



Waverley Council
55 Spring Street,
Bondi Junction, NSW 2022

Attn: The General Manager

26 September 2024

Re: DA-22/2024 – Summary of Clause 4.6 Variation Requests to Vary Development Standards

We write to provide a brief summary as to the number and purpose of Clause 4.6 Statements prepared with respect to DA-22/2024 which seeks development consent for demolition of all structures and construction of a seniors housing development with retail and business premises at ground floor level, two basement levels vehicle parking, tree removal, consolidation of lots, and VPA offer at 669-683 Old South Head Road, Vaucluse.

We note that there are six (6) Clause 4.6 Statements that have been prepared and lodged with regard to the DA as amended.

The most recent and up-to-date Clause 4.6 Statements are all dated 26 September 2024 and have been prepared by SJB Planning. For clarity we provide an overview of the statements in the table below.

Statement Title	Comment	Date
<i>Request to Vary Clause 4.3 of the Waverley Local Environmental Plan 2012</i>	<p>The statement sets out a request to vary the height of buildings development standard at Clause 4.3 of the WLEP 2012.</p> <p>This statement has been updated from the previously submitted statement to reflect the amended number of proposed units (i.e. 30).</p>	26/09/2024
<i>Request to Vary Section 108(2)(a) & (b) of the State Environmental Planning Policy (Housing) 2021</i>	<p>This statement sets out a request to vary the non-discretionary development standards for building height at Section 108(2)(a) and (b) of the State Environmental Planning Policy (Housing) 2021.</p> <p>It is noted that this statement has been prepared and submitted for abundant caution only, as it is considered that the provisions of the non-discretionary development standards</p>	26/09/2024

	<p>at Section 108(2)(a) and (b) of the Housing SEPP are not relevant in the circumstances of the proposed development.</p> <p>It is noted that this statement addresses the request by Council in letter dated 19 September 2024 for a Clause 4.6 Statement to address the non-discretionary development standard at s108(2)(b) of the Housing SEPP</p>	
<i>Request to Vary Section 84(3)(c) of the State Environmental Planning Policy (Housing) 2021</i>	The statement sets out a request to vary the development standard for building height relating to the height of roof servicing equipment at Section 84(3)(c) of the State Environmental Planning Policy (Housing) 2021 and is provided per the request by Council in letter dated 19 September 2024	26/09/2024
<i>Request to Vary Clause 4.4 of the Waverley Local Environmental Plan 2012.</i>	<p>This Statement sets out a request to vary the Floor Space Ratio (FSR) development standard at Clause 4.4 of the WLEP 2012.</p> <p>This statement has been updated from the previously submitted statement to reflect the amended number of proposed units (i.e. 30) and the recalculating of the GFA in accordance with Councils comments in letter dated 19 September 2024.</p>	26/09/2024
<i>Request to Vary Section 87(2)(b)(i) of the State Environmental Planning Policy (Housing) 2021.</i>	<p>This Statement sets out a request to vary the Additional Floor Space standard at Section 87(2)(b)(i) of the Housing SEPP.</p> <p>This statement has been updated from the previously submitted statement to reflect the amended number of proposed units (i.e. 30) and the recalculating of the GFA in accordance with Councils comments in letter dated 19 September 2024.</p>	26/09/2024
<i>Request to Vary Section 108(2)(c) of the State Environmental Planning Policy (Housing) 2021</i>	<p>This Statement sets out a request to vary the non-discretionary development standard for Floor Space Ratio (FSR) at Section 108(2)(c) of the State Environmental Planning Policy (Housing) 2021.</p> <p>It is noted that this statement seeking to vary the non-discretionary standard has been prepared and submitted for abundant caution only, as it is considered that the provisions of the non-discretionary development standard for FSR at Section 108(2)(c) of the Housing SEPP are not relevant in the circumstances of the proposed development.</p> <p>This statement has been updated from the previously submitted statement to reflect the amended number of proposed units (i.e. 30)</p>	26/09/2024

	and the recalculating of the GFA in accordance with Councils comments in letter dated 19 September 2024.	
--	--	--

We note that the Clause 4.6 Variation Requests prepared to vary the development standards expressed under Sections 84(3)(c), 108(2)(a),(b) & (c) of the State Environmental Planning Policy (Housing) have been provided for completeness and an abundance of caution notwithstanding that are not relevant and or are redundant in the circumstances of the proposed development.

Should you require any further information, please do not hesitate to contact me on (02) 9380 9911 or by email at sgordon@sjb.com.au.

Yours Sincerely,



Stuart Gordon
Associate