

Campbelltown Local Environmental Plan 2015

An assessment against the relevant controls of the LEP is provided below:

Clause	Requirement	Proposed	Compliance
2.7 Demolition	The demolition of a building or work may be carried out only with development consent.	Consent is sought for the demolition of existing structures.	Yes
4.3 Height of buildings	Maximum height of 26m permitted	The application is proposing 15% of the development as affordable housing under the Housing SEPP, enabling an additional building height of 30%. Under the Housing SEPP the maximum permitted height is 33.8m. The proposed building height is 33.8m.	Yes, under the Housing SEPP
4.3A Height restrictions for certain residential accommodation	Dwellings contained within a residential flat building must be no higher than 2 storeys.	All apartments are single storey.	Yes
4.4 Floor space ratio	Maximum FSR of 2.7:1 permitted	The application is proposing 15% of the development as affordable housing under the Housing SEPP, enabling an additional FSR of 30%. Under the Housing SEPP the maximum permitted FSR is 3.51:1. The proposed FSR is 3.2:1.	Yes, under the Housing SEPP
5.21 Flood planning	Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development— (a) is compatible with the flood function and behaviour on the land, and (b) will not adversely affect flood behaviour in a way that results in detrimental	Council's flood engineer has reviewed the proposal, and the accompanying flood study submitted in support of this application and advised that the report satisfies Council's requirements and no additional measures are required.	Yes

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	increases in the potential flood affectation of other development or properties, and (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 (d) incorporates appropriate measures to manage risk to life in the event of a flood, and (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.		
7.7 Earthworks	Ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.	Earthworks are proposed for the excavation for three levels of basement carparking. The proposed earthworks will not have a detrimental effect on the adjoining sites etc subject to compliance with the recommendations of the submitted geotechnical report.	Yes
7.4 Salinity	Provide for the appropriate management of land that is subject to salinity and the minimisation and mitigation of adverse impacts from development that contributes to salinity.	A geotechnical report has been submitted in support of this application and concludes that the soils have been found to be non-saline.	Yes
7.10 Essential services	Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required— (a) the supply of water,	The sites are currently serviced by all essential services. If they require augmentation for the proposed development, this will be at the cost of the developer. Notice of arrangements will be required to be provided prior to the issue of an OC	Yes

Clause	Requirement	Proposed	Compliance
	(b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) suitable road and vehicular access, (f) telecommunication services, (g) the supply of natural gas.	and vehicular access will be approved through a S138 application.	
7.13 Design excellence	Development consent must not be granted to development to which this clause applies unless the consent authority considers that the development exhibits design excellence.	The application was referred to the Campbelltown Design Excellence Panel who advised that the proposal required final refinement to achieve design excellence. The applicant refined the design in accordance with the DEP comments, therefore it is considered that the development exhibits design excellence.	Yes
7.31 Development in Ingleburn CBD	Development consent must not be granted to development for the purposes of residential flat buildings in Zone R4 High Density Residential unless the lot is at least 1,800m ² .	The sites have a total area of 2,077.9m ² .	Yes