

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	Concurring authority	Date DA determined dd/mm/yyyy
DA2022/0643	1	12000		31	Mary Street	LIDCOMBE	2141	9: Mixed	Cumberland LEP 2021	R4 High Density Residential - Cumberland	Height of Building	Land and Environment Court of NSW granted approval on the 24th October 2023.  The approved building height was 24.64m (to the top of the lift overrun RL 41.55 to an approximate NGL of 16.91m).  Variation of 23.2% or 4.64m was approved.  Reason for breach was not specified however it pertains to the communal rooftop, its structures including its lift and overrun structure and to building portions of the recreation facility indoor (swimming pool) level.	23.2% or 4.64m	Court	24/10/2023
DA2020/0336	17	982836		22	Park Road	AUBURN	2144	9: Mixed	Cumberland LEP 2021	E1 Local Centre - Cumberland	Height of building Floor Space Ratio	vary height and fsr as per LEC judgement	Height 2.1% FSR 1%	Court	18/12/2023
DA2022/0463	C	26290		276 - 278	Parramatta Road	AUBURN	2144	8: Commercial / retail / office	Cumberland LEP 2021	E3 Productivity Support - Cumberland	Height of Building	The proposed building includes hotel and motel accommodation and is subject to the maximum 27 metre building height under the Cumberland LEP 2021. The building maintains a maximum height of 29.23 metres to the stair overrun, which equates to a building height exceedance of 2.23 metres, or 8.3%. Strict compliance with the maximum building height requirement is considered unreasonable and unnecessary in the context of the development as the built form is site responsive and the development presents an acceptable bulk and scale. The portion of the building that exceeds the maximum building height comprises the stair overrun (at the highest point), lift overrun, building parapet and rooftop services. The area of the building that exceeds the maximum height does not comprise any floor area.	2.23 metres, or 8.3%	JRPP	17/10/2023
DA2023/0663	13	688		16	Queen Street	GRANVILLE	2142	2: Residential - Single new dwelling	Cumberland LEP 2021	R2 Low Density Residential - Cumberland	LotSize	0.9%, approved as the site area complies with the Cumberland DCP 2021	0.9	Council	19/12/2023
DA2023/0424	11	35147		25	Ralph Street	WESTMEAD	2145	2: Residential - Single new dwelling	Cumberland LEP 2021	R3 Medium Density Residential - Cumberland	FloorPlan	FSR Requirement: 0.7:1, proposed FSR is 0.73:1, which is a variation of 4.5%. Variation is supported as dual occupancy has already been erected under a complying development certificate (CDC), which allows a higher GFA. DA is for use of the dual occupancy as it was not built in accordance with the approved CDC on the ground floor western elevation side setback. Variation is acceptable as the proposed development has already been erected and is consistent with the R3 Medium Density Residential Zone Objectives and the Floor Space Ratio Objectives	4.50%	Council	21/11/2023
DA2023/0317	A	342775		31	Enid Avenue	GRANVILLE	2142	7: Residential - Other	Cumberland LEP 2021	R4 High Density Residential - Cumberland	Height		13.50%	Court	10/11/2023
DA2023/0243	1	1271537		52	McFarlane Street	MERRYLANDS	2160	10: Mixed	Cumberland LEP 2021	E2 Commercial Centre	FloorPlan	There was also a second Clause 4.6 variation approved for height. The height variation for Building D was 6.25%. The height variation for Building E was 5.01%. As such, this application had 2 Clause 4.6 Variations supported and approved.	4.70%	LocalPanel	24/11/2023
DA2023/0480	92	10981		18	Faulds Road	GUILDFORD WEST	2161	2: Residential - Single new dwelling	Cumberland LEP 2021	R2 Low Density Residential - Cumberland	LotSize	A 12.62 % variation to Cl 53(2)(a) Minimum Lot size under SEPP (Housing) 2021 for a secondary dwelling was granted deferred commencement consent (393.23m2 allotment granted deferred commencement).	12.62%	LocalPanel	22/11/2023