

Council DA reference number	Lot number	DP number	Apartme nt/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
147.1/2022	140, 141 & 142, Section 2  1	1553  820373		5	Bold	Cabramatta West	2166	13: Subdivision only	Fairfield LEP 2013	R2	Clause 4.1 Minimum subdivision lot size	<ul style="list-style-type: none"><li>• The existing lots are under the minimum lot size requirement</li><li>• The application is for the consolidation of existing lots, no new lots are created in this instance and the development application does not propose new dwelling/s</li><li>• The residential subdivision pattern is characterised by existing lots under the minimum lot size requirement</li><li>• Even though the proposal breaches the minimum lot size for residential development, the proposal will integrate seamlessly with the locality which is heavily dominated by fragmented lots under the lot size requirement</li><li>• Whilst the development does not propose the construction of dwelling/s, a compliant proposal would limit the development on site to two dwellings, when three can reasonably be accommodated which better meets the wider objectives of the R2 General Residential Zone and better meets the demand for additional and diverse housing in the Fairfield LGA</li></ul> <p>It is considered that the non-compliance with the development standard does not raise any significant matters with respect to State or Regional Planning and no public benefit is obtained by adhering to the relevant planning controls. The variation pursuant to Clause 4.6 is considered acceptable and appropriate in this circumstance.</p>	26.69%	Council	28/07/2022

30.1/2022	51 1& 2 2 1 2	612355 815371 626696 1030975 811554		36-41	Prairie Vale Road	Bossley Park	2176	12: Community facility	• State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP). - Chapter 3 Educational Establishments and Childcare Facilities • Fairfield Local Environmental Plan 2013 (FLEP 2013).	R2 Low Density Residential	Clause 4.3 Height of Buildings, less than 10% variation.	<ul style="list-style-type: none"><li>• The area of non-compliance is minimal and results in a variation of less than 10%, equating to 865mm. Noting that the variation is not for the entirety of the building, and relates to a small portion of the sports hall as shown on Figure 3.</li><li>• The proposed sports hall is set back a minimum of 70m from the nearest property boundary to the east, fronting Belfield Road. The south-eastern corner of the site is heavily vegetated with mature trees that are considered to contribute to a significant biodiversity area. Due to the proposed siting of the sports hall and the existing vegetation on the site, it is considered that the building, and more specifically the variation to the maximum building height, will not be discernible when viewed from the public domain.</li><li>• The variation to the maximum building height relates to a minor portion of the proposed building and will not be the highest building on the site. The pergola structure directly to the north of the site covering the external sports courts exceeds the building height of the proposed sports hall and is the highest building on the site.</li><li>• The siting of the sports hall is such that the building will not contribute to any overshadowing of any structures on the site and is in keeping with the size and typology of the buildings on the site. It is considered that there will be no environmental impacts resulting from the minor variation in building height.</li><li>• Furthermore, there is an existing road/path directly to the north of the site that provides vehicular access to the site for service vehicles from Belfield Road. It is considered appropriate to maintain the existing level of the road and unproductive to cut into the site in order to comply with the maximum building height at all points of the site.</li></ul> <p>In the case of the proposed minor variation to the building height, insisting on compliance with the height standard is considered to be unreasonable and unnecessary given the above factors.</p> <p>The development is considered to be in the public interest as the development relates to the construction of a school sports hall that will form part of Bossley Park High School and will provide an additional indoor recreation area and an area for students to gather for assemblies and the like. It is noted the current school drama hall is ill-equipped to be used for sports and is currently too small to hold assemblies for students. The sports hall will be able to be used for a variety of purposes to service the needs of the school and the needs of the community in general.</p>	9.6%	Council	2/08/2022
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