

ITEM-24 **EDAC 28/07/20 - SUPPLEMENTARY REPORT - 76
LINWOOD STREET WICKHAM**

REPORT BY: **GOVERNANCE**
CONTACT: **DIRECTOR GOVERNANCE / MANAGER REGULATORY
PLANNING AND ASSESSMENT**

PURPOSE

The subject application was considered at the Development Applications Committee (DAC) Meeting held on 21 July 2020.

An alternative motion was put forward for the DAC to consider approval of the development application.

The application was supported to lay on the table and report to the DAC Meeting on 28 July 2020 with an alternative motion for approval which includes development conditions of consent.

This supplementary report outlines the alternative recommendation and schedule of recommended conditions for approval, in addition to the previously prepared report in respect of this matter.

RECOMMENDATION

That Council:

- 1 Refuse DA2020/00136 for dwelling house, alterations and additions at 76 Linwood Street, Wickham for the following reasons:
 - i) The development does not adequately address the matters required to be demonstrated by Clause 4.6(3) of the Newcastle Local Environmental Plan 2012 (NLEP 2012) and *Environmental Planning and Assessment Act 1979* (EP&A Act) Section 4.15(1).
 - ii) The development is not consistent with the objectives of the floor space ration (FSR) development standard (Clause 4.4 of the NLEP 2012) and EP&A Act Section 4.15(1).
 - iii) The development will not be in the public interest because it is not consistent with the objectives for development within the R2 Low Density Residential Zone in which the development is proposed to be carried out (EP&A Act Section 4.15(1)).
 - iv) The development will have substantial impacts on neighbouring properties in terms of bulk, scale and overshadowing (EP&A Act Section 4.15(1)(b)).

KEY ISSUES

- 2 The proposed variation to the FSR development standard, under the NLEP 2012.

- 3 The suitability of the development with respect to the relevant provisions of the Newcastle Development Control Plan 2012 (NDCP 2012).

BACKGROUND

- 4 Refer to the previous report which went to the DAC Meeting held on 21 July 2020 (**Attachment A**).

OPTIONS

Option 1

- 5 The recommendation as at Paragraph 1. This is the recommended option.

Option 2

- 6 Alternatively:

- i) That the DAC note the objection under Clause 4.6 Exceptions to Development Standards of the NLEP 2012, against the development standard at Clause 4.4 Floor Space Ratio, and considers the objection to be justified in the circumstances and to be consistent with the objectives of Clause 4.3 and the objectives for development within the R2 Low Density Residential Zone in which the development is proposed to be carried out; and
- ii) That DA2020/00136 for dwelling house – alterations and additions at 76 Linwood Street, Wickham be approved, and consent granted, subject to compliance with the conditions set out in the Draft Schedule of Conditions (**Attachment B**).

This is not the recommended option.

ATTACHMENTS

Item 24 - Attachment A: Item 22 – DAC 21/07/20 – DA2020/00136 – 76 Linwood Street, Wickham – Dwelling house and alterations and additions

Item 24 - Attachment B: Schedule of conditions of consent should recommendation 2 be adopted – DA2020/00136 – 76 Linwood Street, Wickham