

HOLROYD LOCAL ENVIRONMENTAL PLAN 2013**LAND USE TABLE****Zone R4 – High Density Residential**

Objectives of the 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 development is for a residential flat building, which falls within the definition of *Residential Flat Building* defined as:-

residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.

It is noted that the proposal will provide for two commercial tenancies one of 165m² fronting onto New Road 1 and one of 113m² fronting onto Gladstone Street. Schedule 1 of the HLEP provides for additional permitted uses. Clause 11 of Schedule 1 reads as follows;

Use of certain land at Neil Street, Merrylands

*(1) This clause applies to land at Neil Street, Merrylands, identified as “APU 11” on the (the **Neil Street Precinct**).*

Development for the purposes of business premises, office premises and retail premises (excluding pubs) is permitted with development consent.

It is noted that the subject site falls within this area and in this regard, *business premises, office premises and retail premises* is permissible.

Since the application was lodged in November 2016 the HLEP has been amended following approval of the Neil Street Precinct Planning Proposal. As such the site has been rezoned Part B6 and Part RE1

Zone B6 – Enterprise Corridor

Objectives of zone

- *To promote businesses along main roads and to encourage a mix of compatible uses.*
- *To provide a range of employment uses (including business, office, retail and light industrial uses).*
- *To maintain the economic strength of centres by limiting retailing activity.*
- *To provide for residential uses, but only as part of a mixed use development.*

Zone RE1 – Public Recreation

Objectives of zone

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*

Comment: The proposed development is for a residential flat building with commercial tenancies, which falls within the definition of *Shop Top Housing* defined as:-

shop top housing means one or more dwellings located above ground floor retail premises or business premises

Noting the above, the proposed development is permissible with consent.

4 PRINCIPAL DEVELOPMENT STANDARDS**4.3 Height of buildings: 32m**

Since the application was lodged in November 2016 the HLEP has been amended following approval of the Neil Street Precinct Planning Proposal. This has resulted in an increase to the height of buildings development standard.

Height of buildings: 42m

Comment: The overall height of the building is compliant with the 42m development standard. However, as the development standard was 32m upon Council receipt of the application in November

2016 the applicant submitted a Clause 4.6 Request to Vary a Development Standard. As the proposal now complies with the development standard this Clause 4.6 is no longer required and has not been assessed.

4.4 Floor space ratio: 5.0:1

Comment: The following is noted with regards to Floor Space Ratio:

	Floor Area
Level 1	759 m ²
Level 2	1349 m ²
Level 3	1386 m ²
Level 4	1386 m ²
Level 5	1386 m ²
Level 6	1202 m ²
Level 7	1196 m ²
Level 8	1196 m ²
Level 9	839 m ²
Level 10	839 m ²
Level 11	839 m ²
Level 12	839 m ²
Total	13216 m ²
Max. Permitted	19530m ²
Proposed FSR	4.56:1

Further to this as additional car parking to that required per Council's rates and these additional car spaces are to be included in GFA:

$$5.4 \times 2.4 = 12.96\text{m}^2$$

$$19 \times 12.96 = 246.24 \text{ m}^2$$

$$\text{GFA} = 13462.24$$

$$\text{FSR: } 4.64:1$$

The proposal is therefore **compliant**

4.6 Exceptions to Development Standards

Comment: The application was lodged with an accompanying Clause 4.6 variation in relation to the previous LEP height control. However, as detailed above in the Height of Buildings Development Standard discussion, the proposal is compliant with the current Maximum Height of 41m for the subject site.

5.6 Architectural roof features

Comment: The provided roof form is considered acceptable

5.9 Preservation of Trees or Vegetation

Comment: Council's Landscape and Tree officer has reviewed the proposal and raised no concerns with the proposed landscaping arrangement on site including the removal of all trees on site and a selection of trees in the adjacent road reserve subject to conditions of consent and replacement planting in accordance with the landscaping plan.

5.10 Heritage

Comment: The subject site is not heritage listed nor is it in close proximity to a site of heritage significance.

6.1 Acid sulfate soils

Comment: Not Applicable in this instance

6.4/6.7 Flood Planning & Stormwater Management

Comment: No flood controls are applicable to the subject site. Refer to comments provided by Council's Development Engineering Department with respect to storm water management and flood planning.

6.5 Terrestrial Biodiversity

Comment: Not Applicable.

6.8 Salinity

Comment: Moderate salinity is provided on the subject site, standard conditions of consent have been applied to manage this.