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| **Clause** | **Assessment** | **Compliance?** |
| **Appendix 1, 2.3 Zone objectives and land use table**  The land use table for each zone sets out what development is permitted without consent, permitted with consent and prohibited.  The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within a zone.  The subject site is zoned R1 General Residential and R3 Medium Density Residential. | The proposed development achieves the objectives of the R1 General Residential zone by:   * Assisting in providing a variety of housing types and densities in the Oran Park Precinct to meet the housing needs of the community. * Supporting the wellbeing of the community by providing residential accommodation with a high degree of amenity and reducing the impact of road traffic noise on the development.   The proposed development achieves the objectives of the R3 Medium Density Residential zone by:   * Contributing to provide a variety of housing types and densities to meet the housing needs of the community. * Not precluding other future land uses from providing day to day needs to residents.   The proposed development is permitted with consent within the respective zones. | Yes. |
| **Appendix 1, 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). | This development application seeks consent for the Torrens title subdivision of three unregistered lots to create 123 residential lots and 1 public reserve lot. | Yes. |
| **Appendix 1, 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 125m².  This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme. | All proposed lots are greater than the minimum lot size of 125m2 and range in size from 186.9m2 (Lot 508) up to 425.4m2 (Lot 501).  The average lot size for each stage is:  Stage 1: 263.3m2  Stage 2: 246.4m2  Stage 3: 270.1m2  Stage 4: 258.9m2  Stage 5: 235.2m2  Stage 6: 221.2m2 | Yes. |
| **Appendix 1, 4.1A Minimum lot sizes for other development**  On land zoned:   * R1 General Residential, or * R3 Medium Density Residential,   development must not be carried out for any of the following purposes if the area of the lot is less than the area specified below in relation to those purposes:  (a) dwelling house – 300m2,  (b) dual occupancy – 500m2,  (c) attached dwelling – 125m2,  (d) residential flat building – 1,000m2,  (e) semi-detached dwelling – 200m2,  (f) manor home – 600m2,  (g) multi dwelling housing – 1,500m2. | The proposal consists of 97 attached dwellings, 18 semi-detached dwellings and 8 dwelling houses.  The lots containing attached dwelling meet the applicable minimum lot size and range in size from 186.9m2 (Lot 508) to 388.2m2 (Lot 214)  The lots containing semi-detached dwellings achieve the applicable minimum lot size and range in size from 219.8m2 (Lot 211) to 308.5m2 (Lot 417).  Six of the eight lots containing dwelling houses achieve the applicable minimum lot size. These lots range in size from 305.1m2 (Lot 527) to 425.4m2 (Lot 501). The remaining two lots have sizes of 284.2m2 (Lot 213) and 284.6m2 (Lot 620) and are therefore subject to the provisions of Clause 4.1AC which has been assessed below. | Yes. |
| **Appendix 1, 4.1AB Minimum lot sizes for secondary dwellings in Zone R1 General Residential and Zone R3 Medium Density Residential**  On land zoned R1 General Residential the minimum lot size for a secondary dwelling is 450m².  On land zoned R3 Medium Density Residential the minimum lot size for a secondary dwelling is the minimum lot size for the principal dwelling determined in accordance with clause 4.1A(1), 4.1AC or 4.1AE. | The proposal includes 8 secondary dwellings on the R3 Medium Density Residential portion of the development area. No secondary dwellings are proposed on R1 General Residential zoned land.  All proposed secondary dwellings are associated with principal dwellings that meet the applicable minimum lot size under Clauses 4.1A and 4.1AC. Refer to the relevant clauses in this table for compliance assessment of the principal dwellings. | Yes. |
| **Appendix 1, 4.1AC Exceptions to minimum lot sizes for dwelling houses**  This clause applies to:   1. a lot zoned R1 General Residential that has an area of less than 300m² (but not less than 250m²), 2. a lot zoned R3 Medium Density Residential that has an area of less than 300m² (but not less than 250m²).   Despite clause 4.1A(1), development consent may be granted to the erection of a dwelling house on a lot to which this clause applies if:   1. the lot results from a subdivision to which development consent has been granted in accordance with clause 4.1AA and, in determining the development application for the erection of the dwelling house, the consent authority considers any information that it considered for the purposes of that clause in determining the development application for the subdivision, or 2. the development application is a single development application for development consisting of both of the following: 3. the subdivision of land into 2 or more lots, 4. the erection of the dwelling house on one of the lots resulting from the subdivision. | Two of the eight proposed lots containing dwelling houses that are less than the minimum lot size of 300m2 (but not less than 250m²) and are therefore subject to the provisions of this clause.  Lot 213: 284.2m2, R3 Medium Density Residential.  Lot 620: 284.6m2, R1 General Residential.  Subdivision and construction of the above dwellings is proposed as part of a single development application and development consent may therefore be granted. | Yes. |
| **Appendix 1, 4.1B Residential Density – Oran Park Precinct**  Development consent must not be granted to the subdivision of land intended to be used for residential purposes within the Oran Park Precinct unless the consent authority is satisfied that:   1. a development control plan has been prepared providing for not less than 7,540 new dwellings within the Precinct and containing provisions to encourage a mix of dwelling types to be provided, and 2. the granting of consent would not preclude or impede that number of dwellings within the Precinct. | The Oran Park Precinct Development Control Plan 2007 has been prepared and requires a minimum dwelling yield of 7,540 new dwellings of varying types.  The development area falls within the Sub-precinct O which requiring a minimum dwelling yield of 766.  The proposal seeks consent for a 123 residential lots and construction of 131 dwellings and will contribute towards meeting both the precinct and sub-precinct dwelling targets. The proposal will not preclude the required targets from being achieved. | Yes. |
| **Appendix 1, 4.3 Height of buildings**  Maximum buildings heights must not exceed the maximum building height shown on the Height of Buildings Map.  The maximum building height for this site is 9.5m for all development other than residential flat buildings. | The proposal consists of a mix of single storey and two storey dwellings which do not exceed the maximum height of buildings development standard of 9.5 metres. | Yes. |
| **Appendix 1, 6.1 Public utility infrastructure**  Development consent must not be granted for development on land unless the consent authority 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. | A standard condition is recommended to ensure that essential public utility infrastructure will be provided when required. | Yes. |