

# Application to Modify a Development Consent

Made under Section 4.55(1), (1A) & (2) and Section 4.56 of the Environmental Planning and Assessment Act 1979.



APPLICATION/REFERENCE NUMBER: \_\_\_\_\_

DATE: \_\_\_\_\_

## ABOUT THIS FORM

Sections 4.55 and 4.56 of the Environmental Planning and Assessment Act 1979 enable applications to be made to Council for changes to a Development Consent which has already been issued.

Use this form if you seek to vary/delete a condition of your Consent, or make amendments to the design or use. The changes must not substantially alter the approved development.

## APPLICANT DETAILS

Title:  Mr  Mrs  Ms  Other: \_\_\_\_\_

Applicant's Name: \_\_\_\_\_

## PROPERTY/LOCATION DESCRIPTION

Unit/Street No: \_\_\_\_\_ Street: \_\_\_\_\_

Suburb: \_\_\_\_\_ Post Code: \_\_\_\_\_ Lot/DP/SP No(s): \_\_\_\_\_

## CONSENT TO BE MODIFIED

Consent No: \_\_\_\_\_ Determination Date: \_\_\_\_\_

Description of Approved Development: \_\_\_\_\_

## TYPE OF MODIFICATION

*(Please tick appropriate box)*

- Modification under Section 4.55(1) - *Modifications involving minor error, misdescription or miscalculation only.*
- Modification under Section 4.55(1A) - *Modifications which have minimal environmental impact. You are required to include a brief statement which demonstrates this.*
- Modification under Section 4.55(2) - *Other modifications. This section should be used if you are dissatisfied with a condition/s of consent or if you wish to amend your proposal.*
- Modification under Section 4.56 - *This section should be used if the original approval was granted by the Land and Environment Court.*

## GET IN CONTACT

Randwick City Council  
30 Frances Street  
Randwick NSW 2031  
ABN: 77 362 844 121

Phone 9093 6000  
[council@randwick.nsw.gov.au](mailto:council@randwick.nsw.gov.au)  
[www.randwick.nsw.gov.au](http://www.randwick.nsw.gov.au)

**DESCRIPTION OF PROPOSED MODIFICATION***(Brief Description, include details in separate Statement)*

<b>CHECKLIST FOR APPLICATIONS TO MODIFY A CONSENT</b>	Office Use		Yes	No	N/A
	Yes	No			
1. Has a statement been provided which:					
a) clearly describes the proposed modification (including full details of each individual amendment)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b) describes the expected impacts of the modification (including compliance with the relevant controls)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c) addresses whether the development, as modified, will be substantially the same as the development that was originally approved?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Has amended plans been submitted with all proposed changes coloured and clearly annotated? <i>Amended plans are not required if the proposed modification does not involve any changes to the previously approved plans</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Has a design verification statement (by a qualified designer) been submitted? <i>Required for applications seeking to modify an approved residential apartment development under section 4.55 (2) or section 4.56 (1)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Has a revised BASIX Certificate been submitted?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Has a revised cost report been submitted?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Has an amended digital 3D model been submitted? <i>Required for modifications that affect the envelope of a building that has been previously modelled</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Have any other supporting documents been submitted? <i>If yes, please specify:</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Have all forms, plans (in colour) and documents been provided as separate unprotected pdf files (limited to 3MB per file)? <i>Have you checked that the pdf files are NOT password protected or locked? Each plan, form and document must be individually labelled to identify the name of the file and the property address (Document type - property address).</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**POLITICAL DONATIONS**

*In accordance with Section 10.4 of the Environmental Planning and Assessment Act 1979, the applicant (or any other person with a financial interest in the application) must disclose any reportable political donations or gifts they have made in the two years before the application is made. The disclosure requirements continue to apply until the application is determined. Reportable political donations include donations of \$1000 or more. If you (or any other person with a financial interest in the application) have made a reportable political donation or gift within the period of two years, please complete a Political Donations and Gifts Disclosure Statement. These are available from Council's website.*

Have you or an associate made a reportable political donation or gift within the previous two years?  Yes  No

**CONFLICT OF INTEREST**

Are you an employee of Council or do you have an affiliation with a Council Officer or Councillor by way of family, close personal friendship or business interest?  Yes  No

If yes, please provide details \_\_\_\_\_

## NOTICE UNDER SECTION 10 OF THE PRIVACY & PERSONAL INFORMATION PROTECTION ACT 1998

The information collected on this application form (and in any documents submitted with the application) is for the purpose of assessing and determining your application under the provisions of the Environmental Planning and Assessment Act 1979. This may require making the application form, submitted documents and documents relating to the determination publicly available for inspection on the Council's website and in other ways that the Council considers appropriate. The intended recipients of the information include any parties involved in the assessment or with an interest in the application.

If the requested information is not provided, the Council may be unable to process your application. Randwick City Council ('Council') is the name of the agency that is collecting and holding the personal information. Please advise Council if the information you have provided either changes or is incorrect or if you require your address to be withheld for personal or family safety.

### APPLICANT DETAILS

Title:  Mr  Mrs  Ms  Other: .....

Applicant's Name: .....

Contact (if applicant is a company): ..... ABN: .....

Postal Address: .....

Suburb: ..... Post Code: .....

Email: ..... Fax/DX: .....

Phone No(s): ..... Mobile: .....

### 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, and electronic plans and documents submitted on electronic storage medium are an exact reproduction of the original source documents submitted with the application.
- I understand that if incomplete, the application may be delayed or rejected.
- I understand that more information may be requested within 21 days of lodgement.
- I understand that the information contained in this application and on this form (including plans and personal information) may be made publicly available on the Council's website and in other ways that the Council considers appropriate.
- I give permission for Randwick City Council ('Council') to copy the application, plans, and any other supporting material, for any purpose associated with the exercise of its functions under the Environmental Planning & Assessment Act 1979, and for the purpose of complying with its obligations under the Government Information (Public Access) Act 2009 (GIPA Act).
- I warrant that if I am not entitled to copyright in respect of any submitted document, I have obtained permission from the copyright owner for Council to use the documents lodged with this application in accordance with the above paragraph.
- I indemnify the Council against all claims and actions in respect of a breach of copyright arising from the Council copying, issuing copies, reproducing or publishing any documents lodged with this application.

Signature: .....

Name: ..... Date: .....

## OWNER'S CONSENT (to be completed if the applicant is not the owner/s of the subject property)

Yes

I declare that I have shown this document, including all attached drawings, to the owner(s) of the land, and that I have obtained their consent to submit this application.

Signature:

Name:

## HOW TO LODGE THIS APPLICATION

**ONLINE VIA THE NSW PLANNING PORTAL**

<https://www.planningportal.nsw.gov.au/onlineDA>

Please refer to Council's website for more information.

## FEES

Application fees are in accordance with Council's Fees and Charges Policy. To avoid delays at lodgement, please contact us to obtain a fee quote prior to lodging your application. If lodging multiple applications, a separate payment must be made for each application.

Payment must be paid via Council's Epathway online services (i.e. credit card via Council's website).

## COPYRIGHT DISCLAIMER

The GIPA Act provides that anyone may inspect and obtain copies of certain documents held by a council, including (among others) development applications and associated documents. A council complying with its obligations under the GIPA Act does not breach copyright law. However, a person who through this process obtains a copy of plans subject to copyright would be in breach of copyright law if those plans were later used in a way adverse to the interest of the holder of the copyright.

If you copy, use or distribute, building specifications or other documents subject to copyright, contrary to the provisions of the Copyright Act 1968 (Cth) you will be taken to have indemnified Randwick City Council against any claim or action in respect to breach of copyright.

**OFFICE USE ONLY***(This section is to be completed by the Duty Officer)*

Is additional information required prior to lodgement?

 Yes  No

If yes, please specify .....

Other comments: .....

Duty Officer: ..... *(Please print name)*

Signature: ..... Date: .....

**OFFICE USE ONLY (FEES)***(This section is to be completed by the Customer Service Officer)*

Assessment Fee	\$
Notification Fee	\$
Advertising Fee	\$
Information Management Fee	\$
Design Excellence Panel Fee	\$
Other:	\$
<b>TOTAL:</b>	<b>\$</b>
<b>Receipt No:</b>	<b>Date:</b>

**PRIVACY AND PERSONAL INFORMATION PROTECTION NOTICE**

The purpose of collection of this information is to enable Council to process your request. We will not be able to process your request if you do not provide the information. This form will be stored electronically in Council's electronic document management system. Access to this information is restricted to Randwick City Council officers. Members of the public will not be provided with access to the personal details contained on this form. View our [Privacy Statement](#) for more information.