

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 January – 31 March 2017

DA No:	Address:	Category of development:	Environmental Planning Instrument	Development standard to be varied	Justification of variation	Extent of Variation	Date DA determined
DA/370/2016	14A Mons Road, WESTMEAD 2145 Lots 2 and 3, DP 213094	Serviced Apartments	PLEP 2011 B4 Mixed Use	cl 4.3 – Maximum Height of Buildings	The proposed variation to the development standard is necessary for the structure containing the lift core and is consistent with the scale of the development within the B4 Mixed Use zone located in the immediate vicinity of the site. The departure sought is considered to be modest and does not unreasonably impact on adjoining properties. The additional height does result in the appearance of bulk when viewed from the existing streetscape and would not impinge on the changing streetscape that is anticipated for the immediate area.	<u>Required:</u> 12m <u>Proposed:</u> 13.3m (variation of 1.3m or 10.8%)	17 January 2017 – IHAP Meeting
DA/687/2016	9-11 Fig Tree Avenue, TELOPEA 2117 Lots 271 & 272, DP 36743	Residential Flat Building	PLEP 2011 R4 High Density Residential	cl 4.3 – Maximum Height of Buildings	The proposed departure in the development standard provides equitable access to the rooftop communal terrace. The access structure containing the lift core and stairwell is consistent with the scale of the high-density residential zone. The proposed variation sought to the development standard is modest, located within the center of the building footprint and site and does not unreasonably impact on adjoining properties. The additional height does result in the appearance of bulk when viewed from the existing streetscape and would not impinge on the changing streetscape that is anticipated for the immediate area.	<u>Required:</u> 11m <u>Proposed:</u> 12.8m (to the top of the lift core) - (variation of 1.8m or 16.3%)	17 January 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/1026/2016	28 Moses Way, WINSTON HILLS 2153 Lot 28, DP 270717	Dual Occupancy	PLEP 2011 R2 Low Density Residential	cl 4.4 – Maximum FSR	<p>The proposed development does not adversely compromise the amenity of surrounding properties, is compatible with the desired future character for the area with reference to the bulk and scale and characteristics of surrounding development and will not have significant environmental impacts.</p> <p>The proposal has adequately demonstrated that the variation sought to the maximum FSR does not in this case hinder compliance with the provision of appropriate setbacks, bulk and scale, private open space, solar access or landscaping requirements.</p>	<p><u>Required:</u> 0.5:1</p> <p><u>Proposed:</u> 0.53:1 (variation of 20.59m² or 5.9%)</p>	18 January 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/881/2016	87-129 Pennant Hills Road, NORTH PARRAMATTA 2151 The Kings School Lot 1, DP 59169, Lots A & 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	Educational Establishment	The Hills LEP 2012 SP2 – Infrastructure	cl 4.3 – Maximum Height of Buildings	<p>The roof form presents an architectural style that is consistent with the adopted architectural style and design language of the school and is desired in order to integrate with the prevailing roof forms and architectural style of the existing campus. The school consists of other Boarding Houses, which have been approved with a departure to the height control of 9 metres. Notwithstanding, the proposed boarding house building is isolated from other buildings on campus by bushland and would not result in adverse impacts on adjoining properties.</p> <p>The subject building is located approximately 500 metres from Pennant Hills Road. Given the existing topography and vegetation, the proposal would not be visible from Pennant Hills Road or adjoining residential properties. The building would not be visible to the public but to people associated with the school only.</p>	<p><u>Required:</u> 9m</p> <p><u>Proposed:</u> 10.3m (variation of 1.3 metres or 14.4%)</p>	1 February 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/210/2016	2-4 Rangihou Crescent, PARRAMATTA 2150 Lots 9 & 10, DP 27317	Residential Flat Building	PLEP 2011 R4 High Density Residential	cl 4.3 – Maximum Height of Buildings	<p>The development is an appropriate response to the topography of the site, does not contain any habitable areas beyond the height limit, and only provides a lift core to support the utility of the roof top common open space area beyond the height limit, which improves the amenity and design outcome of the development.</p> <p>The development does not compromise other relevant controls with the proposed development encouraging ecologically sustainable development.</p> <p>The development has the support of DEAP.</p>	<p><u>Required:</u> 14m</p> <p><u>Proposed:</u> 16.79m (to lift overrun) (variation of 19.92%)</p>	8 February – SWCPP Meeting
DA/688/2016	43 Belmore Street East, OATLANDS 2117 Lot 1, DP 215574	Commercial Building	The Hills LEP 2012 B1 – Neighbourhood Centre	cl 4.4 – Maximum FSR	<p>Variation of the FSR control would be consistent with the existing and future bulk and scale of surrounding development.</p> <p>The variation does not result in excessive bulk of the development and allows for increased amenity to the proposed commercial and residential unit. The proposed building form is compatible with that of surrounding buildings within the neighbourhood centre.</p> <p>The variation is considered to be minor and does not result in significant overshadowing or adverse impacts to visual and acoustic amenity to adjoining owners.</p>	<p><u>Required:</u> 1:1 (170.1m²)</p> <p><u>Proposed:</u> 1.03:1 (175.82m²) (variation of 3.36% or 5.72m²)</p>	17 February 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/286/2016	26-28 Lydbrook Street, WESTMEAD 2145 Lot 22, DP 12067	Residential Flat Building	PLEP 2011 R4 High Density Residential	cl. 4.3 – Maximum Height of Buildings	<p>The building height of this scale does not result in view loss nor cause any detrimental disruption to the existing skyline and no detrimental amenity impact will be created to the neighbouring properties including overshadowing impacts.</p> <p>There is no immediate heritage item/heritage conservation area which would be impacted by the proposal, and the proposed building height is consistent with the established high density living and is appropriate within the local context of the area.</p>	<p><u>Required:</u> 11m</p> <p><u>Proposed:</u> 13.6m (variation of 2.6m or 23.6%)</p>	1 March 2017 – SWCPP Meeting
DA/923/2016	1 Grand Avenue, CAMELLIA 2142 Lot 1, DP 226202, Lots 1 & 2, DP 579735, Lot 201, DP 669350, Lot 102, DP 1146308	Industrial	PLEP 2011 IN3 – Heavy Industrial	cl. 4.3 – Maximum Height of Buildings	<p>The proposed variation to the development standard is necessary for the use of the site as a concrete batching plant to support the development in the immediately adjoining area and is consistent with the scale of the development within the IN3 – Heavy Industrial zone located in the immediate vicinity of the site. The departure sought is considered to be acceptable and appropriate and does not unreasonably impact on adjoining properties. Given the industrial zoning of the site and the site configuration, the additional height will not result in the appearance of bulk when viewed from the existing streetscape and would not impinge on the changing streetscape that is anticipated for the immediate area.</p>	<p><u>Required:</u> 12m</p> <p><u>Proposed:</u> 20m (variation of 8m or 67%)</p>	21 March 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/192/2016	10 Woodward Street, ERMINGTON 2115 Lot 45, DP 36449	Dual Occupancy	PLEP 2011 R2 Low Density Residential	cl 6.11 – Minimum lot size	Council's IHAP noted the small numeric non-compliance in area and compliance with the remainder of the LEP and DCP controls. This was then weighed against the character of the local area/street where it was noted that it was not a conservation area, there were a number of dual occupancies already and a significant number of sites capable of dual occupancy development as they were larger than 600m ² . The Panel felt that when measured against a local context, the departure was acceptable.	<u>Required:</u> 600m ² <u>Proposed:</u> 594.4m ² (variation of 5.6m ² or 0.93%)	21 March 2017 – IHAP Meeting