



New South Wales

# **Cumberland Local Environmental Plan 2021 (Amendment No 4)**

under the

**Environmental Planning and Assessment Act 1979**

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

**BRENDAN METCALFE**  
As delegate for the Minister for Planning

## **Cumberland Local Environmental Plan 2021 (Amendment No 4)**

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### **1 Name of Plan**

This Plan is *Cumberland Local Environmental Plan 2021 (Amendment No 4)*.

### **2 Commencement**

This Plan commences on 1 November 2022 and is required to be published on the NSW legislation website.

### **3 Land to which Plan applies**

This Plan applies to Lot 700, DP 1241836, 1 Crescent Street, Holroyd.

### **4 Maps**

The maps adopted by *Cumberland Local Environmental Plan 2021* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this Plan.

## Schedule 1 Amendment of Cumberland Local Environmental Plan 2021

### Part 6 Additional local provisions

Insert at the end of the Part, with appropriate clause numbering—

#### Development of land at 1 Crescent Street, Holroyd—general

- (1) This clause applies to Lot 700, DP 1241836, 1 Crescent Street, Holroyd (the *subject land*).
- (2) Development consent must not be granted to development on the subject land unless a development control plan that provides for all of the following applies to the land—
  - (a) design principles drawn from an analysis of the land and its context,
  - (b) the objectives for development on the land,
  - (c) built form controls, including the maximum number of storeys and minimum setbacks for buildings,
  - (d) measures to ensure development of the land does not negatively impact on the character of surrounding land,
  - (e) encouragement of sustainable transport, including the following—
    - (i) connectivity to, and increased use of, public transport,
    - (ii) safe and effective pedestrian access and cycling,
    - (iii) road access, the circulation network, car parking provision and integrated options to reduce car use,
  - (f) landscaping of open space,
  - (g) impact on, and improvements to, the public domain.
- (3) Development consent must not be granted to development on the subject land unless the consent authority has obtained the concurrence of the Planning Secretary.
- (4) In deciding whether to grant concurrence, the Planning Secretary must consider the following—
  - (a) the impact of the development on—
    - (i) existing designated State public infrastructure, and
    - (ii) the need for additional designated State public infrastructure,
  - (b) the cumulative impact of the development with other development that has, or is likely to be, carried out in surrounding areas on—
    - (i) existing designated State public infrastructure, and
    - (ii) the need for additional designated State public infrastructure,
  - (c) the steps taken to address those impacts, including whether a planning agreement has been, or will be, entered into, contributing to designated State public infrastructure.
- (5) Development consent must not be granted to development on the subject land if—
  - (a) the development results in the ground or first floor of a building being used for the purposes of residential accommodation, and
  - (b) the building—
    - (i) is in Zone B4, and

- (ii) has frontage to Woodville Road.
- (6) In this clause—
- designated State public infrastructure** means public facilities or services that are provided or financed by the State or, if provided or financed by the private sector, to the extent of the financial or in-kind contribution by the State, of the following kinds—
- (a) State and regional roads,
  - (b) bus interchanges and bus lanes,
  - (c) rail infrastructure and land,
  - (d) regional parks and public space,
  - (e) social infrastructure and facilities, including schools, hospitals, emergency services and justice facilities.

**Development of land at 1 Crescent Street, Holroyd—gross floor area and car parking**

- (1) This clause applies to Lot 700, DP 1241836, 1 Crescent Street, Holroyd (the **subject land**).
- (2) The maximum gross floor area for all commercial premises on the subject land, other than retail premises, is 5,000m<sup>2</sup>.
- (3) The maximum gross floor area for all retail premises on the subject land is 2,500m<sup>2</sup>.
- (4) The maximum number of car parking spaces permitted in connection with the following uses of the subject land is as follows—
  - (a) for commercial premises other than retail premises—1 space per 70m<sup>2</sup> of gross floor area used for that purpose,
  - (b) for retail premises—1 space per 50m<sup>2</sup> of gross floor area used for that purpose,
  - (c) for residential accommodation—
    - (i) 0.6 spaces per studio dwelling, and
    - (ii) 0.9 spaces per dwelling with 1 bedroom, and
    - (iii) 1.2 spaces per dwelling with 2 bedrooms, and
    - (iv) 1.5 spaces per dwelling with 3 or more bedrooms, and
    - (v) 1 visitor car parking space per 5 dwellings.
- (5) If the total number of car parking spaces under subclause (4) is not a whole number, the total must be rounded down to the next whole number.
- (6) In this clause—

**car parking space** means a space for the parking of motor vehicles that is ancillary to another land use, but does not include a place primarily used for—

  - (a) the washing of vehicles, or
  - (b) the loading or unloading of goods, or
  - (c) the storage of bicycles.

**visitor car parking space** means a car parking space for use by visitors to, and not residents of, a building.