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| --- | --- | --- | --- |
| **Camden Local Environmental Plan 2010** | | | |
| Control | Requirement | Proposed | Compliance |
| **4.3 Height of Building** | 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  L – 11m | 14.6m  The applicant has requested a variation to this clause which has been assessed in the main body of the report. | No, variation requested |
| **4.4 Floor Space Ratio (FSR)** | 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  N – 1:1 | Site area 2.38Ha  Gross Floor area of development 18,856m2  23800/ 18856 = 0.792  FSR = 0.792:1 | Yes |
| **4.6 Exceptions to development standards** | 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.  Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating—  (a)  that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and  (b)  that there are sufficient environmental planning grounds to justify contravening the development standard. | The applicant has provided a written request for variation for the proposed height of building exceedance which is discussed in the main body of the report. | Yes |
| **5.10 Heritage conservation** | Development consent is required for the demolishing or moving, making changes to a heritage item or an Aboriginal object or building work, relic or tree within a heritage conservation area.  Disturbing or excavating an archaeological site while knowing or having reasonable cause to suspect will likely result in a relic being discovered exposed, moved, damaged or destroyed. | No items of European heritage exist on the site or are located within immediate proximity to the development site.  In respect to Aboriginal heritage, a due diligence assessment report has been submitted, which concludes that the site is not an Aboriginal place of heritage significance and does not contain Aboriginal objects.  A condition of consent is recommended regarding unexpected finds. | NA  Yes |
| **7.4 Earthworks** | Earthworks requires development consent. | The majority of the site earthworks have been approved under DA/2022/81/1 for the *Demolition of existing structures, dewatering and removal of dams, vegetation removal, construction of temporary basin and earthworks/site regrading for future development of the site* approved under Council delegation on 20 May 2022. This application includes minor earthworks as required to achieve construction levels. | Yes |