

Application for, or Modification of a Development Consent

Planning, Environment & Development Group

Environmental Planning and Assessment Act 1979 s4.12, s4.55, s4.56

Local Government Act 1993, s68

Roads Act 1993, s125, s138

Water Management Act 2000, s307

Environmental Planning and Assessment Regulation 2000, cl 51; cl 149; Schedule 1

Guidance

Use this form to apply for a development consent, or to apply to modify a development consent, including a development consent granted by the Land and Environment Court.

Guidance for completing this application can be found within the [Planning, Environment & Development Group HUB](#) located on Council's website.

The checklist forms part of the application and must be completed.

- All documents submitted with this application must be listed on the [Transmittal Sheet](#).
- The application must be submitted in accordance with the Electronic Lodgement Guidelines.
- If applying for a Construction Certificate, a separate application must be completed.

1 Application type

Development Application

Concept Development

Modification of a Development Consent

DA Number:

Note: A development consent may only be modified if it is 'in force' i.e. it has not lapsed.

2 Applicant details

Company Name *(if applicable)*:

ABN / ACN:

Position:

Mr Mrs Ms Other (specify):

First Name:

Last Name:

Email:

Note: At least one contact phone number must be supplied.

Office use only

Related Policies: Legislative requirement

Issue Date: 4/12/2018

Review Date: 1/03/2019

Owned by (section): Development



F O R M 2 3 4 6

Mobile:	Home:	Business:
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Postal Address Shop /Unit / Street No.:

Street Name:

Suburb / Town / Village / Locality:

State:	Postcode:
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3 Development site – location and title details

Lot:	DP:	Section (where relevant):
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Portion No:	Parish:
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Shop / Unit / Street No:	Street name:
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Suburb:	Postcode:
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Area of Land (in m² or hectares):

An inspection of the property may be required. Detail the contact person for Council to arrange access:

Applicant Owner Other (e.g. tenant / real estate):

If you have selected Other provide Name: _____ Phone: _____

List any access issues e.g. dog onsite, locked gates:

4 Describe your proposal

Provide a detailed description of the proposal:

ESTIMATED COST OF DEVELOPMENT: \$

Development type - Tick all relevant boxes.

<input type="checkbox"/> Residential – Single New Dwelling <input type="checkbox"/> Residential – New Secondary Dwelling <input type="checkbox"/> Residential – Dual Occupancy <input type="checkbox"/> Residential – Alterations & Additions <input type="checkbox"/> Residential – Multi Unit <input type="checkbox"/> Residential – Seniors Living <input type="checkbox"/> Residential – Other <input type="checkbox"/> Subdivision associated with development <input type="checkbox"/> Subdivision only <input type="checkbox"/> Demolition <input type="checkbox"/> Vegetation removal <input type="checkbox"/> Change of use	<input type="checkbox"/> Industrial <input type="checkbox"/> Infrastructure <input type="checkbox"/> Mixed Use <input type="checkbox"/> Commercial use of the footpath <input type="checkbox"/> Commercial / Retail / Office <input type="checkbox"/> Community Facility <input type="checkbox"/> Tourist <input type="checkbox"/> Other (specify):
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For subdivision

Land – Torrens Title Land – Community Title Building – Strata Title

Number of lots proposed in subdivision:

For non-residential developments

Number of car parking spaces proposed:

Hours / days of operation:

Are you erecting, altering or adding to a building structure? Yes No

If yes, is this a temporary structure? Yes No

Prelodgement meeting

Has the proposed development been discussed at a prelodgement meeting? Yes No
If yes, please provide a copy of Council's notes of the meeting.

Variation Request

Do you need approval to vary a development standard under clause 4.6 of Shoalhaven Local Environmental Plan 2014 or clause 4.6 of Shoalhaven Local Environmental Plan (Jerberra Estate) 2014 or State Environmental Planning Policy (Development standards) No. 1? Yes No

If yes, you must provide a detailed written request to vary the standard as per legislative requirements.

5 Modification of consent

Is this an application to modify a development consent? Yes No

If yes, type of Modification:

- A modification to correct a minor error, mis-description or miscalculation – s4.55(1)
- A modification which will have a minimal environmental impact – s4.55(1A)
- Any other modification – s4.55(2)
- A modification to the lapsing period of a Deferred Commencement determination condition – Note: separate submission also required addressing s4.53
- A modification to a development consent granted by the Land and Environment Court, s 4.56

Describe the modification, include detail of how the proposed development is substantially the same as the original approval:

6 Environmental effects

Is your proposal designated development?

- Yes - Provide an Environmental Impact Statement (EIS)
- No - Provide a Statement of Environmental Effects (SEE)

7 BASIX

Do you have a BASIX Certificate? Yes No

If yes, Provide your BASIX Certificate Number:

8 Biodiversity

Your site plan must clearly identify the location of all existing native vegetation. Does the proposal involve the clearing of native vegetation? If Yes, you must check the Biodiversity Values Map and Threshold Tool .	<input type="checkbox"/> Yes <input type="checkbox"/> No
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Will the proposal trigger entry into the Biodiversity Offsets Scheme (BOS)? If No – Provide a Report using the Biodiversity Values Map and Threshold Tool If Yes – Provide a Biodiversity Development Assessment Report (BDAR) undertaken by an accredited assessor.	<input type="checkbox"/> Yes <input type="checkbox"/> No
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Does the proposal involve the clearing of native vegetation that would otherwise impact potential habitat for any threatened species, endangered population or endangered ecological community listed under the Biodiversity Conservation Act 2016 or the Fisheries Management Act 1994? If Yes – Provide a Flora & Fauna Assessment undertaken by a suitably qualified ecologist.	<input type="checkbox"/> Yes <input type="checkbox"/> No
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9 Integrated development

Is this application for integrated development? Yes No

If yes, nominate the approvals required for your development.

Fisheries Management Act 1994:

Heritage Act 1977:

National Parks and Wildlife Act 1974:

Protection of the Environment Operations Act 1997:

Rural Fires Act 1997:

Roads Act 1993:

Water Management Act 2000:

Other (specify):

10 Concurrences from State agencies

Do you need concurrence from a State government agency to carry out your development? Yes No

If yes, list the agencies whose concurrence you require:

11 Other approvals from Council

Do you require an activity approval under s68 of the Local Government Act 1993? Yes No

If yes, please tick the approval required.

- On Site water supply work
- Wastewater drainage work
- Stormwater drainage work
- Domestic oil or solid fuel heating

Other (specify):

12 Work in the road reserve / footpath

Do you wish to apply for s138 approval? Yes No

If yes, tick the type of approval required.

- Gutter layback
- Footpath crossing
- Footpath

- Connection of stormwater to kerb or council system
- Other (specify):

13 Construction Certificate

Do you wish to apply to Council for a Construction Certificate? Yes No

If yes, please submit an [Application for, or modification of a Construction Certificate for building works](#) OR the [Application for, or modification of Subdivision Construction Certificate](#)

14 Appointment of Principal Certifying Authority

Do you wish to appoint Council as the Principal Certifying Authority for the purposes of conducting inspections and issuing compliance certificates (where required), occupation or subdivision certificates? Yes No

If yes, please submit the [Contract for Certification Works](#) with this application.

15 Builder's details

- Owner Builder Builder unknown

Builder's name (if known):

Licence Number:

Mobile:

Street Address:

Suburb /Town / Locality:

State:

Postcode:

16 Australian Bureau of Statistics (ABS)

This information is required by the ABS and must be completed if building work is proposed.

Gross floor area: m²

Tick whether: Alterations Additions

For residential units (including dual occupancies) state number of new / additional units:

Tick whether: Attached Detached

- separate house kit house transportable dwelling (excluding caravan or mobile home)

Number of storeys:

Type of Construction: Enter a single code below for floor, frame, roof and wall from schedule. Select the option which best describes the construction materials to be used in the new work.

Floor:	Frame:	Roof:	Wall:
Concrete 20 Timber 40 Other 80 Unknown 90	Timber 40 Steel 60 Aluminium 70 Other 80 Unknown 90	Aluminium 70 Concrete 20 Concrete tile 10 Fibrous cement 30 Fibreglass 80 Masonry / Terracotta shingle tiles 10 Slate 20 Steel 60 Terracotta tile 10 Other 80 Unknown 90	Brick veneer 12 Full brick 11 Single brick 11 Concrete block 11 Concrete / masonry 20 Concrete 20 Steel 60 Fibrous cement 30 Hardiplank 30 Timber / weatherboard 40 Cladding – aluminium 70 Curtain glass 50 Other 80 Unknown 90

17 Registered owners' details and consent

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 Shoalhaven City Council to enter the land or premises to carry out inspections and surveys or take measurements or photographs as required for the administration of the relevant legislation.

Owner First Name: Last Name:

Owner Signature:

Date:

Company Name *(if applicable)*:

ABN / ACN *(if applicable)*:

Position (if owner is a company):

If there is more than one owner, add additional owner(s) details.

Owner First Name: Last Name:

Owner Signature:

Date:

Owner First Name: Last Name:

Owner Signature:

Date:

Owner First Name: Last Name:

Owner Signature:

Date:

18 Disclosure of political donations and gifts

Under Section 10.4 of the Environmental Planning and Assessment Act 1979, any reportable political donation to a Councillor and/or any gift to a Councillor or Council employee within a two (2) year period before the date of this application must be publicly disclosed.

Have you, or are you aware of any person having a financial interest in the application, made a 'reportable political donation' or 'gift' to a Councillor or Council employee within a two (2) year period before the date of this application?

Failure to disclose relevant information is an offence under the Act. It is also an offence to make a false disclosure statement.

Applicant: No Yes

Owner(s): No Yes

If you have answered Yes to this question you must complete a [Political Donation and Gifts Disclosure Statement](#) and lodge it with this application.

If you have answered No to this question by signing this application, you undertake to disclose to Council in writing within seven (7) days any 'reportable political donation' or 'gift' made after lodgement of the application and prior to its determination.

19 Conflict of interest

To ensure transparency in Council's decision-making process and to avoid potential conflicts of interest, you must make a declaration as to whether you, the landowner and/or anyone with a financial interest in the application is a Council employee or Councillor or is related to a Council employee or Councillor.

Applicant: No Yes

Owner(s): No Yes

If you have answered Yes to this question, you must provide details including names and relationship:

20 Applicant's declaration

I apply for consent for the proposed development described in this application and in the plans, specifications and documents accompanying the application;

I declare that all the information relating to this application and identified on any associated plans or documents is, to the best of my knowledge, true and correct;

I acknowledge, that if in the opinion of Council, 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.

I understand that if there is insufficient information or documentation provided at lodgement, the application may be delayed, rejected or may result in a request for additional information;

I understand that it is my responsibility to provide a set of documents for notification;

When Council is appointed as the PCA at Section 14, I acknowledge this application is deemed an application for an Occupation Certificate under cl 149 of the Environmental Planning and Assessment Regulation 2000.

I understand that, if required, this application is deemed an application for a "Certificate of Compliance" under s307 of the Water Management Act 2000.

I understand that I am responsible for obtaining all necessary clearances from the copyright owner of any documents prior to submission of this application.

I acknowledge that these documents may be made available to the public; appear on a public register; and/or appear on Council's website as required by law and in accordance with relevant Council policies. The land owner has been advised accordingly.

Applicant signature:

Date:

Important information

Public Access to information

Pursuant to the *Government Information (Public Access) Act 2009* (GIPA Act) Council is required to make certain information publicly available, including by way of publication on public registers and on its website. Information submitted on and with this form may be made available to the public, unless there is an overriding public interest against disclosure of this information. Council is obliged to make information available on its website excluding the following:

- the plans and specifications for any residential parts of a proposed building, other than plans that merely show its height and its external configuration in relation to the site on which it is proposed to be erected; or
- commercial information, if the information would be likely to prejudice the commercial position of the person who supplied it or to reveal a trade secret.

Privacy

The personal information that Council is collecting from you on submission of this form is personal information for the purposes of Section 10 of the *Privacy and Personal Information Protection Act 1998*. The intended recipients of the personal information are officers within the Council and third parties for the purpose of assessing the application as well as any person wishing to inspect the application in accordance with the *Local Government Act 1993* or the GIPA Act. The personal information may also be included on a public register and displayed on Council's website. The supply of personal information by you is voluntary. However, if you cannot provide or do not wish to provide the information required, Council will be unable to process your application. You may make application for access to, or amendment of, information held by Council. You may also make a request that Council suppress your personal information from a public register. Council will consider any such application in accordance with the relevant legislation. Enquiries concerning this matter can be addressed to Council by telephoning (02) 4229 3111

Lodgement details

You can lodge the completed application by

Email: council@shoalhaven.nsw.gov.au or

In person: Council offices at Bridge Rd, Nowra or Deering St, Ulladulla.

Once your application is received, a Council Officer will contact you if further information is required. Follow the progress of your application via [DA Tracking](#) on council's website.