

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	Concurring authority	Date DA determined dd/mm/yyyy
187/2022	0	SP 18749		16	Illiliwa Street	Cremorne	2090	1: Residential - Alterations & additions	NSLEP 2013	R2 Low Den Res	Building Height	The building has an existing roof ridge height that fails to comply with the permissible height limit, however this will be unchanged by this proposal. While the development involves a minor non-compliance with Council's height control and is not compliant with the rear and side setback control, the development is considered to be generally sympathetic with the existing building on the site and nearby development within the Benelong Neighbourhood.	655mm (7.7%)	Delegated Approved	2/12/2022
132/2022	1	77957		4	Cremorne Road	Cremorne Point	2090	1: Residential - Alterations & additions	NSLEP 2013	R2 Low Den Res	Building Height	Pursuant to the provisions of Clause 4.6 of the North Sydney Local Environmental Plan 2013 ("the LEP"), the Panel is satisfied that the written request to the contravention of the Height of Buildings development standard in clause 4.3 of the LEP, adequately addresses the required matters in clause 4.6 of the LEP. In the opinion of the Panel the written request demonstrates that compliance with the development standard is unnecessary in the circumstances of the case and the written request identifies sufficient environmental planning grounds to justify the contravention. Further, the Panel considers that the development is in the public interest because it is consistent with the objectives of the standard and the zone.	3.5m (41%)	NSLPP Approved	2/11/2022
332/2021	1D	445516		2	Ross Street	Waverton	2060	2: Residential - Single new dwelling	NSLEP 2013	R2 Low Den Res	Building Height	A written request was submitted as part of the application. The written request acknowledges the departure from the development standard. The variation sought does not exceed 10% of the maximum permissible height. The written request provided has demonstrated that strict compliance is unreasonable and unnecessary in the circumstances of the case.	190mm (2.2%)	Delegated Approved	21/10/2022
412/2021	1	659412		94	Blues Point Road	McMahons Point	2060	1: Residential - Alterations & additions	NSLEP 2013	R3 Med Den Res	Building Height	Pursuant to the provisions of Clause 4.6 of the North Sydney Local Environmental Plan 2013 ("the LEP"), the Panel is satisfied that the written request to the contravention of the Height of Buildings development standard in clause 4.3 of the LEP, adequately addresses the required matters in clause 4.6 of the LEP. In the opinion of the Panel the written request demonstrates that compliance with the development standard is unnecessary in the circumstances of the case and the written request identifies sufficient environmental planning grounds to justify the contravention. Further, the Panel considers that the development is in the public interest because it is consistent with the objectives of the standard and the zone.	3.95m (46.5%)	NSLPP Approved	7/12/2022
313/2021	17	7544		48	Edward Street	North Sydney	2060	1: Residential - Alterations & additions	NSLEP 2013	R2 Low Den Res	Building Height	Pursuant to the provisions of Clause 4.6 of the North Sydney Local Environmental Plan 2013 ("the LEP"), the Panel is satisfied that the request to the contravention of the Height of Buildings development standard in clause 4.3 of the LEP, adequately addresses the required matters in clause 4.6 of the LEP. In the opinion of the Panel the written request demonstrates that compliance with the development standard is unnecessary in the circumstances of the case and the written request identifies sufficient environmental planning grounds to justify the contravention. Further, the Panel considers that the development is in the public interest because it is consistent with the objectives of the standard and the zone objectives.	2.3m (27%)	NSLPP Approved	5/10/2022

52/2022	11	873927		10	Benelong Road	Cremorne	2090	1: Residential - Alterations & additions	NSLEP 2013	R2 Low Den Res	Building Height	The written request to vary the development standard provided by the applicant is considered well founded and worthy of support. The written request demonstrates that compliance with the development standard would be unreasonable and unnecessary in the circumstances of the case and that there are sufficient planning grounds to justify the variation.	0.1m (1.17%)	Delegated Approved	14/11/2022
143/2022	2	737288		18	Vale Street	Cammeray	2062	4: Residential - New multi unit	NSLEP 2013	R4 High Den Res	Building Height	Pursuant to the provisions of Clause 4.6 of the North Sydney Local Environmental Plan 2013 ("the LEP"), the Panel is satisfied that the written request to the contravention of the Height of Buildings development standard in clause 4.3 of the LEP, adequately addresses the required matters in clause 4.6 of the LEP. In the opinion of the Panel the written request demonstrates that compliance with the development standard is unnecessary in the circumstances of the case and the written request identifies sufficient environmental planning grounds to justify the contravention. Further, the Panel considers that the development is in the public interest because it is consistent with the objectives of the standard and the zone.	17.73m (14.4%)	NSLPP Approved	2/11/2022
295/2022	9	SP 17676	9	104-106	Shirley Road	Wollstonecraft	2065	1: Residential - Alterations & additions	NSLEP 2013	R4 High Den Res	Building Height	The written request seeking a variation to the building height control is considered to be well founded, has demonstrated that compliance with the standard is unreasonable and unnecessary in the circumstances of the case and has provided sufficient environmental planning grounds which support the request. While the breach to building height standard exceeds a 10% variation, it is consistent with the objectives of the building height control and the R4 High Density Residential zone. The application can be considered under Council delegation.	1.98m (16.52%)	Delegated Approved, Delegation granted by panel to determine technical variations arising out of existing circumstances.	7/12/2022
451/2021	A	398221		5	Richmond Avenue	Cremorne	2090	1: Residential - Alterations & additions	NSLEP 2013	R2 Low Den Res	Building Height	There are sufficient environmental planning grounds to justify contravening the development standard. It is concluded that the building elements above the LEP building height limit would have no material impacts on neighbouring properties and the locality in terms of the built forms within the locality and the amenity of the surrounding properties. There are sufficient environmental planning grounds to justify contravening the building height control.	800mm (9.4%)	Delegated Approved - Deferred Commencement	18/11/2022
33/2022	0	SP 16564		65	Pine Street	Cammeray	2062	1: Residential - Alterations & additions	NSLEP 2013	R2 Low Den Res	Building Height Dual Occupancies	The clause 4.6 statement submitted to justify the non-compliance with the height limit was found to be satisfactory having demonstrated that there would be no material impacts on the amenity of the adjoining properties and the public domain. There are also sufficient environmental reasons to justify the breach of the height limit. The variation to the minimum lot size for dual occupancy by 0.95% would have no material impact on neighbouring properties and the locality in terms of the character and built forms within the locality as well as the amenity of the surrounding properties. The proposal also includes an improved stormwater management system that is currently absent on site. Therefore, there are sufficient environmental planning grounds to justify contravening the minimum lot size control.	0.85m (10%) 4.3sqm (0.95%)	Delegated Approved	9/12/2022
105/2022	0	SP 8461		54	High Street	North Sydney	2060	1: Residential - Alterations & additions	NSLEP 2013	R4 High Den Res	Building Height	Pursuant to the provisions of Clause 4.6 of the North Sydney Local Environmental Plan 2013 ("the LEP"), the Panel is satisfied that the written request to the contravention of the Height of Buildings development standard in clause 4.3 of the LEP, adequately addresses the required matters in clause 4.6 of the LEP. In the opinion of the Panel the written request demonstrates that compliance with the development standard is unnecessary in the circumstances of the case and the written request identifies sufficient environmental planning grounds to justify the contravention. Further, the Panel considers that the development is in the public interest because it is generally consistent with the objectives of the standard and the zone objectives.	32m (266%)	NSLPP Approved	7/12/2022

211/2022	3	SP 5118	3	99	Kurraba Road	Kurraba Point	2089	1: Residential - Alterations & additions	NSLEP 2013	R4 High Den Res	Building Height	The existing apartment building has a maximum building height of 17m in excess of the permissible height limit of 12m pursuant to clause 4.3 in NSLEP 2013. Whilst there would be no increase in the overall height of the building, a Clause 4.6 is required because the height of the new windows and other replacement windows/glass doors (13.5m) within apartment 3 would be located above the permissible height of buildings for an R4 Zone being 12m.	1.5m	Delegated Approved; Delegation given by NSLPP to determine applications where building height variation exceeds 10% and is caused by the height of existing structure.	14/12/2022
317/2022	1	102047		8	Elamang Avenue	Kirribilli	2061	1: Residential - Alterations & additions	NSLEP 2013	R2 Low Den Res	Building Height	The variation is a result of the height of the existing dwelling which is 11 metres. The additional works are within the existing built form and do not increase the height of the overall dwelling. The variation is consistent with surrounding development, is a result of the topography of the site, and is limited to a small form that is part of the rear southern roof plane where there will be a negligible impact. Pursuant to the provisions of Clause 4.6 of the North Sydney Local Environmental Plan 2013 ("the LEP"), the Panel is satisfied that the written request to the contravention of the Height of Buildings development standard in clause 4.3 of the LEP, adequately addresses the required matters in clause 4.6 of the LEP. In the opinion of the Panel the written request demonstrates that compliance with the development standard is unnecessary in the circumstances of the case and the written request identifies sufficient environmental planning grounds to justify the contravention. Further, the Panel considers that the development is in the public interest because it is consistent with the objectives of the standard and the zone.	2.44m (28.7%)	NSLPP Approved	7/12/2022
38/2022	1	805563		17	Cowdroy Avenue	Cammeray	2062	1: Residential - Alterations & additions	NSLEP 2013	C4 Env Living	Building Height	Pursuant to the provisions of Clause 4.6 of the North Sydney Local Environmental Plan 2013 ("the LEP"), the Panel is satisfied that the written request to the contravention of the Height of Buildings development standard in clause 4.3 of the LEP, adequately addresses the required matters in clause 4.6 of the LEP. In the opinion of the Panel the written request demonstrates that compliance with the development standard is unnecessary in the circumstances of the case and the written request identifies sufficient environmental planning grounds to justify the contravention. Further, the Panel considers that the development is in the public interest because it is consistent with the objectives of the standard and the zone.	1m (12%)	NSLPP Approved	7/12/2022