

**DA2022/0253 - PPSSCC-362 - ATTACHMENT 7**  
**Cumberland Local Environmental Plan 2021 Compliance Table**

<b>DEVELOPMENT STANDARD</b>	<b>COMPLIES</b>	<b>DISCUSSION</b>
<b>Clause 2.3</b> Land Use Table B4 – Mixed Use Development	Yes	Mixed-use development comprising commercial premises, co-living housing and shop top housing, all permissible with consent in B4 zone.
<b>Clause 4.3</b> Height of Buildings - 45m.	Yes	Applicant's calculation - 45 metres. Council's calculation - 45 metres using Survey and roof plan overlay.
<b>Clause 4.4</b> Floor space ratio Permitted: 5:1 (LEP) + 0.5:1 for co-living housing under SEPP (Housing) 2021 = 5.5:1	Yes	Applicant's calculation - 5.1:1 Council's calculation - 5.11:1 The applicant has calculated the GFA of the development as 12,422m <sup>2</sup> on the 2,441m <sup>2</sup> site, equating to a FSR or 5.1:1. However it is noted that the applicant's calculation excludes bin storage rooms on each level of the development which are not excluded from GFA and when added, result in a GFA of 12,481m <sup>2</sup> and FSR of 5.11:1. Regardless, the FSR is compliant.
<b>Clause 4.6</b> Exceptions to development standards	-	No variations to development standards are proposed.
<b>Clause 5.4</b> <b>Controls relating to miscellaneous permissible uses</b>	-	Bed and breakfast accommodation, Home businesses, Home industries, Industrial retail outlets, Farm stay accommodation, Kiosks, Neighbourhood shops, Neighbourhood supermarkets, Roadside stalls, Secondary dwellings and Artisan food and drink industry not proposed.
<b>Clause 5.6</b> Architectural roof features	-	The development does not include any architectural roof features that exceed the height limits set by clause 4.3.
<b>Clause 5.10</b> Heritage Conservation	Yes	The subject site does not contain a heritage item, is not located within a heritage conservation area and is not located within the vicinity of any heritage items or conservation areas.
<b>Clause 5.21</b> Flood planning	-	The site is not identified as flood affected.
<b>Clause 6.1</b> Acid Sulfate Soils	-	The site is not mapped as being affected by acid sulfate soils.
<b>Clause 6.2</b> Earthworks	Yes	Development consent is proposed for earthworks and is satisfactory.
<b>Clause 6.4</b> Essential services	Yes	The development will be provided with the supply of water, the supply of electricity, the disposal and management of sewage, stormwater drainage and suitable vehicular access.