

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
DA2021/2185	1	1225837		34	Bengal Street	COOLONGOLOOK	2423	8: Commercial / retail / office	Great Lakes LEP	RU5	Clause 4.3	Replacement of existing, approved pylon sign results in reduction in the height of the structure; No unreasonable amenity impacts. Impacts lessened in comparison to current, approved height of structure; Complies with relevant objective of Clause 4.3 of the LEP.	10	Council	09/01/2022
DA2021/2325	501	1031506		278	Tallwood Drive	TALLWOODS VILLAGE	2430	2: Residential - Single new dwelling	Greater Taree LEP	R1	Clause 4.3	Steeply sloping site; Design is proposed as a split level and flatten roof and significant architectural merits have been applied; Extent of variation will not be greatly discernible and visual bulk and scale of the dwelling consistent with adjoining dwellings; No view or overshadowing impacts are likely.	9.5	Council	17/02/2022
DA2021/1523	6	554738		35-39	Wharf Street	FORSTER	2428	8: Commercial / retail / office	Great Lakes LEP	B2	Clause 4.4	<ul style="list-style-type: none"> <li>• The proposed development enhances the town centre and subject site through provision of modern commercial space and better activates an otherwise inactive street frontage along Head Street car park. Strict application of the minimum commercial floor space ratio would make the proposal cost prohibitive and the benefits resulting from the proposed development would not be actualised.</li> <li>• The proposed development achieves the relevant objectives of Clause 4.4 and, therefore, there are sufficient planning grounds to support the variation.</li> <li>• There is insufficient demand for commercial floor space along Wharf Street.</li> <li>• The proposed business premise could be adapted to include additional commercial floor space if future demand for commercial space warrants this. These adaptations include, but are not limited to, the following: <ul style="list-style-type: none"> <li>o Adapting the proposed mezzanine/storage area to commercial floor space and increasing the mezzanine area; and</li> <li>o Adapting existing first-floor residence located on the first-floor of the existing mixed- use building within the southern portion of the site.</li> </ul> </li> </ul>	49	Council	23/02/2022
DA2021/2261	2 & 3	128592		1618B	The Lakes Way	MAYERS FLAT	2423	2: Residential - Single new dwelling	Great Lakes LEP	C3	Clause 4.2A	<p>It is noted that a tourist facility has previously been approved on the land. It is considered that the development proposed under this application results in less vegetation removal, therefore, less impacts on the ecological values in comparison to the previously approved tourist facility. It is also considered that the proposed development results in less aesthetic impacts on the land given the reduction in building footprint.</p> <p>It is also noted that a dwelling has also been previously approved on the land. The approval for the dwelling house was granted a variation to</p>	97.5	Secretary of Department of Planning	6/03/2022

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												<p>clause 4.2A by Council with concurrence issued by the Department of Planning.</p> <p>It is also noted that the proposed development is provisioned with all essential services and is compatible with adjoining land uses which comprise rural living and low-scale agricultural activities.</p> <p>It is also acknowledged that the agricultural viability of the land is limited due to its overall land area and presence of vegetation.</p> <p>The proposed development is unlikely to create an unwanted precedent, with a number of dwellings existing within proximity to the site on land with a total area of &lt;40ha.</p> <p>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 range of residential accommodation and 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.</p>			
DA2021/1998	2	31699		69	Becker Road	FORSTER	2428	3: Residential - New second occupancy	Great Lakes LEP	R2	Clause 4.4	<p>The proposed development has been designed in accordance with the 'Liveable Housing Design Guidelines' (LHDG) which is intended to not only encourage the principles of 'ageing in place', but also facilitate the changing needs of individual and families throughout their lifespan.</p> <p>The provision for a future internal lift in the design further reinforces the intent of the development to achieve the principles of the LDHG</p> <p>A similar development at No. 12 Daphne Street, Forster was granted consent on 11 July 2018 under DA-418/2018. DA-418/2018 granted consent for a dwelling house with a Floor Space Ratio of 0.56:1, which also exceeded the maximum FSR of 0.5:1.</p> <p>Council's Strategic Planning Team are currently working on developing new MidCoast planning frameworks to provide a clear, consistent, region-wide framework for development. As part of this process, Council's Strategic Team have advised their intention on removing the FSR provision within all zones. Therefore, the proposed development, which proposed an exceedance to the maximum FSR provision, is not inconsistent with the future strategic direction of Council.</p>	10	Council	23/03/2022
DA2021/2101	909	1069143		5	Gum Blossom Place	TALLWOODS VILLAGE	2430	2: Residential - Single new dwelling	Greater Taree LEP	R1	4.3	<p>Reasons:</p> <ul style="list-style-type: none"> <li>-steeply sloping site;</li> <li>-confined to a minor section of roof line;</li> <li>-design resolutions have been exhausted;</li> <li>-bulk and scale not greatly discernible from streetscape of locality;</li> <li>-no overshadowing, visual or privacy impacts will result.</li> </ul>	9.29	Council	10/04/2022
DA2021/1642	8	1003887		101	Newman Avenue	BLUEYS BEACH	2428	1: Residential - Alterations & additions	Great Lakes LEP	R2	4.6	<p>The Development seeks to vary the allowable height of 8.5m by 100mm for a length of 1800mm on the rear western side of the roof. The height exceedance will not likely cause any discernible impact on the adjoining land owners nor negatively impact views. It is determined that the 1.15%</p>	1.15	Council	11/04/2022

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												height exceedance is supported based on the Clause 4.6 Variation contained within the report.			
DA-9/2021	1	714149		12	Pindimar Road	TEA GARDENS	2324	11: Industrial	Great Lakes LEP	RU2	4.3	<p>The nature of the proposed operations intended to be accommodated within the building necessitates a building height as proposed. These operations include loading using heaving vehicles and trucks and stockpiling.</p> <p>In addition to the operations, the conveyor belt associated with the existing wood chipping mill must also be accommodated within the proposed new building, which further influences the height.</p> <p>The site is currently occupied by large buildings, including the existing packaging shed and maintenance depot. The height of the proposed new building is not likely to be greatly discernible in comparison to existing buildings currently on the land.</p> <p>The proposed building maintains sufficient separation distance from site boundaries and adjoining development and no overshadowing impacts will result from the proposed height exceedance.</p> <p>The development site is surrounded by dense vegetation and the proposed buildings maintains sufficient separation distance from Pindimar Road and Myall Way. The proposed building and any height exceedance is not likely to have any significant visual impacts given the available separation distances coupled with the presence of vegetation which provides visual screening.</p>	50.35	Council	27/04/2022
DA2022/0263	22	237261		35-37	New Forster Road	SMITHS LAKE	2428	2: Residential - Single new dwelling	Great Lakes LEP	RU5	4.6	<p>The proposed two storey dwelling development at 37 New Forster Rd varies a development standard including the exceedance of the permissible maximum building height of 8.5m. It has been determined that the height of the proposed ridge line is 9.2 metres, which is an approximate 8.2% exceedance of the maximum height (8.5m) development standard.</p> <p>All relevant parts under 4.6 have been addressed in the 4.15 assessment.</p> <p>The assessing officer considers the following in relation to the variation to a development standard, in accordance with 4.6 Exception to development standards;</p> <ul style="list-style-type: none"> <li>• The proposed variation is within the 10% exceedance value of the maximum building height as per the Great Lakes LEP;</li> <li>• The impact is considered minimal on the residential use/zoning associated with the locality; in particular this dwelling is located adjacent to non-residential land, further minimising any potential impact incurred by this exceedance, such as overshadowing;</li> <li>• The proposed variation has been supported with statement in accordance with 4.6 as noted above,</li> </ul>	6	Council	31/05/2022

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												considering that the development standard in this instance is unreasonable due to site constraints; <ul style="list-style-type: none"> <li>The minor exceedance is proposed to a specific area of the development in response to site conditions .i.e. Significant cross fall, (See figure 4 above) and is otherwise compliant with the development standard;</li> <li>The proposed complies with the objectives of the Great Lakes DCP.</li> </ul>			
DA2022/0209	100	878119		361	Gloucester Road	Burrell Creek	2429	3: Residential - New second occupancy	Greater Taree LEP	RU1	4.2C	Strict compliance with the maximum 100 metre separation distance is made difficult given the presence of existing buildings and infrastructure including the existing driveway.  The proposed location presents the most logical and orderly location for the development.  Relocating the dual-occupancy to the north, east or south of the existing dwelling in order to satisfy the development standard would see the development located outside the development footprint, therefore, sterilising available agricultural land.  The proposed siting within the existing footprint in combination with typical rural dwelling design, means the development will not undermine the rural character of the land.  The location of the proposed development will have a minimum setback distance of approximately 250 metres from adjoining lands and will not result in land use conflict with adjoining land uses.  The proposed development location provides direct access to the existing driveway. This means no extension of the driveway and associated landform modifications is required.	38	Council	1/07/2022
DA2022/0122	274	753202		19	Wallis Lane	Forster	2428	2: Residential - Single new dwelling	Great Lakes LEP	RU1	4.2A	Variation to 4.2A of the LEP for a dwelling house on a lot that is below the minimum lot size	90	Secretary of Department of Planning	18/07/2022
DA2022/0120	16	22781		1	Pacific St	Wallabi Point	2430	2: Residential - Single new dwelling	Greater Taree LEP	R1	4.6	Approved under delegation. Cl. 4.3 development standard states a height of 8.5m, the development proposes 8.95m (5% variation). The variation has been supported in accordance with the requirements of Cl. 4.6.	5	Council	26/07/2022
DA2022/0305	1	587499		19022	Pacific Highway	Coopernook	2426	3: Residential - New second occupancy	Greater Taree LEP	RU1	4.2C	Zone Ru1 - Dual Occupancy The siting of the dwelling will achieve the objectives of the RU1 Zone as detailed below;  •Given the siting of existing approved structures on the site, the addition of the dwelling to the South of the existing shed will not further fragment or alienate the land as the dwelling will be located in relatively close proximity, 03.863m from the site shed, approximately 02.50m from the driveway circling the shed and approximately 24.00m from the metal shed, the structures are clustered and a 20.00m separation between the southern façade	9	Council	2/08/2022

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												and the southern boundary will be retained. A compliant separation of 100.00m in an alternate location could potentially create fragmentation of the site. <ul style="list-style-type: none"> <li>As discussed above the structures are clustered together through the central area of the site and away from site boundaries. Adjoining sites are heavily vegetated and unoccupied and it is unlikely they are being used for primary industry enterprises and therefore unlikely to create conflict in the land use of the adjoining sites.</li> <li>The site maintains landscape cover adjacent to the properties western boundary fronting the Pacific Highway and other scattered mature trees through the remainder of the lot which assists in maintaining the rural landscape character of the site.</li> <li>No clearing or fencing is proposed as part of the application and the proposal is unlikely to detrimentally affect the native flora, fauna and biodiversity links.</li> </ul>			
DA2021/2442	117	753149		27	Forest Lane	Old Bar	2430	13: Subdivision only	Greater Taree LEP	R5	4.1	MODR5 min 4000m <sup>2</sup> C2 min 1.5 ha Proposed lot 1 - 4.399 ha total comprising: R5 - 3.04 ha - Complies C2 - 1.353 ha - Not compliant The existing dwelling is located within C2 zone. Proposed Lot 2 - 2.732 ha - Complies  Variation Supported The applicant's written request has adequately addressed the matters required to be demonstrated by subclause 4.6(3). The proposed variation to the development standard will not result in an adverse outcome for the site and the general public.  The purpose of the variation is to provide an appropriate buffer surrounding the existing dwelling and management of the environmental zone delivering the outcomes of the concept approval and the Vegetation Management Plan. This will not conflict with the objectives of the zone and will not impact on the character of the area. It is considered that the variation to the development standard is within the public interest.	10	Council	4/08/2022
DA2022/0540	51	635345		1	Breese Parade	Forster	2428	8: Commercial / retail / office	Great Lakes LEP	B2	4.4	Variation to Clause 4.4 (2) (A) of the LEP for minimum FSR. The applicant proposes an FSR below the minimum 1:1 development standard applicable to the B2 - Local Centre Zoning.	69	Council	29/08/2022
MOD2022/0030	164	655650			Point Road	Tuncurry	2428	13: Subdivision only	Great Lakes LEP	R4	4.1	Variation to the standard results in a lot which is in keeping with the Bay Street subdivision pattern and will facilitate future development outcomes in keeping with the character of Bay Street.	27	Council	12/09/2022
DA2022/0489	1	1056021		15	Coralville Road	Moorland	2443	3: Residential - New second occupancy	Greater Taree LEP	RU5	4.1A	The application has been supported by a Wastewater Report prepared by a suitably qualified environmental consultant. The Report provides a comprehensive assessment of available land area for disposal of treated wastewater and an analysis of the soil	0	Council	28/09/2022

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												<p>characteristics. The Report demonstrates that the proposed lots have the capability to accommodate on-site effluent disposal and that the likelihood of any environmental impacts associated with on-site disposal is minimal.</p> <p>On the 24 March 2021, Council considered a Development Application (588/2020/DA) for a two lot subdivision of land at 56 Jericho Road, Moorland. This land is zoned RU5 Village and the application was also subject to Clause 4.1A of the GTLEP 2010. Through consideration of the information submitted in support of this application, which also included a request to vary Clause 4.1A, Council resolved to approve the application subject to conditions.</p> <p>The proposal is consistent with Council's Development Assessment Framework. The Wastewater Report has been reviewed by Council's On-site Sewer Management Team who have supported the proposal.</p> <p>In relation to connection of reticulated water, the BASIX Certificate submitted in support of the secondary dwelling requires provision of a rainwater tank with a minimum volume of 22 kilolitres. This rainwater tank is considered to provide a sufficient water supply to the occupants of the secondary dwelling.</p> <p>Water supply to future dwellings on Proposed Lot 102 and 103 will be considered at the time of development, however, adequate water supply can be provided through the provision of rainwater tanks.</p>			
REV2022/0002	21	754402		410	Glenwarin Road	Elands	2429	2: Residential - Single new dwelling	Greater Taree LEP	RU1	4.2A(3)	Land is zoned RU1 Primary Production. Compliance with the development standard is considered unnecessary as the development will not reduce the agricultural viability of the land, will not give rise to land use conflicts and will not erode the rural landscape character of the area.	6.25	Council	12/10/2022
DA2022/0031	12	116276		59	Philip Street	Gloucester	2422	3: Residential - New second occupancy	Gloucester LEP	R2	4.1	<p>8% Clause 4.6 variation to the 500.00sqm minimum lot size development standard applicable to the site.</p> <p>100% of the variation is approved as it is unnecessary as the proposed design is a better planning outcome for the site and locality in this instance and lots down to 450sqm are permitted within the DCP.</p>	8	Council	23/11/2022
DA2021/2128	1	1021873		90-95	Marine Drive	Tea Gardens	2324	8: Commercial / retail / office	Great Lakes LEP	R2	4.3	<p>Better development outcome than the approved, physically commenced development on the land;</p> <p>Unique site - dual zoning (B1 and R2) and max building height provisions;</p> <p>Need to comply with flood planning levels influences height of building;</p> <p>Not inconsistent with exiting or future desired urban character of the Marine Dr streetscape.</p>	38	Council	14/12/2022

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DA2022/1089	28	791268		26	Iluka Circuit	Taree	2430	3: Residential - New second occupancy	Greater Taree LEP	R5	52(2)(c)(i)	Clause 52(2)(c)(i) specifies a maximum floor area of 60.00m <sup>2</sup> and the applicants proposal includes 125.00m <sup>2</sup> of floor area leading to a variation to the maximum floor area in excess of 100%. Given the exceedance of the development standard the applicant has included a request to vary Clause 52(2)(c)(i) under the provisions of Clause 4.6 of the Greater Taree Local Environmental Plan 2010. The variation is discussed in greater detail later in the report.	108.3	Council	14/12/2022
DA2022/0709	3	261137			Manning River Drive	Purfleet	2430	13: Subdivision only	Greater Taree LEP	RU5	4.1	Approved at Council meeting - 14/12/2022 - Land is zoned RU5 Village. Variation to a number for lots ranging in size from 590m <sup>2</sup> - 994m <sup>2</sup> which constitutes a variation between 1%-41%.	41	Council	14/12/2022
	252	753149			Manning River Drive	Purfleet	2430	13: Subdivision only	Greater Taree LEP	RU5	4.1	Approved at Council meeting - 14/12/2022 - Land is zoned RU5 Village. Variation to a number for lots ranging in size from 590m <sup>2</sup> - 994m <sup>2</sup> which constitutes a variation between 1%-41%.	41	Council	14/12/2022
	2	841632			Manning River Drive	Purfleet	2430	13: Subdivision only	Greater Taree LEP	RU5	4.1	Approved at Council meeting - 14/12/2022 - Land is zoned RU5 Village. Variation to a number for lots ranging in size from 590m <sup>2</sup> - 994m <sup>2</sup> which constitutes a variation between 1%-41%.	41	Council	14/12/2022
	7	261137			Manning River Drive	Purfleet	2430	13: Subdivision only	Greater Taree LEP	RU5	4.1	Approved at Council meeting - 14/12/2022 - Land is zoned RU5 Village. Variation to a number for lots ranging in size from 590m <sup>2</sup> - 994m <sup>2</sup> which constitutes a variation between 1%-41%.	41	Council	14/12/2022
DA2022/0860	53	237259		170	Amaroo Drive	Smiths Lake	2428	2: Residential - Single new dwelling	Great Lakes LEP	RU5	4.3	The applicant proposes approval for a variation to the numerical control for height in excess of 10%.	11.7	Council	20/12/2022
DA2022/0953	143	31825		6	Lucas Ave	Green Point	2428	2: Residential - Single new dwelling	Great Lakes LEP	RU5	4.3	Variation to Clause 4.3 for height Zoning - RU5 Village	8.9	Council	23/12/2022
DA2022/1265	719	1065931		11	Cape View Way	Tallwoods Village	2430	2: Residential - Single new dwelling	Greater Taree LEP	R1	4.3	The development proposes a variation to Clause 4.3. The development proposes a maximum building height of approximately 09.031m which constitutes a 06.25% variation to the maximum 08.50m development standard.  Zone - R1 General residential Variation - Clause 4.3 - Building height	6.25	Council	29/12/2022