

**PROPOSED AMENDMENTS TO
LEICHHARDT LOCAL ENVIRONMENTAL PLAN 2013**

PLANNING PROPOSAL

**Clause 4.4 – Floor Space Ratio for Residential Development in
Zone R1**

Part 1 – Objectives or Intended Outcomes

This planning proposal seeks to amend the current Floor Space Ratio controls – Clause 4.4 – Floor Space Ratio for residential development in Zone R1, of the *Leichhardt Local Environmental Plan 2013*.

The intended outcomes of the amendments are:

- To ensure that the Floor Space Ratio controls are a more accurate representation of Council's current pattern of development approvals; and
- To reduce Council's reliance on Clause 4.6 when approving development applications for residential development in Zone R1

Part 2 – Explanation of the Provisions

Clause 4.4 of the *Leichhardt Local Environmental Plan 2013* currently reads as follows:

Clause 4.4 - Floor Space Ratio

- (1) *The objectives of this clause are as follows:*
- (a) *to ensure that residential accommodation:*
- (i) *is compatible with the desired future character of the area in relation to building bulk, form and scale, and*
- (ii) *provides a suitable balance between landscaped areas and the built form, and*
- (iii) *minimises the impact of the bulk and scale of buildings,*
- (b) *to ensure that non-residential development is compatible with the desired future character of the area in relation to building bulk, form and scale.*
- (2) *The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.*
- (2A) *Despite subclause (2), the floor space ratio for development for a purpose other than residential accommodation on land in Zone R1 General Residential is not to exceed 1:1.*

The planning proposal seeks to amend Clause 4.4 and the accompanying FSR map to amend the maximum FSR for land zoned R1 General Residential. These proposed FSR controls vary based on lot size. The approach proposed under this planning proposal is similar to the approach used by councils such as Marrickville, Canada Bay and Mosman. The controls are based on the suggested approach for Complex Development Standards in the *Standard Technical Requirements for LEP Maps*.

The FSR mapping will allocate a standard FSR control of 0.5:1 to all R1 zoned land. 0.5:1 is the lowest FSR applied to R1 zoned land under the proposed controls. The mapping will label R1 zoned land in each suburb as Area 2, Area 3, Area 4, Area 5, Area 6 and Area 7. Each "area" correlates to a specific sub-clause in "Clause 4.4 - Floor Space Ratio" (refer to below table). Each sub-clause will have a table displaying the specific FSR control for each lot size category. Through the "area" labelling, the map legend will direct users to refer to the appropriate sub-clause in the LEP. The user will then need to identify the particular FSR control that applies to the property based on the lot size.

For example, the owner of a 247sqm property in Leichhardt would see a brown outline labelled "Area 5" when consulting these proposed maps. This would direct them to refer to "Clause 4.4 – 2E" in the *Leichhardt Local Environmental Plan 2013*. By referring to the table in this sub-clause, this particular property would fall in the 150-299.9sqm category meaning that the FSR control for this property is 0.7:1.

Clause 4.4 - Floor Space Ratio (proposed)

- (1) *The objectives of this clause are as follows:*
- (a) *to ensure that residential accommodation:*
- (i) *is compatible with the desired future character of the area in relation to building bulk, form and scale, and*
 - (ii) *provides a suitable balance between landscaped areas and the built form, and*
 - (iii) *minimises the impact of the bulk and scale of buildings,*
- (b) *to ensure that non-residential development is compatible with the desired future character of the area in relation to building bulk, form and scale.*
- (2) *The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.*

- (2A) *Despite subclause (2), the floor space ratio for development for a purpose other than residential accommodation on land in Zone R1 General Residential is not to exceed 1:1.*

- (2B) *Despite subclause (2), development for the purpose of residential accommodation on land shown edged black on the Floor Space Ratio Map is not to exceed the relevant floor space ratio determined in accordance with the Table to this subclause.*

Lot Size (sqm)	0-149.9	150-299.9	300-449.9	450+
Floor Space Ratio	0.9:1	0.8:1	0.7:1	0.6:1

- (2C) *Despite subclause (2), development for the purpose of residential accommodation on land shown edged red on the Floor Space Ratio Map is not to exceed the relevant floor space ratio determined in accordance with the Table to this subclause.*

Lot Size (sqm)	0-149.9	150-299.9	300-449.9	450+
Floor Space Ratio	1.0:1	0.9:1	0.8:1	0.7:1

- (2D) *Despite subclause (2), development for the purpose of residential accommodation on land shown edged green on the Floor Space Ratio Map is not to exceed the relevant floor space ratio determined in accordance with the Table to this subclause.*

Lot Size (sqm)	0-149.9	150-299.9	300-449.9	450+
Floor Space Ratio	1.0:1	0.9:1	0.8:1	0.7:1

- (2E) *Despite subclause (2), development for the purpose of residential accommodation on land shown edged brown on the Floor Space Ratio Map is not to exceed the relevant floor space ratio determined in accordance with the Table to this subclause.*

Lot Size (sqm)	0-149.9	150-299.9	300-449.9	450+
Floor Space Ratio	0.8:1	0.7:1	0.6:1	0.5:1

- (2F) *Despite subclause (2), development for the purpose of residential accommodation on land shown edged pink on the Floor Space Ratio Map is not to exceed the relevant floor space ratio determined in accordance with the Table to this subclause.*

Lot Size (sqm)	0-149.9	150-299.9	300-449.9	450+
Floor Space Ratio	0.9:1	0.8:1	0.7:1	0.6:1

- (2G) *Despite subclause (2), development for the purpose of residential accommodation on land shown edged yellow on the Floor Space Ratio Map is not to exceed the relevant floor space ratio determined in accordance with the Table to this subclause.*

Lot Size (sqm)	0-149.9	150-299.9	300-449.9	450+
Floor Space Ratio	0.9:1	0.8:1	0.7:1	0.7:1

Part 3 – Justification

Section A – Need for planning proposal

Q1. Is the planning proposal a result of any strategic study or report?

This planning proposal is the result of an extensive review of Floor Space Ratio controls for R1 zoned land in the Leichhardt Local Government Area. The review spanned six years and involved thorough consultation within Council and with the community.

The Department of Planning and Environment has requested that Council provide the final FSR review data and lodge a planning proposal to amend the Floor Space Ratios in the LEP.

Analysis by Leichhardt Council staff in relation to the 417 residential DAs determined by Council in the 2009/10 financial year found that:-

- 169 or 41% were determined using clause 4.6 (formerly SEPP 1);
- 154 or 37% exceeded the FSR standard by 10%; and
- 42 or 10% exceeded the FSR standard by 60%.

The use of clause 4.6 is intended for exceptional circumstances, but for Leichhardt Council the use of clause 4.6 tended to become the norm. This is primarily because of Council's low FSR controls, which do not fully reflect existing development or desired future residential character in the context of the other controls used to determine the appropriate scale of development.

FSR Review (April 2009 – February 2014)

The aim of the FSR Review was to:-

- understand if Council's FSR controls were resulting in excessive use of clause 4.6 (formerly SEPP 1); and
- identify alternative FSR controls that would reflect the desired future character of the LGA.

Data Analysis

A large amount of data relating to FSR and the use of clause 4.6 (then SEPP 1) was collected via the sampling of 1,080 approved and 225 refused residential DAs evenly distributed across different suburbs and the period 2000 to 2008. Both samples (approved and refused) were of sufficient size to give confidence that the pattern of all past DAs matched that of the samples. Samples were randomly selected with no consideration given to specific dwelling types, location or owners.

The FSR for each approved development application in the sample was calculated using the standard instrument definition. An average approved FSR was then calculated for each lot size category in each suburb. This was the basis for formulating a range of FSR control options. Testing how each of the 1080 sample DAs would comply with these different FSR control options showed how each set of FSR controls would impact on Council's use of Clause 4.6.

Findings of the Review

The four key findings of the review were:

1. **The smaller the lot size the higher the FSR of dwellings approved by Council.** For example, in Balmain the average FSR of dwellings on small lots between 0-149sqm is 0.9:1, while on larger lots, over 450sqm, the average FSR of dwellings is 0.5:1.
2. **The approved FSR of dwellings varies between areas, reflecting the unique character of each suburb.** For example, the average FSR of dwellings on a 150-299sqm lot in Leichhardt is 0.6:1 but in Birchgrove it is 0.8:1.

3. **The approved FSR of dwellings on lots 0-300sqm tend to exceed the current FSR controls, which confirms that most FSR breaches occur on smaller lots.** For example, in Annandale the average actual FSR of dwellings on lot sizes 0-149sqm is 0.8:1 and for dwellings on lot sizes 150-299sqm it is 0.7:1, both of which exceed the current maximum FSR control of 0.6:1.
4. **The majority of residential lots across the Leichhardt LGA are less than 300sqm in size.** For example, 68% of all residential lots in Lilyfield are less than 300sqm while in Rozelle the proportion is 87%.

Based on the findings of the FSR Review it was recommended that any FSR controls for residential development should meet the following principles/criteria:

1. acknowledge the diversity of lot sizes across the LGA and differ between lot size;
2. acknowledge the difference in lot sizes between suburbs and differ between suburb;
3. better reflect what is being approved by Council; and
4. reduce Council's reliance on clause 4.6 (formerly SEPP 1).

The review assessed four options for new FSR controls against the principles above. The four options were:-

Option 1: No change to FSR controls except definition under the Standard Instrument;

Option 2: FSR controls that would achieve a modest reduction in Council's reliance on Clause 4.6 and reflect what is, on average, being approved by Council;

Option 3: FSR controls that would achieve a larger reduction in Council's reliance on Clause 4.6, with a more even transition between suburbs and lot size categories.

Option 4: FSR controls high enough to substantially reduce reliance on Clause 4.6

Review Finalised and Released to Public (February 2014 – June 2015)

In April 2014, Council considered a report which provided an overview of the FSR Review. Council resolved that staff undertake community consultation in relation to the FSR Review and further analysis in relation to the outputs from the community consultation.

This community consultation occurred in late 2014 and was reported to the 2015 April Policy Council Meeting. Council resolved to defer consideration of the FSR Review to seek the advice of the Co-Chairs of the Leichhardt Planning Panel and complete extra analysis of variations in FSR between lot sizes and suburbs.

Council Resolution (June 2015)

The findings of this further analysis and the advice of the Planning Panel Co-Chairs were reported to Council in June 2015. At this meeting Council resolved the following;

1. *Receive and note this report*
2. *Adopt the recommendations of Option 2 FSR Controls (Minimal change)*
3. *Prepare and submit a Planning Proposal to the Department of Planning and Environment to amend the Leichhardt Local Environmental Plan (LLEP) 2013 to introduce changes to the Floor Space Ratio that are consistent with the recommendations of Option 2 FSR controls (Minimal change) for a Gateway Determination*
4. *That the Department of Planning and Environment be requested to delegate the related plan making functions to Council*

Gateway Determination (February 2017)

The Department of Planning and Environment issued a Gateway Determination to amend Leichhardt LEP 2013. The Department did not accept Council's position for the planning proposal to adopt Option 2 and directed Council to use Option 3. The Department's Assessment Report considered that Option 2 contained provisions which would reduce the permissible residential density of land.

Council requested a review of the Gateway Determination in March 2016. In May 2016 the Planning Assessment Commission supported Option 3 of the FSR Review. In November 2016 Council agreed to amend this planning proposal to be consistent with Option 3.

The table below provides a comparison between the proposed FSR controls (Option 3) and the existing FSR controls.

Lot Size (sqm)	Annandale	Balmain	Birchgrove	Leichhardt	Lilyfield	Rozelle
0-149.9	0.9	1.0	1.0	0.8	0.9	0.9
150-299.9	0.8	0.9	0.9	0.7	0.8	0.8
300-449.9	0.7	0.8	0.8	0.6	0.7	0.7
450+	0.6	0.7	0.7	0.5	0.6	0.7
Current Control	0.6	0.7	0.7	0.5	0.5	0.5/0.7

Introducing the Option 3 controls will provide significant benefits compared with the current FSR controls. It is estimated that approximately 10% (compared with 44% currently) of the average annual number of residential DAs in the FSR Review period would have to be reported to the Leichhardt Planning Panel (due to a FSR variation of more than 10%), which is a considerable reduction while still ensuring permissible development reflects existing built form.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Amendment of FSR for R1 zoned land requires amendment of the *Leichhardt Local Environmental Plan 2013*. A planning proposal is the only way of achieving the proposed changes to the LEP.

Section B – Relationship to strategic planning framework.

Q3. *Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?*

The planning proposal is consistent with the State Government's *A Plan for Growing Sydney* and the *Draft Inner West Subregional Strategy*. The following actions and objectives outlined in the tables below are of particular relevance.

A Plan for Growing Sydney	
Direction	Comment
2.3 Improve housing choice to suit different needs and lifestyles	<p>The introduction of new Floor Space Ratio controls that better align with the existing pattern of development approvals will improve the clarity and reduce the complexity of Leichhardt's development assessment system.</p> <p>The reduced need for Clause 4.6 and more accurate FSR controls will make it easier for property owners in the LGA to go about the process of renovating and/or extending their homes to suit their particular needs and/or lifestyle.</p> <p>This may help to encourage home owners to adapt their homes to suit their needs/lifestyles without having to sell and move.</p>

Inner West Draft Subregional Strategy	
Action	Comment
G1.2 – Improve local planning and assessment	<p>The introduction of new FSR controls would help create more clarity in the development assessment process as they would be more realistic and better reflect the average FSRs approved in the Leichhardt LGA.</p> <p>This will reduce Council's reliance on Clause 4.6 and reduce the number of DAs required to go to Planning Panel/Council meetings.</p>

Q4. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

The planning proposal is consistent with the following objectives within Council's Community Strategic Plan 'Leichhardt 2025+'.

Leichhardt 2025+ Community Strategic Plan	
<i>Place where we live and work</i>	<i>Comment</i>
<ul style="list-style-type: none"> • Our town plan and place plans optimise the potential of our area through integrating the built and natural environment with a vision of how we want to live as a community and how areas should develop to meet future needs. • A clear, consistent and equitable planning framework and process is provided that enables people to develop our area according to a shared vision for the community. • An integrated planning process is promoted to make planning easier for the community and to establish a service that people want to use. 	<ul style="list-style-type: none"> • The gap between the current FSR controls and the average actual approved FSR controls in this LGA produces a situation where there is a lack of clarity which can lead to distorted decision making as residents/owners base decisions on a range of assumptions which are sometimes mistaken or inaccurate. This leads to those with better knowledge being able to maximise the value of their properties (i.e. those property owners who are aware of the potential to seek LEP clause 4.6 FSR variations). The less informed can be discouraged from purchasing property or existing residents may sell and move instead of extending their homes. This amendment would help to reduce the confusion surrounding application of the FSR controls in this LGA. • A planning process where the FSR controls align with patterns of development approval in the LGA will help to make planning easier for the community, as it will be easier for people to understand and use.
<i>Sustainable Service and Assets</i>	
<ul style="list-style-type: none"> • Transparent, consistent, efficient and effective participative processes are delivered. 	

Q5. Is the planning proposal consistent with applicable state environmental planning policies?

The planning proposal is consistent with the applicable State Environmental Planning Policies see table below.

Consideration of State Environmental Planning Policies (SEPPs)

SEPP Title	Applicable	Consistent
1. Development Standards	No	N/A
14. Coastal Wetlands	No	N/A
15. Rural Landsharing Communities	No	N/A
19. Bushland in Urban Areas	No	N/A
21. Caravan Parks	No	N/A
26. Littoral Rainforests	No	N/A
29. Western Sydney Recreation Area	No	N/A
30. Intensive Agriculture	No	N/A
32. Urban Consolidation (Redevelopment of Urban Land)	No	N/A
33. Hazardous and Offensive Development	No	N/A
36. Manufactured Home Estates	No	N/A
39. Spit Island Bird Habitat	No	N/A
44. Koala Habitat Protection	No	N/A
47. Moore Park Showground	No	N/A
50. Canal Estate Development	No	N/A
52. Farm Dams and Other Works in Land and Water Management Plan Areas	No	N/A
53. SEPP 53 Transitional Provisions	No	N/A
55. Remediation of Land	No	N/A
59. Central Western Sydney Regional Open Space and Residential	No	N/A
62. Sustainable Aquaculture	No	N/A
64. Advertising and Signage	No	N/A
65. Design Quality of Residential Flat Development	No	N/A
70. Affordable Housing (Revised Schemes)	No	N/A
71. Coastal Protection	No	N/A
SEPP Affordable Rental Housing 2009	No	N/A
SEPP Building Sustainability Index: BASIX 2004	No	N/A
Exempt and Complying Development Codes 2008	No	N/A
Housing for Seniors or People with a Disability 2004	No	N/A
SEPP Infrastructure 2007	No	N/A
SEPP Kosciuszko National Park – Alpine Resorts 2007	No	N/A
SEPP Major Development 2005	No	N/A
SEPP Mining, Petroleum Production and Extractive Industries 2007	No	N/A
SEPP(Miscellaneous Consent Provisions) 2007	No	N/A
SEPP Penrith Lakes Scheme 1989	No	N/A
SEPP Rural Lands 2008	No	N/A
SEPP Sydney Region Growth Centres 2006	No	N/A
SEPP Temporary Structures 2007	No	N/A
SEPP Urban Renewal 2010	No	N/A
SEPP Western Sydney Employment Area 2009	No	N/A
SEPP Western Sydney Parklands 2009	No	N/A
SEPP Kurnell Peninsula 1989	No	N/A
SEPP (State and Regional Development) 2011	No	N/A
SEPP (Sydney Drinking Water Catchment) 2011	No	N/A

SEPP Title	Applicable	Consistent
SEPP (Three Ports) 2013	No	N/A

Consideration of deemed State Environmental Planning Policies (SEPPs) (former Regional Environmental Plans (REPs))

REP Title	Applicable	Consistent
8. Central Coast Plateau Areas	No	N/A
9. Extractive Industry (No 2—1995)	No	N/A
16. Walsh Bay	No	N/A
18. Public Transport Corridors	No	N/A
19. Rouse Hill Development Area	No	N/A
20. Hawkesbury-Nepean River (No 2—1997)	No	N/A
24. Homebush Bay Area	No	N/A
26. City West	No	N/A
30. St Marys	No	N/A
33. Cooks Cove	No	N/A
SREP Sydney Harbour Catchment 2005	No	N/A

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 Directions)?

The planning proposal is consistent with the applicable Ministerial Directions (s.117 Directions) see table below.

s.117 Direction Title	Applicable	Consistent	Comments
1. Employment & Resources			
1.1 Business and Industrial Zones	No	N/A	The planning proposal only applies to land zoned R1 General Residential
1.2 Rural Zones	No	N/A	
1.3 Mining, Petroleum Production and Extractive Industries	No	N/A	
1.4 Oyster Aquaculture	No	N/A	
1.5. Rural lands	No	N/A	
2. Environment & Heritage			
2.1 Environment Protection Zones	Yes	N/A	The planning proposal does not affect land within an environmental protection zone
2.2 Coastal protection	No	N/A	
2.3 Heritage Conservation	Yes	Yes	There is no change to existing policy.
2.4 Recreation Vehicle Areas	Yes	No	The planning proposal does not facilitate the development of land for the purpose of vehicle recreation areas.
3. Housing Infrastructure & Urban Development			
3.1 Residential Zones	Yes	Yes	All lots will have their permissible FSR increased or

s.117 Direction Title	Applicable	Consistent	Comments
			remain unchanged.
3.2 Caravan Parks and Manufactured Home Estates	Yes	N/A	The planning proposal does not impact on the permissibility of caravan parks and manufactured home estates.
3.3 Home Occupations	Yes	N/A	The planning proposal does not impact on the permissibility of carrying out low-impact small businesses in dwelling houses.
3.4 Integrating Land Use & Transport	Yes	Yes	
3.5 Development near licensed aerodromes	Yes	Yes	
3.6 Shooting Ranges	No	N/A	
4.Hazard & Risk			
4.1 Acid Sulphate Soils	Yes	No	The current FSR controls are not indicative of the built form that exists and is being constructed in the LGA. Therefore while the numerical FSR controls may increase for many R1 zoned lots in the LGA, this will not result in an increase in the pattern of density across the LGA. Council's FSR controls have been reviewed at the request of the Department of Planning.
4.2 Mine Subsidence and Unstable land	No	N/A	
4.3 Flood Prone Land	Yes	No	The current FSR controls are not indicative of the built form that exists and is being constructed in the LGA. Therefore while the numerical FSR controls may increase for many R1 zoned lots in

s.117 Direction Title	Applicable	Consistent	Comments
			the LGA, this will not result in an increase in the pattern of density across the LGA. Council's FSR controls have been reviewed at the request of the Department of Planning.
4.4 Planning for Bush Fire Protection	No	N/A	
5. Regional Planning			
5.1 Implementation of Regional Strategies	No	N/A	
5.2 Sydney Drinking Water Catchments	No	N/A	
5.3 Farmland of State and Regional Significant on the NSW Far North Coast	No	N/A	
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	No	N/A	
5.8 Second Sydney Airport: Badgerys Creek	No	N/A	
5.9 North West Rail Link Corridor Strategy	No	N/A	
6. Local Plan Making			
6.1 Approval and Referral Requirements	Yes	Yes	Consistent with the terms of this direction.
6.2 Reserving Land for Public Purposes	No	N/A	
6.3 Site Specific Provisions	Yes	Yes	It is considered that there is no change to existing policy.
7. Metropolitan Planning			
Implementation of A Plan for Growing Sydney	Yes	Yes	Consistent with the terms of this direction see Q3.

Section C – Environmental, social and economic impact

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The proposal does not apply to land that has been identified as containing critical habitat or threatened species, populations or ecological communities, or their habitats. Should it be discovered through community consultation, or by another means, that species, populations, communities or habitats may be adversely affected, this will be taken into consideration and the planning proposal will be modified if necessary.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Given the nature of the proposal (amendment of Floor Space Ratio controls to reflect existing patterns of development approval for residentially zoned land in the LGA) it is not anticipated that there will be any adverse environmental effects.

Q9. How has the planning proposal adequately addressed any social and economic effects?

It is not anticipated that the Planning Proposal will have any adverse social or economic effects. An increase in FSR for R1 zoned land will improve the operation of the LEP and provide positive social and economic outcomes for the community.

Section D – State and Commonwealth interests

Q10. Is there adequate public infrastructure for the planning proposal?

Given the nature of the proposal (amendment of Floor Space Ratio controls to reflect existing patterns of development approval for R1 zoned land in the LGA) the above question is not considered relevant.

Proposed FSR controls will reflect the pattern of approved development in the LGA and the intention of these changes is not to increase patterns of density in the LGA above what currently exists.

Q11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

Consultation with appropriate State & Commonwealth public authorities has not yet been undertaken. Council will engage with relevant public authorities in accordance with the Gateway Determination.

Part 4 – Mapping

Table 1: The proposed changes to Clause 4.4A within Leichhardt Local Environmental Plan (LEP) 2013

Clause	LEP 2013	Proposed Change																														
4.4	Floor space ratio																															
	<p>(1) The objectives of this clause are as follows:</p> <p>(a) to ensure that residential accommodation:</p> <p>(i) is compatible with the desired future character of the area in relation to building bulk, form and scale, and</p> <p>(ii) provides a suitable balance between landscaped areas and the built form, and</p> <p>(iii) minimises the impact of the bulk and scale of buildings,</p> <p>(b) to ensure that non-residential development is compatible with the desired future character of the area in relation to building bulk, form and scale.</p> <p>(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.</p> <p>(2A) Despite subclause (2), the floor space ratio for development for a purpose other than residential accommodation on land in Zone R1 General Residential is not to exceed 1:1.</p>	<p>(1) The objectives of this clause are as follows:</p> <p>(a) to ensure that residential accommodation:</p> <p>(i) is compatible with the desired future character of the area in relation to building bulk, form and scale, and</p> <p>(ii) provides a suitable balance between landscaped areas and the built form, and</p> <p>(iii) minimises the impact of the bulk and scale of buildings,</p> <p>(b) to ensure that non-residential development is compatible with the desired future character of the area in relation to building bulk, form and scale.</p> <p>(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.</p> <p>(2A) Despite subclause (2), the floor space ratio for development for a purpose other than residential accommodation on land in Zone R1 General Residential is not to exceed 1:1.</p> <p>(2B) Despite subclause (2), development for the purpose of residential accommodation on land shown edged black on the <u>Floor Space Ratio Map</u> is not to exceed the relevant floor space ratio determined in accordance with the Table to this subclause.</p> <table><tr><td>Lot Size (sqm)</td><td>0-149.9</td><td>150-299.9</td><td>300-449.9</td><td>450+</td></tr><tr><td>Floor Space Ratio</td><td>0.9:1</td><td>0.8:1</td><td>0.7:1</td><td>0.6:1</td></tr></table> <p>(2C) Despite subclause (2), development for the purpose of residential accommodation on land shown edged red on the <u>Floor Space Ratio Map</u> is not to exceed the relevant floor space ratio determined in accordance with the Table to this subclause.</p> <table><tr><td>Lot Size (sqm)</td><td>0-149.9</td><td>150-299.9</td><td>300-449.9</td><td>450+</td></tr><tr><td>Floor Space Ratio</td><td>1.0:1</td><td>0.9:1</td><td>0.8:1</td><td>0.7:1</td></tr></table> <p>(2D) Despite subclause (2), development for the purpose of residential accommodation on land shown edged green on the <u>Floor Space Ratio Map</u> is not to exceed the relevant floor space ratio determined in accordance with the Table to this subclause.</p> <table><tr><td>Lot Size (sqm)</td><td>0-149.9</td><td>150-299.9</td><td>300-449.9</td><td>450+</td></tr><tr><td>Floor Space Ratio</td><td>1.0:1</td><td>0.9:1</td><td>0.8:1</td><td>0.7:1</td></tr></table> <p>(2E) Despite subclause (2), development for the purpose of residential accommodation on land</p>	Lot Size (sqm)	0-149.9	150-299.9	300-449.9	450+	Floor Space Ratio	0.9:1	0.8:1	0.7:1	0.6:1	Lot Size (sqm)	0-149.9	150-299.9	300-449.9	450+	Floor Space Ratio	1.0:1	0.9:1	0.8:1	0.7:1	Lot Size (sqm)	0-149.9	150-299.9	300-449.9	450+	Floor Space Ratio	1.0:1	0.9:1	0.8:1	0.7:1
Lot Size (sqm)	0-149.9	150-299.9	300-449.9	450+																												
Floor Space Ratio	0.9:1	0.8:1	0.7:1	0.6:1																												
Lot Size (sqm)	0-149.9	150-299.9	300-449.9	450+																												
Floor Space Ratio	1.0:1	0.9:1	0.8:1	0.7:1																												
Lot Size (sqm)	0-149.9	150-299.9	300-449.9	450+																												
Floor Space Ratio	1.0:1	0.9:1	0.8:1	0.7:1																												

Clause	LEP 2013	Proposed Change																														
		<div><div>shown edged brown on the <u>Floor Space Ratio Map</u> is not to exceed the relevant floor space ratio determined in accordance with the Table to this subclause.</div><table><tr><td>Lot Size (sqm)</td><td>0-149.9</td><td>150-299.9</td><td>300-449.9</td><td>450+</td></tr><tr><td>Floor Space Ratio</td><td>0.8:1</td><td>0.7:1</td><td>0.6:1</td><td>0.5:1</td></tr></table></div> <div>(2F) <div>Despite subclause (2), development for the purpose of residential accommodation on land shown edged pink on the <u>Floor Space Ratio Map</u> is not to exceed the relevant floor space ratio determined in accordance with the Table to this subclause.</div><table><tr><td>Lot Size (sqm)</td><td>0-149.9</td><td>150-299.9</td><td>300-449.9</td><td>450+</td></tr><tr><td>Floor Space Ratio</td><td>0.9:1</td><td>0.8:1</td><td>0.7:1</td><td>0.6:1</td></tr></table></div> <div>(2G) <div>Despite subclause (2), development for the purpose of residential accommodation on land shown edged yellow on the <u>Floor Space Ratio Map</u> is not to exceed the relevant floor space ratio determined in accordance with the Table to this subclause.</div><table><tr><td>Lot Size (sqm)</td><td>0-149.9</td><td>150-299.9</td><td>300-449.9</td><td>450+</td></tr><tr><td>Floor Space Ratio</td><td>0.9:1</td><td>0.8:1</td><td>0.7:1</td><td>0.7:1</td></tr></table></div>	Lot Size (sqm)	0-149.9	150-299.9	300-449.9	450+	Floor Space Ratio	0.8:1	0.7:1	0.6:1	0.5:1	Lot Size (sqm)	0-149.9	150-299.9	300-449.9	450+	Floor Space Ratio	0.9:1	0.8:1	0.7:1	0.6:1	Lot Size (sqm)	0-149.9	150-299.9	300-449.9	450+	Floor Space Ratio	0.9:1	0.8:1	0.7:1	0.7:1
Lot Size (sqm)	0-149.9	150-299.9	300-449.9	450+																												
Floor Space Ratio	0.8:1	0.7:1	0.6:1	0.5:1																												
Lot Size (sqm)	0-149.9	150-299.9	300-449.9	450+																												
Floor Space Ratio	0.9:1	0.8:1	0.7:1	0.6:1																												
Lot Size (sqm)	0-149.9	150-299.9	300-449.9	450+																												
Floor Space Ratio	0.9:1	0.8:1	0.7:1	0.7:1																												

Part 5 – Community Consultation

This planning proposal is considered to be low impact, in that:

- it is consistent with the pattern of surrounding land uses,
- it is consistent with the strategic planning framework,
- presents no issues with regards to infrastructure servicing,
- is not a principal Local Environmental Plan, and
- does not reclassify public land.

Under the terms of “*A guide to preparing local environmental plans*” community consultation for a low impact planning proposal is usually 14 days. However, it is Council’s preference that the planning proposal be exhibited for a minimum of 28 days.

Part 6 – Project Timeline

Anticipated Project Timeline	Proposed Date (s)
Commencement date (date of Gateway determination)	19 February 2016
Timeframe for the completion of required technical information	N/A
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	To be determined
Commencement and completion dates for public exhibition period	10 March – 7 April 2017
Dates for public hearing (if required)	To be determined post exhibition
Timeframe for consideration of submissions	April 2017
Post exhibition report to Council	May 2017
Submission to Parliamentary Counsel	Late May 2017