

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 October – 31 December 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/598/2022	40 Rippon Avenue Dundas 2117 LOT 41 DP 12687	Residential – Alterations & additions	PLEP 2011 R2 Low Density Residential	Clause 4.4 - Floor Space Ratio	Allowed: 290.85m ² Proposed: 296.15m ² Variation: 5.3m ² (0.9%)	Approval	Approved	25 November 2022 Delegated Manager

Justification of floor space ratio variation:

Council's Delegated Manager supports the variation to Clause 4.4 Floor Space Ratio of the Parramatta Local Environmental Plan 2011 under the provisions of Clause 4.6 for the following reasons;

- The proposed development demonstrates a development with a height, setbacks, and bulk and scale that is consistent with the subject street and the emerging character, as well as compliant with prescribed controls.
- The floor space ratio variation proposed to the standard is 5.3m² which is considered to be a minor variation.
- The additional floor area proposed for the site will not be identifiable from street view 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/56/2022	18-22 Sophie Street Telopea 2117 LOT 347, 348 & 349 DP 36743	Residential – New flat building	PLEP 2011 R4 High Density Residential	Clause 4.3 Height of buildings	Allowed: 11m Proposed: 12.47m Variation: 1.47m (13.36%)	Refusal	Approval	2 December, 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 bulk and scale of the proposes is a positive response to the site
- Extent of the breach is centralised in the building and would not result in additional amenity impacts to adjoining properties.
- The proposal is ultimately in the public interest.

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/932/2021	3 Farmhouse Road Westmead 2145 LOT 4 DP 1227281	Alterations and additions – Residential Flat Building	PLEP 2011 B4 - Mixed Use	Clause 4.3 Height of buildings Clause 4.4 Floor Space Ratio	See variation detail below:	Approval	Approved	20 December 2022 Parramatta Local Planning Panel (PLPP) Meeting
Height of buildings Building D <ul style="list-style-type: none"> • Height Limit – 30m • Height Proposed – 84.5m • Variation – 111.25% Building F <ul style="list-style-type: none"> • Height Limit – 40m • Height Proposed – 53.5m • Variation – 72.25% 				Floor Space Ratio <ul style="list-style-type: none"> • FSR Limit – 4:1 portion of the site • FSR Proposed – 6.77:1 • Variation – 69% 				
Justification of height/floor space ratio variations: The Parramatta Local Planning Panel (PLPP) supports the variations to Clause 4.3 Height of Building and Clause 4.4 Floor Space Ratio of the Parramatta Local Environmental Plan 2011 under the provisions of Clause 4.6 for the following reasons; <ul style="list-style-type: none"> • Revised written requests to vary the Building Height and FSR have been received and adequately addresses the matters required to be demonstrated in Clause 4.6(3) of Parramatta LEP 2011; • There is a Concept Masterplan that was approved with variations to the Building Height and FSR prescribed by Parramatta LEP 2011; • The established density under the Concept Masterplan has been used to inform the building envelopes approved under two subsequent Development Applications, including a prior approval on the subject site; • As such, strict compliance with the standards is considered to be unachievable as a variation has already been approved; • The further variation sought under this application results in a 4.3% increase to the overall density established under the Concept Masterplan; • The additional variation of the development standards will not create additional adverse impacts in regard to overshadowing, bulk and scale, streetscape, or traffic generation; • The additional density will take advantage of the significant investment in public transport infrastructure within the Westmead Precinct; • The proposal remains consistent with the aims, objectives, and desired future character of the Westmead Precinct; • This is a unique situation in which the extent of variation is guided by a Concept Masterplan that was approved by Council and the JRPP and is unlikely to be replicated outside of the masterplanned 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/127/2022	30 Stanley Road Epping 2121 LOT 1 & 2 DP 25650	Residential – alterations / additions	HLEP 2013 R2 – Low Density Residential	Clause 4.3 Height of buildings	Allowed: 8.5m Proposed: 9m Variation: 0.5m (5.7%)	Approval	Approved	20 December 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 Hornsby Local Environmental Plan 2013 under the provisions of Clause 4.6 for the following reasons;

- That compliance with the development standard for height would be unnecessary upon reflection of the unique context and scale of the site and natural constraints present and,
- That the proposed noncompliance will result in negligible visual impact to adjoining properties and the streetscape and,
- That the proposed noncompliance will result in negligible impact to bulk and scale as the proposed noncompliance is minor and restricted to insignificant portions of the proposed dwelling.