

Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

Clause	Assessment	Complies
<p><b>2.3 Zone objectives and land use table</b></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> <p><i>E4 General Industrial</i></p> <ul style="list-style-type: none"> <li><i>To provide a range of industrial, warehouse, logistics and related land uses.</i></li> <li><i>To ensure the efficient and viable use of land for industrial uses.</i></li> <li><i>To minimise any adverse effect of industry on other land uses.</i></li> <li><i>To encourage employment opportunities.</i></li> <li><i>To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.</i></li> <li><i>To enable non-industrial land uses that are compatible with, and do not detract from, the surrounding industrial and warehouse land uses</i></li> <li><i>To minimise the impacts of development on surrounding residential or other sensitive land uses.</i></li> </ul>	<p>The development will provide the type of land uses encouraged by the objective of this zone by creating three buildings capable of accommodating warehousing and other general industrial uses.</p> <p>As noted in the paragraph above, the proposed development seeks consent for provision of three buildings for warehousing and general industrial uses. The existing building to be demolished was purpose built, is no longer viable and is to be replaced with buildings that are capable of accommodating a range of alternative warehousing and industrial uses.</p> <p>The proposed development is unlikely to have any adverse impact on adjoining industrial land uses. While the development site has industrial development on its northern, southern and western perimeters, the development is designed to locate buildings away from property boundaries as required by the DCP controls, provides suitable vehicular access to allow the movement of cars and service vehicles around the site and ensure that the movement of traffic in the local road system is not compromised.</p> <p>There are no non-industrial land uses proposed as part of this development application.</p> <p>The proposed warehouse buildings are separated from the nearest residential properties by building setbacks together with an existing earth mound that is landscaped. Visual impact on these residential properties has been demonstrated to be minor. Further, recommended conditions of consent address potential impacts through the construction phase and the ongoing use of the development. Overall, it is assessed that the proposed development will not have any significant impacts on residential properties located to the east of the site.</p>	<p align="center">Yes</p>
<p><b>2.6 Subdivision – consent requirements</b></p> <p>Development consent is required to subdivide land (unless the subdivision is exempt or complying development under another environmental planning instrument).</p>	<p>The proposed development includes the staged subdivision of the land into three industrial lots.</p>	<p align="center">Yes</p>
<p><b>4.1 Minimum subdivision lot size</b></p> <p>Lot sizes must not be less than the minimum lot size shown on the Lot Size Map.</p>	<p>Proposed lots being created as part of this application range in area between 4.39 and 7.202 hectares to comply with this development standard.</p>	<p align="center">Yes</p>

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<p>The minimum lot size for this site is 4,000m<sup>2</sup>.</p> <p>This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.</p>		
<p><b>4.3 Height of buildings</b></p> <p>Maximum building heights must not exceed the maximum building height shown on the Height of Buildings Map.</p> <p>The maximum building height for this site is 11m.</p>	<p>The built form component of this application has warehouse buildings of between 14.6 and 17 metres in height. A Clause 4.6 written request has been lodged by the applicant for the contravention of this development standard. The Clause 4.6 written request is assessed in the main body of this report.</p>	<p>No – but supported by Clause 4.6 written request.</p>
<p><b>4.4 Floor space ratio</b></p> <p>Maximum floor space ratios must not exceed the floor space ratio shown on the Floor Space Ratio Map.</p>	<p>The subject land is subject to a maximum floor space ratio (FSR) of 1:1. The proposed development has an FSR of 0.39:1.</p>	<p>Yes</p>
<p><b>4.6 Exceptions to development standards</b></p> <p>Development consent may be granted for development that contravenes a development standard imposed by the LEP or any other environmental planning instrument.</p> <p>The consent authority must consider a written request from the applicant that seeks to justify the contravention by demonstrating that:</p> <p>(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and</p> <p>(b) that there are sufficient environmental planning grounds to justify contravening the development standard.</p> <p>Development consent must not be granted unless:</p> <p>(a) the consent authority is satisfied that:</p> <p>(i) the applicant's written request has adequately addressed the matters required to be demonstrated, and</p> <p>(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and</p> <p>(b) the concurrence of the Secretary has been obtained.</p>	<p>A Clause 4.6 written request has been lodged by the applicant for the proposed contravention of the height of building development standard. The Clause 4.6 written request is assessed in the main body of this report.</p>	<p>No – but supported by Clause 4.6 written request.</p>

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<p>This clause prohibits the approval of development standard contraventions for certain subdivisions of land in some rural and environmental zones.</p>		
<p><b>5.10 Heritage Conservation</b></p> <p>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.</p> <p>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.</p>	<p>No items of European heritage exist on the site or are located within immediate proximity to the development site.</p> <p>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.</p> <p>Suitable conditions of consent are recommended, including unexpected find protocols.</p>	<p align="center">Yes</p>
<p><b>5.21 Flood planning</b></p> <p>Development consent must not be granted to development on land at or below the flood planning level unless the consent authority is satisfied the development:</p> <ul style="list-style-type: none"> <li>(a) is compatible with the flood function and behaviour on the land, and</li> <li>(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and</li> <li>(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and</li> <li>(d) incorporates appropriate measures to manage risk to life in the event of a flood, and</li> <li>(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.</li> </ul> <p>In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters:</p> <ul style="list-style-type: none"> <li>(a) the impact of the development on projected changes to flood behaviour as a result of climate change,</li> </ul>	<p>A small portion of the subject site is located within the flood planning area and is subject to flood related development controls. The development application was accompanied by a Civil Engineering Report which notes that the land is not affected by any external catchments or overland flow paths. It should be noted that the floor level of the buildings within the development are more than 500mm above the minimum freeboard requirement to satisfy Council's Flood Risk Management Policy.</p>	<p align="center">Yes</p>

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<p>(b) the intended design and scale of buildings resulting from the development,</p> <p>(c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,</p> <p>(d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.</p>		
<p><b>6.2 Public utility infrastructure</b></p> <p>Development consent must not be granted for development on land in an urban release area unless the Council 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 subject site is located within an existing industrial area that is serviced by water, sewer and electricity and Council is satisfied that any public infrastructure that is essential for the proposed development is available.</p>	Yes
<p><b>7.4 Earthworks</b></p> <p>Before granting development consent for earthworks the consent authority must consider the following matters:</p> <p>(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,</p> <p>(b) the effect of the proposed development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or the soil to be excavated, or both,</p> <p>(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of any fill material and the destination of any excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.</p>	<p>The development application was accompanied by a Civil Engineering Report and Geotechnical Report and Council staff are satisfied that those matters contained in Clause 7.4 have been suitably addressed.</p>	Yes