

8.12. Variations to Development Standards - 2020/2021 Q3 Reporting Period

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ATTACHMENTS:

1. 2020.21 Q 3 Variations [8.12.1 - 1 page]

PURPOSE:

Planning Circular PS 18-003 sets out certain procedural and reporting requirements for the processing of Cl4.6 and SEPP1 variations to development standards. This report addresses those requirements for Q3 2020/2021.

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:

1. 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.
2. 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.
3. 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.
4. 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 Quarter 3 (Q3) of the financial year 2020/21. Of 115 applications determined in the quarter, 4 variations in total are reported, 4 by the North Sydney Local Planning Panel and 0 under delegated authority.

FINANCIAL IMPLICATIONS:

Nil.

RECOMMENDATION:

1. THAT the Variations to Development Standards – 2020/21 Q3 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

CONSULTATION REQUIREMENTS

Community engagement is not required.

DETAIL

Planning Circular PS 18-003 sets out certain procedural and reporting requirements for the processing of variations to development standards under Clause 4.6 and State Environmental Planning Policy No 1- Development Standards. Such variations are required to be reported Quarterly to Council for its information.

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% can be decided by the Assessment Planners under delegated authority. 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:

1. 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.
2. 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.
3. 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.
4. 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, over the year, several variations allowed are purely 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 3 2020/21. Of 115 applications determined in the quarter, 4 variations in total are reported, 4 by the North Sydney Local Planning Panel and 0 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	Concurring authority	Date DA determined dd/mm/yyyy
240/20	1	546856		275	Alfred St North	North Sydney	2060	8: Commercial / retail / office	NSLEP 2013	B3 Commercial Core	Building Height	The proposed works will have a building height of up to 58.99m. The proposal does not seek to alter the existing height of 60.9m to the top of the ridgeline	45.99m (453%)	NSLPP	3/02/2021
302/20	104	1185623		4	Holt St	McMahons Point	2060	11: Industrial	NSLEP 2013	In2 Light Industrial	Building Height	The maximum building height for the site is 8.5m. The proposed building height to the main roof level is variable from 10.455m to 8.97m at the rear	8.97 (rear) & 10.455 at Holt St	NSLPP	3/03/2021
269/20	1	986038		20	Waiwera St	Lavender Bay	2060	1: Residential - Alterations & additions	NSLEP 2013	R3 Med Den Res	Building Height	Existing dwelling has a maximum building height of 11.45m. The proposed works would have a height of 10.4m which is measured to the top of the new internal wall to the ensuite on level 2	34.7%	NSLPP	3/02/2021
237/20	A	341243		30	Grosvenor St	Neutral Bay	2089	4: Residential - New multi unit	NSLEP 2013	R4 High Den Res	Building Height	maximum building height of 12m for the subject site	2.55m	NSLPP	3/03/2021