

## ITEM 13 QUARTERLY VARIATIONS REPORT FOR JUNE 2018 AND SEPTEMBER 2018

This quarterly report to Council identifies six (6) Development Applications were determined during the period 1 April to 30 June 2018, where a variation to a development standard was granted. During the 1 July to 30 September 2018 quarter, eight (8) Development Applications were determined 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: Mark Riordan, Manager Development Assessment and Certification

Authorised by: Andrew Carfield, Director Planning and Environment - Future City and Neighbourhoods

### ATTACHMENTS

- 1 Variation to Development Standards - April 2018 to June 2018
- 2 Variation to Development Standards - July 2018 to September 2018

### 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 Department of Planning and Environment (DPE), in accordance with procedural guidelines. Council and 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 operation by NSW DPE minor variations to development standards (below 10%) receiving less than 2 objections may be determined by staff under delegated authority.

### QUARTERLY RESULT

#### 1 April to 30 June 2018 Quarter

During the 1 April 2018 to 30 June 2018 quarter six (6) Development Applications were approved which included a variation to a development standard.

- The first application (DA-2017/1379) involved the demolition of existing structures and construction of a mixed use development with ground floor retail premises and nine (9) residential units above with a variation to the minimum site width and ground floor development requirements on business land. The proposal was referred to Wollongong Local Planning Panel (WLPP) on 21 March 2018. WLPP supported the development.

- The second application (DA-2017/1396) involved a new freezer, chiller and despatch building and involved a variation to the maximum 11 metre height limit. The application was considered by the WLPP on 9 May 2018 and the proposed 12 metre height (1 metre building height variation) was supported.
- The third application (DA-2017/1462) involved the demolition of existing structures and the construction of a seven (7) storey office building for IMB Bank with two basement car parking levels and involved some variations to the building separation distance requirements under clause 8.6 (2,3) of WLEP 2009. The proposal was considered and supported by the Southern Regional Planning Panel on 27 June 2018.
- The fourth application (DA-2017/1585) involved a dual occupancy (attached) and two lot Torrens Title subdivision with a variation to clause 4.4(2) floor space ratio (permitted FSR 0.5:1 and approved FSR 0.61:1). The proposal was considered and supported by WLPP on 16 May 2018.
- The fifth application (DA-2002/496/B) involved a modification to an approved commercial office and three (3) terrace townhouses and a variation to the height standard. The original development was approved at a 9.1 metre building height and the proposed modification involved a 9.65 metre building height (7% variation). The modification was assessed and determined by council officers under delegated authority.
- The sixth application (DA-2017/1727) involved the demolition of existing structures, tree removal and the construction of a multi-unit development and strata title subdivision and an 8% variation to the 18 metre minimum site width requirement. The proposal was considered and supported by WLPP on 20 June 2018.

Attachment 1 provides further information relating to these matters and forms the basis of the quarterly return to the Department of Planning and Environment, which is now submitted.

#### 1 July 2018 to 30 September 2018 Quarter

During the 1 July 2018 to 30 September 2018 quarter eight (8) Development Applications have been determined where a variation to a development standard was granted.

- The first application (DA-2016/358) involved (Bunnings) the demolition of existing structures, bulk earthworks, construction and use of a hardware with building height variation. The application was considered and determined (approved) by the Southern Regional Planning Panel on 23 August 2018.
- The second application (DA-2017/1196) involved the demolition of existing structures and construction of a multi-dwelling housing development (3 townhouses) and involved a minor (1.8%) variation to the 18 metre site width requirement. The proposal was considered and supported by WLPP on 25 July 2018, subject to the deletion of proposed condition 61.
- The third application (DA-2018/204) involved a two lot Torrens Title subdivision and demolition of an existing garage and involved a variation to the 449 sqm minimum lot size requirement due to an anomaly of a RE1 Public Recreation zoning of part of the site which is to be rectified as part of the next 'housekeeping' draft amendment to WLEP 2009. The proposal was considered and supported by WLPP on 25 July 2018.
- The fourth application (DA-2018/323) involved the demolition of existing structures and the construction of a multi-dwelling housing development and a variation to the minimum site width requirement. The proposal was considered and deferred by WLPP on 1 August 2018 on the basis that additional information concerning a phase 1 contamination assessment report was required to be provided and assessed. The WLPP required that the phase 1 contamination assessment report be assessed by council under the provisions of SEPP 55 when received and provided delegation to the Manager Development Application & Certification to approve the development if it satisfied the requirements of SEPP 55. The contamination assessment report satisfied the requirements of

SEPP 55 and the proposal was endorsed by the Manager Development Assessment & Certification and ultimately approved on 18 September 2018.

- The fifth application (DA-2018/435) involved the demolition of an existing dwelling and construction of a 15 bed boarding house and associated works and a variation to the floor space ratio requirements (FSR 0.5:1 standard, approved FSR of 0.53:1). The application was assessed and determined by council officers under delegated authority on 15 August 2018.
- The sixth application (DA-2018/641) involved alterations and additions to an existing dwelling-house and a 4.8% variation to the 0.5:1 FSR development standard. The proposal was assessed and determined by council officers under delegated authority on 18 July 2018.
- The seventh application (DA-2010/1670/C) involved a modification to an approved residential apartment building development and a variation to the 16 metre height limit, due a lift overrun breaching the height limit by 120mm (ie less than 1%). The proposal was assessed and determined by council officers under delegated authority on 3 September 2018.
- The eighth application (DA-2016/238/A) involved a modification to an approved multi-dwelling housing development in order to increase the floor levels of two units in the development due to the need to relocate the OSD storage facility out of the flood precinct of part of the site. The level changes were relatively minor with variations to the 9 metre height limit of 9.9% and 6% respectively for the two units. The proposal was assessed and determined by council officers under delegated authority on 11 September 2018.

Attachment 2 provides further information relating to these matters and forms the basis of the quarterly return to the Department of Planning and Environment, which is now submitted.

#### 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 2018-19.

**Development Applications approved with variations to development standards for the quarterly period between 1 April 2018 and 30 June 2018** (Reporting applications with a decision of 'Approved'/'Deferred Commencement')

<b>Application</b>	DA-2017/1379			
<b>Lot</b>	1 DP 112275	<b>Zone</b>	B4 Mixed Use	
<b>Address</b>	8 Railway Parade, THIRROUL NSW 2515			
<b>Description</b>	Mixed use development - demolition of existing structures and construction of retail premises and nine (9) residential units, basement parking and associated landscaping works			
<b>Decision</b>	Approved		<b>Decision Date</b>	11 May 2018
<b>Variations</b>	<b>Planning Instrument</b>	WLEP 2009	<b>Clauses</b>	c7.14 (1, 2) Minimum site width c7.13 Ground Floor dev on Business Zoned Land
	<b>Justification of variation</b>	<p>Clause 7.13 Ground floor development on land within business zones.</p> <p>The applicant has provided justification as to why compliance with the development standard is unreasonable or unnecessary and why two residential units on the ground floor should be enabled. Residential units designed to be located behind retail tenancy and having no impact on streetscape.</p> <p>The proposed was considered and supported by WLPP on 21 March 2018.</p>		
	<b>Extent of variation</b>	2 ground floor units		
	<b>Concurring Authority</b>	Council under assumed concurrence		

<b>Application</b>	DA-2017/1396			
<b>Lot</b>	24 DP 608427, Lot 5 DP 207933	<b>Zone</b>	IN2 Light Industrial	
<b>Address</b>	51-53 Pringle Road, FERNHILL NSW 2519			
<b>Description</b>	Commercial - new freezer, chiller and dispatch building			
<b>Decision</b>	Approved		<b>Decision Date</b>	18 May 2018
<b>Variations</b>	<b>Planning Instrument</b>	WLEP 2009	<b>Clause</b>	c4.3(2) Height of buildings
	<b>Justification of variation</b>	<p>Height of building exceeds maximum 12m height limit prescribed. Clause 4.6 exception request submitted as required. The objectives of the standard and zone objectives are met despite the technical non-compliance with Clause 4.3. The application was considered by the WLPP at its meeting on 9 May 2018 and the proposed height variation was supported.</p>		
	<b>Extent of variation</b>	12m when the maximum prescribed height limit is 11m		
	<b>Concurring Authority</b>	Council under assumed concurrence		

<b>Application</b>	DA-2017/1462			
<b>Lot</b>	1 DP 509597, Lot 10 DP 540641, Lot 502 DP 845275	<b>Zone</b>	B3 Commercial Core	
<b>Address</b>	47 Burelli Street, WOLLONGONG NSW 2500 71-77 Kembla Street, WOLLONGONG NSW 2500			
<b>Description</b>	Demolition of all structures and the construction of a seven (7) storey office building for IMB bank with two basement car parking levels for 89 car parking spaces			
<b>Decision</b>	Approved		<b>Decision Date</b>	27 June 2018

Variations	Planning Instrument	WLEP 2009	Clause	c8.6 (2,3) Zone B3 Commercial Core/Zone B4 Mixed
	<b>Justification of variation</b>	<p>Compliance with standard is unnecessary as there are no unreasonable impacts arising and the development is consistent with the objectives of the standard and the B3 zone. The setbacks proposed reflect the prevailing built form character in the governance/ civic precinct where buildings are generally setback from boundaries and do not present a continuous street wall to Burelli Street. The non-compliant building separation distances provided better respond to the character of the precinct and thus the setbacks proposed provide a superior built form outcome. The proposed setback to the eastern boundary allows east-facing windows in this facade and solar access to the building to the east.</p> <p>The proposal was considered and supported by the Southern Joint Regional Planning Panel on 27 June 2018.</p>		
	<b>Extent of variation</b>	<p>Variations sought to Clause 8.6(2)(a) and (b) in relation to the southern and eastern boundaries of the site. To the eastern boundary, the development provides a 3.1m setback for Levels 1-5 (zero separation required); and a 3.1m setback at Level 6 which, combined with the approximate 7.5m setback of Corporate Square, does not meet the required 12m separation.</p> <p>To the southern boundary of the site, the majority of the ground floor is setback 5.66m (zero separation distance required); Levels 1 -5 are setback 3.79m (zero separation required).</p>		
	<b>Concurring Authority</b>	Council under assumed concurrence		

Application	DA-2017/1585			
Lot	2 DP 1227117	Zone	R2 Low Density Residential RE1 Public Recreation	
Address	31A Langson Avenue, FIGTREE NSW 2525			
Description	Residential - dual occupancy (attached) and Subdivision - Torrens title - two (2) residential lots			
Decision	Approved		Decision Date	16 May 2018
Variations	Planning Instrument	WLEP 2009	Clause	c4.4(2) Floor space ratio
	Justification of variation	Applicant has demonstrated that strict compliance with the development standards is unreasonable and unnecessary in the circumstances of the case and has provided sufficient planning grounds to justify contravening the development standards.  The proposal is considered to achieve the objectives of the FSR standard since it achieves an appropriate correlation between the size of the dual occupancy and the size of the whole allotment. In this regard, it is noted that the overall building height is less than the maximum of 9 metres permitted by WLEP 2009. In addition, setbacks, site coverage and landscaped area for the development are generally compliant with the planning controls contained within Chapter B1 of WDCP 2009.  The proposal was considered and supported by WLPP on 16 May 2018.		
	Extent of variation	Permitted FSR - 0.5:1 Approved FSR - 0.61:1		
	Concurring Authority	Council under assumed concurrence		



<b>Application</b>	DA-2002/496/B			
<b>Lot</b>	101 DP 1003529	<b>Zone</b>	B1 Neighbourhood Centre	
<b>Address</b>	80 Towradgi Road, TOWRADGI NSW 2518			
<b>Description</b>	Proposed Commercial Office And 3 Terrace Town Houses Modification B - use of alterations to roofline and heights, unit 2 and 3 balconies and windows, installation of solar panels and green roof area			
<b>Decision</b>	Approved		<b>Decision Date</b>	5 April 2018
<b>Variations</b>	<b>Planning Instrument</b>	WLEP 2009	<b>Clause</b>	c4.3(2) Height of buildings
	<b>Justification of variation</b>	Height was originally approved at 9.1m - modification proposes to increase the height to 9.65m as built – The proposed built form is acceptable and will not pose any significant impact upon surrounding properties.  The modification was assessed and determined by council officers under delegated authority.		
	<b>Extent of variation</b>	7%		
	<b>Concurring Authority</b>	Council under assumed concurrence		

<b>Application</b>	DA-2017/1727			
<b>Lot</b>	94 DP 1104170	<b>Zone</b>	R2 Low Density Residential	
<b>Address</b>	94 New Mount Pleasant Road, MOUNT PLEASANT NSW 2519			
<b>Description</b>	Residential - demolition of existing structures, tree removal, construction of multi -unit development and Subdivision - Strata title			
<b>Decision</b>	Approved		<b>Decision Date</b>	20 June 2018
<b>Variations</b>	<b>Planning Instrument</b>	WLEP 2009	<b>Clause</b>	c7.14 (1, 2) Minimum site width
	<b>Justification of variation</b>	18m minimum site width for multi-dwelling housing not achievable as the development site is triangular in shape with no rear boundary. In addition, the development provides more than the minimum required landscaped area. The variation does not affect the redevelopment potential or amenity of adjoining properties given the landscape interface and site layout. No unreasonable privacy or overshadowing impacts on the adjoining northern and western neighbours will result from the development, particularly from the areas within the rear portion of the site that do not meet the 18m site width.  The proposal was considered and supported by WLPP on 20 June 2018.		
	<b>Extent of variation</b>	8% of site area has width less than 18m		
	<b>Concurring Authority</b>	Council under assumed concurrence		

**Development Applications approved with variations to development standards for the quarterly period between 1 July 2018 and 30 September 2018** (Reporting applications with a decision of 'Approved'/'Deferred Commencement')

Application	DA-2016/358			
Lot	50 DP 879625, Lot 52 DP 879625, Lot 1 DP 1118629, Lot 2 DP 1118629, Lot 51 DP 879625	Zone	B6 Enterprise Corridor	
Address	1-3 Canterbury Road, KEMBLA GRANGE NSW 2526 9 Canterbury Road, KEMBLA GRANGE NSW 2526 638 Northcliffe Drive, KEMBLA GRANGE NSW 2526 642 Northcliffe Drive, KEMBLA GRANGE NSW 2526 644-650 Northcliffe Drive, KEMBLA GRANGE NSW 2526			
Description	Demolition of existing structures, clearing of vegetation, bulk earthworks, construction and use of a hardware and building supplies development including plant nursery and landscape supplies, associated roadworks including public infrastructure works (roundabout on Northcliffe Drive) and re-subdivision of five (5) lots into two (2) lots			
Decision	Approved		Decision Date	23 August 2018
Variations	Planning Instrument	WLEP 2009	Clause	c4.3(2) Height of buildings
	Justification of variation	The proposal is consistent with the objectives of the B6 Zone.  It is considered that strict compliance with the Height of Buildings development standard in the context of the proposal site would not result in any significant public benefit.  The application was considered and determined (approved) by Southern Joint Regional Planning Committee on 23 August 2018.		
	Extent of variation	Maximum Building Height for site is 11m Approved Maximum Building Height is 16.6m		
	Concurring Authority	Secretary of NSW Department of Planning and Environment		

Application	DA-2017/1196			
Lot	10 DP 1054999	Zone	R2 Low Density Residential	
Address	30 Cross Street, CORRIMAL NSW 2518			
Description	Demolition of existing structures and construction of multi dwelling housing (3 townhouses)			
Decision	Approved		Decision Date	27 July 2018
Variations	Planning Instrument	WLEP 2009	Clause	c7.14 (1, 2) Minimum site width
	Justification of variation	The proposal involved a minor variation to the minimum 18 m site width requirement. The extent of variation is very minimal (1.8% variation) and has no material impact on the design or siting of the development. There are no other WLEP 2009 variations. The development would result in a better urban design outcome than a large dwelling or dual occupancy. The development responds to the low density character of the locality and satisfies the objectives of the R2 zone. In addition, the development provides the required amount of parking, private open space and landscaped areas,  The application was considered and supported by WLPP on 25 July 2018, subject to the deletion of proposed condition 61.		
	Extent of variation	0.32m (1.8% variation to 18m site width requirement)		
	Concurring Authority	Council under assumed concurrence		

<b>Application</b>	DA-2018/204			
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<b>Lot</b>	286 DP 9753, Lot 1 DP 42803	<b>Zone</b>	R2 Low Density Residential RE1 Public Recreation
<b>Address</b>	192 Lakeview Parade, PRIMBEE NSW 2502		
<b>Description</b>	Subdivision - Torrens title - two (2) lots and demolition of existing garage		
<b>Decision</b>	Approved	<b>Decision Date</b>	27 July 2018
<b>Variations</b>	<b>Planning Instrument</b>	WLEP 2009	<b>Clause</b> c4.1(3) Minimum subdivision lot size
	<b>Justification of variation</b>	Both allotments comply with the minimum lot size requirement for the site of 449 sqm when all of the available land is included. The zoning of part of the site as RE1 Public Recreation has been identified by Council as an anomaly to be rectified as part of the next 'housekeeping' amendment to WLEP 2009. The retention of the RE1 Public Recreation zoning into the future would not result in any significant public benefit. The proposal satisfies the objectives of clause 4.1(3) and requiring compliance with the minimum subdivision lot size is considered in the circumstances of this case unreasonable or unnecessary.  The application was considered and supported by WLPP on 25 July 2018.	
	<b>Extent of variation</b>	~20%	
	<b>Concurring Authority</b>	Council under assumed concurrence	

<b>Application</b>	DA-2018/323		
<b>Lot</b>	60 DP 10927, Lot 61 DP 10927	<b>Zone</b>	R2 Low Density Residential
<b>Address</b>	30 Kemblawarra Road, WARRAWONG NSW 2502 32 Kemblawarra Road, WARRAWONG NSW 2502		
<b>Description</b>	Residential - demolition of existing structures and construction of multi dwelling housing		
<b>Decision</b>	Approved	<b>Decision Date</b>	18 September 2018
<b>Variations</b>	<b>Planning Instrument</b>	WLEP 2009	<b>Clause</b> c7.14 (1, 2) Minimum site width
	<b>Justification of variation</b>	Less impact on neighbouring properties compared with a fully compliant design on the site. The site is an irregular shaped allotment of land and only a small portion of one of the nine units is located in the dog legged area at the rear that doesn't meet the minimum site width requirement. Alternate schemes were investigated and deemed of higher environmental impact.  The application was considered and deferred by WLPP on 1 August 2018 for the following reasons: (a) The need for additional information - a Phase 1 contamination assessment report that meets the requirements of clause 7 of SEPP 55 (b) that on receipt of the additional information Council prepare a further report to assess whether the provisions of SEPP 55 have been satisfied (c) delegate the determination of the application to the Manager Development Assessment and Certification in accordance with Section 2.20(8) of the EP & A Act 1979.  The further assessment report was considered and endorsed by the Manager Development Assessment & Certification and the application was approved on 18 September 2018.	
	<b>Extent of variation</b>	Variation of 49% to the 18m Minimum Site Width Control for Multi Dwelling Housing under WLEP2009.	
	<b>Concurring Authority</b>	Council under assumed concurrence	



<b>Application</b>	DA-2018/435			
<b>Lot</b>	18 DP 36218	<b>Zone</b>	R2 Low Density Residential	
<b>Address</b>	27 Madoline Street, GWYNNEVILLE NSW 2500			
<b>Description</b>	Demolition of existing dwelling and construction of a 15 bed boarding house and associated works			
<b>Decision</b>	Approved		<b>Decision Date</b>	15 August 2018
<b>Variations</b>	<b>Planning Instrument</b>	WLEP 2009	<b>Clause</b>	c4.4(2) Floor space ratio
	<b>Justification of variation</b>	<p>The proposal is considered to be consistent with the objectives of the zone as the proposal provides residential accommodation in close proximity to the University of Wollongong. The statement demonstrates that the proposed development will be in the public interest because it is consistent with the objectives of the R2 Zone as demonstrated above.</p> <p>The proposal is satisfactory with regard to the R2 objectives. The site is located in a residential zone with the adjoining zone to the North east being Infrastructure. While adjoining public recreation to the west.</p> <p>The proposal is located on Madoline Street and adds to the mixture of compatible land uses within the area whilst contributing to the residential accommodation stock of the locality.</p> <p>It is considered that the proposal will not significantly detract from the existing or proposed development, amenity of nearby residents or have an adverse impact on the efficient operation of the local road systems.</p> <p>The requested departure from the development standard will not hinder the attainment of the objectives specified in section 5(a)(i) and (ii) of the EP&amp;A Act.</p> <p>As discussed above, the exception has been satisfactorily addressed and that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds specific to the site to justify contravening the development standard.</p> <p>It is considered that strict compliance with the Floor Space Ratio development standard in the context of the proposal site would not result in any significant public benefit.</p> <p>The application was assessed and determined under delegated authority.</p>		
	<b>Extent of variation</b>	FSR 0.5:1 Approved FSR 0.53:1		
	<b>Concurring Authority</b>	Council under assumed concurrence		

<b>Application</b>	DA-2018/641			
<b>Lot</b>	108 DP 1102283	<b>Zone</b>	R2 Low Density Residential	
<b>Address</b>	23 Seddon Street, FIGTREE NSW 2525			
<b>Description</b>	Residential - alterations and additions			
<b>Decision</b>	Approved		<b>Decision Date</b>	18 July 2018
<b>Variations</b>	<b>Planning Instrument</b>	WLEP 2009	<b>Clause</b>	c4.4(2) Floor space ratio
	<b>Justification of variation</b>	Assessed under Clause 4.6 of WLEP2009		
	<b>Extent of variation</b>	Maximum FSR of 0.50:1 under Clause 4.4 of WLEP2009 exceeded by <10%. The proposal is considered to achieve the objectives of the development standard and the objectives of the R2 zone. The		

		development achieves an appropriate correlation between the size of the dwelling-house and the area of the allotment – with the maximum allowable GFA only exceeded by 5.36 sqm (4.8% variation). In addition, the current extent of landscaped and open areas on the site will be maintained.  The proposal was assessed and determined by council officers under delegated authority.
	<b>Concurring Authority</b>	Council under assumed concurrence

<b>Application</b>	DA-2010/1670/C			
<b>Lot</b>	113 Sec 1 DP 1258, Lot 114 Sec 1 DP 1258, Lot 112 Sec 1 DP 1258	<b>Zone</b>	R1 General Residential	
<b>Address</b>	12 New Dapto Road, WOLLONGONG NSW 2500 14 New Dapto Road, WOLLONGONG NSW 2500			
<b>Description</b>	Demolition of existing structures and proposed construction of residential apartment building comprising 6 x 1 bed, 26 x 2 and 2 x 3 bed apartments above basement parking and storage  Modification C - modify height of building due to lift overrun			
<b>Decision</b>	Approved		<b>Decision Date</b>	3 September 2018
<b>Variations</b>	<b>Planning Instrument</b>	WLEP 2009	<b>Clause</b>	c4.3(2) Height of buildings
	<b>Justification of variation</b>	Lift overrun installed and found to breach the 16m height limit. The lift overrun results in an overall increase in building height of 120mm or of less than 1%. The proposal will not compromise the objectives of the height control standard and will not pose any adverse impact upon the streetscape or adjoining properties.  The proposal was assessed and determined by council officers under delegated authority.		
	<b>Extent of variation</b>	16m height limit applies under Clause 4.3 of WLEP 2009. 16.12m proposed.		
	<b>Concurring Authority</b>	Council under assumed concurrence		

<b>Application</b>	DA-2016/238/A			
<b>Lot</b>	1 DP 1086647	<b>Zone</b>	R2 Low Density Residential	
<b>Address</b>	208-210 Princes Highway, BULLI NSW 2516			
<b>Description</b>	Residential - multi dwelling housing  Modification A - increase to floor levels and building height of units			
<b>Decision</b>	Approved		<b>Decision Date</b>	11 September 2018
<b>Variations</b>	<b>Planning Instrument</b>	WLEP 2009	<b>Clause</b>	c4.3(2) Height of buildings
	<b>Justification of variation</b>	The application seeks to modify the previously approved floor levels and building heights of the development in order to achieve fall to stormwater detention facility without interfering with floodplain. The OSD storage facility was relocated so as to be located outside of the flood precinct affecting the site. As a result of this amendment greater falls were required to enable adequate drainage from the garages at the western end of the driveway. The level changes are generally minor but in the case of units 3 and 4 at the back of the site result in the building heights exceeding the maximum 9 metre height limit by 9.9% and 6% respectively. This variation is considered supportable in the circumstances of the case.  The modification was assessed and determined by council officers under delegated authority.		
	<b>Extent of variation</b>	0.89m (9.9% variation)		
	<b>Concurring Authority</b>	Council under assumed concurrence		