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CLAUSE 4.6 VARIATION REQUEST

Room Size

17-21 Lachlan Ave and 163
Herring Road, Macquarie Park

Prepared for

LACHLAN AVENUE DEVELOPMENT PTY LTD

Revised 1 June 2023

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1. INTRODUCTION

This revised Clause 4.6 Variation Request (**this request**) has been prepared on behalf of Lachlan Avenue Development Pty Ltd (**the applicant**) and accompanies a development application (**DA**) for the demolition of the existing buildings and the construction of a part 10, part 13 and part 15 storey development for student accommodation at 17-21 Lachlan Avenue and 163 Herring Road, Macquarie Park (**the site**).

This request seeks an exception from the minimum private room size standard prescribed under clause 69(1)(a)(i) of the *State Environmental Planning Policy (Housing) 2021 (Housing SEPP)*. This variation request is made pursuant to clause 4.6 of the *Ryde Local Environmental Plan 2014 (RLEP 2014)*.

This report should be read in conjunction with the Statement of Environmental Effects (**SEE**) prepared by Urbis Pty Ltd and dated November 2022 and accompanying design and technical documentation.

The following sections of the report include:

- **Section 2:** description of the site and its local context, including key features relevant to the proposed variation.
- **Section 3:** brief overview of the proposed development as outlined in further detail within the SEE and accompanying drawings.
- **Section 4:** identification of the development standard, which is proposed to be varied, including the extent of the contravention.
- **Section 5:** outline of the relevant assessment framework for the variation in accordance with clause 4.6 of the RLEP 2014.
- **Section 6:** detailed assessment and justification of the proposed variation in accordance with the relevant guidelines and relevant planning principles and judgements issued by the Land and Environment Court.
- **Section 7:** summary and conclusion.

2. SITE CONTEXT

2.1. SITE DESCRIPTION

The site is located at 17-21 Lachlan Avenue and 163 Herring Road, Macquarie Park and is legally described as SP6781, SP6947, SP7041 and SP11078 (refer **Figure 1**). The site is in a highly prominent and strategic location and the proposal seeks to complement existing new high-rise developments recently constructed within Macquarie Park and planned future development of adjoining land.

Figure 1 Aerial image of the site location



Source: Urbis (2022)

Key characteristics of the site include:

- The site has a total site area of approximately 3,901.6m² and is subject to a level change of approximately 6m from north to south.
- The site has frontages to Herring Road (37.7m) to the north and Lachlan Avenue (50.5m) to the south. The eastern and western boundaries of the site adjoin residential developments.
- The site is currently occupied by four existing four-storey residential strata buildings, with car parking spaces on the ground level. Vehicular access to the site is currently available from both Herring Road and Lachlan Avenue.
- Existing trees surround the boundaries of the site and there are two mature trees towards the centre of the site.

Photographs of existing development within the site is provided at **Figure 2**.

Figure 2 Site photographs



Picture 1 Development at 17 Lachlan Avenue



Picture 2 Development at 19 Lachlan Avenue



Picture 3 Development at 21 Lachlan Avenue



Picture 4 Development at 163 Herring Road

Source: Urbis (2022)

2.2. LOCAL CONTEXT

Macquarie Park is undergoing a significant transformation into a high-density urban centre. This change has been driven by the expansion of Macquarie University, construction of the M2 Motorway and more recently significant State Government investment in the Sydney Metro project which was completed in 2019.

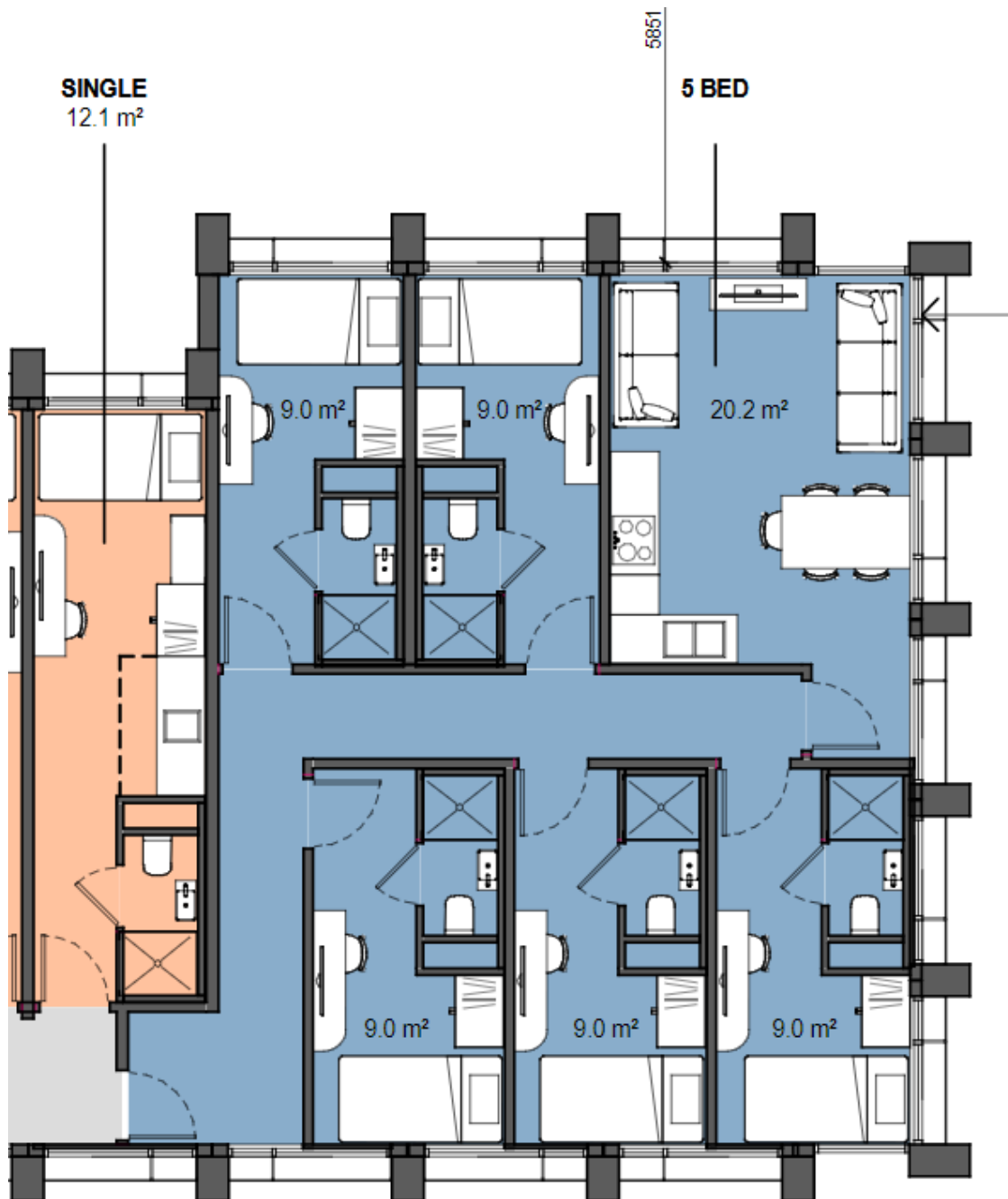
The State Government's declaration of two priority precincts known as Macquarie University Station (Herring Road) and North Ryde Station highlights the strategic intent for new housing opportunities on the edges of the existing commercial core, to take advantage of the improved public transport connections between Macquarie Park and other metropolitan centres throughout Sydney. This is further demonstrated in the *Greater Sydney Region Plan* and *Northern District Plan*, which identify Macquarie Park as the western gateway of the Eastern Economic Corridor.

Residential development in Macquarie Park has traditionally been characterised by 3-4 storey walk-up residential buildings. However, the character of the immediate context is changing and is anticipated to further change dramatically over time. This is reflected in the high-density mixed-use character proposed by the Macquarie University Station Precinct, which aims to provide a new mixed use 'academic core' at Macquarie University, create opportunities for renewal within an 800m radius of the Macquarie University Station and deliver up to 5,800 new homes by 2031 in high-rise urban forms.

It is noted that the adjoining site to the north-east at 23-25 Lachlan Avenue recently received approval (July 2022) for a 15-storey student accommodation development (LDA2021/0138). Similar to the proposal on the subject site, the approved development includes a combination of self-contained studios and multi-bed units

(clusters) for tertiary students with shared communal areas. An extract of the Levels 6-12 floor plan showing the layout of the proposed 5-bed cluster is shown in **Figure 3**.

Figure 3 Extract of Level 6-12 Plan – 23-25 Lachlan Avenue



Source: Rothelowman (2021)

3. PROPOSED DEVELOPMENT

This request has been prepared to accompany a DA for the demolition of the existing buildings and the construction of a purpose-built student accommodation (PBSA) development at 17-21 Lachlan Avenue and 163 Herring Road, Macquarie Park.

A summary of the key features of the proposal is provided below:

- Demolition of the existing buildings and structures within the site.
- Construction of a part 10, part 13 and part 15 storey development comprising 17.163m² gross floor area with a mix of land use activities including:
 - Basement: 45 car parking spaces, 19 electric bicycle parking spaces, 146 bicycle parking spaces, waste management facilities and ancillary services and facilities.
 - Lower levels: building entries to Lachlan Avenue and Herring Road, 874m² of communal area including lounges, cinema and communal laundry and 93.5m² office space.
 - Upper levels: student accommodation providing a total of 732 beds, including studios, 4-bed and 5-bed cluster units, internal communal spaces and additional external communal areas on Level 10.
- Landscaped courtyards at the ground plane and rooftop terraces at Level 10, including a swimming pool.
- Public domain improvements to Lachlan Avenue and Herring Road frontages, including footpath upgrades and new street trees.
- Removal of five trees within the site and four street trees along Lachlan Avenue.

Each private student room is to be occupied by a single occupant. The range of student rooms that will be available within the development include:

- 451 x Type A Standard Studios with a net area of 12.4m² which includes a kitchen and bathroom (gross area of 15.8m²).
- 76 x Type B Premium Studios with a net area of 14.6m² and includes a kitchen and bathroom (gross area of 18m²).
- 18 x Type C Standard Studios Wide with a net area of 12.3m² and includes a kitchen and bathroom (gross area of 15.5m²).
- 13 x Type D DDA Ambulant Studios with a net area of 15.5m² and includes a kitchen and bathroom (gross area of 20.5m²).
- 5 x Type E DDA Ambulant / Premium Studios with a net area of 20.6m² and includes a kitchen and bathroom (gross area of 25.6m²).
- 12 x Type F DDA Accessible Studios with a net area of 23.6m² and includes a kitchen and bathroom (gross area of 31.1m²).
- 72 x Type G 4 Bed Cluster Units comprising student rooms of a net area of 9.9m² each (gross area of 11.8m²) and shared living and kitchen net area of 19.5m² (gross area of 22.2m²).
- 85 x Type H 5 Bed Cluster Units comprising student rooms of a net area of 9.9m² (gross area of 11.8m²) each and shared living and kitchen net area of 19.9m² (gross area of 22.6m²).

A numerical overview of the proposal is provided in the following table.

Table 1 Numerical overview of proposed development

Parameter	Proposed
Total site area	3,901.6m ²
Total gross floor area (GFA)	17,163m ²

Parameter	Proposed
Total floor space ratio (FSR)	4.4:1
Height (storeys and maximum in height)	Part 13 (Herring Road) and part 15 (Lachlan Avenue) 45m with minor non-compliances of up to 48m.
Deep soil	DCP compliant: 604m ² (15.48%) Total deep soil: 1,625m ² (41.65%)
Communal open space areas (external)	2,084m ²

Table 2 Typical cluster unit area breakdown

Cluster unit component	Proposed Area
Private bedroom – gross room area	11.8 m ²
Private bedroom – net room area (excluding bathroom)	10m ²
Net shared living area	16.78m ²
Total living area per occupant (private bedroom plus portion of living area)	13.35m ²

It is noted that all studio rooms within the development achieve the minimum 12m² room size requirement, noting that all private rooms throughout the development are for a single occupant.

5. RELEVANT ASSESSMENT FRAMEWORK

Clause 4.6 of the RLEP 2014 includes provisions that allow for exceptions to development standards in certain circumstances. The objectives of clause 4.6 of the RLEP 2014 are:

- (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.*

Clause 4.6 provides flexibility in the application of planning provisions by allowing the consent authority to approve a DA that does not comply with certain development standards, where it can be shown that flexibility in the particular circumstances of the case would achieve better outcomes for and from the development.

In determining whether to grant consent for development that contravenes a development standard, clause 4.6(3) requires that the consent authority consider a written request from the applicant that seeks to justify the contravention of the development 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.*

Clause 4.6(4)(a) requires the consent authority to be satisfied that the applicant's written request adequately addresses each of the matters listed in clause 4.6(3). The consent authority should also be satisfied that the proposed development will be in the public interest because it is consistent with the objectives of the standard and the objectives for development within the zone in which it is proposed to be carried out.

Clause 4.6(4)(b) requires the concurrence of the Secretary to have been obtained. In deciding whether to grant concurrence, subclause (5) requires that the Secretary 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.*

The concurrence of the Secretary can be assumed to have been granted for the purpose of this variation request in accordance with the Department of Planning Circular PS 18–003 'Variations to development standards', dated 21 February 2018. This circular is a notice under section 64(1) of the *Environmental Planning and Assessment Regulation 2000* and provides for assumed concurrence. A consent granted by a consent authority that has assumed concurrence is as valid and effective as if concurrence had been given.

The Secretary can be assumed to have given concurrence if the matter is determined by an independent hearing and assessment panel or a Sydney district or regional planning panel in accordance with the Planning Circular. The subject DA will be determined by the Sydney North Planning Panel.

This request demonstrates that compliance with the development standard prescribed under clause 69(1)(a)(i) is unreasonable and unnecessary, that there are sufficient environmental planning grounds to justify the requested variation and that the approval of the variation is in the public interest because it is consistent with the development standard and zone objectives.

In accordance with clause 4.6(3), the applicant requests that the private room size standard be varied as a technical non-compliance.

6. ASSESSMENT OF CLAUSE 4.6 VARIATION

The following sections of the report provide a comprehensive assessment of the request to vary the development standards relating to the private room size in accordance with Clause 69(1)(a)(i) of the Housing SEPP.

Detailed consideration has been given to the following matters within this assessment:

- *Varying development standards: A Guide*, prepared by the Department of Planning and Infrastructure dated August 2011.
- Relevant planning principles and judgements issued by the Land and Environment Court.

The following sections of the report provide detailed responses to the key questions required to be addressed within the above documents and clause 4.6 of the RLEP 2014.

6.1. IS THE PLANNING CONTROL A DEVELOPMENT STANDARD THAT CAN BE VARIED? – CLAUSE 4.6(2)

The minimum private room size prescribed by clause 69(1)(a)(i) of the Housing SEPP is a development standard capable of being varied under clause 4.6(2) of the RLEP 2014.

The proposed variation is not excluded from the operation of clause 4.6(2) as it does not comprise any of the matters listed within clause 4.6(6) or clause 4.6(8) of the RLEP 2014.

6.2. IS COMPLIANCE WITH THE DEVELOPMENT STANDARD UNREASONABLE OR UNNECESSARY IN THE CIRCUMSTANCES OF THE CASE? – CLAUSE 4.6(3)(A)

Historically, the most common way to establish a development standard was unreasonable or unnecessary was by satisfying the first method set out in *Wehbe v Pittwater Council* [2007] NSWLEC 827. This method requires the objectives of the standard are achieved despite the non-compliance with the standard.

This was recently re-affirmed by the Chief Judge in *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118 at [16]-[17]. Similarly, in *Randwick City Council v Micaul Holdings Pty Ltd* [2016] NSWLEC 7 at [34] the Chief Judge held that “establishing that the development would not cause environmental harm and is consistent with the objectives of the development standards is an established means of demonstrating that compliance with the development standard is unreasonable or unnecessary”.

This Request addresses the first method outlined in *Wehbe v Pittwater Council* [2007] NSWLEC 827. This method alone is sufficient to satisfy the ‘unreasonable and unnecessary’ requirement.

An applicant does not need to establish all of the tests. It may be sufficient to establish only one way, although if more ways are applicable, an applicant can demonstrate that compliance is unreasonable or unnecessary in more than one way.

- ***The objectives of the standard are achieved notwithstanding non-compliance with the standard*** (the first method in *Wehbe v Pittwater Council* [2007] NSWLEC 827 [42]-[43])

The Housing SEPP does not include specific objectives for the room size development standard. Having regard to the principles of the Housing SEPP, it can be assumed however that the underlying objective or purpose of the standard is to ensure that adequate living space is provided for residents to provide a reasonable level of amenity.

It is important to note the intent of the Housing SEPP is to facilitate the increased supply and diversity of affordable rental and social housing in NSW. Whilst by default the proposed student housing development is considered co-living housing and therefore subject to the provisions under the Housing SEPP, the profile of student residents anticipated to be living at the site is very different to the profile of residents anticipated to live in co-living housing operated privately or by a social housing provider. Accordingly, room arrangements for student accommodation may vary.

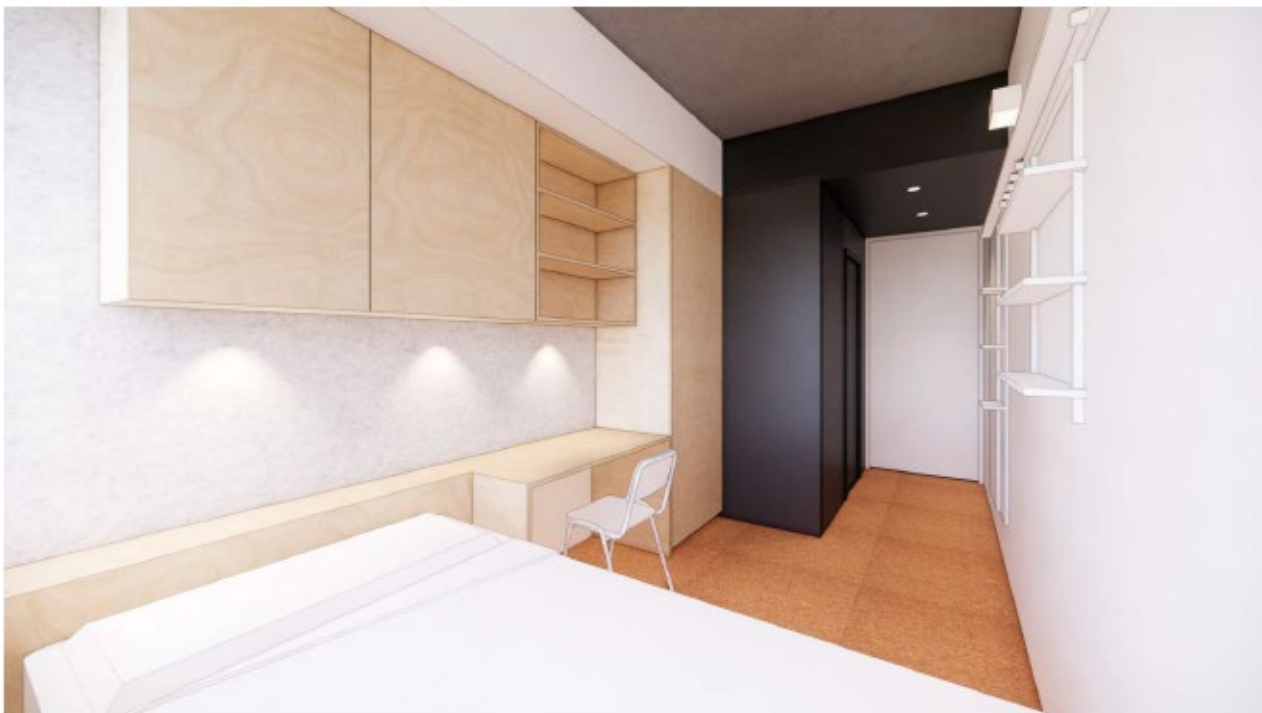
Cluster units are a common arrangement within PBSA throughout Sydney, including the approved development at 23-25 Lachlan Avenue (LDA2021/0138) and provide a contemporary alternative to studio

rooms to meet social and cultural student preferences. This type of accommodation is generally provided as part of PBSA that provides a more extensive range of facilities above minimum standards that are available to all students in communal areas.

The proposed development includes a combination of studios and multi-bed cluster rooms to provide greater affordability outcomes for future residents and offer an alternative for residents who may prefer to socialise in a more intimate environment rather than the large communal spaces.

The private rooms within the cluster units have a net area less than 12m², however each room includes the necessary furnishings for long-term living, including bed, desk, bedside table and wardrobe (refer **Figure 5**). The spatial design of the rooms locate furnishings on the party wall for adequate circulation and the window has been oriented to maximise light and air and create a sense of spaciousness with the outside environment.

Figure 5 Perspective of private room within cluster units



Source: AJ+C (2022)

Each cluster also includes a shared kitchen, dining and living area for the exclusive use of the residents living in the unit, with a minimum area of 18m². When the shared area is taken into consideration (as a portion according to the number of residents), the net living area of each bedroom can achieve the Housing SEPP requirement of 12m² per occupant. It is considered that the proposed rooms are an appropriate size and layout to ensure adequate privacy and amenity is maintained, whilst fostering community living that delivers a social and inclusive environment for residents.

On this basis, the proposal will satisfy the underlying purpose of the development standard.

- **The underlying object or purpose would be undermined, if compliance was required with the consequence that compliance is unreasonable** (the third method in *Wehbe v Pittwater Council* [2007] NSWLEC 827 [42]-[43] as applied in *Linfield Developments Pty Ltd v Cumberland Council* [2019] NSWLEC 131 at [24])

Not relied upon.

- **The burden placed on the community (by requiring strict compliance with the standard) would be disproportionate to the (non-existent or inconsequential) adverse consequences attributable to the proposed non-compliant development** (cf *Botany Bay City Council v Saab Corp* [2011] NSWCA 308 at [15]).

No relied upon.

6.3. ARE THERE SUFFICIENT ENVIRONMENTAL PLANNING GROUNDS TO JUSTIFY CONTRAVENING THE DEVELOPMENT STANDARD? – CLAUSE 4.6(3)(B)

The Land & Environment Court judgment in *Initial Action Pty Ltd v Woollahra Council* [2018] NSWLEC 2018, assists in considering the sufficient environmental planning grounds. Preston J observed:

“...in order for there to be 'sufficient' environmental planning grounds to justify a written request under clause 4.6, the focus must be on the aspect or element of the development that contravenes the development standard and the environmental planning grounds advanced in the written request must justify contravening the development standard, not simply promote the benefits of carrying out the development as a whole; and

...there is no basis in Clause 4.6 to establish a test that the non-compliant development should have a neutral or beneficial effect relative to a compliant development”

There is an absence of environmental harm arising from the contravention and positive planning benefits arising from the proposed development as outlined in detail above. These include:

- The development achieves the underlying objective of the development standard as the cluster room sizes will be able to provide at least 12m² per resident with the inclusion of the shared living area within each unit. As such, strict compliance with the development standard is not considered necessary.
- Cluster rooms involving private rooms less than 12m² have been readily accepted by consent authorities to date, including the recently approved development at 23-25 Lachlan Avenue.
- The provision of multi-bed clusters contributes to the diversity of purpose-built accommodation for students and will contribute positively to housing affordability around Macquarie University and the Herring Road Priority Precinct by freeing up demand for conventional housing stock.
- In regard to internal residential amenity, the private rooms provide adequate bedroom, study and bathroom spaces which are able to be used in addition to the shared areas of the units and the extensive internal and external communal areas throughout the site.
- Various measures are in place to ensure residential amenity of other residents and adjoining neighbours is protected. Residents are not permitted to create any noise or nuisance in or around the rooms or any communal areas that is likely to interfere with the enjoyment of any other residents, any other person using the accommodation, neighbouring properties or the public.
- The development is consistent with the objectives of the zone as set out in **Section 6.5**.

In conclusion, there are sufficient environmental planning grounds to justify the technical non-compliance of the development standard.

6.4. HAS THE WRITTEN REQUEST ADEQUATELY ADDRESSED THE MATTERS IN SUB-CLAUSE (3)? – CLAUSE 4.6(4)(A)(I)

Clause 4.6(4)(a)(i) states that development consent must not be granted for development that contravenes a development standard unless the consent authority is satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3).

Each of the sub-clause (3) matters are comprehensively addressed in this written request, including detailed consideration of whether compliance with a development standard is unreasonable or unnecessary in the circumstances of the case. The written request also provides sufficient environmental planning grounds, including matters specific to the proposal and the site, to justify the proposed variation to the development standard.

6.5. IS THE PROPOSED DEVELOPMENT IN THE PUBLIC INTEREST? – CLAUSE 4.6(4)(B)(II)

Clause 4.6(4)(a)(ii) states development consent must not be granted for development that contravenes a development standard unless the consent authority is satisfied the proposal will be in the public interest because it is consistent with the objectives of the development standard and the objectives for the zone.

The consistency of the development with the intended objectives of the development standard is demonstrated in above. The proposal is also consistent with the land use objectives that apply to the site under the RLEP 2014. The site is located within the MU1 Mixed Use zone. The proposed development is consistent with the relevant land use zone objectives as outlined in **Table 3**

Table 3 Assessment of compliance with land use zone objectives

Objective	Assessment
<i>To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.</i>	While the proposal does not involve business, retail, office or light industrial uses, the future residents will be within walking distance of such uses. As such, the proposal will offer housing close to shops, services and employment opportunities.
<i>To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.</i>	The location of entries and communal areas will activate the street frontages and provide an engaging pedestrian environment. Given the highly accessible nature of the site, the proposal does not provide any dedicated car parking spaces for the residents, therefore promoting public transport patronage and encouraging walking and cycling, thereby attracting pedestrian traffic.
<i>To minimise conflict between land uses within this zone and land uses within adjoining zones.</i>	The proposed development comprises student accommodation that is compatible with the surrounding residential and educational uses in the surrounding area. The proposal is suitably located near public transport, including the Macquarie University Metro Station and the bus interchange at Macquarie Shopping Centre.
<i>To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.</i>	The street level entries include communal spaces and the main office area (to Lachlan Avenue), which will activate the street frontages and facilitate passive surveillance of the adjoining streetscapes.
<i>To ensure employment and educational activities within the Macquarie University campus are integrated with other businesses and activities.</i>	<p>The proposal provides student accommodation within a highly accessible location to support Macquarie University and other local businesses.</p> <p>While the proposal will not deliver business activities, the future residents will benefit from the site's proximity to employment and educational activities in the immediate area.</p>

Objective	Assessment
<i>To promote strong links between Macquarie University and research institutions and businesses within the Macquarie Park corridor.</i>	The proposal involves high-quality accommodation for tertiary students that is integrated with the surrounding educational and research activities, retail and business services and public transport. The proposal is therefore consistent with this objective and will deliver a compatible complementary land use within the Macquarie Park corridor.

6.6. HAS THE CONCURRENCE OF THE PLANNING SECRETARY BEEN OBTAINED? – CLAUSE 4.6(4)(B) AND CLAUSE 4.6(5)

The Secretary can be assumed to have concurred to the variation under Department of Planning Circular PS 18–003 ‘Variations to development standards’, dated 21 February 2018. This circular is a notice under 64(1) of the *Environmental Planning and Assessment Regulation 2000*.

The Secretary can be assumed to have given concurrence as the matter will be determined by an independent hearing and assessment panel or a Sydney district or regional planning panel in accordance with the Planning Circular.

The matters for consideration under clause 4.6(5) are considered below.

- **Clause 4.6(5)(a) – does contravention of the development standard raise any matter of significance for State or regional environmental planning?**

The proposed non-compliance with the minimum private room size will not raise any matter of significance for State or regional environmental planning. It has been demonstrated that the proposed variation is appropriate based on the specific circumstances of the case and would be unlikely to result in an unacceptable precedent for the assessment of other development proposals.

- **Clause 4.6(5)(b) - is there a public benefit of maintaining the planning control standard?**

The proposed development satisfies the intent of the minimum private room size standard and the land use zone objectives despite the technical non-compliance. There is no material impact or benefit associated with strict adherence to the development standard and there is no compelling reason or public benefit derived from maintenance of the standard.

As such, there would be no public benefit in maintaining the development standard in this case.

- **Clause 4.6(5)(c) – are there any other matters required to be taken into consideration by the Secretary before granting concurrence?**

Concurrence can be assumed, however, there are no known additional matters that need to be considered within the assessment of the clause 4.6 variation request prior to granting concurrence, should it be required.

7. CONCLUSION

For the reasons set out in this written request, strict compliance with the minimum private room size standard contained within clause 69(1)(a)(i) of the RLEP 2014 is unreasonable and unnecessary in the circumstances of the case. Further, there are sufficient environmental planning grounds to justify the proposed variation and it is in the public interest to do so.

It is reasonable and appropriate to vary the minimum private room size standard to the extent proposed for the reasons detailed within this submission and as summarised below:

- The proposal results in a technical non-compliance given the total required net living area of each bedroom can achieve the Housing SEPP requirement of 12m² per occupant once the shared living areas in each cluster is considered.
- Cluster rooms involving private rooms less than 12m² are a common arrangement in PBSA and have been readily accepted by consent authorities to date.
- The provision of multi-bed clusters contributes to the diversity of purpose-built accommodation for students and will contribute positively to housing affordability around Macquarie University and the Herring Road Priority Precinct by freeing up demand for conventional housing stock.
- Together with the extensive communal facilities provided throughout the development, the proposal will deliver an adequate level of amenity for future residents.
- The non-compliance will not hinder the development's ability to satisfy the objectives of the MU1 Mixed Use Zone.

For the reasons outlined above, the clause 4.6 request is well-founded. The development standard is unnecessary and unreasonable in the circumstances, and there are sufficient environmental planning grounds that warrant contravention of the standard. In the circumstances of this case, flexibility in the application of the private room size standard should be applied.

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This report is dated 1 June 2023 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Centurion (**Instructing Party**) for the purpose of Clause 4.6 Request (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

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All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

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