

CLAUSE 4.3(1)(a) OF WILLOUGHBY LEP 2012
EXCEPTIONS TO DEVELOPMENT STANDARDS – **HEIGHT VARIATION**

Construction of a part 2-storey part 3-storey dwelling comprising four bedrooms, an internal garage, swimming pool and associated work

75 COOLAWIN ROAD, NORTHBRIDGE

SUBMITTED TO
WILLOUGHBY COUNCIL

PREPARED BY
ABC PLANNING PTY LTD

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WILLOUGHBY LEP 2012 - CLAUSE 4.3(1)(a) EXCEPTION TO DEVELOPMENT STANDARDS

This Clause 4.6 submission has been prepared to accompany the Statement of Environmental Effects submitted to Willoughby Council for the construction of part 2-storey part 3-storey detached dwelling comprising four bedrooms, an internal garage, swimming pool and associated works at 75 Coolawin Road Northbridge.

Clause 4.6 of the Willoughby LEP 2012 allows the consent authority to grant consent for development even though the development contravenes a development standard imposed by the LEP. The clause aims to provide an appropriate degree of flexibility in applying certain development standards. This Clause 4.6 variation request takes into account the relevant aspects of the Land and Environment Court judgement from *Initial Action Pty Ltd v Woollahra Council* [2017] NSWLEC 1734, as revised by the NSW Court of Appeal in *RebelMH Neutral Bay Pty Limited v North Sydney Council* [2019] NSWCA 130.

Clause 4.6 Exceptions to development standards

- (1) *The objectives of this clause are as follows:*
 - (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
 - (b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*
- (2) *Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*
- (3) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
 - (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*
- (4) *Development consent must not be granted for development that contravenes a development standard unless:*
 - (a) *the consent authority is satisfied that:*
 - (i) *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
 - (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
 - (b) *the concurrence of the Director-General has been obtained.*
- (5) *In deciding whether to grant concurrence, the Planning Secretary must consider:*
 - (a) *whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*
 - (b) *the public benefit of maintaining the development standard, and*
 - (c) *any other matters required to be taken into consideration by the Planning Secretary before granting concurrence.*
- (6) *Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if—*
 - (a) *the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or*
 - (b) *the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard*

Development Standard to be Varied

The proposal seeks a variation to the development standard contained within clause 4.3A (1)(a) of the *Willoughby LEP 2012*, which states: *The height of a building on land in Zone E4 Environmental Living in Northbridge identified as 'Area 1' on the Height of Buildings Map as referred to in Figure 1 must not exceed:*

- (a) **a height that is equal to 3.5 metres above ground level (existing) at the highest point of the land where the land adjoins the street frontage, and**
- (b) **10 metres above ground level (existing) at any other point of the land.**

The proposed height of 4.82m adjoining the street frontage represents a variation of 1.32m from the numerical height pursuant to WLEP 2012. The remainder of the subject site sits below 10m measured to the roof ridge.



Figure 1: Building Height Map

The subject site includes a proposed height, bulk and scale consistent with that previously approved under DA 2017/488. The previous DA had a height of 6.41m fronting Coolawin Road, and therefore, Clause 4.6 variation was submitted and supported by Willoughby Local Planning Panel (WLLP) on April 28 2018. The location of the current height variation is shown below:

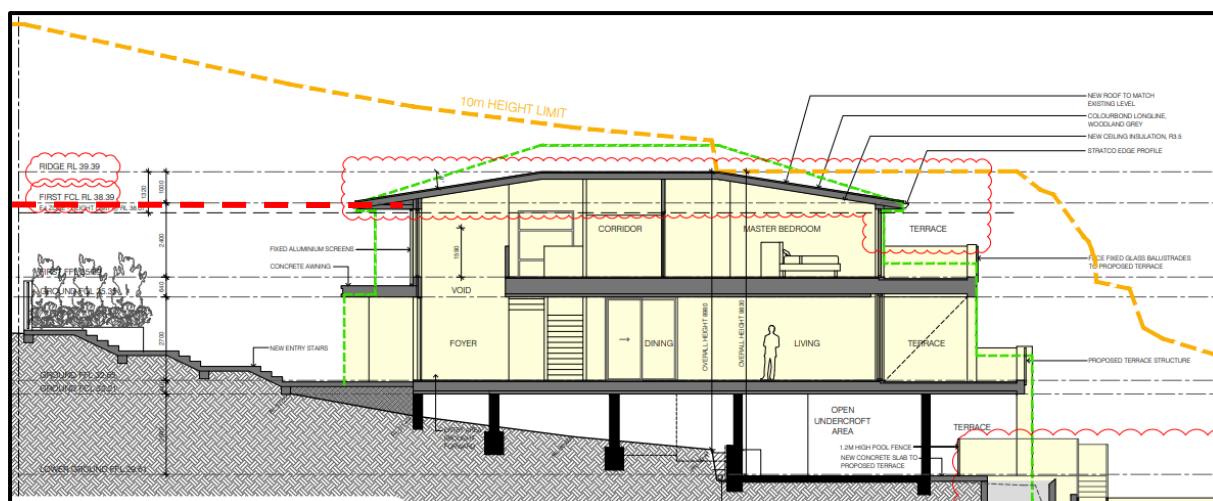


Figure 2: Excerpt section plan of the proposed dwelling, which shows the location and extent of the height variation (red) in comparison to the approved DA 2017/488 (green)

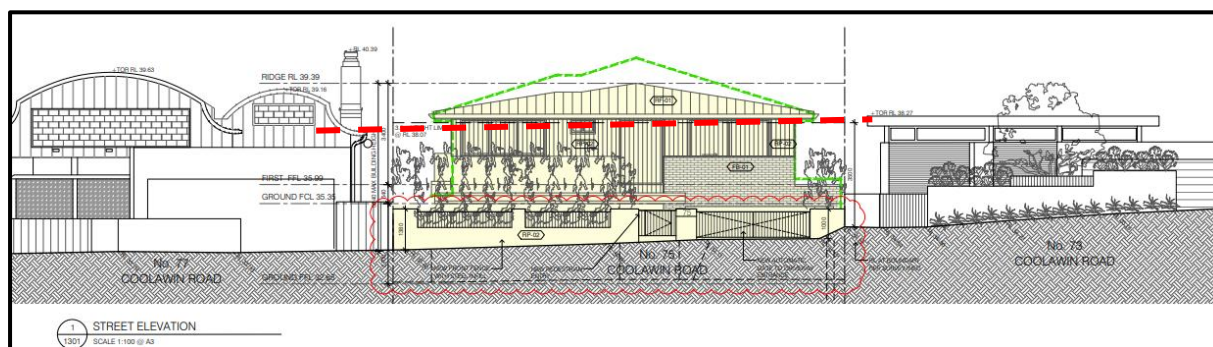


Figure 3: Excerpt of west elevation at entry-level fronting Coolawin Road, which indicates the adjoining dwellings to the north and south also breach the 3.5m height standard, whilst the variation is now primarily limited to the shallow roof profile and is lower than the northern neighbour and set further back than the southern neighbour

Justification for Contravention of the Development Standard

This written request is considered to justify the contravention of the development standard and addresses the matters required to be demonstrated by Clause 4.6(3), of which there are two aspects. Both aspects are addressed below:

(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case

Assessment: It is considered that strict compliance with the development standard for height on the site is unreasonable and unnecessary in the circumstances for the following reasons:

Reduction in height from the original dwelling that existed on the site and reduction in height from the approved DA under DA2017/488

- The subject site's non-compliance with the height standard is noted to be an existing non-compliance. Before the undertaking of works, the dwelling included a height of 6.29m (RL 40.37), while the proposed additions and alterations of DA 2017/488 included a height of 6.17m (RL 40.25m). The proposed height of 4.82m and roof ridge of RL 39.39 is **1.47m lower** than the previous dwelling and **1.35m lower** than the previously approved dwelling.

Consistency with the previous assessment report that supported a greater height variation which remains relevant to the subject DA

- The proposed height of the dwelling was supported for approval in the WLLP report (DA 2017/488), in which the assessing officer stated:
 - *The non-compliance with the height of buildings standard of 3.5m above Coolawin Road (RL 37.58) is an existing non-compliance. The existing roof ridge is RL 40.37.*
 - *The proposed alterations and additions will have a roof ridge of RL 40.25 slightly less than the existing roof ridge.*
 - *The proposed alterations and additions remove the transverse gable at the front of the dwelling, thereby reducing the bulk of the roof from Coolawin Road.*
 - *The applicant has submitted amended plans to reduce the extent of the roof at the rear of the proposed addition so that the building complies with the 10m height limit that also applies to the site.*
- The assessment officer further noted, "*The design changes proposed to the roof will reduce the bulk of the roof from Coolawin Road and not increase the overall height of the building as viewed from Coolawin Road. For this reason, the Clause 4.6 variation submitted by the applicant is supported*". This is made evident in Figure 4 and Figure 5, which portray the retainment and enhancement of existing views from the dwelling to the west (No. 52 Coolawin Rd).
- **Improved views associated with the reduction in height when compared with the original dwelling and previous approval on the subject site**

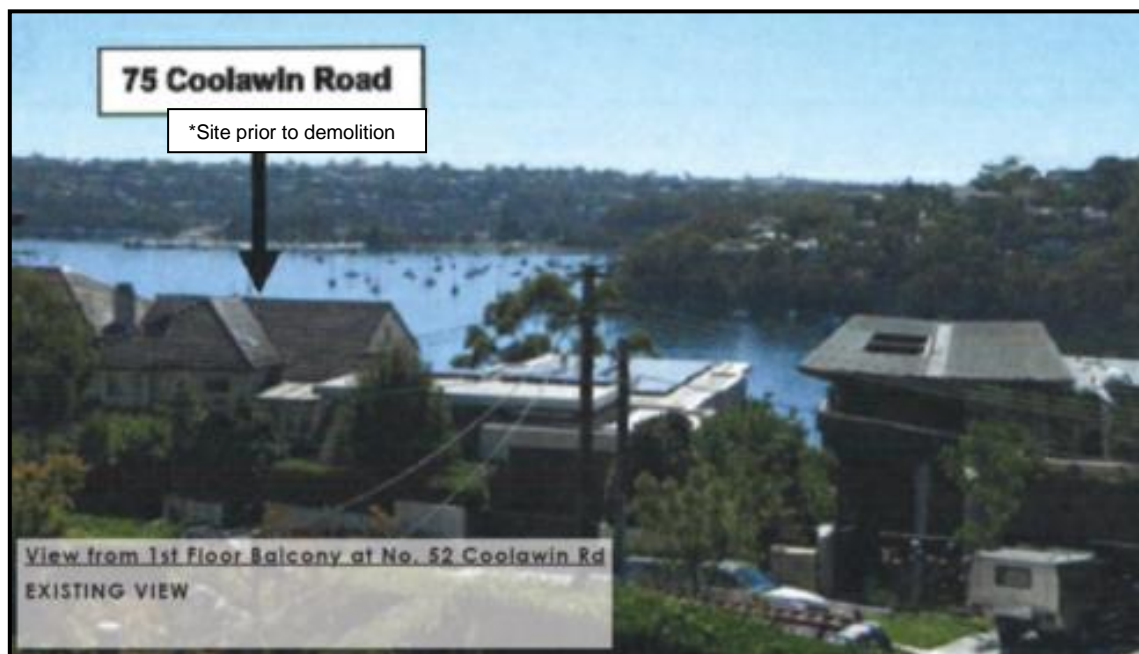


Figure 4: Views from the first-floor balcony of No. 52 Coolawin Rd towards Long Bay, noting the bulk and scale of the previous dwelling and gabled roof

NOTE: The latest proposal is now 1.47m lower than the view image in Figure 4

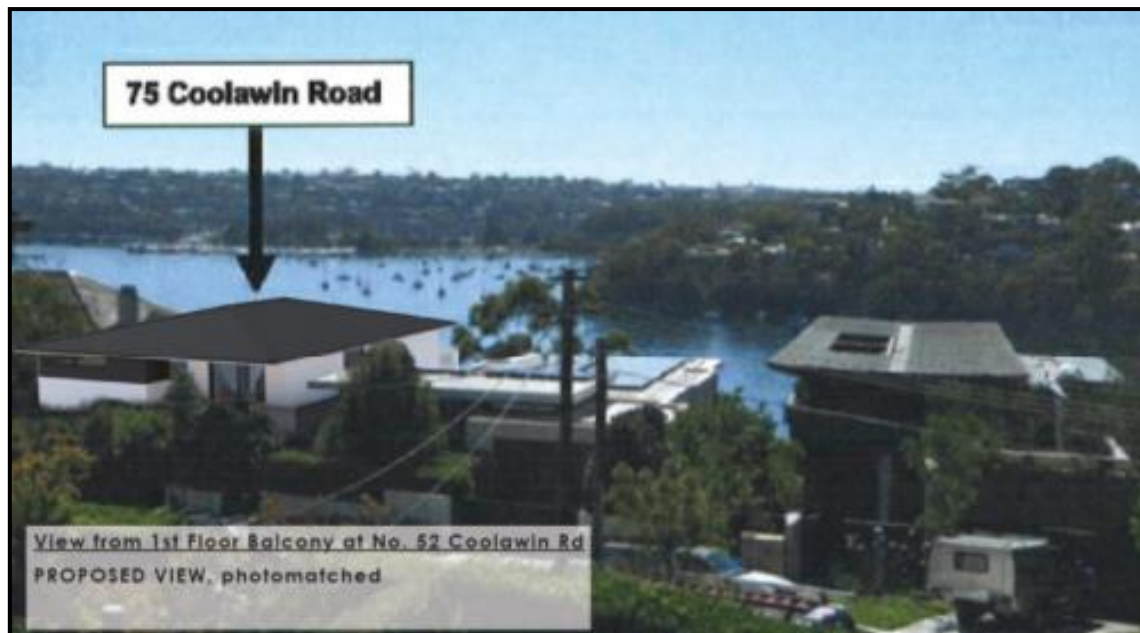


Figure 5: Views from the first-floor balcony of No. 52 Coolawin towards Long Bay, noting the reduced bulk and scale of the new pitched roof design, which increases views of the foreshore area

NOTE: The latest proposal is now 1.35m lower than the view image in Figure 5

Compatibility with the surrounding streetscape

- The dwellings that are immediately adjoining the subject site to the north and south, including heights fronting Coolawin Road, which breach the 3.5m height standard. Noting, the dwelling to the north, No. 77 Coolawin Rd, contains a roof ridge of RL 39.63 and sits adjacent to the proposed dwelling, as highlighted in **Figure 3** above. The architect has prepared a series of streetscape images that show the proposed dwelling in its context, with two dwellings to the north and south. The two properties to the north breach the height limit to a greater extent than proposed, whilst the proposed dwelling is set further back than the dwellings to the south, noting that No. 71 Coolawin Rd is also higher than the proposed dwelling, as shown below:





Figures 6, 7 & 8: Consistency with surrounding approvals that permitted height and FSR variations under the same controls along this section of Coolawin Rd

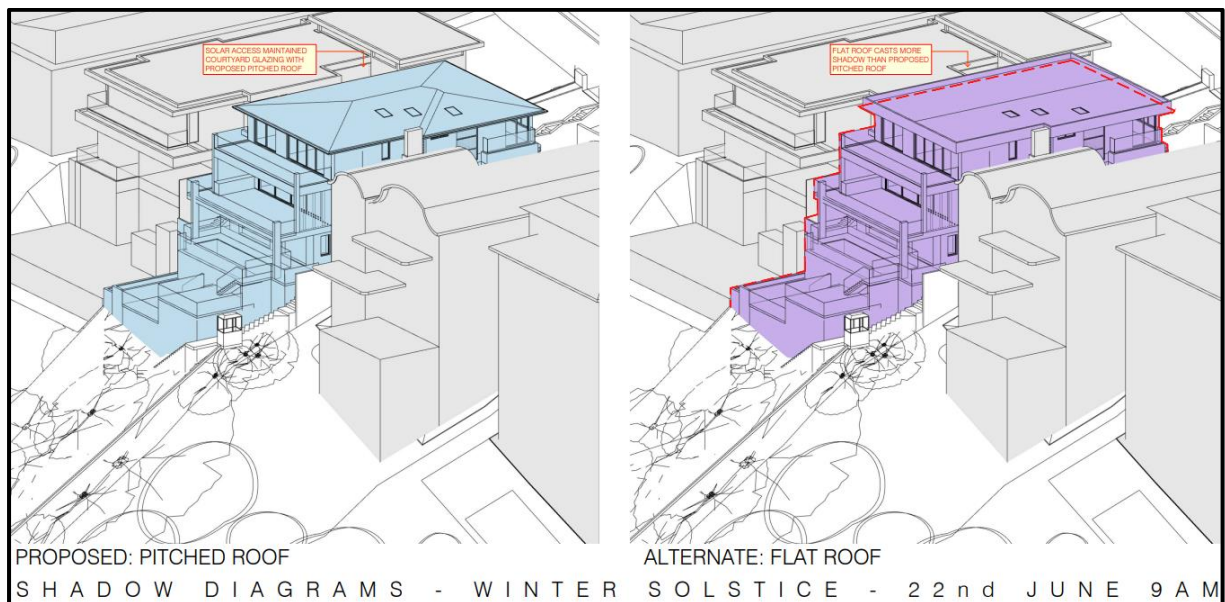
Table 1: Coolawin Road comparative heights and FSR approvals

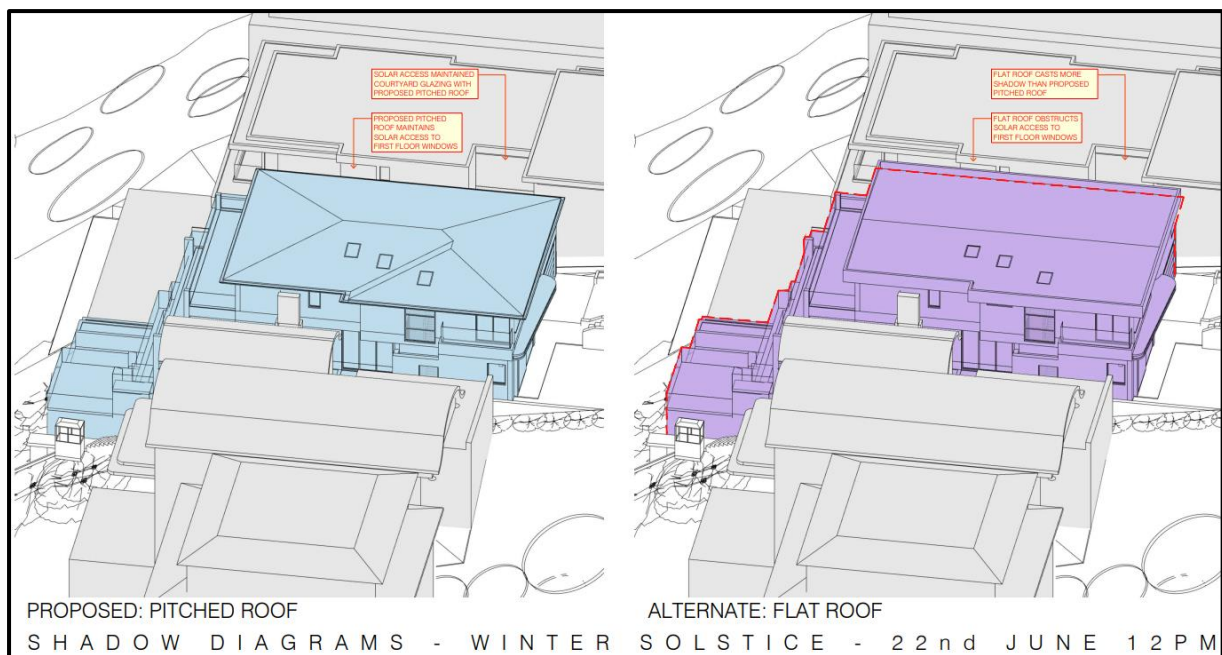
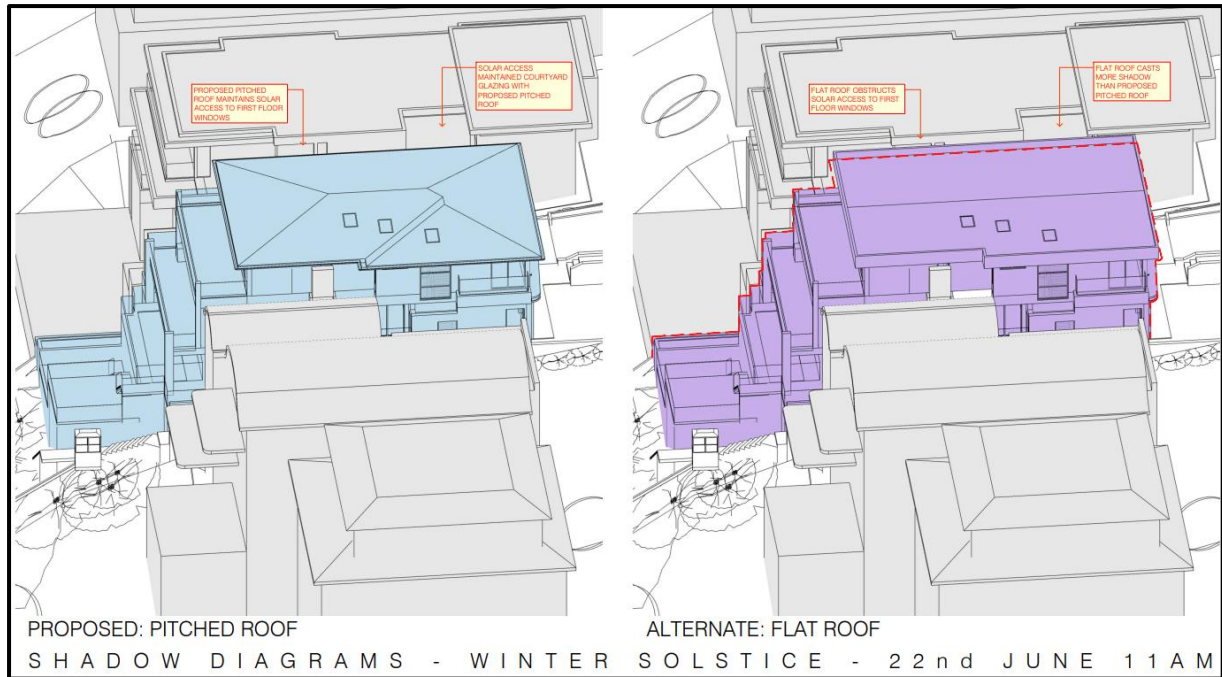
| 77 Coolawin Road, Northbridge | | | | |
|-------------------------------|----------------------|-----------------------|------------------------------|-------------------------------------|
| HEIGHT (Standard) | HEIGHT (Approved) | HEIGHT (Variation) | FSR (Standard) | FSR (Approved) |
| 3.5m | 5.7m | 62.8% | 0.27:1 | 0.34:1 |
| 10m | 10.474m | 4.74% | (GFA: 234.72m ²) | (GFA: 383.9m ²) |
| 73 Coolawin Road, Northbridge | | | | |
| 3.5m | 3.5m | 0% | 0.26:1 | 0.38:1 |
| 10m | 8.3m | 0% | (GFA: 338.4m ²) | (GFA: 478.28m ²) |
| 71 Coolawin Road, Northbridge | | | | |
| 3.5m | 3.5m | - | 0.26:1 | 0.316:1 |
| 10m | 10.5m | 5% | (GFA: 336.96m ²) | (GFA: 409m ²) |
| 52 Coolawin Road, Northbridge | | | | |
| 8.5m | 9.92m | 16.7% | 0.4:1 | 0.47 (GFA: 379.5m ²) |

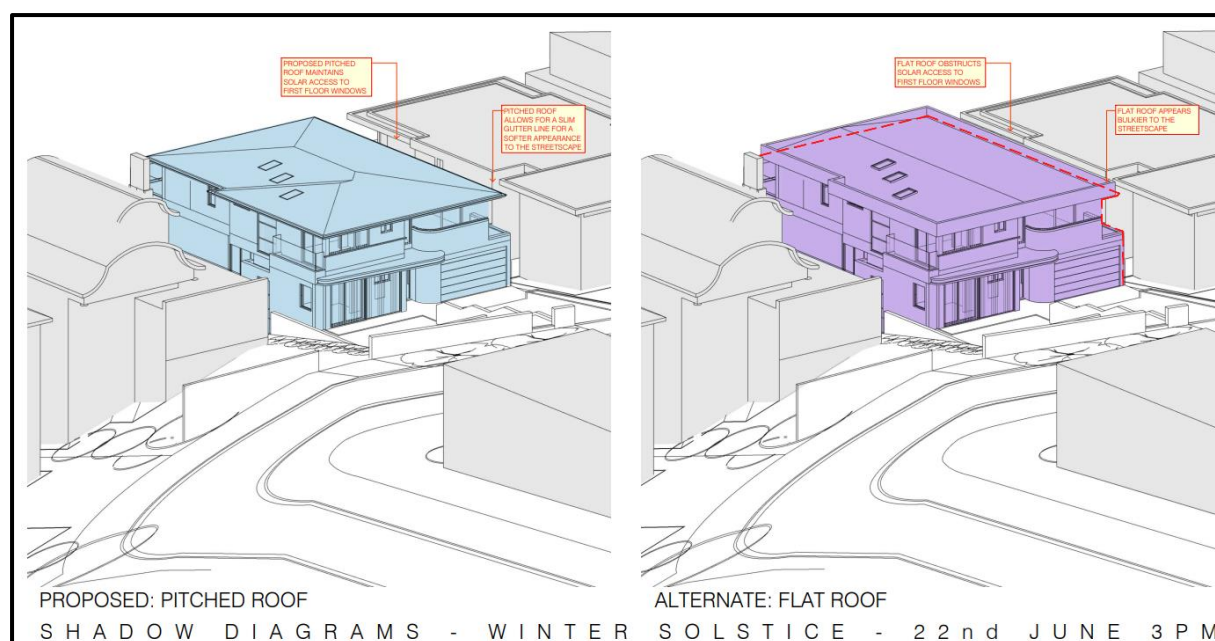
| | | | | |
|--------------------------------------|--------|-------|---------------------------------|----------------------------|
| | | | (GFA: 320.96m ²) | |
| 19 Coolawin Road, Northbridge | | | | |
| 10m | 12.75m | 27.5% | 314.5m ² (0.27:1) | 387m ² (0.33:1) |
| 3.5m | 3.5m | - | | |

- Retention of solar access**

The variation in the street frontage height does not generate any adverse shadow impacts on the property's primary living and private open space areas immediately to the south at 73 Coolawin Rd, as shown in the 3d view from the sun diagrams. It is confirmed that the primary living areas and open space/pool areas of No. 73 Coolawin Rd are to the rear/eastern elevation, not the height at the front of the dwelling, as shown below. The diagrams show that the pitched roof form (which is primarily responsible for the height variation) has less shadow impact when compared with a dwelling with a flat roof dwelling (which would be almost compliant), as shown below:







Absence of impact on the foreshore and waterways

- The variation in the street frontage height will not generate any adverse visual bulk or environmental impacts, noting that the variation occurs at the front of the dwelling, not the rear. The proposed dwelling is setback substantially from the rear boundary, being 42m from the rear property boundary/waterway. The rear setback also includes extensive vegetation with significant trees canopies being retained, which screens and softens the built form when viewed from the foreshore and waterways to the east. The height of the dwelling at the rear is also compliant with the 10-metre height limit.
- Despite non-compliance, the proposal achieves the objectives of the development standard and the zoning, as demonstrated in the following table:

| Consistency with the objectives of the height standard in the LEP | |
|--|--|
| Objectives | Assessment |
| <p>4.3 (1)(a) to ensure that new development is in harmony with the bulk and scale of surrounding buildings and the streetscape,</p> | <p>The proposed height variation does not generate any inconsistency with the objective relating to the surrounding buildings and streetscape as the built form presents a part 2 part 3-storey stepped dwelling. Such built form is consistent with other forms of contemporary dwellings in the streetscape and specifically in the foreshore area. The recessed and articulated nature of the façade, in combination with the high-quality landscape plan, ensures the height variation does not generate any discernible inconsistency with the desired future character of this objective and swiftly integrates the built form with the streetscape.</p> <p>This is further made evident by the assessing officers' comments in the WLPP, which states '<i>despite the non-compliance, it is considered that the proposed development is in harmony with the bulk and scale of the surrounding buildings with minimal amenity impacts on adjoining and nearby properties. Therefore, the proposal satisfies the objectives of the development standard</i>'.</p> |

| | |
|---|--|
| | <p>The latest proposal is now 1.32m lower than the dwelling which was approved with the above assessment.</p> <p>The series of streetscape diagrams confirm that the proposed height variation will not cause any disharmony with the bulk and scale of surrounding buildings or the streetscape in general. In this regard, the extent of height variation is less than what was approved under the same controls at 71, 77 and 79 Coolawin Rd. It is noted that the proposed street frontage height is greater than that approved immediately to the south at 73 Coolawin Rd. However, the substantially greater setback of the proposed built form by 4.4m suitably compensates for the minor height difference between these respective dwellings.</p> <p>On this basis, the height variation does not generate any inconsistency with this objective.</p> |
| <p>4.3 (1)(b) to minimise the impacts of new development on adjoining or nearby properties from disruption of views, loss of privacy, overshadowing or visual intrusion,</p> | <p>The proposed height variation to the street frontage height does not generate any inconsistency with this objective as the variation does not disrupt views, nor is the variation responsible for any loss of privacy, overshadowing or visual intrusion (for reasons outlined above).</p> <p>The series of view images and shadow diagrams confirm that the height variation will not generate any adverse impacts.</p> <p>Furthermore, the non-compliant height breach is less than that which was approved in the previous DA 2017/488 in which the assessing officer noted, '<i>The amended proposal does not result in unreasonable amenity impacts on neighbouring properties with regard to solar access, view sharing and privacy subject to conditions.</i></p> |
| <p>4.3 (1)(c) to ensure a high visual quality of the development when viewed from adjoining properties, the street, waterways, public reserves or foreshores,</p> | <p>As made evident by the proposed photomontage in Figure 9, the proposal utilises a high degree of external colours, materials and textures to produce a 2-storey contemporary building envelope fronting Coolawin Road. The view of the subject site from the foreshore area portrays a three-storey built form that aligns with the remainder of dwellings sited on the foreshore, with abundant landscaping in the foreground. Therefore, the subject site is of a consistent height, bulk and scale to that existing within the near vicinity.</p> |
| <p>4.3 (1)(d) to minimise disruption to existing views or to achieve reasonable view sharing from adjacent developments or from public open spaces with the height and bulk of the development,</p> | <p>The proposed height includes a reduction of 1.32m from the approved height variation of DA 2017/488. The reduced height will therefore improve view sharing from adjacent dwellings on the high/western side of Coolawin Rd.</p> <p>The approved DA notes the contemporary design of the dwelling, including the replacement of the gabled roof with a hipped roof, improves the outlook of views in an easterly direction from adjoining dwellings (refer to Figure</p> |

| | |
|--|--|
| | 4 and Figure 5). The reduced height will thereby increase views that were previously not available. |
| <p>4.3 (1)(e) to set upper limits for the height of buildings that are consistent with the redevelopment potential of the relevant land given other development restrictions, such as floor space and landscaping,</p> | <p>The proposed height is lower than the original house that existed on the site by 1.47m whilst also being 1.35m below the approved dwelling for alterations and additions.</p> <p>The proposed height variation is considered in conjunction with a development that is now below the height limit, compliant with the FSR standard, and compliant with the landscape requirements.</p> <p>The height is lower than that of the dwelling to the north at 77 Coolawin Rd and is set further back than the adjoining dwelling to the south at 73 Coolawin Rd. The proposed height is comparable to the heights of the buildings on the adjoining land, noting that the two properties to the north have been redeveloped as has the two dwellings to the south. Therefore, the proposed development is considered an infill development along this particular section of Coolawin Rd.</p> <p>Given such circumstances, it is considered that there is limited, if any, the potential for redevelopment of properties relevant to the circumstances of this application.</p> <p>The compatibility of the proposed height (including the extent of variation) with the neighbouring properties on either side does not generate any inconsistency with this objective.</p> <p>On this basis, the height variation does not generate any inconsistency with this objective.</p> |
| <p>4.3 (1)(f) to use maximum height limits to assist in responding to the current and desired future character of the locality,</p> | <p>As outlined above, the proposed height variation aligns with other contemporary dwellings on the foreshore. This implies that the current and desired future character of the locality is represented in this proposal. It is also reiterated that such height is significantly lower than that which has been previously supported by Council on this site and in this context. It is also confirmed that the variation is associated with a development that is compliant with the remaining overall height, FSR and landscape requirements, which assists in demonstrating that the proposed height variation will not generate any inconsistency with the desired future character.</p> <p>On this basis, the height variation does not generate any inconsistency with this objective.</p> |
| <p>4.3 (1)(g) to reinforce the primary character and land use of the city centre of Chatswood with the area west of the North Shore Rail Line, being the commercial office core of Chatswood, and the area east of the North Shore Rail Line, being the retail shopping core of Chatswood,</p> | <p>The subject site is not located in the commercial core of Chatswood, and therefore, compliance with this objective is not applicable.</p> |
| 4.3 | N/A |

| (1)(h) to achieve transitions in building scale from higher intensity business and retail centres to surrounding residential areas. | |
|---|---|
| Consistency with the objectives of the E4 Environmental Living zone | |
| Objectives | Assessment |
| <ul style="list-style-type: none"> To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values. To ensure that residential development does not have an adverse effect on those values. To ensure that development preserves and enhances the natural features and bushland within the immediate locality (including natural vegetation, geological features, drainage patterns, the water table and the relationship of development to the natural topography) and does not increase bush fire hazard potential. To maintain the scale, character and streetscape of individual localities. To retain and enhance residential amenity, including views, solar access, aural and visual privacy, foreshore setting, landscape quality and heritage value. | <p>The proposed works will not impinge on the value of the foreshore area, noting the works are sited away and maintain the 42m rear setback control.</p> <p>Additionally, no further clearing of bushland to the east of the site is proposed, which further avoids any adverse impacts on the sensitive value of the area.</p> <p>The proposal includes a part 2 part 3-storey residential dwelling, which maintains the low scale residential character of the dwelling irrespective of the non-compliant height variation to the street frontage.</p> <p>As viewed from the waterway and foreshore areas, the height variation would not be evident as the rear portion of the building complies with the building height standard. The built form would also be viewed alongside buildings of a comparable height and against the backdrop of taller dwellings higher up the slope to the west of the site.</p> <p>The proposed works will not result in adverse amenity impacts to adjacent dwellings and the surrounding streetscape, as noted in the SEE.</p> <p>On this basis, the variation does not generate any inconsistency with the zone objectives.</p> |

Based on the above assessment, it is considered that strict compliance with the LEP height standard is unreasonable and unnecessary in this instance.

(b) that there are sufficient environmental planning grounds to justify contravening the development standard

Assessment: The points raised as justification in the 'unreasonable or unnecessary' section of this Clause 4.6 variation are also considered to constitute sufficient environmental grounds.

It is considered that there are sufficient environmental planning grounds to justify varying the building height development standard, which includes:

Particular Site Circumstances

- The subject site had approval for a dwelling house that utilised the original floor level of the house that existed on the site. Such consent was activated and lawfully commenced. The proposal utilises the existing and approved floor slab. Removal of the floor slab to lower the height of the dwelling would not represent an orderly or economic use of the site and would also compromise the lower level floorplan and its amenity. Such approval included a variation to the street frontage height to a greater extent than proposed. The proposed development is consistent with the design of the approved development, albeit with a reduced street frontage height. The variation in the height is now generally limited to the shallow-pitched roof form, which, as shown

in the perspectives and montage, makes minimal contribution to the bulk of the dwelling when viewed from the streetscape (see above **figures 6, 7 & 8**).

Absence of impact

- As outlined above, it has been demonstrated that the variation of the street frontage height will not generate any unreasonable shadow, privacy or view loss impacts. In this regard, it is confirmed that the neighbouring dwelling to the south at 73 Coolwain Road will continue to receive three hours of solar access to its primary living and private open space areas between 9 am and Midday on June 21. It is also confirmed that the portion of the built form adjacent to the neighbouring living and private open space areas is compliant with the 10m statutory height limit. Such circumstance is considered to represent an environmental planning ground particular to this site and its immediate context.
- An alternate design that complied with the street frontage height limit (with a compliant FSR) would be likely to be associated with a dwelling that extended further to the rear. Such an alternate scheme would create greater shadow impacts to the southern neighbour and would also extend beyond the predominant rear building line of dwellings along this section of Coolawin Road. An extended built form to the rear could also generate greater privacy and visual impacts (when viewed from both neighbouring properties and from the foreshore/waterway). Such circumstance is considered to represent an environmental planning ground particular to this site and its immediate context.

Enhanced Internal Amenity

- The extent of the height variation to the street frontage height control could be reduced if the lower floor to ceiling heights/floor to floor heights were included as part of the design. However, the proposed floor to ceiling/floor to floor heights contribute to a better level of internal amenity as the 2.7m floor to ceiling heights are consistent with the latest design standards. The floor-to-floor heights also allow for functional and viable construction methodology on the site. On balance, the enhanced internal amenity outcome, combined with the absence of unreasonable impact, confirms that the height variation is acceptable in this instance. Such circumstance is considered to represent an environmental planning ground particular to this site and its immediate context.

Compatibility with the Established Immediate Streetscape

- As outlined above, in the series of streetscape images, it is confirmed that neither of the dwellings to the north and south in the immediate context (i.e., 71-79 Coolawin Road) comply with the street frontage height. **Table 1** above confirms that three of the four properties breach the street frontage height standard greater than proposed. The infill nature of the proposed dwelling, the streetscape, which sits below the street frontage height of 77 and 79 Coolawin Road, and which sits substantially behind the front building alignment of 77 Coolawin Road, ensures that the street frontage height variation will not generate any incompatibility with the established streetscape with this part of Coolawin Road. Such circumstance is considered to represent an environmental planning ground particular to this site and its immediate context.

- Furthermore, the height variation would be indiscernible to the casual observer when walking or driving along Coolawin Road due to the subtle presence of the dwelling in the streetscape. Such circumstance is considered to represent an environmental planning ground particular to this site and its immediate context.
- The modest presentation of the streetscape (when viewed in the context of a casual observer) is also emphasised by the elevated nature of the dwellings on the higher/western side of Coolawin Road.

Based on the above points, it is therefore considered that there are sufficient environmental planning grounds to permit the height variation in this instance.

Other Matters for Consideration

4(a)(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out

Assessment: The above assessment demonstrates that the proposed height satisfies the objectives of the height standard and the E4 Environmental Living zone whilst also confirming the proposed height permits for an appropriate outcome on the subject site.

Furthermore, it is considered that the variation does not raise any matters of public interest as there are no view loss or detrimental streetscape outcomes associated with the height variation. It is noted that the proposal is of benefit to the public, given its lack of amenity impacts to adjoining dwellings and its ability to be compatible with the characteristics of the streetscape.

Given that the proposal is consistent with the desired future character for the area and that there are no adverse or unreasonable impacts on the streetscape, it is considered that there are no public interest matters which would prevent a variation in the height control.

It can further be conveyed that maintaining the height standard of 3.5m will not be considered of benefit to the public due to the minimal amenity impacts associated with the proposal and the positive architectural design results the proposal will generate if approval of the development is granted.

*(5) In deciding whether to grant concurrence, the Director-General must consider:
(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning*

Assessment: The proposed height variation allows for the orderly and economic use of land as envisaged by the *Environmental Planning and Assessment Act, 1979*.

The proposed height allows for the achievement of a compatible building envelope without creating a development with overbearing height, bulk or scale and without compromising the desired future character of the area.

Therefore, the proposed height is consistent with the State and Regional Policies, particularly urban consolidation principles that seek to provide additional height and density near transport and the established services.

Concurrence

The Secretary's concurrence under clause 4.6(4) of the LEP has been delegated to the Council by written notice dated February 21 2018, attached to the Planning Circular PS 18-003 issued on February 21 2018. That concurrence may also be assumed by the Court pursuant to s39(6) of the Land and Environment Court Act.

(b) the public benefit of maintaining the development standard

Assessment: There is no public benefit in maintaining the height standard given the limited amenity impacts associated with the development and the positive streetscape outcome that would arise from the redevelopment of the subject site.

(c) any other matters required to be taken into consideration by the Planning Secretary before granting concurrence.

Assessment: There are no further considerations of other additional matters to be considered beyond those discussed above.

Generally as to concurrence, for the reasons outlined above – and particularly having regard to the site-specific nature of this clause 4.6 variation request – there is nothing about this proposed height variation that raises any matter of significance for State or regional environmental planning, nor is there any broad public benefit in maintaining the development standard on this site. There are no other relevant matters requested to be taken into consideration before granting concurrence.

Conclusion

For reasons mentioned herein, this Clause 4.6 variation is forwarded in support of the development proposal at 75 Coolawin Road, Northbridge. It is requested to be looked upon favourably by the consent authority.