

## ITEM 12

## QUARTERLY VARIATIONS REPORT FOR DEVELOPMENT APPLICATIONS - DECEMBER 2019

This quarterly report to Council identifies ten (10) Development Applications which were determined during the period 1 October 2019 to 31 December 2019, 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 October to 31 December 2019.

## 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 - December 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, 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 October to 31 December 2019 quarter (ten 10) 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. It is noted that six (6) of the variations relate to the same Light Industrial complex at 8 Pioneer Drive, Woonona.

## 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 October 2019 and 31 December 2019** (Reporting applications with a decision of 'Approved'/'Deferred Commencement')

Application	DA-2018/1481			
Lot	3 DP 1159710, Lot 1 DP 434080, Lot 2 DP 505162	Zone	R2 Low Density Residential	
Address	Lot 3 Robert Street, Lot 1 Wilga Street, Lot 2 Rothery Street, CORRIMAL NSW 2518			
Description	Mixed Use Residential - residential flat building comprising 21 apartments above basement car parking, 13 townhouses with double garages and tree removals and Subdivision - Strata title - 34 lots			
Decision	Approved		Decision Date	9 December 2019
Variations	Planning Instrument	WLEP 2009	Clause	c4.3(2) Height of buildings
	Justification of variation	The site is a large residue site that enables the building form to be of a greater scale than its surrounds. The building articulation and manipulation of building elements help to reduce the buildings apparent scale.		
	Extent of variation	A 9 metre height limit applies to the site. The proposed residential flat building has a maximum overall height of 10.075 metres, representing a 11.9% variation.		
	Concurring Authority	Wollongong Local Planning Panel		

Application	DA-2018/1630			
Lot	105 DP 25391	Zone	R2 Low Density Residential	
Address	35 Yellagong Street, WEST WOLLONGONG NSW 2500			
Description	Residential - demolition of existing structures, tree removal and construction of multi dwelling housing - 10 units with associated carparking and infrastructure			
Decision	Approved		Decision Date	23 December 2019
Variations	Planning Instrument	WLEP 2009	Clause	c7.14 (1, 2) Minimum site width
	Justification of variation	<p>The subject site is a battle-axe allotment having a site width of 16.46 metres along the street frontage and then broadens to 49 metres.</p> <p>The design layout displays only one of the units which is a two-storey single dwelling when viewed from the street which is detached from rest of the units that are located to the rear wider area.</p> <p>The proposed development meets other development standards and controls and is sympathetic to the neighbouring dwellings in the locality.</p>		
	Extent of variation	18 metre lot width requirement. Approved 16.46 metre minimum variable lot width (8.5% variation).		
	Concurring Authority	Council under assumed concurrence		

<b>Application</b>	DA-2019/774		
<b>Lot</b>	2 DP 151454	<b>Zone</b>	R1 General Residential
<b>Address</b>	16 Smith Street, WOLLONGONG NSW 2500		
<b>Description</b>	Residential - demolition of existing structures and construction of a residential flat building		
<b>Decision</b>	Approved	<b>Decision Date</b>	11 December 2019
<b>Variations</b>	<b>Planning Instrument</b>	WLEP 2009	<b>Clause</b> c7.14 (1, 2) Minimum site width
	<b>Justification of variation</b>	A 24 metre lot width is normally required (clause 7.14). The proposed 20.11 metre lot width however provides a suitable building envelope for the development and is reasonable in the circumstances of the case. The development is sympathetic with surrounding development in the locality.	
	<b>Extent of variation</b>	24 metre lot width requirement. Approved 20.11 metre lot width	
	<b>Concurring Authority</b>	Wollongong Local Planning Panel	

<b>Application</b>	DA-2019/921		
<b>Lot</b>	3 DP 16354	<b>Zone</b>	R2 Low Density Residential
<b>Address</b>	24 James Road, CORRIMAL NSW 2518		
<b>Description</b>	Subdivision - Torrens title - two (2) residential lots		
<b>Decision</b>	Approved	<b>Decision Date</b>	31 October 2019
<b>Variations</b>	<b>Planning Instrument</b>	WLEP 2009	<b>Clause</b> c4.4(2) Floor space ratio
	<b>Justification of variation</b>	The existing dual occupancy development was previously approved via a Complying Development Certificate (CDC) with an approved floor space ratio of 0.504:1 (0.4% variation from the 0.5:1 FSR standard).  The FSR non-compliance relates to the previous dual occupancy CDC approval and is not directly related to the subdivision of the land (being the subject of this application).	
	<b>Extent of variation</b>	0.4% variation applying to the previous dual occupancy CDC approval	
	<b>Concurring Authority</b>	Council under assumed concurrence	

<b>Application</b>	DA-2019/951		
<b>Lot</b>	9 SP 78814	<b>Zone</b>	IN2 Light Industrial
<b>Address</b>	9/8 Pioneer Drive, WOONONA NSW 2517		
<b>Description</b>	Mezzanine level and Change of Use to Warehouse and Distribution Centre		
<b>Decision</b>	Approved	<b>Decision Date</b>	18 December 2019
<b>Variations</b>	<b>Planning Instrument</b>	WLEP 2009	<b>Clause</b> c4.4(2) Floor space ratio
	<b>Justification of variation</b>	The proposed mezzanines for all of the units in the complex represents a 545.1m <sup>2</sup> total increase or 12% variation to the 0.5:1 floor space ratio (FSR) standard.  The proposed development is consistent with the objectives of the floor space ratio standard and the objectives for development within the IN2 Light Industrial zone.	
	<b>Extent of variation</b>	12% variation to the 0.5:1 floor space ratio standard.	
	<b>Concurring Authority</b>	Wollongong Local Planning Panel	

<b>Application</b>	DA-2019/1034			
<b>Lot</b>	4 SP 78814	<b>Zone</b>	IN2 Light Industrial	
<b>Address</b>	4/8 Pioneer Drive, WOONONA NSW 2517			
<b>Description</b>	Mezzanine Level and Change of Use to Depot			
<b>Decision</b>	Approved		<b>Decision Date</b>	18 December 2019
<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 proposed mezzanines for all of the units in the complex represents a 545.1m<sup>2</sup> total increase or 12% variation to the 0.5:1 floor space ratio (FSR) standard.</p> <p>The proposed development is consistent with the objectives of the floor space ratio standard and the objectives for development within the IN2 Light Industrial zone.</p>		
	<b>Extent of variation</b>	12% variation to the 0.5:1 floor space ratio standard.		
	<b>Concurring Authority</b>	Wollongong Local Planning Panel		

<b>Application</b>	DA-2019/1054			
<b>Lot</b>	204 DP 776457, Lot 6 SP 78814	<b>Zone</b>	IN2 Light Industrial	
<b>Address</b>	8 Pioneer Drive and 6/8 Pioneer Drive, WOONONA NSW 2517			
<b>Description</b>	Mezzanine Level and Change of use to Warehouse and Distribution Centre			
<b>Decision</b>	Approved		<b>Decision Date</b>	18 December 2019
<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 proposed mezzanines for all of the units in the complex represents a 545.1m<sup>2</sup> total increase or 12% variation to the 0.5:1 floor space ratio (FSR) standard.</p> <p>The proposed development is consistent with the objectives of the floor space ratio standard and the objectives for development within the IN2 Light Industrial zone.</p>		
	<b>Extent of variation</b>	12% variation to the 0.5:1 floor space ratio standard		
	<b>Concurring Authority</b>	Wollongong Local Planning Panel		

<b>Application</b>	DA-2019/1058		
<b>Lot</b>	204 DP 776457, Lot 7 SP 78814, Lot 11 SP 78814, Lot 12 SP 78814, Lot 13 SP 78814, Lot 14 SP 78814	<b>Zone</b>	IN2 Light Industrial
<b>Address</b>	8 Pioneer Drive, 7/8 Pioneer Drive, 11/8 Pioneer Drive, 12/8 Pioneer Drive, 13/8 Pioneer Drive, 14/8 Pioneer Drive, WOONONA NSW 2517		
<b>Description</b>	Mezzanine levels and Change of use to Light Industry		
<b>Decision</b>	Approved	<b>Decision Date</b>	18 December 2019
<b>Variations</b>	<b>Planning Instrument</b>	WLEP 2009	<b>Clause</b> c4.4(2) Floor space ratio
	<b>Justification of variation</b>	The proposed mezzanines for all of the units in the complex represents a 545.1m <sup>2</sup> total increase or 12% variation to the 0.5:1 floor space ratio (FSR) standard.  The proposed development is consistent with the objectives of the floor space ratio standard and the objectives for development within the IN2 Light Industrial zone.	
	<b>Extent of variation</b>	12% variation to the 0.5:1 floor space ratio standard.	
	<b>Concurring Authority</b>	Wollongong Local Planning Panel	

<b>Application</b>	DA-2019/1177		
<b>Lot</b>	3 SP 78814	<b>Zone</b>	IN2 Light Industrial
<b>Address</b>	3/8 Pioneer Drive, WOONONA NSW 2517		
<b>Description</b>	Mezzanine Level and Change of use to Recreation Facility (Indoor)		
<b>Decision</b>	Approved	<b>Decision Date</b>	18 December 2019
<b>Variations</b>	<b>Planning Instrument</b>	WLEP 2009	<b>Clause</b> c4.4(2) Floor space ratio
	<b>Justification of variation</b>	The proposed mezzanines for all of the units in the complex represents a 545.1m <sup>2</sup> total increase or 12% variation to the 0.5:1 floor space ratio (FSR) standard.  The proposed development is consistent with the objectives of the floor space ratio standard and the objectives for development within the IN2 Light Industrial zone.	
	<b>Extent of variation</b>	12% variation to the 0.5:1 floor space ratio standard.	
	<b>Concurring Authority</b>	Wollongong Local Planning Panel	

<b>Application</b>	DA-2019/1259		
<b>Lot</b>	15 SP 78814	<b>Zone</b>	IN2 Light Industrial
<b>Address</b>	15/8 Pioneer Drive, WOONONA NSW 2517		
<b>Description</b>	Mezzanine Level and Change of use to Depot		
<b>Decision</b>	Approved	<b>Decision Date</b>	18 December 2019
<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 proposed mezzanines for all of the units in the complex represents a 545.1m<sup>2</sup> total increase or 12% variation to the 0.5:1 floor space ratio (FSR) standard.</p> <p>The proposed development is consistent with the objectives of the floor space ratio standard and the objectives for development within the IN2 Light Industrial zone.</p>	
	<b>Extent of variation</b>	12% variation to the 0.5:1 floor space ratio standard.	
	<b>Concurring Authority</b>	Wollongong Local Planning Panel	