

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
DA2022/1451	653	1052154		5	The Saddle	TALLWOODS VILLAGE	2430	2: Residential - Single new dwelling	Greater Taree LEP	R1 - General Residential	4.3	The development proposes a variation to Clause 4.3. The development proposes a maximum height of approximately 8.773m which constitutes a 03.21% variation to the maximum Height of Buildings development standard.	3.21%	Council	13/02/2023
DA2022/0863	58	95409		136	Booral - Washpool Road	BOORAL	2425	3: Residential - New second occupancy	Great Lakes LEP	RU2	4.2B	The development proposes a variation to the development standard associated with Clause 4.2B 'Erection of dual occupancies and secondary dwellings in Zone RU2'. The application proposes a maximum separation distance of 260.00m which constitutes a 160% variation to the maximum 100.00m development standard.	160%	Council	22/02/2023
DA2022/0601	1	1053013		27	Valle Hi Way	KUNDIBAKH	2429	6: Residential - Other	Greater Taree LEP	RU1 Primary Production	4.2A	The development proposes a variation to the development standard associated with Clause 4.2A 'Erection of dwelling houses on land in certain rural and environment protection zones'. The development proposes the use of the barn as a dwelling on land zoned RU1 Primary Production which has an area of <40ha (16.20Ha).	100%	Secretary of Department of Planning	10/03/2023
DA2022/1463	1	1213457		8	Augusta Point	TALLWOODS VILLAGE	2430	1: Residential - Alterations & additions	Greater Taree LEP	R1 - General Residential Zone	4.3	Steeply sloping site. Existing precedent. No detrimental effects to adjoining lots, consistent with existing approved building.	17%	Council	12/04/2023
DA2021/1443	Lot 2 Lot 6	1123730 1247572		82	Wallaby Joe Rd	WINGHAM	2429	13: Subdivision only	Greater Taree LEP	RU1 - Primary Production	4.1	The variation to the Lot size will have no adverse impact on the efficient use of the land, natural or built environment and will create no land use conflict. The proposed subdivision follows an existing road and will result in allotments in keeping with the existing subdivision pattern throughout the locality.	10%	Council	18/04/2023
DA2021/2458	Lot 1 Lot 1 Lot 1	326289 119693 652227		1	Peel Street	TUNCURRY	2428	4: Residential - New multi-unit	Great Lakes LEP	R3 - Medium Density Residential	4.3 & 4.4	<p>Reasons for Height Variation: The roofline of the RFB is below the maximum building height requirement. The height exceedances are confined to the rooftop structures only; The combined width of the rooftop structures equate to only 29% of the total building width; The proposed development is still visually compatible with existing developments which characterise the streetscape. Council previously supported a height variation for the RFB approved under DA-538/2017.</p> <p>Reasons for FSR Variation: Development which is strictly compliant with the FSR development standard would result in a</p>	Building Height 4.74% & FSR 50.8%	Council	10/05/2023

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												<p>three-storey development which is two storeys less than existing medium-density residential development within close proximity to the site; The proposed development will not have any significant adverse impacts on the amenity of adjoining lands particularly in relation to view obstructions or overshadowing;</p> <p>Ten units, or 33% of the total number of units, will be provided as Adaptable Housing. The Adaptable Housing Standard provides considerations for people 'aging in place' which demands increased access clearances in bedrooms, dining, lounge, kitchen and bathrooms;</p> <p>The increased floor area also contributes to the articulation of the building; and</p> <p>It is understood that Council's adopted Housing Strategy has investigated deleting the FSR development standard within the R3 Zone.</p>			
DA2022/0594	Lot 4	1125518		2	Gloucester Street	STROUD	2425	14: Other	Great Lakes LEP	RU5	4.1	<p>Reason for Variation:</p> <p>Strict compliance with the minimum subdivision lot size would reduce the total number of available lots for future development. This is considered unreasonable given the variation to the minimum lot size is a mere 55m²;</p> <p>Whilst technically a transfer of part of the land within Proposed Lot 3 into Proposed Lot 2 would achieve the minimum lots size, this would result in obscure shaped lots with minimal benefit to the future development potential of Proposed Lot 2.</p> <p>Further recessing the common boundary into Proposed Lot 3, which will contain the vegetation on the land, would necessitate additional vegetation removal for the purposes of boundary fence clearing;</p> <p>The variation to the minimum lot size assists in the retention of the existing dwelling. The site is located within the Stroud Heritage Conservation Area and the existing dwelling contributes to the heritage significance of the locality.</p>	7.85%	Council	17/05/2023
DA2022/1517	Lot 918	1081417		21	Azalea Crescent	TALLWOODS VILLAGE	2430	2: Residential - Single new dwelling	Greater Taree LEP	R1 - General Residential Zone	4.3	Steeply sloping site, reducing cut and fill and suitability within the locality	3.81%	Council	20/05/2023
DA2022/0554	Lot 1	619958		N/A	Taree Street	TUNCURRY	2428	13: Subdivision only	Great Lakes LEP	R3 - Medium Density Residential	4.1	<p>It is appreciated that part of the intent of prescribing a minimum subdivision lot size is to ensure sufficient area to give future development the ability to be designed in consideration of environmental constraints and built form controls, particularly when at the time of considering the subdivision the future built form is unknown. This is reinforced in the application of Clause 4.1A, where concessions to the minimum lot size are granted where future development is concurrently assessed with the application for subdivision. This application differs in the respect that it is a concept Development Application, meaning the future development outcome of each proposed lot is known. As detailed within this Report, the manor houses are generally consistent with the built form controls of the DCP, adequately respond to the environmental constraints of the</p>	17%	Council	24/05/2023

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												land and will not result in any unreasonable amenity impacts - despite the variation to the subdivision lot size requirements. The minimum lot size requirement of 1000m2 assists in the delivery of larger scale developments which are permitted in the medium-density residential zone, including residential flat buildings, serviced apartments and seniors housing. By nature of their definition, being buildings of two-storey construction and containing 3 or 4 dwellings, manor houses have a more modest built form in comparison to other allowable developments in the zone.			
DA2022/1153	Lot 61	1252146		443	Kolodong Road	TAREE	2430	2: Residential - Single new dwelling	Greater Taree LEP	RU1-Primary Production	4.2A	The site is located within proximity to a number of similar sized lots zoned RU1 Primary Production which are occupied by lawfully erected dwellings; Approved Lot 104 will be located at the periphery of land zoned R1 General Residential located to the north-east. This residentially zoned landforms part of an urban release area which was previously approved for residential subdivision comprising lots with an area of approximately 650m2. The site is unique given its location and the total lot size provides a suitable transition between smaller residential lots to the north-east and larger rural lots to the west and south. Rural lots located on the urban fringe provide opportunity for orderly and economic use of the land in a residential capacity given their limited agricultural opportunities given proximity to sensitive residential receivers and have been previously supported as evident in the approvals as referenced by the applicant in the Tinonee locality.	8.5%	Dep of Planning	5/06/2023
DA2023/0076	Lot 24	DP 754456		107	Paynes Lane	UPPER LANSDOWNE	2430	2: Residential - Single new dwelling	Greater Taree LEP	RU1-Primary Production	4.2A	The proposal satisfies the established tests for Clause 4.6 variations, is an appropriate form of development for the site and will result in an improved outcome by allowing residential accommodation alongside the low-scale agricultural operations whilst not compromising the amenity of adjoining lands. Flexibility in the application of the development standard is justified. Zone: RU1 - Primary Production	59.5%	Dep of Planning	5/06/2023
DA2022/1480	Lot B	326856		N/A	Forest Road	MOORLAND	2443	2: Residential - Single new dwelling	Greater Taree LEP	RU1 - Primary Production	4.2A	Reason: There is already an established precedent within the locality of dwellings on undersized lots and the development utilises an existing allotment and does not propose any further subdivision. The development is not considered to result in any land use conflicts, as there is effectively an established rural community in the locality which this development will positively contribute towards. It is not considered that the development will adversely impact on the rural character of the land and surrounding locality, the development proposes a rural dwelling similar to the surrounding properties. The application was referred to the Planning	89.65%	Dep of Planning	7/06/2023

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												Secretary, by way of referral to NSW Department of Planning and Environment on 20 January 2023 for concurrence. Additional information was provided to the Department, at their request on 4 April 2023. Concurrence from the Planning Secretary was provided on 1 May 2023.			
DA2022/0983	Lot 5 Sec 8	DP 758381		5	Lethbridge Road	ELIZABETH BEACH	2428	2: Residential - Single new dwelling	Great Lakes LEP	Zone: R2 - Low Density residential	4.3 Maximum Height of Buildings	Zone: R2 - Low Density residential Variation to building height 3.5% for 8.8m height	3.5%	Council	7/07/2023
DA2023/0006	Lot 32 Lot 33	DP 1273289			Surfside Avenue	FORSTER	2428	14: Other	Great Lakes LEP	Zoning: R3	7.23 Minimum Dwelling Density	"Zoning: R3" Reasoning: A change in strategic direction in 2016; Aligns with Hunter Regional Plan 2041 particularly in relation to dwelling densities in regional areas. The site is considered an outlying medium density area, being located 2km from nearest commercial precinct and being surrounded by low-density residential zones and development. Notwithstanding, the proposal still achieves a population/dwelling density that achieves the intent of the R3 Zone.	41%	Council	17/07/2023
DA2022/1528	Lot 86	248650		15	Cooper Street	BOOMERANG BEACH	2428	3: Residential - New second occupancy	Great Lakes LEP	Zone: R2 - Low Density residential	4.3 and 4.4 - Height of Buildings' and 'Floor Space	The development proposes a variation to the development standard associated with both Clause 4.3 'Height of Buildings' and Clause 4.4 'Floor Space Ratio' (refer to 'LEP Compliance' table above). The application proposes a maximum building height of 08.915m which constitutes an 4.88% variation to the maximum 08.50m development standard. The application also proposes a floor space ratio of 0.59:1 which constitutes an 18% variation to the maximum 0.5:1 floor space ratio development standard. The proposal satisfies the established tests for Clause 4.6 variations, is an appropriate form of development for the site and will result in an improved outcome over and above a development that would comply with the development standards. Flexibility in the application of the development standards is justified due to the site constraints, suitability of the development to the site and the need for excessive cut and fill should a compliant design be proposed that may also impact the compliance of the driveway. Zone: R2 - Low Density Residential	18%	Council	26/07/2023
DA2023/0161	Lot 567	9938		13	Barromee Way	NORTH ARM COVE	2324	2: Residential - Single new dwelling	Great Lakes LEP	RU5 Village	Clause 4.3 - Dwelling Height	The development proposes a variation to Clause 4.3. The development proposes a maximum building height of approximately 09.209m which constitutes a 08.30% variation to the maximum Height of Buildings development standard.	8.3%	Council	2/08/2023

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												<p>The encroachment is minor and has been designed with consideration of the site. The minor exceedance is considered suitable as the applicant has demonstrated compliance with objectives and provided a design which is considerate of the sloping nature and shape of the allotment.</p> <p>Zone is RU5 Village</p>			
DA2022/1062	Lot 103	753168			The Lakesway	FORSTER	2428	13: Subdivision only	Great Lakes LEP	C2 - Environmental Conservation, R2 - Low Density Residential, and R3 - Medium Density Resident	4.1AA Minimum subdivision lot size for community	<p>Land Zone: C2 - Environmental Conservation, R2 - Low Density Residential, and R3 - Medium Density Residential</p> <p>The development proposes a variation to the development standard associated with clause 4.1AA 'Minimum subdivision lot size for community title schemes' (refer 'LEP Compliance' table above). The development proposes an allotment which is below the permitted minimum lot size of 40.0Ha. The proposed lot is 37.43Ha which is a proposed variation of 6%, with the lot being 2.57Ha smaller than the permitted lot size.</p> <p>In summary, the development standard is considered to be unreasonable in this instance as strict compliance is not feasible or warranted. Strict compliance would result in an adverse impact on the site and the development outcomes as per the approved major project. Additionally, in compliance with the major project approval (MP 05_0125) the variation is already supported and strict compliance would not be achievable without modification.</p>	6%	Council	16/08/2023
DA2023/0450	Lot 17 Sec B	21465		50	Newman Avenue	BLUEYS BEACH	2428	6: Residential - Other	Great Lakes LEP	R2 - Low Density Residential.	Clause 4.4	<p>The site is zoned R2 - Low Density Residential. The proposal satisfies the established tests for Clause 4.6 variations, is an appropriate form of development for the site and will result in an improved outcome by allowing for increased use of space whilst not compromising the amenity of adjoining lands. Flexibility in the application of the development standard is justified.</p>	9.7%	Council	28/09/2023
DA2023/0428	Lot 7	217682		29	Surfview Avenue	BLACKHEAD	2430	13: Subdivision only	Greater Taree LEP	R1 - General Residential.	Clause 4.1 Minimum Lot Size	<p>Land is zoned R1 - General Residential. The proposed development will result in a positive outcome for the local community as it will contribute additional residential land for development. Whilst being undersized, the minor variation of 1.42% is considered appropriate in facilitating an additional allotment. The development does not establish any additional adverse impacts on the locality and there is sufficient provision for a future dwelling on the site. It is not considered that the undersized allotment will result in future dwellings being non-compliant with the provisions of the LEP or DCP as a result of the minor variation.</p>	1.42%	Council	6/10/2023

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												In consideration of the variation, it is noted that the variation to the development standard is reasonable and allows the subject site to meet the objectives of the land zone, as it contributes to providing for the housing needs of the community and also allows for variety in housing types and densities through future dwellings.			
DA2023/0247	Lot 2	1270306		4B	Lake Street	FORSTER	2428	1: Residential - Alterations & additions	Great Lakes LEP	E2 - Commercial Centre	Clause 4.3 - Maximum Height	The proposed alterations and additions are minor works and result in a minor increase to the approved height of the building. The increase in height from most vantage points will be indiscernible from most vantage points and will have no significant adverse impact on the perceived bulk and scale of the building.	14.3%	Council	23/10/2023
DA2023/0324	Lot 14	22422		29	Beach Street	HARRINGTON	2427	2: Residential - Single new dwelling	Greater Taree LEP	Zone: R1 - General Residential	Clause 4.4 - Floor Space Ratio	It is considered that the development exceedance is an acceptable planning outcome and that strict compliance with the development standard is unreasonable in this case. The development will contribute positively towards the desired built form within the area. The proposal facilitates the ongoing use of an existing residential site in a single dwelling house capacity, providing for the housing needs of the community within a residential locality. Zone: R1 - General Residential	28%	Council	25/10/2023
DA2023/0466	Lot 1	1280641		24	Meade Street	BULAHDELAH	2423	6: Residential - Other	Great Lakes LEP	RU5 Village	Clause 4.1 - Minimum Area Development Standard	The proposed lot size is consistent with the subdivision pattern of the area and as the subdivision is associated with a dual occupancy development the density of the subdivision is acceptable.	6.37%	Council	30/10/2023
DA2022/1161	Lot 9 & Lot 10	1088431		3-5	Hough Street	TEA GARDENS	2324	4: Residential - New multi unit	Great Lakes LEP	R2 - Low Density Residential.	Clause 4.4 - Floor Space Ratio	The proposed development and variation to the development standard does not adversely impact on the site or surrounding area. The development presents as a well-balanced unit complex that provides appropriate separation between units as well as suitable open spaces without significantly impacting on overall bulk and scale. The proposed development is consistent with the expected future pattern of built form along the street with built form anticipated to produce a mixture of dwelling types, generally with higher densities than historically present in the area. The development is not considered to conflict with the R2 zone objective to provide for the housing needs of the community within a low-density environment. Despite the variation, the objectives of Clause 4.4 are achieved.	8.26%	Council	30/10/2023

