

Variations to Development Standards Register - Kempsey Shire Council - 1 April to 30 June 2013

Council DA reference number	Lot number	DP number	Apartment /Unit number	Street number	Street name	Suburb/Town	Postcode	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 dd/mm/yyyy
T6-12-320	3	DP747885		403	Hickey's Creek Rd	Hickeys Creek Road	2440	3: Residential - New second occupancy	KLEP 1987	1(a1)	Clause 31 (3) (b)	<ul style="list-style-type: none"> The site is bushfire prone and to achieve a BAL 29 rating for the proposed dual occupancy the new dwelling has to be positioned a minimum distance from the vegetation on the adjoining lot. 	11m separation	Council	28-May-2013
T6-13-51	4 & 2	DP752439 & DP112084		151	Aldavilla Road	Aldavilla	2440	14: Other	KLEP 1987	1(a1)	Clause 16(1) (a)	<ul style="list-style-type: none"> Both lots already under minimum lot size; No new dwelling entitlements being created; Consistent with surrounding subdivision pattern; Agricultural viability of land will not be reduced. 	Lot 4 - 98% & Lot 2 - 46%	Council	18-April-2013
T6-13-41	810 & 813	DP1061151		74-86	Marlin Drive	South West Rocks	2431	14: Other	KLEP 1987	2(a) & 7(d)	Clause 16(1) (a)	<ul style="list-style-type: none"> Both existing lots are currently less than forty (40) hectares, and no additional lots or dwelling entitlements will be created. The proposed variation is consistent with existing pattern of development in the area. The proposed variation to Clause 16(1)(a) would not hinder the attainment of the aims and objectives of the KLEP 1987 and the 7D zone and will just relocate the boundary to an existing fence. The proposed variation to Clause 16(1)(a) will not set an undesirable precedent. 	Lot 800 - 98.9% & Lot 801 - 96.9%	DG of Department of Planning	01-May-2013
T6-13-93	3 & 101	DP 863942 & DP 547638		312-314 & 316	River Street	Greenhill	2440	14: Other	KLEP 1987	1(c) & 1(a3)	Clause 16(1) (a)	<ul style="list-style-type: none"> Both existing lots are currently less than forty (40) hectares, and no additional lots or dwelling entitlements will be created. The proposed variation is consistent with the aims and objectives of the zone and with the existing pattern of development in the area. The proposed variation to Clause 16(1)(a) would not hinder the attainment of the aims and objectives of the KLEP 1987. The variation is so small that it will not interfere with the neighbouring agricultural use of the land. 	Lot 1 - 80% & 99.5%, Lot 2 - 96.9%	DG of Department of Planning	24-May-2013
T6-13-88	28	DP 1173415		25	Steve Eagleton Drive	South West Rocks	2431	14: Other	KLEP 1987	2(a)	Clause 16(1)(a)	<ul style="list-style-type: none"> The proposal is consistent with the aims and objectives of the zone. It is only a minor variation (approximately 2.24%). There are two dwellings approved but only 1 has been constructed, if both had been constructed they the subdivision would comply with clause 16A and no minimum lot size would apply. Lot 281 contains a sewer easement that requires the lot to be slightly larger (600m²), which has required lot 281 to be reduced in size. The proposal is consistent with the pattern of subdivision in the area. <p>Clause 8 of SEPP1</p> <p>The proposal does not raise matters of State or regional significance.</p>	Lot 281 - no variation, lot 282 - 2.24%	Council	13-June-2013
T6-13-21	43 & 72	DP752433			Dennis Road	Mungay Creek	2440	2: Residential - Single new dwelling	KLEP 1987	1(a)	Clause 16(1)(a) & 17(3)(a)	<ul style="list-style-type: none"> The proposal is consistent with the aims and objectives of the zone. It is only a minor variation as the combined area was less than 10% variation of the required area. The proposal is consistent with the pattern of subdivision in the area. 	Proposed Lot will have a 11.25% variation	DG of Department of Planning	19-June-2013
T6-12-413	233 & 317	DP754396		19	Gregory Street	South West Rocks	2431	14: Other	KLEP 1987	2(c) & 7(d)	Clause 16(1)(a) & 17(3)(a)	<ul style="list-style-type: none"> The proposed boundary alteration and the erection of a dwelling to support the Old School House Gallery & Café on the 7(d) zoned land is likely to have a positive community benefit. The proposal is consistent with the objectives of the 7(d) zone to conserve the environmental and scenic quality of visually significant land; and The application does not raise issues of State or regional significance. 	Proposed Lot 2331 - 99.28% variation	DG of Department of Planning	25-June-2013