

Council DA Reference #	Address	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
011.2019.000 57574.001	LOT: 90 DP: 29721 27 Beachview Esp MACMASTERS BEACH, 2251	Residential - Single new dwelling	GLEP 2014	R2 LOW DENSITY RESIDENTIAL	4.3 Height	The gradient of the land means strict compliance with the standard would come at the cost of amenity within the design of the dwelling. There will be little to no impact on amenity of neighbours as a result of the variation.	10%	COUNCIL	23/04/2020
011.2017.000 51472.001	LOT: 1 DP: 18278 40 Dwyer St NORTH GOSFORD, 2250	Residential - New multi unit	GLEP 2014	R1 GENERAL RESIDENTIAL	4.3 - Height of Building & 4.4 Floor Space Ratio	Clause 4.3 - Height of building - The proposed height will be consistent with surrounding future development and will be considerably lower than future building heights to the south. The proposed variations not give rise to any significant impacts on surrounding or nearby properties. The imposition of strict adherence to the development standard is considered unreasonable and unnecessary given the context of the site, the fact that the variation will result in negligible impacts on the adjoining properties, and the fact that the height variation will be largely indiscernible from the public domain. The topography of the site, the benefit of the consolidation and the surrounding zoning context provide sufficient environmental planning grounds to support the variation.  Clause 4.4 Floor Space Ratio - proposal has been demonstrated to be consistent with the objectives of the zone and The additional FSR in the proposal will not result in adverse amenity, privacy, overshadowing or view impacts on surrounding properties.	4.3 Height - 9.7 CI 4.4 Floor Space Ratio 9.99%	COUNCIL	03/06/2020
011.2019.000 57079.001	LOT: 602 DP: 10570 20, Warrah St ETTALONG BEACH, 2257	Residential - New multi unit	GLEP 2014	R1 GENERAL RESIDENTIAL	4.1B Minimum lot Size and Height & 4.3 - Height of Building	Minimum Lot Size -Minor extent of variation Height - Minor encroachment above height and encroaching height is an architectural feature as outlined under Clause 4.6  Clause 4.1B of GLEP 2014 Minimum lot size - -Requirement 750m2 Proposed 730.4 Variation 19.6m2 or 2.61% Clause 4.3 of GLEP 2014 Maximum Height 8.5m Proposed height 9.27m Variation of 770mm or 9%.	Lot Size: 2.61% Height: 9%	COUNCIL	07/04/2020
011.2019.000 57306.001	LOT: 1 SP: 7533 1/222 Henry Parry Dr NORTH GOSFORD, 2250	Residential - New multi unit	GLEP 2014	R1 GENERAL RESIDENTIAL	Clause 4.3 Height	Sloping topography makes it difficult to meet standard and there will be no impact on streetscape amenity of neighbours.	1.2m / 10%	COUNCIL	20/05/2020

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011.2019.000 57550.001	LOT: 22 DP: 538202 51 Smiths Rd SOMERSBY, 2250	Industrial	GLEP 2014	RU1 PRIMARY PRODUCTION/ RU5 VILLAGE	Clause 4.3 Height	The proposed variation to the height provision for the RU 5 Village zone can be justified as the variation is small (1.85%) and the proposed building is located in a position on the site where the building is located topographically well below the main viewing area being Wisemans Ferry Road and dwellings located on adjoining properties will not be able to view the structure due to stands of existing trees providing a visual barrier.	1.85%	COUNCIL	07/05/2020
011.2019.000 57561.001	LOT: 1 DP: 1221260, 234 Terrigal Dr TERRIGAL, 2260	Residential - New multi unit	GLEP 2014	R1 GENERAL RESIDENTIAL	Clause 4.4 Floor Space Ratio	The proposal is of an acceptable bulk, scale and density and the variation to FSR will not result in any unreasonable amenity impacts.	8%	COUNCIL	25/06/2020
011.2019.000 57656.001	LOT: 188 DP: 223884 44 Kalakau Ave FORRESTER'S BEACH, 2260	Residential - Alterations & Additions	GLEP 2014	R2 LOW DENSITY RESIDENTIAL	LEP Clause 4.3(2) - Maximum Building Height and Clause 4.4(2) Maximum Floor Space Ratio.	Height variation - Consistent with adjoining development, site area and shape makes compliance with the numerical standard difficult. Floor Space Ratio variation - Consistent with adjoining development, site area and shape makes compliance with the numerical standard difficult. 1. Height Variation - The proposal seeks a maximum overall height of 9.348 metres in lieu of the permitted 8.5 metre mapped height limit applicable to the allotment, resulting in a variation of 9.9%. 2. Floor Space Ratio Variation - The proposal seeks a maximum overall Floor Space Ratio of 0.55:1 in lieu of the permitted mapped 0.5:1 Floor Space Ratio applicable to the allotment, resulting in a variation of 10%.	Height: 9.9% Floor Space Ratio: 10%	COUNCIL	06/04/2020
011.2019.000 57678.001	LOT: 1 DP: 709328 1 Pacific Hwy MOONEY MOONEY, 2083	Residential - Alterations & Additions	GLEP 2014	R2 LOW DENSITY RESIDENTIAL	CI 4.3 Building height	The proposed first floor addition has a building height of 8.7m at the highest point. The maximum building height is 8.5m. This is a 2.35% variation.	2.35%	COUNCIL	16/04/2020

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011.2019.000 57692.001	LOT: 5 DP: 17934 9 Webb St EAST GOSFORD, 2250	Residential - New multi unit	GLEP 2014	R1 GENERAL RESIDENTIAL	Clause 4.4 Floor Space Ratio	The proposal is a minor departure from the development standard and the additional gross floor area will not be readily perceptible externally, and will not unreasonably contribute to building bulk or result in adverse impacts on the streetscape or surrounding properties.	38m2 or 8.35% proposed - approx 25sqm or 5.5% variation	COUNCIL	17/06/2020
011.2019.000 57743.001	LOT: E DP: 409113 51 Frederick St EAST GOSFORD, 2250	Residential - New multi unit	GLEP 2014	R1 GENERAL RESIDENTIAL	Clause 4.4(2) & Clause 4.3	<p>Clause 4.4(2) of Gosford LEP 2014 stipulates a maximum floor space ratio of 0.7:1 with reference to the Floor Space Ratio Map. However Clause 4.4(2A) reduces floor space ratio to 0.5:1 where all car parking is not located in the basement, as is the case with the subject proposal. The site has an area of 1453.9m2 and the maximum permitted floor area is therefore 726.95m2. The proposed building has a gross floor area of 795.28m2 which results in a floor space ratio of 0.547:1. The excess floor area of 68.33m2 represents a 9.39% variation to the development standard. Clause 4.3 - Height of Buildings of Gosford Local Environmental Plan 2014, stipulates a maximum height of 8.5m. The development is predominantly below 8.5m building height, and a small part of the roof on the north-east building has a maximum height of between 8.57m and 8.77m, which represent an excess of between 70mm and 270mm or variation of between 0.82% to 3.17% to the 8.5m height limit.</p> <p>Slope of land means it would be difficult to meet standard and there will be no impact on amenity of neighbour.</p>	Floor: 9.39% Height: 0.82- 3.17%	COUNCIL	17/04/2020
011.2020.000 57805.001	LOT: 112 DP: 565188 28 Sorrento Rd EMPIRE BAY, 2257	Residential - New second occupancy	GLEP 2014	R2 LOW DENSITY RESIDENTIAL	4.3 - Height (Primary Dwelling)	<p>The proposed development (Primary Dwelling) seeks a 13.5% variation to the max height limit.</p> <p>This is for two main reasons:</p> <p>--The proposed addition seeks to match in with an existing roof line which has an existing height variation.</p> <p>--A small portion of the proposed addition extends upwards and is designed to add a layer of architectural interest to the development.</p>	13.5%	COUNCIL	16/04/2020

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011.2020.000 57960.001	LOT: 718 DP: 30049 195 Del Monte Pl COPACABANA, 2251	Residential - Alterations & Additions	GLEP 2014	R2 LOW DENSITY RESIDENTIAL	Clause 4.3 - Height of Buildings	Slope of land means it would be difficult to meet standard and there will be no impact on amenity of neighbours.	19.9%	COUNCIL	28/04/2020
011.2020.000 58070.001	LOT: 30 DP: 15452 9 Uralla Ln BLACKWALL, 2256	Residential - Alterations & Additions	GLEP 2014	R2 LOW DENSITY RESIDENTIAL	Gosford LEP 2014 Cl 4.3 Building height Gosford LEP 2014 Cl 4.3 Building height	Building Height - The required building height is 8.5m. Proposed building height is 8.85m. This exceeds the required height by 350mm and is a 4.1% variation. The lot is steep with fall to the street. The existing dwelling is being altered and existing floor levels are being maintained. The proposed development is not considered to have a significant impact on the surrounding built environment or the amenity of adjoining premises and is supported for approval. Front Setback - Average setback of the nearest two neighbouring dwellings is 13.7m. The proposed setback is 10.133m This is a 26% variation. The encroachment is a proposed first floor deck extension. The deck is open sided, unroofed, and is not considered to add significant scale and bulk of the overall development. The front setback encroachment is not considered substantial and not have a significant impact on the surrounding built environment or the amenity of adjoining premises and is supported for approval.	Height 4.1% Front SB 26%	COUNCIL	04/05/2020
011.2020.000 58109.001	LOT: 76 DP: 11007 433 Ocean Beach Rd UMINA BEACH, 2257	Residential - New multi unit	GLEP 2014	R1 GENERAL RESIDENTIAL	4.1B Minimum lot sizes for attached dwellings, dual occupancies, multi dwelling housing and residential flat buildings	Council in its planning assessment have conceded that the prescriptive requirements outlined within the Multi-Unit Housing and Residential Flat Buildings chapter are unrealistic for medium density development to be fully compliant with the numerical measures of the multi-dwelling chapter in the GDCP 2013. The economic feasibility to consolidate allotments and provide such little yield due to the loss of land available in regards to the required setbacks are onerous and rather the assessment of villa style development has been taken into account the context of what is been established and recently been approved by Council.	9.9%	COUNCIL	30/06/2020

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011.2020.000 58293.001	LOT: A DP: 415730 376 Booker Bay Rd BOOKER BAY, 2257	Residential - Alterations & Additions	GLEP 2014	R1 GENERAL RESIDENTIAL	Clause 4.3 Building Height	Maximum building height is 8.5m. Proposed building height is 8.783m. This is 283mm over the requirement or a 3.3% variation. The proposed modest first floor addition has a hip roof with a small length of ridge that exceeds the building height requirement. The lot is sloping to the rear. The neighbouring property has a similar ridge height of 8.76m. The ridge height is not considered to have a significant impact on the surrounding built environment or the amenity of adjoining premises and is supported for approval.	3.3%	COUNCIL	24/06/2020