

The following applications had a Clause 4.6 variation request granted during the period of 1 October 2022 to 31 December 2022.

### Manly LEP 2013

App No.	Address	Proposal	Category of Development	Development Standard Varied	Allowed	Proposed	Variation	Determined By
DA2022/0812	181 Sydney Road FAIRLIGHT NSW 2094	Alterations and additions to a dwelling house	Residential - Alterations and additions	4.3 Height of buildings	8.5m	8.6m	1.2%	Staff exercising delegated authority
DA2022/0193	199 - 205 Pittwater Road MANLY NSW 2095	Alterations and additions to shop top housing	Mixed	4.4 Floor space ratio	1:1 (684.6m <sup>2</sup> )	1.02:1 (696.19m <sup>2</sup> )	1.7%	NBLPP
DA2022/1589	71 Bower Street MANLY NSW 2095	Alterations and additions to a dwelling house	Residential - Alterations and additions	4.3 Height of buildings 4.4 Floor space ratio	8.5m 0.45:1 (314.6m <sup>2</sup> )	8.7m 0.47:1 (326.6m <sup>2</sup> )	2.35% 3.81%	Staff exercising delegated authority
DA2022/0976	55 Golf Parade MANLY NSW 2095	Alterations and additions to a semi-detached dwelling	Residential - Alterations and additions	4.4 Floor space ratio	0.6:1 (162.9m <sup>2</sup> )	0.616:1 (167.2m <sup>2</sup> )	2.64%	Staff exercising delegated authority
DA2022/0507	27 Wood Street MANLY NSW 2095	Alterations and additions to a dwelling house	Residential - Alterations and additions	4.4 Floor space ratio	0.6:1 (171.46m <sup>2</sup> )	0.62:1 (178.22m <sup>2</sup> )	3.3%	Staff exercising delegated authority
DA2022/1119	27 Violet Street BALGOWLAH NSW 2093	Alterations and additions to a dwelling house	Residential - Alterations and additions	4.4 Floor space ratio	0.5:1 (233.15m <sup>2</sup> )	0.52:1 (243m <sup>2</sup> )	4.3%	Staff exercising delegated authority
DA2022/1624	16 Barrabooka Street CLONTARF NSW 2093	Alterations and additions to a dwelling house	Residential - Alterations and additions	4.4 Floor space ratio	0.4:1 (267.7m <sup>2</sup> )	0.42:1 (283.1m <sup>2</sup> )	5.0%	Staff exercising delegated authority
DA2022/1034	2 / 20 Clifford Avenue FAIRLIGHT NSW 2094	Alterations and additions to a dwelling within an attached dual occupancy	Residential - Alterations and additions	4.3 Height of buildings	8.5m	9m	5.8%	Staff exercising delegated authority
DA2022/1312	12 Pine Street MANLY NSW 2095	Alterations and additions to a dwelling house	Residential - Alterations and additions	4.4 Floor space ratio	0.6:1 (139.74m <sup>2</sup> )	0.64:1 (150.0m <sup>2</sup> )	7.34%	Staff exercising delegated authority

DA2022/1788	22 Richmond Road SEAFORTH NSW 2092	Alterations and additions to a dwelling house including a pergola.	Residential - Alterations and additions	4.3 Height of buildings	8.5m	9.2m	8.2%	Staff exercising delegated authority
DA2022/1135	40 Ellery Parade SEAFORTH NSW 2092	Alterations and additions to a dwelling house	Residential - Alterations and additions	4.3 Height of buildings	8.5m	9.2m	8.2%	Staff exercising delegated authority
DA2022/1335	12 Panorama Parade SEAFORTH NSW 2092	Demolition works and construction of a dwelling house including swimming pool	Residential - Single new detached dwelling	4.4 Floor space ratio	0.45:1 (284.2m <sup>2</sup> )	0.488:1 (308.5m <sup>2</sup> )	8.6%	Staff exercising delegated authority
DA2022/1334	5 Beatty Street BALGOWLAH HEIGHTS NSW 2093	Alterations and additions to a dwelling house	Residential - Alterations and additions	4.3 Height of buildings	8.5m	9.53m	12.08%	DDP
DA2022/0678	31 Wood Street MANLY NSW 2095	Alterations and additions to a dwelling house	Residential - Alterations and additions	4.3 Height of buildings 4.4 Floor space ratio	8.5m 0.6:1 (172m <sup>2</sup> )	9.7m 0.65:1 (187.2m <sup>2</sup> )	14.1% 8.4%	DDP
DA2022/0856	53 Frenchs Forest Road SEAFORTH NSW 2092	Alterations and additions to form a secondary dwelling and construction of a swimming pool	Residential - New second occupancy	4.4 Floor space ratio	0.45:1 (205.4m <sup>2</sup> )	0.528:1 (241m <sup>2</sup> )	17.3%	DDP

### Manly LEP 2013 - Variations over 20%

App No.	Address	Proposal	Category of Development	Development Standard Varied	Allowed	Proposed	Variation	Determined By
DA2022/1131	5 / 7 & 6 / 7 Parkview Road FAIRLIGHT NSW 2094	Alterations and additions to a residential flat building including the consolidation of Units 5 and 6 into a single dwelling	Residential - Alterations and additions	4.4 Floor space ratio	0.75:1 (335.4m <sup>2</sup> )	0.94:1 (419.3m <sup>2</sup> )	25%	NBLPP

**Description:** The 4.6 request for the non-compliance with FSR standard arises from the existing gross floor area on the site. The proposal does not add or remove any existing gross floor area. As such, the proposed FSR is a technical non-compliance as it does not alter the existing FSR. The bulk and scale of the existing building is generally maintained with the balcony additions being of a lightweight design that minimises any perceived increase in building bulk.

DA2022/1289	9 Lower Beach Street BALGOWLAH NSW 2093	Alterations and additions to a semi-detached dwelling	Residential - Alterations and additions	4.4 Floor space ratio	0.45:1 (171.5m <sup>2</sup> )	0.577:1 (220m <sup>2</sup> )	28.2%	DDP
<b>Description:</b> The 4.6 request for the non-compliance with FSR standard arises due to an undersized allotment. It is noted that the FSR does achieve compliance with the FSR variations permitted within Manly DCP for undersized allotments.								
DA2022/0824	1 / 35, 2/35 & 35 Lauderdale Avenue FAIRLIGHT NSW 2094	Alterations and additions to create a dwelling house	Residential - Alterations and additions	4.3 Height of buildings  4.4 Floor space ratio	8.5m  0.5:1 (217.25m <sup>2</sup> )	10.96m  0.65:1 (284.9m <sup>2</sup> )	28.9%  30%	DDP
<b>Description:</b> FSR variation: The 4.6 request for the non-compliance with FSR standard arises from retaining the existing FSR, but the redistribution of the existing building floorspace on the first floor level. The existing building has an FSR of 0.65:1 (285.0m <sup>2</sup> ), which presents an existing variation of 30% of the MLEP 2013 based on historical approvals. The proposed FSR will be 0.65:1 (284.9m <sup>2</sup> ), which is a marginal reduction to the existing FSR. The retention of the existing numerically non-compliant FSR and the rearrangement of the building footprint will not create an unreasonable or adverse built form.  Building Height variation: The 4.6 request for the non-compliance with height standard arises from the site being extensively excavated underneath the existing building creating a 28.9% variation for a section of the building. Based on extrapolated natural ground levels the height would only be measured at a maximum of 9.7m (or 14.1% variation) for a length of 7.0m, with the remainder of the building in the northern portion of the site achieving compliance with the maximum building height requirement.								
DA2022/1500	8 / 122 Bower Street MANLY NSW 2095	Alterations and Additions to a Residential Flat Building	Residential - Alterations and additions	4.3 Height of buildings	8.5m	11.3m	33.3%	NBLPP
<b>Description:</b> The 4.6 request for the non-compliance with the height of building standard arises due to the replacement of windows and doors midway up the residential flat building, which creates a 33% variation. The existing building currently breaches the height limit significantly and a number of other windows and doors have been replaced in other apartments, in a similar way, in the last few years.								
DA2022/0509	25 Montpelier Place MANLY NSW 2095	Alterations and additions to a dwelling house	Residential - Alterations and additions	4.3 Height of buildings  4.4 Floor space ratio	8.5m  0.45:1 (257.3m <sup>2</sup> )	8.67m  0.605:1 (346.3m <sup>2</sup> )	2%  34.47%	DDP
<b>Description:</b> The 4.6 request for the non-compliance with FSR standard arises from a first floor addition at the rear of the building above existing floorspace and is consistent with the surrounding built form.								
DA2022/1047	6 Monash Crescent CLONTARF NSW 2093	Alterations and additions to a dwelling house including a swimming pool	Residential - Alterations and additions	4.4 Floor space ratio	0.4:1 (260.12m <sup>2</sup> )	0.54:1 (351m <sup>2</sup> )	35%	DDP
<b>Description:</b> The 4.6 request for the non-compliance with the Floor Space Ratio development standard arises from an existing non compliance and the development proposes a minor reduction in gross floor area of the overall dwelling.								

DA2021/2390	29 Monash Crescent CLONTARF NSW 2093	Alterations and additions to a dwelling house	Residential - Alterations and additions	4.4 Floor space ratio	0.4:1 (240m <sup>2</sup> )	0.54:1 (329m <sup>2</sup> )	37.1%	DDP
<b>Description:</b> The 4.6 request for the non-compliance with FSR standard arises due to an undersized allotment. It is noted that the FSR does achieve compliance with the FSR variations permitted within Manly DCP for undersized allotments.								
DA2021/1813	7 Bruce Avenue MANLY NSW 2095	Demolition works and construction of a dwelling house including a boat shed	Residential - Single new detached dwelling	4.3 Height of buildings	8.5m	11.7m	37.6%	DDP
<b>Description:</b> The 4.6 request for the non-compliance with height standard arises due to the steep site topography and from the site being partially excavated underneath the existing ground level of the building by 5.7m for a small section of the building approximately 121m <sup>2</sup> in area.								
DA2022/0643	19 - 23, 25 & 27 The Corso MANLY NSW 2095	Alterations and additions to the existing building to allow for shop-top housing and a pub	Mixed	4.3 Height of buildings	10m	14.47m 15.47m 18.67m	44.7% (No.23 - Roof) 54.7% (No.19-21 - Roof) 86.7% (No.19-21 - Lift Shaft)	NBLPP
<b>Description:</b> The 4.6 request for the non-compliance with height standard arises as a result of the existing height of the building. The height of the proposal is maintained in the top most storey fronting The Corso. The additions behind this area fronting The Corso are generally below the existing storey with the exception of the lift shaft. The variations proposed are up to 15.47m to the roof and 18.67m to the lift shaft.								
DA2022/1651	6 Richmond Road SEAFORTH NSW 2092	Alterations and additions to a dwelling house	Residential - Alterations and additions	4.4 Floor space ratio	0.4:1 (317.24m <sup>2</sup> )	0.58:1 (461.4m <sup>2</sup> )	45%	DDP
<b>Description:</b> The 4.6 request for the non-compliance with the FSR standard arises from a 14m <sup>2</sup> increase in floorspace. The existing building has an existing floor space of 433m <sup>2</sup> or 0.56:1. The new FSR will be a minor increase to 461m <sup>2</sup> or 0.58:1. Despite the non compliance, the proposal is not considered to result in any further unreasonable bulk, scale or amenity impacts from the street frontage and adjoining properties.								
DA2022/1330	20 / 7 The Crescent MANLY NSW 2095	Alterations and additions to a unit within a residential flat building including a new spa	Residential - Alterations and additions	4.3 Height of buildings	11m	28.1m	155%	NBLPP
<b>Description:</b> The 4.6 request is for the non-compliance with the height standard that arises from the works within the existing 8th level building involving internal works, new windows, spa pool, balustrading and a retractable awning. The works will sit below the existing roof line and will be setback from the front elevation and will not increase the visual bulk of the building. The proposal does not increase the existing non compliance of 155.4% above the building height standard.								

DA2022/1025	25 Cliff Street MANLY NSW 2095	Alterations and Additions to a Residential Flat Building	Residential - Alterations and additions	4.3 Height of buildings	8.5m	12.73m	49.76%	NBLPP
				4.4 Floor space ratio	0.6:1 (205.08m <sup>2</sup> )	1.63:1 (557.6m <sup>2</sup> )	171.67%	
<b>Description:</b> The Clause 4.6 request for the non-compliance with the FSR standard arises from a 28.6sqm increase in floor space. The existing building has an existing floor space of 1.55:1, which is 157.95% above compliance with the LEP standard of 0.6:1 based on historical approvals. The proposal increases the existing floor space from 1.55:1 (529sqm) to 1.63:1 (557.6sqm). The additional floor space is located within the footprint of the existing ground floor rear alfresco and does not increase the perceived bulk and scale of the existing residential flat building.								
DA2021/1330	15 Bligh Crescent SEAFORTH NSW 2092	Alterations and additions to a dwelling house	Residential - Alterations and additions	4.3 Height of buildings	8.5m	13.06m	54%	DDP
				4.4 Floor space ratio	0.4:1 (113.8m <sup>2</sup> )	1.04:1 (298m <sup>2</sup> )	162%	
<b>Description:</b> The 4.6 request for the non-compliance with the Floor Space Ratio standard arises from the redistribution and minor increase to the floor area the existing dwelling upon an undersized allotment and results in an overall increase of 13sqm which results in a minimal change in the visual bulk and scale of the existing building. It is noted that the FSR does achieve compliance with the FSR variations permitted within Manly DCP for undersized allotments.								

### Pittwater LEP 2014

App No.	Address	Proposal	Category of Development	Development Standard Varied	Allowed	Proposed	Variation	Determined By
DA2022/1210	10 Elvina Avenue NEWPORT NSW 2106	Alterations and additions to a dwelling house	Residential - Alterations and additions	4.3 Height of buildings	8.5m	8.72m	2.59%	Staff exercising delegated authority
DA2022/1396	32 Prince Alfred Parade NEWPORT NSW 2106	Alterations and additions to a dwelling within a dual occupancy development	Residential - Alterations and additions	4.3 Height of buildings	8.5m	8.85m	4.12%	Staff exercising delegated authority
DA2022/1429	126 Prince Alfred Parade NEWPORT NSW 2106	Alterations and additions to a dwelling house	Residential - Alterations and additions	4.3 Height of buildings	8.5m	9.0m	5.9%	Staff exercising delegated authority

DA2022/0042	62 Florida Road PALM BEACH NSW 2108	Alterations and additions to a dwelling house including a swimming pool and cabana with studio	Residential - Alterations and additions	4.3 Height of buildings	8.5m	9.1m	7%	DDP
DA2022/0617	917 Barrenjoey Road PALM BEACH NSW 2108	Demolition works and construction of a dwelling house including a swimming pool	Residential - Single new detached dwelling	4.3 Height of buildings	8.5m	9.1m	7%	DDP
DA2022/0666	439 Barrenjoey Road NEWPORT NSW 2106	Alterations and additions to a dwelling house including a swimming pool	Residential - Alterations and additions	4.3 Height of buildings	8.5m	9.6m	12.9%	DDP
DA2022/0953	18 Rednal Street MONA VALE NSW 2103	Demolition works and construction of a dwelling house and swimming pool	Residential - Single new detached dwelling	4.3 Height of buildings	8.5m	9.65m	13.5%	DDP
DA2022/0753	160 Crescent Road NEWPORT NSW 2106	Demolition works and construction of a dwelling house including swimming pool	Residential - Single new detached dwelling	7.8 Limited development on foreshore area	Building footprint must not extend further into the foreshore area	Proposed works will extend into the foreshore area by 3.4m	Non-numerical development standard	NBLPP

### Pittwater LEP 2014 - Variations over 20%

App No.	Address	Proposal	Category of Development	Development Standard Varied	Allowed	Proposed	Variation	Determined By
DA2021/1718	6 / 5 A Wollombi Road BILGOLA PLATEAU NSW 2107	Construction of a dwelling house including a swimming pool	Residential - Single new detached dwelling	4.3 Height of buildings	8.0m	10.5m	31.25%	DDP

**Description:** The Clause 4.6 request for the non-compliance with the height of buildings standard arises in relation to the north-eastern corner of the garage, as the land beneath it falls steeply towards a natural watercourse. The encroaching corner is positioned around 5.0m from the boundary and is not found to cause any impacts on neighbours.

DA2022/1293	15 Hansford Parade BILGOLA PLATEAU NSW 2107	Alterations and additions to a dwelling house	Residential - Alterations and additions	4.3 Height of buildings	8.5m	14.1m	65%	DDP
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**Description:** The non-compliance with the Height of Building standard arises due to siting of the existing dwelling and significant slope of the site. It is noted that the proposal qualifies with the 10m height variations permitted on sloping sites, however extends beyond the 10m permitted variation. The height non-compliance does not contribute to any unreasonable or excessive building bulk and scale or result in adverse amenity impacts to nearby properties with respect to view sharing, visual bulk or solar access.

## Warringah LEP 2011

App No.	Address	Proposal	Category of Development	Development Standard Varied	Allowed	Proposed	Variation	Determined By
DA2022/0080	9 / 17 & 17 Wheeler Parade DEE WHY NSW 2099	Alterations and Additions to a unit within a residential flat building	Residential - Alterations and additions	4.3 Height of buildings	11m	11.1m	0.9%	Staff exercising delegated authority
DA2022/1553	123 Victor Road DEE WHY NSW 2099	Alterations and additions to a dwelling house including a swimming pool	Residential - Alterations and additions	4.3 Height of buildings	8.5m	8.625m	1.5%	Staff exercising delegated authority
DA2022/0935	31 Jocelyn Street NORTH CURL CURL NSW 2099	Demolition works and construction of a dwelling house	Residential - Alterations and additions	4.3 Height of buildings	8.5m	8.69m	2.24%	Staff exercising delegated authority
DA2022/1658	6 Ross Street NORTH CURL CURL NSW 2099	Alterations and additions to a dwelling house	Residential - Alterations and additions	4.3 Height of buildings	8.5m	8.7m	2.35%	Staff exercising delegated authority
DA2021/2515	15 Bridgeview Crescent FORESTVILLE NSW 2087	Demolition works and construction of a dwelling house	Residential - Single new detached dwelling	4.3 Height of buildings	8.5m	8.8m	3.5%	Staff exercising delegated authority
DA2022/1757	1 Kandra Road BEACON HILL NSW 2100	Alterations and additions to a dwelling house	Residential - Alterations and additions	4.3 Height of buildings	8.5m	8.8m	3.5%	Staff exercising delegated authority
DA2022/0671	36 Greycliffe Street QUEENSCLIFF NSW 2096	Alterations and additions to a dwelling house, including a swimming pool	Residential - Alterations and additions	4.3 Height of buildings	8.5m	9.1m	7%	DDP

DA2021/2617	25 Carrington Parade FRESHWATER NSW 2096	Alterations and additions to a dwelling house	Residential - Alterations and additions	4.3 Height of buildings	8.5m	9.12m	7.29%	Staff exercising delegated authority
DA2022/1142	7 McDonald Street FRESHWATER NSW 2096	Alterations and additions to a dwelling house including a swimming pool	Residential - Alterations and additions	4.3 Height of buildings	8.5m	9.13m	7.41%	Staff exercising delegated authority
DA2022/1432	26 Smith Avenue ALLAMBIE HEIGHTS NSW 2100	Alterations and additions to a dwelling house	Residential - Alterations and additions	4.3 Height of buildings	8.5m	9.34m	9.9%	Staff exercising delegated authority
DA2022/0232	20 Cromer Road CROMER NSW 2099	Alterations and additions to a dwelling house including a swimming pool	Residential - Single new detached dwelling	4.3 Height of buildings	8.5m	9.35m	10%	Staff exercising delegated authority
DA2022/0855	23 Plateau Road COLLARROY PLATEAU NSW 2097	Alterations and additions to a dwelling house including a swimming pool	Residential - Alterations and additions	4.3 Height of buildings	8.5m	9.4m	10.59%	DDP
DA2022/1503	31 Towradgi Street NARRAWEENA NSW 2099	Alterations and additions to a dwelling house	Residential - Alterations and additions	4.3 Height of buildings	8.5m	9.45m	11.18%	DDP
DA2022/0914	5 Nenagh Street NORTH MANLY NSW 2100	Alterations and additions to a dwelling house	Residential - Alterations and additions	4.3 Height of buildings	8.5m	9.75m	14.71%	DDP
DA2022/1436	47 Sorlie Road FRENCHS FOREST NSW 2086	Alterations and additions to a dwelling house	Residential - Alterations and additions	4.3 Height of buildings	8.5m	9.85m	15.9%	DDP

### Warringah LEP 2011 - Variations over 20%

App No.	Address	Proposal	Category of Development	Development Standard Varied	Allowed	Proposed	Variation	Determined By
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DA2022/0682	291 & 293 Condamine Street MANLY VALE NSW 2093	Demolition works and construction of shop top housing	Mixed	4.3 Height of buildings	11m	14.8m	30%	NBLPP
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**Description:** The 4.6 request for the non-compliance with height standard arises from the site already being partially excavated underneath the existing building creating a 30% variation for the lift overrun, giving a maximum height of 14.8m. Based on extrapolated natural ground levels the height would only be measured at a maximum of 12.6m or 14.5% variation at the highest point of the upper storey.