

Development Application Variations under SEPP 1 – 1 October – 31 December 2009

DA No:	Address:	Category of development:	Environmental Planning Instrument	Development standard to be varied	Justification of variation	Extent of Variation	Date DA determined
DA/83/2009	10 Barangaroo Road, Toongabbie	Residential 2(a)	PLEP 2001	Clause 38 – Minimum allotment sizes. Required – 670m ² (min). Provided – 532.5m ²	The proposed dwelling is to be built on a battle axe allotment of 532.5m ² being less than the required 670m ² required for battleaxe allotments. The allotment of land was approved as a subdivided Torrens titled lot on 8 January 2001.	137.5m ²	Council Meeting on 12 October 2009
DA/468/2009	6 Aberdeen Road, Winston Hills	Residential 2(a)	PLEP 2001, PDCP 2005	Clause 39 – Height control Required – 2 storeys (max) Provided – 3 storey	Technical non compliance due to the definition of a storey under PLEP 2001 which includes any subfloor area greater than 1.2 metres above ground level as a storey. The non-compliance is a direct result of the higher than usual pier foundation area that exists under the existing dwelling due to the significantly sloping nature of the subject site.	1 storey	Council Meeting on 12 October 2009
DA/518/2009	16 Allambie Avenue, Northmead	Residential 2(a)	PLEP 2001	Clause 47 – Development on land abutting an environmental protection zone (Zone 7) 6 metre setback required – nil setback proposed	Compliance with the development standard is unnecessary as the development encroaching the stipulated 6 metre setback will have no adverse impact on the environmental significance and protection of the adjoining Zone 7 Bushland.	6 metres	Council Meeting on 12 October 2009
DA/555/2009	41 Onslow Street, Granville	Residential 2(a)	PLEP 2001	<i>Clause 38 – Minimum allotment size</i> Required -550m ² (area) and 15m frontage Provided – 329.7m ² and 7.62m	The under sized allotment exists and was registered on 6 October 1994.	220.3m ² (site area) 7.38m (frontage)	Council meeting 9 November 2009
DA/587/2009	12 Union Street, Parramatta	Mixed Use B4	CCLEP 2007	<i>Clause 22C – car parking</i> Required – 5 spaces Proposed -nil	The site has good access to public transport (ferry, train & bus). The shortfall in parking will encourage public transport and the shortfall in parking is unlikely to have an adverse impact on the street network or result in excessive demand for street parking.	5 spaces	Council meeting 9 November 2009

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DA/246/2009	57 High Street, Parramatta	Mixed Use B4	CCEP 2007	<p><i>Clause 22C – car parking</i> Required – 35 spaces Proposed – 24 spaces</p> <p><i>Clause 22D – building separation</i> Required – Lower levels to be built to boundary at street level or setback at least 6 metres. Proposed – Nil setback along the rear lane and 4.19 metres from northern boundary. Required – 12 metre separation between habitable rooms Proposed – 7.2metres</p>	<p>Car parking – the site has good access to public transport and the shortfall in parking has the potential to encourage the use of public transport. It will also improve housing affordability.</p> <p>Building separation – the non compliance with the separation controls will not adversely affect the privacy of adjoining dwellings or adversely affect the quality of he streetscape presentation.</p>	<p>11 car parking spaces</p> <p>4.19 metres (30% variation)</p> <p>4.8 metres (40% variation)</p>	Council meeting 9 November 2009
DA/552/2009	10A Owen Street, Wentworthville	Residential 2(a)	PLEP 2001	<p><i>Clause 38 – minimum allotment size</i> Required – 550m2 (area) and 15m (frontage) Provided – 354.7m2 and 11.96m</p>	The under sized allotment exists and was registered on 9 December 1994.	195.3m3 (area) 3.04m (frontage)	Council meeting 9 November 2009
DA/428/2009	49 Keeler Street, Guildford	Residential 2(b)	PLEP 2001	<p><i>Clause 39 – Height Control</i> Required – 2 storey Provided – 3 storey</p>	The non compliance with the height standard is a technical non compliance due to the definition of storey under PLEP 2001 which includes subfloor area greater than 1.2 metres above ground level. The non-compliance is a direct result of the higher than usual foundation area under the dwelling due to the sloping nature of the subject site.	1 storey	Council meeting 14 December 2009

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DA/708/2009	23 Lachlan Drive, Winston Hills	Residential 2(a)	PLEP 2001	<p><i>Clause 38 – Minimum Allotment Sizes</i> Required – 550m² Proposed – 300.2m²</p> <p><i>Clause 40 – Floor Space Ratios</i> Required – 0.5:1 Proposed – 0.66:1</p>	<p>The variation to the minimum allotment size is considered appropriate in this particular case as the allotment of land is in existence and was authorised by Council in 1998.</p> <p>In addition, the floor space ratio of the dwelling that is proposed is consistent with the previously approved floor space ratio for the site and is also consistent with the size of other dwellings that have been constructed in the housing estate. The design, bulk and scale of the proposed dwelling is appropriate.</p>	<p>45%</p> <p>32%</p>	Council meeting 7 December 2009
DA/675/2009	37 Midson Road, Eastwood	Residential 2(a)	PLEP 2001	<p><i>Clause 38(1)(b) – Allotment Size and Frontage</i> Required – 550m² Proposed – 360m²</p> <p><i>Clause 39(1) - Height</i> Required – 2 storey Proposed – 3 storey</p> <p><i>Clause 40(1) – Floor Space Ratio</i> Required – 0.5:1 Proposed 0.69:1</p>	<p>Masterplan endorsed in 2003 granted approval to smaller lot sizes.</p> <p>Technical non compliance due to definition of storey under PLEP 2001.</p> <p>Consistent with Masterplan endorsed by Council in 2003.</p>	<p>190m²</p> <p>1 storey</p>	Council meeting 7 December 2009