



## Further Information

### Upper Hunter Shire Council

SCONE:

135 Liverpool Street  
(02) 6540 1100.

MERRIWA:

34-40 Vennacher Street  
(02) 6521 7000.

MURRURUNDI:

47 Mayne Street  
(02) 6540 1350.

POSTAL ADDRESS:

PO Box 208  
Scone 2337

WEBSITE:

[www.upperhunter.nsw.gov.au](http://www.upperhunter.nsw.gov.au)

EMAIL:

[council@upperhunter.nsw.gov.au](mailto:council@upperhunter.nsw.gov.au)

## 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 Scone Local Environmental Plan 1986, Merriwa Local Environmental Plan 1992, Murrurundi Local Environmental Plan 1993 or any other environmental planning instrument requirement must be a written request. In seeking a variation to one (or more) standards, you must be able to demonstrate the following;

- 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, (attached)
- Reasons given to support the variation,
- State why compliance with the development standard is unreasonable or 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 SEPP 1 objection. Before completing this form, you should discuss any variation sought, including the underlying objective, with Council's Environmental Services Department. This will assist Council in making a speedy assessment of your request, without the need to seek further information.*

### Privacy Notice

The personal information contained within the application is required to enable Council as the consent authority to process the application and will be used in accordance with the Privacy and Personal Information Act 1998 (PIPA Act). The intended recipients of the personal information are Council Staff and any other government agencies that may be required to assess the proposal.

The supply of the information is voluntary. If you cannot or do not wish to provide the information sought, your application may not be accepted, nor processed or rejected for lack of information.

The Upper Hunter Shire Council will store details of the application and any subsequent decision in a register that can be viewed by the public.

For further information please contact Environmental Services Department.

### Office use only

Application number

Date received

SEPP 1.-Issue2\_ Feb12

All correspondence and communication will be directed to the applicant.

### 1. Applicant Details

Name/ Company Name

Postal Address

Town/Village/Locality

Postcode

Contact Name

Telephone

Email address

Mobile

Signature

Date

### 2. Property Details

Lot N<sup>o/s</sup>.

Section N<sup>o</sup>.

DP/SP N<sup>o</sup>.

Street N<sup>o</sup>.

Unit N<sup>o</sup>.

Street Name

Town/Village/Locality

Postcode

### Location

All property details must be provided

### 3. Development Description

Development Application N<sup>o</sup>

Description of development (single storey dwelling, etc.)

### 4. 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)  % variation

### 5. Variation Justification

Consider the underlying objective(s) of the relevant development standard being varied. Remember, if in any doubt, Council's Environmental Services Department 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;

For access to the building we will need a contact person who can be contacted between 8.30am and 4.30pm, Monday to Friday. (please note: persons meeting Council officers on site or permitting access must be at least the age of eighteen.)

Identify the objectives of the applicable zone;

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Identify the underlying objectives of the applicable development standard (refer to relevant zone or SEPP objectives);

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Whether compliance with the development standard is consistent with the aims in Clause 3 of SEPP 1 (see attached);

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Reasons given to support the variation, including why it is unreasonable or unnecessary to comply with the development standard in the circumstances of the case;

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## **State Environmental Planning Policy No.1 (SEPP 1) (Clause 3)**

### **Aims, objectives, ect.**

This Policy provides flexibility in the application of planning controls operating by virtue of development standards in circumstances where strict compliance with those standards would, in any particular case, be unreasonable or unnecessary or tend to hinder the attainment of the objects specified in section 5 (a) (i) and (ii) of the Act.

## **Environmental Planning and Assessment Act 1979 (Section 5)**

### **Objects**

The objects of this Act are:

- (a) to encourage:
  - (i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,
  - (ii) the promotion and co-ordination of the orderly and economic use and development of land,
  - (iii) the protection, provision and co-ordination of communication and utility services,
  - (iv) the provision of land for public purposes,
  - (v) the provision and co-ordination of community services and facilities, and
  - (vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and
  - (vii) ecologically sustainable development, and
  - (viii) the provision and maintenance of affordable housing, and
- (b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and
- (c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.

**Office Use Only**

Application N°

Assessment N°

Property

Proposal

**Fees**

Fee	Amount	Receipt N°	Date
Application fee			
Other			
<b>Total</b>			

Receipt of the application is acknowledged in accordance with the Environmental Planning and Assessment Regulation.

1. The following information has not been submitted in respect of this application;

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2. The applicant will be further advised if there is any additional information required prior to the application being assessed.

Applicant Signature

Council Officer Signature

Date