



BYRON SHIRE COUNCIL

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Office Use Only

S.96 No:
 Parcel No(s):
 Zoning:
 Notations: FPL DIP ASS HER BPL HCV
 PR123 (Precinct:
 Date Received...../...../.....
 #763951 (Updated 16/3/2015)

Section 96 Application to modify a development consent

Issued under Sections 96(1) or 96(2) of the Environmental Planning and Assessment Act 1979

Use this form to apply to **modify an existing development consent**. Council can only approve this application if it is satisfied that the development as modified would be substantially the same development as that approved. Please place a cross in the relevant boxes and fill out all appropriate blank Steps. Please ensure you have submitted all relevant information to minimise delays. Once your application has been assessed you will be advised in writing of Council's determination

Step 1 Details of original development consent *ie. the consent being modified*

Development Consent No. (ie. 10.2005.500.1) Date of determination (as noted on the front page of your consent)

Description of development consented

Step 2 Description of land

| | | | |
|--|-----------------------------------|-------------------------------------|---|
| Unit No. <input type="text"/> | House No. <input type="text"/> | Street Name <input type="text"/> | Street Type e.g. St, Rd <input type="text"/> |
| Suburb or Town <input type="text"/> | | | Postcode <input type="text"/> |
| Lot No. <input type="text"/> | DP No. <input type="text"/> | Sec No. <input type="text"/> | Owner/s <input type="text"/> |

Step 3 Details of the applicant/s

| | | | |
|--|-----------------------------------|--|---|
| Given name <input type="text"/> | | Surname / Company Name <input type="text"/> | |
| Given name <input type="text"/> | | Surname / Company Name <input type="text"/> | |
| Unit No. <input type="text"/> | House No. <input type="text"/> | Street Name / PO Box <input type="text"/> | Street Type e.g. St, Rd <input type="text"/> |
| Suburb or Town <input type="text"/> | | State <input type="text"/> | Postcode <input type="text"/> |
| Contact name <input type="text"/> | | Daytime telephone <input type="text"/> | Fax <input type="text"/> |
| Mobile <input type="text"/> | | E-mail <input type="text"/> | |

Step 4 Type and details of modification

Describe the modification that you propose:

- | | | |
|--|--|---|
| <input type="checkbox"/> Modification involving minor error, misdescription or miscalculation (S96(1)) | <input type="checkbox"/> Modification involving minimal environmental impact (s96(1A)) | <input type="checkbox"/> Other modifications (S96(2)) |
|--|--|---|

Details continued:

S96(1) Modification involving minor error, misdescription or miscalculation:

Outline the specific error that you would like to amend i.e. condition number and error or change to approved plans that you seek to change

S96(1A) Modification involving minimal environmental impact:

Outline how the proposed modification is of minimal environmental impact

S96(1A) and S96(2) Substantially the same development:

Outline why the proposed modified development is considered substantially the same development as the development for which the consent was originally granted

Help Guide

Before submitting your application, please ensure that you have attached all the information Council requires to assess your proposal.

| | |
|---------------|--|
| Step 1 | Provide details of previous consent. The Development Application number, the date of determination (ie. date approved) and the description can all be found on the Notice of Determination. |
| Step 2 | Land description can also be found on the Notice of Determination, alternatively it will also be on your Rates notice. |
| Step 3 | Council needs these details to contact the applicant regarding the application |
| Step 4 | <p>Tick the type of modification sought. If you are unsure, discuss with Council's Duty Planner.</p> <p>Give details of the manner and extent of the modification sought. If you wish to modify conditions of development consent you need to provide precise wording for each condition you wish to modify. In the case of a 'Modification involving minor error, misdescription or miscalculation (s96(1))' indicate the error or misdescription or miscalculation.</p> <p>If more space is required please attach further details</p> |

Information required **Six (6) copies of amended information are required to be submitted.**

| | |
|--|--------------------------|
| Architectural Plans – Amended plans must be coloured or clouded to show the changes from the approved plans. | <input type="checkbox"/> |
| Drainage/ Engineering Plans – Amended plans must be coloured or clouded to show the changes from the approved plans. | <input type="checkbox"/> |
| Amended BASIX certificate for the development, if the changes proposed will alter the location of windows, skylights and/or air conditioning. Note: BASIX is required for all Residential Development (new dwellings/ units/ townhouses/Alts & Adds to dwelling/installation of a pool or spa). | <input type="checkbox"/> |

Other information – please list

Official use only

Advertising level: Level 0 Level 1 Level 2 Level 3 Level

Received by (Council officer) – Name:

| | |
|------------|-------|
| Signature: | Date: |
|------------|-------|

Notes/comments/additional information:

Privacy Policy

The information you provide in this application will enable your application to be assessed by Council and any relevant state agency. If the information is not provided, Council can refuse the application. Your application will be notified or advertised to the public for comment if the development is Designated Development, Integrated Development or other Advertised Development. Council will also keep the application in a Register that can be viewed by the public at any time. Please contact the Council if the information in your application is incorrect or if it changes. Information collected will be used in accordance with Council's Privacy and Personal Information Management Plan.

Signatures of all owner/s

The owners of the land to be developed must sign the application.

If you are not the owner of the land, you must have all owner/s sign the application. If the application is on Crown land, an authorised officer of the Department of Lands must sign the application.

As the owner/s of the above property, I/we consent to this application and consent to the council, its servants or agents entering upon the property without first having given notice, for the purpose of carrying out all or any inspections which may deem appropriate in connection with the processing of this application.

Signature

Name

Date

Signature

Name

Date

Applicants

- Anyone can apply for approval but if the applicant is not the owner of the land, then the owner's written consent to lodge the application is required.
- All correspondence will be sent to the applicant. It is important to notify Council of any change of address and/or telephone number if this occurs during the processing of the application.
- By signing this application, you are acknowledging that you have read the notes and instructions on this form, and have included all the requested information as it applies to this application.
- The information provided in this application is required to enable the application to be assessed by Council and any relevant state agencies. The public is entitled to inspect the application and any associated documents.

Signature

Name

Date

Signature

Name

Date

IMPORTANT INFORMATION

Prior to submitting your application, please ensure that you have attached ALL the information Council requires to assess your proposal as outlined in the Lodgement Checklist on the previous page.

Failure to submit all required information will result in delays in determining your application.

Payment Options

Council accepts payments by cash, cheque, money order, eftpos or credit card (Visa and Master only) at Council's administration offices. All cheques are to be made payable to Byron Shire Council. Should you wish to mail your application package to Council and wish to use the credit card facility, please download An Authority to Charge Credit Card form which can be found at www.byron.nsw.gov.au/forms or alternatively enclose a cheque or money order.

Please be aware of the statutory obligations to disclose **Political Donations and Gifts** that may apply to you or associated people if you are lodging a development or s96 application. A failure to meet your obligations is an offence. Links to information and resources on this topic are available from Council's website at <http://www.byron.nsw.gov.au/political-donations> or from Council. All Political Donations and Gifts Disclosure Statements will be public documents.