

ITEM 6 QUARTERLY VARIATIONS REPORT FOR DEVELOPMENT APPLICATIONS MARCH 2019

This quarterly report to Council identified two (2) Development Applications which were determined during the period 1 January 2019 to 31 March 2019 where a variation to a development standard was granted. The NSW Department of Planning and Environment has been notified of the variations as part of Council's ongoing reporting requirements.

RECOMMENDATION

Council note the report.

REPORT AUTHORISATIONS

Report of: Darren Burke, Manager Development and Certification (Acting)
Authorised by: Mark Riordan, Director Planning and Environment - Future City and Neighbourhoods (Acting)

ATTACHMENTS

- 1 Variations to Development Standards - January 2019 to March 2019

BACKGROUND

Development Applications involving variations to development standards may be made under clause 4.6 of Wollongong Local Environmental Plan 2009 (WLEP 2009). Requirements are provided within clause 4.6 of WLEP 2009 for the assessment of variations to development standards.

Any variations approved are reported on a quarterly basis to the NSW Department of Planning and Environment (DPE), in accordance with procedural guidelines. Council and the DPE may in turn consider the extent and nature of variations granted when reviewing relevant planning controls or instruments.

Wollongong City Council provides further transparency and oversight of applications seeking departures to development standard via:

- Wollongong Local Planning Panel (WLPP) review
- Declaration of any variation during public exhibition
- Maintaining an ongoing public record of all variations approved

Following recent amendments to Planning Panel operations by NSW DPE minor variations to development standards (below 10%) receiving less than two objections may be determined by staff under delegated authority.

QUARTERLY RESULT

1 January to 31 March 2019

During the 1 January 2019 to 31 March 2019 quarter two (2) Development Applications were approved which included a variation to a development standard.

- The first application (DA-2018/973) involved the demolition of existing structures and the construction of a new 15 storey mixed use building comprising of seven (7) commercial tenancies, sixty-four (64) residential apartment buildings and car parking. The application involved a variation to the building separation distance within the B3 Commercial Core zone or B4 Mixed Use zone and is a development to which State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development applies. The application was considered by WLPP on 20 March 2019 and the proposed variation to the building separation distance was supported.

- The second application (DA-2019/5) involved alterations and additions to a dwelling-house. This involved a 10% variation to the maximum floor space ratio (FSR) of 0.5:1 (approved 0.55:1 FSR). The application was determined under delegated authority by Council staff.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal “We value and protect our environment”. It specifically delivers on core business activities as detailed in the Development Assessment Service Plan 2018-189.

Development Applications approved with variations to development standards for the quarterly period between 1 January 2019 and 31 March 2019 (Reporting applications with a decision of 'Approved'/'Deferred Commencement')

Application	DA-2018/973			
Lot	Lot B DP 358466, Lot 39 Sec 5 DP 1258, Lot 38 Sec 5 DP 1258, Lot A DP 358466	Zone	B3 Commercial Core	
Address	28 Young Street, Wollongong NSW 2500 30 Young Street, Wollongong NSW 2500 32 Young Street, Wollongong NSW 2500 29-31 Belmore Street, Wollongong NSW 2500			
Description	Residential - demolition of existing structures and construction of a 15 storey mixed use development comprising seven (7) commercial tenancies, 64 residential apartments and car parking for 90 vehicles			
Decision	Approved		Decision Date	20 March 2019
Variations	Planning Instrument	WLEP 2009	Clause	Clause 8.6 (2,3) Zone B3 Commercial Core/Zone B4 Mixed
	Justification of variation	The objective of this clause is to ensure sufficient separation of buildings for reasons of visual appearance, privacy and solar access. The visual appearance of the building is considered satisfactory. A suitable degree of articulation is provided as well as a mixture of materials and finishes which add visual interest to the building. No concerns are raised in regard to visual privacy. The adjoining development to the south is a two storey commercial building constructed on the boundary with no openings. The land to the north similarly contains a single commercial building. Solar access to the units within the development or adjoining buildings is not compromised by the variation. The proposal also accords with the zone objectives.		
	Extent of variation	A zero setback up to street frontage height is proposed for levels containing residential units, instead of a general 20 metre separation distance between buildings.		
	Concurring Authority	Council under assumed concurrence		

Application	DA-2019/5			
Lot	Lot 2 SP 86050	Zone	R2 Low Density Residential	
Address	2/757 Lawrence Hargrave Drive, Coledale NSW 2515			
Description	Residential - demolition of carport, alterations and additions to existing dwelling house and construction of a detached garage			
Decision	Approved		Decision Date	29 March 2019
Variations	Planning Instrument	WLEP 2009	Clause	Clause 4.4 (2) Floor space ratio
	Justification of variation	The site already exceeds the FSR of 0.5:1 at 0.53:1 and it is considered the 8.5sqm increase in floor area for the proposed alterations and additions to the existing dwelling to 0.55:1 is acceptable in the circumstance of the case. The proposal will not result in any detrimental impact on the amenity of the adjoining properties or the streetscape and is consistent with the bulk and scale of surrounding dwellings. Overall the development has demonstrated to be consistent with the objectives of Clause 4.4 Floor space ratio and the objectives of the R2 zone.		
	Extent of variation	9.6% departure		
	Concurring Authority	Council under assumed concurrence		