

# APPLICATION TO MODIFY A DEVELOPMENT CONSENT

Shoalhaven City Council

Development and Environmental Services Group • [www.shoalhaven.nsw.gov.au](http://www.shoalhaven.nsw.gov.au)

Administration Centre, Bridge Road, Nowra

• Telephone (02) 4429 3111

• Fax (02) 4429 3178

• Post: PO Box 42, Nowra 2541

Southern District Office, Deering Street, Ulladulla

• Telephone (02) 4429 8999

• Fax (02) 4429 8939

• Post: PO Box 737, Ulladulla 2539

Use this form to apply for modification to development consent. To complete this form, please tick the boxes and fill each section as appropriate. To minimise delay in receiving a decision about your application, please ensure you submit all relevant information. Once Council has assessed your application, you will receive a notice of determination. Please note that information provided will be public information.

Office Use Only – Application No.		Fees	
DS	<input type="text"/> / <input type="text"/>	Modification	\$.....
DA	<input type="text"/> / <input type="text"/>	Notification	\$.....
Related Files	.....	Other (.....)	\$.....
Date Received	.....	Other (.....)	\$.....
Receipt No.	.....	Total	\$.....

1 **APPLICANT'S DETAILS**

Mr  Ms  Other

Family or Company Name

First Name

Flat/street no.

Street

Town or Locality

State  Postcode

Daytime Telephone

Mob.  Fax

Email

Applicant's Reference

The applicant is also the owner  Yes  No

2 **PROPERTY/OWNER(S) DETAILS**

Flat/street no.

Street

Town or Locality

Lot or Portion Nos.  Section (where relevant)

DP or Parish Name

Area of Land (in m<sup>2</sup> or hectares)

*You can find the lot no., section and DP no. on a map of the land; on the title documents for the land; or on your rates notice.*

All Owner's Name(s)

Postal Address

Postcode

Telephone No. (Bus)

3 **APPROVED DEVELOPMENT**

Pursuant to Section 96 of the EPA Act 1979 application is hereby made to modify the following Development Consent.

Development Consent No.

Date Approved

Description

A copy of the relevant BASIX Certificate is attached

(Effective 1st July, 2005)

4 **TYPE OF MODIFICATION**

This application is made to Council

or (in the case of a development consent issued by the Court) to the **Land and Environment Court**

This application is made under Section 96 of the Environmental Planning and Assessment Act, 1979 as follows:

Minor (S96(1))

Minimal Environmental Impact (S96(1A))

Other (S96(2))

**Minor (i)** – Indicate minor error, misdescription or miscalculation.

**Minimal Environmental Impact (i)** – Give details of the proposed modification and the expected impacts:

**Other (i)** – Give details of the proposed modification, the expected impacts and the reasons for seeking these modifications. Provide evidence that the development (as to be modified) will remain substantially the same as the approved development. (Please refer to relevant conditions of development consent where appropriate).

**(i)** – If there is insufficient room on this form to describe the proposed modification, please support your application with additional information.

## 5 DISCLOSURE OF POLITICAL DONATIONS & GIFTS (S147 OF THE EP& A ACT 1979)

Have you or any associated persons with a financial interest in this application in the last two (2) years, made any political donations or given any gifts to any local Councillor or Council employee?

Yes  No

If you ticked yes, please fill out a Political Donations & Gifts Disclosure Statement at the back of this form.

**Important Notice:** It is an offence under the *EP & A Act 1979* if you fail to disclose reportable donations and gifts.

**Note:** Where modification of the consent involves alterations to the approved plan(s), three (3) copies of the amended plans must be attached, together with the relevant fee, where appropriate.

## 6 OWNER'S DECLARATION

The owner(s) of the land to be developed must sign the application.

If you are not the owner of the land, you must have **all** the land owners sign the application. If the land is Crown land, an authorised officer of the Department of Lands must sign the application. If the land is owned by Council, the General Manager, or delegate must sign the application.

As the owner(s) of the above property, I / we consent to lodgement of this application:

I/We hereby permit any duly authorised officer of the Council of the City of Shoalhaven to enter the land or premises to carry out inspections and surveys or take measurements or photographs as required for the administration of the Act(s), Regulation or planning instrument.

Signature

Name

Date

Signature

Name

Date

If the land is owned by a company (P/L) the signature of at least one (1) director residing in Australia is required. If a company signatory, indicate position held.

## 7 APPLICANT'S DECLARATION

I hereby apply for approval of the development proposal described above and in the plans, specifications and documents accompanying the application, and that the information is correct.

This application (where required) is also deemed to be an application for a "Certificate of Compliance" under Section 307 of the *Water Management Act 2000*.

I agree to inform the owner (s) of the land about the publication of forms and documents in DA Tracking on Council's website.

The applicant, or the applicant's agent, must sign the application

Signature

Name, if you are not the applicant

In what capacity are you signing if you are not the applicant

Date

## IMPORTANT INFORMATION RELATING TO A SECTION 96 APPLICATION (DS)

### 1 Access to information

Section 12 (1) of the *Local Government Act 1993* states that persons are entitled to inspect the current version of a DA (within the meaning of the *Environmental Planning and Assessment (EP&A) Act 1979*) and associated documents.

However Section 12 (1A) states:

"...a person does not have the right to inspect so much of a development application, or an application under Part 1 of Chapter 7 for approval to erect a building as consists of:-

(a) the plans and specifications for any residential parts of a proposed building, other than plans that show its height and its external configurations in relation to the site on which it is to be erected".

For more information please refer to Council Privacy Management Policy – available on Council's website [www.shoalhaven.nsw.gov.au](http://www.shoalhaven.nsw.gov.au).

### 2. Privacy Notification

The information on this form is being collected by Council for administrative and assessment purposes. It will be used by Council staff and other organisations for the purpose mentioned and may be included on a public register. Persons identified on this form may at any time, apply to Council for access or amendment of the information.

### 3. DA Tracking

Council's on-line DA Tracking system allows customers to view plans, other details and track the progress of a DA throughout the assessment process.

The on-line system provides key milestones in the DA process but does not provide a detailed history. Persons wishing to confirm information in detail should contact Council via either the email facility at the bottom of the on-line DA tracking window of each DA listed or in writing in order to obtain a written response.

All documents associated with the DA will be accessible on-line via Council's DA Tracking site, in accordance with Council policy.

### 4. DA Decision Making

If in the opinion of Council Officers any significant issues of public interest or policy and material impacts are identified, the application will most likely be reported to a Council Meeting, otherwise qualified Planning, Development and/or Building Assessment staff will make a decision.

### 5. Copyright Note

The Applicant is advised that Council may use or make copies (including electronic copies) of the development application and accompanying documents for the purpose of complying with its obligations under the *Environmental Planning and Assessment Act 1979*, the *Local Government Act 1993* and Council's Community Consultation Policy. In addition, the Council may make such further copies as, in its opinion, are necessary to facilitate a thorough consideration of the development application by Council and public participation in the development assessment process. This will include making copies of the advertised plans, supporting documentation and the determination available on Council's website to be viewed or printed out by member of the public and using the plans and accompanying documents for Council's Strategic Planning purposes. The Applicant is responsible for obtaining all copyright licenses necessary from the copyright owners for this purpose.

**OFFICE USE ONLY**

**Checklist:**

- Has the prescribed relevant fee for application been paid? Y  N
- Has the application been registered? Y  N
- Will the modifications result in substantially the same development? Y  N
- Was the DA notified under S.79 or S.79A of the Act? Y  N

If "Yes" – Has notice under Section 96(2)(c) been given in accordance with Clause 72A of the EP&A Act regulations?

.....

Have any submissions been received/considered?

.....

Is a new BASIX Certificate required?

.....

Have the relevant Section 79C(1) considerations been reconsidered in determining this application?

.....

Has a Section 79C assessment report been completed?

.....

Has notice of determination of the application been granted in accordance with Clause 73A of the EP&A Act regulations?

.....

Has a copy of the notice of determination been placed in the relevant DA file?

.....

Has the notice of determination been saved in the consent register (ie. Trim)?

.....

Has the original consent on the file been noted to the effect that the condition has been varied?

.....

Assessing Officer:

Date:

.....