

State Environmental Planning Policy (Precincts—Western Parkland City) 2021 (Western Parkland City SEPP) Assessment Table

Clause	Assessment	Compliance?
<p>Appendix 2, 2.3 Zone objectives and land use table</p> <p>The land use table for each zone sets out what development is permitted without consent, permitted with consent and prohibited.</p> <p>The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within a zone.</p> <p>The zone objectives for this site are:</p> <ul style="list-style-type: none"> • 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. • To encourage employment opportunities in accessible locations. • To maximise public transport patronage and encourage walking and cycling. • 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. • To ensure that residential development does not preclude the provision of active uses at street level. • To provide for land uses of a higher order and density within the Local Centre Zone than are permitted within the Neighbourhood Centre Zone or the Mixed Use Zone. • To provide for residential development that contributes to the vitality of the local centre. 	<p>The site is zoned B2 Local Centre.</p> <p>The development is characterised as 'seniors housing' and 'commercial premises' which are both permitted with consent in the B2 Local Centre zone.</p> <p>The proposal is consistent with the objectives of the B2 Local Centre zone as it will deliver residential development that supports the vibrancy of the local centre and integrates well with nearby retail, commercial and community uses. It includes retail and food premises that will cater to both local residents and workers in the town centre.</p> <p>The development complements the approved residential flat building to the south and introduces greater housing diversity through the provision of seniors housing in a high-density format. The development is conveniently located near existing and future public transport and the Oran Park Town Centre.</p>	<p>Yes.</p>
<p>Appendix 2, 2.6A Demolition</p> <p>Development consent is required to demolish a building or work (unless the demolition is exempt or complying development under another environmental planning instrument).</p>	<p>The applicant seeks consent for minor demolition works in accordance with this clause.</p> <p>Demolition works primarily relate to infrastructure within the road reserve which will be reconstructed as part of this development.</p>	<p>Yes.</p>

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Appendix 2, 4.1A Minimum lot sizes for other development On land zoned: <ul style="list-style-type: none"> B2 Local Centre development must not be carried out for any of the following purposes if the area of the lot is less than the area specified below in relation to those purposes: (d) residential flat building - 1,000m ² ,	<p>The subject site has an area of 6,160m².</p>	<p>Yes.</p>
Appendix 2, 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: <ul style="list-style-type: none"> (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. 	<p>The Oran Park Precinct Development Control Plan 2007 has been prepared and requires a minimum dwelling yield of 7,540 new dwellings of varying types.</p> <p>The development area falls within the sub-precinct Q which requiring a minimum dwelling yield of 270.</p> <p>The proposal seeks consent for 196 dwellings and will contribute towards meeting both the precinct and sub-precinct dwelling targets. The proposal will not preclude the required targets from being achieved.</p>	<p>Yes.</p>
Appendix 2, 4.3 Height of buildings Maximum buildings heights must not exceed the maximum building height shown on the Height of Buildings Map. The maximum building height for this site is 24m. <i>Note: Clause 87 of the State Environmental Planning Policy (Housing) 2021 provides for an additional height allowance of 3.8m above the maximum permissible building height for seniors housing developments.</i>	<p>The applicant proposes a contravention to the height of buildings development standard that applies to the site.</p> <p>The Western Parkland City SEPP prescribes a maximum height of buildings development standard of 24 metres for this site. Clause 87 of the Housing SEPP provides for an additional height allowance of 3.8m above the maximum permissible building height for seniors housing developments. As such, the permissible building height is 27.8m.</p> <p>The proposed maximum building height is 37.89m which represents a 10.09m height variation (36%). The contravention is assessed in detail in this report and is supported by Council staff.</p>	<p>No.</p>

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<p>Appendix 2, 4.6 Exceptions to development standards</p> <p>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.</p> <p>Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that:</p> <ul style="list-style-type: none"> (a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and (b) there are sufficient environmental planning grounds to justify the contravention of the development standard. 	<p>In accordance with Section 35B of the Environmental Planning and Assessment Regulation 2021, the applicant has submitted a document that sets out the grounds on which the applicant seeks to demonstrate that -</p> <ul style="list-style-type: none"> (a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and (b) there are sufficient environmental planning grounds to justify the contravention of the development standard. <p>Council staff are satisfied that the applicant has adequately demonstrated the above requirements. A detailed consideration of the written request is contained in the main assessment report.</p>	<p>Yes.</p>
<p>Appendix 2, 5.9 Preservation of trees or vegetation</p> <p>Development consent is required for tree removal and tree related works.</p>	<p>The application proposes the removal of two street trees in accordance with this clause.</p>	<p>Yes.</p>
<p>Appendix 2, 6.1 Public utility infrastructure</p> <p>Development consent must not be granted for development on land unless the consent authority 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 it is required.</p>	<p>The site and surrounding land uses are well serviced with public utility infrastructure which can accommodate the proposed development. A standard condition is recommended to ensure that essential public utility infrastructure will be provided when required.</p>	<p>Yes.</p>