

3.3. Variations to Development Standards - 2019/2020 Q4 Reporting Period

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ATTACHMENTS:

1. Clause 4.6 and SEPP1 Variations - 1 April to 30 June 2020 [3.3.1 - 1 page]

PURPOSE:

Planning Circular PS 18-003 sets out certain procedural and reporting requirements for the processing of C14.6 and SEPP1 variations to development standards. This report addresses those requirements.

EXECUTIVE SUMMARY:

Any variation to a development standard of greater than 10% in assessing a development application must be reported to the North Sydney Local Planning Panel for determination. Variations under 10% can be decided by Assessment Staff under delegated authority.

The Planning Circular provides that to achieve transparency and integrity in the planning framework, the following monitoring and reporting measures must be followed:

- Proposed variations to development standards cannot be considered without a written application objecting to the development standard and dealing with the matters required to be addressed by the relevant instrument.
- A publicly available online register of all variations to development standards approved by the consent authority or its delegates is to be established and maintained. This register must include the development application number and description, the property address, the standard to be varied and the extent of the variation.
- A report of all variations approved (including under delegation) must be submitted to developmentstandards@planning.nsw.gov.au within four weeks of the end of each quarter (i.e. March, June, September and December) in the form provided by the Department.
- A report of all variations approved under delegation from a council must be provided to a meeting of the council at least once each quarter.

Attached is the tabulated Development Standard variations approved for Q4 (Quarter 4) of the financial year 2019/20. Of 131 applications determined in the quarter, 8 variations in total are reported, 7 by the North Sydney Local Planning Panel and 1 under delegated authority.

FINANCIAL IMPLICATIONS:

Nil.

RECOMMENDATION:

1. THAT the Variations to Development Standards - 2019/2020 Q4 Reporting Period report be received.

LINK TO COMMUNITY STRATEGIC PLAN

The relationship with the Community Strategic Plan is as follows:

3. Our Future Planning

3.4 North Sydney is distinctive with a sense of place and quality design

3.5 North Sydney is regulatory compliant

BACKGROUND

As part of the procedural requirement set out within PS 18-003 a report of the variations to development standards granted under clause 4.6 or State Environmental Planning Policy No 1- Development Standards must be reported Quarterly to Council for its information.

CONSULTATION REQUIREMENTS

Community engagement is not required.

DETAIL

Planning Circular PS 18-003 sets out certain procedural and reporting requirements for the processing of CL4.6 and SEPP 1 variations to development standards.

Any variation to a development standard of greater than 10% must be reported to the North Sydney Local Planning Panel for determination. Variations under 10% must be reported to the North Sydney Local Planning Panel for determination. Variations under 10% can be decided by the Assessment Planners under delegations. The 10% threshold is set by the Minister for Planning.

The Planning Circular further provides that to ensure transparency and integrity in the planning framework, the monitoring and reporting measures outlined below must be followed when development standards are being varied:

- Proposed variations to development standards cannot be considered without a written application objecting to the development standard and dealing with the matters required to be addressed by the relevant instrument.
- A publicly available online register of all variations to development standards approved by the consent authority or its delegates is to be established and maintained. The register must include the development application number and description, the property address, the standard to be varied and the extent of the variation.
- A report of all variations approved (including under delegation) must be submitted to developmentstandards@planning.nsw.gov.au within four weeks of the end of each quarter (i.e. March, June, September and December) in the form provided by the Department.
- A report of all variations approved under delegation from a council must be provided to a meeting of the council at least once each quarter.

The table attached to this report addresses dot point 4 of the Planning Circular.

It is of note that several variations allowed are technical in nature as they arise from new or altered work on buildings which already exceed the development standards set by the relevant Planning instruments.

It is a general practice that significant variations to development standards which result in a greater yield than that envisaged by the planning controls are guided towards the Planning Proposal process.

Attached for Council's information are the variations to Development Standards for Quarter 4 of the last financial year. Of 131 applications determined in the quarter, 8 variations in total are reported, 7 by the North Sydney Local Planning Panel and 1 under delegated authority.

The report is enhanced in detail to that required by the Planning Circular, as it provides information regarding those approved by the North Sydney Local Planning Panel as well as those approved under delegation.

Council DA reference number	Lot number	DP number	Apartment/Unit number	Street number	Street name	Suburb/Town	Postcode	Category of development	Environmental planning instrument	Zoning of land	Development standard to be varied	Justification of variation	Extent of variation	Determining authority	Date DA determined dd/mm/yyyy
7/20	27	82014	23	238	Falcon Street	North Sydney	2060	1: Residential - Alterations and Additions	NSLEP 2013	R4 High Den Res	Clause 4.3 Building Height - 12m Limit	Existing RFB in breach no material impacts.	4.4m	NSLPP	15/04/2020
333/19	0	14129		182	Kurraba Road	Kurraba Point	2089	1: Residential - Alterations and Additions	NSLEP 2013	R4 High Den Res	Clause 4.3 Building Height - 12m Limit	Existing RFB in breach no material impacts.	0.6m	NSLPP	15/04/2020
87/20	68	18604	68	171	Walker Street	North Sydney	2060	1: Residential - Alterations and Additions	NSLEP 2013	R4 High Den Res	Clause 4.3 Building Height - 12m Limit	Existing RFB in breach no material impacts.	20.6m	NSLPP	3/06/2020
363/19	1	584966		28	Fitzroy Street	Kirribilli	2061	Residential - Alterations and Additions	NSLEP 2013	R3 - Med Den Res	Clause 4.3 Building Height - 8.5m	Existing Terrace House - No material impact	1.29m	NSLPP	15/04/2020
28/20	1	120268		1	Blue Street	North Sydney	2060	existing school	NSLEP 2013	SP2 Education Est	Clause 4.3 Building Height - 8.5m	School - Boarding House Facilities - No material impact	3.5m	NSLPP	15/04/2020
158/19	0	22278		146	Kurraba Road	Kurraba Point	2089	Residential - Alterations and Additions to a Dual Occupancy	NSLEP 2013	R3 - Med Den Res	Clause 4.3 Building Height - 8.5m	Alterations to existing Dual Occupancy - No material impact	4.9m	NSLPP	15/04/2020
397/19	34	8933		2	Folly Point	Cammeray	2062	Residential - Alterations and Additions	NSLEP 2013	E4 Env Living	Clause 4.3 Building Height 8.5m	Alterations to existing dwelling.	15.5m	NSLPP	3/06/2020
				4	Illiliwa	Cremorne	2059	Residential - Alterations and Additions	NSLEP 2013	R2 Low Den Res	Clause 4.3 Building Height 8.5m	Existing RFB in breach no material impacts.	.16m	Delegated	23/06/2020