

Application to Modify a Development Consent

Under Environmental Planning and Assessment Act 1979



This form

Use this form to apply to modify the terms of development consent (i.e. the plans or the conditions). The application can only be made if the development to which the consent as proposed to be modified will remain substantially the same as the development for which the consent was originally granted. **Failure to complete all relevant sections or provide sufficient information/detail in your application may result in your application being returned or its assessment delayed.**

Part 1: Applicant and site details

1. Applicant details

All correspondence will be sent to the email address provided unless 'care of' email address is specified

Leave blank if not required

Name (or company)
ABN (required if company).....
Postal address.....
Suburb.....Postcode.....
Phone.....Email.....
Contact person (if company)

Will your correspondence be 'care of' another company?

- Yes
- No

Care of name or company.....
ABN (required if company)..... Contact person

Postal Address.....
Phone.....E-mail

2. Location and title description of the property

This information is available on rates notices.

Unit NoHouse NoStreet.....
Locality.....
Lot(s).....Section.....
Deposited Plan(s)..... Strata plan.....

3. Who owns the land?

Give the name of **every** owner and their postal address. (It is not to be marked 'Care Of' the company submitting the application') If insufficient space is available please attach a separate list.

Name 1.....
Address.....Postcode.....
Phone.....
Name 2.....
Address.....Postcode.....
Phone.....

Part 2: Development details

4. What consent is to be modified?

Development Application No.
Date Consent issued
Description of approved development
.....
.....
.....

5. Description of the proposed modification

Please tick the appropriate box and if unsure please confirm with the assessing officer or Council's duty officer.

Attach a detailed submission if the space is insufficient.

- Minor modification -the modification is intended to correct a minor error, misdescription or miscalculation
 - Modification involving minimal environmental impact
 - Other modification to development applications
 - Modification of consents granted by the Court
- a) Describe the proposed modification/s and expected impacts of the modification/s.
.....
.....
.....
.....
.....
- b) Are any conditions of the development consent proposed to be amended? If so, please list the numbers and required changes.
.....
.....
.....
.....
.....
- c) In case of a development involving the use of a building as an entertainment venue, function centre, pub, registered club or restaurant, please specify the maximum number of persons proposed to occupy, at anyone time, that part of the building being used for the specified use.
.....
.....
- d) How many dwellings are proposed or to be demolished?
- i. presently at this address?dwellings
 - ii. proposed to be demolished?dwellings
 - iii. proposed to be constructed?dwellings

6. Required documents

You should liaise with Hunter Water as to their requirements for the amended plan to be re-stamped. Council requests all documents use the following naming convention:

* How to name your documents - Amended 'Name of the document' - Property Address

- A pdf copy of the amended plans, including floor plans, elevations and site plan.** The plans must **highlight** all proposed changes to the development proposal.
- A pdf copy of a notification plan.** If the application has been notified previously a modification to application is likely to be notified as part of the assessment of the modification, unless the change is considered to be minor by the assessing officer.
- A pdf copy of the amended Statement of Environmental Impacts.** All proposed modifications are to be clearly identified and their impacts are to be discussed in the amended statement.
- A pdf copy of the application form.**

All documents and plans contained in the application submitted by post or lodged over the counter are to be copied onto a non-returnable CD or USB stick. The pdf copies should be prepared in accordance with the specification detailed in the document titled [Plan Standards](#) available on Council's website*.

Other documents provided (please specify).....
.....

Plan reference numbers
.....
.....

Other document reference number.....
.....

7. Cost of the development

See Council's [A Guide to Estimating Costs of Works](#) for more information

Does the modified application increase 'the cost of development'?

- Yes Revised cost of development (inc GST)\$.....
Additional cost (as a result of the modification) \$.....
- No

The cost of the development is the genuine estimate of: (a) the cost associated with the construction of the building, and (b) the cost associated with the preparation of the building for the purpose for which it is to be used (such as the cost of installing plant, fittings, fixtures and equipment). Owner builders will need to include a full cost of labour.

8. Details of previous interactions with Council Officers

a) Have you spoken about this application with a Council Officer?

- Yes, whom did you speak to?
.....
- No

b) Is this application the subject of enforcement action by Council?

- Yes, details.....
- No

Part 3: Owner's consent and applicant's declaration

9. Owner's consent

Who signs the form?

- All owners of the subject property.
- If the owner is a company - a director, secretary or authorised delegate.
- If the property is strata titled and relates to the entire strata – the authorised delegate of the Owner's Corporation.
- If the property is strata titled and relates only to a single lot in the strata - all owner/s of the particular lot.
- If Crown land - an authorised officer of the relevant government authority must sign the application.
- If signing on the owner's behalf as the owner's legal representative, you must state the nature of your legal authority and attach any available evidence (e.g. power of attorney, executor, trustee, company director).

Owner's consent

As the owner/s, or legal representative of the owner of the land to which this application relates, I/we consent to this application. I/we also give consent for authorised Council officers to enter the land to carry out inspections.

Name 1

Signature

Company and legal authority
(if applicable)

Name 2

Signature

Company and legal authority
(if applicable)

Name 3

Signature

Name 4

Signature

10. Conflicts of Interest

Parties include owners, applicants, developers and companies.

a) Are there parties associated to this application, with pecuniary or non-pecuniary interest that include: a staff member, councillor, contractor or related to someone who is a staff member, councillor, contractor of NCC or,

b) a State or Federal Member of Parliament?

Yes, please state the relationship and person

.....

No

11. Political Donations and Gifts

The [Environmental Planning and Assessment Act 1979](#) requires a person to disclose *reportable political donations and gifts* made by any person with a financial interest in the application within the period commencing two years before the application is made and ending when the application is determined.

The following information is to be included on the statement:

- (a) all reportable political donations made to any local Councillor of Council; and
- (b) all gifts made to any local councillor or employee of that council.

Council has prepared a [Political Donations and Gifts Disclosure Statement](#), incorporating explanatory information, which is available on Council's website or at Council's Customer Enquiry Counter.

Note: Failure to disclose relevant information, or make a false disclosure statement is an offence under the Act. The maximum penalty for the offence is currently \$22,000.

Reportable political donations declaration

Have you, or are you aware of any person having a financial interest in the application, made a 'reportable donation' or 'gift' to a Councillor or Council employee within a two-year period before the date of this application?

- Yes. If yes, the statement must be attached. All disclosure statements of reportable donations and gifts will be made publicly available on Council's website.
- No, but in signing this application I undertake to disclose to Council in writing, within seven days, any reportable political donation or gift made after the lodgement of the application and prior to its determination).

12. Applicant's declaration

- I apply for consent to carry out the development described in this application.
- I declare that all the information given is true and correct.
- I declare that the electronic data has been named correctly and there are no security settings applied.
- I understand that if incomplete, the application may be delayed, rejected or returned.
- I understand that the information supplied on this form and any related document may be made available to the public for inspection both at Council and on Council's website, and will be available for copying at Council. I indemnify all persons using the development application and documents in accordance with the [Environmental Planning and Assessment Act, 1979](#) against any claim or action in respect of breach of copyright.

Signature.....Date.....

* Under the *Government Information (Public Access) Act 2009 (NSW) (GIPA Act)*, objections to the future disclosure of floorplans, after the application has been determined, may be lodged on the basis that there is an overriding public interest against disclosure.

Protecting your privacy

Newcastle City Council is committed to protecting your privacy. We take reasonable steps to comply with relevant legislation and Council's Privacy Management Plan.

Purpose of collection:	To enable Council as the consent authority to assess your proposal
Intended recipients:	Council staff and other government agencies that may be required to assess the proposal
Supply:	The information is a statutory requirement related to the assessment of the application.
Consequence of non-provision:	Your application may not be accepted or processed due to a lack of information.
Storage and Security:	Newcastle City Council, 282 King Street Newcastle 2300 will store details of the application. Individuals can access the details of the application under the Government Information (Public Access) Act 2009.
Access:	Your information can be checked for accuracy by calling (02)4974 2000.

How to lodge your application

Applications can be lodged either:

1. In person, at the Customer Contact Centre, located at **282 King Street, Newcastle.**
Call (02) 4974 2000 to book a lodgement appointment with the Duty Officer.
2. By mail:
Newcastle City Council
PO Box 489
Newcastle NSW 2300

Fees

Fees are calculated on a scale based on the contract value of the work or number of lots. Fee estimates can be obtained by contacting Council on (02) 4974 2000.

Your application is not considered lodged until the required fees have been paid. If the application does not include payment we will contact you when payment is required. Payments need to be made within 24 hours of contact.

Payment Methods

You can pay by cash, cheque, Credit Card or EFTPOS.

Please note a merchant fee is payable on all credit card transactions.

Cheques are to be made payable to Newcastle City Council.

Acknowledgement

We will acknowledge that we have received your application. You will receive a letter and receipt specifying the amount of fees paid, and the registered number of the application.

How to contact us:

Phone: (02) 4974 2000

E-mail: mail@ncc.nsw.gov.au

In Person: 282 King Street Newcastle