**SEPP 1 Returns**
**Quarter for 1 April 2018 to 30 June 2018**

| 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 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| DA/1257/2016 | Lot 1 & Lot 1 | DP 950410 & DP 943264 | | 6 & 8 | Malton Road | Beecroft | 2119 | Seniors Living - Self-Contained Dwellings | State Environmental Planning policy (Housing for Seniors or People with a Disabilty) 2004 (SEPP SH) | R2 Low Density Residential | height - single storey rear 25% site; gradient access to facilities | The applicant's submission to vary the *SEPP SH* development standard for single storey development within the rear 25% of a site is well founded for the following reasons: The proposed two storey residential flat building is partly within the rear 25% of the site and is designed to appear as a single storey building. The proposed building would not form a dominant element in the heritage streetscape and is of appropriate design to minimise loss of privacy and sunlight access to neighbouring residents. The Clause 4.6 variation request to vary the gradient standard (Cl 26(3) submitted in Land & Environment Court was acceptable to the Court in the Judgement of Commissioner Bish [2018] NSWLEC 1265. | N/A | Land and Environment Court | 5/06/2018 |
| DA/1124/2017 | 61 | 213986 | | 7 | Kooringal Avenue | Thornleigh | 2017 | Dwelling house | Hornsby Local Environmental Plan 2013 | R2 Low Density Residential | Height | • The request under Clause 4.6 of Hornsby Local Environmental Plan 2013 to vary the maximum building height is well founded. Strict compliance with the development standard is unreasonable and unnecessary in the circumstances of the case and there are sufficient environmental planning grounds to justify the variation to the development standard.<br>• The proposed development does not create unreasonable environmental impacts to adjoining development with regard to visual bulk, overshadowing, solar access, amenity, privacy impacts or natural environment. | Variation of less than 10% | Assume the concurrence of the Secretary of Department of Planning and Environment | 27/06/2018 |
| DA/147/2018 | Lot 28 Sec 3, Lot 29 Sec 3, Lot 300, Lot 301 | DP 1854, DP1193643 | | 21-27 | Station Street | Thornleigh | 2017 | Residential Flat Building | Hornsby Local Environmental Plan 2013 | R4 High Density Residential | Height | • The request under Clause 4.6 of Hornsby Local Environmental Plan 2013 to vary the maximum building height is well founded. Strict compliance with the development standard is unreasonable and unnecessary in the circumstances of the case and there are sufficient environmental planning grounds to justify the variation to the development standard.<br>• Due to the topography of the site, the height non-compliance is located in the centre of the building and is a result of a lift-overrun only, the non-compliance would not be readily visible from Station Street or Wood Street. Given the overall height of the development in the future context of the redeveloped precinct, this non-compliance would be imperceptible.<br>• A compliant development could be achieved on the site, however would result in the deletion of the rooftop communal open space, the private open space available for residents on the ground floor would be significantly reduced to accommodate a 4-metre-wide landscaped area and could result in provision of a bulkier building with a mezzanine level.<br>• The standard is unreasonable and unnecessary in this instance as the exceedance in building height would not result in any additional overshadowing of adjoining properties and would not be perceptible when viewed from Station Street or Wood Street given the height exceedance occurs in the middle of the building and represents 6% of the entire roof. | Variation of less than 10% | Assume the concurrence of the Secretary of Department of Planning and Environment | 27/06/2018 |