

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
T6-20-75	241	DP754441		18	STEWART STREET	CRESCENT HEAD	2440	14: Other	KLEP2013	R1 - General Residential	4.1(3)	The proposal will utilise available vacant land at the rear of an existing house block, creating a new vacant lot in the existing urban area. This form of infill development can be beneficial, as it allows controlled growth within the existing urban footprint. For the purposes of population growth, this reduces the reliance upon expanding the urban fringe while also locating the additional population closer to existing services. Permitting the proposal to proceed would be an efficient use of existing residential zoned land. The existing pattern of development in the immediate area is consistent with the proposal. The site enjoys dual road frontage, with Stewart Street to the north (downslope) and Dulconghi Street to the south (upslope). Many lots in the area with similar arrangements have been historically subdivided in this manner, providing a lot on each road frontage. This has resulted in an existing pattern of subdivision that is consistent with the current proposal. Clause 4.1A of KLEP 2013 permits a minimum lot size of 300 square metres when in the same application, consent is sought for subdivision and the erection of a dwelling house on each lot resulting from the subdivision. The objective of this clause is to encourage housing diversity without adversely impacting on residential amenity. The current application is similar to what could be permitted under clause 4.1A and be compliant with KLEP 2013, were it not for the fact that there is an existing dwelling on the lot and a second dwelling is not part of the current application (although an appropriate building envelope has been used to demonstrate a dwelling could be considered on the site). Although this is not in itself grounds to support the variation, it is noted that the same overall outcome as provided for under Clause 4.1A is ultimately anticipated. Ordinary Council Meeting - 18 August 2020 Page 49 It is noted that, pursuant to Clause 64 of the Environmental Planning and Assessment Regulation 2000, the Director-General has notified Council of assumed concurrence in respect of all applications made under Clause 4.6 (aside from certain rural development that does not apply in this instance). Given the above, it is considered that there are sufficient environmental planning grounds to justify variation from the development standard in this circumstance. As such, it is recommended that Council support the request under Clause 4.6 of KLEP 2013 to vary Clause 4.1 of KLEP 2013.	Approximately 24% each lot (two lot subdivision).	Council	18/08/2020