

Appendix B Clause 4.6 written request - Variation to Clause 4.4 (FSR)

Prepared for
Captag James Project Pty Ltd

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Mecone acknowledges the Traditional Custodians of the land on where this project is undertaken and across the Mecone offices that this report is prepared, paying respect to the Elders past and present. We recognise the ongoing connection of Aboriginal and Torres Strait Islander peoples to land, waters, and culture.

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1	21 May 2025	Final	Adam Coburn	

* This document is for discussion purposes only unless signed and dated by the persons identified. This document has been reviewed by the Project Director.

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1 Introduction

The Development Application (DA) for 10 James Street, Carlingford (the site) seeks approval for the construction a 16-storey residential flat building comprising two levels of basement parking, three levels of podium parking, and forty-five (45) apartments with ancillary works. Currently existing on the Site are excavated and shoring works, approved under DA658/2012/HB. It is intended that those existing works will form part of the development which is the subject of this DA.

The DA proposes an exceedance of the floor space ratio (FSR) development standard that applies to the site pursuant to clause 4.4 of the *Parramatta Local Environmental Plan 2021* (PLEP 2021).

An FSR of 5.8:1 is proposed, contravening the maximum FSR of 4:1 permitted under Clause 4.4 of PLEP 2021 for the site. The proposal seeks a variation of the FSR by 1.8:1 equating to a variance of 45% of the control.

This written variation request has therefore been prepared pursuant to clause 4.6 of the PLEP 2021 and forms a written request that justifies the contravention of the FSR development standard with regard to the specific circumstances of this proposal. It is submitted that permitting the proposed variation to the FSR development standard will allow for improved planning outcomes at the site.



Figure 1: Podium Design on James Street
Source: Capió

2 Site description

The site is located at 10 James Street, Carlingford and is legally described as Lot 1 DP32469. The site has frontage to James Street to the north and to the Parramatta Light Rail (PLR) rail corridor to the south. The shape is irregular, being described as generally rectangular with an acute angle towards the southern boundary. The site is situated in the R4 High Density Residential zone under the *Parramatta Local Environmental Plan 2021*.

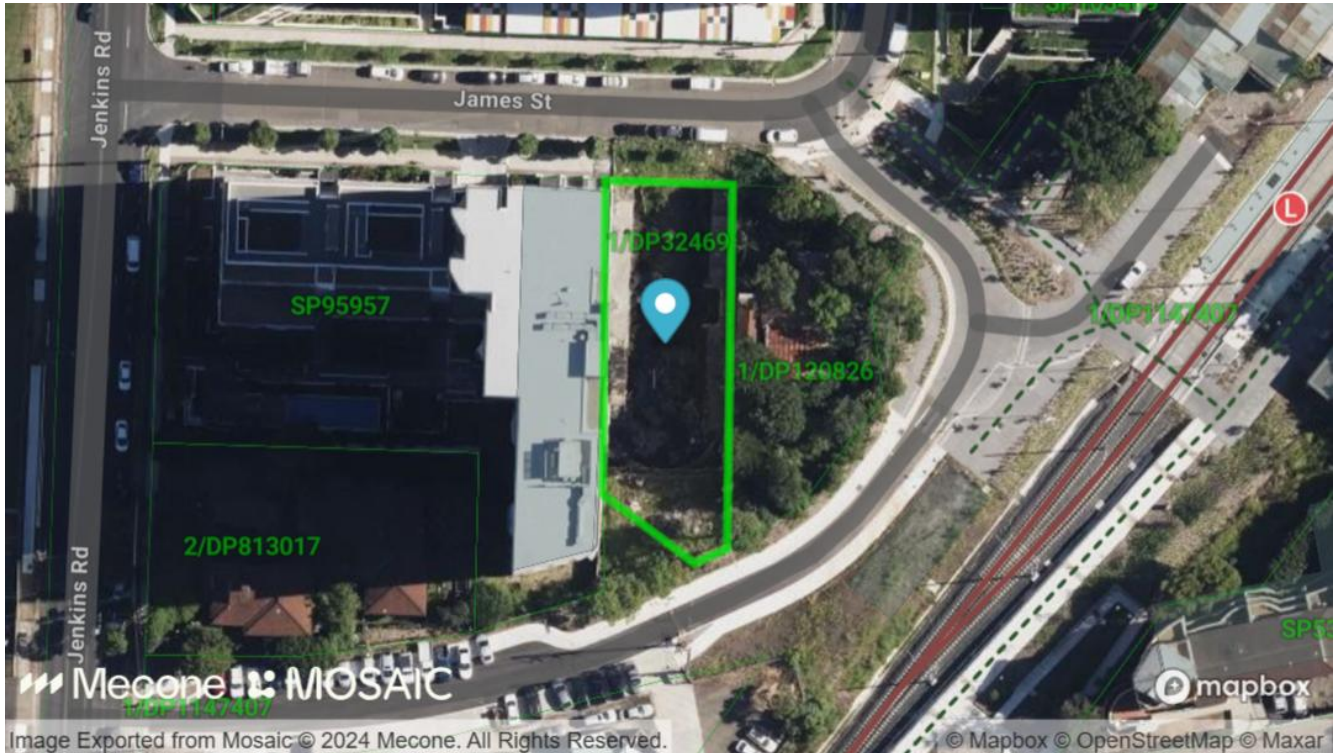


Figure 2: The Site

Source: Mecone MOSAIC

The site is currently vacant and consists of a partially constructed basement car park including excavation, shoring, and structural elements. The site is irregularly shaped with two street frontages, one being to James Street to the north. The site is located approximately 60m to the west of the Carlingford Light Rail stop.

Land uses in the vicinity are primarily high density residential comprising modern residential flat buildings ranging between 6 and 20 storeys. Commercial and industrial land uses are present to the south of the site, with low density and open spaces situated further south across Pennant Hills Road.



Figure 3: Adjacent Mixed Use Development (Primarily Residential) at 2-8 James Street
Source: Google Streetview (dated July 2020)



Figure 4: Commercial Development Located to the Rear of the Site
Source: Google Streetview (dated December 2021)



Figure 5: View of 7/11 situated approximately 100m to the south of the subject site
Source: Google Streetview (dated December 2021)



Figure 6: View of low density residential on Kenny Place approximately 250m to the south of the subject site
Source: Google Streetview (dated October 2020)



3 Proposed development

The proposed development seeks approval for works to and use of the existing excavation on site, and the construction of a new residential flat building. The proposed development comprises a 16-storey building with two basement levels for car parking, three levels of above-ground podium car parking, and forty-five (45) residential apartments. The works include associated site preparation, services installation, landscaping, and civil works to facilitate access, stormwater management, and utility connections. The application also seeks approval for the integration of the existing partially completed basement structure within the new building design. No non-residential floor space is proposed. The building will be used entirely for permanent residential accommodation.



Figure 7: Render of the proposed development from James Street
Source: Capiro

4 Relevant planning instrument, development standard and proposed variations

4.1 Environmental Planning Instrument to be varied

The Environmental Planning Instrument (EPI) to be varied is the *Parramatta Local Environmental Plan 2021* (PLEP 2021).

4.2 Site zoning

The site is zoned as R4 High Density Residential; refer to **Figure 8** below for an extract of the LEP land zoning map.

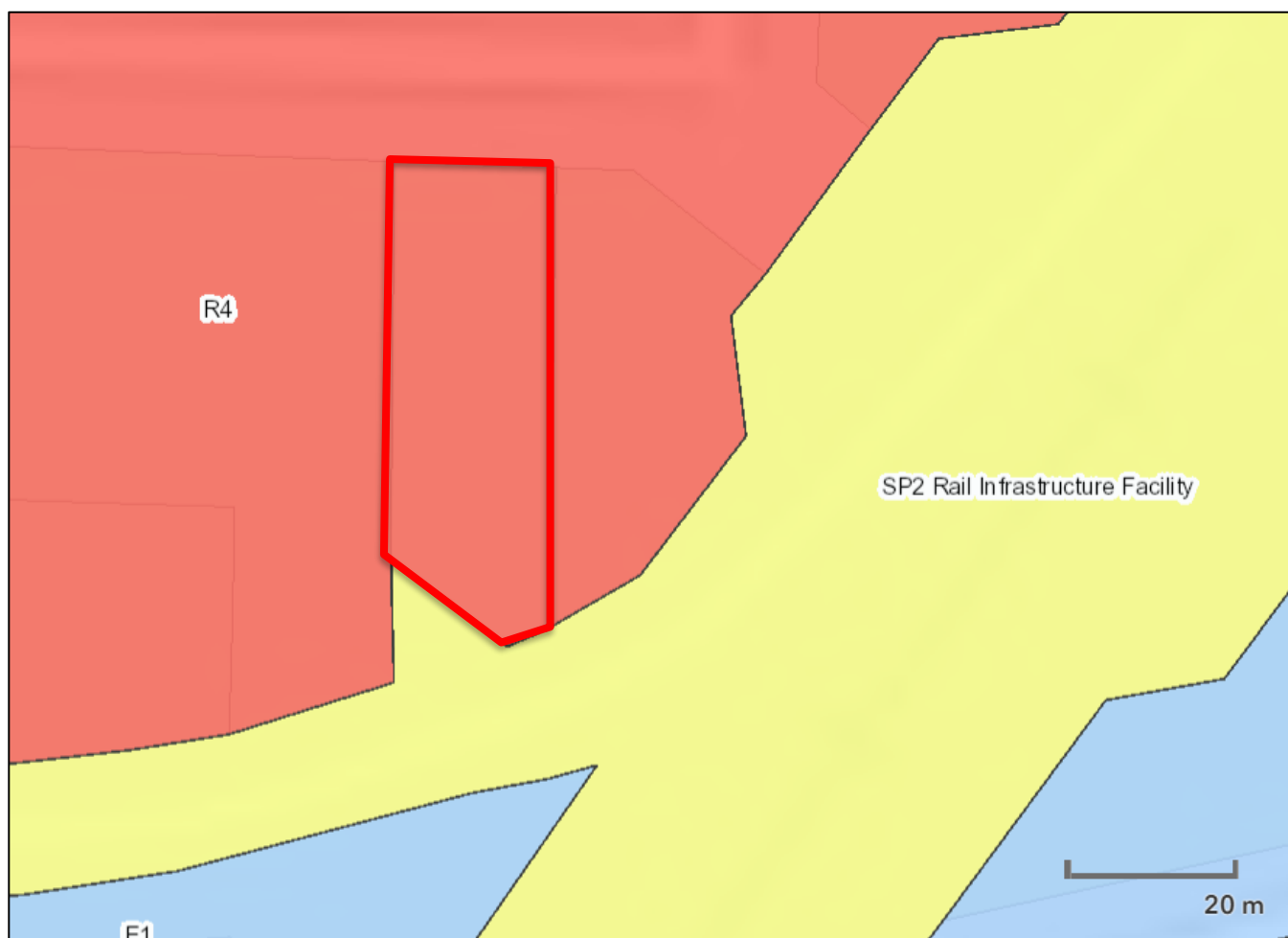


Figure 8: An extract of the PLEP 2021 land zoning map. The site is denoted by the red border.

Source: NSW Planning Portal Digital EPI Viewer

4.3 Development standard to be varied

The development standard to be varied is clause 4.4 (floor space ratio) of the PLEP 2021. For reference, clause 4.4 provides the following:

- (1) *The objectives of this clause are as follows—*
 - (a) *to ensure buildings are compatible with the bulk, scale and character of existing and desired future development in the surrounding area,*
 - (b) *to regulate density of development and generation of vehicular and pedestrian traffic,*
 - (c) *to provide a transition in built form and land use intensity,*
 - (d) *to require the bulk and scale of future buildings to be appropriate in relation to heritage sites and their settings,*
 - (e) *to reinforce and respect the existing character and scale of low density residential areas.*
- (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](#).*

The prescribed FSR development standard that applies to the site pursuant to 4.4 of the PLEP 2021 is 4:1 (refer to **Figure 9** below); the development standard to be varied is therefore a numerical development standard.

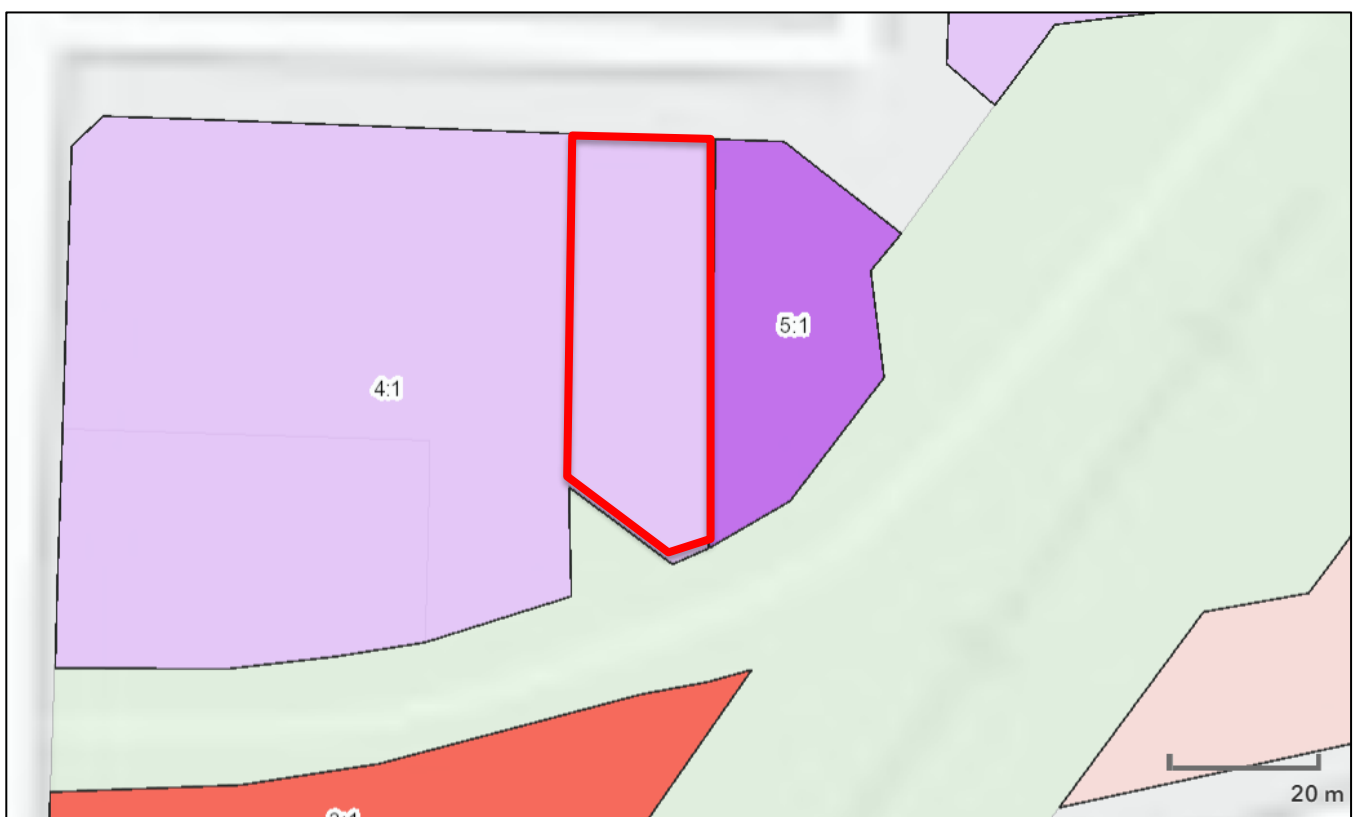


Figure 9: An extract of the PLEP 2021 FSR map. The site is denoted by the red border.

Source: NSW Planning Portal Digital EPI Viewer

4.4 Details of proposed FSR variation

The proposal seeks a variation of the FSR control by 1.8:1 (an exceedance of 45% over the maximum FSR control) to enable the proposed building form and apartment yield. The necessity for this variation arises from the specific site context and design approach. The site is flanked by a relatively new 18 storey mixed use development at 2-8 James Street and an approved 18 storey mixed use development at 12 James Street (DA/80/2019) which relied upon a clause 4.6 due to an exceedance of the 5:1 maximum FSR to the approved FSR of 6:1 under *The Hills Local Environmental Plan 2012*.

In order to achieve a built form that is compatible with this emerging character and to deliver a high-quality residential outcome (including larger apartments for families), a higher FSR is proposed on the subject site. Importantly, the proposed 5.8:1 FSR does not translate to a disproportionate visible bulk because the envelope remains in harmony with the neighbouring buildings, and the additional floor area is accommodated within the



design in a manner that minimises external impacts. Additionally, the building's height remains compliant with the maximum height of building control under clause 4.3 of the PLEP 2021.



5 Assessment

5.1 Clause 4.6(3)(a) – Whether compliance with the development standard is unreasonable or unnecessary

In *Wehbe V Pittwater Council* (2007) NSW LEC 827 (Wehbe), Preston CJ set out the following 5 different ways in which an objection (variation) may be well founded and under which a proponent could demonstrate that compliance with a development standard is unreasonable or unnecessary as per clause 4.6(3)(a)).

For reference, the five ways in which a variation may be well founded are listed as follows:

1. *The objectives of the standard are achieved notwithstanding non-compliance with the standard;*
2. *The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary;*
3. *The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable;*
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;*
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 that would be unreasonable or unnecessary. That is, the particular parcel of land should not have been included in the particular zone.*

It is generally understood that Clause 4.6(3) can be satisfied if it is established that a development satisfies one or more of the above points. In this instance, the first point has been investigated and is considered to be well founded for the proposed development, for the reasons set out below.

We have set out below the objectives of the FSR development standard pursuant to clause 4.4 of PLEP 2021, with our response as to how that objective is achieved by the development proposal, notwithstanding noncompliance with the standard:

- (a) *to ensure buildings are compatible with the bulk, scale and character of existing and desired future development in the surrounding area,*

Mecone comment:

The site is located within the Carlingford Central Precinct and is identified as part of Block 4 under Section 8.2.8.1 of the Parramatta Development Control Plan 2023.

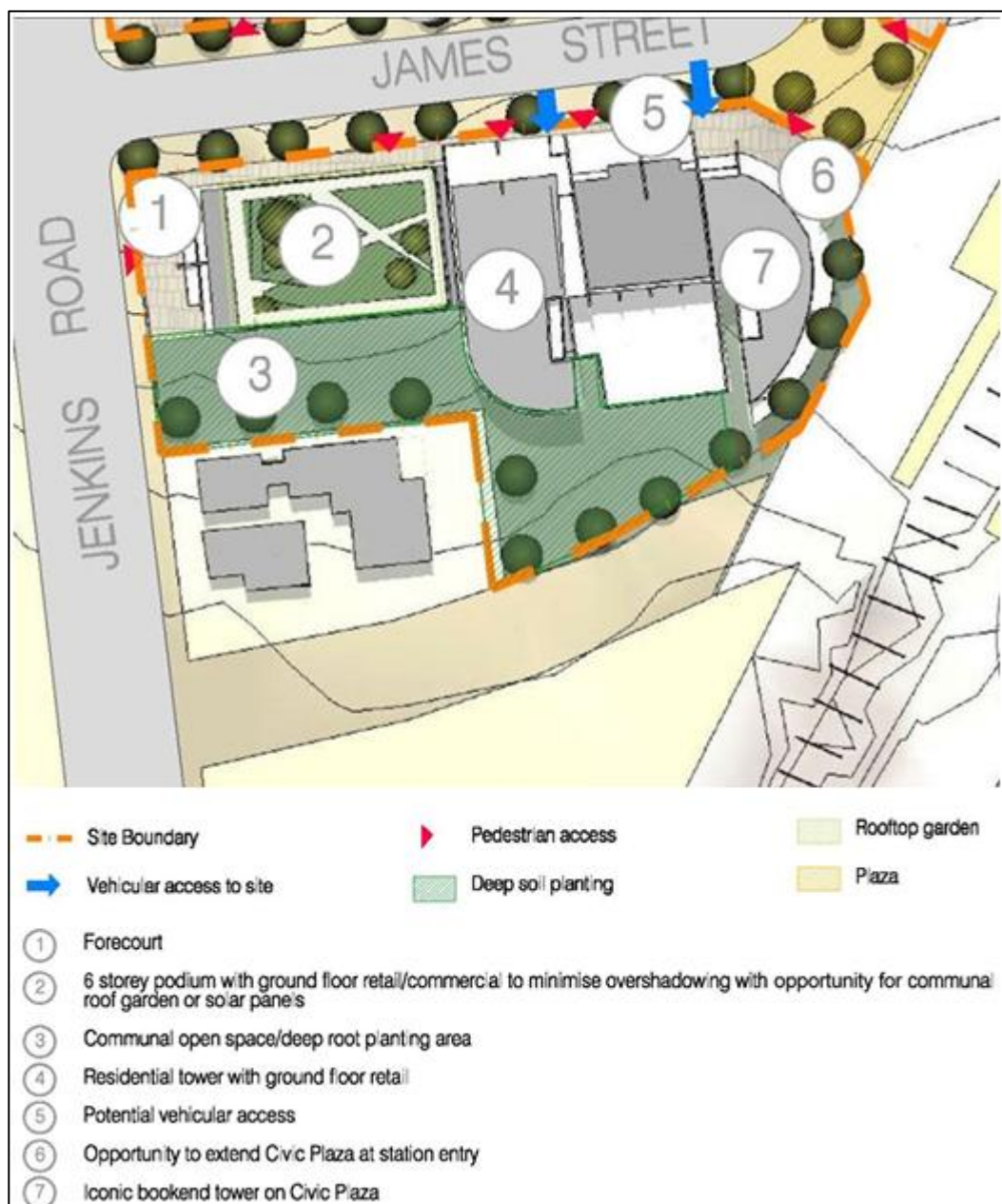


Figure 10: Concept Built Form Controls for Block 4 (2-12 James Street)

Source: Parramatta DCP 2023

Block 4 comprises 2-8 James Street, 10 James Street (the subject site), and 12 James Street. While the DCP envisaged an amalgamated outcome across the block with two 18-storey towers and a coordinated built form, this has not occurred. Instead, development has proceeded in a fragmented manner.

On either side of the subject site, Council has approved 18-storey mixed use developments—one constructed at 2-8 James Street, and one approved at 12 James Street (DA/80/2019). Notably, the consent at 12 James Street relied on a Clause 4.6 variation to exceed the 5:1 FSR under The Hills LEP 2012, approving an FSR of 6:1.

Both adjoining towers were approved at or close to the boundary of 10 James Street, inconsistent with the envisaged built form. The building at 2-8 James Street also departs from the built form envisaged in the DCP by adopting an elongated form. The elongated form of 2-8 James Street significantly mitigates any overshadowing impacts from development at 10 James Street on sensitive locations further south, including 1 Jenkins Street and the K13 Submarine Memorial Park. Importantly, critical solar access to the K13 Memorial Park and nearby residential uses is maintained throughout the day.

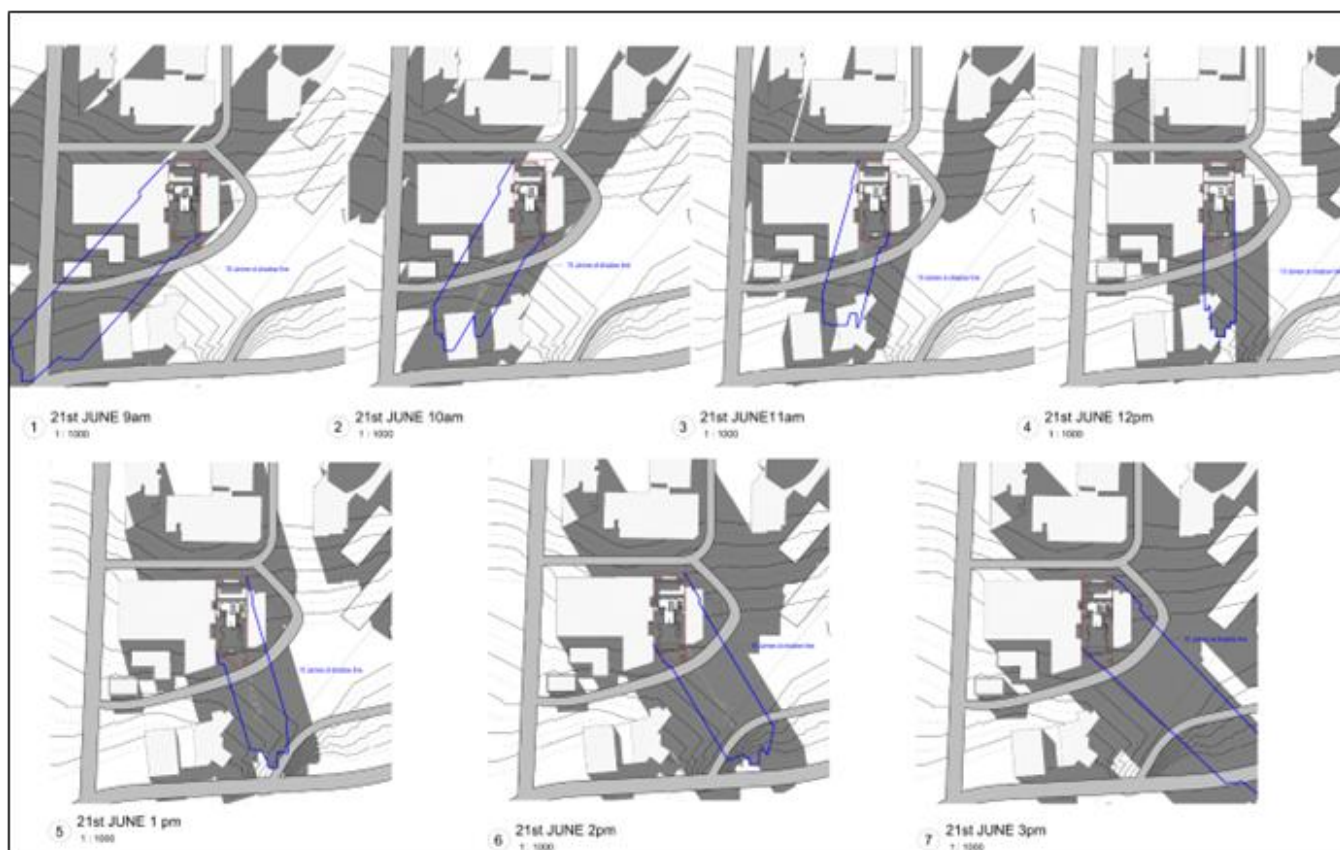


Figure 11: Shadow Diagrams

Source: Capio

In this context, the proposed 16-storey residential flat building at 10 James Street sits comfortably between two existing and approved 18-storey buildings. It maintains a similar building height while incorporating the additional floor space behind the facade (FSR 5.8:1) within a built form that is consistent with its neighbours. Given the precedent established by the adjoining approvals and the fact that the envisioned built form under the DCP has not been realised, a strict enforcement of the 4:1 FSR control would result in an under-scaled and inconsistent outcome. Conversely, the proposal achieves a logical and visually cohesive continuation of the high-density character of James Street.

Furthermore, the additional GFA is accommodated behind the principal façade line, such that the proposal does not appear significantly bulkier than a compliant building when viewed from the street. The proposal sits between two existing or approved high-density developments at 2-8 and 12 James Street, both of which establish the prevailing height, scale and urban grain of the precinct. The proposed built form continues this pattern and does not introduce material overshadowing impact beyond that already cast by adjoining buildings (and avoids any overshadowing to sensitive land uses). The additional density is absorbed within a compliant height envelope and does not unreasonably increase the building's apparent bulk or street wall. Therefore, the environmental impacts of the additional floor space will be negligible due to the building's alignment and relationship to adjoining sites.

Given this site-specific context, and the fact that the proposal satisfies the design intent and scale anticipated for this part of Carlingford, this objective is achieved notwithstanding non-compliance.

(b) to regulate density of development and generation of vehicular and pedestrian traffic,



Mecone comment:

The development proposes 45 residential apartments in an area that has been identified for high density residential development, and is supported by public transport, being located approximately 60 metres from the Carlingford Light Rail stop.

The intensity of development resulting from the proposed 5.8:1 FSR is consistent with that already approved on adjoining sites at 2-8 and 12 James Street, both of which contain or will contain 17- to 18-storey residential towers with greater apartment yields. The proposed scale of development and its associated residential density can be suitably accommodated within the local street network and public transport services (refer to the Transport Impact Assessment (TIA) at **Appendix J**).

The proposed vehicle access is from James Street and integrates with an existing semi-constructed basement car park. The development will provide compliant on-site parking across five levels (two basement levels and three podium levels) and ensures that overflow parking impacts on the street network are minimised. The TIA concludes that the development will not have any adverse traffic impacts on nearby streets or intersections.

Pedestrian activity generated by the proposal is appropriate for a location adjacent to public transport and within a high-density precinct. The site layout and access arrangements will support safe pedestrian movement to and from James Street and surrounding streets. Therefore, while the proposal exceeds the FSR standard, it does not generate a level of density or movement inconsistent with the objectives of the development standard. The objective of regulating vehicular and pedestrian movement remains satisfied.

(c) to provide a transition in built form and land use intensity,

Mecone comment:

The subject site is located within a consolidated high-density residential area bounded by 2–8 James Street and 12 James Street. Both of these sites contain or are approved for 18-storey mixed use developments. The proposed 16-storey building at 10 James Street sits between these developments and provides an appropriate continuation of the high-density built form already established on either side.

Given that the street frontage has already been defined by tall towers built to the shared boundaries with 10 James Street, it is considered that a reduced-scale development on the subject site would create an inconsistent and abrupt visual break in the streetscape. The proposed development, by aligning in height and massing with its neighbours, achieves a coherent and legible built form along James Street.

Further transition occurs at a broader scale. South of the site, beyond the rail corridor, built form lowers to low- and medium-density. The tower form at 2-8 James Street, which adopts a longer profile than that envisaged under the DCP, has effectively buffered the subject site from directly overshadowing any sensitive southern areas (refer to **Figure 11**). This allows the proposed development at 10 James Street to provide the proposed built form for the block without creating additional shadow or visual bulk impacts to the south.

The land use intensity is also appropriate for the location. The site is within walking distance of the Carlingford Light Rail stop and located in a precinct zoned R4 High Density Residential, which supports the proposed development density. The variation to FSR does not result in an intensity of use that is inconsistent with the planned function of the area, nor does it compromise the ability of the surrounding area to transition to its desired future character. Therefore, the development delivers a suitable transition in built form and land use intensity within its local context and satisfies the objective.

(d) to require the bulk and scale of future buildings to be appropriate in relation to heritage sites and their settings,

Mecone comment:

The proposal does not adversely impact any heritage item or its setting. The site is located adjacent to Item I42 – Carlingford Stock Feeds, but is physically separated from the heritage building, which is located to the northeast.



and occupies only a small portion of the mapped heritage item. As confirmed by the Statement of Heritage Impact (**Appendix F**), the bulk, scale and alignment of the proposed development are appropriate in light of the surrounding context, which is already characterised by multi-storey residential and mixed-use developments. The existing built form in the area, including existing or approved high-rise towers at 2-8 and 12 James Street, provides a visual and spatial buffer that minimises any potential heritage interface. Key view corridors to and from the heritage item have already been modified by surrounding development and are not considered integral to its significance. As such, the proposal will not result in any adverse heritage impact and is consistent with the objective.

(e) *to reinforce and respect the existing character and scale of low density residential areas.*

Mecone comment:

The subject site is not located within or immediately adjoining a low-density residential area. It forms part of the Carlingford Central Precinct and is zoned R4 High Density Residential, where high density residential flat buildings are envisaged. The existing character of the immediate streetscape is already defined by high-rise development, including the constructed 18-storey tower at 2-8 James Street and the approved 18-storey tower at 12 James Street. These developments directly adjoin the subject site on both sides and establish the prevailing scale and built form of the block.

There is no interface with land zoned R2 Low Density Residential or land that exhibits a low-rise character within the immediate vicinity. The Carlingford Light Rail corridor forms a physical and visual buffer between this high-density precinct and any lower density land further to the south. In this context, the proposed development does not undermine the character or scale of any low-density residential area. Additionally, there is no overshadowing impact on any low-density residential area.

Accordingly, the proposed development respects the intent of this objective by maintaining the distinction between the high-density character of James Street and other residential typologies elsewhere in the locality, nor does not impose an inappropriate scale at the edge of a low density area. This objective is therefore not directly relevant in this instance, but nonetheless, the development is consistent with it.

5.2 Clause 4.6(3)(b) – Environmental planning grounds to justify contravention of the development standard

In *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118 the Court found at [23]-[24] that:

23. *As to the second matter required by cl 4.6(3)(b), the grounds relied on by the applicant in the written request under cl 4.6 must be “environmental planning grounds” by their nature: see Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90 at [26]. The adjectival phrase “environmental planning” is not defined, but would refer to grounds that relate to the subject matter, scope and purpose of the EPA Act, including the objects in s 1.3 of the EPA Act.*
24. *The environmental planning grounds relied on in the written request under cl 4.6 must be “sufficient”. There are two respects in which the written request needs to be “sufficient”. First, the environmental planning grounds advanced in the written request must be sufficient “to justify contravening the development standard”. The focus of cl 4.6(3)(b) is on the aspect or element of the development that contravenes the development standard, not on the development as a whole, and why that contravention is justified on environmental planning grounds.*
25. *The environmental planning grounds advanced in the written request must justify the contravention of the development standard, not simply promote the benefits of carrying out the development as a whole: see Four2Five Pty Ltd v Ashfield Council [2015] NSWCA 248 at [15]. Second, the written request must demonstrate that there are sufficient environmental planning grounds to justify contravening the development standard so as to enable the consent authority to be satisfied under cl 4.6(4)(a)(i) that the written request has adequately addressed this matter: see Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90 at [31].*



As per the findings of *Initial Action Pty Ltd v Woollahra Council*, a two-limb test applies in the circumstance of satisfying Clause 4.6(3)(b).

1. Are the environmental planning grounds advanced in the written request sufficient to justify contravening the development standard?
2. Does the written request demonstrate that there are sufficient environmental planning grounds to justify contravening the development standard so as to enable the consent authority to be satisfied that the written request has adequately addressed this matter?

Avoiding adverse impacts constitutes sufficient environmental planning grounds as it promotes 'good design and amenity of the built environment', one of the objects of the EP&A Act.

When considering the avoidance of impacts and the compatibility with surrounding residential environments, reference is made to the planning principles within *Project Venture Developments v Pittwater Council* [2005] NSWLEC 191; such principles determined that compatibility is not about 'sameness' but rather about a proposal's ability to exist in harmony with its surroundings.

Compatibility also relates to the acceptability of a proposal's physical impacts on surrounding development. When considering the proposal's compatibility with the surrounding area, the two tests used in Senior Commissioner Roseth's findings are as follows:

Test 1 - Is the proposal's appearance in harmony with the buildings around it and the character of the street?

Yes. The proposal presents a built form that is consistent with the existing and approved development at 2-8 and 12 James Street, both of which are 18-storey towers. The proposed 16-storey height and 5.8:1 FSR are directly comparable in scale. The adjoining site at 12 James Street (approved under DA/80/2019) was granted consent with a similar 6:1 FSR through a clause 4.6 variation to The Hills LEP 2012. Both adjoining towers are constructed to the boundaries of the site, effectively defining the built form envelope.

The proposed building maintains visual consistency with the street and general massing of those developments. Its location in a high-density residential precinct adjacent to a light rail stop supports the building's scale. The non-compliant portion of the development therefore appears in harmony with its surrounds and reinforces the existing character of the James Street streetscape.

Test 2 - Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.

Yes. The proposed exceedance in FSR does not result in adverse environmental impacts. The additional floor area is accommodated within a height and footprint that closely aligns with surrounding built form as discussed above. The adjoining building at 2-8 James Street features an elongated layout that mitigates overshadowing from future development at 10 James Street.

The non-compliant portion of GFA is located behind the principal façade and does not contribute to any perceived increase in bulk. Where this floor area extends toward side boundaries, the proposal includes separation, high-level windows, and blank walls to protect the amenity of adjoining developments. As such, the additional GFA does not result in any material impact on visual privacy or residential amenity.

The subject building will not unreasonably overshadow public open space or private properties. As demonstrated in the accompanying shadow diagrams (refer to **Figure 11**), the proposed development will have no materially greater overshadowing or visual impact than a compliant design. The Visual Impact Assessment concludes that the proposed development results in no unreasonable visual impact, and the accompanying urban design statement confirms that the proposed built form will not adversely impact the character of the streetscape. The non-compliance therefore does not constrain the development potential of adjoining sites.



Given the above, the requirements of Test 1 and Test 2 are met, this demonstrates that adverse impacts are avoided to promote the “good design and amenity of the built environment” providing sufficient environmental planning grounds to justify the variation to the height standard under Clause 4.6(3)(b).

In summary, the following environmental planning grounds are put forward to justify contravening the development standard.

- The non-compliance results in a built form that integrates with the approved 18-storey towers on either side, promoting visual **consistency and compatibility with the existing streetscape**.
- The non-compliance promotes the **orderly and economic use of land** by providing a high-density development in an appropriate zone, providing for additional dwellings to contribute to targets set by the National Housing Accord, and accommodating larger family-sized apartments contributing to diversity of dwelling mix.
- The non-compliant portion of the development achieves **equal amenity outcomes** compared to a complaint design, with no appreciable additional overshadowing or material privacy or amenity impact, with the increased GFA absorbed behind the façade.

In addition to the above environmental planning grounds, the proposed non-compliance is justified through adherence to the relevant objectives under section 1.3 of the *Environmental Planning & Assessment Act 1979* as demonstrated below.

Table 1: EPA Act Section 1.3 Assessment

Section 1.3	Object	Assessment
(a)	<i>To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,</i>	The non-compliant portion of the development makes efficient use of an urban infill site within walking distance of public transport. It does not involve or adversely affect the State's natural or physical resources.
(b)	<i>To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i>	The additional floor space enables the delivery of larger apartments within a building envelope that is consistent with adjoining existing and proposed towers. This improves housing diversity without causing unacceptable environmental impacts. Socially, it provides capacity for family households in a high-accessibility location.
(c)	<i>To promote the orderly and economic use and development of land,</i>	The non-compliant portion ensures the building form aligns with adjoining 18-storey developments, enabling a consistent built form outcome. Requiring strict compliance would result in an underdeveloped and inconsistent outcome. The additional GFA supports the orderly use of an appropriately zoned site with appropriate amenity and transport infrastructure for a high-density residential use.
(d)	<i>To promote the delivery and maintenance of affordable housing,</i>	While not delivering designated affordable housing, the non-compliant portion increases total yield and enables a viable mix of apartment sizes, including larger units. This contributes to housing supply and places downward pressure on prices.
(e)	<i>To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</i>	The additional floor area is situated within a previously excavated and disturbed site. There is no significant vegetation or habitat affected by the non-compliant portion of the development nor the development as a whole.
(f)	<i>To promote the sustainable management of built and cultural</i>	The site adjoins a listed heritage item (Carlingford Stock Feeds). The non-compliant floor space is contained well



Section 1.3	Object	Assessment
	<i>heritage (including Aboriginal cultural heritage),</i>	within the main built form and does not contribute to adverse heritage impacts compared to a compliant scheme (refer to Appendix F).
(g)	<i>To promote good design and amenity of the built environment</i>	The additional floor space is accommodated behind the primary façade line and does not increase the perceived bulk or scale of the building. It allows for improved apartment layouts and housing diversity without diminishing solar access, views, or streetscape character.
(h)	<i>To promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</i>	The additional floor area will maintain compliance with the Building Code of Australia and relevant safety standards. No adverse health or safety impacts are anticipated.
(i)	<i>To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,</i>	The non-compliance does not hinder the sharing of responsibility for environmental planning and assessment between different levels of government in the State.
(j)	<i>To provide increased opportunity for community participation in environmental planning and assessment.</i>	The non-compliance does not hinder the opportunities available for public participation in the environmental planning and assessment process.



6 Conclusion

Having regard to the provisions within both clauses 4.4 and 4.6 of the PLEP 2021, we have formed the considered opinion that:

- a) The contextually responsive development is consistent with the objectives of the FSR development standard pursuant to clause 4.4 of the PLEP 2021, and
- b) The application does not propose a variation to a clause that is subject to the application of clause 4.6(8) of the PLEP 2021, and
- c) There are sufficient environmental planning grounds to justify contravening the development standard, and
- d) That having regard to a) and b), compliance with the FSR development standard is unreasonable or unnecessary in the circumstances of the case.

Pursuant to clause 4.6(3) of PLEP 2021, the consent authority can be satisfied that the applicant's written request has adequately demonstrated that:

- (a) *compliance with the development standard is unreasonable or unnecessary in the circumstances, and*
- (b) *there are sufficient environmental planning grounds to justify the contravention of the development standard.*

In conclusion, we believe that in working with the constraints of the site, the proposed FSR development standard contravention presents superior planning and design outcomes when compared to alternative options that were explored throughout the design process. Further, we have formed the considered opinion that there is no statutory or environmental planning impediment to the approval of an FSR development standard contravention in this instance.

As this written request has satisfied statutory requirements pursuant to clause 4.6 of the PLEP 2021, the proposed variation to the FSR development standard can be approved.



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