

ITEM 8

QUARTERLY VARIATIONS FOR DEVELOPMENT APPLICATIONS - JANUARY TO MARCH 2020

This quarterly report to Council identifies two (2) Development Applications which were determined during the period 1 January 2020 to 31 March 2020, where a variation to a development standard was granted. The NSW Department of Planning, Industry, and Environment has been notified of the variations as part of Council's ongoing reporting requirements.

RECOMMENDATION

Council note the development standards variation report for the period 1 January to 31 March 2020.

REPORT AUTHORISATIONS

Report of: Mark Riordan, Manager Development Assessment and Certification
Authorised by: Linda Davis, Director Planning + Environment - Future City + Neighbourhoods

ATTACHMENTS

- 1 Quarterly Variations Report for Development Applications - January to March 2020

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, Industry and Environment (DPIE), in accordance with procedural guidelines. Council and the DPIE 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 DPIE minor variations to development standards (below 10%) receiving less than two objections may be determined by staff under delegated authority. This delegation is restricted to Manager level.

QUARTERLY RESULT

During the 1 January to 31 March 2020 two (2) Development Applications were approved which included a variation to a development standard. Attachment 1 provides a summary of each application and the circumstances relating to the variations. All of the application assessment reports are publicly available through Council's website.

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 2018-2019.

Development Applications approved with variations to development standards for the quarterly period between 1 January 2020 and 31 March 2020 (Reporting applications with a decision of 'Approved'/'Deferred Commencement')

Application	DA-2019/756		
Lots	17 Sec B DP 2205, 18 Sec B DP 2205	Zone	B2 Local Centre
Address	65-67 Walker Street, HELENSBURGH NSW 2508		
Description	Mixed use - demolition of existing dwellings and excavation works, construction of mixed use development and basement carparking		
Decision	Approved		Decision Date 11 February 2020
Variations	Planning Instrument	WLEP 2009	Clauses 4.3(2) Height of buildings 7.13 Ground floor dev on business zoned land
	Justification of variation	<p>A portion of the mixed use building exceeds the maximum height limit of 12 metres with a maximum 13.99 metre building height. This variation is considered acceptable on the basis that the site is steeply sloping and the development is compatible with surrounding development. The non-complying areas of the building are also setback from the street and do not contribute to any excessive bulk or scale of the development.</p> <p>Further, some residential development is located on part of the ground floor of the building, which varies from Clause 7.13 Certain land within business zones. This variation is considered supportable on the basis that the proposal meets the objectives of the development standard.</p>	
	Extent of variation	12 metre height limit – Proposed maximum 13.99 metre building height – 16% exceedance.	
	Concurring Authority	Wollongong Local Planning Panel	

Application	DA-2019/1374		
Lot	3 DP 450098	Zone	R2 Low Density Residential
Address	4 Spring Street, MOUNT KEIRA NSW 2500		
Description	Use of alterations and additions to dwelling house and front fence		
Decision	Approved		Decision Date 30 January 2020
Variations	Planning Instrument	WLEP 2009	Clause 4.4(2) Floor space ratio
	Justification of variation	<p>The works would not result in any change to the presentation of the development to the street and would not pose any additional bulk and scale impacts. The additional 33sqm results in a relatively minor variation to the floor space ratio (FSR) standard. The development retains compliant setbacks and the additional FSR would not result in any privacy, amenity or overshadowing impacts upon any adjoining properties.</p>	
	Extent of variation	0.5:1 FSR Development Standard – Proposed 0.549:1 FSR - 9% exceedance.	
	Concurring Authority	Council under assumed concurrence	