

Holroyd Local Environmental Plan 2013			
No.	Required/Permitted	Comment	Comply
Part 2 Permitted or Prohibited Development			
2.1	Land Use Zones	The subject site is zoned Part B4 Mixed Use.	N/A
2.2	Zoning of Land to Which Plan Applies		
2.3	Zone Objectives and Land Use Table B4 Mixed Use	<i>Seniors housing</i> and Commercial premises are permitted with consent in the B4 Mixed Use zone. The proposal meets the objectives of the zone by: - Providing a mixture of compatible land uses. - Integrating suitable business, office, residential, retail and other development in accessible locations to maximise public transport patronage and encourage walking and cycling. - Facilitating a vibrant, mixed-use centre with active retail, commercial and other non-residential uses at street level. - To encourage the development and expansion of business activities that will strengthen the economic and employment role of the Merrylands town centre.	Yes
2.4	Unzoned Land	The site is not unzoned.	N/A
2.5	Additional Permitted Uses for Particular Land	The site is not identified in <i>Schedule 1 – Additional Permitted Uses</i> .	N/A
2.6	Subdivision – Consent Requirements	Subdivision is not sought as a part of this application.	N/A
2.7	Demolition Requires Development Consent	Demolition is sought as a part of this application.	Yes
2.8	Temporary Use of Land	Temporary use of land is not sought as a part of this application.	N/A
Part 3 Exempt and Complying Development			
	Exempt and complying development is not applicable to the subject application.		N/A
Part 4 Principal development standards			
4.1	Minimum Subdivision Lot Size	Subdivision is not sought as a part of this application.	N/A
4.1AA	Minimum Subdivision Lot Zone for Community Title Schemes		
4.1A	Exceptions to Minimum Subdivision Lot Sizes for Certain Residential Developments		
4.1B	Minimum Lot Sizes for Dual Occupancies		
4.2	Rural Subdivision		
4.3	Height of Buildings Max. 86 metres + *DE 8.6m = 94.6m *DE - Design Excellence	The proposed development is designed to be a maximum height of 93.295m, as measured from the lift overrun. The floor to ceiling heights on Level 1 are conditioned to be 3.3m, in accordance with the Apartment Design Guide (ADG), resulting in an increased height of 0.6m, and overall height of 93.895m.	Yes

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		Note: Lift Overrun – 110.2mAHD Spot Level – Average of 17.14mAHD & 16.67mAHD = 16.905mAHD	
4.4	Floor Space Ratio Max. 8:1 + *DE 0.5:1 Max. Residential FSR 8.5:1 – 1.7:1 = 6.8:1 *Design Excellence Site Area: 2,089.3m ² Maximum FSR: 8.5:1 Maximum GFA: 17,759.05m ² Maximum Residential GFA: 14,207.24m ² Proposed GFA: 17,759m ² Proposed Residential GFA: 15,858m² Proposed FSR: 8.5:1 Proposed Residential FSR: 7.6:1 *Refer to commentary below under the heading <i>Clause 4.6 – Exceptions to Development Standards</i> .		No, but Acceptable on Merit
4.5	Calculation of Floor Space Ratio and Site Area.	Floor Space Ratio and Site Area have been calculated in accordance with this Clause.	Yes
4.6	Exceptions to Development Standards	The applicant has submitted a written request, justifying the contravention of the <i>Floor Space Ratio</i> development standard, and considers that strict compliance is unreasonable and unnecessary. The submitted Clause 4.6 Statement identify the additional residential gross floor area is supportable. *Refer to commentary in report. A copy of the Applicant's written request is provided at Attachment 2 .	Yes
Part 5 Miscellaneous provisions			
5.1	Relevant Acquisition Authority	The site is not identified on the <i>Land Reservation Acquisition Map</i> .	N/A
5.1A	Development on Land Intended to be Acquired for Public Purposes		
5.2	Classification and Reclassification of Public Land	The site is not identified in <i>Schedule 4 – Classification and Reclassification of Public Land</i> .	N/A
5.3	Development Near Zone Boundaries	This clause is not applied for as a part of this application.	N/A
5.4	Controls Relating to Miscellaneous Permissible Uses	The miscellaneous permissible uses as listed within this clause are not applied for as a part of this application.	N/A
5.5	(Repealed)	Repealed.	N/A
5.6	Architectural Roof Features	Architectural roof features are not designed to the proposed development.	N/A
5.7	Development Below Mean High Water Mark	No applicable controls are listed under this clause.	N/A

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5.8	Conversion of Fire Alarms	Conversion of a fire alarm system is not sought as a part of this application.	N/A
5.9	(Repealed)	Repealed	N/A
5.9AA	(Repealed)	Repealed	N/A
5.10	Heritage	The subject site is not heritage listed, is not located within a heritage conservation area, and is not located within the vicinity of any heritage items.	N/A
5.11	Bush Fire Hazard Reduction	Bush fire hazard reduction work authorised by the <i>Rural Fires Act 1997</i> may be carried out on any land without development consent.	Noted
5.12	Infrastructure Development and Use of Existing Buildings of the Crown	This plan does not restrict or prohibit development under <i>State Environmental Planning Policy (Infrastructure) 2007</i> , or the use of existing buildings of the Crown by the Crown.	Noted
5.13	Eco-Tourist Facilities	No applicable controls are listed under this clause.	N/A
5.14	Siding Spring Observatory – Maintain Dark Sky	No applicable controls are listed under this clause.	N/A
5.15	Defence Communications Facility	No applicable controls are listed under this clause.	N/A
5.16	Subdivision of, or Dwellings on, Land in Certain Rural, Residential or Environmental Protection Zones	No applicable controls are listed under this clause.	N/A
5.17	Artificial Waterbodies in Environmentally Sensitive Areas in Areas of Operation of Irrigation Corporations	No applicable controls are listed under this clause.	N/A
5.18	Intensive Livestock Agriculture	No applicable controls are listed under this clause.	N/A
5.19	Pond-Based, Tank-Based and Oyster Aquaculture	Pond-based, tank-based and oyster aquaculture is not applied for as a part of this application.	N/A
Part 6 Additional Local Provisions			
6.1	Acid Sulfate Soils	The site is not affected by potential acid sulfate soils.	N/A
6.2	Earthworks	Earthworks have been sought within the subject application. The proposed development adheres to the matters of consideration, which the consent authority must consider before development consent is granted for earthworks.	Yes
6.3	Essential Services	Services are available on-site and are unaffected by the proposed development.	Yes
6.4	Flood Planning Flood Affected Site – Stormwater Overflow	Council's Development Engineer has reviewed the submitted stormwater plans, and identifies the design is acceptable, subject to conditions.	Yes
6.5	Terrestrial Biodiversity	The site is not identified as being affected by biodiversity.	N/A
6.6	Riparian land and watercourses	The site is not identified as being affected by riparian land and watercourses.	N/A

Attachment 7

Holroyd Local Environmental Plan 2013 Compliance Assessment

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6.7	Stormwater Management	The stormwater plans submitted with the application have been reviewed by Council's Development Engineer to be acceptable, subject to conditions.	Yes
6.8	Salinity	The site is located on lands identified as being affected by moderate salinity.	Yes, with Condition
6.9	Buffer Area Between Industrial and Residential Zones	The site is not identified as an 'Industrial-Residential Buffer Area' on the <i>Site Specific Provision Map</i> .	N/A
6.10	Ground Floor Development in Zones B2 and B4	The design of the ground floor of the development: - Will not be used for the purposes of residential accommodation. - Will not be used for a car park or to provide ancillary car parking spaces. - Will provide for uses and building design elements that encourage interaction between the inside of the building and the external public areas adjoining the building, except for elements which are outlined in Clause 6.10(5) of the HLEP, being elements that/are: - Face a service lane. - A lobby. - Access for fire services. - Vehicular access.	Yes
6.11	Design Excellence	This clause applies to the subject development, as the proposal involves a building that is greater than 55 metres in height on land identified as "Area 2" on the <i>Design Excellence Map</i>. *Refer to commentary in report.	Yes
6.12	Development on Land at 42-44 Dunmore Street, Wentworthville	The site is not listed as 42-44 Dunmore Street, Wentworthville.	N/A