

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	Determination authority	Date DA determined dd/mm/yyyy
DA20/0810	20 21 22	31682 215146	NA	34	Somerset Street	Kingswood	2747	12: Community facility	Penrith Local Environmental Plan 2010	B4	Height of Building	The development remains consistent with the objectives of the maximum building height control and, on that basis, compliance is unreasonable or unnecessary. The impact anticipated by the numerical control is comparable to the impacts associated with the non-compliance. There are sufficient environmental planning grounds to justify varying the standard.	16.9%	SWCPP	29/10/21
DA21/0031	25	36402	NA	4	Rawson Avenue	Penrith	2750	3: Residential - New second occupancy	Penrith Local Environmental Plan 2010	R3	Minimum lot size	Compliance with the development standard is unreasonable or unnecessary. Objectives of zone and standard have been achieved.	0.5%	Council	23/12/21
DA21/0154	62 63 64	33490	NA	44	Rodley Avenue	Penrith	2750	4: Residential - New multi unit	Penrith Local Environmental Plan 2010	R4	Height of Building	The proposed development is consistent with the zone objectives. The resultant development is not inconsistent with the objectives of the height of building standard.	2.2%	LPP	24/11/21
DA20/0767	58 59 57	36728 215146	NA	28-32	Somerset Street	Kingswood	2747	7: Tourist	PLEP2010	B4	Cl 4.3 Building Height	The proposed development warrants favourable consideration under this clause because it has been demonstrated that there are sufficient environmental planning grounds to justify contravening the development standard. Strict compliance with the building height standard is considered unreasonable and unnecessary in the particular circumstances of this case and will result in the loss of a much needed community benefit. Conversely, applying a reasonable degree of flexibility in applying the building height standard will achieve a better outcome.	10.2%	LPP	21/09/2021
DA21/0163	12	1056135	NA	115-119	Great Western Highway	Emu Plains	2750	12: Community facility	PLEP2010	R2	Cl 4.3 Building Height	The contravention of the building height development standard in the proposal does not cause any matter of significance for State or regional environmental planning. Beyond the non-compliance with the height standard, the proposal complies with the relevant development standards of the LEP and the relevant controls of the DCP. The contravention to the standard is considered to be in the public interest and there would be no public benefit in not supporting the variation request given the benefits to the school and community that the design affords.	20.8%	LPP	21/07/2021
DA21/0397	11 12 13	1158609		124-126	River Road	Emu Plains	2750	1: Residential - Alterations & additions	PLEP2010	R2	Clause 4.3 (Height of Buildings)	The application to vary the building height development standard is well founded and as addressed meets the objectives of the building height development standard. The proposal achieves an acceptable design outcome and one that does not result in unreasonable amenity impacts towards surrounding properties.	9.88%	Council	
DA21/0426	12	1247788	NA	92	River Road	Emu Plains	2750	2: Residential - Single new dwelling	PLEP2010	R2	Cl 4.3 Building Height	The application to vary the building height development standard is well founded and as addressed meets the objectives of the building height development standard. The proposal achieves an acceptable design outcome and one that does not result in unreasonable amenity impacts towards surrounding properties. Consequently, strict compliance with the development standard is unreasonable and unnecessary in this instance and that the use of Clause 4.6 of the PLEP 2010 to vary the control is appropriate.	8.24%	Council	13/07/2021