

Attachment 2 – Holroyd Local Environmental Plan 2013 compliance table

| CLAUSE | COMPLIAN CE | DISCUSSION |
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| 1.2 Aims of this Policy (1) This Plan aims to make local environmental planning provisions for land in Holroyd in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act | Yes | The proposed development is consistent with the aims of the HLEP 2013. |
| 1.6 Consent authority The consent authority for the purposes of this Plan is (subject to the Act) the Council | Yes | Council would normally be the consent authority for the development application however, in this case, the application is identified as regionally significant development in accordance with schedule 7, clause 5(a) of State Environmental Planning Policy (State and Regional Development) 2011. As such, the Sydney Central City Planning Panel is the consent authority for the application. |
| 2.1 Land use zones The land use zones under this Plan are as follows: Industrial Zones IN1 General Industrial | Yes | The land is zoned IN1 General Industrial and the proposed use of the premises is “ resource recovery facility ”, which is categorised as a waste or resource management facility under the provisions of HLEP 2013. ‘ waste or resource management facility ’ is permitted with consent in the IN1 – General Industrial land zone which applies to the site |
| 2.3 Zone Objectives and Land Use Table The objectives of the IN1 -M General Industrial zone are listed below under ‘Land Use Table’. | Yes | The proposed development of the site is consistent with the objectives of the IN1 – General Industrial zone. |
| 2.7 Demolition requires consent The demolition of a building or work may be carried out only with consent. | N/A | The development application proposes alterations to an existing industrial warehouse and as such consent is sought for the demolition proposed including removal of an external awning |

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| | | and internal ground floor and Mezzanine alterations. |
| Land use table | | |
| <p>Zone IN1 General Industrial</p> <p>1 Objectives of zone</p> <ul style="list-style-type: none"> • To provide a wide range of industrial and warehouse land uses. • To encourage employment opportunities. • To minimise any adverse effect of industry on other land uses. • To support and protect industrial land for industrial uses. • To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area. <p>2 Permitted without consent Nil</p> <p>3 Permitted with consent Depots; Freight transport facilities; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; Kiosks; Light industries; Liquid fuel depots; Neighbourhood shops; Oyster aquaculture; Places of public worship; Roads; Take away food and drink premises; Tank-based aquaculture; Warehouse or distribution centres; Any other development not specified in item 2 or 4.</p> <p>4 Prohibited Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat</p> | Yes | <p>The subject site is zoned IN1 – General Industrial under Holroyd Local Environmental Plan (HLEP) 2013. The proposal complies with the relevant development standards and is considered not to be inconsistent with the objectives of the zone.</p> <p>The proposal is for alterations and additions to an existing industrial building and use as an E-Waste Recycling Facility. The development proposes to retain a reduced gross floor area of existing office space located on the Mezzanine level.</p> <p>Even though office premises, being a type of commercial premises, are prohibited in the IN1 zone, the development proposes to retain existing office space and the use of the office premises is ancillary to the use of the warehouse as a resource recovery facility, which is categorised as a waste or resource management facility which is a permissible land use within the zone with consent.</p> <p>waste or resource management facility means any of the following—</p> <ol style="list-style-type: none"> a resource recovery facility, a waste disposal facility, a waste or resource transfer station, a building or place that is a combination of any of the things referred to in paragraphs (a)–(c). <p>resource recovery facility means a building or place used for the recovery of resources from waste, including works or activities such as separating and sorting, processing or treating the waste, composting, temporary storage,</p> |

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| <p>launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home businesses; Home industries; Home occupations; Home occupations (sex services); Industries; Information and education facilities; Jetties; Livestock processing industries; Marinas; Mooring pens; Moorings; Pond-based aquaculture Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Sawmill or log processing works; Sex services premises; Stock and sale yards; Tourist and visitor accommodation; Veterinary hospitals; Water recreation structures; Wharf or boating facilities</p> | | <p>transfer or sale of recovered resources, energy generation from gases and water treatment, but not including re-manufacture or disposal of the material by landfill or incineration.</p> <p>office premises means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.</p> <p>Note— Office premises are a type of commercial premises— see the definition of that term in this Dictionary.</p> |
| <p>4.3 Height of Buildings (1) The objectives of this clause are as follows: (a) to minimise the visual impact of development and ensure sufficient solar access and privacy</p> | <p>N/A</p> | <p>In accordance with the Height of Buildings Map accompanying HLEP 2013, no maximum building height applies to the site. The proposal includes fitting ten roof stacks for discharge of air emissions externally on the roof of the existing</p> |

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| <p>for neighbouring properties,</p> <p>(b) to ensure development is consistent with the landform,</p> <p>(c) to provide appropriate scales and intensities of development through height controls.</p> <p>(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.</p> | | <p>warehouse. In this regard, an overall maximum height of 15.6m is proposed.</p> |
| <p>4.4 Floor Space Ratio</p> <p>(1) The objectives of this clause are as follows—</p> <p>(a) to support the viability of commercial centres and provide opportunities for economic development within those centres,</p> <p>(b) to facilitate the development of a variety of housing types,</p> <p>(c) to ensure that development is compatible with the existing and desired future built form and character of the locality,</p> <p>(d) to provide a high level of amenity for residential areas and ensure adequate provision for vehicle and pedestrian access, private open space and landscaping</p> <p>(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.</p> | N/A | <p>In accordance with the Floor Space Ratio Map accompanying HLEP 2013, no Floor Space Ratio applies to the site.</p> <p>The application proposes a gross floor area of 4,085.45m² (0.35:1).</p> |
| <p>4.6 Exceptions to Development Standards</p> | N/A | <p>Not proposed.</p> |

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| <p>5.10 Heritage conservation (1) Objectives The objectives of this clause are as follows— (a) to conserve the environmental heritage of Holroyd, (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, (c) to conserve archaeological sites, (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.</p> | N/A | The subject site does not contain any items of heritage significance nor is it within a heritage conservation area. |
| <p>5.21 Flood Planning</p> | Yes | <p>The subject site is affected by the 1% Annual Exceedance Probability (AEP) flood.</p> <p>The area of the site affected by a AEP flood is generally restricted to a stormwater drainage easement which is located for the full length of the eastern side boundary. The existing warehouse on site is located outside the area of the site affected by an AEP flood.</p> <p>The existing floor level of the warehouse, which is proposed to be retained, is in excess of the required minimum habitable floor level which is 0.5m above the identified maximum 1% AEP flood level to Australian Height Datum (AHD).</p> <p>A relevant condition of consent is recommended to be imposed to ensure that the carpark and floor levels comply with Council's Flood Advice Letter.</p> |
| <p>6.1 Acid sulfate soils (1) The objective of this clause is to ensure that development</p> | N/A | In accordance with the Acid Sulfate Soils Map accompanying HLEP 2013, |

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| <p>does not disturb, expose or drain acid sulfate soils and cause environmental damage</p> <p>(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.</p> | | <p>The site is not affected by Acid Sulfate Soils.</p> |
| <p>6.2 Earthworks</p> <p>(1) The objectives of this clause are as follows—</p> <p>(a) to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,</p> <p>(b) to allow earthworks of a minor nature without requiring separate development consent.</p> | N/A | <p>No earthworks are proposed as part of the application. External and internal alterations are proposed to existing warehouse including external storage of chemicals to the rear of the warehouse, discharge stackers on the roof of the warehouse and internal alterations to the ground and mezzanine levels of the warehouse.</p> |
| <p>6.3 Essential Services</p> <p>(1) Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—</p> <p>(a) the supply of water,</p> <p>(b) the supply of electricity,</p> <p>(c) the disposal and management of sewage,</p> <p>(d) stormwater drainage or on-site conservation,</p> | Yes | <p>As existing.</p> |

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| (e) suitable road access. | | |
| <p>6.7 Stormwater management</p> <p>(1) The objectives of this clause are as follows—</p> <ul style="list-style-type: none"> (a) to minimise the impacts of urban stormwater on properties, native vegetation and receiving waters, (b) to avoid any adverse impacts on soils and land stability, (c) to protect the environmental values of water identified for urban waterways in the Sydney Harbour and Parramatta River and Georges River catchments. <p>(2) Development consent must not be granted to development on any land unless the consent authority is satisfied that the development—</p> <ul style="list-style-type: none"> (a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and (b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and (c) avoids any adverse impacts of stormwater runoff on adjoining properties, native vegetation and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact. | Yes | <p>The stormwater plans have been reviewed internally by Council's Development Engineer who supported the proposal, subject to conditions.</p> |

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| <p>6.8 Salinity</p> <p>(1) The objective of this clause is to provide for the appropriate management of land that is subject to salinity and the minimisation and mitigation of adverse impacts from development that contributes to salinity.</p> <p>(2) This clause applies to land identified as “Known Salinity”, “High Salinity Potential” or “Moderate Salinity Potential” on the Salinity Map.</p> <p>(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider the following—</p> <ul style="list-style-type: none"> (a) whether the development is likely to have any adverse impact on salinity processes on the land, (b) whether salinity is likely to have an impact on the development, (c) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development. <p>(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—</p> <ul style="list-style-type: none"> (a) the development is designed, sited and will be managed to avoid any adverse environmental impact, or (b) if that impact cannot be reasonably avoided—the development is designed, | <p>Yes</p> | <p>Standard conditions of consent have been recommended to manage the salinity affectation of the subject site during the construction phase of the development.</p> |
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| <p>sited and will be managed to minimise that impact, or (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</p> | | |
| <p>6.9 Buffer area between industrial and residential zones (1) The objectives of this clause are as follows— (a) to maintain an adequate separation between general industrial land uses and residential land uses, (b) to prevent any likely adverse impacts of outputs of industrial land uses (including noise, vibrations, odours, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil) on adjacent residential dwellings, (c) to ensure that neighbouring residents can enjoy a reasonable level of amenity without preventing the operation of general industrial land uses, (d) to provide visual separation of the primary buildings and structures on industrial land from neighbouring residential dwellings. (2) This clause applies to land identified as “Industrial-residential buffer area” on the Site Specific Provisions Map.</p> | <p>N/A</p> | <p>The site is not identified as land being subject to the clause.</p> |

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| <p>(3) Despite any other provision of this Plan, development must not be carried out on land to which this clause applies other than—</p> <p>(a) if the land is in Zone R2 Low Density Residential—development permitted on land in that zone in the Land Use Table (excluding residential accommodation), or</p> <p>(b) if the land is in Zone IN1 General Industrial—development permitted on land in that zone in the Land Use Table, but only if the consent authority is satisfied that the development is consistent with the objectives of this clause</p> | | |
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