

Variation to Development Standards Clause 4.6

Rev 02

LOT 76 / DP12074

33 WOLLSTONECRAFT ROAD, AVALON

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Clause 4.6 Exceptions to Development Standards

The application seeks an exception to the development standard for:

- Side Building Line under 1m

Clause 4.6 states:

(1) The objectives of this clause are as follows.

- (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development.
- (b) to achieve better outcomes for and from development by allowing flexibility circumstances.

and:

(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

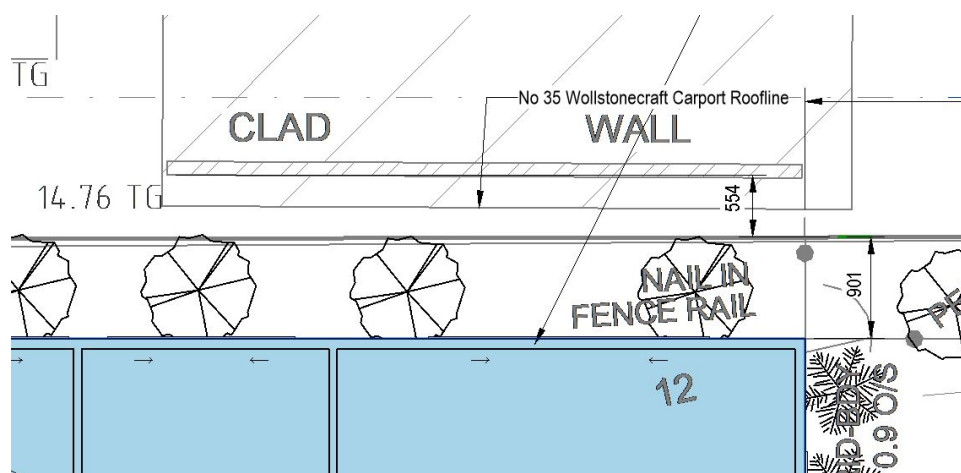
- (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case and
- (b) That there are sufficient environmental planning grounds to justify contravening the development standard.

Clause Response

Clause D1.9 - Side Building Line 1m from boundary (Section D, Locality Specific Development Controls)

A minor noncompliance occurs at the western boundary with the encroachment of the secondary dwelling within the the 1m distance by 100mm .The Requested flexibility on this development standard is considered justified for the following reasons:

- Due to the location of the existing Driveway alignment through the middle from left to right of the property, Appropriate footprint area is limited.
- Precidents has been set by adjoining property of No 35 Wollstonecraft Road, where the carport wall is roughly 550 to the boundary as shown below from survey extract.



The variation would have little to no impact to No 35 Wollstonecraft Road, due to atleast over half of the secondary dwelling (Granny Flat) facing No 35 Wollstonecraft's carport.