

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
DA 386.1/2022	Lots 151 & 152, Section 2 and Lot 1	DP 1553 and DP 43714	-	15	Bold Street	Cabramatta	2166	13: Subdivision only	Fairfield Local Environmental Plan 2013	R2 – Low Density Residential	Clause 4.1 Minimum subdivision lot size	<p>The development application has been assessed having regard to the matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979. The proposed Torrens Title subdivision of two existing narrow allotments and the redundant rear laneway will create two new larger allotments, each with a proposed area of 352.9m2 and therefore seeks a variation to the minimum subdivision lot size requirement of 450m2 in Clause 4.1 of Fairfield LEP 2013.</p> <p>Accordingly, the Applicant has submitted a written application justifying the minimum lot size variation pursuant to Clause 4.6 Exceptions to development standards. It is considered that the reasons provided are able to be supported and the proposed variation to the minimum lot size standard is acceptable in these circumstances.</p> <p>Effectively, the Application will create two larger allotments, thereby resulting in a more orderly development.</p> <p>The proposed development is considered satisfactory and unlikely to impact on the amenity of the adjoining residents and surrounding locality. In this regard, the Application is considered acceptable and is recommended for approval subject to conditions of consent.</p>	21.57%	Council	16/02/2023
												<p>The proposed development is considered acceptable and is recommended for approval for the following reasons:</p> <ol style="list-style-type: none">1. The subject site is zoned R2 Low Density Residential under Fairfield Local Environmental Plan (LEP) 2013 and the proposed development is permissible within the zone subject to Development consent.2. The proposed development complies with the objectives of the zone as it represents orderly and efficient use of land and the lot pattern created represents suitable allotments in the context of the locality.3. The Clause 4.6 Variation request is supported because the written explanation satisfactorily explains the reason for the breach (variation of minimum allotment size) and demonstrates how compliance with the standard is unnecessary in the circumstances of these particular sites and brings about an improved environmental planning outcome.4. The Panel is satisfied granting consent would be in the public interest because the proposal is consistent with the zone objective and the objectives of the minimum lot size development standard. The written submission is considered well founded.5. The proposed development is considered satisfactory and would not result in any adverse impact on the amenity of the adjoining residents and surrounding locality.			

DA 374.1/2022	Lot 1	DP 442398	-	45	Bareena	Canley Vale	2166	10: Infrastructure	Fairfield Local Environmental Plan 2013	R3- Medium Density Residential	Clause 4.3 Height of Building	<p>The subject application seeks consent for the construction of a telecommunications facility. The facility will consist of a tower, comprising of a 33.45m tall mast and turret, and associated ground-level infrastructure, including a cabinet structure and security fencing. The proposed telecommunication facility will be located within the carpark of a clubhouse located at No. 45 Bareena Street, Canley Vale.</p> <p>The proposed facility will operate as a 'neutral host', which means no telecommunication antennas, aerials and radio or radar devices are proposed to be installed on the turret of the facility under this application. Once the facility is erected, telecommunication authorities and companies will install further equipment to the turret prior to it operating. These works can be undertaken through certain provisions contained within State Environmental Planning Policy (Transport and Infrastructure) 2021. Council previously approved the erection of a telecommunications facility, under Development Consent No. 204.1/2014, on 7th October 2014. Under this consent, the telecommunications facility consisted of a mast and turret with a total height of forty (40) metres. No works were undertaken, and the consent was not activated and has since lapsed.</p> <p>The proposed telecommunications facility under this application is similar in nature and operation to the previously approved facility, however, the proposed facility will have a maximum height of 33.45m, a reduction in height by 6.55m. The proposed telecommunications facility will result in a better urban outcome due to its lower height. The proposed reduction in height reduces the variation of the development standards under the Fairfield Local Environmental Plan 2013, and maintains regard to the objectives of the Fairfield Local Environmental Plan 2013. The reduced height of the facility is likely to have a lesser visual impact to the existing streetscape including reduced impact of overshadowing of neighbouring lots. In this regard, the proposed telecommunications facility is likely to result in a better urban outcome than the previously approved telecommunications facility at the subject site.</p> <p>Having regard to the assessment of the application, the proposal is considered acceptable and is recommended for approval for the following reasons:</p> <ol style="list-style-type: none"> 1. The subject site is zoned R3 – Medium Density Residential under Fairfield Local Environmental Plan 2013. The proposed development is for a telecommunications facility which is permitted with consent within the R3 – Medium Density Residential Zone. The proposal is considered to have regard to the objectives of the R3 – Medium Density Residential Zone. 2. The subject development has been assessed against State Environmental Planning Policy (Transport and Infrastructure) 2021 and the New South Wales Telecommunications Facilities Guideline, Including Broadband 2022. The proposal is found to be compliant with the relevant development standards. 3. The variation proposed to the development standards of the Fairfield Local Environmental Plan 2013 are supported pursuant to the provisions of Clause 4.6 of the Fairfield Local Environmental Plan 2013 on the basis the Applicant's written justification satisfactorily addresses the provisions of Clause 4.6. 4. The Applicant has satisfactorily demonstrated that the proposal is consistent with the objectives of the Fairfield City Wide Development Control Plan 2013. 5. The application was referred to Council's Building Control Branch, Engineering Assessment Branch and Public Health and Environment Branch. No concerns are raised to the proposal, subject to standard conditions of development consent. 6. The application was referred to Transport for New South Wales and Sydney Trains. No concerns were raised to the proposal, subject to conditions of consent. 	372%	Council	16/03/2023
------------------	-------	-----------	---	----	---------	-------------	------	--------------------	---	--------------------------------------	-------------------------------------	---	------	---------	------------

											<p>7. The application was notified for a period of fourteen (14) days in accordance with Council's Community Engagement Strategy 2020. Council received two (2) written submissions concerning the health and wellbeing of neighbouring residents, the visual impact of the structure and overshadowing of surrounding residences. The concerns have been taken into consideration as part of the assessment of the proposal however were not found to be of sufficient weight to warrant outright refusal of the application. Where required, conditions have been imposed to address the concerns raised.</p> <p>8. The proposed development has been assessed and considered having regard to the matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979, and is found to be acceptable.</p> <p>Based on the assessment of the application, the subject site is considered suitable for the erection of a telecommunications facility.</p> <p>The subject site is zoned R3 – Medium Density Residential under FLEP 2013.</p> <p>1. The proposed development is permitted with consent within the R3 zone, and is consistent with the objectives of the R3 Zone.</p> <p>2. The Applicant has satisfactorily demonstrated that the proposal is consistent with the objectives of the Fairfield City Wide Development Control Plan 2013.</p> <p>3. The subject development has been assessed against State Environmental Planning Policy (Transport and Infrastructure) 2021 and the New South Wales Telecommunications Facilities Guideline, Including Broadband 2022, and found to be compliant with the relevant development standards.</p> <p>4. The Clause 4.6 Variation is supported because the written explanation satisfactorily explains the reason for the breach (variation to height), and demonstrates how compliance with the standard is unreasonable and unnecessary. The Panel was also satisfied that granting consent would be in the public interest.</p> <p>5. The proposed development has been assessed and considered having regard to the matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979, and is found to be acceptable.</p> <p>6. No concerns were raised by Council's Building Control Branch, Development Engineering Branch, Public Health and Environment Branch and Tree Management Officer, or Transport NSW, subject to standard conditions of consent.</p> <p>7. Two written submissions were received concerning the health and wellbeing of neighbouring residents, the visual impact of the structure and overshadowing of surrounding residences. The Panel is satisfied that the concerns have been taken into consideration as part of the assessment of the proposal and appropriate conditions have been imposed.</p>			
--	--	--	--	--	--	--	--	--	--	--	--	--	--	--