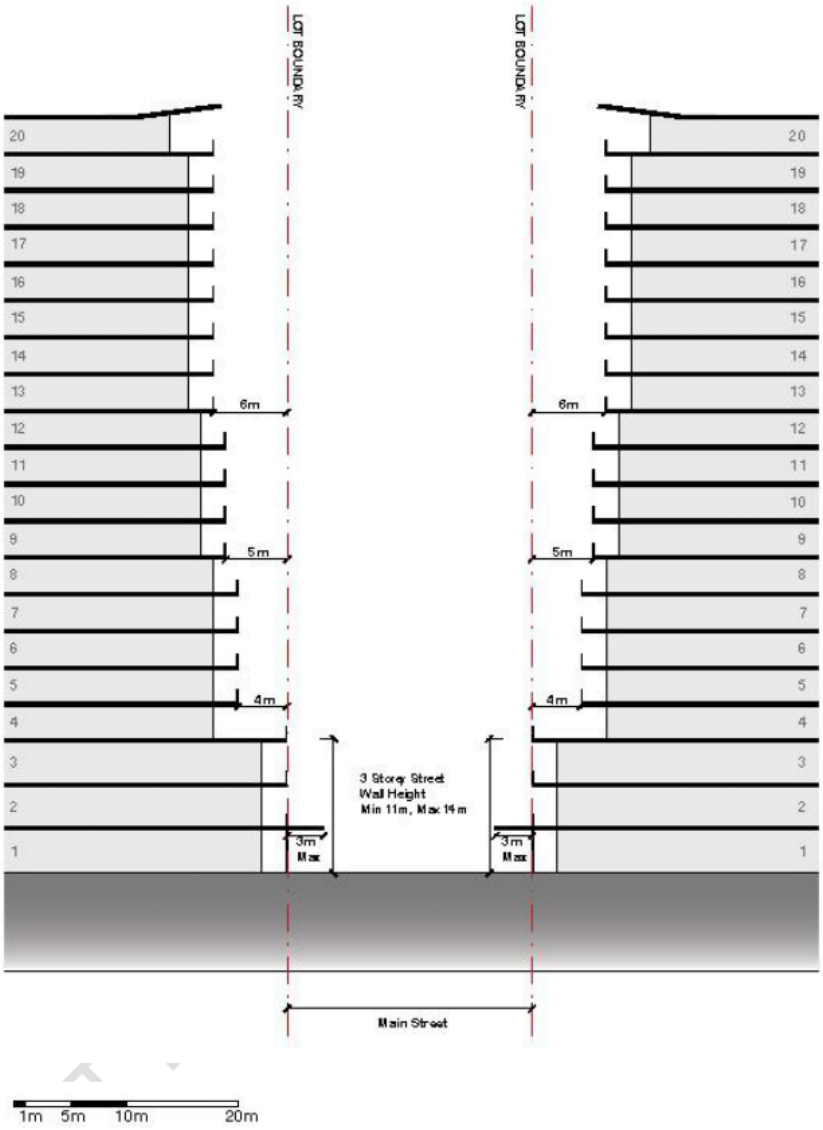

Figure 15: Main street setbacks

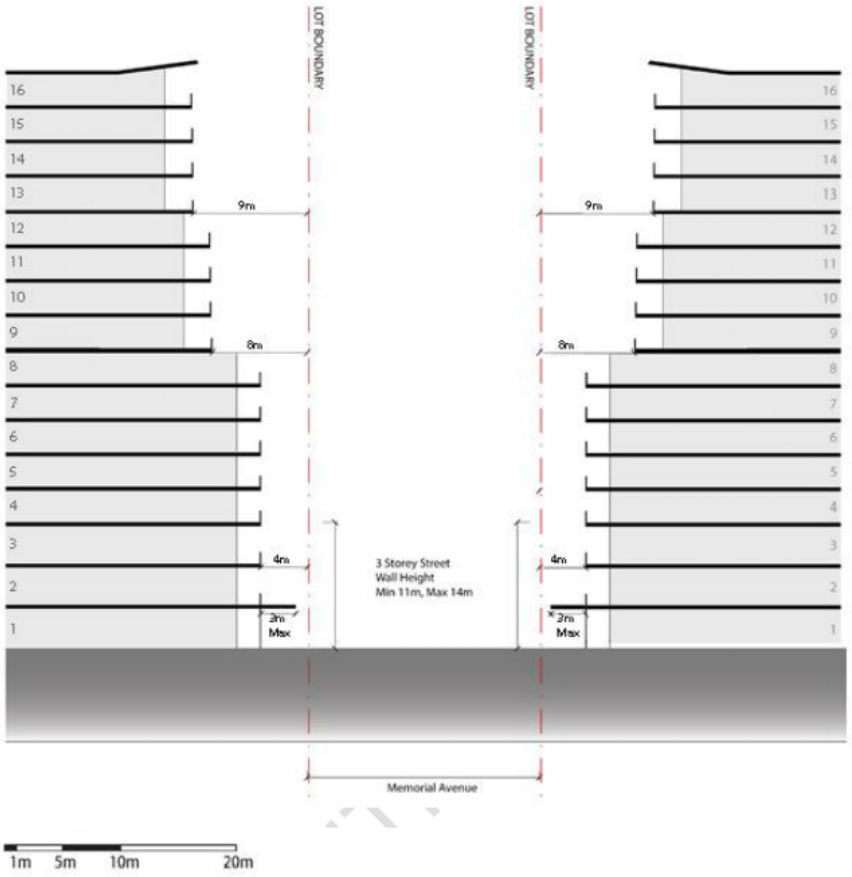

Figure 16: Memorial Avenue setbacks

3.3.4 Building depth and length

Building depths directly impact the residential amenity for dwelling occupants. Achieving adequate building depths can ensure access to natural ventilation and sunlight, which provides amenity and energy savings. Limiting building depth and length also reduces the bulk of a building, which provides benefits to the public domain of sunlight access and streetscape amenity.

Building depth is related to building use and different site conditions such as size, orientation and density which may require different design solutions.

Building depth will be calculated as Building plan (glass line to glass line) + articulation zone (including balconies).

Objectives

O1. Promote sustainable building design and development and reduce reliance on artificial heating, cooling and lighting.

O2. Ensure that adequate cross ventilation and sunlight access is achieved in residential apartments within the high density centre.

O3. Provide for viable and functional commercial spaces.

O4. Consider the amenity of future residents and workers through building design.

O5. Provide sunlight access and streetscape amenity to the public domain

Controls

C1. There is no maximum building depth requirement for floors used as commercial premises.

C2. The maximum permissible building plan depth for residential accommodation is 18m.

C3. The maximum permissible building envelope depth for residential accommodation is 22m.

C4. Residential apartments on the 2nd and 3rd storey levels are limited in depth to 8m from the glassline and 11m from the outer edge of the building envelope.

C5. Where office premises are proposed, all points on an office floor should be no more than 15m from a source of daylight.

C6. The maximum horizontal length of any building above the podium shall not exceed 50m.

C7. All residential and mixed use developments shall be, or substantially contain, dual aspect apartments.

3.3.5 Setbacks and separation

Building setbacks and separation is significant in establishing and maintaining residential and pedestrian amenity within and outside of the centre. Sunlight access, privacy and airflow to both buildings and public spaces can only be achieved through the adequate separation of buildings.

Sufficient building separation can reduce the appearance of building bulk and allows for the definition of public space, including laneways, open space and landscaping. Providing spaces between buildings also contributes in creating legibility within the centre.

Setbacks and separation proposed for Merrylands responds to the future role of the centre, in order to provide a balance between the future density of the centre and the amenity for residents and pedestrians.

Objectives

O1. Ensure residents within buildings and adjoining buildings have adequate access to sunlight, airflow and visual and acoustic privacy.

O2. Provide visual legibility and a pleasant public domain through breaks in the built form.

O3. Mitigate the impacts of wind within the centre.

O4. Create a consistent streetscape character.

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Controls

C1. Where the street setback is 0m, a continuous built edge shall be provided up to the 3rd storey, regardless of use.

C2. Where a laneway or accessway is required the minimum rear setback shall be 8m, unless shown otherwise.

C3. Setbacks to secondary streets (above podium) to the property line shall be provided as below:

Storeys	Setback (m)
4-8	3m
9-20	6m

C4. 0m side setback to Terminal Place and or Milne Lane will be accepted for properties 266 Pitt Street and 135-137 Merrylands Road.

C5. Minimum setbacks to side boundaries shall be provided in accordance with the table below:

Building uses	Storeys	Side setbacks (metres)
Non habitable rooms and commercial with no windows	1-3	0
	4-8	3
	9-20	6
Habitable rooms/balconies	4	6
	5-8	9
	9-20	12
Habitable rooms/balconies and non habitable rooms	4	4.5
	5-8	6.5
	9-20	9

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C6. Minimum rear setbacks to buildings with a common boundary to a business zone:

Building use	Storeys	Rear Setback (metres)
Ground floor	0-3	0
Non habitable rooms (including commercial)	4-8	3
	9-20	6
Habitable rooms/balconies	4	6
	5-8	9
	9-20	12
Habitable rooms/balconies and non habitable rooms	4	4.5
	5-8	6.5
	9-20	9
Where rear laneway or accessway is required		8

C7. Minimum rear setbacks to a common boundary with a residential zone:

Building use	Storeys	Rear Setback (metres)
Non habitable rooms (including commercial)	0-8	6
	9-12	9
	13-20	12
Habitable rooms/balconies	4	6
	5-8	9
	9-20	12
Habitable rooms/balconies and non habitable rooms	Up to 4	4.5
	5-8	6.5
	9-20	9
Where a rear laneway or accessway is required		8

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C8. Minimum separation between upper levels (above podium) on one site:

Building uses	Storeys	Side Separation (metres)
Non habitable rooms (including commercial)	4-8	6
	9-20	12
Habitable rooms/balconies	4	12
	5-8	18
	9-20	24
Habitable rooms/balconies and non habitable rooms	4	9
	5-8	12
	9-20	18

3.3.6 Active frontages, street address and building use

Building frontages that contribute positively to the public domain through activity and design not only encourage pedestrian activity, which can bring vitality and vibrancy to a centre, but also provides pedestrians with amenity and a safer environment.

Entrances to buildings define the private and public domain and need to be legible and free of barriers. Frontages should also enable accessibility for the entire community

Objectives

O1. Provide for a vibrant, pedestrian focused centre through the orientation and design of ground floor entries and shop fronts.

O2. Require activation of the street through the reinforcement of activities along the main streets and some laneways.

O3. Maintain the established character of fine grain frontages at ground level.

O4. Provide well designed building facades and entrances.

O5. Contribute to a safe environment for pedestrians and residents through both passive and active surveillance.

O6. Ensure the accessibility of the centre for the entire community.

Controls

Active frontages

C1. Provide Active frontages at street level, orientating onto streets, laneways and public places, as identified on Figure 17.

C2. Active frontages consist of the following:

- shopfront;
- food and Drink premises such as Restaurant or Café;
- entrance to public buildings or commercial building foyers; and
- customer service areas and receptions (where visible from the street).

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C3. At least 70% of street level frontages shall be transparent glazing. Blank or solid walls and the use of dark or obscured glass on active frontages are prohibited.

C4. Restaurants, cafes and the like are to consider providing openable shop fronts.

C5. Active frontages located on Merrylands Road (to Addlestone Street) and McFarlane Street should aim to provide at least 10-14 separate tenancy entries per 100m.

C6. Large developments shall provide multiple entrances.

C7. Solid roller shutters or the like that obscure windows and entrances are not permitted. Security grilles which are fixed internally to the shop front, fully retractable and are at least 50% transparent when closed, are acceptable.

C8. The ground floor level of active frontages shall be at the same level as the footpath, unless otherwise required by this plan.

C9. The location of fire escapes, service doors, plant equipment and the like are to be minimised on active streets.

Street address

C10. Street address in the form of entries, lobbies and/or habitable rooms with clear glazing are required at ground level, in accordance with Figure 17.

C11. Direct pedestrian access off the primary street front shall be provided.

C12. Direct 'front door' access to residential units is encouraged.

C13. Open space should be oriented to overlook pedestrian access points.

C14. Blank walls or dark or obscured glass is not permitted.

Building use

C15. Retail and commercial uses are to be located on at the ground floor level for all development within the B4 zone.

C16. Residential development is not permitted to be located at the ground floor level of any development within the B4 zone.

C17. Commercial office space or other suitable non residential uses must be provided at the first floor level of development for the entire premises street frontage.

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Figure 17: Active frontages and street address

3.3.7 Landscaping and open space

Landscaping should build on a site's existing natural and cultural features to contribute to a developments positive relationship to its context and site. Landscape design should optimize usability, privacy, social opportunity, equitable access and respect for neighbours' amenity. It plays a significant role in improving the amenity of open space and the visual quality for residents and visitors to the centre.

Together, landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for occupants and the adjoining public domain. As such, it should not be generated by left over spaces resulting from building siting and location.

Objectives

O1. Enhance the amenity and liveability for residents, workers and visitors to the centre through integrated landscape design, improvements to the public domain and the provision of passive and recreational opportunities.

O2. Provide a pleasant and enhanced streetscape character and amenity through the retention and/ or planting of trees.

O3. Provide for pleasant and safe public open spaces through designing for accessibility and surveillance.

O4. Assist the management of the water table, stormwater and water quality through maximising site infiltration through deep soil and permeable surfaces.

O5. Require communal open space that is assessable, functional and attractive and provides for passive recreation and landscaping.

O6. Enhance liveability for residents by requiring every dwelling to have access to a private, useable and functional private open space directly adjacent to living areas and providing an extension of the living spaces.

O7. Provide balconies and terraces of sufficient size and proportion, which are functional and allow for outdoor living and planter opportunities.

O8. Require balconies and terraces to be integrated into the overall architectural form of the building and to contribute to the articulation and modulation of the building façade.

O9. Contribute to the safety and liveliness of the street by allowing for casual overlooking and address.

O10. Ensure private and communal open space areas are adequately landscaped and able to accommodate a range of plant species.

O11. Provide appropriate soil conditions, drainage and irrigation measures that encourage plant growth.

Controls

Public open space

C1. Public open spaces for passive recreation and for overland flow paths shall be provide as identified in Figure 4.

Streetscape planting and public domain works

C2. Streetscape planting shall be provided in accordance with Figure 4.

C3. Planting and public domain works shall be in accordance with Council's Landscape Masterplan.

Deep soil zones

C4. Deep soil zones shall be provided in accordance with Figure 4.

C5. Where there is limited capacity for water infiltration, stormwater treatment measures are to be integrated with the design of the buildings.

3.4 Movement

3.4.1 Rear laneways and private accessways

Good vehicular circulation in the centre is important for pedestrians and residents. Vehicular crossings over footpaths not only can restrict vehicle and pedestrian movement, it can be dangerous within a town centre environment. Enabling access to developments through a secondary street or accessway will improve movement in the centre whilst making it a safer place.

The addition of laneways can also add to the vibrancy of the centre, providing opportunities for retail uses at grade.

Objectives

O1. Make vehicular access to buildings more compatible with pedestrian movements and the public domain.

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O2. Require buildings fronting primary roads to gain vehicular access from the rear of the property.

O3. Enable the maintenance of continuous retail frontages.

Controls

C1. Rear laneways and private accessways are to be provided in accordance with Figure 2.

C2. Where buildings front Merrylands Road, McFarlane Road or Pitt Street, vehicular access must be provided from the rear via laneways or private accessways, as indicated in Figure 2. No vehicle entrances are permitted from primary roads, as indicated in Figure 2.

C3. Where other buildings have access to existing laneways, vehicular access must be provided from the laneway.

3.4.2 Pedestrian access

Pedestrian accessibility is critical to establishing a vibrant and safe centre. Designing for pedestrians within the centre focuses on delivering high quality, safe and pleasant walking environments, which is person centred, rather than vehicular centred. Pedestrian access should be equitable, barrier free where all people who live, work and visit can enjoy the public domain and access communal use areas and apartments.

Objectives

O1. Ensure access to workspaces, retail areas, apartments and to the public domain is direct and efficient for the entire community, regardless of age, physical condition or mobility restriction.

O2. Require development to be well connected to the street and contributes to the accessibility of the public domain.

O3. Provide an environment which is permeable for pedestrians.

O4. Create a safe environment for all pedestrians.

Controls

C1. Pedestrian site through links shall be provided in accordance with Figures 2 and 3.

C2. Required pedestrian access identified at 246 Pitt Street, between Terminal Place and Pitt Street, is for an overland flow path and shall be a minimum of 15m wide and 4m high. This may be designed as an arcade.

3.4.3 Vehicle access

The location, type and design of vehicular access points for a development can have impacts on the streetscape, building design and function of the centre. It is important that vehicular access is located to ensure the maintenance of a safe pedestrian environment, viability and vitality of the centre.

Objectives

O1. Minimise the impact of vehicle access on streetscape amenity, pedestrian safety and circulation within the centre.

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O2. Enable active frontages.

O3. Differentiate between primary and secondary roads and their uses.

O4. Integrate vehicular access and service areas into building design and streetscape character.

Controls

C1. Driveways shall be provided from laneways (existing or proposed), private accessways and secondary streets (as indicated in Figure 2).

C2. Vehicular access in the Neil Street precinct shall comply with Figure 2.

3.4.4 Parking

On- site parking includes both underground (basement), surface (on grade) and above ground, and can include parking stations.

It is important that car parking does not visually dominate the streetscape or impact on stormwater management. Car parking that is well designed and located should make efficient use of the site, reduce its visual impact and enables the maintenance of active frontages.

Objectives

O1. Minimise car dependency for commuting and recreational transport use and to promote alternative means of transport such as public transport, bicycling and walking.

O2. Maintain a positive streetscape character by designing and treating car parking to reduce its visual impact.

O3. Ensure parking does not impact on the character and function of active frontages.

Controls

C1. On-site parking is to be accommodated underground wherever possible.

C2. On street parking within Neil Street shall be provided as indicated Section 2.5.

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3.5 Design and building amenity

3.5.1 Laneway and arcade design

Site links in the form of laneways and arcades provide permeability within the centre for pedestrians and vehicular traffic which enhances movement, safety and streetscape vibrancy and functionality. It is important that the design of these links consider the safety and security of pedestrians and how they may contribute to the vibrancy of the centre.

Objectives

O1. Ensure the design of laneways and arcades provides for pedestrian safety and amenity.

O2. Assist in creating a vibrant centre through active frontages.

O3. Promote permeability in the redevelopment of large sites.

Controls

Laneway

C1. Laneways identified in Figure 9 shall have active ground floor frontages.

Arcades

C2. Arcades shall be provided in accordance with Figure 3.

3.5.2 Managing external noise and vibration

Buildings in close proximity to the railways need to consider the impact of external noise and vibration on development proposals.

Objectives

O1. Ensure consent is not grant to development on land affected by external noise, if, in the opinion of Council, will be affected by noise and vibration, unless the development will incorporate attenuation measure to the satisfaction of Council.

Controls

C1. Development proposals within 60m of the south western railway line and/or adjacent to Neil Street or Pitt Street must provide a report, to be submitted with the development application, demonstrating that the development will comply with the following criteria.

C2. The following Australian Standards are to be complied with:

- *AS 1055-1997 Acoustics - Description and Measurement of Environmental Noise.*
- *AS 1259-1990 Acoustics – Sound Level Meters Part 2 Integrating – Averaging.*
- *AS 1633-1985 Acoustics - Glossary of Terms and Related Symbols.*
- *AS 2107-2000 Acoustics - Recommended Design Sound Levels and Reverberation Times for Building Interiors.*

C3. The report shall be prepared by an acoustic consultant having the technical eligibility criteria required for membership of the Association of Australian Acoustical Consultants (AAAC) and/ or grade membership of the Australian Acoustical Society (MAAS).

C4. Prior to the issues of an Occupation Certificate, a noise compliance report shall be submitted to the Principal Certifying Authority (PCA) confirming that the building/s comply with the noise criteria following. The report shall be prepared by an acoustic

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consultant, other than the consultant responsible for the preliminary/design report, having the technical eligibility criteria required for membership of the Association of Australian Acoustical Consultants (AAAC) and/ or grad membership of the Australian Acoustical Society (MAAS).

C5. Acoustic reports prepared under this Plan must be prepared in accordance with the specified methodology provided in the Appendix.

C6. Floor vibration levels in habitable rooms should comply with the criteria in *British Standard BS6472: 1992 Evaluation of Human Exposure to Vibration in Buildings* (1 Hz to 80 Hz). This is the vibration standard recommended by the Department of Infrastructure Planning and Natural Resources (DIPNR) and the Department of Environment and Conservation (DEC). It is similar to AS2670.2 – 1990 but includes additional guidance in relation to intermittent vibration such as that emitted by trains.

3.5.3 Awnings

The provision of awnings within a centre increases the usability of amenity of the footpath, encouraging active environments through greater pedestrian movement and activity. Awnings like building entries, provide a public presence and interface with the public domain contributing to the identity of an environment.

Objectives

O1. Ensure the amenity of pedestrians through weather protection.

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

O3. Locate awnings to provide for the safety and security of pedestrians.

O4. Enable the provision of street tree planting and furniture location.

Controls

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

C2. Awnings on Merrylands road shall be 2.5m deep.

C3. Awnings are permitted on laneways where active frontages are required and shall be retractable and only used in hours of operation.

3.5.4 Adaptable housing

Objectives

O1. Ensure the design of apartments meet the broadest range of occupants needs possible.

O2. Promote buildings that can accommodate whole or partial changes of use.

O3. Provide a diversity of apartments types, which cater for different household requirements now and in the future.

O4. Maintain equitable access to new housing by cultural and socio-economic groups.

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Controls

C1. Provide a total of 20% of dwellings as adaptable housing by ensuring that:

- a minimum of 10% of all apartments within a development comply with AS4299-1995 Adaptable House Class A; and
- a minimum of 10% of all apartments within a development comply with AS4299-1995 Adaptable House Class C.

3.5.5 Corner buildings

Corner site buildings play an important role within a town centre in providing legibility, reinforcing the road layout and can assist in creating a visually interesting streetscape.

Objectives

O1. Promote a strong and legible streetscape character by ensuring corner sites are visually significant elements.

O2. Require buildings at visually significant locations are well designed and respond to the different characteristics of the streets the address.

O3. Reinforce and clarify spatial relationships and street hierarchy in the centre and accentuate the topography.

Controls

C1. Generally, Corner building shall be designed to:

- articulate street corners by massing and building articulation;
- to add variety and interest to the street;
- present each frontage of a corner building as a main street frontage;
- reflect the architecture, hierarchy and characteristics of the streets they address; and
- align and reflect the corner conditions.

C2. Corners identified in Figure 6 shall be emphasised through architectural design and materials.

3.6 Environmental

3.6.1 Flood and stormwater management

Much of the Merrylands centre is affected by the 1 in 100 year flood. The location, requirements and layouts of roads, infrastructure, open space and buildings within the Neil Street Precinct have been specifically designed in response to the site constraints in order to manage the impact of flooding.

Some roads within the centre are the overland flow paths and development along those streets will need to be designed to be flood compatible.

Merrylands centre was built along one of the major watercourses that drains towards A'Becketts Creek and much of the centre is subject to flooding. It is important that the design of development incorporates measures to manage the impact of development to natural waterways

Objectives

O1. Ensure appropriate flood management and protection of overland flow paths.

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O2. Require buildings within the flood affected areas are designed to ensure minimal damage in the event of a flood.

O3. Balance the need for active frontages and flood mitigation from flood proofing and design.

O4. Ensure that redevelopment of the site can occur.

O5. Minimise stormwater runoff.

O6. Control the quality and quantity of stormwater, and to reduce impacts on adjoining properties.

O7. Minimise the impacts of development and associated infrastructure on the health and amenity of natural waterways.

O8. Preserve existing topographic and natural features, including watercourses, creeks and wetlands.

Controls

Commercial and retail

C1. On street frontages to Merrylands Road, McFarlane Street and Pitt Street where it is not practical or desirable to achieve floor levels 500mm above the 100-year ARI floor levels, alternative flood management measures (such as flood proofing) must be undertaken.

Neil Street Precinct

C2. Management of the redevelopment of the Neil Street Precinct must be undertaken in a whole-of-site approach. Site amalgamation and re-subdivision under this DCP is required to manage redirection of the floodway.

C3. Building footprints are to be placed to allow best movement of flood waters (eg. 30m separation between buildings on the southern end of New Road (1) north)

C4. Provide a 40m floodway through Neil Street Precinct, comprising roads, parks, swales and a natural creek system.

Stormwater

C5. The peak/volume impact of stormwater on infrastructure is to be reduced by detaining/retarding it on site. Design solutions may include:

- minimising impervious areas by using pervious or open pavement materials;
- retaining runoff from roofs and balconies in water features as part of landscape design or for reuse or activities such as toilet flushing, car washing and garden watering;
- landscape design incorporating appropriate vegetation;
- minimising formal drainage systems (pipes) with vegetated flowpaths (grass swales);
- infiltration or biofiltration trenches and subsoil collection systems in saline areas;
- water pollution control ponds or constructed wetlands on larger developments; and
- developments shall optimise the amount of deep soil zones within the site, in accordance with Figure 4.

C6. Stormwater quality shall be maintained through the use of the following:

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- litter or gross pollutant traps to capture leaves, sediment and litter should be used;
- sediment filters, traps or basins for hard surfaces; and
- treatment of stormwater collected in sediment traps on soils containing dispersive clays.

C7. Where sites are next to the rail corridor, adequately dispose of or manage drainage from the development such that it is not distributed into the rail corridor unless prior approval has been obtained from Sydney Trains.

C8. Existing and post development flood contours are shown in Figures 18 and 19.

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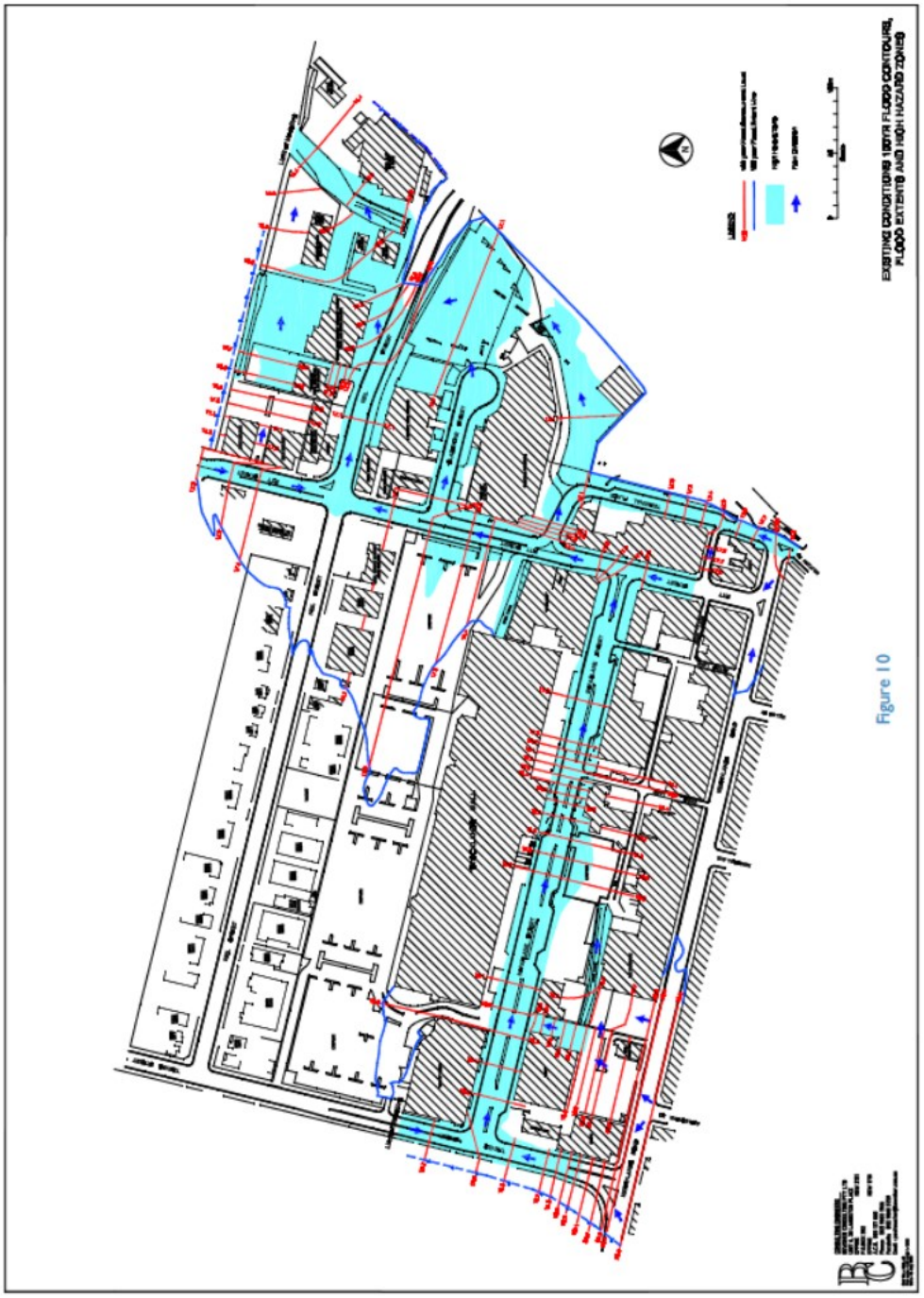

Figure 18: Existing development flood contours

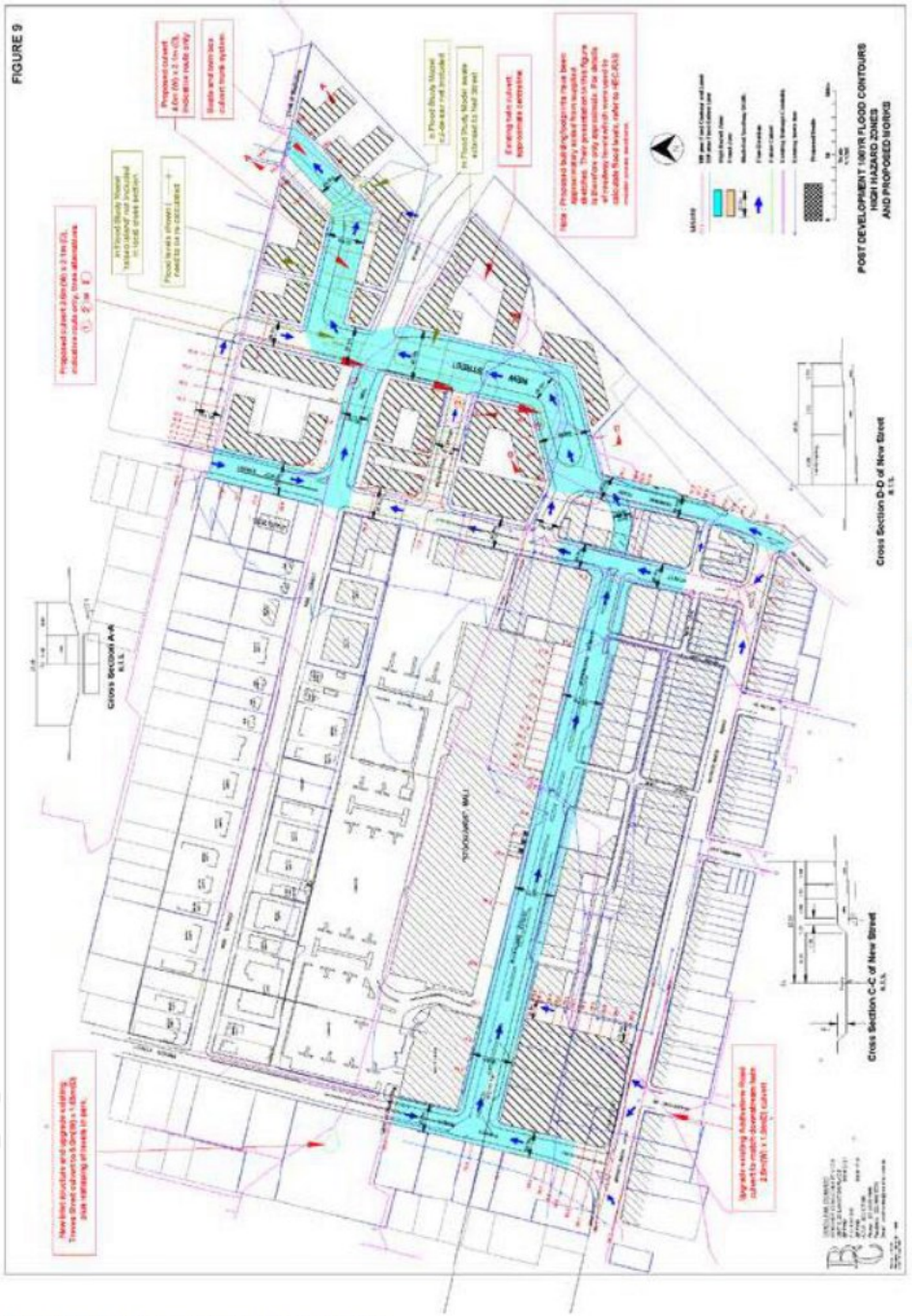

Figure 19: Post development flood contours

3.7 General

3.7.1 Public art

Objectives

O1. Provide art works which are integrated into broader development and planning of Merrylands Centre.

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

Controls

C1. Public Art is encouraged to be provided within the centre, in accordance with Council's Public Art Policy.

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

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

C4. Within the Neil Street Precinct, the following thematic areas are to be considered in the public art/design:

- industrial heritage of the locality including the grain mills, brick works and railway; and
- A'Becketts Creek and the natural environment.

3.7.2 Interim development

Through the process of implementing this plan it is expected that development applications associated with existing uses will continue to be received. Acceptable design outcomes of the application for minor development, must comply with the vision and objectives of the DCP.

Objectives

O1. Enable ongoing development works in the centre that are associated with existing uses, without compromising the implementation of the longer term vision and objectives as outline in this DCP.

O2. Permit a reasonable amount of interim development while maintaining the viability of implementing this plan as an attractive future option.

O3. Ensure any development works provides a positive design outcomes that contributes to the urban character of the centre.

Controls

C1. All minor development associated with existing buildings including but not limited to alteration and additions, change of use, outdoor dining, subdivision and signage must not restrict or prohibit an adjoining landowner from developing their site in accordance with this DCP.

C2. Development is to ensure activation of the streetscape and high urban design outcomes.

C3. Alterations and additions must not exceed 60m^2 of additional floor space on to or associated with an existing building. Only 1 application for this addition, per lot, is permissible, as from the date of adoption of this DCP.

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CUMBERLAND CITY COUNCIL

PART F2-7
MERRYLANDS NEIL STREET PRECINCT

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1. Introduction

1.1 Land to which this Part applies

This Part provides development controls to guide the future development in the Neil Street Precinct. This Part specifies the built form controls for all development with the Precinct, and sets in place urban design guidelines to achieve the vision for Neil Street Precinct as stated under Section 2.

The provisions of this Part apply to Merrylands Neil Street Precinct, shown edged in heavy black on Figure 1.

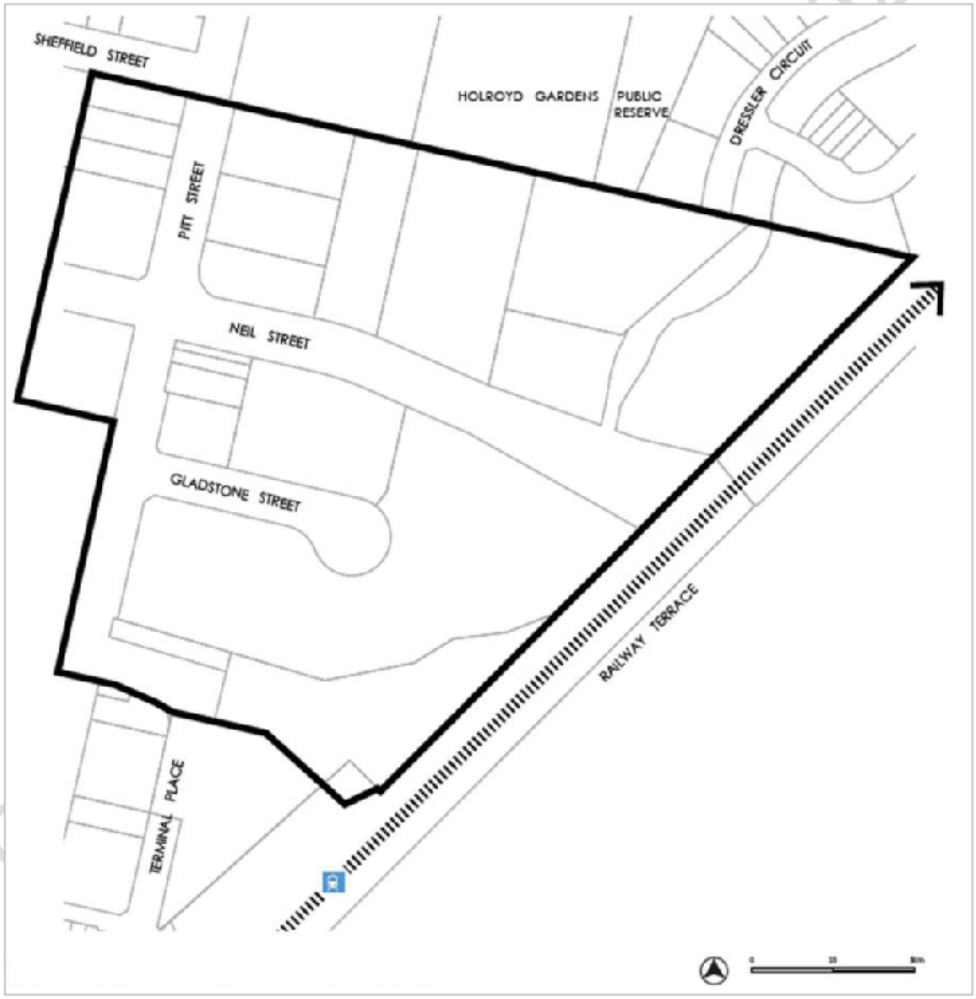

Figure 1 – Merrylands Neil Street Precinct Boundary

In the event of any inconsistencies between these controls and any other provisions of the DCP, the provisions in this section prevail in so far as the extent of the inconsistency.

2. Vision

The purpose of this Part is to provide objectives, controls and design criteria to achieve desirable development outcomes consistent with Council's vision for the Neil Street Precinct (the Precinct). This Part also includes Block specific objectives where applicable for the developments sites identified within the Precinct. Where objectives are not specified for a Block, the overall objectives for the Precinct should be followed.

The Precinct is envisioned to be characterised by a high-quality, well designed, safe and liveable environment within walking distance to Merrylands Railway Station, which is the main transport hub for the area. Properties along Pitt Street and the future development along New Road 1 will support a mix of retail, commercial office/business and residential functions.

3. Objectives and controls

3.1 General

Objectives

O1. Ensure the Precinct will be characterised by a high-quality, well-designed and safe environment.

O2. Create an urban structure that will:

- promote a balance of residential and commercial uses within the Precinct; and
- provide a transition from the more intense development near the Train Station to peripheral areas along the Holroyd Gardens.

O3. Create an access network that will:

- provide a safe and convenient pedestrian environment that will encourage social interaction and encourage public transport use;
- promote greater connectivity and integration between land uses and the Train Station; and
- create additional Streets that will:
  - reduce pressure on Pitt Street.
  - provide new opportunities for business.

O4. Create an open space network that will:

- include a network of diverse active and passive recreational spaces to support the residential and working population of the Precinct; and
- provide safe, accessible, sustainable, well-used and designed open-space network.

3.2 Urban design

Objectives

O1. Enhance connectivity within the Neil Street Precinct and with the surrounds.

O2. Maintain and develop spaces that encourage social interaction for all people, which will contribute to people's sense of place.

O3. Integrate the management of stormwater and floodwater into the design of public open space to establish an adaptable public domain capable of accommodating a broad

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range of uses, experiences and activities, while still maintaining its primary function of overland stormwater drainage.

O4. Promote the "green and leafy" character associated with established trees within Holroyd Gardens.

O5. Maintain the sense of spaciousness created by the lower density built form and Holroyd Gardens to the north through the extensive network of private and public open space areas.

O6. Provide appropriate interfaces to surrounding residential and open space areas.

O7. Improve the visual quality of the Sydney Water Concrete Culvert by incorporating landscaping to soften the appearance which will not only provide a sustainable drainage system but also enhance the recreational value of the Precinct.



Figure 2: Neil Street Precinct Vision

3.3 The Structure Plan

3.3.1 Desired future character

Neil Street Precinct Character Statement

Neil Street is characterised by accessibility to the Holroyd Gardens to the north, Merrylands Centre to the west, Merrylands Train Station to the south, the Neil Street Park and the overland flow path recreational open space. The accessibility of Precinct is enhanced by the proposed extension of Sheffield Street to the north, proposed New Road 1 and New Road 2 and the various potential mid-block connections creating a high level of pedestrian permeability away from the main streets. Pitt Street, which is a regional road, is a significant link between Merrylands and Parramatta. Given the street hierarchy of Pitt Street, it provides an opportunity for it be established as a built form spine with ground level activity to be focused along Pitt Street.

Neil Street is the only entry from the west for the Precinct. Given the street hierarchy, Neil Street provides an opportunity for it to be established as a secondary built form spine where taller buildings can be located.

In addition to residential uses, the Neil Street Precinct is expected to accommodate commercial/ retail uses that support and enhance the liveability of the place. Active uses will be located facing Pitt Street, and New Road 1 enhancing the vibrancy of the public domain.

The visual character of certain locations within the Precinct such as the intersection of Neil Street and New Road 1, the intersection of Pitt and Neil Streets, the intersection of Neil Street and the Neil Street Bridge are significant as they provide opportunities to position locational buildings, which will enhance the skyline of the Precinct within the broader Merrylands Centre context (Refer Figure 2).

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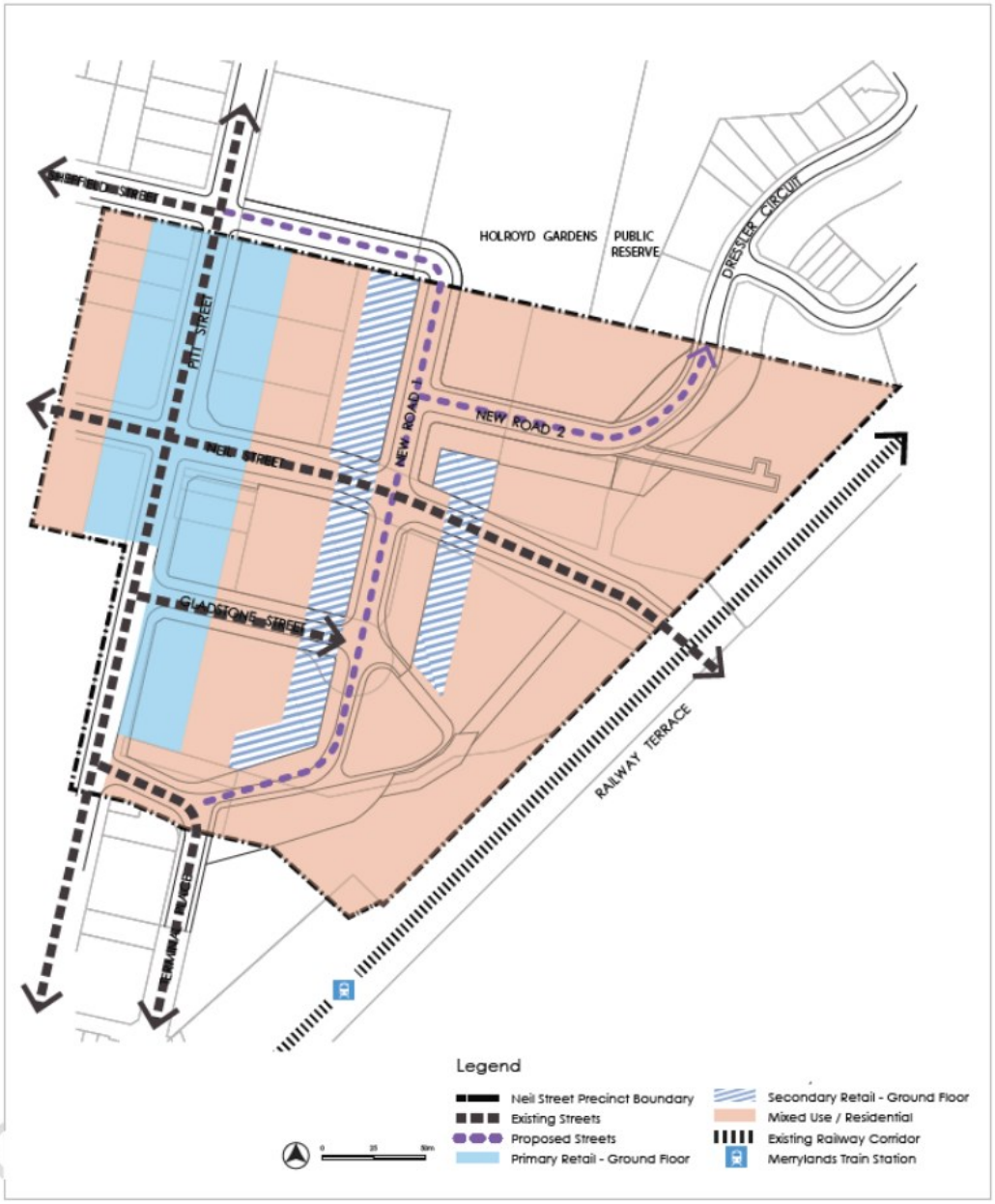

Figure 3: Existing site

3.3.2 Urban Structure Plan

The Structure Plan sets out the broad framework for development within the Neil Street Precinct. It underpins the development controls for the Precinct. The Structure Plan reflects and builds on the existing land uses and functions within the broader Merrylands Centre to implement the vision for Neil Street as a high-quality, well designed, safe and liveable environment (Refer Figure 3).

The Neil Street Precinct will predominantly include new residential development, while the commercial core will be centred on McFarlane Street/Merrylands Road. Intense development centred within the Merrylands Centre is proposed to transition through Neil Street Precinct to the lower scaled residential areas adjoining the Neil Street Precinct.

The Structure Plan is comprised of three elements:-

- Access Network;
- Public Open Space; and
- Built Form Network.

Development in the Neil Street Precinct must occur within the framework of the Structure Plan objectives and controls, which establishes built form, open spaces and street layout. The synthesis of these elements will strengthen the desired character and connection within the broader area and create the public domain environment within which development can occur.

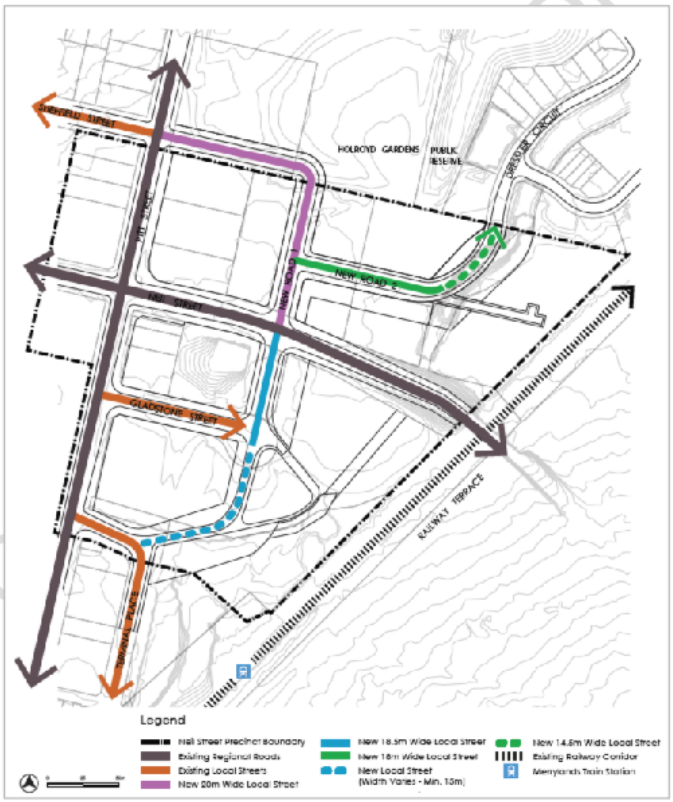

Figure 4: Existing and new street network

3.4 Access network

3.4.1 Street/access network

The Street Network Structure Plan provides a clear hierarchy of street types, including the extension of existing streets and new streets. The street network is made up of the following new streets:

- New Road 1; and
- New Road 2.

The new roads maximise connections within the Precinct and to surrounding areas and aims to substantially improve pedestrian and cycle paths to enable a more permeable public domain.

Objectives

O1. Improve pedestrian, cycle and vehicular accessibility within the Precinct and the broader Merrylands Centre.

O2. Provide a street network that responds to the constraints of drainage, existing development and future subdivision patterns.

O3. Provide improved access to public open spaces within the Precinct.

O4. Accommodate increased traffic movement within the Precinct and broader Merrylands Centre.

O5. Provide additional opportunities for on-street parking.

Controls

C1. Provide new public streets as shown in Figure 4.

C2. Refer to Section 3.4 for detailed information regarding the required width, design and location of each street type.

C3. Setbacks along streets are to be provided in accordance with Section 3.8.

C4. The width of footpaths shall be maximised for comfortable pedestrian movement; to facilitate tree planting and where bike routes exist, to allow cycling off road.

C5. Streets are to be planted with trees appropriate in character to reflect the street hierarchy and in consultation with Council's landscape architect

C6. New streets are to be dedicated to Council. New streets are to be maintained by the landowner until dedicated to Council.

C7. Land owners within the Precinct to consult Council's engineers for detail infrastructure works.

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Figure 5: Connectivity

3.4.2 Connectivity

Through site links, arcades, visual and pedestrian/cycle connections have been established to enhance the connectivity and permeability of the Precinct and include the following (Refer Figure 5):

- a new pedestrian link along the northern boundary of the Precinct providing a direct link between Dressler Circuit, Holroyd Gardens and Sheffield Street;
- an east-west visual connection from New Road 1 to the Railway Corridor to the east;
- an arcade (pedestrian through site link) linking New Road 1 to Pitt Street;
- a through site link is proposed as an extension of New Road 2 to the west; and
- a north-south through site link connecting Neil Street to Sheffield Street at the Precinct boundary.

Objectives

O1. Ensure pedestrian ways, through-site links and arcades are accessible, continuous, well lit, safe and supported by active retail uses.

O2. Encourage development that expands and enhances the Merrylands Centre public domain.

O3. Promote pedestrian activity and contribute to the vitality of the Precinct.

Controls

C1. Provide through-site links and pedestrian ways as indicated in Figure 5.

C2. Through-site connection and arcade must:

- provide a clear sight-line from one end to the other for surveillance and accessibility, in midblock locations;
- have a minimum width of 12m;
- extend and enhance the public domain and have a public domain character; and
- be designed to consider pedestrian safety and the security of adjacent businesses, particularly at night.

C3. Public use of through-site connections should be available at least between the hours of 7.00am to 7.00pm daily.

C4. Connections through foyers and shops are encouraged.

C5. Consider supplementary arcades and through-site connections, with outdoor areas such as courtyards or outdoor rooms.

C6. Vehicular entry points are not permitted along Pitt Street, Neil Street and New Road 1 south of New Road 2.

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Figure 6: Pennsylvania Avenue Washington DC - Desirable active street frontage (Source: au.pinterest.com)



Figure 7: Lonsdale Street, Dandenong - Pedestrian amenity along New Road 2 (Source: au.pinterest.com)



Figure 8: Street Design Ottawa - Desirable shared zone - New Road 2 (Source: au.pinterest.com)

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3.4.3 Streets

New Road 1

The width of New Road 1 varies between 15m at the Terminal Place intersection to 20m at the Holroyd Gardens interface. These widths are based on the predominant use and the intensity of the existing patterns of access, circulation and movement within the Merrylands Centre and the particular topographic conditions across the Precinct.

New Road 1 is intended to ease the traffic pressure from Pitt Street to achieve greater amenity for pedestrian and cyclist movement in the public domain.

Controls

C1. Buildings are required to be setback from streets (Refer Section 3.8 for street setbacks).

C2. Lighting, paving, street furniture, landscaped setbacks and tree planting are to be provided following consultation with Council's landscape officers.

C3. New Road 1 is to be provided in accordance with Figures 4, 10, 11 and 12.

New Road 2

The width of New Road 1 varies between 18m at the intersection of New Road 1 to 14.5m at the Holroyd Gardens interface.

Control

C4. New Road 2 is to be provided in accordance with Figures 4, 13 and 14.

Neil Street and Pitt Street

Controls

C5. A 3m x 3m splay corner to be provided at the corner of Neil and Pitt Streets (Affected lot - 185 Pitt Street)

C6. A 0.65 road widening to be provided along Pitt Street at 185 Pitt Street to incorporate a cycle path.

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Figure 9: Section locations

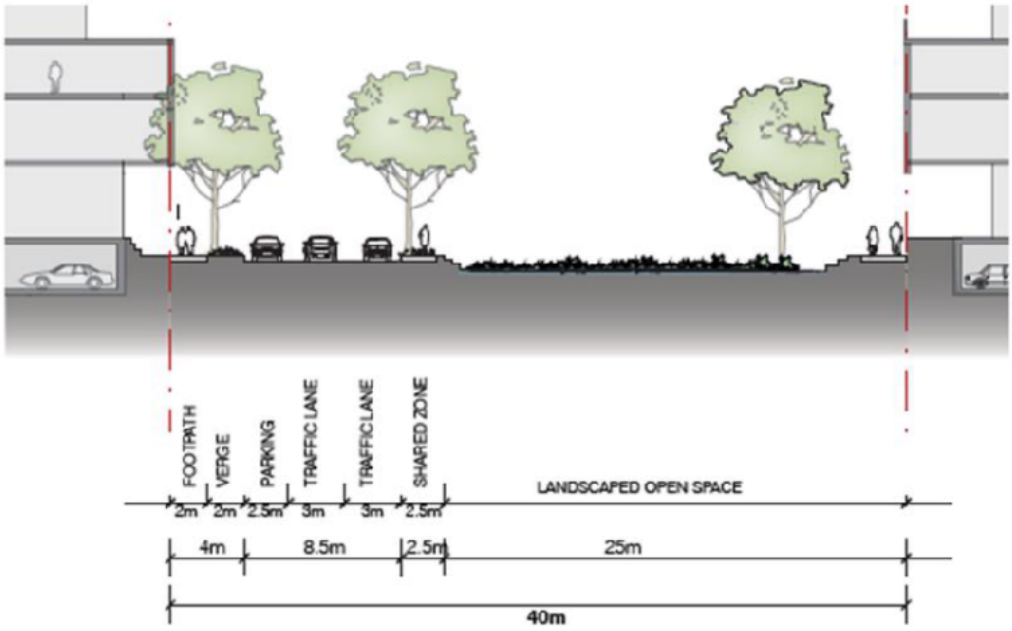

Figure 10: Section AA

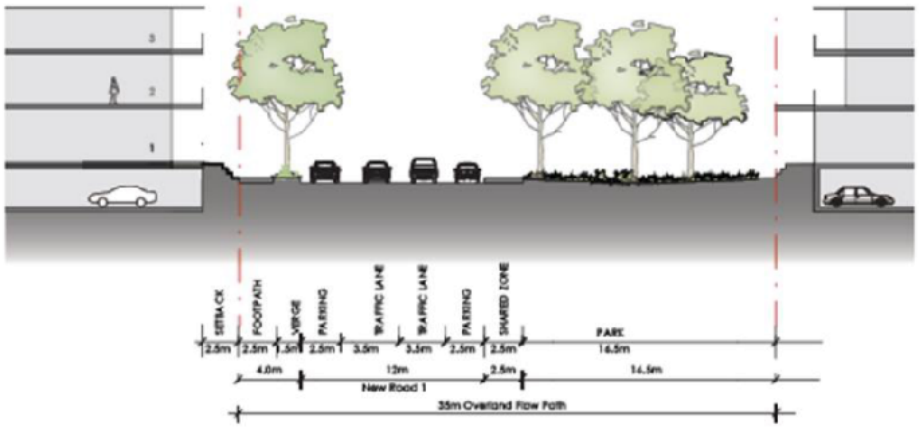

Figure 11: Section BB

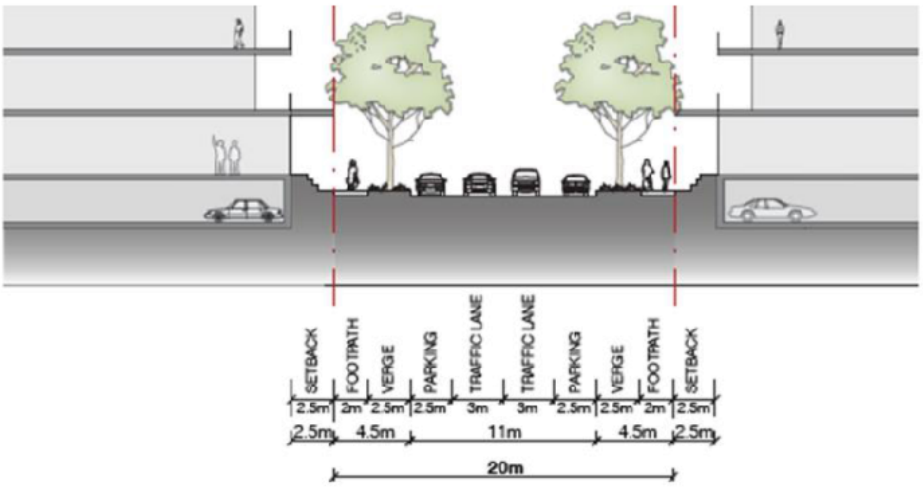

Figure 12: Section CC

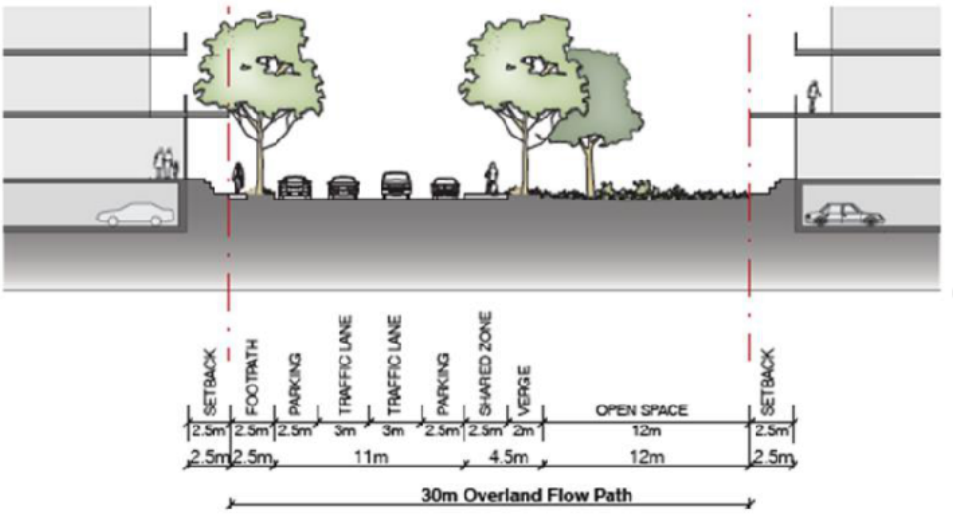

Figure 13: Section DD

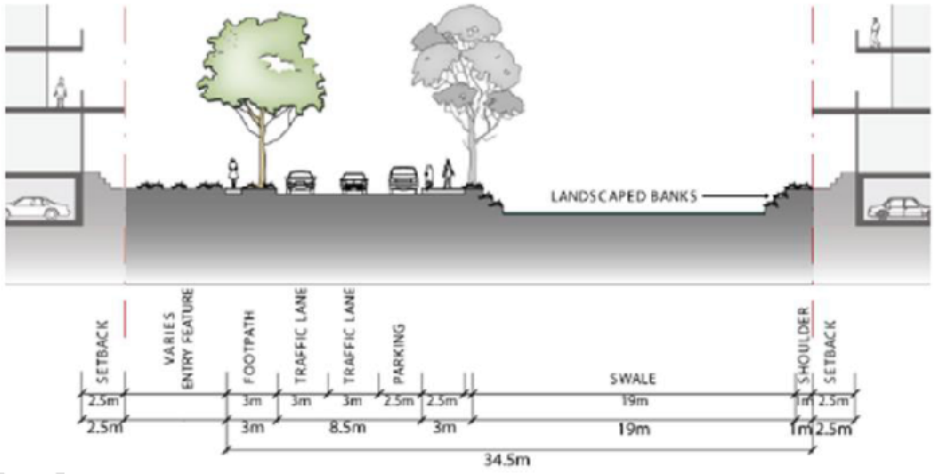

Figure 14: Section EE



Figure 15: Public Domain Plan

3.5 Public open space

3.5.1 Open space network

The Public Open Space Structure Plan creates a new open space network that will enhance the aesthetic and environmental quality of the Precinct (Refer Figure 32). The open space network contributes to the pedestrian and cycle connections, addresses water quality and overland flow and provides informal gathering and recreational space.

Objectives

O1. Provide additional open space within a network of well connected parks and green streets.

O2. Provide consolidated open spaces and open space corridors.

O3. Accommodate a range of active and passive recreational uses.

O4. Contribute to stormwater and ecological management.

O5. Maximise the accessibility of public open space, and contribute to the pedestrian and cycle network.

O6. Provide appropriate amenity, solar access and shelter across a range of uses.

Controls

Landscape design

C1. Public open space is to contribute to the development of a continuous canopy of native vegetation to encourage native fauna habitat.

C2. Public open space is to provide for deep soil planting, and shall have no car parking or access underneath.

C3. Public open spaces should have clear pedestrian movement routes, seating and zones of activities that are clearly defined and encourage use.

C4. With the exception of Neil Street Park and pathways, the character of the public open space shall primarily be a soft-landscaped area.

C5. The design, including paving material and furniture, generally should be consistent with adjacent footpaths and/or Merrylands Centre design.

C6. Landscape design shall be compatible with the flood risk.

C7. Trees and understorey planting to comply with *Crime Prevention Through Environmental Design* (CPTED) principles.

Solar access

C8. As a general rule, at least 50% of the public open space shall have access to sunlight between 9.00am and 4.00pm at the winter solstice.

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Accessibility and connectivity

C9. Public open space is to be accessible from a variety of points within the wider public domain of Merrylands Centre.

Diversity of uses

C10. Buildings with zero setback to open spaces are to contain active uses for the full extent of the ground floor.

Safety and security

C11. All public open space is to be designed to be in accordance with CPTED principles, in particular with regard to the following:

- open sightlines and landscaping that allow high levels of public surveillance by users and residents;
- clear distinction between private and public open areas;
- external lighting (in accordance with Australia Standards AS1158 - Road Lighting) which makes visible potential 'hiding spots'; and
- entrances to areas of public open space that encourage pedestrian use and provide visual security through the establishment of clear sightlines.

Provisions

- Neil Street Park
- Terminal Place Park
- Boulevard Park
- Canal Greenway
- Woodland Reserve



Figure 16: Pennsylvania Avenue Park, Washington DC - Public open space defined by built form

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Figure 17: Artist impression Sheas Park - Green Square, Sydney. The overland flow path designed as a space for passive recreation and pedestrian link. (Source: www.landcom.com.au)

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3.5.2 Design criteria for public open spaces

Neil Street Park

Neil Street Park lies at the southern end of New Road 2. Its principle purpose is to serve as the major recreation space for the Precinct. It will provide a civic focus for gathering/events and work-based lunchtime breaks. It will be robust in landscape expression and largely defined by built form (Refer Figure 16).

Objectives

O1. Act as the primary soft landscaped resource for the Precinct.

O2. Use the design of public domain elements and furniture, and the surface materials to create a distinctive character.

O3. Be adoptable as a performance space with informal seating areas (Refer Figure 20).

Desired character

- Activation of ground floor commercial uses along New Road 2 and development to the north; and
- create a sense of place (Refer Figure 17).

Controls

C1. Provide a minimum 1,500sqm public open space - Neil Street Park as shown in Figure 18.

C2. Neil Street Park is to be in public ownership.

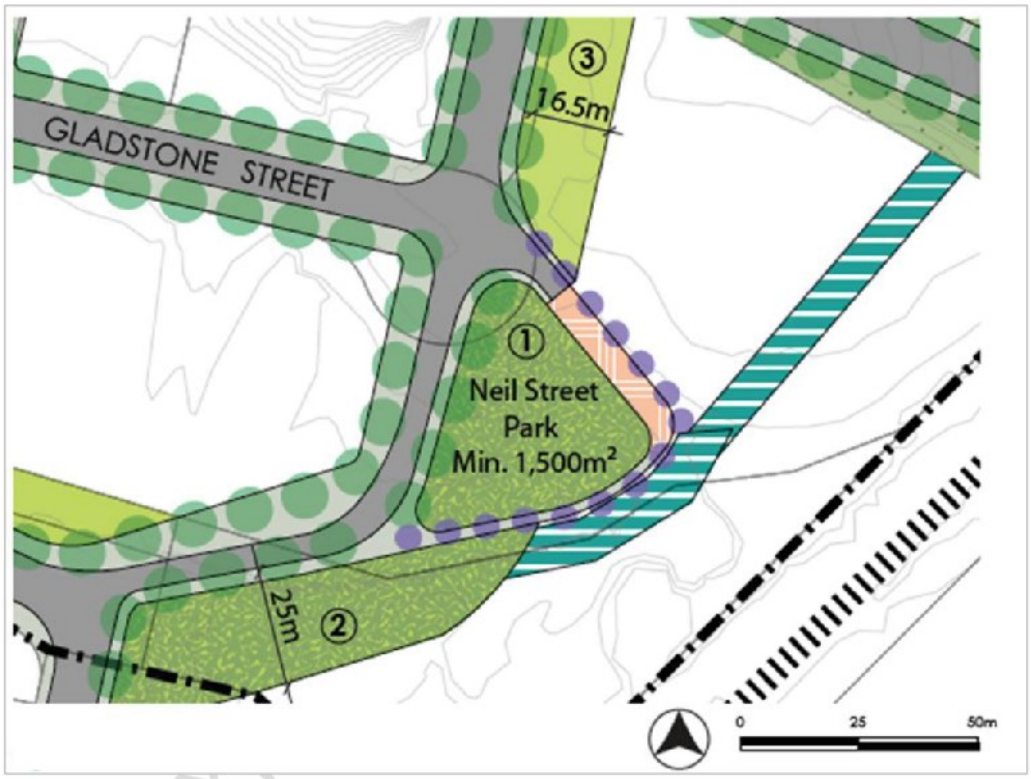

Figure 18: Neil Street Park, Canal Park and Boulevard Park

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Terminal Place Park

Located at the southern end and along New Road 1, Terminal Place Park provides a transition space between the predominantly residential Precinct and the Merrylands Centre. The principle aim is to provide seating and shade for passive reaction in the vicinity of the train station (Refer Figure 19).

Objectives

O1. Provide additional resource to the local residents and commuters.

O2. Reinforce a sense of safety for the community by providing appropriate lighting and directional signage.

O3. Provide sufficient furniture such as bins, seats, lighting and bicycle parking in appropriate locations.

Desired Character

- Predominantly soft landscape with hardscape elements to accommodate seating and public art; and
- open lawn areas for passive recreation (Refer Figure 19).

Control

C1. Provide a minimum width of 25m as shown in Figure 18.



Figure 19: Lakeshore East - Chicago: Combination of overland flow path and passive recreational space. Terminal Place Park character. (Source: au.pinterest.com)



Figure 20: Bioswale amphitheatre, Manassas Park Elementary School, Virginia, USA. (Source:americainstituteofarchitects.com/top10projects)

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Boulevard Park

Boulevard Park lies along the eastern edge of New Road 2 between Gladstone and Neil Streets.

Objective

O1. Provide a passive recreational space for surrounding development.

Desired character

- Activation of ground floor retail/commercial edge to the east and western edge of New Road 2.
- Design should reflect the desire line to Holroyd Gardens (Refer Figure 21).

Control

C1. Provide a minimum width of 16.5m as shown in Figure 23.



Figure 21: Central Park Sheffiled, UK. Boulevard Park character. (Source: au.pinterest.com)



Figure 22: Melbourne Docklands - Overland flow path as a passive recreational space. (Source: www.aecom.com.au)

Canal Greenway

Canal Greenway lies along the southern edge of New Road 2 and wraps around the eastern edge of New Road 1.

Objective

O1. Continue the "green link" of the Precinct and prove a leafy setting to the predominantly residential use of the area north of Neil Street.

Desired character

- Soft landscaping integrating where possible the Sydney Water Canal corridor;
- ability to accommodate passive recreation; and
- planting of endemic and cultural species.

Control

C1. Provide minimum widths as shown in Figure 23.

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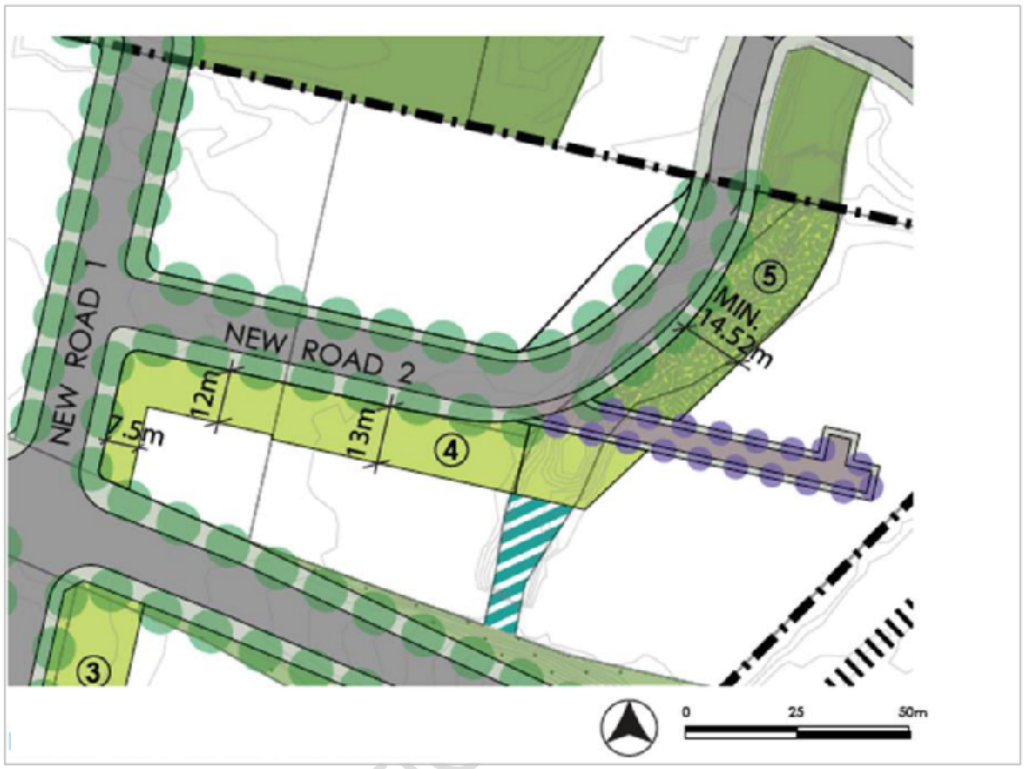

Figure 23: Canal Park and Woodland Reserve

Woodland Reserve

Canal Park lies along the eastern edge of New Road 2. The principle aim is to provide a connection both visual and physical, being the location for major cycle and footpath links at the local level.

Objective

O1. Provide a green link to A'Becketts Creek and the riparian corridor to the north and the new Neil Street Precinct landscape network.

Desired Character

- Accommodate range of experiences and activities including informal walking tracks and seating (Refer Figure 25);
- continue the natural woodland character of the existing A'Becketts Creek to the north with planting of indigenous native species; and
- low maintenance, robust plant species and finishes.

Control

C1. Provide minimum widths as shown in Figure 23.

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Figure 24: North Carolina Museum of Art detention basin converted to wetland (Source: surface678.com/north-carolina-museumof-art-pond-4)



Figure 25: Woodland Park (Source: au.pinterest.com)

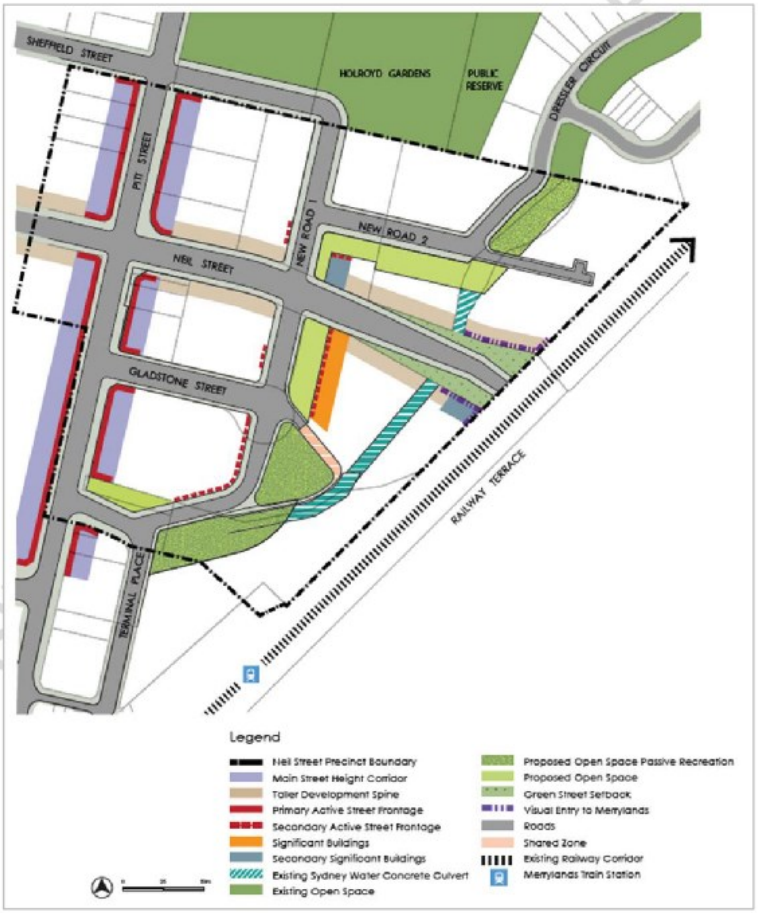

Figure 26: Built Form Structure Plan Principles

3.6 Built Form

3.6.1 Built form network

Built Form Structure Plan Principles

One of the principle urban design strategies which guided the built form structure plan for the Merrylands Centre was to provide height transition from the lower scale residential buildings to the higher scale buildings on Merrylands Road and McFarlane Street.

The Built Form Structure Plan builds on the strategies established for the Merrylands Centre and focuses on the character and height distribution of built form within the Neil Street Precinct. This structure supports the density controls contained within the LEP.

The taller built elements have been strategically arranged along major streets and adjacent to the open space network, defining the edge of the overland flow path/green corridor.

Opportunities for taller buildings have been identified. These sites spatially locate important places within the Precinct such as key entry point and parks (Refer Figure 26). The taller buildings are intended to be distinct from their lower scale surrounding and provide visual reference and urban legibility. The visual impact of the proposed increase in heights has been analysed in relation to the broader context of the Merrylands Centre.

The principal tower is located adjacent the Neil Street Park and in proximity to the Neil Street Precinct entry off the Neil Street Bridge. The secondary towers are located on the east-west development spine at significant locations.

The important street corridor of Pitt Street is reinforced by consistent height and street setback. Within the street network opportunities for active frontages have been identified and controls provided for the specific relationship between buildings and the street in these locations.

Location of active street level uses are identified adjacent to the green link.

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Figure 27: Built Form Structure Plan

3.6.2 Built Form Structure Plan

The Built Form Structure Plan is a broad, long term plan to guide changes in built form and provide clear direction about preferred locations of buildings within developments and building separations. The building footprints indicated on Figure 27 represent the preferred building configuration. Buildings are to be designed in accordance with Section 3.8 – Site Specific Controls.

3.7 Site amalgamation

Seven development sites (blocks) within the Precinct have been identified resulting from the evolving land ownership pattern and road alignment (Refer Figure 28). These blocks are anticipated to cater to the future increases in population and pedestrian movements, particularly those arriving via the rail network. In addition, these blocks incorporate significant public spaces and parks supporting the commercial and residential uses within and around the Precinct. Land uses have been coordinated with the desired built form outcomes to ensure that the Precinct functions as a highly attractive, safe and usable urban space.

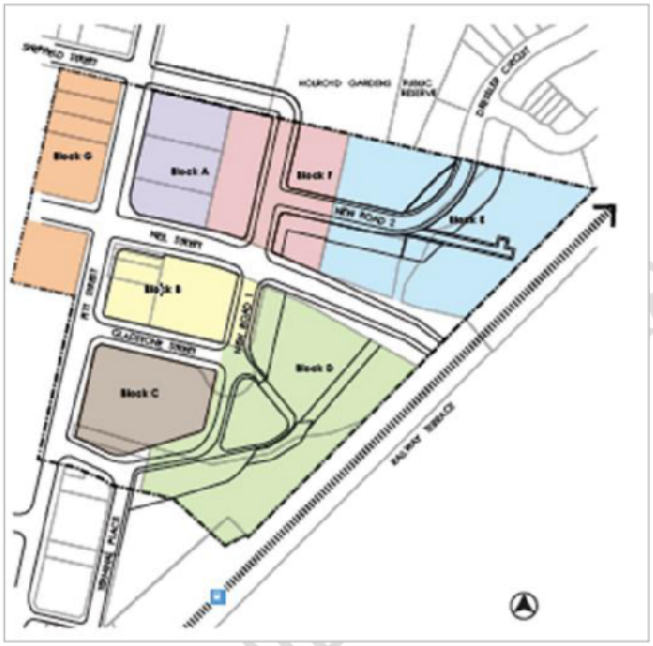

Figure 28: Preferred Site Amalgamation

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Controls

C1. Amalgamation of lots in accordance with Figure 28 is desired for redevelopment.

C2. Land amalgamation is to increase the width of the street frontage and avoid irregular lot configuration.

C3. Sites are to be amalgamated to avoid isolating an adjoining site or sites.

C4. The lot shape, orientation and design of amalgamation and subdivision lots is to support the following:

- protection and enhancement of the amenity, solar access, privacy, open space and views of the neighbouring lots; and
- incorporation of the principles of water sensitive urban design

C5. The block width, dimension, orientation and layout are to consider the existing subdivision pattern of the locality.

C6. New lot/s created must be such that each lot with street frontage allows for the siting of a development which will address the street.

3.8 Site specific controls

This section provides character statements, objectives and development controls for specific areas/ blocks within the Precinct as identified under Section 3.7. These blocks will contribute to the identity, function and character of the Precinct and as such more detailed built form controls have been provided to ensure high quality outcomes.

Controls

C1. General controls applicable to the whole Precinct are as follows:

Building Envelopes	
Maximum Horizontal Length of Buildings (above any podium)	• 9 to 12 storeys = Max. 75m • 13-20 Storeys = Max. 55m The max. horizontal length of any building without substantial articulation shall not exceed 45m
Building Breaks	
Buildings	Please refer to the detailed Block controls (following) for the location of preferred building separation requirements.
Solar Access	
Residential Part of Buildings	Min. 2 hours direct sunlight access to 70% of apartments between 9.00am to 4.00pm at the winter solstice (22 June).
Public Open Space	*Neil Street Park* • Min. 2 hours direct sunlight between 12noon to 3.00pm at the winter solstice (22 June) to min. 50% of the area Other Public Open Spaces • Min. 2 hours direct sunlight between 9am and 4.00pm at the winter solstice (22 June) to min. 50% of the area.
Street Activation	
Pitt Street and Terminal Place	• Fully activate at least 2 storeys with commercial/retail uses. *B4 zone* Min. non residential GFA equivalent to 40% of the ground floor building footprint area. *B6 Zone* Minimum non-residential GFA equivalent to 20% of the ground floor building footprint area except for the site at the southeast corner of Neil Street and new Road 1 where the minimum requirement for street activation is 50% of the ground floor building footprint area.
Western Side of New Road 1	• Area between Terminal Place and Neil Street to be intermittently activated as a secondary active frontage
Street Wall Height	
Along Pitt Street	• 3 storey podium with a minimum height of 11m and maximum 14m.

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Parking	
Parking	Parking must be provided in the basement (underground). • Underground parking is not permitted to encroach into the setback areas or under public open space areas. • Please refer to Part G – Parking and Access
Building Envelope Depth	
Commercial / retail (above podium)	• Max 25m (unless specified in Section 3.8).
Residential	• Max 22m (unless specified in Section 3.8).
Public Domain Interface	
Vehicle Access	Vehicle access should not ramp along boundary alignments facing a street or public open space.
Awning	
Along Pitt Street and Eastern Edge of Boulevard Park	Awnings should be provided along Pitt Street. • Min. 3m deep. • Preferred minimum soffit height of 3.3m. • Slim vertical fascias/eaves not more than 300mm in height. • Wrap awnings around corners where a building is sited on a street corner.
Site and Building Design	
Unless otherwise specified in this DCP, please refer to the *NSW Apartment Design Guide* (ADG) for design of apartments/mix use building design, including: • Building depth • Building separation • Deep soil zones • Visual privacy • Communal and public open space • Pedestrian access and entries • Vehicle access • Bicycle and car parking • Building Amenity (Ceiling height, Solar access, Natural ventilation, Private open space and balconies, Acoustic Privacy, Noise and pollution, Common circulation and spaces) • Building Configuration (apartment mix, layout and size, storage, roof design, landscape design, planting on structures, façades, awnings) • Performance (Energy efficiency, Waste Management, private open space and balconies, Water management and conservation).	
Stormwater Management	
Merrylands Neil Street Precinct is affected by the 1 in 100 year flood. Roads and open space network have been designed as overland flow path to manage the impact of flooding. To ensure appropriate flood management: • Width and location of the overland flow path to be in accordance with Section 3.4 and 3.8. • Please refer to Part G Stormwater. • Consult with Council's engineers prior to submitting a DA.	

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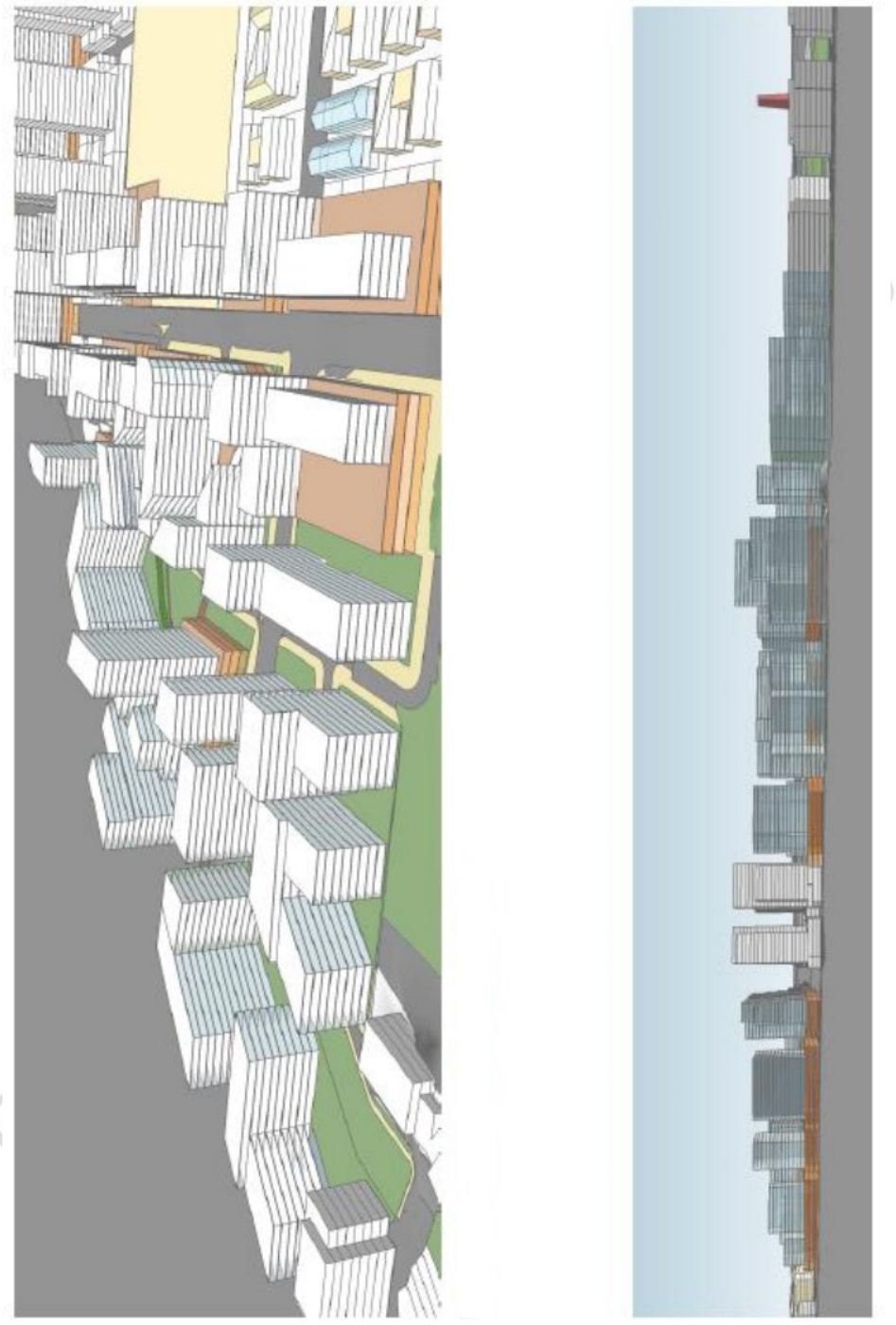

a) Looking south

b) looking west from the rail line

Figure 30: Indicative built form

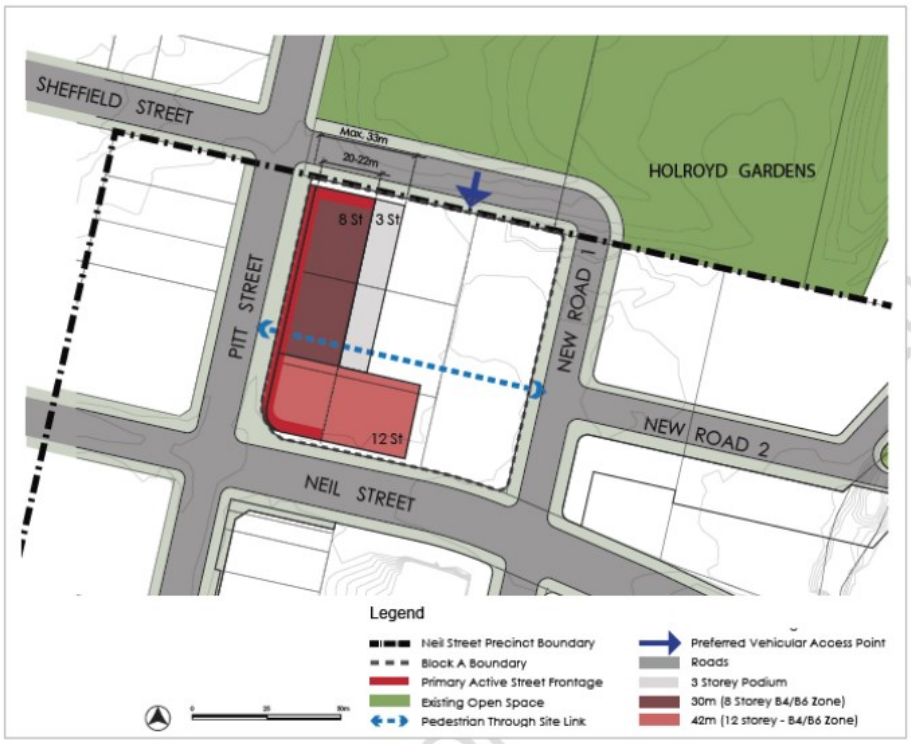

Figure 31: Proposed Block A Height and Public Domain Plan



Figure 32: Green Street Setbacks - Pitt Street - Green Link to Holroyd Gardens. (Source: au.pinterest.com)

BLOCK A

Block A is bounded by the Holroyd Gardens to the north, Block F to the east, Neil Street to the south and Pitt Street to the west.

The detailed, site specific controls within this section will define the scale and character of development at the Pitt and Neil Streets intersection, providing development that creates a positive image.

Objectives

O1. Ensure the development contributes to the provision of public infrastructure.

O2. Provide a range of uses supporting the predominantly commercial use within the Merrylands Centre, and generating activity at ground level.

O3. Ensure that the intersection of Pitt and Neil Streets creates a quality identity for the corner.

O4. Ensure scale and form of development contributes to the public domain and legibility of Pitt Street.

3.8.1 Site and building design

Public domain

The key public domain features of this Block are:

- New Road 1 to the north; and
- Pitt Street to the west

New street improvements are to be provided to both the streets.

Controls

C1. Primary active frontages are to be provided where shown in Figure 31.

C2. Primary active frontage are to have a civic character.

C3. Awnings to be provided along Pitt Street.

Building heights

Refined building heights are provided to determine the extent and location of height distribution within the Precinct.

Control

C4. Development should comply with the Block A Height Plan which indicates the maximum number of permissible storeys (Refer Figures 31 and 34).

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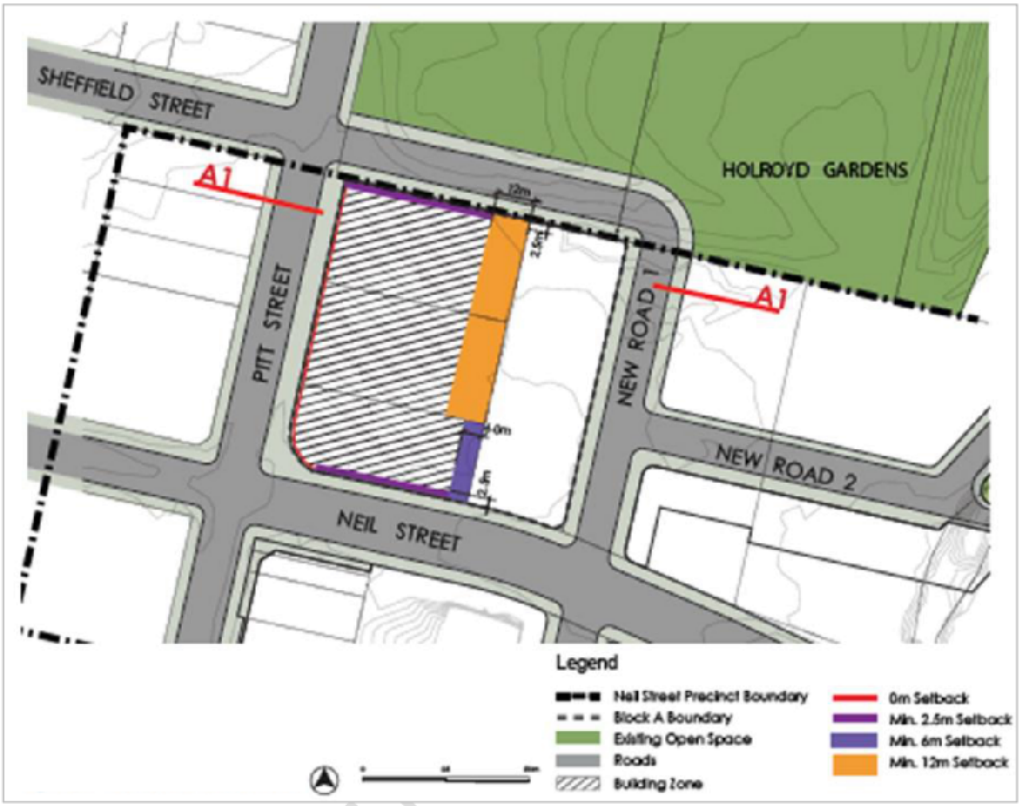

Figure 33: Block A Setback Plan

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Setbacks

To provide some flexibility in the configuration of buildings on site, building zones have been identified within which buildings can occur on the site. The building zone is determined by the street, side and rear setbacks.

The building zone cannot be totally taken up by buildings. The extent of the building zone that can be occupied by buildings is calculated by applying all the built form controls the Precinct. The building configuration indicated in the diagrams is the preferred building configuration.

Control

C5. Provide setbacks as shown in Figure 33.

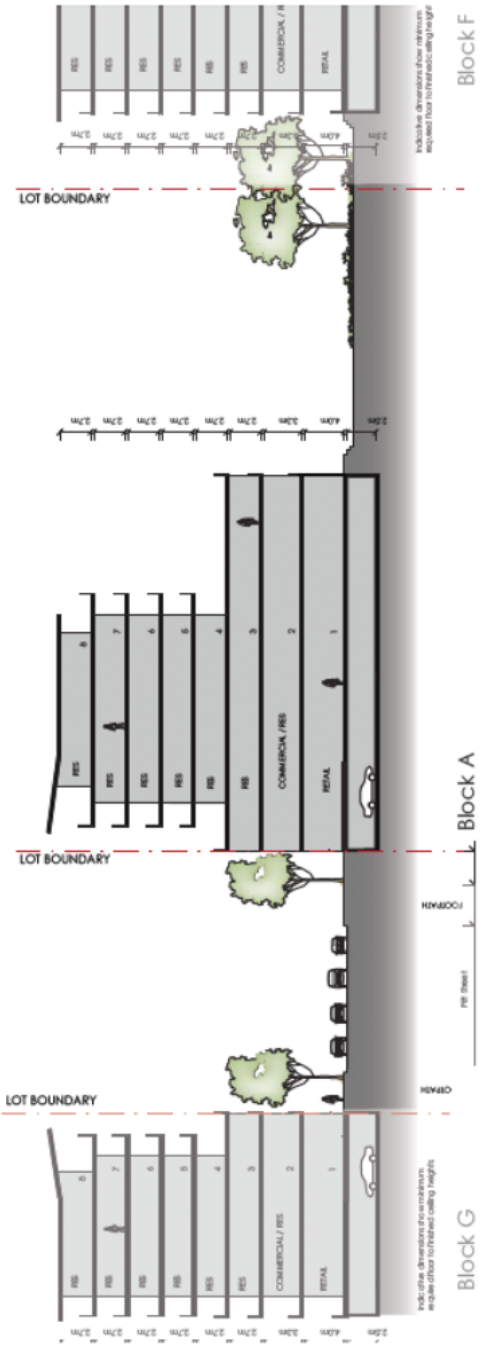

Figure 34: Section A1-A1

Public domain interface

Specific street frontage treatments are required to achieve consistency within and around the Precinct, and to reinforce the desired streetscape character. The streetscape character is determined by the design and consistency of the building edge, and the continuity of the built form interface relative to driveways and vehicular crossing.

Controls

C6. Driveways and vehicular crossings are not permitted along Pitt Street.

C7. Driveways and vehicular crossings are to be provided from New Road 1. Indicative locations are shown in Figure 48.

Building Height	
Along Pitt Street	Max 12 storeys (Refer Figure 31)
Along Neil Street	Max 12 storeys (Refer Figure 31)
Building Use	
B4 Zone – Along Pitt Street	Ground and first floor • Commercial / retail Second floor and above • Commercial or residential
B4 Zone – All other buildings	Ground floor • Commercial / retail First Floor and above • Residential / commercial
Building Envelope Depth	
Commercial / retail (Above Podium)	Max 25m
Residential	Max 22m

Setback	
Street setback	Pitt Street – 0m
	Neil Street - Min 2.5m
	Sheffield Street Extension - Min 6m and 12m
Rear setback	For lots fronting Pitt Street - Min 6m and 12m
Street Wall Height	
Along Pitt Street	3 storey podium with minimum height of 11m and maximum 14m.
Awning	
Along Pitt Street	Min. 3m deep

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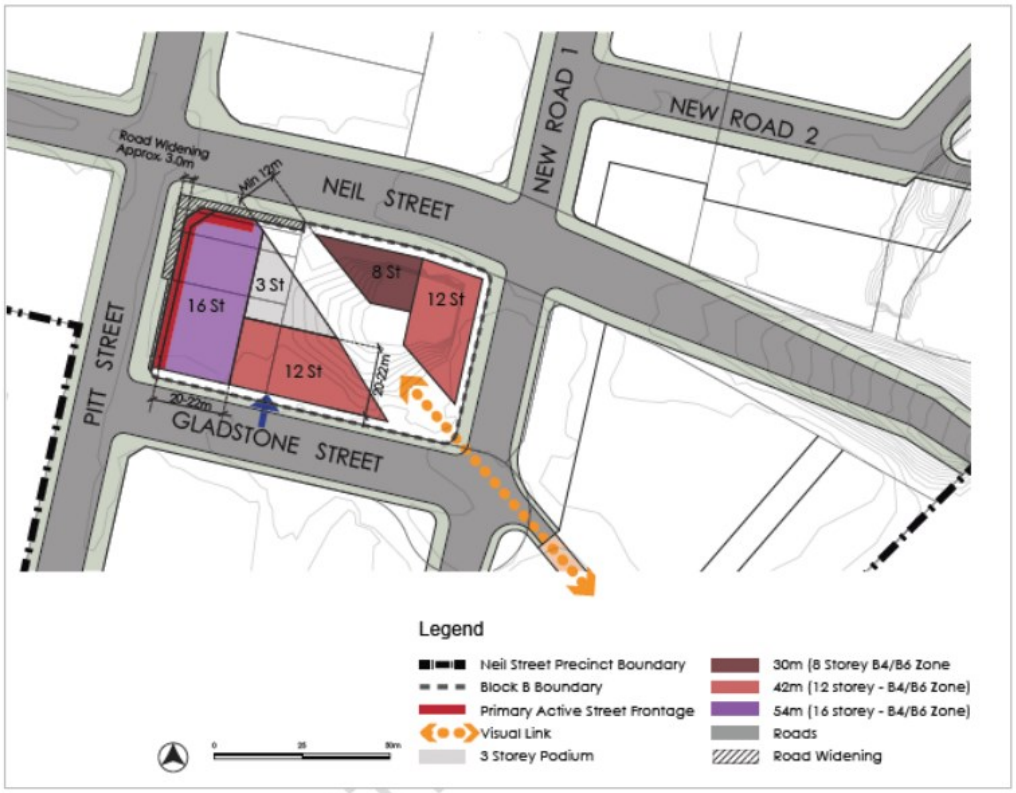

Figure 35: Proposed Block B Height and Public Domain Plan

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BLOCK B

Block B is bounded by Neil Street to the north, New Road 1 to the east, Gladstone Street to the south and Pitt Street to the west.

Objectives

O1. Provide a range of uses supporting the predominantly commercial use within the Merrylands Centre, and generating activity at ground level

O2. Ensure scale and form of development contributes to the public domain and legibility of Pitt Street

3.8.2 Site and building design

Public domain

The key public domain features of this Block are:

- Neil Street to the north;
- New Road 1 to the east;
- Gladstone Street to the south; and
- Pitt Street to the west.

Controls

C1. Primary active frontages are to be provided where shown in Figure 35.

C2. Primary active frontages are vibrant and inviting.

Building heights

Refined building heights are provided to determine the extent and location of height distribution within the Precinct.

Control

C3. Development should comply with Block B Height Plan which indicates the maximum number of permissible storeys (Refer Figure 35 and 36).

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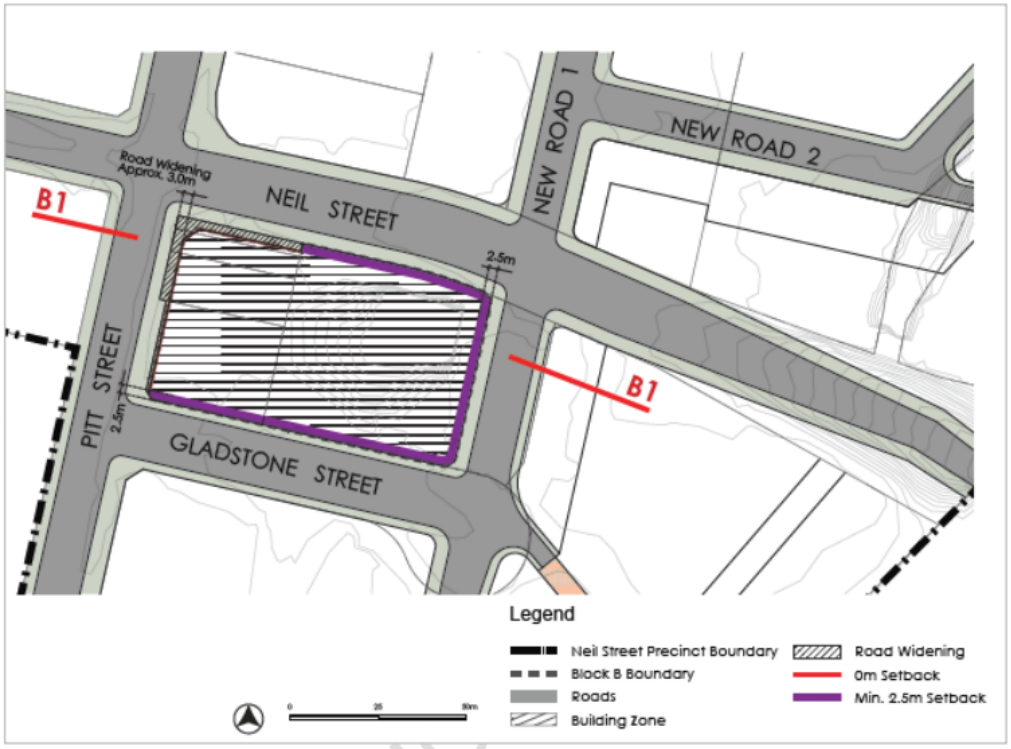

Figure 36: Proposed Block B Setback Plan

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Setbacks

To provide some flexibility in the configuration of buildings, building zones have been identified within which buildings can occur on the site. The building zone is determined by the street, side and rear setbacks.

The building zone cannot be totally taken up by buildings. The extent of the building zone that can be occupied by buildings is calculated by applying all the built form controls for the Precinct.

The building configuration indicated in the diagrams is the preferred building configuration.

Control

C4. Provide setbacks as shown in Figure 36.

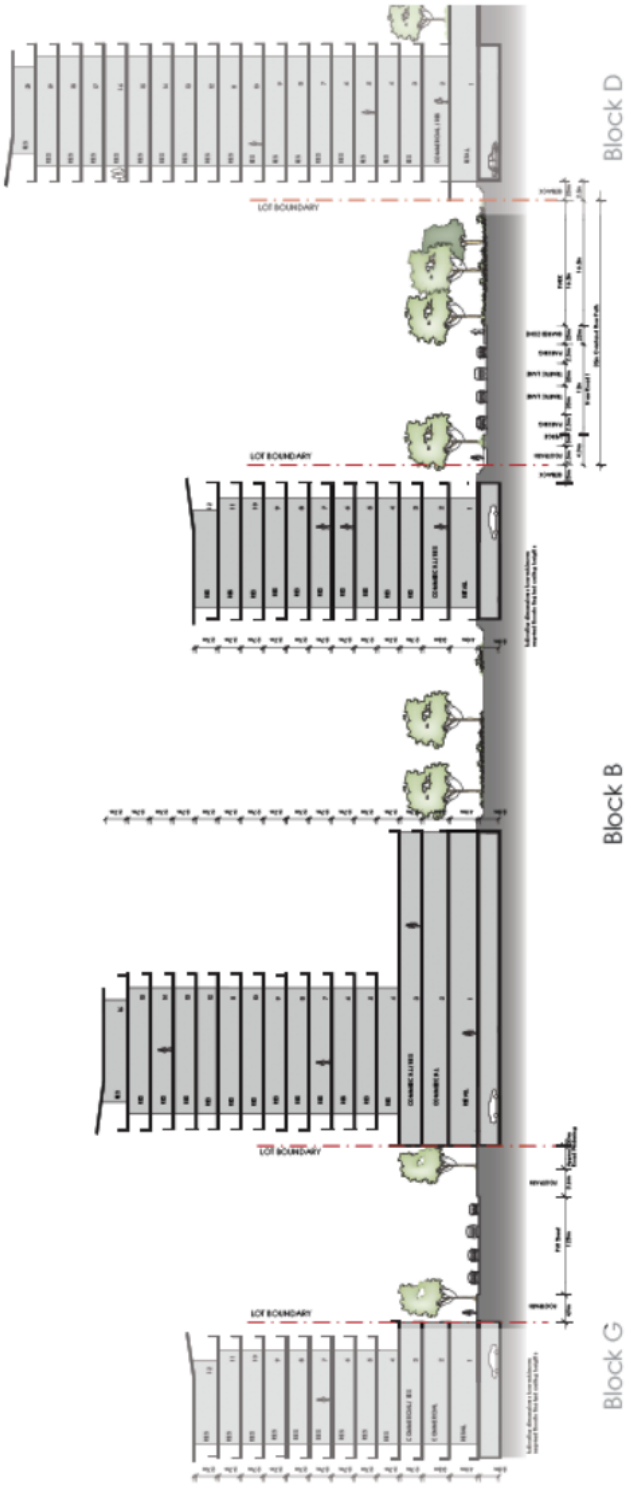

Figure 37: Section B1-B1

Public domain interface

Specific street frontage treatments are required to achieve consistency within and around the Precinct, and to reinforce the desired streetscape character. The streetscape character is determined by the design and consistency of the building edge, and the continuity of the built form interface relative to driveways and vehicular crossings.

Controls

C5. Driveways and vehicular crossings are not permitted along Pitt Street

C6. Driveways and vehicular crossings are to be provided from New Road 1. Indicative locations are shown in Figure 35.

Building Height	
Along Pitt Street	Max 16 storeys (Refer Figure 35)
Along New Road 1 and Gladstone Street	Max 12 storeys (Refer Figure 35)
Along Neil Street	Max 8 storeys
Building Use	
B4 Zone – Along Pitt Street	Ground and first floor • Commercial / retail Second floor and above • Commercial or residential
B6 Zone – Along New Road 1	Ground floor • Commercial / retail First Floor and above • Residential / commercial
B6 and B4 Zone - Along Neil Street	All floors residential
Building Envelope Depth	
Commercial/retail (Above Podium)	Max 25m
Residential Setback	Max 22m
Street setback Pitt Street	0m
Neil Street, New Road 1 and Gladstone Street	Min 2.5m

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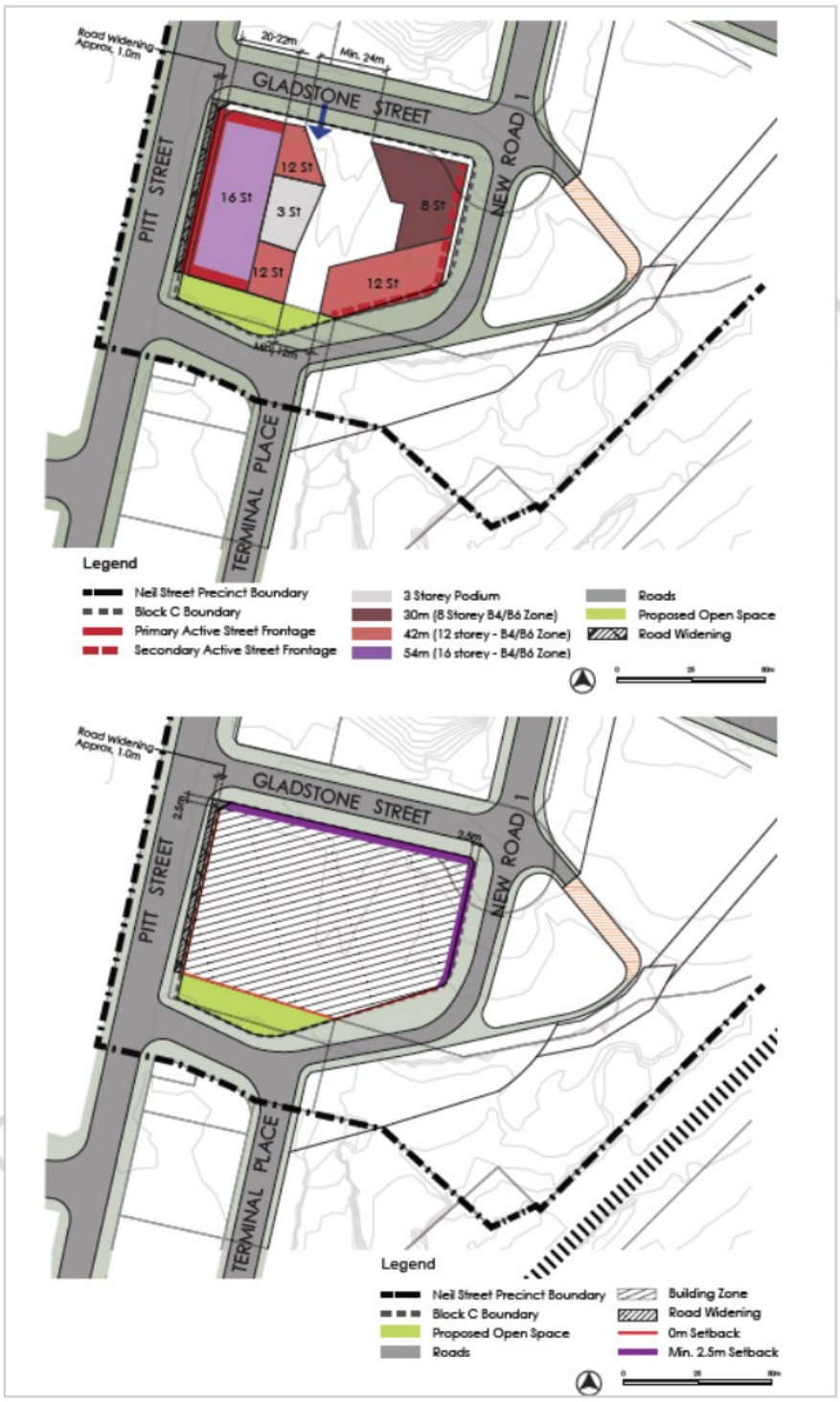

Figure 38 (top): Block C height and public domain plan

Figure 39 (bottom): Block C setback plan

BLOCK C

Block C is bounded by Gladstone Street to the north, New Road 1 to the east, Terminal Place to the south and Pitt Street to the west. Block C has similar characteristics as Block B.

3.8.3 Site and building design

Public domain

The key public domain features of this Block are:

- Gladstone Street to the north
- New Road 1 to the east
- Terminal Place to the south
- Pitt Street to the west

Controls

C1. Primary active frontages are to be provided where shown in Figure 38.

C2. Primary active frontages are to be vibrant and inviting.

Building heights

Refined building heights are provided to determine the extent and location of height distribution within the Precinct.

Control

C3. Development should comply with Block B Height Plan which indicates the maximum number of permissible storeys (Refer Figure 38).

Setbacks

To provide some flexibility in the configuration of buildings, building zones have been identified within which buildings can occur on the site. The building zone is determined by the street, side and rear setbacks.

The building zone cannot be totally taken up by buildings. The extent of the building zone that can be occupied by buildings is calculated by applying all the built form controls for the Precinct. The building configuration indicated in the diagrams is the preferred building configuration.

Controls

C4. Provide setbacks as shown in Figure 39.

C5. Underground parking is not permitted to encroach into the setback areas.

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Figure 40: Rouse Hill, Sydney. Zero street setback with active street frontage



Figure 41: Artist Impression of Pinnacle Towers, South Perth - Podium and Tower Form
(Source: www.pinnaclesouthperth.com)



Figure 42: The horizontal and vertical architectural elements provide interest and break the monotony of the elevation and scale of the building (Source: au.pinterest.com)

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Public domain interface

Specific street frontage treatments are required to achieve consistency within and around the Precinct, and to reinforce the desired streetscape character. The streetscape character is determined by the design and consistency of the building edge, and the continuity of the built form interface relative to driveways and vehicular crossings.

Controls

C6. Driveways and vehicular crossings are not permitted along Pitt Street

C7. Driveways and vehicular crossings are to be provided from New Road 1. Indicative locations are shown in Figure 38.

Building Height	
Along Pitt Street	Max. 16 storeys (Refer Figure 38)
Terminal Place	Max. 12 storeys (Refer Figure 38)
Gladstone Street	Max. 8 storeys
Building Use	
B4 Zone - Corner of Gladstone Street and New Road 1	Ground floor and above Residential
B4 Zone - Along Pitt Street and Terminal Place	Ground floor and first floor • Commercial / retail Second floor and above • Commercial / retail / Residential
B6 Zone - New Road 1	Ground floor • Commercial / retail All floors above ground floor • Commercial / residential
Building Envelope Depth	
Commercial / retail and residential on all floors above podium	Max. 22m

Setback	
Street setback	Pitt Street - 0m
	Gladstone Street - Min. 2.5m
	Terminal Place - Min. 0m
	New Road 1 - Min. 2.5m
Street Wall Height	
Along Pitt Street	3 storey podium with minimum height of 11m and maximum 14m
Awning	
Along Pitt Street	Min. 3m deep

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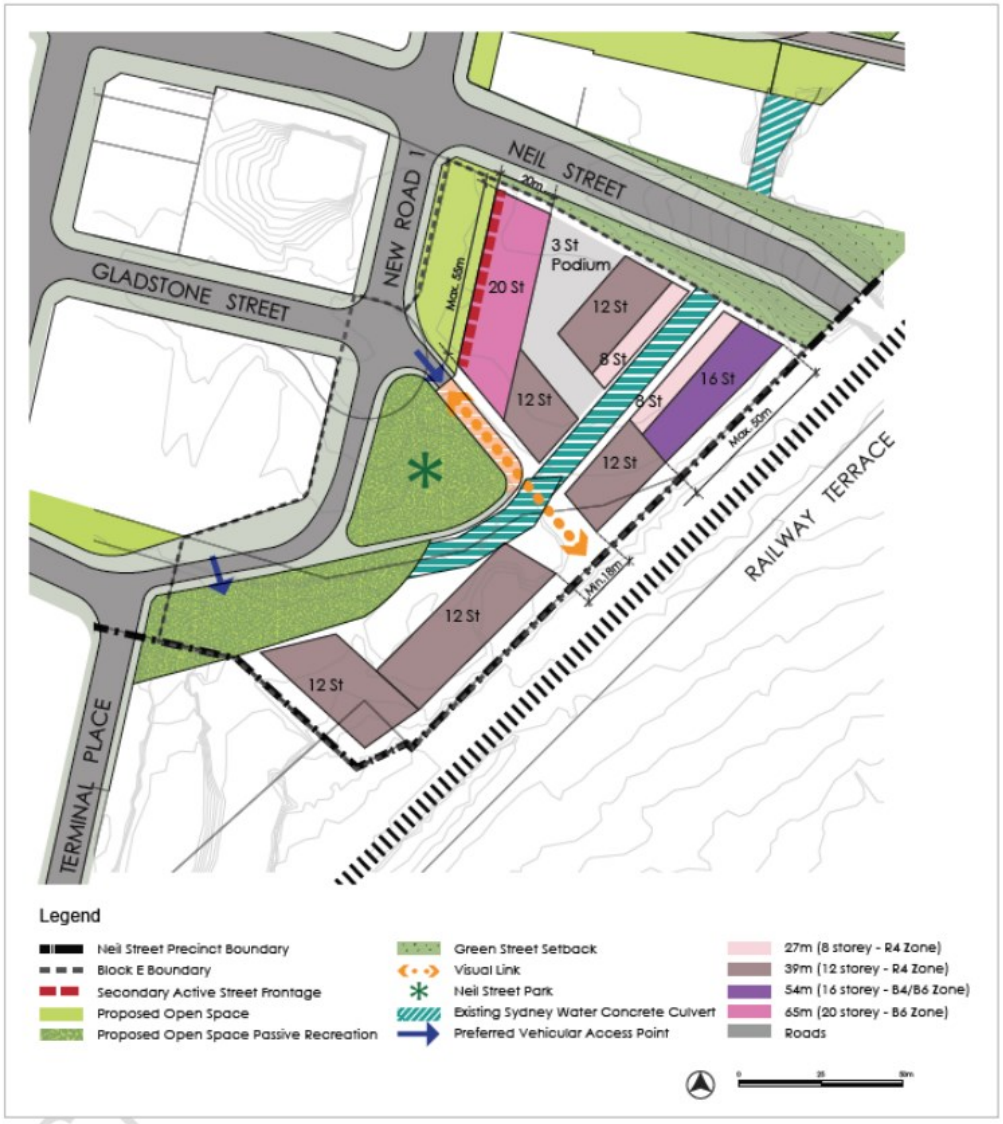

Figure 43: Block D Height and Public Domain Plan

BLOCK D

Block D is bounded by Neil Street to the north, the railway corridor (which runs northeast to southwest) to the east and south, Merrylands Train Station to the southwest and New Road 1 to the west with the overland flow path located to the east of New Road 1.

Although the accessibility of Block D is enhanced by the proposed Road 1, it is also constrained by the existing Sydney water culvert which runs through the site. The flood flow path which is envisioned to form part of the public open network provides an opportunity for Block D to enhance the public domain of the area by incorporating a centrally located space - Neil Street Park for recreational purposes.

Given the landscape setting, this Block is expected to accommodate secondary active uses (e.g. gymnasium, child care centre, corner shop, café) that support and enhance the liveability of the Precinct. The ground level activity within Block D will be focused along New Road 1.

The detailed, site specific controls within this section will define the scale and character of development at the Pitt and Neil Streets intersection, providing development that create a positive image.

Objectives

O1. Ensure the development contributes to the provision of public infrastructure.

O2. Ensure that the intersection of New Road 1 and Neil Streets is reinforced with greater height and create a distinct identity for the corner.

O3. Reinforce the open space through built form.

O4. Ensure scale and form of development contributes to the public domain and legibility of New Road 1 and Neil Street.

3.8.4 Site and building design

Public domain

The key public domain features of this Block are:

- New Road 1 to the west;
- Overland flow path and Neil Street Park to the west; and
- Neil Street to the north.

Controls

C1. Secondary active frontage is to be provided where shown in Figure 43 (gymnasium, child care centre, corner shop, café).

C2. Secondary active frontage is to have a civic character, providing colonnades for the building at the intersection of Neil Street and New Road 1.

Refer to Section 3.5 for the future desired character of Neil Street Park.

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Figure 44: Block D Setback Plan

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Building heights

Refined building heights are provided to determine the extent and location of height distribution within the Precinct.

Control

C3. Development should comply with Block D Height Plan which indicates the maximum number of permissible storeys (Refer Figure 43 and 45).

Setbacks

To provide some flexibility in the configuration of buildings on site, building zones have been identified within which buildings can occur on the site. The building zone is determined by the street, side and rear setbacks. The building zone cannot be totally taken up by buildings. The extent of the building zone that can be occupied by buildings is calculated by applying all the built form controls for the Precinct. The building configuration indicated in the diagrams is the preferred building configuration.

Control

C4. Provide setbacks as shown in Figure 44.

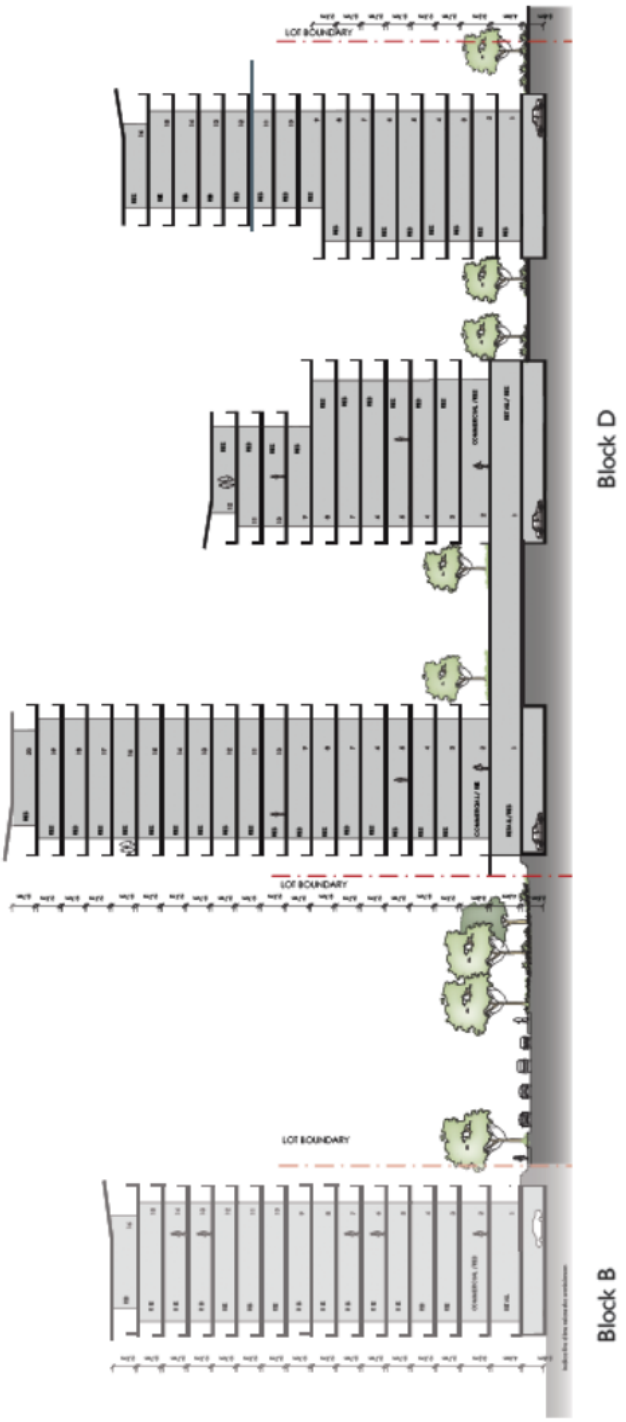

Figure 45: Section C1-C1



Figure 46: Public domain character: footpath with awning (Source: au.pinterest.com)



Figure 47: Public open space supporting the needs of the active street frontage (Source: au.pinterest.com)



Figure 48: Building separation providing visual relief and minimise the impact of built form Source: au.pinterest.com)

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Figure 49: Primary active street frontage (Source: au.pinterest.com)



Figure 50: Shared Zone - Pedestrian link around Neil Street Park (Source: au.pinterest.com)

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Public domain interface

Specific street frontage treatments are required to achieve consistency within and around the Precinct, and to reinforce the desired streetscape character. The streetscape character is determined by the design and consistency of the building edge, and the continuity of the built form interface relative to driveways and vehicular crossing.

Controls

C5. Driveways and vehicular crossings are not permitted along Neil Street

C6. Driveways and vehicular crossings are to be provided from New Road 1. Indicative locations are shown in Figure 43.

Building Height	
Corner of Neil Street and New Road 1	Max. 20 storeys (Refer Figure 43)
Corner of Neil Street and Railway Line	Max. 16 storeys (Refer Figure 43)
All other buildings	Max. 12 storeys (Refer Figure 43)
Building Use	
B6 Zone – Ground and first floor of 20 storey building	Commercial/retail/residential
All other buildings + All floors above first floor of B6 Zone	Residential
Building Envelope Depth	
All buildings except for the 20 storey tower	Max. 22m
20 Storey Tower	Max. 20m

Setback	
Street setback	From Neil Street - Min. 2.5m
Open Space setbacks	All other lots - comply with Figure 44
Rear setbacks	From the Railway Corridor • Min. 6m (Min. 3m in the southern corner) From Merrylands Transit Interchange • Min. 6m
Awning	Along Boulevard Park - Min. 3m deep



Figure 51: Interesting facades providing a visual entry to the Precinct (Source: au.pinterest.com)



Figure 52: London Renaissance. Taller Building providing visual reference (Source: au.pinterest.com).

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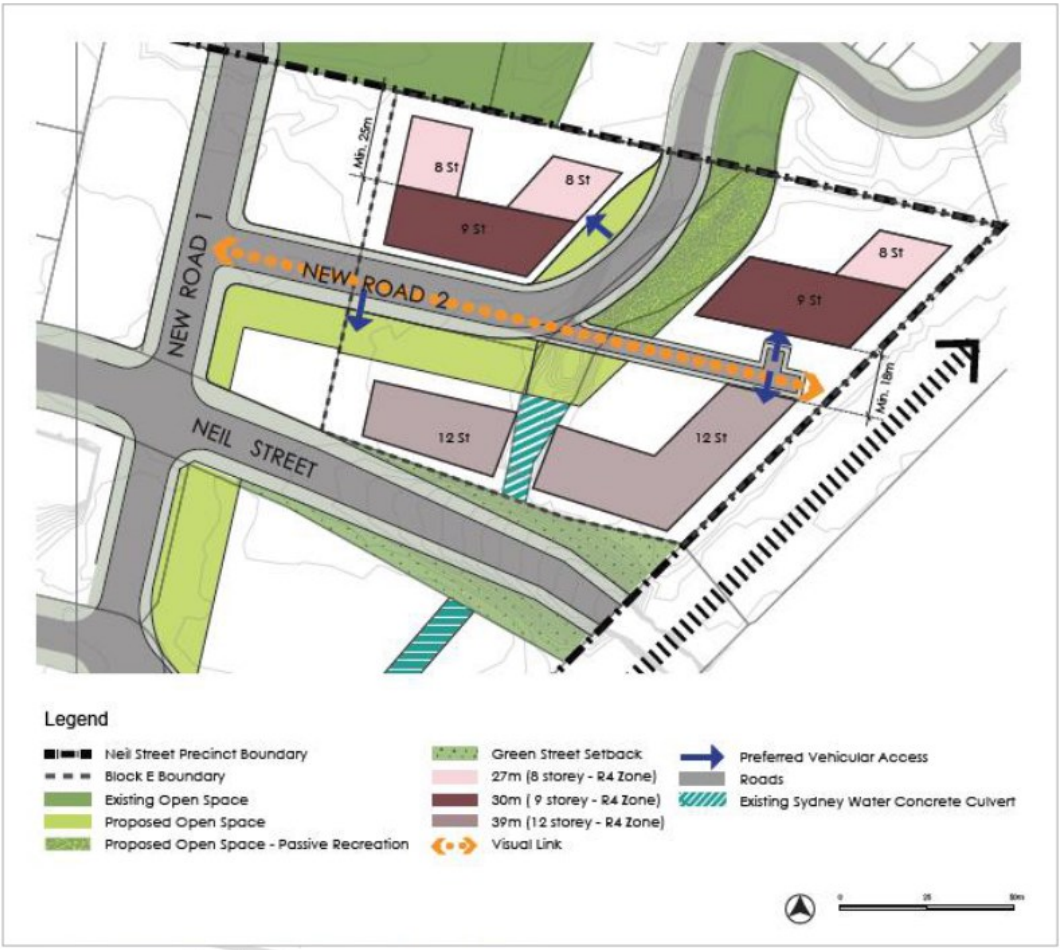

Figure 53: Proposed Block E height and public domain plan

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BLOCK E

Block E is bounded by the old brickworks site and the Holroyd Gardens to the north, the railway corridor (which runs northeast to southwest) to the east and southwest, Neil Street to the south and Block F (13-15 Neil Street) to the west.

Objectives

O1. Ensure the development contributes to the provision of public infrastructure

O2. Ensure scale and form of development contributes to the public domain and is sympathetic to the residential development to the north.

3.8.5 Site and building design

Public domain

The key public domain features of this Block are:

- New Road 2;
- Neil Street to the south; and
- Overland flow path.

Control

C1. Proposed built form should reinforce and address the overland flow path.

Building heights

Control

C2. Development should comply with Block A Height Plan which indicates the maximum number of permissible storeys (Refer Figure 53).

Setbacks

Control

C3. Provide setbacks as shown in Figure 54.

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Figure 54: Block E setback plan

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Public domain interface

Controls

C4. Driveways and vehicular crossings are not permitted along Neil Street.

C5. Driveways and vehicular crossings are to be provided from New Road 2. Indicative locations are shown in Figure 53.

C6. Provide a landscape setback along Neil Street and New Road 2 in accordance with Figures 53 and 54.

Building Height	
Building along the northern Boundary	Max. 8 storeys (Refer Figure 70)
Parts of buildings north of New Road 2	Max. 9 storeys (Refer Figure 70)
Along Neil Street and the railway corridor	Max. 12 storeys (Refer Figure 70
Building Use	
R4 Zone - All floors	Residential
Building Envelope Depth	
All buildings	Max. 22m
Setback	
Street setback	North and West of New Road 2 • Min. 2.5m From Neil Street • Min. 2.5m
Other setbacks	From the boundary parallel to the railway line • Min. 6m From western boundary • Min. 12m (south of New Road 2 - comply with minimum separation controls) • Min. 6m (north of New Road 2) From Holroyd Gardens to the north • Min. 6m On other lots • Min. 9m From the southern boundary of overland flow path • Min. 2.5m Eastern boundary of overland flow path • Min. 12m and 2.5m

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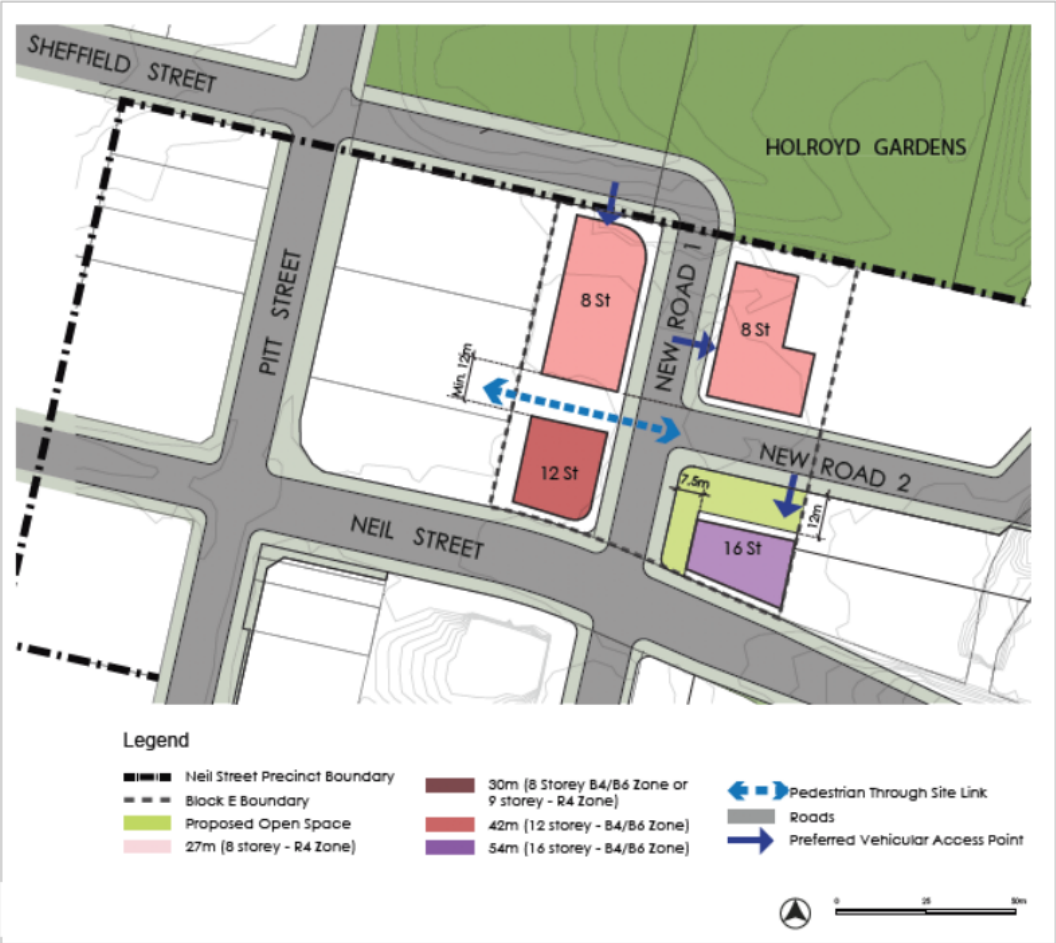

Figure 55: Block F Height and Public Domain Plan

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BLOCK F

Block F is bounded by the Holroyd Gardens to the north, Block E to the east, Neil Street to the south and Block A to the west. The New Road 1 and New Road 2 form a 'T' intersection within Block E.

The accessibility of Block F although is enhanced by the proposed New Road 1 and New Road 2, it also divides the site into 3 lots impacting on its development potential and functionality. A potential mid-block connection, an extension of New Road 2, will enhance pedestrian permeability within the Precinct and with the surrounding development.

Objectives

O1. Ensure the development contributes to the provision of public infrastructure.

O2. Ensure that the intersection of Neil Street and New Road 1 create a quality identity for the corner.

3.8.6 Site and building design

Public domain

The key public domain features of this Block are:

- New Road 1;
- New Road 2;
- Neil Street to the south; and
- Overland flow path.

Building heights

Control

C1. Development should comply with Block F Height Plan (Refer Figure 55).

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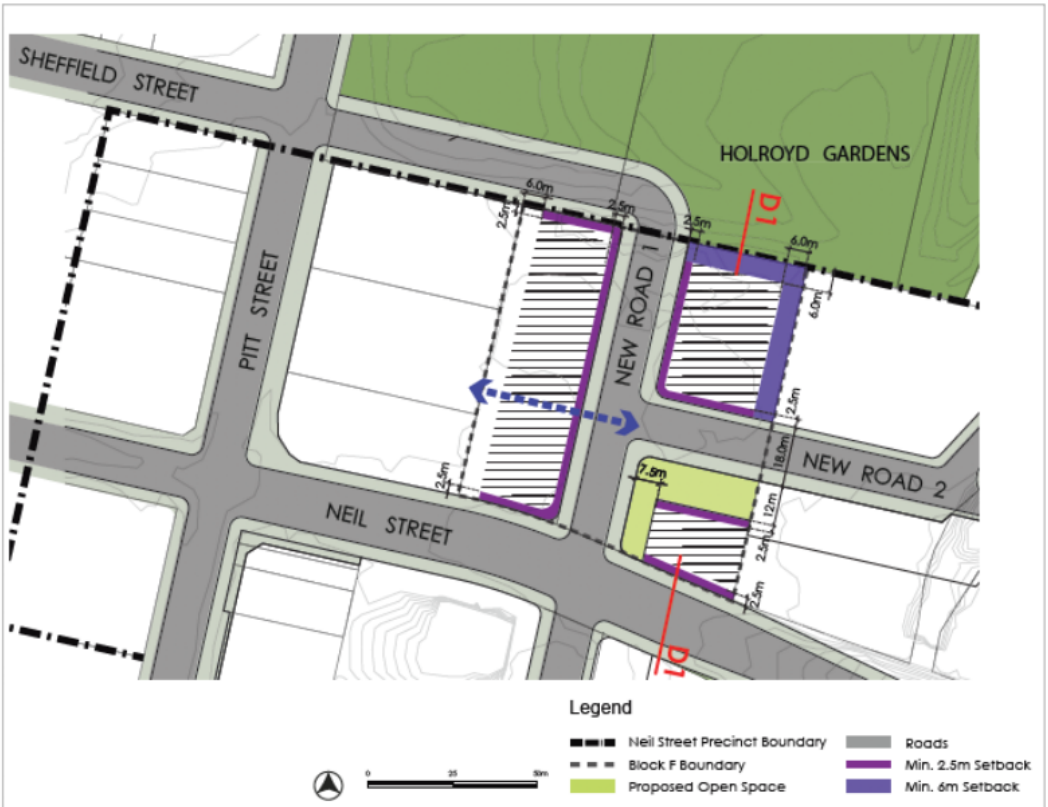

Figure 56: Block F Setback Plan

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Setbacks

Control

C2. Provide setbacks as shown in Figure 56.

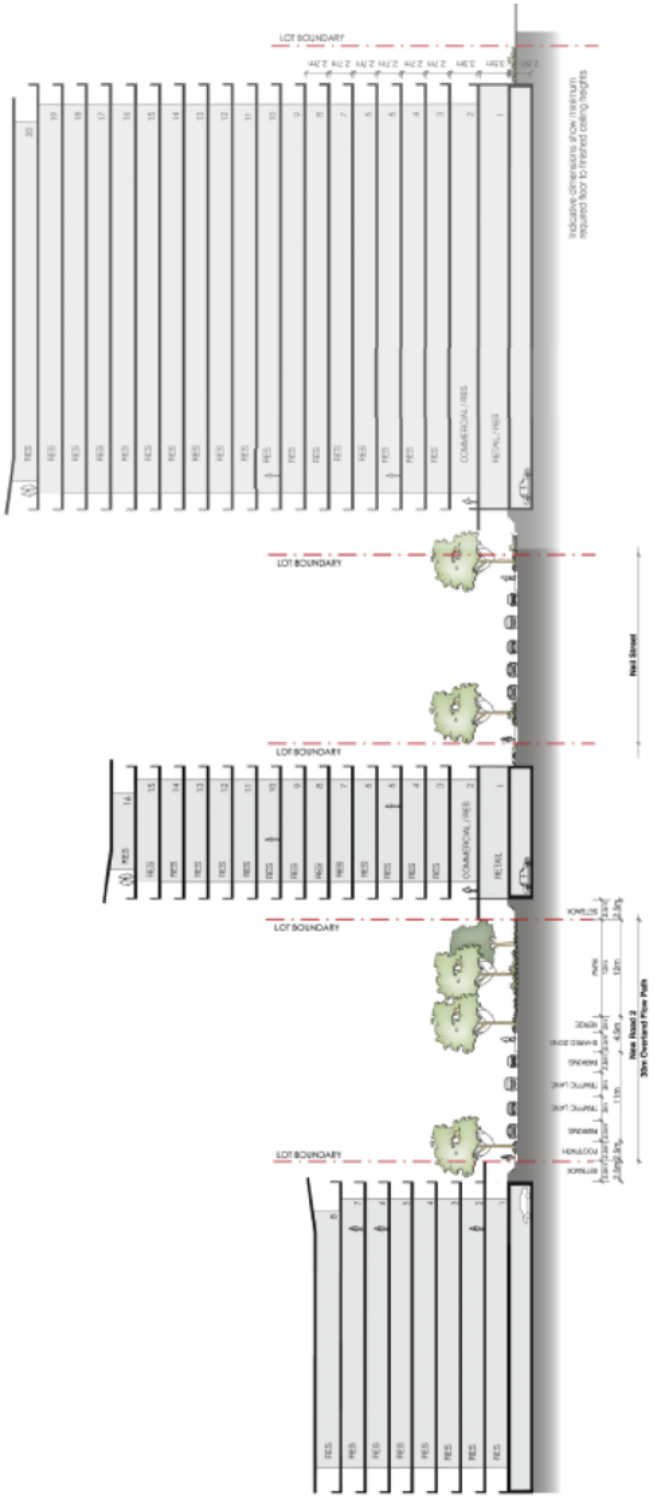

Figure 57: Section D1-D1

Public domain interface

Controls

C3. Driveways and vehicular crossings are not permitted along Neil Street.

C4. Driveways and vehicular crossings are to be provided from New Road 1 and New Road 2. Indicative locations are shown in Figure 55.

Building Height	
North of New Road 2	Max. 8 storeys (Refer Figure 55)
Northwest corner of Neil Street and New Road 1	Max. 12 storeys (Refer Figure 55)
Northeast corner of Neil Street and New Road 1	Max. 16 storeys (Refer Figure 55)
Building Use	
B6 Zone - Ground Floor of 12 and16 Storey Building	Commercial/retail/residential
All floors above First Floor	Residential
All other buildings	Residential
Building Envelope Depth	
All buildings	Max. 22m
Setback	
Street setback	New Road 1 (North of New Road 2) • Min. 2.5m From New Road 2 (North) • Min. 2.5m From the southern boundary of public open space • Min. 2.5m From Neil Street • Min. 2.5m From Sheffield Street Extension • Min. 2.5m
Other setback	From Holroyd Gardens to the north • Min. 6m From the eastern boundary • Min. 6m

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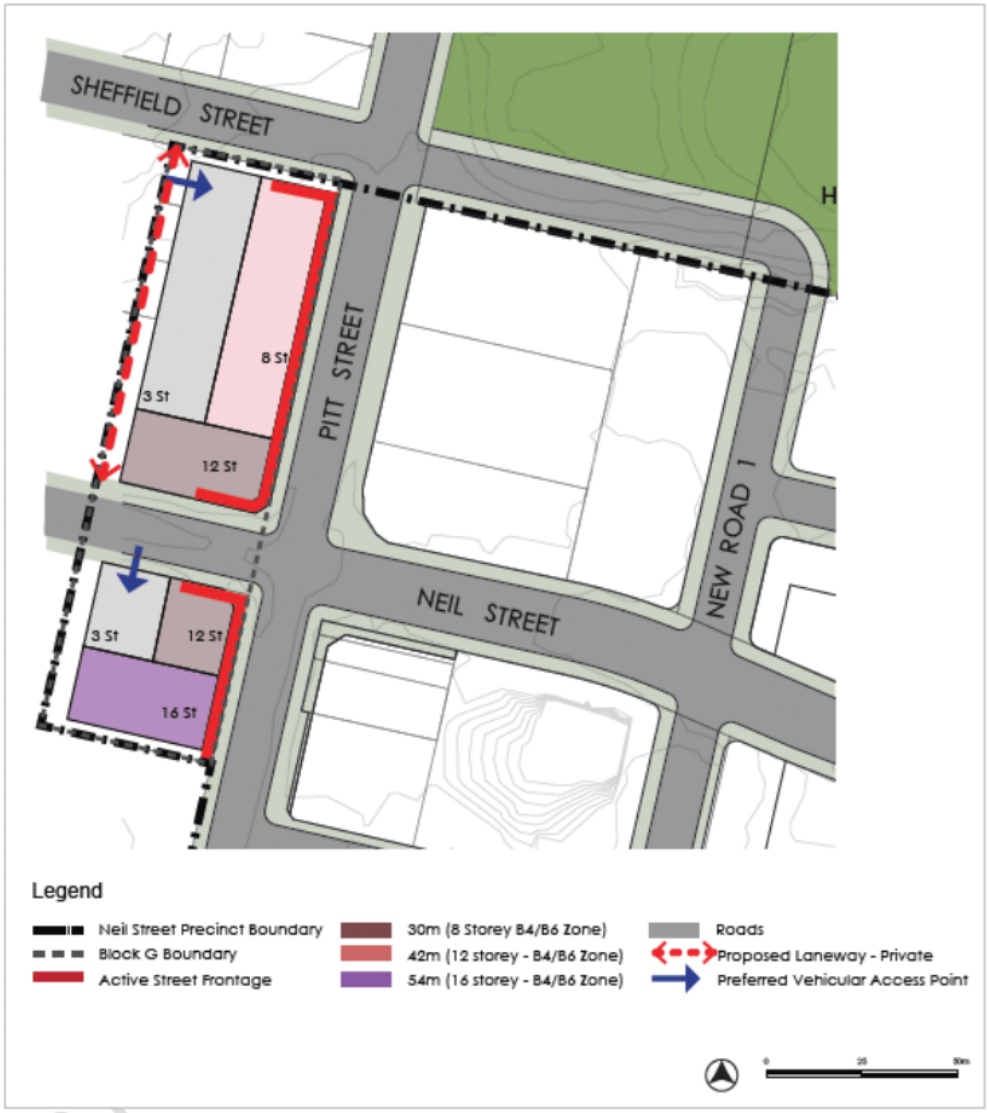

Figure 58: Proposed Block G Height and Public Domain Plan

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BLOCK G

Block G is bounded by Sheffield Street to the north, Pitt Street to the east, the Stockland Mall to the south and residential development to the west.

Objectives

O1. Provide a range of uses supporting the predominantly commercial use within the Merrylands Centre, and generating activity at ground level.

O2. Ensure that the intersection of Neil Street and Pitt Street create a quality identity for the corner.

3.8.7 Site and building design

Public domain

The key public domain features of this Block are:

- Pitt Street; and
- Neil Street.

Controls

C1. Primary active frontages are to be provided where shown in Figure 58.

C2. Primary active frontage are to have a civic character, providing an awning along the edge of Pitt Street.

Building heights

Control

C3. Development should comply with Block G Height Plan (Refer Figure 58).

Setbacks

Control

C4. Provide setbacks as shown in Figure 59.

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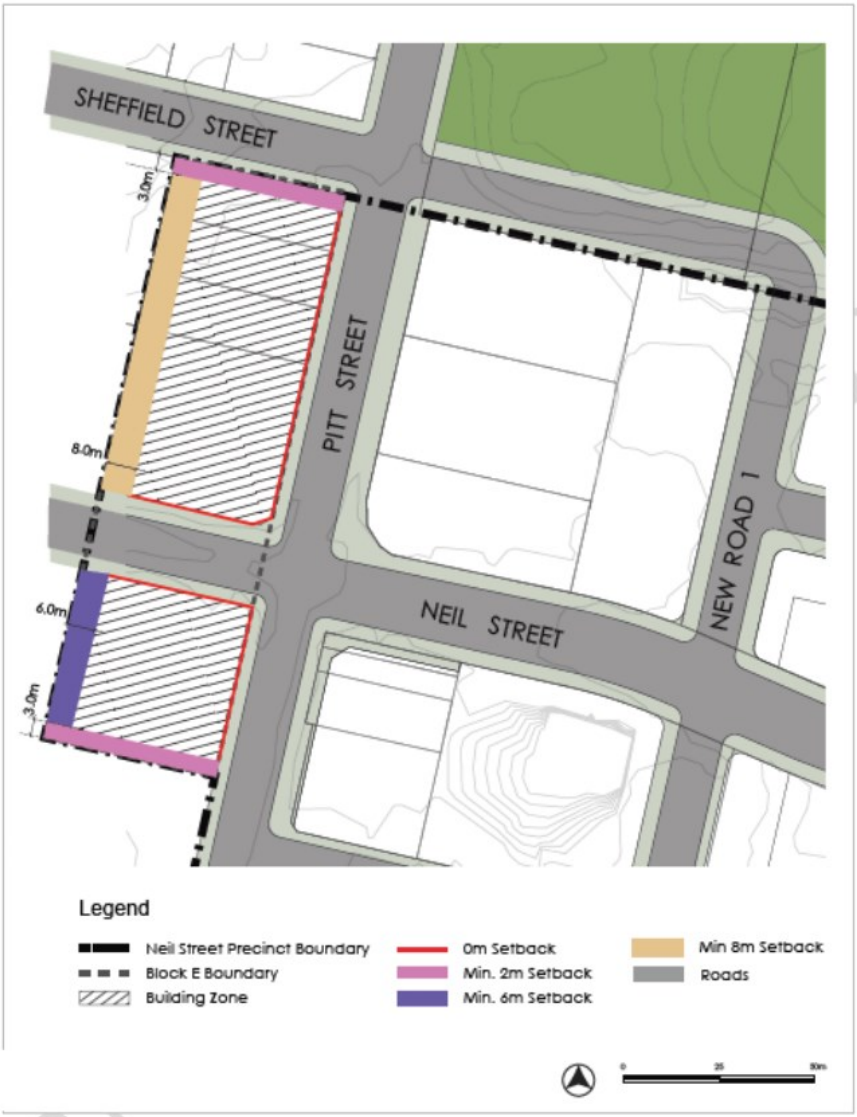

Figure 59: Proposed Block G Setback Plan

Public domain interface

Control

C5. Driveways and vehicular crossings are not permitted along Pitt Street.

C6. Driveways and vehicular crossings are to be provided from Sheffield Street and Neil Street. Indicative locations are shown in Figure 58.

Building Height	
B4 Zone - Northwest and southwest corner of Neil Street and Pitt Street	Max. 12 storeys (Refer Figure 75)
B4 Zone - Buildings along Pitt Street	Max. 16 storeys (Refer Figure 75)
B4 Zone - Other buildings north of Neil Street	Max. 8 storeys (Refer Figure 75)
Building Use	
All buildings	Ground and first Floor • Commercial / retail First floor and above • Residential / commercial
Building Envelope Depth	
All buildings	Max. 22m
Setback	
Street setback	From Pitt Street - 0m From Neil Street - 0m From Sheffield Street - Min. 3.0m
Rear setback	North of Neil Street From the western boundary -min. 8.0m Rear setback - South of Neil Street From the western boundary - Min. 6.0m
Side setback	South of Neil Street From the southern boundary - Min. 3.0m
Street Wall Height	
Along Pitt Street	3 storey podium with minimum height of 11m and maximum 14m.
Awning	
Along Pitt Street	Min. 3m deep

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CUMBERLAND
CITY COUNCIL

PART F2-8
MERRYLANDS STATION AND MCFARLANE STREET PRECINCT

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1. Introduction

The Merrylands Station and McFarlane Street Precinct is one of Cumberland City Council's largest commercial retail precincts.

To assist in developing strategies that will guide the future development of the Precinct over the next 20 years, Council has prepared a strategic vision to cater for the increasing needs of the local community and that of the wider regional catchment of Western Sydney.

The strategic vision for Merrylands is a Centre that is vibrant and creates a series of active and liveable spaces that are efficiently designed with integrated transport linkages providing an appropriate mix of land uses, leisure facilities and infrastructure.

Following the introduction of the (then) Holroyd LEP 2013, Council resolved to review the building height controls in the Merrylands Centre as a means of providing greater flexibility in achieving the current floor space potential and improve building design.

SJB Architects were appointed to undertake this review and subsequently produced the *Building Heights Review Study* (BHRS) in February 2016.

1.1 Land to which this Part applies

This Part applies to development on land bounded by McFarlane Street, Merrylands Road, Treves Street and the Railway corridor – hereby referred to as the 'Precinct' and described in Figure 1.

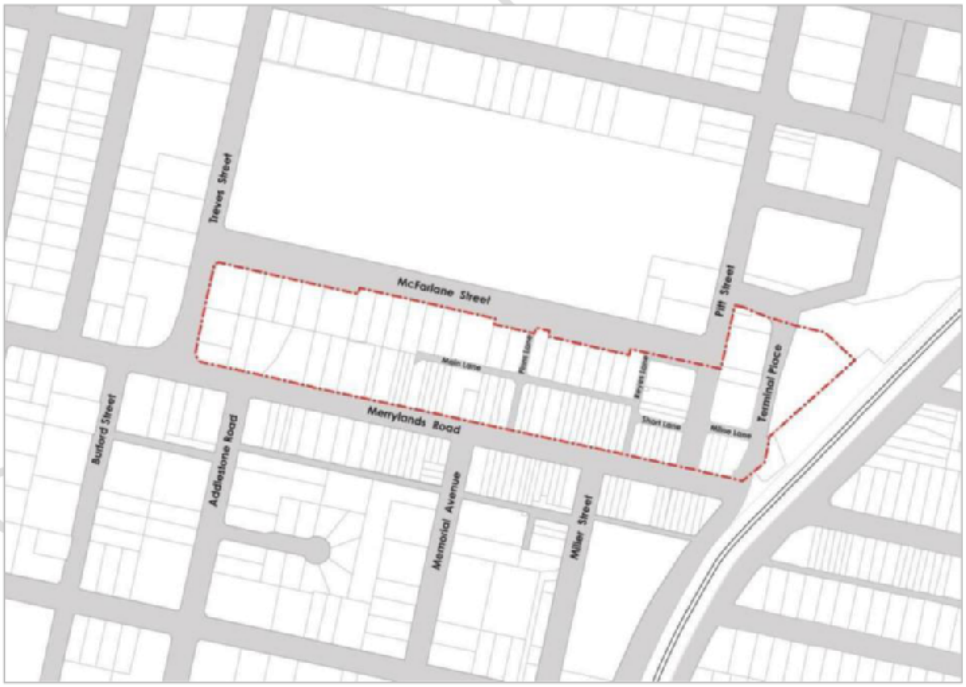

Figure 1: Merrylands Station and McFarlane Street Precinct boundary

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The *Building Heights Review Study 2016* (BHRS) recommended a number of built form controls be introduced for the Precinct as a means of achieving Council's strategic vision. The controls relate to:

- site amalgamation;
- building heights;
- design excellence;
- primary frontage requirements;
- building setbacks;
- street wall heights;
- upper level street setbacks;
- solar access to Civic Square; and
- floor plates.

Where there is an inconsistency between this document and provisions contained elsewhere in *Cumberland DCP 20XX* the Precinct Controls contained in this document shall apply to the extent of the inconsistency.

2. Objectives and controls

2.1 General

Objectives

O1. Develop a strong identity for the Merrylands Centre through a vibrant mix of retail, commercial and residential development.

O2. Achieve urban design strategies that acknowledge the role of Merrylands within the Cumberland City subregion.

O3. Strengthen the economic and employment status of Merrylands Centre and provide increased growth capacity within Merrylands.

O4. Renew and revitalise the Merrylands Centre catering for a diverse community.

O5. Ensure buildings are designed to maximise appropriate amenity outcomes for the Precinct.

O6. Create a centralised public domain and open space area as a focal point for the Precinct.

O7. Improve pedestrian and vehicular traffic movement throughout the Centre.

O8. Encourage a more pedestrian friendly streetscape on McFarlane Street and Merrylands Road.

2.2 Urban context analysis

Four (4) strategic principles were prepared in the *Building Heights Review Study*, which collectively govern the location and built form of future development in the Precinct. The principles are:

- movement;
- open space;
- land use and activity; and
- height and density.

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2.2.1 Movement

Objectives

O1. Encourage the primary movement corridors around the Centre along Merrylands Road, Treves Street, Neil Street and Pitt Street with Merrylands Road to be a primary pedestrian route.

O2. Establish a pedestrian focus along McFarlane Street with particular emphasis on the proposed new Civic Square.

O3. Create secondary connection points extending south from Merrylands Road through the Centre to neighbouring residential areas.

O4. Extend the existing laneway network in the Centre and around the proposed Civic Square to improve permeability through the Centre. Refer Figure 2.

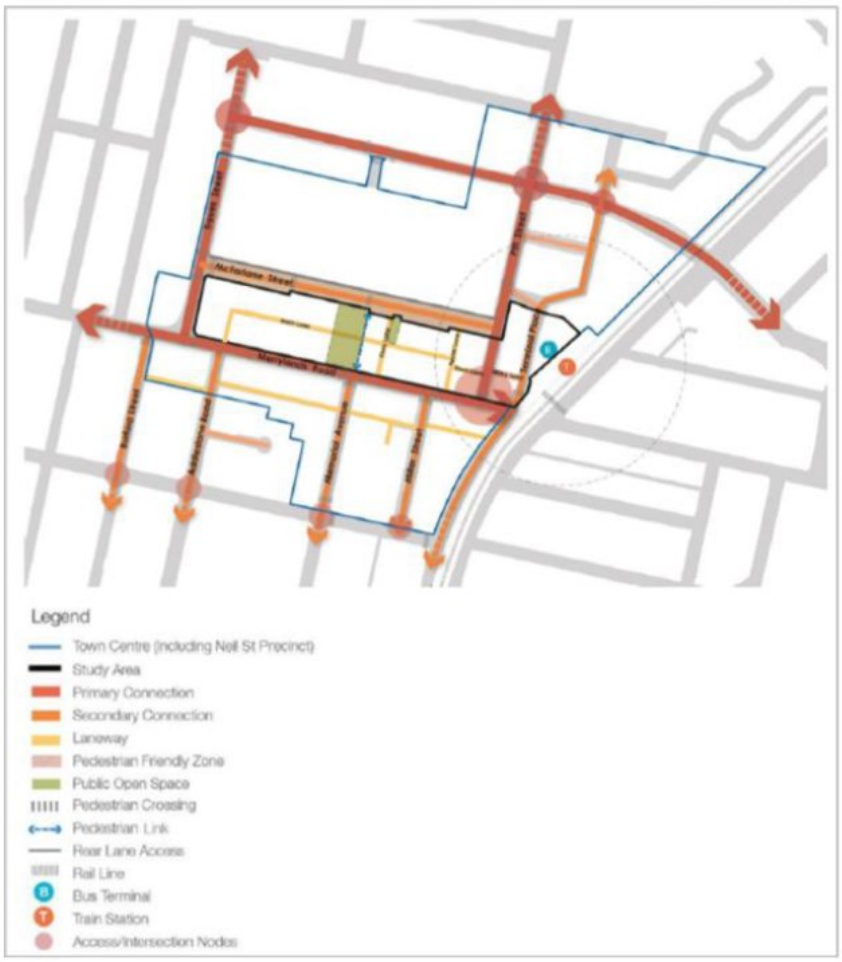

Figure 2: Movement principles

2.2.2 Open space

Objectives

O1. Create a new Civic Square as the primary public open space for the Centre.

O2. Reinforce the green streetscape character of McFarlane Street, Merrylands Road, Memorial Avenue, Pitt Street, and Neil Street.

O3. Establish a secondary green link through north-south laneways, between Merrylands Road and MacFarlane Street. Refer Figure 3.



Figure 3: Open space principles

2.2.3 Land use and activity

Objectives

O1. Merrylands Road to remain the primary retail street of the Centre.

O2. McFarlane Street to become the 'Eat Street' of Merrylands, reinforced by a pedestrian-friendly character, interface with the Stockland Mall and linking Merrylands Road via the proposed Civic Square and laneway network.

O3. Treves Street and Pitt Street to serve as the secondary retail streets, intersecting with Merrylands Road and McFarlane Street. Refer Figure 4.



Figure 4: Land use and activity principles

2.2.4 Height and density

Objectives

O1. Maintain a transition of height from the Precinct to the surrounding residential neighbourhoods; and

O2. Focus height and density around strategic sites such as Merrylands Road/Pitt Street location and the landmark Civic Square. Refer Figure 5.



Figure 5: Height and density principles

2.3 Access network

2.3.1 Street network

To enhance connectivity, enable greater pedestrian amenity and restrict vehicular access on McFarlane Street and Merrylands Road; following is proposed (Refer Figure 6-8):

- new Laneway 1 - North-south between McFarlane Street and Merrylands Road;
- extension of existing Main Lane to the west terminating at Laneway 1;
- widening of existing Main Lane, Finns Lane, Reyes Lane and Short Lane; and
- widening of Merrylands Road.

Objectives

O1. Maintain and improve the Centre's lane way network and encourage the creation of new lanes and connections.

O2. Enhance the climatic conditions and amenity of the laneway to encourage more intensive pedestrian use and social activity.

O3. Encourage activity, vitality and interaction between public laneways and adjacent uses.

O4. Protect and where possible create views along lanes that provide a visual link to other streets and lanes in the pedestrian network, or which terminate at notable buildings or landmarks.

O5. Recognise lanes that provide for essential servicing and vehicular access and to ensure that new development does not adversely affect or impede the operation of these functions.

Controls

C1. Provide new laneways in accordance with Figure 6.

C2. Existing laneways are to be widened in accordance with Figure 6.

C3. Vehicular access to buildings fronting Merrylands Road and McFarlane Street must be provided via laneways (Refer Figure 7).

C4. Lanes are not to be covered, but awnings may be permitted on buildings facing lanes up to a maximum of 30% of each frontage.

C5. Widening of Merrylands Road – 0.5m on either side.

2.3.2 Connectivity

Arcades have been established to enhance the connectivity and permeability of the Precinct and include the following:

- Arcade between Pitt Street and Terminal Place.

Objectives

O1. Provide safe, direct, accessible and attractive through block pedestrian routes that improve the legibility of the Centre.

O2. Ensure arcades are accessible, continuous, well lit, safe and supported by active retail uses.

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Controls

C1. Provide new arcade (between Pitt Street and Terminal Place) in accordance with Figure 6.

C2. The arcade must:

- have a minimum width of 15m and height of 4m;
- provide a clear sight-line from one end to the other for surveillance and accessibility, in mid-block locations; and
- be designed to consider pedestrian safety and the security of adjacent businesses, particularly at night.

C3. Public use of through-site connection should be available at least between 7.00am to 7.00pm daily.

C4. Connections through foyers and shops are encouraged.

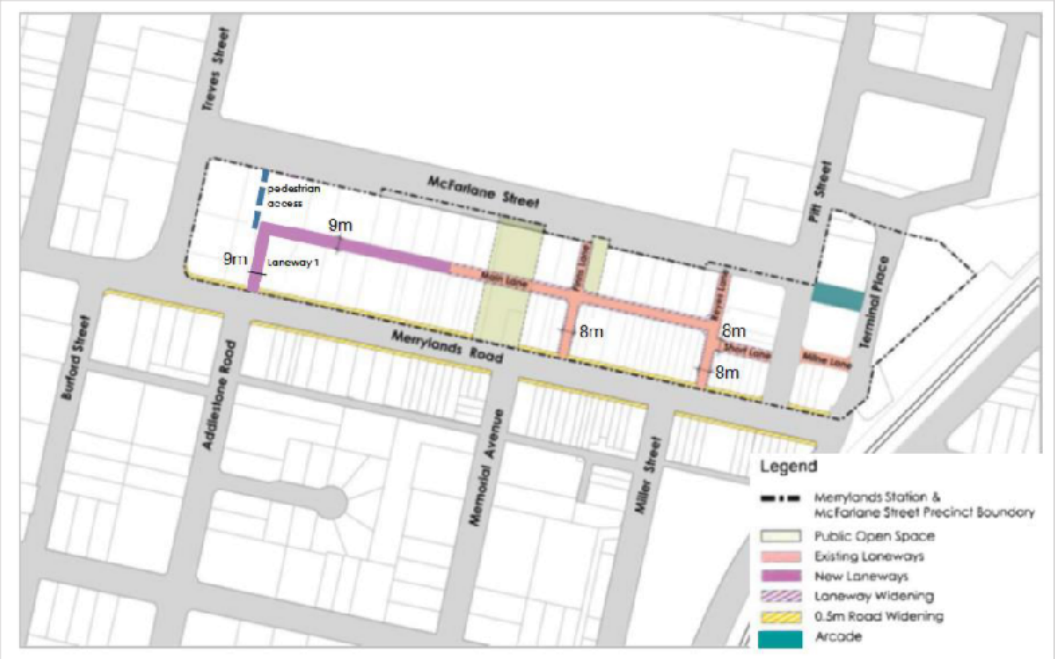

Figure 6: Laneways

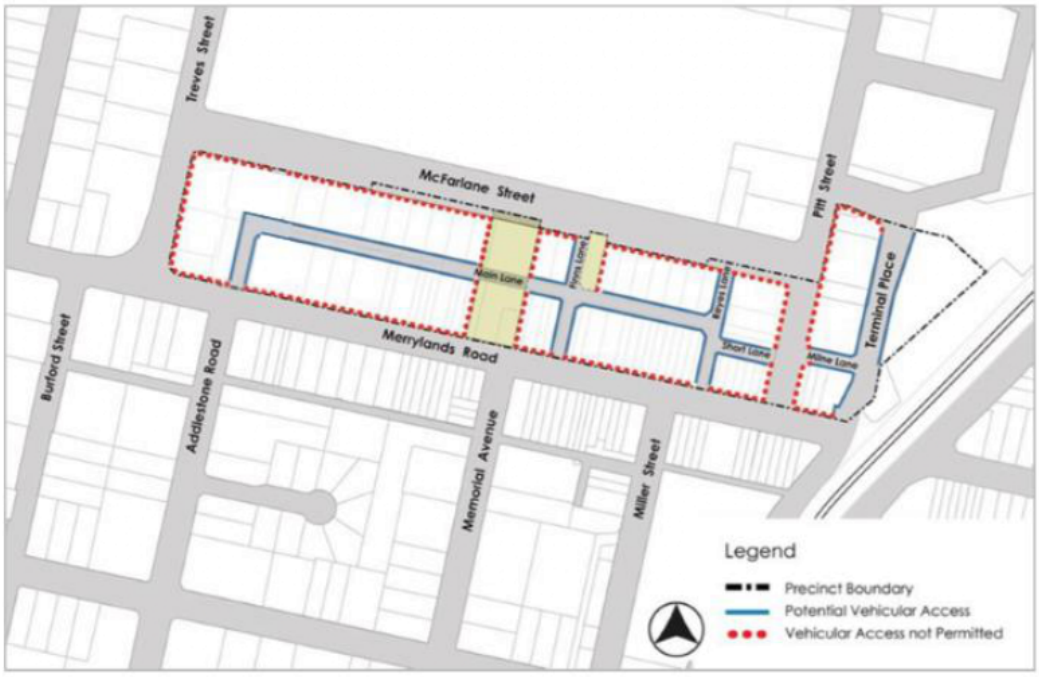

Figure 7: Vehicular access

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Section locations



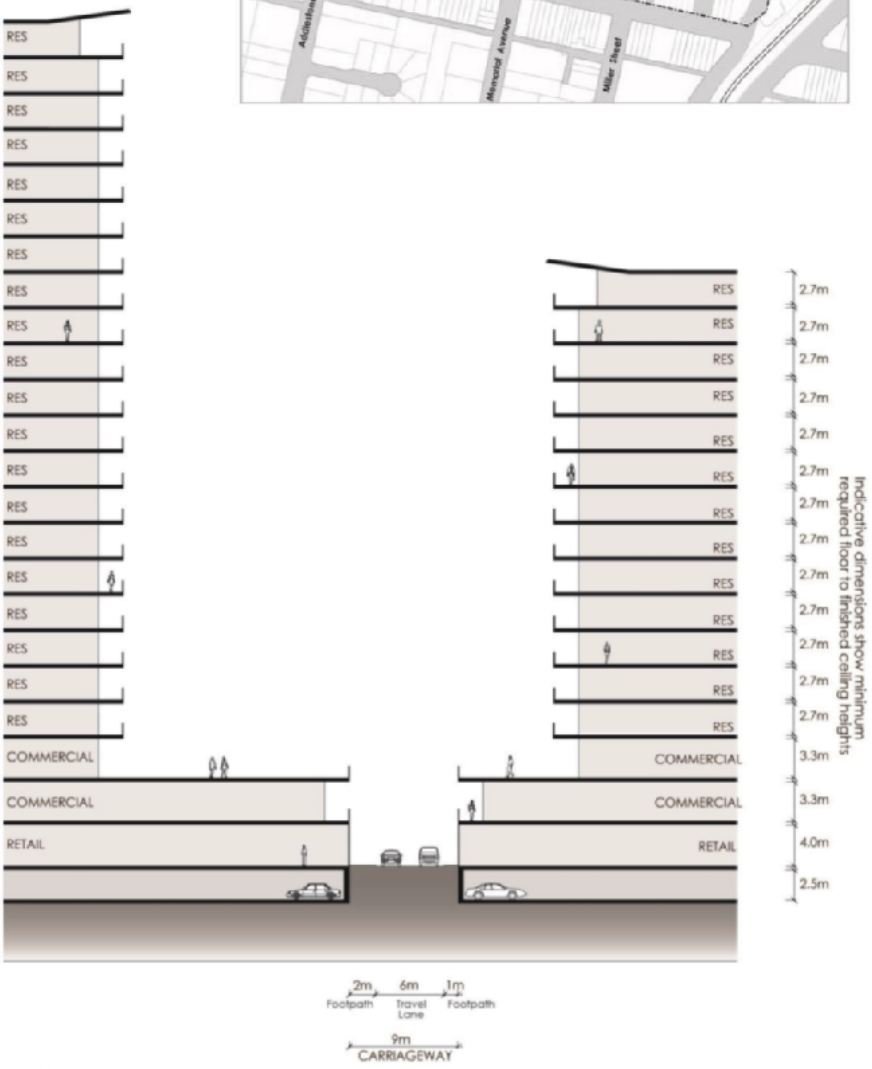

Figure 8A: Typical section A-A

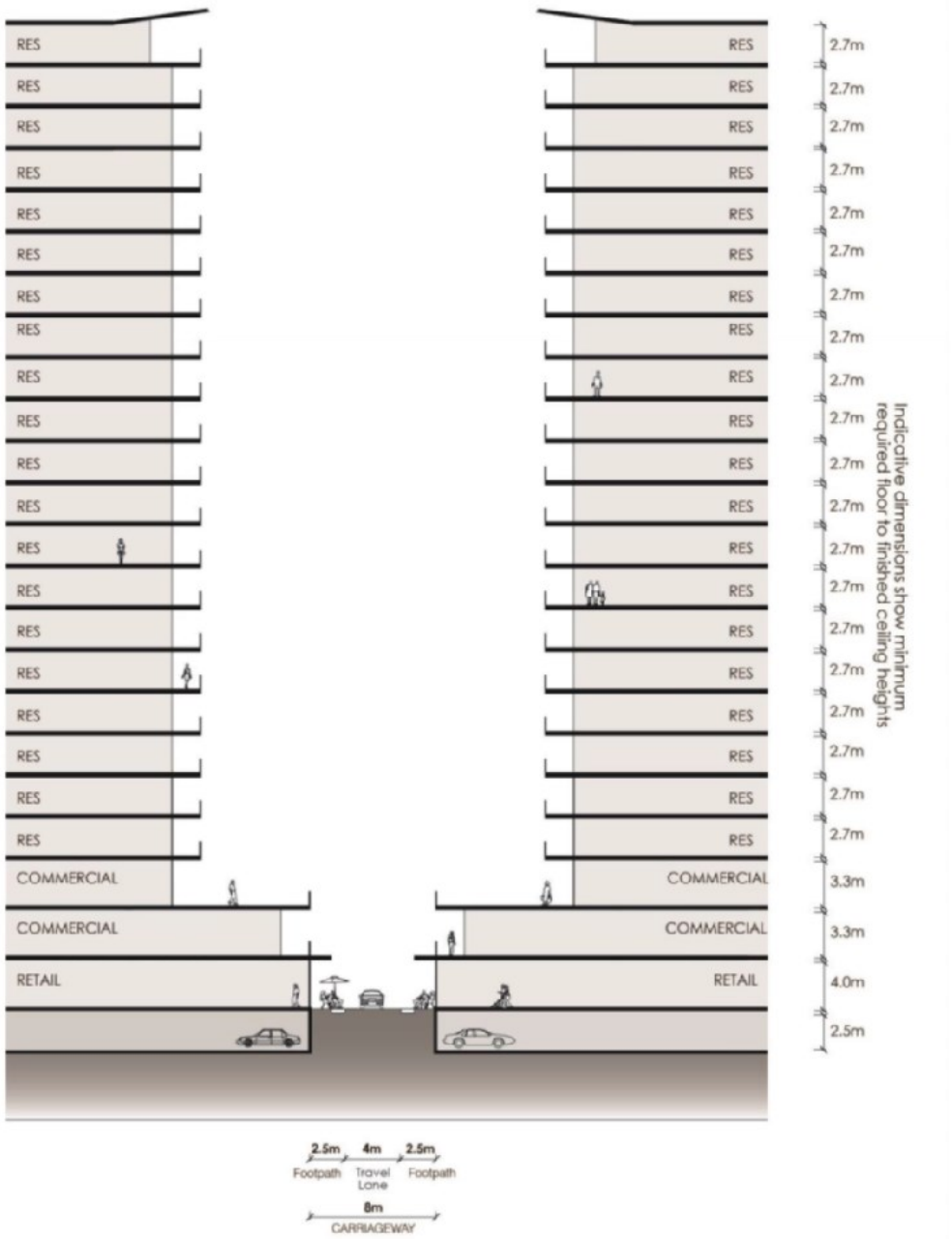

Figure 8B: Typical section B-B

2.4 Site amalgamation

Objectives

O1. Deliver the preferred built form option for the Precinct.

O2. Provide workable building footprints that encourages future development to meet the objectives for this Precinct.

O3. Ensure site dimensions allow for the achievement of appropriate building setbacks, separation and built form that meet the objectives for the Precinct.

O4. Prevent sites from becoming isolated and unable to be reasonably developed in accordance with the objectives of the applicable LEP and DCP.

Controls

C1. Site amalgamation for the purposes of development shall be determined in accordance with Figure 9 and Table 1.

C2. Sites must not be created that are physically unable to reasonably develop a building that achieves the maximum building height controls contained in *Cumberland LEP 20XX*.



Figure 9: Preferred site Amalgamation Plan

[Refer Table 6 for Property Descriptions Sites 1-16]

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2.5 Built form

The preferred built form is for taller buildings to be focused at key gateway locations close to the Merrylands Rail Station and the transitioning of heights downward towards adjoining residential precincts, namely Treves Street to the west and Merrylands Road to the south as illustrated in Figure 10.

Objectives

O1. Ensure building heights are rationalised by clustering buildings of a similar height.

O2. Ensure height limits enable the realisation of the maximum allowable floor space within a tall slender building form.

O3. Maintain solar access to the Civic Square during core hours of use.

O4. Ensure that sites to be developed maintain an adequate frontage.

O5. Ensure that the built form exhibits modulation and articulation.

O6. Introduce design excellence provisions to facilitate high quality design outcomes.

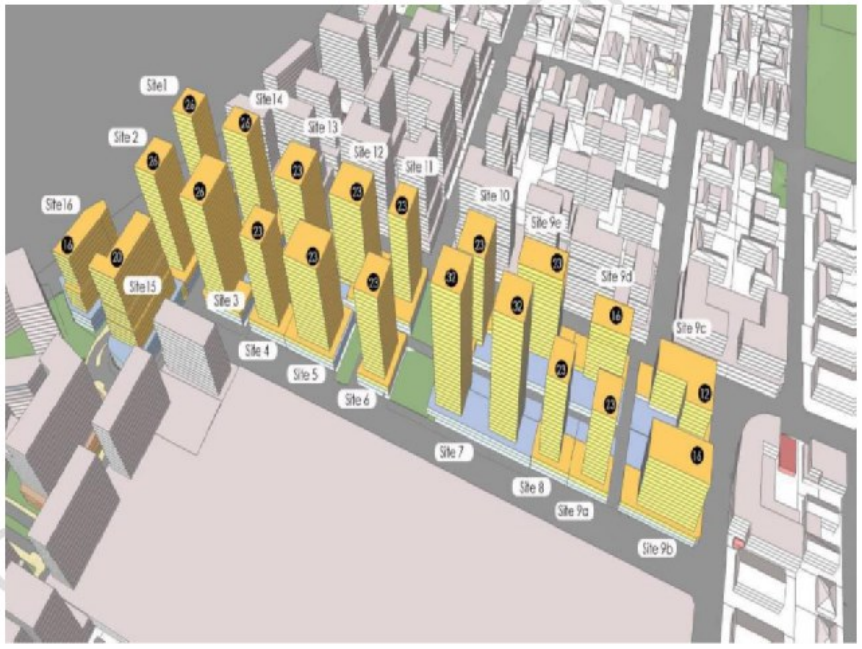

Figure 10: Built Form

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2.6 Built form controls

The following controls have been informed by the *Building Height Review Study* (BHRS) 2016 and apply to all developments on sites in the Merrylands Station and McFarlane Street Precinct. This Section should be read in conjunction with the objectives and provisions of *Cumberland Development Control Plan (DCP) 20XX*. Part C and Part G of the DCP in particular contain planning controls that are applicable to development in this Precinct, with the exception of the development standards outlined below. Where there is an inconsistency between this document and provisions contained elsewhere in *Cumberland DCP 20XX*, this Section applies to the extent of the inconsistency.

2.6.1 Building height

Objectives

O1. Deliver a built form that provides a height transition from lower scale on the edges of the Precinct to higher scale in the Precinct core and clustering buildings of similar height.

O2. Ensure the scale of the built form provides for a legible centre.

O3. Enable the realisation of the maximum allowable floor space ratio.

O4. Achieve appropriate management of overshadowing, access to sunlight and privacy.

Controls

C1. Sites with the following maximum building height under Clause 4.3 of *Cumberland LEP 20XX* should comply with the maximum number of storeys in Figure 10 and Table 1 (excluding basement car parking).

C2. Each storey shall comprise a minimum floor to ceiling height as defined in the NSW *Apartment Design Guidelines* (July 2015).

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Table 1: Amalgamated Site Descriptions and Maximum Height Control

Site No.	Lot	DP/SP	Street Address	Site Area m²	Maximum Height metres/storeys
1	1	DP 1094069	141-143 Merrylands Road	1,199	86m/26st
	2	DP 1094069	141-143 Merrylands Road		
	3C	DP 335075	139 Merrylands Road		
	1	DP 1135451	135-137 Merrylands Road		
2		SP 48251	254 Pitt Street	1,373	86m/26st
3	1	DP 501597	215 Pitt Street	2,108	86m/26st
	2	DP 501597	215 Pitt Street		
	2	DP 537031	229-239 Pitt Street		
	J	DP 10354	229-239 Pitt Street		
	1	DP 1079960	229-239 Pitt Street		
4	541	DP 633620	6 McFarlane Street	1,431	77m/23st
	552	DP 579491	4 McFarlane Street		
	56 Sec A	DP 7916	2 McFarlane Street		
5	150	DP 773769	14 McFarlane Street	1,827	77m/23st
	151	DP 812643	12 McFarlane Street		
	152	DP 631399	10 McFarlane Street		
		SP 20705 & SP 84614	8 McFarlane Street		
6		SP 54283	20 McFarlane Street	1,139	77m/23st
		SP 18367	18 McFarlane Street		
7	40, 41, 42 & 43 Sec A	DP 7916	28 – 36 McFarlane Street	5,422	105m/32st
	44	DP 7916	28 – 36 McFarlane Street		
	Pt 45 & 46 Sec A	DP 7916	28 – 36 McFarlane Street		
8	389	DP 657042	40 McFarlane Street	1,236	77m/23st
9a	5, 6, 7, 8, 9, 10	DP 244047	233- 249 Merrylands Road & 52-54 McFarlane Street	12,415	77m/23st
9b	12	DP 1178575			55m/16st
9c	22,25,26,27,28,29	Sec A, DP 7916			43m/12st
9d	10	DP 814298			55m/16st
9e	5	DP 17401			77m/23st
10	21C	DP 334937	231 Merrylands Road	1,911	77m/23st
	21D	DP 334937	229 Merrylands Road		
	21E	DP 334937	227 Merrylands Road		
	35	DP 604776	223 Merrylands Road		
	11	DP 1210565	221 Merrylands Road		
	18	DP 654417	219 Merrylands Road		
	18	DP 657045	215 Merrylands Road		
11	A	DP 384389	201 Merrylands Road	1,335	77m/23st
	1	DP 514251	197 Merrylands Road		

	15	DP 657043	195 Merrylands Road		
	15B	DP 386204	193 Merrylands Road		
12	14	DP 657044	191A Merrylands Road	2,164	
	14B	DP 336812	189 Merrylands Road		
	131	DP 604922	185 Merrylands Road		77m/23st
	12 Sec A	DP 7916	181 Merrylands Road		
	11B	DP 101479	179 Merrylands Road		
	11A	DP 101479	177 Merrylands Road		
13	10B	DP 101479	175 Merrylands Road	2,068	
	10A	DP 101479	173 Merrylands Road		
	B	DP 413438	171 Merrylands Road		
	A	DP 413438	169 Merrylands Road		77m/23st
	2	DP 514152	167 Merrylands Road		
	1	DP 514152	165 Merrylands Road		
	1	DP 956379	163 Merrylands Road		
	1	DP 959420	161 Merrylands Road		
14	1	DP 772297	159 Merrylands Road	1,298	
	A, B, C, D & E	DP 10354	153 Merrylands Road		86m/26st
	F	DP 10354	157 Merrylands Road		
15	2	DP 544800	Pitt Street, Merrylands	2,369 *Incl Endeavour Energy lot*	65m/20st
	121	DP 531896	244 Pitt Street, Merrylands		
	901	DP 592065	246 Pitt Street, Merrylands		
	Y	DP 416975	252 Pitt Street, Merrylands		
16	1	DP 209516	Terminal Place, Merrylands	4,177.50	55m/16st

Note: *maximum building heights are defined in the Cumberland LEP 20XX. Where there is any inconsistency in terms of building heights and storeys, the Cumberland LEP 20XX and the Apartment Design Guide (ADG) prevail.*

2.6.2 Design Excellence Provisions

Objectives

Cumberland City Council is committed to ensuring all major developments deliver the highest standard of architectural and urban design.

Design excellence is a tool whereby the objectives of the Precinct can be achieved by encouraging:-

O1. High quality, diverse and innovative design.

O2. Development that by virtue of its location, individually and collectively contributes to the urban design context of Merrylands Centre.

Controls

C1. Design excellence applies to land bounded by a heavy black line on the Design Excellence Map. Refer Figure 11.

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C2. The Cumberland City Design Excellence Guidelines provides criteria and procedures that must be followed for developments seeking an incentive bonus in building height of up to an additional 10% and additional floor space ratio of up to 0.5:1.



Figure 11: Design Excellence Map

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2.6.3 Primary frontage requirements

Objectives

O1. Ensure buildings are of an adequate size to reasonably accommodate development, including vehicle access.

O2. Avoid the creation of smaller, isolated sites that cannot be separately developed.

Control

C1. The minimum site frontage width for new developments is 20m for 3 storey buildings.

2.6.4 Building setbacks

Objectives

O1. Enhance the character of the Precinct through consistent and uniform alignment of building facades.

O2. Reinforce strong definition of streets and public spaces in the Centre Precinct.

Control

C1. New developments are to maintain setbacks to the street in accordance with Figure 12.

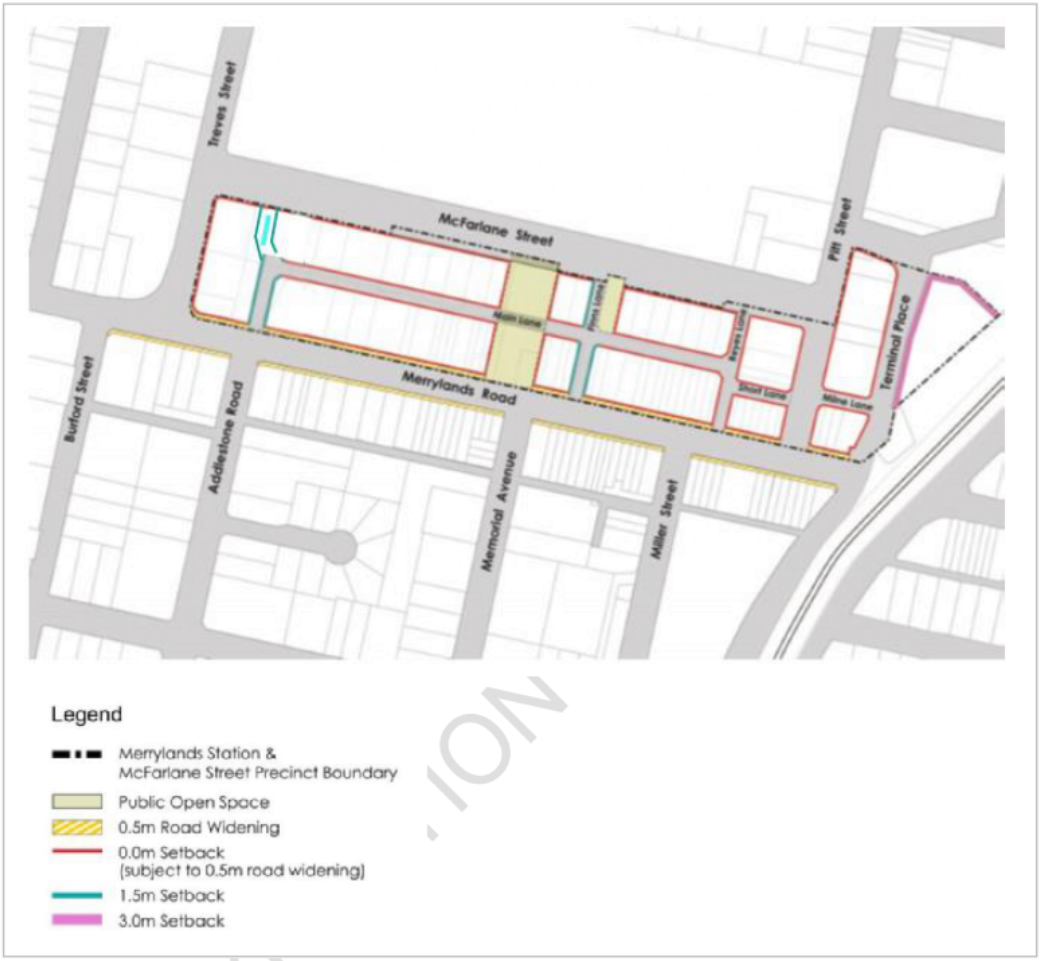

Figure 12: Building Setbacks

2.6.5 Street Wall Heights

Objectives

O1. Provide street edges that reinforce and reflects the various uses and existing character in the Precinct.

O2. Ensure building heights at street level are at a human scale.

O3. Facilitate a consistent street and laneway wall height throughout the Precinct.

O4. Provide prominence to the street level, establish a clear presence for retail and increase the visibility, marketability and utility of ground floor space.

Controls

C1. Street wall heights of buildings (podium) shall be 3 storeys.

C2. The 3-storey street wall height applies to a site's primary frontage.

C3. Where a site has frontage to a laneway, a maximum 2-storey street wall height is to be maintained. Refer Figure 13.

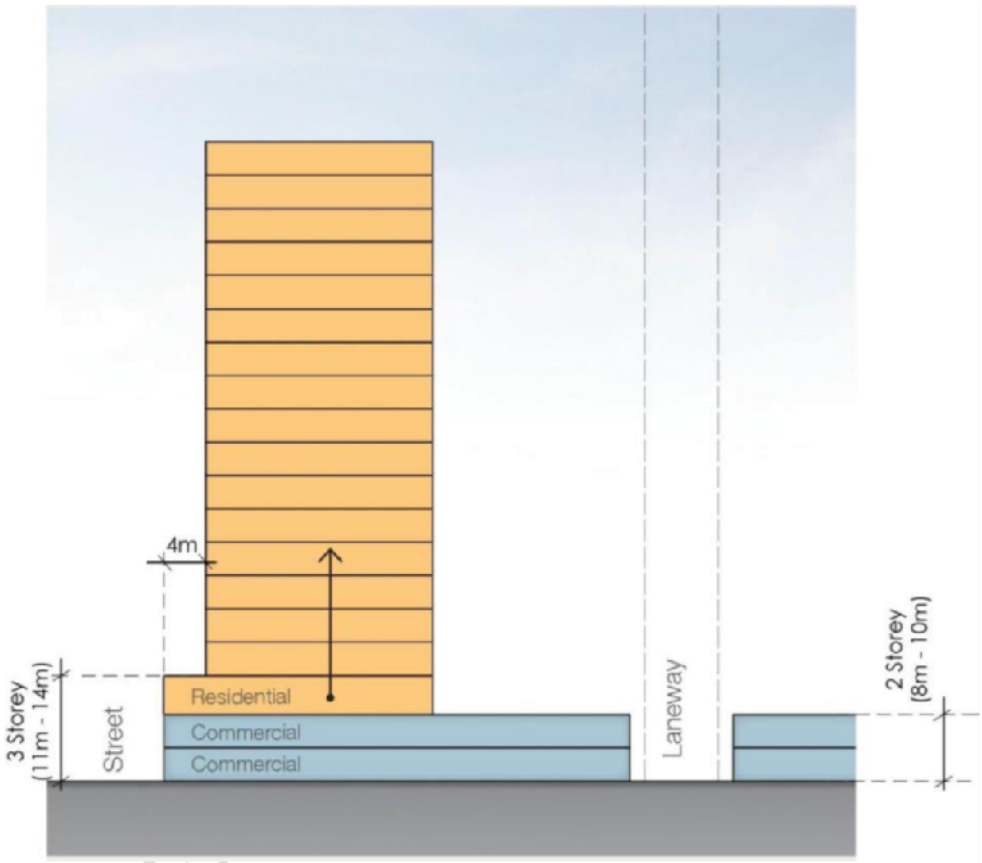

Figure 13: Street wall height and podium setback

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2.6.6 Upper level street setbacks

Objectives

O1. Enable more efficient tower footprints by removing incremental stepping of facades.

O2. Minimise adverse wind impacts on the pedestrian environment.

O3. Maximise sunlight penetration into streets, public places and surrounding buildings.

O4. Ensure building modulation.

Control

C1. All buildings above 3 storeys in height are to display a uniform 4m setback above the street wall. Refer Figure 13.

2.6.7 Solar access to Civic Square

Objective

O1. Ensure adequate solar access is maintained to the Civic Square during core business hours in mid-winter and that new buildings adjacent to the Civic Square do not prevent solar access during key daylight hours.

Control

C1. Solar access must be maintained to a minimum of 50% of the Civic Square area between the hours of 11.00am and 1.00pm on the 21st June.

2.6.8 Floor plates above podium

Objectives

O1. Minimise overshadowing as compact floor plates cast smaller and faster moving shadows.

O2. Improve access to sky view and permit better views between buildings and through sites and contribute to a more attractive skyline.

O3. Enhance energy efficiency and increase daylighting within buildings.

O4. Create architectural interest and visually diminish the overall scale of the building mass.

Controls

C1. Where office premises are proposed, all points on an office floor above podium should be no more than 15m from a source of daylight.

C2. The maximum horizontal length of any building above the podium shall not exceed 50m.

2.6.9 Awnings and colonnades

Objectives

O1. To increase pedestrian amenity by the provision of weather protection.

O2. Visually unify the Civic Square which otherwise is divided by the Main Lane.

Controls

Awnings

C1. Awnings are to be provided to the full extent of the street frontage of buildings in the locations nominated in Figure 14.

C2. Awnings along Merrylands and McFarlane Street shall be minimum 2.5m deep.

C3. Awnings if provided on laneways shall be retractable and only to be used in hours of operation.

Colonnades

C4. Provide colonnade/active frontage where shown in Figure 14.

C5. Provide colonnades with a preferred minimum soffit height of 4m.

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C6. Provide under colonnade lighting to create a safe pedestrian environment at night.

C7. Colonnade shall have a minimum width to height ratio of 1.5:1.

C8. Activate the public domain, active ground level uses are required along the colonnade.

C9. Locate columns of colonnades along build-to lines, to reinforce the character of the public open space.

C10. Ensure that colonnade heights and depths are continuous along the length of the open space and are consistent with the neighbouring sites.

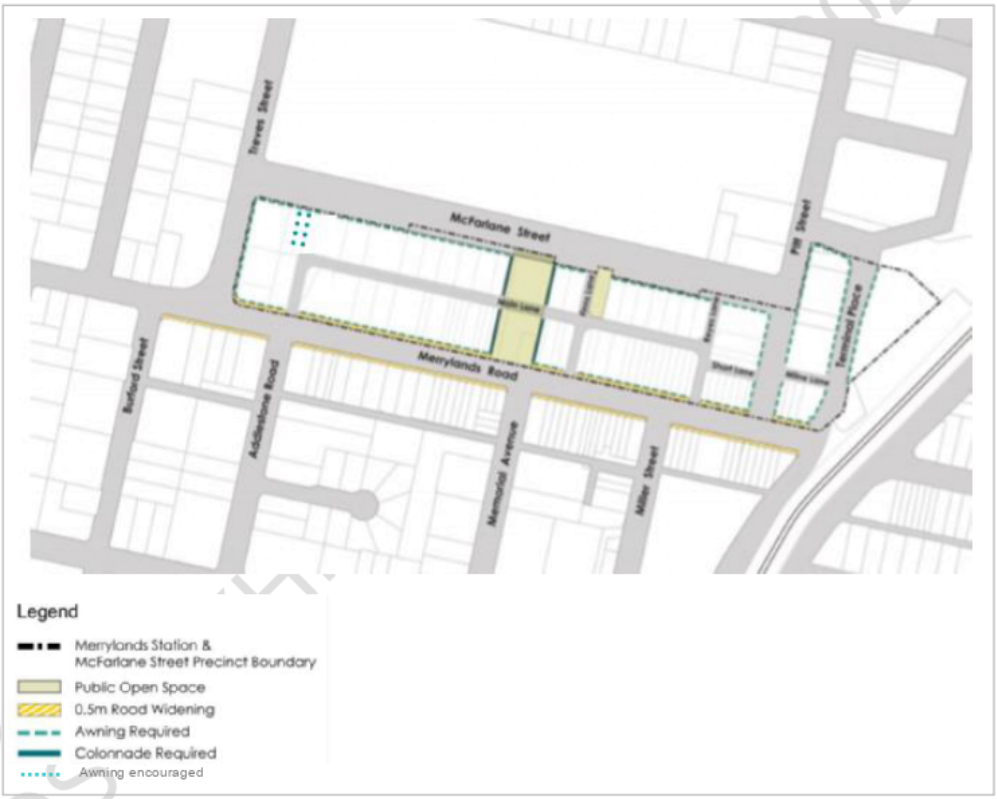

Figure 14: Awnings and Colonnades

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CUMBERLAND
CITY COUNCIL

PART F2-9
MERRYLANDS STATION PRECINCT (EAST)

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1. Desired Future Character

New development is to provide an address to Merrylands Railway Station Precinct (East), including Railway Terrace and Merrylands Road east of the rail line. New residential development in the form of residential flat buildings and multi dwelling housing will be located in the areas surrounding the local retail centre and the railway station, generally north of Albion Avenue. The highest densities will be located along Railway Terrace transitioning downward to the east. Low density housing will be retained south of Albion Avenue.

The role of the existing local shopping strip in Merrylands Road is to be retained with opportunities for additional retail and business uses to be extended along Railway Terrace. This additional retail area will increase services for the local community and will improve the pedestrian connection to existing and proposed high density development north of Mombri Street.



Figure 1: Merrylands Station Precinct (East) Map

2. Objectives and Controls

General Objectives

O1. Ensure that new development provides a strong interface to Railway Terrace and Merrylands Road.

O2. Ensure that new development at the intersection of Railway Terrace and Merrylands Road is well defined and reflects the gateway to the eastern side of Merrylands Railway Station.

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2.1 Pedestrian connections and laneways

Objectives

Refer to 2. General Objectives.

Controls

C1. New pedestrian connections and laneways should be provided in accordance with Figure 2. Where a development provides for public access connections, a variation to Council's floor space ratio control may be considered, subject to consistency with objectives.

C2. New shared pedestrian and vehicular laneway links to the rear of properties within the B4 Mixed Use Zone and are to provide for vehicular access and servicing needs of development. The laneway will need to be located over or abutting the B4 Mixed Use Zone.

C3. Shared vehicular and pedestrian lanes are to have a minimum width of 6 metres.

C4. New pedestrian links are to improve through block connections and are to have a minimum width of 3 metre, being consistent in width for its full length.

2.2 Setbacks

Objectives

Refer to 2. General Objectives.

Controls

C1. Front building setbacks are to be in accordance with Figure 3 and any additional controls set out below:

- the 2 metre setback shown along Railway Terrace, between Merrylands Road and Smythe Street, applies to the first 3 storeys of development. Additional storeys shall be setback a minimum of 5 metres from the front boundary as shown in Figure 3.

C2. Balconies may encroach the upper level setback area as shown on Figure 3 as follows:

- an unroofed terrace area permitted to the 4th storey. Balustrade can extend from building line of storey below.
- balconies may extend 1 metre into the setback area for the upper 2 storeys.

C3. The 2 metre front setback area to Railway Terrace, between Merrylands Road and Smythe Street, is to be suitably treated to form an extension of the adjoining footway. This area may also be used for outdoor dining, landscaping and the like.

C4. Where it will not have a detrimental impact upon adjoining development, a nil side setback should be provided for development in the B1 Neighbourhood Centre Zone and B4 Mixed Use Zone (between Merrylands Road and Smythe Street) to provide a continuous street edge.

C5. Sites which have frontage to Railway Terrace should provide address to Railway Terrace as the primary frontage.

C6. Building setbacks to existing and desired laneways should be designed to promote activation of the laneway while still allowing for the servicing needs of development.

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Figure 2: Building setbacks

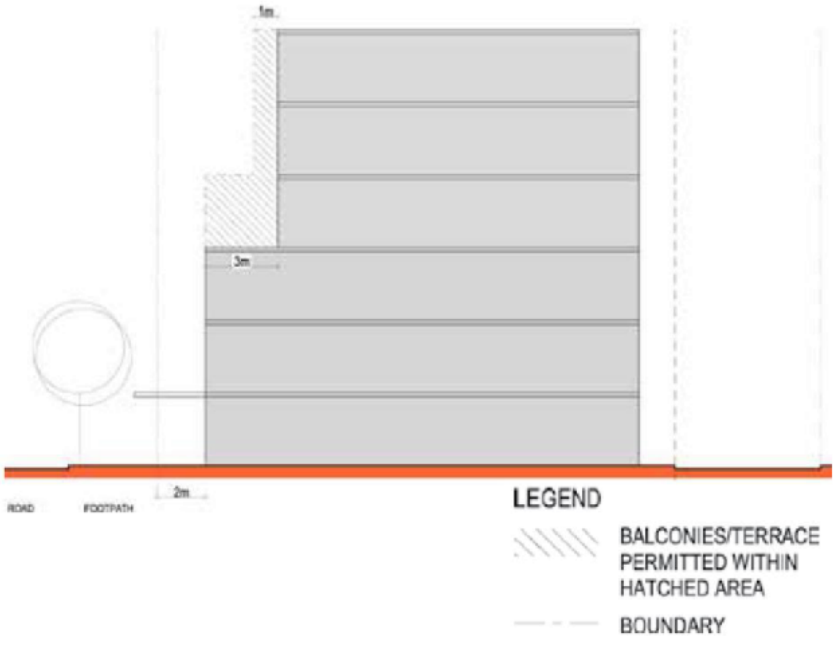

Figure 3: Building setbacks section

2.3 Ground level uses

Objectives

Refer to 2. General Objectives.

Control

C1. For new development along Railway Terrace between Merrylands Road and Smythe Street ground floor uses are to be active and non-residential with at-grade pedestrian access.

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CUMBERLAND CITY COUNCIL

PART F2-10
MERRYLANDS EAST NEIGHBOURHOOD CENTRE

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1. Desired Future Character

In recognition of existing development patterns and the opportunity to provide local services and facilities within walking distances of established neighbourhoods with access to Woodville Road, this part of the DCP provides guidelines and development controls for the development of a future neighbourhood centre precinct (Figure 1).

This section is to be read in conjunction with other relevant parts of the *Cumberland DCP 20XX*, *Cumberland LEP 20XX*, *State Environmental Planning Policy (SEPP) No 65—Design Quality of Residential Apartment Development,* and the *NSW Apartment Design Guide*: Tools for improving the design of residential apartment development.

Where there is an inconsistency between this document and provisions contained elsewhere in the *Cumberland DCP 20XX*, the site specific controls contained in this section shall apply to the extent of the inconsistency. Where there is an inconsistency with SEPP 65, the SEPP prevails.



Figure 1: Merrylands East Neighbourhood Centre Precinct Map

The neighbourhood centre precinct is to be developed taking into account the scale of adjoining residential development and the capacity of local road networks. Woodville Road and its capacity to accommodate future public transport options is a key development parameter for the neighbourhood precinct. The precinct is to be developed as a walkable neighbourhood centre around a new neighbourhood park and having good urban design that encourages the development of quality open spaces and buildings with a high level of amenity and design quality.

This section of the DCP defines the neighbourhood centre precinct, its urban structure and key relationships.

Key Site

Description and Location

For the purposes of this DCP, the Woodville Road Planning Proposal key site (which includes the former John Cootes Warehouse Site) is defined as 244 and 264 Woodville Road, Merrylands and 2, 4, 6, 8-8a, 10, 12 and 14-16 Lansdowne Street and 19 Highland Street, Merrylands as shown in Figure 2 Merrylands East Key Site (Woodville Road Planning Proposal).

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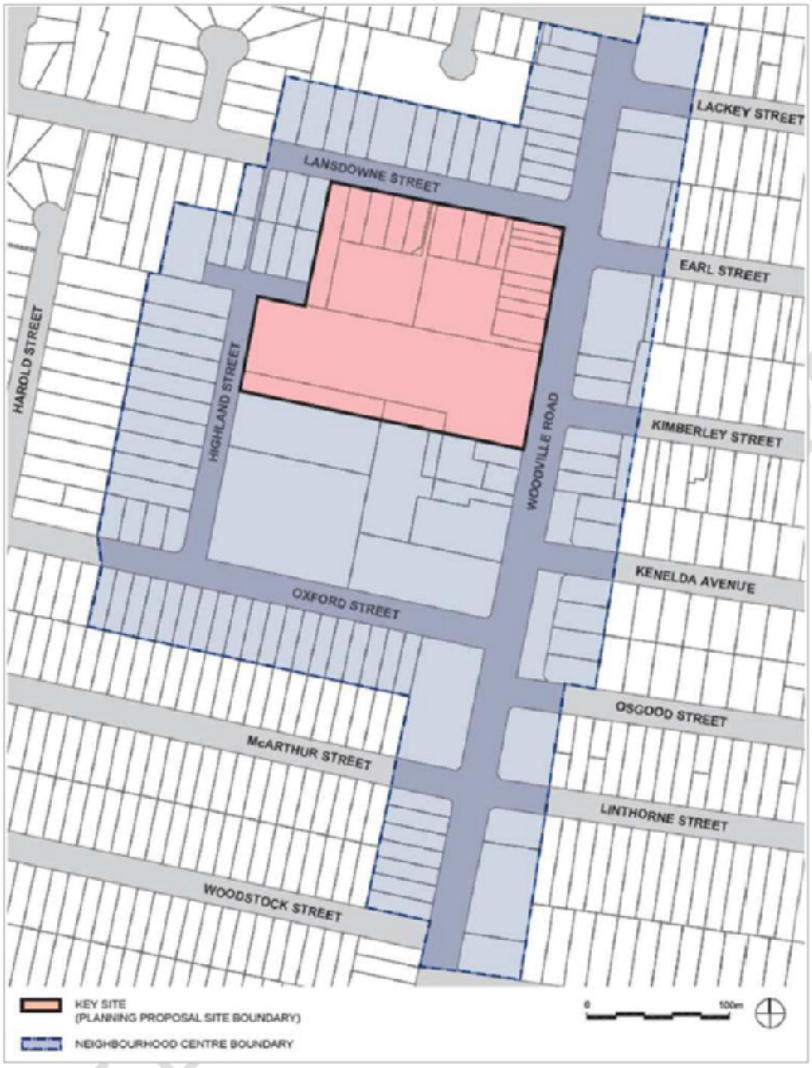

Figure 2: Merrylands East Key Site (Woodville Road Planning Proposal)

Desired Character

The development of the land is to facilitate the establishment of a mixed-use centre with retail and commercial uses anchored by a full line supermarket, and residential development that complements the surrounding residential areas at a density appropriate for the site, its location and development context. Development of the land is to contribute to the character and sustainability of the Merrylands East Neighbourhood Centre Precinct.

Development of the land is to provide a mixture of retail, commercial and residential floor space, and public open space for a neighbourhood centre. Development is to have a layout which provides quality open spaces, reduced car dependency and a walkable neighbourhood environment. The development of the site is to provide a variety of building heights to allow a transition to adjoining residential development and to minimise overlooking and overshadowing of the Granville South Public School.

2. Objectives and Controls

Objectives

O1. Ensure that future development does not prejudice the efficient delivery of future public transport solutions along Woodville Road.

O2. Ensure development is setback to allow future road and carriageway widening.

O3. Ensure transition in scale between the main road frontage of key development sites within the precinct, and surrounding lower scale residential development and the school.

O4. Ensure that the development provides for the greening of Woodville Road.

O5. Development within the neighbourhood precinct is to be generally in accordance with Figure 3 Precinct Principles.



Figure 3: Precinct principles

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2.1 Development Application requirements

In addition to these standard requirements, all development applications are to provide a detailed traffic study.

2.2 Structure, form and density

Objectives

O1. Define the desired structure, general form and density of development on the land.

O2. Ensure the density of development on the land is suitable to its location, context and development capacity.

O3. Facilitate the integration of the development of this key site with adjoining development and the neighbourhood centre precinct.

O4. Establish a mixed-use centre, which will include a neighbourhood park and enhanced connectivity (pedestrian and visual) within and with adjoining development.

O5. Allow for appropriate transition to the surrounding residential land uses and the Granville South Public School, and to provide a reasonable separation between future development and the Granville South Public School.

O6. Allow for a diversity of dwelling types and apartment sizes.

Controls

C1. Development is to be in accordance with Figure 4 Site Structure and Land Use Plan.



Figure 4: Site Structure and Land Use Plan

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C2. New Street 1 and New Street 2 (Refer Figure 4) must be constructed and delivered by the proponent as part of the development of the key site, in accordance with Council's engineering requirements, and at no cost to Council.

C3. New Street 1 and New Street 2 are to provide separation between future development and Granville South Public School to the south and neighbouring residential to the west.

C4. The ground floor and first floor of the proposed development on the key site must be non-residential.

2.3 Lot consolidation and minimum street frontage

Objectives

O1. Avoid isolating an adjoining site or sites, and facilitate the efficient delivery of infrastructure.

O2. Assist in the delivery of well-designed built forms and streetscapes.

O3. Development must be delivered in suitably sized and configured development parcels that facilitate the delivery of infrastructure.

O4. Buildings must have appropriate horizontal to vertical proportions that relate to the size of street frontages and be designed to minimise the impact of carpark entrances.

Controls

C1. Lots shall have a minimum street frontage as shown in the table below.

Street	Minimum Street Frontage	Intention
Woodville Road	30m	To encourage the consolidation of land and development of suitable building forms.
Lansdowne Road	20m	
Highland Road	20m	

C2. Development must be designed and planned in relation to the development parcels as shown in Figure 5 Preferred Lot Consolidation unless it can be demonstrated that lot amalgamation cannot be achieved.

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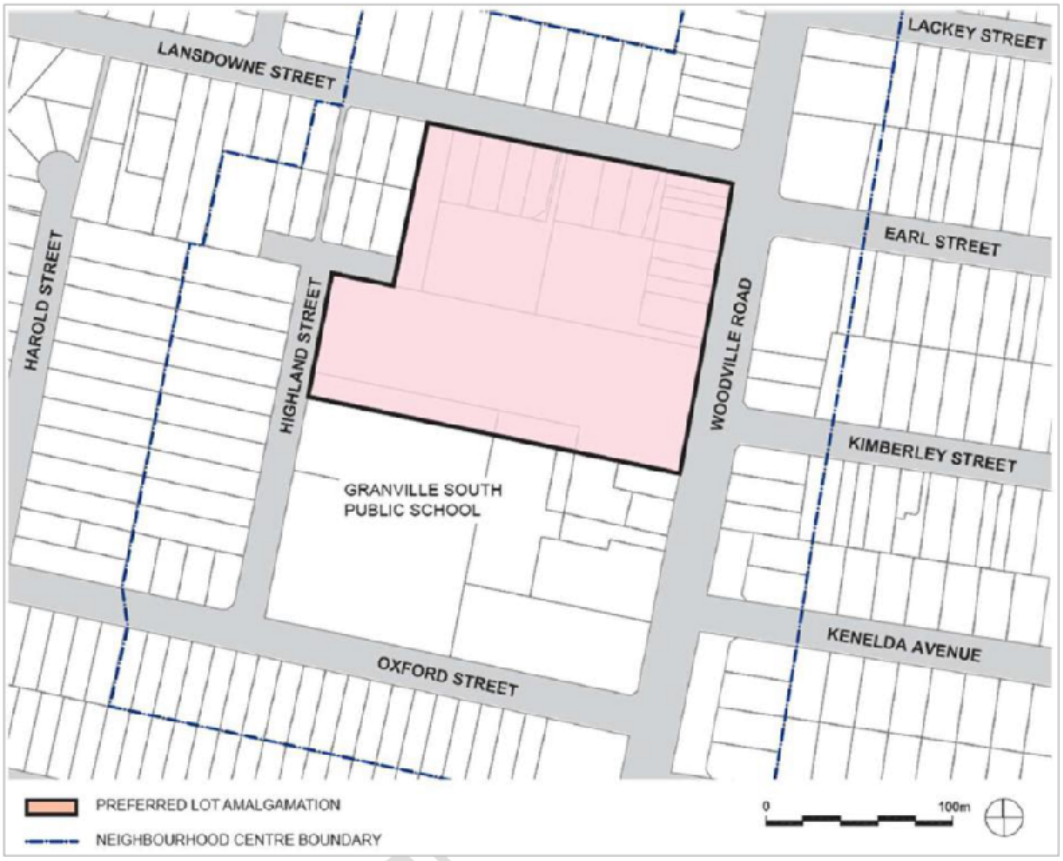

Figure 5: Preferred Lot Consolidation

Council will require appropriate documentary evidence to demonstrate that a genuine and reasonable attempt has been made to purchase an isolated site based on a fair market value. At least one recent independent valuation is to be submitted as part of that evidence and is to account for reasonable expenses likely to be incurred by the owner of the isolated site in the sale of the property.

C3. Where a development proposal results in an isolated site, applicants will be required to demonstrate that the development of the separate sites can be feasibly achieved, which will require:

- provision of a feasible building envelope for the isolated site, indicating height, setbacks and site coverage (building and basement);
- identification and assessment of the likely impacts the two developments will have on each other including solar access and visual and acoustic privacy; and
- identification, assessment and mitigation of the impacts of the separate development of the isolated site or sites on the streetscape. This will require an applicant/s to document how the development of both sites respond to the character of the streetscape and achieve a suitable built form and satisfactory level of amenity including solar access and visual and acoustic privacy.

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2.4 Building heights

Objectives

O1. Distribute building heights within the key site to reinforce the site structure and achieve a height transition to adjoining development.

O2. Reduce the bulk of development by providing variations in individual building heights, massing and scale and visual permeability within the site through the distribution of different building heights.

Controls

C1. Development shall not impact on solar access or create overshadowing of the playground or sporting fields of the Granville South Public School.

C2. The height of buildings is to be in accordance with Figure 6 Building Heights and all requirements of the ADG, particularly building separation.

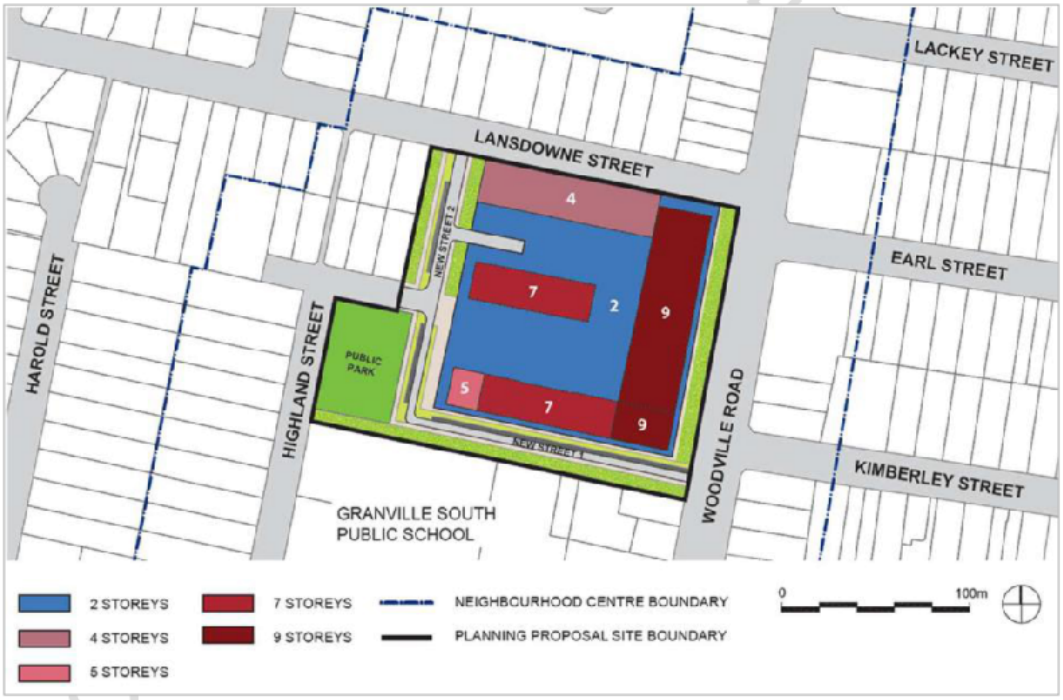

Figure 6: Building Heights (to be read in conjunction with Figure 7 Setbacks)

2.5 Setbacks

Objectives

O1. Ensure that development does not limit the provision of public transport options or improvements on Woodville Road.

O2. Ensure that development relates to the street hierarchy, and contributes to a suitable scale and street character.

O3. Establish the new roads identified in the Site Structure Plan and Land Use Plan (Figure 4).

O4. Maintain the amenity of Granville South Public School by minimising overshadowing and overlooking of the school grounds.

O5. Sufficient land is to be provided for an additional road lane on the western side of Woodville Road to facilitate public transport improvements, traffic management and to allow provision of substantial landscaping along Woodville Road (refer to Figure 10).

O6. The tower or upper storey elements of multi storey mixed used buildings are to be set back to reduce the mass and bulk of buildings.

O7. Provide landscaping along boundaries, with deep soil planting with mature plants particularly along the southern boundary between the development and the adjoining School, to obscure sight lines for optimum visual privacy.

Controls

C1. Minimum setbacks are to be in accordance with Figure 7 Setbacks (Please refer to Figure 9 to Figure 15 for details).

C2. Unless otherwise identified, street setbacks are to be in alignment with the predominant existing street setbacks for each street within the neighbourhood precinct.

C3. If the key site is not developed as a single, consolidated lot, the development must be setback a minimum of 6m from the property boundary of any undeveloped lot with frontage to Lansdowne Street and New Street 2 as per Figure 15.

C4. A deep soil setback of 10m must be provided on the eastern boundary of the site along Woodville Road as per Figure 4 Site Structure and Land Use Plan and Figure 10 Woodville Road Setbacks (Section B-B).

C5. A deep soil setback of 6.5m must be provided on the southern boundary of the site along New Street 1 as per Figure 4 Site Structure and Land Use Plan and Figure 11 New Street 1 Setbacks (Section C-C).

C6. A deep soil setback of 6.5m on the western side and a deep soil setback of 7m on the eastern side of the northern end of New Street 2 (north of the street connecting to Highland Street) must be provided as per Figure 4 Site Structure and Land Use Plan and Figure 12 New Street 2 Setbacks – Northern End (Section E-E).

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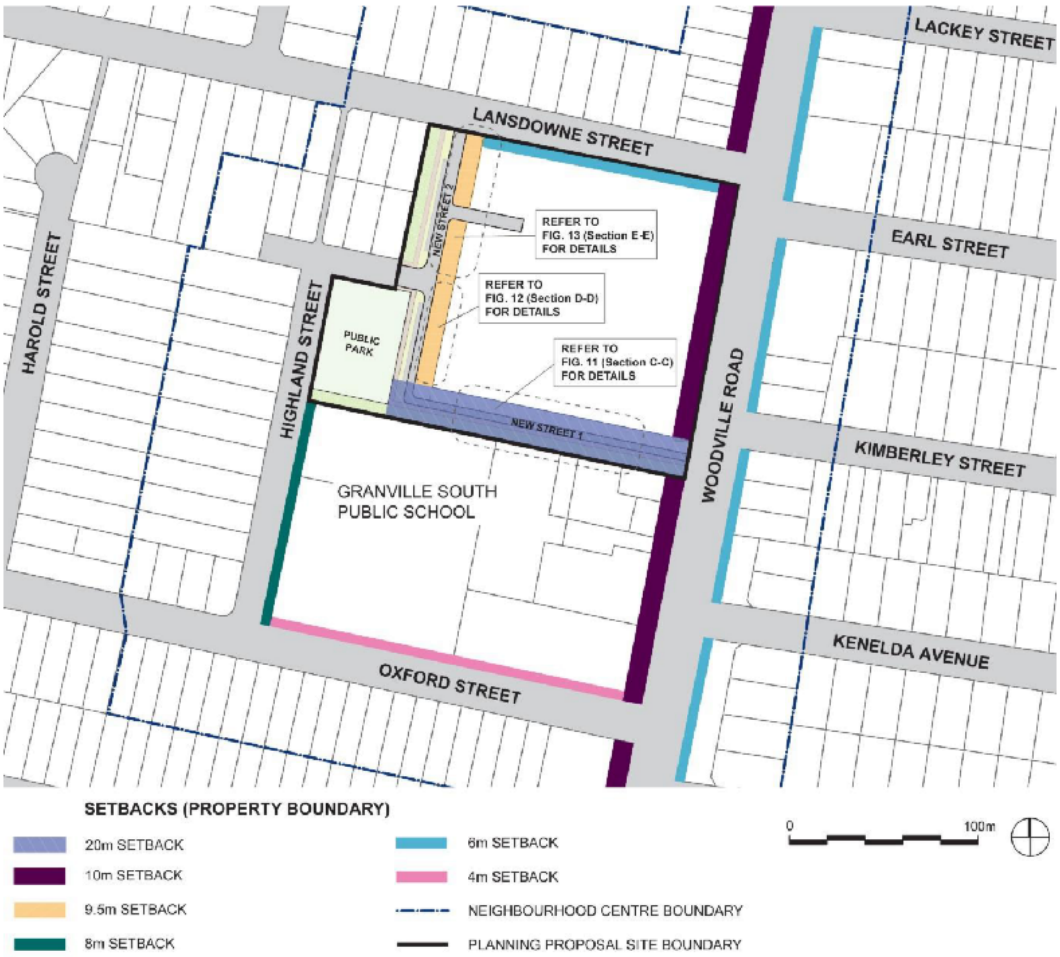

Figure 7: Setbacks

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Figure 8: Sections

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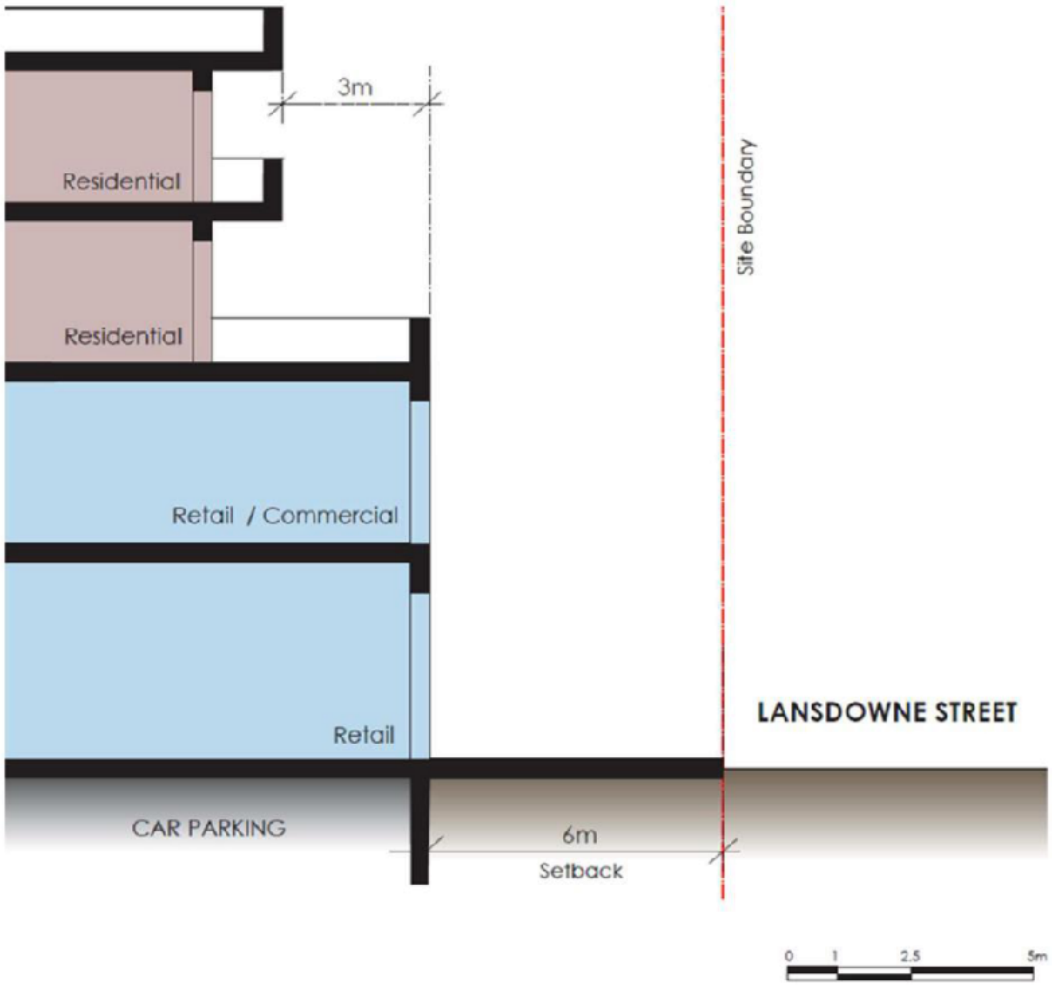

Figure 9: Lansdowne Street Setback - Section A-A

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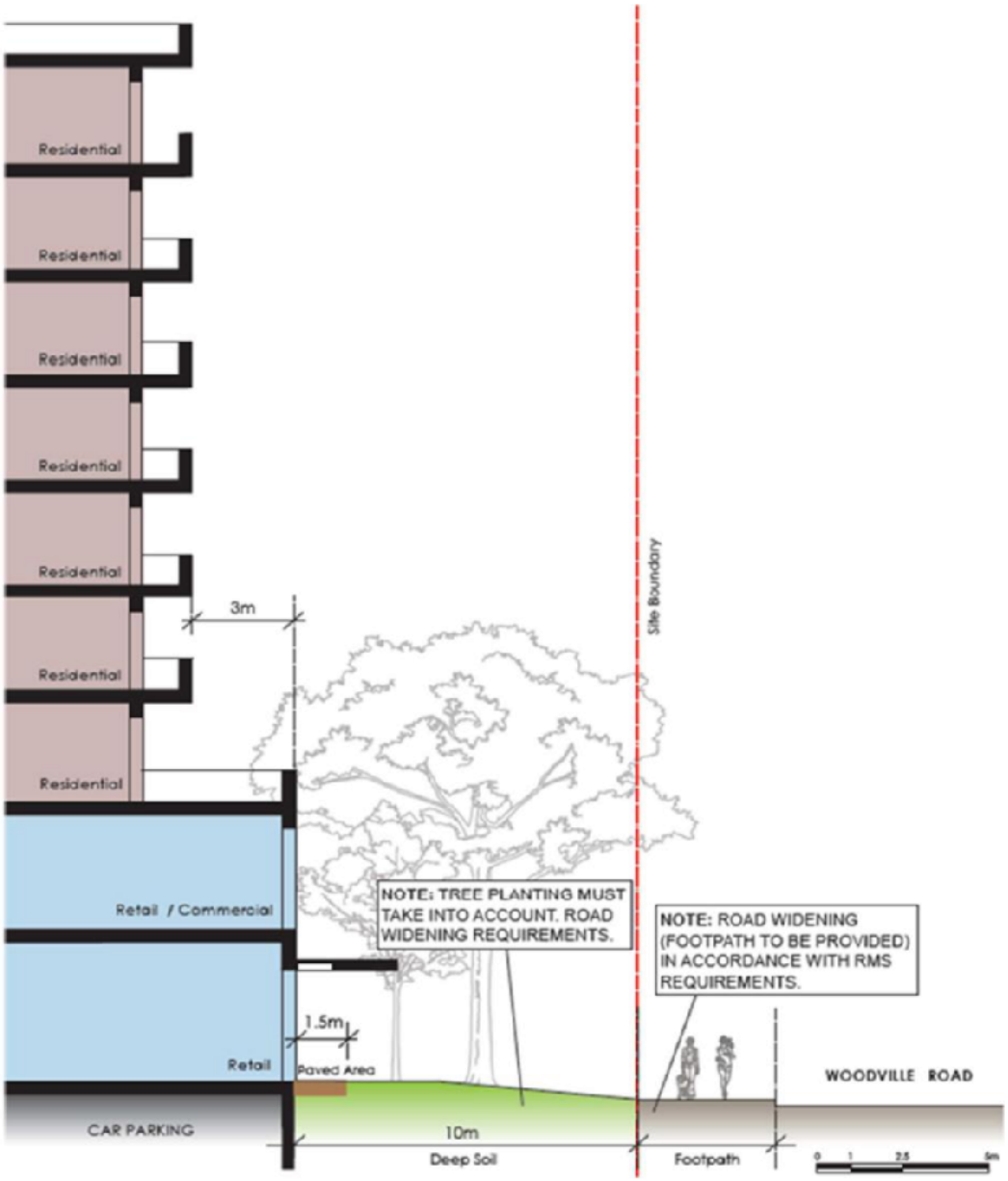

Figure 10: Woodville Road Setbacks - Section B-B

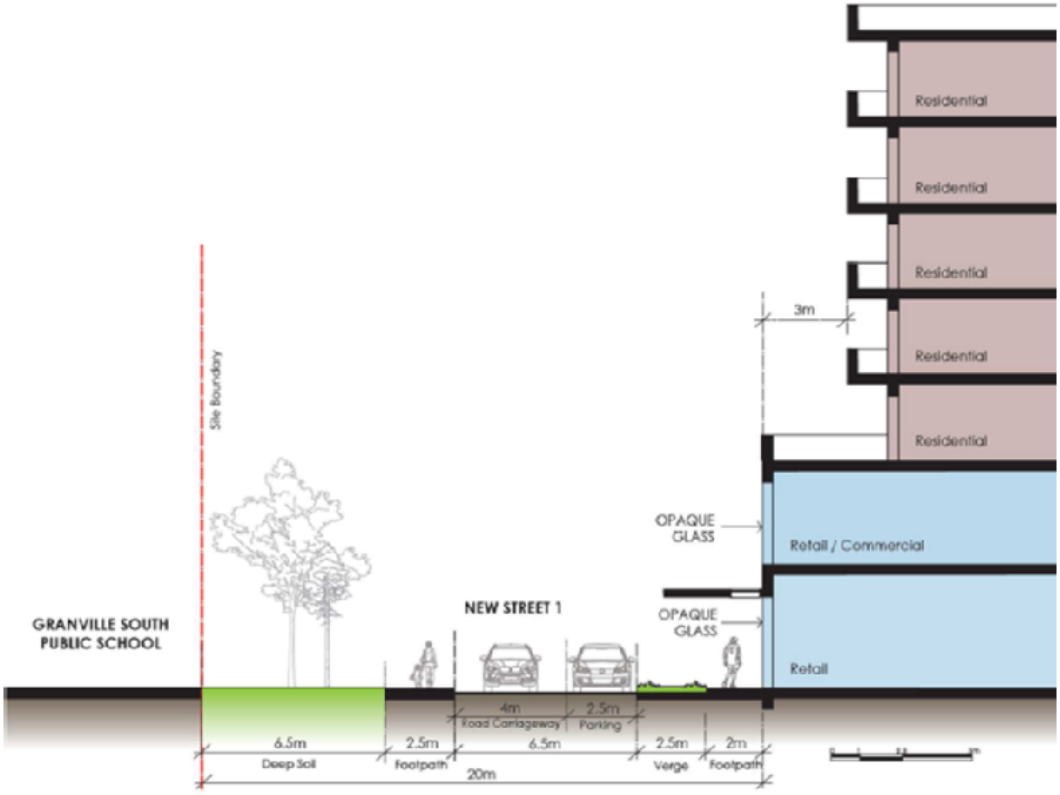

Figure 11: New Street 1 Setbacks - Section C-C

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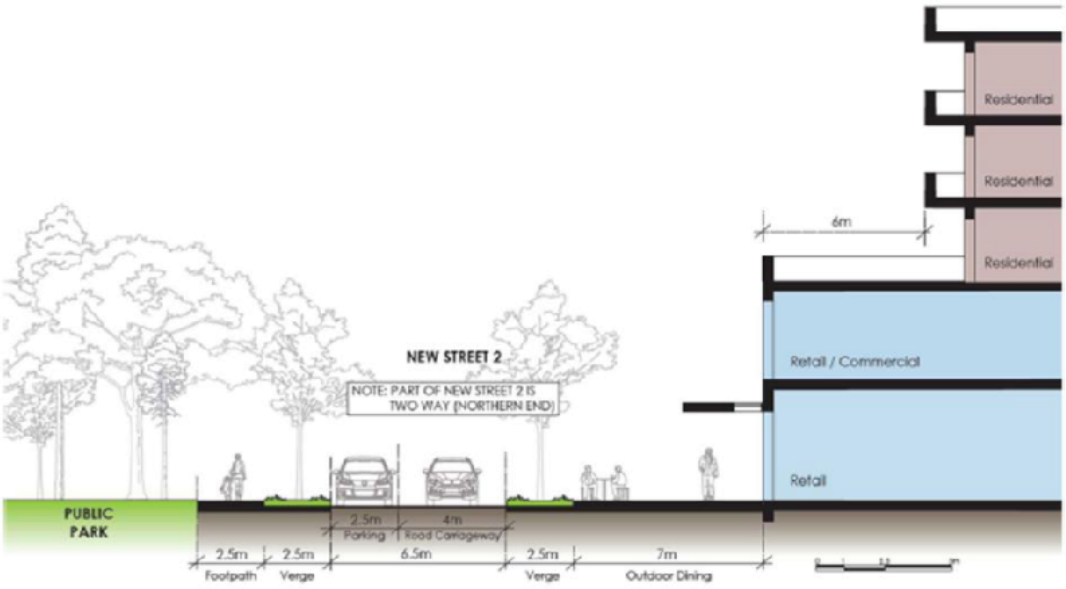

Figure 12: New Street 2 Setbacks - Southern End - Section D-D

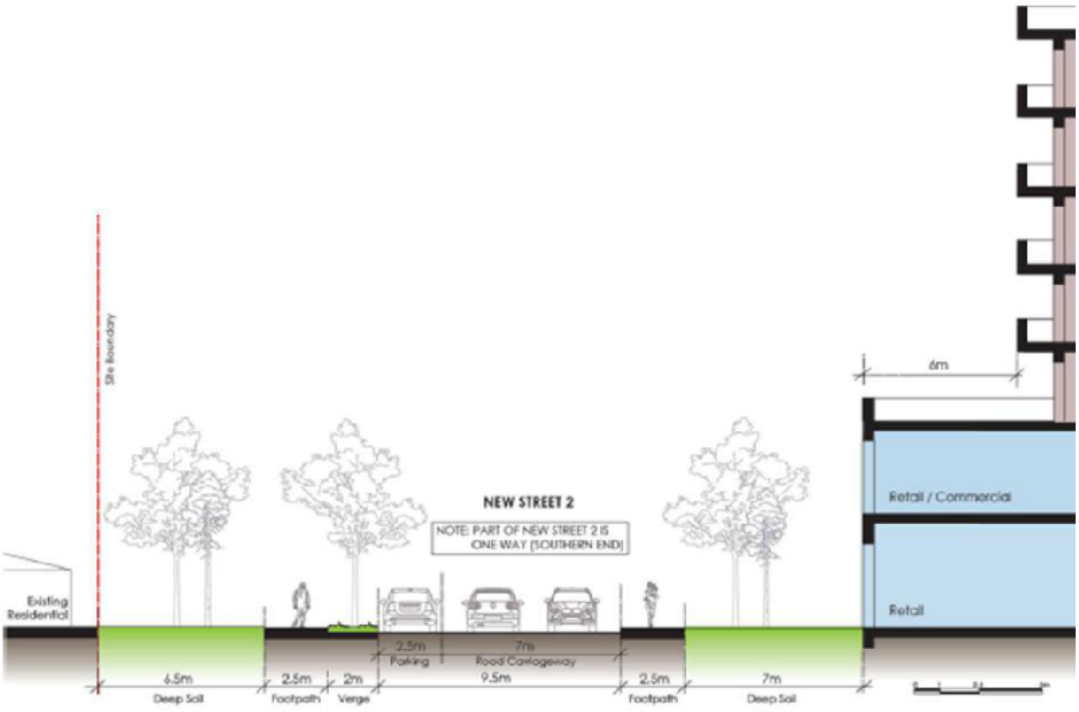

Figure 13: New Street 2 - Northern End - Section E-E

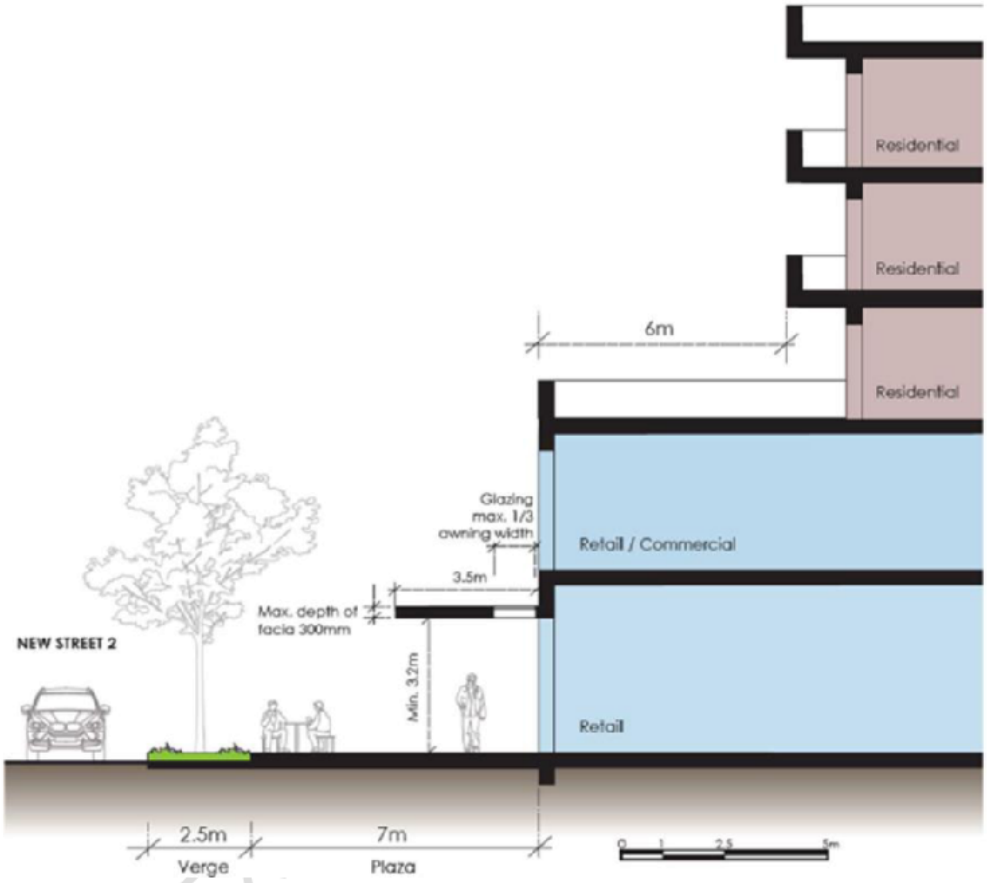

Figure 14: New Street 2 Southern End Detail

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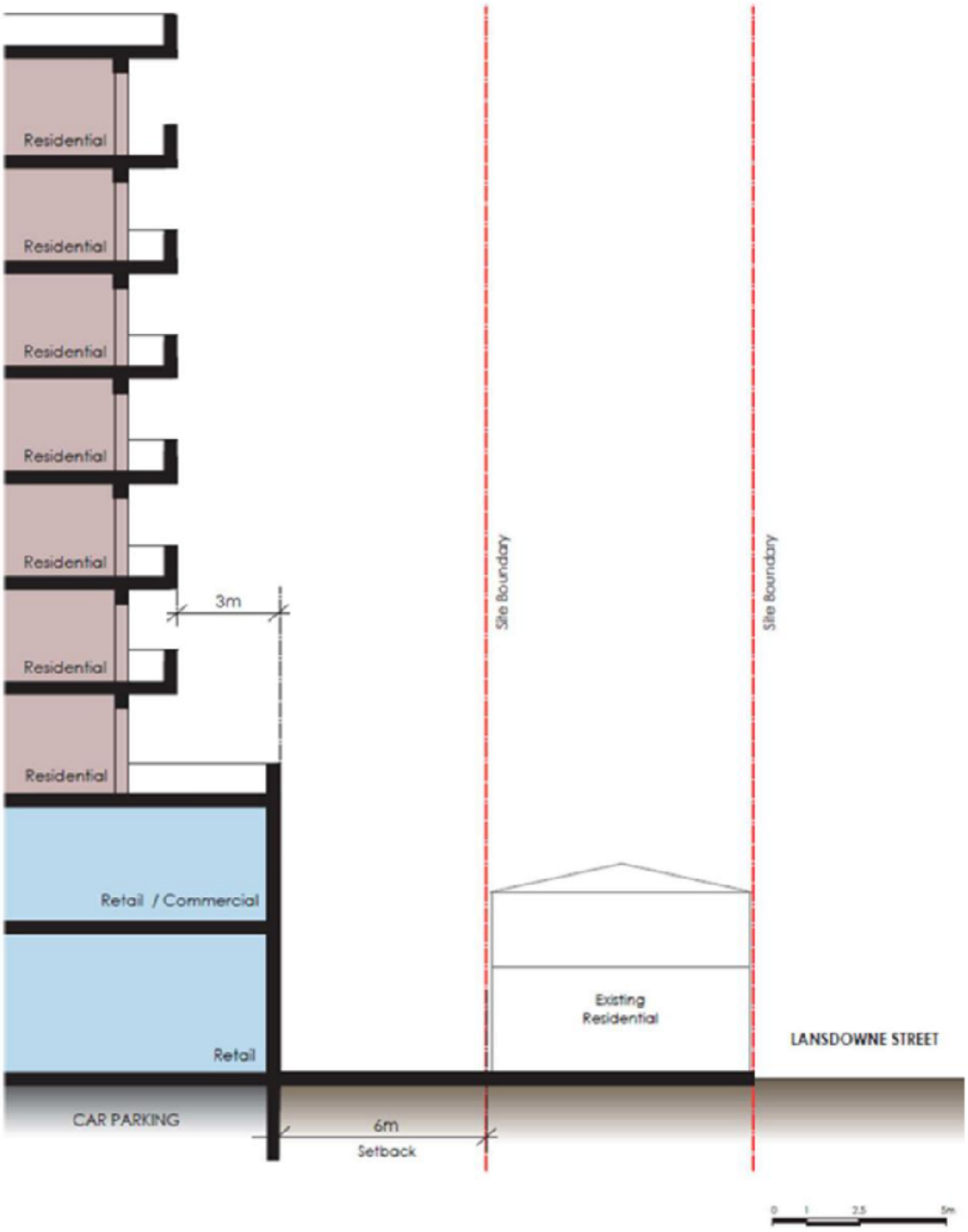

Figure 15: Setback if key site not developed as a single, consolidated lot

2.6 New roads

Controls

C1. A 4m wide one-way road carriageway must be provided on New Street 1 with a 2.5m wide pedestrian footpath on the southern side. On the northern side, a 2.5m wide parking bay, a 2.5m wide verge, and a 2m wide pedestrian footpath should be provided as per Figure 11 New Street 1 Setbacks (Section C-C).

C2. A 4m wide one-way road carriageway must be provided on the southern end of New Street 2 (south of the street connecting to Highland Street) with a 2.5m wide pedestrian footpath, a 2.5m verge, and a 2.5m wide parking bay on the western side. On the eastern side, a 2.5m wide verge and a 7m wide outdoor dining area should be provided as per Figure 12 New Street 2 Setbacks – Southern End (Section D-D).

C3. A 7m wide two-way road carriageway must be provided on the northern end of New Street 2 (north of the street connecting to Highland Street) with a 2.5m wide pedestrian footpath, a 2m verge and a 2.5m wide parking bay on the western side. On the eastern side, a 2.5m pedestrian footpath should be provided as per Figure 13 New Street 2 Setbacks – Northern End (Section E-E).

2.7 Landscape and open space

Objectives

O1. Ensure that a high quality public neighbourhood park is provided.

O2. Ensure that the public domain is integrated with existing and potential future public domain and open spaces within the neighbourhood centre precinct.

O3. Ensure the neighbourhood park has a sense of place and to establish it as the focal point of the neighbourhood precinct.

O4. Achieve a variety of spaces that are inclusive of particular needs and desires of key community groups such as children, young people, older people, people on low incomes and people with a disability.

O5. Integrate the management of stormwater into the design of public open spaces.

O6. Integrate public art to create a more visually interesting and culturally diverse public domain.

O7. Public open space to be designed to include clear, accessible, safe and convenient linkages to the surrounding streets and community, inside and outside the neighbourhood precinct.

O8. Landscaping and choice of materials is to respond to the character of each space and is to unite and relate to other spaces throughout the neighbourhood precinct.

O9. The design of open space is to be of the highest quality with suitable landscaping, well integrated public art and appropriately varied soft and hard surface design.

O10. Vehicular movements through the neighbourhood park are to be generally restricted except for emergency vehicles, servicing and special events.

O11. Useable and sustainable green space at ground level, podium level, and roof top gardens are to be provided and integrated with building design.

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O12. Vertical gardens are encouraged, where possible.

Controls

C1. A public domain concept plan for the development of the site or any part thereof is to be provided with the first Development Application for the land. The plan must:

- provide for deep soil planting zones (Refer Figure 4);
- show how a high amenity public domain will be achieved on the site and on Woodville Road;
- provide an indicative landscape design, including details and indicative costs for street furniture, street trees, landscaping works, materials and utilities; and
- indicate how street trees and other planting arrangements are to be provided on all new streets to Council's specifications.

C2. Development proposing outdoor dining must comply with Council's Outdoor Dining Policy and Guidelines.

C3. A fully embellished neighbourhood park not less than 2,000 square metres is to be provided, to a design approved by Council and located as shown in Figure 4 Site Structure and Land Use Plan. A concept plan is to be provided with the lodgement of the first DA for the Site.

C4. A minimum of 85% of the neighbourhood park is to be deep soil zone, and the total area of the neighbourhood park is to be excluded from all deep soil calculations associated with private development.

C5. The neighbourhood park is to:

- provide the primary green public open space to act as the heart of the neighbourhood precinct;
- provide for primarily soft landscaping and deep soil planting including mature plants;
- avoid basement parking beneath the neighbourhood park;
- provide both passive and active recreation spaces;
- be landscaped to include native trees;
- provide a safe play area for children which is to be visually and physically connected to the main park area;
- include play elements integrated into the landscape design and enable informal play; and
- be dedicated to Council and Council engineers are to be consulted prior to the design of all internal roads within the precinct.

C6. Medium sized tree planting (a minimum 6-8 metres mature height at 7 – 10 m centre-to centre) with an understorey of shrubs (1.5m – 3m) and ground cover must be provided along the boundary on the southern side (adjacent the school). The medium sized tree planting within a deep soil zone is to be incorporated at the southern end of the park.

C7. All elements are to be vandal and graffiti resistant.

C8. Design of the public domain is to be integrated with stormwater management.

C9. All internal roads not in Council's ownership must be maintained at all times. Note: Council will not accept dedication of roads with basement parking underneath.

C10. Wintergardens are to be provided fronting Woodville Road. The area of the wintergardens is to be excluded from the GFA for FSR calculations.

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2.8 Building elements, architectural diversity and articulation

Objectives

Ensure the building design contributes to street, public domain and residential amenity.

O1. Reduce visual bulk and scale, add visual interest and avoid "boxlike" designs.

O2. Achieve architectural diversity and add visual interest.

O3. Ensure that development enhances and contributes to the streetscape and desired future character of the neighbourhood.

O4. Buildings are to be designed to deliver high quality architecture through the use of faced articulation, materials selection and use of vertical gardens where appropriate.

O5. Building design is to include horizontal and vertical architectural elements to articulate the facades and minimize building bulk and mass, which frame public spaces and contribute to or define the public domain.

Controls

C1. Minimise perceived building bulk and monotony, the building façade should have unique architectural expressions while still maintaining cohesion.

C2. The maximum linear length of any building is to be 65m.

C3. Buildings in excess of 45m long must be designed as at least two distinct 'building components' which are to:

- not exceed 25m in length with a preferred length of 20m (Refer Figure 16);
- have a building separation of minimum 6m for the full height of the building; and
- have their own distinctive architectural character.

C4. Full height gaps are to be provided between buildings consistent with the building separation provisions of the *Apartment Design Guide* (ADG) for solar access and visual connections.

C5. Where possible, building breaks are to be aligned with streets and lanes in the surrounding area or proposed streets and lanes.

C6. The southern façade of the proposed development adjoining the school must be designed to maintain the visual privacy of the school.

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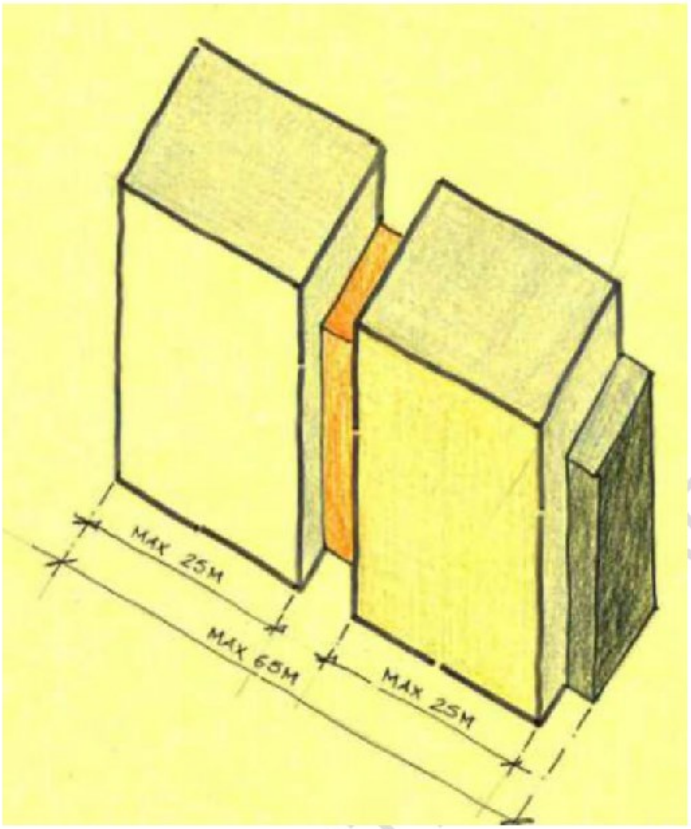

Figure 16: Building Articulation / Maximum Building Length

2.9 Active street frontage

Objectives

O1. Enhance pedestrian safety, security and amenity around and within the commercial premises.

O2. Improve the amenity of the public domain by encouraging pedestrian activity.

O3. Support the economic viability of the street.

Controls

C1. Provide active street frontage at ground floor level as per Figure 17.

C2. Except for the southern façade, clear glazing is to be provided, and reflective, tinted or obscured window coverings should be avoided.

C3. A minimum of 80% of the building facades with active street frontage and street address at ground level are to be transparent.

C4. Opaque glass should be provided along the southern building façade.

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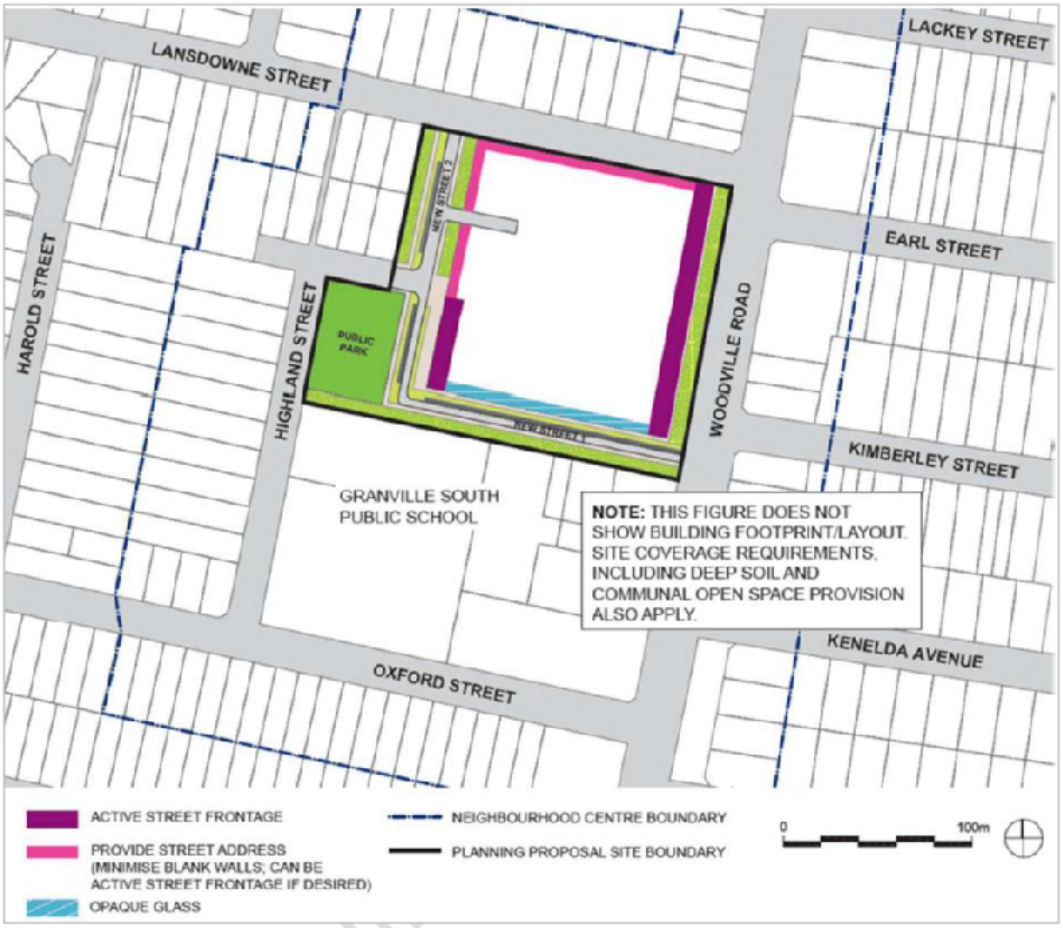

Figure 17: Street Activation

2.10 Awnings and canopies

Objectives

O1. Increase pedestrian amenity by the provision of weather protection.

O2. Visually unify the mixed-use development.

Controls

C1. Awnings are to be provided to the full extent along Woodville Road, the southern boundary and the outdoor dining area.

C2. All awnings should be a minimum width of 3.5m (Refer Figure 14).

C3. Incorporate glazing/transparent material in the awning to allow solar access.

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2.11 Street wall height

Objectives

O1. Provide street edge that reinforces the proposed uses and is consistent with the existing character of the area.

O2. Ensure the building height at street level is of human scale.

O3. Establish a clear presence of the retail and commercial uses, and increase visibility of these uses at ground floor level.

Control

C1. Street wall height for the mixed-use development should be two storeys (minimum 8.2m and maximum 10m) with an upper level setback.

2.12 Upper level setback

Objectives

O1. Minimise adverse wind impact on the pedestrian environment.

O2. Maximise the solar access onto the public domain.

O3. Ensure that the podium and buildings above create a human scale and pedestrian friendly environment.

Controls

C1. The buildings above the podium are to be setback in accordance with Figure 9 to Figure 15.

2.13 Traffic management and parking

Objectives

O1. Manage traffic impacts and ensure that development does not unreasonably impact on the traffic conditions on Woodville Road and local roads.

O2. Ensure suitable parking and traffic management arrangements are identified prior to development of the land, and are used to inform the preparation of Development Applications.

O3. Ensure vehicle entries and loading bay entries do not compromise pedestrian safety.

O4. Increase the use of active transport and reduce vehicle use.

Controls

C1. A detailed traffic study will be submitted with any Development Application for the site or part thereof. It will:

- identify and address traffic generation issues associated with the overall development of the site;
- include modelling of the Lansdowne Street/Woodville Road and Oxford Street/Woodville Road intersections as a network and not as individual intersections; and

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- include modelling of the priority control for the intersection of Lansdowne Street and the internal street, and determine whether a roundabout is required at that intersection.

C2. The traffic study is to comply with the Roads and Maritime Services Traffic Modelling Guidelines (2013).

C3. Ensure any site vehicle access points are located to avoid conflict with pedestrians and vehicles accessing the school.

C4. The loading bay entry should be located on Lansdowne Street and separated from vehicular entry into the mixed-use development.

C5. No driveway vehicle access from Woodville Road is permitted.

C6. Left-out exit from New Street 1 only permitted onto Woodville Road.

C7. A travel plan will be submitted with any Development Application for the site or part thereof to reduce car trips and encourage the use of sustainable transport.

2.14 Contamination

Objectives

O1. Ensure that the changes of land use will not increase the risk to public health or the environment.

O2. Ensure that any remediation to the land will not increase the risk to the users of the adjoining school and surrounding residential development.

O3. Link decisions about the development of land within the information available about contamination.

O4. A remedial action plan for the development of the site or any part thereof is to be provided with the first Development Application for the land. The plan must be prepared in accordance with the NSW Environment Protection Authority Guidelines *Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites (1997a)* and the *National Environment Protection (Assessment of Site Contamination) Measure (2013 Amendment)*.

Controls

C1. All contamination arrangements are to be in accordance with Part C and Part G of this DCP.

2.15 Air quality

Objectives

O1. Ensure that development fronting Woodville Road provides an acceptable level of air quality for the users and occupants.

O2. Encourage the inclusion of wintergardens along development fronting Woodville Road.

O3. Ensure that demolition and construction in the neighbourhood centre does not adversely impact the air quality for users of the adjoining school and surrounding residential development.

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O4. Reduce the formation of urban canyons to avoid motor vehicle air transmissions and other pollutants from becoming trapped and ensure dispersion. Appropriate setbacks on the upper stories of multi-level buildings can help to avoid urban canyons.

O5. Consider building siting and orientation to incorporate an appropriate separation between sensitive land uses and the road. The location of living areas, outdoor space and bedrooms, and other sensitive uses (such as childcare centres) must be as far as practicable from the major source of air pollution.

O6. Ventilation design and open-able windows should be considered in the design of development located adjacent to roadway emission sources. When the use of mechanical ventilation is proposed, the air intakes must be sited as far as practicable from the major source of air pollution.

O7. Use vegetative screens, barriers or earth mounds where appropriate to assist in maintaining local ambient air amenity. Landscaping has the added benefit of improving aesthetics and minimising visual intrusion from an adjacent roadway.

Controls

C1. Air quality must be considered early in the design process for development fronting Woodville Road.

C2. Air quality design considerations must be based on the above design principles and as per the NSW Department of Planning *Development Near Rail Corridors and Busy Roads – Interim Guideline (2008)*.

2.16 Noise and vibration

Objectives

O1. Ensure appropriate measures are taken to ensure noise and vibration is managed for development facing Woodville Road.

O2. Ensure noise emissions from the development including but not limited to proposed mechanical plant, air conditioners, automatic roller doors, ventilation plant for the underground car park) are minimised.

O3. Ensure noise emissions during the demolition, remediation of land and construction of the development is managed to minimise impact on the adjoining school and nearby residential development.

O4. Ensure the following LAeq levels are not exceeded for residential development:

- in any bedroom in the building: 35dB(A) at any time 10pm – 7am; and
- anywhere else in the building (other than a garage, kitchen, bathroom or hallways): 40dB(A) at any time.

Controls

C1. An acoustic report is to be prepared by an appropriately qualified acoustic consultant having the technical eligibility criteria required for membership of the Association of Australian Acoustical Consultants (AAAC) and/or grade membership of the Australian Acoustical Society (AAS). The report is to consider noise intrusion from the road and measures to ensure compliance with the SEPP (Infrastructure) 2007.

C2. The report must also consider noise emissions from the development including but not limited to proposed mechanical plant (air conditioners, automatic roller doors, ventilation

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plant for the underground car park), and access and egress to loading and car parking areas.

C3. Consideration is required for the demolition/remediation/construction noise and vibration intrusion of the proposed development on the neighbourhood school and properties.

C4. The acoustic report must be prepared in accordance with the *Noise Policy of Industry (2017), NSW Government Department of Planning Development Near Rail Corridors and Busy Roads – Interim Guidelines (*2008), and the *NSW Environment Protection Authority Interim Construction Noise Guideline (2009).*

C5. Construction management plans are to be prepared prior to the commencement of any construction on site.

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PART F2-11
PENDLE HILL TOWN CENTRE

POST EXHIBITION DRAFT 2020

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1. Introduction

1.1 Land to which this Part applies

This Part applies to all development on land shown in Figure 1.



Figure 1: Pendle Hill Town Centre.

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2. Objectives and controls

2.1 Site consolidation

Objectives

O1. Ensure all sites achieve the required minimum width to adequately provide for basement car parking.

O2. Minimise vehicular and pedestrian conflicts throughout the town centre through the appropriate location and number of vehicular access points.

O3. Ensure all sites achieve the required minimum width to allow for a site configuration that permits a consistent landscaped open space to the rear of sites.

O4. Ensure any site amalgamation pattern does not restrict the development opportunity of any adjoining site or the ability of adjoining sites to provide basement car parking or rear open space.

O5. Establish fine grain shopfronts along primary retail streets within the town centre.

O6. Ensure new developments do not reduce the opportunity for the development of adjoining properties to develop in accordance with this DCP and adversely impact on the economic viability of development in accordance with s79C of the *Environmental Planning and Assessment Act 1979*.

Controls

C1. The minimum lot frontage requirements for all development within a Business zone is located in Part C.

C2. The minimum lot frontage requirements for all development within a Residential zone is located in Part B.

C3. Notwithstanding the above, development within Business zones located on Pendle Way, between Stapleton and Joyce Street, and on Joyce Street are to provide a fine grain retail shopfront character.

2.2 Rear laneways, land dedication, access, vehicular entries and pedestrian access

Objectives

O1. Require the provision of rear access ways on properties for private and service vehicle access, in order to reduce vehicular and pedestrian conflict and provide greater amenity to future residents.

O2. Require buildings fronting primary roads to have vehicular access from the rear of the property in order to reduce vehicular and pedestrian conflict and create a safe retail environment.

O3. Require all sites with existing access ways from the rear of the property to be used for vehicular access and parking.

O4. Mitigate any impacts of vehicular traffic on adjoining residences.

O5. Allow improved circulation space for pedestrians and future residents within the precinct.

O6. Limit or prohibit vehicular access from primary street frontages.

Controls

C1. Where new development has access available off existing or proposed laneways, vehicular access must be provided from that laneway.

C2. A minimum 4 metre wide, 4 metre high pedestrian accessway must be maintained and dedicated for public access as part of any redevelopment of the site as per Figure 2.



Figure 2: Proposed pedestrian access

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2.3 Building height

Objectives

O1. Require an appropriate scale relationship between building heights and street width.

O2. Ensure the appropriate management of overshadowing, access to sunlight and privacy.

O3. Enable flexibility of used by implementing higher floor to ceiling heights within buildings for the ground and first floors.

O4. Allow activation of the street edge on primary roads.

O5. Allow for reasonable daylight access to other development and the public domain.

Controls

C1. The maximum height for development within the Pendle Hill Town Centre is detailed within *Cumberland Local Environmental Plan 20XX*.

C2. The maximum building storey limits within the Pendle Hill Town Centre is detailed in Figure 3.

C3. The minimum floor to ceiling height requirements are located in Part B and C.

C4. The prominence of street corners shall be reinforced by concentrating the tallest portion of the building on the corner in relation to the overall building height and predominant street wall height.



Figure 3: Building height

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2.4 Building setbacks, separation and street presentation

Objectives

O1. Require suitable definition of the public domain and public spaces.

O2. Require a continuous built edge within commercial and mixed use development for activation of the street edge.

O3. Retain a landscaped setback character for residential development.

O4. Ensure setbacks respond to the building separation requirements.

O5. Reduce the visual impact of buildings on the public domain.

Controls

C1. All front setbacks shall be in accordance with Figure 4.

C2. Where a 0 metre setback is permitted, buildings shall form a continuous street edge.

C3. Rear and side setbacks (unless indicated otherwise in Figure 4) are to be in accordance with setbacks indicated in Part B or Part C of this DCP.

C4. Notwithstanding the above, a 6 metre setback is required to R2 low density residential lots between Gilba Road and Macklin Street.

C5. Residential development shall correspond to building depth and separation requirements in Part B.

C6. Developments shall present and address the street.

C7. Sites with corner lots shall present and articulate to both street frontages.

C8. Where sites are adjacent to Civic Park, development shall be orientated to address the park.



Figure 4: Front setback and side setbacks

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CUMBERLAND
CITY COUNCIL

PART F2-12
SOUTH GRANVILLE

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1. Desired Future Character

The South Granville Precinct will be centred around Delwood shops. There will be opportunities for expansion of retail and business uses along Blaxcell Street with shop top housing above. A mix of residential housing in the form of residential flat buildings, multi dwelling housing and shop top housing will be provided close to bus services, recreation areas, shops and other services.

Future development of the centre will provide an improved interface to the existing laneway behind the Delwood Street shops while maintaining pedestrian and vehicular access. Pedestrian safety will be enhanced by designing buildings that have passive surveillance of laneways, pedestrian links, public open spaces and other elements of the public domain.

The heritage character of the Delwood shops will be preserved and new development will be designed to respect and preserve the significance and contribution of heritage to the character and identity of the precinct. Public and private housing will blend in character and will have a transition in scale from higher density to lower density housing areas.



Figure 1: South Granville Precinct Map

2. Objectives and Controls

Objectives

O1. Ensure that new development provides an interface to existing parks, laneways and streets.

O2. Ensure that new development responds well to existing heritage items.

2.1 Pedestrian connections and laneways

Objectives

Refer to section 2. Objectives above.

Controls

C1. New pedestrian connections should be provided in accordance with Figure 2. Where a development provides for public access connections, a variation to Council's floor space ratio control may be considered subject to compliance with objectives.

C2. New pedestrian links are to improve through block connections and permeability of the centre and increase connections to the retail centre and to existing public open spaces surrounding the centre. A new pedestrian laneway is to be provided to William Lamb Park (opposite Delwood Street shops) to encourage an interface between the park and development to the north.

C3. New pedestrian links are to have a minimum width of 3 metres, being consistent in width for its full length.

2.2 Setbacks

Objectives

Refer to section 2. Objectives above.

Controls

C1. Building setbacks are to be in accordance with Figure 2 and any additional controls set out below:

- the nil setback shown to any street on Figure 2 applies to the first 2 storeys of development. Additional storeys must be setback a minimum of 3 metres from the front boundary;
- where a nil front setback is shown on Figure 2 development should have a nil side setback where it will not have a detrimental impact upon adjoining development, to achieve a continuous street edge;
- building setbacks to existing laneways should be designed to promote activation of the laneway while still allowing for the servicing needs of development;
- •where the B1 Neighbourhood Centre zone adjoins a residential zone side and rear setbacks must be suitably treated to protect and enhance the amenity of residential development; and
- sites which have frontage to Blaxcell and Delwood Streets should provide address to these streets as the primary frontage.

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Figure 2: Building setbacks, laneways and pedestrian links

2.3 Development adjoining William Lamb Park (opposite Delwood shops)

Objectives

Refer to section 2. Objectives above.

Control

C1. Development adjoining William Lamb Park is to provide a direct interface to the park. Redevelopment of the site is to address the key principles below:

- development must be oriented toward the park as well as adjoining streets with entrances, windows and balconies facing the street and park, ensuring passive surveillance of the park;
- development is to emphasise the south eastern and south western corners of the site that adjoin the park through appropriate building articulation and corner treatment;

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- the 3 metre setback area to the park is to be utilised to interface with the park. It is desired that this space be utilised as private open space with pedestrian gates opening directly onto the park; and
- fencing between the site and the park is to be a maximum height of 1.2 metres and is to be designed to encourage passive surveillance.

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CUMBERLAND
CITY COUNCIL

PART F2-13
TOONGABBIE TOWN CENTRE

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1. Introduction

1.1 Land to which this Part applies

This Part applies to all development on land shown in Figure 1.



Figure 1: Toongabbie Town Centre

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2. Objectives and controls

2.1 Site Consolidation

Objectives

O1. Ensure all sites achieve the required minimum width to adequately provide for basement car parking.

O2. Minimise vehicular and pedestrian conflicts throughout the town centre through the appropriate location and number of vehicular access points.

O3. Require the provision of laneways to enable access of secondary streets for better vehicular circulation and to reduce pedestrian vehicular conflict.

O4. Enable better circulation and vehicular amenity on for high density residential development.

O5. Ensure all sites achieve the required minimum width to allow for a site configuration that permits a consistent landscaped open space to the rear of sites.

O6. Ensure any site amalgamation pattern does not restrict the development opportunity of any adjoining site or the ability of adjoining sites to provide basement car parking or rear open space.

O7. Establish fine grain shopfronts along primary retail streets within the town centre.

O8. Ensure new developments do not reduce the opportunity for the development of adjoining properties to develop in accordance with this DCP and adversely impact on the economic viability of development in accordance with s79C of the *Environmental Planning and Assessment Act 1979*.

Controls

C1. The amalgamation of lots in accordance with Figure 5 is required for development to meet the objectives and desired future character contained within this DCP within the Toongabbie Town Centre.

C2. The minimum lot frontage requirements for all development within a Business zone is located in Part C.

C3. The minimum lot frontage requirements for all development within a Residential zone is in Part B.

C4. Notwithstanding the above, development within Business zones located on Aurelia Street are to provide a fine grain retail shopfront character.

C5. In instances where amalgamation cannot be achieved, the following information must be submitted with any development application:

- Two written valuations indicating the value of the remaining sites that were to be developed in conjunction with the applicants properties. These are to be undertaken by two independent valuers registered with the Australian Institute of Valuers, and;
- Evidence that a reasonable offer has been made to the owner(s) of the affected sites to purchase and valuation reports.
  - Potential value can include, (but is not limited to) the land locked site developed jointly with adjoining properties, or on its own, under the *Cumberland LEP 20XX* and this plan.
  - A reasonable offer shall be a fair market value, and include for all expenses that would be incurred by the owner in the sale of the land locked site.
- Council will accept as documentary evidence a copy of a written offer delivered by registered mail to the affected owner(s) and dated no more than 3 months prior to the date of lodgement of the development application.

C6. Where amalgamation (as required) is not achieved, the applicants must show that the remaining sites, which are not included in the consolidation, and the proposed development site, will still be able to achieve the development outcome prescribed in this DCP, including achieving the required vehicular access, basement parking and built form.

C7. Sites must not be left such that they are physically unable to develop in accordance with the prescribed built form outcomes outlined in this DCP.

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Figure 2: Toongabbie site consolidation

2.2 Rear laneways, land dedication, access and vehicular entries

Objectives

O1. Require the provision of rear access ways on properties for private and service vehicle access in order to reduce vehicular and pedestrian conflict and provide greater amenity to future residents.

O2. Require buildings fronting primary roads to have vehicular access from the rear of the property in order to reduce vehicular and pedestrian conflict and create a safe retail environment.

O3. Require all sites with existing access ways from the rear of the property to be used for vehicular access and parking.

O4. Mitigate any impacts of vehicular traffic on adjoining residences.

O5. Allow improved circulation space for pedestrians and future residents within the precinct.

O6. Limit or prohibit vehicular access from primary street frontages.

Controls

C1. Where new development has access available off existing or proposed laneways, vehicular access must be provided from the laneway.

C2. An 8 metre laneway between Junia Avenue and Aurelia Street is to be provided as shown in Figure 3.

C3. Land shall be dedicated to Council to finalise the completion of proposed Cox Lane as shown in Figure 3.

C4. An 8 metre laneway between Aureila Street and Toongabbie Road is to be provided as shown in Figure 3.

C5. An 8 metre laneway between Linden Street and Harvey Street is to be provided as shown in Figure 3.

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C6. The existing footpath and verge in Linden Street (Figure 3) shall be reduced to 3.5 metres, with the residual land used to widen the existing carriageway.



Figure 3: Proposed Laneways

2.3 Building height

Objectives

O1. Require an appropriate scale relationship between building heights and street width.

O2. Ensure the appropriate management of overshadowing, access to sunlight and privacy.

O3. Enable flexibility of used by implementing higher floor to ceiling heights within buildings for the ground and first floors.

O4. Allow activation of the street edge on primary roads.

O5. Allow for reasonable daylight access to other development and the public domain.

Controls

C1. The maximum height for development within the Toongabbie Town Centre is detailed within *Cumberland Local Environmental Plan 20XX*.

C2. The maximum building storey limits within the Toongabbie Town Centre is detailed in Figure 4.

C3. The minimum floor to ceiling height requirement are located in Part B and C.

C4. The prominence of street corners shall be reinforced by concentrating the tallest portion of the building on the corner in relation to the overall building height and predominant street wall height.

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Figure 4: Building height

2.4 Building setbacks, separation and street presentation

Objectives

O1. Require suitable definition of the public domain and public spaces.

O2. Require a continuous built edge within commercial and mixed use development for activation of the street edge.

O3. Retain a landscaped setback character for residential development.

O4. Ensure setbacks respond to the building separation requirements.

O5. Reduce the visual impact of buildings on the public domain.

Controls

C1. All front setbacks shall be in accordance with Figure 5.

C2. Where a 0 metre setback is permitted, buildings shall form a continuous street edge.

C3. Rear and side setbacks (unless indicated otherwise in Figure 5) are to be in accordance with setbacks indicated in Part B or Part C of this DCP.

C4. Residential development shall correspond to building depth and separation requirements in Part B.

C5. Development shall present and address the street.

C6. Sites with corner lots shall present and articulate to both street frontages.

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C7. Where sites are adjacent to Portico Park, development shall primarily be orientated to address the park.



Figure 5: Front and zero side setbacks

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CUMBERLAND
CITY COUNCIL

PART F2-14
WENWORTHVILLE TOWN CENTRE

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1. Introduction

1.1 Introduction

The Wentworthville Centre (the Centre) is one of Cumberland City's larger commercial centres, located close to Westmead Health and Education Precinct and the Parramatta CBD. Following receipt of funding from the NSW Government's Planning Reform Fund Program, Council prepared the *Wentworthville Planning and Place Making Strategy* (the Strategy) to guide the redevelopment and revitalisation of the Centre.

The Strategy was adopted by Council in August 2016 and was the culmination of specialist studies into Urban Design and Built Form Modelling; Economic Feasibility; Traffic and Transport Modelling; a Place Audit and community and stakeholder workshops. The Strategy's vision is to create:

> *A progressive, colourful, vibrant and engaging local centre that is comfortable and well connected to the surrounding area and facilities. Wentworthville Centre will be a great place to live and shop; to stay.*

The aims and objectives of the Strategy are reflected in this document as well as amendments to *Cumberland LEP 20XX* to amend the height and floor space ratio controls within the Centre. The intention of the Strategy is to introduce greater flexibility as a means of encouraging the Centre's revitalisation as well as promote Wentworthville as a health and education precinct supportive to Westmead. The controls provide increased opportunities to achieve bonus commercial floor space in addition to the introduction of design excellence provisions. Required infrastructure and public domain works will also be implemented, commensurate with a renewed and expanded Centre.

1.2 Land to which this Part applies

This Part applies to all development on land identified within the Centre as shown in Figure 1, with the exception of 42-44 Dunmore Street and 108 Station Street, Wentworthville, both of which are the subject of separate site specific planning controls.

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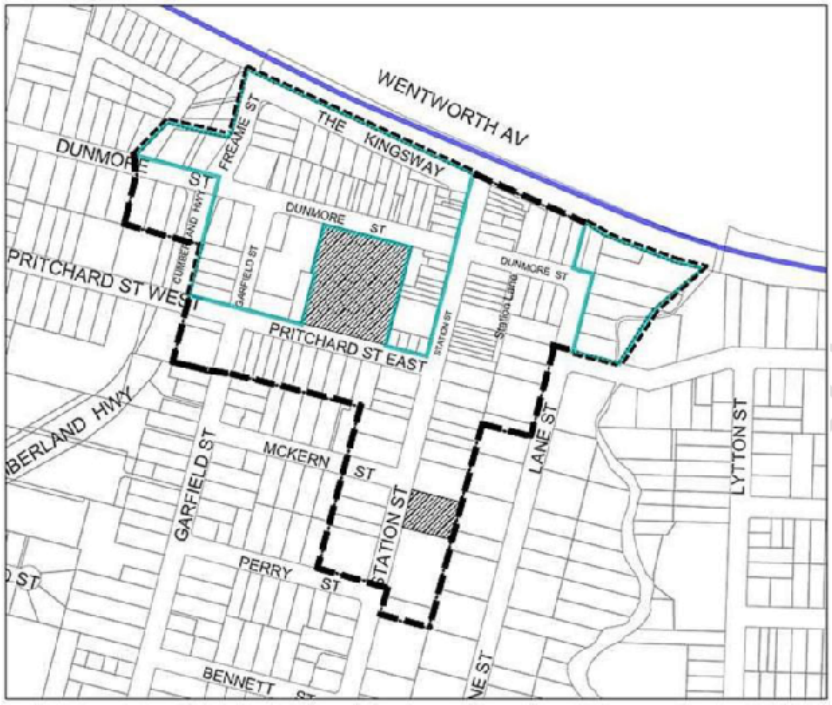

Figure 1: Land covered by this Part

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1.3 Relationship to other parts of Cumberland DCP 20XX

This Part shall be read in conjunction with the following parts of *Cumberland DCP 20XX*, which contain objectives and controls that relate to development in this Part: -

Part A – Introduction and General Controls

Part B – Development in Residential Zones

Part C – Development in Business Zones

Part E – Other Land Use Development Controls

Part G – Miscellaneous Development Controls

In addition to this Part, SEPP 65 and the NSW *Apartment Design Guide* (ADG) must be taken into account when preparing a development application.

Where there is an inconsistency between this Part and provisions contained elsewhere in *Cumberland DCP 20XX*, the provisions of this Part shall prevail to the extent of the inconsistency.

1.4 Aims and purpose

The purpose of this Part is to articulate the detailed built form controls outlined in the Strategy and the desired future character for a revitalised Centre. The key aims of this Part are to:

- develop a strong individual identity for the Centre through a vibrant mix of retail, commercial and residential developments;

- ensure buildings are designed to maximise appropriate amenity outcomes for the Centre and modernise the village atmosphere;
- create and maintain new public domain areas to be used and enjoyed by the general community for recreation, living and working;
- improve vehicular circulation, traffic movements and laneway networks through and around the Centre;
- create a pedestrian friendly Centre by improving connectivity, circulation, amenity and safety; and
- respect heritage elements of the Centre.

1.5 Structure plan

The key elements of the preferred built form for the Centre contained in the adopted *Wentworthville Planning and Place Making Strategy*, are:-

- for selected sites fronting the northern side of Dunmore Street, street wall heights are designed to maintain solar access to the proposed linear street plaza during times of peak usage;
- a mix of strategically located towers with base heights ranging from 12 to 16 storeys (41 – 53m – excluding bonuses) in close proximity to the Wentworthville Railway Station;
- street wall heights across the majority of the Centre are designed to maintain well-proportioned and human scale streetscape, whilst modernising the village atmosphere of the Centre;
- additional building heights and floor space permitted where a public benefit is to be provided e.g. public open space and pedestrian linkages;
- floor space bonus incentives to secure public benefits and design excellence;
- an articulated skyline that reinforces the Centre with increased height located away from surrounding residential neighbourhoods;
- limit overshadowing of residential areas and public open spaces;
- solar access controls to achieve a high-quality public domain;
- create new public domain spaces and through site links to enhance pedestrian connectivity and amenity; and
- manage vehicular traffic within the Centre and extend and improve laneway networks.

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2. Objectives and controls

2.1 Site amalgamation

Site amalgamation is required for all properties north of Dunmore Street bounded by Dunmore Street, Station Street, The Kingsway and Cumberland Highway (Freame Street) as a means of achieving high quality buildings, onsite parking, solar access and public benefits such as through site links. The area is commonly referred to as the Dunmore Street North Precinct. Refer to Figure 2 and Table 1 for sites subject to amalgamation.

Objectives

O1. Deliver the preferred built form for the Centre that provides workable building footprints to encourage the Centre's revitalisation.

O2. Ensure site dimensions allow for the achievement of an appropriate built form that meets the objectives of the Centre including solar access and connectivity outcomes.

O3. Prevent sites becoming isolated and unable to be developed in accordance with the *Cumberland DCP 20XX*.

O4. Facilitate solar access and through site links in specific locations.

Controls

C1. Site amalgamation of properties north of Dunmore Street bounded by Dunmore Street, Station Street, The Kingsway and Cumberland Highway (Freame Street) is to be carried out in accordance with Figure 2 and Table 1.

C2. In instances where amalgamation cannot be achieved, the following information must be submitted with any development application:

- two written valuations indicating the value of the remaining sites that were to be developed in conjunction with the applicants properties. These are to be undertaken by two independent valuers registered with the Australian Institute of Valuers; and
- evidence that a reasonable offer has been made to the owner(s) of the affected sites to purchase and valuation reports.

C3. Where amalgamation (as required) is not achieved, the applicants must show that the remaining sites, which are not included in the consolidation, and the proposed development site, will still be able to achieve the development outcome prescribed in this DCP, including achieving the required vehicular access, basement parking, built form, solar access and connectivity outcomes.

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Figure 2: Site amalgamation plan - Dunmore Street North Precinct

Table 2: Site amalgamation - property description

Amalgamated Site No.	Lot	DP	Address - Wentworthville	Site Area m²
1	15	9296	6 Freame Street	586.19
	16	9296	8 Freame Street	524.38
	9	264288	10 Freame Street	665.26
	22A	306494	23 The Kingsway	482.53
	21A	306494	24 The Kingsway	515.88
	20A	306494	25 The Kingsway	532.33
	19A	306494	26 The Kingsway	561.31
	18A	306494	27 The Kingsway	578.37
				4446.25 m²
2	1	1075217	73-75 Dunmore Street	**1290.90 m²**
3	8	9296	63 Dunmore Street	370.62
	9	9296	63 Dunmore Street	387.13
	10	9296	63 Dunmore Street	402.23
	11	9296	67 Dunmore Street	421.30
	4	368587	71 Dunmore Street	472.93
	B	388555	71 Dunmore Street	50.93
				2105.14 m²
4	2	530178	53 Dunmore Street	196.78
	1	530178	55 Dunmore Street	167.55
	6	9296	57-59 Dunmore Street	358.70
	7	9296	61 Dunmore Street	387.18
				1110.21 m²
5	2	9296	41 Dunmore Street	597.82
	6	703262	45 Dunmore Street	329.74
	4	9296	49-51 Dunmore Street	343.53
	5	703262	15 The Kingsway	251.79
	25	9296	22 The Kingsway	337.99
				1860.87m²

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2.2 Minimum Lot Frontage

Objectives

O1. Ensure development is carried out on sites that are sufficient in frontage in order to provide adequate vehicular access and car parking and improved built form outcome.

O2. Avoid the creation of smaller, isolated sites that cannot be separately developed.

O3. Ensure developments are compatible with both the established character and desired future amenity of the Centre and appropriate to the FSR and maximum height controls.

Control

C1. The minimum site frontage width for properties not required to be amalgamated under Section 2.1 is:

- up to 3 storeys – 20m;
- 4-8 storeys – 26m; and
- 9 storeys and greater – 32m.

Built Form

The following controls generally reflect the adopted *Wentworthville Planning and Place Making Strategy*.

2.3 Design Excellence

The following controls are provided for reference purposes and should be read in conjunction with relevant statutory provisions contained in the LEP for the Centre.

Objectives

O1. Cumberland City Council is committed to ensuring all major developments deliver the highest standard of architectural and urban design. Design excellence is a tool whereby the objectives of the Centre can be achieved by encouraging:-

- high quality, diverse and innovative design; and
- development that by virtue of its location, individually and collectively contributes to the urban design context of the Wentworthville Centre.

Controls

C1. Design excellence applies only to land within the boundaries of the Design Excellence Map that permits development greater than 30m in height. Refer to Figure 3. *Cumberland City Design Excellence Guidelines* provide further details on relevant criteria and procedures when seeking an incentive bonus in building height of up to an additional 10% and additional floor space ratio of up to 0.5:1.

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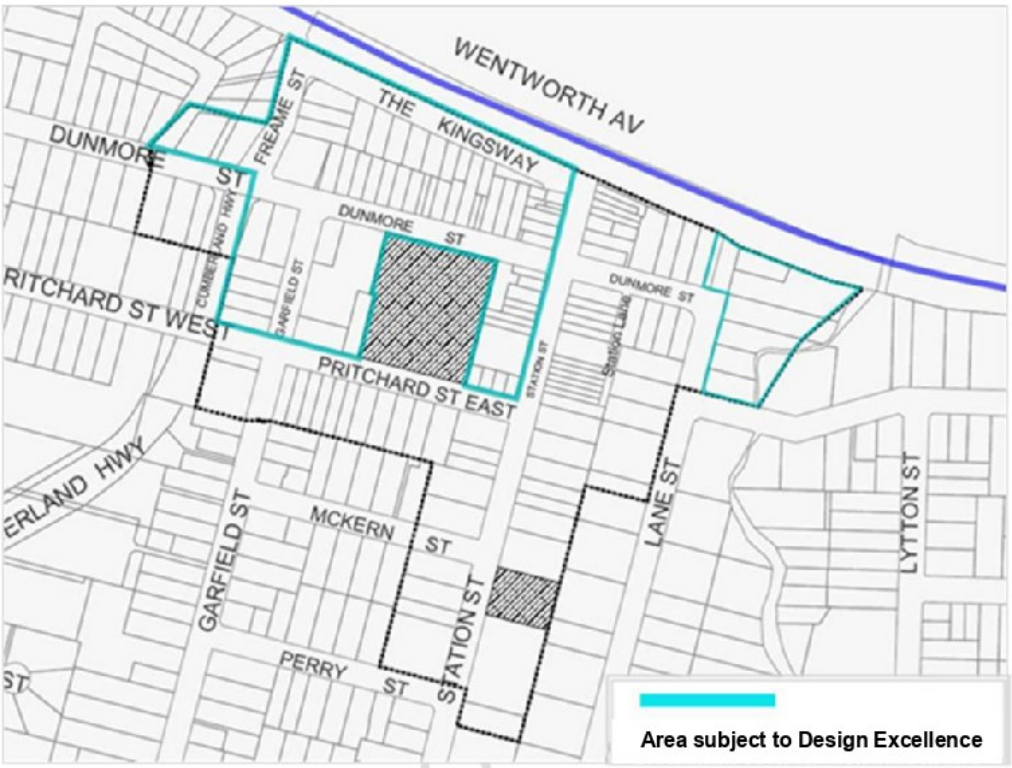

Figure 3: Design excellence map

2.4 Building Height

Objectives

O1. Deliver a built form that provides a height transition from lower scale on the fringe of the Centre to higher scale in the Centre's core and clustering buildings of similar height.

O2. Ensure the scale of the built form provides for a legible Centre with spatial definition and transition between spaces.

O3. Achieve appropriate management of visual impact, overshadowing, access to sunlight and privacy.

Controls

C1. The maximum building height for development within the Wentworthville Town Centre is expressed in metres within the relevant Local Environmental Plan as a written statement and associated maps.

C2. Each storey shall comprise a minimum floor to ceiling height as defined in the NSW *Apartment Design Guide*.

C3. Refer to Section 3 of this Part for further details on varying height controls for sites within certain precinct areas which require design outcomes based on their specific location within the Centre.

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2.5 Building Setbacks

Objectives

O1. Enhance the character of the Centre through consistent and uniform alignment of building facades and streetscape.

O2. Reinforce strong definition of streets and public spaces in the Centre.

O3. Provide a transition in built form to the lower scale residential areas adjoining the Centre.

Controls

C1. All developments are to provide and maintain building setbacks in accordance with Figure 4.



Figure 4: Building setbacks

2.6 Primary and Secondary Active Frontages

Objectives

O1. Provide for a vibrant, pedestrian focused Centre with active frontages that enliven the vitality of streets through the orientation and design of ground floor entries and shopfronts.

O2. Contribute to a safe environment for pedestrians and residents through both passive and active surveillance.

O3. Maintain the established character of fine grain frontages at ground level.

O4. Ensure vehicular access and car parking does not impact on character and function of active frontages.

Controls

C1. Continuous ground level active uses must be provided along primary active frontages as shown on Figure 5.

C2. Primary active frontages include but not limited to:

- retail and commercial shopfronts;
- food and drink premises including restaurants and cafes;
- entrances to public buildings or commercial building foyers; and
- customer service areas and receptions (where visible from the street).

C3. Maximise the use of entries, transparent glazing and display windows to encourage visual engagement. Blank walls, roller shutters and the use of dark or obscured glass are not permitted.

C4. Restaurants, cafes and the like are encouraged to consider providing openable shopfronts.

C5. Continuous awnings are to be provided on all primary active frontages.

C6. Vehicular access and parking are not encouraged on primary active frontages where alternate access points are available.

C7. Secondary active frontages are preferred locations for vehicle access, car parking, plant and service areas, docks, secondary entrances and the like.

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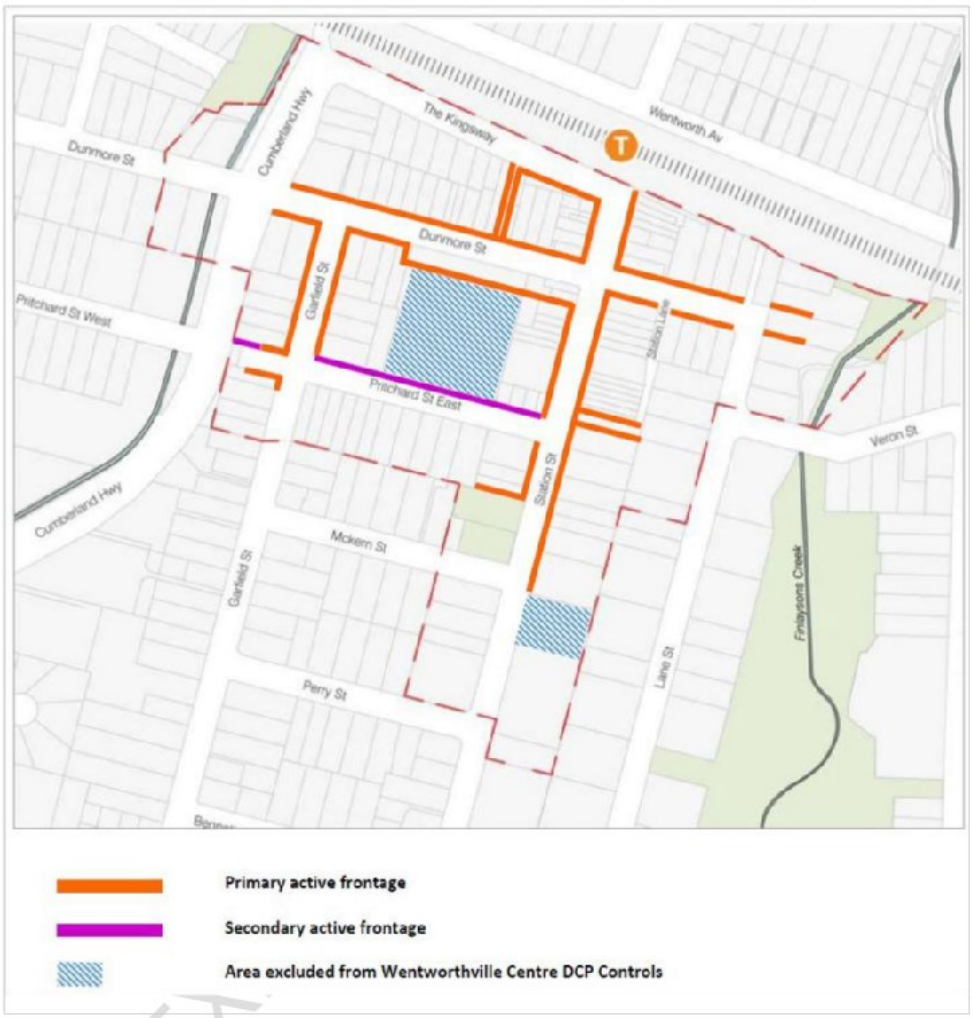

Figure 5: Active frontages

2.7 Street Wall Heights

Objectives

O1. Ensure building heights at street level are well proportioned and maintain a human scale.

O2. Facilitate a consistent street wall height throughout the Centre.

O3. Maintain adequate sunlight access to the Dunmore Street plaza through lower street wall heights on selected sites to the north of Dunmore Street.

O4. Provide prominence to the street level, establish a clear presence for retail and increase the visibility and marketability of ground floor space.

O5. Respect heritage elements within the Centre.

Controls

C8. The nominated street wall height applies to a site's street frontage.

C9. A street wall height (podium) of 20m (5 storeys) applies across the Centre with the exception of the following locations.

Amalgamated Sites 4,5,6,7

Selected sites north of Dunmore Street to facilitate solar access to the public plaza. A street wall height of 17m (4 storeys) applies to amalgamated sites 4, 5, 6 and 7 north of Dunmore Street as shown in Figure 6.

Refer to Figure 2 and Table 1 for addresses of sites affected.

Amalgamated Sites 6, 7 and 2-8 Station Street

A street wall height of 11m (2 storeys) applies to The Kingsway street frontage of Amalgamated Sites 6 and 7 together and Nos. 2 – 8 Station Street to preserve the existing traditional and heritage shopfront pattern. Refer to Figure 6.

Refer to Figure 2 and Table 1 for addresses of sites affected.

2.8 Upper Level Setbacks

Objectives

O1. Create well-proportioned and human scale streets.

O2. Reduce the visual impact of upper storeys.

O3. Support building separation requirements and facilitate built form articulation.

O4. Maintain adequate sunlight access to the Dunmore Street plaza at times of peak usage.

Control

C1. A 3m upper level setback applies across the Centre for buildings above 20m (5 storeys) with the exception of the following location.

Amalgamated Sites 4,5,6,7

A 6m upper level setback applies to Amalgamated Sites 4, 5, 6 and 7 north of Dunmore Street to facilitate solar access to the public plaza during core lunchtime periods. Refer to Figure 6.

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Figure 6: Street wall heights and upper level setbacks Dunmore Street North Precinct

2.9 Building Facade Design

The design and detailing of building facades can have a major impact on the appearance and bulk of a building. High quality facades are a balanced composition of building elements, textures, materials and colour that collectively strengthens the character of the Centre and the continuity of streetscape.

Objectives

O1. Building facades to provide visual interest and articulation while respecting the traditional character of the Centre.

O2. Building facades are to be designed to reinforce and promote a sense of safety and security.

O3. Building facades are to meet the aims and objectives of the NSW *Apartment Design Guide* (ADG).

Controls

C1. Building facades should be well resolved with an appropriate scale and proportion to the streetscape and human scale. Design solutions may include:

- well composed horizontal and vertical elements;
- elements that are proportional and arranged in patterns;
- public artwork or treatments to exterior blank walls; and
- grouping of floors or elements such as balconies and windows on taller buildings.

C2. Building entries should be clearly defined

C3. Corner buildings are given visual prominence through a change in articulation, materials or colour, roof expression or changes in height and are to comply with Part C of *Cumberland DCP 20XX*.

2.10 Solar Access

Adequate solar access is to be maintained to key public domain areas within the Centre. New developments are to be sensitively designed to provide adequate daylight access for the enjoyment of Centre residents and visitors.

Objectives

O1. Ensure adequate solar access is maintained to the Dunmore Street Plaza during core lunchtime hours in mid-winter.

O2. Ensure other key public domain areas receive adequate solar access to preserve the amenity and enjoyment of these spaces.

Controls

C1. Buildings to the north of Dunmore Street must maintain solar access to a minimum of 50% of the Dunmore Street Plaza at ground level between the hours of 12:00pm and 2:00pm on the 21st June. Tower elements must be slender in the east-west direction to minimise the duration of overshadowing impacts on the plaza.

C2. Redevelopment of sites to the north of Friend Park must maintain 3 hours of direct sunlight to minimum 50% of Friend Park on 21st June between 11:00am and 3:00pm.

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C3. Buildings to the north of the proposed Civic Hub/Library Precinct plaza on land at 2-14 Lane Street must be designed to maintain 3 hours of direct sunlight to minimum 50% of the plaza area on 21st June between 11:00am and 3:00pm. Refer to Section 3.7 of this Part for location of proposed plaza.

2.11 Awnings

Objectives

O1. Maintain a consistent streetscape and provide visual interest through a continuous awning theme.

O2. Locate awnings to provide for weather protection and the safety and security of pedestrians.

O3. Design awnings to accommodate the provision of street tree planting and furniture location.

Controls

C1. Continuous awnings are to be provided on all primary active frontages.

C2. Compliance with Part C of this DCP for relevant awning controls.

2.12 Fine Grain Shopfront

Objectives

O1. Reinforce the predominant historic pattern and character of shopfronts within the Centre and express the building typology in future building façade designs.

O2. Accentuate the pedestrian scale and create well-proportioned streetscapes.

O3. Respect heritage elements within the Centre.

Controls

C1. Development located on Dunmore Street (between Cumberland Highway and Lane Street) and Station Street (between Pritchard St East and The Kingsway) is to provide a fine grain retail shop front character by:

- ensuring ground floor frontages provide for active non-residential uses with at-grade pedestrian access; and
- minimal use of blank walls with frontages divided into discrete sections to maintain a fine grain, human-scale appearance.

C2. Where development adjoins a laneway or through site link, ground level uses should be designed to provide a direct interface to that adjoining laneway or a through site link.

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3. Special Precincts

The following describes planning controls for selected key precincts within the Centre that require specific design outcomes. Typical sections and diagrams illustrate applicable controls such as street setbacks, split heights, street wall height, podium setback, laneways and through-site links for the following nominated locations: -

- Dunmore Street North Precinct comprising:
  - 63-71 Dunmore Street (Amalgamated Site 3 – refer Table 1)
  - 41-51 Dunmore Street and 15 and 22 The Kingsway (Amalgamated Site 5 – refer Table 1)
  - 1-19 Station Street and Lot E The Kingsway (Amalgamated Site 7 – refer Table 1)
- Station Street and Lane Street Precinct
- Pritchard Street East Precinct

3.1 Dunmore Street North Precinct

As discussed in Section 2.1 of this Part, site amalgamation is required for properties within the Dunmore Street North Precinct bounded by Dunmore Street, Station Street, The Kingsway and Cumberland Highway as shown in Figure 2 and Table 1.

The following diagrams describe typical controls for selected Amalgamated Sites 3, 5 and 7. The sections typically illustrate split heights, locations where through site links are to be provided and the desired building envelope to maintain solar access to the Dunmore Street Plaza.

Amalgamated Site 3

Amalgamated Site 3 comprises properties 63 – 71 Dunmore Street, which includes the heritage listed Post Office site. This land is subject to varying heights and floor space ratios across the site, includes formalisation of an existing through site link alongside the heritage building and the building envelope is dictated by the need to maintain solar access to the plaza.

The above design elements are typically illustrated in Figures 7 and 8.

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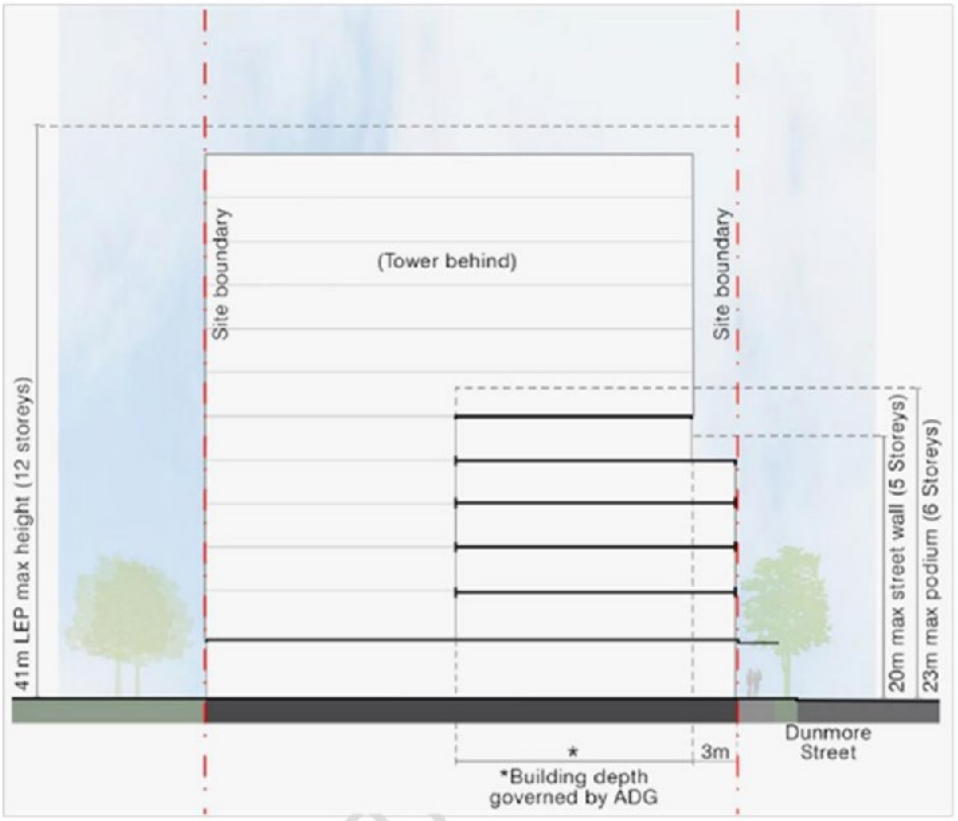



Figure 7: Amalgamated Site 3 - Typical North-South section

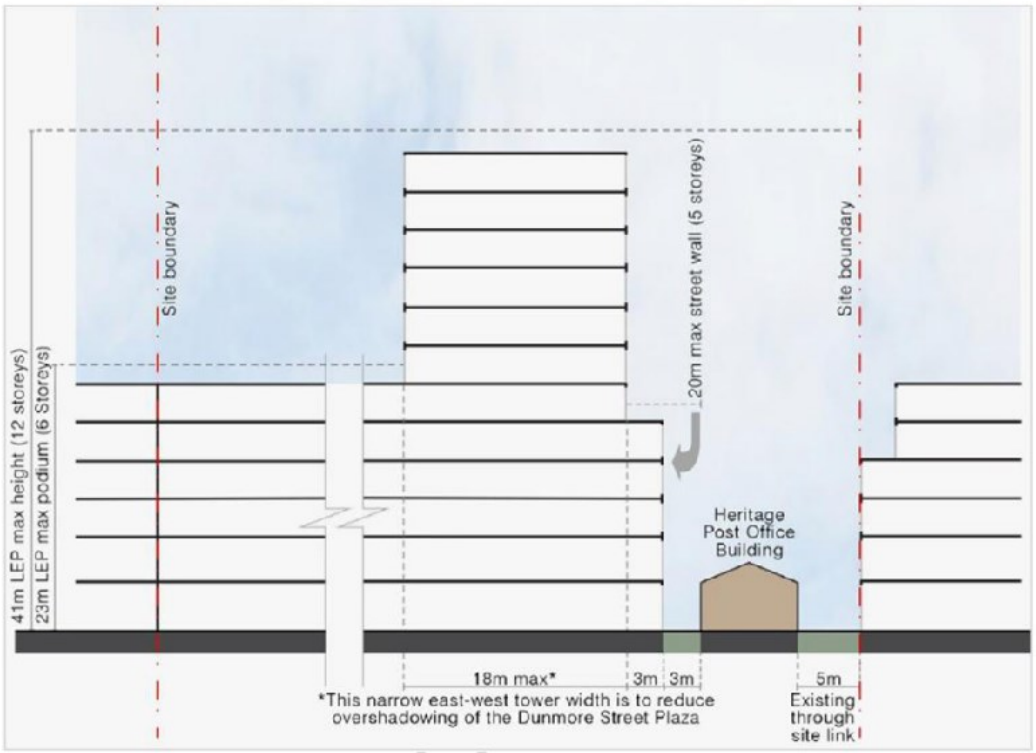



Figure 8: Amalgamated Site 3 - Typical East-West section

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Amalgamated Site 5

Amalgamated Site 5 comprises properties 41 – 51 Dunmore Street, 15 and 22 The Kingsway, Wentworthville. This land is subject to varying heights across the site and includes formalisation of an existing through site link at 41 Dunmore Street and the building envelope is dictated by the need to maintain solar access to the plaza.

The above design elements are typically illustrated in Figures 9 and 10.

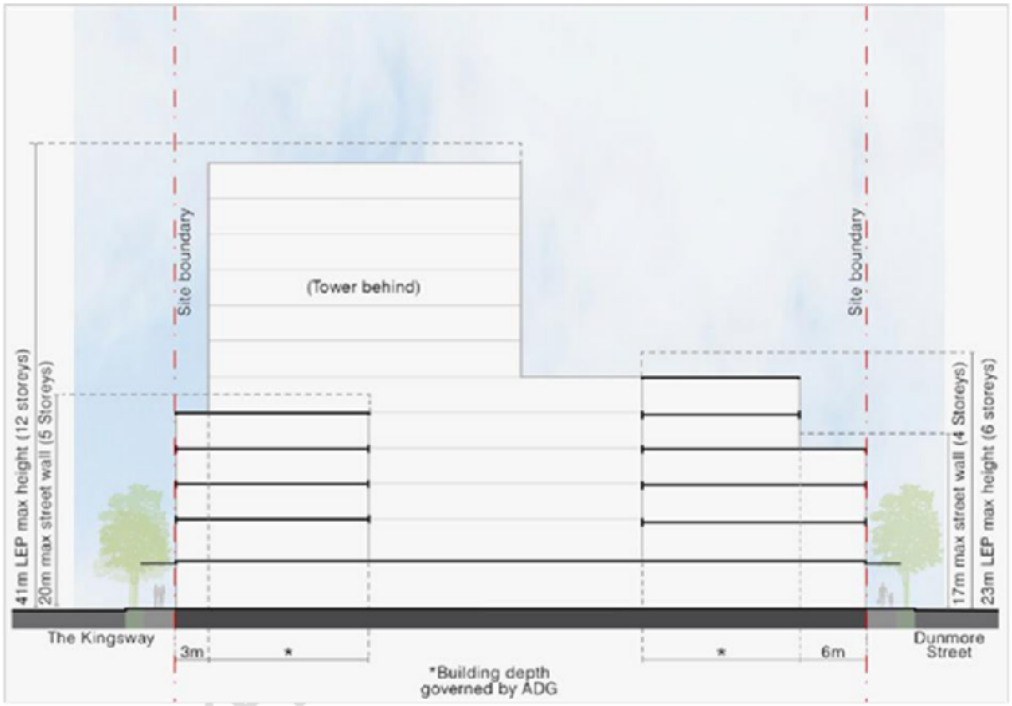



Figure 9: Amalgamated Site 5 - typical North South section

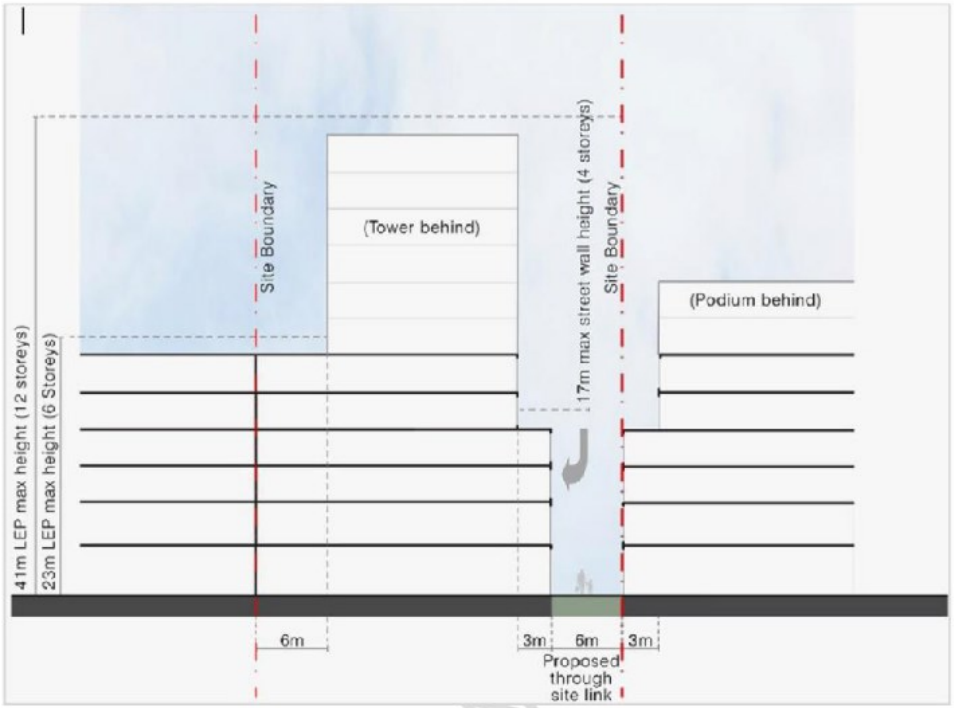



Figure 10: Amalgamated site 5 - typical East West section

Amalgamated Site 7

Amalgamated Site 7 comprises properties 1-9 and 13-19 Station Street, and Lot E, The Kingsway, Wentworthville. This land is subject to a building envelope that is required to maintain solar access to the plaza and a two storey street edge along the Kingsway frontage to respect the existing shopfront character of The Kingsway.

The above design elements are typically illustrated in Figure 11.

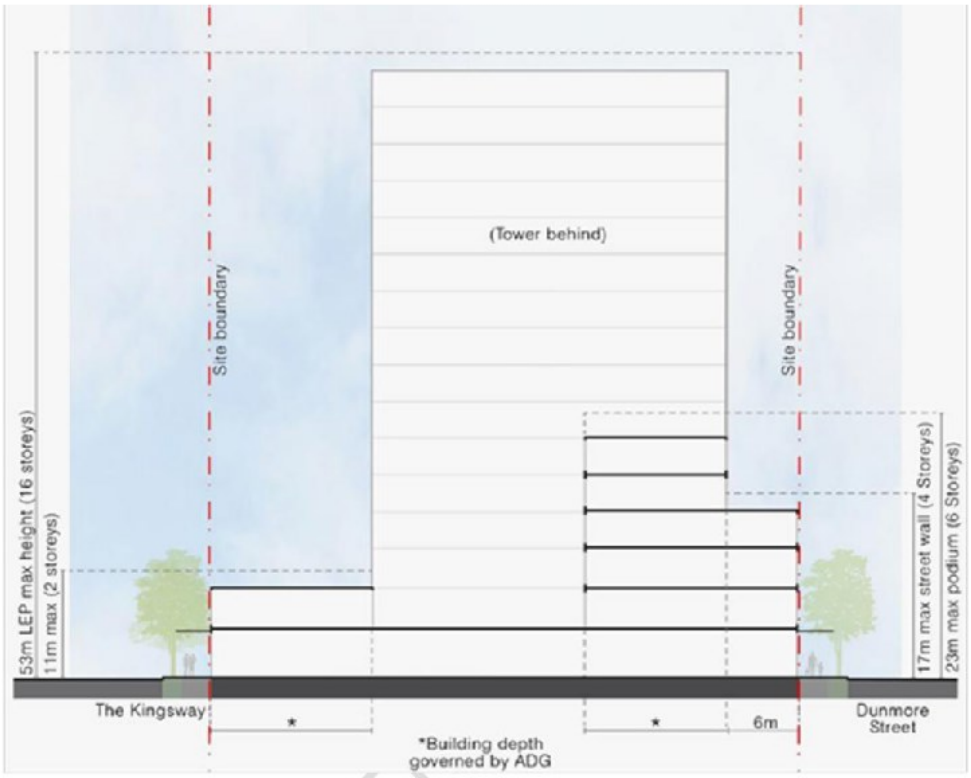



Figure 11: Amalgamated site 7 - typical North South section

3.2 Station Street East and Lane Street Precinct

The Station Street East/Lane Street Precinct is affected by the extension and widening of Station Lane. Its location on the fringe of the Centre, adjoining a medium density residential area to the east, also necessitates a sensitive transition in building height across each site. Typical building heights are to range from 20 – 30m (5 – 8 storeys) across sites. The sites affected by proposed widening and extension of Station Lane are identified in Section 3.4 and Figure 14. Required building setbacks to Station Lane are detailed in Figure 4.

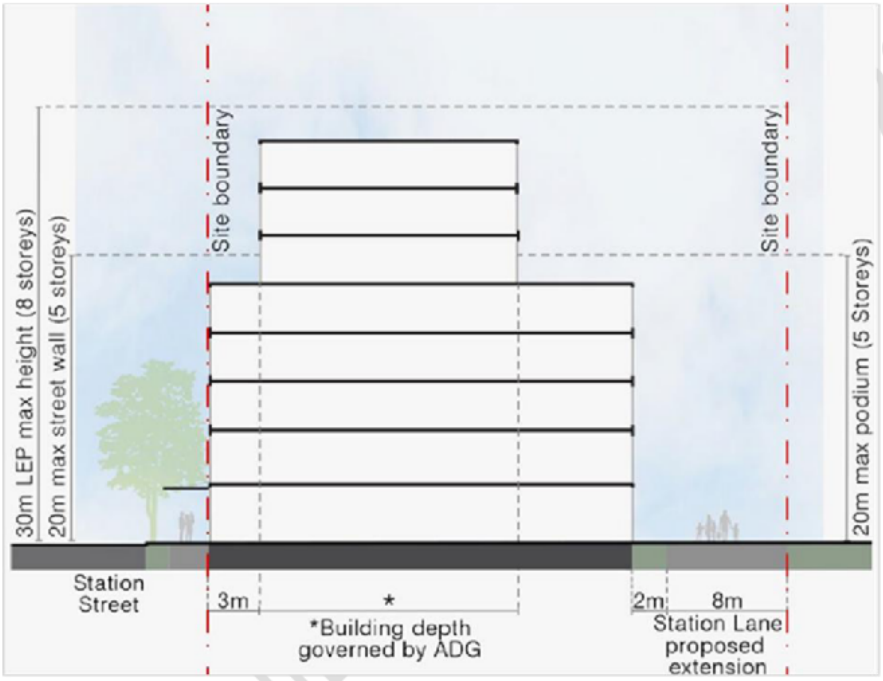



Figure 12: Station Street East / Lane Street Precinct - typical east west section

3.3 Pritchard Street East Precinct

The Pritchard Street East Precinct comprises 6-18 Pritchard Street, adjoining a low density residential area to the south which necessitates a sensitive transition in building height and scale. As shown in Figure 13 building heights range from 17 - 23m (4 – 6 storeys) with a 6m front setback and an 8m landscaped rear setback. The split height controls are reflected in the applicable LEP Height of Buildings Map for the Centre.

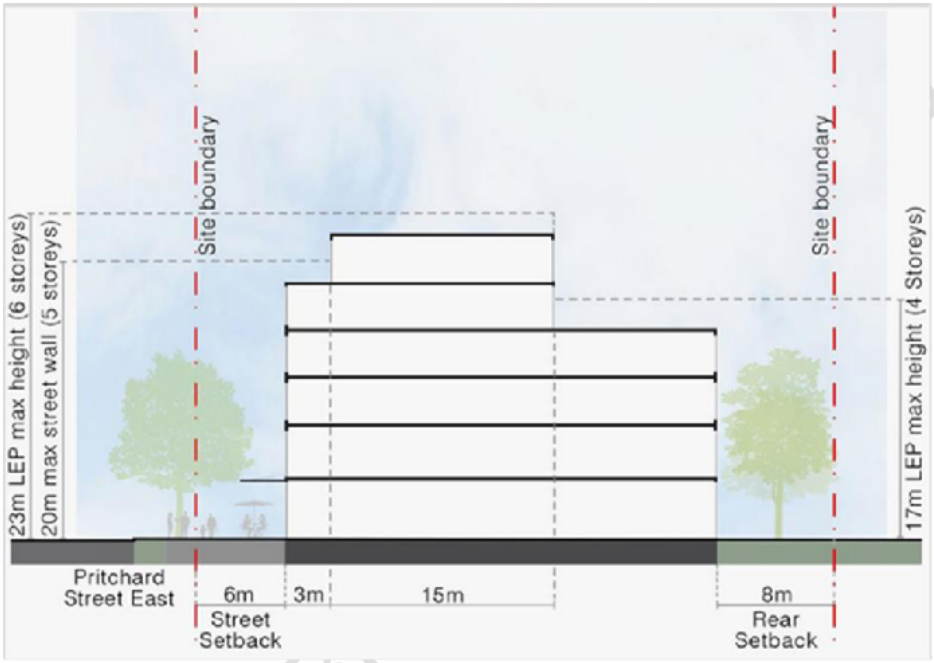



Figure 13: Pritchard Street East - typical North South section

3.4 Vehicular Access and Laneways

Objectives

O1. Provide improved, safe and efficient vehicular access and circulation throughout the Centre.

O2. Create a safe and active pedestrian focus for the Centre along street frontages.

O3. Minimise impact of vehicular access on streetscape amenity and pedestrian safety.

O4. Implement traffic management measures to reduce through traffic on Dunmore Street and enhance pedestrian amenity on Dunmore Street between Garfield and Station Streets.

Controls

C1. Vehicular access is discouraged on primary active frontages as identified in Figure 5.

C2. Vehicular access to 53-71 Dunmore Street is to be provided via a formalised existing service lane over The Kingsway car park – refer to Figure 14.

C3. Maintain existing vehicular access to 73-75 Dunmore Street with the option to utilise alternative vehicular access from the rear service lane across The Kingsway car park.

C4. Widen and extend Station Lane for vehicle access over adjoining properties as identified in Table 2 and Figure 14.

C5. Development is not to preclude the delivery of the main street bypass as identified in Figure 14.

Table 2: Properties affected by widening and extension of Station Lane

Sites Affected	Control	Land to be dedicated for road widening
8 Dunmore Street and 40-50 Station Street	Widen the existing Station Lane by dedicating approximately 2m of land along the western side boundary of 8 Dunmore St and eastern rear boundary of 40-50 Station Street. The final width of the lane is to be 8m including a footpath.	Yes
32-38 Station Street	Widen the existing Station Lane by dedicating approximately 0-2m of land along the eastern rear boundary. The final width of the lane is to be 8m including a footpath.	Yes
56 – 82 Station Street and 86-96 Station Street	Extend the existing Station Lane (to the south) by dedicating 8m of land along the eastern rear boundary.	Yes

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Figure 14: Vehicular access - proposed and extended

3.5 Parking

Objectives

O1. Provide sufficient car parking within the Centre to meet expected demand while minimising impacts on the surrounding road network.

O2. Minimise traffic congestion in the Centre.

O3. Ensure off-street parking facilities and access does not interfere with traffic flow and safety in adjacent streets or endanger pedestrian traffic on or off the site.

O4. Encourage cycling as an alternative form of transport.

Controls

C1. On-site car parking rates for all land uses with the exception of Commercial Premises are to be provided in accordance with Part G of the *Cumberland DCP 20XX*.

C2. On-site car parking rates for Commercial Premises are 1 space per 50 sqm of gross leasable floor area.

C3. Bicycle parking is to be provided in accordance with Part G3 of the *Cumberland DCP 20XX*.

3.6 Pedestrian Connectivity and Amenity

Several pedestrian through site links have been identified in order to improve pedestrian accessibility and movement throughout the Centre. Of five locations identified, three existing thoroughfares are to be improved and enhanced as part of future redevelopment. The link locations are identified below.

Objectives

O1. Improve the connectivity and pedestrian amenity throughout the Centre.

O2. Create a safe, active and friendly pedestrian environment.

O3. Provide direct and accessible through site pedestrian links that improve the legibility of the Centre.

Controls

C1. All through site links must:

- provide a functionally and visually continuous pedestrian link with a clear line of sight for the purpose of surveillance and accessibility;
- ensure pedestrian safety and the security of adjacent businesses is maintained at all times;
- be publicly available at all times and be well lit for the safety of users; and
- incorporate active frontages where possible.

C2. Through site links are to be provided in future redevelopment proposals on sites described in Controls C3 to C7 below and as shown in Figure 15.

C3. Dunmore Street - The Kingsway (Amalgamated Site 5)

- transformation of an existing arcade within Amalgamated Site 5 into a 6m wide open air pedestrian link with shopfronts, dining opportunities and appropriate lighting to create safe pedestrian access between the Wentworthville Rail Station and Dunmore Street / Plaza;
- the preferred location for the through site link is through 41 Dunmore Street which is to be incorporated into future Development Applications for this site; and
- this link must maintain an easily identifiable continuous pedestrian link with the redevelopment of 42 - 44 Dunmore Street (Wentworthville Mall) site.

C4. Dunmore Street - The Kingsway Car Park (Amalgamated Site 3)

- formalisation of the existing through site link adjoining the heritage listed Post Office at 63 Dunmore Street (within amalgamated site 3) as part of the site's future development; and
- designs are to consider a connected outdoor public space in conjunction with the adaptive reuse of the old post office.

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C5. Pritchard Street East - Friend Park (6 Pritchard St)

- future redevelopment of 6 Pritchard Street is to include a new through site pedestrian link connecting Friend Park through to Pritchard Street East to facilitate direct access between the park and the main shopping area. The pedestrian link is to be a minimum 3.5m in width.

C6. Station Street - Lane Street (56 Station St)

- formalisation of the existing through site link at 56 Station Street adjoining the Wentworthville Hotel to improve pedestrian access between Station Street and Lane Street car park. The pedestrian link is to be a minimum 3.5m in width.

C7. Civic Hub/Library Precinct (2-14 Lane St)

- create a new pedestrian access link from Dunmore Street to Veron Street Park, through a future new Library and Civic Hub at 2-14 Lane Street. Detailed design of the plaza link is to be determined by future design concepts for the precinct.



Figure 15: Pedestrian connectivity and amenity

3.7 Public Domain

The following controls are to be read in conjunction with the *Wentworthville Public Domain Strategy and Landscape Strategy*.

Objectives

O1. Provide publicly accessible integrated open space to cater for informal gatherings and recreational purposes.

O2. Ensure publicly accessible open space has appropriate levels of sunlight, shade, air circulation and safety.

Controls

C1. Create three new public places as shown in Figure 16 and described in Controls C2 to C4 below.

C2. Dunmore Street Plaza

Included in the redevelopment of 42-44 Dunmore Street (Wentworthville Mall Site) is the construction of a Plaza along the southern side of Dunmore Street. In compliance with the Wentworthville Strategy's Structure Plan this plaza is to be extended in an easterly direction over No. 21 Station Street. This will:-

- require a dedicated continuous strip of land 8m in depth from the existing footpath boundary extending the full length of the site at 21 Station St along the Dunmore Street frontage;
- be a paved urban plaza with the flexibility to cater for a range of informal uses, functioning as a promenade and including distinct zones for outdoor dining, public seating/gathering and public art;
- include zones for unobstructed pedestrian movement, outdoor dining and street furniture such as seating, lighting and rubbish bins;
- allow for temporary uses such as markets, stalls and outdoor music;
- include adequate landscaping with large soil volumes capable of sustaining tree planting;
- include extensive, co-ordinated street tree planting;
- be an active frontage to promote street activation; and
- be open air with no permanent buildings or structures over the plaza with the exception of awnings.

Refer to Figure 17 for a concept image of the Plaza.

C3. Dunmore Street - The Kingsway (Amalgamated Site 5)

- provision of a 6m wide open air pedestrian through site link over Amalgamated Site 5 with shopfronts, dining opportunities and appropriate lighting to create safe pedestrian access between the Wentworthville Rail Station and Dunmore Street and its Plaza; and
- this area is also identified as a new formalised pedestrian through site link (Refer to Section 3, C3)

Refer to Figure 18 for a concept image of the pedestrian link.

C4. Civic Hub/Library (2-14 Lane St)

An open air public plaza is to be provided at the eastern end of Dunmore Street coupled with the creation of a new future Library and Civic Hub at 2-14 Lane Street.

Refer to Figure 19 for a typical concept image of the Plaza.

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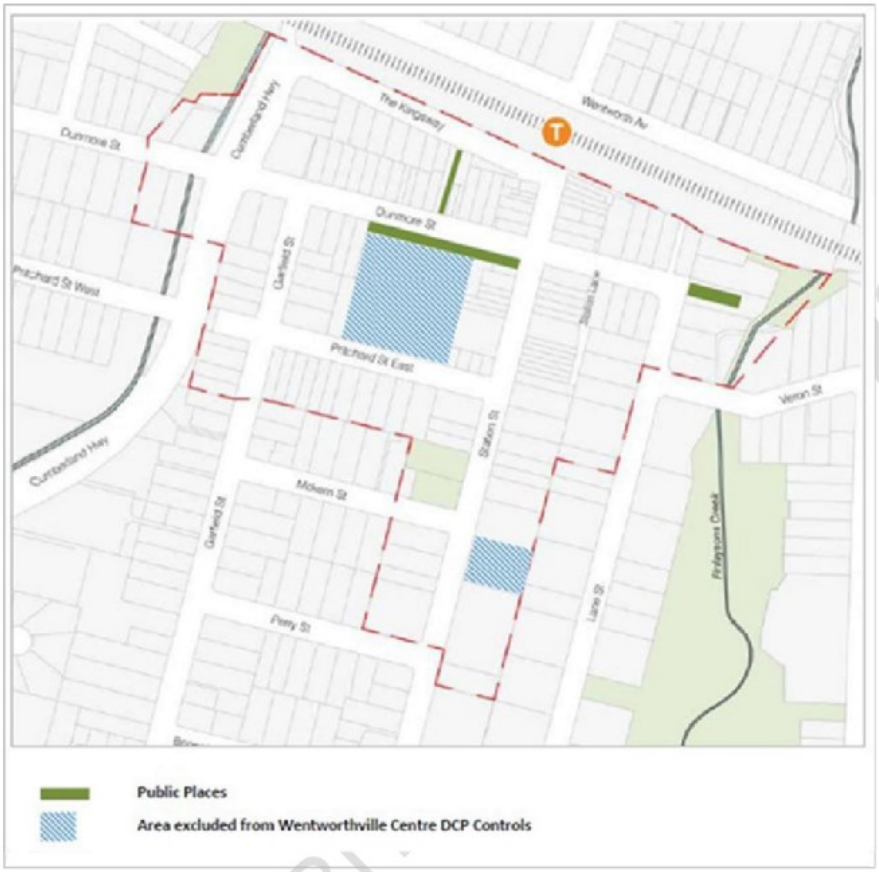

Figure 16: Proposed public places

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Figure 17: Proposed new Dunmore Street Plaza (concept image only)



Figure 18: Proposed new pedestrian through site link between Dunmore Street and Plaza and The Kingsway (concept image only)



Figure 19: Proposed new open plaza - Civic Hub / Library Precinct

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3.8 Green walls and planting on structures

Planting on structures such as roofs, podiums and basement car parks can improve urban amenity as well as reduce direct energy use and stormwater runoff. Planting includes roof top gardens, green walls and planter boxes.

Objectives

O1. Encourage the 'greening' of sites through vegetation planting of external areas and promote renewable energy initiatives.

O2. Improve the aesthetic features of a building's facade and roofscape.

O3. Reduce environmental impact over the life cycle of a building and the necessity for mechanical heating and cooling.

Controls

C1. Structures are to be adequately designed with regard to soil weight, appropriate draining and irrigation systems.

C2. Plant species are to be suited to local site conditions including seasonal changes and be drought and wind tolerance.

C3. A landscape maintenance plan is to be submitted with the development application and include reference to the proposed irrigation and drainage systems.

C4. Structures incorporating green walls should be integrated into the overall design of the building including the building facade.

C5. Minimum soil standards for plant types and sizes are to adhere to Table 5, Part 4P of the NSW *Apartment Design Guide* (ADG).

C6. The planting design should (where applicable) allow for access and ease of movement from within the development and minimise overlooking of neighbouring properties through use of passive screening or planting.

3.9 Safety by Design

Objectives

O1. Ensure new developments are designed to incorporate safety elements that reduce opportunities for crime and enhance the community perceptions of safety and security.

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

O3. Provide pedestrians with direct and well used traffic routes with good night lighting.

O4. Ensure there is adequate lighting and signage to provide a safe pedestrian environment.

Controls

C1. Compliance with *Cumberland DCP 20XX* Part C – Safety and Security.

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CUMBERLAND
CITY COUNCIL

DRAFT 2020

PART F2-15

WENTWORTHVILLE MALL SITE – 42 – 44 DUNMORE STREET

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1. Introduction

1.1 Land to which this Part applies

This Part applies to land at 42-44 Dunmore Street, Wentworthville (Wentworthville Mall site), being identified as Lot 11 DP746514, as shown in Figure 1.



Figure 1: Land to which this Part applies

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2. Vision

2.1 Vision

The purpose of these development controls is to establish a detailed planning and design framework to guide the redevelopment of the site.

The vision for the site is that it will make a positive contribution to the renewal of the Wentworthville centre as a progressive, colourful, vibrant and engaging local centre that is well-connected to the surrounding area and is a great place to live and visit.

2.2 Structure Plan

The vision and objectives for the site as identified above are spatially expressed in the Structure Plan (Figure 2). Where variations to the structure plan are proposed, the development application is to demonstrate how the vision and objectives have been achieved

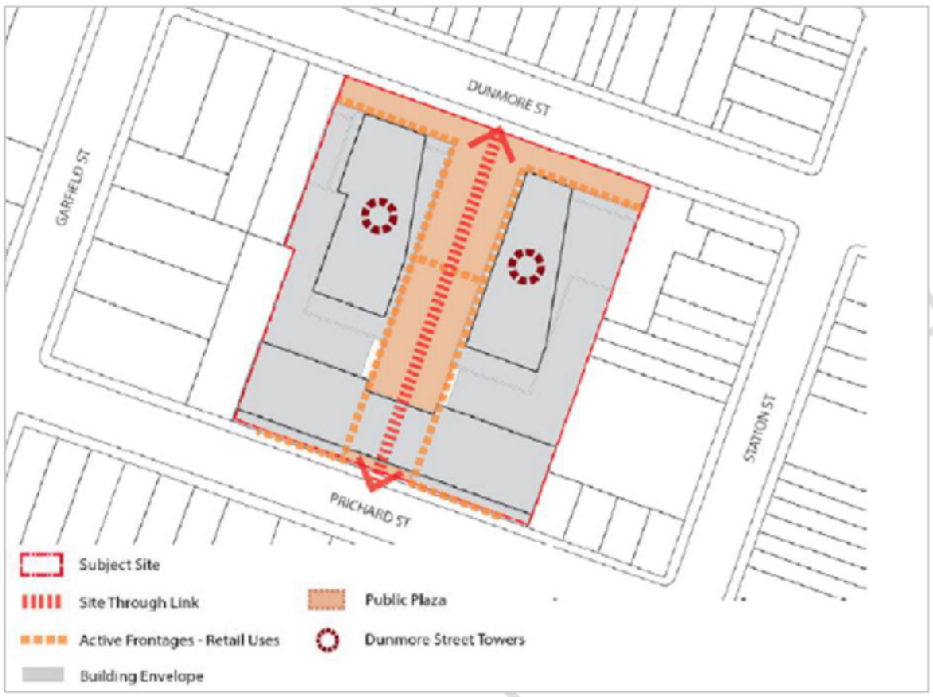

Figure 2: Structure plan

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3. Objectives and controls

3.1 General

Objectives

O1. Establish a landmark, mixed use and transit-oriented heart for the town centre that signifies the importance of Wentworthville within the Cumberland City centres hierarchy

O2. Deliver new housing that activates and enlivens the centre

O3. Contribute to the creation of a distinct sense of place for the centre that acknowledges its past and embraces its future as a vibrant, urban location

O4. Reinforce the role of Dunmore Street as the centre's main street

O5. Strengthen the retail and employment role of the centre

O6. Increase the supply and choice of housing for the community in a high-density environment

O7. Improve the permeability of the centre for pedestrians, including the provision of a through-site link between Dunmore Street and Prichard Street

O8. Provide publicly accessible open space that allows for informal gathering, interaction and recreation

O9. Ensure a high level of urban design and architectural quality.

3.2 Circulation and access

Objectives

O1. Provide a new pedestrian link between Dunmore Street and Pritchard Street East to improve pedestrian permeability and promote activation along Pritchard Street East.

O2. Provide for convenient, safe and attractive pedestrian connection between Dunmore Street and Pritchard Street.

O3. Promote shop activation by enabling an arcade-style development layout.

Controls

C1. Development includes a through-site link as shown in Figure 3.

C2. The through-site link:

- provides a functionally and visually continuous pedestrian link between Dunmore and Pritchard Streets;
- has a minimum width of 5m or 2 x 2.5m where stairs and a ramp are required to ensure universal access or where the gradient requires;
- is integrated with the on-site plaza spaces; and
- includes mechanisms to enable negotiation of any gradient changes for mobility impaired persons in accordance with relevant legislation.

C3. The through-site link is open to the sky except for that part closest to Pritchard Street which passes under the Pritchard Street street-wall for a maximum distance of 25m and has a minimum vertical clearance of 9m

C4. The through-site link is open to the public at all times.



Figure 3: Circulation and access

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3.3 Open space

Objectives

O1. Provide an integrated series of well-designed and publicly accessible urban plazas that cater for informal gathering, interaction and recreation.

O2. Ensure publicly accessible open space has appropriate levels of sunlight, shade, air circulation and safety.

O3. Design public open space to improve the environmental performance of the site and the overall town centre, including for stormwater management, biodiversity and reducing the urban heat island effect.

Controls

C1. Public open space is located generally in accordance with Figure 4 and includes the following key spaces:

- Dunmore Street plaza
- Northern plaza
- Central plaza
- Southern plaza

C2. The Dunmore Street Plaza:

- comprises a continuous strip of land having a depth of 8m from the existing footpath boundary along the site's Dunmore Street frontage (to be dedicated to Council);
- is a paved, urban plaza that has the flexibility to cater for a range of informal uses, functioning as a promenade and including space for outdoor dining, public seating/gathering and public art;
- includes zones for unobstructed through pedestrian movement, outdoor dining and street furniture such as seating, lighting and rubbish bins;
- allows for temporary uses such as markets, stalls and outdoor music;
- does not include permanent structures, ensuring an open and flexible space;
- includes large soil volumes capable of sustaining trees;
- includes adequate landscaping and tree planting;
- includes extensive, co-ordinated street tree planting; and
- is bordered by active frontages

Note: basement car parking for the development may be located beneath the plaza

C3. The Northern Plaza:

- has a minimum width of 20m;
- includes the establishment of an easement for public open space at the front of the northern plaza having an area of approximately. 200sqm with a minimum width of 12m. Embellishment of this open space is to a specification and finish to be agreed with Council;
- is a paved, urban plaza that has the flexibility to cater for a range of informal uses;
- is visually and physically integrated with the Dunmore Street Plaza, including consistent paving and street furniture;
- enables a clear line of sight to be gained between Dunmore Street and the supermarket;
- facilitates the convenient movement of people between Dunmore Street, the supermarket and the southern part of the site;

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- maximises the visual exposure of the supermarket façade;
- is bordered by active frontages;
- provides a connection to the Southern Plaza that is visually unobtrusive and complies with relevant legislation/standards; and
- is publicly accessible at all times.

C4. The Central / Southern Plaza:

- has a minimum width of 20m;
- provides for informal gathering and seating;
- accommodates uses that are compatible with adjoining residential uses;
- may be either paved or a combination of paving and grassed areas;
- includes raised planting beds and tree planting;

  Note: as the plaza is located on a podium, deep soil areas are not possible
- manages any gradient change with Pritchard Street with stairs, as well as a visually unobtrusive complies with disability legislation;
- incorporates stairs and visually unobtrusive disabled access to address any change in gradient;
- is bordered by active uses and / or residential uses that have a high level of engagement with the plaza in accordance with the relevant provisions of this DCP;
- is publicly accessible at all times;
- is designed in accordance with CPTED principles';
- incorporates lighting that ensures adequate night-time illumination for safety and security without any light spill or glare to adjoining dwellings; and
- considers the acoustic environment to ensure noise does not create a nuisance for adjoining dwellings.

C5. Public open space is designed and constructed in accordance with a Landscape and Public Domain Plan to be prepared between the site owner and Council, and approved by Council.



Figure 4: Public open space

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Figure 5: Dunmore Street plaza – precedent images



Figure 6: Northern plaza – precedent images



Figure 7: Southern plaza – precedent images

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3.4 Public art

Objective

O1. Provide opportunities for public art that strengthens the identity and amenity of the centre.

Controls

C1. A Public art plan is prepared that identifies the location and type of public art to be provided within the site.

C2. Public art is sensitively placed and designed to form part of cohesive public domain outcome, and does not overwhelm the public domain due to bulk, height, colour or other aspect.

C3. Public art is located in places of high visibility including Dunmore Street Plaza.



Figure 8: Public art– precedent image (Source: Wentworthville Story Schemes and Dreams (project artist – Graham Chalcroft))



Figure 9: Public art– precedent image (Source: Wentworthville Story Schemes and Dreams (project artist – Graham Chalcroft))

3.5 Land use

Objectives

O1. Strengthen the role of Wentworthville as a vibrant, mixed use town centre that contains a range of complementary business, retail and higher density residential uses.

O2. Encourage uses that extend activity within the town centre into the early evening and weekend.

Controls

C1. Development includes a full-line supermarket having a minimum gross floor area of 4,000sqm.

C2. Development includes a minimum of 4,400sqm gross floor area of Commercial Premises above ground level.

C3. The following uses are encouraged at the ground floor (Dunmore Street Plaza and Northern Plaza level):

- café;
- restaurant; and
- small bar.

C4. The following uses are encouraged at the first floor (Southern Plaza level:

- office premises; and
- medical centre.

3.6 Building height

Objectives

O1. Establish a visual landmark that reinforces the site as the heart of the centre and signifies the importance of the centre within the Cumberland City urban form and centres hierarchy.

O2. Transition building height downwards from north to south across the site.

O3. Provide for a human scale, mid-rise street wall along the Pritchard Street site frontage.

Controls

C1. Building height is generally in accordance with Figure 10 and:

- creates two landmark towers at the Dunmore Street frontage of the site; and
- creates a continuous street wall building at the Pritchard Street frontage of the site that is of a lower height than the Dunmore Street towers

C2. The maximum street wall height fronting Dunmore Street and Pritchard Street is five storeys, with a podium level setback of 3m.

C3. The maximum street wall height fronting the through-site link is 7 storeys.

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Figure 10: Building height

3.7 Setbacks and building separation

Objective

O1. Achieve setbacks from site boundaries and separation between buildings on the site and on adjoining sites that:

- activates and engages with the adjoining public domain;
- is consistent with an urban centre character;
- provides for high levels of amenity to the public domain and dwellings, including through adequate solar access, natural ventilation and air circulation; and visual and acoustic privacy; and
- reduces the appearance of density and building bulk and scale

Controls

C1. Development is setback from Dunmore and Pritchard Streets in accordance with Figure 11.

C2. Non-residential development may be built to side boundaries.

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Figure 11: Setbacks and active frontages

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3.8 Built form

Objectives

O1. Built form is designed to:

- define the public domain;
- reduce the appearance of building bulk and scale when viewed from the public domain and provide visual interest; and
- activate and engage with the adjoining public domain.

Controls

C1. Building setbacks are in accordance with Figure 11.

C2. Building facades feature articulation within a cohesive overall composition through the use of design measures such as:

- recessed and / or projecting balconies;
- slots;
- large windows and other openings;
- sun control devices such as eaves, louvres and screens;
- privacy screens;
- blades or fins;
- elements of a more lightweight material than the main structural framing; and

- balustrades to balconies that have a more lightweight appearance than masonry such as glass or metal.

C3. Buildings are designed to have their main living areas and adjoining private open space oriented to and directly overlook the public domain.

C4. Built form is in accordance with Figure 12 - 14.

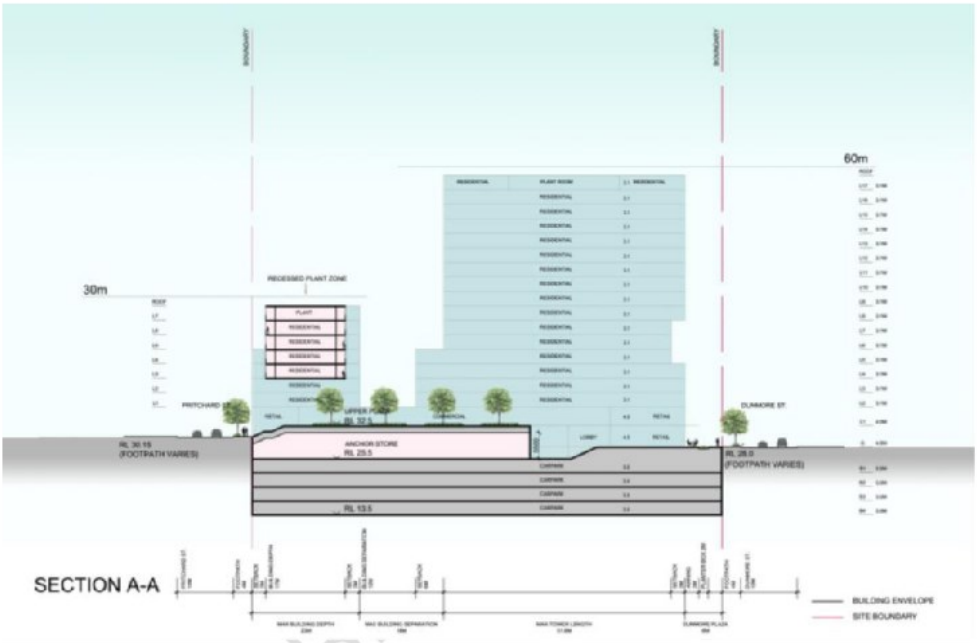

Figure 12: Section/elevation of through-site link

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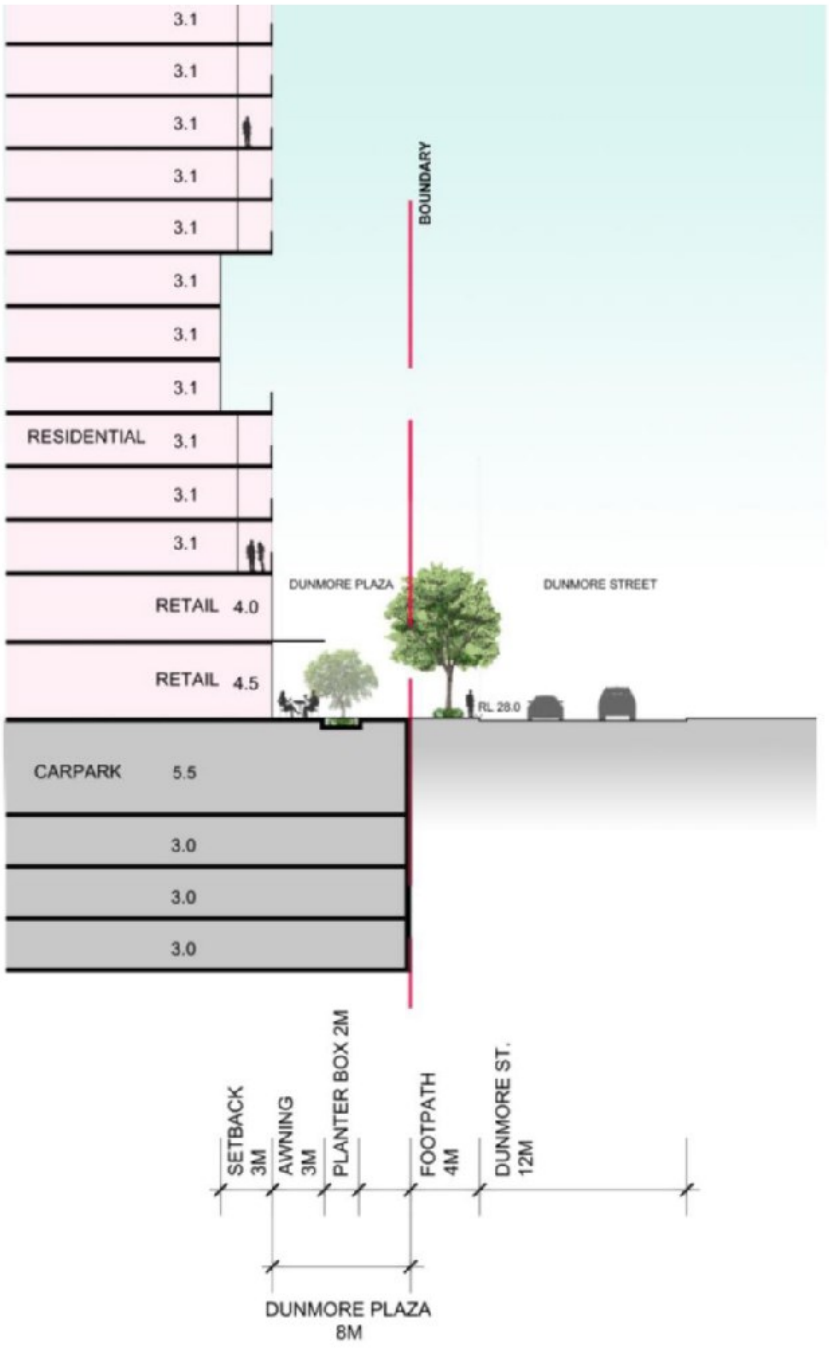

SECTION B-B

Figure 11: detail section of Dunmore Plaza

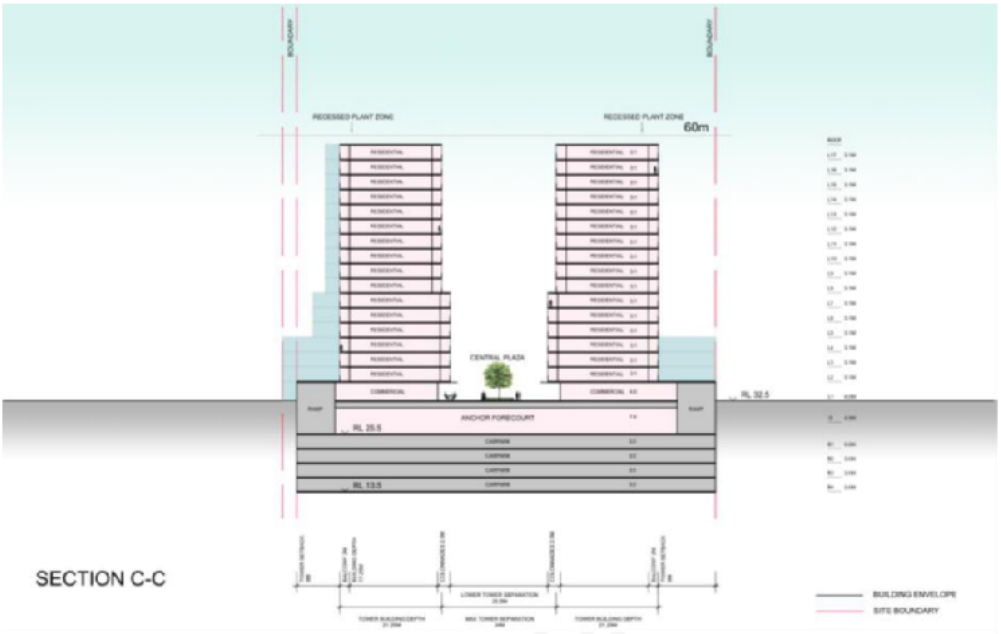

Figure 14: section/elevation east-west through site

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3.9 Ground floor treatment

Objective

O1. Ensure development activates and engages with the public domain.

Controls

C1. Development includes an active frontage to Dunmore Street as shown in Figure 11.

C2. Building foyers:

- are not permitted fronting Dunmore Street;
- are minimised in width; and
- have a minimum of 75% of their street facing edge as transparent glass.

C3. Non-residential uses at the ground floor:

- have a maximum width facing Dunmore Street of 10m;
- maximise the proportion of their façade that includes transparent glass;
- where possible, enables areas of highest activity to be readily visible from the adjoining public domain; and
- where possible, incorporate openable elements that facilitate interaction between indoor and outdoor space, in particular where outdoor dining is provided.

C4. Continuous awnings are provided along the Dunmore Street and Pritchard Street frontages of the site and have a:

- minimum depth of 1.5m;
- minimum vertical clearance of 3m; and
- simple, contemporary design.

C5. Blank walls are not permitted where they:

- are greater than 5m in length where facing Dunmore Street; and
- are greater than 10m in all other locations.

C6. Roller shutters or bars are not permitted where active frontages are required in accordance with Figure 11.

C7. Setbacks are:

- a minimum of 1.5m from the edge of the public domain to the outermost project of the building; and
- a minimum of 4m from the edge of the public domain to the glass line enclosing internal space.

C8. The area between the public domain and the glass line enclosing internal space has a minimum 25% of soft landscaping such as garden beds and turf.

Note: as these areas are located on a podium and have small dimensions, deep soil areas are not appropriate.

C9. The maximum height difference between the adjoining public domain and the private landscaped open space is 1m.

C10. Ground floor dwellings are to have individual entries accessed from the adjoining public domain.

C11. Where a site boundary fence is included it has a maximum height of 1.2m from the height of the adjoining public domain.

C12. Screening vegetation is not to be provided within the private landscaped open space forward of the glass line enclosing the internal space, except where alongside boundaries.

C13. The main living areas of ground floor dwellings are to be located and oriented to directly face the adjoining public domain.

C14. The extent of the ground floor façade enclosed by transparent glass is to be maximised.

3.10 Towers

Objective

O1. Locate and design towers to reduce the appearance of building bulk and scale and provide visual interest.

Controls

C1. Towers are located at the Dunmore Street frontage of the site.

C2. Towers are inflected away from the Northern and Southern Plazas to direct views outwards.

C3. Towers fronting Dunmore Street are angled to facilitate solar access to living rooms and balconies located on their east-facing facades.

C4. Buildings are sited with their long axis aligned north-south.

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C5. Towers fronting Dunmore Street are articulated into three visually distinct but cohesive components:

- base element;
- intermediate element; and
- upper tower element

C6. The base element:

- is generally three storeys in height;
- has a zero setback to the public domain; and
- includes awning or canopies adjoining the public domain.

C7. The intermediate element:

- provides a transition between the base and upper tower element; and
- where fronting Dunmore Street, is setback at least 3m from the outermost projection of the preceding floor to provide a visual break to the verticality of the towers.

C8. The upper tower element:

- presents a slender form to Dunmore Street;
- has a zero setback to the public domain;
- is articulated through the use of slots along its side facades; and
- incorporates a visually interesting roof form that screens plant and other mechanical utility devices.

3.11 Transport, access and parking

Objectives

O1. Vehicle access, manoeuvring and parking is provided in a co-ordinated way, minimises visual impact on the streetscape and does not impede the convenient and safe movement of pedestrians.

O2. The transport demand generated by development is managed in a sustainable manner.

O3. On-site car parking is provided at a rate that balances the need to provide for the convenience needs of residents and visitors with encouraging more sustainable forms of movement such as public transport, car-sharing, walking and cycling for commuter and recreational trips.

Controls

C1. On-site car parking is provided in basement form.

C2. On site car parking in basement form may be located under the Dunmore Street plaza to the edge of the original site boundary.

C3. On-site car parking rates for Commercial Premises is 1 space per 50sqm of gross lettable floor area.

C4. All development applications are to include a 'Transport Impact Study' addressing the potential impact of the development on surrounding movement systems, where the proposed development comprises: a. non-residential development of more than 1,000m² GFA; b. residential development of 100 or more new dwellings; or c. likely to generate significant traffic impacts according to the consent authority.

The development application is to include a site-wide 'Green Travel Plan' to outline initiatives for walking, cycling and the use of public transport. The Green Travel Plan

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should address different transport needs and patterns for residential and non-residential uses. Where relevant, initiatives are to be implemented prior to the issue of an Occupation Certificate.

All development applications are to include a 'Transport Access Guide', and a strategy for its future availability to residents, employees and visitors, where the proposed development comprises:

- multi-dwelling housing; or
- non-residential development more than 1,000m² GFA.

C5. Lockable on-site bicycle parking is provided for residential and non-residential uses.

C6. End-of-trip facilities including showers and lockers must be provided to adequately service the number of bicycle parking spaces required for employees in commercial premises and are to be located close to the bicycle parking area, entry/exit points, and within an area of security camera surveillance.

C7. 24hour, publicly accessible parking spaces within the site for car-share vehicles is encouraged.

Where a car share scheme operates locally, at least one car-share parking space for every 100 dwellings is provided within the residential parking area for the development.

C8. Car-share parking spaces are included in the maximum number of visitor car parking spaces required for a development in the Part G of this DCP.

C9. Car-share parking spaces must be publicly accessible at all times, conveniently located, adequately lit and identified with sign-posting and road marking.

C10. Car-share spaces must comply with the relevant Australian Standard.

C11. All car-share parking spaces are to be retained as common property by the Owners Corporation of the site. A covenant is to be registered with the strata plan advising of any car-share parking space. The covenant is to include provisions that the car-share parking space(s) cannot be revoked or modified without prior approval of Council.

C12. Site access is generally in accordance with Figure 3 – Circulation and access.

C13. Vehicular access to the site is obtained from Pritchard Street.

3.12 Environmental performance

Objectives

O1. Incorporate measures that enhance the environmental performance of the site and buildings.

O2. Enhance local biodiversity.

O3. Ensure that development does not result in an unacceptable impact on the public domain by way of wind generation.

Note: the acceptability of wind impacts depends on use. For example, people walking or window-shopping will tolerate higher wind speeds than those seated at an outdoor restaurant.

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Controls

C1. Rain water is captured, stored and used for non-potable uses such as irrigation of landscaping.

C2. Native planting is used as a key element of on-site landscaping, incorporating a diverse selection of locally indigenous plant species (robust, drought-tolerant species are preferred).

Note: Species selection should consider appropriate species for an urban environment.

C3. Where possible, buildings incorporate a dual water system that recycles grey water for toilet flushing and car washing.

C4. Buildings incorporate an articulation zone of 450mm to north and west facades to enable integration of external screening and shading devices to maximise the comfort of those in northern and western facing apartments.

C5. Lift lobbies preferably utilise natural lighting and ventilation.

C6. The form and arrangement of towers shield the Dunmore Street Plaza and the Northern Plaza from direct westerly winds.

C7. Towers are setback from the outer edge of lower levels where fronting the Northern and Southern Plazas to mitigate the impact of wind on the ground level public domain.

C8. Wind mitigation measures such as awnings and landscaping are incorporated into the design of both street frontages and the plazas to mitigate any potential wind funnelling effects of northeasterly and southerly winds from the towers and:

- are integrated into the overall landscape design;
- are visually appealing;
- contribute to the overall character of the public domain;
- are consistent with CPTED principles; and
- ensure a high level of functionality for the public domain.

C9. Wind mitigation measures are included in the design of communal recreation areas to ensure a high level of comfort, in particular for highly used areas.

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PART F2-16
WENTWORTHVILLE - 108 STATION STREET

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1. Introduction

1.1 Land to which this Part applies

This Part applies to development on land identified as 108 Station Street, Wentworthville, legally described as Lot B on DP410947, as shown in Figure 1.

The subject site is located within the Wentworthville Centre. The planning framework (*Wentworthville Centre Planning and Place Making Strategy*) for the urban renewal and economic revitalisation of the Wentworthville Centre is based on economic, traffic and urban design studies and was subject to community consultation.



Figure 1: 108 Station Street site boundary

This land comprises two key parts being:

- the development site; and
- the laneway which extends along the northern property boundary between Station Street and the rear property boundary.

Further details regarding the laneway are provided in Section 3.2.

In addition, any development controls developed for the Wentworthville Centre should be taken into consideration.

1.2 Purpose of this Part

The purpose of this Part is to set out a detailed planning and design framework to guide the redevelopment of the site.

This DCP is generally consistent with the *Wentworthville Centre Planning and Place Making Strategy*.

Where there is an inconsistency between this Part and provisions contained elsewhere in the DCP, the Site Specific Controls contained in this Part shall apply to the extent of the inconsistency.

2. Vision

The site will make a positive contribution to the renewal and status of the Wentworthville Centre as a progressive, colourful, vibrant and engaging local centre that is comfortable, well-connected to the surrounding area and facilities, and is a great place to live and visit.

3. Objectives and controls

3.1 General

Objectives

O1. Facilitate the redevelopment of the site to achieve a high quality urban form and architectural quality.

O2. Enable additional building height at certain portions of the site where the development provides for publicly accessible laneway.

O3. Protect sunlight access to properties fronting Lane Street (south-east).

O4. Deliver new housing that activates and enlivens the centre.

O5. Increase the supply and choice of housing for the community in a high-density environment.

3.2 Access

Laneway

Objectives

O1. Ensure that vehicular access and egress points are best located to reduce potential for conflict between pedestrians and vehicles.

O2. Ensure the safe ingress and egress for vehicles using the laneway.

O3. Ensure laneway design integrates with the ground floor uses of 108 Station Street and provide for pedestrian movement.

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Controls

C1. The design layout and alignment of the new laneway is generally to be in accordance with Figure 2 and 3, subject to detailed design development in consultation with Council.

C2. Vehicular access is to be generally in accordance with the locations shown on Figure 4.

C3. The new laneway is to incorporate the following elements as a minimum requirement:

- A total width of reservation = 6.6m;
- 800mm out of property boundary, both sides to be set aside for services, lights as well as footpath; and
- 2.5m travel lane width x 2.

C4. Laneway alignment is to maintain clear sight-lines from each end.

C5. All building vehicular access and egress points are subject to final Council approval.

C6. All land within the new laneway reserve is to be dedicated to Council.



Figure 2: Plan - New Laneway Detail

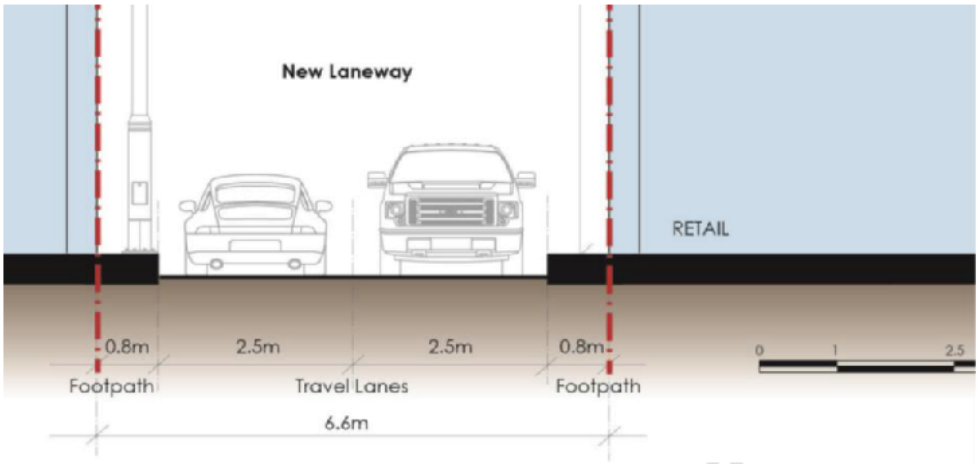

Figure 3: Typical Section - New Laneway Detail

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3.3 Built form

Active street frontage

Objectives

O1. Ensure that the non-residential character of Station Street is maintained.

O2. Ensure that façade articulation and elements within the building setback areas facilitate an active street environment.

O3. Encourage pedestrian movement within the Wentworthville Centre.

O4. Enhance pedestrian safety, security and amenity around and within commercial premises.

Controls

General

C1. Clear glazing is to be provided and reflective, tinted or obscured window coverings should be avoided.

C2. Blank wall should be avoided and visual interest and interaction at street level should be provided.

C3. The corner of Station Street and New Laneway should be emphasised through façade articulation and roof form.

Station Street

C4. A minimum 90% of the building façade at ground level is to be transparent.

C5. Continuous ground level active uses must be provided where primary active frontages are shown in Figure 4. Building must address Station Street.

C6. Main entry to the building is to be located on Station Street.

C7. Loading docks, vehicular access is not to be located where primary active frontage is shown in Figure 4.

C8. The active uses may include shop fronts, cafes and restaurants and appropriate commercial uses such as gymnasium.

C9. On sloping sites, the maximum level change between ground floor tenancies and the adjacent footpath is to be maximum 600mm. On flood prone land advice should be sought from Council's engineers.

New laneway

C10. Frontage along the new laneway should be visually activated by incorporating clear glazing to minimum 90% of the façade at ground level.

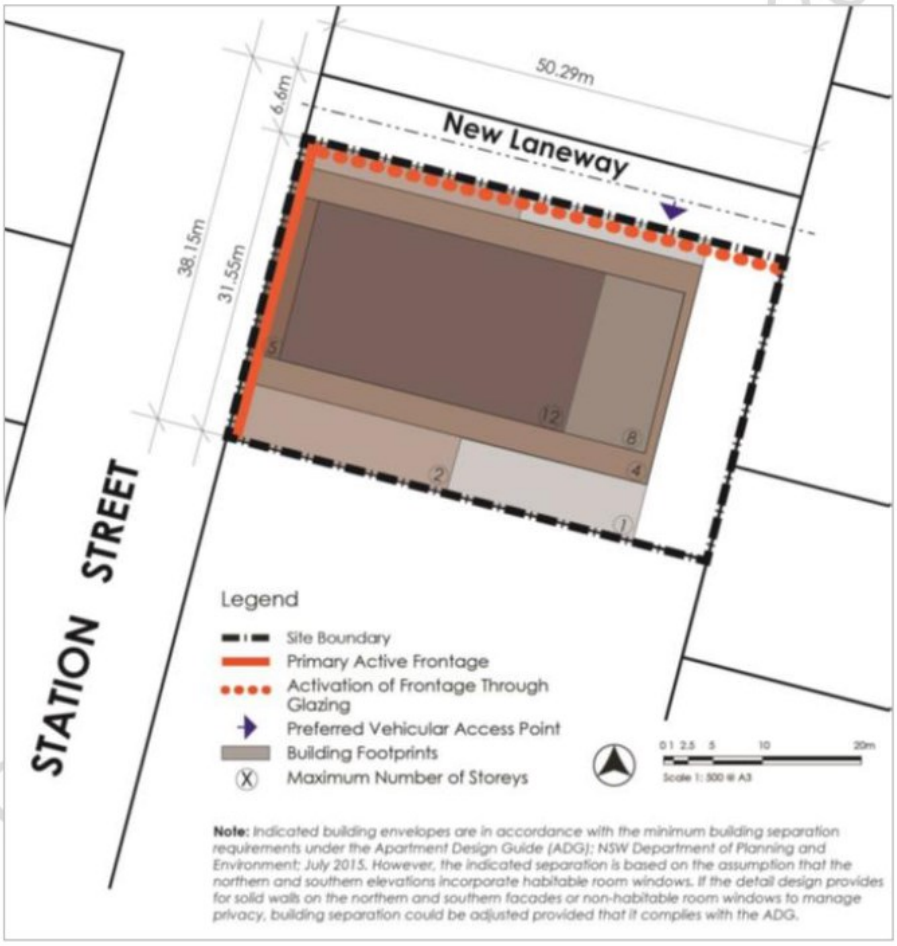

Figure 4: Active street frontage location

Note: The building footprints indicated in Figure 4 represents Council's preferred building configuration.

3.4 Street setbacks and build-to lines

Objectives

O1. Enhance the character of Station Street and the Centre at large through consistent and uniform alignment of building facades.

O2. Increase pedestrian amenity.

O3. Provide deep soil zones and maintain mature/significant vegetation.

O4. Contribute to the landscape character of the Centre.

Control

C1. Minimum setbacks and build-to lines must be provided as shown in Figure 5, summarised as follows:

- zero setbacks / build-to lines to Station Street, new laneway and southern boundary;
- minimum 8m rear landscape setback;
- underground parking is not permitted to encroach into the rear setback unless it can be demonstrated that the basement is designed to support mature trees and deep root planting;
- awning, balconies, sun shading and screening elements can project forward of the street setback line; and
- natural ground level is to be retained throughout the rear setback, where possible.

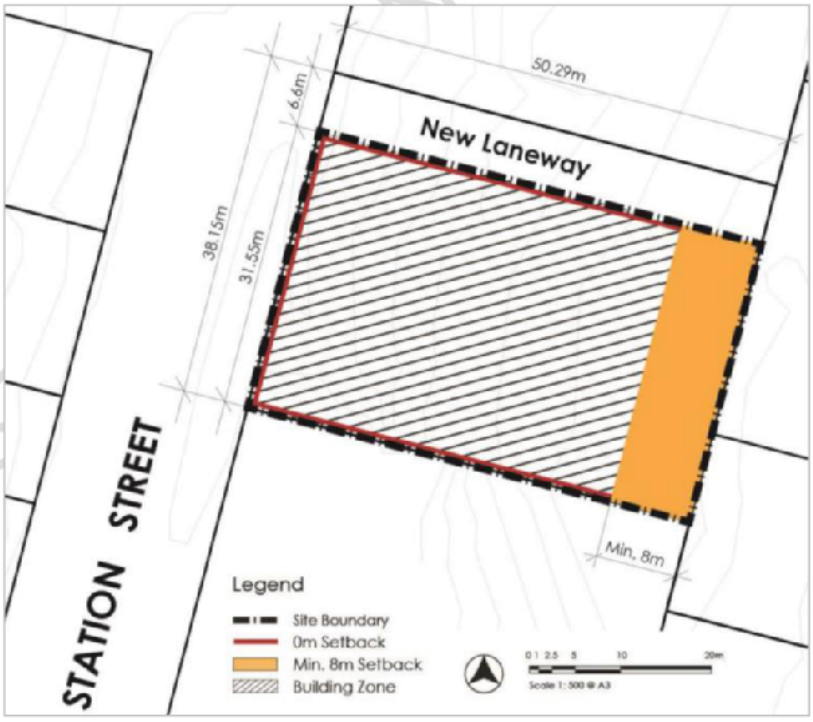

Figure 5: Plan - Street Setbacks

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3.5 Street wall heights

Objectives

O1. Provide street edges that reinforces and reflects the various uses and existing character in the Centre.

O2. Ensure building heights at street level are at a human scale.

O3. Facilitate a consistent street and laneway wall height throughout the Centre.

O4. Provide prominence to the street level, establish a clear presence for retail and increase the visibility, marketability and utility of ground floor space.

Controls

C1. Street wall height shall be 5 storeys along Station Street (Refer Figure 7) with upper level setback.

C2. A maximum two storey street wall height is to be maintained along the new Laneway (Refer Figure 6) with upper level setback.

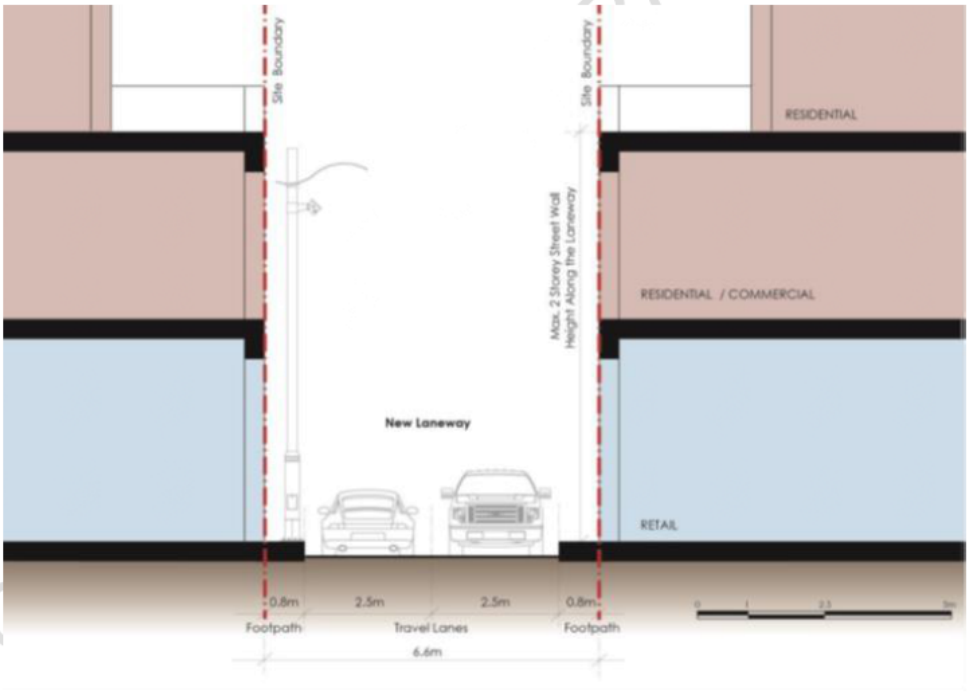

Figure 6: Street Wall Height - New Laneway – West

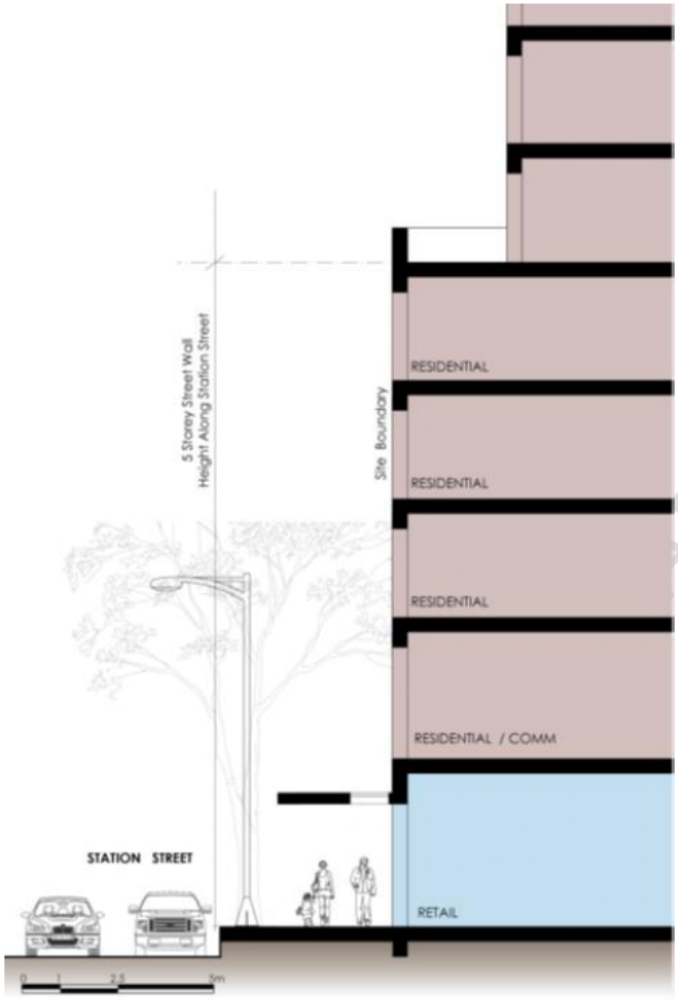

Figure 7: Street Wall Height - Station Street

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3.6 Upper level setbacks

Objectives

O1. Enable more efficient tower footprints by removing incremental stepping of facades.

O2. Minimise adverse wind impacts on the pedestrian environment.

O3. Maximise sunlight penetration into streets and surrounding buildings.

O4. Ensure that the building is modulated and articulated to respond to streetscape, visual bulk and amenity issues.

O5. Ensure that the podium above second storey fronting the new laneway is to be setback to create a human scale laneway to make the space walkable.

Control

C1. The building above the street wall is to display a uniform 3m setback as shown on Figure 8 and 9.

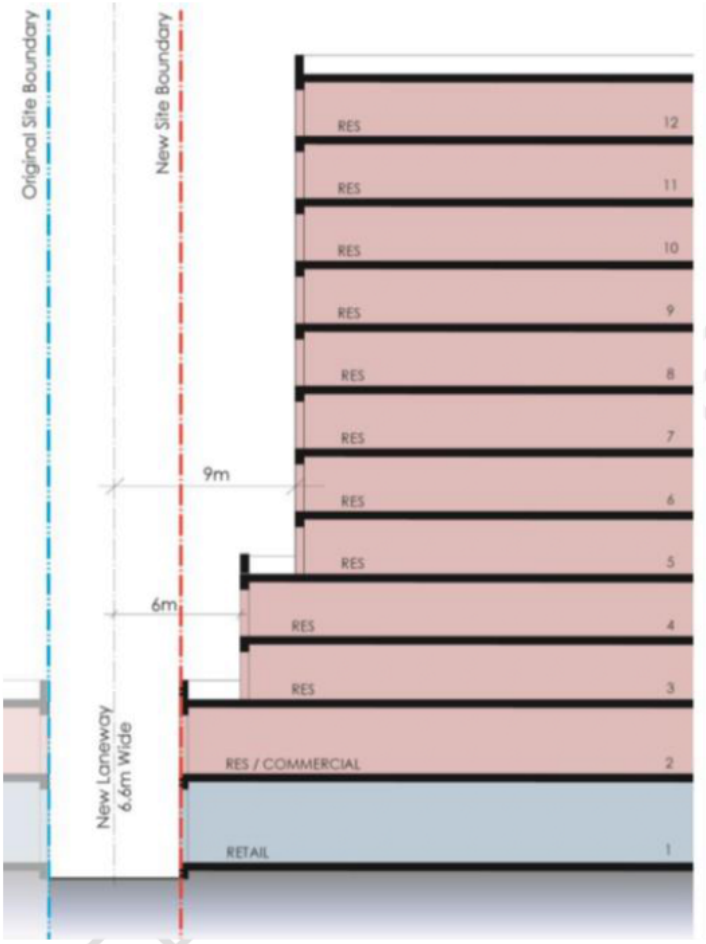

Figure 8: Upper Level Setbacks - New Laneway – West

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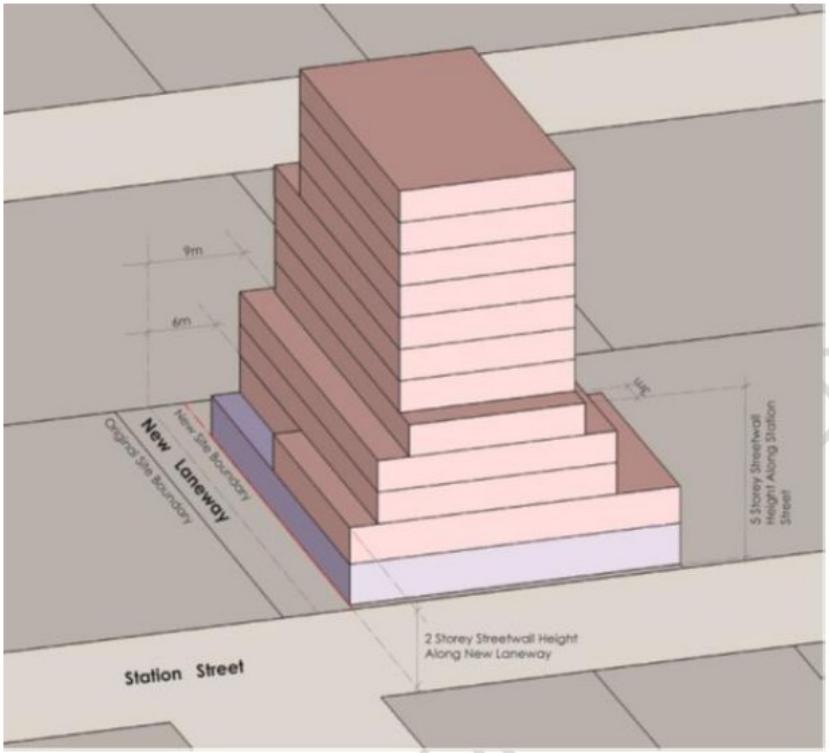

Figure 9: 3D Conceptual Block Model - Upper Level Setbacks - Station Street

3.7 Building bulk and design

Objectives

O1. Minimise overshadowing as compact floor plates cast smaller and faster moving shadows.

O2. Ensure that building is designed to reinforce the urban character of the locality.

O3. Improve access to sky view and permit better views between buildings and through sites and contribute to a more attractive skyline.

O4. Enhance energy efficiency and increase daylighting within buildings.

O5. Create architectural interest and visually diminish the overall scale of the building mass.

Controls

C1. Building Heights are to be provided in accordance with Figure 10.

C2. Floor to ceiling heights are to be provided in accordance with the NSW *Apartment Design Guide* (ADG).

C3. The floor plate of building above 8 storeys is not to exceed 500m^2, unless it can be demonstrated that slender building form can be achieved through courtyards, atria, articulation or architectural devices.

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C4. Where office premises are proposed, all points on an office floor above podium should be no more than 15m from a source of daylight.

C5. Façade design is to:

- Reflect and respond to the orientation of the site using elements such as sun shading and other passive environmental controls where appropriate;
- Provide building articulation such as expressed vertical circulation, well designed roof form, shading devices etc;
- Car parking entry doors are to be incorporated with the overall design of the façade;
- Street corner locations are to be expressed by giving visual prominence to parts of the façade such as change in building material or colour, articulation or well-designed roof form; and
- Roof form, building services and screening elements are to occur within the overall height controls.

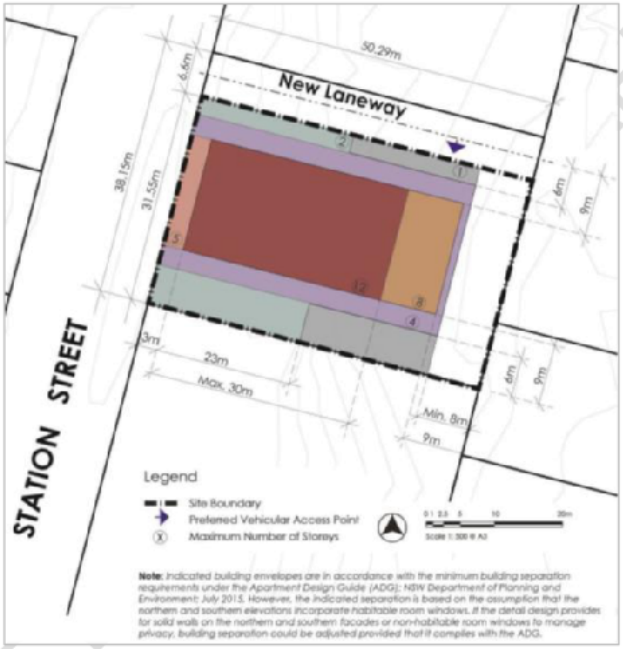

Figure 10: Building height

3.8 Awnings and canopies

Objectives

O1. Increase pedestrian amenity by the provision of weather protection.

O2. Visually unify the Centre.

Controls

C1. Awnings are to be provided to the full extent of Station street frontage.

C2. Awning along Station Street shall be minimum 3m deep (Refer Figure 11).

C3. Explore possibility of incorporating glazing/transparent material in the awning to allow solar access.

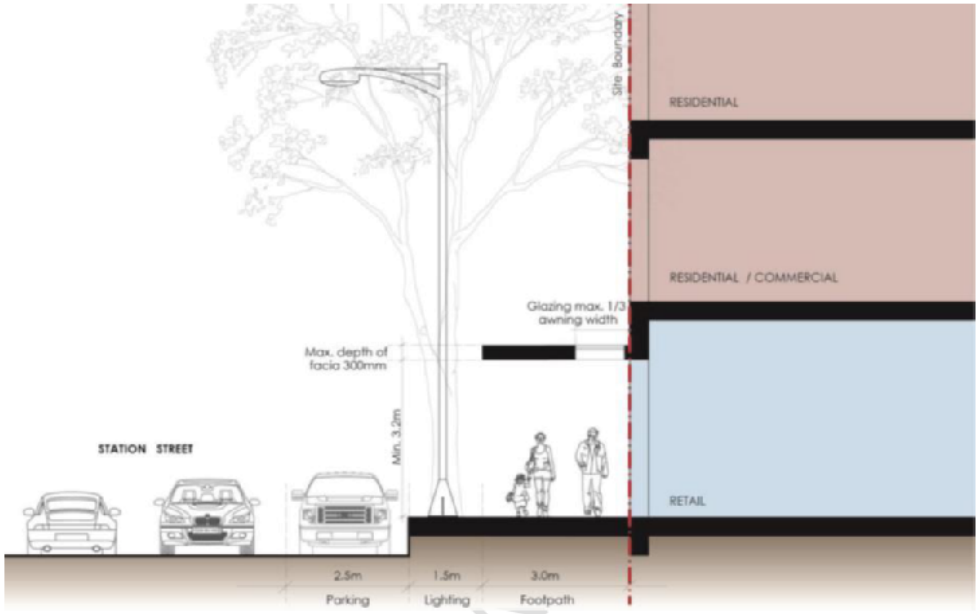

Figure 11: Public domain interface - Station Street

3.9 Building separation

Objectives

O1. Allow solar access to buildings and communal areas.

O2. Provide visual privacy between buildings.

O3. Provide outlook from buildings.

O4. Provide a visual break between buildings and reduce to the perceived bulk and scale of the built environment.

Controls

C1. Provide building separation in accordance with the ADG.

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Figure 12: 3D Block Model Concept: view looking south east

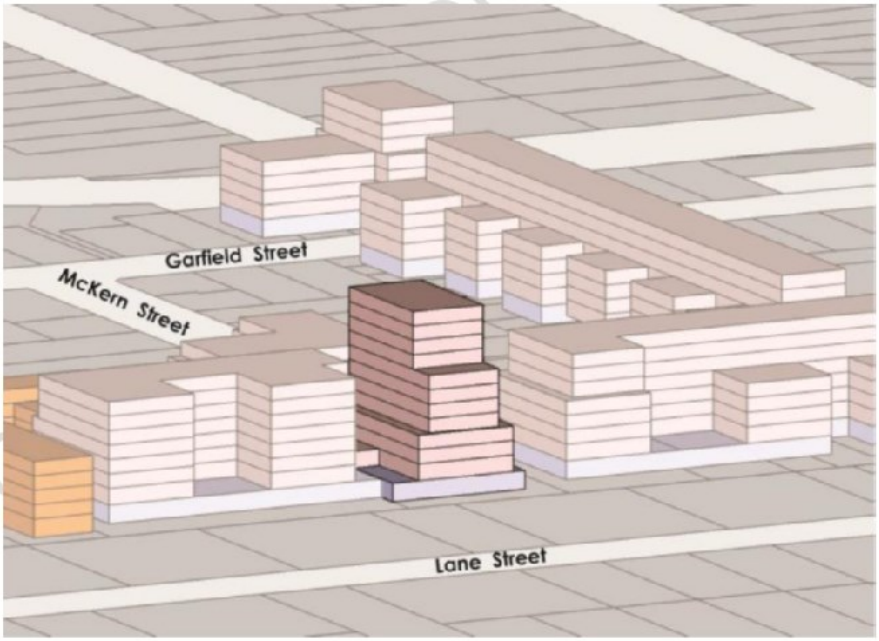

Figure 13: 3D Block Model Concept: view looking north west

3.10 Site planning

Topography and building interface

Objectives

O1. Ensure that buildings are connected to the street.

O2. Ensure that building entry contributes positively to the streetscape and public domain.

O3. Address level changes across street frontages, and between adjoining properties.

O4. Reduce the impact of site levelling on adjacent properties, and future site development opportunities.

Controls

C1. Level changes across sites are to be resolved within the building footprint:

- where buildings are built to the street boundary, a level transition must be provided between the building and the adjacent footpath. This level must be maintained for a minimum depth of 10m into the building;
- an accessible path of travel is to be provided from the street through the main entry door of the building;
- where necessary, stairs and ramps are to be integrated with the landscape design; and
- the maximum height of retaining walls within the rear setback is not to exceed 1.2m.

3.11 Site facilities

Site facilities include loading areas, garbage areas, mail boxes, external storage areas, courier/service entries, and residential clothes drying facilities.

Site facilities are to be considered at an early stage of design development. This ensures that the impact of necessary site facilities on the public domain and adjacent properties can be minimised.

Objectives

O1. Provide appropriate site facilities for retail, commercial and residential uses.

O2. Minimise the impact of site facilities on the streetscape and public domain.

O3. Provide adequate garbage and recycling areas to all developments.

Control

C1. Please refer to Part C and G8 of this DCP for specific controls.

3.12 On-site parking

Objectives

O1. Encourage more sustainable forms of movement such as public transport, car-sharing, walking and cycling for all trips.

O2. Encourage pedestrian activity.

O3. Minimise visual impact of car parking on street and adjoining sites.

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O4. Provide resident and visitor car parking rates in accordance with those car parking rates as required under SEPP65.

Controls

C1. Provide car parking for the commercial/retail premises at the rate of 1 space per 50m^2 of gross lettable floor space in accordance with the Wentworthville Centre Planning and Place Making Strategy.

C2. Provide residential car parking at the rate specified in SEPP65, and in accordance with the *Guide to Traffic Generating Developments* (Roads and Maritime Services) or otherwise specified document.

C3. Lockable on-site bicycle parking is to be provided for residential and non-residential uses.

C4. Basement parking should be located directly under building footprint to maximise opportunities for deep soil planting unless the structure can be designed to support mature plants and deep root plants.

C5. Along active frontage, basement parking must be located fully below the level of the footpath.

3.13 Landscaping

Objectives

O1. Create a high quality and appealing streetscape on Station Street that includes provision of street trees (plantings).

O2. Protect the amenity of adjacent properties through provision of a landscape (vegetation) transition that will provide privacy, a visual and noise interruption between, and improve the interface between the site and the adjacent lower scale and density properties to the east.

Controls

C1. The land within the rear setback is to include landscaping and deep soil planting. This landscaping is to have a width of min. 8m measured from the rear property boundary.

C2. The rear setback area is to be landscaped using native planting. It should include a diverse selection of locally indigenous plant species which are robust and drought-tolerant.

3.14 Environmental performance

Objectives

O1. Reduce environmental impact over the life cycle of a building.

O2. Reduce the necessity for mechanical heating and cooling.

O3. Enhance local biodiversity through the planting of diverse native plant species.

O4. Encourage the 'greening' of the site through vegetation planting of the buildings external areas including rooftop.

O5. Promote renewable energy initiatives.

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Controls

C1. Ensure rain water is captured, stored and used for non-potable uses such as irrigation of landscaping.

C2. Native planting to be incorporated in on-site landscaping.

C3. Where possible, incorporate a dual water system that recycles grey water for toilet flushing and car washing.

C4. Consideration should be given to utilising roof space for developing roof gardens (green roof).

C5. Where appropriate biowalls (green walls) should be incorporated in the design of buildings.

3.15 Roof garden (green roof) + biowall (green wall)

Objectives

O1. Add insulation to the façade.

O2. Act as bio-filters and reduce the rate of stormwater runoff.

O3. Reduce the destruction caused by UV rays, as well as be an aesthetic feature.

Controls

C1. Provide a green and/or community garden on the roof of the building (Refer to Figure 14).

C2. Where possible incorporate exterior and interior green walls (Refer to Figure 15).

C3. The design of the green roof is to:

- allow for access and ease of movement from with the development and from the roof garden; and
- minimise overlooking of neighbouring properties through use of passive screening or planting.

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Figure 14: Roof garden (source: www.pinterest.com)



Figure 15: Biowall (green wall) (source: www.pinterest.com)

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DOCUMENTS ASSOCIATED WITH REPORT C08/20-524

Attachment 11

Recommended Cumberland DCP Part F3 Site Specific Development Controls



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PART F3
INDUSTRIAL SITE SPECIFIC

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PART F3-1
PEMULWUY NORTHERN EMPLOYMENT LANDS

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1. Introduction

1.1 Land to which this Part applies

This Part relates only to the Pemulwuy North Employment Lands, the land shown in Figure 1. The entirety of the site is within Cumberland City. This DCP does not apply to the whole of the Greystanes Precinct that was defined in the *State Environmental Planning Policy No. 59 - Central Western Sydney Economic and Employment Area* (SEPP 59). Lands not included are: the residential land within Pemulwuy, parts of the Employment Lands in Blacktown LGA, and the 'Greystanes Southern Employment Lands' (as defined by the 20/07/2007 Part 3A Determination). Also, the southeast boundary of the former CSIRO lands has been redefined to reflect the landowners' intended uses for the lands here. Therefore, this Section of the DCP applies only to some of the employment component of the Greystanes Precinct that was defined in SEPP 59. It also includes the north-west corner industrial land (Lot 101 DP 851785l, Lot 9 DP 374325 and public road reserve) originally excluded from SEPP 59. It also includes the eastern half of Clunies Ross Street linking the two industrial lands, as this is part of the WSEA SEPP 2009 land.

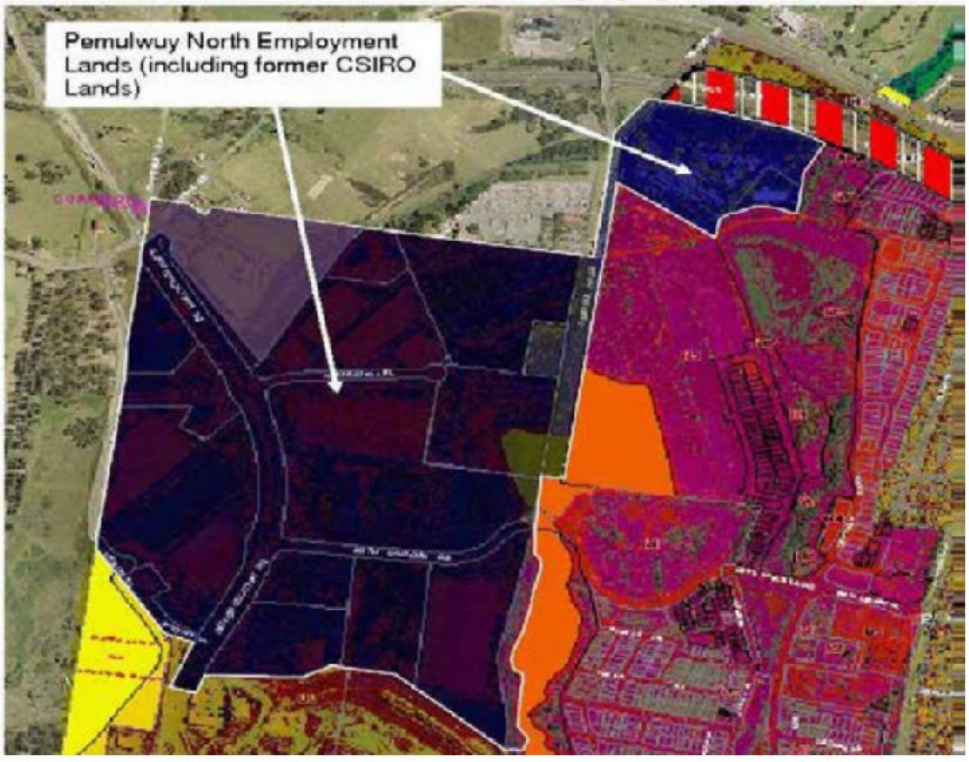

Figure 1: Land application map - Pemulwuy Northern Industrial lands

1.2 Relationship to other Plans

State Environmental Planning Policy No. 59 - Central Western Sydney Economic and Employment Area (SEPP 59) was gazetted In February 1999, and applied to a number of

landholdings in Western Sydney including the Greystanes Estate. The SEPP rezoned the Greystanes Estate for urban development including employment generating and residential land uses and establishes the planning framework for the development of the land.

As a result of to the gazettal of the *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (WSEA SEPP) on Friday 21 August, 2009, control of the Employment Lands of SEPP59 was transferred to the WSEA SEPP. Most of the land that is the subject of this section of the DCP is controlled by the WSEA SEPP.

As required now under clause Part 4 (Development control plans) of the WSEA SEPP, prior to the lodgement of a development application for the site, the owner or Council needs to prepare a Development Control Plan for the site pursuant to section 80 (11) of the *EP&A Act* and consistent with the issues of consideration in Schedule 4 of the WSEA SEPP (Requirements relating to preparation and content of development control plans), and then have it determined (approved) by the Director-General of the Department of Planning.

This Part of the *Cumberland DCP 20XX* provides guidance on specific development matters pertinent to the land defined in Section 1.1 above, and is consistent with Schedule 4 of the WSEA SEPP. Infrastructure services are not addressed by this DCP, having been provided prior to the adoption of this control.

Where this Part does not provide guidance on specific development matters, reference shall be made to other Parts, such as Part A, Part C, Part D, Part G and Council Codes and Policies. The objectives and controls of these Parts will be considered in the determination of the Development Application. Where there is an inconsistency between this Part and Part A or D, this Part should take precedence.

Historically, this Part was amalgamated from relevant sections of two Precinct Plans:

- *Former CSIRO Site Pemulwuy Employment Lands;* and
- *Greystanes Estate SEPP 59 Residential Lands*.

These Precinct Plans continue to apply to the subject land of Pemulwuy, except where there is an inconsistency between this Development Control Plan and these Precinct Plans, in which case this DCP prevails to the extent of the inconsistency.

Note: Lot 63 DP 752051, on the western side of Clunies Ross Street, Pemulwuy, was formerly part of the SEPP 59 land, though it had not been included in the Greystanes Estate Precinct Plan.

2. Objectives and controls

2.1 General

Objectives

O1. Achieve the principles of ESD through:

- provision of a range of new employment opportunities;
- efficient re-use of degraded land;
- proximity of local employment to workforce and the consequent benefits to the community such as reduced travel time, promotion of healthy lifestyles, reduced expenditure for transport;
- energy efficient design of employment developments;
- provision of public transport networks;
- implementation of sustainable practices, where practicable e.g. water efficiency and conservation measures to reduce water consumption, maintenance or improvement

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of water quality through a catchment management approach to the site and the control and minimisation of air pollutant emissions;
- efficient use of land to minimise urban growth and better utilise existing infrastructure;
- promoting the use of appropriate and renewable source materials;
- maintaining and enhancing the significant vegetation and habitat and protecting threatened ecological communities; and
- recognising and integrating significant cultural and archaeological features/aspects.

O2. Continue existing employment;

O3. Offer new job opportunities in Western Sydney. The accessibility of the site to a regional road and public transport network will assist in attracting new employment generating industries.

O4. Provide within the public domain of the Pemulwuy north employment lands:
- riparian corridor;
- water bodies;
- paths and cycleways; and
- roads.

O5. Design these areas so as to create a unique setting and encourage development throughout the Estate.

Note: For a vision of Residential Pemulwuy, see Part F1 – Site Specific Controls.

2.2 Public domain and open space

2.2.1 Open space

Objectives

O6. Protect scenic values and ridge skyline.

O7. Create an integrated open space system that is safe, visually attractive, environmentally sustainable, manageable and flexible to cater for changing community needs.

O8. Retain significant vegetation bands and corridors including the dominant north-south wooded ridgeline.

O9. Rehabilitate existing quarry batters to provide a vegetated setting for employment lands.

O10. Create a major northern gateway to the employment lands of high quality landscape that reflects the character of the entire employment area.

Controls

C1. Provide open space generally in accordance with the development concept set out in Figure 2. The public domain should comprise: riparian corridor, water bodies, paths and cycleways, and roads. The treatment of these areas will be important in creating a unique setting and encouraging development throughout the Estate. These areas are to be reflected in subsequent development applications for the site, and maintained as such.

C2. Open space areas may be used for stormwater detention purposes.

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C3. Open space may include elements of the natural environment and provide for active and passive recreation.

C4. Retain and reinforce existing vegetation patterns through the Open space landscaping within public domain areas.

C5. On the north-south wooded ridgeline, replace the pine plantation with new locally indigenous planting to protect the skyline.

C6. Provide a cross site link to allow for connection between Greystanes and Prospect Reservoir.

C7. Provide pedestrian and cycle systems through the riparian corridor where possible, designed to minimise the impact on the ecology of the riparian corridor.

C8. Design accessible open space corridors to ensure the safety of pedestrians and cyclists using the corridors as thoroughfares.

C9. Maintain and vegetate the riparian corridor in accordance with the agreement with the relevant State authority and to the satisfaction of Cumberland City Council.

C10. Create a major northern gateway to the employment lands of high quality landscape that reflects the character of the entire employment area, as shown in Figure 2.

C11. Provide a linear open space area with water elements, landscaped areas and suitably designed signage, bridge, lighting and pavements to evoke the character and theme of a quality industrial park.

C12. Along the eastern ridgeline, plant to reinforce the topographical bounds of the employment area.

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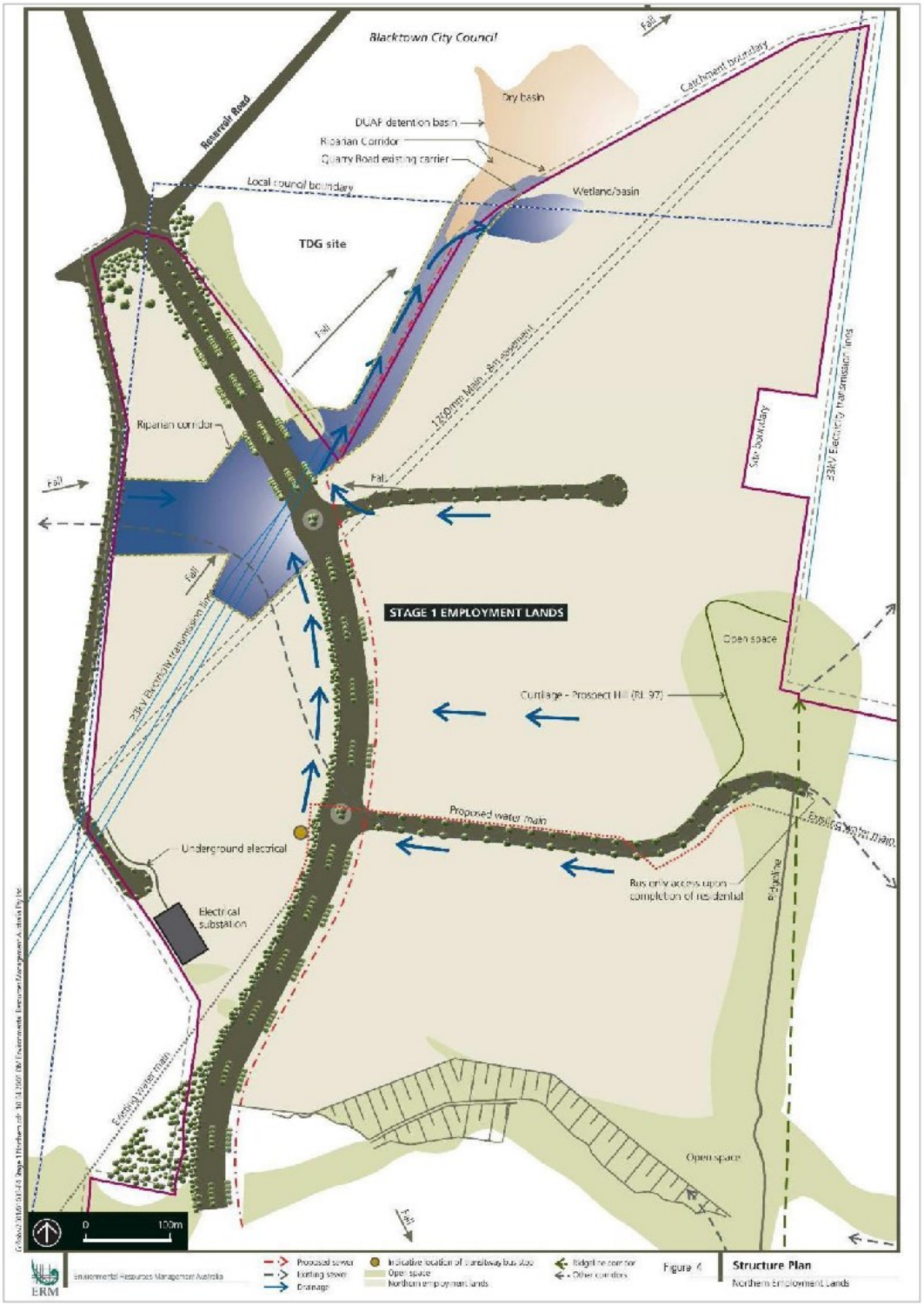

Figure 2: Open space concept plan

2.2.2 Pedestrian and cyclist facilities

Objectives

O1. Provide a convenient access to the employment precinct.

O2. Encourage walking and cycling by providing safe, convenient and legible routes to points of attraction within and beyond the suburb.

O3. Provide open space permeability through development precincts.

O4. Link the existing Greystanes community with new development precincts.

O5. Utilise natural drainage systems and vegetation corridors as open space links.

Controls

C1. Construct pedestrian footpaths generally as part of the normal street network, other than paths in open space corridors.

C2. Ensure that development applications that relate to the cycle network and pedestrian link the site facilities to the off-site facilities The cycle network is a combination of on street, dedicated street lanes, shared paths (parks and streets) and dedicated paths (parks) that link the main points of attraction, particularly the residential and employment areas and village centre with the open space network including the Prospect Canal linear park and Hyland Park.

C3. Provide key pedestrian and cycle routes broadly along the alignment shown on Figure 3 below.

C4. Align cycle/foot paths in open space approximately parallel with the park edge streets wherever possible to take advantage of the street lighting and allow for casual surveillance by residents and drivers.

C5. Wherever possible and practical, design and construct footpaths or shared paths to be of appropriate width, longitudinal gradient, sight distance and kerb details to cater for the likely population and user types, including aged people, people with prams and wheelchairs, and people with disabilities. Provide a minimum width of 1200mm and maximum gradient where possible of 15%.

C6. Consider incorporating drainage lines into the open space networks as pedestrian and cycle paths.

C7. Pedestrian and cyclist access to the north east employment area will be via the main gate onto Clunies Ross Street.

C8. Pedestrian access to private land should be designed as an integral part of the internal circulation network.

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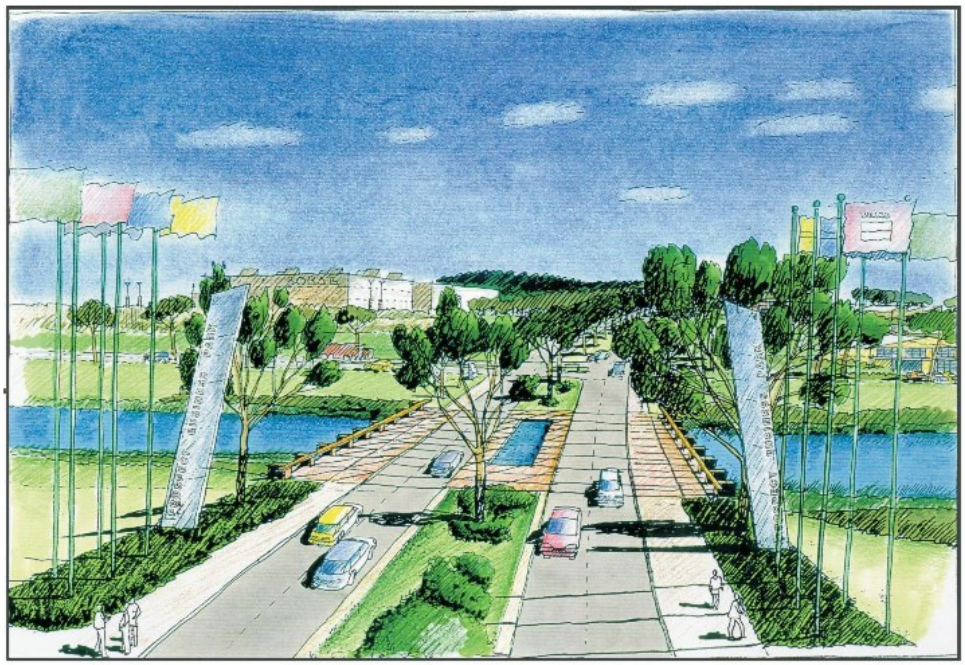

Figure 3: Illustration - Entry into employment lands

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2.2.3 Entrance treatment

Objective

O1. Create distinctive, high quality, landscaped gateways to the Estate.

Controls

C1. Establish north and south entry gateways into the northern employment lands along the spine road to create a distinctive character.

C2. Locate the site entry to the northeast area on Clunies Ross Street and integrate it with the landscape character.

2.2.4 Street trees and furniture

Objective

O1. Establish a character and unifying element through street tree planting and furniture.

Controls

C1. Use thematic street tree planting to complement the role of streets. Use different species for different street types and orientation.

C2. Use a co-ordinated palette of street furniture throughout the Estate.

C3. Ensure that lighting in public areas is of a style, colour and form that is compatible with the street furniture.

C4. Co-ordinate the spacing of light poles with street trees.

2.2.5 Safety and security

Objective

O1. Promote the feeling of safety.

Controls

C1. Design buildings to overlook public and communal streets and other public areas to provide casual surveillance.

C2. Through site planning, buildings, fences, landscaping and other features, clearly define territory and ownership of all public, common, semi-private and private space.

C3. Provide appropriate lighting to all pedestrian paths between public and shared areas, parking areas and building entries, and light building entries to provide a sense of security for both residents and visitors.

C4. Ensure no lighting spills onto or affects the amenity of residential areas.

C5. Use robust materials which are aesthetically pleasing in public or communal spaces.

C6. Ensure pedestrian site access and car parking are:

- clearly defined,
- appropriately lit,
- visible to others and
- provide direct access to buildings from areas likely to be used at night.

C7. Design major pedestrian, cycle and vehicle thoroughfares to:

- minimise opportunities for concealment;
- avoid 'blind' corners;
- maximise casual surveillance; and
- allow 'long distance' sight lines.

C8. Identify major pedestrian, cycle and vehicle thoroughfares, and reinforce them as 'safe routes' through:

- appropriate lighting;
- the potential for casual surveillance;
- minimised opportunities for concealment;
- landscaping which allows long-distance sight lines; and
- avoidance of 'blind corners'.

C9. Site and design landscape and fencing so they do not present a security risk by screening doors, windows and major paths.

C10. Provide safety fencing along the ridge line, suitably designed to allow for views and outlook.

C11. Ensure landscaping maintains view corridors & clear sight lines.

2.3 Building and siting requirements

Where this Part of the DCP does not provide guidance on specific development matters, reference should be made to other Part of the DCP, such as Part G and Part D. Where there is

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an inconsistency between this Part and any other Part of this DCP, this Part should take precedence

2.3.1 Land Uses

Objectives

O1. The objectives for and land uses permissible within the Pemulwuy North Employment Lands are defined by:
- The WSEA SEPP 2009 (in relation to land zoned IN 1 as defined by that SEPP); and
- The *Cumberland Local Environmental Plan 20XX* (in relation to land zoned IN 2 and excluded from Precinct 10 of the Land Application Map of the WSEA SEPP 2009).

Controls

C1. Provide a retail service centre catering for the needs of the workforce at a central location within the employment lands. Locate the centre on a corner allotment facing the north-south spine road so that it is readily accessible to the local workforce.

C2. Provide recreational and community uses within the employment lands consistent with the provisions of the *Western Sydney Employment Area SEPP 2009*.

C3. Ensure open space that provides active and passive recreation for the workforce. Open space should be readily accessible and well located and should be incorporated within individual developments as well as along public corridors.

C4. Restrict retail activity on industrial land (having the potential to increase land prices and effectively push traditional industrial users out, and to threaten the industrial 'address' and image).

2.3.2 Lot Sizes and Site Cover

Objectives

O1. Achieve a quality industrial park setting and ensure adequate provision is made for landscaping, parking and manoeuvring areas.

O2. Create site layouts which consider the opportunities and constraints of the site.

Controls

C1. Ensure a minimum lot size of 1 hectare, although, a range of lot sizes is anticipated to meet market demand.

C2. Subdivisions of land should:
- seek to maximise solar access to all parts of the development;
- encourage passive solar design; and
- protect site attributes such as views, existing vegetation and other environmental features.

C3. Subdivision of land should avoid the creation of battle-axe blocks or long and narrow blocks at right angles to street frontages.

C4. Maximum site coverage is 60%. Local services including commercial, retail, community and recreational uses are excluded from this provision given the different design characteristics of these uses.

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C5. "Site area" is defined as the whole of the land to which an application relates and includes areas set aside for open space, drainage and other services. "Site coverage" is defined as the area of a site covered by buildings including awnings.

C6. In the layout of the site, design the buildings and landscaping to provide direct, convenient and safe access to the street for the pedestrians.

C7. On industrial sites, make adequate allowance for manoeuvring and turning of heavy vehicles on site. In accordance with the Roads and Maritime Service's Policies, Guidelines and Procedures for Traffic Generating Developments, apply the design standard for "large rigid truck".

C8. Ensure that the width of an industrial allotment at the building line is equal to or greater than 24m and the average depth is equal to or greater than 45m.

2.3.3 Siting

Objectives

O1. Achieve attractive streetscapes.

O2. Provide a quality setting and to allow for landscaped curtilages between buildings and front property boundaries.

O3. Create setbacks that allow for landscaping and visual amenity.

O4. Provide solar access to sites and adjacent development.

O5. On the former CSIRO lands, to create a consistent streetscape with the residential area along the Clunies Street frontage.

O6. On the former CSIRO lands, to provide a setback on the southern boundary that allows for reasonable sunlight access and reduces visual dominance of employment buildings to the rear of the residential area.

O7. Prescribe Asset Protection Zones (APZs) within the Pemulwuy northern employment lands for bushfire protection.

Controls

C1. Setback buildings to the west of Clunies Ross Street as follows:

- north-south spine road: buildings are to be setback 20 metres from the property boundary. The first 10 metres is to be landscaped in accordance with the Landscape section below;
- all other roads: buildings are to be set back 8 metres from the property boundary. The first 3 metres is to be landscaped in accordance with the Landscape section below.

C2. Setback buildings within the former CSIRO employment land consistent with Figure 4.

C3. Within the former CSIRO employment land:

- the Eastern Building Setback is the prescribed flood line based on the dam break Imminent Failure Flood (IFF) line;
- new buildings are not permitted in the IFF zone;
- car parking and like uses are permitted in the IFF zone;
- new buildings are not permitted within the Asset Protection Zone (APZ);

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- no new development, including buildings, car parking, fire trails and like activities, is permitted within the riparian corridor alignment agreed with a State environmental authority.

C4. The setback controls may be varied where:

- a predominant street building line exists;
- the current setback of buildings is staggered and continuity in street building line should be maintained;
- there is no obvious street building line and new buildings should align with existing maximum and minimum building lines of development;
- public domain improvements or environmental benefits such as solar access, protection of vegetation are achieved; or
- where the building is located on a corner site and a lesser setback is consistent with streetscape objectives.

C5. Setback buildings 10 metres from any public open space, including riparian reserves, and 20 metres from Greystanes Creek.

C6. Site and design buildings to allow for casual surveillance of building entrances and the street.

C7. Site buildings to allow for adequate lines of sight to building entrances, the street and carpark areas for pedestrians, cyclists and vehicles.

C8. Locate offices to address and activate the street/s. The warehouse/factory functions as well as car parking, manoeuvring areas, loading and unloading facilities are to be located within the site.

C9. Through layout of the site, the design of buildings and landscaping, provide direct and safe access to the street for pedestrians.

C10. Large setbacks with significant car parking in front of buildings are not permitted on the principal street frontage.

C11. Establish and maintain landscaping within the southern setback of the former CSIRO employment land.

C12. Site and design buildings so that solar access to staff recreation areas on site and in adjoining developments is not compromised between 12 noon and 2pm (as measured at 21 June).

C13. Site buildings to satisfy maintenance, utility and safety requirements.

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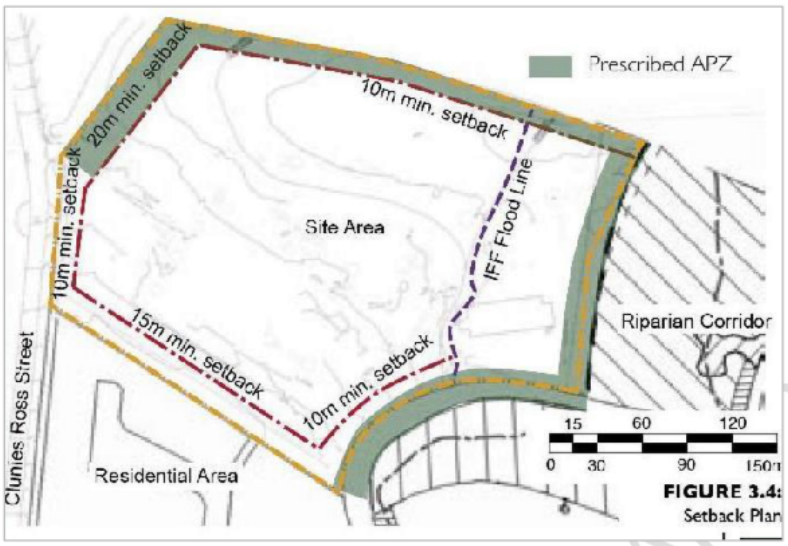

Figure 4: Setbacks - Former CSIRO employment land

2.3.4 Solar Access

Objectives

O1. Consider mid-winter solar access to the office building areas within the Employment Land.

O2. Achieve reasonable mid-winter solar access to primary indoor spaces and primary private open spaces within the residential area to the immediate south of the former CSIRO employment land.

Controls

C1. Design office areas to consider north/south orientation in order to maximise solar access to the habitable area in midwinter.

C2. Site and design buildings so that solar access to staff recreation areas on site and in adjoining developments is not compromised between 12 noon and 2pm (as measured at 21 June).

C3. Within the former CSIRO employment land, ensure that the residential development to the immediate south of the employment area achieves a minimum 4 hours of direct sunlight to windows of the north facing living areas between 8.00am and 4.00pm midwinter, and 3 hours direct sunlight between 9.00am and 3.00pm to 50% of the private open space in mid-winter.

Note: Accompanying development applications, submit shadow diagrams showing the effect of shadows on public open space, adjoining properties and outdoor recreation areas at 9am, 12 noon and 3pm mid-winter.

C4. Where industrial development abuts residential lots or streets, shadow diagrams shall:

- be provided demonstrating the impact on adjoining residential properties or public domain;
- be based on a survey of the site and adjoining development;

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- be at 9.00a.m., 12.00noon and 3.00p.m. at 21st June (private open space); and
- be at 8.00a.m., 12.00noon and 4.00p.m. at 21st June (north facing living areas).

C5. Additionally, ensure height of such industrial development does not exceed (in metres) the height allowed for the adjoining use along the common boundary, subject to meeting the controls of overshadowing.

C6. If the existing lot or open space already receives less than 4 hours of sunlight then the development shall not further reduce this solar access.

2.3.5 Building heights and design

Objectives

O1. Ensure buildings do not adversely affect views from the M4, Great Western Highway and Prospect Reservoir environs to Prospect Hill.

O2. Create building forms with appropriate scale and height, taking into consideration site topography.

O3. Encourage a high architectural standard of contemporary design and innovation.

O4. Provide for low rise, large scale buildings generally in horizontal form.

O5. Achieve a good quality development which complements the streetscape.

O6. Provide for low rise and large scale building to reduce visual impact to the surrounding area.

O7. Ensure building heights do not adversely impact on the amenity of adjacent residential areas.

O8. Ensure the scale and character of the development is compatible with other employment-generating development in the precinct concerned.

O9. Ensure buildings are compatible with the height, scale, siting and character of existing residential buildings in the vicinity.

O10. On development adjoining residential land, to store goods, plant, equipment and other material resulting from the development within a building, or to suitably screen them from view from residential buildings and associated land.

Controls

C1. Ensure that the height and scale of buildings in the Northern Employment area are sensitive to views from the environs of Prospect Reservoir and the M4 Motorway. Generally 12 metres is the building height limit in the Northern Employment area. In the former CSIRO land, building heights shall not exceed 12.2 metres.

C2. In the former CSIRO land, ensure compliance with Part D to protect adjacent residential amenity.

C3. In the former CSIRO land, new buildings should not exceed the height of RL 63.0 metres (AHD).

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C4. In the former CSIRO land, the height level of buildings at the 15 metre setback line from the southern boundary, which abuts the residential lands, shall not exceed RL 61.5 metres (AHD).

From this maximum height level, the height of buildings may increase away from the southern boundary setback to the highest level permitted for the site providing there are no increased overshadowing effects on the adjoining residential lands.

C5. Ensure the architectural treatment of building facades is directed by energy efficiency and other environmental design considerations.

C6. Articulate building facades to address all street frontages. Building facades can be articulated using architectural elements which include:

- variable roofs and skyline silhouettes (for example: saw toothed or pitched roofs and innovative skillion curved or 'floating' roof forms);
- varying façade alignments;
- 'breaking-up' facades with windows, changing wall alignments and the use of decorative features and structural features.
- variation in materials, finishes and colours;
- location, style and quantity of windows;
- blade and fin walls;
- cantilevered or overhanging elements;
- verandahs, terraces, sun shading devices;
- colonnades; or
- variation in height.

C7. Architectural style is to contribute to the quality of the Estate, with emphasis on the horizontal lines and planes.

C8. Integrate roof top plant and services into building/roof forms or screened and compatible with the building design. Mobile phone towers are not permitted on tops of buildings unless integrated into the building/roof design.

C9. Articulate building entries so they are easily identifiable.

C10. Locate service areas including waste/recycling areas and external storage areas away from principal frontages and adequately screen them from view from any public road.

C11. Locate loading docks, roller shutters and other building openings that detract from the appearance of the building so they are not visible from the principal street frontage.

C12. Minimise cut and fill to protect existing drainage patterns and maintain integrity of the groundwater system.

2.3.6 External materials and colours

Objective

O1. Contribute to the visual quality of the Pemulwuy northern employment lands through selection of building materials and colours.

Controls

C1. Use materials and colours for buildings and roofs that are subtle (no strong hues), recessive (mid-tone) and non-reflective.

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C2. Create varied facades through choice of external materials, including masonry, metal panels, CFC panels, metal sheeting for walls and roofs.

C3. Express one predominant external material. The range of external materials on any individual building should be limited and compatible.

C4. Ensure that dado panels or similar are a minimum height of 2 metres to all external walls. Construct dado panels of face brick, masonry, or other material that provides a high standard of finishes.

C5. Pre-colour metal deck roofs in landscape tones.

C6. Use only low maintenance and robust materials.

C7. Minimise variations in colour. Accent colour is acceptable, e.g. for corporate logos and architectural details.

C8. Ensure that external finishes are graffiti resistant.

Note: Indicate details of external materials and colours on the plans accompanying development applications.

2.3.7 Energy and water efficiency

Objectives

O1. Encourage site planning and building design that optimises site conditions to achieve energy efficiency.

O2. Design working environments that minimise energy and water use.

O3. Encourage use of building materials that minimise impact on development.

O4. Use passive and active design initiatives that respect the principles of ecological sustainable development.

O5. Implement sustainable practices, e.g. water efficiency and conservation measures to reduce water consumption, and the use of solar energy for heating appliances.

O6. Encourage Water Sensitive Urban Design Principles (WSUD) for the new development.

O7. Encourage the use of rainwater tanks for outdoor use and toilet flushing in accordance with the requirements of Sydney Water;

O8. Encourage the use of permeable paving, wherever possible, to increase water filtration into the ground.

Controls

C1. Ensure all building development (including additions and alterations) complies with the requirements of the Building Code of Australia (BCA), and relevant reports accompany applications for construction.

C2. In designing the orientation, internal layout and design of buildings, minimise energy consumption for heating and cooling. Aspects to consider include:

- light penetration to internal areas;
- natural ventilation;

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- passive solar design;
- shading devices to minimise glare; and
- solar access to outdoor recreation areas.

C3. Select building materials which, where feasible:

- use renewable resources;
- are energy efficient;
- are low maintenance;
- are recycled or recyclable;
- are non polluting;
- are non-ozone depleting; and
- avoid where possible the use of PVC.

C4. Install rainwater tanks to provide water for flushing toilets and other non-potable uses.

C5. See Section 2.7.1 below under Stormwater Management for controls for water flow and quality management during and particularly after development, and for Stormwater plans to minimise pollutant loads.

C6. Ensure compliance with Part G Water Sensitive Urban Design (WSUD).

2.3.8 Landscaping

Note: "Landscaping" incorporates vegetation, gardens, outdoor staff recreation areas, natural site features and watercourses, but does not include that part of the site used for driveways, parking or outdoor storage.

Objectives

O1. Encourage a high standard of landscaping to enhance the streetscape and amenity of the Pemulwuy north employment lands.

O2. Accommodate outdoor staff areas.

O3. Provide for retention of water for irrigation and drainage purposes.

O4. On sites adjacent to the open space corridors, to select species to complement the plant species in the corridors.

O5. Screen the interface to the adjacent residential uses.

O6. Soften the impact of built form and car parking areas.

Controls

C1. Design the landscape of both hard and soft landscape features to create a quality industrial park setting. Hard landscape features include paving, terracing, retaining walls and kerbing. Soft landscape features refer to vegetation (including grass, shrubs and trees).

C2. Within the landscape masterplan, identify existing waterbodies, creeks and creeklines on the site and provide for protection and rehabilitation of riparian zones within the site.

C3. Design landscaping to visually unify and enhance the overall quality of the Pemulwuy north employment lands.

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C4. Provide outdoor amenity/recreation facilities for employees within the landscaped areas, to meet the likely needs of the workforce.

C5. Protect existing significant trees and incorporate them into the design.

C6. Provide landscaping as both hard and soft areas. However, provide and maintain approximately 15% of a site as soft landscaped area at ground level. The location of the landscaped areas will be determined at the development application stage having regard to meeting the criteria contained in this section. Landscaping design of both hard and soft landscape features should create a unified setting.

C7. Where feasible, drain hard stand areas to soft landscaping areas to improve on-site infiltration of stormwater.

C8. Provide non-slip finishes to paving.

C9. Design landscaping to complement the buildings on site, the adjoining developments and streetscape, and to be compatible in scale.

C10. Separate landscaped areas from vehicle areas with an effective physical barrier.

C11. In the former CSIRO land, where a site adjoins a non- industrial use, provide a mature planting buffer and secondary acoustic fence within the industrial lot within the side and rear setbacks. Adequate acoustic buffers are required so that any impact is minimised.

C12. Plant local indigenous species with mulched beds to help improve water quality and reduce water consumption.

C13. Plant to highlight pedestrian and vehicular access points and building entries.

C14. Landscape informally to promote parkland quality. Structured treatment may be used to enhance entries, etc.

C15. Provide earth mounding in the landscaped setback along the north-south spine road. Embankments should be no steeper than 1:4 gradient in order to enable vegetation to be grown and maintained.

C16. Landscape carparks to complement the surrounding landscaped areas, soften car parking areas and provide shade for parked cars. Plant a minimum of one tree for every four car parking spaces. Provide landscaping around the perimeter of carpark areas.

C17. In open parking areas, plant 1 shade tree per 4 cars within or around the parking areas, except in the instance of central carpark divides (see Part D of this DCP).

C18. Install automatic irrigation systems for all landscaped areas on the developed lots. Design them to meet specific site requirements. Consider minimising water consumption and preventing salinity in the design of landscaping and irrigation systems; prefer irrigation systems that monitor soil moisture conditions.

C19. Install a drip irrigation system to all soft landscaped areas to reduce water use. Connect this system to rainwater storage tanks where possible.

C20. Design landscaping to assist energy conservation in buildings and have regard to microclimatic conditions and shading control.

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C21. Design landscaping to encourage safety by ensuring street surveillance is possible, paths are not excessively screened, and lighting is provided to pathways and building entries.

C22. Design landscaping and setbacks to create an environment that encourages walking and the pedestrian use of public streets.

C23. Submit a separate landscape masterplan with the first application received to subdivide land in each stage of the development. Requirements for subdivision include:

- details of landscape concepts including thematic street planting, lighting and street furniture proposals to guide future development;
- proposals for entry gateways in the north and south as appropriate;
- identification of existing and proposed open space and vegetation corridors including riparian land, drainage corridors, stormwater detention ponds;
- identification of existing natural features such as waterbodies and creeklines;
- reference to and consistency with any relevant bushland management plan;
- location and extent of pedestrian and cycleway networks; and
- demonstrate provisions for linkages of the above facilities to facilities on adjoining land.

2.3.9 Signage

The purpose of this section is to establish Council's specific objectives and development controls for the provisions of signage in the Cumberland City LGA. This section should be read in conjunction with State Environmental Planning Policy No. 64 Advertising and Signage (SEPP 64). For the purposes of this section, signage has the same meaning as defined in SEPP 64 (or equivalent):

- advertisement;
- business identification sign; and
- building identification sign.

Any application to which this section applies must also consider Council's large display advertising policy.

Objectives

O1. Encourage signage that contributes to the aesthetic integrity of the Pemulwuy north employment lands.

O2. Ensure signage does not detract from the visual appearance of the buildings and locality.

O3. Provide the opportunity for an approved use to adequately state the nature of the business conducted on the premises.

O4. Regulate signage so that it contributes to the identity of the site.

O5. Ensure signage does not compromise the safety of the M4 user.

O6. Ensure illuminated signs do not unduly affect the amenity of the surrounding areas or interfere with driver's vision.

Controls

C1. Relate advertising, other than real estate signs, to the use occurring on the respective property. i.e.: to serve only to identify the occupants of the premises.

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C2. Locate directional and tenancy signage in a convenient point close to the main entry to a development.

C3. Locate signs below parapet level.

C4. Moving, blinking or flashing signs are prohibited.

C5. Incorporate signage into the architectural elements of the building of a size, shape and colour that does not detract from the architectural character of the building.

C6. Where council has a fixed building line, advertisements will generally not be permitted between the building line and street alignment. Council will consider allowing business identification signs that serve only to identify the occupants of the premises, within the building line, provided they comply with the standards set out below. Council will also consider advertisements in the form of logos and trademarks, where they are incorporated into landscaping design.

C7. Provide no more than one wall sign per occupancy, on the facade of the unit with which that occupancy is associated. The sizes and dimensions of such signage shall have regard to existing signage on other units, and dimensions of 2m x 1m are permitted without consent.

C8. Where there is only one occupant for an entire building, provide no more than one wall sign per building facade.

C9. Directory boards are to be comprised of not more than one (1) panel per unit. Each panel is:

- to be uniform in size, colour and dimensions;
- not to exceed 0.2 square metres per panel; and
- to serve only to identify the number of the unit and the name of the respective occupant.

C10. Locate the directory board on or behind the building line setback adjacent to the entrance to the site, unless with the prior consent of Council. Where the directory board is proposed to be located within the building line setback incorporate it into the landscaping to Council's satisfaction.

C11. Ensure that signage is easily readable.

C12. Locate and display illuminated signs in a manner that does not cause glare, distract drivers or adversely impact on the amenity of nearby residences.

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Figure 5: Example of tenancy signage

2.3.10 Fencing

Objectives

O1. Allow for security in the Pemulwuy north employment lands.

O2. Ensure that the design of fencing contributes to the streetscape and amenity of the Pemulwuy north employment lands.

O3. Provide for the amenity of adjacent residential land.

Controls

C1. Avoid fencing between the building and the principal street frontage, where possible.

C2. Where fencing is required for safety or security reasons to be forward of the building line, ensure that it is of a standard and style that does not detract from the landscaping and main building facades. Pre-painted solid metal fencing will generally not be acceptable. Provide details of fencing at the development application stage.

C3. Locate fencing so it does not impede sight lines for drivers.

C4. Ensure that fencing complements all landscaping to minimise visual impacts to the adjacent residential areas whilst providing site security.

C5. Restrict fences fronting Clunies Ross Street to a height of 1 metre above natural ground level.

C6. Within the Pemulwuy north employment lands, open form front fences to a height of 1.8 metres will be considered having regard to the presentation and design of the fence;

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C7. Use graffiti-resistant materials and finishes on fencing.

2.3.11 Exempt and complying development

See Part 5 (General Commercial and Industrial Code) of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. This SEPP controls certain Commercial and Industrial development with respect to:

- internal alteration to a building that is used as bulky goods premises, commercial premises, premises for light industry or a warehouse or distribution centre; or
- change of use of [Commercial and Industrial] premises;
- mechanical ventilation systems;
- shop front and awning alterations; and
- skylights and roof windows.

Part 1 of the SEPP defines the general requirements for exempt and complying development for Commercial and Industrial purposes.

Part 2 controls general exemptions such as Access ramps, Bollards, Demolition, Minor building alterations, Privacy screens, Scaffolding, hoardings and temporary construction site fences, Replacement of identification signs, Temporary builders' structures, and Water features and ponds.

2.4 Transport

2.4.1 Principles for a Transport Plan

Guiding principles and performance targets for the establishment of a transportation system for Pemulwuy were based on SEPP 59 (*State Environmental Planning Policy No. 59 – Central Western Sydney Economic and Employment Area*). These principles have guided the precinct plans on which this DCP is based. With the transferral of much of the land to which this DCP applies to the State *Environmental Planning Policy (Western Sydney Employment Area) 2009* (WSEA SEPP), the "existing precinct plans" (upon which this section of the DCP is based) continue to apply in determining a development application.

Note: see clause 26 (Development on or in vicinity of proposed transport infrastructure routes) of the WSEA SEPP.

Objectives

O1. Address transport targets.

O2. Establish guiding principles for design and layout of the site consistent with increasing the mode split towards public transport and non private vehicle usage and minimise vehicle kilometres travelled (VKTs).

O3. Provide for all modes of transport, including roads, transit ways, walking and cycling facilities, which are integrated into the surrounding network of each mode.

O4. Identify a range of transport infrastructure which addresses site requirements including the staging and funding proposals.

O5. Identify links to the Transitway network outlined by *Action for Transport 2010*.

O6. Recognise freight and industry transport requirements including:

- linkages from the site to the M4 Motorway; and
- initiatives for integrating freight handling between industries.

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Controls

C1. Reduce the mode split of 'car as driver' for the journey to work by at least 10% (e.g. from 75% to 65%) compared to the existing surrounding area.

C2. Reduce the total VKT (vehicle kilometres travelled) to be generated by the proposed development by at least 5% below that which would be generated by a 'conventional' approach to development".

2.4.2 Regional transport requirements

Objectives

O1. Provide regional transport infrastructure which will achieve the transport targets established in clause 2.4.1.

O2. Develop regional transport infrastructure that will service the needs of the site and integrate into an improved regional transport network.

O3. Provide infrastructure which recognises the need to integrate all modes of transport including public transport, private vehicle transport, walking and cycling.

O4. Develop measures to mitigate potential adverse transport impacts generated by the development of Pemulwuy on surrounding areas.

Controls

C1. Provide regional (and local) transport infrastructure improvements that are consistent with the Deeds of Agreement between the owners and the Roads and Maritime Services.

2.4.3 Transport design guidelines – land use location

Objectives

O1. Generate efficient travel patterns across the site to reduce VKTs.

O2. Maximise the use and support the viability of public transport services.

O3. Avoid potential conflicts between various land uses.

Controls

C1. Locate higher traffic generating land (office, retail) uses in close proximity (within 400 metres, walking distance) to public transport stops, nodes or interchanges on regional transport routes (such as the transitway) to reduce traffic generation and improve public transport usage and service viability.

C2. Provide appropriate and conveniently located services such as shops and open space to reduce trip length and encourage use of pedestrian / cycleway networks.

C3. Ensure that land uses are well integrated with public transport stops, nodes and interchanges so as to provide safe, attractive and inviting environments for public transport patrons.

C4. Separate residential and employment precincts to avoid potential road function conflicts.

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C5. Favour co-locating similar or co-dependent employment developments within close proximity in order to generate potential synergies in transport and freight, so as to:

- maximise simultaneous servicing by one vehicle thereby reducing the number of trips entering and leaving the site;
- improve trip containment levels within the site; and
- manage travel demand. The location of co-dependent developments is primarily market driven. However, the marketing and sales promotion strategies employed can have a significant impact on the type of land uses attached to the development site and should be employed as a travel demand management tool.

2.4.4 Access and circulation

Objectives

O1. Ensure safe access movements to/from the Pemulwuy north employment area.

O2. Provide access through the employment area to improve the regional road network.

O3. Provide access to the employment area for employment land uses which minimise impacts on the surrounding local community.

O4. Construct roads in such a way to accommodate the anticipated traffic volumes and in particular heavy vehicles. For example, to ensure that road access facilities are commensurate with the scale and extent of the proposed development and compatible with the surrounding traffic network.

O5. Provide a 50 metre road reserve which allows for the future provision of a 25 metre wide transitway by the RMS.

O6. Minimise potential conflict between street traffic and pedestrians caused by the vehicular movements to and from the site.

O7. Minimise potential conflict between service vehicle (heavy vehicle) with smaller vehicle.

Controls

C1. Ensure that intersections into the Pemulwuy north employment lands are designed with sound traffic planning principles and relevant guidelines including but not limited to:

- Roads and Maritime Services' *Road Design Guide*;
- Roads and Maritime Services' *Guide to Traffic Generating Development* (1993);
- AUSTROAD - *Guide to Traffic Engineering Practice*; and
- while ensuring that walking and cycling are encouraged and not impeded.

C2. Direct property access to north-south link will not be permitted other than in circumstances stated below.

C3. The number of road access points to the north-south link is restricted, and at full development no direct property access from the north-south link will be permitted. Provide access from a limited number of service roads and separate the intersections by a minimum distance of 500 metres. Therefore, there are only two service road intersections with the north-south link between the northern boundary and Butu Wargun Drive.

C4. Direct property access from the north-south spine road, is only permitted as an interim arrangement during the staged construction of the development. Direct access to

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properties north of Butu Wargun Drive is permitted until the north-south spine road is constructed to the southern boundary of Pemulwuy north employment lands.

C5. Provide the north-south link through the employment precinct so that direct and efficient access for freight and other heavy vehicles is provided to employment lots from the regional road network.

C6. Ensure site access allows vehicles to enter and exit in a forward direction

C7. Within the former CSIRO employment land, ensure vehicular access to and from the site is via Clunies Ross Street only, as illustrated in Figure 6. Direct vehicular access to the residential land is not permitted.

C8. Within the former CSIRO employment land, provide a potential access point at the southern end of site boundary to Clunies Ross Street for emergency vehicles, as illustrated in Figure 6.

C9. Within the former CSIRO employment land, ensure that emergency Access for fire appliances has a minimum width of 6m with 7m passing bays and internal radius of 6m for corners.

C10. Within the former CSIRO employment land, ensure driveway width, configuration and location shall accord with 'Roads and Maritime Services' *Guide to Traffic Generating Development* (1993) and *Australian Standard AS 2890.1: 2004*.

C11. Within the former CSIRO employment land, position access to Clunies Ross Street as far as practicable, to minimised impacts to adjoining residential development. Locate the driveway as far north as practicable having regard to sight lines along Clunies Ross Street.

C12. Design internal circulation road and heavy vehicle manoeuvring areas to comply with the requirements of the following:

- *AS2890.1-2004*;
- *AS2890.2-2002*; and
- *NSWB Guidelines for Emergency Vehicle Access*.

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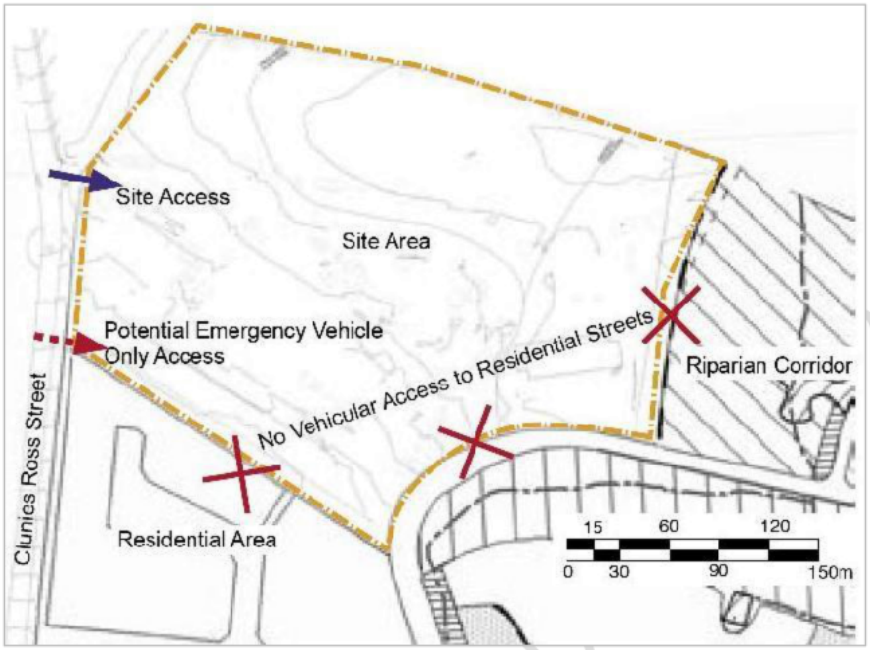

Figure 6: Site access within the former CSIRO Employment land

2.4.5 Parking

Objectives

O1. Encourage a reduction in the level of vehicular traffic by reducing parking requirements.

O2. Ensure adequate parking for various land uses and sustain the market viability of the development.

O3. Ensure that all car parking demands generated by any development are accommodated on the development site.

O4. Design parking supply in accordance with the site's urban design principles. Thus, to:

- ensure that the provision of off street car parking facilities does not detract from the visual character, particularly the streetscape of an area; and
- ensure that the location of driveways, parking and servicing areas are efficient, safe and suitably landscaped.

O5. Implement parking strategies which minimise adverse impacts on local communities and wider land uses. For example, to minimise conflict between service vehicles (heavy vehicles) and smaller vehicles within the site.

Controls

On-Street Parking

C1. Note that the provisions of on-street parking for various road types within the road hierarchy are summarised below in Section 2.4.7, which indicates that on-street parking would be appropriate on some roads with the exception of the north-south spine road and the first 500 metres of the east-west link from Greystanes Road.

C2. Design on-street parking to be consistent with the design principles and dimensional requirements of *Australian Standards AS2890.5* and *1742.11*.

C3. In the provision of on-street parking, do not compromise street security and urban design / streetscape objectives.

Off-Street Parking Design

C4. Design off-street parking to be consistent with the design principles and dimensional requirements of *Australian Standards AS2890.1: 2004*. Include in the design, compliance with driveway dimensions and location, sight distances, and dimensions for circulation aisles and grade / ramps.

C5. Design off-street parking to ensure that vehicles are able to efficiently access parking spaces within minimal manoeuvring.

C6. Suitably landscape off-street parking areas to minimise visual dominance.

Off-Street Parking Supply

C7. Note that the parking requirements of developments within the Pemulwuy north employment lands are assessed on a site-by-site basis due to the varying parking demands of particular land uses.

C8. Use Part G clause 3.8 (Parking and Vehicular Access) of this DCP as the appropriate guidelines for the supply of off-street parking. However, consider these guidelines as maximum provisions rather than minimum provisions, as a means of encouraging public transport use (dependent upon provision of public transport).

C9. Minimise off-street parking supply, having regard to:

- access to public transport (located within 400 metres);
- likely employee usage of pedestrian and cycleway links to the employment precinct;
- surveys of existing similar developments indicate a lower parking demand;
- land use synergies with surrounding land uses;
- the ability to manage the use of on street parking; and
- complimentary/shared use of parking facilities.

2.4.6 Service areas

Objectives

O1. Provide adequate access for heavy vehicles.

O2. Design road networks to minimise freight and heavy vehicle movements through the employment zones.

O3. Create separation between service areas (loading and unloading docks) and parking in order to avoid traffic congestion;

O4. Ensure that service areas are located and designed to facilitate convenient and safe usage.

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Controls

C1. Position loading/unloading facilities so they:

- do not interfere with visitor and employee parking spaces;
- minimise any potential noise impacts; and
- avoid delivery vehicles standing on any public roads, footways, laneways or service roads.

C2. Provide adequate on-site manoeuvring to enable all vehicles to enter and leave the site in a forward direction.

C3. Design access and circulation design within developments to comply with requirements specified by Australian Standards AS2890.2 2002. This will allow heavy vehicles to efficiently and safely access sites from the road network and internal facilities such as loading docks and courier type drop off zones.

C4. Design all roads to be wide enough to allow passage of regular service vehicles and emergency vehicles. These factors have been considered in the development of the road hierarchy described in the Section on Public Road Design.

2.4.7 Public road design

Objectives

O1. Create a clearly defined road hierarchy based on use, function, amenity and geometric design requirements.

O2. Maximise the efficiency of the Pemulwuy road network to reduce trip lengths and enhance the viability of public transport.

O3. Allow efficient movement through Pemulwuy for regional traffic while discouraging such traffic into the employment or residential areas.

O4. Provide convenient and efficient access for freight transport to the employment precinct.

O5. Provide a safe road network for all modes using the roads including private and public transport, cyclists, pedestrians and mobility impaired persons.

O6. Design streets that enhance the physical and visual connectivity of neighbourhoods.

Controls

C1. Ensure that the internal road network layout should be permeable for direct pedestrian movements, but sufficiently constrained in order not to attract regional traffic into the employment or residential precincts.

C2. Ensure that detailed design of the road network (i.e. intersection layout, pavement materials) is consistent with the traffic engineering principles of the RMS' *Road Design Guidelines* or the *Austroad Guide to Traffic Engineering Practice*.

C3. Design roads so as to minimise the traffic noise impact on adjacent properties, particularly at approaches to residential areas.

C4. Design roads and bridges so as to accommodate, wherever possible, the continuity of vegetation corridors and habitat to promote fauna movements.

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The Spine Road

C5. Currently, one traffic lane is provided in each direction. In future. Consider providing a dual lane carriageway with two through traffic lanes in each direction.

C6. The RMS to provide two bus only transitway lanes within the road reserve (one in each direction) plus median, shoulder and footpath/cycleways.

C7. Ensure no parking in the road reserve.

C8. Ensure no direct property access.

C9. Provide a 1.2 - 1.75 metre width footpath located on both sides away from the kerb.

C10. Provide a cycleway separated from the road pavement.

Butu Wargun Drive (west of Prospect Hill)

C11. Ensure the potential to utilise clearway conditions during peak periods.

C12. Ensure parking provision in carriageway during non-clearway periods (or indented) providing two through traffic lanes in each direction at peak times and one through lane in each direction at other times.

C13. Provide a 1.2 metre - 1.75 metre width footpath located on both sides away from the kerb.

C14. Provide a designated cycle lane.

Access streets

Note: Access streets contain an indicative traffic volume of less than 6,000 vehicles per day depending upon particular land uses. Cyclists are to share the road with vehicles.

C15. Provide a 20 metre road reserve.

C16. Provide an 8 metre carriageway where no on-street parking is permitted and heavy vehicle turning movements can be accommodated.

C17. Provide access to all sites.

C18. Provide a 1.2 - 1.5 metre width footpath located both sides away from the kerb.

C19. Ensure that employment precinct road widths provide sufficient space to allow heavy vehicles to enter and exit lots safely in a single forward turning movement.

C20. In cul-de-sacs, provide a 12-metre kerb radius turning area.

2.4.8 Public transport

Objectives

O1. Achieve a minimum 10 per cent increase in non-private vehicle mode splits for journey to work compared to a "conventional development" approach.

O2. Provide a rapid bus transitway through the site which creates links between the site and the regional transport network.

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O3. Ensure that public transport stops, nodes and interchanges are safe, attractive and Development Controls

Controls

Rapid Bus Transitway

C1. Provide public transport access points to maximise the proportion of employees who are located within 400 metres safe walk of a bus stop on a regular bus route.

C2. Integrate Transitway Stations where possible with the surrounding land uses. In particular, the transitway stations should be located near the service centre, local activities, associated businesses and the public domain.

C3. Align the transitway to follow the north-south Spine Road through the employment precinct.

C4. Ensure the proposed transitway comprises:

- two transitway lanes, one in each direction;
- 2 stations;
- stations that provide adequate accessibility, shelter, and commuter information to encourage usage. This will include facilities and linkages for pedestrians and cyclists.

Local public transport

C5. Ensure that local bus feeder services from the residential and employment precincts are able to provide access to the site and future Transitway.

C6. Provide link feeder services to surrounding local areas, i.e. Greystanes, to improve access, catchment size and hence service viability.

C7. Provide appropriate facilities at bus stop locations to encourage increased use and safety. Such facilities would include bus lay-bys, speed controls to protect pedestrians, shelters and seating for waiting passengers, display of timetable information and street lighting for security.

C8. Co-locate bus stops should with after-hour business or other activity wherever possible.

C9. The alignment and geometry of roads that form bus routes need to allow for efficient and unimpeded movement of buses without facilitating high traffic speeds. Where potential traffic calming devices are installed along bus routes, specific design requirements for bus access must be employed.

C10. Implementation of 'Demand Management' by promoting alternative modes of travel to the private car. This would include distribution of information packs on bus services and cycle routes, free bus tickets and advertising of services.

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C11. Indicative performance guidelines for bus routes are as follows:

- Minimum geometric layout:
  - Radius: 12.5 metres
- Road grades:
  - Max. desired pavement crossfall: 3%
  - Max. desired gradient: (within 50 metres of stations): 6%
  - Absolute max. gradient: (within 50 metres of stations): 12%

(Source: RMS and AUSTROADS)

2.4.9 Pedestrian and cycle routes

Objectives

O1. Encourage trips to be undertaken by walking and cycling instead of private vehicle.

O2. Promote connectivity throughout Pemulwuy.

O3. Create a clearly defined pedestrian and cycleway network within and through Pemulwuy.

O4. Make connections to regional cycle links and between major areas of proposed and existing open space and other recreational, community and employment land uses.

O5. Ensure non-vehicular links provide a safe and secure environment, both in terms of road safety and personal security, which encourages walking and cycling.

Controls

C1. Create pedestrian and cycle linkages between the residential precinct and areas of open space, recreational, community and employment land uses.

C2. Locate and design walking and cycling networks to:

- provide direct routes between key trip origins and destinations;
- minimise steep grades; and
- be safe in terms of road safety and person security.

Pedestrian

C3. Undertake detailed design of pedestrian control and protection facilities in accordance with the relevant sections of the Australian Standards (AS1742) and council's Work Specifications for Subdivision and Development. This includes pedestrian crossings, signage, local area traffic management and disabled access.

C4. Ensure pedestrian-only footpaths have a minimum width of 1.2 metres (wider footpath may be required in areas of high pedestrian activity such as community facilities, shops and other activity centres) and a maximum grade of 15 per cent, except where grades on Prospect Hill make this unachievable.

Cycleways

C5. Design cycling routes within the road hierarchy to reflect the level of activity and function of the various roads such as dedicated cycleways on collector roads and shared access on local streets.

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C6. Link designated cycleway routes to the surrounding regional cycleway network. Cycle routes along open spaces are to be between 2.5 – 3.0 metres in width (where shared with pedestrians), and designated accordingly.

C7. Dedicated cycle lanes are to be either line marked or separated from the road lanes.

C8. Provide opportunities for the cycle network to link with the proposed regional cycle route.

C9. Use cycle routes to link all amenities and areas of interest, including commercial/retail areas, play areas and viewpoints.

C10. Ensure technical design requirements such as pavement design and intersection/crossing treatments are consistent *with AUSTROADS Guidelines (1998) Guide to Traffic Engineering Practice*, Part 14, Bicycles.

C11. Distribute secure bike parking throughout the cycleway network and likely destination points. Parking facilities range from simple hitching rails to secure bike lockers. Key locations would be within the employment precinct, near public transport linkages, and at the village centre.

C12. Provide for cycle refuge facilities at cycleway access points with collector roads.

2.5 Heritage

2.5.1 Guiding Principles

Clause 8 of Schedule 4 of the *State Environmental Planning Policy (Western Sydney Employment Area) 2009* states that:

> In making provision for or with respect to heritage conservation, a development control plan must address:
>
> - the impact of proposed development on indigenous and non-indigenous heritage values; and
> - opportunities to offset impacts on areas of heritage significance.

In terms of Archaeological and European Heritage, SEPP 59, upon which this DCP is based, requires that any precinct plan or DCP is to abide by the following relevant guiding principles:

- Have regard to the conservation of items of heritage significance identified in the SEPP 59 or any other environmental planning instruments or subject to an order under the *Heritage Act 1977*; and
- Have regard to development should be planned to minimise impacts on areas of high biodiversity or Aboriginal heritage significance and should seek to enhance the values of these areas.

2.5.2 Archaeology

Objectives

O1. Protect site locations.

O2. Reflect Aboriginal occupation and history in the public areas.

Potential Archaeological Deposits:

Within the Employment Lands of Pemulwuy, two areas originally identified as having Potential Archaeological Deposits (PAD), were located in the northern section and south western corner of the Pemulwuy employment lands. Further investigations by Navin

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Officer (2001) concluded that there were no areas of PAD on the site, and that no further mitigation measures were required on the previously nominated PADs. Nevertheless:

Controls

C1. Take care when disturbing this area, and if archaeological material is observed during or after clearing, work should cease immediately and the Aboriginal community consulted and advice sought from NPWS.

C2. Do not make site locations and descriptions publicly available.

C3. Provide to developers and general maintenance staff only general knowledge of Aboriginal sites and their legal protection.

C4. Prepare an education strategy for cultural heritage awareness for developers, contractors and Consent authority staff, including a fact sheet and sensitivity map indicating areas requiring particular attention and consultation with the Aboriginal community and NPWS.

C5. Invite the Aboriginal community to actively participate in developing the education strategy.

C6. Consult the Aboriginal community prior to and during clearing and preliminary ground work to collect artefacts if any, from areas to be developed.

C7. Do not erect signs which draw attention to the archaeological sites, so as to prevent disturbance and defacement of Aboriginal/archaeological sites.

C8. In naming parklands, reserves and roadways, incorporate recognition of Aboriginal occupation and the history of the area. Consult the Aboriginal community in the naming of these features.

C9. Consult the Aboriginal community on the development of any walking routes or areas within the precinct which incorporate descriptive signs and interpretation.

C10. Develop a program to educate the local community in the pre-European history of the site.

C11. Recreate and manage the cultural landscape in conjunction with the local Aboriginal community by vegetating open space to resemble the natural landscape prior to European settlement.

Note: The former CSIRO employment land is highly disturbed. It has been mostly cleared and subject to many years of use for research laboratories and associated stock holding areas associated with a CSIRO sheep research laboratory. Previous disturbance is associated with WW II occupation by a U.S. Army Camp. Consequently, there are no Aboriginal Archaeological management measures applicable to the former CSIRO employment land.

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2.5.3 European Cultural Heritage

For more information, see the Prospect Hill Conservation Management Plan.

Objectives

O1. Protect the integrity of the crown of Prospect Hill.

O2. Research and document the history of the site of Pemulwuy and its role in the history of Sydney.

O3. Educate the community on the history and role of the site.

O4. Utilise the history of the site as a theme in its redevelopment.

O5. Protect Prospect Hill from development sited below RL 97, which approximately defines the curtilage of the Prospect Hill State Heritage Registered Area.

Controls

C1. See Section 2.4.4 for controls for the Prospect Hill State Heritage Registered Area.

C2. Record Pemulwuy as a whole in its current state photographically, utilising aerial photography and possibly digital video recording.

C3. All documentary, cartographic and photographic material related to the development, growth, buildings and history of the site should be sourced, accessioned and archived. Collect copies of accessible historic material into an archive which must be lodged in the care of an organisation which is acceptable to Council and where it is available for research and educational purposes. Identify archive material held elsewhere and cross-reference it with the above archive. A written description of major structures should accompany the photographic record.

C4. Ensure that all development adjacent to the Prospect Hill State Heritage Registered Area is accompanied by a Heritage Assessment with all Development Applications. The Heritage Assessment shall be in accordance with the three documents listed below under 2.4.4 C3.

C5. In the instance where a broad Heritage Assessment of the interface between the Prospect Hill State Heritage Registered Area and the adjoining sites has been undertaken, submit a Statement of Environmental Effects addressing this Heritage Assessment with all Development Applications.

2.4.4 Prospect Hill State Heritage Registered Area

Objectives

O1. Protect the integrity of the Prospect Hill State Heritage Registered Area.

O2. Research and document the history of the Prospect Hill State Heritage Registered Area and its role in the history of Sydney.

O3. Educate the community on the history and role of the site.

O4. Utilise the history of the site as a theme in its redevelopment.

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Controls

C1. Maintain the prominence of Prospect Hill as a significant remnant geologic and topographic element. Site and design development so that views of the ridgeline are maintained.

C2. Maintain the views from Prospect Hill towards the Blue Mountains and St. Bartholomews, Prospect.

C3. Ensure that future use, landscape interventions, heritage interpretation and vegetation management of the Prospect Hill SHRA are informed by and consistent with:

- The Prospect Hill Conservation Management Plan (Conybeare Morrison: 2005);
- The Prospect Hill Heritage Landscape Study and Plan (Government Architect's Office: 2008); and
- The Prospect Hill Heritage Interpretation Plan (MUSEcape: 2009).

C4. Ensure that all development adjacent to the Prospect Hill State Heritage Register Area is accompanied by a Heritage Assessment with all Development Applications. The Heritage Assessment shall be in accordance with the three documents listed above under C2.

C5. In the instance where a broad Heritage Assessment of the interface between the Prospect Hill State Heritage Register Area and the adjoining sites has been undertaken, submit a Statement of Environmental Effects addressing this Heritage Assessment with all Development Applications.

C6. Prepare management plans for open space and other public domain areas, and identify how they will inform and educate the community and utilise the history of the site as a theme of the redevelopment, using interpretative trails, signage, environmental design and other features.

2.6 Biodiversity

Ecological objectives for the northern employment lands take into account the provisions of SEPP 59, upon which this DCP is based, *National Parks and Wildlife Act 1974*, the *Threatened Species Conservation Act 1995*, *Environment Protection and Biodiversity Act*, recommendations of the *Urban Bushland Biodiversity Survey - Stage 1: Western Sydney (NPWS, 11 99 111)*, *Rivers and Foreshores Improvement Act 1948* and *Fisheries Management Act 1994*.

2.6.1 Biodiversity in Development Areas

Objectives

O1. Maintain and enhance the existing level of biodiversity during and after development.

O2. Incorporate ecological and archaeological resources into the creation of public open space.

O3. Rehabilitate and regenerate native vegetation.

O4. Protect significant trees.

O5. Reintroduce local indigenous species where feasible, especially in drainage areas, open spaces and landscaped areas.

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O6. Create fauna movement corridors within the site and to external ecological resources (where practicable allowing for other site uses).

O7. Reduce water and fertiliser demand.

O8. Protect threatened species.

O9. Manage weeds.

O10. Plant and manage the site to minimise hazards and manage impacts from bushfire.

O11. Manage litter and waste to minimise impacts.

O12. Control and minimise impacts from sediment disturbance and erosion.

O13. Manage feral and domestic animals to minimise impacts on native flora and fauna.

O14. Protect water quality and aquatic habitat.

O15. Involve the community.

Controls

Local species

C1. Undertake a tree survey to identify and flag all significant trees on the site to be retained.

C2. Prepare a bushland management plan prior to development which identifies areas to be revegetated, the species to be used and other detailed conservation area management issues.

C3. Ensure tree removal is approved under Holroyd City Council's Local Environmental Plan 2013.

C4. Ensure tree removal is subject to Arborist Assessment and recommendation.

C5. Use locally indigenous plant species, including threatened and regionally significant species in drainage areas, streetscapes, open spaces and landscaped areas. This will not only enhance biodiversity but will reduce water and fertiliser demand.

C6. Select plant species used in the development of the site from the 'Indigenous Plant List -Holroyd' from Table D2.1 of the BASIX Specifications.

C7. Retain existing canopy species typical of Grey Box Woodland unless significant harm is likely to result.

C8. Where possible, retain significant mature trees with high ecological value as habitat for the Grey Headed Flying Fox (e.g. Melaleuca swamps, Banksia woodlands, mangroves and riparian woodlands).

C9. Avoid lopping or removing Grey Box Woodland canopy species greater than three metres tall.

C10. Collect and propagate seeds of locally indigenous species prior to development. Use these, hardened on site, in revegetating the open space corridors.

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C11. Prohibit species other than locally indigenous species in the central ridgeline corridor and strongly discourage them in the service / open space corridors.

C12. Retain and enhance continuous canopy in the open space corridors to allow for possible squirrel glider movement onto the site.

C13. Retain and maintain hollow-bearing trees on site for their fauna habitat value wherever possible.

C14. Incorporate in the design of sites sufficient space to allow for tree establishment, where proposed. This includes the provision for the development of deep structural roots.

C15. Investigate the use of native grasses in service / open space corridors rather than kikuyu, couch or other conventional non-native grasses.

Weeds

C16. A priority listing of target and noxious weeds should be outlined in the bushland management plan, including lantana, African olive, small-leaved privet and large-leaved privet.

C17. The bushland management plan should address weed management and removal methods such as hand weeding, spraying etc. The plan should give attention to the corridor areas.

C18. Remove all weeds, including any non-indigenous native species.

C19. Weed control should be an integral part of maintaining and enhancing biodiversity of the corridors.

C20. Involve the community in weed removal and replanting programs; continue to involve community in maintenance to instil a sense of ownership.

C21. Replant cleared areas with locally indigenous plants following weed removal, to minimise soil erosion.

Waste Management

C22. Provide adequate signs and rubbish bins to encourage proper disposal of litter.

C23. Secure rubbish bins sufficiently to prevent feral cats, dogs, rats or other undesirable species from opening them.

C24. Maintain and empty bins on a regular basis to prevent waste accumulating.

C25. Incorporate litter and waste management in the community consultation strategy.

Creeklines (see also clause 2.6.2 Fauna Movement Corridors, below)

C26. Rehabilitate, enhance and re-establish on-site waterways including creeklines and drainage lines.

C27. Identify locations within the corridor network, in addition to the central ridgeline, where understorey regeneration can be promoted. Plantings should allow for a continuous canopy along the length to facilitate movement of non ground-dwelling fauna.

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C28. Only plant locally indigenous species in vegetating the corridor network including threatened and regionally significant species.

C29. Commence planting and/or install fencing as soon as possible following weed removal, to minimise erosion.

C30. Provide an appropriate buffer either side of creeklines. Rehabilitate vegetation within the buffer and remove weeds.

C31. Install appropriate pollution controls such as gross pollutant traps in upper catchments (at site boundary if necessary) to prevent ingress of litter.

C32. Prepare a sediment and erosion control plan with particular emphasis on the open space corridors and creekline.

Sediment and erosion controls

C33. Ensure appropriate sediment and erosion controls are implemented on site.

C34. Prepare a sediment and erosion control plan for each stage of the development.

Feral and domestic animals

C35. Prepare a feral and domestic animal management plan incorporating strategies outlined in the Background Report.

C36. Implement an education program on responsible pet ownership.

Fire

C37. Prepare a Fire Management Plan for the protection of life and property within Pemulwuy north employment lands. The Fire Management Plan should identify suitable fire regimes for the protection and maintenance of biodiversity.

C38. Ensure that fire management elements are incorporated into the design of the central ridgeline i.e. fire trails.

C39. Identify appropriate fire management regimes for vegetation management.

C40. Provide external hydrants for bushfire operations.

C41. Plant fire retardant species within the landscape areas.

C42. On the former CSIRO lands, provide roads of 6 metres in width for fire appliances access with passing bays for opposing vehicles.

Community involvement

C43. Ensure that Aboriginal community are involved in reserve and corridor design, revegetation and interpretation programs.

C44. Develop an educational program highlighting the significance of the site and how the community can be involved in restoring and maintaining the conservation area and open space corridors.

C45. Prepare a community consultation strategy to involve the community in ongoing biodiversity management including preparation of the bushland management plan.

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C46. Involve the community, including local school groups in Streamwatch programs.

2.6.2 Fauna movement corridors

Note: The main fauna corridor within Pemulwuy is proposed within the residential area. It is a predominantly vegetated corridor with some passive recreational and aesthetic functions. This corridor should be located along the central ridgeline separating the employment lands from residential development. See also C26 to C32 above on Creeklines.

Objective

O1. Extend the ridgeline fauna movement corridor westward to provide additional opportunities to link to Greybox Reserve and Prospect Reservoir.

Controls

C1. Plant vegetation in riparian corridors, to facilitate fauna movement through the other open space corridors and street trees.

C2. Provide vegetation which will facilitate movement through the site of non-ground dwelling fauna as well as providing additional foraging habitat.

C3. Within development applications, provide details which demonstrate how connectivity with off-site ecological linkages can be achieved.

2.7 Environmental management

2.7.1 Stormwater management during construction

The Pemulwuy employment lands can be divided into two main catchments. These are:

- the Pemulwuy north employment lands, approximately 82 hectares, that drain to the Greystanes Creek; and
- the Pemulwuy south employment lands, approximately 134 hectares that drain to Prospect Creek.

Development of the Pemulwuy employment lands without proper mitigation measures will increase the flow volumes and pollutant loads discharged to these creeks. Greystanes Creek is a tributary of the Toongabbie Creek and is located in the upper Parramatta River catchment. A Stormwater Management Plan was prepared for this catchment by the four catchment councils and the Upper Parramatta River Catchment Trust. See Appendix A.

A riparian corridor in the north of the Pemulwuy north employment lands is constructed, capable of conveying the 1%AEP flood flows. Water flows in a naturalistic creek channel, providing aquatic habitat and riparian vegetation as well as cycle and pedestrian pathways. It links to the constructed wetland basin in the north eastern part of the Lands to maintain suitable water quality as well as providing further aquatic habitat. Where possible, make maximum use of regional detention basins or water quality control ponds just downstream of the Lands.

Objective

O1. Prevent sediment polluting creeks during construction of the development.

Controls

C1. Prior to construction a sediment and erosion control strategy will be developed in accordance with the "*Blue Book" 2004* and Council's requirements. See DCP Part G for Council's requirements.

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C2. Sediment and Erosion control plans are required for new developments to prevent pollution of the creeks during the construction phase of the development. The plans are required to be prepared in accordance with the Managing Urban Stormwater guidelines including the *Managing Urban Stormwater: Soils and Construction* published by the Department of Housing.

C3. Stage development activities to minimise land disturbance.

C4. Limit earthworks and disturbance of stable rehabilitated landforms.

C5. Divert clean run-off from upstream areas around disturbed areas.

C6. Stabilise and vegetate areas immediately following the completion of works.

C7. Provide temporary sediment basins, fences, catch drains, check dams and other structures to collect and treat run-off from disturbed areas.

C8. Monitor discharges from sediment basins and flocculation as required to limit TSS concentrations in water discharged from the basins to 50 mg/L.

C9. Provide vegetated buffer strips around all water bodies and drainage channels.

C10. Temporarily stabilise stockpiles and disturbed areas exposed for more than 15 days.

C11. Restrict vehicle access to designated entry and exits.

2.7.2 Stormwater management after development

Objectives

O1. Provide a development consistent with the principles of total watercycle management but recognising potential salinity problems.

O2. Limit stream velocities to prevent erosion and scour of local waterways.

O3. Reduce pollutant loadings to maintain downstream water quality.

O4. Prevent the contamination of surface water or groundwater by stormwater run-off.

O5. Ensure reduced demand for imported mains water by water conservation measures and re-use of stormwater in accordance with the principles of Water Sensitive Urban Design.

O6. Protect the downstream aquatic ecosystems and riparian vegetation of any creek corridors.

O7. Ensure that additional stormwater runoff generated by the development does not adversely affect peak flows, velocities and water levels downstream of the site in the full range of flood up to 1 in 100 year storm event.

O8. Meet catchment wide water quality objectives of EPA's Interim Environmental Objectives and Sydney Harbour and Parramatta River Catchment.

O9. Ensure that additional stormwater runoff generated by the development does not adversely affect peak flows, velocities and water levels downstream of the site in the full range of floods.

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Controls

C1. The treatment objectives for the Upper Parramatta River catchments are listed below in Table 1. The objectives outlined in this table are consistent with Council's Stormwater Management Plans.

C2. Ensure stormwater management systems are incorporated in the initial stages of design and infrastructure provided prior to the development of individual sites.

C3. Design on-site stormwater management measures to the water quality objectives of:

- the Stormwater Management Plan;
- the flow requirements of the UPRCT; and
- Holroyd City Council.

C4. Where feasible, incorporate in the proposed stormwater management measures, natural treatment mechanisms and features.

C5. Integrate public open space with the trunk stormwater drainage corridors.

C6. Where practical, reuse stormwater collected on developed lots. This can include rainwater tanks. This should be encouraged to minimise pollutant exports and reduce the hydrologic impacts associated with the development.

C7. Carry out further stormwater management consultation with authorities during the development application stage.

C8. As part of the development process, undertake detailed hydrologic, hydraulic and water quality modelling.

C9. Design stormwater systems including on-site storage so that there are no linkages between surface and groundwaters to minimise the risk of contamination of surface waters by potentially saline groundwaters.

C10. Use the results of the monitoring program required by the Soil Erosion section of this plan to inform surface water management practices as required.

Table 1: Upper Parramatta River Catchment Stormwater Management Plan

Pollutant	Description	Retention Controls
Litter	All anthropogenic material	70% of objects 5mm diameter or greater
Coarse Sediment	Coarse sand	80% of the load particles 0.5mm or less
Nutrients	Total phosphorus and Total Nitrogen	45% retention of the load
Fine Particulates	Fine sand	50% of the load for particles 0.1mm dia. or less
Cooking Oil/Grease	Free Floating Oils that do not emulsify in aqueous solutions	90% of the load with no visible discharges
Hydrocarbons	Anthropogenic hydrocarbons that can be emulsified	90% of the load with no visible discharges

Source: Upper Parramatta River Catchment Stormwater Management Plan

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C11. Design and maintain development so that downstream flows are not adversely affected, based on comparison of peak flows, velocities and water levels in the 2 year ARI, 100 year ARI and probable maximum floods at critical points further downstream

C12. Arrangements for the expansion of the regional detention basin (200m to the north of the Pemulwuy north employment lands in Blacktown City Council LGA) must be confirmed and proposals identified as part of any application for the subdivision of land in the Pemulwuy north employment lands.

C13. Should it prove impractical or impossible, for whatever reason, to modify the detention basin to meet the above-stated objective that downstream off-site flows are not adversely affected, a flood retarding basin should be provided within the Pemulwuy north employment lands to satisfy that objective.

C14. During any development and construction, remove at regular intervals any sediment from the Pemulwuy north employment lands deposited off site in the flood basin of the Pemulwuy north employment lands or the downstream creek channel, and again prior to completion of construction.

C15. On the former CSIRO lands:

- provide on-site Stormwater Detention for the entire site;
- provide an above ground detention basin that accords with Upper Parramatta River Catchment Trusts requirements;
- install end of line proprietary water quality devices which are capable of removing gross pollutants and fine sediment, at suitable locations before discharging into the basin;
- utilise the aboveground detention basin to facilitate further settling of suspended solids and the removal of nutrients; and
- the recommended wetland ponding size for the Greystanes Creek catchment is 1.4 hectares surface area.

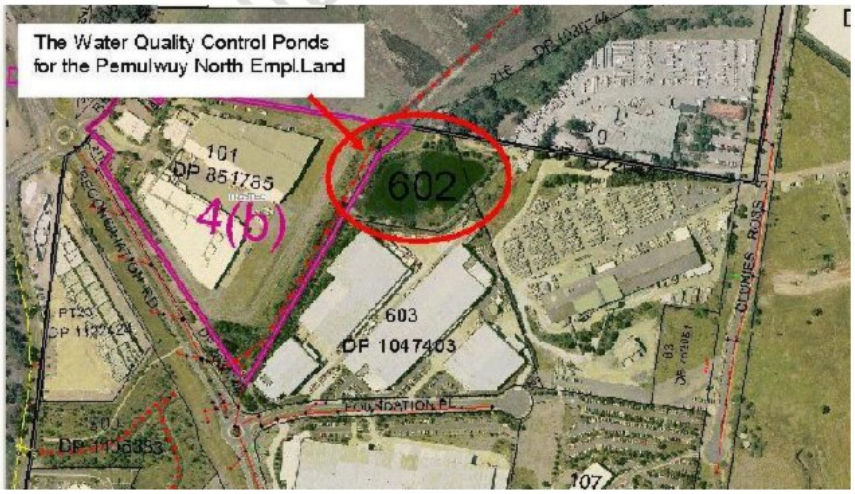

Figure 7: The constructed wetlands - Pemulwuy North Employment Lands

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2.7.3 Stormwater Plans

Objectives

O1. Employ source controls to minimise the pollutant loads discharged from individual development sites.

O2. Apply conveyance controls to the local and trunk drainage systems to minimise the pollutant load transferred from the development sites to the discharge points.

O3. Use Discharge controls immediately prior to discharge from the employment land to Greystanes Creek. This will ensure that water quality of the downstream creek is protected.

Controls

C1. Prepare Stormwater Plans to accompany development applications for individual lots in the Employment Lands.

C2. Ensure these Plans are consistent with Stormwater Management Plans prepared by councils by direction from the EPA.

C3. Adopt a treatment for the individual lots which addresses source controls issues.

C4. Incorporate Convergence and Discharge Controls in the design of the drainage infrastructure for the site. In summary the controls are:

- Source Controls = controls applied to the individual lots to address specific pollutants associated with the specific development;
- Conveyance Controls = controls applied to the local and trunk drainage systems these may include grass swales, and streams incorporating ponds, riffle zones and macrophytes; and
- Discharge Controls = controls prior to discharge from the Pemulwuy north employment lands prior to run-off flowing into Greystanes Creek. These include gross pollutant traps, wetlands and water quality control ponds.

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Source controls

C5. Pollution Prevention – Minimise the amount of impervious areas on the development lot, bund and roof all chemical and fuel storage areas, roof vehicle servicing and refuelling facilities, separate run-off from 'clean' and 'dirty' areas of the lot.

C6. Stormwater Harvesting = Maximise the amount of stormwater run-off used on the development lot. Investigate the feasibility of re-using stormwater runoff for dust suppression systems, vehicle washing and wheel washes, and irrigation of landscaped areas of the lot.

C7. Oil/Water and Oil/Grit Separators = Use oil/water and oil/grit separators and first flush basins to treat run-off from 'dirty' areas of the development lot. Design these systems to meet the pollution retention criteria for hydrocarbons and coarse sediment in Table 1.

C8. Buffer Strips = landscape approximately 15% of the area of the lots. Where the development lot layouts allow, use the landscaping to treat run-off from the primary treatment devices. Plant vegetated buffer strips to reduce the amount of fine sediment and nutrients discharged from the lot to the wetlands and water quality control ponds.

Conveyance controls

C9. Grass Swales = Use open grass swales in the detailed design of the subdivision in preference to conventional kerb and gutter and pipe drainage. Swales reduce flow velocities limiting erosion of the stream banks. The lower velocities and filtration through vegetation reduces fine sediments, nutrients, hydrocarbons and heavy metals discharged to the treatment ponds.

C10. Watercourse Profiles = one watercourse is provided through the Estate to collect stormwater run-off, draining to the northern water quality control ponds. Where feasible the watercourse, should include a meandering low flow invert, ponds and riffle zones, and aquatic and riparian vegetation.

Discharge controls

C11. Provide gross pollutant traps, incorporating a screen and coarse sediment sump, upstream of the ponds and wetlands. Design these to achieve the pollutant reduction targets set out in Table 1 for coarse sediment and litter.

C12. Provide Constructed Wetlands and Water Quality Control Ponds for tertiary treatment of stormwater before it is discharged from the Pemulwuy north employment land to Greystanes Creek. The wetlands and ponds have been sized to meet the treatment objectives for sediments and nutrient outlined in the stormwater management plans. The ponds and wetlands should be located off-line with a bypass channel used to divert flows during large storms around the ponds. The ponds, where feasible, should consist of a series of shallow densely planted zones and deep water areas.

2.7.4 Water quality control pond management

Objectives

O1. Provide dry weather flows and minimise changes in the hydrologic regime of Greystanes Creek.

O2. Provide a safe, efficient urban water management system which also contributes to the amenity, appearance and urban structure of the Pemulwuy north employment lands.

O3. Achieve multiple use of drainage systems.

Controls

C1. In addition to the Water Quality Control Pond (a constructed wetland) on site, the Pemulwuy north employment lands may also use regional detention basin immediately north of the Lands.

C2. Prepare an Operational Plan for the pond. This should set out how flow releases in the main water body are managed to improve baseflows in the downstream creek, which suffers from decreased base flows due to urbanisation of the catchment.

C3. Note that hard edges may be required to prevent creation of mosquito habitat.

C4. Design the outlet into the pond to allow water levels to be varied for aquatic plant management.

C5. Regularly maintain the gross pollutant traps and coarse sediment sumps to prevent a build-up of sediment in the main water bodies.

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C6. Develop an operational manual for the wetland pond that outlines the requirements for inspections and maintenance.

C7. Integrate the landscaping with the design of the waterbodies to improve the amenity of the area.

C8. Maximise use of regional facilities to achieve the run off flow rate and water quality controls.

C9. As an industrial catchment with native landscaping, there will generally be insufficient nutrients to promote excessive aquatic weed growth. However, should any aquatic weed management measures be required, implement the following methods:

- changes in basin water levels;
- harvesting of the aquatic weed; or
- application of herbicides approved for aquatic weed management by the EPA.

C10. Seek to attain a 1.4 hectare area for the wetland pond.

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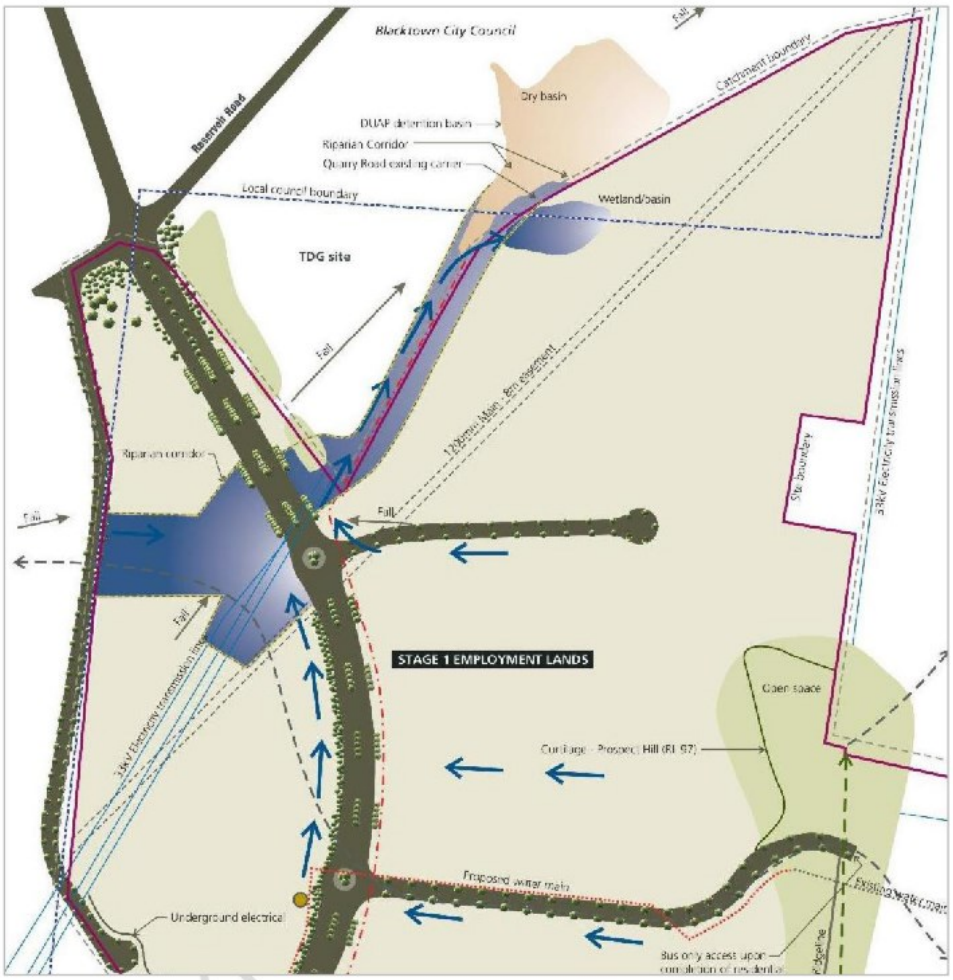

Figure 8: The constructed wetland and riparian corridor Pemulwuy North Employment lands

2.7.5 Flood Risk Management

Controls

C1. Design any proposed structure with a floor level (habitable, office, storage, and/or shop) a minimum of 500mm above the 1% AEP flood level.

C2. In the Pemulwuy North Employment Lands, the riparian channel cross-section has been designed so that the Probable Maximum Flood levels (called Flood Prone Land) will be contained within the 40 metre riparian corridor. Development is prohibited within this corridor.

C3. Design road systems to provide a flood-free evacuation route.

C4. On the former CSIRO lands, site all new buildings outside the Imminent Flood Failure (IFF) zone, and provide them with adequate free board to the IFF levels.

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2.7.6 Site Contamination and Remediation

The Pemulwuy Employment Lands largely comprise land that has been quarried as part of Prospect Quarry.

Historical and present land uses include:

- quarrying and overburden stockpiles;
- recycling of construction materials;
- quarry maintenance buildings; and
- pine plantation and naturally vegetated areas.

State Environmental Planning Policy 55 requires Council to consider contamination issues in determining development and subdivision applications. Given the limited range of past and present land uses, the possibility of site contamination is considered to be low.

However, to ensure that land is free from contamination, a Stage 1 Preliminary Environmental Audit was required to be submitted with the first development application received for the Pemulwuy north employment lands.

A Site Audit Statement was also provided to address the former CSIRO site.

Objectives

O1. Ensure the appropriate assessment, remediation, validation and auditing of potentially contaminated land to reduce the risk of harm to human health or the environment.

O2. Ensure land is suitable for the intended use.

O3. Ensure that future occupants or workers at the site are not exposed to contaminated materials.

O4. Undertake investigations and remediation consistent with Cumberland DCP Part G.

Controls

C1. Initiate an unexpected findings protocol to address the potential discovery of contaminated soil or other hazardous materials during bulk earthworks activities.

C2. As a result of the protocol, ensure that appropriate Stage 2 assessment, and (where necessary) remediation and validation occurs.

C3. Make provision in the protocol to inform Council of the discovery of such materials.

C4. Before the lodgement of any development application for the site, complete a groundwater Assessment in accordance with 'Schedule B(6) Guidelines for Risk Bases Assessment of Groundwater Contamination' in the National Environmental Protection Councils National Environment Protection (Assessment of site Contamination) Measure (1999).

C5. Remediation is required to render the site suitable for the proposed land use, consistent with the above Stage 1 Environmental Audit.

C6. Ensure the remediation of the site is certified by a NSW EPA Accredited Site Auditor.

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2.7.7 Earthworks procedures

Objective

O1. Ensure that any fill utilised throughout the site is clean and complies with relevant standards.

Controls

C1. Evaluate each portion of the Pemulwuy north employment lands as required by the Phase 1 Investigation provided by an environmental consultant for:

- Existing soil condition down to bedrock;
- Groundwater monitoring; and
- Validation of both fill zone foundation and proposed fill material to provide material within acceptable EPA criteria for re-use.

C2. Provide approval of the above by a NSW DEEC&W Accredited Site Auditor to allow placement of fill and the excavation and re-use of on-site material to provide a revised landform.

C3. Upon the validation and approval of fill foundation and fill material, place and compact material generally in accordance with:

- all material <300 mm in size;
- compaction up to 98% standard compaction to building and road lots;
- moisture contact 60-90% of optimum; and
- compaction to 95% standard in landscaped areas. Rip landscaped areas to a depth of 300/450 mm and mix in organic material to improve soil quality as required.

C4. Final verification of placement of clean fill material will be undertaken through the process of design/construction Quality Assurance Audits.

2.7.8 Salinity

A site investigation, entitled *Greystanes Estate Salinity Assessment*, carried out by ERM in June 2001, undertook limited field testing of the *DLWC Draft Salinity Hazard Mapping for Western Sydney*, and found areas of known salinity and extensive salinity hazard within the Pemulwuy north employment lands, associated with the riparian corridors in particular.

Objectives

O1. Minimise disturbance to natural hydrological systems as a result of development.

O2. Ensure the proper management of land affected by salinity.

O3. Prevent damage to buildings and infrastructure caused by salinity.

O4. Manage and mitigate impacts from salinity.

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Controls

Monitoring

C1. Undertake monitoring of groundwater levels to provide additional information on which to base future design.

C2. Establish monitoring wells in two cross-sections in the creek located adjacent to the northern boundary of the Pemulwuy North Employment Lands.

C3. The monitoring program should consist of monthly sampling for a minimum period of 5 years or until development is commenced on all lots within the Northern Employment Lands, in addition to sampling after rainfall events greater than 20 millimetres in 24 hours.

C4. These results should be consolidated into a single report at the end of each 12 month period.

C5. For development proposed in the areas known as at risk of salinity and extensive salinity hazard, this report must be used to refine building location, layout and design as appropriate and salinity prevention and management measure must be addressed in development applications submitted to the consent authority. Some measures that could be considered include:

Building slabs/concrete

C6. In order to prevent moisture rising through the slab, firstly lay a thick layer of sand on the building site. Next, lay a damp-proof membrane of thick plastic.

C7. Concrete can be made more resistant to salinity by increasing its strength to reduce the permeability. A sulfate resistant concrete can also be used which will reduce reinforcement corrosion. A minimum of 65 millimetres of concrete cover on strip or slab reinforcement is recommended in saline environments. Compaction and curing of the concrete are also advised.

Bricks

C8. A brick damp course which is correctly installed will prevent moisture moving into the bricks. It is possible to use exposure quality bricks which are more resistant to water and salt. Waterproofing can also be added to the mortar to prevent water entry.

Parks and Gardens

C9. Plant gardens which do not require a lot of watering. This includes use of native plants which do not require excess watering, deep rooted trees to prevent the ground water table rising, the use of mulch, and the reduction of lawn areas. See section 'Landscaping' above.

C10. Where automatic watering systems are installed, measure soil moisture content to ensure they work, and to counter the possibility of over-watering.

C11. Do not locate gardens close to buildings, as watering may affect foundations or render the dampcourse ineffective.

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Site design

C12. Avoid disturbance of natural flow lines, as this is where the salinity is first likely to appear. This includes retaining native vegetation along watercourses and rehabilitation of disturbed areas using native vegetation.

C13. Minimise throughflow when designing stormwater management, and this includes the careful design and construction of detention and retention basins to avoid high velocity runoff and soil erosion in susceptible areas.

2.7.9 Noise impacts

Objectives

O1. Reduce road traffic noise.

O2. Limit noise impacts from vehicle traffic upon nearby and adjoining residential land.

O3. Implement a strategic approach in new industrial areas to ensure that amenity objectives are not compromised.

O4. Achieve an equitable share of the amenity, as per The NSW Government's *Industrial Noise Policy*.

O5. More evenly distribute allowable amenity noise limits amongst the employment sites.

O6. Minimise the risk of adverse cumulative impacts.

O7. Provide some flexibility in sharing the noise within each zone.

O8. Ensure that the use of the land does not create an offensive noise or add significantly to the background noise level of a locality.

Controls

Road traffic noise

C1. Construct the north-south spine road and the east-west road in a manner that minimises road traffic noise. Utilise the range of road design measures within the NSW Government's *Environmental Criteria for Road Traffic Noise* (ECRTN).

C2. Permit bus only access on the east-west road between the residential and industrial areas prior to the establishment of the North-South spine link.

C3. Before opening the east west road to other classes of traffic the consent authority must consider the noise impacts likely to arise, in particular, whether the ECRTN criteria relevant to the northern residential area will be exceeded.

Industrial noise controls (west of Clunies Ross Street)

C4. Employment lands in the Pemulwuy have been divided into 5 noise zones for the purpose of managing noise impacts (See Figure 9). Each zone has an amenity limit that should not be exceeded (by all sites operating within that zone) at any residential receiver. The limits for each zone are shown in Figure 9 are set out in Table 2. Note that this map may be out of date, and that measures must be taken at the "Nearest Affected Residential Location", whether that residence has been constructed or not.

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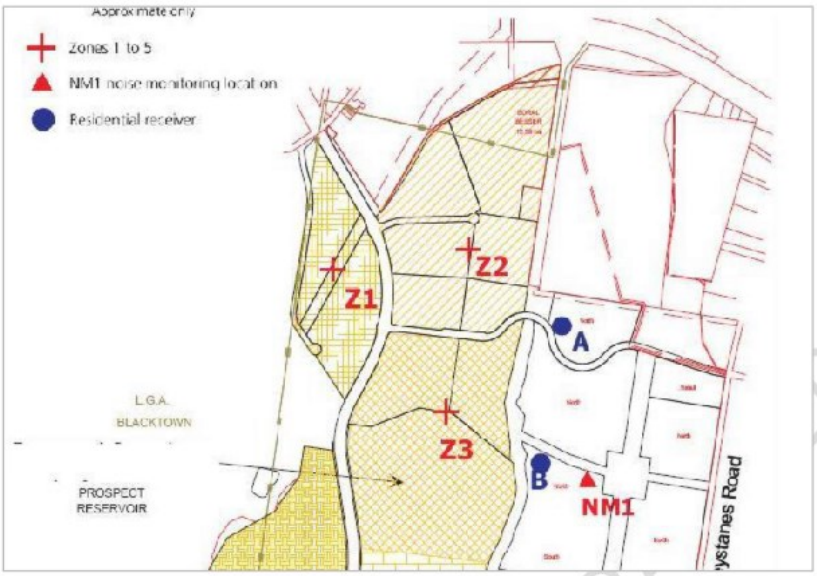

Figure 9: Noise zones - Pemulwuy North employment lands

Table 2: Noise Emissions Limits (LAeq) at Nearest Affected Residential Location

Noise Emissions Limits (LAeq) at Nearest Affected Residential Location						
Period	Noise from Zone 1	Noise from Zone 2	Noise from Zone 3	Noise from Zone 4	Noise from Zone 5	Residential Noise Criterion
Day	50dBA	50dBA	49dBA	49dBA	51dBA	55dBA
Evening	40dBA	40dBA	39dBA	39dBA	45dBA	45dBA
Night	35dBA	35dBA	34dBA	34dBA	40dBA	40dBA

Industrial noise (the former CSIRO land)

C5. The noise criteria presented in Table 3 is applicable to the residential receivers on the former CSIRO land.

Table 3: Noise Criteria for residences adjoining the former CSIRO Employment Land - dBA re 20 µPa

Noise Criteria for Residences Adjoining the former CSIRO Employment Land - dBA re 20 µPa		
Time of Day	Intrusive LAeq (15 minute) Criterion	Amenity LAeq (period) Criterion
Day - 7am - 6pm	51	47
Evening - 6pm - 10pm	51	44
Night - 10pm - 7am	46	42

C6. Site garbage collection, machinery, parking areas, and air conditioning plants away from adjoining residential area and where necessary, screen them by barrier or other acoustical treatment.

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C7. Where the residential interface is not shielded from employment generated noise by employment buildings (south-west corner), provide a noise barrier to allow for acceptable acoustic outcomes at the residential receiver (see above table);

C8. Incorporate acoustic measures, such as an acoustic barrier, into the built form to mitigate noise impacts on the adjacent residential lands.

C9. Accompany all Development Applications for potential noise generating industries adjacent to residential zoned land with documentation from a qualified Acoustic Engineer specifying noise standards.

C10. Ensure compliance with the relevant requirements such as the Noise Guide for Local Government New South Wales Industrial Noise Policy.

C11. Comply with Acoustic Standards: Noise Limits (Table 7.7.2 from *Noise Impact Assessment* by Richard Heggie Associates Pty Ltd) measured at the residential boundary.

C12. Provide a noise impact assessment with Development Applications that propose activities with operating hours outside Council's standard business hours.

Note: 24 hour operation of business use is permissible providing the residential receiver noise criteria (as mentioned above) are achieved.

2.7.10 Air quality

Objectives

O1. Ensure no adverse impacts on residences both within and surrounding Pemulwuy.

O2. Ensure minimal emissions.

Controls

C1. Provide air quality control measures during and after development of the Estate.

C2. Address the relevant air quality guidelines within each development application in the employment area for industrial uses.

C3. During construction, implement appropriate mitigation measures such as truck washing bays and wetting of dirt roads.

C4. Ensure that the use of any premises and machinery is in accordance with the *Protection of the Environment Operations Act 1997*.

C5. If any proposed use or activity within the site falls into Schedule 1 of the *Protection of the Environment Operations Act 1997*, the occupier must hold a licence from the NSW OEH, or its equivalent.

C6. Within the Statement of Environmental Effects of a Development Application, include an assessment of air quality according to EPA standards.

C7. Ensure that the endorsement of any machinery used does not result in air pollution emissions that exceed EPA guidelines.

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Appendix A – Stormwater Management Plan

STORMWATER MANAGEMENT

A.1 INTRODUCTION

Stormwater management measures will be required as part of the development of the employment lands to protect the water quality of downstream creeks. The site is divided into two main catchments these are:

- the Northern Employment Lands, approximately 82 hectares, that drain to the Greystanes Creek; and
- the Southern Employment Lands, approximately 134 hectares that drain to Prospect Creek.

Development of site will increase the flow volumes and pollutant loads discharged to these creeks. Greystanes Creek is a tributary of the Toongabbie Creek and is located in the upper Parramatta River catchment. A stormwater management plan was prepared for this catchment by the four catchment councils and the Upper Parramatta River Catchment Trust.

The Southern Employment Lands are located in the Prospect Creek catchment. Fairfield, Holroyd, Bankstown and Liverpool Councils have prepared a stormwater management plan for this catchment. The stormwater management plans provide pollutant retention criteria for new developments and rank treatment objectives for various types of developments.

Currently it is anticipated that the majority of the employment lands will be developed for a range of uses which would typically include warehouses, transport facilities, distribution centres, manufacturing and supporting offices. The minimum lot size is one hectare.

A.2 STORMWATER MANAGEMENT OBJECTIVES

Stormwater management objectives for water quality for new urban areas are set out in Council's stormwater management plans. These objectives include measures to manage pollutants generated during the construction and operational phase of the development. Stormwater management measures for the Greystanes Estate also address the issue of water quantity.

A.2.1 Construction Objectives

Sediment and Erosion control plans are required for new developments to prevent pollution of the creeks during the construction phase of the development. The plans are required to be prepared in accordance with the manual *Managing Urban Stormwater: Soils and Construction* (NSW Department of Housing, 1998). Measures that will be implement include:

- staging development activities to minimise land disturbance;
- limiting earthworks and disturbance of stable rehabilitated landforms;
- diversion of clean run-off from upstream areas around disturbed areas;
- stabilise and vegetate areas immediately following the completion of works;
- provide sediment basins, fences, catch drains, check dams and other structures to collect and treat run-off from disturbed areas;
- sediment basins sized for the 1 in 3 month design storm based on the majority of fill materials being coarse-grained;
- monitoring discharges from sediment basins and flocculation as required to limit TSS concentrations in water discharged from the basins to 50 mg/L;
- vegetated buffer strips around all water bodies and drainage channels;
- temporarily stabilisation of stockpiles and disturbed areas, not associated with the on-going quarry operations, exposed for more than 15 days; and
- restricting vehicle access to designated entry and exit points.

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A.2.2 Operational

The treatment objectives for Prospect Creek and the upper Parramatta River catchments are listed in Table A.1 and Table A.2 respectively.

The range of urban land uses produce different types and quantities of pollutants and consequently the stormwater treatment strategies used to mitigate these impacts vary depending on the type of development proposed. To assist in selecting the appropriate treatment strategies the *Upper Parramatta River Stormwater Management Plan* (SMP) ranks the treatment objectives for a range of urban land use based on their importance for that particular land use. Rankings provided in the listed in Table A.3 below.

The stormwater management strategy for a new development is required to address all the listed pollutants, however in the case of an industrial development only the pollution retention criteria for objectives ranked (a) to (e) need to be met.

A.3 STORMWATER MANAGEMENT STRATEGY

A.3.1 Stormwater Management Principles

Stormwater management principles listed below for the employment lands have been developed to meet water quantity objectives, the water quality treatment objectives set out in the SMP's and to address the broader issues of water sensitive urban design. Key stormwater management principles to be used in the design of stormwater management systems in the employment lands are:

- stormwater management systems will be incorporated in the initial stages of design;
- on-site stormwater management measures will be used, where feasible to meet catchment wide water quality objectives;
- the proposed stormwater management measures will incorporate, where feasible, natural treatment mechanisms and features;
- integration of the public open space with the trunk stormwater drainage corridors;
- on-site stormwater reuse will be encouraged to minimise pollutant exports and reduce the hydrologic impacts associated with the development;
- stormwater systems designed so that there are no linkages between surface and groundwaters to minimise the risk of contamination of surface waters by potentially saline groundwaters;
- the results of the monitoring program required by Section 2.7 of this Plan should be used to inform surface water management practices as required;
- development should be designed so that downstream flows off-site are not adversely affected.
- for the Northern Employment Lands, avoid any increases in flood peak flows, velocities and water levels at all downstream points in the full range of flood magnitudes, taking into account the planned developments on the adjoining sites and modifications to the DUAP basin.
- for the Southern Employment Lands, avoid any increases in flood peak flows and velocities at all downstream points in the full range of flood magnitudes, taking into account the planned developments on the adjoining sites.
- these principles are designed to meet the following key objectives:
  - limit stream velocities to prevent erosion and scour of local waterways;
  - reduce pollutant loadings to maintain downstream water quality;
  - prevent the contamination of surface water or groundwater by stormwater runoff;
  - reduced demand for imported mains water by water conservation measures and re-use of stormwater;
  - protection of downstream aquatic ecosystems and riparian vegetation; and
  - enhance the scenic and recreational value of creek corridors and water quality control ponds.

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A.3.2 Stormwater Plan

A stormwater plan will be prepared to accompany the development applications for the employment lands.

The stormwater plan for the sub-division of the land will address issues associated with the conveyance and discharge controls. Source controls will be designed at the development application stage for the individual lots. In summary the controls are:

- Source controls: controls applied to the individual lots to address specific pollutants associated with the specific development;
- Conveyance controls: controls applied in the local and trunk drainage systems these include grass swales, and streams incorporating ponds, riffle zones and macrophytes; and
- Discharge controls: controls prior to discharge from the estate prior to run-off flowing into the creeks. These include gross pollutant traps, wetlands and water quality control ponds.

Source controls

- A range of source controls can be used to minimise the pollutant loads discharged from the individual development lots. The type of controls adopted will depend on the nature of the development. Stormwater management plans will be prepared and submitted with the development applications for the individual lots.
- Pollution Prevention - Minimise the amount of impervious areas on the site, bund and roof all chemical and fuel storage areas, roof vehicle servicing and refuelling facilities, separate run-off from 'clean' and 'dirty areas' of the site.
- Stormwater Harvesting – Maximise the amount of stormwater run-off used onsite. Investigate the feasibility of re-using stormwater run-off for dust suppression systems, vehicle washing and wheel washes, and irrigation of landscaped areas of the site.
- Oil/Water and Oil/Grit Separators - Oil/water and oil/grit separators and first flush basins are to be used to treat run-off from 'dirty' areas of the site. These systems will be designed to meet the pollution retention criteria for hydrocarbons and coarse sediment in Tables A.2 and A.3. Oil/grit separators are to be provided for all site car parks with more than 12 spaces. Treatment devices are to be sized to treat the run-off from the 90th percentile rainfall event, (BCC 2001).
- Buffer Strips - Approximately 15% of the lots will be landscaping. Where the site layouts allow the landscaping will be used to treated run-off from the primary treatment devices. Vegetated buffer strips will be used to reduce the amount of fine sediment and nutrients discharged from the site to the wetlands and water quality control ponds. Research by the CRC for Catchment Hydrology on vegetated buffer strips found that a six metre wide strip can reduce sediment loads by up to 90% and nutrient loads by up to 70%, (CRC 1997).

Conveyance controls

- Grass Swales – In the detailed design of the sub-division open grass swales can be used in preference to conventional kerb and gutter and pipe drainage. Swales reduce flow velocities limiting erosion of the stream banks. The lower velocities and filtration through vegetation reduces fine sediments, nutrients, hydrocarbons and heavy metals discharged to the treatment ponds.
- Typical pollutant removal rates are; total suspended solids – 75 -100%, hydrocarbons 75-100%, nutrients - 50-75%, and heavy metals – 60%, (EPA 1997a).
- Watercourse Profiles – Three main watercourses will be provided through the site to collect stormwater run-off. Two for the southern employment lands draining to the southern water quality control ponds and the second drains to the northern water

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quality control ponds. Where feasible, the watercourses will include a meandering low flow invert, ponds and riffle zones, and aquatic and riparian vegetation.

Discharge Controls

- Gross Pollutant Traps – Gross pollutant traps incorporating a screen and coarse sediment sump will be provided upstream of the ponds and wetlands. These will be designed to achieve the pollutant reduction targets set out in Tables A.2 and A.3 for coarse sediment and litter.
- Constructed Wetlands and Water Quality Control Ponds - Wetlands and ponds will be provided for tertiary treatment of stormwater before it is discharged from the estate to Prospect Creek or Greystanes Creek. The wetlands and ponds have been sized to meet the treatment objectives for sediments and nutrient outlined in the stormwater management plans. The ponds and wetlands would be located off-line with a bypass channel used to divert flows during large storms around the ponds. The ponds, where feasible, should consist of a series of shallow densely planted zones and deep water areas. The relationship between the three levels of stormwater treatment in the treatment train approach is shown in Figure 10 below.

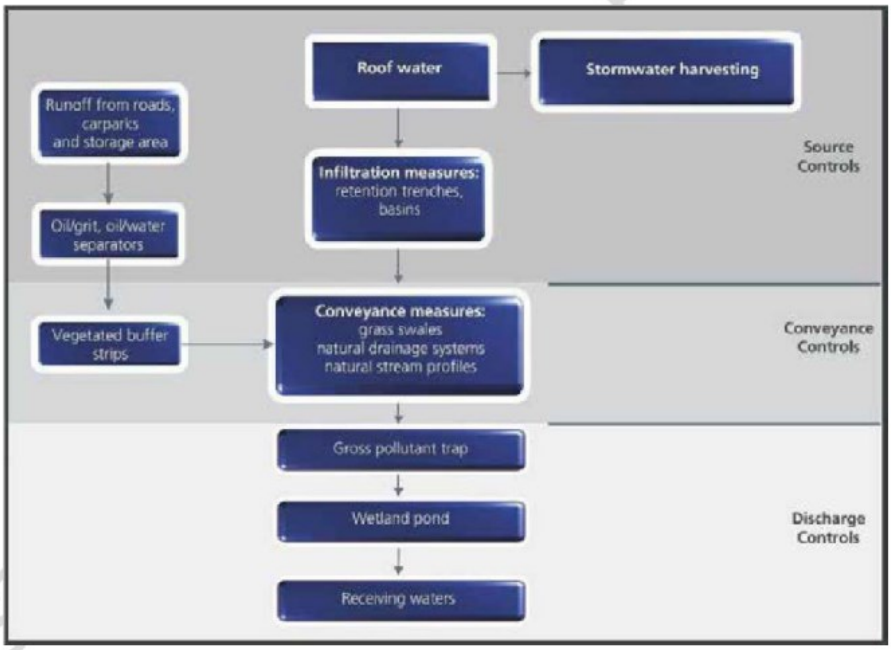

Figure 10: Stormwater management system

A.4 STORMWATER POLLUTION LOAD ASSESSMENT

To provide preliminary sizes for the water quality ponds, a level one pollution load assessment was completed, as defined in the EPA guidelines, (EPA 1997c). This level of stormwater quality model is suitable for preliminary sizing, but given the size and scales of the development would need to be supported by a more detailed, level two water quality model, at the detailed design phase.

For the purposes of the modelling existing pollutant loads were estimated assuming that the entire area of the quarry was a rural catchment. Due to the lack of site specific water quality data Event Mean Concentrations (EMC's) based on the Sydney Water's water quality monitoring data for a range of land

uses in the catchment. No EMC data is available for quarries so average rural EMC values have been used. This is a conservative approach and under-estimates the existing pollutant loads. Pollutant loads after development with no controls were estimated using average EMC values for industrial catchments. The surface area of wetland/water quality control ponds necessary to achieve the pollutant reduction targets was then calculated. Pond sizes have been calculated based on achieving two levels of treatment the first is the treatment objectives outlined in the SMP's and the second is to reduce post-development pollutant loads to the rural pollutant loads. Wetland surface areas were estimated using the surface loading rates included in the EPA's guidelines *Managing Urban Stormwater Treatment Techniques*. These are described as Option 1 and Option 2 respectively in the tables below. Details of the pollution load assessment are included in Appendix A of this paper and summary of the results are provided in Tables A.4 – A.6.

A.5 RECOMMENDATIONS

Staged sediment and erosion control plans should be prepared for the development of the infrastructure for the employment lands. Sediment and erosion plans should also be submitted with the individual development applications for the lots. The plans should be prepared in accordance with the guidelines published by the NSW Department of Housing *Managing Urban Stormwater Soils and Construction*.

The stormwater management strategy outlined in Section A.3.2 should be adopted for the site so that the water quality objectives set in the relevant SMP's are met and exceeded. These measures include a 'treatment train' approach with site specific controls included on the individual lots and conveyance and discharge controls included during the design of the infrastructure for the employment lands. Water quality control ponds (WQCP) are to be included in both the northern and southern employment lands. These are to have a minimum surface area of 1.4 and 2.0 hectares respectively. WQCP's will be designed to achieve the treatment objectives set out in both the Prospect Creek and Upper Parramatta River SMP's for suspended solids and nutrients for the Southern Employment lands and Northern Employment Lands respectively. Approximately 50% of the water quality control ponds are to be shallow wetland area planted with appropriate species of emergent macrophytes. The remaining areas are deeper open water zones. The ponds should have a minimum hydraulic retention time of twelve days.

The effectiveness of the proposed stormwater management measures is to be confirmed using more detailed water quality modelling. The model should use appropriate EMC values, a daily time step and a ten year simulation period that incorporates years with rainfall totals similar to the 10th, 50th and 90th percentile years, (EPA 1997c).

A.6 REFERENCES

Bankstown, Fairfield, Holroyd and Liverpool City Councils, 1999 Prospect Creek Catchment Stormwater Management Plan

BCC 2001 Blacktown City Council, 2001 Stormwater Quality Control Policy

CRC 1997 Cooperative Research Centre for Catchment Hydrology, 1997 Controlling Sediment and Nutrient Movements within Catchments - Industry Report.

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EPA 1997a Environment Protection Authority, November 1997 Managing Urban Stormwater. Treatment Techniques.

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Lower Hunter and Central Coast Regional Environmental Management Strategy, 1999 Water Sensitive Urban Development. Implementation Issues for the Lower Hunter & Central Coast.

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CUMBERLAND
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PART F2-10
REGENCY GREEN INDUSTRIAL ESTATE

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1. Introduction

1.1 Land to which this Part applies

This Part applies to land zoned IN1 General Industrial known as the Regency Green Industrial Estate as shown in Figure 1. This site is formerly known as part of the RAAF Stores Depot.



Figure 1: Area to which this Part applies

1.2 Purpose of this Part

The purpose of this Part is to create a quality industrial business estate comprising a range of allotment sizes supported by a functional and high quality public domain (as per the Former RAAF Stores Depot Public Domain Plan).

2. Objectives and controls

2.1 General

Objectives

O1. Ensure the economic development and use of the industrial zoned land that forms part of the former Regents Park RAAF Stores Depot site.

O2. Enhance and reinforce the existing industrial development in the surrounding area and within the Regency Green Industrial Estate.

O3. Enhance employment opportunities in the area.

O4. Ensure a high standard of industrial development on the site and to encourage this high standard in future development in surrounding industrial areas.

O5. Ensure development responds to its context and is aesthetically and environmentally compatible with the existing built environment and the public domain.

O6. Ensure development contributes to improvements to the public domain.

O7. Encourage design that will enhance the existing character of the locality.

O8. Ensure development adheres to principles of ecologically sustainable development.

O9. Ensure that redevelopment is integrated with surrounding development.

2.2 Staged development

On 23 June 2004 development consent DA-608/2003 was granted by Council (see Council report 260/04 – CCLO2-04) for the staged development of part of the former RAAF Stores Depot (Lots 102 and 103 DP 1048829). Stage 1 included subdivision of the site into 41 industrial lots, civil works including roads, drainage and provision of public open space, site re-grading, removal of trees, and landscaping.

The Stage 1 development consent also approved a master plan (*Regency Green Industrial Estate Draft Master Plan*, prepared by Woods Bagot, dated May 2004). The relevant provisions within the *Regency Green Industrial Estate Draft Master Plan* have been incorporated in this Part. In addition, condition 2(c) of the development consent required that the industrial development and associated drainage and any ancillary works within each allotment intended for industrial use, be the subject of further development consent pursuant to the provisions of Section 80(5) of the *EP&A Act 1979*.

Objectives

O1. Ensure that the distribution of floor space is such that the scale of buildings reinforces the desired streetscape character.

O2. Ensure that the built form and scale of development maintains and enhances the amenity and visual quality of the locality, the public domain and adjoining areas.

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Controls

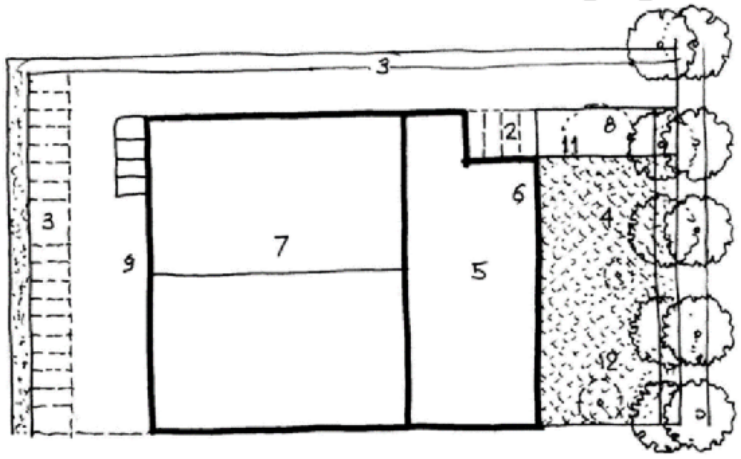
Site coverage and setbacks

C1. The total ground floor area of all buildings shall not exceed 70% of the area of the allotment. Where an industrial building comprises more than one (1) unit, the total ground floor area shall not exceed 60% of the area of the allotment.

C2. New buildings along the street frontage shall be setback a minimum of 3m. The setback zone shall not be used for car parking, storage or display of goods.

C3. In the case of an allotment with side boundaries angled to the road alignment, the setback line shall be perpendicular to the side boundary and the setback shall be 3m at its closest point.

C4. Lots to the south of where Building 40 (as shown in Figure 3 was located shall have a 20m front setback in order to retain the existing trees as shown (refer to Figure 2 below).



1. 3m soft landscape setback zone with landscaping as required to match verge on opposite side of the road.
2. 20% or 3 car parking spaces to the front of the site.
3. 2m soft landscaped deep soil zone setback to one boundary, zero setback to other side. 2m to both sides of not using one zero side setback.
4. Consolidated open space area built to front boundary incorporating existing trees to be retained.
5. Office component to the front of the site.
6. Minimum 50% of building built to 20m front setback line.
7. Warehouse component to the rear of the site.
8. Retain existing trees where possible.
9. Servicing, loading and car parking to the rear of the site.
10. Zero side setback.
11. Pedestrian path to building from public footpath along street.
12. Front setback 20m to allow retention of existing trees to be retained.
13. 3-4m rear setback/vegetation corridor as required.

Figure 2: Typical boulevard allotment pan with 20m setback for existing trees.

C5. A minimum of 50% of the front facade of the building shall be built to the minimum specified front setback to ensure a strong reading of the street address. A 2m articulation zone shall be allowed.

C6. No setback shall be required from internal laneways or minor access driveways.

C7. Side boundaries shall have a landscaped deep soil zone of at least 2m where the building is not built to either boundary. Where one side setback is zero the other side shall have a 4m deep soil zone.

C8. Rear boundaries shall have a landscaped deep soil zone of 3m unless the lot does not back onto another within the development in this case the deep soil zone will be 4m. This zone shall be planted in accordance with the revegetation plan as shown in Figure 3.



Figure 3: Revegetation plan.

C9. Allotments bounding Duck River shall have a 30m setback from the mean high water line. Refer to Figure 4 below.

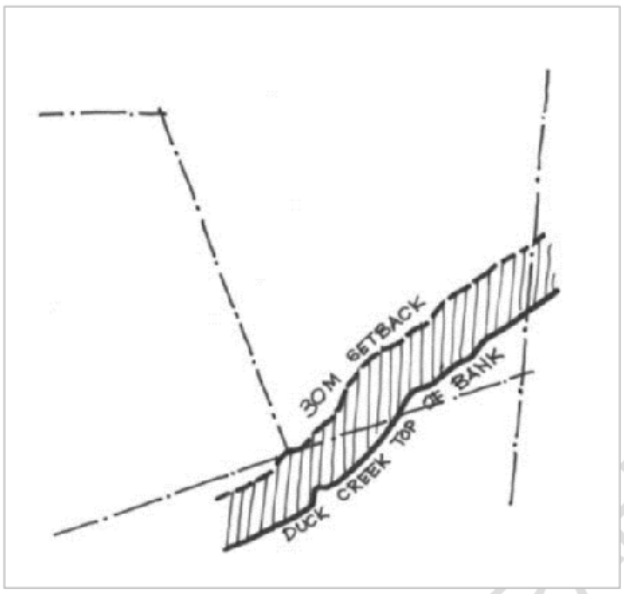


Figure 4: Setback from Duck Creek (Duck River).

C10. Lots shall use a zero side setback to one boundary except where access is required.

C11. Landscaping with appropriate native species shall be provided to setbacks and alongside vehicle access driveways. Refer to Table 1- Regents Park plants list.

C12. Components of the buildings which incorporate ancillary offices, showrooms and customer service areas shall be located along the allotment frontage and shall be of a high standard of architectural design.

2.3 Allotment size and configuration

Objectives

O1. Development creates or maintains an overall variety of allotment sizes to facilitate a wide range of industrial, warehousing and related activities.

O2. Allotment sizes and configuration enable the efficient siting of buildings and associated activities.

Controls

C1. The average minimum site width shall be 30m. Refer to Figure 5 below.

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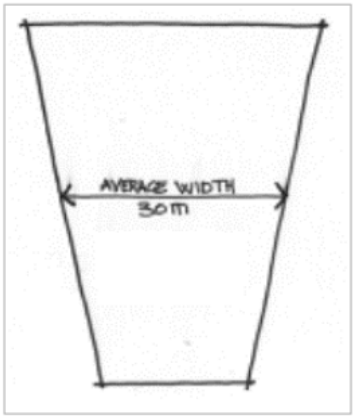
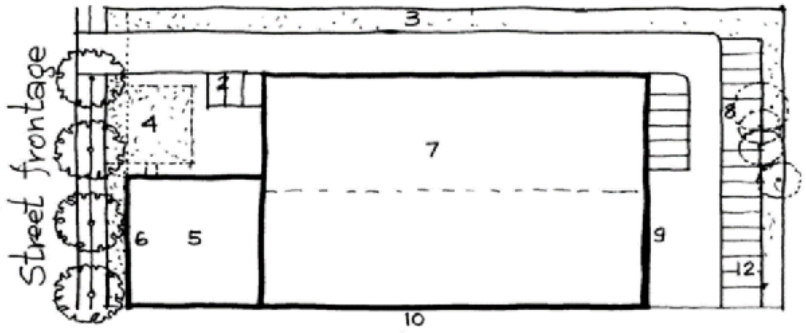


Figure 5: Average site width.

C2. Battle-axe allotments accessed by narrow frontages shall not be permitted.

C3. Allotments use opportunities for shared access. Refer to Figure 6 to 8 showing allotment plans for mid-block, corner blocks and multi-unit sites.



1. 3m soft landscape setback zone with landscaping as required to match verge on opposite side of the road.
2. 20% or 3 car parking spaces to the front of the site.
3. 4m soft landscaped deep soil zone setback to one boundary where zero setback to other side. Otherwise 2m to each side.
4. Consolidated open space area built to front boundary.
5. Office component to the front of the site.
6. Minimum 50% of building built to 3m front setback line.
7. Warehouse component to the rear of the site.
8. Retain existing trees where possible.
9. Servicing, loading and car parking to the rear of the site.
10. Zero side setback.
11. Pedestrian path to building from public footpath along street.
12. 3-4m rear setback/vegetation corridor as required.

Figure 6: Typical mid block allotment plan.

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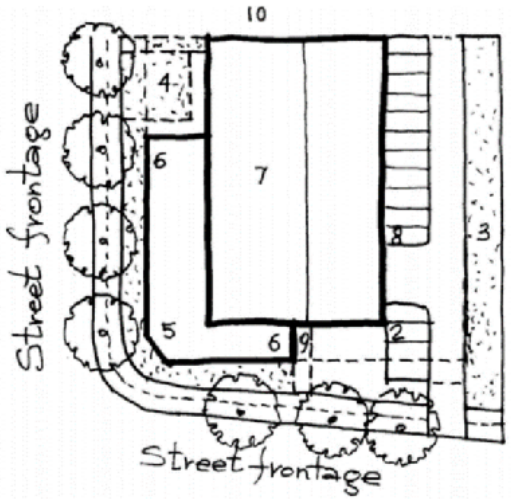

1. 3m soft landscape setback zone with landscaping as required to match verge on opposite side of the road.
2. 20% or 3 car parking spaces to the front of the site.
3. 4m soft landscaped deep soil zone setback to one boundary where zero setback to other side. Otherwise 2m to each side.
4. Consolidated open space area built to front boundary.
5. Office component to the front of the site.
6. Minimum 50% of building built to 3m front setback line.
7. Warehouse component to the rear of the site.
8. Servicing, loading and car parking to the rear of the site.
9. Pedestrian path to building from public footpath along street.
10. Zero side setback

Figure 7: Typical corner block allotment plan.

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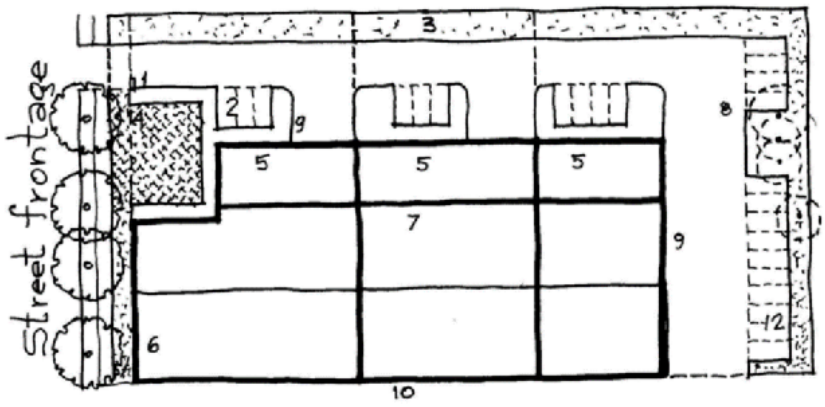

1. 3m soft landscape setback zone with landscaping as required to match verge on opposite side of the road.
2. 20% or 3 car parking spaces to the front of the site.
3. 4m soft landscaped deep soil zone setback to one boundary where zero setback to other side. Otherwise 2m to each side.
4. Consolidated open space area built to front boundary.
5. Office component to the front of the site.
6. Minimum 50% of building built to 3m front setback line.
7. Warehouse component to the rear of the site.
8. Retain existing trees where possible.
9. Servicing, loading and car parking to the rear of the site.
10. Zero side setback.
11. Pedestrian path to building from public footpath along street.
12. 3-4m rear setback/vegetation corridor as required.

Figure 8: Factory unit allotment plan.

2.4 Building height and density

Objectives

O1. Building height, scale and mass is similar to adjoining development.

O2. Building form is designed to avoid detrimental effects upon the amenity and visual character of the locality.

Control

C1. Building plants/service such as lift motor room, air conditioning equipment and exhausts shall either be concealed from view behind parapet walls or housed within the building envelope entirely.

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2.5 Visual quality and building design

Controls

C1. Loading, storage and external work areas shall be located where the visual quality of the locality is not compromised.

C2. Buildings, fencing and landscape treatment shall be used to screen visually obtrusive activities and car parking.

C3. Building facades to street frontages shall be of a contemporary architectural style. Refer to examples in Figure 9 and 10.



Figure 9: Examples of appropriate architectural character.



Figure 10: Examples of inappropriate architectural character.

C4. Design of industrial buildings shall include:

- elements which punctuate the skyline;
- distinctive roof forms;
- facades with visual variety in materials and form;
- architectural emphasis on the built form;
- roof and building form appropriate and indicative of building function;
- window forms to vary based on orientation and internal functions;
- entrance areas to be visually prominent within overall building form, by use of visual cues such as awnings, roof projections, blade walls or variation in materials scale or form; and
- introduce variation in unit design within building group.

Refer to Figure 11.

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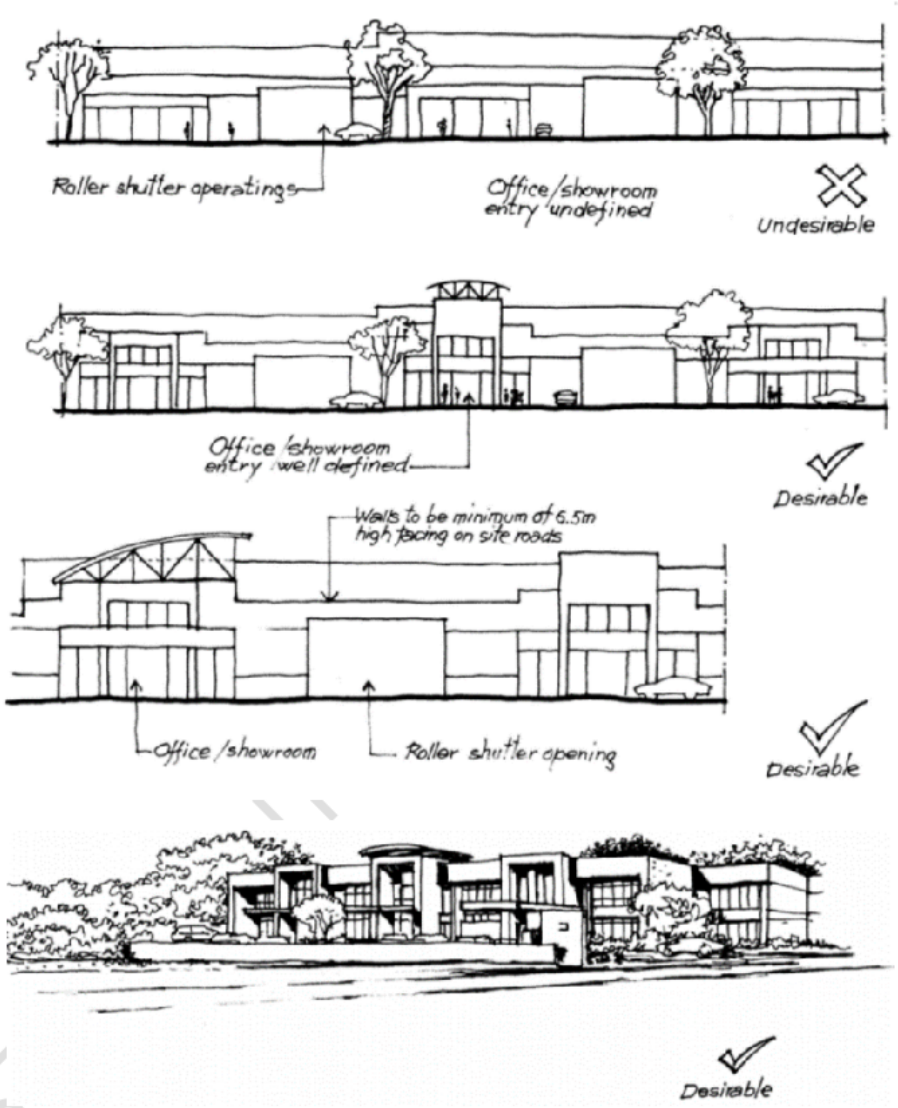


Figure 11: Building form.

C5. Walls facing side roads shall be a minimum height of 6.5m.

C6. On corner sites, built form shall emphasise the corner by massing and facade orientation. The office component of developments shall be located at the corner and the architectural form shall address the corner of the block by a chamfered footprint to the corner. Refer to Figure 12 to 15.

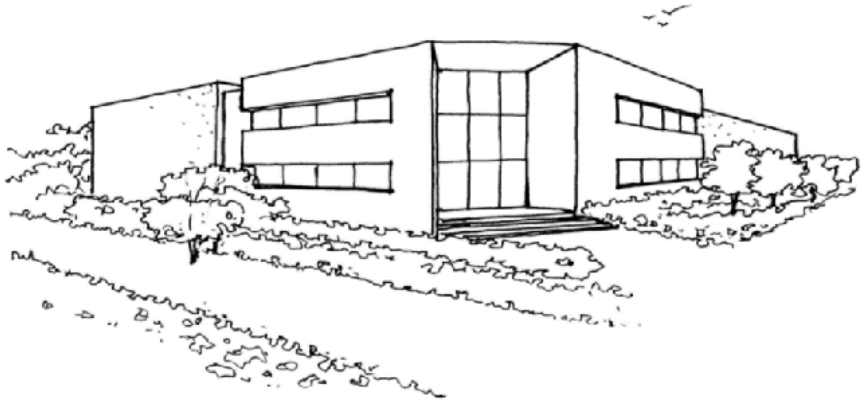
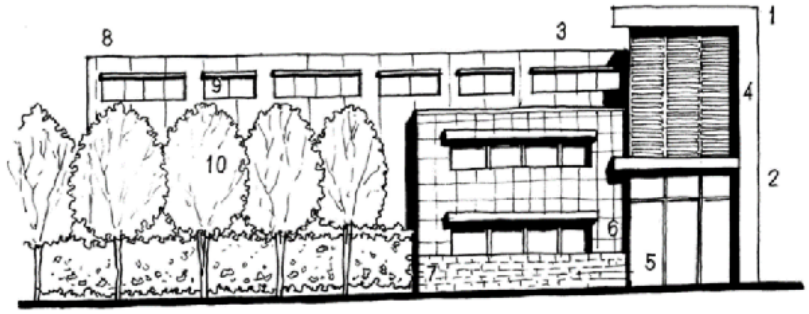


Figure 12: Example of chamfered corner treatment.



1. Entrance prominently identified by high building form
2. Blade walls articulate frontage and frame entry.
3. Parapet to cover all plant and equipment.
4. External horizontal louvres protect north facing glazing.
5. Entrance further articulated and protected by canopy.
6. Office windows with spandrel to allow placement of desks against external walls. Horizontal sun shading blades to north facing windows.
7. Variety of materials – Glazing, rendered blades, masonry to ground building and pre-finished panelling to office block.
8. Precast concrete warehouse.
9. High level windows for natural light to warehouse.
10. Landscape screen planting to warehouse on street frontage.

Figure 13: Options for building frontages – boxes and blades.

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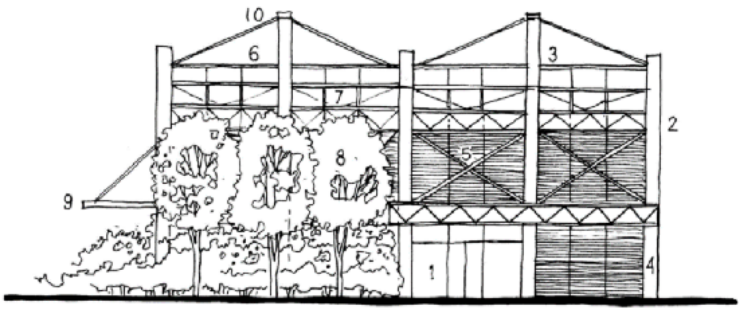
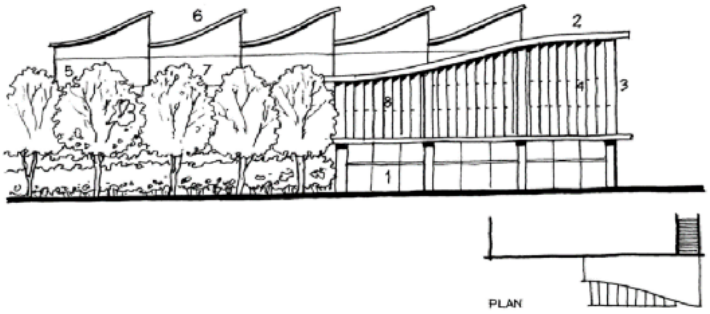


1. Entrance set back from front setback articulated and protected by canopy.
2. Visible structural elements to articulate building form and illustrate industrial nature of building function.
3. Parapet to cover all plant and equipment.
4. External horizontal louvres protect north facing glazing.
5. Variety of materials – Glazing, concrete columns and steel structure.
6. Metal clad warehouse.
7. High level windows for natural light to warehouse.
8. Landscape screen planting to warehouse on street frontage.
9. Awning for weather protection to side loading.

Figure 14: Options for building frontages – scaffolding elements, visible structure.



1. Entrance set back from front setback articulated and protected by canopy.
2. Parapet to cover all plant and equipment.
3. External vertical louvres protect west facing glazing.
4. Variety of materials – Glazing, concrete structure and timber louvres.
5. Precast concrete warehouse.
6. Saw-tooth roof form to punctuate skyline and allow natural light penetration into warehouse.
7. Landscape screen planting to warehouse on street frontage.
8. Office building emphasised by curved architectural form and screens loading behind.

Figure 15: Options for building frontages – curves and roof form.

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2.6 Landscape treatment

Controls

C1. Large car parking areas shall be broken up using landscape zones. Car parking shall be located so as to integrate with the landscaping and provide a harmonious design for the site.

C2. An area shall be provided for outdoor staff recreation (areas for sitting, eating and barbecues) being appropriate to the needs of the particular premises and incorporating adjacent open space or natural areas.

2.7 Landscape

Objectives

O1. Open space areas within allotments are to comprise a high quality of landscape design to maintain the visual amenity and habitat potential of the locality.

O2. Adequate open space areas are provided for the amenity of visitors and workers in the Estate.

Controls

C1. All industrial allotment frontages shall be separate from the street by a minimum 3m wide landscape softworks buffer. This buffer shall contain trees, gravel, lawn and planting to match the verge on the other side of the street. Entrance and access pavements may cross this buffer.

C2. A row of trees shall be planted within the 3m wide landscape buffer at the front of all the allotments fronting the George Young Street. The trees shall be planted as part of the future development of the individual lots. The trees shall be Eucalyptus moluccana (Grey Box), installation size 100 litre and at same spacing as the street trees planted within the road reserve of the Boulevard. These trees shall be planted at 1m within the site boundary and shall create the outer row of the double avenue of street trees along the Boulevard. The area under these trees shall be turfed.

C3. All allotments with a boundary fronting the Princess Road East shall install soft landscaping within the 3m wide landscape softworks buffer. Informal copses of Eucalyptus leucoxylon 'Rosea' and entrance feature trees as identified shall be planted within this zone. The area under these trees must be turfed.

C4. All garden beds shall be edged with a 150mm wide concrete strip.

C5. Rear deep soil planting zones shall be mass planted, mulched garden bed in accordance with the revegetation plan prepared for the site where required.

C6. All lots shall allow for a pedestrian access path from the pedestrian footpath on the street to the entrance of the building.

C7. All unbuilt areas of the site not required for loading, carparking, or vehicle access shall be landscaped. The area of soft landscaping in the form of trees shrubs and lawns shall not be less than 15% of the site area including the consolidated open space area.

C8. A consolidated open space area shall be provided on every lot in a distinct area (of proportions of approximately 1:1 to 2:3 or 3:2 width to depth). The area shall be built to the front property line.

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C9. The consolidated open space area shall be located to the front of the lot and extend to 1500mm past the building setback line and must be landscaped in such a manner to contribute to the overall public domain character of the site.

C10. The size of the area to be provided shall be determined based on lot area. Refer to Figure 16.

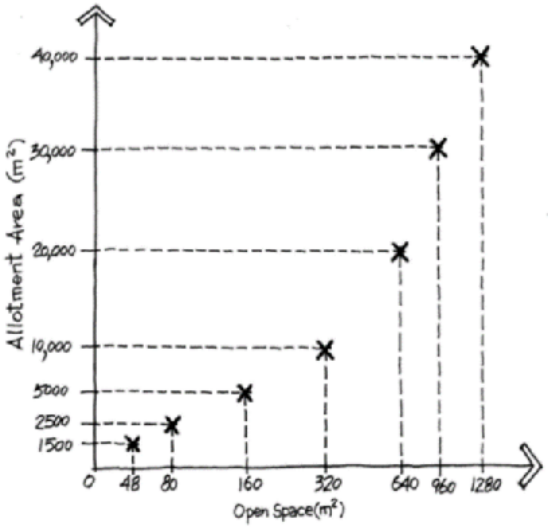

Figure 16: Consolidated open space area table.

C11. The consolidated open space area shall be defined by the public footpath along the site boundary, the driveway, building or private paths.

C12. The consolidated open space area shall contain street furniture, seating, bins, bike racks etc, lighting, planting, trees and paved areas (unit paving or gravel). It shall also contain a pergola structure for shade which shall also be built to the front property boundary. Refer to Figure 17.

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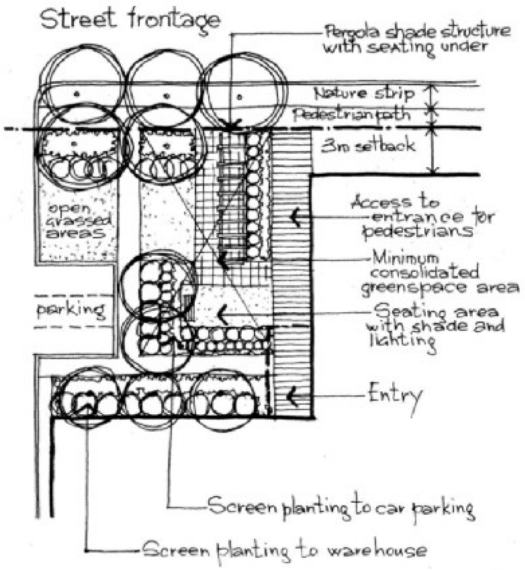

Figure 17: Example of a consolidated open space area.

C13. All species planted within the front setback and consolidated open space areas are to be selected from the relevant proposed species list in Table 1.

Table 1: Regents Park plant list.

Botanical name	Common name	Mature size (Ht x sp)	Pot size
Focal theme trees			
Angophora floribunda	Rough Barked Apple Gum	20 x 6	Advanced, 100L, 3m Ht
Araucaria cunninghamii	Hoop pine	30 x 6	Advanced, 100L, 3m Ht
Ficus rubiginosa	Port Jackson Fig	20 x 6	Advanced, 100L, 3m Ht
Flindersia australis	Australian Teak	15 x 6	Advanced, 100L, 3m Ht
Jacaranda mimosaefolia	Jacaranda	10 x 5	Advanced, 100L, 3m Ht
Avenue theme trees			
Angophora floribunda	Rough Barked Apple	20 x 10	Advanced, 100L, 3m Ht
Corymbia maculata	Spotted Gum	20 x 8	Advanced, 100L, 3m Ht
Eucalyptus haemostoma	Scribbly Gum	15 x 5	Advanced, 100L, 3m Ht
Eucaplyptus leucoxylon 'Rosea'	Pink Flowering Yellow Gum	12 x 6	Advanced, 100L, 3m Ht
Eucalyptus sideroxylon	Ironbank	30 x 5	Advanced, 100L, 3m Ht
Ficus rubiginosa	Port Jackson Fig	12 x 7	Advanced, 100L, 3m Ht
Jacaranda mimosifolia	Jacaranda	12 x 6	Advanced, 100L, 3m Ht
Lophostemon confertus	Brush Box	12 x 6	Advanced, 100L, 3m Ht
Pyrus ussuriensis 'Red Spire'	Manchurian Pear	10 x 5	Advanced, 100L, 3m Ht
Robinia pseudoacia 'Frisa'	Golden Robinia	10 x 5	Advanced, 100L, 3m Ht
Tilia cordata 'Green Spire'	Small leaved Linden		Advanced, 100L, 3m Ht
Ulmus parvifolia	Chinese Elm	8 x 4	Advanced, 100L, 3m Ht

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Botanical name	Common name	Mature size (Ht x sp)	Pot size
Native trees buffer planting			
Acacia decurrens	Black Wattle	15 x 5	250mm Pot, 1.5m Ht
Acacia parramattensis	Sydney Green Wattle	10 x 4	250mm Pot, 1.5m Ht
Allocasuarina littoralis	Black She-oak	10 x 5	250mm Pot, 1.5m Ht
Allocasuarina torulosa	Forest She-oak	20 x 5	250mm Pot, 1.5m Ht
Eucalyptus cerba	Narrow Leafed Red Ironbank	20 x 10	250mm Pot, 1.5m Ht
Eucalyptus eugenoides	Thin-leaved Stringybark	25 x 5	250mm Pot, 1.5m Ht
Eucalyptus tereticornis	Forest Red Gum	40 x 5	250mm Pot, 1.5m Ht
Eucalyptus moluccana	Grey Box	40 x 5	250mm Pot, 1.5m Ht
Syncarpia glomulifera	Turpentine	50 x 5	250mm Pot, 1.5m Ht
Duck Creek open space planting			
Acacia decurrens	Black Wattle	15 x 7	Advanced, 100L, 3m Ht
Acacia parramattensis	Sydney Green Wattle		Advanced, 100L, 3m Ht
Angophora floribunda	Rough Bark Apple Gum	20 x 10	Advanced, 100L, 3m Ht
Banksia integrifolia	Coast Banksia	15 x 5	Advanced, 100L, 3m Ht
Banksia spinuosa	Honey Suckle Banksia	4 x 2	Advanced, 100L, 3m Ht
Casurina glauca	Swamp Oak	20 x 10	Advanced, 100L, 3m Ht
Callistemon salignus	Willow Bottlebrush	9 x 4	Tubestock
Cupaniopsis anacardioides	Tuckeroo		Advanced, 100L, 3m Ht
Eucalyptus eugenoides	Thin leaf Stringy Bark		Advanced, 100L, 3m Ht
Eucalyptus gummifera	Bloodwood		Advanced, 100L, 3m Ht
Eucalyptus haemastoma	Scribbly Gum	20 x 10	Advanced, 100L, 3m Ht
Eucalyptus leucoxylon 'Rosea'	Pink Flowering Yellow Gum	15 x 7	Advanced, 100L, 3m Ht
Eucalyptus robusta	Swamp Mahogany	15 x 7	Advanced, 100L, 3m Ht
Feature shrubs			
Dietes grandiflora	Wild Iris	0.6 x 0.6	200mm pot
Doryantes excelsa	Gymea Lily	1.5 x 0.6	200mm pot
Pennisetum aloepecuroides	Fountain Grass	0.6 x 0.6	200mm port
Plumbago auriculata 'Blue'	Blue Plumbago	1.2 x 1.2	200mm port
Phormium tenax 'Maori' Maiden'	Yellow Leaf Flax	0.6 x 0.6	200mm port
Native shrubs			
Anigozanthus flavidus 'Bush Gem'	Dwarf Kangaroo Paw	0.6 x 0.6	200mm port
Banksia spinulosa	Banksia	1.5 x 1.0	200mm port
Bursaria spinosa	Sweet Bursaria	1.5 x 1.5	200mm port
Callistemon citrinus	Lemon-scented Bottlebrush	2.5 x 2.0	200mm port
Dianella revoluta	Mauve Flax Lily	0.6 x 0.6	200mm port
Dillwynia juniperina	Prickly Parrot-Pea	1.0 x 1.0	200mm port
Kunzea ambigua	Tick Bush	2.5 x 1.5	200mm port
Lomandra longifolia	Long-leaf Mat Rush	0.8 x 0.8	200mm port
Lomandra multiflora	Spiny Leafed Mat Rush	0.8 x 0.8	200mm port
Poa labillardieri	Native Tussock	0.8 x 0.8	200mm port
Westringia glabra	Westringia	1.2 x 1.0	200mm port
Groundcovers & climbers			
Hardenbergia violacea	Native Sarsparella	0.3 x 1.0	150mm pot
Hibbertia aspera	Rough Guinea Flower	0.3 x 1.0	150mm pot
Kennedia rubicunda	Dusky Coral Pea	0.3 x 1.0	150mm pot
Viola hederacea	Native Violet	0.3 x 0.3	150mm pot
Boulevard front setback planting			
Anigozanthos flavidus	Tall Kangaroo Paw	1 x 1	Tube Stock

Botanical name	Common name	Mature size (Ht x sp)	Pot size
Banksia 'Candlesticks'	*Banksia 'Candlesticks'*	0.4 x 1	150mm pot
Banksia spinulosa	Banksia	1.5 x 1.0	200mm pot
Dietes Bicolour	Wild Iris	0.7 x 0.5	150mm pot
Dianella revoluta	Mauve Flax Lily	0.6 x 0.6	200mm pot
Doryanthus excelsa	Gymea Lilly	1.5 x 0.7	200mm pot
Grevillea 'Moonlight'	*Grevillea 'Moonlight'*	4 x 2	200mm pot
Lomandra longifolia	Long-leaf Mat Rush	0.8 x 0.8	150mm pot
Lomandra multiflora	Spiny Leafed Mat Rush	0.8 x 0.8	150mm pot
Hardenbergia violacea	Native Sarsparella	0.3 x 1.0	150mm pot
Pennisetum alopecuroides	Swamp Foxtail Grass	0.6 x 0.5	Tube Stock
Phormium tenax 'Maori Maiden'	New Zealand Flax *'Maori Maiden'*	1 x 1	200mm pot
Plumbago auriculata	Blue Plumbago	3 x 2	200mm pot
Westringa fructosia	Coastal Rosemary	1.5 x 1	200mm pot
Westringa glabra	Violet westringa	1.5 x 1	200mm pot
Northern Link Road front setback planting			
Anigozanthos flavidus	Tall Kangaroo Paw	1 x 1	Tube Stock
Banksia 'Candlesticks'	*Banksia 'Candlesticks'*	0.4 x 1	150mm pot
Dietes Bicolour	Wild Iris	0.7 x 0.5	200mm pot
Dianella revoluta	Mauve Flax Lily	0.6 x 0.6	200mm pot
Doryanthus excelsa	Gymea Lilly	1.5 x 0.7	200mm pot
Grevillea 'Misty Pink'	*Grevillea 'Misty Pink'*	3 x 2	200mm pot
Grevillea 'Robyn Gordon'	*Grevillea 'Robyn Gordon'*	1.5 x 2	200mm pot
Lomandra longifolia	Long-leaf Mat Rush	0.8 x 0.8	150mm pot
Lomandra multiflora	Spiny Leafed Mat Rush	0.8 x 0.8	150mm pot
Hardenbergia violacea	Native Sarsparella	0.3 x 1.0	150mm pot
Pennisetum 'Burgundy giant'	*Pennisetum 'Burgundy giant'*	1.2 x 0.7	Tube Stock
Phormium tenax 'Dazzler'	New Zealand Flax	1 x 1	200mm pot
Phormium tenax 'Flamingo'	New Zealand Flax	1 x 1	200mm pot
Themeda 'Bush Joey'	*Themeda 'Bush Joey'*	0.4 x 0.4	Tube Stock
Westringa fructosia	Coastal Rosemary	1.5 x 1	200mm pot
Westringa glabra	Violet westringa	1.5 x 1	200mm pot
General front setback planting			
Anigozanthos flavidus	Tall Kangaroo Paw	1 x 1	Tube Stock
Banksia 'Candlesticks'	*Banksia 'Candlesticks'*	0.4 x 1	150mm pot
Dietes Bicolour	Wild Iris	0.7 x 0.5	150mm pot
Dianella revoluta	Mauve Flax Lily	0.6 x 0.6	200mm pot
Doryanthus excelsa	Gymea Lilly	1.5 x 0.7	200mm pot
Grevillea 'Moonlight'	*Grevillea 'Moonlight'*	4 x 2	200mm pot
Lomandra longifolia	Long-leaf Mat Rush	0.8 x 0.8	150mm pot
Lomandra multiflora	Spiny Leafed Mat Rush	0.8 x 0.8	150mm pot
Hardenbergia violacea	Native Sarsparella	0.3 x 1.0	150mm pot
Phormium tenax 'Lime Light'	New Zealand Flax	1 x 1	200mm pot
Plumbago auriculata	Blue Plumbago	3 x 2	200mm pot
Poa labillardieri	Common tussock-grass	0.04 x 0.04	Tube Stock
Westringa Fructosia	Coastal Rosemary	1.5 x 1	200mm pot
Westringa glabra	Violet westringa	1.5 x 1	200mm pot

C14. The consolidated open space area shall be located to achieve best orientation to create a comfortable micro climate.

C15. Public safety through open surveillance of the building frontage shall be achieved at all times.

C16. Landscaped areas shall be separated from vehicle areas by a kerb or other effective physical barrier

C17. Landscape planting shall be provided on the overland flow easement and the batter slopes of Lot 47 to Lot 51 DP 1081545 in accordance with the following principles:

- planting shall be 100% native with 70% indigenous to the area;
- planting of the stormwater easement area shall incorporate riparian species but shall not obstruct the overland flow; and
- the area incorporating the banks surrounding the building platform to the boundary with the reserve shall be fully landscaped with mass planting and clear trunked trees which shall not obstruct the visual connection to the reserve.

C18. Fencing shall be integrated into the landscape design theme so as to minimise its visual impact while providing required site security.

C19. Warehouse facades on street frontage shall be screened with a landscape buffer unless they are built to the setback line.

C20. For plant selection, biodiversity, plant supply and specification refer also to the Former RAAF Stores Depot Public Domain Plan.

2.8 Business Identification Signage

Objectives

O1. To provide coordinated signage throughout the public and private domain that is distinctive and aesthetically pleasing.

O2. To ensure visual impact of signs on adjoining residential areas is minimised through design and illumination standards

O3. Advertising signs and structures are incorporated within the overall design theme of the industrial component of the site. Refer to Figure 18.

O4. Development minimises the visual impact of signs and structures upon adjoining residential areas through design and illumination standards.

Controls

C1. Signs shall be limited to identifying the user/tenant of the industry by their name, logo or trademark. Illustrative advertising of products or services shall not be allowed.

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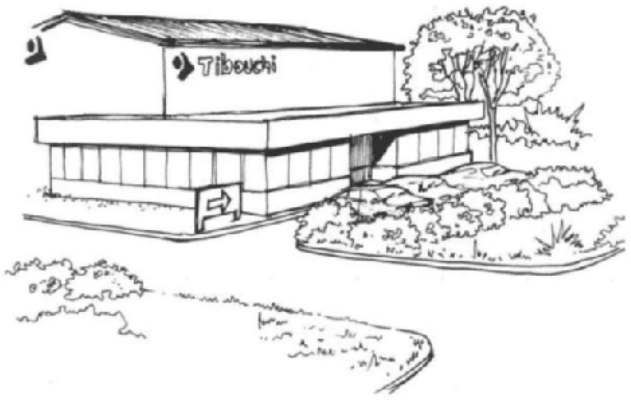

Figure 18: Distinctive, coordinated signage integrated with development.

C2. Illumination of signs shall not cause nuisance or annoyance to pedestrians, vehicles or adjoining residential properties.

C3. Signs shall be placed so that they do not obscure vehicular sightlines and vehicular control signs.

C4. Non illuminated signs shall use reflective material for typography and directional arrows.

C5. Word spacing shall be regular and excessive variation in length of lines shall be avoided.

C6. Signs shall not be placed above the roof line or parapet

C7. Identification signs shall be placed perpendicular to approaching traffic, no closer than 3m to any property line.

C8. One identification sign shall be provided. More than one may be used where a site has more than one vehicular entrance, on different sides of the building or where the nature of the site and adjacent roads require more than one sign for adequate identification.

C9. Building identification signage shall be in the form of a single free standing primary signage element. This element shall be setback 2m from the front allotment boundary. Secondary signage may be located on the building facade.

C10. The 2m setback area shall be planted with low ornamental plants and shrubs which do not obscure signage and are consistent with the landscape principles of the site. Refer to Figure 20.

C11. Signage shall be not more than 1.5m in height and shall incorporate a solid base element 600mm high of stone construction. This is illustrated in Figure 19 to 21.

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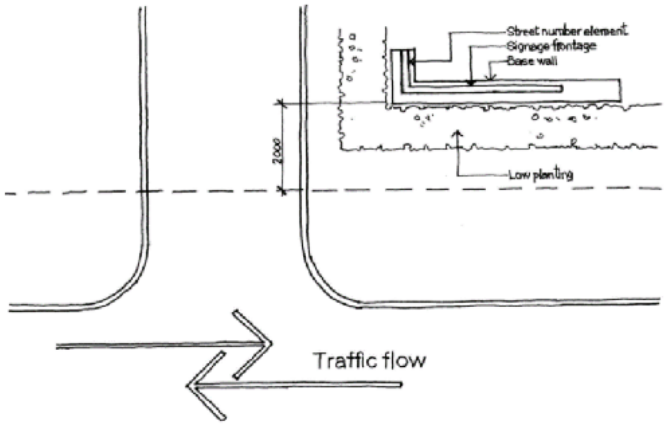

Figure 19: Signage – plan view.

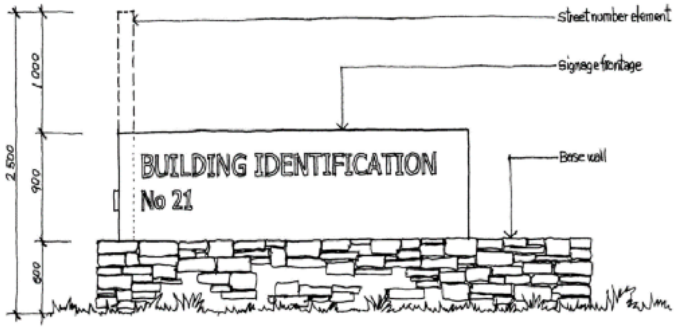

Figure 20: Signage – elevation.

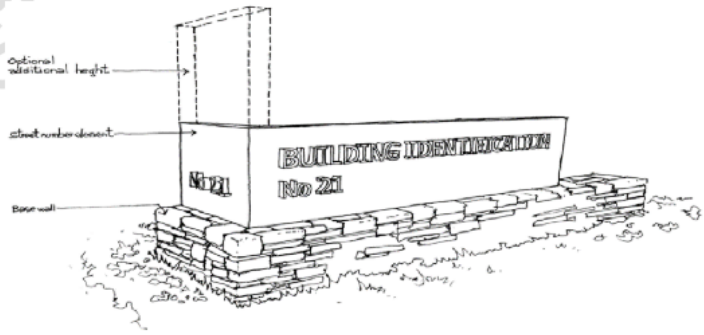

Figure 21: Signage – perspective illustration.

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C12. Signs shall not have a front face area greater than 5m² excluding the base wall face area.

C13. Signs shall be placed parallel to the road alignment. Where the sign is located after the access driveway for approaching traffic an element of the sign shall be perpendicular to the approaching traffic and as a minimum shall indicate the street number and may be up to 2.5m in height. Refer to Figure 20.

C14. Signs on the front facade of the building shall not be greater than 1/3 of the total length of the front facade and not longer than 12m in total length.

C15. Identification signs on a secondary street frontage shall be 50% of the size of those on the primary frontage.

C16. Pylon signs shall not be allowed.

2.9 Lighting, privacy and security

Lighting

Objectives

O1. Provide a functional and coordinated site lighting system which contributes to a safe and visually attractive environment

O2. Ensure lighting does not cause distraction to vehicle drivers on internal or external roads or to the occupants of adjoining properties and residential land.

O3. The impact of lighting upon adjoining sites, particularly residential areas, is minimised by controlling the intensity, design and location of lighting facilities.

Controls

C1. Lights shall be placed so as to cause no glare or excessive light spillage on neighbouring sites. External lighting complies with the Australian Standard 4282 (INT) 1995 – Control of the Obtrusive Effects of Outdoor Lighting.

C2. All parking areas and driveways shall be illuminated to a minimum level of between 25 and 50 lux at ground level. The standard adopted for the surrounding roads is 50 lux.

C3. Security lighting fixtures shall not project above the facade of the nearest adjacent building and shall be shielded. Shields shall be painted to match the surface to which they are attached. Security lighting fixtures shall not substitute for parking area or pedestrian path lighting fixtures and shall be restricted to lighting only loading and storage locations or other limited service areas.

C4. Exterior wall mounted flood lights shall be prohibited except for security lighting to the rear of buildings.

C5. Accent illumination shall be provided at key locations, such as building entries and driveways. The tops of footings of all lighting standards shall be a minimum of 100mm below adjacent surface levels.

C6. Buildings shall be externally lit using a system of lighting that accentuates the architectural features.

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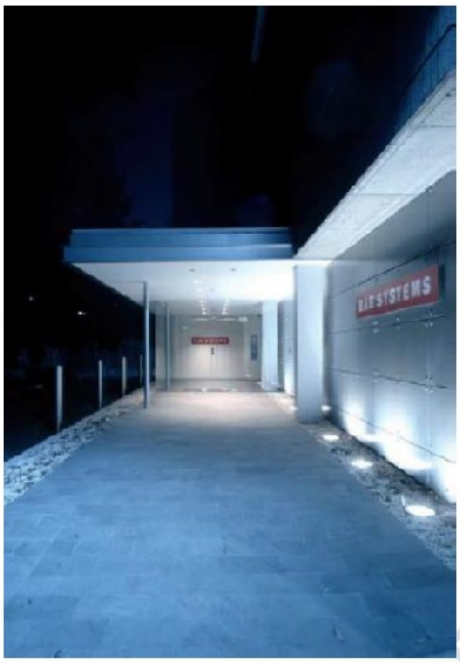

Figure 22: Lighting to emphasise building form.

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Fencing

Objective

O1. Fences and walls are designed to ensure that they do not have a detrimental effect on the visual amenity of the public domain.

Controls

C1. Fencing along street boundaries of a height greater than 1m shall be located behind a landscape buffer with a minimum setback of 3m.

C2. Fencing shall be either transparent or integrated into the building form. It shall be designed to ensure its materials and colours blend into the landscape and allow through visual access. Refer to Figure 23.

C3. Solid fencing shall be designed to read visually as part of the building form and be constructed of the same or complementary materials to the building.

C4. Fences shall not be erected in front of landscaping along street frontages.



Figure 23: Example of transparent fencing.

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Safety and security

Objective

O1. The design and ongoing development of the site is consistent with the principles of Crime Protection through Environmental Design (CPTED).

Controls

C1. Clear sightlines between public and private spaces shall be provided.

C2. Effective lighting for public places shall be provided.

C3. Landscapes and physical locations that channel and group pedestrians into target areas shall be provided

C4. Access to internal areas or high risk areas shall be restricted.

C5. Design shall incorporate clear transitions and boundaries between public and private space.

C6. Space management strategies shall be undertaken, including activity coordination, site cleanliness, rapid repair of vandalism and graffiti and replacement of burnt out lighting.

2.10 Ecologically sustainable development principles

Objectives

O1. Encourage a high standard of environmental design.

O2. Minimise energy use in buildings while providing a comfortable working environment.

O3. Substantially reduce carbon dioxide emissions compared to similar developments through the design of buildings.

O4. Minimise potable water mains demand of non-residential development by implementing water efficiency measures.

O5. Buildings are designed to minimise energy consumed for heating and cooling

O6. Buildings reduce reliance on existing energy supplies through the use of renewable energy technologies.

O7. Water efficiency is increased by appropriate building design, site layout, internal design and water conserving appliances.

Controls

C1. Buildings shall aim to achieve a north-south orientation.

C2. Air conditioning shall be zoned to enable the most efficient heating and cooling of the building

C3. Roof and wall insulation shall be used in office components of buildings to reduce winter heat loss summer heat gain.

C4. Cross ventilation shall be maximised by using high level roof ventilators. Where practical and appropriate, skylights and/or wind powered ventilators are to be installed.

C5. Stairwells shall be positioned to create a stack effect to enhance natural ventilation to upper floors.

C6. Windows shall be protected from summer sunlight by eaves and sunshade devices where appropriate.

C7. Buildings shall be finished in lighter colours to increase heat reflectivity.

C8. Low energy lighting shall be used.

C9. Buildings shall use renewable energy technologies, including:

- photovoltaic cells;
- battery storage; and
- natural ventilation.

C10. Water conserving landscape techniques shall be employed; such as drought tolerant species selection, soil additives, irrigation zoning, limited turf areas and planting to reflect micro climates.

C11. The ancillary office component of development shall be to the north of the site.

C12. Roofs shall be designed to maximise penetration of natural light.

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C13. Landscaping shall be used to shade exposed walls from summer sun. Deciduous species shall be included where summer shade and winter sun is desirable.

C14. All developments shall reuse grey water wherever appropriate, feasible and practical.

C15. New developments shall connect to recycled water if serviced by a dual reticulation system for permitted non potable uses such as toilet flushing, irrigation, car washing, fire fighting and other suitable industrial purposes.

C16. Where a property is not serviced by a dual reticulation system, development shall include an onsite rainwater harvesting or an onsite reusable water resource for permitted non potable uses such as toilet flushing, irrigation, car washing, fire fighting and other suitable industrial purposes.

C17. Development shall install all water using fixtures to meet the WELS (Water Efficiency Labelling Scheme) rated industry standards.

2.11 Stormwater management

Objectives

O1. Take advantage of opportunities for the multiple use of stormwater management areas for recreation and amenity.

O2. Avoid stormwater discharge impacts on downstream properties and natural waterways.

O3. Protect water quality and minimise gross pollutants leaving the site.

O4. Reduce the pressure of new development on existing water supply and drainage infrastructure.

O5. Treat and manage stormwater in an equitable manner for all future occupants of the estate.

O6. Incorporate highly innovative financially responsible water quality management strategy.

O7. Stormwater drainage is designed to integrate with landscape concept plans prepared for the site.

O8. Drainage design minimises the environmental impact of stormwater run-off.

O9. Stormwater management systems provide the community with opportunities for the reuse of stormwater

O10. Lot owners are responsible for management of stormwater on their site in terms of both water quality and quantity.

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Controls

C1. The drainage system has the capacity to accommodate the 1-in-100 year flood event without risk or damage.

C2. The stormwater drainage system shall be integrated with the landscape concept plan.

C3. The maximum permissible site discharge (PSD) and minimum site storage requirement (SSR) shall be in accordance with the Table 2.

Table 2: Maximum permissible site discharge

PSD Zone	Description of zone in which the proposed development is located	PSD L/S/ha	SSR M³/ha
I	Duck River Catchment – generally bounded by Duck River, Park Road, Rose Crescent and the M4 Motorway	80	530

Specific details relating to boundaries are to be confirmed with Council's drainage engineer.

C4. Detention storage shall not be located in any natural watercourse or overflow flow path, and functions independently during any events up to and including Council's 100 year ARI event.

C5. On-site detention basins shall be provided with an overflow spillway directed towards the trunk drainage system.

C6. On-site detention storage shall be designed so that run-off is stored underground.

C7. All stormwater quality control structures shall have the capacity to intercept and filter run-off from the one (1) year average recurrence storm event.

C8. Gross pollutant traps and devices shall be located underground with readily available access for maintenance or are screened.

C9. Development shall comply with the Stormwater Drainage in Part G of this DCP.

C10. Stormwater management shall be undertaken in accordance with the principles contained in the Water Cycle Management Plan prepared by Storm Consulting dated November 2003.

C11. On-site detention for the industrial estate shall be provided for each lot.

C12. Each lot shall provide water quality treatment consisting of oil and grease separation, gross pollutant and nutrient retention.

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CUMBERLAND
CITY COUNCIL

PART F3-3
YENNORA DISTRIBUTION PARK

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1. Introduction

The following controls apply to Yennora Distribution Park, being land described as Lot 2 DP 711948, and known as 14-54 Dennistoun Avenue, Yennora.

The subject property is one of the most significant industrial sites in Sydney and Cumberland City. The combination of size, location, accessibility and the well developed railway infrastructure provides a strategically important asset having local, regional and state status.

The site has been used historically as a major wool warehousing and distribution centre. In recent times other storage and distribution activities have developed on the site.

In the short to middle term, the property will continue to be used for wool related activities and other conforming uses.

The vision for the site is to maximise its efficient use and development as a strategic industrial property, which will be a major employment and business centre in Holroyd and the greater metropolitan area.

This vision, including redevelopment and change of use of existing buildings and development of vacant land, must be carried out while ensuring operations and activities have regard to the impact on the features of the site and surrounds.

2. General objectives

Objectives

O1. Establish a strategic planning framework to guide the future development of the site.

O2. Acknowledge the strategic importance of the site as a generator of major economic and employment activity for both Cumberland City, and for the Sydney Region.

O3. Recognise the regional significance of the site as a potential major inter-modal distribution centre servicing western Sydney.

O4. Identify opportunities to enhance the economic potential of the site as an inter-modal distribution centre servicing western Sydney.

O5. Ensure that future development on the site satisfies environmental and design standards and satisfies community expectations.

3. Objectives and controls

3.1 Building Form

Objectives

O1. Ensure that any new building works comply with the *Building Code of Australia*.

O2. Ensure a high standard of visual and environmental quality.

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Controls

C1. All building works associated with the construction of new standalone premises are to comply with the Building Code of Australia.

C2. The compliance of existing buildings with contemporary building and fire standards will be determined when alterations are proposed to such buildings.

C3. Any future building works proposed to take place on those parts of the site in close proximity to adjacent residential zones must have regard to the following:

- the visual appearance of the development when viewed from surrounding areas;
- the reflective qualities of proposed external building treatments and their potential to cause nuisance glare; and
- the possible impact of noise, vibration and dust generated by operations and activities in the proposed building or surrounds.

C4. Building facades to all street frontages and a minimum of a 3 metre return, shall be constructed of brick, split masonry block or pre-cast exposed aggregate panels, with a minimum of 3.5mm aggregate. No standard concrete block work can be permitted. Painted masonry will not be accepted unless the applicant can demonstrate that the building has outstanding architectural merit incorporating special features.

C5. Side and rear walls, not visible from the street, can be constructed in galvanised iron, zincalume, fibre cement or pre-colour coated metal sheeting. Council encourages the use of pre-colour coated metal sheeting, as this cladding is more aesthetically pleasing and environmentally sustainable.

C6. Roof cladding is acceptable in tiles, galvanised iron, zincalume, or pre-colour coated metal sheeting. Locate roof ventilators, exhaust towers, hoppers and the like, as far as practicable, so as not to be readily visible from any public or residential area.

3.2 Building setbacks

Objectives

O1. Ensure suitable setback from street frontages to enable the landscaping treatment of such when viewed from public areas.

O2. Ensure that the physical separation between industrial and residential land uses, which is characteristic of the existing development on site can be maintained over the longer term.

Controls

C1. A minimum setback of 30.48 metres from the frontage to Dennistoun Avenue.

C2. All buildings and hardstand areas must be setback a minimum of 15 metres from boundaries to all other public roads.

C3. Car parking and hard stand areas may be permitted within the setback distance subject to Council consent.

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3.3 Fire safety

Controls

Given the size of the tenancies and the current nature of activities and uses on the site, fire safety is one of the major issues relating to any new use or development proposed.

C1. In any development proposal on this site, provide detailed information on the proposed uses or activities, so that Council can assess the likely fire hazard of the proposed use and ensure appropriate fire fighting measures are implemented.

C2. Attention is also drawn to the fire safety provisions for industrial buildings contained in the *Building Code of Australia* (BCA) and the *Environmental Planning and Assessment Act 1979* (EP&A Act). Particular attention should be given to Part C2 of the BCA - "Floor Area Limitations", Part D - "Means of Egress" and Part E1 - "Fire Fighting Services and Appliances". Development applications lodged with Council for approval, may be referred to the NSW Fire Brigades.

3.4 Vehicle access

Objectives

Q1. Ensure that vehicle movements generated by the existing and future uses of the property are concentrated on non-residential streets surrounding the property.

Q2. Ensure the safe and efficient movement of vehicles within the site.

Controls

C1. Works to Council satisfaction are to be carried out on the entry point to the site from Dennistoun Avenue to physically restrict the ability for trucks to enter or exit the site from this point.

C2. All proposals for additional development are to demonstrate how heavy vehicle movements associated with the additional development will be minimised on neighbouring residential streets.

C3. Heavy vehicle access to the site is permitted only through the existing main site entrance on Loftus Road and the entrance on Byron Road.

C4. No access to and from the site is permitted from Dennistoun Avenue after 7.00pm and before 6.00am Monday to Friday and is to be closed all day on Saturday and Sunday.

C5. No new site access points are permitted onto Dennistoun Avenue or Byron Road.

C6. New vehicle access points to the site may only be obtained from Loftus Road.

C7. Access to and from the site between the hours of 7.00pm and 6.00am is restricted to those occupiers who have written approval from Council for hours of operation extending into that time period. During these times access will be restricted to the Loftus Road entrance where a security guard is to deny access to vehicles attempting to enter the premises without consent to operate during these hours. A logbook documenting after hours access shall be available for inspection by Council upon request.

C8. Development proposals must be supported by a description of proposed internal site movements.

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C9. Development applications will be referred to the Roads and Maritime Service in accordance with the provisions of Schedule 3 of the *State Environmental Planning Policy (Infrastructure) 2007*.

C10. Traffic generation rates for future development will be assessed to determine whether developer contributions will be conditioned for traffic calming devices on Dennistoun Avenue.

C11. Trucks accessing and leaving the site northwards are required to utilise:

- the Cumberland Highway via Woodpark Road, Fairfield Road and Dursley Road and Loftus Road; or
- McCredie Road and Sturt Street. (When traffic signals are provided at Sturt Street and Cumberland Highway, then the McCredie Road and Sturt Street route will be the only access route permitted.)

C12. Trucks accessing and leaving the site southwards are required to utilise Fairfield Road, Dursley Road and Loftus Road; or Pine Road and Loftus Road

C13. Trucks accessing the site are not to use Military Road, Chetwynd Road, Sherwood Road/ Centenary Road, Fowler Road, Dennistoun Avenue or Byron Road (between Carrington Road and Guildford Road West).

Signs must be erected on all entrance gates advising truck drivers that they are not to park or queue in Dennistoun Avenue, Byron Road or any other residential street in the vicinity of the Yennora Distribution Park. Such signs are to include details of the required access and egress routes to and from the Yennora Distribution Park as set out in Part D.

3.5 Car parking provision

Objectives

O1. Ensure that adequate car parking exists for persons employed on the site.

O2. Ensure that the amount of car parking on site has regard to the unique characteristics of car parking demands generated by land uses on the property.

Controls

C1. Provide car parking for any warehousing, non-warehousing and distribution related activities on the site consistent with the provisions of the parking section in Part G of this DCP.

C2. Ensure the design of any future car parking areas complies with Council's requirements specified in the parking section in Part G of this DCP.

3.6 Amenity issues

Objective

O1. Ensure that existing and proposed land uses on the site have minimal impact on nearby residential amenity.

Controls

C1. Stack shipping containers to a maximum height of four containers, unless it can be shown that shipping containers stacked to a greater height will not adversely affect the visual amenity of the adjoining residential area or be unsafe.

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C2. Demonstrate to Council's satisfaction that any proposed development will have minimal impact on the amenity of adjacent residential areas. Comply with the requirements of Part D of this DCP.

C3. Hours of operations will be determined accordingly. Such assessment must comply with the acoustic standards set out in the OEH's "Industrial Noise Policy";

C4. Operations are restricted to the hours of 7.00am - 6.00pm Monday to Friday and 7.00am - 12 noon Saturday with no operations on Sundays or public holidays.

C5. Operations outside these hours, up to 24 hour operations, will be considered by Council upon submission of an acoustic report which is deemed 'acceptable' by Council and prepared by a suitably qualified acoustic engineer.

Notes:

In order to determine the acceptability of an acoustic report, Council's officers may, depending on the level of complexity of the acoustic report, refer such report to a second acoustical engineer for appraisal at full cost to the applicant.

The proposed occupations of existing or future buildings within the YDP that are located adjacent to residential areas must be industries prepared to operate within the restricted hours. Consideration of 24 hour operations within buildings adjacent to residential areas will only be given under particular circumstances where an acceptable acoustic report has been received for an industry that has an operation that will not interfere with the peace and repose of nearby residents.

3.7 Landscaping

Objectives

O1. Ensure that all future development is appropriately landscaped in order to contribute to the aesthetic appeal of workplace environments.

O2. Contribute to a reduction in building mass and bulk when buildings are viewed from public areas and from nearby residential areas.

O3. Increase the likelihood of long-term survival of landscaping by using species which are adapted to the local environment, and to minimise the potential for exotic species to invade remnant bushland on the site.

Controls

C1. Proposals for new building works are to incorporate landscaping as part of overall building design.

C2. Landscaping is to be conducted utilising locally indigenous native plant species.

C3. Landscaping works adjacent to the locally and regionally significant remnant vegetation on the site are to be designed as a buffer zone to reduce building impact, weed invasion and assist in the long term preservation of Areas "A" and "B" on the plan contained in Appendix 2 in this DCP.

Note: See also Part D of this DCP.

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3.8 Remnant Vegetation

Objectives

O1. Recognise the local and regional significance of remnant vegetation this exists on the site.

O2. Recognise the State (Schedule 2, *Threatened Species Conservation Act 1995*) and National (ROTAP - Rare or Threatened Australian Plant) significance of *Acacia pubescens* which is present in the undeveloped north-eastern portion of the site.

O3. Recognise the presence of any Endangered Ecological Communities and species listed under schedule 1 of the *Threatened Species Conservation Act (TSCA) 1995* which contained on the site.

O4. Ensure that all future development addresses the provisions of the *Environmental Planning and Assessment Act, 1979,* and the *Threatened Species Conservation Act 1995*, especially the specifications contained in any relevant Recovery Plan in respect of vegetation communities and individual species present on the site.

Controls

C1. No development is permitted within Areas "A" and "B" on the plan contained in Appendix 1 of this DCP without consideration of the provisions of the *Threatened Species Conservation Act 1995*.

C2. Development immediately adjacent to the Areas "A" and "B" on the plan contained in Appendix 1 must demonstrate that it causes minimal impact on remnant vegetation.

C3. Development outside of Areas "A" and "B" must ensure there is no threat to any threatened species.

C4. A management plan for the native vegetation present at the Yennora Distribution Park has been prepared. The long-term aim of this plan is the retention and management of an Endangered Ecological Community and a threatened plant species. The management plan incorporates the following:

- a description of the flora species present in the remnant native vegetation on the site;
- evaluation of the conservation significance of the native vegetation on the site;
- recommendations to minimise the impact of proposed additions to the existing industrial development on the site;
- recommendations for the management of the native vegetation on the site; and
- recommendations for future site landscaping.

3.9 Stormwater management

Objectives

O1. Ensure that stormwater is controlled so as to avoid damage to private and public property.

O2. Ensure that any new hard stand and roofed areas do not result in any net increases in down stream flows during storm events.

O3. Ensure that uncontrolled stormwater flows do not threaten the long term survival of remnant vegetation.

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Controls

C1. Provide all roofing and hard stand areas with adequate drainage systems.

C2. Incorporate on site stormwater detention systems in the design of any new hard stand area or new building works. The design of such detention works are to be in accordance with Council's "On-site Stormwater Retention Policy" and certified to:

- Council's satisfaction upon completion of works; and
- Compliance with Council's other drainage requirements.

3.10 Infrastructure and services

Objective

O1. Ensure that all required services and infrastructure are provided in accordance with appropriate standards.

Controls

C1. Provide water, sewer, telecommunication, gas and electricity to new development to Council's and servicing authority standards.

C2. Construct all new roads and hardstand areas to Council's satisfaction (see Part A and D of this DCP).

C3. Carry out bulk earthworks to Council's satisfaction.

3.11 Site contamination and land filling

Objectives

O1. Recognise that existing undeveloped areas on site are largely free of contamination.

O2. Recognise that no data exists on the possible contamination of developed land on site.

O3. Ensure that Council is satisfied that no new building works take place on land contaminated by previous land uses.

O4. Ensure future building works are constructed on stable sub-surfaces.

Controls

C1. Council requires evidence of existing site contamination prior to the approval of new building works on the site.

C2. New building works are to demonstrate the geotechnical stability of sub-surface conditions prior to Council issuing a Construction Certificate.

3.12 Railway infrastructure

Objective

O1. Ensure that the future development of the railway infrastructure does not negatively impact upon the amenity of surrounding residential development.

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Controls

C1. Future development applications involving the upgrading and development of new rail infrastructure are to provide a detailed description to Council of the nature of use of such infrastructure.

C2. Ensure that train arrivals and departures and carriage shunting operations are restricted to between the hours of 7.00am to 6.00pm Monday to Friday, 7.00am to 12.00 noon Saturday, with no operations on Sundays and public

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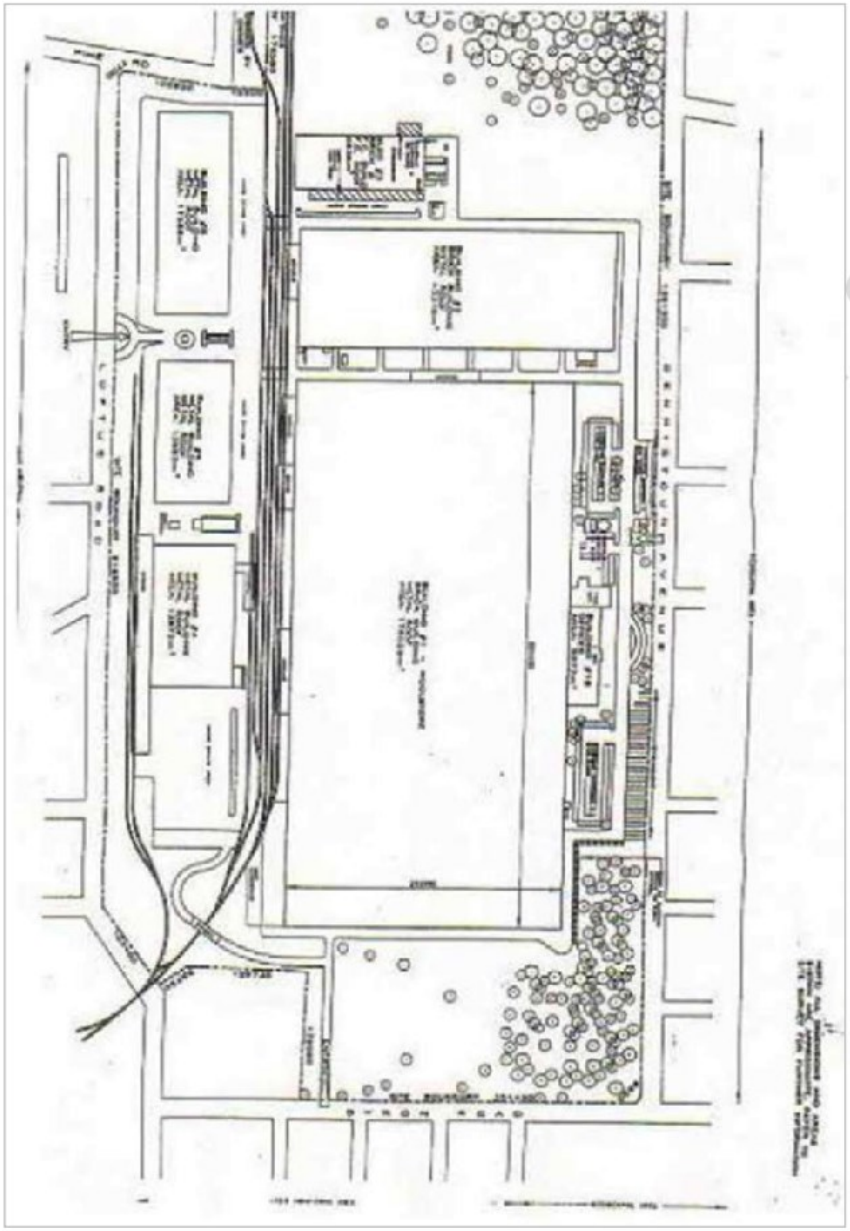
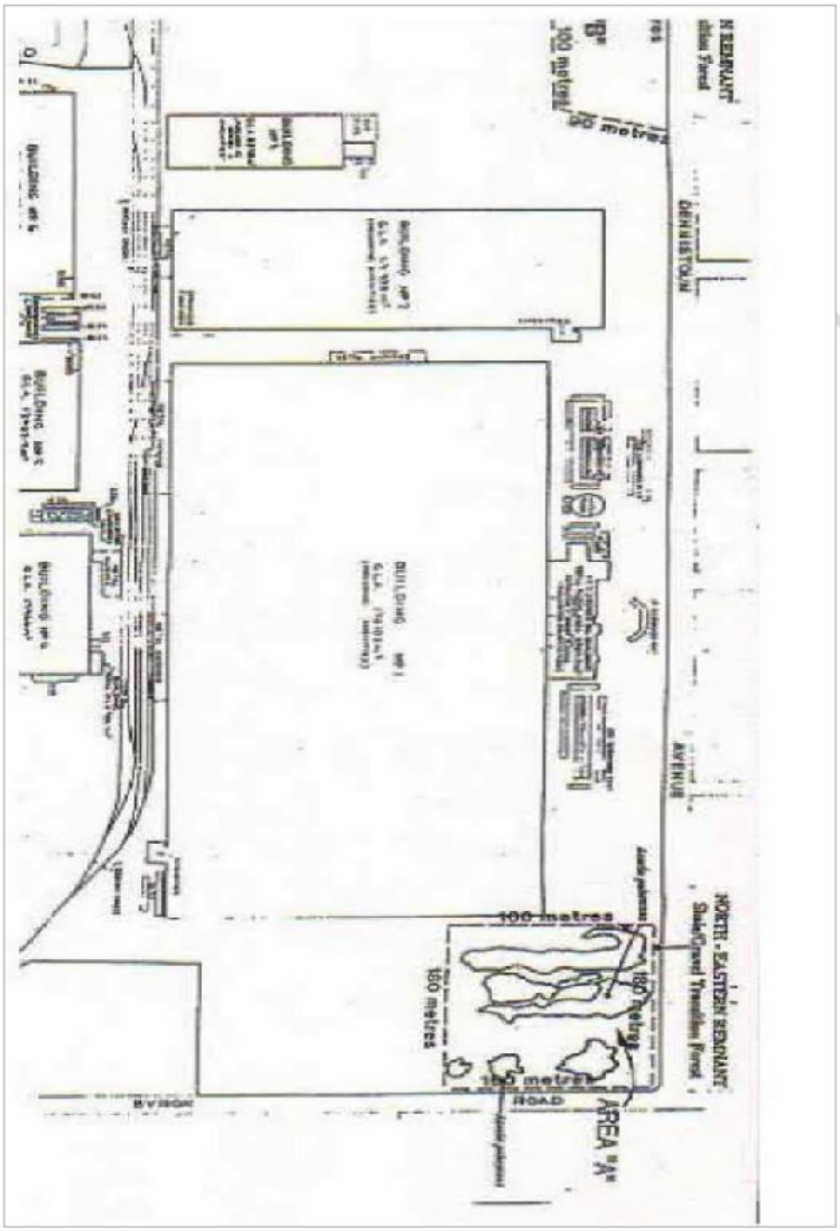
Appendix 1 – Site Plan for Yennora Distribution Park



Appendix 2: Remnant Vegetation Areas in Yennora Distribution Park



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DOCUMENTS ASSOCIATED WITH REPORT C08/20-524

Attachment 12

Recommended Cumberland DCP Part F4 Site Specific Development Controls

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PART F4
SPECIAL PRECINCTS

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PART F4-1

23 – 27 LYTTON STREET, WENTWORTHVILLE

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1. Introduction

1.1 Land to which this Section applies

This section applies to the land at 23-27 Lytton Street, Wentworthville, being formally described as Lot 1 DP787784.

2. Objectives and controls

Objectives

Q1. Ensure that any future development on the site provides adequate separation to adjacent properties the low density development is consistent with that allowed under the R2 zone of *Cumberland LEP 20XX*.

Q2. Protect the amenity of nearby properties and the use of those properties.

Controls

Setbacks

C1. Any new building on the property is to adhere to the following setbacks from the identified property boundary:

- minimum of 6m setback from the front (street facing) property boundary. This setback;
- distance may be reduced in order to align the new building with an existing building on the property;
- minimum of 6m setback from the rear property boundary;
- minimum of 3m setback from the side property boundary; and
- minimum of 3m setback from the side and from the rear property boundaries to be applied to basement levels.

Side and Rear Setbacks

C2. The land within the rear and side setback areas is to be used for landscaping (vegetation planting). This landscaping is to provide a level of privacy from, and to provide a visual interruption to, the building when viewed from either the adjacent open space areas or the residential properties to the north and south.

Landscaping

C3. A minimum of 25% of the site area is to be landscaped.

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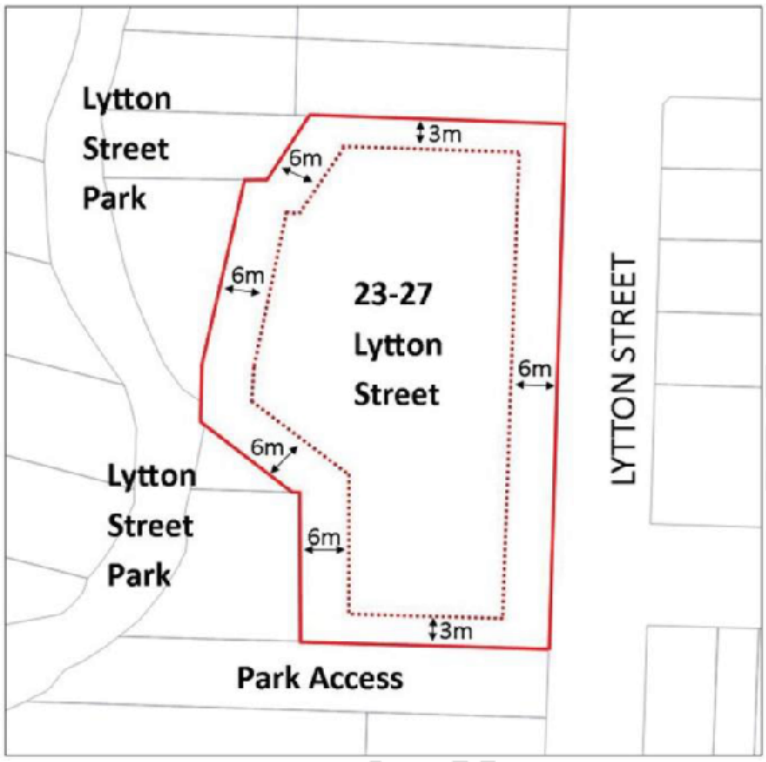

Figure 1: Setbacks for 23-27 Lytton Street, Wentworthville (not to scale)

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PART F4-2

MAYS HILL, FINLAYSON AND SHERWOOD TRANSITWAY PRECINCT

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1. Introduction

This Part of *Cumberland Development Control Plan 20XX* provides a framework that will guide future development along the Liverpool to Parramatta Transitway and in particular, the Mays Hill, Finlayson and Sherwood Precincts.

This Part of the DCP applies to all development within the Transitway Precincts of Mays Hill, Finlayson and Sherwood as shown in Figure 1.



Figure 1: Mays Hill Transitway Precinct

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2. Mays Hill Transitway Precinct

Vision

2.1 Desired Future Character Statement

The desired future character for Mays Hill is an active, urban area which makes full use of its proximity to public transport and services, as well the Parramatta Central Business District.

A mix of uses and good pedestrian access will encourage a fuller utilisation of the interface along the Great Western Highway. Taller buildings along the highway will include retail and commercial uses at the ground level, near the Transitway station, to promote an active and safe public domain. Residential development above will offer convenient access to the Transitway station and precinct. A new laneway between Burnett Street and Robilliard Street will improve permeability, and allow for rear lane access.

Away from the highway, a transition between higher and lower density dwellings will occur. The surrounding streets will be more domestic in scale that easily accesses the shops and services of Mays Hill and the extensive open space. The opportunity for social interaction, provided by buildings directly addressing streets, will promote a sense of community.

Existing character, where desirable, will be kept, but a greater range of housing choice will be provided through the construction of medium density dwellings. Well designed buildings will contribute to the public domain. Site consolidation will allow more usable open space to be incorporated into new developments.

2.2 Objectives and controls

General Objectives

O1. Create an active urban area with a wide range of services and mixed uses in close proximity to public transport by:

- mix of uses and good pedestrian access along the interface of the Great Western Highway; and
- allowing taller buildings along the highway that include retail and commercial uses at ground level; and
- creating a sense of community through retaining the domestic scale in the areas adjacent to the highway; and
- consolidating sites to allow for more usable open space.

O2. Ensure development responds to:

- site opportunities and constraints; and
- the need for concentrated activity, building height and building mass on the highway, while retaining a suburban feel to the adjacent blocks; and
- the need for high quality building and design.

O3. Ensure buildings in the Mays Hill Transitway Station Precinct, regardless of its use or type, are of a quality design, such that the design:

- responds and contributes to its context being the key natural and built features of the area;
- provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings;
- achieves an appropriate built form for the site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements;
- has a density appropriate for the site and its context, in terms of floor space yields (or numbers of units or residents);
- makes efficient use of natural resources, energy and water through the building's full life cycle, including construction;
- recognise that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain;
- provides amenity through the physical, spatial and environmental quality of the development;
- optimises safety and security, both internal to the development and for the public domain;
- responds to the social context and needs for the local community in terms of lifestyles, affordability, and access to social facilities;
- provides quality aesthetics that
  - require an appropriate composition of building elements, textures, materials and colours; and
  - reflect the use, internal design and structure of the development; and
- permits appropriate access to the development that doesn't compromise the safety or disrupt the transitway network.

O4. Promote the principles of ecologically sustainable development.

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O5. Ensure flexible floor plates are provided to allow for mixed uses at ground floor level fronting primary streets.

O6. Maintain retail, commercial and community activity at street and ground floor level to deliver an active enterprise corridor and encourage commercial office space or other suitable non-residential uses at the first floor level of development.

2.3 Site Consolidation and Frontage

Objectives

O1. Ensure all sites provide the required minimum frontage to adequately provide for basement car parking.

O2. Ensure all sites achieve the required minimum width to allow for a site configuration that permits a consistent character and landscaped open space to the rear of sites.

O3. Ensure any site amalgamation pattern does not restrict the development opportunity of any adjoining site or the ability of adjoining sites to provide basement car parking or rear open space.

O4. Ensure future redevelopment results in quality streetscapes, amenity, and appropriate passive surveillance, landscape and open space.

O5. Require a more continuous building form along the Great Western Highway.

O6. Ensure vehicular access for properties facing the Great Western Highway is provided from secondary streets or laneways.

Controls

C1. Amalgamation of lots in accordance with Figure 2 and 3 is required for redevelopment.

C2. Land locking of adjoining sites is not permitted. Properties shall be amalgamated to ensure the minimum frontage is obtainable without reducing the developability of adjacent properties.

C3. Notwithstanding C1, the minimum lot frontage for all development fronting the Great Western Highway shall be 45m.

C4. In instances where amalgamation cannot be achieved, the following information must be submitted with any development application:

- two written valuations indicating the value of the remaining sites that were to be developed in conjunction with the applicants properties. These are to be undertaken by two independent valuers registered with the Australian Valuers Institute; and
- evidence that a reasonable offer has been made to the owners(s) of the affected sites to purchase and valuation reports.

C5. Alternative consolidation patterns may be considered by Council if it can be demonstrated that development controls can be satisfied on the land and adjoining properties.

C6. Where amalgamation (as required) is not achieved, the applicants must show that the remaining sites, which are not included in the consolidation, will still be able to achieve the development outcome prescribed in this DCP, including achieving the required vehicular access, basement parking and built form.

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Figure 2: Lot amalgamation plan – North



Figure 3: Lot amalgamation plan – South

2.4 Private accessway, laneways and vehicular access

Objectives

O1. Ensure buildings fronting the Great Western Highway have vehicular access from the rear or side of the property to improve vehicular and pedestrian traffic flow, pedestrian safety, site functionality and reduce impacts on the wider network.

O2. Ensure secondary vehicular access is created, where necessary, to mitigate amenity and access constraints currently affecting or likely to affect the Mays Hill Transitway Precinct.

O3. Ensure all developments are able to obtain the required vehicular access and future developability of sites is not restricted.

O4. Ensure sites utilise existing access ways from the rear of the property for vehicular access and parking.

O5. Mitigate any impacts of vehicular traffic on residences and the adjoining precinct.

O6. Minimise the visual impact of vehicle entrances to basement car parking through good design and use of site slope and side setbacks, where appropriate.

O7. Allow improved circulation space for pedestrians and future residents within the precinct and ensure the creation of clear and direct pedestrian connections.

Controls

C1. Vehicular access to properties fronting the Great Western Highway and those within the B6 zone on Burnett Street and Robilliard Street must be provided from the rear or side, via laneways or secondary roads.

C2. Vehicular entry points shall be located away from intersections.

C3. Vehicular access from the Great Western Highway is not permitted from properties identified on Figure 4 and access must be provided from the rear or side via laneways or secondary roads.

C4. An 8m connecting laneway is required in accordance with Figure 5 for the redevelopment of properties bounded by the Great Western Highway, Burnett Street and Robilliard Street.

C5. A 6m wide vehicular accessway shall be provided from Good Street in accordance with Figure 6.

C6. A pedestrian link shall be provided from Joyner Street that connects with the vehicular access from Good Street in accordance with Figure 6.

C7. A pedestrian link shall be provided between Telfer Place and the Great Western Highway in accordance with Figure 7.

C8. Laneways shall be treated as shared spaces to provide unimpeded access from apartments to common facilities and open space.

C9. Refer to Part G this DCP to ensure that any relevant objectives and controls for vehicular access are complied with.

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Figure 4: Properties where vehicular access is not permitted from the Great Western Highway or Burnett Street



Figure 5: Proposed laneway

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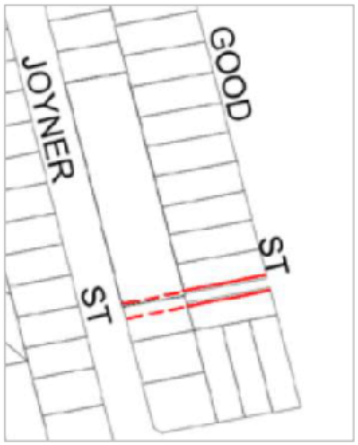

Figure 6: Proposed vehicular accessway and pedestrian link

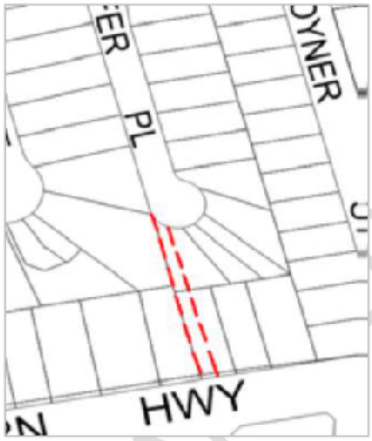

Figure 7: Proposed pedestrian link

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2.5 Building Height

Objectives

O1. Require an appropriate scale relationship between building heights and street width.

O2. Ensure the appropriate management of overshadowing, access to sunlight and privacy.

O3. Enable flexibility of uses by implementing higher floor to ceiling heights within buildings for the ground and first floors.

O4. Reduce the visual impact of buildings on the public domain.

O5. Allow activation of the street edge on primary roads.

Controls

C1. The maximum height for development within the Mays Hill Transitway Precinct is detailed within the *Cumberland Local Environmental Plan 20XX*.

C2. The maximum building storey limits are detailed in Figures 8 and 9.

C3. Street wall heights, setbacks and minimum floor to ceiling heights are to be as set out in Parts B2 and C of this DCP.



Figure 8: Building heights – North



Figure 9: Building heights – South

2.6 Building Setbacks

Objectives

O1. Create a clear threshold by providing a transition between public and private space.

O2. Establish the desired spatial proportions of the street.

O3. Ensure a continuous built edge within commercial and mixed use development for activation of the street edge is achieved.

O4. Ensure visual and acoustic privacy for residential development is enabled

O5. Ensure a landscaped setback character for residential development is retained.

O6. Ensure setbacks that respond appropriately to the building separation requirements are achieved.

Controls

C1. Setbacks shall be in accordance with Figures 10 and 11.

C2. A 4m setback is required for properties fronting the Great Western Highway between Joyner Street and Good Street to allow for mixed use development to occur and sufficient space for landscaping.

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C3. The residential component of developments fronting the Great Western Highway between Burnett Street and Robilliard Street shall have a setback of 1m for all levels above the first floor.

C4. Buildings facing the Great Western Highway are to be built to the boundary of adjoining properties to form a continuous street edge.

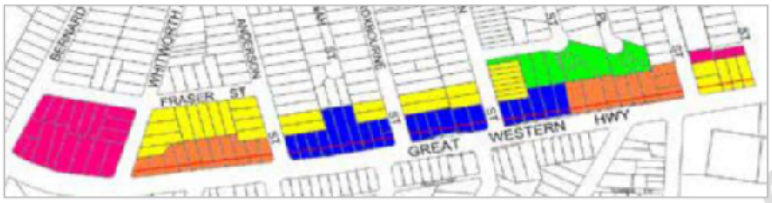

Figure 10: Building setbacks – South

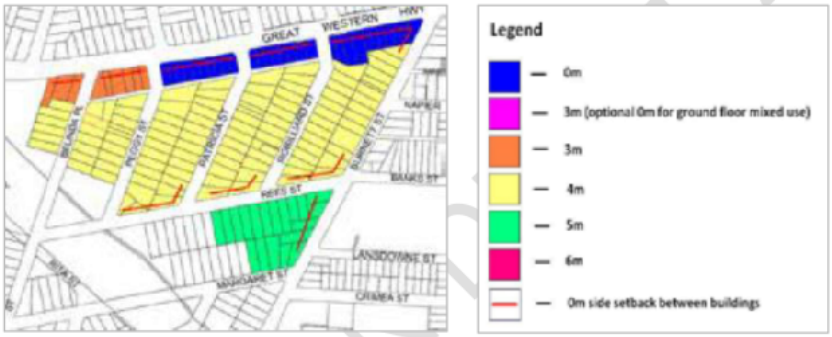

Figure 11: Building setbacks – North

2.7 Site Design and Appearance

Objectives

O1. Require development in Good Street to be orientated across the amalgamated sites.

O2. Ensure building design incorporates the use design solutions suitable to the location.

O3. Ensure the articulation of buildings creates a desirable street presentation.

Controls

C1. Developments shall be oriented to front boundaries.

C2. Development on properties 84-88 Great Western Highway shall incorporate high quality, innovative and sustainable design solutions to emphasise and represent their gateway location.

C3. Vertical articulation and a break in the building facade is required above the fourth storey for buildings exceeding 25m in length.

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2.8 Road Widening

Objectives

O1. Ensure a minimum width of 5.5m from the kerb to the property boundary is reserved for the purpose of pedestrian facilities.

O2. Ensure an adequate amount of land is identified for the purpose of future road widening.

O3. Ensure adequate land is provide for the provision of safe pedestrian and cycling facilities.

O4. Achieve a more consistent carriageway width along the Great Western Highway.

O5. Provide wider carriageways and footpaths to cater for the increase in vehicular and pedestrian traffic.

Controls

C1. Road widening is required along both sides of the Great Western Highway to result in a footpath width of 5.5m from the kerb to the property boundary as indicated in Figure 12.

C2. Properties located behind the Transitway stops shall have a 4m separation between the rear of the bus shelter and the building line to allow for the continuation of the shared pedestrian/ cycle footpath.

Note: The 5.5m wide setback shall allow for a shared footpath consisting of the following dimensions:

- a 1.5m verge from the kerb;
- a 2.5m shared path; and
- a 1.5m distance from the shared path to the building line.

Note: The amount of land required to meet the minimum 5.5m reserve is variable and will depend on each individual property's existing setback.



Figure 12: Properties subject to the 5.5m footpath widening reserve

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3. Finlayson Transitway Precinct

Vision

3.1 Desired Future Character Statement

Finlayson station will be a better integrated part of the precinct as higher density residential development occurs in close proximity to the station. The pedestrian experience will be improved through increased ground floor activity on the Highway and a sense of connectivity between the two parts of the precinct created through consistent setbacks and streetscaping.

The precinct will continue to serve neighbourhood needs and passing trade captured by the existing highway uses. The existing commercial area will be expanded, creating an activity zone that includes the Transitway station. A variety of uses at ground level will create a safe and animated environment. Taller buildings will be placed to take advantage of a topography which will minimise their impact. Lower buildings will provide a transition between the precinct and adjoining low rise dwellings and heritage areas.

Site consolidation will allow ample communal open space to be offered to residents. Visitors and residents will enjoy a pedestrian network that is pleasant convenient while access to nearby parks will be improved.

4. Objectives and controls

4.1 Precinct Objectives

O1. Focus new development around the existing commercial precinct of the Finlayson Transitway Station, that shall consist of:

- where permissible, retail and commercial uses, at ground floor fronting the Great Western Highway,
- appropriate residential development around the commercial core; and
- facilitating appropriate scale and size of development.

O2. Any proposed development in the Finlayson Transitway Precinct responds to:

- site opportunities and constraints; and
- the need for high quality building design

O3. Any proposed building in the Finlayson Transitway Station Precinct, regardless of its use or type, being of a quality design, such that the design:

- responds and contributes to its context, being the key natural and built features of the area;
- provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings;
- achieves an appropriate built form for the site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements;
- has a density appropriate for the site and its context, in terms of floor space yields (or numbers of units or residents, and
- makes efficient use of natural resources, energy and water throughout the building's full life cycle, including construction;
- recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain;

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- provides amenity through the physical, spatial and environmental quality of the development;
- optimises safety and security, both internal to the development and for the public domain;
- responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities;
- provides quality aesthetics that:
    - require an appropriate composition of building elements, textures, materials and colours;
    - reflect the use, internal design and structure of the development; and
    - all development within the Finlayson Transitway Station Precinct shall be undertaken in a way that promotes the principles of ecologically sustainable development.

O4. Ensure any development adjoining a heritage item does not adversely impact upon the heritage item and/or heritage conservation area.

O5. All development within the Finlayson Transitway Station Precinct shall be undertaken in a way that promotes the principles of ecologically sustainable development.

O6. Maintain retail, commercial and community activity at street and ground floor level to deliver an active enterprise corridor and encourage commercial office space or other suitable non-residential uses at the first floor level of development.

O7. Encourage mixed use development along the enterprise corridor and local business centre.

4.2 Site Consolidation

Objectives

O1. Ensure all sites achieve the required minimum width to adequately provide for basement car parking.

O2. Ensure all sites achieve the required minimum width to allow for a site configuration that permits a consistent landscaped open space to the rear of sites.

O3. Ensure any site amalgamation pattern does not restrict the development opportunity of any adjoining site or the ability of adjoining sites to provide basement car parking or rear open space.

O4. Encourage a more continuous building form.

Controls

C1. Amalgamation of lots in accordance with Figure 13 is required for redevelopment.

C2. The minimum lot frontage for all development in Finlayson shall be 30m.

C3. In instances where amalgamation cannot be achieved, the following information must be submitted with any development application:

- two written valuations indicating the value of the remaining sites that were to be developed in conjunction with the applicants properties. These are to be undertaken by two independent valuers registered with the Australian Valuers Institute, and;

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- evidence that a reasonable offer has been made to the owners(s) of the affected sites to purchase and valuation reports.

C4. Alternative consolidation patterns may be considered by Council if it can be demonstrated that development controls can be satisfied on the land and adjoining properties.

C5. Where amalgamation (as required) is not achieved, the applicants must show that the remaining sites, which are not included in the consolidation, will still be able to achieve the development outcome prescribed in this DCP, including achieving the required vehicular access, basement parking and built form.

C6. Sites must not be left such that they are physically unable to develop in accordance with the prescribed built form outcomes outlined in this DCP.

C7. Properties not identified in Figure 13 shall redevelop in accordance with the development controls detailed in Part C of this DCP.

Note:

Potential value can include, (but is not limited to) the land locked site developed jointly with adjoining properties, or on its own, under Cumberland LEP and this plan.

A reasonable offer shall be a fair market value, and include for all expenses that would be incurred by the owner in the sale of the land locked site.

Council will accept as documentary evidence a copy of a written offer delivered by registered mail to the affected owner(s) and dated no more than 3 months prior to the date of lodgment of the development application.

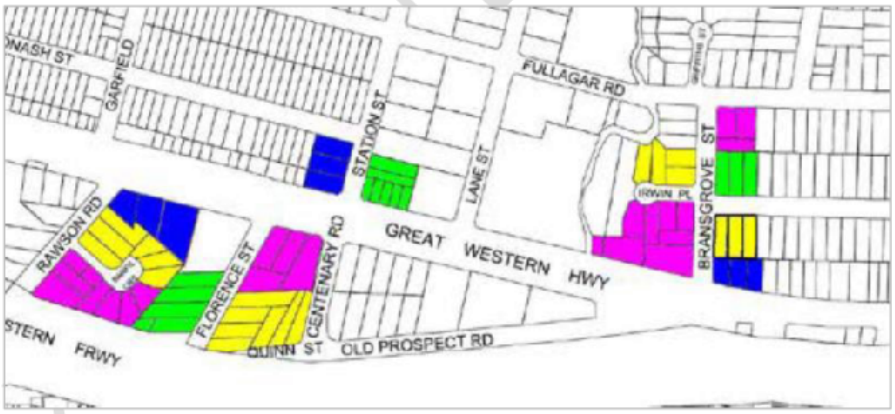

Figure 13: Lot amalgamation plan

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4.3 Private accessway, land dedication and vehicular entries

Objectives

O1. Require buildings fronting primary roads to have vehicular access from the rear or side of the property.

O2. Ensure sites utilise existing access ways from the rear of the property for vehicular access and parking.

O3. Create secondary vehicular access where necessary to mitigate amenity and access constraints.

O4. Create clear and direct pedestrian connections.

O5. Allow improved circulation space for pedestrians and future residents within the precinct.

Controls

C1. A 12m connecting laneway between Rawson Road and Florence Street is required in accordance with Figure 14.

C2. A 15m connecting laneway between Florence Street and Quinn Street is required in accordance with Figure 14.

C3. A pedestrian link is required between Chelmsford Road and Centenary Road as identified in Figure 15.

C4. Where buildings front the Great Western Highway and Centenary Road, vehicular access must be provided from the rear or side, via laneways or secondary roads.

C5. Refer to Part G of this DCP to ensure that any relevant objectives and controls for vehicular access are complied with.



Figure 14: Proposed laneways

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Figure 15: Proposed pedestrian link

4.4 Building Height

Objectives

O1. Require an appropriate scale relationship between building heights and street width.

O2. Ensure the appropriate management of overshadowing, access to sunlight and privacy.

O3. Enable flexibility of uses by implementing higher floor to ceiling heights within buildings for the ground and first floors.

O4. Reduce the visual impact of buildings on the public domain.

O5. Allow activation of the street edge on primary roads.

Controls

C1. The maximum height for development within the Finlayson Transitway Precinct is detailed within the *Cumberland Local Environmental Plan 20XX*.

C2. The maximum building storey limits are detailed in Figures 16 and 17.

C3. Street wall height, setbacks and minimum floor to ceiling heights are referenced in Parts B and C of this DCP.

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Figure 16: Building heights – East



Figure 17: Building heights - South

4.5 Building Setbacks

Objectives

O1. Create a clear threshold by providing a transition between public and private space.

O2. Establish the desired spatial proportions of the street.

O3. Require a continuous built edge within commercial and mixed use development for activation of the street edge.

O4. Enable visual and acoustic privacy for residential development.

O5. Require setbacks which appropriately respond to the building separation requirements.

O6. Retain a landscaped setback character for residential development.

Controls

C1. Setbacks shall be in accordance with Figures 18 and 19.

C2. Development along the Great Western Highway between:

- South - Rawson Road and Centenary Road;

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- South - Centenary Road, Old Prospect Road and Great Western Highway;
- North - Land Street and Bransgrove Street; and
- North - Intersection of Station Street and Great Western Highway (east and west) shall be built to the boundary to form a continuous street edge.

Note: Front, side and rear setbacks, unless indicated otherwise in Figures 18 and 19 are to be in accordance with setbacks indicated in Part B or Part C of this plan.



Figure 18: Setbacks – North



Figure 19: Building setbacks – South

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5. Sherwood Transitway Precinct

5.1 Desired Future Character Statement

Sherwood will become a compact mixed use centre. It will retain the feel of a neighbourhood, but higher density residential development will increase housing choice and maximise the use of the transitway precinct and station. Site consolidation and redevelopment will rationalise land use and define the precinct.

Higher residential densities will be centred around the Transitway station. More consistent setbacks and more attractive built form will define the street edges and increase residential amenity.

New laneways will increase permeability for pedestrians. The compact form of Sherwood will encourage walking. Services will be available in close proximity to the Transitway station, convenient for time-poor commuters.

Early planning for a supermarket will encourage its integration into the area. "Sleeving" the supermarket and other large plate facilities will promote activity around it, creating a safe and interesting environment for pedestrians.

6. Objectives and controls

6.1 Precinct Objectives

O1. Create an active and vibrant mixed use, transit oriented village by:

- allowing active retail uses to front Sherwood Road;
- where permitted, providing the opportunity for appropriate commercial activity;
- prioritising pedestrians throughout the business core of the precinct; and
- facilitating appropriate scale and size of development.

O2. Improvement of vehicular and pedestrian traffic flow in the precinct by:

- restricting vehicular egress and ingress to buildings on Sherwood Road and Merrylands Road;
- where necessary, the creation of new street connections;
- the creation of clear and direct pedestrian through site links in the business core of the Precinct; and
- enabling clear and direct pedestrian accessibility to the Sherwood Transitway station.

O3. Any proposed development responds to:

- site opportunities and constraints;
- the prominence of the intersection of Sherwood and Merrylands Roads; and
- the need for high quality building design.

O4. Any proposed building in the Sherwood Transitway Station Precinct, regardless of its use or type, being of a quality design, such that the design:

- responds and contributes to its context, being the key natural and built features of the area;
- provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings;

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- achieves an appropriate built form for the site and the buildings purpose, in terms of building alignments, proportions, building type and the manipulation of building elements;
- has a density appropriate for the site and its context, in terms of floor space yields (or numbers of units or residents);
- makes efficient use of natural resources, energy and water throughout the building's full life cycle, including construction;
- recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain;
- provides amenity through the physical, spatial and environmental quality of the development;
- optimises safety and security, both internal to the development and for the public domain;
- responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities;
- provides quality aesthetics that:
    - require an appropriate composition of building elements, textures, materials and colours; and
    - reflect the use, internal design and structure of the development.

O5. All development within the Sherwood Transitway Station Precinct shall be undertaken in a way that promotes the principles of ecologically sustainable development.

O6. Maintain retail, commercial and community activity at street and ground floor level to deliver an active enterprise corridor and encourage commercial office space or other suitable non-residential uses at the first floor level of development

6.2 Site Consolidation

Objectives

O1. Ensure all sites provide the required minimum frontage to adequately provide for basement car parking.

O2. Ensure all sites achieve the required minimum width to allow for a site configuration that permits a consistent landscaped open space to the rear of the site.

O3. Ensure any site amalgamation pattern does not restrict the development opportunity of any adjoining site or the ability of adjoining sites to provide basement car parking or rear open space.

O4. Establish fine grain shopfronts along primary retail streets.

Controls

C1. Amalgamation of lots in accordance with Figure 20 is required for redevelopment

C2. The minimum lot frontage for all development in the Sherwood Precinct shall be 30m.

C3. Where amalgamation cannot be achieved, the following information must be submitted with any development application:

EXHIBITION DRAFT 2020

- two written valuations indicating the value of the remaining sites that were to be developed in conjunction with the applicants properties. These are to be undertaken by two independent valuers registered with the Australian Valuers Institute; and
- evidence that a reasonable offer has been made to the owner(s) of the affected sites to purchase and valuation reports.

C4. Where amalgamation (as required) is not achieved, the applicants must show that the remaining sites, which are not included in the consolidation, will still be able to achieve the development outcome prescribed in this part of the *Cumberland DCP 20XX*, including achieving the required vehicular access, basement parking and built form.

C5. Sites must not be left such that they are physically unable to develop in accordance with the prescribed built form outcomes outlined in this DCP.

Note: Potential value can include, (but is not limited to) the land locked site developed jointly with adjoining properties, or on its own, under Cumberland LEP 20XX and this plan.

A reasonable offer shall be a fair market value, and include for all expenses that would be incurred by the owner in the sale of the land locked site.

Council will accept as documentary evidence a copy of a written offer delivered by registered mail to the affected owner(s) and dated no more than 3 months prior to the date of lodgement of the development application.



Figure 20: Lot Amalgamation Plan

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6.3 Private access ways, vehicular entries and land dedication

Objectives

O1. Require buildings fronting primary roads to locate vehicular access at the rear of the property.

O2. Ensure sites utilise existing access ways from the rear of the property for vehicular access and parking.

O3. Mitigate any impacts of vehicular traffic on residences and the adjoining precinct.

Q4. Allow improved circulation space for pedestrians and future residents within the precinct.

Q5. Ensure pedestrian connections have sufficient width to allow for outdoor dining in commercial areas.

Controls

C1. Where possible, buildings fronting Sherwood, Centenary or Merrylands Roads, must be provide vehicular access from the rear or side, via laneways or secondary roads.

C2. Dedication of land at all corners of the intersection of Sherwood Road and Merrylands Road and Centenary Road for public domain improvements is required in accordance with Figure 21 for development.

C3. A 12m connecting laneway between Merrylands Road and Coolibah Street is required in accordance with Figure 21.

C4. Vehicular access is to be designed in accordance with relevant objectives and controls for vehicular access in Part G.

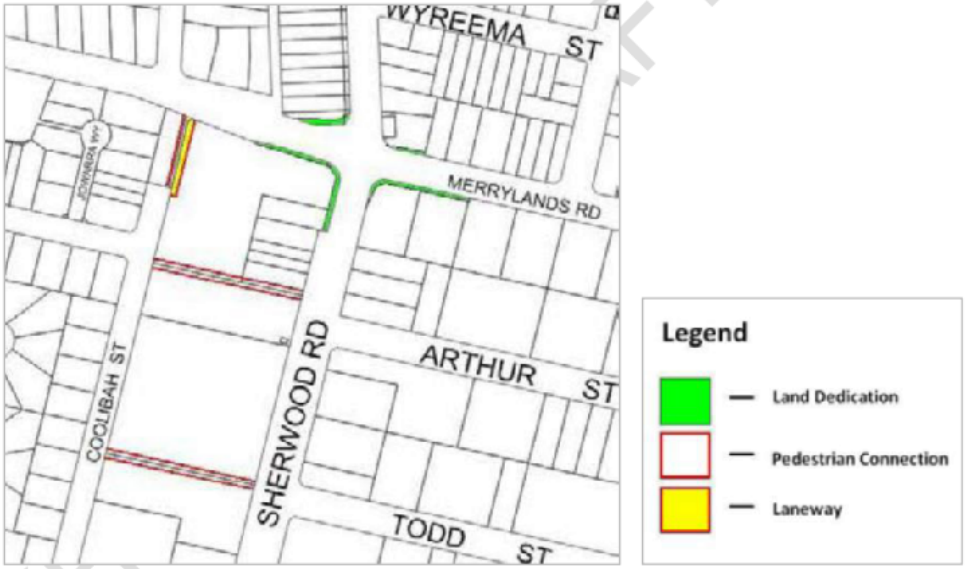

Figure 21: Proposed laneways and land dedication

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6.4 Building Height

Objectives

O1. Ensure an appropriate scale relationship between building height and street width.

O2. Ensure the appropriate management of overshadowing, access to sunlight and privacy.

O3. Enable flexibility of uses by implementing higher floor to ceiling heights within buildings for the ground and first floors.

O4. Reduce the visual impact of buildings on the public domain.

O5. Allow activation of the street edge on primary road.

Controls

C1. The maximum height for development within the Sherwood Transitway Precinct is detailed within the *Cumberland Local Environmental Plan 20XX*.

C2. The maximum building storey limits are detailed in Figure 22.

C3. Street wall height, setbacks and minimum floor to ceiling heights are referenced in Parts B and C of this DCP.



Figure 22: Building heights

6.5 Building Setbacks and Separation

Objectives

O1. Create a clear threshold by providing a transition between public and private space.

O2. Establish the desired spatial proportions of the street.

O3. Require a continuous built edge within commercial and mixed use development for activation of the street edge.

O4. Retain a landscaped setback character for residential development.

O5. Require setbacks which appropriately respond to the building separation requirements.

Controls

C1. Setbacks shall be in accordance with Figure 23.

C2. Development along Sherwood Road is to be built to the boundary of adjoining properties to form a continuous street edge.

Note: Side setbacks, unless indicated otherwise in Figure 23 are to be in accordance with setbacks indicated in Part B or Part C of this plan.



Figure 23: Setbacks

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CUMBERLAND
CITY COUNCIL

PART F4-3
TAMPLIN ROAD RESERVE

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1. Introduction

1.1 Land to which this Part applies

This part applies to the land shown on Figure 1 and known as the Tamplin Road Reserve.

1.2 Purpose of this Part

This Part shall be read in conjunction with the following Parts of the *Cumberland DCP 20XX*, which contain objectives and development controls that may relate to development in this part:

Part A – Introduction and General Controls

Part B – Development in Residential Zones

Part C – Development in Business Zones

Part E – Other Land Use Based Development Controls

Part G - Miscellaneous Development Controls

Definitions

2. Vision and location

2.1 Land to which this Section applies

The historic Linnwood Estate is located in the suburb of Guildford and is bounded by Tamplin and Byron Roads (refer to Figure 1).

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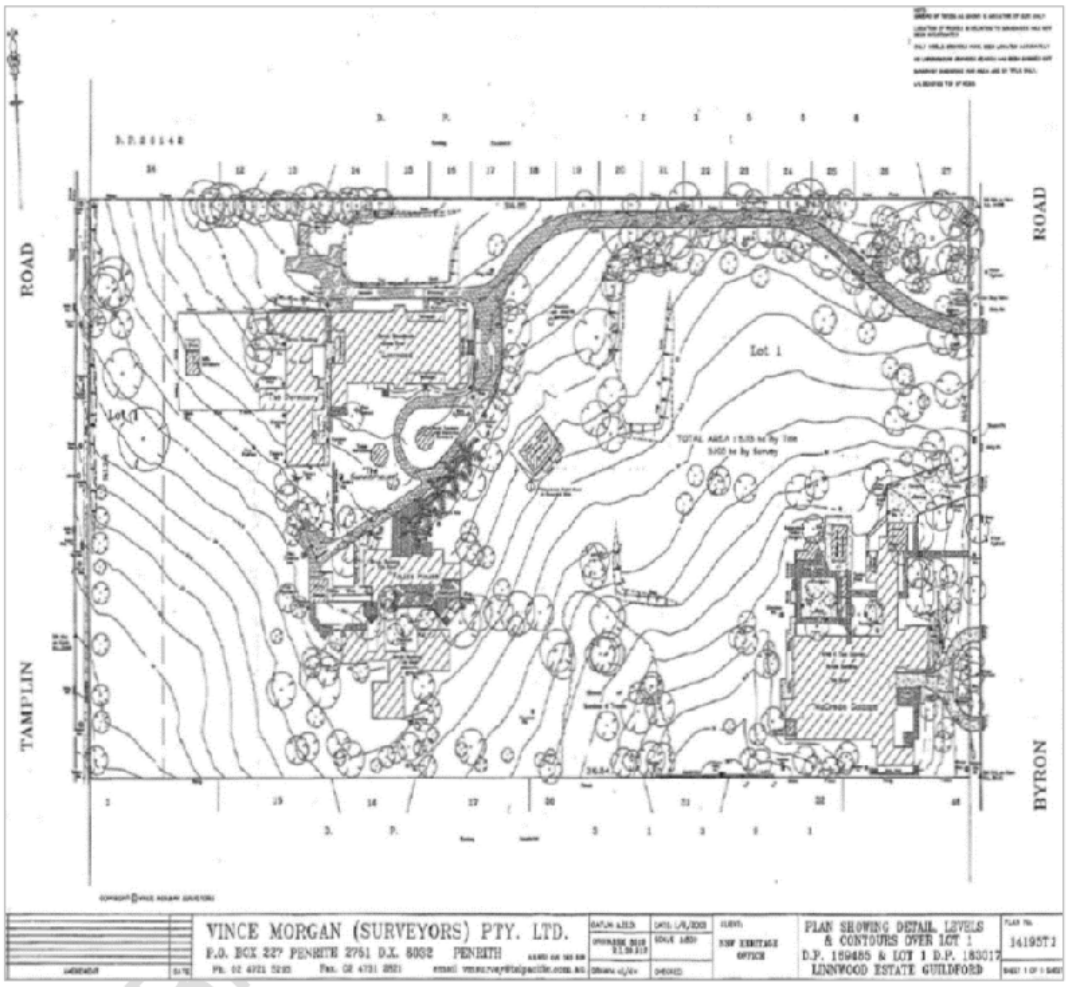

Figure 1: The original Linnwood Estate allotment, pre subdivision

The Estate comprises of several buildings which are classified as of State heritage significance. These buildings are located in the central and eastern sections of the site and comprise of the McCredie Cottage, "Linnwood" the original house, dormitory extensions and Faulds House.

This section of the DCP applies to the western portion of the estate or Lot 10, as shown in Figure 2. The DCP is intended to guide the development on the site to ensure that the recognised heritage significance and the cultural setting of the Estate's heritage items are conserved.

Development must also be consistent with the recommendations of the *Linnwood Conservation Plan (2004)*; available at Council. The *Linnwood Conservation Plan* was prepared for the entire Linnwood Estate including the subdivided Lot 10.

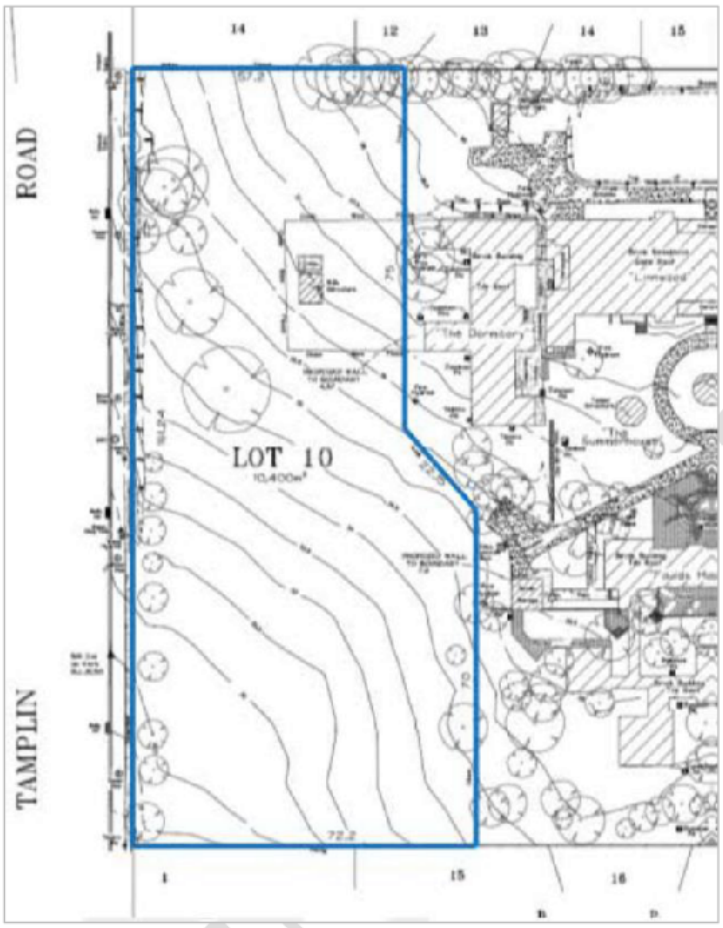

Figure 2: Lot 10, the proposed subdivided lot, outlined in blue

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3. Objectives and controls

Objectives

O1. Minimise any negative impact on the State heritage significance of the Linnwood Estate.

O2. Identify an appropriate heritage curtilage to protect key view corridors.

O3. Maintain and improve the setting of the existing significant trees.

O4. Provide a visual buffer to the Linnwood Estate's heritage items.

O5. Ensure any proposed development is planned and developed in an environmentally responsive manner and is consistent with the Conservation Policy recommendations of the *Linnwood Conservation Plan*.

Controls

Setbacks

C1. Setback controls as outlined below and in Figure 4.

C2. Development shall be setback a minimum of 6m from the principal street frontage, Tamplin Road.

C3. The minimum side setback from the south eastern and north western boundaries of the site must be at least 1m (refer to Figure 4).

C4. The minimum rear setback from the north eastern boundary must be in accordance with Figure 4.

Height

C5. Development shall have a maximum height of 2 storeys.

C6. Any future development must ensure that the heritage items are not subject to any unreasonable overshadowing.

Roof Form

C7. The roof form of any future development shall have regard to the style, form, pitch and bulk of the existing heritage items.

C8. Materials to be used shall include terracotta or slate tiles. These materials must be of a dark uniformed colour (such as black, dark grey or olive).

C9. New roof shapes shall be of a 'hipped' style, with a pitch similar to the dormitory building and Faulds House.

Heritage

C10. The laundry building, as shown in Figure 4 and addressed in the *Linnwood Conservation Plan*, may be demolished due to its poor physical condition. Any demolition, will be subject to Council approval.

C11. Any future development must retain the six existing trees, as illustrated in Figure 4 and within the Linnwood Conservation Plan. These trees are from the original local eucalypt woodland, known as Cumberland Forest and are of historic significance.

C12. Create a heritage curtilage as shown in Figure 4. This curtilage area is recognised by the Conservation Plan to ensure the current view corridor to the Linnwood Grounds is preserved:

- no buildings are to be built within the designated heritage curtilage. Only recreational structures are allowed and may be in the form of open gazebos, BBQ facilities, tables or benches;
- a 2m setback must be incorporated along the south eastern and south western boundaries of the curtilage area as outlined in Figure 4;
- palisade fencing must be used along the north eastern boundary of the curtilage area in order to retain the view corridor (see Figure 4);
- subject to Council approval existing trees and shrubs within this curtilage area may be removed and this curtilage area may be planted with low density vegetation and ground covers only;

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- this curtilage area must be used as a communal open space only; and
- the curtilage area should incorporate heritage interpretive panel(s) in accordance with the Linnwood Conservation Plan. Details should be provided as part of any future development approval.

C13. The curtilage area and dimensions are outlined in Figure 4 and should be read in conjunction with Figure 3, which identifies the 3 features which delineate the view corridor which in turn defines the curtilage area.

- the size of the curtilage area should be approximately 40 sqm;
- 'Boundary A' of the curtilage area, as illustrated in Figure 4, must be aligned with the 3 key architectural points in Figure 3.
- a clear view corridor must be retained between these 3 key features, as they are of historical importance. These features include the following and as illustrated in Figure 3:



Figure 3: Architectural features

(1) The south eastern entry to the porch of 'Linnwood' the original house;

(2) The most eastern corner of the dormitory building; and

(3) Parallel to the existing pathway drawn from the south western corner of Faulds house.

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Colours and Material

C14. New buildings are to incorporate a colour scheme and appropriate materials which will minimise intrusive elements and will contribute to the cohesiveness of the surrounding area.

C15. Colours and materials must be compatible with the character of the existing streetscape and should not detract from the original heritage items within the Linnwood Estate in particular the "Linnwood" House and Fauld House.

C16. To encourage the use of traditional construction materials, the following is recommended:

- brown or dark red bricks; or
- brickwork which is rendered in a soft colour scheme.

C17. Full details of colours and materials should be provided with any future DA.

Pedestrian Walkway

C18. Create a shared pedestrian walkway from Tamplin Road to the designated heritage curtilage area as shown in Figure 4. This pathway will provide common access to the heritage curtilage area and also a common view corridor for occupants of the development.

- this pathway shall be a private pathway for use by the occupants of the new development only;
- this pathway must be a least 1m wide;
- a minimum building setback of 1m , either side of the pathway, must be implemented; and
- the area contained in this setback may consist of low density vegetation and ground covers only.

C19. The location of the pathway is flexible and can be altered in accordance with the future development of the land, however the pathway must connect the curtilage area to Tamplin Road, and provide common access for all occupants of the development.

C20. Future built form must be separated into at least 2 building blocks on either side of the pedestrian walkway. This will allow the construction of the shared pedestrian pathway.

Fences

C21. Front fences and gates along Tamplin Road, should be of a Palisade style as they are appropriate to the existing character of the heritage items:

- palisade fences have panels of cast iron with shaped tops, connected by a horizontal rail; and
- front Fences should be a maximum of 1500mm high.

C22. Palisade fencing must also be used along the north eastern boundary of the curtilage area, in order to retain the view corridor into the Linnwood Estate.

C23. Boundary fences along the side and rear boundary of the site should be constructed using timber materials:

- side and rear boundary fences should be a maximum of 1800mm high.

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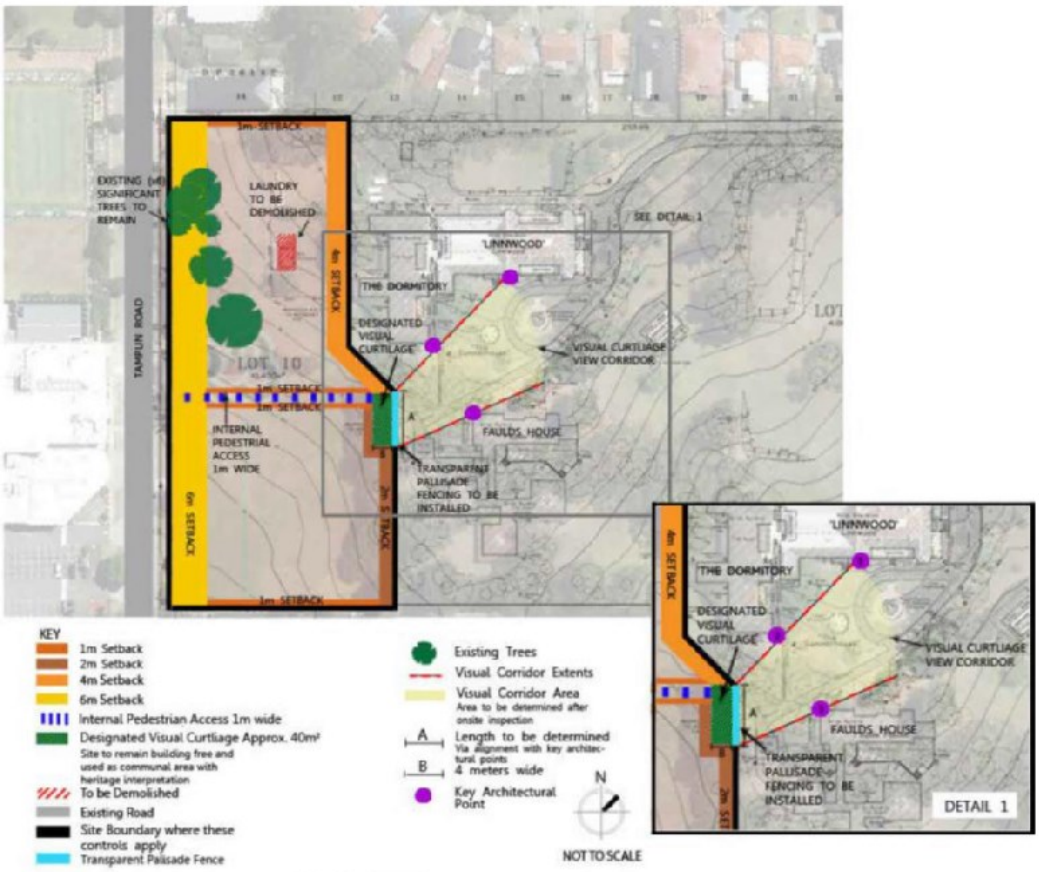

Figure 4: Lot 10, the proposed subdivided- identifying the site's development controls

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DOCUMENTS ASSOCIATED WITH REPORT C08/20-524

Attachment 13

Recommended Cumberland DCP Part G Miscellaneous Development Controls

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CUMBERLAND
CITY COUNCIL

PART G

MISCELLANEOUS DEVELOPMENT CONTROLS

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Part G Contents

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PART G1
ADVERTISING AND SIGNAGE

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1. Introduction

1.1 Land to which this Part applies

This Part applies to all land within Cumberland City where Council is the consent authority.

1.2 Purpose of this Part

The purpose of this Part is to establish Council's specific objectives and development controls for the provisions of signage in Cumberland City.

1.3 Relationship to other Documents

This Part of the DCP should be read in conjunction with *State Environmental Planning Policy No. 64 Advertising and Signage* (SEPP 64). For the purposes of this Part, signage has the same meaning as defined in SEPP 64 (or equivalent):

- Advertisement;
- Business identification sign; and
- Building identification sign.

Any application to which this Part applies must also consider Council's large display advertising policy.

Refer to the Sex Service Premises and Regency Green Industrial Estate Parts of this DCP for additional advertising and signage controls.

Refer to the *Local Government Act* (1993) and *Regulation* (2005) for controls relating to election signs and material.

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2. Objectives and controls

2.1 General

Objective

O1. Protect visual amenity and reduce visual clutter.

Controls

C1. Signs must not:

- be attached to a vehicle, where the vehicle remains stationary primarily for the purpose of advertising. "Vehicle" means a registered or unregistered vehicle and includes a trailer;
- be a temporary poster and sticker affixed to the exterior of the building, power poles, fences, tree, construction hoardings or the like;
- be of a portable nature, such as a sandwich board (A-frame signs), placed in, on or over a public place, except in special circumstances specified in the Plan;
- include flashing lights, regardless of whether these are for illumination of a fixed sign, to attract attention to an otherwise illuminated sign or as part of an illuminated sign;
- be painted on or applied on the roof; or
- include inflatable signs or structures, other than temporary signs.

C2. Advertising signs which do not relate to a use, business or activity carried out on the site or building on which the sign is to be placed are discouraged.

2.2 Language of signs

Objective

O1. Ensure that advertising and signage provides effective communication for the whole community.

Controls

C3. Advertising and signage shall be displayed in English but may include a translation in another language.

C4. Content of signage shall not be offensive in nature.

2.3 Number of signs

Objective

O1. Ensure that the visual and physical amenity of a locality is not impaired by a proliferation of signs.

Controls

Residential zones

C1. Signage is restricted to one business identification per street frontage.

Business zones

C2. Total signage per street frontage must not exceed one (1) top-hamper sign, one (1) under-awning sign and one (1) wall sign.

2.4 Signs on heritage buildings and conservation areas

Objectives

O1. Encourage signs (including its supporting structure) that are appropriate to a heritage item having regard to the significance and context of each item.

O2. Ensure that the installation of a sign does not result in damage to significant fabric of a heritage item and conservation areas.

O3. Ensure high quality and consistency of signage on heritage items and areas.

O4. Ensure that the heritage significance of existing signs are conserved and not impacted upon by the provision of new signage.

Controls

C1. All signs on a heritage item or conservation area are to be:

- of a high standard of materials, construction and design;
- sympathetic to the architectural design of the heritage item or conservation area and should be of a scale which is appropriate for the articulation and modulation of the building on which it is located; and

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- located to respect the value of the heritage item or conservation area and its setting.

C2. Any sign proposed for a heritage item is to be consistent with the recommendations of any heritage management document applying to the heritage item or conservation area.

C3. Illumination of signs on a heritage items and within conservation areas shall not interfere with the aesthetic of the item or conservation area.

C4. Externally illuminated signs may be considered where:

- the design of the sign achieves a very high degree of compatibility with the heritage item or conservation area; and
- the cabling and conduit supplying power to the sign is completely concealed and does not involve alterations to or damage to the heritage fabric.

C5. Existing signs on a heritage item or within a conservation area that is of heritage value shall be retained. Any new signs are to be designed and installed sympathetically with regard to existing signs. This may restrict the locations for new signs.

C6. New signs should be located in areas or elements of buildings that have traditionally been used for signage.

C7. The installation of any sign on a heritage item is to be carried out in a reversible manner without damage to the heritage fabric. In the case of a sign affixed to any stone or brick wall of a heritage item, the sign is to be fixed in such a way that stone is not damaged, and any fixings are installed only onto mortar joints.

C8. Where the name of a heritage item carries significance, the building name and associated signage must be retained and maintained.

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PART G2
HERITAGE

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1. Introduction

Heritage includes places and landscapes of historic, cultural, social, spiritual, natural, archaeological, architectural or aesthetic significance.

1.1 Land to which this Part applies

This Part applies includes land identified under *Cumberland LEP 20XX* as a heritage item, heritage conservation area and archaeological site. This Part also applies to land within the vicinity of heritage items, conservation areas and archaeological sites. In the event of any inconsistency between the general objectives and controls and the objectives and controls listed in specific heritage conservation areas, the specific controls will take precedence.

1.2 Other listings

State Listed heritage items are also subject to the requirements of the *Heritage Act 1977* (or any subsequent legislation) as well as any associated documentation, such as a conservation management plan, for the item.

Development in the vicinity of Old Government House and Domain in Parramatta (also known as Parramatta Park), that is a World Heritage Site and a National Heritage Site, are to address the associate heritage values and requirements of those listings and potential impacts including to the view and setting.

1.3 Heritage Conservation Areas

Heritage Conservation Areas are integral to the historical significance of those places. The heritage value of a conservation area lies not just with the heritage significance of individual buildings, but with other factors, including the landform, subdivision pattern and the history of development. The following Heritage Conservation Areas are specifically covered by this DCP:

- Blaxcell Estate Conservation Area
- Fullagar Road Conservation Area
- Granville Civic Precinct Conservation Area
- Granville Residential Precinct Conservation Area
- Tooheys Estate Conservation Area

This DCP identifies existing buildings that collectively demonstrate the history of a conservation area and contribute to its significance. These are known as contributory items.

Contributory items may not be individually listed as heritage items but, by virtue of their age, scale, materials, details, design style or intactness, make a significant contribution to the character of the heritage conservation area.

Non-contributory items may be described as neutral or intrusive. In the event of any inconsistency between the general objectives and controls and the objectives and controls listed in specific heritage conservation areas, the specific controls will take precedence.

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2. Objectives and controls

2.1 Development requirements for environmental heritage

Objectives

O1. Identify development that is considered minor by Council as it relates to environmental heritage, including heritage items and heritage conservation areas.

O2. Assist in the preservation of the integrity of any item of environmental heritage identified in the *Cumberland Local Environmental Plan 20XX* or a Conservation Instrument under the *Environmental Planning and Assessment Act 1979* and/or *Heritage Act 1977*.

O3. Promote sympathetic redevelopment of, or surrounding, a heritage item that complements the style and character of any item of environmental heritage.

Control

C1. Contributory items are required to be retained.

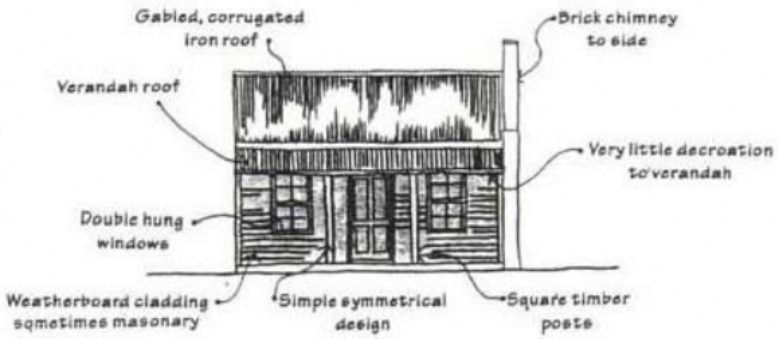
C2. Non-contributory items not identified are not required to be retained.

Documentation

C1. Council may waive the need for applicants to submit a Heritage Impact Statement as may be required under the LEP, if it deems the development and its potential impacts are minor in nature.

C2. A Conservation Policy or Conservation Management Plan may be required, depending on the significance of the item, the proposed works and the need for strategies for the retention of the significance of the heritage item.

C3. Development applications and their assisting documentation shall be prepared in accordance with the Burra Charter.



VERNACULAR COTTAGE
(c1820-1920)

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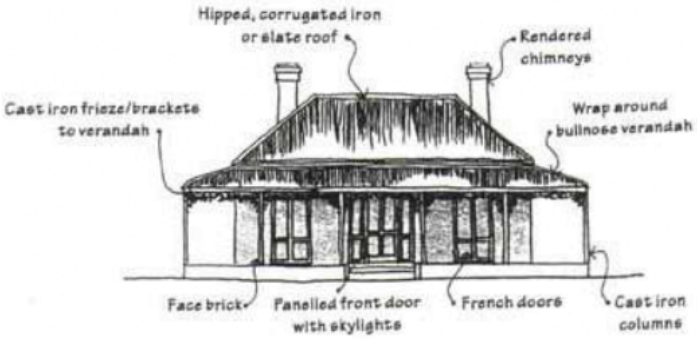
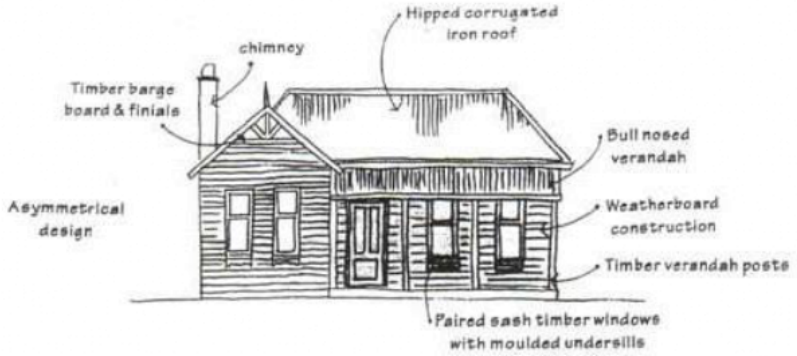
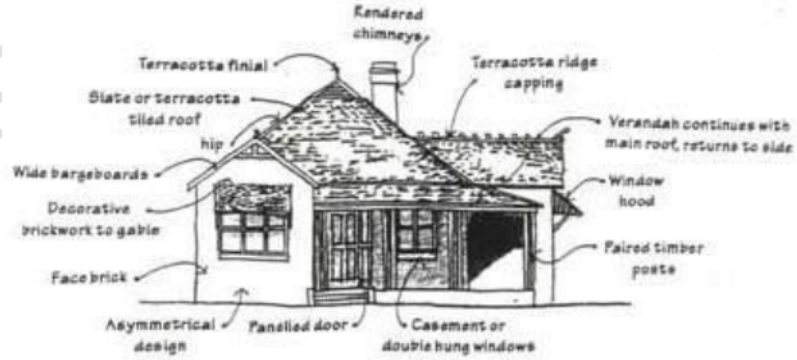


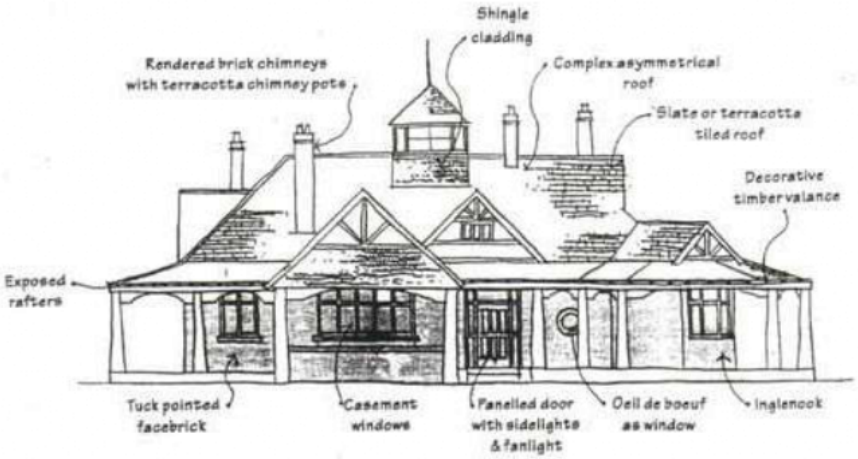
VICTORIAN/FEDERATION GEORGIAN
(TRADITIONAL SYMMETRICAL TYPE)
(c1870-1910)



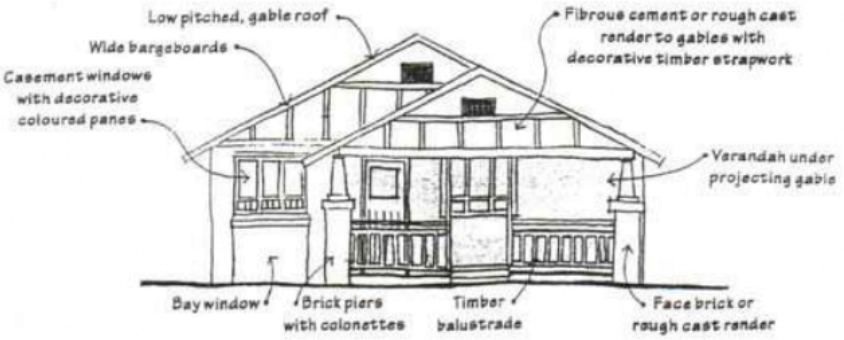
STANDARD FEDERATION TYPE
(WEATHERBOARD)
(c1890-1915)



STANDARD FEDERATION TYPE (BRICK)
(c1890-1915)



GRAND FEDERATION HOUSE
(c1890-1915)



INTER-WAR BUNGALOW
(c1918-1930)

2.2 Conservation and development works on heritage items

Objectives

O1. Ensure that development does not damage the heritage item or heritage conservation area.

O2. Ensure development reinforces the established character of the item/conservation area through appropriate built form and design.

O3. Allow heritage items to be adaptively reused with minimal and acceptable changes to building fabric, with a proposal that shall incorporate the use of unobtrusive and well-designed signage, lighting and external treatments.

Controls

C1. New development should be consistent with the guidelines and policies of any relevant conservation plan adopted by Council, and where appropriate, with State government requirements.

C2. New dwellings on sites occupied by an item of environmental heritage shall be designed and constructed in a manner that does not detract from the historic significance of that item or the area.

C3. Ensure that conservation or maintenance works on a heritage item use materials, detailing, features, and design elements that are appropriate to the style and age of the heritage item.

C4. Additions and/or extensions to heritage items:

- are to be located and designed to complement the existing scale, character and amenity of the streetscape;
- are not to dominate the appearance of the heritage item from the street; and
- are to consistent with the style of the heritage item.

C5. All new development within the curtilage of a heritage item is to be suitably located and retains the visual dominance of the heritage item, with minimal impact upon the fabric and significant landscaping associated with the item.

C6. Garages and carports are designed and located to ensure that they do not impact upon the appearance or fabric of the heritage item and its setting, and comfortably fit with the character of the area.

C7. Alterations or additions to existing commercial or civic heritage items are to be designed to respect the scale and form of the existing building and are located to have minimal visual impact from the street and on the significant fabric of the building.

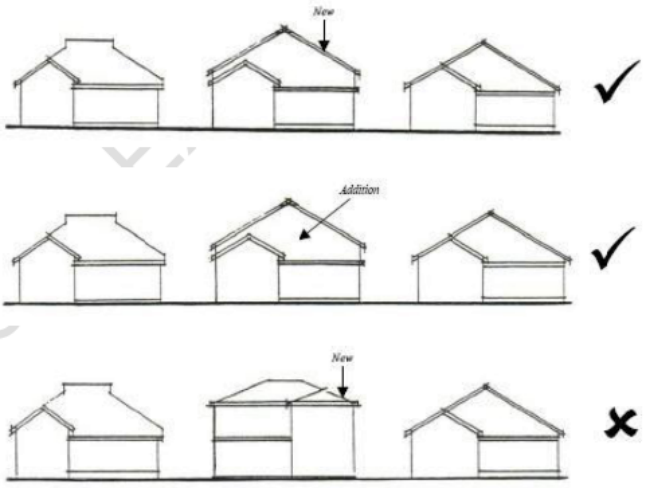


Figure 1: Example of alterations or additions to existing or commercial heritage items

General conservation and maintenance works

C8. When undertaking any form of development, conservation, maintenance or construction works on a heritage item, the materials, colours, maintenance and construction techniques used shall be appropriate to the heritage item.

C9. Original face brick should generally not be rendered as it removes and covers over the original colours and textures of the building.

C10. New roofing materials should match or be sympathetic in style and colour to the appearance of original materials.

C11. When undertaking works on a heritage item, the design of building detailing such as windows or doors, should be in keeping with the age and style of the heritage item.

Where original design features of heritage items, such as bullnosed verandahs, have been removed, these should be replaced where possible as they are important to the design and appearance of the building and generally serve a useful function.

C12. Where original gates and fences still remain as part of a heritage property, these should be retained. Where this is not possible, the use of replacement fences and gates should be in a style appropriate to the design and style of the building.

C13. Where original gates and fences still remain as part of a heritage property, these should be retained. Where this is not possible, the use of replacement fences and gates should be in a style appropriate to the design and style of the building.

Residential alterations and extensions

C14. When undertaking extensions or alterations to a heritage item, the design of the proposed extensions or alterations should be compatible with the style of the heritage item and its height, scale and proportion.

C15. In general, where an extension is proposed to a single storey dwelling, the extension should also be single storey and should be located to the side or rear of the property, so as not to affect the streetscape appearance of the item.

C16. Rear second storey additions should use recessive colours and should not visually dominate the existing building to the front.

C17. Any proposed roof extensions should be carefully designed to ensure that it is compatible with the original building. Roofs of additions should be consistent with the existing roof in terms of its form, pitch, eaves and ridge height, and should be in proportion to the existing building.

Design details

C18. The treatment of design details, such as verandah posts, doors or windows, on new extensions to heritage items should be sympathetic with those of the original building where possible. It may be appropriate to use a simpler version of the design details used in the original building, so that the new additions are in keeping with, yet still able to be differentiated, from the original structure.

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Garages and carports

C19. When adding a new garage to a heritage item, open-sided carports are generally more acceptable and less intrusive than solid structures as they do not affect the fabric and streetscape appearance of the heritage item.

C20. If a solid garage is proposed for a heritage item, the garage should be located away from (i.e. detached from) the main house structure

C21. Where possible, solid garages should be set back from the front, side and rear of the property boundary.

C22. Garage or carport designs should use design detailing, materials and colours that refer to, and are compatible with, the original building.

Landscaping and gardens

C23. The siting of buildings should retain any significant trees and gardens identified on the site.

Curtilage development

C24. Where proposing development within the curtilage of a heritage item, the new development should be designed so that the heritage item retains its visual prominence.

C25. The colours and materials used within the new development shall be recessive and complement the colours and materials of the heritage item.

C26. Where new development is proposed within the curtilage of a heritage item, a reasonable "buffer" space should be provided between the original building and the new development.

C27. Significant gardens should be retained as part of any works within a curtilage, where possible.

C28. New development within the curtilage should not adversely impact upon the significant fabric of a heritage item.

C29. The height of new buildings shall not exceed that of the original heritage building.

C30. The new development shall be massed so that lower-scale buildings act as a transition between the new and the old.

C31. New development within the curtilage of a heritage item should not block the sight lines from public areas to the original building.

C32. Civic, commercial development and adaptive reuse

C33. Retention of the original streetscape facades is required, with extensions or redevelopment to be located to the rear of the property.

C34. Development should be compatible with the existing height, scale, massing and detailing and setbacks and orientation of existing development within the streetscape. New extensions should be recessive to the original building.

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C35. Colours and materials should be carefully selected so that they do not visually dominate, or overly contrast with, that of the existing heritage item. New development shall utilise compatible colour schemes and materials with the original building.

C36. For development involving churches or schools, the removal of more recent structures is considered acceptable where it is demonstrated that they are not critical to the heritage significance of the property.

C37. New development should be located to the side or rear of the heritage item and the original building should visually dominate.

C38. Development should not impact upon the sight lines from public areas to the original building.

C39. Development should minimise any changes to the significant fabric of the building and, in particular, to the streetscape appearance of the heritage item.

C40. Signage, lighting, materials and colours used should be unobtrusive and compatible with the overall style and design of the building.

2.3 Specific development controls for Heritage Conservation Areas

Objectives

O1. Ensure that contributory items are retained and improved.

O2. Ensure that new development is sympathetic to the identified heritage values.

O3. Ensure that development respects the original built form, architectural style and character of the area.

Controls

General

C1. New dwellings on sites occupied by, adjoining or in the vicinity of an item of environmental heritage, and/or within a Heritage Conservation Area, shall be designed and constructed in a manner that does not detract from the historic significance of that item or the area.

C2. When undertaking conservation or maintenance works on a building within a conservation area, the materials, colours and maintenance techniques used should be appropriate to the style and age and the context of the building.

C3. Works relating to a heritage conservation area should avoid high retaining walls and changes of land produced by cut and fill which in turn produces buildings of disparate height.

C4. The design of the building detailing, such as windows or doors, should be in keeping with the age and style of the building and to the overall character of the conservation area.

Fences

C5. Properties within conservation areas should, where possible, retain original gates and fences that contribute to heritage significance of the area.

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C6. Any new fences or gates are to use a style and materials that are appropriate to the age of the building and to the character of the conservation area.

Garages

C7. Open-sided carports or hardstand areas are preferred where new on-site parking is proposed. Where solid structures (ie enclosed garages) are proposed, these should g be located away from the main house structure,

C8. Where solid structures (i.e. enclosed garages) are proposed, where possible, these should be setback from the front, side and rear of the property boundary.

Alterations, additions and extensions

C9. Where any alterations, additions or extensions are proposed to a building within a conservation area, these should:

- be carefully designed to continue the specific scale and form of the building and the overall character of the conservation area;
- consider the accurate reinstatement of building features and other works shown in historical photographs;
- avoid painting, rendering or re-skinning of original brick walls; and
- make use of pavilions or skillion extensions.

C10. Additions or extensions to buildings within a conservation area should be located away from the street frontage and side boundaries and are to be designed to complement the materiality, scale, form, style of the building and character of the conservation area.

Subdivision

C11. Works within a heritage conservation area should maintain the historical pattern of subdivision.

C12. Subdivision must not adversely impact on the established form, shape and size of the development or the existing pattern and scale of development.

Siting, setbacks and garden area

C13. Works within a heritage conservation area should maintain amenity and privacy of gardens.

C14. Works should investigate archaeological potential of areas where new buildings are sited.

C15. Garages/carports should be placed in backyards and separate from existing buildings, where possible.

C16. Works should respect any significant trees and gardens identified on the site.

Streetscape character

C17. New development should make reference to, and be sympathetic to the predominant:

- height;
- scale;
- roof form, line and pitch;
- proportion;
- setbacks;

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- design details (including parapets, verandahs, awnings and string courses); and
- features of adjoining development and of any adjacent conservation areas.

C18. New development should be compatible with heritage items in terms of its scale and massing, overall bulk and composition. New buildings should not dominate their surroundings.

Conservation areas

C19. Buildings located within the Fullagar Road Heritage Conservation Area, Toohey's Palm Estate Group Heritage Conservation Area, Granville Civic and Granville Residential Conservation Areas, and Blaxcell Conservation Area shall retain their original materials, features and detailing where appropriate and practical and support by a heritage impact statement.

C20. Works located within the former Lidcombe Hospital Conservation Area are to address the State legislative requirements and listing information, and the conservation management plan.

2.4 Specific controls for development in the vicinity of a heritage item

Objectives

O1. Ensure that new development is sympathetic to the identified heritage values.

O2. For new development to be designed to maintain the existing streetscape character and is compatible with its particular heritage themes.

O3. Ensure that new development is carefully sited to avoid causing physical damage to any heritage item or building within a conservation area, as well as ensuring it does not overshadow or affect the curtilage, landscaping, setting, solar access or views associated with any heritage item.

Controls

C1. New dwellings on sites adjoining or in the vicinity of an item of environmental heritage shall be designed and constructed in a manner that does not detract from the historic significance of that item.

Context

C2. The development shall be designed having regard to its environmental and built context, to the existing streetscape character and to any heritage items or conservation areas that may be located nearby.

Streetscape character

C3. New development should make reference to, and be sympathetic to the predominant:

- height;
- scale;
- roof form, line and pitch;
- proportion;
- setbacks;
- design details (including parapets, verandahs, awnings and string courses); and,
- features of adjoining development and of any adjacent heritage items.

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C4. New development should be compatible with heritage items in terms of its scale and massing, overall bulk and composition. New buildings should not dominate their surroundings.

C5. Where a residential flat building is proposed adjoining or adjacent to a heritage item, any height and scale differences between a heritage item and new development should be minimised by stepping the height or locating the bulk of the new development away from the heritage item.

C6. Window and door openings, building lines and building massing of new development should also be designed in the context of its adjoining development.

C7. Where a particular heritage character predominates within a street, the design of new development should be compatible with this heritage character.

Setbacks and orientation

C8. New development shall be carefully sited so that it is consistent with the predominant street and boundary setbacks. This may be varied where an increased or decreased front or side setback will assist in ensuring that a new development does not visually dominate any adjoining heritage items.

C9. New buildings within an existing streetscape should not be oriented across sites contrary to the established pattern.

C10. Where a new development is proposed adjoining a significant heritage feature, new development should continue the primary orientation and should provide an appropriate entry design and setback treatment along that frontage.

Siting and location

C11. The siting of new development should not affect the structure of, or otherwise cause physical damage to, any heritage item.

C12. New development should be located so that it does not adversely impact upon the identified curtilage, setting or landscaping, solar access or any significant views to or from a heritage item.

Visual impact

C13. The design of the street elevation should be relatively uncomplicated and consist of simple forms that do not visually compete with the heritage item.

C14. New development adjoining/adjacent to a heritage item should avoid incorporating large unbroken wall areas.

C15. Where new development is necessarily larger than its surrounding development, the bulk can be reduced by breaking long walls into bays or by arranging the openings in the wall so that their size and shape reflect the structure and the openings of its neighbours.

C16. Landscaping should be used to minimise the visual appearance of large wall areas in new development adjoining a heritage item.

C17. Where new development is proposed adjoining a heritage item or conservation area, the development should incorporate the use of colours and materials that are recessive

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so that they do not visually dominate the heritage item. Darker colours and simple facade treatments can assist in minimising the visual impact of new development on adjoining heritage items.

C18. Buildings in the vicinity of heritage items or conservation areas should use a style and material of fencing (and gates) that are appropriate to the age and style of the heritage item and/or to the character of the conservation area.

2.5 Specific conservation area controls

2.5.1 Blaxcell Estate

History

The land on which this conservation area is situated had been privately acquired and subdivided as early as 1922, but very few of the lots had sold. The Commission bought the estate, kept the proposed street pattern, re-subdivided the lots, leaving a few private lots (all at the end of streets). This was the first of the Commission's group developments in New South Wales and the buildings in Montgomery Street were completed in December 1944. They were constructed in full double brick with Marseilles tiled roofs, decorative use of bricks around front porches and identical front fences.



Figure 2: Blaxcell Estate, South Granville

Distinctive Characteristics

- flat to gently undulating clay land which drains slowly to the east and Duck Creek
- regular sized allotments, mostly
- 20m x 34m
- single storey freestanding houses separated from the street and neighbours by large garden space, with lawn and shrubs
- spaciousness of the area created by:

- width of each allotment
- wide side boundaries
- background view to large remaining eucalypts
- backyard placement of garages and carports

- houses standing parallel to the street
- intact street character and a remarkable number of the houses, most of which have very few alterations or additions
- consistent age of the houses - almost all date from 1944 - 1950 with a few from the 1960s
- uniform building shape (form), scale and setbacks
- one chimney per house
- uniform building materials - bricks and tiles to Montgomery Street; fibro and tiles to the other street, with the occasional timber clad house and brick corner houses in Oakleigh Ave
- uniform brick fences to Montgomery Street and few fences throughout the rest of the area

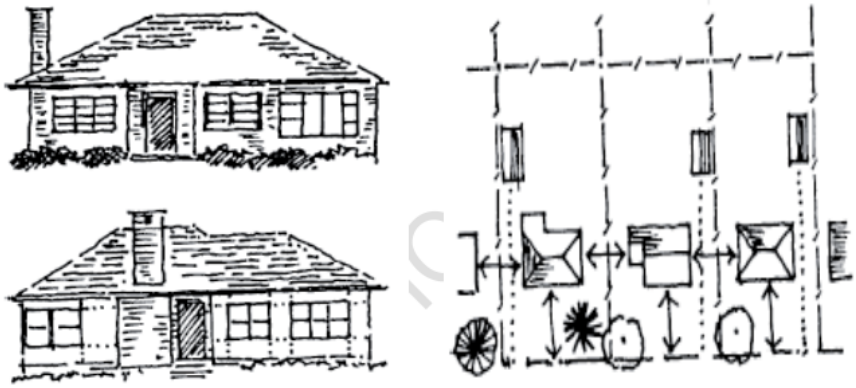

Figure 3: Distinctive Characteristics

Statement of significance

This area comprises the first group development in NSW constructed in 1944 by the newly formed Housing Commission, having taken over a privately developed subdivision. The area is remarkable for its totally intact core area of Montgomery Street which has kept all its fencing and all original houses without second storey additions. The brick houses demonstrate the ideals with which the Commission commenced its charter, while the fibro houses are the result of the cost effective measures undertaken soon after to produce the quantity of houses needed at that time. The consistent scale, siting, materials and fences of the development provides a cohesive 1940s suburban character, and the fibro housing is a particularly good example of the very extensive Housing Commission development throughout Parramatta.

Objectives

O1. Protect the area's single storey residential character, especially its 1944 face brick houses and fences.

O2. Maintain front and side garden spaces.

Controls

Landform / natural characteristics

C1. Keep remaining eucalypts and encourage their replanting on rear boundaries of private gardens.

Subdivision pattern

C2. Maintain the 1944 pattern of subdivision.

C3. Avoid re-subdivision by amalgamation of back garden space.

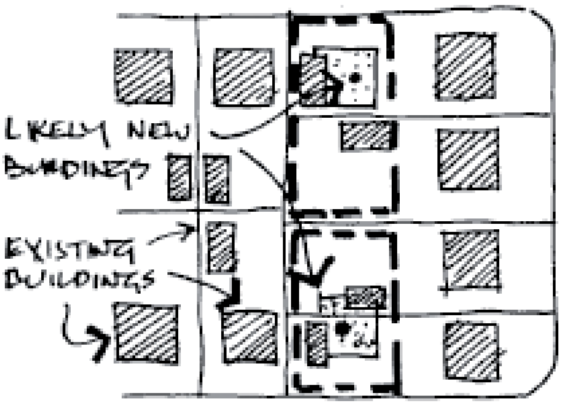

Figure 4: Subdivision pattern

Siting, setbacks and garden area

C4. Maintain the existing pattern of development, of individual single storey houses on wide parcels of land surrounded and separated by garden space.

C5. Keep views and space between buildings and maintain amenity and privacy of back gardens.

C6. Keep at least 50% of the site for garden area.

C7. Ensure similar side boundary setbacks to those existing.

C8. Avoid additions to the front or side of an existing house.

C9. Avoid establishing any new building or structure standing closer to the front street alignment than existing houses.

C10. Second storey additions will not be supported.

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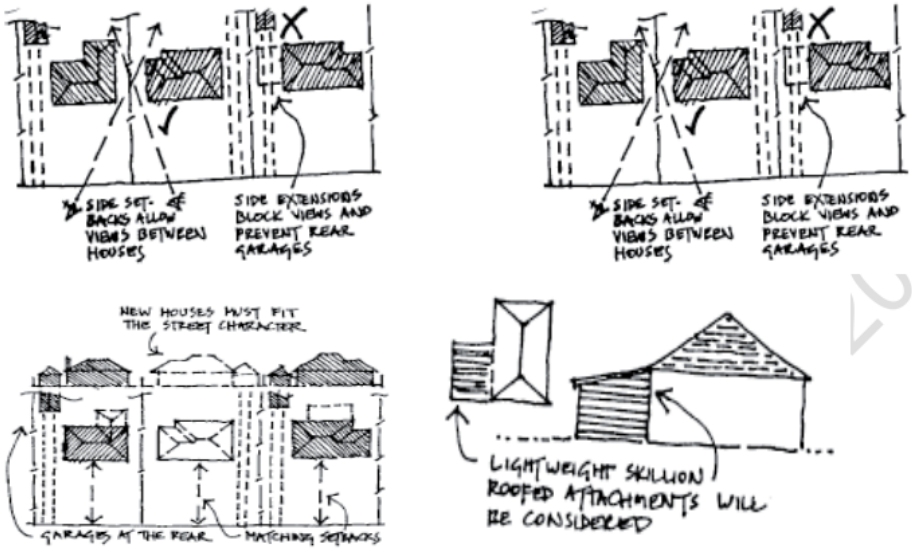

Figure 5: Side setbacks and garden areas

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Alterations and additions

C11. Extra rooms above the existing main body of the house which require alteration of existing roof shape are not permissible. Rooms in roof may be considered but only where they are ventilated by flat, in-plane skylights on the back slope of the roof.

C12. Avoid new dormer windows, mansard roofs or large bulky additions visible from the street.

C13. Linked pavilions under a separate roof form, or skillion extensions both to the back of the house are supported.

C14. Keep all existing chimneys.

C15. Painting, plastering or re-skinning of brick houses or fences in Montgomery Street or Oakleigh Street is not desirable.

C16. Avoid recladding of existing fibro buildings (including garages and other ancillary buildings) in brick as this would confuse the history of the area. Recladding in other lightweight materials, such as fibro-cement, timber or imitation timber is acceptable.

C17. Avoid re-roofing of main body of the existing house except to match original materials, maintaining the existing balance of red and blue tiles.

New development

C18. Repeat single storey scale for houses with maximum wall height the same as existing houses.

C19. Hipped pitched house roofs should not exceed the pitch of existing house roofs.

C20. Setbacks should be the same as original houses in the street.

C21. Access to garages and carports should be by a side driveway beside house to the backyard.

C22. Materials for any new house facing Montgomery Street to be of face or common bricks with Marseilles tile roof.

C23. Materials for main part of any new house in other streets to be of timber, fibro or imitation timber cladding, with terra cotta tile roofs.

C24. Materials for utility buildings and garages in lightweight materials such as fibro, imitation timber cladding or 'corrugated iron'.

C25. In Montgomery Street, avoid use of hearted, speckled, multicoloured or textured bricks in light colours.

C26. Roofing materials other than terracotta tiles are not desirable.

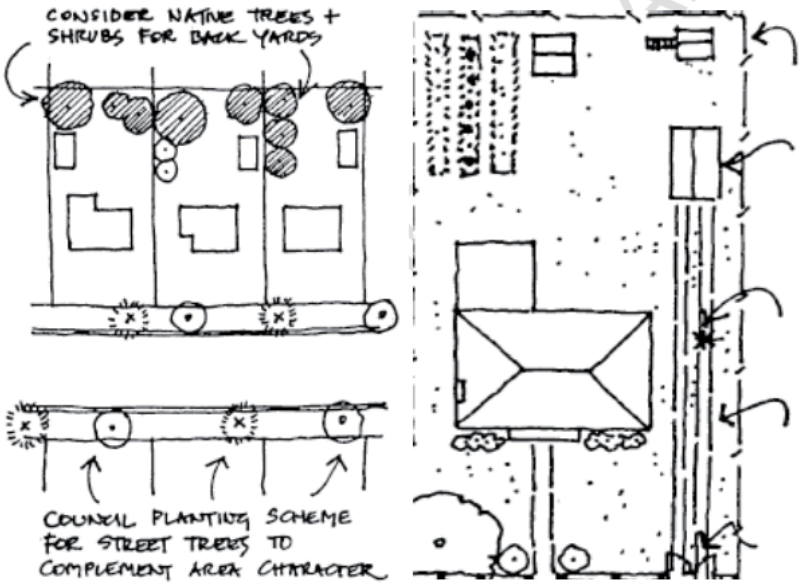

Figure 6: New development

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Fences

C27. The following fences must be kept:

- Clyde Street: Nos 286 and 288; and
- Montgomery Street: Nos 2 - 24 and Nos 9 - 25 and 29.

C28. Keep the existing street character, with fenceless street alignments for all properties other than those listed in the above control.

Public lands

C29. Maintain and reinstate those elements of the public domain which contribute to an understanding of the history of the area.

C30. Improve the residential amenity and enjoyment of the public street area.

C31. Prepare a uniform planting scheme for the streets of this area to complement the formal 1940s character of the houses. Plantings such as crepe myrtle (which is bare in winter) or clipped pine are the most suitable.

C32. Street plantings of native shrubs or trees are not suitable to the formal line of the streets and the house setbacks.

C33. Plant on or near side boundary alignment to minimise effect of tree shade on front wall of house.

Existing significant buildings

C34. Keep all buildings and other structures that explain the history of the area and contribute to its significance.

C35. Keep all the following buildings, which together demonstrate the history of the area and contribute to its significance, with their present form and roof shape:

- Blaxcell Street: Nos 347 - 361
- Chiswick Street: Nos 27- 47
- Clyde Street: Nos 270 - 280 and 286, 288.
- Cordon Street: Nos 69, 71 and 82
- Montgomery Street: Nos 2 - 24 and Nos 7 - 29
- Pegler Street: Nos 76, 78, 79, 80, 81
- Oakleigh Street: Nos. 4 - 16 and 20 - 26 and 1 - 7 and 11 – 17

2.5.2 Granville Civic and Residential Precincts

History

The character of the Civic and Residential Precinct conservation areas are largely determined by the development that occurred during the 1880s. This was stimulated by the relocation of a number of large manufacturing industries close to the railway. The 1880s saw the construction of new houses, including both workers' cottages and more substantial residences for the managers and factory owners, and a complete community quickly established itself. For 25 years from 1905, when Clyde Engineering was awarded large contracts to build locomotives, Granville saw another great period of development, with the appearance of: new small industries, new housing, new shops and businesses.

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Civic Precinct Residential Precinct

Figure 7: Civic and Residential Precincts

Distinctive Characteristics

- Varied subdivision patterns and allotment sizes with consequential varied building forms.
- Predominantly residential in character, with some larger scaled civic, religious, commercial and educational buildings.
- In the Residential Precinct, low scale development and a sense of space.
- Variety of residential buildings - single and two storey freestanding suburban houses, pairs of attached dwellings and terraces, separated from the street by garden space.
- Early buildings stand close to front fence.
- Buildings stand parallel to the street, with the space between the building line and front fence generally free of structures such as garages or carports.
- Predominance of brick as a building material with tile, slate or iron roofs but with interest and variety provided by occasional use of other materials - stone, rendered and ashlared brick, timber.
- Front garden space visible from the street mostly over low front fences built of varied materials, many of which respond to the materials and importance of the building behind brick, timber and wire on timber frame.
- In the Civic Precinct Conservation Area, the total garden area is generally about 40% of the site.
- Remnants of street tree planting of brush box and silky oak which frame and unify the street space and cool pavements in summer.
- Remnants of sandstone kerbs and gutters in important civic and residential streets - in the Residential Precinct Conservation Area these have sometimes been removed to form garden edges around recent central street tree planting.
- Predominance of buildings from 1880s - 1930s which collectively show how the area has grown, and provide the historic significance and character of the area.

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Figure 8: Streetscape character

Statement of significance

The Civic Precinct Conservation Area is at the civic, religious and residential heart of Granville together with the Residential Precinct Conservation Area and collectively represent its great periods of growth and prosperity. The area is predominantly residential in character with some larger scaled civic, religious, commercial and educational buildings. Through their street planting and edging, their civic, commercial, educational and religious buildings, and their range of housing types, age and size, these areas reflect the substantial role played by Granville in the development of western Sydney, the way in which it developed and the nature of its social structure.

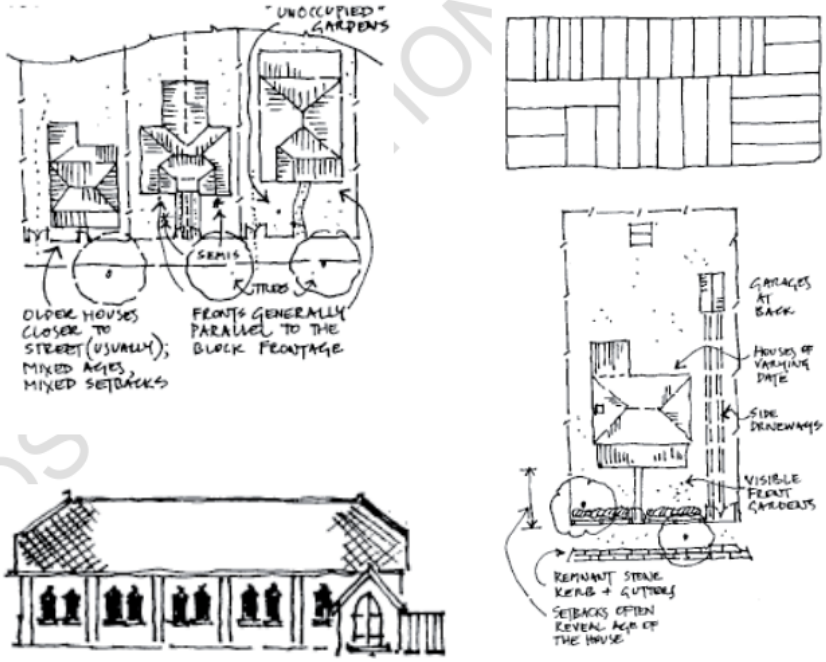

Figure 9: Significant characteristics

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Objectives

O1. Retain all the attributes that contribute to the heritage value and character of the Granville Civic and Residential Precincts.

Controls

Landform / natural characteristics

C1. High retaining walls and buildings of disparate height are not permitted.

C2. Maintain the natural shape of landform.



Figure 10: Landform / natural characteristics

Subdivision

C3. Re-subdivision along the length of the allotment may be considered and, in line with past practice, re-subdivision across the line of corner allotments may be considered, but only where the resultant development would not have the potential to detrimentally affect the setting of a building listed below as an Existing Significant Building or disturb the existing streetscape.

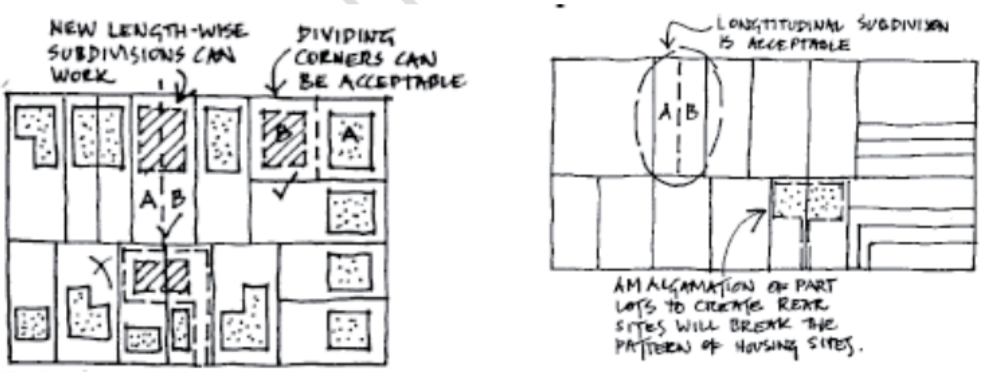

Figure 11: Subdivision

Siting and garden area

C4. Maintain the historical pattern of development where individual dwellings are established on separate parcels of land.

C5. Maintain amenity and privacy of back garden space to residential buildings.

C6. Keep existing side driveway access for cars to rear garden garage/carports.

C7. Continue parallel alignment of new buildings to the street.

C8. Dual occupancy development is not permitted, except where it can be accommodated in a modest attached addition to the rear of an existing house.

C9. For commercial areas, 40% of the site be retained for garden area and 50% for residential areas.

Alterations and additions

C10. Development should complement heritage without imitation so that the new work does not compete with historic buildings in the area or detract from the area's visual consistency and amenity.

C11. Additions are permitted at the rear of the building or within the existing roof form only and are to be modest. Rooms in the roof will be considered but only where they are ventilated by flat in-plane skylights. Additions which change the shape of the original roof or the character of the building are not permitted.

C12. Additions to the side of an existing building are not permissible where they would prevent side driveway access to rear garages/carports.

C13. Avoid dormer windows and mansard roofs.

C14. In the Civic Precinct Conservation Area, corrugated iron may be used as a cladding for extensions to an existing house.

C15. Brick walls are not to be repainted or reskinned.

C16. Avoid additions higher than the ridgeline of the house.

New buildings

C17. New buildings should not compete in height or scale with existing significant buildings listed under 'Existing Significant Buildings' at the end of this Section.

C18. Avoid establishing new buildings closer to the front street alignment than nearby pre-1930 buildings.

C19. The maximum wall height of new buildings in the Civic Precinct Conservation Area is 7.2 metres, provided that there is no competition in presentation with existing significant buildings.

C20. Hipped or gabled pitched roofs must not exceed 32 degrees. Rooms in the roof may be considered but only where they are ventilated by flat, in-plane skylights on the rear face of the roof.

C21. Materials for new buildings should be face or common bricks, timber or rendered masonry, with slate, terracotta tile or corrugated iron roof cladding.

C22. Boundary-to-boundary development is not appropriate as it does not allow garages and other ancillary structures to be located at the rear of the development. In exceptional cases, where the lot is less than 10m wide, a front garage may be integrated with a new house, providing that it is set back from the front wall of the house by a minimum of 1m and its design and construction avoid negative impact on the streetscape.

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C23. Do not use imitation slate or obtrusively coloured roofing materials.

C24. Imitation architectural details from earlier styles are not appropriate.

Garages, carports and other ancillary buildings

C25. Maintain the uncluttered space between the building line and the front fence as an important part of the street character - this space should be free of garages, carports and other structures.

C26. In residential locations of the conservation areas, garages and carports should not be integrated into the house except where the allotment is less than 10m wide.

C27. Keep garages and carports as secondary utilitarian buildings.

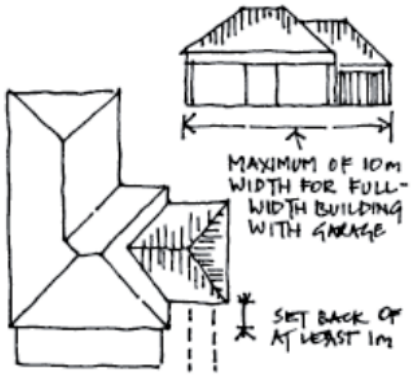

Figure 12: Garages

Front fences

C28. Every effort should be made to keep and maintain the front fences at the following addresses, which are a most important part of the history and character of the area:

Table 1: Conservation Areas and Residential Precincts Areas

Civic Precinct Conservation Area	Residential Precinct Conservation Area
Carlton Street: No 12 Jamieson Street: Nos 17* (timber), 30*, 39* (stone) Railway Parade: Nos 62*, 64*, 72 *Heritage Item	Daniel Street: No 17 Hewlett Street: No 18* The Avenue: Nos 58*, 66*

C29. Avoid fences higher than 1.2 metres.

C30. Keep fences made of materials such as timber or wire frame on timber mesh with hedge, if desired. In some cases a new brick fence may be acceptable.

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C31. Avoid high front privacy walls of brick, timber or brush.

C32. Avoid timber picket front fences unless to replace a known original picket fence.

C33. Avoid new brick front fences, except where there is evidence of an earlier brick fence, lost or changed since its construction.

C34. For side and back boundaries, continue the use of timber pailing fences.

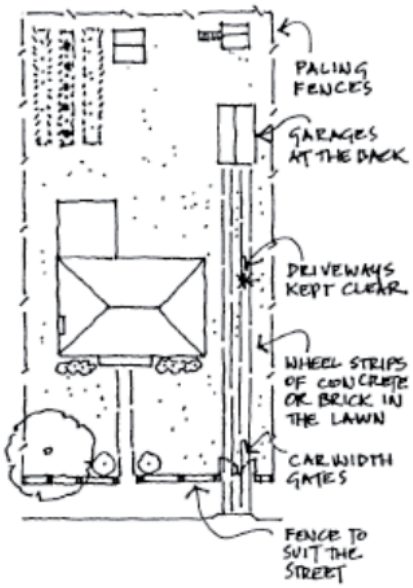

Figure 13: Fencing and Garages

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Existing significant buildings

C35. The following significant buildings, which together demonstrate the history of the area and contribute to its significance, must be retained:

Civic Precinct Conservation Area

Buildings from the 1880s - 1890s:

- Carlton Street: No 10* (town hall)
- Hutchinson Street: Nos 6, 10 - 12* (police station), 14* (church)
- Jamieson Street: Nos 6 - 14* (terrace), 29*, 39* (church, hall and rectory)
- Mary Street: No 8*

Buildings from c1905 - c1930:

- Carlton Street: No 10* (town hall)
- Hutchinson Street: Nos 6, 10 - 12* (police station), 14* (church)
- Jamieson Street: Nos 6 - 14* (terrace), 29*, 39* (church, hall and rectory)
- Mary Street: No 8*

Residential Precinct Conservation Area

Buildings from the 1870s:

- The Avenue: Nos 36*, 52*, 54*

Buildings from the 1880s - 1890s:

- Hewlett Street: No 4*
- Spring Garden Street: Nos 2, 4, 12, 14*, 20, 22, 24*, 26*, 28*, 30*
- The Avenue: Nos 42*, 58*, 60*
- William Street, Nos 123*, 133* (public school)
- Walter Street: Nos 4*, 30*, 32*

Buildings from c1905 - c1930:

- Daniel Street: Nos 3, 4, 5, 6, 7, 9, 11*, 17
- Hewlett Street: Nos 6*, 7, 8*, 9, 10,11, 13, 18*, 20, 21, 23
- The Avenue: Nos 28*, 30, 32, 34, 44, 46, 48, 50, 56, 61, 66*, 70, 72, 74*
- Spring Garden Street: Nos 10, 16, 18
- Walter Street: Nos 8, 10, 11, 20, 22, 24, 26, 28

* Heritage item

2.5.3 Fullagar Road Conservation Road

The Fullagar Road War Service Homes group has both local and state-wide historic, social and aesthetic significance. Within Holroyd, the group is the largest and most intact representative example of Inter-War service homes, and provides evidence of contemporary social and architectural attitudes to housing ex-service personnel in the years immediately following World War I. The buildings are significant individually and as a group, as fine and largely intact examples of the Inter-War Georgian style constructed in quality materials with good layouts and style. Within the state context the group is one of the earliest War Service homes estates so far to the west of Sydney, and one of the few groups which were constructed in this distinctive style.

Objective

O1. Buildings located within the Fullagar Road Heritage Conservation Area shall retain their original materials, features and detailing.

Controls

C1. Any proposed works on a building which has been identified as a heritage item within this conservation area should be designed to retain the original classical detailing as well as the fenestrations (arrangement of windows in a wall) which are characteristic of buildings within this conservation area).

C2. Where works are proposed to a building that is currently face brick, the building should remain unpainted or unrendered.

C3. Where additions and extensions are proposed, these should be single storey only, and are to be located to the rear or side of the building so that they do not impact upon the presentation of the building from the street.

C4. Alterations and extensions should not alter the form or fabric of the roof. In general, roofs of single storey additions in this conservation area should be consistent with the existing roof in terms of form, pitch, eaves and ridge height.

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2.5.4 Toohey's Palm Estate Group Conservation Area

The Moree Avenue bungalow group has local historic significance arising from the evidence it provides of the pattern of suburban development in Holroyd in the interwar period. Built as part of the Toohey's Palm Estate, a planned subdivision which used a distinctive pattern of palm tree street planting to give a unified identity and character to the newly created group of allotments, these early residences retain much of their original character and fabric and thus provide evidence of the social, economic and architectural forces which accompanied the burgeoning of new residential development in this period.

Objective

O1. Buildings located within the Toohey's Palm Estate Group Heritage Conservation Area shall retain their original materials, features and detailing.

Controls

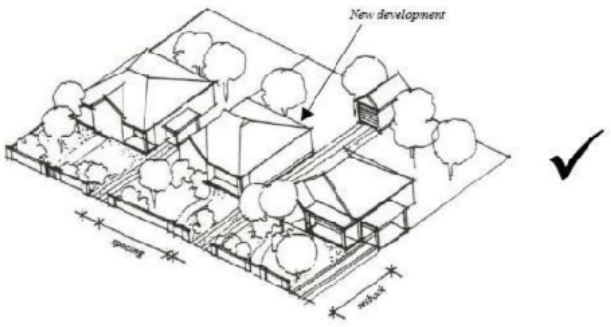
C1. Any proposed works on a building within this conservation area should be designed to retain and conserve all original detailing, design features and materials.

C2. Any proposed works on a building which has been identified as a heritage item within this conservation area should be designed to retain the original front and side curtilage of the building, which is characteristic of buildings within this Conservation Area.

C3. Where works are proposed to a building that is currently face brick, the building should remain unpainted or unrendered.

C4. Where additions and extensions are proposed, these should be single storey only, and are to be located to the rear or side of the building so that they do not impact upon the presentation of the building from the street.

C5. Where alterations and extensions are proposed, these should not alter the overall form or fabric of the roof. In general, roofs of single storey additions in this conservation area should be consistent with the existing roof in terms of form, pitch, eaves and ridge height.



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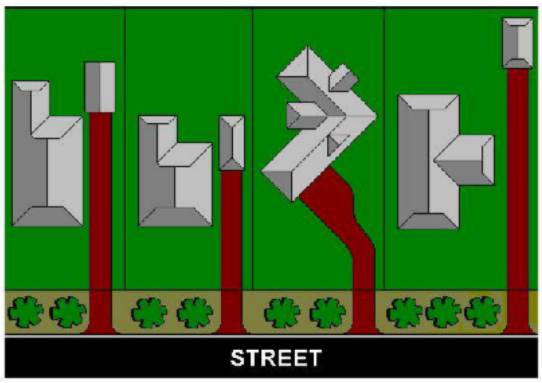

Figure 14: Examples of good and poor streetscape orientation and setback

2.6 Conservation Incentives

Objectives

O1. To provide incentives for the restoration and maintenance of heritage listed items in Cumberland.

O2. To ensure that conservation incentives are provided where restoration and maintenance will be compliant with the objectives of this part of the DCP

O3. To ensure that any variations to the development controls within this development control plan for a proposed development involving a heritage item does not affect the heritage significance of the heritage item or conservation area.

O4. To ensure that the amenity of a streetscape and surrounding neighbourhood is not detrimentally affected by any variations to controls within this development control plan.

Controls

C1. Conservation incentives may apply for heritage items that are listed within Cumberland Local Environmental Plan 20XX.

C2. When considering a development application for works involving a heritage item, Council may consider variations to development controls contained within Council's adopted Development Control Plan, provided the Council is satisfied that:

- The proposed development complies with all of the heritage design controls contained within this Part of Cumberland Development Control Plan 20XX,
- The proposed development will not adversely affect the heritage significance of the heritage item or its setting,
- The proposed development will involve a complete and full restoration of the heritage item, if this is deemed necessary by the Council, and
- The proposed development will not adversely affect the amenity of the surrounding area

C3. When considering an application for consent to erect a building on land on which there is situated a heritage item, Council may for the purpose of determining the number of car parking spaces to be provided on the site, exclude from its calculation of the gross floor area of the buildings erected on the land part or all of the gross floor area of the

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heritage item, but only if the Council is satisfied this will facilitate the conservation of the heritage item.

Note:

Council can provide general information on design outcomes, colour schemes, building materials and fences for owners of properties listed as heritage items in the Local Environmental Plan 20XX.

If your property is listed on a state or national heritage register, owners may also be eligible for special State funding to help with the maintenance of your property

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CUMBERLAND
CITY COUNCIL

DRAFT 2020

PART G3

TRAFFIC, PARKING, TRANSPORT AND ACCESS (VEHICLE)

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1. Introduction

1.1 Land to which this Part applies

This Part applies to development applications on all land within Cumberland City.

1.2 Purpose of this Part

This Part of the DCP provides objectives and controls for all aspects of a development concerning the movement and access of vehicles.

Council's parking, traffic and access provisions aim to satisfy the parking demand likely to be generated by the development and encouraging other modes of transport.

1.3 Relationship to other Parts

Where relevant, this Part of the DCP should be read in conjunction with the following Parts of the DCP:

- Part A - Introduction;
- Part B - Development in Residential Zones;
- Part C - Development in Business Zones;
- Part D - Development in Industrial Zones;
- Part E - Other Land Use Development Controls; and
- Part F - Precinct and Site Specific Development Controls.

2. General objectives

The objective of this Part of the DCP is to ensure that:

O1. On-site car parking is sufficient, accessible and safe to all user groups while encouraging alternative modes of transport, such as walking and cycling.

O2. Developments integrate design of vehicle access and parking facilities to minimise visual and environmental impacts.

O3. Design of on-site car parking structures, loading facilities and driveways is consistent with, and has minimal impact on, the appearance of the local streetscape.

3. Parking rates

Development is to provide on-site parking in accordance with the following minimum rates. Refer to Table 1 below.

Where a parking rate has not been specified in the table, the Guide to Traffic Generating Developments shall be used to calculate the parking requirements for the proposed development. Alternatively, a parking study may be used to determine the parking, subject to prior approval by Council.

Additional parking objectives and controls are provided in Section 4 of this DCP.

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Table 1: Parking rates. Parking calculations that are not whole numbers are to be rounded up

Development Type	Car Parking Rate	Bicycle Parking Rate
Residential – Dwelling House		
General rate	• Minimum 1 covered space / dwelling house • Maximum of 2 covered spaces / dwelling house. • Stacked parking may be provided only for use by the same dwelling. For Basement parking refer to 4.1.4 of this Part of the DCP.	N/A
Residential - Flat Buildings and Shop Top Housing		
Studios, 1-2 bedrooms	1 space / dwelling	1 space / 3 units
3 or more bedrooms	1.5 space / dwelling	1 space / 3 units
Visitor parking	0.25 space / dwelling	1 space / 3 units
Other Residential		
Boarding House	0.5 space / room	As per *State Environmental Planning Policy (Affordable Rental Housing) 2009*
Commercial - Business and Office		
General rate	1 space / 40m² GFA	Staff: 1 space / 10 employees Visitor: • Sites under 1000 m²: Nil • Sites over 1000 m²: 1 space / 750 m² over 1000 m²
Commercial - Retail		
General rate	1 space / 50m² in B4 zone 1 space / per 40m² GFA in all other zones	Staff: 1 space / 10 employees Visitor: 1 space / 750 m² over 1000 m²
	For applications involving existing buildings which do not involve additional floorspace, Council will give consideration to site characteristics when determining parking rates.	
Food and Drink premises#	Within Town Centre*: 1 space / 40m² GFA Outside Town Centre: 1 space / 7 m² GFA	Staff: 1 space / 100 m² GFA
Health consulting room	3 space / consulting room	N/A

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Development Type	Car Parking Rate	Bicycle Parking Rate
Recreation facility (indoor)	Within town centre*: 3 space / 100m² GFA Outside town centre: 4.5 – 7.5 space / 100m² GFA	Staff: 1 space / 4 employees Visitor: 1 space / 200 m² GFA
Industrial		
Factories	1.3 space / 100m² GFA	N/A
Vehicle repair stations	3 space / work bay 1 space / 40m² GFA of office	N/A
Warehouses	1 space / 300m² GFA	N/A
Other Land Use		
Centre Based Child Care Centres	Rely on Child Care Planning Guideline	Merit based assessment as per Child Care Planning Guide
Educational Establishments**	Primary Schools: 1 space per 1 staff + 1 visitor parking space per 100 students. Secondary Schools: 1 space per 20 year 12 students + 1 space per 1 staff + 1 visitor parking space per 100 students. Tertiary Institutions: 1 space per 6 students + 1 space per 1 staff + visitor parking space based on scale of institution.	1 space / 5 students over Year 4
Places of public worship***	Whichever is greater of: 1 space / 8m² GFA (total) or 1 space / 3 people	N/A
Sex services	1 space / service room	N/A

#Consideration will be given to change of use of existing buildings for food and drink premises where there is no increase in gross floor area, subject to appropriate parking and traffic justification.

**Town centre is land within a core area zoned primarily for business and commercial uses in B2 and B4 zones.*

***Applies to applications for new educational establishments and expansions of existing educational establishments.*

****Parking rates for places of public worship may differ in industrial zones, as outlined in section 4.7 of this Part.*

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4. Objectives and controls

4.1 Development in residential zones

The following provisions apply to all residential development.

Parking and site access

Objective

O1. Minimise visual and environmental impacts of car parking and access.

Controls

C1. Parking rates shall comply with the minimum parking rates in Section 3 of this Part of the DCP.

C2. One additional car parking space is permitted within the front setback area for single dwelling house development on the following roads, where all other provisions of the DCP are achieved (including landscaping area):

- Centenary Road, Wentworthville;
- Cumberland Highway;
- Merrylands Road (between Cumberland Highway and Clarence Street); and
- Great Western Highway.

For these specified roads, vehicles must be able to enter and exit the site in a forward direction.

Driveways

Objective

O1. To provide safe and practical access to properties.

Controls

C1. Only one driveway crossover shall be permitted per residential property where the property frontage is less than 15m.

C2. A maximum of 2 driveway crossovers shall be permitted for residential properties with a residential frontage of 15m or more.

C3. Single vehicle driveways shall be a maximum width of 3.5 metres along the front property boundary.

C4. Driveways which service a double garage shall be a maximum width of 6m.

C5. All new driveways shall be located a minimum of 1 metre from the side property boundaries.

C6. Where rear access is available, driveway access shall be located at the rear of the site.

C7. Driveways servicing car parking including manoeuvring areas to the parking bays shall comply with AS 2890 – Parking Facilities unless otherwise specified by Council.

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C8. The maximum gradient for a driveway shall be 20% or 1:5 (with appropriate transitions). However, in extreme circumstances, gradients up to 25% or 1:4 (with appropriate transitions) may be considered by Council, subject to individual merit.

C9. Minimum clearance of 1.2 metres shall be provided to structures, such as power poles, service pits and drainage pits.

C10. Vehicular access points and parking areas are to be:

- easily accessible and recognisable to motorists;
- located to minimise traffic hazards; and
- located to minimise the loss of on-street car parking.

C11. The area between the driveway and the property boundary shall be suitably landscaped to minimise the visual impacts of vehicular access points and to maximise the visual quality of the streetscape.

C12. Driveways shall be designed and constructed in materials to avoid glare and large expanses of plain concrete, whilst ensuring the driveway colour does not detract from the development and character of the street.

4.2 Garages and carports (dwellings and dual occupancies only)

Objectives

O1. Ensure garages do not visually dominate the appearance of buildings or the streetscape.

O2. Integrate design of access and parking facilities to minimise visual and environmental impacts.

O3. Ensure that the design of car parking structures is consistent with the dwelling house and has minimal impact on the streetscape.

Controls

Visual quality and streetscape character

C1. Garages shall not be a dominant feature of the dwelling house façade. The garage must be subservient in scale to the dwelling house, and integrated and compatible with the overall design of the dwelling house in terms of height, form, materials, detailing and colour.

C2. Garages and carports at grade are to be set back a minimum of 1 metre behind the front wall of the dwelling house.

C3. Where garaging is provided as part of the dwelling frontage, it must be integrated into the design of the dwelling house to minimise visual impact.

C4. Where the garage is proposed to be provided on the secondary street frontage, setbacks for garages should respect any existing adjacent development facing the secondary street, and should not be located forward of the associated main dwelling house.

C5. Detached garages and car parking structures shall be constructed using materials, colours and roof pitch that are similar and complementary to the main dwelling house.

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C6. The roofs of garages and car parking structures should be constructed of low reflective materials.

C7. No more than two single garages or one double garage shall be placed on the front facade.

C8. Where rear access is available and/or where this is the prevailing pattern of development in the street, the garage shall be located at the rear of the site.

Dimensions

C9. Parking spaces within an enclosed garage shall have minimum dimensions of 3 metres width x 5.4 metres length clear of walls and columns per vehicle.

C10. Single garage doors shall be a maximum of 3.5m and double garage doors shall be a maximum of 5.5 metres wide.

C11. Garage doors shall not exceed 50% of the width of the street elevation.

C12. The size of any garage shall be no more than a maximum of 50m2. If the proposed garage is to be greater than 50m2, any area in excess of this will be considered to be gross floor area.

C13. Triple garages are not permitted.

Carport (detached)

C14. Carport structures are not to be provided forward of the front building line, except where block dimensions are not sufficient to accommodate a carport elsewhere. In these circumstances, the design is to appropriately respond to the building and existing surrounds.

C15. Carports shall have an open design and result in minimal impact on the streetscape.

C16. A carport shall be open on two or more sides and not less than one-third of its perimeter open.

C17. Carports may be permitted forward of the building line within the permitted articulation zone.

C18. If it is comprised of metal components, it should be constructed of low reflective materials.

C19. If located within 900mm from the boundary, it shall be constructed of materials that require minimal maintenance.

Hardstand parking

C20. Where there is no rear lane and no capacity to access the rear yard by car from a street, an uncovered hardstand car space may be provided within the front setback where a minimum 6m setback is available.

4.3 Basement parking

Objective

O1. Provide safe, well designed, and functional basement parking within buildings.

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Controls

C1. Basement garages and driveways shall be permitted in accordance with the relevant Australian Standards. Where slope conditions require a basement, the area of the basement shall not significantly exceed the area required to meet the car parking and access requirements for the development.

C2. Basement parking shall be located within the building footprint.

C3. Basement parking shall not unreasonably increase the bulk and scale of development.

C4. Basement parking shall provide, where required, a pumpout drainage system according to Council's engineering requirements.

C5. Basement parking shall not affect the privacy of adjacent residential development.

C6. Basement parking manoeuvring shall ensure that vehicles can enter and exit in a forward direction.

C7. Basement access/ramp design shall comply with ramp requirements specified in AS2890.

4.4 Development in business zones

The following provisions apply to all commercial development.

Vehicle access

Objectives

O1. Minimise the impact of vehicle access on streetscape amenity, pedestrian safety and circulation within the centre.

O4. Integrate vehicular access and service areas into building design and streetscape character.

Controls

C1. Driveways shall be provided from laneways (existing or proposed), private accessways and secondary streets, where possible.

C2. If a building has access to a rear lane or sidestreet, the loading and unloading facilities and service access shall be provided from that lane.

C3. The location of vehicular access shall consider existing services (eg. power, drainage) and street trees.

C4. Car park entries and driveways shall be kept to a minimum and shall not be located on primary or core retail streets.

C5. Driveways shall be located at the required distance from the intersection of two roads.

C6. Vehicular access shall be integrated with the overall design of the building and shall consider site layout, streetscape character and façade design.

C7. All vehicles must be able to enter and leave the site in a forward direction.

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C8. The width of driveways is limited to a maximum of 8 metres at the boundary, including development with commercial loading docks and servicing (including waste servicing).

C9. Pedestrian safety is to be maintained through design, including ensuring clear sight lines at pedestrian and vehicular crossings and clearly differentiating vehicular and pedestrian access.

Parking

Objectives

O5. Ensure that adequate and convenient off-street parking facilities are provided for all vehicles generated by the various types of development.

O6. Ensure car parking is well designed and located to maintain positive streetscape character and active frontages, enable efficient use of the site and reduce its visual impact.

Controls

C10. Parking rates shall comply with the minimum parking rates in Section 3 of this Part of the DCP.

C11. On-site parking is to be accommodated within a basement wherever possible.

C12. Consolidate basement parking areas under building footprints to maximise the area available for landscaping.

C13. On-site parking is to be suitably screened from view of an active or main street frontage.

C14. Parking areas shall be designed to ensure pedestrian amenity and safety.

C15. Natural ventilation is to be facilitated to basement and sub-basement car parking areas, wherever possible, and with regard to any flooding issues.

C16. Ventilation grilles and structures shall be integrated into the façade and landscape design, should not be provided at active frontage and should not be near windows of habitable rooms and open space areas.

C17. Safe and secure access is to be provided from on-site parking for building users, including direct access from parking to lobbies.

C18. Marked pedestrian pathways with clear lines of sight and safe lighting shall be provided.

C19. Private car parking within mixed use developments must be clearly identified and separated from commercial car parking.

C20. Visitor parking shall be clearly identified and shall not be provided in the form of stacked/ tandem parking

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4.5 Development in industrial zones

The following provisions apply to all industrial development.

Car parking and design

Objectives

O1. Sufficient car parking is provided on-site to satisfy the likely peak parking demands of the development.

O7. Parking is integrated with site planning and landscaping, and is of adequate dimensions to facilitate convenient and safe usage.

O8. To ensure that at grade car parking on sites does not dominate the streetscape and the public domain.

Controls

C1. Parking rates shall comply with the minimum parking rates for cars and bicycles in Section 3 of this Part of the DCP.

C2. On-site parking is to be designed so that large expanses of bland concrete paving in the car parking and driveway areas are avoided.

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

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

Traffic and transport management plan

Objectives

O1. Ensure adequate arrangements for loading, parking and access are provided on site.

O2. Minimise unacceptable impacts on the surrounding transport / road network.

Control

C5. A traffic and transport management plan is to be prepared for the development. The plan is to include, at a minimum, details on the following items:

- type of transport used for the development, including operations, staff and visitors;
- frequency and duration of movements, including operations, staff and visitors;
- size of the largest vehicle accessing the site;
- internal management arrangements for vehicle movements, parking and access;
- potential scope for public transport, walking and cycling access and facilities for staff and visitors on the site;
- management arrangements should traffic and transport impacts flow outside the site where the development is located; and
- review mechanisms to confirm the effectiveness of the plan and to refine the plan as required.

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4.6 Loading requirements for commercial and industrial development

Objective

O1. Ensure adequate onsite facilities are provided within an industrial and commercial development for the loading and unloading of goods.

Controls

C1. Loading bays for trucks and commercial vehicles shall be provided in accordance with Table 2 below:

Table 2: Loading requirements for commercial and industrial development

Land use	Loading requirements
Business and office premises	1 space / 4,000m² GFA up to 20,000m² GFA, plus 1 space / 8,000m² thereafter
Retail premises - department stores	1 space / 1,500m² GFA up to 6,000m² GFA, plus 1 space / 3,000m² thereafter
Retail premises – shops and food and drink premises	1 space / 400m² GFA up to 2,000m² GFA, plus 1 space / 1,000m² GFA thereafter
Hotel and motel accommodation	1 space / 50 bedrooms or bedroom suites up to 200, plus 1 space / 100 thereafter, plus 1 space / 1,000m² of public area set aside for bar, tavern, lounge and restaurant
Other	1 space / 2,000m²
Industrial/warehouse, bulky goods retail and wholesale supplies	1 space / 800m² GFA up to 8,000m² GFA, plus 1 space / 1,000m² thereafter

The loading requirements for existing commercial and industrial developments where there is no addition to the gross floor area will be assessed on merit and existing site constraints.

C2. Loading/unloading areas shall be provided in accordance with applicable provisions of Australian Standard (AS 2890).

C3. Provide separation between parking and service areas (i.e. loading/unloading areas).

C4. Locate and design service areas to facilitate convenient and safe usage.

C5. Loading docks shall be located so as to not:

- interfere with visitor and employee parking spaces;
- interfere with pedestrians or vehicle circulation and access; and
- result in delivery vehicles queuing on any public road, footway, laneway or service road.

C6. A minimum of one loading space shall be provided internally within each industrial unit.

C7. Loading areas shall be designed for the largest size vehicle accessing the site.

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4.7 Other land use

Centre based child care facilities

Objectives

O1. Provide safe and convenient car parking arrangements for child care centres, including a safe location for drop-off and pick-up of children.

O9. Ensure sufficient off-street parking is provided for users of the child care centre.

Controls

C1. Parking rates shall comply with the minimum parking rates in Section 3 of this Part of the DCP.

C2. All vehicles shall be able to enter and leave the site in a forward direction.

C3. A reduction in car parking rates may be considered where:

- the proposal is an adaptive re-use of a heritage item;
- the site is in a high-density business or residential zone;
- the site is in proximity to high frequency and well-connected public transport;
- the site is co-located or in proximity to other uses where parking is appropriately provided (for example business centres, schools, public open space, car parks); and
- a pick up or drop off zone is provided.

Community facilities

Objectives

O1. Provide adequate car parking for community facilities, taking into account location, context and circumstances.

O2. Ensure that the impact of parking and vehicular movement for a community facility does not adversely impact the amenity and to manage congestion and public safety within the surround locality.

Controls

C1. Car parking shall be provided in accordance with the recommended rates following the completion of the traffic and transport impact statement. If Council is not satisfied with the car parking rate proposed in a development application, the car parking rate for places of public worship shall apply.

C2. All vehicles shall be able to enter and leave the site in a forward direction.

C3. Car parking shall be provided in addition to the minimum landscape area required.

C4. A traffic and transport impact statement will be required for developments with any capacity. The statement shall:

- assess the impact upon the surrounding streets and the measures proposed to mitigate such impacts;
- identify the number of parking spaces required on the basis of the general use of the site. Reference should be made to similar existing and operating premises in similar neighbourhoods as far as possible;

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- identify the activities (e.g. carnivals, celebrations, festivals) and other gatherings which are likely to attract larger than normal attendances at the premises, the attendance numbers associated with such events and measures to mitigate and manage their impacts associated with traffic movements. This is to be addressed in ongoing traffic and car parking plan of management;
- adequately consider future parking needs that may result from anticipated growth; and
- consider alternative modes of transport in addition to car parking to support access to the site, such as public transport, walking and cycling.

C5. Car parking design shall comply with AS 2890.

C6. Basement or at-grade parking must be provided for all new developments.

C7. At grade parking shall be considered where it does not adversely impact streetscape character. At grade parking shall be considered where it does not adversely impact streetscape character. Where at grade parking is provided, it shall be landscaped to a high quality and incorporate shade trees.

Educational establishments

Objectives

O1. Ensure that the surrounding street network and intersections continue to operate effectively and within design parameters.

O2. Ensure that the impact of parking and vehicular movement for an educational establishment does not adversely impact the amenity of the surrounding locality.

O3. Ensure adequate car and bicycle parking for employees and student drivers together with adequate pick-up and drop-off areas.

Controls

C1. Parking rates shall comply with the minimum parking rates in Section 3 of this Part of the DCP.

C2. A traffic and transport impact statement is to be included with the development application. The statement shall:

- assess the impact upon the surrounding streets and the measures proposed to mitigate such impacts;
- identify the number of parking spaces required on the basis of the Section 3 of this part of the DCP. On-site parking must be provided for employees, student drivers (for senior level educational establishments only), pick-up and drop-off areas, and motorcycle and bicycle parking;
- adequately consider future parking needs that may result from anticipated growth in the educational establishment; and
- identify opportunities for access by public transport, school transport, walking and cycling.

C3. New developments must provide dedicated on-site pick up and drop off areas for students by both car, public transport services and school transport services. Details on the ongoing management of these areas must be included in the operational plan of management.

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Places of public worship

Objectives

O1. Provide adequate car parking spaces' for places of public worship, taking into account location context and circumstances.

O2. Ensure that the impact of parking and vehicular movement for a place of public worship does not adversely impact the amenity and to manage congestion and public safety within the surrounding locality.

Controls

C1. Car parking for places of public worship shall comply with rates provided in Table 1 except for where the circumstances set out in C2 of this section apply.

C2. For places of public worship in industrial zones where:

- the majority services are conducted outside normal business hours; and
- the location of the development does not have any residential accommodation permitted:
  - in a zone adjacent to the proposed development; or
  - abutting against the proposed development; or
  - on the opposite side of the roadway; or
  - within 400 metres (as the crow flies) of the proposed development.

the required car parking rates are to be calculated as provided in Table 3 below.

Table 3: Places of public worship car parking rates in industrial zones that meet the criteria outlines in C2:

Development Type	Car Parking Rate
Places of Public Worship	Whichever is the greater of: 1 space / 12m2 GFA (total) or 1 space / 4 people

C3. Council may consider a reduction in on-site car parking provision on merit considering, for example, the ability to provide other parking arrangements and alternative modes of transport, including provision of cycle spaces and public transport availability

C4. All vehicles shall be able to enter and leave the site in a forward direction.

C5. Car parking shall be provided in addition to the minimum landscape area required.

C6. A traffic and parking impact statement is to be included with the development application. The statement shall:

- assess the traffic and transport impact upon the surrounding streets and the measures proposed to mitigate such impacts;
- identify the number of parking spaces required in this DCP;
- identify the activities (e.g. carnivals, celebrations, festivals) and other gatherings which are likely to attract larger than normal attendances at the premises, the attendance numbers associated with such events and measures to mitigate and

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manage their impacts associated with traffic movements and parking. This is to be addressed in the ongoing traffic and transport plan of management;
- adequately consider future parking needs that may result from anticipated growth in the congregation of places of public worship; and
- identify opportunities for access by public transport, school transport, walking and cycling.

C7. Car parking design shall comply with AS 2890.

C8. Basement or at-grade parking must be provided for all new developments. At grade parking shall be considered where it does not adversely impact streetscape character. Where at grade parking is provided, it shall be landscaped to a high quality and incorporate shade trees.

C9. Worship services shall not commence until thirty minutes have elapsed following the completion of any preceding service to manage traffic flow.

Sex service premises

Objectives

O10. Ensure that adequate on-site parking is provided for staff and visitors.

O11. Ensure that the location of parking does not adversely affect the surrounding locality, particularly residential properties and sensitive land uses.

O12. Ensure safety and security in car parking areas.

Controls

C1. Parking rates shall comply with the minimum parking rates in Section 3 of this Part of the DCP.

C2. Parking areas, access corridors and entrances are to be well lit and signposted at all times, but not interfere with the amenity of the area.

4.8 Development within site specific and special/other precincts

Controls

C1. This Part must be read in conjunction with Part F – Precinct and Site Specific Development Controls for development within designated site specific and special/other precinct locations contained in the *Cumberland DCP 20XX*.

C2. Where there is an inconsistency between this Part and any site specific controls as indicated in Part F, the controls contained in Part F will take precedent.

4.9 Electric vehicle charging points

Objectives

O1. To encourage and support increased usage of electric vehicles.

O2. To encourage the installation of appropriate electrical infrastructure in all new development to facilitate future electric vehicle charging points.

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Controls

C1. Electric circuitry to accommodate 'Level 2' electric vehicle charging points is encouraged, where possible, in off-street car parking of new residential and non-residential development to ensure that 100% of car spaces can install electric vehicle charging points in the future. This should include:

- ensuring adequate electrical capacity and infrastructure (cable size, distribution board size etc.) for the electric vehicle charging point system; and
- providing either buried cables underground or cable trays sufficient to accommodate electric circuitry to each car space.

C2. The installation of a 'Level 2' electric vehicle charging point is encouraged for all new residential and non-residential development (other than for dwelling houses, semi-detached dwellings or dual occupancies).

*Note: **'Level 2'** charging consisting of a single or three-phase power point with a power range of 7kW-22kW, as defined by the NSW Electric and Hybrid Vehicle Plan, Future Transport 2056 (21 January 2019). 'Level 2' electric vehicle charging provides a superior, faster and more stable charging option.*

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CUMBERLAND
CITY COUNCIL

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PART G4
STORMWATER AND DRAINAGE

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1. Introduction

1.1 Land to which this Part applies

This Part applies to development applications on all land within Cumberland City.

1.2 Purpose of this Part

Council's stormwater provisions aim to ensure appropriate management of stormwater flow, drainage and water quality.

1.3 Relationship to other Parts

Where relevant, this Part of the DCP should be read in conjunction with the following Parts of the DCP:

- Part A - Introduction;
- Part B - Development in Residential Zones;
- Part C - Development in Business Zones;
- Part D - Development in Industrial Zones;
- Part E - Other Land Use Development Controls; and
- Part F - Precinct and Site Specific Development Controls.

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2. Objectives and controls

2.1 General objectives

O1. Direct surface runoff from pervious and impervious areas (roofs, driveways, landscaping and paving) using a system of roof gutters, downpipes and surface inlet pits and is to be piped to Council's stormwater system.

O2. Minimise impacts of surface runoff on adjoining and downstream properties.

O3. To ensure effective property drainage.

2.2 Method of stormwater disposal from the site

Objective:

O1. To identify the available methods of stormwater disposal from applicable site.

Controls:

C1. All stormwater collecting as a result of the carrying out of development under this DCP must be directed by a gravity fed or charged system to:

(a) a public drainage system, or

(b) an inter-allotment drainage system, or

(c) an on-site disposal system.

2.3 Application requirements for stormwater and drainage

Objectives

O1. To establish general application lodgement requires for proposed development.

Controls

C1. All minor residential development will require concept stormwater plans for lodgement.

C2. All major development will require detailed stormwater plans designed by a qualified stormwater engineer or equivalent for lodgement.

C3. Lodgement requirements for stormwater and drainage shall be in accordance with Council's Development Application checklists and Development Application Guide for Lodgement.

2.4 Types of stormwater systems

General

Objectives

O1. Ensure that stormwater drainage from properties is directed to one of the following:

- Council's stormwater drainage system;
- Sydney Water Corporation drainage system; or
- Waterways.

O2. Avoid environmental impact on private property and the public domain.

Controls

C1. Discharge into the kerb and gutter shall be permitted if the discharge from the site does not exceed 30L/s. Only one discharge line shall be permitted within the footpaths per development. Unless specifically approved otherwise by Council, multiple pipelines within the footpaths shall not be permitted.

C2. Where the outlet pipe from the property exceeds 100mm in diameter, a converter pit is to be constructed inside the front boundary of the property. Flows between the converter pit and the kerb and gutter shall be discharged using a galvanised steel rectangular hollow section.

C3. Roof and surface stormwater shall be collected within the property to be discharged into Council's stormwater system or water course without impacting the nature of receiving body.

C4. Stormwater runoff from major and minor storm events is to be controlled within the property prior to it being discharged into Council's stormwater system.

C5. Overland flow through the property shall be maintained without impacting adjacent and downstream properties.

C6. Stormwater runoff shall be controlled and water quality improved where required.

Connection to Council, Sydney Water underground drainage systems or water course

Objective

O1. Ensure connections to the stormwater network are provided in accordance with Council, Sydney Water or relevant Authority standards and specifications.

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Control

C1. Where an adequate Council drainage line is available, connection into the system shall be permissible by means of an existing pit or constructing a new pit to Council's specifications.

Discharge to a natural watercourse

Objective

O1. To ensure appropriate assessment of any proposed discharge to a natural watercourse

Controls

C1. Discharge to a suitable natural watercourse or creek may be permissible subject to the approval of the responsible authority.

C2. The outlet at the point of discharge is to be designed to ensure the velocities are reduced sufficiently to prevent erosion of the receiving watercourse.

Properties sloping away from street

Objective

O1. Ensure that stormwater does not adversely affect downstream properties.

Controls

C1. Council shall generally not approve stormwater systems, which drain against the natural grade of the land. Where the property falls away from the road frontage, it should have or obtain the benefit of an inter-allotment drainage easement through properties downstream, unless the development satisfies the conditions outlined below permitting on-site disposal or the development is for minor residential development outlined in table 1.

Table 1: Acceptable systems for different development types

Proposed use or development	Stormwater System type		
	Gravity system	Alternate system as contained within this DCP	OSD Required
Dwelling houses (including single and 2 storey dwellings, additions, secondary dwellings)	✓	✓	N/A
Dual occupancies and manor houses	✓	✓	✓ *
Multi dwelling housing Residential flat buildings Seniors housing Boarding house	✓	N/A	✓
Educational establishments Places of public worship Places of public entertainment	✓	N/A	✓

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Proposed use or development	Stormwater System type		
	Gravity system	Alternate system as contained within this DCP	OSD Required
Child care centres Hospitals			
Commercial and industrial uses alterations and additions	✓	N/A	✓ *
New mixed use development and shop top housing	✓	N/A	✓
New Industrial and commercial building/development	✓	N/A	✓

**Required as per Part 2.4.7 of this DCP*

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On-site disposal

Objective

O1. To ensure any on-site disposal of stormwater is appropriately designed.

Controls

C1. On-site disposal is generally not permitted. However, for dwelling houses and secondary dwellings where the property falls away from its road frontage and does not have a drainage easement, Council shall give consideration to permitting driveways and landscaped areas to discharge to an on-site absorption trench.

C2. All roof areas shall be discharged to the road via a charged drainage system using sewer grade PVC pipes up to 100 year ARI storm event.

C3. The total impervious area draining to the trench shall not be greater than 60m².

C4. The absorption trench shall be constructed within a designated grassed area in accordance with Council's standard design. The minimum dimensions shall be 1m wide x 0.6m deep x 6m long to provide at a rate of 1.8m3 net volume per 60sqm, with two 600 x 600 inlet pits either side of the trench.

C5. Trenches shall be constructed parallel to the contour of the land, with the front and rear of the trench at least 3 metres away from any building or boundary unless special circumstances exist.

C6. Downstream buildings and improvements shall be required to have sufficient height above finished ground levels to prevent inundation or damage attributable to runoff from the subject site.

C7. Overflows from the on-site absorption trenches shall not be permitted to flow directly into bushland areas that are considered to be significant by Council.

Pumped discharge

Objective

O1. To ensure that any pumped discharge system is appropriately designed and regulated.

Controls

C1. The use of pumps shall only be permitted to drain underground parking area of a proposed development and the only inflow is seepage and runoff from an access driveway. See Table 2 for pump requirements.

Table 2: Pump Requirements

Driveway catchment area	60m² or 5% of basement area
Pump discharge rate	100 year ARI 5 minute storm duration
Required storage volume in tank	100 year ARI 90 minute storm duration
Required additional storage volume in car park area (aboveground volume)	Up to 100 year ARI 12 our storm duration

C2. Dual pumps shall be used in case of pump failure with each pump designed for the maximum discharge. Combined aboveground and underground storages shall be provided:

- Underground – 100 year ARI 90 minute storm; and
- Aboveground – up to 100 year ARI 12 hour storm

C3. A positive covenant shall be executed and registered against the title of the lot requiring ongoing maintenance and repair of the pump. The covenant shall:

- commit the owner to checking the condition of the pump by pumping water for at least five minutes every six months and a log book maintained of these periodic checks; and
- provide Council with the authority to enter the land and view the logbook and the condition of the pump twice a year following the giving of two days' notice.

<u>On-site detention</u>

Objective

O1. Ensure that through the on-site detention (OSD) of stormwater, discharge is controlled thereby ensuring the development does not increase the risk of downstream flooding of roads and properties, or erosion of unstable waterways.

O2. On-site detention of stormwater is generally incorporated into all development as a means of controlling and managing the flow of stormwater to Council's drainage system.

Controls

C1. On-site detention shall be required for all proposed development, re-development or new land subdivisions, except where:

- The proposal is a one-off extension up to 150m² impervious area for industrial or commercial development. Subsequent extensions require on-site detention facility.

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- Dual occupancy development is located within the Haslams Creek Catchment or Duck River East Catchment and compliant with the site coverage requirements of the DCP.
- Dwelling and secondary dwelling developments and any ancillary residential developments.

Design

Objective

O1. Ensure that sufficient storage is provided to ensure peak flow rates at any point within the downstream drainage system do not increase as a result of the development during all storm events up to the 100 year ARI.

Controls

C1. The permissible site detention (PSD) and site storage requirements (SSR) shall comply with the Upper Parramatta River Catchment Trust requirements.

C2. Alternative values for the required storage volume can be considered for larger sites greater than 3000sqm if the applicant demonstrates to Council's satisfaction using appropriate computer modelling that the relevant PSD shall be satisfied.

C3. Stormwater runoff from all new roof areas shall be routed through the OSD facility. Runoff entering the site from upstream and adjoining properties shall be directed bypassing the on-site detention system.

2.5 Technical details of stormwater and drainage systems

Pipes

Objective

O1. To ensure appropriate pipe design for effective stormwater management.

Controls

C1. The minimum pipe size shall be 100mm diameter and shall increase to 150mm diameter where the catchment draining to the pit is likely to contain significant leaf litter or other debris.

C2. Minimum pipe grade permitted shall be 1%, unless otherwise approved by Council's engineers. Pipes shall be designed to be self-cleansing without causing scour. The minimum pipe velocity shall be 0.6m/s during the design storm and a maximum velocity of 6m/s.

C3. Property drainage system shall be designed to 20 year average recurrence interval (ARI) and designated overland flow paths up to 100 year ARI.

C4. Property drainage system shall be designed to 20 year average recurrence interval (ARI) and designated pipe network or overland flow paths up to 100 year ARI where an On-Site Detention Facility is required.

C5. Overland flow through the property shall be provided without a pipe network.

Pits

Objective

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O1. To ensure appropriate pit design for effective stormwater management.

Controls

C1. All pits shall comply with the following requirements. See Table 3 for pit dimensions as specified in Australian Standards.

Table 3: Pit dimensions

Depth to invert at outlet (mm)	Minimum internal dimensions of pit (mm)	
	Width	Length
≤ 600	450	450
>600 ≤ 900	600	600
>900 ≤ 1200	600	900
>1200	900	900

C2. Surface inlet pits shall be sufficiently large to accept the predicted inflow.

C3. Pits deeper than 1.8m to be reinforced.

C4. PVC pits are only permitted in landscaped areas and courtyards and not in driveways.

C5. All masonry pits shall be cement rendered.

C6. Step irons spaced 300mm apart shall be provided for pits deeper than 1.2m.

C7. Pits and grated trench drains shall be positioned within the site to ensure:

- all runoff from roofed and paved areas is collected;
- runoff does not enter garages or buildings; and
- long term ponding of stormwater does not occur.

C8. Pedestrian access to buildings is not restricted by significant flow depths.

C9. Runoff from paved driveways and paths, or concentrated runoff from grassed and landscaped areas, shall not flow over the public footpath.

C10. Pits or cleansing eyes shall be provided at a maximum spacing of 30 metres along a length of pipe to facilitate cleaning.

C11. A cleaning eye or pit shall be provided at every bend.

C12. Trash screens shall be provided at the boundary pit prior to discharging to Council's system.

C13. Runoff from the site shall be routed through a sediment trap pit before it is discharged into Council's drainage system. Such sediment traps pits shall have a 200 mm sump below the invert level of the outlet pipe.

Overland flow paths

Objective

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O1. To ensure appropriate designation and treatment of overland flow paths

O2. To minimise damage to property and infrastructure

Controls

C1. Designated overland flow paths are to be provided within the development in case of pipe blockage or major storm events to direct runoff to receiving body without impacting the development or other properties.

C2. Provision shall be made to ensure runoff up to the 100 year ARI (minor system including overflows from roof gutters), is safely conveyed within formal or informal overland flow paths to the receiving body.

C3. Where it is not practicable to provide paths for overland flows, the piped drainage system shall be sized to accept runoff up to the 100 year ARI with the blockage factor.

C4. Development shall not cause flooding of adjoining properties.

C5. Runoff currently entering the site from upstream properties shall not be obstructed from flowing onto the site and shall not be redirected so as to increase the quantity or concentration of surface runoff entering adjoining properties.

C6. Where a site includes either an existing or a proposed overland flow path, register a restriction on use of land and a positive covenant on the title of the subject property. The covenant should require that the overland flow path on the site:

- not be altered; and
- be maintained in good working order.

Note: In this instance, "overland flow path" includes all structures, pipes, drains, walls, kerbs, pits, grates, fencing and all surfaces graded to convey and/or allow stormwater flows to pass through the site.

C7. Where the overland flow rates are high, the requirements outlined in Council's *Flood Risk Management Policy* on flood risk management will need to be satisfied.

Providing storage

Objective

O1. To ensure appropriate retention of stormwater to reduce impact of storm events on drainage networks

Controls

C1. Storage may be provided underground in tanks, aboveground as a shallow pond on a driveway, or as a combination of underground and aboveground storage. See Table 4 for parameters.

C2. A portion of the site (excluding roof area) shall discharge directly to Council's system if it cannot be drained through the storage facility, provided that the PSD is reduced to compensate for the smaller catchment. No more than 15% of the total site area shall be permitted to bypass the basin. The modified PSD shall be selected from the figure in the OSD calculation sheet. The calculation of storage requirement shall be based on the area which bypasses the basin.

C3. Maximum storage depth within the front setback shall not exceed 500mm and the front storage area shall have minimum 2m wide along the frontage.

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Table 4: Storage parameters

Area	Storage parameters
Parking/paved areas	150mm desirable 200mm maximum over grate.
Storage within front building line	500mm maximum
Landscaping	300mm desirable 600mm maximum over grate.
Fenced storage	1000mm maximum elsewhere onsite
Roof area	as required by structural integrity
Underground storage	500mm minimum for residential and 700mm for other uses subject to additional opening. 1200mm desirable

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Water quality

Objective

O1. Ensure implementation of appropriate water quality treatment for stormwater run off

Control

C1. All development shall seek to achieve the stormwater quality targets set out in Table 5.

Table 5: Stormwater quality targets

Stormwater quality targets		
Pollutant	Description	Reduction in Load
Litter e.g cans, bottles, wrapping materials, food scraps	All anthropogenic materials with a minimum dimension >5mm	90%
Coarse sediment	Coarse sand and soil particles (<0.5mm diameter)	85%
Nutrients	Total phosphorous nitrogen	60%
Fine particles	Coarse sand and soil particles (<0.05mm diameter)	85%
Cooking oil and grease	Free floating oils that do not emulsify aqueous solutions	90%
Hydrocarbons inc. motor fuels, oils and greases	Anthropogenic hydrocarbons that can be emulsified	90%

Inter-allotment drainage easements

Objective

O1. Ensure that properties drain to the natural catchment through a stormwater pipe traversing through a downstream property into Council's stormwater system.

Controls

C1. Where the creation of an inter-allotment drainage is required, the securing of such an easement is the applicant's responsibility. Any consent issued for such development shall be on a deferred commencement basis and shall not become operational until the easement has been prepared by a surveyor and has been registered with the relevant authority.

C2. Such easements shall be 1.2m wide – for up to 300mm lines unless otherwise approved by Council's engineer. The easement shall be in favour of the lot(s) benefited or Council, with Council being the body to release or modify the easement. Where adjoining downstream property owners are unwilling to grant an easement to drain water, under Section 88K of the Conveyancing Act 1919, the applicant/owner of the subject property may lodge an application to the Supreme Court under this section to obtain the required easement.

Easements to drain water

Objective

O1. To ensure the appropriate design and creation of drainage easements.

Controls

C1. Council shall require the creation of an easement in its favour, at the cost of the applicant, over all pipelines in which council has an interest, such as pipes which transfer runoff from a public land. With both new easements and existing easements, the conditions below shall apply.

C2. The required width of the easement shall be a minimum of 1.2m for pipes less than 300mm. The required width for pipes greater than 300mm diameter is to be a minimum of the width of the conduit plus 2m. The width of the easement shall be rounded up to the nearest 100mm.

C3. Only pavement and landscaped areas shall be permitted over Council easements without impeding any overland flow.

C4. The construction of a demountable carport spanning the easement can be considered. If approved it shall be necessary for the owner to enter a deed of agreement with Council to remove the structure at the owner's expense if access to the easement is required. Any such approvals shall not extinguish or limit Council's rights under the easement.

C5. Eaves, suspended patios or pedestrian bridges shall not be permitted.

C6. Where no easement exists over a stormwater line in which Council has an interest, or the existing easement is undersized, Council shall generally require the creation of such an easement as a condition of development consent. All setbacks shall account for the future presence of an easement.

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Restrictions as to use for overland flow

Objective

O1. Ensure that overland flow associated with Council's drainage system remains unimpeded and unobstructed.

Controls

C1. Where the property is affected by overland flow associated with Council's drainage system Council may require the creation of a Restriction as to Use on land under Section 88B of the Conveyancing Act 1919, to facilitate the passage of overland flow through the property. The restriction shall prohibit the placement of any structure of a permanent nature, or the varying of any finished ground level within the designated flow path without the prior consent of Council.

Construction of pipe drainage in public areas

Objective

O1. To ensure the design and construction of pipe drainage is safe and effective.

Controls

C1. The pipe within Council's asset shall be minimum 375mm class 2 reinforced concrete pipes with rubber ring joints.

C2. The minimum finished cover shall be 500mm unless otherwise approved by Council.

C3. Gully pits shall be cast in situ and designed in accordance with Council's Standard Drawings.

C4. Excavation shall be minimised. Gully pit depths shall be minimised for easy access and maintenance.

2.6 Flood risk management

General

Objectives

O1. To ensure the proponents of development and the community in general are aware of the potential flood hazard and consequent risk and liability associated with the use and development of flood liable land.

O2. To manage flood liable land in an economically, environmentally and socially sustainable manner.

O3. To allow development in the floodplain which reflects the sensitivity of the proposed development to the flood hazard, and subject to appropriate design and siting controls, to ensure that the particular consequences that could still arise from flooding remain acceptable having regard to the State Government's Flood Policy and the likely expectations of the community.

O4. To deal equitably and consistently with applications for development on land affected by potential floods, in accordance with the principles contained in the *Floodplain Development Manual* (NSW Government), and Council's *Flood Risk Management Policy*.

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O5. To apply a merit-based approach to all development decisions which takes account of social, economic and ecological as well as flooding considerations.

Controls

C1. The proposed development does not result in any increased risk to human life and does not increase the potential flood affectation on other development or properties.

C2. The additional economic and social costs which may arise from damage to property from flooding is no greater than that which can reasonably be managed by the property owner and general community.

C3. The proposal should only be permitted where effective warning time and reliable access is available for the evacuation of an area potentially affected by floods. Evacuation should be consistent with any relevant disaster plans (DISPLAN) or flood plan where in existence.

C4. A 15m setback from the mean high water mark applies to properties fronting Duck River to the east and 10m to Haslams Creek.

C5. The proposal does not adversely impact upon the recreational, ecological, aesthetic or utilitarian use of the waterway corridors, and where possible, should provide for their enhancement, in accordance with ecologically sustainable development principles.

C6. The proposal shall not have a significant detrimental impact on:

- water quality;
- native bushland vegetation;
- riparian vegetation;
- estuaries, wetlands, lakes or other water bodies;
- aquatic and terrestrial ecosystems;
- indigenous flora and fauna; or
- fluvial geomorphology.

C7. The filling of flood prone land, where acceptable and permitted by this Part, must involve the extraction of the practical maximum quantity of fill material from that part of the site adjoining the waterway.

C8. The proposed development shall comply with Council's *Flood Risk Management Policy*.

C9. Site specific flood studies shall comply with Council's standard requirements.

Fencing

Objective

O1. To ensure fencing within floodplain areas is appropriately designed.

Controls

C1. Fencing within the floodplain shall be constructed in a manner that does not affect the flow of floods.

C2. Fencing within a high flood risk precinct (FRP) shall not be permissible except for security/permeable/safety fences of a type approved by Council.

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C3. Council shall require a development application for all new solid (non-porous) and continuous fences in the high and medium risk FRPs, unless otherwise stated by exempt and complying development provisions.

2.7 Water Sensitive Urban Design, water quality and water re-use

Objectives

O1. To ensure development contributes to the protection and rehabilitation of waterways in order to improve waterway health and to develop and maintain ecologically sustainable waterways.

O2. To retain and reuse rainwater for non-potable uses including toilet flushing, laundry, garden watering and external cleaning, car washing.

O3. To recharged groundwater where possible while still protecting and/or enhancing groundwater quality.

O4. To reduce sediment and pollution to downstream areas and receiving waters.

Controls

Water Sensitive Urban Design (WSUD)

C1. All development applications for sites of 2,500m^2, or more in area must be supported by a Water Sensitive Urban Design Strategy, prepared by a qualified civil engineer with suitable experience.

C2. Development for the subdivision of sites of 2,500m^2 or more in area must achieve the stormwater flow targets in the Water Sensitive Urban Design Strategy, unless public water quality and flow structures downstream of the site allow these targets to be met. Details of compliance must be included in the Water Sensitive Urban Design Strategy supporting the development application.

C3. All other developments shall provide appropriate water sensitive treatments.

Water quality

C4. Water quality devices are required to prevent pollutants from commercial, industrial developments and car parking areas entering the waterways in order to improve waterway health and to develop and maintain ecologically sustainable waterways.

Water reuse

C5. For all developments (excluding single dwellings and dual occupancies), rainwater tanks or a water reuse device shall be incorporated into the stormwater drainage system with a minimum storage size of 5,000 litres (for site area less than 1500m^2) and 10,000 litres (for site area greater than 1500m^2).

C6. For dwelling houses (includes alterations and additions) exceeding 65% impervious area, a minimum capacity of 4,000 litres shall be provided, or that amount required by BASIX.

Erosion and sediment control

Controls

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C7. All runoff from surrounding land is diverted away from the area disturbed and polluted runoff is retained on-site.

C8. All disturbed areas are stabilised with vegetation immediately after site works are completed.

C9. Water discharging from site shall comply with standard guidelines

C10. The ESCP shall be in accordance with the standards outlined in *Managing Urban Stormwater: Soils and Construction* by the NSW Department of Housing.

C11. Soil and water management plans are prepared for larger development sites including residential flat buildings.

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CUMBERLAND CITY COUNCIL

PART G5

SUSTAINABILITY, BIODIVERSITY AND ENVIRONMENTAL MANAGEMENT

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1. Introduction

1.1 Land to which this Part applies

This Part applies to development applications on all land within Cumberland City.

1.2 Purpose of this Part

This Part provides objectives and controls for all aspects of a development concerning sustainability, biodiversity and environmental management.

Council's sustainability, biodiversity and environmental management provisions aim to:

- provide direction for protecting and enhancing Cumberland City's natural areas and environment; and
- to encourage sustainable design and measures to be incorporated in all forms of development.

1.3 Relationship to other Parts

Where relevant, this Part of the DCP should be read in conjunction with the following Parts of the DCP:

- Part A - Introduction;
- Part B - Development in Residential Zones;
- Part C - Development in Business Zones;
- Part D - Development in Industrial Zones;
- Part E - Other Land Use Development Controls; and
- Part F - Precinct and Site Specific Development Controls.

2. Objectives and controls

2.1 Groundwater

Objective

O1. Protect groundwater quality, flows and drainage patterns during demolition, construction and ongoing operation phases of a development.

Controls

C1. Operating practices and technology, including dewatering, shall not contaminate groundwater or adversely impact on adjoining properties and infrastructure. Any dewatering activities may require concurrence from the NSW Government. Any application to discharge ground and surface water to Council's stormwater system must be accompanied by a Dewatering Management Plan.

C2. Groundwater is to be recharged, where possible, while still protecting and/or enhancing groundwater quality, using water sensitive urban design.

C3. Protection measures for groundwater are to be proportional to the risk the development poses. Where the potential risk to groundwater is high, a separate Groundwater Impact and Management Report will be required.

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C4. The applicant must demonstrate that there will be no adverse impacts on surrounding or adjacent properties, infrastructure or groundwater dependant ecosystems as a result of:

- changes in the behaviour of groundwater created by the method of construction chosen; and/or
- changes to the behaviour of groundwater of the surrounding area, created by the nature of the constructed form and groundwater management system used.

2.2 Surface water

Controls

C1. All developments that have the potential to impact on stormwater quality must be consistent with the principles of water-sensitive urban design (WSUD).

C2. With respect to applications involving soil disturbance, the consent authority may request a management plan to be submitted detailing how surface water impacts will be managed in accordance with the NSW DEC's *Managing Urban Stormwater* series (2006). The specific type of plan will depend on the volume of soil disturbance that is proposed:

- developments involving 250 – 2500m^2: an erosion and sediment control plan (ESCP) must be provided, in accordance with NSW DEC's *Managing urban stormwater – Soils and Construction* Volume 1 (2006);
- developments involving >2500m^2: a soil and water management plan (SWMP) must be provided, in accordance with *NSW DEC's Managing Urban Stormwater* – Soils and Construction Volume 1 (2006).

C3. For sites with <250m^2 disturbance, applications will be assessed on a merit basis to determine if a management plan is required.

2.3 Land contamination

Objectives

O1. Ascertain the extent of contamination of existing undeveloped areas on site.

O2. Ensure that changes of land use will not increase the risk to public health or the environment.

O3. Ensure that any redevelopment of land for sensitive uses considers the potential contamination of the land.

O4. Avoid inappropriate restrictions on land that could otherwise be remediated.

O5. Consider the likelihood of land contamination as early as possible in the planning process.

O6. Link decisions about the development of land with the information available about contamination.

Controls

Development applications

C1. Prior to the submission of a development application, an assessment is to be made by the applicant under Clause 7 of SEPP No. 55 as to whether the subject land is

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contaminated prepared in accordance with the relevant Department of Planning, Industry and Environment Guidelines and the *Guideline to Asbestos Management in Cumberland Council 2018*.

C2. In accordance with Clause 7 (1) of SEPP No. 55 Council will not consent to development unless it has considered whether land is contaminated, and if the land is contaminated is suitable for the proposed purpose or is satisfied that the land will be appropriately remediated. Where land is proposed to be subject to remediation, adequate documentation is to be submitted to Council supporting the categorisation.

Development consent for remediation work

C3. Development consent is required for remediation work in sensitive areas (Category 1 remediation works) under Clause 8 (2) of SEPP No. 55.

C4. Development consent is not required for other remediation work (Category 2 remediation work) under Clause 8 (2) of SEPP No. 55. However, under Section 16 of the SEPP, notice is required to be given of the proposed work to Council before commencement of works.

Activities that may cause contamination

C5. Some activities that are likely to cause land contamination are shown in Table 1, as well as various types of Designated Development as outlined in Environmental Planning and Assessment Regulation 2000. For further information, refer to the Managing Land Contamination Planning Guidelines, Department of Urban Affairs and Planning and EPA, 1998.

Table 1: Activities that may cause contamination

Some activities that may cause contamination	
1. acid/alkali plant and formulation	14. iron and steel works
2. agricultural/horticultural activities	15. metal treatment
3. airports	16. mining and extractive industries
4. asbestos production and disposal	17. oil production and storage
5. chemicals manufacture and formulation	18. paint formulation and manufacture
6. defence works	19. pesticide manufacture and formulation
7. drum re-conditioning works	20. power stations
8. dry cleaning establishments	21. railway yards
9. electrical manufacturing (transformers)	22. scrap yards
10. electroplating and heat treatment premises	23. service stations
11. engine works	24. sheep and cattle dips
12. explosives industry	25. smelting and refining
13. gas works	26. tanning and associated trades
	27. waste storage and treatment
	28. wood preservation

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2.4 Air quality

Objectives

O1. Protect air quality and enhance environmental amenity.

O2. Minimise air pollution emissions and impacts on the environment associated with machinery or processes.

Controls

C1. Any machinery or processes used should not result in air pollution emissions that have a detrimental impact on the environment.

C2. Details of any equipment, processes and air pollution control or monitoring equipment shall be submitted to Council with a development application.

C3. Development that is likely to result in the emission of atmospheric pollutants, including odours, is to include operating practices and technology to ensure that the development does not contribute to increased air pollution.

C4. Effective site controls during and after demolition and construction are to ensure that development does not contribute to increased air pollution.

C5. Wood heaters/fireplaces in private homes shall comply with Australian Standard 4013 to minimise production of pollution.

C6. Discharge from premises of any matter, whether solid, liquid or gaseous is required to conform to the *Protection of the Environment Operations Act 1997* and its Regulations, or a pollution control approval issued by the NSW Office of Environment and Heritage for Scheduled Premises.

2.5 Biodiversity

Objectives

O1. Apply the biodiversity mitigation hierarchy to:

- avoid activities that lead to loss of biodiversity;
- minimise actions that harm biodiversity;
- rehabilitate areas that have been degraded; and
- offset loss of biodiversity.

O2. Respond to Biodiversity Management Principles in Section 2.2 of Council's *Cumberland Biodiversity Strategy 2019*.

O3. Protect and enhance network of green infrastructure (e.g. Green Grid opportunities, tree corridors, parks, reserves, water sensitive urban design).

O4. Minimise the impact of development on biodiversity in Cumberland City by:

- minimising the removal of indigenous vegetation and naturally occurring soils;
- conserving existing significant indigenous and native trees;
- encouraging planting of indigenous and native plants and trees on private property; and
- promoting measures to mitigate any adverse effects of the proposed development on the species, populations or ecological communities.

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O5. Retain and protect areas of existing biodiversity value, particularly biodiversity within the Duck River and Prospect Creek corridors to retain vegetation and fauna links to the Western Sydney Parklands and Parramatta River.

O6. Minimise impacts of development on any habitat or wildlife corridor.

Controls

C1. Development is to be sited and designed to minimise the impact on indigenous flora and fauna, including canopy trees and understorey vegetation, and on remnant native ground cover species.

C2. Development that impacts threatened species listed under the *Threatened Species Conservation Act 1995* must undergo an assessment of significance, which will determine the need for a species impact statement.

C3. New planting is to consist of species indigenous to the local vegetation community of the Cumberland Plain Woodland.

C4. Select species that minimise water use and drought tolerant.

C5. Preference is to be given to landscaping elements that provide/promote faunal habitat.

C6. Pruning or removal of trees must be in accordance with Council's *Tree Management Plan* (Refer also to DCP Part G- Tree Management and Landscaping).

C7. The Grey-headed Flying-Fox colony along Duck River, Clyde, is to be protected and preserved.

C8. A buffer of at least 25m from the boundary of the Grey-headed Flying-fox camp excludes vertical structures over 2m being built.

C9. An additional non-residential zoning buffer of at least 100m (from the Flying Fox Camp property boundary) exists on the land surrounding the camp (refer to Figure 1).

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Figure 1: Suggested buffer (100m) non-residential. Source: Duck River Grey-Headed Flying-Fox Camp Management Plan

C10. Development within these buffer zones should also make reference to the strategic guidance within the Duck River Grey-Headed Flying Fox Camp Management Plan. This document will be provided by Council upon request.

2.6 Energy efficiency and renewables

Objectives

O1. Promote ecologically sustainable development principles to promote energy efficiency and minimise the use of non-renewable energy in the construction and ongoing use of buildings.

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

O3. Encourage site planning and building design that optimises site conditions to achieve energy efficiency.

Control

C1. New development shall implement energy efficient design and promote renewable energy sources through the inclusion of solar panels, skylights, cross ventilation and other such measures.

Residential development

C2. Where applicable, development is to demonstrate compliance with the design principles embodied in the Building Sustainability Index (BASIX).

C3. The principles and properties of thermal mass, glazing, insulation and solar energy are to be recognised and incorporated into the design of residential development which are not subject to BASIX.

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Non-residential development

C4. Design heating/cooling systems to target only those spaces that require heating or cooling, not the whole building.

C5. Improve the efficiency of hot water systems through:

- the use of solar powered hot water systems. Solar and heat pump systems must be eligible for at least 24 Renewable Energy Certificates (RECs) and domestic type gas systems must have a minimum 3.5 star energy efficiency rating;
- insulating hot water systems; and
- installing water saving devices, such as flow regulators, 3 stars Water Efficiency Labelling and Standards Scheme (WELS Scheme) rated shower heads, dual flush toilets and tap aerators.

C6. Reduce reliance on artificial lighting and design lighting systems to target only those spaces which require lighting at any particular 'off-peak' time, not the whole building. Incorporate a timing system to automatically control the use of lighting throughout the building.

C7. All non-residential development Class 5-9 will need to comply with the Building Code of Australia energy efficiency provisions.

C8. An Energy Efficiency Report from a suitably qualified consultant that demonstrates a commitment to achieve no less than 4 stars under the Australian Building Greenhouse Rating Scheme (or equivalent) must be provided for all commercial and industrial development with a construction cost of over $5 million.

2.7 Protection of waterways

Objective

O1. Ensure development contributes to the protection and rehabilitation of waterways in order to improve waterway health and to develop and maintain ecologically sustainable waterways.

Controls

C1. Development is to make provision for buffer areas for the preservation and maintenance of floodway, riparian corridors and habitat protection. Refer to Clause 6.11 Foreshore Building Line and Clause 6.17 Riparian Land and Watercourse in the *Cumberland LEP 20XX*.

C2. Development on land subject to Clause 6.17 Riparian Land and Watercourse in the *Cumberland LEP 20XX* or that abuts a waterway is to be landscaped with local indigenous species, to protect bushland and wildlife corridors and soften the interface between the natural landscape and the urban environment. Riparian vegetation also plays an important role in stabilising bed and banks and attenuating flood flows.

C3. The piping, enclosing or artificial channelling of natural watercourses and drainage channels is not permitted. Consideration is to be given to re-opening piped or lined drainage systems wherever feasible.

C4. Development is to ensure that natural channel design principles are incorporated in any works on or in waterways (refer to Figure 2).

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C5. Ongoing maintenance costs are to be considered in the design of any waterway protection features.

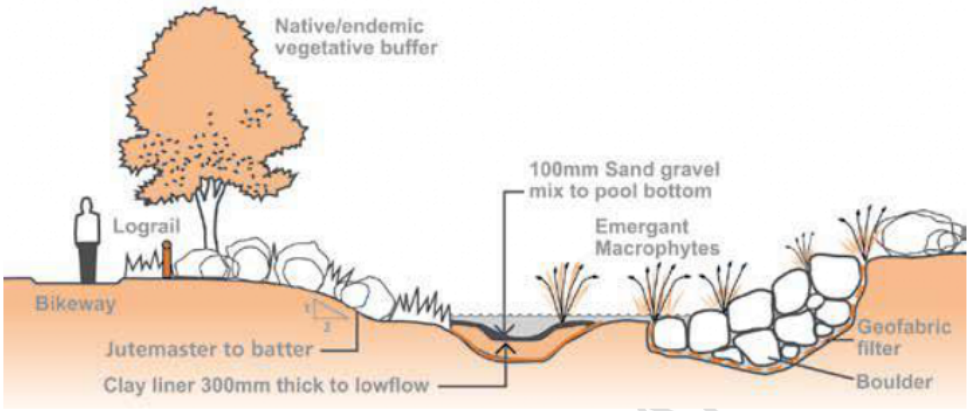

Figure 2: Elements of the Natural Drainage System. Sources: Stormwater outlets in parks and waterways (Brisbane City Council, 2001).

2.8 Development on land abutting the E2 Environmental Protection zone and W1 Natural Waterways zone

Objective

O1. Protect and preserve bushland and ecological communities in the E2 Environmental Protection and W1 Natural Waterways zones.

Control

C1. Development on land abutting land within the E2 Environmental Protection zone and W1 Natural Waterways zone must take into consideration all of the following:

- the need to retain any bushland on the land;
- the effect of the proposed development on bushland within or adjacent to the land, including the erosion of soils, the siltation of streams and waterways and the spread of weeds and exotic plants within the bushland, overshadowing, overland flows and stormwater runoff, and the removal or degradation of existing vegetation;
- the requirement for provision of a buffer zone on the abutting land to protect the bushland area;
- the protection of endangered ecological communities and recovery plans prepared and approved under the Biodiversity Conservation Act 2016; and
- any other matters which are relevant to the protection and preservation of the bushland area.

2.9 Prospect Creek

Prospect Creek – Land Fronting Pine Road, Dursey Road and Fairfield Road, Yennora with a Boundary to Prospect Creek.

The area occupied by and immediately adjoining Prospect Creek fulfils the role of a valuable open space and ecologically sensitive linkage. It benefits by supporting a fragile ecosystem as well as performing the role of a natural watercourse which requires regular maintenance. Within

Cumberland LEP 20XX, this corridor has been zoned E2 Environmental Conservation, and where it forms part of the bank of Prospect Creek is identified on the Biodiversity map, the Endangered Ecological Communities map and the Riparian Land and Waterways map. Local clause 6.2 Biodiversity protection and Riparian land and local clause 6.17 Riparian land and watercourses.

Control

C1. In addition to the requirements for land within the Environmental Conservation zone and the local clauses of the *Cumberland LEP 20XX*, such land shall not be used for the erection or use of any building or the carrying out or use of any work other than for landscaping, bush fire hazard reduction, subdivision, drainage or installation of underground utility services. Further details can be gained by contacting Council.

2.10 Urban heat management

Reference to the Green Star Design and As Built Submission Guidelines (V1.2) developed by Green Building Council of Australia *and WSROC Turn Down the Heat Strategy and Action Plan 2018*.

Objectives

O1. Encourage residential development that is designed to reduce the 'heat island effect'.

O2. Encourage developments to incorporate green infrastructure, water and cool materials to reduce urban heat.

Controls

General

C1. Residential development is to include one or a combination of the following:

- vegetation and trees;
- green roofs;
  - for roof pitched<15◦ - a three-year SRI of a minimum 64; or
  - for roof pitched>15◦ - a three-year SRI of minimum 34.
- only where the three-year Solar Reflectance Index (SRI) of minimum 34 or an initial SRI of minimum 39;
  - for roof pitched<15◦ - an initial SRI of minimum 82; or
  - for roof pitched>15◦ - an initial SRI of minimum 39.
- unshaded hard-scaping elements with a three year SRI of minimum 34 or an initial SRI of minimum 39;
- hardscaping elements shaded by overhanging vegetation of roof structures, including solar hot water panels and photovoltaic panels;
- water sensitive urban design, water bodies and/or water courses;
- using cool materials in construction which have high solar reflectivity and high emissivity value e.g. in roofs, pavements and hard surfaces; or
- areas directly to the south of vertical building elements, including green walls and areas shaded by these elements at the summer solstice.

C2. A development application for new low-density development is to include evidence to demonstrate how the above urban heat management will be addressed.

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Materials and finishes

Objective

O3. Mitigate the urban heat island effect through materiality and finishes.

Controls

C3. Roofs shall be constructed from high albedo, low solar absorptance or a high solar reflectance material.

Pavements shall be predominantly light colours and incorporate permeable paving where possible.

C4. Improvements to local green infrastructure (such as the urban tree canopy) on public or private land is encouraged.

C5. Water Sensitive Urban Design (WSUD) measures that are incorporated into dwelling, private open space and streetscape design are encouraged, and may include:

- water efficient fittings and appliances;
- rainwater tanks; and,
- bio-retention systems.

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PART G6
TELECOMMUNICATIONS FACILITIES

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1. Introduction

1.1 Land to which this Part applies

This Part applies to all development applications and all types of telecommunications facilities and equipment requiring development consent within Cumberland City.

1.2 Purpose of this Part

Council's telecommunications facilities provisions aim to ensure telecommunications infrastructure deemed to be 'not low-impact' is developed with appropriate consideration for public health and safety, siting, aesthetics and environment.

1.3 Relationship to other Parts

Where relevant, this Part of the DCP should be read in conjunction with the following Parts of the DCP:

- Part A - Introduction;
- Part B - Development in Residential Zones;
- Part C - Development in Business Zones;
- Part D - Development in Industrial Zones;
- Part E - Other Land Use Development Controls; and
- Part F - Precinct and Site Specific Development Controls.

2. Objectives and controls

Note: The NSW Telecommunications Facilities Guideline Including Broadband (Department of Planning 2010) provides principles and measures to control telecommunications facilities.

2.1 General

Objectives

O1. Minimise the possible adverse public health effects of electromagnetic radiation emitted from telecommunications facilities and equipment.

O2. Minimise the visibility and visual impact of telecommunication facilities and equipment.

O3. Encourage the location of facilities and equipment emitting electro-magnetic radiation away from community sensitive locations.

Controls

Health and safety

C1. Telecommunication carriers will be required to demonstrate that the development will not cause a level of electromagnetic radiation as measured cumulatively across all sources of more than the relevant Australian exposure standard at ground level within 300m of the proposed transmitting facility.

C2. Comply with industry standards recognised by Australian Communications Authority (ACA) as a standard for use in that industry.

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C3. A telecommunications facility must be designed, installed and operated so that the maximum human exposure levels to radiofrequency emissions comply with Radiation Protection Standard – Maximum Exposure Levels to Radiofrequency Fields.

C4. Submit an annual statement of compliance with the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) Standard for radiation emissions from towers.

C5. Take measures to ensure public safety for telecommunications facilities with respect to their structural and electrical safety. A certificate from a suitably qualified structural engineer showing conformity to the relevant Australian Standard is to be provided for soundness of roof top structures.

Siting

C6. Take all reasonable steps to co-locate with existing facilities, while ensuring that the cumulative impact of electromagnetic radiation (EMR) remains safe, has minimal visual and noise impact, does not compromise the structural integrity of the facilities. Co-location is particularly favoured in industrial, business, recreational and special uses zones.

C7. Where co-location is an option that has been rejected, the carrier must explain to Council the reason for that decision.

C8. Avoid locations in which the facility visually dominates a visually sensitive landscape.

C9. Give evidence of negotiation with stakeholders to find a mutually acceptable location.

C10. Do not locate a tower on a streetscape within the same view as heritage buildings or where, in the opinion of Council, the tower would detract from the heritage significance or setting of an item of environmental heritage identified in Schedule 5 of Council's Local Environmental Plan.

C11. Do not locate a tower within 6m of any property boundary within a residential zone, to minimise visual impact.

C12. Do not locate a tower within 6m of any residential building, to minimise visual impact.

C13. Do not erect communications dishes (radio and satellite) on the balconies of residential flat buildings and medium density developments where they will be visible from the street.

C14. Do not erect more than one communications dish (radio and satellite) on the roof of residential flat buildings and medium density developments where they will be visible from the street.

C15. A rooftop antenna or dish should only be located on a building within industrial, business, recreational and special uses zones.

C16. Antennas and dishes, as defined in the above clause, should not be located on rooftops where:

- the building is a heritage item as identified in Council's Local Environmental Plan;
- the antennae and dishes are visible from the fronting road at pedestrian eye level;
- the rooftop faces the street; and
- within residential areas, the dishes must not be greater than 1.2m in diameter and/or 1.8m above the ridgeline.

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C17. Antennas and dishes should not be located in the front setback of a residential property, to minimise visibility and visual impact.

Aesthetics

C18. Ensure the design, materials, and colour of telecommunications equipment are consistent with the surrounding architecture and environment. Where attached to a building, integrate equipment as far as possible into the overall architecture and colour of the host building. Visual clutter is to be reduced particularly on tops of buildings.

C19. Physical dimensions (including support mounts) should be sympathetic to the scale and height of the building to which it is to be attached, and sympathetic to adjacent buildings.

C20. Advertising signs or messages of any type, including corporate logos and night illumination, shall not be included on towers and associated facilities.

C21. Landscape around towers, associated equipment and structures are to screen or soften the visual impact of the proposed tower when viewed from any public place.

C22. Facilities and equipment must have no negative impact on the streetscape associated with a heritage item or conservation area. All cabling on or in the visual vicinity of a heritage item must be unobtrusive. Dishes should be ground mounted and not visible from the street.

C23. Towers should be a self-supporting "slimline monopole" construction to minimise visual intrusion in the given locality or streetscape.

Environment

C24. Undertake site analysis to respond to site conditions.

C25. Minimise cut and fill and disturbance to natural topography and vegetation.

C26. Minimise impacts on flora and fauna during construction, maintenance and operation of facilities and regenerate the understorey appropriately where disruption occurs.

C27. A telecommunications facility that is no longer required is to be removed and the site restored, as far as practical, to its original state.

C28. Locate microwave base stations and structures of similar bulk and scale, preferably above the 1% Annual Exceedance Probability flood level.

C29. Where facilities are required to be located within the 1% AEP, do not locate base stations, towers and associated facilities within the floodway, or obstruct or reduce storage volume of waters in any flood plain. To this end, the floor level of any associated facility should not be less than 500mm above the 1% AEP flood level (known as the flood planning level), with a substructure that does not obstruct the flow of water through the site.

C30. Any fencing to the periphery of the substation compound shall be of pool type fencing or similar impervious construction of a decorative nature that does not obstruct the flow of water through the site.

C31. Noise levels should be consistent with acoustic requirements for day and night as measured by the NSW Noise Guide for Local Government.

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PART G7
TREE MANAGEMENT AND LANDSCAPING

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1. Introduction

1.1 Land to which this Part applies

This Part applies to development applications on all land within Cumberland City.

1.2 Purpose of this Part

Council's tree management and landscaping provisions aim to protect the ecological and landscape values of the Cumberland City area.

1.3 Relationship to other Parts

Where relevant, this Part of the DCP should be read in conjunction with the following Parts of the DCP:

- Part A: Introduction;
- Part B: Development in Residential Zones;
- Part C: Development in Business Zones;
- Part D: Development in Industrial Zones;
- Part E: Other Land Use Development Controls; and
- Part F: Precinct and Site-Specific Development Controls.

2. Objectives and controls

2.1 Preservation of trees

Objectives

O1. Guide the management of trees and conserve trees and vegetation where appropriate.

O2. Provide and retain habitats for native wildlife.

O3. Facilitate a high standard of environmental quality for developments and enhance the streetscape and amenity.

Controls

C1. The following are not considered to be substantive criteria for tree removal:

- flower, leaf or fruit fall causing nuisance;
- to increase general natural light;
- to enhance views;
- to reduce shade created by a tree;
- tree not suiting existing or proposed landscape;
- unsubstantiated fear of tree failure;
- a tree being too large or high; and
- to increase direct sunlight onto solar panels or pool heating apparatus.

C2. *SEPP (Vegetation in Non-Rural Areas) 2017* applies to all trees and vegetation defined as any woody perennial plant that is 4m or greater in height, measured from the base of the tree at ground level to the highest point of live foliage.

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C3. SEPP (Vegetation in Non-Rural Areas) 2017 does not apply to:

- tree species and vegetation listed in Table 1 (except where located in Pemulwuy or within a heritage item).
- any tree located less than 2m from the external walls of an approved residential dwelling, as measured from the outside edge of the trunk at 1m above existing ground level.
- any Liquidambar styraciflua tree located less than 5m from the external walls of an approved residential dwelling, as measured from the outside edge of the trunk at 1m above existing ground level.
- any Ficus spp. tree located less than 5m from the external walls of an approved residential dwelling as measured from the outside edge of the trunk at 1m above existing ground level, or less than 3m from an adjoining property boundary, as measured from the outside edge of the trunk at 1m above existing ground level.
- to the removal of a completely dead tree on the basis that the dead tree is not providing habitat for native fauna. If any part of the tree is still alive, a permit from Council is required for its removal.

Table 1: Tree Species and Vegetation

Botanical Name	Common Name
Acacia baileyana	Cootamundra Wattle
Acacia decurrens	Green Wattle
Acacia saligna	W.A. Gold Wattle
Acer negundo	Box Elder
Albizia lopantha	Crested Wattle
Ailanthus altissima	Tree of Heaven
Alnus jorullensis	Evergreen Alder
Bambusa spp.	Bamboo
Cestrum parqui	Green Cestrum
Celtis spp.	Hackberry
Cinnamomum camphora	Camphor Laurel
Cotoneaster spp.	Cotoneaster
Diospyros spp.	Fruiting Persimmons
Eribotrya spp.	Loquats
Erythrina spp.	Coral Tree
Ficus benjamina	Weeping Fig
Ficus elastica	Rubber Tree
Gleditsia triacanthos	Honey locust
Lagurnaria Patersonia	Norfolk Island Hibiscus
Ligustrum spp.	Privet
Malus spp.	Apples

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Botanical Name	Common Name
Melia azedarach	White Cedar
Morus spp.	Mulberry
Nerium oleander	Oleander
Olea africana	African Olive
Olea spp.	Edible Olives
Populus spp.	Poplar
Prunus spp.	Peaches, Plums, Apricots etc
Pyracantha spp.	Pyracantha
*Pyrus spp.	Edible Pears
Ricinus connunis	Castor Oil Plant
Robinia pseudocacaia	Black Locust
Salix spp.	Willows
Schefflera actinophylla	Umbrella Tree
Schinus terebinthifolius	Brazilian Pepper Tree
Syagrus romanzoffianum	Cocos Palm
Toxicodendron succedaneum	Rhus Tree
Vachellia karoo	Sweet Thorn

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2.2 Tree management and proposed development

Objectives

O1. Preserve significant trees in the public and private domain and prevent harm or damage.

O2. Ensure appropriate protection measures are in place during construction.

Controls

C1. All proposals and development works shall comply with Australian Standard 4970-2009 'Protection of Trees on Development Sites'.

C2. Development shall be designed to incorporate existing trees that are identified as being suitable for retention, with adequate setbacks to any works and protection measures stipulated in accordance with AS 4970-2009 to ensure their long-term survival.

C3. Development proposals must consider existing trees situated on adjacent properties with adequate setbacks to any works and protection measures stipulated in accordance with AS4970-2009 to ensure their long-term survival.

C4. The location of vehicular driveways in relation to existing trees is to consider impact on, and distance from, that tree.

C5. Development shall not impact trees on public land.

C6. Trees assessed as having medium or high landscape significance retention value should be retained, with adequate setbacks to any development works to ensure their long-term survival.

C7. Council may require an Arborist Report and/or Tree Protection Plan, to be prepared in accordance with Council's Submission Requirements for Consulting Arborists' Impact Assessment Report document, and submitted with development applications when any existing trees are to be retained.

C8. Applicants should be aware of the requirements set out under Section 2.1- Preservation of Trees of this Part.

C9. A development application must be lodged for tree and vegetation works in relation to a heritage item.

2.3 Landscaping

Objectives

O1. Maintain the character of place that trees and vegetation provide to the Cumberland City.

O2. Reserve and protect the ecological and aesthetic value of quality landscaping in the Cumberland City.

Controls

C1. Where a landscape plan is required, it shall be prepared by an appropriately qualified person such as an experienced Landscape Architect/Landscape Designer. The landscape plan shall be prepared at a minimum scale of 1:100, be fully documented with the inclusion of a plant schedule and show sufficient detail to enable construction.

C2. For existing trees that are approved to be removed by Council as part of a proposed development, the following tree replacement offset planting is required:

- for existing trees removed that are a height of between 4m-9m, a 1:1 replacement offset applies; and
- for existing trees removed that are a height greater than 10m, a 2:1 replacement offset applies.

The preference is for offset planting to be undertaken on the property related to the development application. Any alternate locations are to be considered on merit by Council, with reference to applicable strategies and plans.

C3. Tree species to be used for offset planting must be installed as minimum 45L container stock size and be of a species that is capable of reaching a height greater than 10m, given the proposed location and soil volume.

C4. Landscaping shall be provided to enhance the streetscape and setting of development, incorporating a mix of trees, shrubs and ground covers planted appropriately and where necessary, providing essential screening or solar access roles.

C5. Where trees are to be planted, consideration must be given to the species type, height and size of the tree at maturity and to the distance of the tree to any structure including stormwater pits and services such as overhead powerlines and underground pipework.

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C6. Proposed locations for tree species that reach a height of 10m or greater must maintain a minimum distance of 2m from all adjoining boundary fence lines at the time of planting.

2.4 Landscaping specification

Objective

O1. Ensure landscaping encourages sustainability, through chosen materials and plant and soil types.

Controls

C1. Proposed landscaping shall incorporate environmentally sustainable principles through species selection, minimal water usage, irrigation method schemes, and soil and mulch types.

C2. Where land is affected or has high potential to be affected by salinity, proposed landscaping shall consider soil salinity through species selection and soil types.

C3. Landscaping shall ensure that it is in keeping with the character of its locality, be aware of its function associated with the proposed land use, and the amenity of the site and streetscape.

C4. All landscape works on structures including planter box and roof gardens shall provide the minimum soil depths as stated below:

Tree Size	Minimum Soil Depth
Small Trees (Canopy up to 5m)	800mm
Medium Trees (Canopy up to 10m)	1m
Large Tree (Canopy greater than 10m)	1.3m

2.5 Tree removal and/or pruning

Objectives

O1. Ensure the retention of healthy and structurally sound trees.

O2. Enhance the streetscape and amenity for the Cumberland City area.

Controls

Tree Removal

C1. Council may refuse an application for tree removal, but provide either:

- where appropriate, consent for pruning works to a tree or vegetation; or
- alternative solutions for the rectification of tree related issues in lieu of permitting removal.

C2. In assessing a development application for the removal of a tree or vegetation that is subject to the provisions of *SEPP (Vegetation in Non-Rural Areas) 2017*, Council will consider but not limit its assessment to the following matters:

- health and structural condition of the tree or vegetation;
- hazard and risk;

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- significance in the surrounding landscape/streetscape;
- amenity provided by the tree or vegetation;
- suitability of the species and location of the tree or vegetation;
- ecological significance; and
- alternative planting.

If a tree is to be removed for these purposes, documentary evidence of the impact is to be provided for Council's consideration.

C3. Where a tree is located between two properties, Council may consider its removal subject to the assessment of the application.

Pruning

C4. The following pruning works are exempt from requiring consent:

- pruning of deadwood; dying, diseased or conflicting branches, or dead palm fronds;
- pruning of any vegetation overhanging pedestrian walkways or driveways to a clearance height of 2.4m above existing ground level, as per clause 7.2.2 of *AS4373-2007 – Pruning of Amenity Trees*, to a maximum branch diameter of 150mm; and
- pruning of branches that have been extensively damaged as a result of recent severe storms or lightning damage.

C4. The following pruning works are exempt from requiring consent, where the branch size is no greater than 150mm in diameter at the branch union, and where pruned in compliance with *AS 4373 – Pruning of Amenity Trees*:

- pruning the lower lateral branches of a tree to 2.4m above existing ground level;
- pruning of lateral branches of a tree to allow for a maximum clearance of 1m from the main electrical powerlines or other service lines to an approved building;
- minor pruning of branches to remove maximum of 5% of live tree crown in one calendar year;
- crown modification pruning of hedge that is 4m or greater in height, by no more than 20% of its height and or width in any one year; and
- pruning of branches to provide adequate building clearance of 1.5m from all external walls and rooflines of residential dwellings, residential flats/units and commercial buildings.

C5. Other than those exempt pruning works above, the following pruning works as defined under clauses 7.2 and 7.3 of *AS 4373-2007 – Pruning of Amenity Trees* and performed by a minimum AQF Level 3 Arborist, require a permit from Council:

- crown thinning and lifting, selective pruning, formative pruning, and remedial (restorative) pruning where the works require the removal of branches greater than 150mm in diameter and/or more than 5% of live crown is to be removed from the tree; and
- pruning of trees located on neighbouring properties where branches overhang your property boundary, irrespective of branch diameter or the extent of live crown to be pruned. These works require the tree owner's written consent and the relevant permit from Council prior to undertaking such works.

C6. The pruning of tree live tree roots greater than 30mm in diameter requires consent from Council, irrespective of where the base of the tree is located, and the species of tree proposed for pruning of its root(s).

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C7. Pruning of trees located on neighbouring properties that overhang your property boundary may be undertaken, provided that it can be carried out in accordance with AS 4373-2007 – 'Pruning of Amenity Trees' from within your property and the relevant consent has been obtained from Council prior to undertaking such works.

2.6 Storm damaged trees and natural disasters

Objective

O1. Ensure public safety and reduce potential and actual damage to properties.

Controls

C1. Where emergency tree work is required, such as due to storms or windy conditions, works to severely damaged trees or branches as assessed by an AQF Level 5 Consulting Arborist are exempt to ensure public safety and to minimise property damage.

C2. Where the likelihood of tree/ tree branch failure has been identified by an AQF Level 5 Consulting Arborist, an emergency application to Council may be made by telephone to Council where property or pedestrian occupancy cannot be removed or redirected away from the fall zone of the tree/s.

C3. On completion of the emergency works, the affected parties and/ or the assessing Consulting Arborist will be required to provide Council with a written and photographic record of the required tree works.

C4. Where a natural disaster has been declared by the NSW Government, for all or part of the Cumberland City area, Council will notify residents through various channels of the media of the terms for permitting emergency tree works to ensure public safety and to minimise property damage.

2.7 Construction

Objectives

O1. Encourage the retention of healthy and structurally sound trees.

O2. Ensure appropriate protection measures are in place during construction.

Controls

<u>During Construction</u>

C1. Council may require an independent consulting arborist (AQF Level 5) to supervise and certify all works adjacent to trees that are required to be retained.

C2. A Tree Protection Zone (TPZ) must be established as per AS4970-2009 before the commencement of construction, for the protection of existing trees nominated for retention, and shall remain in place until the end of construction.

C3. Unless specifically authorized by Council in writing by Council, no activities are permitted within the TPZ.

<u>Post Construction</u>

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C4. Council requires all landscape areas to be maintained to a professional standard to ensure the successful establishment of new plants and the ongoing appeal of the development. Council may require the provision of a maintenance schedule.

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PART G8
WASTE MANAGEMENT

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1. Introduction

1.1 Land to which the Part applies

This Part applies to all development applications on all land within Cumberland City.

1.2 Purpose of this Part

Council's waste management provisions aim to ensure appropriate management of waste and recycling and to minimise the generation of waste.

1.3 Relationship to other Parts

Where relevant, this Part of the DCP should be read in conjunction with the following Parts of the DCP:

- Part A - Introduction;
- Part B - Development in Residential Zones;
- Part C - Development in Business Zones;
- Part D - Development in Industrial Zones;
- Part E - Other Land Use Development Controls; and
- Part F - Precinct and Site Specific Development Controls.

2. General objectives

Objectives

O1. Ensure waste minimisation through source separation, reuse and recycling.

O2. Ensure efficient storage, access, collection of waste and quality design of facilities.

O3. Implement the principles of the waste hierarchy of avoiding, reusing and recycling during the demolition, construction and ongoing use of premises through efficient resource recovery.

O4. Promote the principles of ecologically sustainable development through waste avoidance, resource recovery and recycling to achieve improved environmental outcomes.

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3. Objectives and controls

3.1 Demolition and construction

Objectives

O1. Ensure the adoption of efficient waste management strategies which include waste minimisation, re-use and recycling for demolition materials and construction waste.

O2. Encourage demolition, building design and construction techniques which will avoid and minimise waste generation.

O3. Maximise reuse and recycling of building and construction materials and minimise disposal of materials to landfill.

Controls

C1. All materials that arise from demolition and construction shall comply with a Waste Management Plan (WMP) before recycling or disposal.

Note: The WMP shall provide details of on-site storage, volume or area estimates and information about reuse, recycling and disposal options for all waste produced on-site, including excavation materials.

C2. The WMP is a plan that provides Council with details of the following:

- the volume and type of waste to be generated;
- how the waste is to be stored and treated on-site;
- how the waste is to be disposed of; and
- how ongoing waste management will function.

The applicant should also consider the following additional criteria when planning and undertaking demolition:

- does the site require a contaminated land assessment?
- what type of waste is going to be produced from the site?
- is the waste to be produced hazardous (e.g. does it contain lead paint or asbestos)?
- will special arrangements need to be made for the removal and disposal of hazardous material and it will need to be separately handled and stored on-site?
- can packaging be reduced or recycled by:
  - returning packaging to the supplier?
  - seeking cardboard or metal drums instead of plastic?
  - seeking metal straps rather than shrink wrap?
  - returning packaging such as delivery storage pallets and reels?

3.2 Commercial development

Objectives

O1. Encourage waste minimisation (source separation, reuse and recycling) and ensure efficient storage, access, collection of waste and quality design of facilities.

O2. Achieve the design of waste and recycling storage/collection systems in buildings and land use activities which are: hygienic; accessible; safe to operate; quiet to operate; of an adequate size; and visually compatible with the surroundings.

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O3. Ensure that adequate and appropriate storage areas for recyclables and waste are designed to meet the objectives of ecologically sustainable development.

Controls

C1. The number of bins required and size of storage area will be calculated against the current standard NSW commercial waste generation rates are those established by the Combined Sydney Region of Councils set out in Table 1 below.

Table 2: Indicative waste and recycling generation rates for various premises.

Type of Premises	Waste Generation	Recycling Generation
Accommodation facilities		
Backpacker hostel	40L/occupant/week	20L/occupant/week
Boarding house/guesthouse	60L/occupant/week	20L/occupant/week
Guest house	9L/100m² floor area/day	3L/100m² floor area/day
Education facilities		
Childcare	20L/child/week	10L/child/week
Primary/High School	1.5L/day/student	0.5L/day/student
Food premises		
Butcher	80L/100m² floor area/day	Variable
Delicatessen	80L/100m² floor area/day	Variable
Fish shop	80L/100m² floor area/day	Variable
Greengrocer	240L/100m² floor area/day	120L/100m² floor area/day
Restaurants, Cafe	660L/100m² floor area/day	130L/100m² floor area/day
Supermarket	660L/100m² floor area/day	240L/100m² floor area/day
Takeaway	80L/100m² floor area/day	Variable
Retail (non-food sales)		
Shops with less than 100m² floor area	50L/100m² floor area/day	25L/100m² floor area/day
Shops with over 100m² floor area	50L/100m² floor area/day	50L/100m² floor area/day
Showrooms	40L/100m² floor area/day	10L/100m² floor area/day
Offices	10L/100m²/day	10L/100m²/day
Hairdresser	60L/100m² floor area/day	Variable

Type of Premises	Waste Generation	Recycling Generation
Hotels		
Hotel	5L/bed space/day 50L/100m² floor area/day 660L/100m² dining area/day	50L/100m² of bar and dining areas/day
Licensed club	50L/100m² floor area/day	50L/100m² of bar and dining areas/day
Motel (without public restaurant)	5L/bed/day 660L/100m² dining area/day	1L/bed/day
Others		
Warehouses	30L/100m² floor area/day	30L/100m² floor area/day
Car parks	2L/100m² floor area/day	Variable
Assembly rooms: Social Recreational Religious Entertainment	 50L/100m² floor area/day 50L/100m² floor area/day 50L/100m² floor area/day 0.25L/seat/screening	 10L/100m² floor area/day 10L/100m² floor area/day 10L/100m² floor area/day 0.05L/seat/screening
Automotive repair and service	3350L/100m²/floor area/day (combined garbage + recycling)	

3.3 Residential

Objectives

O1. Ensure facilities are provided for efficient solid waste management.

O2. Achieve the design of waste and recycling storage/collection systems in buildings and land use activities which are: hygienic; accessible; safe to operate; quiet to operate; of an adequate size; and visually compatible with their surroundings.

O3. Reduce waste removed from residential sites.

O4. Ensure that adequate and appropriate storage areas for recyclables and waste are designed to meet the objectives of ecologically sustainable development.

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Controls

Bin requirements

C1. The waste service requirements for residential developments are outlined in Table 2:

Table 3: Waste service requirements for residential developments

Dwelling Type	Number of Garbage Bins	Number of Recycling Bins
Dwelling (single)	1 x 240L (or alternate smaller size as available from Council)	1 x 240L
Low rise medium density housing	1 x 240L (or alternate smaller size as available from Council)	1 x 240L
RFB 1-20 units	1 x 240L bin per 2 units plus (or alternative as provided by Council)	1 x 240L bin per 3 units
RFB 20+ units	1 x 1100L bin per 8 units Or 1 x 660L bin per 5 units	1 x 240L bin per 3 units Or 1 x 1100L bin per 14 units

C2. Council will consider alternative options to the requirements outlined in Table 2 for developments exceeding 100 units.

C3. When determining the number of bins required, bin numbers are to be rounded up.

C4. Mobile Garbage Bins (MGBs) vary in sizes and ranges from 120 to 1100 litres.

Bin storage area requirements

C5. Waste and recycling bin storage areas must be constructed in accordance with the requirements of the Building Code of Australia (BCA).

C6. All developments must ensure separate residential and commercial bin storage areas, which shall be located behind the primary building line and adequately screened.

Storage spaces for individual dwelling houses

C7. Each unit shall be provided with a waste cupboard or other suitable storage area to facilitate the holding of a bin containing two days of domestic waste. They should be at a minimum 20L for each waste and recycling container.

C8. Space inside the unit must allow for separate storage of waste, recyclables and compostable waste.

C9. The design of the dwelling shall allow residents to carry their waste to the correct bin from their dwelling.

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Multi-dwelling housing and residential flat buildings

Size and layout of the bin storage area

C10. Waste and recycling bin storage area must be of adequate size to comfortably accommodate all waste and recycling bins associated with the proposed development. There must be no stacking of bins in the bin room and all bins must be placed side-by-side with equal access to all bins. There shall be an additional 75mm gap between each bin to facilitate movability.

C11. The minimum door width needs to be greater than 1.4 metres to allow movability of bins and disabled access.

C12. Water supply for hot and cold water / mixed needs to be provided to the storage area for cleaning purposes.

C13. The floor needs to be graded and drained to the sewer with consent of Sydney Water. The floor must be constructed of reinforced concrete at least 75mm thick and finished with a smooth, even, non-slip surface.

C14. The walls of the bin storage area must be constructed of a solid impervious material.

C15. The ceiling must be finished with a smooth faced non-absorbent material capable of being cleaned.

C16. The gradient of the bin storage room's floor and the gradient of any associated access ramps must be sufficiently level so that access for the purpose of emptying containers can occur in accordance with WorkCover NSW Optional Health and Safety requirements.

C17. Waste and recycling bins must be kept separated in the bin storage room so that potential for contamination of recyclable materials is minimised. An aisle space needs to be provided that is a minimum of 1.5 metres wide.

C18. The storage area needs to be designed for easy access and manoeuvring of bins to allow cleaning. Attention needs to be paid to ensure services such as electrical meter boards, gas meters and conduits are not located in the bin storage area as these may get damaged during collection or cleaning.

C19. Consideration needs to be given to access for maintenance and servicing arrangements.

C20. The bin storage area must be designed to prevent entry to vermin and birds.

Location and appearance

C21. The bin storage area must be integrated into the overall design of the proposed development.

C22. Bin storage areas must be located behind the front building line. Wherever possible, the storage area should be in the basement location within the main building.

C23. The bin storage area must be located and designed to reduce adverse impacts upon the residents of any dwelling on the site and upon neighbouring properties.

C24. The bin storage area should be located in a position that:

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- permits direct, easy and convenient access to residents;
- permits easy transfer of bins to the main collection point; and
- permits easy, direct and convenient access for collection service providers.

C25. The bin storage area should be in a high pedestrian traffic area, storage area is well screened and do not reduce amenity.

C26. The bin storage area should be enclosed, secure and protected against vandalism.

C27. Lighting and ventilation are to be integrated into the design of bin storage areas.

Bulk waste storage area requirements

C28. Low rise medium density housing and residential flat building developments must provide a bulky household waste storage area and needs to be that is located adjacent to the communal bin storage area. The area must be designed to accommodate storage of unwanted bulky household waste such as mattresses, furniture, cardboards, appliances and other goods to be collected by Council's waste collection service.

C29. Council provides bulky household waste collection service as requested by the residents. The space allocated for bulky household waste must consider the intended frequency of collection and number of units in the proposed development.

C30. Bulky waste storage area needs to be designed based on the following calculation:

- $10m^2$ of space for up to 40 units and then $2m^2$ for every additional 10 units

All calculations need to be rounded to the next whole number (i.e. $9.1m^2 = 10m^2$)

C31. Bulky household waste storage area must incorporate the following requirements:

- the storage area needs to be designed to ensure large items such as mattresses and appliances can be easily placed and moved, with a minimum floor width of 2m;
- the storage area needs to be accessible to all residents and must have a service door for access;
- the storage area needs to be in close proximity to the bin storage area and onsite collection area (if development has on-site collection);
- lights and ventilation must be integrated into the design of the storage area;
- water supply needs to be provided to the storage area for cleaning purposes;
- the floor is to be graded and drained to the sewer with the consent of Sydney Water;
- the floor must be non-slippery (finished) and uneven surfaces covered;
- the storage area must be enclosed with minimum height requirements; and
- where provided, space for a charity bin or other recycling collection should be provided at a minimum of $6m^2$.

3.4 Waste chute and service room requirements

Objectives

O1. Facilitate the convenient, effective and efficient transfer of waste and recycling between dwellings and waste and recycling collection facilities.

O3. Ensure the high-quality design of waste and recycling collection facilities.

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Controls

General

C1. Residential flat buildings containing 4 or more storeys require a system for the transportation of waste from each floor level to the waste and recycling collection room(s). This is in the form of a waste chute system.

Waste chute operation and design

C2. Chute must be constructed in accordance with the requirements of the Building Code of Australia (BCA).

C3. Chute must be cylindrical and have a diameter of at least 500mm.

C4. Chute must be located and insulated in a manner that reduces noise impacts.

C5. Chute, service openings, charging device and hoppers must be constructed of materials including aluminium and other approved materials/metals that are smooth, durable, impervious, non-corrosive and fire resistant.

C6. Chute, service opening and charging device must be capable of being easily cleaned.

C7. Chute must extent without any bends (or sections of reduced diameter) in the main shaft of the chute and must terminate in the waste and recycling room(s).

C8. Internal overlaps in the chute must follow the direction of waste flow.

C9. The chute must deposit waste directly into the bins or compactor located within the waste and recycling collection room(s). This must happen in a manner that reduces spillages.

C10. A cut off device must be located at or near the base of the chute so that the bottom of the chute can be closed when the bin or the compacting device at the bottom of the chute is withdrawn or being replaced.

C11. There must be sufficient bin volume under the chute for a minimum of three days of waste generation. Where this cannot be provided, volume handling equipment is required to automatically change the bin under the chute when full.

C12. When volume handling equipment is required, the service room must be of adequate size to accommodate all required equipment.

C13. Resident access to the volume handling equipment must be restricted.

C14. The upper end of the chute must extend above the roof line of the building and shall be weather protected in a manner that does not impede the upward movement of air out of the chute.

C15. The charging device for each service opening must be self-closing and must not project into the main chute.

C16. Branches connecting service opening to the main chute must not be more than 1m long.

C17. Arrangements must always be made for regular maintenance and cleaning.

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C18. Waste bins on the volume handling equipment will not be serviced.

Waste chute termination area

C19. A waste chute termination area is to be provided for the development directly under the chute within the basement footprint of the development.

C20. The waste chute termination area is to be located where practical within or immediately adjacent to the waste storage area.

Waste chute service room

C21. The waste chute service opening (hopper) must be provided on each habitable floor of the building and must be located in a designated enclosed service room.

C22. Waste chutes must not be accessible to commercial or public spaces.

C23. All waste chute service rooms must be located for convenient access by residents with no more than 20m travelling distance from any dwelling and must be ventilated and well lit.

C24. The floor, walls and ceilings of the service room must be finished with smooth and durable material which is capable of being easily cleaned.

C25. All service rooms must include signage which clearly demonstrates the type of materials that can be deposited in the waste chute and the type of materials to be deposited in the recycling bin.

C26. All service rooms must be fitted with one hour fire doors, which can be opened from inside.

Recycling bins

C27. If a waste chute system is to be used, then recycling bin(s) must be provided on each habitable floor of the building and must be located in an enclosed waste chute service room.

C28. There must be sufficient recycling bins to accommodate up to three days of recycling generation.

C29. A site caretaker will be required to rotate recycling bins from the waste chute service room to the bin storage area on a regular basis. A goods lift will need to be provided for this.

C30. The doorways must be sufficiently wide enough to allow movement of bins in and out.

C31. Signage regarding acceptable recyclable materials must be displayed near these bins.

3.5 Bin transfer requirements

Objective

O1. Ensure the safe, direct and convenient transfer of waste and recycling bins to the collection point.

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Controls

C1. Waste and recycling bins shall be positioned in locations that permit easy, direct and convenient access for users of the facility and permit easy transfer of bins to the collection point.

Bin-carting route

C2. The route between bin storage areas and the collection point is to be:

- a minimum of 2 metres wide;
- free from steps or any obstruction, which may inhibit bins from being manoeuvred;
- constructed from concrete or other similar hard, smooth, non-slip surfaces;
- as short and direct as possible; and
- wholly within the property boundary.

Work health and safety

C3. Consideration needs to be given to WHS when designing the bin transfer distance of Mobile Garbage Bins (MGBs).

C4. Where bins of up to 360 litres in capacity need to be wheeled to the collection point:

- the distance should not exceed 75m in all circumstances;
- the distance should not exceed 50m to for aged persons or persons with disability;
- the path of transferring bins from the bin storage area to the collection point shall be of adequate width of at least 2m, level, and free of obstacles and be direct, smooth and without steps; and
- the bin transfer grade should not exceed 1:14.

C5. For bins greater than 360 litres in capacity, if relocation of bins is required:

- bins should not be wheeled over steps (neither up nor down);
- the bin transfer grade should not exceed 1:30; and
- the path of transferring bins from the bin storage area to the collection point is to be a minimum of 2m wide.

Bin tug device

C6. An electric portable bin tug device must be used for bin movement where the grade exceeds 1:14. Specifications for a typical portable bin tug device are provided as a guide in Table 3.

Table 3: Specifications for a typical portable bin tug device.

Bin Tug Classification	Dimensions
Length (m)	1.45
Width (m)	0.79
Height(m)	1.05
Wheelbase (m)	0.46
Powertrain (V)	24-Volt
Seating capacity (kg)	1 person
Unit weight (kg)	300

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Aisle clearance (m)	1.80
Towing capacity (kg)	3000
Speed (km/h)	5

C7. Secure storage space must be allocated for this machinery.

3.6 Collection area requirements

Objectives

O1. Ensure that an appropriately designed waste and recycling collection area is provided to all new development.

O2. Ensure waste collection vehicles have safe, reliable access to all collection points and can manoeuvre to all waste collection points during construction and ongoing operation and use of the development.

Controls

General

C1. All developments must allocate a suitable collection point for collection of waste and recycling bins from either inside the development (on-site) or from kerbside (off-site).

Onsite collection point

C2. Council will only provide an on-site collection if an indemnity has been provided. Where an agreement for onsite collection is made, the on-site collection points should be located:

- so that waste collection vehicles do not interfere with the use of access driveways, loading bays and car parking areas during collection;
- so that waste collection vehicles do not impede or restrict other vehicles and pedestrian movements during collection times;
- close to the waste storage area to permit easy transfer of bins to the collection point (if relocation of bins is required);
- on a flat area that is on the same level as the waste collection vehicle;
- in a position that provides collection vehicle safe access to the collection point with adequate clearance and space for manoeuvrability; and
- so that ongoing traffic is visible as the waste collection vehicle exits the property.

Temporary bin holding area

C3. The temporary bin holding area will be required to be of sufficient size to allow the temporary storage of all bins for the development. The holding area will only store the bins, so they can be serviced and must be returned to the development bin storage area once the service is complete.

C4. Developments proposing a temporary bin holding area will require a caretaker to transfer all allocated bins from the bin storage area to the temporary bin holding area for servicing.

C5. For a temporary bin holding area arrangement, the following requirements must be met:

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- bins must be moved to the temporary bin holding area from the bin storage room the night before the collection day;
- lay back for bulk bins must be located within 2m of the temporary bin holding area to be provided and presented on a level surface;
- the temporary bin holding area must be accessible to Council collectors and require minimum manual handling;
- all bins must fit in the temporary holding area and have sufficient space for manoeuvrability; and
- the temporary bin holding area must be separated from car parking bays, footpaths and landscaped areas.

Kerbside collection point

C6. For all kerbside collection of smaller residential housing developments that have kerb frontage, the following requirements must be met:

- bins may only be placed on the kerb for dwellings fronting the kerb and/ or where there is sufficient frontage to accommodate all allocated bins;
- bins must not be placed on the road;
- all allocated bins must be presented side-by-side with a 30cm gap between bins;
- all allocated bins must be placed within the site's allocated frontage (not in the driveway nor in front of neighbouring properties);
- bins are not to be placed near intersections, roundabouts, or slow-points.
- bins are not to be placed along arterial points or in narrow lanes;
- bins are not to be placed within 2m of street trees, bus stops, street furniture and road infrastructure such as speed humps and roundabouts; and
- a minimum of $2m^3$ space per dwelling is required for bulky waste collection.

C7. Where developments are required to have a bulk bin arrangement and are not proposing for on-site collection, a temporary bin holding area must be provided.

3.7 Collection vehicle requirements

Objectives

O1. Provide for the adequate accessibility, manoeuvrability and operability of waste collection vehicles within all developments.

Controls

C1. All proposed developments will need to accommodate a Heavy Rigid Vehicle (HRV) for all waste collection.

C2. Proposed developments that require a waste collection vehicle to enter the site for the collection of waste, a swept path analysis for a 10.5m HRV with a height clearance of 4.5m must be clearly demonstrated in the Architectural Plans, Waste Management Plan, and Traffic and Transport Management Plan. If a hook lift bin is to be used, the height clearance will increase and greater height clearance will be required.

C3. The bin lift arc will also need to be taken into consideration when designing the height for the area for bin collection.

C4. The proposed development must have sufficient manoeuvring area on site to allow for a HRV to enter and leave the site in a forward direction and service the development with minimal or no need to reverse.

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C5. The grades of entry and exit routes must not exceed the capabilities of the waste collection vehicle and must comply with AS 2890.2.

C6. Ensure the waste collection vehicle can park safely within a designated parking/ loading area on-site whilst servicing the bins. The truck loading area must be separated from car parking bays, footpaths and not block any driveways.

C7. The truck loading area is to include an extra 2m length at the rear of the vehicle for bins to be loaded and emptied into the truck.

C8. Standard HRV specifications as identified in Australian Standard 2890.2 Parking Facilities: Off Street Commercial Vehicle Facilities shall be complied with. This information is provided as a guide in Table 4.

Table 4: Standard specifications for a Heavy Rigid Vehicle sourced from AS2890.2 Parking Facilities: Off Street Commercial Vehicle Facilities

Vehicle Classification	Dimensions
Overall Height (m)	4.5
Operational Length (m)	12.5
Design Width (m)	2.8
Design Height (m)	3.7
Swept Circle (m)	27.8
Clearance - travel height (m)	4.5
Roadway/ramp grade (maximum)	1:6:5 (15.4%)
Rate of change of grade (max)	1:16 (6.25%) in 7m of travel
Weight Fully Loaded (tonnes)	22.5
Capacity (m^3)	24
Front Chassis Clearance	13°

C9. Should there be a case for a smaller rigid garbage collection vehicle to be used consideration will be given to alternative building design requirements. In these circumstances, supporting documentation is to be provided with the development application.

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DOCUMENTS ASSOCIATED WITH REPORT C08/20-524

Attachment 14

Recommended Cumberland DCP Definitions



CUMBERLAND
CITY COUNCIL

DEFINITIONS

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1. Definitions

Access driveway - a roadway extending from the edge of the frontage roadway to the property boundary to connect with the first ramp, circulation roadway, parking aisle or domestic driveway encountered, and carrying one or two-way traffic.

Active street frontage - are human scaled, interesting to look at, and rich in detail. Active street frontages consist of many windows and doors which enable direct physical and visual access between the street and the building interior, and typically comprise 10-20 units per 100m.

Adaptable housing - an adaptable housing unit is designed and built to meet various performance requirements and features. It can be modified easily in the future as people's housing needs change, to become accessible to both occupants and visitors with a disability or progressive frailties.

Advertised development - development, other than designated development, that is identified as advertised development by the regulations, an environmental planning instrument or a development control plan.

AEP - Average Exceedance Probability.

Aesthetic significance - an item that has visual or sensory appeal, landmark qualities and/or creative or technical excellence.

AHD - Australian Height Datum.

Air conditioning unit - for a dwelling means a mechanical unit specifically designed to alter the temperature of the air within a dwelling or a significant part of a dwelling.

Amenity - qualities of usefulness, comfort and pleasure in items and areas of the environment.

Approval - consent or authorisation given by an appropriate authority.

AS - Australian Standards.

At-grade - any form of parking provided either on the ground level of a building or at ground level outside a building.

Average recurrence interval (ARI) - a statistical likelihood of a storm event of at least a designated average rainfall intensity occurring. The probability is a long term average and not a period between events (e.g. 10-year ARI indicates 10 events over 100 years).

Awning - a fixed or retractable covering to shelter persons or protect parts of a building from the effects of sun and rain, usually erected above a window, door, balcony or deck.

Awning sign - (under awning) means a sign attached to the underside of an awning (other than the fascia or return end), which: -

- is a maximum of 2.5 metres in length, 0.5 metres in depth and 0.08 metres in width;
- is erected at a horizontal angle no less than 2.6m to the ground;
- is erected at a right angle to the building to which it is attached; and
- does not project beyond the edge of the awning.

Balcony - includes any porch, patio, covered deck or verandah.

Balustrade - a rail or coping and the row of balusters beneath it.

Base - the lower portion of a structure or feature.

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Building articulation - building articulation is how a building contributes to the consistency of the existing character of its streetscape through design, composition and detailing of various architectural building elements. These building elements include windows, mouldings, window sills, doors, balconies, entrances/porches and columns. Therefore, a building is articulated by:

- modulating the façade by stepping back or extending forward a portion of the façade forward of main building;
- repeating the window patterns at an interval that equals the articulation interval;
- providing a porch, patio, deck or covered entry for each interval;
- providing a balcony or bay window for each interval;
- changing the roofline by alternating stepped roofs, gables or other roof elements to reinforce the modulation or articulation interval; and
- providing a lighting fixture, trellis, tree or other landscape feature with each interval.

Bin-carting route - travel route for transferring bins from bin storage area to nominated collection point.

Bin storage area - area which stores all allocated bins for the development. This can be a nominated individual or communal bin storage area.

Building envelope - building envelope means the three-dimensional space within which a building is to be confined.

Built upon area - built upon area means that area of a site containing any built structure (whether covered or uncovered), any building, carport, terrace, pergola, driveway, parking area and pathways or any like structure, but excludes swimming pools (water area only and not coping, decking or the like).

Bulk bins - large bins which have four swivel wheels so can be moved in any direction.

Bulky waste - large household items such as furniture, white goods and mattresses.

Cabana - a covered pool side shelter and/or change room.

Canopy - an ornamental roof-like covering or projection, either suspended or supported on brackets, corbels or columns, over a door, window, niche or balcony.

Carport - a roofed, open or semi-enclosed structure for the shelter of motor vehicles, attached to, adjacent to or near a dwelling.

Catchment - the entire area of land drained by a river and its tributaries bounded by a defined ridge line.

Ceiling height - the greatest distance measured vertically from the finished floor level to the finished ceiling level.

Chute service room - the room in which the chute terminates, and garbage drops from the chute into a bin. Included the volume handling equipment where required. No resident access to this room for safety reasons.

Cladding - the outer non-load bearing covering of the external walls or roof of a framed building or structure, applied for weather-proofing and/or decorative purposes.

Co-location - the siting of a number of telecommunication facilities, often owned by different carriers, in one location.

Collection point / area - the nominated point where waste and recycling is collected from by the service vehicle.

Communal bin storage area - bin storage area which stores all allocated bins for the entire development and can be accessed by all residents and occupants. Residents can access bins to

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dispose of items too big to go down the chute. Cleaners can access the area to move bins from chute service area to this area and to collection areas.

Communal open space - outdoor space located within the site at ground level or on structure that is within common ownership and for the recreational use of residence of the development. Communal open space may be accessible to residents only or to the public.

Component - the whole or part of a building.

Context - the broader setting of a place, the extent of which is influenced by the scale of development and the nature of surrounding land uses and patterns.

Cumulative impact - the impact of radiation from various sources or over time.

dBA - decibels of the "A-scale"- a set frequency weighted scale of noise which allows for lack of sensitivity to the ear to sound at very high and very low frequencies.

Deep soil zone - a specified area of the development site, not covered by an impervious surface, that allows water on the site to infiltrate naturally to the groundwater and allows for the future provision of mature vegetation.

Design floor level - the minimum floor level that applies to the development. If the development is concessional, this level is determined based on what land use category would apply if it was not categorised as concessional development. The floor level standards specified for the relevant land use category (excluding concessional development) in the low flood risk precinct are to be applied.

Designated overhead line – that is suspended above the surface of:

- land (other than submerged land); or
- a river, lake, tidal inlet, bay, estuary, harbour or other body of water; and
- the maximum external cross section of any part of which exceeds:
    - 13 mm; or
    - if another distance is specified in the regulations - that other distance.

Dormer - a projecting (protruding) vertical window in the sloping roof of a house.

Eaves - the projecting edges of a roof which overhang the walls.

Effective warning time - the time available after receiving advice of an impending flood and before the floodwaters prevent appropriate flood response actions being undertaken. The effective warning time is typically used to move farm equipment, move stock, raise furniture, evacuate people and transport their possessions.

Electromagnetic radiation (EMR) - the radiation in the microwave and radiofrequency band of the electromagnetic spectrum.

Elevation - the external face of a building, or a drawing made in projection to show any one face of a building.

Erosion - the removal and/or transport of soil or materials from a given area, by the processes of wind, water and or/ gravity.

Erosion & Sediment Control Plan (ESCP) - a plan showing how potential erosion and sedimentation occurring on a given site, as a result of building, development or an activity, will be minimised.

Fabric - all the physical material of an item, including the external and internal materials, surroundings, fixtures, contents and objects related to the place which contribute to its heritage significance.

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Façade - the major portion of the building that addresses the principal street frontage on the site upon which the building is located.

Face brickwork - brickwork of good quality, with uniform bricks.

Finished floor level - the finished level of the upper surface of the floor inclusive of all services, ducting and the like.

Flood - a relatively high stream flow, which overtops the natural or artificial banks in any part of a stream, river, estuary, lake or dam, and/or local overland flooding associated with major drainage before entering a watercourse.

Floodplain Development Manual (FDM) - the document published by the New South Wales Government and entitled "Floodplain Development Manual: the management of flood liable land".

Flood prone land - being synonymous with 'flood liable land' and 'floodplain' is the area of land which is subject to inundation by floods up to and including an extreme flood such as a probable maximum flood (PMF).

Footpath - that part of a road and the airspace above it:

- that is set aside or formed as a path or way for pedestrian traffic, or
- any area such as a town square, plaza, park or other space owned, operated or managed by Council and used for pedestrian movement or recreation by the community, and the airspace above it,
- but does not include roadways or other thoroughfares intended predominantly for vehicular traffic or privately owned arcades or plazas.

Freeboard - a factor of safety expressed as the height above the flood used to determine the design floor level or ground level, to compensate for uncertainties in the estimation of flood levels across the floodplain, such as wave action, localised hydraulic behaviour and impacts that are specific event related, such as levee and embankment settlement, and other effects such as "greenhouse" and climate change.

FRMP - Flood risk management plan or study - the catchment wide flood study prepared under the direction of the NSW Government Floodplan Development Manual or previous versions, for the sustainable management of the floodplain including the management of existing flood risk, future flood risk and continuing flood risk.

FRP - Flood Risk Precinct.

Frontage - the width of allotment measured at the street alignment.

Garbage - refuse or waste material other than trade waste, effluent, compostable material, green waste or recyclable material.

Garbage and recycling room - a room where garbage and recycling receptacles are stored, awaiting reuse or removal from the premises.

Gazebo - a small lookout tower, structure or summerhouse in a garden, that is usually roofed, and used for outdoor activities or entertainment.

Green infrastructure - an inter-connected network of open, green spaces with both natural and designed infrastructure that provide a range of ecosystem services.

Green roofs - a green roof is defined as a roof of a building that is partially or completely covered with vegetation and a growing medium.

Groundwater - all water that occurs below the land surface in aquifers.

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Habitable room - a room used for normal domestic activities and:

- includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family room and sunroom;
- excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room and other spaces of a specialised nature occupied neither frequently nor for extended periods.

Hazard - a source of potential harm or a situation with a potential to cause loss and, in relation to flooding, means flooding which has the potential to cause damage to the community.

Illuminated sign - a sign which is internally or externally lit by artificial lighting whether that lighting is integral or separate from the sign, including signs that have flashing or sequenced lighting, spotlighting, directional, projected or laser lighting.

Indemnity - a party providing services to a particular property will not be held responsible for any loss or damage to such property as a result of the routine provision of the service.

Indigenous species - a plant or animal species that occurs at a place within its historically known natural range and that forms part of the natural biological diversity of a place.

Isolated site - a site that has limitations on its future potential development because of its size and shape, proximity to other development and its ability to be consolidated with other properties for development purposes.

Kerbside collection - all allocated bins are presented kerbside for collection by Council's waste collection staff.

LAeq - the value of A-weighted sound pressure level of a continuous steady sound that, within a measurement time interval has the same square sound pressure level as a sound under consideration.

LGA – Local Government Area.

Landlocked - a property that has no direct access to a public street, so the only way on or off the property is to cross land owned by someone else. Usually, a landlocked property gains street access through a legal permission called an easement.

Legibility - the extent to which people can understand the layout of a place and find their way, including cues from three dimensional forms and patterns in the landscape.

Living room - living room means a room that is constructed or adapted for domestic living such as a lounge room, living room, rumpus room, play room or sun room.

Low Rise Housing Diversity Design Guide – means the Low Rise Housing Diversity Design Guide published by the Department of Planning, Industry and Environment on the day on which State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Low Rise Housing Diversity Code) 2020 commences.

Mobile garbage bins - small bins which have two wheels so can only be moved forwards and backwards (not sideways).

Natural channel design (NCD) - maintain the hydraulic conveyance requirements of engineered or affected channels while improving environmental values. NCD combines the disciplines of hydraulic engineering, fluvial geomorphology, in-stream and riparian ecology and community requirements. NCD involves the creation of channels with attributes of natural channels, including a meandering plan, pool and riffle zones, use of natural materials and riparian/floodplain vegetation.

Natural ground level - the ground level of a site before any site works have been undertaken to alter the naturally occurring height and/or contours of the land.

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On-site collection - collection occurs within the development site's boundary in a nominated loading area.

On-site Stormwater Detention (OSD) storage - restricting the outflow of stormwater runoff from a site by draining collected surface flows from paved and roof areas through a storage with an outflow control device.

Opposite land - land that is directly opposite an application site and is separated only by a road, but does not include land separated by an arterial road (eg. Great Western Highway, M4 Motorway and Cumberland Highway).

Outbuilding - any of the following

- balcony, deck, patio, pergola, terrace or verandah that is detached from a dwelling house;
- cabana, cubby house, fernery, garden shed, gazebo or greenhouse;
- carport that is detached from a dwelling house;
- garage that is detached from a dwelling house;
- rainwater tank (above ground) that is detached from a dwelling house;
- shade structure that is detached from a dwelling house; or
- shed.

Outdoor dining - activities which involve the placement of tables, chairs and other ancillary items, such as planter boxes, bollards, umbrellas and barriers, for outdoor dining or socialising purposes.

Parapet - a wall built up higher than the eaves line of a roof.

Parent lot, in relation to subdivision, means the lot that is being subdivided.

Pergola - an open-roofed framework or trellis, usually of timber construction, supported on brackets, posts, or columns above a path, terrace, patio or deck, and sometimes covered by plant growth.

Pitch - the slope of a roof. This is measured either in degrees above the horizontal, or as a ratio to the vertical rise of the roof to its span.

Principal Street - that street to which the property is rated, or the street which provides the sole and/or principal means of access to the site, whichever is determined by Council.

Probable Maximum Flood (PMF) - the largest flood that could conceivably occur at a particular location.

Pruning - has the same meaning as in Australian Standard AS 4373-1996 Pruning of Amenity Trees and includes to ringbark, cut down, top or lop parts of a tree, and the severing of roots greater than 30mm in diameter.

Public domain - comprises the shared urban area and spaces, the structures that relate to those spaces and the infrastructure that supports and serves them (e.g. railway corridors, streetscapes, public car parks, parks and reserves, waterways and river systems).

Public notice - a notice for public information displayed by a public authority giving information or direction about services provided.

Recyclable - capable of being reprocessed into useable material and includes any item collected by Council's recycling service.

Recycling cupboard - the cupboard on each residential level that houses the necessary number of recycling bins adjacent to the waste chute hopper.

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Reliable access - means, during a flood, the ability for people to safely evacuate an area subject to imminent flooding within effective warning time and without a need to travel through areas where water depths increase.

Render - a coating of mortar or stucco (plaster) applied to the surface of a masonry wall.

Residential component - the whole or part of the development that contains one or more dwellings.

Residential level - every level on which there is a dwelling.

Resulting lot means a lot that is created through the subdivision of a parent lot.

Ridge - a horizontal line in which the tops of the rafters of a roof meet.

Risk - the chance of something happening that will have an impact and is measured in terms of consequences and probability (i.e. likelihood). In the context of this plan, it is the likelihood of consequences arising from the interaction of floods, communities and the environment.

Road widening - an increase in the width of the road reserve and/or carriageway by the use and dedication of adjoining lands having frontage to the street.

Roof - the top, weatherproof construction of a building.

Route of travel - the travel path for the waste collection vehicle when entering the site to access the nominated collection point.

Section - a drawing representing a building as it would appear if cut through in a plane (section) at right angles to the line of sight.

Sediment - material of varying size, both mineral and organic, that is being, or has been, moved from its site of origin by the process of wind, water and or/ gravity, and comes to rest on the earth's surface either above or below sea level. Fine sediment is a fraction of sediment consisting of silt (particles 0.002 – 0.02mm in diameter) and clay (particles < 0.002mm in diameter).

Shade structure - a device which partially or completely covers or shades an area used for the purpose of outdoor dining and includes outdoor umbrellas and sails.

Sill - the lower horizontal part of a window or door opening.

Site amalgamation - the amalgamation of two or more contiguous/adjoining allotments into a single allotment.

Solar amenity - solar amenity means the improved amenity brought about by a dwelling's or site's direct access to sunlight.

Solar collector – a device which can include devices to absorb energy to heat water or generate electricity.

Solar Reflectance Index (SRI) - is a composite measure of a material's reflectance and emittance. It is calculated in accordance with ASTM E1980-11. To calculate the SRI, the material or product's emittance values and total solar reflectance must be known. Material suppliers often provide the SRI data for products. There are a number of online calculators following ASTM standard E1980-11 that can be used. An initial SRI refers to the SRI of a new product. Over time, the SRI of a product or surface will be reduced due to the material's exposure to elements. The rate of degradation over time from such exposure is measured by the SRI of the product at three years.

Source separation - separating waste into like materials for recycling, reuse or collection.

Splay corner - an increase in the road reserve and/or carriageway at the intersection of two streets by the dedication of land 3m by 3m at a 45 degree angle to the corner.

POST EXHIBITION DRAFT 2020

Stacked parking - car parking which may require the removal of other vehicles in order to gain access.

Streetscape - the composition of elements in a street which create the urban form and includes elements such as building forms and styles, landscaping, street furniture and pavements.

Stormwater - run-off from land during and after rain. Stormwater removes accumulated material including litter, soil, nutrient, pathogens, chemicals, pesticides, oils and grease.

Temporary bin holding area - area where bins are transferred to be stored for collection. Bins are required to be transferred back to the bin storage area as soon as possible after collection occurs. This bin transfer is undertaken by a caretaker.

Temporary signs - an advertisement of a temporary nature which: -

- announces any local event of a religious, educational, cultural, political, social or recreational character or relates to any temporary matter in connection with such an event; and
- does not include advertising of a commercial nature other than the name(s) of an event's sponsor(s).

Note: - Advertisements, such as bill posters, which are not removed by the advertiser within 48 hours after the advertised event, would not be considered "temporary signs". Temporary signs may include advertisements such as banners, bunting, and posters.

Terracotta - unglazed pottery produced from a fine clay, usually of a red colour, and used to make decorative devices, chimney pots and roofing tiles.

Town centre – land within a core area zoned primarily for business and commercial uses in B2 and B4 zones.

Trade waste - refuse or waste material arising from any trade or industry but excludes liquid waste, demolition waste, contaminated waste, green waste or recyclable waste.

Tree - any woody and soft wooded perennial plant.

Tree Management Plan (TMP) - a plan, as described above, which protects nominated trees on a site during building construction.

Tree Protection Zone (TPZ) - an area to be protected from construction disturbance, being a combination of the root area and the crown area, which also incorporates the Structural Root Zone (SRZ).

Unshaded hardscape - hardscape that is not shaded by vegetation or roof structures and includes roads, plazas, paths and open unshaded car parks and sports fields. Hard-scaping excludes roof areas.

Vegetation - landscaped area, parkland, green space and trees, whether new or pre-existing on site. Shading from newly planted trees is measured based on predicted spread at five years after planting.

Verandah - an open area attached to a building with a roof supported by the building on one side and posts or columns on the other.

Volume handling equipment - equipment to automatically change the bin under the chute when it is full. The chute service room must be of adequate size to accommodate this equipment. Resident access to this equipment must be excluded. The bins on the volume handling equipment will not be serviced and are in addition to the total bin calculations on generation rates.

Wall height - the vertical distance between the top of the eaves at the wall line (excluding dormer windows), parapet or flat roof (not including a chimney), whichever is the highest, and the natural ground level immediately below that point.

POST EXHIBITION DRAFT 2020

Wall sign - either –

a painted wall sign - a sign painted on a wall or a flush wall sign - a sign attached to the wall of a building (other than the transom of a doorway or display window), which:

- does not extend laterally beyond the wall of the building to which it is attached; and
- does not project above the top of the wall to which it is attached.

Waste cupboard - a storage area within each dwelling, usually in the kitchen, of a size sufficient to enable source separation of a single days waste into garbage recyclables and compostable material.

Waste chute system - ventilated, vertical pipes passing through each floor of a multi-storey building with access on each floor. Chutes discharge into bins at the lowest point in the waste room.

Water bodies and water courses - water bodies and other permanent (non-ephemeral) watercourses are to be measured to the highest natural level of the water body or watercourse.

Waters - any river, stream, lake, lagoon, swamp, wetlands, unconfined surface water, natural or artificial watercourse, dam or tidal waters (including the sea), or part thereof, and includes water stored artificial works, water mains, water pipes, and water channels, and any underground or artesian water, or any part thereof.

Water Sensitive Urban Design (WSUD) - WSUD offers an alternative to the traditional conveyance approach to stormwater management. WSUD is a philosophy which aims to mitigate environmental impacts particularly on water quantity, water quality and receiving waterways, conventionally associated with urbanisation. WSUD incorporates holistic management measures that take into account urban planning and design, social and environmental amenity of the urban landscape and stormwater management, which are integrated with stormwater conveyance by reducing peak flows, protection of natural systems and water quality, stormwater reuse and water conserving landscaping.

POST EXHIBITION DRAFT 2020

DOCUMENTS ASSOCIATED WITH REPORT C08/20-524

Attachment 15

Cumberland Flood Risk Management Policy

CUMBERLAND CITY COUNCIL

Council/Operational Policy

FLOOD RISK MANAGEMENT POLICY

BACKGROUND / INTRODUCTION

Council's Flood Risk Management Policy establishes Council's approach to flood risk management for Cumberland City through the local application of the NSW government's flood risk management principles. There are three floodplains within Cumberland City: Haslams Creek floodplain; Duck River floodplain; and Cooks River floodplain.

PURPOSE

The policy sets out Cumberland City Council's requirements and approach to flood risk management. The purpose of the policy is to reduce the impact of flooding and flood liability.

SCOPE

This policy applies to land within Cumberland City. It should be read in conjunction with the *Cumberland DCP 20XX* and other relevant legislation and plans.

DEFINITIONS

ARI – average recurrence interval
DCP - *Cumberland Development Control Plan 20XX*
Flood prone land - being synonymous with 'flood liable land' and 'floodplain' is the area of land which is subject to inundation by floods up to and including an extreme flood such as a probable maximum flood (PMF).
FRMP - Flood Risk Management Plan or study
FRP - Flood Risk Precinct
LEP - *Cumberland Local Environmental Plan 20XX*
Probable Maximum Flood (PMF) - the largest flood that could conceivably occur at a particular location.

PRINCIPLES

1. To minimise risk to life and damage to property arising from flooding.
2. To manage and facilitate the appropriate development of flood prone land in an economically, environmentally and socially sustainable manner.
3. To ensure the appropriate assessment of proposed development on flood prone land.
4. To ensure that new development does not expose existing development to increased flood risks.

5. Measures to increase resilience across the city are encouraged to reduce the effects of flooding and flood risk.

REQUIREMENTS

1. Development applications lodged in accordance with the *Environmental Planning and Assessment Act 1979* on land affected by potential floods are to be assessed in accordance with the controls in the *Cumberland LEP 20XX* and *Cumberland DCP 20XX*, as well as the requirements of this policy, as applicable.

2. When assessing flood risk, both mainstream and overland flooding are to be considered.

3. Blockage needs to be included when analysing overland flow paths, pipes, etc. This analysis should be carried out on the basis that all bridges, culverts, pipes, etc. are at least 50% blocked.

4. A number of major land use categories have been identified for the purpose of floodplain management control. Table 1 (in the Appendix) shows these major categories together with the specific uses under each category (as defined by *Cumberland LEP 20XX*), and the relevant requirements for each category.

5. Where flood compatible materials are required, refer to Table 2 in the Appendix:

6. Development is to comply with the controls applicable to the proposed land use category and FRPs within which the site is located:
    - Haslams Creek floodplain as specified in Table 3 in the Appendix;
    - Duck River floodplain; and
    - Cooks river floodplain.

    Maps for these catchment areas can be found in the appendix.

Note:

1. Council will prepare FRP Maps to identify flood hazards associated with main channels, creeks and rivers only. Other areas potentially affected by local overland flooding will require further study by the applicant, to determine the applicable FRP.
2. There may be areas beyond those mapped by Council, subject to potential flooding. These areas will require further study if identified, to determine an appropriate FRP.
3. Where the applicant is required to undertake further study to determine the applicable FRP, this will need to be undertaken by using an appropriate hydraulic analysis methodology by a suitably qualified hydraulic engineer with experience in urban flood studies.
4. Each of the floodplains within Cumberland City can be divided into flood risk precincts based on different levels of potential flood risk. These flood risk precincts are as follows:

    Haslams Creek floodplain:
    - *High flood risk:* the area within the envelope of land subject to a high hydraulic hazard (in accordance with the provisional criteria outlined in the Floodplain Management Manual) in a 100 year flood or potentially subject to evacuation difficulties.
    - *Medium flood risk:* as land below the 100 year flood level (plus freeboard) subject to low hydraulic hazard (in accordance with the provisional criteria outlined by the NSW Floodplain Management Manual).
    - *Low flood risk:* all other land within the floodplain (i.e. within the extent of the probable maximum flood) but not identified as either a high flood risk or medium flood risk FRP, where risk of damages are low for most land uses.

    Duck River floodplain:
    FRMPs are yet to be finalised for this floodplain. In the interim, the controls applicable to the Haslams Creek floodplain will be applied. No FRP maps apply and appropriate FRPs must be determined on an individual site basis.

    Cooks River floodplain:
    FRMPs are yet to be finalised for this floodplain. In the interim, the controls applicable to the Haslams Creek floodplain will be applied. No FRP maps apply, and appropriate FRPs must be determined on an individual site basis.

RELATED LEGISLATION

Conveyancing Act 1919
Floodplain Development Manual 2005 (NSW Government)
Australian Standards
Cumberland Local Environmental Plan 20XX

RELATED DOCUMENTS AND COUNCIL POLICY

Cumberland City Council Development Control Plan 20XX
Any applicable flood risk management plans (FRMP)
Managing Urban Stormwater: Soils and Construction (NSW Department of Housing)
Sydney Water Standards

AUTHORISATION & VERSION CONTROL

Policy Number	*[Policy number]*
Policy Owner	*[Position title]*
Date Adopted	*[Date (and Council Resolution No.)]*
Version No	*[Revision No.]*
ECM Number	*[TRIM/Policy Register Reference]*
Review Date	*[Insert date / period policy next to be reviewed]*

APPENDIX

Table 1: Floodplain Management Controls – Land Use Categories

Essential community facilities	Critical utilities	Subdivision	Residential	Commercial or industrial	Non-urban activities or open space	Concessional development
Place of public entertainment or public administration buildings which may provide an important contribution to the notification and evacuation of the community during flood events. Hospitals and educational establishments.	Telecommunication facilities; fill; electricity generating works or infrastructure land uses which may cause pollution of waterways during flooding, are essential to evacuation during periods of flood or if affected during flood events, would unreasonably affect the ability of the community to return to normal activities after flood events.	Subdivision of land which involves the creation of new allotments for any particular purpose.	Bed & Breakfast accommodation; boarding houses; dwelling houses; home industry; infrastructure land uses (other than critical infrastructure); multi dwelling housing; neighbourhood shops; permanent group homes; residential flat buildings; seniors housing; serviced apartments; transitional group homes.	Amusement centres; bulky goods premises; car parks; child care centres; business premises; community facilities; depots; educational establishments; food and drink premises (excluding pubs); function centre; hazardous industries; hazardous storage establishments; health consulting rooms; health service facilities;	Cemetery; depot; extractive industries; helipad; marinas; mining; recreation areas and recreation facilities (outdoor); stock and sale yard.	(a) In the case of residential development: (i) an addition to an existing dwelling house of not more than 10% or 35m² (whichever is the lesser) of the habitable floor area which existed at the date of commencement of this Plan; (ii) the construction of an outbuilding with a maximum floor area of 20m² or

Essential community facilities	Critical utilities	Subdivision	Residential	Commercial or industrial	Non-urban activities or open space	Concessional development
				hotel or motel accommodation; industries; light industries; liquid fuel depot; medical centres; offensive industries; offensive storage establishments; office premises; passenger transport facilities; place of public entertainment; places of public worship; public administration building; recreation facilities (indoor); recreation facilities (major); registered clubs; resource recovery facility; service stations; sex service premises; shops; storage premises; vehicle body repair workshops; vehicle repair stations; vehicle sales or hire premises; warehouse or distribution centres; wholesale supply.		(iii) re-development for the purposes of substantially reducing the extent of flood affectation to the existing building. (b) In the case of other development: (i) an addition to existing premises of not more than 10% of the floor area which existed at the date of commencement of this Plan; or (ii) re-development for the purposes of substantially reducing the extent of flood affectation to the existing building. (c) In the case of all development: (i) earthworks or filling operations covering 100m² or more than 0.3m deep, which do not raise ground levels above the 20-year ARI flood level, and is not located within the foreshore building line.

APPENDIX (CONTINUED)

Table 2: Flood Compatible Materials

Building component	Flood compatible material	Building component	Flood compatible material
Flooring and sub-floor structure	• Concrete slab-on-ground monolith construction • Suspension reinforced concrete slab	**Doors**	■ Solid panel with water proof adhesives ■ Flush door with marine ply filled with closed cell foam ■ Painted metal construction ■ Aluminium or galvanised steel frame
Floor covering	• Clay tiles • Concrete, precast or in situ • Concrete tiles • Epoxy, formed-in-place • Mastic flooring, formed-in-place • Rubber sheets or tiles with chemical-set adhesives • Silicone floors formed-in-place • Vinyl sheets or tiles with chemical-set adhesive • Ceramic tiles, fixed with mortar or chemical-set adhesive • Asphalt tiles, fixed with water resistant adhesive	**Wall and ceiling linings**	■ Fibro-cement board ■ Brick, face or glazed ■ Clay tile glazed in waterproof mortar ■ Concrete ■ Concrete block ■ Steel with waterproof applications ■ Stone, natural solid or veneer, waterproof grout ■ Glass blocks ■ Glass ■ Plastic sheeting or wall with waterproof adhesive
Wall structure	• Solid brickwork, blockwork, reinforced, concrete or mass concrete	**Insulation windows**	■ Foam (closed cell types) ■ Aluminium frame with stainless steel rollers or similar corrosion and water resistant material
Roofing structure (for situations where the relevant flood level is above the ceiling)	• Reinforced concrete construction • Galvanized metal construction	**Nails, bolts, hinges and fittings**	■ Brass, nylon or stainless steel ■ Removable pin hinges ■ Hot dipped galvanized steel wire nails or similar
Electrical and mechanical equipment For dwellings constructed on land to which this Part applies, the electrical and mechanical materials, equipment and installation should conform to the following requirements.		**Heating and air conditioning systems** Heating and air conditioning systems should, to the maximum extent possible, be installed in areas and spaces of the house above the relevant flood level. When this is not feasible, every precaution should be taken to minimize the damage caused by submersion according to the following guidelines.	
Main power supply Subject to the approval of the relevant authority, the incoming main commercial power service equipment, including all metering equipment, shall be located above the relevant flood level. Means shall be available to easily disconnect the dwelling from the main power supply.		**Fuel** Heating systems using gas or oil as a fuel should have a manually operated valve located in the fuel supply line to enable fuel cut-off.	
Wiring All wiring, power outlets, switches, etc. should, to the maximum extent possible, be located above the relevant flood level. All electrical wiring installed below the relevant flood level should be suitable for continuous submergence in water and should contain no fibrous components. Earth core linkage systems (or safety switches) are to be installed. Only submersible-type splices should be used below the relevant flood level. All conduits located below the relevant designated flood level should be so installed that they will be self-draining if subjected to flooding.		**Installation** The heating equipment and fuel storage tanks should be mounted on and securely anchored to a foundation pad of sufficient mass to overcome buoyancy and prevent movement that could damage the fuel supply line. All storage tanks should be vented to an elevation of 600 millimetres above the relevant flood level.	
Equipment All equipment installed below or partially below the relevant flood level should be capable of disconnection by a single plug and socket assembly.		**Ducting** All ductwork located below the relevant flood level should be provided with openings for drainage and cleaning. Self draining may be achieved by constructing the ductwork on a suitable grade. Where ductwork must pass through a water-tight wall or floor below the relevant flood level, the ductwork should be protected by a closure assembly operated from above relevant flood level.	
Reconnection Should any electrical device and/or part of the wiring be flooded, it should be thoroughly cleaned or replaced and checked by an approved electrical contractor before reconnection.			

APPENDIX (CONTINUED)

Haslams Creek Floodplain

(Also applies to Duck River and Cooks River Floodplain in interim - subject to review)

Planning Consideration	Flood Risk Precincts (FRP's)																		
	Low Flood Risk							Medium Flood Risk							High Flood Risk						
	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Recreation & Non-Urban	Concessional Development	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Recreation & Non-Urban	Concessional Development	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Recreation & Non-Urban	Concessional Development
Floor Level		5									2,3,4	2,3	1	6						1	2,6
Building Components		2									1	1	1	1						1	1
Structural Soundness		3									2	2	2	2						1	1
Flood Affectation		2								1	2	2	2	2						1	1
Evacuation		2,4	*	3,4	4					*	3,4	3,4	1	3						1	3
Management & Design		1,2,3	1							1	2,3,5	2,3,5	2,3,5	2,3,5						2,3,5	2,3,5

Not Relevant

Unsuitable Land Use

* Refer to 'Management & Design' planning consideration for subdivision

Note: *Filling of the site, where acceptable to Council, may change the FRP considered to determine the controls applied in the circumstances of individual applications.*

Floor level

1	All floor levels to be equal to or greater than the 5 year ARI flood level plus freeboard unless justified by site specific assessment.
2	Floor levels of open car parking areas to be equal to or greater than the 20 year ARI flood plus freeboard. This may be achieved with a suspended floor which allows the continued passage of flood waters or filling if justified by a site specific assessment, as required with reference to flood affectation and other controls below. Enclosed car parking (e.g. garages or basement car parking) must be protected from the 100 year ARI flood.
3	Habitable floor levels to be equal to or greater than the 100 year ARI flood plus freeboard.
4	Below ground swimming pools should be free from inundation from storms up to the 5 year ARI. Where required, the private open space of a dwelling should be a usable outdoor recreation area which, during storm events equal to less than the 5 year ARI, is free from inundation by overland flows exceeding 50mm.
5	All floor levels to be equal to or greater than the probable maximum flood plus freeboard.
6	Floor levels to be as close to the design floor level (the level nominated above that would apply if not concessional development) as practical and no lower than the existing floor level when undertaking alterations or additions.

Note: The freeboard height in the Haslams Creek floodplain is variable primarily, due to the implications of sub-critical and super-critical flows caused by obstructions to the flowpath of flood waters, and can be determined by reference to a map and tables produced as part of the Haslams Creek FRMP and held in the offices of Council. The freeboard height for the Duck River and Cooks River floodplains is 0.5m.

Building components and method (Also see Table 7)

1	All structures to have flood compatible building components below or at the 100 year ARI flood level.
2	All structures to have flood compatible building components below or at the PMF level.

Structural soundness

1	Engineers report to certify that any structure can withstand the forces of floodwater, debris and buoyancy up to and including a 100 year flood.
2	Applicant to demonstrate that any structure can withstand the forces of floodwater, debris and buoyancy up to and including a 100 year flood.

3	Applicant to demonstrate that any structure can withstand the forces of floodwater, debris and buoyancy up to and including a PMF flood.

Flood affectation

1	Engineers report required to certify that the development will not increase flood affectation elsewhere.
2	The impact of the development on flooding elsewhere to be considered.

Note: When assessing flood affectation the following must be considered:
1. Loss of storage area in the floodplain (except for filling occurring up to the 20 year ARI.
2. Changes in flood levels caused by alteration of conveyance of flood waters.
3. Filling between the 20 year and 100 year ARI flood levels will not be permitted.

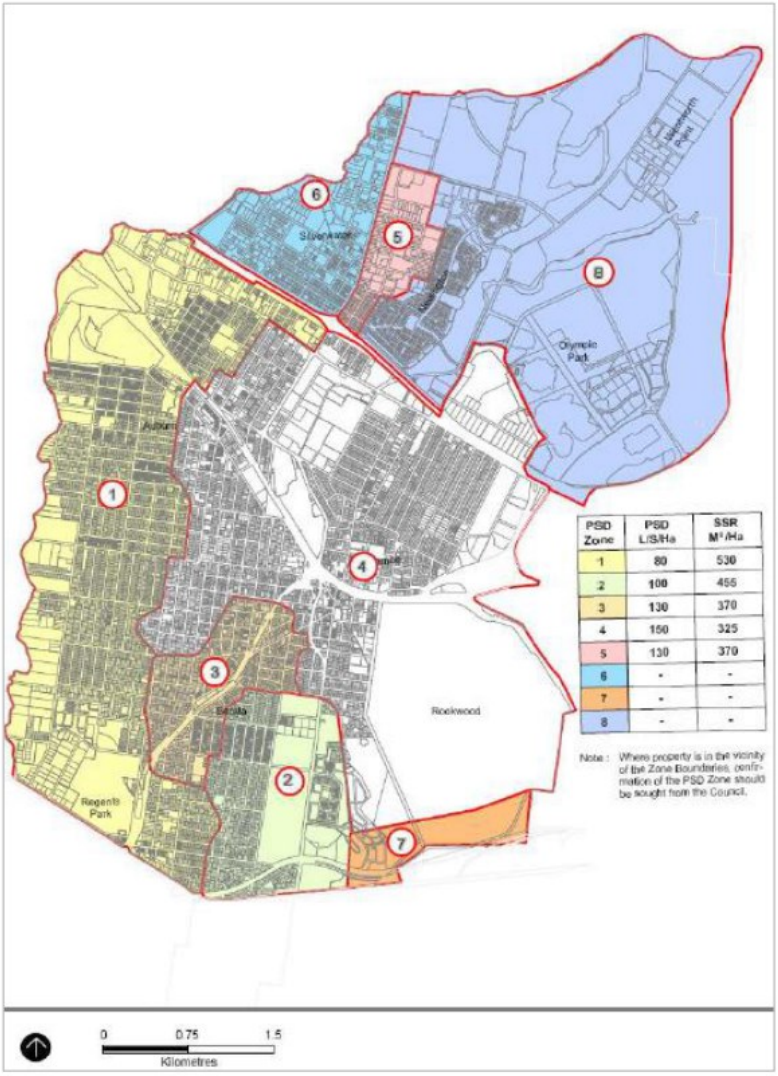
Evacuation

1	Reliable access for pedestrians required during a 5 year ARI flood.
2	Reliable access for pedestrians and vehicles required during a PMF flood.
3	Reliable access for pedestrians or vehicles is required from the dwelling, commencing at a minimum flood level equal to the lowest habitable floor level to an area of refuge above the PMF level, either on-site of off-site.
4	Applicant to demonstrate that the development is to be consistent with any relevant DISPLAN or flood evacuation strategy.

Management and design

1	Applicant to demonstrate that potential development as a consequence of a subdivision proposal can be undertaken in accordance with this Part.
2	Site Emergency Response Flood plan required (except for single-dwelling houses) where floor levels are below the design floor level.
3	Applicant to demonstrate that area is available to store goods above the 100 year flood plus 0/5m (freeboard).
4	Applicant to demonstrate that area is available to store goods above the PMF flood plus 0.5m (freeboard).
5	No external storage of materials below design floor level which may cause pollution or be potentially hazardous during any flood.

APPENDIX (CONTINUED)



PSD Zone	PSD L/S/Ha	SSR M³/Ha
1	80	530
2	100	455
3	130	370
4	150	325
5	130	370
6	-	-
7	-	-
8	-	-

Note : Where property is in the vicinity of the Zone Boundaries, confirmation of the PSD Zone should be sought from the Council.

Figure 1: Haslams Creek catchment area



Figure 2: Duck River catchment area

Item No: C08/20-525

NSW PUBLIC SPACES LEGACY PROGRAM

Responsible Division: Environment & Planning
Officer: Director Environment & Planning
File Number: SC426
Community Strategic Plan Goal: *A resilient built environment*

SUMMARY

In August 2020, the NSW Government announced the $250m NSW Public Spaces Legacy Program to enhance the provision of public spaces across NSW. Cumberland City Council is eligible for up to $5.5m in funding for public spaces, subject to supporting economic development through the timely processing of development applications and demonstration of Cumberland City's contribution towards housing supply in Greater Sydney.

This report presents a summary of the requirements for the program and considerations for Cumberland City. It is recommended that Council prepares a submission to participate in the NSW Public Spaces Legacy Program. This needs to be provided in August 2020 in accordance with guidelines associated with the program.

RECOMMENDATION

That Council:

1. **Endorse that a submission be prepared to the Department of Planning, Industry and Environment for Cumberland City Council to participate in the NSW Public Spaces Legacy Program.**

2. **Delegate authority to the General Manager to prepare a submission in accordance with the contents of this report.**

REPORT

Background

On 5 August 2020, the NSW Government announced the launch of a $250 million NSW Public Spaces Legacy Program as part of ongoing work to protect the health of the community, provide economic and jobs stimulus in response to the COVID-19 pandemic and deliver a legacy of safe, quality public and open space.

The program incentivises local councils to accelerate their assessments of development applications and rezonings to create new development capacity and meet demand for housing and employment over the next decade.

Funding for the planning, design, construction or land acquisition costs for new and existing public and open space will be made available to 68 councils across NSW that are using (or mandated to use) the ePlanning system, provided they can achieve improvements in assessment activity between 1 September 2020 and 30 June 2021.

Eligible public space projects include new or upgraded open and public space including regional and district public and open spaces and linear parklands, trails and strategic public and open space linkages, foreshore and riverfront precincts. This includes improvements for water-based recreation such as launching small watercraft, access to waterways for swimming, trails and picnic areas.

Funding is also available for urban amenity improvements including civic plazas, town squares and main street precincts that improve connections between public space, promoting walkability and greater accessibility.

Further information on the NSW Public Spaces Legacy Program is available on https://www.planning.nsw.gov.au/Policy-and-Legislation/Planning-reforms/NSW-Public-Spaces-Legacy-Program. The program guidelines are also provided in Attachment 1.

Considerations for Cumberland City Council

To be eligible for funding, Council must set out a project plan detailing the acceleration of the assessment timeframe of development applications, and to show how any regionally significant development applications (determined by a regional panel), that have been in the system for more than 180 days, will be finalised.

Council will also need to set out a project plan for completing the assessment of any rezoning proposals that have been in the system for more than four years, and for your Local Environmental Plan to provide 6-10 years housing or employment supply capacity by 30 June 2021.

Based on the Department's 2017-18 Local Development Performance Monitor data, Council is expected to target a 20% improvement in assessment performance benchmarked against the last 2-3 years of activity. This improvement target is prepared by the Department and considers the strategic capacity of Council, the volume of development applications it considers and current gross assessment timeframes.

An initial review has been undertaken by officers for Cumberland City Council to participate in the program. In relation to funding eligibility, the following items have been identified and further described in Table 1:

- Current KPIs for the processing of development applications as outlined in the Operational Plan provide a sound basis for assessment, and can be benchmarked to performance data from 2017-18

- With a strong recent performance in determination times for applications to the Regional Panel, there are currently only two items over 180 days for assessment, and a plan for finalisation can be readily identified and executed

- Council has adopted a Local Housing Strategy, which identifies short and medium term housing supply targets. These can be achieved with existing supply, forthcoming uplift in key centres (eg. Wentworthville) and potential improvements through the recently adopted strategic planning work program

Council officers will also liaise with the Department of Planning, Industry and Environment to confirm the proposed approach prior to finalising the submission.

Consideration for Funding Eligibility	**Proposed Approach**
Processing times for development applications	Confirm if average or median processing time to be used. Use 2017-18 data as baseline figure. Rely on improvements during 2018-19 and 2019-20, as well as 2020-21 KPIs as achievement of funding eligibility for program Average (mean) times for Cumberland based on 155 days (2017-18), 127 days (2018-19), 107 days (2019-20) and 102 days (2020-21) Median (middle) times for Cumberland based on 101 days (2017-18), 96 days (2018-19), 91 days (2019-20) and 86 days (2020-21)
Applications greater than 180 days for Regional Panel	Cumberland achieved the second fastest processing times for the Regional Panel in the third quarter for 2019-20 There are two applications currently with Council that are greater than 180 days. Issues related to traffic are being progressed to enable finalisation in a timely manner
Completion of rezoning proposals in the system for more than four years	Not applicable to Cumberland, as current planning proposals (rezonings) in the system are less than four years
Local Environmental Plan to provide 6-10 years housing or employment supply capacity by 30 June 2021	Local Housing Strategy adopted by Council. Housing supply capacity available in current Local Environmental Plan for 6-10 years. Additional housing supply to be provided in planning proposals under finalisation for Wentworthville, Auburn and Lidcombe. Strategic planning work program for 2020-21 and 2021-22 endorsed by Council to review planning controls to support the feasible delivery of future housing supply Employment and Innovation Lands Strategy adopted by Council. Employment capacity available in Local Environmental Plan

Table 1: Considerations for funding eligibility and proposed approach for submission

In relation to potential projects for initial identification as part of the program, an initial review has been undertaken by officers. Selected projects have been identified for consideration and are summarised in Table 2. Further work will be undertaken prior to submission to confirm the scope, budget and funding mix to maximise the $5.5m contribution that is available for Cumberland City. Council will also need to confirm with the Department of Planning, Industry and Environment whether one or more projects can be submitted.

Potential Project	**Rationale**
Civic Square, Merrylands	Enhance key public domain areas for Cumberland's proposed strategic centre, aligned with strategic planning work and urban development in this location
Auburn Park Upgrade, Auburn	Progress remaining land acquisition component of local open space within the Parramatta Rd strategic corridor, consistent with Council's resolution and Open Space and Recreation Strategy
Chadwick Reserve, Lidcombe	Progress land acquisition for the expansion and embellishment of local open space at Chadwick Reserve along John Street, which is located near the Lidcombe Town Centre, consistent with Council's resolution and Open Space and Recreation Strategy

Table 2 Potential projects for nomination in the NSW Public Spaces Legacy Program

Next Steps

It is recommended that Council endorse that a submission be provided to the Department of Planning, Industry and Environment for Cumberland City Council to participate in the NSW Public Spaces Legacy Program.

Subject to Council's endorsement, the following information will be included in the submission:

1. A proposal that demonstrates how Council will achieve the requirements of the program, including Council's assessment improvement target over the monitoring period 1 September 2020 to 30 June 2021 and the proposed approach to rezonings; and

2. A short description of a public space project or projects that Council seeks to be funded, should the assessment improvement target be met.

The Department will invite Councils to participate in the program if their proposal is assessed as providing a realistic program to achieve these performance targets by 30 June 2021. The performance will be monitored monthly from 1 September 2020.

If Council is invited to participate in the funding program, we will be asked to provide a detailed public space project proposal in early 2021. Funding for the project or projects will be confirmed through a funding agreement and will be released through design and construction milestones. Some design funding will be available midway through the performance monitoring period and construction funding to be committed once the performance targets have been met in mid-2021.

COMMUNITY ENGAGEMENT

Should Council be successful in its submission for the NSW Public Spaces Legacy Program, community consultation will be undertaken on successful project(s) in accordance with statutory requirements.

POLICY IMPLICATIONS

The outcomes of the NSW Public Spaces Legacy Program support the delivery of strategic directions identified in the Community Strategic Plan and Cumberland 2030: Our Local Strategic Planning Statement.

RISK IMPLICATIONS

There are minimal risk implications for Council associated with this report. Should Council be successful, risks in the delivery of improvements to assessment times and the delivery of eligible projects will be managed through the use of existing frameworks.

FINANCIAL IMPLICATIONS

The program can allocate up to $5.5m for Council to use on eligible projects. These projects are also identified in the Cumberland Local Infrastructure Contributions Plan, with some funding already available as a further contribution to plan and deliver these projects.

CONCLUSION

This report provides an overview of the NSW Public Spaces Legacy Program and opportunities for Cumberland City Council. It is recommended that Council provide a submission to the Department of Planning, Industry and Environment for Cumberland City Council to participate in the NSW Public Spaces Legacy Program.

ATTACHMENTS

1. NSW Public Spaces Legacy Program Guidelines ⇩

DOCUMENTS ASSOCIATED WITH REPORT C08/20-525

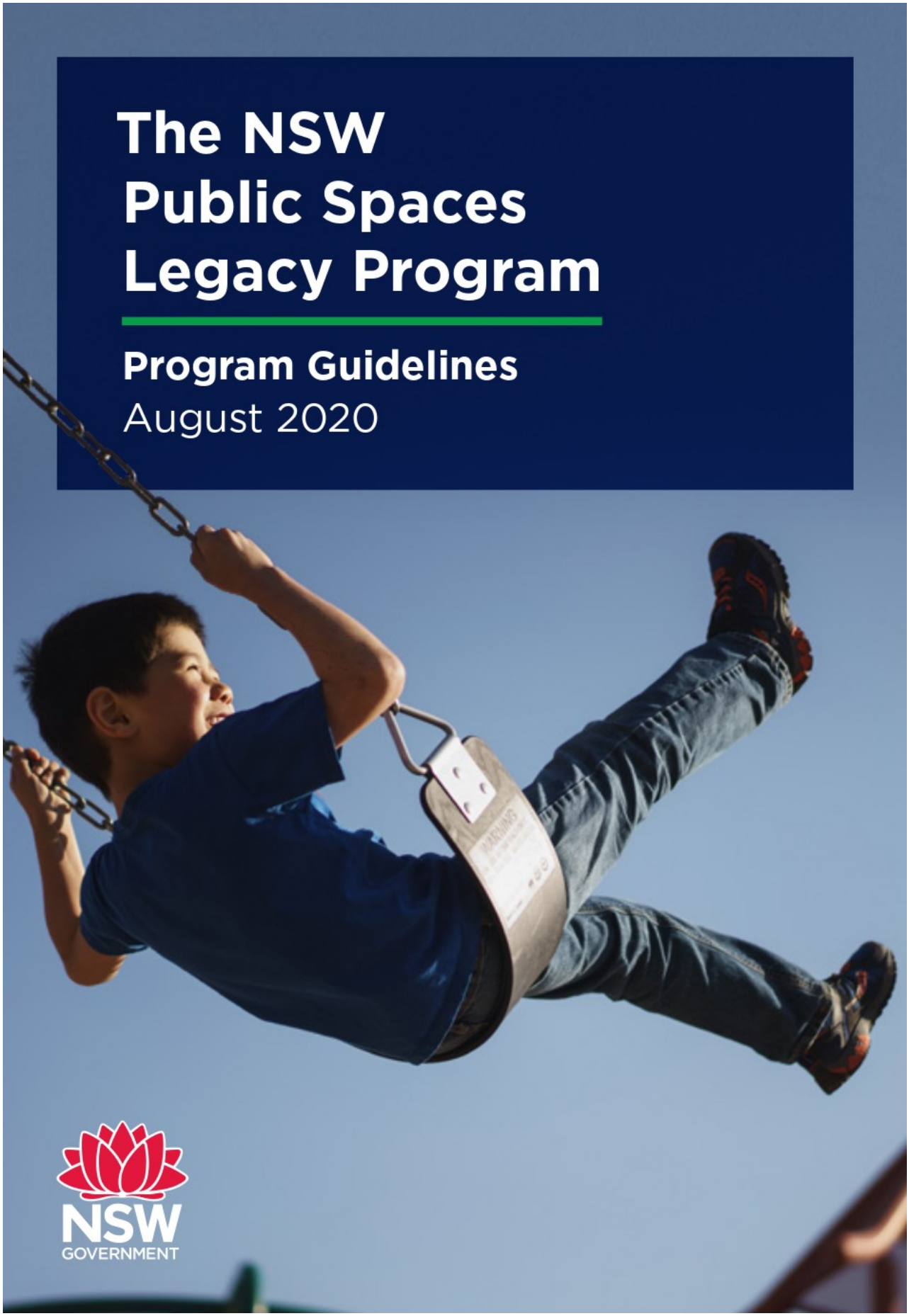
Attachment 1

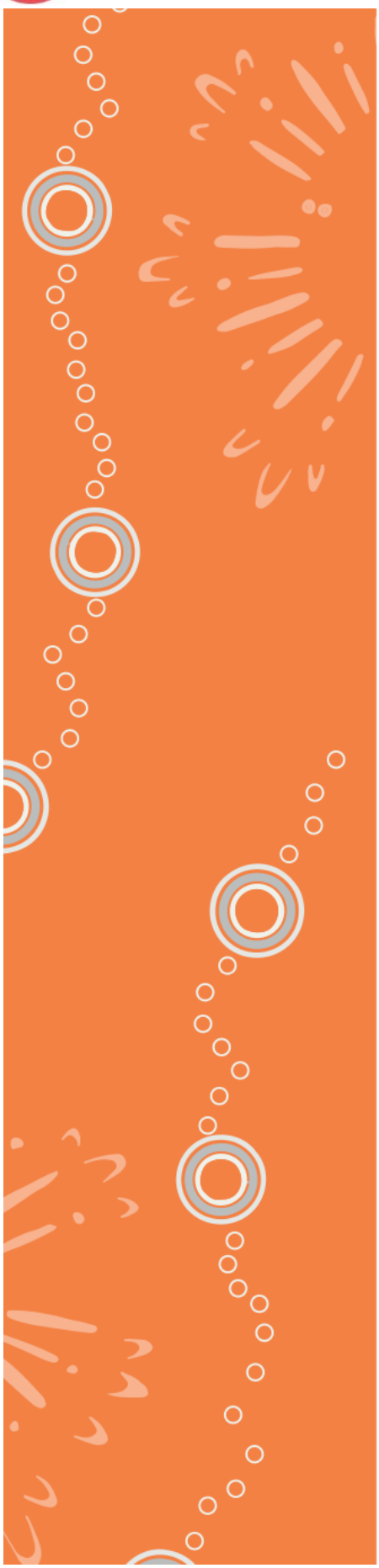
NSW Public Spaces Legacy Program Guidelines

The NSW Public Spaces Legacy Program

Program Guidelines

August 2020





Acknowledgement

NSW Department of Planning, Industry and Environment acknowledges the traditional custodians of the land and pays respect to all Elders past, present and future

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Title: NSW Public Spaces Legacy Program

Subtitle: Program Guidelines

First published: 5 August 2020

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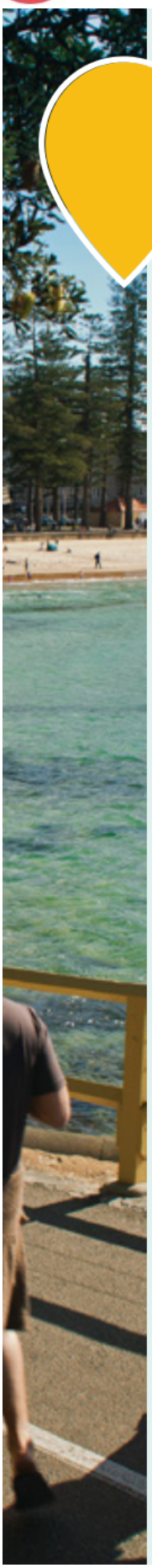


Introduction

Councils across NSW have achieved significant improvements in their planning assessment processes over recent years. This has been complemented by ongoing work in strategic planning such as the preparation of local strategic planning statements and the review of councils' Local Environmental Plans.

The economic impact of the Covid19 pandemic creates an imperative to seek even greater speed in assessment, to ensure that good planning decisions can be made as quickly as possible. This will aid economic recovery by helping to unlock construction jobs, economic activity and broader public benefits. It will also provide confidence in the planning system by giving a definitive response on proposals as early as possible.

Further process improvements will require a higher level of focus; councils may need to allocate resources to achieve faster assessment decisions.

The NSW Public Spaces Legacy Program recognises this resource impact by offering a financial incentive for councils that are responding to the Covid19 pandemic by setting and achieving higher assessment performance targets in the short to medium term.

Covid19 has shown the extent to which people value their public spaces, with half of people surveyed spending more time outdoors during the pandemic. This fund is about seizing the opportunity to build on that momentum and to create a positive public space legacy for our future.

As the Covid19 period has demonstrated, access to quality open and public space is central to community and individual health and can be a driver of economic performance.

The NSW Public Spaces Legacy Program will provide long-term value by funding new and/or improved high-quality public and open spaces ensuring a legacy well beyond the Covid19 economic recovery period.

Planning Reform Action Plan

The Government has recently announced a broad Planning Reform Action Plan to create a more timely, certain and transparent planning system. The Action Plan includes measures to reduce assessment times for planning proposals, regionally significant development applications and major projects, implement the next stage of ePlanning, provide new resources for the NSW Land and Environment Court, reduce concurrence and referral cases between agencies, and review application fees with a link to speed of assessment.

This includes the Faster Assessments Program which will combine new resources with system improvements to slash assessment times. This involves a commitment by the NSW Government to reduce timeframes for:

- Rezoning decisions by 33 per cent;
- Decisions on development applications for larger, regionally significant projects by 91 days (a 25 per cent time saving); and
- Decisions on major projects of significance to the State by 20 days (a 17 per cent time saving).

This measure will help to stimulate the economy by reducing developer holding costs, administrative costs around preparation of development applications and minimizing the time spent navigating the planning system.

Objectives of the NSW Public Spaces Legacy Program

The NSW Public Spaces Legacy Program will support the Planning Reform Action Plan by providing incentives and guidance to councils seeking to match the objectives of the Faster Assessments Program through their own local assessment acceleration program. The objectives of the NSW Public Spaces Legacy Program are to:

- improve development assessment speeds and planning proposals (rezoning);
- bring forward construction and the opportunity for jobs and economic activity in the short to medium term;
- support investment in the creation of high-quality public and open spaces to create a lasting community benefit; and
- address critical open space shortfalls and improve the quality of existing public and open spaces.

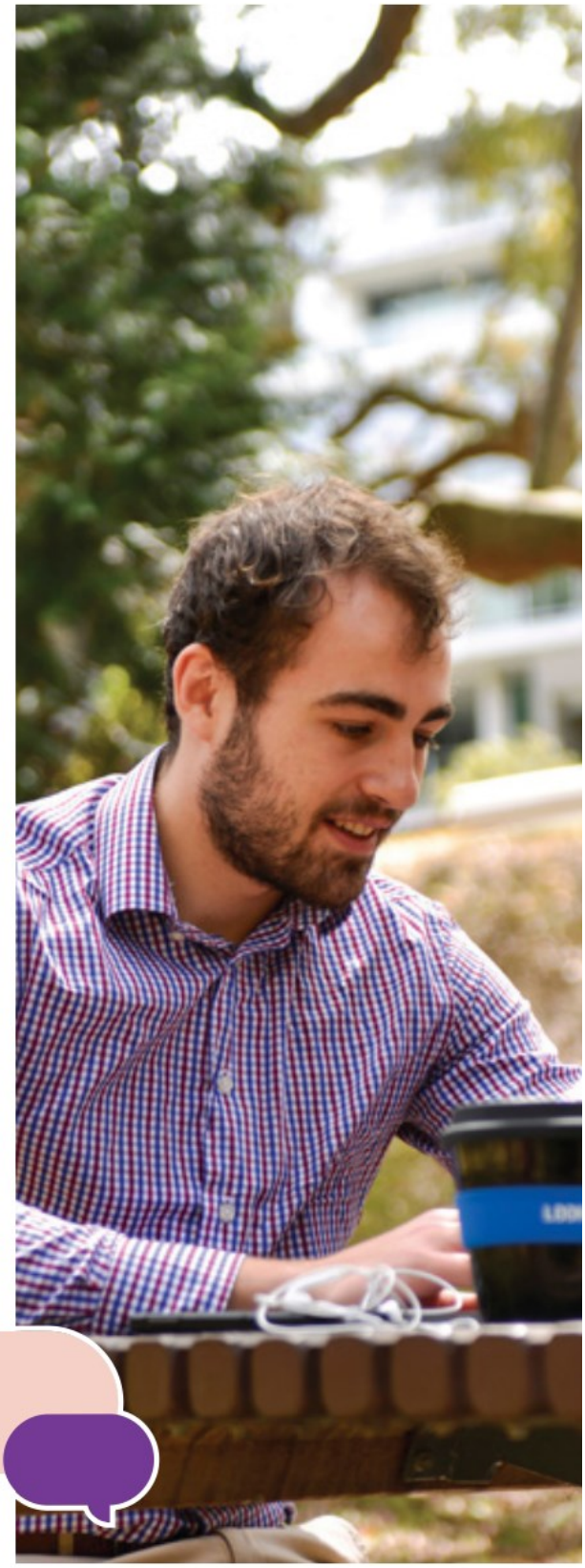
Why high-quality public and open space?

New South Wales has many well-loved public spaces, streets, parks, bushland areas, beaches, and waterways. These places contribute to making our communities attractive, healthy and liveable. The Covid19 pandemic has made us realise how valuable these places are.

Public and open space contributes to the growth of healthy and sustainable communities by promoting access to nature, culture, sport and recreation. It improves a place's appeal to visitors and enhances quality of life. As our communities grow and change, it is essential that public spaces are accessible and that the open space network is planned, designed and delivered to ensure future community needs are met.

Public and open space is land that has been set aside from development to accommodate recreation or relief from the built environment. It can be used for purposes such as personal and social recreation, sport and physical activity, active transport corridors, waterway and riparian corridors, biodiversity and fauna conservation, and visual and landscape amenity. It includes natural areas and linkages, foreshore areas, parklands, sports grounds and courts, children's play spaces, public streets and linear walking, cycling, and equestrian tracks. These are integral to the character and life of urban areas. Open space can be categorised as local, district or regional open space and can be parklands, natural areas and foreshore areas.

High-quality public and open spaces are recognised through excellence in planning, design, community engagement and ensuring the community is able to get there, stay, and participate.



Structure of Program & Eligibility

Funding is available to councils that can demonstrate a significant acceleration of their planning decision process between 1 September 2020 and 30 June 2021.

Councils can apply for an upper limit of funding as outlined in Table 1 – Funding Allocations, below. Councils have been categorised according to Australian Bureau of Statistics Classification of Local Government and Office of Local Government groupings, which is based on broad demographic variables including population, location, size and economy.

The funding for each council reflects the potential positive impact on local economies and job creation arising from their assessment program and – to a lesser extent - the likely cost of delivering public and open space upgrades. Additional funding is available to some councils that have been identified as having a significant shortfall in open space as determined in detailed analysis of open space provision by Department of Planning, Industry and Environment.

In order to maintain integrity in the reporting process, the program is available to the 68 councils across NSW that either are currently using or are mandated to use the ePlanning system.

To be eligible for funding, councils must:

1. Identify benchmark performance and opportunities to improve that performance; and
2. Commit to a local assessment acceleration program, including measurable targets, that achieve significant performance improvement; and
3. Be operating on the ePlanning platform – or mandated to adopt the ePlanning platform – at the commencement of the program.



Table 1 – Funding Allocations

OLG Category	Councils	Upper limit per council
Metropolitan developed councils (with open space shortfall)	Bayside Council, Burwood Council, Camden Council, Canterbury-Bankstown Council, Cumberland Council	$5.5M
Metropolitan developed council	Blacktown City Council, Willoughby City Council, Council Of The City Of Sydney, The Hills Shire Council, Woollahra Municipal Council, Northern Beaches Council, Mosman Municipal Council, The Council Of The Municipality Of Hunters Hill, Waverley Council, Lane Cove Municipal Council, North Sydney Council, Inner West Council, Sutherland Shire Council, Ryde City Council, City Of Parramatta Council, Randwick City Council, Liverpool City Council, Strathfield Municipal Council, Fairfield City Council, Ku-Ring-Gai Council, City Of Canada Bay Council, Georges River Council	$4.75M
Metropolitan fringe council	Wollondilly Shire Council, Central Coast Council, Blue Mountains City Council, Penrith City Council, Hawkesbury City Council, The Council Of The Shire Of Hornsby, Campbelltown City Council	$4.0M
Regional city council	Coffs Harbour City Council, Cessnock City Council, Dubbo Regional Council, Maitland City Council, Clarence Valley Council, Shoalhaven City Council, Port Stephens Council, Tweed Shire Council, Byron Shire Council, Albury City Council, Port Macquarie-Hastings Council, Mid-Coast Council, Lake Macquarie City Council, Wingecarribee Shire Council, The Council Of The Municipality Of Kiama, Shellharbour City Council, Wollongong City Council, Armidale Regional Council, Newcastle City Council	$3.0M
Large rural and Rural council	Cootamundra-Gundagai Regional Council, Snowy Valleys Council, Tenterfield Shire Council, Cowra Shire Council, Uralla Shire Council, Leeton Shire Council, Forbes Shire Council, Gunnedah Shire Council, Hilltops Council Kyogle Council, Upper Hunter Shire Council, Yass Valley Council, Glen Innes Severn Shire Council, Moree Plains Shire Council, Murrumbidgee Council	$2M

Categories are based on the Australian Bureau of Statistics Australian Classification of Local Government Office of Local Government Groupings.

https://yourcouncil.nsw.gov.au/wp-content/uploads/2018/05/Australian-Classification-of-Local-Government-and-LOG-group-numbers.pdf

How to apply



1. Visit the website:

dpie.nsw.gov.au/publicspaceslegacy



2. Submit your completed application to:

publicspaceslegacy@planning.nsw.gov.au

Your application

Councils are encouraged to submit an application that demonstrates how it will meet four key requirements:

1. Substantially accelerate planning assessments between 1 September 2020 and 30 June 2021; and
2. Commit to completing regionally significant development applications that have been under assessment for more than 180 days by 30 December 2020; and
3. Further commit to delivering on housing and jobs growth, by:
   - for metropolitan councils, exhibiting updated local environmental plans to incorporate housing or employment supply for at least 6-10 years, by 30 June 2021; or
   - for regional councils, finalising local strategic planning statements by 30 June 2021; and
4. Commit to delivering rezonings that have been under assessment for more than 4 years, by 30 June 2021.

Nominations should include a brief description of a public or open space project or projects that can be delivered by 31 December 2022 and that will meet the assessment criteria – public and open space as outlined below.

Assessment criteria – accelerated planning

To be eligible for funding the council must make a commitment to accelerate its median assessment timeframe for development applications by 20% between 1 September 2020 and 30 June 2021. The improvement target is to be benchmarked against evidence of councils' assessment performance over the past 2-3 years.

Councils will be expected to identify in their submission, regionally significant development applications (to be determined by a regional panel), that have been in the planning system for more than 180 days and commit to their determination by 31 December 2020.

Councils will also be required to provide a project outline plan for accelerating rezoning decisions. The outline plan should show how the council will complete rezoning proposals that have been under assessment since July 2016 to help deliver the 33% reduction in rezoning timeframes. In metropolitan Sydney councils should show how they will update their local environmental plans to ensure there is 6-10 years of housing or employment supply capacity, by 30 June 2021. For regional councils the application should identify how they will ensure the early delivery of their Local Strategic Planning Statement.

The Department of Planning, Industry and Environment will consider the strategic capacity of the council, the volume of DAs it considers and gross median assessment timeframes when reviewing the proposed targets. Councils can make representations to set performance targets lower than 20% or propose longer deadlines for rezoning decisions, where they can demonstrate that they have successfully undertaken an assessment acceleration program in recent years or provide reasonable justification for the timeframes for rezonings. Councils will need to provide substantial evidence such as data of annual volume of DAs, annual gross median assessment timeframes and housing supply capacity.



Assessment criteria – public and open space

Funding will be provided for projects that deliver new or upgraded public and open spaces. The program will support the design and delivery of:

- Open spaces and parklands including regional and district open spaces and linear parklands; or
- Trails and strategic open space linkages including recreational improvements of riparian corridors and easements that contribute to the delivery of important corridors identified in Regional Plans or endorsed Local Strategic Planning Statements (for example, in Greater Sydney, the Green Grid); or.
- Foreshore and riverfront precincts, including improvements for water-based recreation such as launching small watercraft, access to waterways for swimming, trails and picnic areas; or
- Civic plazas, town squares and main street precincts that improve connections between public space, promote walkability and greater accessibility; or
- Heritage works associated with any of the above

Project nominations should have strategic alignment to Government strategies such as:

- Council strategies, such as Local Strategic Planning Statements or other strategic documents such as open space and recreation strategies, urban design plans, town centres or economic strategies, active travel and transport plans.
- Long term open space network outcomes, such as the Sydney Green Grid, Council open space and recreation strategies etc that demonstrate a long-term change and benefit for the community.
- Inclusive play spaces aligned with the Everyone Can Play Guidelines.

Projects should support the delivery of the Premier's Priority of increasing access to quality green, open and public space and align with the principles of Greener Places.

Councils are encouraged to put forward projects that, ideally:

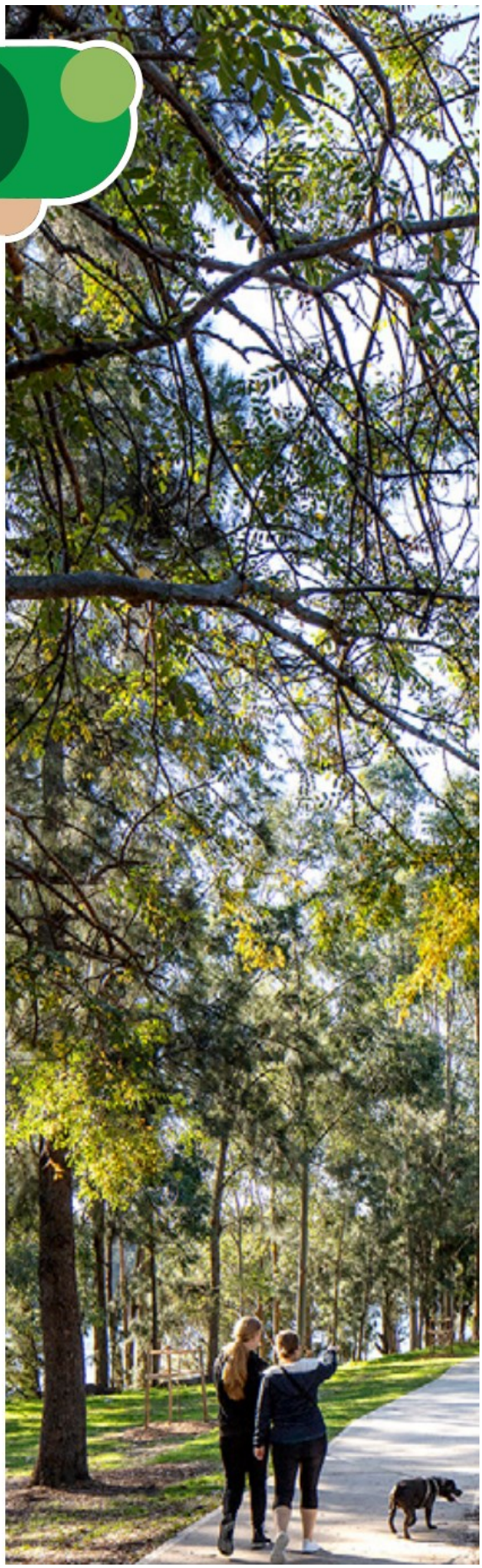
- increase social cohesion and recreational deficiencies in vulnerable communities;
- are in areas of known open space or recreational deficiencies;
- are of district or regional importance and deliver a significant open space legacy;
- create a broad range of community benefit including environmental and liveability outcomes;
- improve the quality of public and open space and enable safe and flexible use through embellishment works;
- fills in gaps in the open space network; and
- enable increased community access to public and open space.

Projects can include land acquisition for the purpose of creating new open space in areas where council has documented and published evidence of an existing deficiency in open space.

Councils are encouraged to submit projects that demonstrate innovative approaches to public or open spaces which increase community access, inclusivity and flexible use. Projects that will increase the diversity of recreational experiences and opportunities for communities will be well considered.

Design services will only be funded as part of the delivery of a project. Master planning or design services will not be funded in isolation.

Where projects are for the upgrade, extension or replacement of existing infrastructure applications will need to demonstrate how the project provides significant increase in benefit than is currently existing (i.e. improved economic, environmental or social benefits).



Projects must be undertaken on land that is freely and openly accessible to the public, and is Community Land and/or Crown Lands that are under the care, control and management of the council.

The following projects will not be eligible for funding under the NSW Public Spaces Legacy Program

- Projects outside of NSW
- Purchase of land for purposes other than open space creation
- Funding of personnel or staff positions
- Events, marketing, branding, advertising or product promotion
- Projects requiring ongoing funding from the NSW Government
- Retrospective funding to cover any project component that is already complete/ underway
- Maintenance works
- Projects which are considered to be part of council's usual ongoing maintenance and management of a site (including ongoing reserve management, asset maintenance or replacement of existing infrastructure).
- Construction and planning of organised sporting facilities, including club houses and synthetic sports fields.
- Commercial operations and buildings, including club rooms.
- Road works including routine upgrading of footpaths, kerbs and car parks, with the exception of carparks that support the use and access to open space areas.
- Public art pieces as a singular project. Note public art that is integrated in to a wider public and open space project will be considered.
- Projects that require the public to pay a fee to access the site.

Process

Applications will be assessed by an interagency assessment panel of NSW Government representatives, overseen by a probity advisor.

The panel will assess the proposed council acceleration programs against the mandatory criteria outlined above. If the performance targets meet the requirements, the council will be eligible for funding and will – subject to entering a funding agreement with the Department of Planning, Industry and Environment – be able to access the funding as outlined in Table 2 below.

Note that public and open space projects will be confirmed for funding eligibility against the assessment criteria – public and open space, prior to funding being transferred.

Council will report their performance against targets, in the prescribed form, monthly from 30 September 2020 to 30 July 2021. Performance will be monitored to the end of the performance monitoring period to confirm commitments have been reached. If targets are not reached at the end of either monitoring period, the funding agreement will expire.

Councils will be responsible for delivering the project within the budget set out in the funding agreement.

Prior to receiving the first round of funding under the program, the council will submit a detailed project proposal that details the project's alignment with the assessment criteria above and the council's capability to deliver the project including:

- evidence that the project will provide value for money and that the budget is realistic for the scale and impact of the project.
- clear strategies for engagement of the community, participants and stakeholders.
- a statement of technical ability and resources to effectively deliver the project, (including a project budget and risk assessment); and
- a schedule showing that the project will be complete by 30 June 2023.

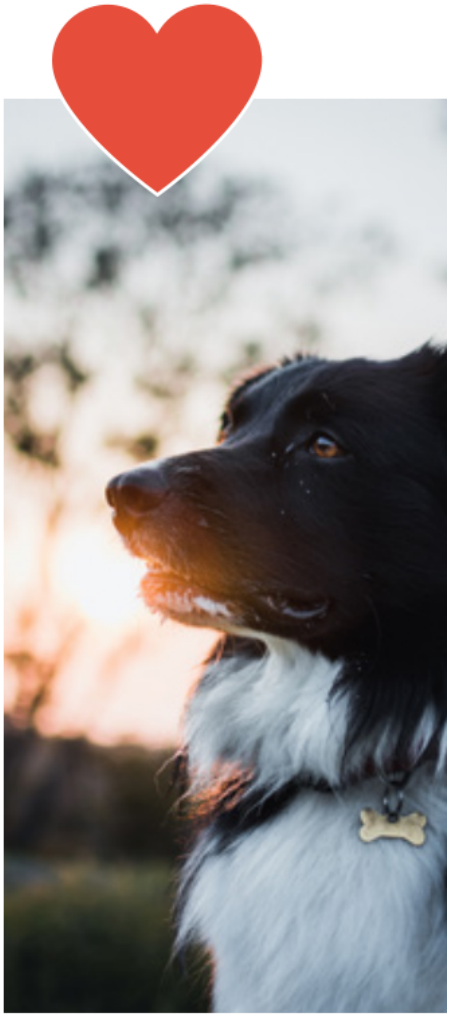
Table 2 – Funding and Monitoring Milestones

Stage	% of allocation	Milestone
Planning & design	10%	After end of monitoring period 1 (1 September 2020 to 31 December 2020)
Construction & acquisition	50%	After end of monitoring period 2 (1 January 2021 to 30 June 2021)
Completion	40%	End of construction (prior to 31 December 2022)

Timeframes – Nomination & Selection Process

Table 3 - Program Schedule

Action	Date
Applications open	5 August 2020
Applications due	28 August 2020
Assessment acceleration monitoring period commences	1 September 2020
Participation agreements offered to shortlisted councils	14 September 2020
Participation agreements returned to DPIE	25 September 2020
Successful councils invited to submit detailed public and open space project proposals	1 February 2021
Funding agreements issued to participating councils. Detailed planning & design period for open space project(s) commences	1 March 2021
Construction commences (after)	1 August 2021
Construction complete	31 December 2022



Submission of applications

Applications are due by 28 August 2020.

Acknowledgement of receipt of application will be via return email.

Advice and guidance

The Department of Planning, Industry and Environment will provide an online briefing to councils in the week commencing 10 August.

The Department is also available to provide information to potential applicants on interpretation of these guidelines, including types of projects eligible for funding.

For inquiries or more information email: publicspaceslegacy@planning.nsw.gov.au

Program management

Councils are asked to nominate a project manager for each project and to notify the Department of any changes to the role. Councils are responsible for project management and budgetary control.

Payment of grants

Payment of grants will be subject to review of costs and the achievement of milestones as set out in the funding agreement and generally in accordance with Table 3 above.

Reporting and monitoring

As part of the Funding Agreement, the successful applicants will be required to submit project progress reports. Progress reports may include photographs and evidence of progress. The Department will also expect Councils to use ePlanning processes to track the delivery of development applications.

Project launch and promotion

A communication pack will be provided to grant recipients to provide approved key messages, branding, logos and multimedia to help you promote the project and Program and acknowledge the funding contribution.

It is a condition of grant funding that the Minister for Planning and Public Spaces, NSW Government and the Secretary, Department of Planning, Industry and Environment be:

- invited to attend any formal launch event (including commencement and completion ceremonies);
- advised four weeks prior to any formal event; and
- acknowledged for their contribution on all communications and media for the project.

Project completion

A final report is required at the completion of projects and is to be included with the submission of final payment claims.

This report should be accompanied by photographs and any other evidence of project completion. Councils will be required to collect data to help evaluate the fund, individual funded projects and community satisfaction.

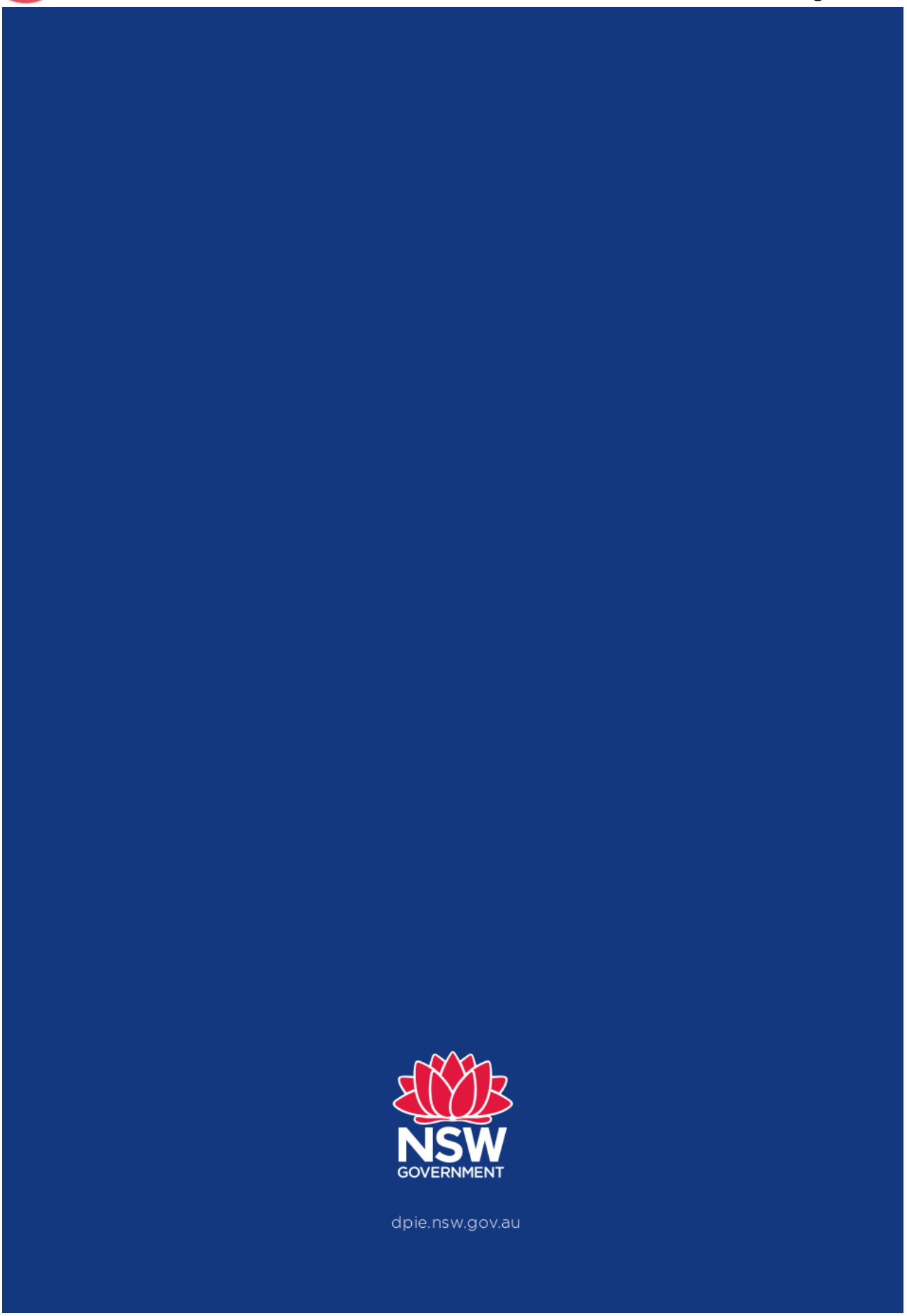
Data requirements will be detailed in funding agreements and a reporting template provided.

Insurance requirements

Organisations applying for funding through this program must have a minimum public liability insurance cover of $20 million.

We recommend, though it is not a condition of funding, that applicant organisations have personal accident and professional indemnity insurance. Organisations that employ staff must comply with the NSW *Workplace Injury Management and Workers Compensation Act 1998*.

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Item No: C08/20-526

WENTWORTHVILLE MEMORIAL SWIM CENTRE - CREATION OF ELECTRICAL EASEMENT

Responsible Division:	Works & Infrastructure
Officer:	Director Works & Infrastructure
File Number:	T-2019-007
Community Strategic Plan Goal:	*A resilient built environment*

SUMMARY

This report recommends that Council grant an easement on Dunmore Street, Wentworthville at the front of Wentworthville Memorial Swim Centre to Endeavour Energy.

RECOMMENDATION

That Council:

1. **Agree to the creation of an easement on Dunmore Street, Wentworthville as shown in the attachment, for Endeavour Energy; and**
2. **Delegate to the General Manager the authority to execute the agreement with Endeavour Energy and any associated documents.**

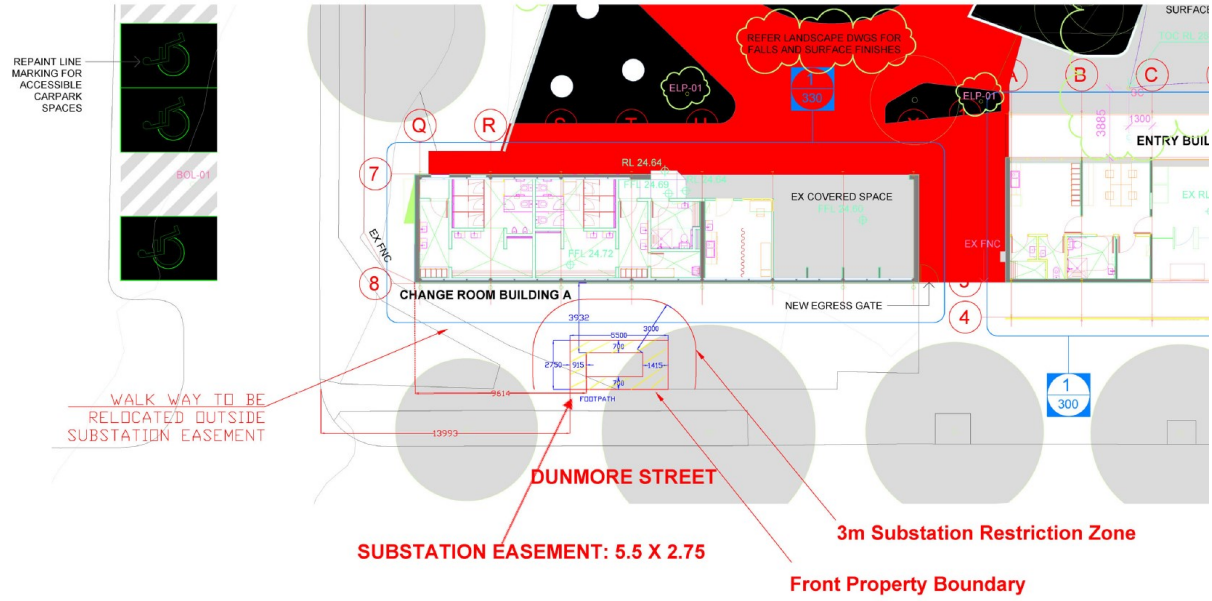
REPORT

The electrical design for Wentworthville Memorial Swim Centre project calls for a new kiosk substation to be supplied and installed by the Contractor. This work requires the Contractor to submit an application to the service provider (Endeavour Energy) for approval of the design of the proposed substation.

Endeavour Energy responded to the Contractors application with conditions to relocate the substation out of the restriction zone (due to nearby tree and pathway).

In addition to the relocation of the substation, the installation of a substation requires that an easement be created to protect the underground services that run to and from the proposed substation.

An image of the proposed easement location is shown below:



The easement of the substation is 5.5m x 2.75m in dimensions.

It is now requested that Council support the creation of this easement, and delegate to the General Manager the authority to complete the agreement form, from Endeavour Energy (Attachment 1).

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

Should this easement not be granted by Council, the Wentworthville Memorial Swim Centre (WSMC) project will be delayed.

FINANCIAL IMPLICATIONS

The cost of creating the easement is funded within the Wentworthville Memorial Swim Centre project.

CONCLUSION

It is recommended that Council grant the easement at the front of Wentworthville Memorial Swim Centre, Wentworthville to Endeavour Energy in accordance with their request.

ATTACHMENTS

1. Agreement for Entry Grant and Creation of Easement ⇩

DOCUMENTS ASSOCIATED WITH REPORT C08/20-526

Attachment 1

Agreement for Entry Grant and Creation of Easement

Endeavour Energy

Agreement for Entry, Grant, and Creation of Easement

Endeavour Energy project number	ULL2866
The Land The land affected by the project	Lot number/s: 21 & 20
	DP number/s: DP 15752
	Street: 83-115 Dunmore Street
	Suburb: Wentworthville

The Owner The owner/s of the land	Name/s: Cumberland Council	
	Contact person: Hamish McNulty	
	Postal address: 16 Memorial Av, Merrylands NSW 2160	
	Phone: 8757 9003	Mobile:
	Email: Hamish.mcnulty@cumberland.nsw.gov.au	

The Bond Payer The party who pays and is entitled to the refund of the property tenure bond *If the same as the owner you may insert "SAME AS THE OWNER"*	Name/s: Omnistruct	
	Contact person: Gino Gigliotti	
	Postal address: Unit 5/19 Enterprise Circuit	
	Prestons NSW	
	Phone: 02 9607 3577	Mobile: 0418 525 027
	Email: gino@omnistruct.com.au	

The owner and the bond payer agree with the following property requirements:

1 Endeavour Energy and any accredited service provider may enter the land, using the most practical route, to carry out work on existing electrical equipment and/or install new permanent electrical equipment as set out on the construction drawing for the project.

2 The owner will grant any required easement/s[1] for the electrical equipment to Endeavour Energy.

3 The owner accepts the location and dimensions of the easement/s, as set out on the construction drawing, and the relevant standard easement terms as set out in MDI0044.

4 A property tenure bond (PTB) must be paid by the bond payer prior to construction drawing certification.

5 The bond payer is responsible for arranging for the creation of the easement/s and paying any associated compensation, survey, legal and ancillary costs.

6 All draft documents, including a 'Works as Executed plan' by a registered surveyor, must be forwarded to Endeavour Energy for approval and execution prior to registration.

7 The PTB will be refunded to the bond payer after evidence is provided to Endeavour Energy that the easement/s have been registered on the certificate of title for the land.

8 The bond payer has 6 months to register the required easement/s from the date the new electrical equipment is commissioned. If the bond payer fails to register the easement/s within that time, the PTB may be forfeited to Endeavour Energy.

[1 'Easement/s' also includes rights of access, restrictions and positive covenants.]

Endeavour Energy

Agreement for Entry, Grant, and Creation of Easement

Endeavour Energy project number	ULL2866

By signing this agreement the owner and the bond payer acknowledge and agree with the details and conditions set out on Page 1.

A privacy statement is available from web site www.endeavourenergy.com.au

Signature of the **owner**

Print name

Entity name
if signing on behalf of an entity

Capacity of signatory
if signing on behalf of an entity

ACN/ABN

Signature of witness

Print name

Address of witness

Date of execution

If the owner is the bond payer you make strike through this signature section.
If there is more than one owner, please attach additional sheet/s showing the following information:

Gino Gigliotti
Signature of the **bond payer**

Gino Gigliotti
Print name

Omnistruct
Entity name
if signing on behalf of an entity

Capacity of signatory
if signing on behalf of an entity

ABN: 89 104 892 346
ACN/ABN

Slaven Markovic
Signature of witness

Slaven Markovic
Print name

Address of witness

22/07/2020
Date of execution

IMPORTANT NOTE:
This is a legal agreement so please read carefully.
If you do not understand any requirements,
please make further enquires or consult your legal advisor, prior to signing.