

Request for Variation to Development Standards under State Environmental Planning Policy No. 1 (SEPP 1)

Any application which seeks to vary a development standard of the Port Stephens Local Environmental Plan or any other environmental planning instrument requirement must be supported by a written request. In seeking a variation to one (or more) standard, you must be able to demonstrate the following:

1. Identify the development standard to which the SEPP 1 objection applies.
2. Identify the objectives of the applicable zone.
3. Identify the underlying objectives of the applicable development standard.
4. Whether compliance with the development standard is consistent with the aims in Clause 3 of SEPP 1.
5. Reasons given to support the variation.
6. State why compliance with the development standard is unreasonable to unnecessary in the circumstances of the case.

It is not appropriate to request Council to vary a development standard for economic reasons, to achieve a higher density (which may be out of character with the surrounding area), or to enable a "standard design" to fit on the site. The request must establish the need for the variation based on the objectives of the zone, the constraints and attributes of the site, while considering the underlying objective(s) of the relevant development standard or instrument requirement. Applications that cannot reasonably establish these criteria will not be supported by Council.

This form can be used as the basis of a SEPP1 objection. Before completing this form, you should discuss any variation sought, including the underlying objective, with Council's Assessment and Planning Section. This will assist Council in making a speedy assessment of your request, without the need to seek further information.

Applicant Details

| | | | |
|---------|--|----------|--|
| Name | | | |
| Address | | Postcode | |

Development Description

Property Description

| | | | |
|----------|-------------|---------|---------|
| Lot No | DP / SP | Section | Portion |
| House No | Street Name | | |
| Town | | | |

Variation Sought

Identify which development standard is to be varied and by what degree (%)

- Height..... %variation
- Floor Space Ratio %variation
- Density (Lot Size) %variation
- Other – Please specify (SEPP or REP)%variation

Variation Justification

Consider the underlying objective(s) of the relevant development standard being varied. Remember, if in any doubt, Council’s Assessment and Planning section is available to discuss these or any other matter relating to your request for variation.

Identify the development standard to which the SEPP 1 objection applies

Identify the objectives of the applicable zone

Identify the underlying objectives of the applicable development standard

Whether compliance with the development standard is consistent with the aims in Clause 3 of SEPP 1

Reasons given to support the variation

State why compliance with the development standard is unreasonable or unnecessary in the circumstances of the case

| | | | |
|-----------------------|--|------|--|
| Applicant's signature | | Date | |
|-----------------------|--|------|--|
