



SEPP 1 Register - 2014/15

Council DA reference number	Lot No.	DP No.	Unit No.	Street No.	Street name	Suburb/ Town	Post code	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
October 2014															
10.2014.325.1	106	1034055		54	Centennial Circuit	Byron Bay	2481		Local Environmental Plan 1988	B7 Business Park	Clause 40 - Height of buildings	Byron LEP2014, which commenced on 21/7/2014 has done away with the 4.5 metre upper floor restriction. The development standard serves no useful purpose in this instance and the variation is supported.	2%	Council	28/07/2014
10.2014.229.1	4	748585			Grays Lane	Tyagarah	2482	Residential - Single new dwelling	Local Environmental Plan 1988	Zone No. 1(a) - General Rural Zone	Clause 40 - Height of buildings	<ul style="list-style-type: none"> The proposed development complies with the overall height limit of 9 metres above existing ground level. The building steps back as its height increases and the proposed departure relates only to a small portion of the upper floor. The site on which the dwelling-house is located falls approximately 12.0m from the west towards the east. The proposed variation does not result in any significant impacts in terms of height, bulk, scale or external appearance. The Second Floor portion of the dwelling-house which does not comply not visible from any public space other than Cape Byron which is located approximately 8 kilometres to the east. The proposed height variation will not result in significant adverse visual impacts on the locality as viewed from surrounding properties, or the public road. The Second Floor portion of the dwelling-house which does not comply not visible from any public space other than Cape Byron which is located approximately 8 kilometres to the east. The proposed variation does not raise any matters of state or regional environmental planning. The proposed variation does not compromise the integrity of the subject development standard. The Byron Local Environment Plan 2014, coming into effect on 21st July 2014, does away with this development standard and therefore the proposal satisfies the height requirements of the BLEP2014. 	6%	Council	9/07/2014

10.2014.266.1	11	827934		Taylor's Road	NASHA	2479	Subdivision	Local Environmental Plan 1988	RU1 Primary Production/RU2 Rural Landscape	Clause 11 - Minimum lot size	<ul style="list-style-type: none"> • The reversal of the consolidation reinstates the entitlements of the former 2.02 hectare and the dwelling & approved OSSM system that still exists on the lot . • The variation is justified as the resulting subdivision provides for the underlying objectives to be met whereas strict application of the standard would result in the objectives being undermined. • Strict compliance with the standard is considered unreasonable, unnecessary and not practical in the circumstances of the site. • The application does not raise any matter of significance for state or regional planning. • No public benefit is likely to result from maintaining the numerical development standard in the circumstances of the particular case. • The objection is sought, not to depart from sound planning, but to provide a reasonable solution to the circumstances of the situation. • The proposal is consistent with the objectives of the applicable zones. • The resulting pattern of settlement is consistent with that of the surrounding locality of the site. 	>10%	DoP	28/08/2014
10.2014.180.1	N	6270	38	Paterson Street	BYRON BAY	2481	Residential - Dual occupancy	Local Environmental Plan 1988	Zone No. 2(a) - Residential Zone	Clause 40 - Height of buildings	<ul style="list-style-type: none"> • The proposed development complies with the overall height limit of 9 metres above existing ground level. • The building steps back as its height increases and the proposed departure relates only to a portion of the upper floor. • The site on which the dwelling-house is located falls approximately 9.5m from the west towards the east. • The proposed variation does not result in any significant impacts in terms of height, bulk, scale or external appearance. The Second Floor portion of the dwelling-house which does not comply is setback approximately 6 metres from the secondary front boundary to Patterson Lane. • The proposed height variation will not result in significant adverse visual impacts on the locality as viewed from surrounding properties, or the public road. (see illustration at Section 1.3) • The proposed development is consistent with existing & proposed surrounding development in terms of height. • The proposed variation does not raise any matters of state or regional environmental planning. • The proposed variation does not compromise the integrity of the subject development standard. • The Byron Local Environment Plan 2014, which came into effect on 21st July 2014, does away with this development standard and therefore the proposal satisfies the height requirements of the BLEP2014. 	>10%	Council	8/08/2014

10.2014.394.1	2	34064	2	67	Brandon Street	SUFFOLK PARK	2481	Residential - Additions	Local Environmental Plan 1988	R2 Low Density Residential	Clause 14 - Floor space ratio	<ul style="list-style-type: none"> • Strict compliance with the development standard is considered unreasonable or unnecessary in this particular case as the resulting development achieves the underlying planning objectives of maintaining residential amenity within the neighbourhood ensuring density, bulk and scale are not excessive while also retaining enough of the site to meet setbacks, landscaping and open space requirements. • Strict compliance would not allow for the proper development of the village of Suffolk park as sought by this application, nor would assist the promotion of the social welfare of the community. • Strict compliance would not allow for the orderly and economic use of the land as sought by this application • Strict compliance would not achieve the housing objectives sought by this application. This is considered unnecessary and unreasonable in the circumstances where the proposal maintains the residential amenity of the neighbourhood and the proposal achieves necessary setbacks, landscaping and open space requirements. 	4%	Council	29/08/2014
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December 2014

10.2014.361.1	7	758207		35	Lawson Street	Byron Bay	2481	Residential - Additions	Byron Local Environmental Plan 1988	B2 Local centre	Clause 40 - Height of buildings	<ul style="list-style-type: none"> • The overall roof height has been redesigned and lowered accordingly • The bulk and scale is not inconsistent with surrounding development • The proposal will maintain the same upper floor level as constructed • Improvements in solar access with a reduced height 	<10%	Council	22/10/2014
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March 2015

No SEPP 1 variations																

June 2015

10.2015.201.1	5	818726		860	Wilsons Creek Road	Wilsons Creek	2482	Subdivison	Byron Local Environmental Plan 1988	Zone No. 7(c) Water Catchment Zone	Clause 11 - Minimum lot size	<ul style="list-style-type: none"> • Compliance with the minimum 40ha lot size is considered unreasonable and unnecessary as the lots are already in existence. ectifying an error that was made 23 years ago. • There are nil significant impacts as a result of this proposal. • Approval of this application is required to enable the owner of the dwelling on Lot 5 to comply with the required building setbacks (900mm) as currently the true boundary runs through the middle of the approved existing dwelling, which is unacceptable. 	>10%	Department of Planning	19/06/2015
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