



TAREE POLICE STATION REDEVELOPMENT

CLAUSE 4.6 VARIATION REQUEST

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1. INTRODUCTION

1.1 Overview of justification for height variation request

This report comprises a formal request to vary the development standards contained in clauses 4.3 Height of Buildings and 4.4 Floor Space Ratio of Greater Taree Local Environmental Plan 2010 under clause 4.6 Exceptions to Development Standards.

Clause 4.3 provides that the maximum height of a building permitted on the subject land is 8.5m. The current proposal has a maximum height of 10.76m resulting in an exceedance of the maximum height of 2.26m. As illustrated on the sections (refer Architectural plans at Appendix 2) the main building complies with the 8.5m height limit however a small exceedance is proposed to allow for roof skylights over a central atrium space proposed to provide light within the building.

Further Clause 4.4 provides that the maximum floor space ratio of a building permitted on the subject land is 0.45:1 whereas the proposal provides for a floor space ratio of 0.72:1.

The subject request to vary both the height and floor space ratio is considered fully justified given the proposed nature of the development, the site context and the particular circumstances of the case. The proposal satisfies the established tests for clause 4.6 variations, is an appropriate form of development for the site and will result in an improved outcome over and above a development that would comply with the development standards. The arguments in favour of this variation are detailed in this request prepared by MG Planning on behalf of the NSW Police. It is considered that flexibility in the application of the development standard is justified.

1.2 Project background

Taree Police Station is located at 79 Albert St, Taree, and is within the Manning/Great Lakes Local Area Command (LAC). The police station complex was first established in 1862 and over the years has undergone many modifications, now consisting of a collection of ad hoc buildings and annexures. As currently configured the police station is overcrowded and in poor condition with a number of issues related to disability access, hazardous materials, emergency egress, drainage and flooding, and structural issues. The facility is lacking essential installations such as adequate training, conference, and custodial facilities. The existing police station facility can no longer fully support modern policing needs nor has any capacity for future growth.

The NSW Government's State Plan "NSW 2021", outlines goals and performance requirements for Government services. Governments require an effective police force to maintain social order and reduce rates of crime. Upholding the law is an essential part of maintaining safe and just communities and the NSW Police Force is an integral part of the law and justice system in NSW.

Public confidence in the NSW Police Force is an essential tool in promoting law and order and community harmony and also in acting as a deterrent against crime. Along with court houses, police stations are the principal outlet for the delivery of justice services and as such need to promote this sense of justice, equality and public order. Police stations need to convey a professional and orderly approach to their work and show that the NSW Police Force is a modern, professional and efficiently run organisation which needs to be respected. This 'first impression' is essential in giving the public confidence that the organisation is being effective in dealing with crime in an organised, fair and equitable way.

Modern police stations also play a part in protecting victims from further impacts of crime. Safe rooms and domestic violence suites, together with comfortable public areas, are all required to ensure that participants in the system are not placed in unnecessarily stressful situations during their participation in the process. With increasing numbers of domestic violence and other violent crimes, the need for Government to protect victims and witnesses is a key part of modern police stations.

According to Council statistics (published at <https://forecast.id.com.au/midcoast>) it is projected that from a population size of 93,382 in 2018, the population of the Mid Coast local government area will increase by 19,765 persons to approximately 113,147 by 2036 (21% growth). In summary then the way in which Police operations are now conducted has changed significantly overtime and the LAC services a region that is growing proportionally.

Further in the NSW Government Election commitments for 2015-2019, the redevelopment of the Taree Police Station was nominated as one of the key commitments relating to Justice.

The proposal is therefore for the construction of a new police station to modernise and improve service delivery to the local community and to meet operational needs now and into the future.

1.3 Clause 4.6 and case law

Clause 4.6 of Greater Taree LEP 2010 enables the consent authority to grant consent to development that departs from a development standard included in the LEP. The clause aims to provide an appropriate degree of flexibility in applying certain development standards, including height and floor space ratio, that achieve better outcomes or that are in the public interest.

Clause 4.6 provides:

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 Secretary has been obtained.*
- (5) *deciding whether to grant concurrence, the 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 Secretary before granting concurrence.*
- (6) *Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, RU2 Rural Landscape, RU3 Forestry, RU4 Primary Production Small Lots, RU6 Transition, R5 Large Lot Residential, E2 Environmental Conservation, E3 Environmental Management or 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.*
- (7) *After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).*
- (8) *This clause does not allow development consent to be granted for development that would contravene any of the following:*
- (a) *a development standard for complying development,*
 - (b) *a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,*
 - (c) *clause 5.4,*
 - (ca) *clauses 6.1 and 6.2.*

In addition to the parameters set out in clause 4.6, there are a number of key decisions of the NSW Land and Environment Court that provide guidance in justifying a variation to a development standard. They are:

- *Wehbe v Pittwater Council* [2007] NSWLEC 827
- *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 1009
- *Micaul Holdings Pty Ltd v Randwick City Council* [2015] NSWLEC 1386
- *Moskovich v Waverley Council* [2016] NSWLEC 1015.

1.5 Clause 4.6 variation request

Consistent with the statutory requirements set out in clause 4.6, and as guided by the above case law, this request to vary the height and floor space ratio development standards:

- identifies the development standards to be varied
- identifies the extent of the variations sought
- establishes that compliance with the development standards is unreasonable or unnecessary in the circumstances
- demonstrates that there are sufficient environmental planning grounds to justify the variations, and
- demonstrates that the consent authority can be satisfied that the proposal is in the public interest because it is consistent with the objectives of the standards and the objectives of the relevant zone.

Development consent can therefore be granted to the proposed development despite the proposed variation of the development standards because, pursuant to clause 4.6(4)(a), the consent authority can be satisfied that:

- this written request has adequately addressed the matters required to be demonstrated by clause 4.6(3), and
- the proposed development will be in the public interest because it is consistent with the objectives of the standards and the objectives for development within the zone.

This report should be read in conjunction with the Statement of Environmental Effects (SEE) prepared by MG Planning and dated May 2018 in relation to the Taree Police Station.

2. DEVELOPMENT STANDARDS TO BE VARIED

2.1 Greater Taree LEP 2010 - Clauses 4.3 Height of Buildings and 4.4 Floor Space Ratio

The development standards that are sought to be varied as part of this application comprise clause 4.3 Height of Buildings and 4.4 Floor Space Ratio of Greater Taree LEP 2010.

Clauses 4.3 and 4.4 are reproduced below and extracts of the Height of Buildings and Floor Space Ratio Maps, to which the clauses apply, are provided at

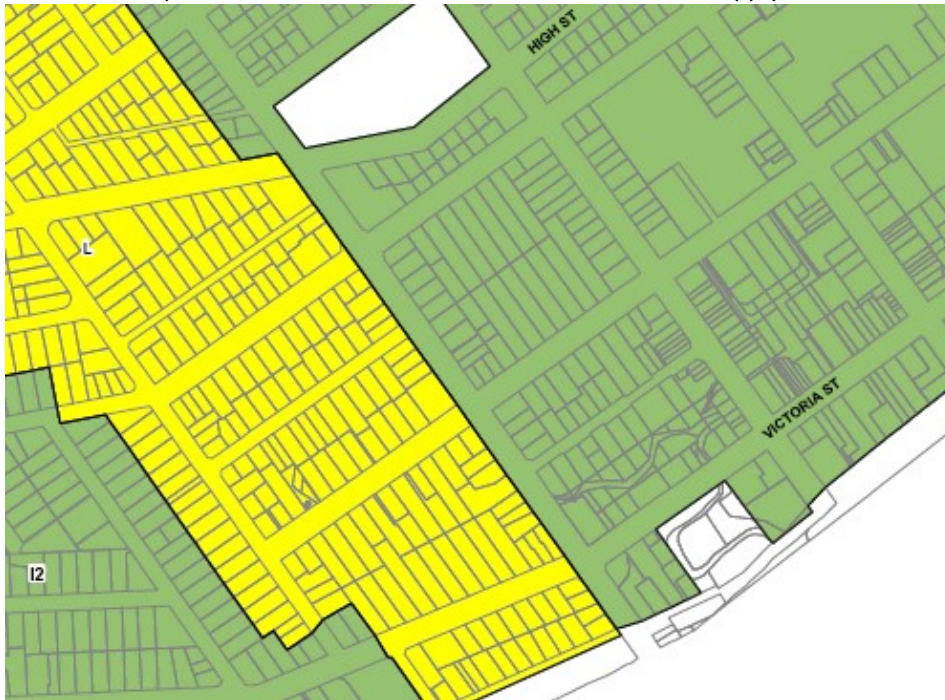


Figure 1 and 2.

4.3 Height of buildings

(1) The objectives of this clause are as follows:

- (a) to ensure that the height of a building is appropriate for the site,
- (b) to ensure that the height of a building complements the streetscape or rural character of the area in which the building is constructed.

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

4.4 Floor space ratio

(1) The objectives of this clause are as follows:

- (a) to ensure that the density, bulk and scale of development is appropriate for a site,

(b) to ensure that the density, bulk and scale of development integrates with the streetscape and character of the area in which the development is located.

(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.



Figure 1: Maximum height limit under clause 4.3



Figure 2: Maximum height limit under clause 4.4

2.2 The land subject to this variation

This clause 4.6 request to vary the applicable height and floor space ratio development standards relates to 79 Albert Street, Taree, on the north-west edge of the Taree town centre, as shown in Figure 3. The site forms the Taree Justice Precinct and includes the existing Taree Police Station and Taree Court House (new and historic), and is formally known as Lot 21, 22 and 23 Section 8 DP 50231. The site has an area of approximately 6,069.68m².



Figure 3: Subject site

2.3 Site context

Site context is an important consideration when determining the appropriateness and necessity of strict adherence to a development standard.

The development site comprises part of the Taree Justice Precinct with the existing new and historic Court House buildings siting at the front of the site, presenting to the Albert Street frontage. The single storey historic building is set back in the northern part of the site and the modern two storey court house building adjoins to the south. Vehicular access to the Court House is adjacent to the north. The existing police station is located to the rear. The site is listed as a heritage item (I117 Courthouse) and is within the Albert Street Heritage Conservation Area. There are also a number of heritage items in the vicinity. Surrounding development to the east is predominantly retail and commercial comprising the commercial core of Taree, and development to the west is predominantly residential. Manning Hospital is located approximately 500 metres to the north of the site.

Accordingly the site and its surrounds is currently characterised by a range of civic building however the site is zoned R1 General Residential under the Greater Taree LEP 2010. The key planning controls (including height and FSR) reflect the zoning and therefore are relevant to general residential development rather than the existing civic uses on site which currently exceed the

relevant controls. It is therefore considered that the existing zoning for the site is an anomaly. In this regard it is noted that there is a current planning proposal being considered by Council which proposes a number of amendments to the GTLEP 2010, including a proposed change to the Heritage Conservation Area floor space ratio (FSR) control.

The planning proposal seeks to amend the GTLEP to ensure the FSR in the Heritage Conservation Area is consistent with the FSR applied to the relevant zone i.e. 0.6 FSR for the R1 General Residential in which the proposed development is located, rather than the current 0.45 FSR. The planning proposal outlines the following rationale in relation to this proposed change to FSR:

“A review of our heritage provisions identified that the floor space ratio (FSR) that applies to land in a Heritage Conservation Area is 0.45, which is less than that applied to surrounding residential (0.6) and business (0.8+) zones outside the Heritage Conservation Area.

Heritage Conservation Areas identify heritage values that need to be considered when developing a site, but should not limit the FSR to that below what is typically expected in the zone. It is intended that the FSR be amended to be consistent with that applied to the relevant zone. This proposed change aims to ensure that owners of buildings in heritage conservation areas are not disadvantaged in terms of the FSR compared to properties outside of the conservation area.”

The planning proposal was on public exhibition in November 2017 and is currently with Council for implementation.

2.4 Nature of the variations

Under the provisions of GTLEP, the maximum building height permitted on the Site is 8.5 metres and maximum floor space ratio is 0.45:1. The subject development application seeks a maximum height of 10.76m and floor space ratio of 0.72:1. The proposed variation in height relates solely to the proposed skylights within the roof which have been designed to allow lighting into the central atrium within the building. The main building complies with the maximum height limit. The extent of the height non-compliance is shown on plans DA400 and DA401 in the architectural package at Appendix 2.

In relation to floor space ratio under clause 4.4 of GTLEP a maximum FSR of 0.45:1 is permitted on the subject land. The existing floor space ratio of all buildings on site (including the existing police station and courthouse) is 0.45:1. The proposal provides for a maximum floor space ratio of 0.72:1 (refer GFA area schedule).

3. JUSTIFICATION FOR CONTRAVENTION OF THE DEVELOPMENT STANDARD

3.1 Clause 4.6(3)(a): Compliance with the development standard is unreasonable or unnecessary in the circumstances of the case

In *Wehbe v Pittwater Council* [2007] NSWLEC 827 (Wehbe), Preston CJ of the Land and Environment Court identified five ways in which an applicant might establish that compliance with a development standard is unreasonable or unnecessary.

While Wehbe related to objections made pursuant to *State Environmental Planning Policy No. 1 – Development Standards* (SEPP 1), the analysis can be of assistance to variations made under clause 4.6 where subclause 4.6(3)(a) uses the same language as clause 6 of SEPP 1 (see *Four2Five* at [61] and [62]).

The five ways outlined in Wehbe are:

1. The objectives of the standard are achieved notwithstanding non-compliance with the standard (First Way)
2. The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary (Second Way)
3. The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable (Third Way)
4. The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable (Fourth Way)
5. The zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land and compliance with the standard would be unreasonable or unnecessary. That is, the particular parcel of land should not have been included in the particular zone (Fifth Way).

It was not suggested that the five ways were the only ways that a development standard could be shown to be unreasonable or unnecessary, nor does the development need to demonstrate satisfaction of more than one of five ways outlined.

This clause 4.6 variation request establishes that compliance with the height and floor space ratio development standards is unreasonable or unnecessary in the circumstances of the proposed development because the objectives of the standards are achieved. Accordingly this variation request justifies the variation to the height and FSR controls pursuant to the First Way outlined in Wehbe.

3.1.1 *The objectives of the standard are achieved notwithstanding non-compliance with the standard (First Way)*

Clause 4.3 Height of Buildings

As noted in Section 2.1, the objectives of the building height development standard (under clause 4.3 of GTLEP) are:

- (a) *to ensure that the height of a building is appropriate for the site,*

- (b) to ensure that the height of a building complements the streetscape or rural character of the area in which the building is constructed.*

An assessment of the building height in relation to these objectives is provided below.

Objective (a) to ensure that the height of a building is appropriate for the site

The maximum height of buildings on the subject land is set out on the Height of Buildings Map and is 8.5m above existing ground level. Notwithstanding this control a variation to the control can be considered by virtue of the provisions of clause 4.6. The purpose of this report is to address the requirements of clause 4.6.

The proposal provides for a maximum height of 10.76m (2.26m above the maximum allowable) within the centre of the building only providing for skylights in the roof form to enable light to access the central atrium around which the building has been designed. The remainder of the building complies with the maximum height limit.

The proposed building is setback on the site behind the two existing courthouse buildings. It is of an appropriate scale and form for the site as well as the proposed use and will not result in any adverse environmental impacts. It is compatible with adjacent development and the area of non-compliance will be barely perceptible and at the same time will contribute significantly to the internal amenity of the building. It is therefore considered that the height of the building is appropriate for the site and that the proposal is therefore consistent with objective (a) of the development control.

Objective (b) to ensure that the height of a building complements the streetscape or rural character of the area in which the building is constructed

As noted above the proposed building is located to the rear of the Taree Justice Precinct site behind the existing new and historic Courthouses which have frontage to Albert Street. The building comprises a single storey component on the street frontage to the west of the new courthouse which provides street presence for the police station. The larger two storey component of the building is set back behind existing building however is still appropriate to the streetscape and the character of the area which comprises civic and commercial buildings. Accordingly it is considered that the proposed height is consistent with objective (b) of the development control.

Clause 4.4 Floor Space Ratio

The objectives of the floor space ratio development standard (under clause 4.4 of GTLEP) are:

- (a) to ensure that the density, bulk and scale of development is appropriate for a site,*
(b) to ensure that the density, bulk and scale of development integrates with the streetscape and character of the area in which the development is located.

An assessment of the FSR in relation to these objectives is provided below.

Objective (a) to ensure that the density, bulk and scale of development is appropriate for a site

The maximum floor space ratio permissible on the subject land is set out on the Floor Space Ratio Map and is 0.45:1. Notwithstanding this control a variation to the control can similarly be considered by virtue of the provisions of clause 4.6.

The proposal provides for a FSR of 0.72:1 (0.27:1 above the maximum allowable).

The proposed building provide a new police station to upgrade NSW Police's existing facilities within Taree, to provide a modern workplace consistent with modern standards and to meet the growing demand for policing services within the region. The proposed building is consistent with the height, bulk, scale and density of other buildings in the vicinity and will not result in any adverse environmental impacts. It is compatible with adjacent development and provides appropriate setbacks to adjacent sites. The building will improve the police and judicial functioning of the Taree Justice Precinct and will allow for the NSW Police to better meet the needs of the community. It is therefore considered that the floor space ratio of the building is appropriate for the site and that the proposal is therefore consistent with objective (a) of the development control.

Objective (b) to ensure that the density, bulk and scale of development integrates with the streetscape and character of the area in which the development is located

Consistent with the arguments set out above, the proposed building has been well designed having regard to site context, existing buildings on site and the neighbouring properties. It provides a density, bulk and scale that is appropriate to the use and consistent with the streetscape and character of the area (noting that the building is primarily setback within the site). Accordingly it is considered that the proposed floor space ratio is consistent with objective (b) of the development control.

3.1.2 Other reasons why compliance is unreasonable or unnecessary

Compliance with the height and FSR development standards is also unnecessary in these circumstances because a better planning outcome for the site as a whole, and the community generally, can be achieved as a result of the non-compliance. This is outlined in Section 3.3 below.

The development as proposed will provide a purpose built, modern and functional new police station which will enable the NSW Police to deliver improved policing services to the community and to meet growing demand. It will also enable better integration with the existing court house and improve NSW Police's presence in the streetscape. Accordingly it is considered that strict compliance with the development standards is unnecessary and unreasonable in the particular circumstance.

3.2 Clause 4.6(3)(b) Environmental planning grounds to justify contravening the development standard

There are sufficient environmental planning grounds to justify a flexible approach to the application of the height and floor space ratio development controls as they apply to the site. The non-compliance with the height control is minor being only location centrally within the building and as a result of the proposed roof form which has been design to incorporate skylights to enable light to permeate into the building.

The proposed floor space non-compliance will enable the construction of a purpose built, modern and functional new police station which will enable the NSW Police to deliver improved policing services to the community and to meet growing demand. The proposed building is appropriate in terms of height, bulk and scale and will not result in any adverse impacts.

Accordingly, it is considered that there are sufficient environmental planning grounds to justify contravening the development standard being:

- non-compliance with the standards does not contribute to adverse environmental, social or economic impacts
- variation to the standards is required to provide a high quality development that will both achieve a high internal amenity workplace and sufficient floor area to enable the NSW Police to deliver high quality policing services to the community and to meet growing demand
- the proposal does not give rise to unacceptable impacts associated with an increased maximum building height or floor space ratio, including overshadowing, traffic generation or bulk and scale
- the extent of the height variation is minor and arises solely from the inclusion of skylights into the roof form to improve the internal amenity of the building
- the proposal will not result in any adverse impacts on any heritage items and visual impacts are appropriate given the context of the site and its surrounds
- the proposed variations do not contribute to adverse traffic impacts
- the proposed building will make best use of existing land for the provision of critical government services
- the proposal does not result in adverse overshadowing, wind or other amenity impacts
- the proposed development complies with all other relevant controls contained in GTLEP

Conclusion on clause 4.6(3)(b)

In light of the above, there are no environmental planning grounds that warrant maintaining and/or enforcing the numerical height and floor space ratio standards in this instance. Rather, there are clear and justifiable environmental planning merits which validate the flexible application of the height and FSR controls allowed by Clause 4.6 of GTLEP.

3.3 Clause 4.6(4)(a)(ii): In the public interest because it is consistent with the objectives of the zone and development standard

3.3.1 Consistency with objectives of the development standard

The proposed development is consistent with the objectives of both the height and floor space ratio development standards, for the reasons discussed in Section 3.1 of this report.

3.3.2 Consistency with objectives of the zone

The Site is zoned R1 General Residential under GTLEP. The objectives of the R1 land use zone are as follows:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The proposed development satisfies the zone objectives as it will provide a new purpose built police station that will enable the NSW Police to better meet the existing and future demand of local residents in terms of policing. Policing is an essential service that is required to meet the needs of residents.

3.3.3 Overall public interest

In accordance with the requirements of Clause 4.6(4)(a)(ii), the proposed development and variation to the development standard is in the public interest because it achieves the objectives of both the development standards and the land use zone.

3.4 Other Matters for Consideration

Under clause 4.6(5), in deciding whether to grant concurrence, the Director-General (now Secretary) must consider the following matters:

- (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 Director-General before granting concurrence.*

These matters are addressed in detail below.

3.4.1 Clause 4.6(5)(a): Whether contravention of the development standard raises any matter of significance for State or regional environmental planning

The variation of the maximum height and floor space ratio development standards does not raise any matter of significance for State or regional planning. However the proposal is consistent with the NSW Government's State Plan "NSW 2021" which outlines goals and performance requirements for Government services and notes that Governments require an effective police force to maintain social order and reduce rates of crime. Upholding the law is an essential part of maintaining safe and just communities and the NSW Police Force is an integral part of the law and justice system in NSW.

The proposal is also consistent with the NSW Government Election commitments for 2015-2019, which included the redevelopment of the Taree Police Station as a key commitment relating to Justice.

3.4.2 Clause 4.6(5)(b): The public benefit of maintaining the development standard

There is no public benefit in maintaining the height and floor space ratio development standard in this instance. Maintaining and enforcing the development standards in this case would unreasonably constrain the orderly and economic development of the site, and unnecessarily reduce the various community benefits that the development would deliver.

It is therefore considered to be in the public interest that a variation to the development standard is supported in this case.

3.4.3 Clause 5.6(5)(c): Any other matters required to be taken into consideration by the Secretary before granting concurrence.

To our knowledge there are no other matters that the Secretary is required to take into consideration when granting concurrence to this Clause 4.6 variation request.

4. SUMMARY AND CONCLUSION

Compliance with the height and floor space ratio development standards contained in Clauses 4.3 and 4.4 of Greater Taree LEP 2010 is unreasonable and unnecessary in the circumstances of the case, and the justification to vary those standards is well founded. The proposed variations allow for a better planning outcome for the Site and recognise the particular circumstances of the case.

This clause 4.6 variation request demonstrates that:

- the objectives of the height and floor space ratio development standards are achieved notwithstanding the proposed variation to the numerical controls
- the proposed flexible application of the controls achieves a better planning outcomes than would be achievable by strict adherence to the controls on the subject site
- it is in the public interest to vary the controls as the proposal is consistent with the objectives of the R1 General Residential Zone and will meet the daily policing needs of residents
- the proposed building is of an appropriate height, bulk and scale, is consistent with the character of the site and will not result in any adverse amenity or environmental impacts
- the non-compliance with the development standards does not raise any matters of State or regional planning significance
- there is no public benefit in maintaining the height and / or floor space ratio development standard adopted by the environmental planning instrument for this Site in this instance, and
- legal precedent has been addressed as part of this clause 4.6 variation request, and concludes the circumstances of this Site and the development proposal are such that they and this justification cannot be replicated.

The clause 4.6 request demonstrates that the proposed development will deliver a better overall outcome for the Site, and the broader community than would a proposal that complied with the relevant development standards. The proposal optimises the opportunity to deliver a high quality purpose built new police station to meet the existing and growing demand for policing services in the area and will provide significant public benefits.

For the reasons set out in this written request, it is considered that the clause 4.6 variation to clauses 4.3 and 4.4 of Greater Taree LEP 2010 is justified and that the strict application of the development standards is unreasonable or unnecessary in the circumstances of the case.