Approved Variations to Development Standards under Clause 4.6 of the Albury Local Environment Plan (LEP) 2010

2022

Quarter	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
Jan-Mar	10.2021.39007.1	2 & 3	816637		596 & 592	Poole Street	Albury	2640	13: Subdivision only	ALEP 2010	R1	Clause 4.1	The reduced lot size doe does not cause any significant impact on the residential amenity of either dwelling given the subdivision reflects the established fencing arrangements on site. Each lot will contain sufficient private open space, onsite parking and no alterations to access or services is required as a result of the development.	The variation is minor as the reduction in lot size is 6% less than the minimum lot size for a vacant lot.	Council	11/01/2022
Apr-Jun																
Jul-Sept																
Oct-Dec																

Approved Variations to Development Standards under Clause 4.6 of the Albury Local Environment Plan (LEP) 2010

2021

Quarter	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
Jan-Mar	10.2020.37622.1	831	776707		5	Bretton Road	Splitters Creek	2640	13: Subdivision only	ALEP 2010	Part E3 / Part R5	Clause 4.1	In this case the MLS for the R5 zone portion of Lot 3 in considered unreasonable and unnecessary on the basis that: • there is already a commenced consent (under the previous LEP) applicable to the land being subdivided that creates a lot containing the E3 zone with less than 2 hectares of R5 zoned land (see attached); • the lodged three lot subdivision could be achieved by completing the existing consent and then undertaking an additional two lot subdivision of the larger lot created, so why not achieve that outcome in one application where the opportunity exists. In other words, the same outcome can be achieved through a longer process for the only reason of complying with this control; • the variation is minor in that it achieves 92 percent of the MLS for the R5 zone; • at 0.5 hectares, the area of E3 zoned land is small and of dubious environmental value given its characteristics; • the outcome is consistent with the objectives of Clause 4.6; • the intention of maintaining E3 zoned land in as large a lot as possible is maintained; and • there would be no difference to the impact on the E3 zoned land if it were to be on a lot with 2 or 1.838 hectares of R5 zone. In addition, it is justified on environmental planning grounds because: • the E3 land is not of environmental significance and in fact application of the zone is questionable given its characteristics; • the variation will not alter the future use of the land; • the slightly smaller area of R5 will still provide a number of siting options for a future dwelling; • the proposal is not inconsistent with Council's 2015 Rural Lands Strategy and in particular the Splitters Creek Settlement Plan; • the minor variation to the MLS development standard will not result in any additional environmental impacts (if any) than if the E3 land were to be included with 2 hectares of R5 zoned land; and • the land can be subdivided into three lots regardless of whether the requested variance is granted or not.	The minimum lot size for the site in the R5 Zone is 2 hectares. Lot 1 and 2 are entirely within the R5 Zone and comply. Lot 3 is the resulting lot, which contains all the E3 zoned land and R5 zoned land, however the portion of R5 zoned land contained in Lot 3 is 1.838 hectares and is less than the minimum size shown in the Lot Size Map (2 hectares).	Council	31/03/2021
Apr-Jun	Nil															
Jul-Sept	Nil															
Oct-Dec	Nil															

Approved Variations to Development Standards under Clause 4.6 of the Albury Local Environment Plan (LEP) 2010

2020

Quarter	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
Jan-Mar	Nil															
Apr-Jun	Nil															
Jul-Sept	Nil															
Oct-Dec	Nil															

Approved Variations to Development Standards under Clause 4.6 of the Albury Local Environment Plan (LEP) 2010

2019

Quarter	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
Jan-Mar	Nil															
Apr-Jun	Nil															
Jul-Sept	Nil															
Oct-Dec	Nil															

Approved Variations to Development Standards under Clause 4.6 of the Albury Local Environment Plan (LEP) 2010

2018

Quarter	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
Jan-Mar	Nil															
Apr-Jun	Nil															
Jul-Sept	Nil															
Oct-Dec	10.2018.36482.1	A	153950		486	Schubach Street	East Albury	2640	13: Subdivision only	ALEP 2010	R1	Clause 4.1	- The built form is existing. The proposed boundaries are in accordance with the natural boundaries of the existing buildings. While the proposed boundaries could be adjusted to create a smaller lot 1 and larger lot 2 that would be compliant with the lot size map it is not practical nor desirable and would result in irregular allotments. - The development is in keeping with the character of the area and will have minimal impact on the adjoining properties as the built form is already existing. - The variation to the minimum lot size is considered satisfactory as the development is mostly consistent with the relevant DCP provisions including the open space requirements.	Lot 1 is compliant with minimum lot size Lot 2 is 11m2 below the 450m2 minimum lot size, which represents a 2.4% variation	Council	15/11/2018