Attachment 3 – Holroyd Local Environmental Plan 2013 compliance table

Clause	Yes	No	N/A	Comment
Land use table				
Zone R4 High Density Residential **1 Objectives of 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.	☒	☐	☐	The subject site is zoned R4 High Density Residential pursuant to HLEP 2013. The proposed development is defined as a *residential flat building,* which is permissible with consent in the R4 zone. The proposed development is considered to be consistent with the R4 zone objectives as it provides a variety of housing types, satisfying the needs of the community within a high density residential environment.
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 for neighbouring properties, (b) to ensure development is consistent with the landform, (c) to provide appropriate scales and intensities of development through height controls. (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.	☐	☒	☐	In accordance with the Height of Buildings Map accompanying HLEP 2013, a maximum building height of 15m applies to the site. The proposal breaches the overall height by 2.67m resulting to an overall height of building of 17.67m representing a maximum variation of 17.8%. The majority of the height breach is associated with the roof of the building and the top of the lift core. The breach is due to increased finished floor levels due to the flood affectation of the site. The Applicant has submitted a written request in accordance with Clause 4.6 of HLEP 2013 to vary the building height development standard. The exceedance in building height is supported in this instance, having regard to the circumstances of the case. Refer to further discussion in body of Report.
4.4 Floor space ratio (1) The objectives of this clause are as follows: (a) to support the viability of commercial centres and provide opportunities for	☒	☐	☐	In accordance with the FSR map accompanying HLEP 2013, a maximum FSR of 1.2:1 is applicable to the site. Site area = 2,200.4m²

Clause	Yes	No	N/A	Comment
economic development within those centres, (b) to facilitate the development of a variety of housing types, (c) to ensure that development is compatible with the existing and desired future built form and character of the locality, (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. (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.	⊠	☐	☐	Max. FSR of 1.2:1 equates to GFA of 2640.48m² + ARH 44% Bonus (GFA of 3406²) FSR = 1.2 + 0.44 = 1.64:1 Total FSR = 3406m²/2200.4m² =1.55 Complies
4.6 Exceptions to development standards (2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.	⊠	☐	☐	Clause 4.6 written request has been submitted for the height variation – Refer to discussion in the body of report.
5.10 Heritage Conservation	⊠	☐	☐	The site is not heritage listed, however, the proposed development is located in the vicinity of a heritage item located on the corner of Franklin Street and Great Western Highway, Mays Hill, known as 'Mays Hill Reserve, Fort Macquarie Cannon and Mays Hill Cemetery. Given that the development is of an appropriate scale and consistent with the streetscape, along with the existing reasonable physical separation, the current proposal will have negligible impacts on this item.

Clause	Yes	No	N/A	Comment

6.2 Earthworks
 	
(3)   Before granting development consent for earthworks, the consent authority must consider the following matters:
   (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality of the development,
   (b) the effect of the development on the likely future use or redevelopment of the land,
   (c) the quality of the fill or the soil to be excavated, or both,
   (d) the effect of the development on the existing and likely amenity of adjoining properties,
   (e) the source of any fill material and the destination of any excavated material,
   (f)   the likelihood of disturbing relics,
   (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,
   (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.
	☒	☐	☐	The proposed earthworks will not have a detrimental effect on existing drainage patterns or soil stability. The proposal will not affect the amenity of adjoining properties. The proposal is satisfactory subject to compliance with standard conditions.

6.4 Flood planning (1) The objectives of this clause are as follows: (a) to minimise the flood risk to life and property associated with the use of land, (b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change, (c) to avoid significant adverse impacts on flood behaviour and the environment. (2) This clause applies to land at or below the flood planning level.	☒	☐	☐	The site is identified as being flood prone land.
6.7 Stormwater management	☒	☐	☐	The proposed stormwater management system is satisfactory subject to conditions.
6.8 Salinity Consult the Salinity Map accompanying HLEP 2013	☒	☐	☐	The site is identified as having a moderate salinity potential. Appropriate conditions were imposed on the original consent to address this issue.