

DA number	Address	Development standard to be varied	Justification of variation	Extent of variation	Concurring Authority
LDA2020/0243	2-10 Cottonwood Crescent Macquarie Park	4.3 Height of buildings	Compliance with the standard is justified given the topography of the site which falls from Cottonwood Cr and Shrimptons Creek and the requirement for floor levels to achieve minimum flood levels at the lower ground and ground floors. The additional height proposed relates to essential equipment, the placement of which cannot be adjusted. The non-compliance is extremely minor and the proposal will not result in the loss of views or adverse amenity impacts and is consistent with the desired future character of the area.	2.7%	Sydney North Planning Panel
LDA2020/0276	75 Wharf Road Gladesville	4.3 Height of buildings 4.4(2) Floor space ratio	<p>The non compliance occurs as a result of the previous altered existing ground level from the natural form of the site. A review of the most recent approved DA on the site shows the existing dwelling contains excavation associated with the lower ground floor level. The height is calculated in relation to the altered existing ground level and results in the height non-compliance. The variation is limited to a small part of the dwelling & the proposal is consistent with the objectives of the development standard and zone.</p> <p>The non-compliance with the FSR can be supported in the circumstance of the case, as there are sufficient environmental planning grounds for contravening the development standard. The development is compatible in terms of the bulk and scale of adjoining developments. The breach occurs due to the allotment size and subdivision pattern. The proposal is consistent with the objectives of the development standard and the zone.</p>	16.9 % 34.8%	Ryde Local Planning Panel
LDA2020/0394	598A & 598B Blaxland Road Eastwood	4.3 Height of buildings	Clause 29 (2)(a) states that a consent authority must not refuse consent to a proposal if the building height is not more than the maximum building height permitted under another environmental planning instrument. Clause 29 (4) of the ARH SEPP also states that a consent authority may consent to a development which this division applies, whether or not the development complies with the standards set out in subclause (1) and (2). Accordingly, a written Clause 4.6 variation request is not required and the strict Clause 4.6 'tests' have not been applied to the proposal. The variation in height is accepted as the building height is compatible with the desired future character of the area and will not adversely impact neighbouring properties in terms of overshadowing.	1.6% to 15.6%	Ryde Local Planning Panel

Determination Date
7/4/21
15/4/21
13/5/21