

Application for Review of Determination or Decision

Planning, Environment & Development Group

Environmental Planning and Assessment Act 1979, Division 8.2

Environmental Planning and Assessment Regulation 2000, Division 12B

Guidance

The original applicant for development consent may apply for a review of the determination; a determination of an application for modification of a development consent or a decision to reject (but not determine) a development application.

Division 8.2 of the Environmental Planning and Assessment Act 1979 (EP&A Act) does not apply to an application for designated development, an application lodged by the Crown or an application determined 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.

1 Application type

- Review of a determination of a Development Application – s8.2(1)(a) – determination
- Review of a determination of a Development Application – s8.2(1)(a) – consent condition(s)
- Review of a determination made under section 4.55 or 4.56 – s8.2(1)(b)
- Review of decision of Council to reject (but not determine) a Development Application – s8.2(1)(c)

2 Decision for review

DA/SF/DS No:

Determination Date:

Describe the development subject to this request:

Office use only

Related Policies: Legislative requirement

Issue Date: 10/12/2018

Review Date: 31/10/2019

Owned by (section): Development



3 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.

Mobile:

Home:

Business:

Postal Address Shop /Unit / Street No.:

Street Name:

Suburb / Town / Village / Locality:

State:

Postcode:

4 Development site – location and title details

Lot:

DP:

Section (where relevant):

Portion No:

Parish:

Shop / Unit / Street No:

Street name:

Suburb:

Postcode:

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:

5 Reasons for review

Provide reasons for your request. If the original application was refused, you must address each of the reasons for refusal in writing. Provide a separate submission if space is insufficient.

6 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:

7 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.

8 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:

9 Applicant's declaration

I apply for a review of the determination/decision 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 the review will be conducted in accordance with s8.3 of the EP&A Act;

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, if required, it is my responsibility to provide a set of documents for notification;

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.