

Development Application variations under SEPP 1 – April – June 2009

DA No:	Address:	Category of development:	Environmental Planning Instrument	Development standard to be varied	Justification of variation	Extent of Variation	Date DA determined
DA/346/2008	2 & 2A Brisbane Street, Harris Park	4: Residential Flat Building	SREP 28	Clause 29B(2) - FSR	The increase in the FSR due to the inclusion of the basement storage areas of the building would not increase the overall bulk of the building as it is located under ground. The basement storage areas would increase the useability and function of the building	Standard - 0.8:1 proposed 0.878:1 (9.7% variation).	17/04/2009
DA/883/2008	20 Fallon Street Rydalmere	1. Residential - alterations and additions to an existing dwelling house	PLEP 2001	Clause 39 - height of building	The non compliance with the height standard is due to the definition of storey under PLEP 2001 which includes any subfloor area greater than 1.2 metres above ground level as a storey. The existing dwelling has a subfloor areas of 1.35metres and therefore the non-compliance is existing.	Standard - 2 storey. Proposed 3 storey (1 storey variation or 50%).	14/04/2009
DA/769/2008	16 Tristram Street Ermington	1. Residential - two storey new dwelling	PLEP 2001	Clause 39 - height of building	The non compliance with the height standard is due to the definition of storey under PLEP 2001 which includes any subfloor area greater than 1.2 metres above ground level as a storey. The proposed dwelling has a proposed basement area that protrudes 1.75 metres above natural ground level and is therefore non-compliant.	Standard - 2 storey. Proposed 3 storey (1 storey variation or 50%).	14/04/2009
DA/612/2008	44 Harris Street, Harris Park	4. Residential - two storey new dwelling	SREP 28	Clause 29Q(2) - site frontage	Site has a frontage of 15.45 metres and is an isolated site with adjoining sites being a council owned reserve and residential flat building.	Standard - 18 metres. Proposed 15.45 metres (2.55 metre variation)	14/04/2009

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DA/690/2008	2A Hassall Street, Parramatta	9. Commercial development	CCLEP2007	Clause 22D - building separation	Control requires a setback of 6 metres or zero metres, with the proposal providing a setback of 4.5 metres in the part of the development adjacent to the outdoor dining/lounge area at ground floor level. The purpose of either a 6 metre or zero setback is to ensure that buildings either address the street or provide a setback sufficient for landscaping or public art to be incorporated. The remainder of the development at ground and first floor levels complies with the building separation controls by either being setback more than 6 metres or having a zero setback. The objectives of the control have been met.	Standard - setback of either 6 metres or nil setback. Proposed - 4.5 metre setback (variation of 1.5 metres from 6 metre control or 4.5 metres from nil setback control)	14/04/2009
DA/900/2008	12 Buyama Street, Carlingford	1. Residential - alterations and additions to existing dwelling	PLEP 2001	Clause 39 - height of building	The non-compliance with the height standard is due to the definition of storey under PLEP 2001 which includes any subfloor greater than 1.2 metres above ground floor as a storey. The existing dwelling has a subfloor of 1.8 metres and the proposal includes incorporating a garage into the subfloor area and constructing a first floor addition.	Standard - 2 storey. Proposed 3 storey (1 storey variation or 50%).	14/04/2009
DA/703/2008	226 Windsor Road, Winston Hills	6. Residential - Senior Living Housing	PLEP 2001 & Seniors Living Policy	Clause 40(4)(a) (height) of Seniors Living Policy and clause 40(4)(c) (height)	One building located near the centre of the site will have a maximum building height of 10.8 metres instead of the 8 metres. The proposal has been located in the	Standard - 8 metres. Proposed - 10.8 metres (2.8 metre variation). Standard - building located in the	14/04/2009

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				of Seniors Living Policy	centre of the site and is located approximately 52 meters from the southern boundary and 55 metres from the northern boundary. The ridge height of the building is similar to that of the existing community centre located on site and the scale is not out of character. There will be no overshadowing impacts and there will be limited view of the building from the public domain.	rear 25% of the site is not to exceed single storey. Proposed - 2 storey	
DA/816/2008	16 Lanhams Road, Winston Hills	2: Residential - New three storey dwelling	PLEP 2001	Clause 39 of PLEP 2001 - Number of storeys	Compliance with the development standard 'Height Limits in Residential Zones' is considered to be unreasonable. The proposed dwelling complies with the maximum height requirement of 9 metres stipulated within section 3 of the PDCP 2005 and does not adversely compromise the amenity of surrounding properties. It is considered that the departure from the development standard in relation to height is acceptable given that the design of the proposal in relation to height given that the design of the proposal in relation to bulk & scale will not be excessive and responds to the locality and to the slop of the site, satisfying the underlying purpose of the clause.	Requirement – 2 storeys. Proposed – 3 storeys (50% variation).	11 May 2009
DA/807/2008	1 Sorrell Street, Parramatta	10: Mixed Use	PLEP 2007	Clause 22C – Car parking; Clause 22D – Building	The Parramatta City Centre Plan 2007 does not specify objectives to support the car parking controls.	Car parking Requirement – 44 spaces.	11 May 2008

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				Separation.	The applicant's written request to vary the standard has established that compliance with the development standard is unnecessary and there are sufficient environmental planning grounds to support a variation to the standard. The development is consistent with the public interest and the shortfall in car parking is not inconsistent with the objectives of the development standard or the objectives of the Mixed Use Zone.	Proposed – 38 spaces. Variation – 6 spaces. <u>Building Separation</u> Required – 9 metres between height of (level 6) 36m & 54m. Proposed – 6 metres. Variation – 3 metres.	
DA/878/2008	30 Dodson Crescent, Winston Hills	1: Residential - Alterations & additions	PLEP 2001	Clause 47 of PLEP 2001	Compliance with the development standard is unnecessary as the development encroaching the stipulated 6 metre setback will have no adverse impact on the environmental significance and protection of the adjoining Zone 7 Bushland.	Requirement – 6 metre setback. Proposed – nil setback.	11 May 2009
DA/611/2008	6-10 Charles Street, Parramatta	5: Residential - New multi unit 20+ dwellings	PLEP 2007	Clause 22C – Car parking; Clause 22D – Building Separation.	The Parramatta City Centre Plan 2007 does not specify objectives to support the car parking controls. The applicant's written request to vary the standard has established that compliance with the development standard is unnecessary and there are sufficient environmental planning grounds to support a variation to the standard. The development is consistent with the public interest and the additional car parking is not inconsistent with the objectives of	<u>Car parking</u> Requirement – 128. Proposed – 136. Variation – 12 spaces. <u>Building Separation</u> Requirement – 18 metres. Proposed – 12 metres. Variation – 6 metres.	11 May 2009

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					the development standard or the objectives of the Mixed Use Zone.		
DA/603/2008	88 Arthur Street, Rosehill	4: Residential – New Multi unit < 20 dwellings	SREP 28	Clause 29Q – Site frontage	The development displays good building design due to its transitional form that reflects the location of the site between a single storey dwelling to the south and a 2 storey flat building to the north.	Required minimum frontage of 18 metres. Proposed – 11.7 metres (23.8% variation) or 6.285 metres.	9 June 2009
DA/968/2008	2-6 Pennant Hills Road and 34 Albert Street, North Parramatta	10: Mixed Use	City Centre LEP	Clause 22B – Height; Clause 22D – Building Separation	<p><u>Height:</u> The application was the subject of a Design Competition under the City Centre LEP 2007 and a 10% bonus for height was awarded.</p> <p><u>Building Separation:</u> The setbacks and building separation and spatial relationship of balconies and windows between the development and the neighbouring development is adequate.</p>	<p><u>Height:</u> Requirement – 40 metres maximum. Proposed – 44 metres (10% variation).</p> <p><u>Building Separation:</u> Requirement – 6 metres at a height of up to 36 metres and 9 metres at a height of 36 metres and above. Proposed – 3 metres and 6 metres to a height of 34 metres and to a height of 34 metres and 8.7 metres for the remainder.</p>	9 June 2009