

Clause 4.6 Returns Quarter 2 - 1 April to 30 June 2023

Council DA reference number	DA/166/2023	DA/1236/2022
Lot number	2	101
DP number	SP58785	1037591
Apartment/Unit number	2	
Street number	17	21
Street name	Casuarina Drive	Fraser Road
Suburb/Town	Cherrybrook	Normanhurst
Postcode	2126	2076
Category of development	1: Residential - Alterations & additions	1: Residential - Alterations & additions
Environmental planning instrument	HLEP	HLEP
Zoning of land	R2	R2
Development standard to be varied	4.3	4.3
Justification of variation	That the written request adequately demonstrates compliance with the clause and is acceptable in this regard. Notwithstanding the non-compliance with numerical standards, the proposal does not give rise to any adverse amenity impacts to any adjoining property. Previous excavation works to facilitate the ground floor garage has restricted future development compliant with Clause 4.3 of the HLEP. The height contravention would not adversely affect the streetscape.	That the written request adequately demonstrates compliance with the clause and is acceptable in this regard. Notwithstanding the non-compliance with numerical standards, the proposal does not give rise to any adverse amenity impacts to any adjoining property.
Extent of variation	9.4%	1.3%
Concurring authority	Council	Council
Date DA determined	11/04/2023	26/04/2023

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Council DA reference number	DA/1313/2022	DA/1244/2021
Lot number	1	146, 148 and 149 51 1 and 2
DP number	25196	1212965, 1212724, 1261337
Apartment/Unit number		30
Street number	62	15B, 17, 19, 19A and 21 579
Street name	Dartford Road	Penrhyn Ave and Pennant Hills Road
Suburb/Town	Thornleigh	West Pennant Hills and Beecroft
Postcode	2120	2119 and 2125
Category of development	13: Subdivision only	5: Residential - Seniors Living
Environmental planning instrument	HLEP	SEPP HSPD 2004
Zoning of land	R2	R2
Development standard to be varied	4.1	Clause 40(4)(b)
Justification of variation	That the written request adequately demonstrates compliance with the clause and is acceptable in this regard. Strict compliance with the development standard is considered unreasonable and unnecessary in the circumstances of the case and sufficient environmental planning grounds have been submitted to justify the contravention to the development standard.	That the written request adequately demonstrates compliance with the clause and is acceptable in this regard. The proposal would be of a bulk and scale consistent with the Penrhyn Avenue streetscape, the proposed townhouse building would appear as a 2 storey building from the street and the proposed variation is appropriate considering the constraints of the site and would not create any adverse amenity impacts in terms of privacy, overshadowing, view loss or visual impact.
Extent of variation	0.9%	50%
Concurring authority	Council	LPP
Date DA determined	27/04/2023	26/04/2023

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Council DA reference number	DA/1221/2022	DA/135/2023
Lot number	15	10
DP number	219738	219143
Apartment/Unit number		
Street number	24	20
Street name	Berkeley Close	Bungowen Avenue
Suburb/Town	Berowra Heights	Thornleigh
Postcode	2082	
Category of development	1: Residential - Alterations & additions	1: Residential - Alterations & additions
Environmental planning instrument	HLEP	HLEP
Zoning of land	R2	R2
Development standard to be varied	4.3	4.3
Justification of variation	That the written request adequately demonstrates compliance with the clause and is acceptable in this regard. Notwithstanding the non-compliance with numerical standards, the proposal does not give rise to any adverse amenity impacts to any adjoining property. Previous excavation works to facilitate the lower ground level has restricted future development compliant with Clause 4.3 of the HLEP. The height contravention would not adversely affect the streetscape.	That the written request adequately demonstrates compliance with the clause and is acceptable in this regard. Notwithstanding the non-compliance with numerical standards, the proposal does not give rise to any adverse amenity impacts to any adjoining property. Previous development works to facilitate the lower ground level has restricted future development compliant with Clause 4.3 of the HLEP. The height contravention would not adversely affect the streetscape.
Extent of variation	14.82%	5.8%
Concurring authority	Council	Council
Date DA determined	3/05/2023	19/06/2023

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Council DA reference number	DA/245/2023	DA/1170/2022
Lot number	2	42
DP number	1275032	236494
Apartment/Unit number		
Street number	45A	33
Street name	Orana Avenue	Evans Road
Suburb/Town	Hornsby	Hornsby Heights
Postcode	2077	2077
Category of development	2: Residential - Single new dwelling	2: Residential - Single new dwelling
Environmental planning instrument	HLEP	HLEP
Zoning of land	R2	R2
Development standard to be varied	4.3	4.3
Justification of variation	That the written request adequately demonstrates compliance with the clause and is acceptable in this regard. Notwithstanding the non-compliance with numerical standards, the proposal does not give rise to any adverse amenity impacts to any adjoining property. The dwelling would not be feasible if strict compliance with clause 4.3 was enforced due to the steep slope of the land. The height contravention would not adversely affect the streetscape.	That the written request adequately demonstrates compliance with the clause and is acceptable in this regard. Notwithstanding the non-compliance with numerical standards, the proposal does not give rise to any adverse amenity impacts to any adjoining property. The dwelling would not be feasible if strict compliance with clause 4.3 was enforced due to the steep slope of the land. The height contravention would not adversely affect the streetscape.
Extent of variation	27%	63.5%
Concurring authority	LPP	LPP
Date DA determined	28/06/2023	28/06/2023