

**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 from 01 April 2018 – 30 June 2018

DA No	Address	Category of development	Environmental Planning Instrument	Development standard to be varied	Justification of variation	Extent of Variation	Date DA determined
DA/754/2017	Epping Public School, 27-33 Pembroke Street, EPPING NSW 2121 Lot 4 Sec 13 DP 758390, Lot 5 Sec 13 DP 758390, Lot 6 Sec 13 DP 758390, Lot 7 Sec 13 DP 758390, Lot 8 Sec 13 DP 758390, Lot 9 Sec 13 DP 758390, Lot 10 Sec 13 DP 758390, Lot 11 Sec 13 DP 758390, Lot 12 Sec 13 DP 758390, Lot 13 Sec 13 DP 758390	Educational	HLEP 2013 R2 – Low Density Residential	Clause 4.3 Height of buildings	Compliance with the development standard is considered unreasonable in this circumstance as: - Is consistent and compatible with the emerging 5 -6 storey built form on the southern side of Pembroke Street where a height limit of 17.5m applies; - Is compatible with the likely future height of buildings on the western side of Norfolk Road; - The subject site is highly constrained with limited opportunity for expansion given the location of existing school facilities; - The R2 Low Density Residential zoning is deemed to be restrictive with regards to the prescribed height limit of 8.5m as it relates to an educational use. Therefore, a departure from the development standard is deemed necessary to support the growth of the educational establishment.	<u>Required:</u> 8.5m <u>Proposed:</u> 14.5 (Variation of 6m or 42%).	4 April 2018 – Sydney Central City Planning Panel (SCCPP) 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/755/2017	Carlingford Public School, 5 Rickard Street, CARLINGFORD NSW 2118 Lot 12 DP 864495	Educational	PLEP 2011 R2 Low Density Residential	Clause 4.3 Height of buildings	The request to vary the development standard contained in Clause 4.3 Height of Buildings of PLEP 2011 considers that: - the applicant's submission adequately addresses the matters required under Clause 4.6; - the development remains consistent with the objectives of the standard and the objectives of the R2 zone; - there are sufficient environmental planning grounds to justify the variation; and - compliance with the standard is unreasonable and unnecessary in the circumstances of this case as the proposed variation is acceptable from a streetscape perspective, will not generate unacceptable impacts on adjoining or nearby properties and will not result in development inconsistent in form and scale with that planned for the locality.	<u>Required:</u> 9m <u>Proposed:</u> 16.8m (Variation of 7.8m or 86%).	4 April 2018 - Sydney Central City Planning Panel (SCCPP) 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/529/2017	5-9 Smith Street, EPPING NSW 2121 Lot A DP 392141, Lot 1 DP 1197922	Residential Flat Building	HLEP 2013 R4 – High Density Residential	Clause 4.3 Height of buildings	<p>Compliance with the development standard is considered unreasonable in this circumstance as:</p> <p>The extent of the non-compliance is primarily within the rooftop terrace and lift overrun. Although a rooftop terrace is not permitted as per the Hornsby DCP 2013, in this instance, the use of a rooftop terrace results in communal open space with more usable space, better solar access, and is more accessible to residents;</p> <ul style="list-style-type: none"> •To minimise overlooking to the adjoining properties from the rooftop communal open space, raised planter boxes are proposed on the eastern and western sides of this space to limit the potential for overlooking; •City of Parramatta's Design Excellence Advisory Panel raised no objections to the rooftop terrace and exceedance in building height; •A compliant development could be achieved on the site, however would result in a reduction in the footprint of the building which is generally compliant with the Hornsby DCP 2013 and the Apartment Design Guide. As a result of the deletion of the rooftop communal open space, the private open space available for residents on the ground floor would be significantly reduced to accommodate a 4-metre-wide landscaped area; •The exceedance in building height would not result in any additional overshadowing of the adjoining properties. 	<p>Required: 17.5</p> <p>Proposed: 19.90 (Variation of 2.4m or 13.70%).</p>	4 April 2018 - Sydney Central City Planning Panel (SCCPP) 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/840/2017	161 Murray Farm Road, BEECROFT NSW 2119 Lot A DP 417946	Dwelling	HLEP 2013 R2 Low Density Residential	Clause 4.1 Minimum sub division lot size	Compliance with the development standard is considered unreasonable in this circumstance as: - the variation is minor; - the non-compliance is a result of the existing allotment shape and is not visually discernible; - the proposed lot size is sufficient to accommodate the development; and - the subdivision reflects the future subdivision pattern of the locality.	<u>Required:</u> 500m2 (for each new lot) <u>Proposed LOT A</u> 500m2 <u>Proposed LOT B:</u> 495.4m 2 (Variation of 4.6m2 or 0.09%).	13 April 2018 – 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/1009/2017	<p>The Kings School, 87-129 Pennant Hills Road, NORTH PARRAMATTA NSW 2151</p> <p>Lot 1 DP 59169, Lot A DP 329288, Lot B DP 329288, Lot A DP 321595, Lot 2 DP 235857, Lot 1 DP 64765, Lot 1 DP 57491, Lot 1 DP 581960, Lot 10 DP 812772</p>	Residential - Other	<p>The Hills LEP 2012</p> <p>R2 Low Density Residential</p>	Clause 4.3 – Height of Buildings	<p>A variation to Clause 4.3 – Height of Buildings can be justified for the following reasons:</p> <ol style="list-style-type: none"> 1. The non-compliance is the result of the proposed roof form which presents an architectural style that is consistent with the adopted architectural style and design language of the school; 2. The roof form is desired in order to integrate with the prevailing roof forms and architectural style of the existing campus. The consists of other boarding houses and day boy houses which have been approved with departures to the height control of 9m. The proposed buildings are isolated from other buildings on the campus and would not result in adverse impacts on adjoining properties; 3. The subject buildings have generous setbacks to the site boundaries and given the existing vegetation on the site, would not be visible from Pennant Hills Road of adjoining residential properties and would only be visible to school students, visitors and staff; and 4. There is no public benefit in maintaining the development standard as proposed. The departure from the maximum building height is acceptable in the circumstances given the underlying objectives are achieved and would not set an undesirable precedent for future development in the locality. 	<p><u>Required:</u> 9m</p> <p><u>Proposed:</u> 9.1m (Variation of 0.1m or 1.1%)</p>	30 April 2018 – Sydney Central City Planning Panel (SCCPP) 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/23/2018	24 High Street, GRANVILLE NSW 2142 Lot C DP 350858, Lot 1 DP 400652	Residential - New multi- unit	Holroyd LEP 2013 R4 High Density Residential	Clause 4.3 – Height of Buildings	<p>Strict compliance with the development standard would require further excavation of the site resulting in reduced amenity for the ground floor apartments as they would be below the natural ground level;</p> <p>The variation is for non-habitable floor area and does not result in excessive bulk. The non-compliant area provides for access to communal open space and facilities increasing the amenity of the overall development consistent with the provisions of SEPP 65; and</p> <p>The variation does not result in overshadowing or adverse overlooking impacts to adjoining owners in excess of a building compliant with the building height control.</p>	<p><u>Required:</u> 15m</p> <p><u>Proposed:</u> 15.55m (Variation of 0.55m or 3.6%)</p>	19 June 2018 – Parramatta Local Planning Panel (PLPP) 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/147/2018	32 Abuklea Road EPPING NSW 2121 Lot A, DP 411486	Residential - Alterations & additions	HLEP2013 R2 Low Density Residential	Clause 4.3 – Height of Buildings	<p>The proposal seeks a variance of 9.4% (0.8m) to the maximum building height standard (Clause 4.3) of 8.5m identified in Hornsby LEP 2013.</p> <ul style="list-style-type: none"> • Responds to the site constraints and maintains the heritage significance of the existing dwelling house; • Does not unduly compromise other relevant controls or diminish the amenity of neighbouring properties • The proposed roof ridge is lower than the existing roof. • The proposed addition is compatible with the existing house in regard to finishing and materials; • Is consistent with the existing and desired development pattern of Hornsby; and • Is consistent with the objective of Clause 4.3 and the R2 Low Density Residential zone. 	<p>Required: 8.5m</p> <p>Proposed: 9.3m (Variation of 0.8m or 9.4%)</p>	27 June 2018 - Manager Development & Traffic Services – Delegated Authority