|  |
| --- |
| **State Environmental Planning Policy (Precincts – Western Parklands City) 2021 – Appendix 2 Oran Park and Turner Road Precinct Plan**  |
| **Section** | **Assessment** | **Compliance** |
| ***2.2 Zoning of land to which Precinct Plan applies*** *For the purposes of this Precinct Plan, land is within the zones shown on the*[*Land Zoning Map*](https://www.planningportal.nsw.gov.au/publications/environmental-planning-instruments/state-environmental-planning-policy-precincts-western-parkland-city-2021)*.* | The site is zoned B2 Local Centre where the proposed development is permitted with consent.  | Yes |
| ***2.3 Zone Objectives and Land Use Tables*** *The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.* | An assessment against the relevant objectives pursuant to the B2 Local Centre zone is provided below in this table.  | Yes |
| ***B2 Local Centre*** |  |  |
| * *To provide a range of retail, business, entertainment and community uses which serve the needs of people who live in, work in and visit the local area.*
 | Whilst the development is not for commercial or business purposes, a number of jobs will be made available during the construction phase of the development. Further, the development is located in proximity to a number of other commercial and business sites, providing the opportunity for residents to live closer to work.  | Yes |
| * *To encourage employment opportunities in accessible locations.*
 | The development site is located in proximity to a range of commercial sites including Oran Park Podium, two commercial buildings (formally known as the TRN Building), Camden Council Administration Building, Oran Park Leisure Centre and various educational establishments. These commercial sites are located in walking distance from the proposed development, making it easily accessible for future residents. As such, the proposed development will provide residential accommodation in proximity to a number of employment types and opportunities.  | Yes |
| * *To maximise public transport patronage and encourage walking and cycling.*
 | As noted, the subject development is located in the vicinity of various employment opportunities that are easily accessible via foot and/or public bus services. Further, the development will provide 66 bicycle storage areas and a number of pedestrian access points on all elevations. A pedestrian link is proposed within the centre of the development site, which provides a direct east west connection for pedestrians. This is likely to encourage pedestrian activity within and around the site.  | Yes |
| * *To ensure that residential development does not detract from the primary function of the centre being to provide for retail, business, entertainment and community uses.*
 | As demonstrated in the assessment of this DA, the proposal has been designed in a way, where there will be minimal adverse environmental impacts to the site and surrounding land uses. In particular, the proposal provides strong pedestrian access through and around the development site that directly aligns with the pedestrian movement network (as indicated in Figure 60 of the Oran Park DCP). It has been designed where the solar amenity impacts to surrounding public infrastructure including pedestrian pathways will be kept to a minimal. Consequently, the development is unlikely to detract from the overall function of the Town Centre.  | Yes |
| * *To ensure that residential development does not preclude the provision of active uses at street level.*
 | Whilst no active uses at the street level is proposed, a minimum of one pedestrian entrance is provided on all elevations for residents, to encourage pedestrian activity around the development site and create an active frontage on all elevations. In addition to this, open style fencing is sought around the boundaries of the ground floor units, which is likely to encourage pedestrian activity within and around the site. Further, an east west pedestrian link is proposed through the development site, to enhance the overall permeability. As such, the development will not compromise the provision of active uses on the ground floor.  | Yes |
| * *To provide for land uses of a higher order and density within the Local Centre Zone that are permitted within the Neighbourhood Centre Zone or the Mixed-Use Zone.*
 | The proposed development is classified as a higher density residential development which is permitted with consent in the mixed use zones.  | Yes |
| * *To provide for residential development that contributes to the vitality of the local centre.*
 | The proposed development will likely see higher levels of pedestrian activity within and around the Town Centre which will contribute to the vitality of the Local Centre.  | Yes |
| ***2.6 Subdivision – Consent Requirements*** *Land to which this Precinct Plan applies may be subdivided, but only with consent.* | Subdivision is not sought with this DA.  | Not applicable for the subject DA. |
| ***4.1B Residential Density – Oran Park Precinct*** *Development consent must not be granted to the subdivision of land intended to be used for residential purposes within the Oran Park Precinct unless the consent authority is satisfied that—**(a)  a development control plan has been prepared providing for not less than 7,540 new dwellings within the Precinct and containing provisions to encourage a mix of dwelling types to be provided, and**(b)  the granting of consent would not preclude or impede that number of dwellings within the Precinct.* | The subject proposal provides 177 units, which will further contribute to this target.  | Yes |
| ***4.3 Height of Buildings****Except as provided by this section, 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*](https://www.planningportal.nsw.gov.au/publications/environmental-planning-instruments/state-environmental-planning-policy-precincts-western-parkland-city-2021)*.*  | The site is subject to a maximum building height of 24m, pursuant to this clause. Whilst a large portion of the proposed built form is compliant, a variation is sought to accommodate the lift risers on the rooftop level and small sections of the roof area. As such, a maximum building height of 25.8m is sought, contravening the development standard by 1.8m or 7.5%.  | No (4.6 written request submitted)  |
| ***4.6 Exceptions to Development Standards****Consent must not be granted for development that contravenes a development standard unless the relevant matters under this Section have been satisfied.* | A written 4.6 request has been submitted with the application. Consideration of the written request is made in the main body of the assessment report.   | Yes |
| ***5.9 Preservation of trees and vegetation*** *A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by development consent.*  | The site is currently clear and does not seek the removal of any vegetation and/or trees (refer to the site inspection photos in the main assessment report).  | Yes |
| ***5.10 Heritage Conservation****The objectives of this section are to conserve the environmental heritage of the Oran Park Precinct and the Turner Road Precinct.*  | Detailed site investigations carried out as part of the rezoning phase of the precinct identified key conservation areas with regards to Aboriginal Archaeology across Oran Park. The development site benefits from the issue of an Aboriginal Heritage Impact Permit (AHIP), which noted that there are no areas of significance within the site and therefore construction works can be carried out within consent from Heritage NSW. As such, the matters under this Section have been satisfied. | Yes |
| ***6.1 Public Utility Infrastructure*** *The consent authority must not grant development consent to development on land to which this Precinct Plan applies unless is it is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.* | The site and surrounding land uses are well serviced with Public Utility Infrastructure which can accommodate the proposed development. A standard condition is recommended in the consent to ensure ongoing compliance.  | Yes |
| ***6.6 Development in special areas*** *This section applies to land shown as being in a special area on the*[*Special Areas Map*](https://www.planningportal.nsw.gov.au/publications/environmental-planning-instruments/state-environmental-planning-policy-precincts-western-parkland-city-2021)*.* | The site falls within the Oran Park Precinct Plan.  | Yes  |
| *The consent authority must not grant development consent for development on land in a special area unless a development control plan that provides for detailed development controls has been prepared for the land.* | The site is subject to the Oran Park Development Control Plan. A detailed assessment is provided as a separate attachment to this report. | Yes – Refer to the attached assessment. |