

HOLROYD LOCAL ENVIRONMENTAL PLAN 2013

2 LAND USE TABLE

Zone R4 High Density Residential

Objectives of zone

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

Comment: The proposed residential flat buildings are permissible within the zone and the proposed development is considered to meet the objectives of the zone as it provides for the housing needs of the community within a high density residential environment.

4 PRINCIPAL DEVELOPMENT STANDARDS

4.1 Minimum subdivision lot size: 900sqm

Comment: Site is 30,919.6sqm, however, subdivision not proposed

4.3 Height of buildings: 12.5 metres

Comment:

Block	Building RL*	Lowest NGL	Height
A	99.0	87.0	12 metres
B	93.8	80.3	13.5 metres
C	93.8	79.8	14 metres
D	99.0	85.9	13.1 metres
E	93.6	82.6	11 metres
F	91.0	78.5	12.5 metres
G	83.6	71.3	12.3 metres

* at highest point in metres above NGL

- **Blocks B, C & D exceed the maximum LEP height of 12.5 metres**
- Refer to Clause 4.6 Assessment

4.4 Floor space ratio: 0.85:1

Comment:

- $30,919.6 \times 0.85 = 26,281.66\text{sqm}$ max. GFA
- Proposed GFA calculated at 25,115sqm (using Trapeze)
- Architect's calculation of 24,900.4 (using CAD) is accepted as correct.
- FSR = 0.805
- Complies

4.6 Exceptions to development standards

Comment: Clause 4.6 submitted for proposed LEP height variation. Refer to Detailed assessment of height variation sought in Executive Summary of report.

The maximum permissible height of buildings on the site is 12.5 metres. As detailed above, 3 buildings exceed the maximum height of buildings development standard. The degree of variations are outlined below:

Block	Building RL*	Lowest NGL	Height	Variation
B	93.8	80.3	13.5 metres	1 metre / 8%
C	93.8	79.8	14 metres	1.5 metres / 12%
D	99.0	85.9	13.1 metres	0.6 metres / 4.8%

* at highest point in metres above NGL

As required, a Clause 4.6 Variation was submitted in support of the application, with the following environmental planning grounds to justify the proposed variations:

- The proposal provides for a variety of building heights and building modulations, with the development distributed across seven (7) separate buildings to achieve a series of buildings in a landscaped setting that substantially exceeds the required levels of landscaped area, deep soil, and common open space. It also enables the proposal to achieve greater than the minimum required levels of solar access and natural ventilation to dwellings to present a more suitable and site responsive layout of the buildings.
- The development has been designed with the intention to comply with RLs under the Holroyd DCP in order to ensure that views to/from Prospect Hill are protected. Furthermore, the top-most portion of the site has remained undeveloped, given that any building at the western edge of the site would significantly exceed the DCP height control. Therefore, the building height and mass has been modulated across the site to respond to the RL view line controls, which is clearly a site specific design response and a better planning outcome for the site.
- It is noted that the stepped building form is a direct design response to the site's excessive slope, noting that the DCP acknowledges that on steep sites, the storey control can be exceeded.
- The departure enables full compliance with all DCP controls including the maximum permitted RL heights contained in the DCP.

The variations are minor, ranging from 600mm or 4.8% for Building D to 1.5 metres or 12% for Building C, and are primarily associated with the significant slope of the site.

Having regard to the photomontages provided with the amended proposal, it is considered that the ridgeline of Prospect Hill is maintained from the 8 key vantage points identified in the Prospect Hill Conservation Management Plan, and the views from Prospect Hill to the east are not affected. In this regard, it is considered that the RLs contained in the DCP are correct in their intent to maintain views to and from Prospect Hill.

The shadow and solar access diagrams accompanying the application demonstrate that the proposal does not result in any significant adverse impacts on surrounding properties and that an appropriate number of dwellings within the development comply with the solar access requirements.

As the proposal is consistent with the objectives of the height of buildings control, strict compliance with the development standard is considered to be unreasonable and unnecessary in the circumstances of the case.

The Clause 4.6 variation is considered to be well founded and the variation is supported. Council is also satisfied that the proposed development will be in the public interest because it is consistent with both the objectives of the standard and the objectives of the zone.

5.6 Architectural roof features

Comment: N/A

5.9 Preservation of Trees or Vegetation

Comment:

In accordance with previous approval (subdivision, bulk excavation) the site has been cleared of all vegetation. The DA was referred to Council's Landscape and Tree Management Officer who raised no objection to the proposal, subject to conditions.

5.10 Heritage

Comment:

The site is located directly adjacent to Prospect Hill, which is a state-listed heritage item. The application has been referred to Council's Consultant Heritage Advisor and to the NSW Heritage Office. Refer to their comments.

6.1 Acid sulfate soils

Comment: N/A

6.4/6. Flood Planning & Stormwater Management

Comment:

The site is not affected by the 1% AEP flood and is not subject to a flood planning level. The application was referred to Council's Development Engineer who raised no objection with the proposal, subject to conditions.

6.5 Terrestrial Biodiversity

Comment: N/A

6.8 Salinity

Comment:

The subject site is located in an area of 'Moderate Salinity Potential'. Standard conditions of consent may be imposed.