

**Development Applications Determined with Variations to Development Standards  
July to September 2010**

DA No.	Street No.	Street name	Suburb	Category	Environmental planning instrument	Zoning of land	Development standard to be varied	Justification of variation	Extent of variation	Date determined
2010/146	6	Peckham Avenue	Chatswood	2: Residential - Single new dwelling	Willoughby Local Environmental Plan 1995	Res 2A	Cl. 18 Height	Variation was justified through a SEPP1 character to clause 18 of WLEP	Non-compliance with 2 storey height control of 2A zone.	1/07/2010
2010/98	39	Coolaroo Road	Lane Cove North	1: Residential - Alterations & additions	Willoughby Local Environmental Plan 1995	Res 2A2	Cl. 18 Height	Variation to Cl.18 of WLEP	Proposal has a 3 storey element	15/07/2010
2010/303	5	Melrose Street	Lane Cove North	1: Residential - Alterations & additions	Willoughby Local Environmental Plan 1995	Res 2A2	Cl.18 Height	Consistent with 2(a2) objectives.	Minor 1m wide by 1m high due to existing subfloor of dwelling.	2/08/2010
2009/508	453	Willoughby Road	Willoughby	10: Mixed	Willoughby Local Environmental Plan 1995	Business E2	Cl.36 FSR; Cl.37 Height	Cl. 36 FSR: It is satisfied that the bulk and scale of the proposed development is not incompatible with its development context, which is characterised by existing residential flat building built upon rock forms, and newer mixed use developments. The proposed residential component on Level 4 is setback from the main street facade of the development (over 9m from the street boundary), and based on the topography of the site, this level is unlikely to visually detract from the existing streetscape. - It is satisfied that the objectives of FSR standard (as contained in Clause 13E of the	Existing height >13m (eave - RL77.11): Proposed Approx 17m(FCL-RL80.66): Standard 9m. Existing Floor space ratio 1.68:1 (com res only) proposed 1.74:1 (excl res) 2.57:1 (all): Floor Space Ratio Standard 1.1(excl. res. If bldg complies with height limit)	3/08/2010

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								<p>WLEP) are met by the development despite its numerical departures from the development standard. This is in terms of the intensity of use of the site is not beyond the environmental capacity of the land, the additional traffic generation of site resulting from the development will not adversely affect existing road network, and the bulk and scale of the development is not incompatible with existing and adjoining developments.</p> <p>Cl. 37 - Height</p> <ul style="list-style-type: none"> <li>- It is satisfied that the proposed building height has no unreasonable external impacts to adjoining properties in terms of view loss, overshadowing and visual bulk.</li> <li>- The proposed height at RL 80.86 is compatible with the site's development context characterised by buildings greater than the maximum permissible height of 9m. The proposed height is considered to respect the natural topography of the site and its adjoining developments, and unlikely to detract from the existing streetscape.</li> </ul>		
2009/661	315	Edinburgh Road	Castlecrag	1: Residential - Alterations & additions	Willoughby Local Environmental Plan 1995	RES 2A2	Cl.18 Height	Minor and acceptable impact	Minor	23/08/2010

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2009/815	5	Woonona Road	Northbridge	2: Residential - Single new dwelling	Willoughby Local Environmental Plan 1995	Res 2A2	Cl.18 Height	Small component part of building non-compliant- consent requires height reduction reducing extent of non-compliance	Minor-moderate	8/09/2010
2010/14	158-162	Hampden Road	Artarmon	4: Residential - New multi unit < 20 dwellings	Willoughby Local Environmental Plan 1995	Res C	Cl.23 FSR; Cl.24 Height	Height - Context satisfactory; no amenity impacts on adjoining properties or public domain; Draft WLEP 2009 permits increased height FSR - context satisfactory and no amenity impacts on adjoining properties or public domain.	Height - Attic level as fourth storey, moderate variation; FSR - 7% mostly due to attic level, moderate variation.	22/09/2010
2010/291	34	Coolaroo Road	Lane Cove North	1: Residential - Alterations & additions	Willoughby Local Environmental Plan 1995	Res 2A	Cl.18 Height	Minor change/modification to 2 storey height control under Clause 18 of LEP.	Minor	17/09/2010
2010/202	260	Penshurst Street	North Willoughby	5: Residential - New multi unit 20+ dwellings	Willoughby Local Environmental Plan 1995	Res C	Cl.23 FSR; Cl.24 Height	clause 23 - FSR 1) The objectives of the FSR standard as contained in Clause 13E are met by the development subject to the recommended amendments to reduce the bulk and scale of the proposed roof forms. 2) The floor area of the fourth level of the proposed building is only 55% of the level below. With the reduced roof volumes as shown on the submitted sketches, the accommodation of additional floor area is considered to meet the intent of Part 3.2 with respect to Habitable rooms within the roof space, where additional floor areas are being accommodated within volumes that would otherwise be	FSR approved 1.13:1 Standard 0.9:1 Height approved 4 storeys standard 3 storeys	1/10/2010

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								<p>occupied by conventional pitched roof forms.3) The proposed link element is considered an acceptable mean of accommodating additional floor space by taking advantage of the large site with extensive street frontage without unreasonable external impacts.</p> <p>Clause 24 – Height 1) The scale of the proposed development is considered appropriate, and that the objectives of the height standard can be reasonably achieved by alternative architectural treatment of the proposed roof forms as recommended. 2)The existing development context on Peshurst Street, Clanwilliam Street and Church Street comprises a range of older residential flat developments, which include a mix of both 3 and 4 storey buildings. The overall height and eave heights of the development are considered compatible with its development context with no unreasonable overshadowing or privacy impacts.</p>		
2010/160	8	Carr Street	Chatswood	1: Residential - Alterations & additions	Willoughby Local Environmental Plan 1995	Res 2A2	Cl.18 Height	Minor, Required to raise ground floor free-board for flooding reasons.	1 storey <10% of footprint.	14/10/2010