

CUMBERLAND
CITY COUNCIL



PLANNING PROPOSAL

CUMBERLAND HERITAGE STUDY

JULY 2023

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EXECUTIVE SUMMARY

This Planning Proposal explains the intent of, and justification for, proposed amendments to Cumberland Local Environmental Plan 2021 (the LEP) in relation to the Environmental Heritage schedule and Heritage Maps.

Cumberland City Council (Council) commissioned the Cumberland LGA Comprehensive Heritage Study (Heritage Study) with a focus on reviewing the status of existing heritage items and identification of new potential heritage items. On the 21 April 2021, Council carried a motion to proceed with a Planning Proposal to reflect the findings of the Heritage Study.

The Cumberland Local Planning Panel supported the Council officer recommendation for 47 amendments, 52 new heritage items and 3 new HCAs at an Extraordinary Meeting, held 14 November 2022 (refer Appendix 3).

Council resolved on the 7 December 2022 to progress with the proposed new heritage items where there had been no objections from any of the land owners during early consultation or removed at the Council meeting (refer Appendix 4).

This Planning Proposal reflects the Council resolution (dated 7 December 2022) and includes the following amendments to the Cumberland LEP 2021:

1. Amend the curtilage and listing of forty-seven (47) existing heritage items listed within Part 1 of Schedule 5 of the LEP
2. Add twenty-four (24) heritage items to Part 1 of Schedule 5 of the LEP
3. Amend the Heritage Map in the Cumberland LEP 2021 to reflect the proposed changes to:
 - a. the curtilage (boundary) of forty-seven (47) existing heritage items
 - b. add the proposed twenty-four (24) heritage items

The form and content of this Planning Proposal complies with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the LEP Making Guidelines (NSW Department of Planning and Environment, September 2022).

PART 1 – OBJECTIVES AND INTENDED OUTCOMES

The **objective** of this Planning Proposal is to improve the accuracy and operation of the Cumberland LEP 2021 and expand the conservation of heritage across the local government area (LGA) as identified in the Cumberland Council Comprehensive Heritage Study.

The **intended outcomes** of this Planning Proposal are:

- To update the heritage related provisions within the Cumberland LEP 2021 to reflect any changes in local conditions
- To recognise the local heritage significance of various properties and areas across the Cumberland LGA
- To protect and conserve the items identified as having heritage significance through statutory and regulatory instruments
- To contribute to the cultural value and history of the local area.

PART 2 – EXPLANATION OF PROVISIONS

This Planning Proposal involves an amendment to Parts 1, 2 and 3 of Schedule 5 of the Cumberland Local Environmental Plan 2021 and adjustment to the Heritage Map series.

The intended provisions are:

1. Amend the curtilage and information of forty-seven (47) existing heritage items listed within Part 1 of Schedule 5 of the LEP
2. Amend Part 1 of Schedule 5 of the LEP to add twenty-four (24) new items.
3. Amend the Cumberland LEP 2021 – Heritage Map to include the additional Part 1 items
4. Amend the Cumberland LEP 2021 – Heritage Map to reflect the revised curtilage of certain existing items.

Table 1a and 1b identify all heritage items being adjusted and which map number they are located on.

The maps in Figure 1 and Appendix 1 graphically illustrate the location of the amendments sought to heritage controls as part of this Planning Proposal.

The items mapped are categorised as follows:

- Existing items with no changes shown **green**
- Existing items where curtilage / information amended shown **blue**
- Proposed new heritage items shown **brown**

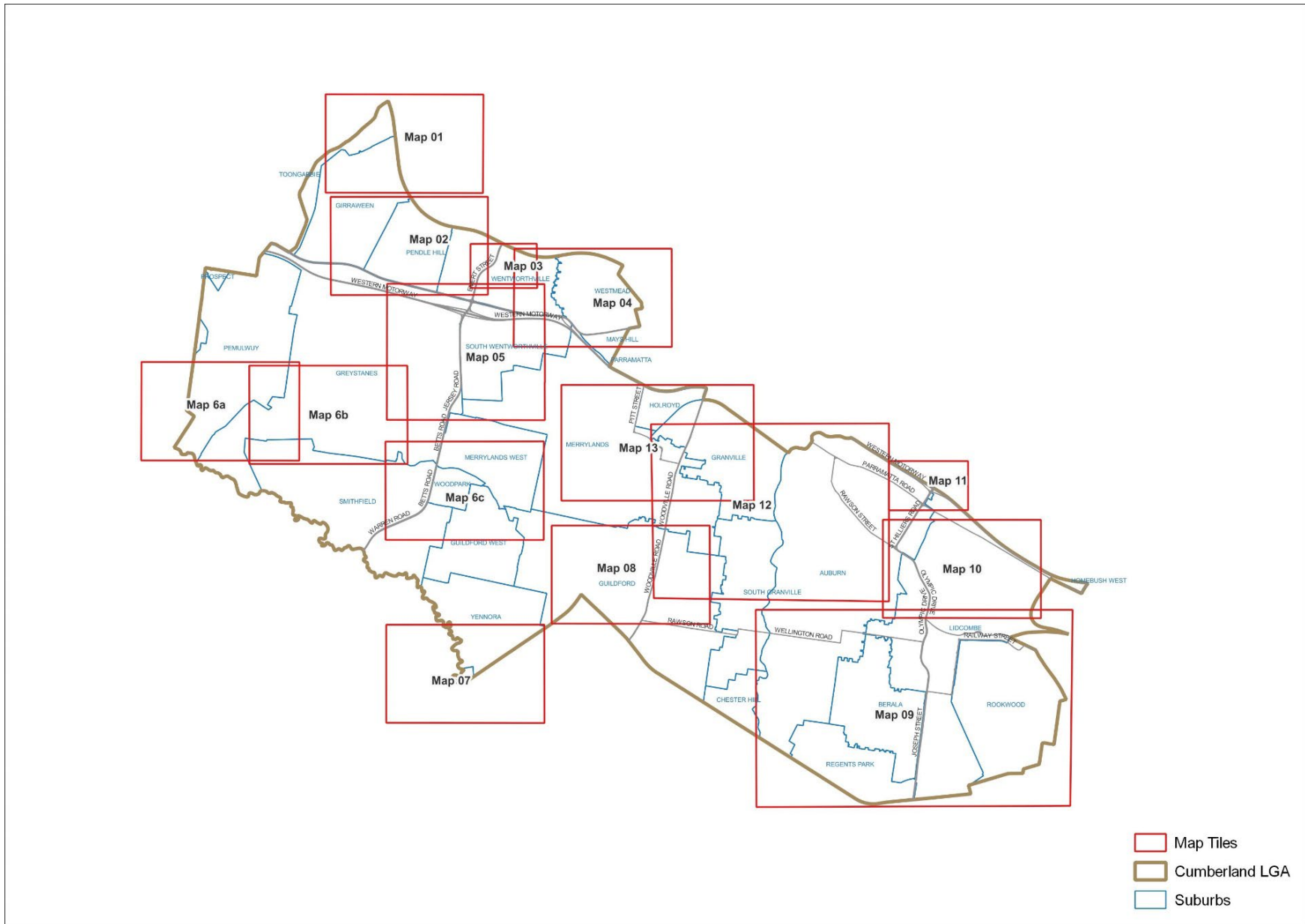


Figure 1: Map Tile Legend

Table 1a: Stage 1 - Amendments

CLEP Item ID	Name of Item	Address	Map Tile	Description
A01023	Auburn Signal Box	Rawson Street, opposite Karrabah Road, Auburn	Map 12	Curtilage amendment and name update
A1	Auburn War Memorial	Northumberland Road, RSL car park (opposite the Auburn RSL), Auburn	Map 10, 12	No Curtilage amendment and name update
A2, A3	Parramatta Road Milestone	South side of Parramatta Road between Dartbrook and Station Roads, Auburn and Lidcombe	Map 11	Curtilage amendment and name update
	Parramatta Road Milestone	South side of Parramatta Road, east of Station Road, east of Delhi Street, east side of railway bridge abutments near Birnie Street	Map 12	Curtilage amendment and name update
A4	Clyde Marshalling Yards	Rawson Street, Auburn	Map 12	Curtilage amendment, listing combination and name update
A5	Berala railway station	Campbell Street, Berala	Map 09	Curtilage amendment
A6	Former Farm, Hyland Road Inn and former post office	Hyland Road, Greystanes	Map 6a	Curtilage amendment and name update
I01945, I128	Footbridge over Lower Prospect Canal	Albert Street, Greystanes; Guildford and Guildford West	Map 6a,6b,6c	Curtilage amendment, listing combination and name update
	Boothtown Aqueduct	Macquarie Road (between Alpha Road and Dahlia Street)	Map 6a,6b,6c	Curtilage amendment, listing combination and name update
A1 6	Railway viaduct site	Portico Parade (Toongabbie Railway Station), Toongabbie	Map 01	Curtilage amendment, name update and listing combination
I105	The Trongate Victorian Group	"90, 92, 94, 96, 98 and 100p102 The Trongate", Granville	Map 12, 13	Curtilage amendment and name update
I11	Uniting Church Auburn Parish and adjacent Victory Hall	Northeast corner of Helena Street and Harrow Road, Auburn	Map 12	Curtilage amendment and name update
I156	Late Victorian cottage	63 O Neill Street, Guildford	Map 08	Curtilage amendment and name update

CLEP Item ID	Name of Item	Address	Map Tile	Description
I165	Late Victorian/Federation residence	9A Tennyson Parade, Guildford	Map6c	Curtilage amendment and name update
I167	Federation period cottage	20A The Esplanade, Guildford	Map 08	Curtilage amendment and name update
I171, I220	Milestone	Adjacent to 198 Woodville Road; Guildford and Merrylands	Map 08, 12, 13	No Curtilage amendment, listing combination and name update
I175, I187	Wyatt Park, Haslams Creek, Lidcombe Pool, Lidcombe Oval, Stormwater Drain	(Main entrance) at Church Street, Lidcombe	Map 09, 10	Curtilage amendment, listing combination and name update
I178	Dwelling	24 James Street, Lidcombe	Map 09	Curtilage amendment and name update
I183	Minali Special School (early twentieth century residence)	Off Joseph Street, Lidcombe	Map 09	Curtilage amendment and name update
I185	Fenton House	35-47 Joseph Street, Lidcombe	Map 09	Curtilage amendment and name update
I186	Dwelling	53-55 Kerrs Road, Lidcombe	Map 09	Curtilage amendment and name update
I188	Stand of Eucalyptus longifolia	Corner of Parramatta and Hill Roads, Lidcombe	Map 10	Curtilage amendment and name update
I20	Horse trough	Corner of Water Street and Auburn Road, Auburn	Map 09	Curtilage amendment and administration
I202	Late Victorian cottage/ Cumberland Model Farms Estate	130 Jersey Road, Merrylands	Map 05	Curtilage amendment and administration
I209	Electrical substation	285 Merrylands Road, Merrylands	Map 13	Curtilage amendment and name update
I212	Merrylands Railway Station	Military Road, Merrylands	Map 13	Curtilage Amendment
I219	Federation period cottage	33 Walker Street, Merrylands	Map 13	Curtilage amendment and name update

CLEP Item ID	Name of Item	Address	Map Tile	Description
I228	Former Bonds Bobbin Mill facade	211-215 Dunmore Street, Wentworthville	Map 02	Curtilage amendment
I23	St Peter Chanel School Hall, Church and Rectory	60 66 Kingsland Road, Berala	Map 09	Curtilage amendment and name update
I231	Pendle Hill Railway Station	Pendle Way, Pendle Hill	Map 02	Curtilage amendment and name update
I233	Regents Park railway station	Park Road, Regents Park	Map 09	Curtilage amendment
I237	Houses built for Housing Commission	27, 29, 33, 35, 37, 39, 41, 43 and 47 Chiswick Road, South Granville	Map 12	Curtilage amendment and name update
I238	Houses built for Housing Commission	278, 286 and 288 Clyde Street, South Granville	Map 12	Curtilage amendment and name update
I247, I249	Toongabbie Railway Station	Cornelia Road, Toongabbie	Map 01	Curtilage amendment, listing combination and name update
I26	Targo Mahal, Federation bungalow	156 Targo Road, Girraween	Map 01	Curtilage amendment and name update
I268	Electricity Substation	62 Fullagar Road, Wentworthville	Map 04, 05	Curtilage Amendment
I271	Inter-war bungalow	32 Garfield Street, Wentworthville	Map 03	Curtilage amendment and name update
I274	Nelyambo, Federation period bungalow	42 Garfield Street, Wentworthville	Map 03	Curtilage amendment and name update
I282	Wentworthville Railway Station	The Kingsway, Wentworthville	Map 04	Curtilage amendment, Listing combination and name update
I287	Allengreen, Federation bungalow	1 Amos Street (also known as 14 The Park or 1 Thomas May Place), Westmead	Map 04	Curtilage amendment and name update
I3	Jack Lang Plaque	4 Auburn Road, Auburn	Map 12	Curtilage amendment
I308	Inter-war (Mediterranean influences) apartment block	15-17 The Park (also known as 15-17 Thomas May Place), Westmead	Map 04	Curtilage amendment and name update
I309	Yennora Railway Station	Nelson Road, Yennora	Map 07	Curtilage amendment and name update

CLEP Item ID	Name of Item	Address	Map Tile	Description
I41	Holy Trinity Church Group	40 Grimwood Street, Granville	Map 12, 13	Curtilage amendment
I44	Single storey residence	6 Hewlett Street, Granville	Map 12, 13	Curtilage amendment and name update
I67	Single storey residence	8 Mary Street, Granville	Map 13, 14	Curtilage amendment and name update
I71	Granville War Memorial	1 Memorial Drive, Granville	Map 12	Curtilage amendment and name update
I75	New York Street Group	"12, 13, 14, 18, 20, 22 and 24 New York Street", Granville	Map 12, 13	Curtilage amendment and name update
I80	Single storey residence	70 Railway Parade, Granville	Map 13	Curtilage amendment

Table 1b: Stage 2 - Proposed new heritage items

CLEP Item ID	Name of Item	Address	Map Tile
HS2	Former Auburn Post Office	Cnr Auburn Road and Kerr Parade, Auburn	Map 12
HS3	Pritchard's Building	6-14 Auburn Road, Auburn	Map 12
HS4	Federation Shopfronts	23 and 25 Auburn Road, Auburn	Map 12
HS5	Late Victorian Shopfront	60-62 Auburn Road, Auburn	Map 12
HS7	Federation Queen Anne Residence	151 Auburn Road, Auburn	Map 12
HS10	Auburn Gallipoli Mosque	1 - 19 Gelibolu Road, Auburn	Map 10, 12
HS18	Federation Bungalow	59 Mary Street, Auburn	Map 12
HS22	Melton Hotel	135 Parramatta Road, Auburn	Map 11, 12

CLEP Item ID	Name of Item	Address	Map Tile
HS24	Warehouse	259-263 Parramatta Road	Map 12
HS25	Auburn Hotel	43 Queen Street, Auburn	Map 12
HS26	Auburn Presbyterian Church	29 Queen Street, Auburn	Map 10, 12
HS27	St John of God Catholic Church and St John's Catholic Primary School	73-77 Queen Street, 82-84 Queen Street, 2 Alice Street, Auburn	Map 12
HS41	Headstone and Memorials	Factory Street, western side, near Clyde Railway Station, Clyde	Map 12
HS44	8 Hewlett Street	8 Hewlett Street, Granville	Map 12,13
HS46	Victorian Cottage	32 The Avenue, Granville	Map 13
HS48	St Aphanasius Ukrainian Orthodox Church and Hall	45 William Street, Granville	Map 12, 13
HS51	Post-War Austerity Style House	38 Bolton Street, Guildford	Map 08
HS52	Federation Bungalow	214 Guildford Road, Guildford	Map 08
HS67	St Andrew's Ukrainian War Memorial Church	27-29 Mary Street, Lidcombe	Map 09
HS71	Former Jantzen Swimwear Factory	32 - 43 Parramatta Road, Lidcombe	Map 10
HS74	Eldridge's Buildings' - Federation Shopfronts	36-40 Railway Street, Lidcombe	Map 09
HS75	Russian Old Rite Orthodox Christian Church	56-60 Vaughan Street, Lidcombe	Map 09
HS78	Victorian Weatherboard Cottage	30 Abbott Street, Merrylands	Map 12
HS79	Federation Bungalow	291 Merrylands Road, Merrylands	Map 13

PART 3 – JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

Section A. Need for the planning proposal

1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?

Yes, this Planning Proposal implements the findings of Cumberland Council Comprehensive Heritage Study (the Heritage Study).

In 2016, following the proclamation of Cumberland City Council, a need was identified to update and improve the reference information and management tools related to protecting and managing local heritage.

On 7 September 2016, Cumberland City Council resolved to prepare a Heritage Study (report item 079/16). Consequently, Extent Heritage Advisors were engaged to complete the Heritage Study and produced:

- Cumberland LGA Comprehensive Heritage Study, Stage 1 – Main Report, Volumes 1-3 (Stage 1 Report) – Refer Appendices 5, 6 and 7.
- Cumberland LGA Comprehensive Heritage Study, Stage 2 – Secondary Report, Volumes 1 and 2 (Stage 2 Report) – Refer Appendices 8 and 9.

The Stage 1 Report:

- established a thematic history of the LGA,
- reviewed the existing heritage items within the boundaries of the LGA,
- outlined potential items for delisting and/or items for State Heritage Register Nomination,
- identified areas that required further heritage documentation, and
- produced mapping.

The Stage 2 Report provided an assessment of the heritage significance of the proposed new heritage items and heritage conservation areas (HCAs) with recommendations on which should be included in the LEP's Heritage List. The Stage 2 report was supported by the provision of Heritage Inventory Sheets for the items and HCAs.

On 21 April 2021, Council resolved to endorse the findings of the Heritage Study (both the Stage 1 and Stage 2 Reports) and prepare a Planning Proposal to reflect the findings.

Following Council endorsement of this approach, initial work focused on reviewing and refining the recommendations for potential new heritage listings that came from the Stage 2 Report. This resulted in a short list of:

- Stage 1: 63 curtilage item amendments;
- Stage 2: 63 potential new items; and 5 potential heritage conservation areas.

These refined recommendations were placed on public exhibition for early community consultation during June-August 2021 (part 5 of this Planning Proposal summarises feedback from the early public consultation).

After the completion of the community consultation, Nimbus Architecture and Heritage was engaged in January 2022 to provide an independent peer review of the Stage 2 heritage recommendations including a review of the submissions received during public consultation.

Nimbus Architecture and Heritage collaborated with DFP Planning to undertake the peer review (refer Appendix 10).

The outcomes of the independent peer review, which considered the original Stage 2 recommendations and community submissions, suggested the following progress:

- Stage 1 - Amend 62 heritage items.
- Stage 2 - Add 64 heritage items, 4 new HCAs and extend 1 HCA.

Based on the outcomes of the independent peer review, community feedback and a public benefit analysis by Council, Council officers supported progressing the following:

- Stage 1 - Amend 47 heritage items
- Stage 2 - Add 52 heritage items and 3 new HCAs
- Separate Planning Proposal for the 11 heritage items and 2 heritage conservation areas located within the Westmead South Master Plan study area to holistically consider them as part of the place-based planning process (for information on the Westmead project please refer to <https://haveyoursay.cumberland.nsw.gov.au/westmead-south>).

The Cumberland Local Planning Panel supported the Council officer recommendation for 47 amendments, 52 new heritage items and 3 new HCAs at an Extraordinary Meeting, held 14 November 2022 (refer Appendix 3).

Further Justification Requested by the Gateway Determination

The officer recommendation for the Cumberland Heritage Study was considered at the 7 December 2022 Council Meeting. The Council Meeting was attended by a large number of residents who filled the gallery and many register to speak against the Planning Proposal for their own properties. This physical attendance was in addition to 172 written submissions. The main points raised by the community are summarised as follows:

- Challenging the assessment of the **Heritage Significance** of their property.
- Decrease in **property value** as a result of the heritage listing.
- Raising issues with the constraints on the **future development** of their property due to the heritage listing (demolition, rebuild etc.).
- **Financial Burden/Economic Impact** due to the heritage listing.
- Violation of **landowner rights**.

The Council heard the concerns of the residents, reviewed the Council report and technical recommendations and deliberated on the matter for a significant amount of time. Deliberations focused on the proposed items which included consideration of 4 different options and whether or not to proceed with the 3 proposed HCAs. The 4 options for the proposed items included:

1. Option 1 - Council officer recommendation (proposed 52 Heritage items and 3 HCAs)
2. Option 2 - No objections received: Progress with 26 new heritage items
3. Option 3 - Defer the proposed new heritage items and HCAs until further consultation is undertaken.
4. Option 4 - Do not proceed with the new heritage items and HCAs.

As seen in Appendix 4, Council resolved on the 7 December 2022 to progress with the proposed new heritage items where there had been no objections from any of the land owners during early consultation or removed at the Council meeting (2 objected at the meeting). The Council resolution provided the following recommendations as outlined in this planning proposal:

- Stage 1 - Amend 47 heritage items.
- Stage 2 - Add 24 new heritage items.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes, this Planning Proposal is the best means of achieving the objectives and intended outcomes which is to ensure that there are appropriate legislative and regulatory planning controls to protect and conserve heritage within the Cumberland LGA. The proposed changes to the LEP are supported by a Heritage Study, an independent peer review of that study and early community consultation.

Section B - relationship to the strategic planning framework

3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

Greater Sydney Region Plan

The Greater Sydney Region Plan outlines a vision for Sydney to 2056 as a global metropolis of three cities - Western Parkland City, Central River City and Eastern Harbour City.

The Planning Proposal is generally consistent with the following planning objectives of the Greater Sydney Region Plan as highlighted in Table 2.

Table 2. Consistency with Greater Sydney Region Plan

Direction	Consistency
Objective 1: Infrastructure supports the three cities	The Planning Proposal is consistent with the Objective.
Objective 2: Infrastructure aligns with forecast growth - growth infrastructure compact	The Planning Proposal is consistent with the Objective.
Objective 3: Infrastructure adapts to meet future needs	The Planning Proposal is consistent with the Objective.
Objective 4: Infrastructure use is optimised	The Planning Proposal is consistent with the Objective.
Objective 5: Benefits of growth realised by collaboration of governments, community and business	The Planning Proposal is consistent with the Objective.
Objective 6: Services and infrastructure meet communities' changing needs	The Planning Proposal is consistent with the Objective.
Objective 7: Communities are healthy, resilient and socially connected	The Planning Proposal is consistent with the Objective.
Objective 8: Greater Sydney's communities are culturally rich with diverse neighbourhoods	The Planning Proposal is consistent with the Objective.
Objective 9: Greater Sydney celebrates the arts and supports creative industries and innovation	The Planning Proposal is consistent with the Objective.
Objective 10: Greater housing supply	Council's Local Housing Strategy identifies opportunities for the delivery of housing supply. This Planning Proposal will not hinder the delivery of the Local Housing Strategy's outcomes.

Table 2. Consistency with Greater Sydney Region Plan

Direction	Consistency
	The existing DCP ensures that applicable provisions support appropriate development of heritage items.
Objective 11: Housing is more diverse and affordable	Council’s Local Housing Strategy identifies opportunities for the delivery of housing supply. This Planning Proposal will not hinder the delivery of the Local Housing Strategy’s outcomes and support the Planning Priorities outlined in <i>Cumberland 2030: Our Local Strategic Planning Statement</i> .
Objective 12: Great places that bring people together	The Planning Proposal is consistent with the Objective.
Objective 13: Environmental heritage is identified, conserved and enhanced	<p>This PP directly supports Objective 13 which outlines the need to identify, conserve and enhance environmental heritage Council has undertaken considerable community consultation to build awareness of heritage values and benefits of improved heritage conservation across the LGA (Refer to Part 3, Section A of PP).</p> <p>On balance, the community has been predominantly supportive of implementing the findings of the Heritage Study to protect places of historical significance. Additional community consultation is proposed following Gateway Determination.</p>
Objective 14: A Metropolis of Three Cities - integrated land use and transport creates walkable and 30-minute cities	The Planning Proposal is consistent with the Objective.
Objective 15: The Eastern, GOPP and Western Economic Corridors are better connected and more competitive	The Planning Proposal is consistent with the Objective.
Objective 16: Freight and logistics network is competitive and efficient	The Planning Proposal is consistent with the Objective.
Objective 17: Regional connectivity is enhanced	This Objective does not apply to the Planning Proposal.
Objective 18: Harbour CBD is stronger and more competitive	This Objective does not apply to the Planning Proposal.
Objective 19: Greater Parramatta is stronger and better connected	The Planning Proposal is consistent with the Objective.
Objective 20: Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City	This Objective does not apply to the Planning Proposal.

Table 2. Consistency with Greater Sydney Region Plan

Direction	Consistency
Objective 21: Internationally competitive health, education, research and innovation precincts	The Planning Proposal is consistent with the Objective.
Objective 22: Investment and business activity in centres	The Planning Proposal is consistent with the Objective.
Objective 23: Industrial and urban services land is planned, retained and managed	The Planning Proposal is consistent with the Objective.
Objective 24: Economic sectors are targeted for success	The Planning Proposal is consistent with the Objective.
Objective 25: The coast and waterways are protected and healthier	The Planning Proposal is consistent with the Objective.
Objective 26: A cool and green parkland city in the South Creek corridor	This Objective does not apply to the Planning Proposal.
Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced	The Planning Proposal is consistent with the Objective.
Objective 28: Scenic and cultural landscapes are protected	The Planning Proposal is consistent with the Objective.
Objective 29: Environmental, social and economic values in rural areas are protected and enhanced	The Planning Proposal is consistent with the Objective.
Objective 30: Urban tree canopy cover is increased	The Planning Proposal is consistent with the Objective.
Objective 31: Public open space is accessible, protected and enhanced	The Planning Proposal is consistent with the Objective.
Objective 32: The Green Grid links parks, open spaces, bushland and walking and cycling paths	The Planning Proposal is consistent with the Objective.
Objective 33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change	The Planning Proposal is consistent with the Objective.
Objective 34:	The Planning Proposal is consistent with the Objective.

Table 2. Consistency with Greater Sydney Region Plan

Direction	Consistency
Energy and water flows are captured, used and re-used	
Objective 35: More waste is re-used and recycled to support the development of a circular economy	The Planning Proposal is consistent with the Objective.
Objective 36: People and places adapt to climate change and future shocks and stresses	The Planning Proposal is consistent with the Objective.
Objective 37: Exposure to natural and urban hazards is reduced	The Planning Proposal is consistent with the Objective.
Objective 38: Heatwaves and extreme heat are managed	The Planning Proposal is consistent with the Objective.

Central City District Plan

The Central City District Plan sets out the aspirations and priorities for liveability, productivity, and sustainability within the Central City District. Significant population growth is anticipated over the next 20 years, and this is expected to transform many parts of the district from a suburban to an urban environment.

The Planning Proposal is generally consistent with the directions and objectives of the Central City District Plan as highlighted in Table 3.

Table 3. Consistency with Central City District Plan

Direction	Planning Priority	Consistency
A collaborative city	Working through collaboration	The Planning Proposal is consistent with the Planning Priority.
A city supported by infrastructure	Planning for a city supported by infrastructure	The Planning Proposal is consistent with the Planning Priority.
A city for people	Providing services and social infrastructure to meet people's changing needs	The Planning Proposal is consistent with the Planning Priority.
	Fostering healthy, creative, culturally rich and socially connected communities	The Planning Proposal is consistent with the Planning Priority.
Housing the city	Providing housing supply, choice and affordability with access to jobs, services and public transport	Council's Local Housing Strategy identifies opportunities for the delivery of housing supply. This Planning Proposal will not hinder the delivery of the Local Housing Strategy's outcomes.

Table 3. Consistency with Central City District Plan

Direction	Planning Priority	Consistency
		<p>The existing DCP ensures that applicable provisions support appropriate development of heritage items.</p> <p>Council has undertaken early consultation with the community (as discussed within Part 5) to ensure the Planning Proposal does not inhibit significant housing opportunities.</p>
A city of great places	Creating and renewing great places and local centres, and respecting the District's heritage	The Planning Proposal is consistent with this Direction as it will protect sites that have cultural significance by affording them additional protection through their inclusion within the heritage schedule. Preserving heritage items is an important component of place making and creating desirable spaces.
A well-connected city	Delivering integrated land use and transport planning and a 30-minute city	The Planning Proposal is consistent with the Planning Priority.
Jobs and skills for the city	Growing a stronger and more competitive Greater Parramatta	The Planning Proposal is consistent with the Planning Priority.
	Delivering a more connected and competitive GOPP economic corridor	The Planning Proposal is consistent with the Planning Priority.
	Growing investment, business and job opportunities in strategic centres	The Planning Proposal is consistent with the Planning Priority.
	Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land	The Planning Proposal is consistent with the Planning Priority.
	Supporting growth of targeted industry sectors	The Planning Proposal is consistent with the Planning Priority.
A city in its landscape	Protecting and improving the health and enjoyment of the District's waterways	This Direction does not apply to the Planning Proposal.
	Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element	This Direction does not apply to the Planning Proposal.
	Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes	The Planning Proposal is consistent with the Planning Priority.
	Increasing urban tree canopy cover and delivering Green Grid connections	This Direction does not apply to the Planning Proposal.
	Delivering high quality open space	The Planning Proposal is consistent with the Planning Priority.
	Better managing rural areas	The Planning Proposal is consistent with the Planning Priority.
A resilient city	Adapting to the impacts of urban and	This Direction does not apply to the Planning

Table 3. Consistency with Central City District Plan

Direction	Planning Priority	Consistency
	natural hazards and climate change	Proposal.
An efficient city	Reducing carbon emissions and managing energy, water and waste efficiently	This Direction does not apply to the Planning Proposal.

4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Cumberland 2030: Our Local Strategic Planning Statement

The LSPS, Cumberland 2030, was endorsed by the Greater Sydney Commission on the 4 March 2020.

Cumberland 2030 is aligned with the Greater Sydney Region Plan and Central City District Plan, providing a strategic, coordinated approach to effectively manage growth and development in the local area.

The Planning Proposal is consistent with Cumberland 2030: Our Local Strategic Planning Statement as demonstrated in Table 4.

Table 4. Consistency with Cumberland 2030: Our Strategic Planning Statement

Priority	Consistency
Planning Priority 1: Strengthening Cumberland's position in the District through collaboration	The Planning Proposal is consistent with this Planning Priority.
Planning Priority 2: Advocating for a range of transport options that connect our town centres and employment hubs, both locally and to Greater Sydney	This Planning Priority does not apply to this Planning Proposal.
Planning Priority 3: Aligning local infrastructure delivery with planned growth healthy living	This Planning Priority does not apply to this Planning Proposal.
Planning Priority 4: Improving accessibility within our town centres	The Planning Proposal is consistent with this Planning Priority.
Planning Priority 5: Delivering housing diversity to suit changing needs	The Planning Proposal is consistent with this Planning Priority.

Table 4. Consistency with Cumberland 2030: Our Strategic Planning Statement

Priority	Consistency
<p>Planning Priority 6: Delivering affordable housing suitable for the needs of all people at various stages of their lives</p>	<p>The Planning Proposal is consistent with this Planning Priority.</p>
<p>Planning Priority 7: Design vibrant and attractive centres and encourage healthy living</p>	<p>The Planning Proposal is consistent with this Planning Priority.</p>
<p>Planning Priority 8: Celebrating our natural, built and cultural diversity</p>	<p>Planning Priority 8 recognises Council's intent to celebrate the existing and future cultural diversity in Cumberland, including through the built form. The LSPS identified that Council will continue to plan and develop strategies that support cultural celebration and diversity, including the intent to <i>"review heritage items and consideration of new items as part of an integrated approach for Cumberland"</i>.</p> <p>The delivery of this Planning Proposal is consistent with the intent identified above and is consistent with Council's Planning Priority 8 action (i):</p> <p><i>"Support Cumberland's natural, built and cultural diversity through Council's strategies, plans and programs, including protecting listing under the Cumberland Local Environmental Plan and the State Heritage Act"</i></p>
<p>Planning Priority 9: Providing high quality, fit-for-purpose community and social infrastructure in line with growth and changing requirements</p>	<p>The Planning Proposal is consistent with this Planning Priority.</p>
<p>Planning Priority 10: Supporting a strong and diverse local economy across town centres and employment hubs</p>	<p>The Planning Proposal is consistent with this Planning Priority.</p>
<p>Planning Priority 12: Facilitating the evolution of employment and innovation lands to meet future needs</p>	<p>The Planning Proposal is consistent with this Planning Priority.</p>
<p>Planning Priority 13: Protecting, enhancing and increasing natural and green spaces</p>	<p>This Planning Priority does not apply to this Planning Proposal.</p>
<p>Planning Priority 14: Improving access to and health of waterways</p>	<p>This Planning Priority does not apply to this Planning Proposal.</p>
<p>Planning Priority 15: Planning for a resilient city that can adapt to natural hazards and climate change</p>	<p>This Planning Priority does not apply to this Planning Proposal.</p>
<p>Planning Priority 16: Supporting urban cooling to minimise heat island effects</p>	<p>This Planning Priority does not apply to this Planning Proposal.</p>

Cumberland Community Strategic Plan 2017-2027

Cumberland Community Strategic Plan 2017-2027 identifies the Cumberland communities' vision for the social, environmental, and economic development in the LGA. It includes six (6) strategic goals and eighteen (18) desired outcomes.

The relevant strategic goals and capacity for this Planning Proposal to support these goals are outlined in Table 5.

Table 5. Consistency with Cumberland Council Strategic Plan 2017-2027		
Strategic Goal	Outcome	Consistency
Strategic Goal 1 Supporting Community, Health, Safety and Wellbeing	A strong community and culture	The Planning Proposal is consistent with this Strategic Goal.
	A safe healthy and active community	The Planning Proposal is consistent with this Strategic Goal.
Strategic Goal 2 Enhancing the Natural and Built Environment	Celebrate our diverse built and natural environments	The Planning Proposal will provide additional protection of places of heritage significance within the Cumberland LGA through the inclusion of these items within relevant LEP heritage schedules. The Planning Proposal is consistent with this Strategic Goal.
	Places and spaces that are vibrant and connect us	The Planning Proposal is consistent with this Strategic Goal.
Strategic Goal 3 Delivering Sustainable Infrastructure and Services	We have public spaces that are welcoming, inclusive and promote pride in the area	The Planning Proposal is consistent with this Strategic Goal.
	We have recreational assets that enhance the liveability of our community	The Planning Proposal is consistent with this Strategic Goal.
	A clean and safe place to live	The Planning Proposal is consistent with this Strategic Goal.
Strategic Goal 4 Providing Local Leadership	The community is proud to be served by a sustainable and transparent Council organisation	The Planning Proposal is consistent with this Strategic Goal.
	An informed community included in decision making and long-term planning	The Planning Proposal is consistent with this Strategic Goal. This is supported by the early consultation that has been undertaken on the new items and HCAs proposed within this Planning Proposal.

Cumberland Local Housing Strategy 2020

The Cumberland Local Housing Strategy identifies the need for Cumberland to accommodate an additional 28,500 dwellings by 2036.

This Planning Proposal will not inhibit housing delivery as it will not apply heritage provisions to sites of significant development opportunity. The Planning Proposal will not directly impact on Council's ability to accommodate the necessary dwellings to support the growing population.

5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

There are no other applicable state or regional studies.

6. Is the planning proposal consistent with applicable SEPPs?

The Planning Proposal is consistent with the applicable State Environmental Planning Policies (SEPPs), as demonstrated in Table 6.

Table 6. Consistency with State Environmental Planning Policy	
State Environmental Planning Policy	Statement of alignment
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Consistent
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Consistent
State Environmental Planning Policy (Industry and Employment) 2021	Consistent
State Environmental Planning Policy (Planning Systems) 2021	Consistent
State Environmental Planning Policy (Precincts–Central River City) 2021	Consistent
State Environmental Planning Policy (Precincts–Eastern Harbour City) 2021	Not applicable.
State Environmental Planning Policy (Precincts–Regional) 2021	Not applicable.
State Environmental Planning Policy (Precincts–Western Parkland City) 2021	Not applicable.
State Environmental Planning Policy (Primary Production) 2021	Not applicable.
State Environmental Planning Policy (Resilience and Hazards) 2021	Consistent
State Environmental Planning Policy (Resources and Energy) 2021	Not applicable.
State Environmental Planning Policy (Transport and Infrastructure) 2021	Consistent

7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?

The Planning Proposal is consistent with the relevant Ministerial Directions as demonstrated in Table 7.

Table 7. Consistency with Ministerial Directions	
Ministerial Direction	Statement of alignment
Focus area 1: Planning Systems	
1.1 Implementation of Regional Plans	This Planning Proposal is consistent with the Regional and Central District Plans as described in Tables 1 and 2.
1.2 Development of Aboriginal Land Council land	Not applicable
1.3 Approval and Referral Requirements	Consistent
1.4 Site Specific Provisions	Not applicable
Focus area 1: Planning Systems - Place-based	
1.5 Parramatta Road Corridor Urban Transformation Strategy	Consistent - the planning proposal achieves the overall intent of the Parramatta Road Corridor Urban Transformation Strategy and does not undermine the achievement of its objectives, principles and priorities.
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Consistent - the planning proposal achieves the overall intent of the interim Plan and does not undermine the achievement of its objectives, planning principles and priorities for the Greater Parramatta Priority Growth Area.
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable
1.10 Implementation of the Western Sydney Aerotropolis Plan	Not applicable
1.11 Implementation of Bayside West Precincts 2036 Plan	Not applicable
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable
1.14 Implementation of Greater Macarthur 2040	Not applicable
1.15 Implementation of the Pyrmont Peninsula Place Strategy	Not applicable
1.16 North West Rail Link Corridor Strategy	Not applicable
1.17 Implementation of the Bays West Place Strategy	Not applicable
1.18 Implementation of the Macquarie Park Innovation Precinct	Not applicable

Table 7. Consistency with Ministerial Directions	
Ministerial Direction	Statement of alignment
1.17 Implementation of the Westmead Place Strategy	Not applicable
Focus area 2: Design and Place	
This Focus Area was blank when the Directions were made.	
Focus area 3: Biodiversity and Conservation	
3.1 Conservation Zones	Consistent
3.2 Heritage Conservation	This Planning Proposal is consistent with this direction as it will facilitate the conservation of items of heritage significance. The Planning Proposal will not result in any items of heritage significance receiving less protection.
3.3 Sydney Drinking Water Catchments	Not applicable
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable
3.5 Recreation Vehicle Areas	Not applicable
Focus area 4: Resilience and Hazards	
4.1 Flooding	Consistent
4.2 Coastal Management	Consistent
4.3 Planning for Bushfire Protection	Consistent
4.4 Remediation of Contaminated Land	Consistent
4.5 Acid Sulfate Soils	Consistent
4.6 Mine Subsidence and Unstable Land	Not applicable
Focus area 5: Transport and Infrastructure	
5.1 Integrating Land Use and Transport	Consistent
5.2 Reserving Land for Public Purposes	Consistent
5.3 Development Near Regulated Airports and Defence Airfields	Not applicable
5.4 Shooting Ranges	Not applicable
Focus area 6: Housing	
6.1 Residential Zones	Consistent. The Planning Proposal will not result in the permissible residential density of land being reduced.

Table 7. Consistency with Ministerial Directions	
Ministerial Direction	Statement of alignment
6.2 Caravan Parks and Manufactured Home Estates	Not applicable
Focus area 7: Industry and Employment	
7.1 Business and Industrial Zones	Consistent
7.2 Reduction in non-hosted short-term rental accommodation period	Not applicable
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
Focus area 8: Resources and Energy	
8.1 Mining, Petroleum Production and Extractive Industries	Not applicable
Focus area 9: Primary Production	
9.1 Rural Zones	Not applicable
9.2 Rural Lands	Not applicable
9.3 Oyster Aquaculture	Not applicable
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable

Section C - environmental, social and economic impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

The intent of the Planning Proposal is to add or alter items of heritage significance to the relevant Schedule and map of the Cumberland LEP to improve accuracy and conserve these items of cultural value for future generations. The Planning Proposal will not facilitate additional development beyond what is permissible, consequently not resulting in any adverse impacts on any, critical habitat, threatened species, populations or ecological communities.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

This Planning Proposal does not alter the zoning of the land to which it applies, however it is noted that Clause 5.10 of the LEP will apply and may allow a broader range of permissible land uses.

The requirement to undertake appropriate environmental assessment as part of any subsequent development application (DA) process has not altered and will ensure appropriate consideration of environmental impacts.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal will have positive social impacts. The Planning Proposal aims to provide protection to areas and specific sites which the Cumberland community recognise as having heritage value. By identifying areas of heritage value, Cumberland Council will contribute to improve the liveability of the LGA by preserving sites of cultural value for future generations to appreciate.

The Planning Proposal will not result in unreasonable economic impacts as it will not significantly restrict development opportunity as there are a considerable volume of other sites within the LGA with development capacity.

Furthermore, Council has commenced a rolling program of master planning Cumberland's identified centres and corridors to ensure that housing is delivered to the right locations, in the right way. Heritage protection and integration will be considered holistically as part of any future master planning process.

Section D - Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal does not alter the anticipated demand for any existing or future public infrastructure generated by the land to which it applies.

Section E - State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

The views of most State and Commonwealth Public Authorities have not yet been sought.

The Department of Planning and Environment was briefed on the proposal in 2021 and had no significant comments or concerns at that time. DPE requested Council to contact Heritage NSW for endorsement or comment on the heritage study.

Council engaged with Heritage NSW, to confirm if endorsement of the Heritage Study is required. Heritage NSW confirmed on 2 May 2022:

There is no need to get our endorsement. As discussed, as Local Heritage Items and Heritage Conservations Areas (HCA) are listed under your LEP, Council is the consent authority, so the listing of new items, and the assessment and consideration of any impacts on existing items rests with Council.

While we encourage the identification and listing of new local heritage items and HCAs, the Heritage Council of NSW, and Heritage NSW as its Delegate, do not have a role in the listing of new local heritage items or the assessment and approval of impacts to existing items of HCAs. As such, we do not provide advice on planning matters which impact on Local heritage.

Heritage NSW will be consulted as part of the Planning Proposal process.

PART 4 – MAPS

Please refer to Appendix 1 for the detailed Maps. Figure 1 on page 6 of this Planning Proposal demonstrates the location of each map in the LGA.

The location of the proposed Stage 1 or Stage 2 changes are identified in Table 1a and 1b (pages 7-11) of this Planning Proposal.

PART 5 – COMMUNITY CONSULTATION

Public consultation will be undertaken in accordance with the requirements of the Gateway determination.

It is proposed that, at a minimum, public exhibition will involve notification of the draft planning proposal and supporting documents as follows:

- on the Cumberland Council Have Your Say website,
- in the local newspapers, and
- in writing to the owners and occupiers of adjoining and nearby properties, relevant community groups and those who previously objected to the Heritage Study.

It is expected the planning proposal will be publicly exhibited for at least 28 days in accordance with Schedule 1 – Mandatory Public exhibition of the *Environmental Planning and Assessment Act 1979*.

Early Consultation

The LEP Making Guideline (Department of Planning and Environment, September 2022) encourages early consultation within the pre-lodgement phase of a Planning Proposal.

For the Stage 2 recommendations, Council commenced public consultation on Monday 21 June 2021, with a planned conclusion date of Monday 26 July 2021. Hard-copy notification letters were posted in advance to all properties that had a recommendation for heritage listing. Community submissions were accepted via post, email, and the dedicated webform provided on the consultation webpage.

In recognition of the exceptional impact felt by the community as a result of the stringent COVID-19 public health restrictions, extensions were also made available upon request – with nearly 20 additional submissions accepted accordingly. In the end, 172 independent submissions were received from individual citizens, families, households, businesses, organisations, and agencies.

Summary tables are shown within Appendix 2 – Early Consultation Summary Report to break down the content and issues raised within the submissions.

The response to the community consultation was strong both in terms of the number of submissions and in the content of the feedback. As a result, Council took the decision to commission an independent heritage consultancy to undertake a peer review of the shortlisted potential new items and HCAs being considered for heritage listing. The work of the peer review involved a desktop review and site visits of all potential new items and HCAs that were publicly exhibited; updated assessments of heritage integrity and condition for all properties; updated classifications of contributory v. non-contributory status for all properties across the potential heritage conservation areas; and recommendations with commentary in relation to whether each potential new listing should be progressed or abandoned.

Based on the outcomes of the independent peer review, a public benefit analysis by Council and community feedback including owner objections, Council resolved to proceed with:

- Stage 1 – Amend 47 heritage items
- Stage 2 – Add 24 new heritage items.

Overall, the early consultation exercise was valuable in improving the quality of Council's assessment and consideration processes, and consequently, the form and content of this Planning Proposal.

PART 6 – PROJECT TIMELINE

The following table outlines the indicative Planning Proposal timeline.

Stage	Indicative Timeframe
Local Planning Panel Meeting	14 November 2022 (actual)
Council Meeting - Consider draft Planning Proposal	7 December 2022 (actual)
Gateway determination request lodged	25 January 2023 (actual)
Gateway determination received	8 June 2023 (actual) <i>Benchmark Timeframe - 45 working days</i>
Complete any additional studies (if required)	Not required
Public exhibition of draft Planning Proposal	1 August to 8 September 2023 (actual) <i>Benchmark Timeframe - minimum 30 working days</i>
Submissions considered and reviewed	September to November 2023
Council Meeting - Consideration final Planning Proposal and submissions.	December 2023
Lodgement to the Department for finalisation	January 2024 <i>Benchmark Timeframe - 55 days</i>
Gazettal of LEP amendment	February to April 2024