

Council DA reference number	Lot No	DP No	Apartment/ Unit No	Street Number	Street Name	Suburb/ Town	Post Code	Category of Development	Environmental Planning Instrument	Zoning of Land	Development Standard to be Varied	Justification of Variation	Extent of Variation (%)	Concurring Authority	Date DA Determined
588/2020/DA	3	841419		56	Jericho Road	Moorland	2443	13. Subdivision only	GTCC LEP 2010	RU5	Clause 4.1A	<p>Council officer's recommendation was refusal of the development application. Determination was overturned at Council's ordinary meeting held on 24 March 2021. Council's justification for the variation is:</p> <ul style="list-style-type: none"> • Council is currently undertaking a harmonisation of three LEPs. • This subdivision would likely have been recommended for approval had it been in former Gloucester or Great Lakes Council. • That the subdivision is not out of character with the subdivision pattern in the locality.. • 4.1a of the Greater Taree LEP 2010 is a development standard and the applicant's 4.6 variation request is accepted by Council given that the report by Whitehead & Associates adequately demonstrates that onsite effluent management will not impact negatively on public health, water quality or environmental values 	Non-numerical	Council	24/03/2021
305/2020/DA	48 & 106	754426			Nowendoc Road	Caffreys Flat	2424	2. Residential - single new dwelling	GTCC LEP 2010	RU1	Clause 4.1	<p>A number of similar dwellings occupy comparably sized parcels along Nowendoc Road which represents the common and existing type of development in the locality. The site does not represent part of a productive agricultural holding that would, as a result of a dwelling, be fragmented with associated loss in productive potential.</p> <p>Similarly, development of the site for a dwelling house does not result in the extension of services or infrastructure and would not be considered "unplanned rural residential development". The proposal is considered to be consistent with the relevant objective of the development standard.</p> <p>By committing to the amalgamation of the two properties, this achieves the RU1 zone objectives which aim to</p>	2.5	Council	23/03/2021

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												reduce rural land fragmentation. The virtual compliance (i.e. approx. 2.5% variance) is minor and well within the 10% standard prescribed in Council's delegations. In that regard, the combined area of the land holding is substantially consistent with the pattern of land subdivision in the locality and residential occupation that is planned through the minimum lot size provisions of the LEP.			
DA2020/7250	701	1061078		286	Tallwood Drive	Tallwoods Village NSW	2430	2: Residential - Single new dwelling	Greater Taree LEP 2010	R1	Clause 4.3	The proposed variation to the development standard will result in a positive outcome for the site and the general public as it contributes to improving the use of the site for the occupiers and also maintains an appropriate built form which does not compromise the objectives of the development standard. The site is heavily constrained in its topography (steep) and the variation to the development standard is considered acceptable given the exceedance of the standard and the minimal portion of the development which exceeds the standard. The subject site is considered suitable for the development, and it is considered that the variation to the development standard is within the public interest.	9.5	Council	08/04/2021
163/2021/DA	22 & 23 Parts 1 & 2	1220838 & 1220838 1221247 & 1221247		183	Sunshine Rd	Hillville NSW	2430	13: Subdivision only	Greater Taree LEP 2010	RU4 & RU1	Clause 4.1	The proposed lot has a sufficiently large area capable of use for primary production activities and will not result in any land use conflict outcomes. The proposal is consistent with both the RU1 and RU4 zone objectives. The proposed sizes for all 4 lots in the subdivision are considered to be compliant with the zone objectives for Primary Production, including that area of the site zoned "small lots". Each lot would be capable of supporting a small lot primary production activity without generating any potential land-use conflicts with neighbouring properties.	7.6	Council	14/04/2021
DA-149/2021	2	1271343		1371	Wootton Way	Wootton NSW	2423	13: Subdivision only	Great Lakes LEP 2014	RU2	Clause 4.1	The proposed variation to the development standard will result in a positive outcome for the site and the general public as it contributes to the supply of rural living and smaller scale agricultural opportunities. Furthermore, the proposed subdivision does not adversely impact on the ecological significance of the land. It is considered	9	Council	27/04/2021

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												<p>that the variation to the development standard is within the public interest. Despite the variation, the proposed development is still consistent with the relevant objectives of development standard being:</p> <p>(a) to control the density of subdivision in accordance with the character of the location, site constraints and available services, facilities and infrastructure,</p> <p>(b) to ensure that lots are of a sufficient size and shape to accommodate future development.</p> <p>In relation to objective (a) of clause 4.1 and as demonstrated in Figures 2 and 3, the proposed subdivision will result in a density that is not inconsistent with the character of the locality. The proposed subdivision responds to the environmental constraints of the land including flooding, bush fire and ecology. Finally, existing services and infrastructure are adequate to service the proposed subdivision.</p> <p>In relation to objective (b) of clause 4.1, Proposed Lot 1 provides sufficient area which is clear of natural features such as dense vegetation and water courses for future development.</p> <p>Furthermore, the proposed development achieves the relevant objectives of the RU2 Zone, as addressed elsewhere in this Report.</p>			
DA-256/2021	2	262892		1569	The Bucketts Way	Allworth NSW	2425	3: Residential - New second occupancy	Great Lakes LEP 2014	RU2	Clause 4.2b 2c	<p>A variation to the development standard that requires a 100m distance between dwellings is sought by the applicant pursuant to Clause 4.6 of the Great Lakes Local Environmental Plan 2014. The variation to clause 4.2B (2)(c) is considered to be consistent with the objectives of clause 4.6(1). The development proposes a variation to the development standard associated with distance between dwellings from 100m to approximately 260m.</p> <p>It is considered reasonable to vary the development standard in this instance as it results in a positive outcome for the site, which would not be able to be achieved through strict compliance with the development standard. In addition to this, the variation does not compromise the objectives of the development standard (4.2B Erection of dual</p>	160	Council	28/04/2021

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												occupancies and secondary dwellings in Zone RU2) Council officer's recommendation was approval of the development application. The Recommendation stated: It is recommended that Development Application 256/2021 for Dual Occupancy on Lot 2 DP 262892, 1569 The Bucketts Way, Allworth be approved in accordance with the conditions of consent. The full Council at the Ordinary Meeting on 28 April 2021 determined to approve the application subject to conditions. 105/2021 Resolution (Moved Cr Hutchinson/Seconded Cr Christensen). That the above recommendation be adopted.			
DA2021/1465	25	247007		4	Elizabeth Street	Crowdy Head NSW	2427	1: Residential - Alterations & additions	Greater Taree LEP 2010	RU5	Clause 4.3	It is considered that the applicant has adequately demonstrated that compliance with a development standard is unreasonable or unnecessary because the objectives of the development standard are achieved notwithstanding non-compliance with the standard. It is also considered that it has been demonstrated that the proposed development will be in the public interest because it is consistent with the objectives of the development standard and the objectives for development of the zone in which the development is proposed to be carried out. The proposed development's consistency with the objectives of the development standard and the objectives of the zone make the proposed development in the public interest.	9.36	Council	16/06/2021
DA2020/7219	104	1169332		758	The Lakes Way	Darawank NSW	2428	3: Residential - New second occupancy	Great Lakes LEP 2014	R2	Clause 4.2B	<ul style="list-style-type: none"> The proposed location of the dwelling is located on an elevated portion of the site, meaning that achieving an FFL which responds to the Flood Planning Level of the site; and The proposed dwelling is located at the commencement of the existing secondary access which also provides flood evacuation from the site. 	6%	Council	30/07/2021
DA2021/1374	2,3,& 4	11620			Waitui Road	Hannam Vale	2443	2: Residential - Single new dwelling	Greater Taree LEP 2010	RU1	Clause 4.2A	The written request identifies that there is a 'dwelling entitlement' on Lot 3, which adjoins the western boundary of the site. Lot 3 - in addition to Lot 4 located on the western side of Lot 3 - is under the same ownership as the subject site. It is proposed to	3900%	DeptPlan	02/08/2021

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												<p>consolidate Lot 2, 3 & 4 under this current application. Therefore, the proposed development results in no net increase in the number of dwelling entitlements across the three (3) existing allotments.</p> <p>Whilst a 'dwelling entitlement' currently exists on Lot 3, future development of this lot for residential purposes is made difficult due to the presence of the topographical constraints provided by a gully which traverses the site. The presence of the gully leaves minimal space within the southern (front) section of the site, and future development of this area of Lot 3 will have difficulty complying with the primary setbacks prescribed by the DCP. Furthermore, development located on the northern side of the existing gully, within the rear of the site, would present issues in relation to proximity to bush fire hazard and Stewarts River.</p> <p>Strict compliance with Clause 4.2A is further considered unreasonable, given the same development outcome could be achieved utilising Clause 4.2A, albeit this process would be impractical. A dwelling could technically be erected on Lot 3 which currently has a dwelling entitlement. Lot 2, 3 & 4 could then be consolidated. A replacement dwelling could then be constructed on the same location proposed under this application utilising Clause 4.2A(4).</p>			
DA2021/1367	628	1064998		1	Royal Troon Avenue	Tallwoods Village NSW	2430	2: Residential - Single new dwelling	Greater Taree LEP 2010	R1	Clause 4.3	<p>Steeply sloping site; Design has been revised to split level and flatten roof; Any further revision to design will have construction implications, diminish the architectural design and make 'ageing in place' difficult;</p> <p>Extent of variation will not be greatly discernible and visual bulk and scale of the dwelling consistent with adjoining dwellings; No view or over-shadowing impacts are likely.</p>	7.2%	Council	07/08/2021
DA2021/1415	320	1242093		355	Diamond Beach Road	Diamond Beach NSW	2430	13: Subdivision only	Greater Taree LEP 2010	RU1	Clause 4.1	<p>The proposed development will see conflicting land uses being separated from one another, with development of each proposed lot to be pursued independently of one another.</p> <p>Whilst the site has not yet been rezoned, the strategic direction of this area is for residential development, meaning the minimum lot size of the</p>	9%	Council	23/08/2021

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												current RU1 zoned land would be significantly decreased. In addition to the above, despite the lot size being below the minimum, the lot size is consistent with existing lots within the immediate vicinity of the site, including No. 333 Diamond Beach Road to the south of the site and No. 539 Old Soldiers Road adjoining the western boundary of the site.			
DA2021/1762	659	1052154		6	Augusta Point	Tallwoods Village NSW	2430	2: Residential - Single new dwelling	Greater Taree LEP 2010	R1	Clause 4.3	Steeply sloping site; Design and construction implications with further stepping the rear portion of the dwelling; Extent of height exceedance not greatly discernible; No over-shadowing and view loss impacts attributable to the variation.	3.8%	Council	06/09/2021
DA2020/1014	10	248445		40	Kinka Road	Seal Rocks NSW	2423	2: Residential - Single new dwelling	Great Lakes LEP 2014	RU5	Clause 4.3	Steeply sloping site; Extent of variation is minimal and confined to an architectural feature which promotes sustainability.	4%	Council	08/09/2021
DA2021/1620	1014	1228138		5	Noosa Crescent	Red Hed NSW	2430	2: Residential - Single new dwelling	Greater Taree LEP 2010	R1	Clause 4.3	Steeply sloping site; Height exceedance confined to architectural features such as hipped roof and chimney which provide modulated roof design; Facilitate 'ageing in place'	7%	Council	20/09/2021
DA2021/1172	7088 & Part Lot 44	1066047 & 753168			Reserve Road	Forster NSW	2428	8: Commercial / retail / office	Great Lakes LEP 2014	RE1	Clause 4.3	The development proposes to maintain a maximum building height of approximately 8.948m which constitutes a 5% variation to the maximum height development standard (8.5m). It is considered reasonable to vary the development standard in this instance as it results in positive outcomes for the site that would not be able to be achieved through strict compliance with the standard. The variation is extremely minor (5%); the design quality of the building is such that height is not a significant factor; the setting in the landscape next to 'pilot hill' means the building height is not prominent in the landscape; the higher building components do not result in any significant additional impacts to surrounding areas.	5%	Council	23/09/2021
DA-221/2021	3	871358		85	Glen Ayr Road	Girvan NSW	2425	6: Residential - Other	Great Lakes LEP 2014	RU2	Clause 4.2B	Avoids removal of heavy vegetation; Existing structures; Minimal increase in separation; No impact on agricultural viability; No adverse impact on existing character of visual amenity of the area	45%	Council	29/11/2021
DA2021/1572	2	1266200		231	Barrington West Road	Barrington NSW	2422	2: Residential - Single new dwelling	Gloucester LEP 2010	RU1	Clause 4.3	Dwelling located with sufficient separation distance from adjoining dwellings and public road; No impacts on views; Dwelling located on flattest	63%	Council	30/11/2021

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												portion of the site and height exceedance not accentuated; Disparity in maximum height of building in rural zones across 3 LEPs; Strategic direction is that building heights in rural area be scrapped in new harmonised LEP.			
DA2021/1498	35 & 15	829557 & 754455		11	Borserio Drive	Mount George NSW	2424	13: Subdivision only	Greater Taree LEP 2010	RU1	Clause 4.1	It is considered reasonable to vary the development standard in this instance as it results in a positive outcome for the site, rectifying the rural land fragmentation caused by the existing public road, which would not be achieved through strict compliance with the development standard; The use of existing cleared fence lines, public roads and easements minimise the requirement for any additional land clearing to facilitate the proposed development; The proposed subdivision does not adversely impact on the ecological significance of the land; It is considered that the variation to the development standard is within the public interest.	8.6	Council	01/12/2021
DA2021/2106	46	211069		15	The Boulevarde	Hawks Nest NSW	2324	2: Residential - Single new dwelling	Great Lakes LEP 2014	R2	Clause 4.3	The height variation is minimal, is somewhat dictated by flooding constraints, is located towards the rear of the site, is consistent with the height of neighbouring development and is unlikely to cause amenity impacts.	7.5	Council	02/12/2021