

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.

Approved from 1 July 2021 – 30 September 2021

DA No	Address	Category of development	Environmental Planning Instrument and Zone	Development standard to be varied	Extent of Variation	Officer Recommendation	Determination	Date DA determined
DA/697/2020	161 Hawkesbury Road, WESTMEAD NSW 2145  Lot 6A DP 374500	Mixed Use	Parramatta LEP 2011  B4 Mixed Use	Clause 4.3 - Height of Building	Allowed: 12m  Proposed: 13.05m  Variation: 1.05m (8.75%)	Deferred Commencement	Deferred Commencement	9 July 2021 - Manager delegation (Council)

**Justification of height variation:**

The variation to Clause 4.3 Height of Building of the Parramatta Local Environmental Plan 2011 under the provisions of Clause 4.6 is supported, as compliance with the development standard is unreasonable in the circumstances of the case for the following reasons:

- The departure to the overall height relates only to the common living areas and common open space area located within the roof. The bulk of the development remains below the maximum height for the site.
- The common living area was relocated to the roof from the second floor as originally proposed to ensure that the common living areas are better utilised by the occupants.
- This change to the location of the common living area was also a result of the recommendations by DEAP.
- The height does not result in undue solar access or amenity impacts to adjoining development.
- The additional height in this instance does not maximise the available density for the site.
- The proposal provides generally compliant building separation in accordance with PDOP 2011 to ensure that the development does not contribute to a loss of privacy to and from the site.
- The proposed bulk and scale is compatible with the existing and desired future character of the site.

DA No	Address	Category of development	Environmental Planning Instrument and Zone	Development standard to be varied	Extent of Variation	Officer Recommendation	Determination	Date DA determined
DA/719/2020	34 MacArthur Street, PARRAMATTA NSW 2150  Lot 6 DP 11014	Residential Flat Building	Parramatta LEP 2011  R4 High Density Residential	Clause 4.3 - Height of Building	Allowed: 14m  Proposed: 17.5m  Variation: 3.5m (25%)	Approval	Deferred Commencement	20 July 2021 – Parramatta Local Planning Panel (PLPP)

**Justification of height variation:**

The Parramatta Local Planning Panel (PLPP) supports the variation to Clause 4.3 Height of Building of the Parramatta Local Environmental Plan 2011 under the provisions of Clause 4.6.

Compliance with the development standard is unreasonable in the circumstances of the case for the following reasons:

- The departure to the overall height relates only to the roof top common open area. The bulk of the development remains below the maximum height for the site.
- The lift overrun being the highest point of the development is necessary to allow access to the roof top common open space which cannot be relocated on the ground floor due to the narrow/restricted nature of the site. It is also noted that due to the centralised location of the lift overrun, this structure on the roof will be indiscernible when the development is viewed in totality.
- The height does not result in undue solar access or amenity impacts to adjoining development.
- The additional height in this instance does not provide opportunities for increased density.
- The proposal provides generally compliant building separation in accordance with the ADG's and PDGP 2011 to ensure that the development does not contribute to a loss of privacy to and from the site.
- The departure to the height has the support of DEAP as it is considered to result in a better Urban Design outcome.
- The proposed bulk and scale is compatible with the existing and desired future character of the site

DA No	Address	Category of development	Environmental Planning Instrument and Zone	Development standard to be varied	Extent of Variation	Officer Recommendation	Determination	Date DA determined
DA/727/2020	47 Sorrell Street, PARRAMATTA NSW 2150  CP SP 92241	Boarding house	Parramatta LEP 2011  R3 Medium Density Residential	Clause 4.4- Floor Space Ratio	Allowed: 0.6:1 (671.4m2)  Proposed: 0.7:1 (782.5.4m2)  Variation: 111.1m2 12.9m (16.5%)	Approval	Approved	27 July 2021 - Parramatta Local Planning Panel (PLPP)

**Justification of height variation:**

- The Parramatta Local Planning Panel (PLPP) supports the variation to Clause 4.4 Floor Space Ratio of the Parramatta Local Environmental Plan 2011, under the provisions of Clause 4.6 as the new floor space proposed occurs as a result of providing horizontal circulation access to the new lift core.

DA No	Address	Category of development	Environmental Planning Instrument and Zone	Development standard to be varied	Extent of Variation	Officer Recommendation	Determination	Date DA determined
DA/585/2021	9 Edwards Avenue, BEECROFT NSW 2119  Lot 69 DP 503715	Dwelling	Hornsby LEP 2013  R2 – Low Density Residential	Clause 4.3 - Height of Building	Allowed: 8.5m  Proposed: 8.91m  Variation: 0.41m (4.8%)		Approved	3 September 2021 - Manager delegation (Council)

**Justification of height variation:**

- The proposed variation is considered to be minor, having regard to the built form found within the Edward Avenue locality, in which two storey dwellings prevail. The non-compliance does not undermine the objectives of the R2 zone or result in undue impacts on amenity of surrounding properties or the streetscape.