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This form aims to assist you with the preparation of a written application seeking a variation to a development standard under Clause 4.6 of the *Newcastle Local Environmental Plan*.

Development standards are a means to achieving an environmental planning objective and can be numerical or performance based. Some developments may achieve planning objectives despite not meeting the required development standards. The planning system provides flexibility to allow these objectives to still be met by varying development standards in exceptional cases.

If you wish to vary a development standard contained within the *Newcastle Local Environmental Plan*, the development application is to be supported by a written application that demonstrates:

- a) Compliance with that development standard is unreasonable or unnecessary in the circumstances of the case.
- b) There are sufficient environmental planning grounds to justify contravening the development standard.

This form guides you to what should be included in a written request.

Please complete the form and submit it with your development application.

1. What is the name of the environmental planning instrument that applies to the land?

2. What is the zoning of the land?

3. What are the objectives of the zone?

4. What is the development standard being varied? e.g. FSR, height, lot size

5. Under what clause is the development standard listed in the environmental planning instrument?

6. What are the objectives of the development standard?

7. What is the numeric value of the development standard in the environmental planning instrument?

8. What is proposed numeric value of the development standard in your development application?

9. What is the percentage variation (between your proposal and the environmental planning instrument)?

10. How is strict compliance with the development standard unreasonable or unnecessary in this particular case?

11. How would strict compliance hinder the attainment of the objects specified in Section 5(a)(i) and (ii) of the *Act*.

12. Is the development standard a performance based control? Give details.

13. Would strict compliance with the standard, in your particular case, would be unreasonable or unnecessary? Why?

14. Are there sufficient environmental planning grounds to justify contravening the development standard? Give details.