

14 July 2025

**LEP Clause 4.6 exception request
Height of Buildings (Cl 4.3 of the LEP)
11 Seaforth Crescent, Seaforth**

1 Introduction

This is a written request for an exception to the height of buildings development standard made pursuant to clause 4.6 of the LEP. It accompanies the development application for a new dwelling house at the subject property.

The building height applicable to the site is 8.5m. The proposed development exceeds the 8.5m building height standard as described below, indicated on the architectural plans, and within the figures below.

The exception occurs at three key locations each relating to the southern extent of three separate roof sections of the dwelling house as it descends the south facing slope on the site [Figure 2].

The exception ranges up to approximately

- 2.57m [approx.] at Level 1 - 30% of the standard.
- 480mm [approx.] at Level 2 - 6% of the standard.
- 850mm at Level 5 - 10% of the standard.

Figures 2 to 5 depict the location, nature, and extent of the exception.

2 Site and location description

The site is located 11 Seaforth Crescent, Seaforth. It is legally described as Lot 16 in Deposited Plan 4889 and has an area of 1,846m².

The lot is steep, irregular in shape, and has water frontage to Middle Harbour. The land displays a significant level difference of 43.3m from RL 45.9 near the north eastern corner of the lot down to RL 2.6 near the south eastern corner of the lot.

The land is zoned C3 Environmental Management under the Manly LEP 2013. Dwelling houses and secondary dwellings are permissible with development consent.

The land is not identified in the LEP as being within a conservation area or affected by heritage, bushfire, coastal risk, flooding or acid sulfate soils. The land is identified in the LEP as being affected by biodiversity, landslip, heritage foreshore, and a foreshore area / building line.

There are views generally in a southerly direction towards Middle and Sydney Harbour and their foreshores from the elevated hill side location.

The location is built-up containing a diverse mix of residential housing forms as evident within the photographs herein.

There is a diverse mix of property frontages to the street with garages, carports, and car parking areas with nil or minimal street setbacks. There are no consistent front setbacks. There is no consistency of materials or roof forms.

No significant change to the character is foreshadowed by the planning controls. Therefore, the existing character is a relevant consideration in guiding the assessment of the proposed built form.



Figure 1 – Alignment, orientation and configuration of the subject site and adjoining properties (courtesy Northern Beaches Council Mapping)

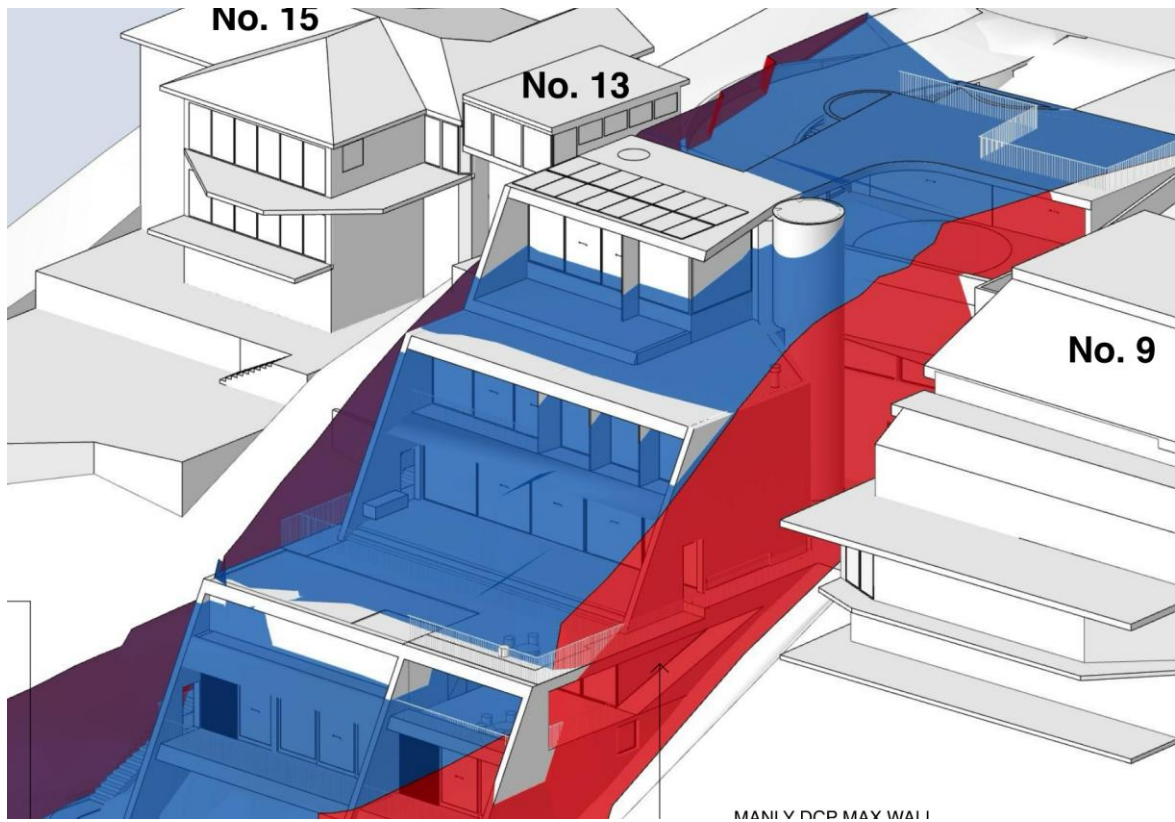


Figure 2 - the building height exception relates to three roof sections as shown by the uncoloured sections projecting through the blue height blanket

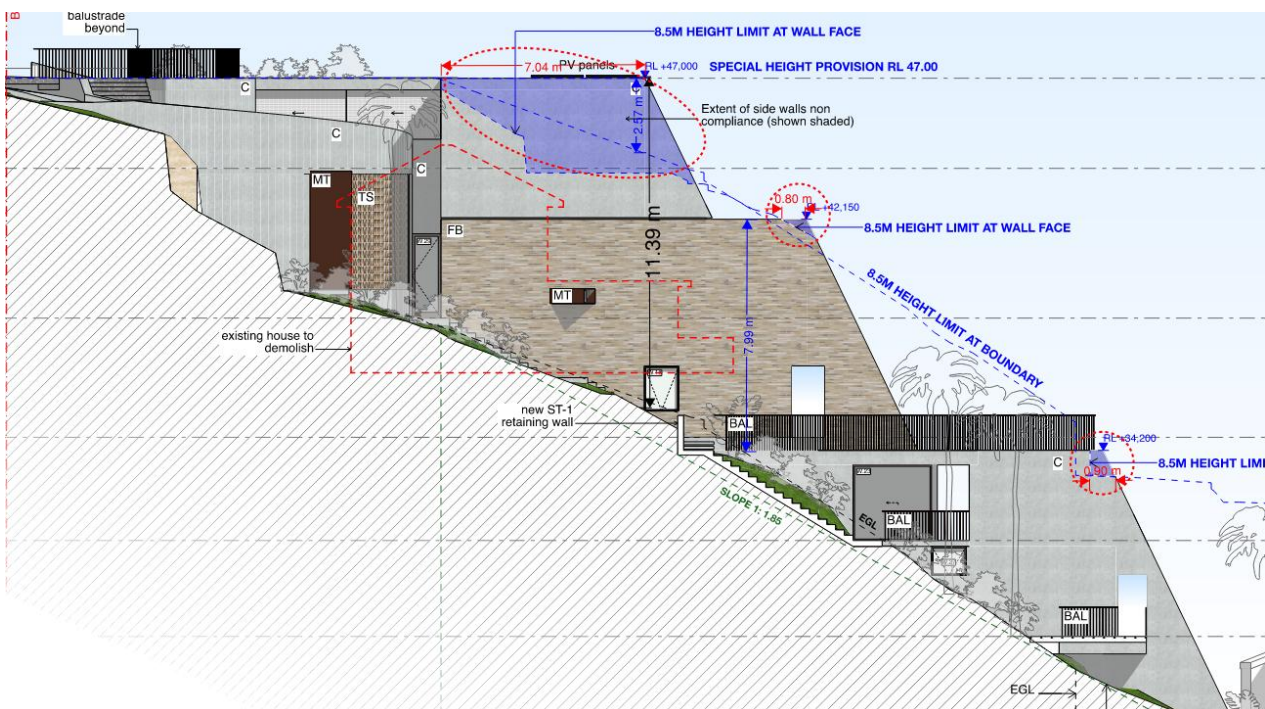


Figure 3 - the building height exception relates to 3 key sections as indicated

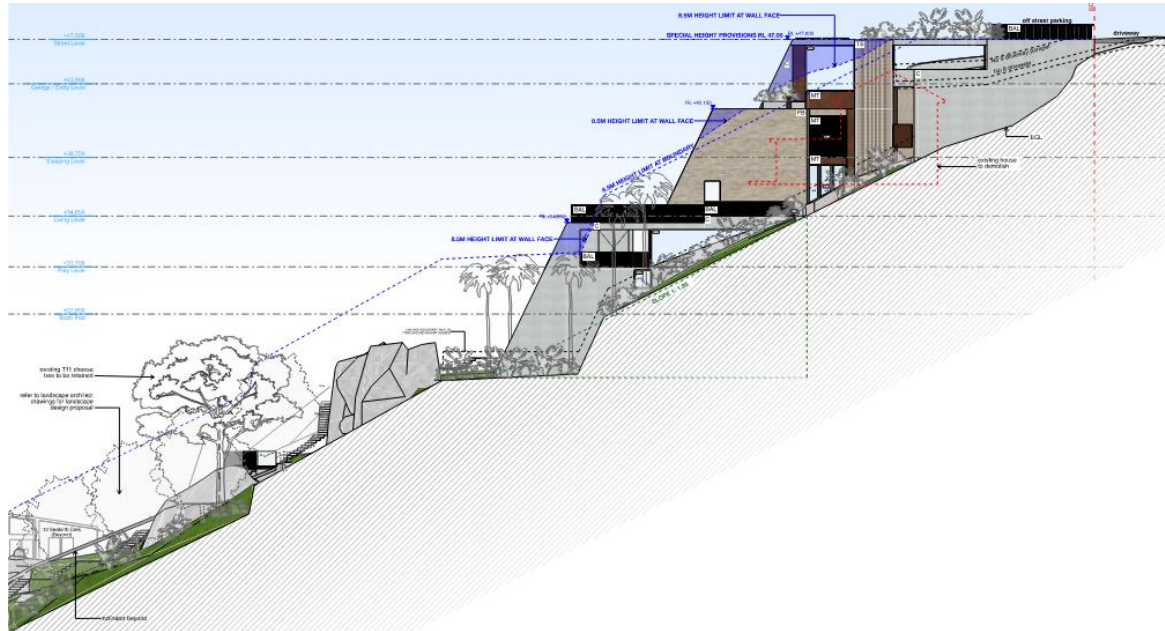


Figure 4 – eastern elevation. The blue shaded areas denote the location and extent of proposed building height exceptions

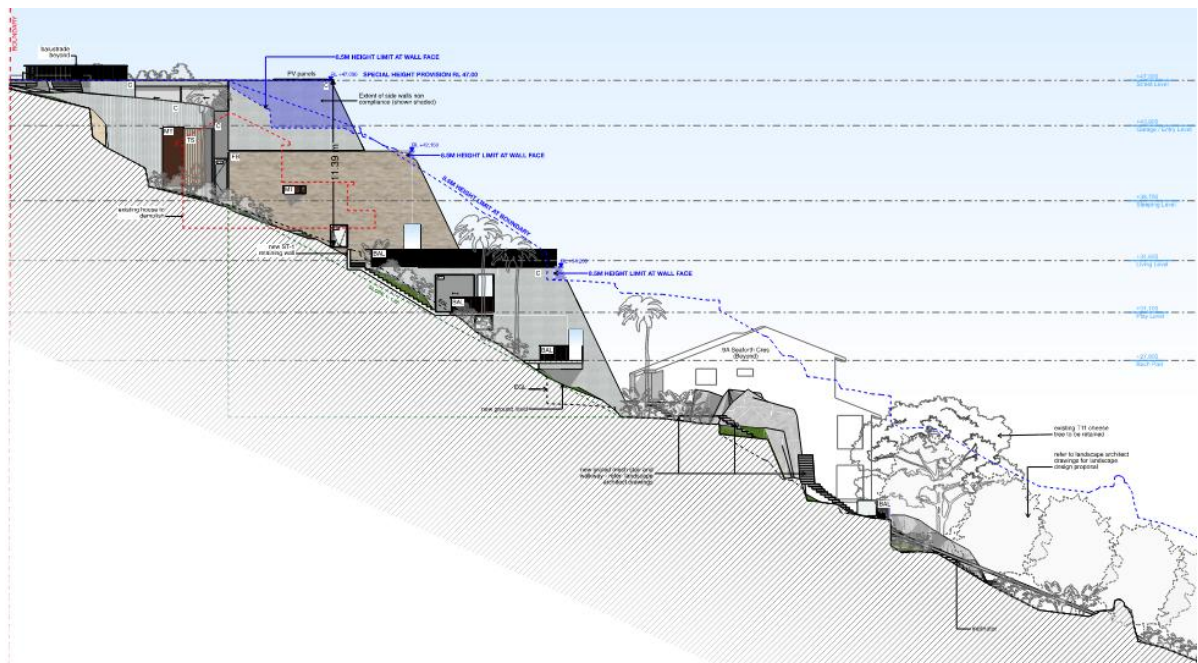


Figure 5 – western elevation. The blue shaded areas denote the location and extent of proposed building height exceptions





**Figure 7 – dwelling house character adjacent to the north east at
9A Seaforth Crescent**

3 Key statutory considerations

3.1 LEP Clause 4.6

Key aspects of LEP Clause 4.6 are repeated below:

“(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 to development that contravenes a development standard unless the consent authority is satisfied the applicant has 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”.*

3.2 Objectives of the Height of Building development standard

The objectives of the Height of Building development standard are:

- ‘(a) to provide for building heights and roof forms that are consistent with the topographic landscape, prevailing building height and desired future streetscape character in the locality,*
- (b) to control the bulk and scale of buildings,*
- (c) to minimise disruption to the following—*
 - (i) views to nearby residential development from public spaces (including the harbour and foreshores),*
 - (ii) views from nearby residential development to public spaces (including the harbour and foreshores),*
 - (iii) views between public spaces (including the harbour and foreshores),*
- (d) to provide solar access to public and private open spaces and maintain adequate sunlight access to private open spaces and to habitable rooms of adjacent dwellings,*
- (e) to ensure the height and bulk of any proposed building or structure in a recreation or environmental protection zone has regard to existing vegetation and topography and any other aspect that might conflict with bushland and surrounding land uses’.*

3.3 Objectives of the Environmental Planning and Assessment Act

The objectives of the Act, under section 1.3, are as follows:

- (a) 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,*
- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) to promote the orderly and economic use and development of land,*
- (d) to promote the delivery and maintenance of affordable housing,*
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) to promote good design and amenity of the built environment,*
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) to provide increased opportunity for community participation in environmental planning and assessment.*

4 Clause 4.6 exception to a development standard

As required by clause 4.6(3), the following is a submission to demonstrate that compliance with the development standard is unreasonable or unnecessary in the circumstances and that there are sufficient environmental planning grounds to justify the contravention of the standard.

5 4.6 (3)(a) - compliance with the development standard is unreasonable or unnecessary in the circumstances

Having regard for the decision of *Wehbe vs Pittwater Council (2007) LEC 827*, and in accordance with 4.6 (3)(a), compliance with the development standard is unreasonable or unnecessary in the circumstances of the case because the objectives of the standard are satisfied.

In the decision of *Wehbe vs Pittwater Council (2007) LEC 827*, Preston CJ summarised the five (5) different ways in which an objection under SEPP 1 may be well founded. The first possible way is relevant to the subject matter and is repeated below:

1st 'The most commonly invoked way is to establish that compliance with the development standards is unreasonable or unnecessary because the objectives of the development standard are achieved notwithstanding non-compliance with the standard.'

The rationale is that development standards are not ends in themselves but means of achieving ends. The ends are environmental or planning objectives. If the proposed development proffers an alternative means of achieving the objective, strict compliance with the standard would be unnecessary and unreasonable'.

The objectives of the building height standard are repeated and responded to below.

6 Objectives of the Development Standard

In accordance with 4.6 (4)(a)(ii) the proposed development will be in the public interest because it is consistent with the objectives of the Clause 4.3 Height of Building of LEP 2013 which are each repeated and responded to below.

6.1 Objective (a) – 'to provide for building heights and roof forms that are consistent with the topographic landscape, prevailing building height and desired future streetscape character in the locality'.

Response -

The local character is established and not foreshadowed to change by the local planning controls. Therefore, the existing character is relevant to assess in determining the proposals consistency with objective (a).

There is no desired future character statement in the LEP or DCP; further, no such a term defined the Environmental Planning and Assessment Act. Having regard for the Court's planning principle for 'Compatibility of proposal with surrounding development' (*Project Venture v Pittwater Council*) the local planning controls do not anticipate change to the existing character. Therefore, the existing character is the relevant assessment consideration.

In terms of compatibility with local character, three recent court judgements have considered the term ‘desired future character’¹. Guidance is therefore taken from the applicable planning controls and these cases.

In the SJD appeal, Justice Preston found that the local environmental plan and other approved development that contravenes the development standard are both relevant to determining desired future character.

In Big Property, Commissioner O’Neill, referencing the SJD cases, found that development standards for building envelopes are frequently generic standards which do not account for existing and approved development or the nuances of an individual site. The Commissioner stated that:

“The presumption that the development standards that control building envelopes determine the desired future character of an area is based upon a false notion that those building envelopes represent, or are derived from, a fixed three-dimensional masterplan of building envelopes for the area and the realisation of that masterplan will achieve the desired urban character. Although development standards for building envelopes are mostly based on comprehensive studies and strategic plans, they are frequently generic, as demonstrated by the large areas of a single colour representing a single standard on Local Environmental Plan maps, and they reflect the zoning map. As generic standards, they do not necessarily account for existing and approved development, site amalgamations, the location of heritage items or the nuances of an individual site. Nor can they account for provisions under other EPLs that incentivise particular development with GFA bonuses or other mechanisms that intensify development. All these factors push the ultimate contest for evaluating and determining a building envelope for a specific use on a site to the development application stage. The application of the compulsory provisions of cl 4.6 further erodes the relationship between numeric standards for building envelopes and the realised built character of a locality” [at 44]’.

Furthermore, Commissioner O’Neill in Big Property stated at [57]:

“The desired future character of the locality can be evaluated by reference to matters other than the development standards that determine the building envelope for the site, including the existing development that forms the built context of the site (Woollahra Municipal Council v SJD DB2 Pty Limited [2020] NSWLEC 115 (SJD DB2) at [54]). The desired future character of an area is not determined and fixed by the applicable development standards for height and FSR, because they do not, alone, fix the realised building envelope for a site. The application of the compulsory provisions of cl 4.6 further erodes the relationship between numeric standards for building envelopes and the realised built character of a locality (SJD DB2 at [62]-[63]). Development standards that determine building envelopes can only contribute to shaping the character of the locality (SJD DB2 at [53]-[54] and [59]-[60])’.

¹ Big Property Pty Ltd v Randwick City Council [2021] (Big Property),
HPG Mosman Projects Pty Ltd v Mosman Municipal Council [2021] (HPG),
SJD DB2 Pty Ltd v Woollahra Municipal Council [2020] NSWLEC 1112 and Woollahra Municipal Council v SJD DB2 Pty Limited [2020] NSWLEC 115 (SJD)

The proposed building height exception provides a development that is compatible with the scale and height of surrounding and nearby development. Based on the above, it is observed that:

- Development standards (building height in this case) for building envelopes are frequently generic standards which do not account for existing and approved development and the circumstances of an individual site.
- cl4.6 of the LEP is as much a part of LEP as the clauses with development standards. In SJD DB2 at [62]-[63] it states, 'The application of the compulsory provisions of cl 4.6 further erodes the relationship between numeric standards for building envelopes and the realised built character of a locality'.
- Development standards that determine building envelopes can only contribute to shaping the character of the locality and the existing character should also be considered.
- The building height standard in the subject matter does not account for existing and approved development within the site's visual catchment where there are various examples of residential developments that are more than 8.5m in building height [example at figure 7].
- Despite the C3 Environmental Management zoning of the site and local area, there is a mix of housing forms within the sites' visual catchment.
- The southern low side of Seaforth Crescent is characterised by land of acute slope, approximately 1 in 2 slope within the site, falling from approx. RL 47 [Seaforth Crescent], 43 metres down to the water level of Middle Harbour.
- The local area is generally characterised by larger land parcels, noting that the LEP's minimum lot size is 1,150 square metres to provide increased flexibility to position development whilst minimising impacts of topographical features.
- The streetscape is characterised by the steep topography. The topography falls suddenly away from the street to the south, with retaining walls adjacent to the north. Driveways, garages and retaining walls characterise the front setbacks, not open landscape front gardens.
- The local area is generally characterised by large dwellings that exceed two storeys, which often present as multi-storey dwellings when viewed from downslope areas, the water, and the longer distances, for example, opposite foreshores, nearby coves and inlets.
- The site's landscape character comprises steep slope, some large, exposed rock features within the rear; there is a mix of vegetation within the site most of which has low to medium retention value.
- The bulk, form and diverse mix of housing forms within the local area are relevant in considering the exception to the building height standard.

The proposed development will be compatible with the existing local character, noting:

The property has a limited visual catchment from Seaforth Crescent and adjoining land due to its position below the adjacent roadway and the orientation of dwellings to capture the water views that are generally to the south. Most of the proposed development on the site is positioned below the street level [approx. RL 47] with the majority of the built form being obscured from Seaforth Crescent.

Most of the proposed development on the site is positioned below the street level (approx. RL 47) [figure 11] with the majority of the built form being obscured from Seaforth Crescent.

The proposed development:

- responds appropriately to the steepness of the site topography.
- is compatible with the mixed pattern, scale, and building setbacks along the low side of Seaforth Crescent.
- maintains a single storey presentation to Seaforth Crescent and a multi-level building, up to 3 storeys to the rear.
- includes a roof level that is the same or lower than roof ridge level to the adjacent dwelling houses (figure 11).
- includes a characteristic contemporary roof form that is compatible with development within the local area.
- provides a large rear setback that significantly exceeds the DCP control and Foreshore Area standard, with this area dominated by landscaping, providing a landscaped interface properties foreshore frontage.
- will result in a building that presents a characteristic bulk and scale [that is below the maximum FSR] when viewed from the street,s adjoining properties and foreshore.
- Furthermore, the aesthetic quality of the property will be improved by the proposed development.

Figures 8 to 11 show the heights of the adjacent development and the proposal being consistent with these heights. The proposal is compatible with the building height of adjacent development when viewed from the front (north) and rear (south).

For these reasons, the proposed building height and roof form is appropriate the proposed building height exception is compatible with the height and scale of surrounding and nearby development.

6.2 Objective (b) - to control the bulk and scale of buildings,

Response –

The bulk and scale of the proposed development's is appropriately 'controlled', noting:

The proposal is responsive to the steep site topography. The proposal involves a stepped building form to achieve modulation, integrate with the landform and reduce building bulk.

The building footprint is 'terraced' responsive to the slope and set within visually distinguishable sections, incorporating level changes and landscaped areas. Rather than concentrating the built form over a smaller building footprint the design extends the building footprint down-the-slope, stepping in accordance with the topography, which reduces the height, bulk, and scale when viewed from adjacent allotments and downslope areas.

The provision of a large rear setback of approx. 45m [measured through the middle of the site] significantly exceeds the rear setback control, foreshore building line standard, and minimum landscaped area requirement. Resulting in a large area of open, landscaped area that will enhance the presentation of the development to the foreshore and achieve a compatible bulk and scale.

Angled sidewalls

The design incorporates angled sidewalls ['fins'], tilted to the north in the direction of the slope. They are effective in integrating the built form with the slope of the land and visually 'tilting' the mass, [figures 8-10], and visually 'anchor' the terraced form.

The angled 'fin' walls also provide privacy, avoiding the need for separate privacy screens.

The angled 'fin' walls reflect the hillside context when viewed from the water and opposite foreshore and adjoining properties. These design elements enhance the immediate and longer distance views of the site.

The substantial proposed building reflects the large land area and generous site proportions. The proposed development complies with floor space ratio and site / coverage, along with the majority of the proposal being compliant with the building height standard, which are key determinants of building bulk.

Therefore, the design of the building height exception appropriately responds to the objective to *control the bulk and scale of buildings*.



Figure 8 – View from east (architectural image for illustrative purposes)



Figure 9 – View from north east (architectural image for illustrative purposes)



Figure 10 – View from south west (architectural image for illustrative purposes)

6.3 Objective (c)(i) - to minimise disruption to (i) views to nearby residential development from public spaces (including the harbour and foreshores).

Response -

The land is adjacent to the harbour and foreshore. The proposed development *minimises disruption to views to nearby residential development from public spaces (including the harbour and foreshores)*, noting:

The proposal involves a dwelling house on a large area of steeply sloping hillside land.

The proposed development provides appropriate setbacks to its boundaries [reduced setbacks close to the street and increased setbacks towards the rear of the dwelling and site, where more sensitive areas occur] and will be visually contained within the limits of the site.

The proposed development maintains a single storey presentation to Seaforth Crescent. The proposed building height exception are located at the rear of the dwelling house, and owing to the slope of the land, will be imperceivable to a casual observer from the streetscape.

The property has a limited visual catchment from Seaforth Crescent and adjoining land due to its position below the adjacent roadway and the orientation of dwellings to capture the water views that are generally to the south. Most of the proposed development on the site is positioned below the street level [approx. RL 47] [figure 11] with the majority of the built form being obscured from) Seaforth Crescent.

When viewed obliquely from downslope areas, the proposed development presents an appropriate and visually interesting three-dimensional form [figures 8 to 10] that will not inappropriately obscure established residential development.

Therefore, the proposed building height exception will not inappropriately disrupt views to nearby residential development from public spaces including the harbour and foreshores.



Figure 11 – proposed dwelling house character as viewed from the rear / foreshore

6.4 Objective (c)(ii) - to minimise disruption to (ii) views from nearby residential development to public spaces (including the harbour and foreshores),

Response -

The proposed development minimises disruption to views from nearby residential development to public spaces (including the harbour and foreshores), noting:

The property is within an elevated south facing hillside that enjoys water and district views over Middle Harbour and its surrounds, generally in a southerly direction. As demonstrated by the images herein, views to Middle Harbour and foreshores opposite are currently enjoyed to varying degrees from the location.

The properties on the northern (high) side of Seaforth Crescent obtain views, horizontally and downslope over the roofs of dwellings on the south side of the roadway (including the subject site).

The proposed development has been designed to optimise view sharing from the adjoining dwellings. The DA is accompanied and supported by view impact modelling prepared by the project architects. Consideration has been given to the following properties and locations:

- 21 Edgecliff Esplanade view from middle balcony at RL+58.030
- 2 Seaforth Crescent view from living room at RL+49.480 and pool terrace
- 9 Seaforth Crescent view from lower balcony at RL+33.900 and middle balcony at RL +36.930 and m top balcony at RL +39.910
- 15 Seaforth Crescent view from lower balcony at RL+39.510 and top balcony at RL +42.490.

In some instances, there is potential for a degree of impact on portions of existing views to occur. However, it is expected that such impacts are minor or modest, in the context of the extent of views available from the property, and that view sharing between the properties is achieved.

Access has not been gained to nearby properties in assessing this aspect; this may be undertaken when the DA is publicly exhibited to neighbouring properties.

At this stage, it is assessed that the proposal is unlikely to inappropriately impede significant established views from surrounding residential properties or public vantage points.

Therefore, the proposed building height exception will not disrupt views from nearby residential development to public spaces (including the harbour and foreshores).

6.5 Objective (c)(iii) - to minimise disruption to '(iii) views between public spaces (including the harbour and foreshores)'

Response -

The proposed development minimises disruption to views between public spaces (including the harbour and foreshores)

The building height exceptions are located within the 'slope-descending', rear elevation of the proposed dwelling house. They will be imperceptible to a casual observer from the streetscape.

The proposed development will minimise the disruption of views between Seaforth Crescent, the harbour and its foreshores noting that:

- The proposed dwelling house has a maximum roof RL of 47m AHD, equal to the height of the road adjoining the centre point of the lot. Only minor elements, being a 1m high safety balustrade and some roof mounted solar panels exceed this height.
- Specific issue relating to the special height provision standard [LEP clause 4.3A] are separately addressed within the DA.

Therefore, the proposed development will minimise disruption to views between public spaces (including the harbour and foreshores)'.

6.6 Objective (d) to provide solar access to public and private open spaces and maintain adequate sunlight access to private open spaces and to habitable rooms of adjacent dwellings,

Response –

Shadow diagrams showing the existing and proposed shadows accompany and support the proposal. The following key aspects are noted.

The site and the adjoining properties have an north east / south west orientation to Seaforth Crescent.

The shadow diagrams demonstrate that shade will be cast over the rear section to varying degrees (morning) of the adjacent property at 15 Seaforth Crescent.

This reflects the existing development & shading pattern for properties along the southwestern side of Seaforth Crescent, consistent with the development pattern.

In accordance with the DCP, the sunlight available to the private open space of adjoining dwelling will not be impacted by more than 3 hours between 9am [150m² in sunlight] and 12pm [40m² in sunlight] on 21 June.

It is assessed that, whilst shade onto the adjoining property will be moderately increased above the current levels, the extent of the increase is within reasonable limits, and satisfies the DCP. It is concluded that the provisions of the control are satisfied.

Therefore, the proposed development will appropriately provide solar access to public and private open spaces and maintain adequate sunlight access to private open spaces and to habitable rooms of adjacent dwellings.

6.7 Objective (e) - to ensure the height and bulk of any proposed building or structure in a recreation or environmental protection zone has regard to existing vegetation and topography and any other aspect that might conflict with bushland and surrounding land uses'.

The land is zoned C3 - Environmental Management under the Manly LEP 2013 and is therefore located within an environmental protection zone.

The proposed development respects the foreshore interface with only a minor development [inclinator] within the property's foreshore area

The proposed dwelling house is positioned within the northern, more elevated section of the site. The proposed building mass and dwelling house footprint extends approx. 38m down the slope of the site; 45% of the site length [approx. 84m] measured through the middle of the site.

A rear setback of approx. 45m [measured through the middle of the site] is proposed and significantly exceeds the DCP's 8m rear setback control, foreshore area / building line standard, and minimum landscaped area requirement [addressed in section 7 below].

It is assessed that the proposed development

- will not result in inappropriate vegetation or tree removal
- will maintain a low-impact development compatible with the other developments within the visual catchment.
- will enhance of the site's ecological and landscape character through weed removal and a new comprehensive landscape planting regime in accordance with the accompanying landscape plan
- is located appropriately upon the site in terms of the topography and conserves natural rock features.
- comprises a terraced building design that steps in response to the steep slope of the land
- involves minimal development within the foreshore area

7 Clause 4.6 (3)(b) sufficient environmental planning grounds to justify contravening the development standard

In accordance with 4.6 (3)(b) there are sufficient environmental planning grounds to justify contravening the development standard given that: These planning grounds include –

1. The property is irregular in shape and comprises steep topography. The lot displays a significant level difference of approx. 43m, from RL 45.9 near the north eastern corner of the lot down to RL 2.6 near the south eastern corner of the lot. This very steep topography makes strict compliance with the numerical control difficult to achieve in the circumstances.
2. Most of the proposed house is located within the upper portion [44%] of the site; this minimises the impact of the foreshore and topographical features [large rock outcrops] within the lower sections of the site.
3. The proposed building height exception facilitates the concentration of built form within the northern 44% of the site, provides more landscaping, and preserves more sensitive areas within the southern section of the site.
4. Landscaped areas are proposed that meet and significantly exceed the DCPs minimum requirement of 8m, with 1,506m² / 82% Total Open Space proposed, 398.4 m² in exceedance of the minimum requirement [Total Open Space required being 60% or 1,107.6 m²]
5. At approx. 38m the proposed rear setback significantly exceeds the DCPs minimum requirement with a large proportion of landscaped area within the rear setback.
6. The exception does not result in additional gross floor area or bulk above the building height plane. The rear additions are designed to step, responsive to the slope of the land, and therefore the design minimises its visual bulk.
7. Despite the building height exception, the proposed development maintains a similar roof level to the adjacent dwelling houses (figure 2). The proposed development is compatible with the height and scale of adjacent residential dwelling houses located on the lower side of the road (figures 2, 8, and 9).
8. There will not be any significant or inappropriate disruption to the streetscape or local amenity from the proposed building height exceedance.

7.1 Consistent with the objectives of the Act

Having regard to *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118, the proposal is consistent with the following objectives at under Section 1.3 of the Environmental Planning and Assessment Act 1979 (the Act):

(c) to promote the orderly and economic use and development of land; and

(g) to promote good design and amenity of the built environment, through consistent streetscape alignment and increased landscaping at the street edge.

In response to (c), the proposal will facilitate the orderly and economic use and development of the land, in a manner that satisfies the applicable planning considerations because it will facilitate, renewal of the dwelling house, improved housing in a highly desirable location, designed to meet contemporary living needs, and satisfy building sustainability (BASIX) requirements.

In response to (g), the proposal results in a residential development that will promote good design and amenity of the built environment. The proposal:

- results in a roof design of visual interest which presents appropriately to adjoining land including the streetscape.
- maintains a front setback that is compatible with the streetscape.
- maintains a landscape setting to the street and waterway
- provides a front setback and landscaped frontage that will enhance and complement the streetscape

The proposed built form is compatible with the height and form of adjoining developments, with the proposed development positively contributing to character of the area.

For these reasons there are sufficient environmental planning grounds to justify the exception to the development standard.

8 Conclusion:

The exception proposed to the *Height of buildings* development standard has been acknowledged and the circumstances assessed, having regard to the provisions of LEP clause 4.6 and the relevant case law.

Council can be satisfied that this submission has demonstrated the matters required by cl 4.6(3) and that:

- compliance with the development standard is unreasonable or unnecessary in the circumstances; and
- there are sufficient environmental planning grounds to justify the contravention of the development standard.

Therefore, the exception should be granted development consent.

Michael Haynes
Director - BBF Town Planners