

Variations to Development Standards Register - Kempsey Shire Council - 1 July to 30 September 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 |
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| T6-13-179 | 602 | DP700649 | | 226 | Yessabah Road | Yessabah | 2440 | 3: Residential - New second occupancy | KLEP 1987 | 1(a3) | Clause 31(3)(a) & Clause 31(3)(b) | <ul style="list-style-type: none"> There will be no reduction in area of grazing land and hence conserving other land on-site that is suitable for agricultural use. This is consistent with the objectives of 1(a3) Rural Zoning; The proposed dual occupancy building is existing and therefore it would be unreasonable and impractical to comply with the KLEP provisions; The proposal will utilise an existing structure and therefore be less visually intrusive; The proposal is for minor variations only; The proposal is consistent with existing adjoining farm residences and sheds; The existing On-site Sewage Management System is capable of dealing with the additional hydraulic loads; There are no environmental impacts associated with the proposal. | Separation – 58%, an increase in building area for dual occupancy building is 20% | Council | 04-July-2013 |
| T6-13-151 | 11 & 12 | DP 555268 | | 230 | Euroka Road | Euroka | 2440 | 14: Other | KLEP 1987 | 1(a3) | Clause 16(1)(a) | <ul style="list-style-type: none"> Both existing lots are currently less than forty (40) hectares; Approval of the application will not result in the creation of any additional lots or dwelling entitlements; The proposal is consistent with the objectives of the 1A3 zone; The application does not raise any issues of State or Regional significance. | Lot 121 - 70.5% & Lot 122 – 99% | DG of Department of Planning | 09-July-2013 |
| T6-13-197 | 11 & 12 | DP834933 | | 30 | Forth Street | Kempsey | 2440 | 14: Other | KLEP 1987 | 1(e) & 3(a) | 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 1(e) Rural (Floodway) Zone, as no additional physical development is proposed; The proposal will not significantly impact on any agricultural activity; The proposed variation to Clause 16(1)(a) will not set an undesirable precedent for the reasons given above and in the body of this report. | Lot 111 - 98.8% Lot 112 - 99.8% | Council | 17-July-2013 |
| T6-13-182 | 170 & 183 | DP654860 & DP752412 | | | Sutherlands Lane | Clybucca | 2440 | 14: Other | KLEP 1987 | 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 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 1(a3) zone, maintaining the viability of the agricultural activities on the site and in the area; The proposed variation to Clause 16(1)(a) will not set an undesirable precedent for the reasons given above and in the body of this report. <p>It is noted that the applicant acknowledges that Lot 183 does not have a dwelling entitlement and that no dwelling entitlement is sought as part of this proposal.</p> | Lot 1 - 65% Lot 2 - 15% | Council | 17-July-2013 |
| T6-13-107 | 54 | DP752425 | | | Silverwood Avenue | Temagog | 2440 | 2: Residential - Single new dwelling | KLEP 1987 | 1(a1) | Clause 17(3)(a) | <ul style="list-style-type: none"> Concurrence was granted in this instance for the reasons that it was considered the application will not compromise the objective of the zone by adversely impacting on agricultural land or its future potential, the rural character of the area of the amenity of the subject land. | 58.53% | DG of Department of Planning | 18-July-2013 |
| T6-13-172 | 82 | DP263591 | | | New Entrance Road | South West Rocks | 2431 | 14: Other | KLEP 1987 | 1(a) & 7(d) | Clause 16(1)(a) | <ul style="list-style-type: none"> The proposal will facilitate the subdivision of land for residential purposes and the portion of the subject land zoned 7(d) Scenic Protection is already below the 40ha standard; The application does not raise any issues of State significance. <p>It was recommended that the application be approved for these reasons, and the following additional reasons:</p> <ul style="list-style-type: none"> The proposed variation is consistent with existing pattern of development in the area; | Lot 4 = 99.9% Lot 5 = 99.9% Lot 6 = 99.9% Lot 7 = 99.9% | DG of Department of Planning | 15-August-2013 |
| T6-13-222 | 61 & 118 | DP754419 | | 1272 | Belmore River Left Bank Road | Belmore River | 2440 | 14: Other | KLEP 1987 | 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 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 1(a3) zone, maintaining the viability of the agricultural activities on the site and in the area; The proposed variation to Clause 16(1)(a) will not set an undesirable precedent for the reasons given above and in the body of this report. <p>It is noted that the applicant acknowledges that Lot 118 does not have a dwelling entitlement and that no dwelling entitlement for proposed Lot 2 is sought as part of this proposal.</p> | Lot 1 = 84% Lot 2 = 42% | Council | 12-September-2013 |
| T6-13-285 | 401 | DP789638 | | 121 | Johnsons Road | Collombatti | 2440 | 7: Residential - Other | KLEP 1987 | 1(a3) | Clause 17(3)(a)(i) | <ul style="list-style-type: none"> This lot was created by a Council subdivision of 3 lots in 1986 all of which do not achieve the 40ha min area. The lot adjoining has an approved dwelling on an area of 39.905 ha; The proposed variation is consistent with existing pattern of development in the area; The proposed variation to Clause 17(3)(a)(i) would not hinder the attainment of the aims and objectives of the KLEP 1987 and the 1(a3) zone, maintaining the viability of the agricultural activities on the site and in the area; The proposed variation to Clause 17(3)(a)(i) will not set an undesirable precedent for the reasons given above and in the body of this report. | 0.003% | Council | 27-September-2013 |