

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
240.1/2018	85 & 86	1553		42	Harrington Street	Cabramatta West	2166	14	Fairfield Local Environmen tal Plan 2013	R2	Clause 4.1 - Minimum subdivision lot size	The proposal provides for the subdivision	26.70%	Council	25/07/2018
	Sec 1														
	82, 83 & 84 Sec 1	1553		44								The current lots as they exist are ‘under sized’ against the 450m ² development standard, because the allotments existed prior to the gazettal of the 450m ² area minimum.			
	1	820363		44								The variation to the 450m ² minimum standard is a numerical non-compliance only, as the existing 5 narrow lots (exclusive of the redundant rear laneway) are already below the 450m ² minimum and given their existence, a dwelling can be lawfully built on each narrow allotment, subject to separate approval.			
												The Applicant reasoned that it would be unnecessary to impose the 450m ² development standard for this development because;			
												<ul style="list-style-type: none">The subject lots are located within an established residential area and are surrounded by narrow residential lots thus resulting in a subdivision pattern that is consistent with the existing neighbourhood.The proposal will encourage housing diversity while improving the residential amenity.The proposal is consistent with the overarching objectives of Clause 4.1.The proposal will not undermine the intended or existing subdivision pattern of the locality. Moreover, the lot arrangement will not result in a visible discernible difference from the streetscape and will not result in a detrimental bulk scale development on site.The proposal will not exacerbate land fragmentation.The impact of the variation is negligible given the context of the locality, the level of the variation is considered to have no negative impact on the public interest.			

												<ul style="list-style-type: none"> The proposal results in a more efficient use of the land, benefitting future residents. The proposal does not result in undue or adverse environmental planning impacts in terms of subdivision patterns. It is unreasonable and unnecessary to strictly comply with the numerical lot size standard given that the existing lots do not strictly comply with the lot size control and the proposal will result in a larger lot. The variation will be absent of any negative environmental or planning outcomes. Improved planning outcome. <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 of the Fairfield LEP 2013 is therefore considered acceptable in the circumstances.</p>			
761.1/2016	2	1147490		155-161	Garfield Road	Horsley Park	2175	14	Fairfield Local Environmental Plan 2013	RU4	Clause 4.3 (2) - Height of buildings	The proposal exceeds the maximum building height of 9m permitted by Clause 4.3 (2) of the Fairfield Local Environmental Plan 2013. The proposal provides a bell tower that has a maximum height of approximately 13m, to the top of the mounted cross (on top of the bell tower). The main portion of the bell tower has a maximum height of approximately 10.8m.	44.40%	Council	30/08/2018
	601	1202208		84	Truman Road							The applicant submitted a Clause 4.6 written request to vary the height standard to accommodate a raised tower and cross. The Panel found the request well founded and accepted that compliance was unnecessary and unreasonable in the circumstances given it is a large site.			
318.1/2018	243, 244 & 245 Sec 1	1553		105	Lime Street	Cabramatta West	2166	14	Fairfield Local Environmental Plan 2013	R2	Clause 4.1 - Minimum subdivision lot size	The proposal provides for the subdivision of the existing 3 narrow lots and the redundant rear laneway to create 3 larger allotments, resulting in a more orderly development. The 3 existing narrow allotments will increase from 306.6m ² to 353.03m ² .	21.55% for each proposed allotment	Council	30/08/2018
	1	704520													

												<div><div>The current lots as they exist are 'under</div><div></div><div>Accordingly, the variation to the 450m² minimum standard is a numerical non-compliance only, as the existing 3 narrow lots (exclusive of the redundant rear laneway) are already below the 450m² minimum and given their existence, a dwelling can be lawfully built on each narrow allotment, subject to separate approval.</div><div></div><div>The Applicant has submitted a written application justifying the minimum lot size variations of 21.55% pursuant to Clause 4.6 Exceptions to Development Standards, for the following reasons: (Refer to Attachment D – Applicant's Clause 4.6 submission)</div><div></div><div><ul style="list-style-type: none">• Council has previously approved the variation to the development standard with a deferred commencement (refer to the attachment D – Clause 4.6 Variation Submission) for the subject site.</div><div><ul style="list-style-type: none">• The existing narrow allotments have sufficient sizes and dimensions to accommodate narrow lot development to satisfy Council DCP controls relating to building heights, setbacks, car parking, landscaping and private open space.</div><div><ul style="list-style-type: none">• The Application proposes subdivision of land to incorporate a redundant rear laneway, in essence creating larger lots to benefit future development on site.</div><div><ul style="list-style-type: none">• The development has planning merit, meets the objectives of both the zone and the development standards.</div><div><ul style="list-style-type: none">• The site is adjoined by similar sized narrow allotments in the R2 zone.</div><div><ul style="list-style-type: none">• The proposal will ensure that the lot sizes are consistent with the future and existing desired subdivision pattern and character of the area.</div><div><ul style="list-style-type: none">• The proposal will maintain a low density residential character and will not result in any adverse impact on the streetscape of the local area.</div><div></div></div>			
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												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.			
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