

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
641.1/2017	42, 43, 44 & 45 Section 1	728		261	Sackville Street	Canley Vale	2166	4	Fairfield Local Environmental Plan 2013	R2	Clause 4.1 – Minimum lot size 450m <sup>2</sup>	<p>The minimum lot size under Fairfield</p> <p>The application proposes the Torrens Title subdivision of 4 existing narrow allotments in order to create 2 realigned allotments.</p> <p>The proposed subdivision provides for 2 realigned allotments with an area as follows:</p> <p>Proposed Lot 1 = 450.1m<sup>2</sup> Proposed Lot 2 = 216m<sup>2</sup></p> <p>The proposed subdivision represents a variation of 52% for proposed lot 2, to the development standard.</p> <p>Justification</p> <p><i>It would be unnecessary to impose the 450m<sup>2</sup> development standard for this development as the existing 4 narrow lots are currently and have been below the 450m<sup>2</sup> development standard. The current allotment sizes of 62.4m<sup>2</sup>, 159.5m<sup>2</sup>, 223.5m<sup>2</sup>, 224.8m<sup>2</sup>.</i></p> <p><i>Proposed lot 2 can accommodate a suitable dwelling as demonstrated on the Architectural Plans prepared by NJS Design &amp; Drafting which is generally compliant with the narrow lot provisions under Part 5C of FCWDPC 2013 and satisfy relevant flood impact criteria as addressed by Indesco in the Flood Impact Assessment report submitted in support of the proposal.</i></p>	52%	Council	16/04/2018

												<i>The subdivision to create only two (2) lots represents a more conservative approach and a better environmental planning outcome for the site.</i>			
33.1/2018	30 & 31 Section 5	1553		104	Boyd Street	Cabramatta West	2166	14	Fairfield Local Environmental Plan 2013	R2	Clause 4.1 – Minimum lot size 450m <sup>2</sup>	The minimum lot size under Fairfield LEP 2013 for subdivisions located within an R2 – Low Residential zone is 450m <sup>2</sup> .	26.70%	Council	16/04/2018
	1	723642										Development Application No. 33.1/2018, proposed a Torrens Title subdivision of a redundant laneway and 2 existing narrow lots to create 2 new larger allotments.			
												The proposed lots will not comply with the minimum lot size requirement of 450m <sup>2</sup> as stipulated in Clause 4.1 minimum subdivision lot size of the Fairfield LEP 2013. The proposed subdivision represents a variation of 26.7% for each proposed allotment, to the development standard.			
												Essentially, the proposal provides for each of the existing two narrow allotments to be amalgamated with a portion of the redundant laneway that it abuts to create two larger lots and therefore resulting in a more orderly development.			
												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 of the Fairfield LEP 2013 is therefore considered acceptable in the circumstances.			
196.1/2018	32 & 33 Section K	1152		36	Foxlow Street	Canley Heights	2166	14	Fairfield Local Environmental Plan 2013	R2	Clause 4.1 - Minimum subdivision lot size	With reference to Clause 4.1 Minimum subdivision lot size, Subclause (3) stipulates that the size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map, which is 450m <sup>2</sup> .	37.56%	Council	27/06/2018
	2	240082										The proposed subdivision provides for			



											<ul style="list-style-type: none"><li>▪ <i>Enforcing strict compliance with the numerical component of the development standard would result in the permitted development being unachievable for the site and would be superfluous and would not be relevant to achieving the objectives and purpose of the development standard; and</i></li><li>▪ <i>The development will enable the orderly and economic use and development of the land that would otherwise be compromised if strict compliance with the numerical development standard was enforced.</i></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>			