

## Attachment 4 – Assessment against WLEP 2001

### Clause 1.2 Aims of Plan

Objective	Comment
(a) to provide for the management of natural resources and the protection of the natural landscape character,	(a) Subject to conditions, it is anticipated that the effects of the development upon natural resources and landscape character is satisfactory.
(b) to protect, conserve and enhance the built, landscape and Aboriginal cultural heritage	<p>(b) The site did not contain a registered Aboriginal Heritage site. However, during the site inspection survey one new Aboriginal site was identified. The new site has been assigned the name MC-OS-01 which consists of 4 Aboriginal artefacts. The site is located on the western side of Megarrity's Creek, south of the unnamed tributary. It is situated at the top of the creak of slope before it descends into Megarrity's Creek, the site is located wholly within the E2 zoned land.</p> <p>Council's Heritage Advisor has made a recommendation that the registered site requires no action to manage by Council.</p> <p>Conditions are recommended to mitigate risks to aboriginal heritage should any items be found unexpectedly during construction.</p>
(c) to protect water quality in land that is situated within water supply catchments,	(c) The subject site is not located within the Sydney drinking water catchment.
(d) to encourage development that provides for an integrated transport and infrastructure system and adequate facilities and service provision for future growth,	<p>(d) The proposal will not impede future growth or the provision of integrated transport and infrastructure system. The application is supported by a Traffic Impact Assessment and plans for the upgrade of the local road network in the locality.</p> <p>The Assessment indicates that the site is compliant with all required internal road widths and other legislative requirements and will not have a detrimental impact on surrounding street networks.</p> <p>The internal road network has been designed to incorporate varying traffic calming measures to control the speed of traffic within the internal road network. These works also include pavement changes at designated intersections so that vehicles are visually cued to slow down.</p>

	<p>The developer is required to construct all vehicle access roads to the site and within the development. Conditions of consent are recommended to ensure these works are carried out in accordance with Council's requirements.</p> <p>It is considered that the development satisfies this aim.</p>
(e) to recognise, manage and protect rural resource lands for sustainable agriculture and extractive industry practices,	(e) The development will not impact upon rural resource lands.
(f) to maintain the separation between towns and villages to retain their unique character and rural and natural settings.	(f) The development will not fragment the rural setting and the separation between urban and rural areas is maintained.

Objective	Comment
R2 Low Density Residential	
<ul style="list-style-type: none"> <li>To provide for the housing needs of the community within a low density residential environment.</li> </ul>	The proposed development is consistent with this objective.
<ul style="list-style-type: none"> <li>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</li> </ul>	This development is to utilise the existing facilities at Warragamba and other local facilities including the local park areas to be constructed within the development at 1-41 Marsh Road Silverdale.

#### LEP Clauses

	Clause	Comment
Part 2 Permitted or prohibited development		
2.4	Unzoned land	Not applicable
2.5	Additional permitted uses for particular land	Not applicable
2.6	Subdivision—consent requirements	Development consent is requested.
2.7	Demolition requires consent	Not applicable
2.8	Temporary use of land	Not applicable
Part 4 Principal development standards		
4.1	Minimum subdivision lot size	R2 – 700m <sup>2</sup> . All residential lots in the development site are 700m <sup>2</sup> minimum up to the largest lot being 1970m <sup>2</sup> .
4.1A	Minimum lot size for dual occupancies in residential zones	

4.1B	Subdivision of certain land in Zone E4 Environmental Living	Not applicable
4.2	Rural subdivision	Not applicable
4.2A	Erection of dwelling houses on land in certain residential, rural and environmental protection zones	Not applicable
4.3	Height of buildings	Not applicable at this stage as there are no buildings proposed.
4.4	Floor space ratio	Not applicable
4.5	Calculation of floor space ratio and site area	Not applicable
4.6	Exceptions to development standards	No variations proposed.
Part 5 Miscellaneous provisions		
5.1	Relevant acquisition authority	Not applicable
5.1A	Development on land intended to be acquired for public purposes	Not applicable
5.2	Classification and reclassification of public land	Not applicable
5.3	Development near zone boundaries	Not applicable
5.4	Controls relating to miscellaneous permissible uses	Not applicable
5.5	Development within the coastal zone	Repealed
5.6	Architectural roof features	Not applicable
5.7	Development below mean high water mark	Not applicable
5.8	Conversion of fire alarms	Not applicable
5.9 and 5.9AA	Preservation of trees or vegetation	Repealed
5.10	Heritage conservation	<p>This clause provides for the retention of items or precincts that have been identified as having heritage significance. There are no heritage sites, either Aboriginal or European listed on the site.</p> <p>The Warragamba Supply Scheme and Warragamba Emergency Scheme is located west of the subject site. The Warragamba Supply Scheme and Warragamba Emergency Scheme is identified as an Item of State Heritage under Clause 5 of WLEP 2011 and</p>

		Section 170 of the Heritage Act. Council has considered the impact of the proposed development relative to clause 5.10 of WLEP 2011 and with reference to Warragamba Supply Scheme Conservation Management Plan
5.11	Bush fire hazard reduction	Not applicable to this application.
5.12	Infrastructure development and use of existing buildings of the Crown	Not applicable.
5.13	Eco Tourist Facilities	Not applicable
Part 6 Urban release areas		
6.1	Arrangements for designated State public infrastructure	Not applicable
6.2	Public utility infrastructure	<p>Water and sewer services will be augmented to service the site because of the development proposal as required.</p> <p>Electricity is available to the site and negotiations will occur with Endeavour Energy for its extension through the site.</p> <p>Appropriate conditions of consent are recommended to ensure services are provided to all lots prior to the release of a subdivision certificate for a lot on the subject site.</p> <p>All proposed lots are to be serviced by reticulated sewage and water.</p>
6.3	Development control plan	According to this clause, development on land in an urban release area can occur in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan (DCP) that includes specific controls has been prepared for the land. The subject land is not located within an urban release area.
Part 7 Additional local provisions		
7.1	Essential services	The requisite essential services are available on-site/or available to the site and can be readily “augmented” to service the proposed subdivision prior to the release of a subdivision certificate for any stage in the development.
7.2	Biodiversity protection	The clause is relevant in the subject context (Subclause 2). Council has considered any relevant adverse impact of the proposed development under Subclause 3.

7.3	Water protection	<p>The objective of this clause is to maintain the hydrological functions of riparian land, waterways and aquifers.</p> <p>The site is not identified as "sensitive land" on the Natural Resources—Water Map. No further assessment is required.</p>
7.4	Flood planning	<p>This clause applies to land at or below the flood planning level. The flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard. The area proposed for residential subdivision is not affected by this level and the clause does not apply. No further assessment is required.</p>
7.5	Earthworks	<p>Site preparatory works have been considered and no separate approval is required.</p>
7.6	Development within a designated buffer area	<p>Not applicable</p>