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| **Clause** | **Assessment** | **Compliance?** |
| **2.6 Subdivision – consent requirements**  Development consent is required to subdivide land (unless the subdivision is exempt or complying development under another environmental planning instrument). | Consent has been sought for the proposed subdivision as part of this DA. | Yes |
| **2.7 Demolition requires development consent**  Development consent is required to demolish a building or work (unless the demolition is exempt or complying development under another environmental planning instrument). | Demolition of the former entrance road leading to Camden Lakeside Golf Club is proposed as part of this DA. | Yes |
| **4.1 Minimum subdivision lot size**  Lot sizes must not be less than the minimum lot size shown on the Lot Size Map.  The minimum lot size for this site is 250m².  This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme. | Lot sizes range from 317m2 to 693m2 for dwelling lots. | Yes |
| **4.1B Exceptions to minimum lot sizes for certain land at Lakeside Urban release Area**  On land zoned E2 Environmental Conservation and RE2 Private Recreation at “Lakeside,” as shown on the Urban Release Area Map, Clause 4.1 of the LEP does not apply.  Development consent must not be granted for the subdivision of land unless Council is satisfied that the subdivision facilitates the development of land zoned R1 General Residential at “Lakeside” as shown on the Urban Release Area Map. | A portion of the site is zoned RE2 Private Recreation and E2 Environmental Conservation. However, no subdivision works are proposed within these areas of the site. All residential works are proposed to wholly remain within the R1 General Residential zoned portion of the site adjacent to Raby Road. | Yes |
| **4.3 Height of buildings**  Maximum building heights must not exceed the maximum building height shown on the Height of Buildings Map.  The maximum building height for this site is 9.5 and 12.5m. | **9.5m**  Six dwellings located within the site will breach the 9.5m height of buildings development standard. The contraventions range from 365mm to 2.472m.  **12.5m**  South Apartment – Lot 65 – 12.5m  East Apartment – Lot 70 – 12.5m  West Apartment – Lot 71 – 12.05m | No  Yes |
| **4.6 Exceptions to development standards**  Development consent may be granted for development that contravenes a development standard imposed by the LEP or any other environmental planning instrument.  The consent authority must consider a written request from the applicant that seeks to justify the contravention by demonstrating that:   1. that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and 2. that there are sufficient environmental planning grounds to justify contravening the development standard.   Development consent musty not granted unless:   1. the consent authority is satisfied that: 2. the applicant’s written request has adequately addressed the matters required to be demonstrated, and 3. the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and 4. the concurrence of the Secretary has been obtained.   This clause prohibits the approval of development standard contraventions for certain subdivisions of land in some rural and environmental zones. | A clause 4.6 written request has been submitted seeking contravention of Clause 4.3 – Heights of buildings. Consideration and discussion of the merits of the Clause 4.6 written request is contained within the Panel Report. | Yes |
| **5.10 Heritage conservation**  Before granting development consent in respect of a heritage items or a heritage conservation area, the consent authority must consider the effect of the proposed development on the heritage significance of the item or area concerned.  The consent authority may require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the item or heritage conservation area concerned. The submission of a heritage conservation management plan may also be required.  Before granting consent to the carrying out of development on an archaeological site the consent authority must notify the Heritage Council of its intention to grant consent and take into consideration any response received within 28 days after the notice is sent.  Before granting consent to the carrying out of development in an Aboriginal place of heritage significance the consent authority must:   1. consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and 2. notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.   Before granting consent to the demolition of a State heritage item the consent authority must:   1. notify the Heritage Council about the application, and 2. take into consideration any response received from the Heritage Council within 28 days after the notice is sent.   Development consent may be granted for any purpose of a building that is a heritage item or the land on which such a building is erected, or for any purpose on an Aboriginal Place of Significance is the consent authority is satisfied as to a number of matters listed by this clause; including if the conservation of the item or place is facilitated by the granting of consent. | Lot 70 DP:1261166 is irregularly shaped and is adjacent to the Upper Canal (State Heritage Item) at the southern most point of the lot. However, as all works within the subject development are located immediately adjacent to Raby Road, which is a considerable distance (approximately 315m) from the Upper Canal, there is no heritage impact from the development upon the Upper Canal. Consideration of heritage impacts upon the Upper Canal will be made within separate applications located in closer proximity to the Upper Canal. | Yes |
| **6.1 Arrangements for designated State public infrastructure**  Development consent must not be granted for the subdivision of land in an urban release area if:   1. if the subdivision would create a lot smaller than the minimum lot size permitted on the land immediately before the land became, or became part of, an urban release area, or 2. in the case of land in Zone R1 General Residential in the urban release area shown as “Lakeside” on the Urban Release Area Map—if the subdivision would create a lot with an area of less than 40 hectares,   unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that lot.  This clause does not apply to certain subdivisions including the creation of residue lots or subdivision for the purpose of rectifying an encroachment on an existing lot.  This clause does not apply to land within a special contributions area. | A Satisfactory Arrangements Certificate has been issued by the Department of Planning and Environment on 8th October 2018. | Yes |
| **6.2 Public utility infrastructure**  Development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required. | Water and Sewerage  The DA was referred to Sydney Water for comment in accordance with Sydney Water’s DA referral guidelines.  Water Servicing  Sydney Water have advised that an existing 300mm drinking water main along Raby Road has sufficient capacity to accommodate the proposed development.  Wastewater Servicing  Sydney Water have advised that an existing 300mm wastewater main traversing the proposed development site has sufficient capacity to service the proposed development.  Detailed water and sewerage requirements will be provided at the Section 73 application stage.  Electricity  It is proposed to extend existing low and high voltage reticulation from Raby Road via the Entry Road to service the proposed development.  It is considered that adequate arrangements to existing infrastructure exists to enable the proposed development to be connected to required services for when it is required.  A condition is recommended requiring that suitable public utility infrastructure is provided to the proposed lots prior to the issue of a Subdivision Certificate. | Yes |
| **6.3 Development control plan**  Development consent must not be granted for development on land in an urban release area that unless a development control plan has been prepared for the land and addresses a number of matters listed in this clause; including a staging plan and stormwater and water quality management controls.  The above does not apply to certain minor development types listed by this clause. | Relevant DCP requirements are in place for the Camden Lakeside release area, included within Camden DCP 2011 and as amended DCP 2019. | Yes |
| **7.4 Earthworks**  Before granting development consent for earthworks the consent authority must consider a number of matters listed by this clause; including the impact on the existing and likely amenity of adjoining properties. | The development application has been submitted with an engineering development report, which addresses particular matters for consideration as listed under clause 7.4 such as drainage patterns, catchment modelling and soil stability. In addition, the application proposes erosion and sediment control measures such as sediment basins, stabilized stockpiles, geotextile inlet filters, mesh and gravel inlet filters and sediment fencing to address the movement of sediment upon the site. | Yes |