

**Development Application Variations to Standards under Clause 4.6 of Parramatta LEP 2011, Auburn LEP 2010, Holroyd LEP 2013, The Hills LEP 2012, Hornsby LEP 2013 and SEPP 1**

**Approved in 1 April – 30 June 2017**

<b>DA No:</b>	<b>Address:</b>	<b>Category of development:</b>	<b>Environmental Planning Instrument:</b>	<b>Development standard to be varied:</b>	<b>Justification of variation:</b>	<b>Extent of Variation:</b>	<b>Date DA determined:</b>
DA/620/2016	1-5 Carter Street, 7 Carter Street and 23 Uhrig Road, LIDCOMBE  Lots 16, 17 & 18, DP 225350	Mixed Use  Residential Flat Building  Child Care Centre	Auburn LEP 2010  R4 High Density Residential  RE1 Public Recreation	cl 4.3 – Maximum Height of Buildings	The variation is minor, and is limited to the following elements:  <ul style="list-style-type: none"> <li>· Lift overruns,</li> <li>· Plant rooms; and</li> <li>· Parapet walls.</li> </ul> <p>The additional height will be indiscernible when viewed at street level. No adverse built form or amenity impacts have been identified that can be attributed to those elements</p> <p>Buildings to the west will be of comparable height to the proposed development.</p> <p>The pre-conditions of Clause 4.6(4)(a), in relation to the adequacy of the applicant's written request and the public interest, are satisfied.</p>	<u>Required:</u> 72m  <u>Proposed:</u> <b>Tower A</b> - 72.78m (variation of 0.78m or 1.1%)  <b>Tower B</b> - 72.85m (variation of 0.85m or 1.18%)	16 April 2017 – SWCPP Meeting
DA/568/2015	46 Virginia Street, ROSEHILL 2142  Lot 4, Sec H, DP 1249	Residential Flat Building	PLEP 2011  R4 High Density Residential	cl 4.3 – Maximum Height of Buildings	Due to the orientation and separation of the site, the development does not unreasonably impact on the solar access of adjoining properties despite the variation to the proposal.  The development once constructed will be of a comparable bulk and scale with adjoining and nearby properties within the R4 High Density zone throughout.	<u>Required:</u> 13m  <u>Proposed:</u> 14.7m (variation of 1.7m or 13%)	18 April 2017 – IHAP Meeting

DA No:	Address:	Category of development:	Environmental Planning Instrument:	Development standard to be varied:	Justification of variation:	Extent of Variation:	Date DA determined
DA/926/2016	22 Moses Way, WINSTON HILLS 2153  Lot 22, DP 270717	Dual Occupancy	PLEP 2011  R2 Low Density Residential	cl 4.3 – Maximum Height of Buildings	The proposed development has been designed to respond to the topography of the site and context of the locality, without unduly compromising the residential amenity of adjoining properties. The proposal has adequately demonstrated that the variation sought to the maximum building height does not in this case hinder compliance with the provision of appropriate setbacks, private open space, solar access or privacy requirements	<u>Required:</u> 9m  <u>Proposed:</u> 9.75m (variation of 0.75m or 8.3%)	19 April 2017 – Manager Development & Traffic Services – Delegated Authority

DA No:	Address:	Category of development:	Environmental Planning Instrument:	Development standard to be varied:	Justification of variation:	Extent of Variation:	Date DA Determined:
DA/961/2015	<p>14-38 Cowper Street, 21-41 East Street and 5-5A Rowell Street, GRANVILLE 2142</p> <p>Lots 3 &amp; 4, DP 805104 Lots 1 &amp; 2 Sec E, DP 979437, Lot 2, DP 214806, SP 10731, Lot 1, DP 195699, Lot 1, DP 1123847, Lot A, B, C &amp; D, DP 163550, SP 62990, Lots 1, 2 &amp; 3, DP 566931, Lot 1, DP 195830, Lot 4, DP 566931, Lot 1, DP 75063, Lots 1 &amp; 2, DP 113317, Lot 5, DP 998927, Lot 1, DP 572768, Lot 1, DP 735418</p>	Mixed Use	PLEP 2011  B4 – Mixed Use	cl 4.3 -  Maximum Height of buildings	<p>The proposed variation is large in numeric terms but offset by:</p> <p>A FSR which is less than the maximum;</p> <p>A central Tower B which is less than the height control;</p> <p>The provision of new public open space, the adaptive re-use of a heritage item as a community facility;</p> <p>Increased separation of the new building from neighbouring properties to the east and substantial works within the ground floor setback, along all street frontages and along frontages in East Street and Cowper Street beyond the site boundaries to improve the public domain.</p> <p>The variation to the height control as proposed does not result in a building form, scale and density which might otherwise be achieved through an application for a Planning Proposal. The building height and FSR are both less than the maximum height and FSR envisaged by future amendments to the LEP and DCP as guided by the Parramatta Road UTS.</p>	<p><u>Required:</u> 52m</p> <p><u>Proposed</u> <b>Tower A</b> = 71.06m (to lift overrun)</p> <p><b>Tower B</b> = 49.55m (to lift overrun)</p> <p><b>Tower C</b> = 70m (to lift overrun)</p>	01 May 2017 – SWCPP Meeting

DA No:	Address:	Category of development:	Environmental Planning Instrument	Development standard to be varied	Justification of variation	Extent of Variation	Date DA determined
DA/709/2015	<p>2 - 6 Cowper Street &amp; 5 East Street, GRANVILLE 2142</p> <p>Lot 2, DP 998932, Lot 1, DP 559802, Lot 2, DP 558199, Lot 1, DP 786191</p>	Mixed Use	<p>PLEP 2011</p> <p>B4 – Mixed Use</p>	<p>cl 4.3 - Maximum Height of buildings</p> <p>cl 4.4 - Floor space ratio</p>	<p>It is considered that breaching the height and floor space controls and the public benefits provided would result in a better environmental outcome.</p> <p>The applicant has provided an adequate written request demonstrating site-specific reasons that the proposal would be a better environmental outcome than a complying scheme and that the breaches would have no unacceptable amenity impacts.</p> <p>As such the request to vary the height and floor space ratio standards are supported.</p>	<p><u>Required:</u> <u>52m</u></p> <p><u>Proposed:</u> <u>67.7m</u> <u>(lift overrun – variation of 15.7m or 30.2%)</u></p> <p><u>Required:</u> <u>6.0:1 (21,066m<sup>2</sup>).</u></p> <p><u>Proposed:</u> <u>21,309m<sup>2</sup></u> <u>(variation of 243m<sup>2</sup> or 1.15%)</u></p>	04 May 2017 – SWCPP Meeting

DA No:	Address:	Category of development:	Environmental Planning Instrument	Development standard to be varied	Justification of variation	Extent of Variation	Date DA determined
DA/523/2016	8 Burbang Crescent, RYDALMERE 2116  lot 2, DP 31350	Residential Flat Building	PLEP 2011  R4 High Density	cl 4.3 -  Maximum Height of buildings	<p>The non-compliance to the height control is a direct result of applying the Affordable Housing SEPP 2009 which permits greater FSR and in the process of accommodating additional floor space, the development marginally encroaches upon the prescribed height limit.</p> <p>However, considering that the majority of the building form is contained below the maximum permitted height control with the top level recessed from neighbouring property to the south to minimise potential privacy and overshadowing impacts (as evident on the submitted shadow diagram), the variation is considered appropriate.</p>	<p><u>Required:</u> 11m</p> <p><u>Proposed:</u> 11.25m (variation of 0.25m or 2.2%)</p>	12 May 2017 – SWCPP Meeting

DA No:	Address:	Category of development:	Environmental Planning Instrument	Development standard to be varied	Justification of variation	Extent of Variation	Date DA determined
DA/682/2016	35B Midson Road, Eastwood 2122  Lot 25, DP 286194	Residential Flat Building	PLEP 2011  R2 Low Density Residential	cl 4.4 - Floor Space Ratio	<p>The former Eastwood Brickworks site, now generally known as the Cavanstone Estate is subject to a Master Plan adopted by Council in 2003. This Master Plan affords the entire site with an FSR of 0.6:1 or 147,200m<sup>2</sup>.</p> <p>The overall GFA inclusive of the floor space generated by the proposed townhouses is 62,142m<sup>2</sup>, which equates to an FSR of 0.421 well below the permissible FSR of 0.6:1 for the Estate.</p> <p>On a site basis, the proposed FSR is 0.66:1 (i.e. site area of 858.60m<sup>2</sup> and a GFA for the development of 571.14m<sup>2</sup>), exceeds the statutory 0.6:1 FSR but is well below the FSR for the entire estate of 0.6:1 (proposal increases FSR for site to 0.42:1). In this respect, all DA's for all types of residential development have exceeded the FSR control on a per lot basis, but have maintained an FSR on an estate basis of 0.42:1, which is well below that permissible of .6:1.</p>	<p><u>Required:</u> 0.6:1 (514.08m<sup>2</sup>)</p> <p><u>Proposed:</u> 0.66:1 (565.5m<sup>2</sup>) (variation of 10% or (51.42m<sup>2</sup>))</p>	16 May 2017 – IHAP Meeting