

**Development Application Variations under SEPP 1 including Clause 4.6 – Exceptions to development standards
Approved in July 2013 – September 2013**

DA No:	Address:	Category of development:	Environmental Planning Instrument	Development standard to be varied	Justification of variation	Extent of Variation	Date DA determined
DA/141/2013	5-5A Bogalara Road, OLD TOONGABBIE 2146 Lots 1 & 2, DP 813227	Dual Occupancy	R2 Low Density Residential PLEP 2011	cl 4.1 – Minimum Lot Sizes	The applicant has demonstrated a reasonably sized development with adequate floor space and amenity which can be provided on the lot. The proposal provides for a contemporary dual occupancy development with appropriate landscaping, setbacks, FSR, height and car parking provision. The proposed development is consistent with the aims and objectives of the R2 Low Density Residential zoning applying to the land as the proposed works are suitably located, and are of a bulk and scale that maintains suitable residential amenity for adjoining sites.	<u>Required:</u> 600m ² <u>Proposed:</u> 586.4m ² (13.6m ² or 2.2% variation)	1 July 2013 Group Manager Outcomes & Development – Delegated Authority
DA/437/2012	2 Sorrell Street (corner Lamont Street), PARRAMATTA 2150 Lot 10, DP 625830	Mixed Use	B4 Mixed Use PLEP 2007 & PDCP 2007	cl. 21 – Building Height cl. 22D - Building Separation	The proposed development responds to the site and does so without compromising relationships with adjoining developments, does not unduly compromise other relevant controls and that the proposed development encourages interaction with the Riverside recreational area. The development is considered to be consistent with the objectives of the River foreshore special area controls and the objectives of the B4 Mixed Use zone. The proposed building has a nil setback to Lamont and Sorrell Streets and to the side and rear boundaries at the ground level in compliance with the DCP.	<u>Required:</u> 24m (max) <u>Proposed:</u> 26.8m (variation of 11.66%) <u>Required:</u> 0-36m height – nil to 6m 36m – 54m -9m (min)	8 July 2013 Council Meeting

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					<p>From level 2 the separation is on an average of 4m to Lamont Street and 1m from Sorrell Street and in a range from 1.25m to 8.9m to the southern boundary. The setback from the western boundary is on an average 3.7m.</p> <p>The proposed development responds to the site and does so without compromising relationships with adjoining developments, does not unduly compromise other relevant controls and that the proposed development encourages ecologically sustainable development.</p>	<p>Minimum side and rear building setback, generally the lower levels of buildings are to be built to the boundary at the street frontage OR setback at least 6 m. Applies to all side and rear boundaries unless identified in Figure 2.1 of the DCP 2007. This figure states that the continuous built edge to street alignment for the subject site.</p>	
DA/693/2012	<p>11 Ada Street, HARRIS PARK 2150</p> <p>Lot 47A, DP 443448</p>	Commercial Building	<p>B1 Neighbourhood Centre</p> <p>PLEP 2011</p>	cl. – 4.3 Building Height	<p>The non-compliance does not manifest into unacceptable amenity impacts for neighboring properties. The development is significantly less in scale than buildings in the vicinity of the site such as the immediately adjacent building on the corner of Wigram and Ada Street. In this context the height of the development is not assessed as significantly detracting from the heritage qualities of the area and surrounding items.</p>	<p><u>Required:</u> 6m (max)</p> <p><u>Proposed:</u> 6.11-6.59m (1.8 -9.8% variation)</p>	<p>17 July 2013 Group Manager Outcomes & Development – Delegated Authority</p>

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DA/760/2012	23 - 27 Eleanor Street, ROSEHILL 2142 Lot 26, SEC 2, DP 4278	Dual Occupancy	R3 Medium Density Residential PLEP 2011	cl. 4.1 - Minimum Lot Sizes	The site is zoned for medium density residential development and maintains character of the neighbourhood which consists of a mix of low and medium density development. The dimensions of the lot are able to sustain a development of acceptable standard compliant with other elements of the LEP. The development represents an intensification of the use of the site. However, given its high quality design, and the care taken to address the possible impact upon neighbouring amenity, the development is considered justified.	<u>Required:</u> 600m ² <u>Proposed:</u> Units 1 & 2 - 576m ² Units 3 & 4 -576m ² Units 5 & 6 - 576m ² (variation of 4%)	26 July 2013 Group Manager Outcomes & Development – Delegated Authority
DA/811/2012	15 Prince Street, GRANVILLE 2142 Lot A DP 389368	Torrens Title Subdivision	R3 Medium Density Residential PLEP 2011	cl 4.1 – Minimum Subdivision Lot Size	The provision of a battle axe allotment is not inconsistent with similar sites in the locality including the directly adjacent and recently completed development and Torrens title subdivision at 17 Prince Street. The proposed allotments are reasonably able to accommodate appropriate built form. The existing dwelling maintains its built form and has an acceptable area of rear private open space. The rear allotment is able to accommodate a reasonable siting of building as outlined in the prospective built form plan.	<u>Required:</u> 670m ² min <u>Proposed:</u> Battle axe Lot 2 (excluding access handle) = 601m ² – Non Compliance Lot 1 = 554.83m ² – Complies 69m ² or 10.3% variation	26 August 2013 Council Meeting

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DA/78/2013	19-21 Prospect Street, ROSEHILL 2142 Lot 7 DP 6518	Residential Flat Building	R4 High Density PLEP 2011	cl 4.3 – Maximum Building Height	<p>The part 3 storey, part 6 storey development is located on a transitional site between a B4 Mixed Use zoned site and R3 Medium Density Residential. The proposal is compatible with the multi-storey residential development on 116-118 James Ruse Drive (Rydges) to the east and the single storey heritage listed item to the west on 23-25 Prospect Street.</p> <p>The part 3 storey, part 6 storey, was a design response recommended by DEAP to ensure that the development improves its relationship with the adjoining developments particularly to the heritage site at 23-25 Prospect Street.</p> <p>The recessed design of the upper floors preserves the heritage curtilage and sight lines from the adjoining heritage item.</p> <p>The proposed development responds to the pattern of the streetscape by creating 2 articulated modules with an ample front setback allowing for deep soil planting.</p> <p>The variation to the height does not create significant adverse impacts to solar access of adjoining developments particularly given the ample setbacks to the western boundary.</p> <p>The height of the development is consistent with the surrounding</p>	<p><u>Required:</u> 13m (max)</p> <p><u>Proposed:</u> 19.3m or 48.4% variation</p>	26 August 2013 Council Meeting

					development particularly with the sites located to the east which is zoned mixed use (ie Rydges). Recently, a 9 storey residential flat building was approved on 120 James Ruse Drive (DA/741/2011) which is located to the north-east of the site.		
DA/173/2013	29 Hunter Street, PARRAMATTA Lot 20 DP 740212	Mixed Use	Mixed Use B4 PCC LEP 2007	cl 22 – Maximum FSR	<p>The proposed development was the winning entry in a design excellence competition and was awarded a 10% bonus on the floor space ratio control.</p> <p>The modified building will provide 133 residential units which will assist in achieving housing targets for Parramatta, consistent with the Metropolitan Strategy. The building is appropriately located, orientated and configured and is of a scale and nature envisaged for the local area.</p> <p>The proposed development complies with the building height controls of LEP 2007 and provides for an appropriate built form for the site and the City Centre. The proposed development will not adversely impact upon nearby heritage items of historic view corridors.</p>	<p><u>Required:</u> 6.55:1. (max)</p> <p><u>Proposed:</u> 7.51:1 or 16% variation</p>	26 August 2013 Council Meeting
DA/273/2013	26-28 Napier Street, PARRAMATTA 2150 Lots 10 & 11 DP 1183058	Residential Flat Building	R4 High Density Residential PLEP 2011	cl 4.4 – Maximum FSR	<p>The increase in the floor area does not result in any changes to the building footprint nor does it require alterations to the approved setbacks or exceed the maximum height approved under DA/314/2012.</p> <p>To facilitate the increase to Unit 7 the floor area is to encroach on the balcony area which was originally approved under DA/314/2012. The increase to the floor area is considered to be appropriate in this regard as it does not result in an unacceptable bulky appearance.</p>	<p><u>Required:</u> 0.8:1</p> <p><u>Proposed:</u> 0.85:1 (variation of 34.67m2 or 5.3%)</p>	6 September 2013 - Group Manager Outcomes & Development – Delegated Authority

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DA/540/2012	119 Rausch Street, TOONGABBIE 2146 Lot 111 DP 749237	Tertiary Educational Establishment	R2 Low Density Residential PLEP 2011	cl 4.3 – Maximum Building Height	<p>The proposed pitched roof is preferable, since the existing heritage listed building has a pitched roof and any other form of roof will not be as compatible. The pitched roof is at a greater height to the north west end of the building given the slope of the land.</p> <p>There are no adverse impacts to any of the neighboring properties, since the building is setback at least 21m from the western boundary and 40 m from the northern boundary. There are no overshadowing issues.</p>	<p><u>Required:</u> 9m</p> <p><u>Proposed:</u> 12.32m to the north western end (variation of 36%)</p>	9 September 2013 - Council Meeting
DA/135/2013	92 Dunlop Street, EPPING 2121 Cnr Lot 20 SEC 3 DP 10048	Dual Occupancy	R2 Low Density Residential PLEP 2011	cl 4.1A - Minimum Lot Sizes for Dual Occupancies	<p>The proposed dual occupancy complies with the DCP requirements specifically in relation to building envelope controls and private open space provisions.</p> <p>It incorporates a part-basement car park, multiple low angled hipped roofs with maximum roof height of 8.3m, therefore reducing the bulk and scale of the dual occupancy when viewed from neighbouring properties.</p> <p>Given the steep slope of the land, the proposed design in relation to bulk & scale will not be excessive and is consistent with the existing locality and desired future character of Epping/Eastwood, satisfying the underlying objectives of the clause.</p>	<p><u>Required:</u> 600sqm</p> <p><u>Proposed:</u> Lot 1: 600sqm Lot 2: 594sqm (6sqm or 10% variation)</p>	12 September 2013 - Group Manager Outcomes & Development – Delegated Authority

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DA/62/2013	169 Macquarie Street, PARRAMATTA 2150 Lot 100 DP 609944	Commercial/ Retail/Office	B4 Mixed Use PCC DCP 2007	cl 21 - Building Height	<p>The LEP height control is 54m, which increases by a bonus of 10% to 59.4m as a consequence of the project having completed a design excellence process.</p> <p>No adverse heritage impacts have been identified. Council's Urban Design assessment has not raised any objections.</p> <p>The precinct already supports buildings of 12 and 15 storeys, and future buildings potentially of up to 90 storeys are contemplated for Stage 2 of Parramatta Square.</p>	<p><u>Required:</u> 59.4m</p> <p><u>Proposed:</u> 65.76m (6.36m variation)</p>	12 September 2013 - Joint Regional Planning Panel
DA/198/2013	145 Good Street, ROSEHILL NSW 2142 Lot 1 DP 651858	Aged Care Facility	R4 High Density Residential PDCP 2011	cl 48(a) – Maximum Building height cl 48(b) – Maximum FSR	<p>The non-compliance is considered to be acceptable to improve services for the aged care facility. The proposed development responds to the site despite the non-compliance and does so without compromising relationships with adjoining developments. Strict compliance with the development standards would render the application inconsistent with the objectives specified in section 5 (a) (i) and (ii) of the EPA Act as the site will remain under-developed and would not promote the economic and social welfare of the community and a better environment.</p> <p>The variation to the height does no result in the perception of a bulky development as the alterations and additions are spread throughout the</p>	<p><u>Required:</u> 8 metres</p> <p><u>Proposed:</u> 8.2 metres (200mm variation)</p> <p><u>Required:</u> 1:1 (maximum)</p>	23 September 2013 - Council Meeting

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				<p>cl 48(c) – Landscaped area</p> <p>cl 48(d) – Parking for Residents and Visitors</p>	<p>site. Upon completion, the finished development would present mostly as a 2 storey form on Good Street which addresses the conservation area and the heritage item.</p> <p>The variation in the landscaping requirements does not hinder the proposal from providing an appropriate level of amenity for the residents of the care facility. The completed development would provide a roof courtyard area, an internal courtyard area and balconies for passive and recreational activities.</p> <p>The deficit with the provision of on-site parking in this instance is acceptable as the aged care facility at 145 Good Street is an existing service. The intention of the works is to improve the facility rather than increase the capacity of the development. There is no proposal under the current application for an increase in beds or employees and therefore any increase in undue traffic, acoustic or parking impacts are unlikely.</p>	<p><u>Proposed:</u> Lower Ground Floor = 285.185m² Ground Floor = 886.588m² First Floor = 707.531m² Total = 1879.303m² Site Area = 1605m² FSR = 1.17:1</p> <p><u>Required:</u> 1250m² of landscaped area</p> <p><u>Proposed:</u> 459.67m² of landscaped area</p> <p><u>Required:</u> 50 beds = 5 parking spaces Existing staff (20) = 10 parking spaces 1 x ambulance space Total Required = 16 spaces.</p> <p><u>Proposed:</u> 5 parking spaces and space for an ambulance parking.</p>	

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DA/210/2013	84 Windsor Road & 2A Hammers Road, NORTHMEAD NSW 2152 Lot A DP 380885	Subdivision	R2 Low Density Residential SP2 Infrastructure PLEP 2011	cl 4.1 - Minimum subdivision lot size	The separate lot is required to secure tenure over the telecommunication site as the consecutive leases can only be taken out over land for a maximum 25 years.	<u>Required:</u> 550m ² 670m ² (battle-axe) <u>Proposed:</u> Lot 21 – 1345m ² Lot 22 – 80m ²	23 September 2013 - Council Meeting