

Clause 4.6 Usage Report

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
D2008.349.2	Lot: 1 DP: 1122492			Minore RD	DUBBO	2830	Subdivision Only	Dubbo LEP 1989 - Urban Areas	R1 General Residential/R2 Low Density Residential	Clause 32 Minimum lot size - corner allotment (700m2)	Allotments are consistent with the size and shape of surrounding allotments in the subdivision	Lot 1134 - 0.42% (697m2), Lot 1401 - 3.71% (674m2)	COUNCIL	16/11/2011
D2011.279.1	Lot: 6 DP: 263644		23	Waverly DR	DUBBO	2830	Residential - New second occupancy	SEPP (Affordable Rental Housing 2009)	R2 Low Density Residential	Clause 22 Development may be carried out with consent - maximum floor area for secondary dwelling (60m2)	A larger secondary dwelling (109m2) was required due to the proposed inhabitant being disabled (wheelchair bound) and therefore requiring extra space for manoeuvrability, types of furniture and medical equipment etc.	49m2 (82%)	COUNCIL	02/12/2011
D2011.335.1	Lot: 11 DP: 669		73	Macleay ST	DUBBO	2830	Subdivision Only	Dubbo LEP 1989 - Urban Areas	R1 General Residential	Clause 32 Minimum lot size - Semi Detached Housing (300m2)	Strata subdivision of an existing multi dwelling housing development comprising 4 units	Lot 1 - 24% (228m2), Lot 2 - 21% (235m2), Lot 3 - 32% (203m2), Lot 4 - 31% (205m2)	COUNCIL	28/11/2011
D2012.116.1	Lot: 13 DP: 550877		20	Dunedoo RD	DUBBO	2830	Subdivision Only	Dubbo LEP 2011	R5 Large Lot Residential	Clause 4.1 - Minimum lot size (600m2)	Difference in minimum lot size is not greater 10% on smaller allotment. Consistent with surrounding land uses.	Lot 132 - 4.4% (7.65ha)	COUNCIL	28/08/2012
D2013.469.1	Lot: 19 DP: 874268		1	Squadron CL	DUBBO	2830	Subdivision Only	Dubbo LEP 2011	R2 Low Density Residential	Clause 4.1 - Minimum lot size (600m2)	Variation was 10% of the minimum lot size in which it was able to comply with the relevant provisions of the DCP 2013 and was consistent with existing lot sizes.	Lot 2 10% (540m2)	COUNCIL	31/01/2014
D2014.132.1	Lot: 70 DP: 285134		5	Beemery RD	DUBBO	2830	Subdivision Only	Dubbo LEP 2011	R5 Large Lot Residential	Clause 4.1 - Minimum Lot Size (1.5ha)	Difference in minimum lot size is not greater than 10%	Lot 701 - 8.7% (1.369ha)	COUNCIL	30/05/2014
D2015.568.1	Lot: 21 DP: 793541		20	Sheraton RD	DUBBO	2830	Subdivision Only	Dubbo LEP 2011	RU2 Rural Landscape/IN3 Heavy Industrial/RE2 Priva	Clause 4.1 - Minimum Lot Size (100ha)	New allotments follow existing zoning boundaries with no amendments to existing land uses proposed (agriculture)	Lot 210 - 9.9% (90.08 hectares)	COUNCIL	18/03/2016
D2016.2021.1	Lot: 7 DP: 204489		138	Whiteley ST	WELLINGTON	2820	Residential - Seniors Living	SEPP (Housing for Seniors or People with a Disability)	R1 General Residential	Schedule 3 Standards concerning accessibility and useability for hostels and self-contained dwellings	Variations sought primarily relate to disabled accessibility. It was considered reasonable to vary sought standards in this instance as it is intended to only allow residents who are self-sufficient and without significant disabilities to occupy premises	Clause 2(1) - Accessible path of travel; Clause 2(3) - Common areas; Clause 6 - Access; Clause 7(1) - Doorways; Clause 7(3) - Circulation; Clause 9(1) - Bathroom; Clause 9(1)(b) - Washbasin clearance; Clause 9(1)(c) - Shower; Clause 10 - Toilet	COUNCIL	06/07/2017
D2017.394.1	Lot: 201 DP: 1037847		45	Morgan ST	DUBBO	2830	Subdivision Only	Dubbo LEP 2011	R1 General Residential	Clause 4.1 - Minimum Lot Size (300m2)	Community Lot 1 (41m2) not used for dwelling purposes	Lot 1 - 86% (41m2)	COUNCIL	12/09/2017
D2017.469.1	Lot: 62 DP: 1223593		1	Rawson ST	DUBBO	2830	Subdivision Only	Dubbo LEP 2011	R1 General Residential	Clause 4.1 - Minimum Lot Size (300m2)	Strata subdivision of an existing multi dwelling housing development comprising 4 units	Lot 1 - 51% (146.8m2), Lot 2 - 62.8% (111.57m2), Lot 3 - 62.8% (111.57m2), Lot 4 - 49.8% (150.61m2)	COUNCIL	25/10/2017
D2017.571.1	Lot: 1 DP: 331800		10	Montefiores ST	MONTEFIORES	2820	Subdivision Only	Wellington LEP 2012	R2 Low Density Residential	Clause 4.1 - Minimum Lot Size (600m2)	Community Lot 1 (412m2) not used for dwelling purposes	Lot 1 - 31% (188m2)	COUNCIL	14/12/2017
D2017.611.1	Lot: 1 DP: 11095		7	Rawson ST	DUBBO	2830	Subdivision Only	Dubbo LEP 2011	R1 General Residential	Clause 4.1 - Minimum Lot Size (300m2)	Community Lot (74m2) not used for dwelling purposes	Lot 1 - 75.3% (74m2)	COUNCIL	26/02/2018
D2017.620.1	Lot: 10 DP: 1236532		1	Pozieres ST	DUBBO	2830	Subdivision Only	Dubbo LEP 2011	R1 General Residential	Clause 4.1 - Minimum Lot Size (300m2)	Strata subdivision of multi-dwelling housing development comprising 3 units	Lot 1 - 17.6% (247m2), Lot 2 - 36.6% (190m2) and Lot 3 - 30% (210m2)	COUNCIL	26/02/2018
D2017.2021.1	Lot: 1 DP: 4019		40	Montefiores ST	MONTEFIORES	2820	Subdivision Only	Wellington LEP 2012	R2 Low Density Residential	Clause 4.1 - Minimum Lot Size (600m2)	Community Lot 1 (209m2) not used for dwelling purposes	Lot 1 - 34% (209m2)	COUNCIL	05/09/2017
D2018.99.1	Lot: 20 DP: 250659		15	Harefield RD	DUBBO	2830	Subdivision Only	Dubbo LEP 2011	R5 Large Lot Residential	Clause 4.1 - Minimum Lot Size (8ha)	The site will not result in 2 or more lots less than or any lot less than 90% of the minimum lot size	Lot 11 - 10% (7.2ha)	COUNCIL	23/05/2018
D2019.40.1	Lot: 22 DP: 250659		18	Harefield RD	DUBBO	2830	Subdivision Only	Dubbo LEP 2011	R5 Large Lot Residential	Clause 4.1 - Minimum Lot Size (8ha)	The site will not result in 2 or more lots less than or any lot less than 90% of the minimum lot size	Lot 2 - 10% (7.31ha)	COUNCIL	24/04/2019
D2019.568.1	Lot: 10 DP: 258615			Johnson ST	DUBBO	2830	Subdivision Only	Dubbo LEP 2011	IN2 Light Industrial	Clause 4.1 - Minimum Lot Size (2,000m2)	lots created temporarily, to be consolidated with adjoining lots to created industrial super lot, allows for suitable turning circles and swept paths for industrial related vehicles, if refused the lots would be useless	MLS 2,000m ² - propsoed Lot 1, 1,071.4m ² and proposed Lot 2, 712.5m ² .	DPIE	24/02/2020

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D2019.571.1	Lot: 10 DP: 258615			Johnson ST	DUBBO	2830	Subdivision Only	Dubbo LEP 2011	IN2 Light Industrial	Clause 4.1 - Minimum Lot Size (2,000m2)	lots to be consolidated with adjoining lot to form a super industrial lot. Proposed Lot 3 will be consolidated with an adjoining Lot 13 DP 816293 and Part Fitzroy Street to create a Large Industrial Lot of 9241.38m2, in the ownership of Mr Jeff Temesvary	MLS 2,000sqm - two lots created 1672 & 940.9	DPIE	24/02/2020
D2020.21.1	Lot: 49 DP: 754287			Deep Creek Road	DUBBO	2830		Dubbo LEP 2011	RU1 Primary Production	Minimum lot size for dwelling	consistent with zone objectives, a dwelling (built in 1930s) occupied until burnt down in fire in 2015, dwelling would support the agricultural use of the land	81.30%	DOP	24/06/2020
D2022.631.1	Lot: 3 DP: 245709		3	Peachville RD	DUBBO	2830	Subdivision Only	Dubbo Regional Local Environment Plan 2022	R5 Large Lot Residential	Clause 4.1 Minimum Lot Size	The variation sought was in relation Clause 4.1 of the LEP, minimum lot size (8 ha). Justification is that the site will not result in 2 or more lots less than the minimum lot size (MLS) or any lot less than 90% of the MLS. Lot 31 – 7.338 ha (within 10%).	Within the 10%	COUNCIL	19/12/2022
D2022.548.1	Lot: 3 DP: 249807		15	Mendooran RD	DUBBO	2830	Subdivision Only	Dubbo Regional Local Environment Plan 2022	R5 Large Lot Residential	Clause 4.1 Minimum Lot Size	The variation sought was in relation to clause 4.1 of the LEP, minimum lot size (8ha). Justification is that the site will not result in 2 or more lots less than the minimum lot size (MLS) or any lot less than 90% of the MLS. Lot 32 – 7.38 ha (within 10%)	10%	COUNCIL	5/01/2023
D2023.64.1	Lot: 1 DP: 1244227		42	Mendooran RD	DUBBO	2830	Subdivision Only	Dubbo Regional Local Environment Plan 2022	RU2 Rural Landscape	Clause 4.1 Minimum Lot Size	The variation will not discourage primary production, cause conflict with surrounding lots, or discourage future tourist development	8.28%	COUNCIL	14/03/2023