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11 May 2020

Mr Hamish McNulty
General Manager
Cumberland Council
PO Box 42
Merrylands NSW 2160

Email council@cumberland.nsw.gov.au

Dear Mr McNulty

Planning Proposal – Draft Cumberland Local Environmental Plan

The Property Council welcomes the opportunity to provide comments to Council on its draft Cumberland Local Environmental Plan (CLEP).

As Australia's peak representative of the property and construction industry, the Property Council's members include investors, owners, managers and developers of property across all asset classes. We are pleased to provide the following comments on the planning proposal for your consideration.

The Property Council understands that Council is one of eighteen (18) councils in Greater Sydney that are participating in the Accelerated LEP Review Program. The identification of certain local government areas for accelerated translation of the relevant District Plan during 2020 (one year ahead of the remaining 15 councils in Greater Sydney) was appropriate. Cumberland City Council's participation in this program is also appropriate.

Council has been given financial assistance from the NSW Government to complete a number of milestones under the program. The completion of this Planning Proposal (PP_2019_CUMBE_006_00) is one such milestone. Finalisation of Council's Local Strategic Planning Statement (LSPS) and Local Housing Strategy (LHS) being other important steps.

We note that page 6 of Council's Planning Proposal states "a single Cumberland LEP will simplify the planning process by reducing the number of instruments applicable to land in the Cumberland LGA, removing the duplication of planning controls and aligning, where possible, the land uses and controls within the current instruments. The new LEP is not intended to be a comprehensive review of all planning controls, but a consolidation of the existing LEPs applicable across the Cumberland local area". The Planning Proposal goes on to say: "In addition to harmonising the existing LEPs, the planning proposal seeks to implement a targeted range of other strategic planning work that has been substantially progressed as separate and individual projects".

Section 3.8 of the *Environmental Planning and Assessment Act 1979* requires a Planning Proposal Authority, when preparing a planning proposal under section 3.33, to give effect to any district strategic plan, applying to the local government area to which the planning proposal relates. Also as soon as practicable after a district strategic plan is made, the relevant council must review its local environmental plan for the area and prepare such planning proposals under section 3.33 as are necessary to give effect to the district strategic plan. Unfortunately, the current planning proposal only goes so far and, in our view, fails to adequately give effect to the district's strategic plan.

It is disappointing that more than two years since the Regional Strategic Plan and Central City District Plan were endorsed by the NSW Government and eight months since the public exhibition of Council's draft LSPS, it is not in a position to exhibit a planning proposal that will "give effect" to the important need to boost housing supply in Cumberland City LGA. Council should set out its planned timeframe for completion of the next phase of the LEP, being the implementation of its recently exhibited Local Housing Strategy.

Nevertheless, the Property Council acknowledges the substantial effort Council has made towards the preparation of this Planning Proposal. Harmonisation of the planning controls of three separate councils (Auburn, Holroyd and part of Parramatta) is very complex and can be controversial.

Housing Targets

The Greater Sydney Commission (GSC) issued Council with a letter of support on 4 March 2020 which included a 6-10 year housing target between 10,000 and 12,500 additional dwellings. This involves the production of more than 2,000 new dwellings annually.

The Central City District Plan imposed a 0-5 year housing target upon Council of 9,350 dwellings from 2016/17 to 2020/21 (being production of about 1,870 new dwellings each year). In the first three years of this period (2016/17 to 2018/19) there has been 6,089 dwellings completed in the Cumberland LGA. Council should take necessary action to ensure that its policy settings are appropriate for the continuation of new housing supply at or above this level.

General Comments on Planning Proposal

The intent of the current Planning Proposal is to:

- Facilitate a new local environmental plan (LEP) for Cumberland which provides the key planning controls for the area;
- Revised planning controls for the Auburn and Lidcombe Town Centres (implementation of the Auburn and Lidcombe Town Centres Planning Controls Strategies);
- Minimum lot sizes for dual occupancy development, by providing a consistent lot size across the Cumberland area;
- Targeted changes to planning controls along the Parramatta and Woodville Road corridors;
- Stage 1 of the Cumberland Heritage Study, including the proposed de-listing of 9 properties that have been assessed as no longer meeting the NSW heritage criteria for assessing heritage significance; and
- Miscellaneous minor rezoning and/or planning control changes. In particular, the planning proposal seeks to clarify the land use permissibility of government owned land, and address selected site specific anomalies on privately owned sites, through appropriate minor site zoning and/or planning control changes in various locations across Cumberland.

These actions are generally considered to be appropriate and, as detailed below, are supported.

Auburn and Lidcombe Town Centres

The amendments being proposed to the planning controls applying to both the Auburn and Lidcombe Town Centres are supported. Following the completion of the planning strategies for each town centre, Council is seeking to better align built form design outcomes aimed at contributing to a better quality of amenity and public domain in these centres. No changes to the existing densities have been proposed.

Based on the Council estimates the changes proposed for Auburn Town Centre will deliver a 0.6% increase in Gross Floor Area (GFA), comprising a 2.4% increase in GFA and a 0.4% increase in residential GFA. In respect of the Lidcombe Town Centre, the amendments will deliver in a 7% increase in GFA, consisting of a 12.6% increase in commercial GFA and 6.6% in residential GFA. These changes have potential to deliver approximately up to 355 additional dwellings across both centres.

We support Council adopting the recommendations contained within these planning strategies.

Woodville Road Corridor

Council intends to use the Planning Proposal to rezone various sites along the Woodville Road Corridor (Guildford to Merrylands) from R2 Low Density Residential to either R3 Medium Density Residential or R4 High Density Residential.

The staged approach proposed in relation to the implementation of the draft *Woodville Road Corridor Strategy* appears to be appropriate. This proposal will commence the implementation of Stages 1 and 2 and mostly provide consistency between the current developments that have been built along the corridor and appropriate zonings within the Cumberland LEP.

We welcome the commencement of Stage 3 which will seek to give effect to the *Greater Sydney Regional Plan*, *Central Sydney District Plan* and *Future Transport 2056*. It is important that Council continue to consider planning proposals that align with its Local Strategic Planning Statement.

Parramatta Road Corridor

Council has adopted a staged approach to the implementation of the *Parramatta Road Corridor Urban Transformation Strategy*. The current Planning Proposal will continue the delivery of planning changes associated with Stage 1 and initiate changes to deliver Stage 2. We support Council taking this approach.

The amendments associated with Stage 2 relate to the Auburn Precinct and land in the vicinity of Silverwater Road. Several parcels along Parramatta Road will be zoned from B6 Enterprise Corridor to B1 Local Centre. A linear strip of land fronting onto St Hilliers Road will be zoned from IN1 General Industrial to B6 Enterprise Corridor. These small changes to land zonings are supported.

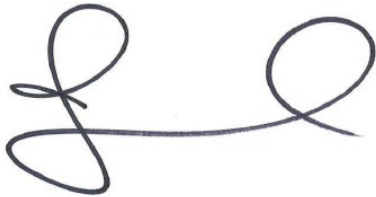
Cumberland Heritage Study (Stage 1)

The Planning Proposal implement the first stage of the consolidated Cumberland Heritage Review. This will bring together the heritage items from Auburn LEP 2010, Parramatta LEP 2011 and Holroyd LEP 2013 located within Cumberland City LGA. The proposal also seeks to remove 9 heritage items that no longer meet Heritage NSW criteria for heritage listing. This aspect of the planning proposal is supported as it only involves carrying forward the existing heritage items from the three former council areas.

The Planning Proposal indicates that the third stage involves Council and the State Government collaborating further to deliver subsequent aspects of this strategy. We strongly call on Council and the State Government to accelerate the actions needed to give effect to the recommendations of the *Parramatta Road Corridor Urban Transformation Strategy*.

Should you have any questions or require more information, do not hesitate to contact Troy Loveday, Senior Policy Advisor, on 044 265 152 or tloveday@propertycouncil.com.au

Yours sincerely

A handwritten signature in dark blue ink, consisting of a large loop on the left and a smaller loop on the right, connected by a horizontal line.

Jane Fitzgerald
NSW Executive Director
Property Council of Australia