

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 01 July – 30 September 2022

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/460/2021	28 Glebe Street PARRAMATTA NSW 2150  LOT 16 DP 554691	Residential - Seniors Living	PLEP 2011  R4 High Density Residential	Clause 4.3 - Height of Building	Allowed: 11m  Proposed: 14.25m  Variation: 3.25m (29%)	Approval	Approved	19 July 2022  Parramatta Local Planning Panel (PLPP) Meeting

**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 for the following reasons;

- The building will sit comfortably within the streetscape, further it is considered that the development respects the existing and desired future character of the area and any potential adverse effects on the surrounding environment in respect to building height will be non-existent.
- The proposed height breach will not lead to a reduction in solar penetration on site nor will it lead to sunlight loss or overshadowing to key areas of the public domain.

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/302/2022	2-8 Thackeray Street CAMELLIA NSW 2142  LOT 23 DP 874055	Industrial	PLEP 2011  IN3 Heavy Industrial	Clause 4.3 Height of buildings	Allowable 12m  Proposed: Biomass storage tank – 13.5m; and Connecting walkway and staircase – 14.1m.  Variation: 1.5m or 12.5% and 2.1m or 17.5% respectively	Approval	Approved	17 August, 2022  Parramatta Local Planning Panel (PLPP) Meeting

**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 for the following reasons;

- The non-compliance results in a biomass storage tank, which is consistent with other existing storage tanks on the site and other developments in the locality; and
- The non-compliance does not create additional amenity impacts to neighbouring properties in the form of visual privacy, overshadowing or visual coherence.

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/186/2022	2-8 Thackeray Street CAMELLIA NSW 2142  LOT 23 DP 874055	Industrial	PLEP 2011  IN3 Heavy Industrial	Clause 4.3 Height of buildings	Allowed: 12m  Proposed: 12.75m  Variation: 0.75m (6.25%)	Approval	Approved	15 July 2022  Delegated Manager

**Justification of height variation:**

Council's Delegated Manager supports the variation to Clause 4.3 Height of Building of the Parramatta Local Environmental Plan 2011 under the provisions of Clause 4.6 for the following reasons;

- The existing building on the site has a wall height of 12m, with an overall height of 12.75m to the roof pitch. The proposed extension maintains the same height as the existing development on the site.  
The building is generally compliant with the 12m height limit, with the variation predominately associated with the 5.5° roof pitch.
- The overall height of the building is predominantly to provide space for the roof pitch, to accommodate the new De-packager machine to assist food waste storage process and to ensure the extension remains consistent with the existing building height.
- The building is generously setback from the street with a front setback of 28.7m to Grand Avenue. The part of the building that exceeds the height limit is setback 39m from the front boundary. The height intrusion is not considered to have a negative impact on the streetscape given the generous front setback together with a 13-20m landscape buffer.
- The development responds to the site without adversely compromising relationships with adjoining developments as it will not result in any adverse overshadowing, additional visual massing and privacy impacts.
- The site is listed in Appendix 2 Views and Vistas of Parramatta DCP 2011 however, the proposed variation will not result in the obstruction of important historic view corridors to and from the nearby Elizabeth Farm.

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/240/2021	2 Palmer Street Parramatta 2150  LOT 1 DP 609963	Child Care Centre	PLEP 2011  B4 Mixed Use	Clause 4.3 Height of buildings	Allowed: 24m  Proposed: 25m  Variation: 1m (4%)	Approval	Approved	23 August 2022  Sydney Central City Planning Panel (SCCPP) Meeting

**Justification of height variation:**

The Sydney Central City Planning Panel (SCCPP) supports the variation to Clause 4.3 Height of Building of the Parramatta Local Environmental Plan 2011 under the provisions of Clause 4.6 for the following reasons;

- Full compliance with the 24m building height control is unreasonable or unnecessary in these circumstances because the objectives of the development standard are achieved notwithstanding a minor variation to the numerical standard is proposed. There are, sufficient environmental planning grounds to justify contravention of the height standard.
- The encroachment above the height control and the variation sought is minor (maximum of 1m) or 3.99%. The physical projection of the roof overrun will not be visible from the street or public domain or would impact upon the streetscape.

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/246/2022	113 Felton Road Carlingford 2118  LOT 81 DP 210955	Residential – Alterations & additions	PLEP 2012  R2 Low Density Residential	Clause 4.3 Height of buildings	Allowed: 9m  Proposed: 9.48m  Variation: 0.48m (5.3%)	Approval	Approved	4 July 2022  Delegated Manager

**Justification of height variation:**

Council's Delegated Manager supports the variation to Clause 4.3 Height of Building of the Parramatta Local Environmental Plan 2012 under the provisions of Clause 4.6 for the following reasons;

- The existing dwelling has a height of 9.2m which means the height increase above the existing building is minor.
- The proposal would be the most compatible design with the existing dwelling's architectural style and material. The height variation does not result in visual impacts or loss of privacy to the neighbouring properties.

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/412/2022	5 Milton Avenue Eastwood  LOT 17 DP 7004	Residential – Alterations & additions	PLEP 2011  R2 Low Density Residential	Clause 4.3 Height of buildings	Allowed: 9m  Proposed: 9.312m  Variation: 0.312m (3.7%)	Approval	Approved	18 August 2022  Delegated Manager

**Justification of height variation:**

Council's Delegated Manager supports the variation to Clause 4.3 Height of Building of the Parramatta Local Environmental Plan 2011 under the provisions of Clause 4.6 for the following reasons;

- While the proposed height exceeds the maximum height of 9m, the existing dwelling has a height of 9.312m.
- The height variation does not result in visual impacts or loss of privacy to the neighbouring properties.

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/317/2021	63-67 Pine Street Rydalmere  LOT 10 Sec 5 DP 977669  LOT 12 Sec 5 DP 977669  LOT 11 Sec 5 DP 977669	Residential – New Multi unit	PLEP 2011  R4 High Density Residential	Clause 4.3 Height of buildings	Allowed: 11m  Proposed: 13m  Variation: 2m (18.18%)	Approval	Approved	16 August 2022  Parramatta Local Planning Panel (PLPP) Meeting

**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 for the following reason;

- The variation sought by the applicant is a result of the topography of the site and will retain a built form that is consistent with the desired future character, bulk, scale and intensity of the local area.

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/716/2020	38-42 East Street Granville 2142  LOT 1 DP 996285 LOT 1 DP 1009146 LOT 1 DP 195784	Mixed Use	PLEP 2011  B4 Mixed Use	Clause 4.3 Height of buildings	Allowed: 9m  Proposed: 9.48m  Variation: 0.48m (5.3%)	Approval	Approved	19 July 2022  Sydney Central City Planning Panel (SCCPP) Meeting

**Justification of height variation:**

The Sydney Central City Planning Panel (SCCPP) supports the variation to Clause 4.3 Height of Building of the Parramatta Local Environmental Plan 2011 under the provisions of Clause 4.6 for the following reasons;

- The proposed bulk and scale are compatible with the existing and desired future character of the site and the non-compliant portion of the building does not comprise any habitable floor space.
- A departure to the maximum height for the site in this location will have negligible impacts on residential or streetscape amenity.
- The development provides appropriate setbacks and landscaped areas to ensure adequate amenity to adjoining properties and future occupants and therefore maintains an appropriate streetscape amenity.
- The non-compliant portion of the proposed development does not result in an increased adverse overshadowing impact or increased adverse amenity impacts to adjoining public spaces and properties more than a compliant development would, with adjoining properties able to achieve adequate solar access.



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/958/2021	67 High Street Parramatta 2150  LOT B DP 421597	Residential – New multi unit	PLEP 2011  B4 Mixed Use	Clause 4.3 Height of buildings	Allowed: 12m  Proposed: 12.6m  Variation: 0.60m (5%)	Approval	Approved	20 September 2022  Parramatta Local Planning Panel (PLPP) Meeting

**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 for the following reasons;

- The proportion of the building that protrudes above the 12m height limit contains no habitable floor space.
- The proposal complies with the maximum Gross Floor Area for the site.
- Adopted amendment to the LEP raises overall building height for the subject site to 20m.