



# Application to modify a consent or certificate, or to review a determination

Environmental Planning & Assessment Act

## property details

Lot N<sup>o</sup>/s.  Section N<sup>o</sup>.  DP N<sup>o</sup>.

Street N<sup>o</sup>.  Street name

Township  Postcode

## application details

Development consent N<sup>o</sup>.  Construction certificate N<sup>o</sup>. (if applicable)

Complying development certificate N<sup>o</sup>. (if applicable)

Date of consent/ certificate

Does this proposal affect your BASIX/NatHERS commitment:  
*(eg: Changes to orientation of the building, external fabric of the building (eg window and door locations, external construction materials, eaves and shading devices), including wall and roof colour, will affect your BASIX commitments)*

Yes  No  N/A If yes/no, a new certificate will be required at time of lodgement.

## type of application

### Modify development consent / certificate \*

*Note: Re-notification may be required (fee applicable)*

- Minor - To correct a minor error, misdescription or miscalculation only - s. 4.55(1)
- Minor - Modifications involving minimal environmental impact - s. 4.55(1A)
- Other - All other modifications - s. 4.55(2)

Modify construction certificate\*

Modify complying development certificate

### Review of determination / rejected application

- Review of rejected development application s. 8.2(1)(c)
- Review of development application determination s. 8.2(1)(a)
- Review of modification determination s. 8.2 (1)(b)

### further information

#### Blue Mountains City Council

KATOOMBA: 2-6 Civic Place  
 SPRINGWOOD: 104 Macquarie Rd  
 POSTAL ADDRESS:  
 Locked Bag 1005 Katoomba 2780

TELEPHONE: (02) 4780 5000  
 FACSIMILE: (02) 4780 5555  
 EMAIL: council@bmcc.nsw.gov.au  
 WEB: www.bmcc.nsw.gov.au

Fees must be paid at time of lodgement. Fee quotes can be obtained by contacting Council.

### Modify consent/ certificate

Should the application to modify the consent substantially alter the development then a new development application is to be lodged.

Notification may be required when the modification includes changes to the external configuration of the development or have a potential impact on surrounding properties eg. Changes to sizes or location of windows will require notification. A notification fee is applicable.

\* If the development consent affects the construction certificate then a new construction certificate is required.

### Reviews

To review a rejected application, development application or modification determination, you must apply within statutory requirements. See overleaf for further information.

Office use only  
Application number

Date received

MODIFY/REVIEW-7

# outline of proposal

*Include in your statement a description of the modification, the expected impacts of the modification, and that the development (as modified) will remain substantially the same as the development that was originally approved.*


## applicant details

Name/ Company name

Postal address

Township

Postcode

Contact name

Telephone

Email address

*I declare to the best of my knowledge and belief that all the particulars herein are correct in every detail and all the information required has been supplied.*

Signature

Date

## owner details

*As owner/s of the property, I/we consent to this application.*

Names/ Company name

Owner 1

Signature

Date

Owner 2

Signature

Date

## notes

### Modifications to the development consent:

**s. 4.55(1)** – “Minor modifications” is defined as a rectification of a minor error, minor misdescription or minor miscalculation; **s. 4.55(1A)** – Applications involving minimal environmental impact; **s. 4.55(2)** – All other modifications. Renotification may be required. Where BASIX commitments are affected by the modification, a new BASIX certificate must be submitted with the application, at the time of lodgement.

### Review of determination:

To review a rejected application; or review the determination of an application; or review or vary conditions of consent; or modified determinations. Applications must be received within statutory requirements: rejected development applications (within 14 days of Council’s notification); review a development application determination (within 6/12\* months of determination based on lodgement date); review of modification determination (within 28 days of Council’s notification).

Refer to plans and condition numbers of the development consent if appropriate.

Attach details in support of your application.

Please attach 2 copies of plans (for single dwellings and ancillary structures) or 4 copies of plans (for all other development) when the the proposal involves changes to the approved plans. Include an A4 size notification plan.

**This section MUST be completed by ALL owners.**

Should there be more than two property owners, please attach a separate consent authority signed by all owners.

Companies will need to either provide their ACN or attach letterhead correspondence indicating the approval to lodge the application.

# declaration

This declaration is made on behalf of the applicant and owners

You (applicant and owner) are required to declare all affiliations or associations with Councillor/s or Council staff which may lead a reasonable person to believe that a Councillor or staff member may not be able to deal with your application in an impartial manner. Certain affiliations/associations may also mean that the application may need to be referred to a Local Planning Panel for determination.

A declaration is required of all affiliations or association where you:

- a) are submitting the application for development by Council or on land under Council's care or ownership;
- b) are a Councillor;
- c) are a member of Council staff;
- d) are a member of Parliament (either the Parliament of New South Wales or Parliament of the Commonwealth); or
- e) are a relative (within the meaning of the Local Government Act 1993) of a person referred to in b) to d).
- f) have a close personal friendship with a person referred to in b) to d);
- g) have a shared membership in a club, political party or organisation with a person referred to in b) to d);
- h) have business dealings with a Councillor/s or member/s of staff outside their official Council role; or
- i) have provided a gift, benefit, loan, payment or hospitality to a person referred to in b) to d).

*Please select*

There are no affiliations or associations, as defined above.

The following are affiliates or associates of the applicant/owner (*provide details*):

Name of Councillor/ Council Staff Member or Member of Parliament	Nature of Affiliation or Association

Declared on behalf of Applicant & Owner:

Signature on behalf of Applicant and Owner:

Dated:

## **Relation defined:**

Under the Local Government Act 1993, relative, in relation to a person, means any of the following:

- (a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or of the person's spouse or de facto partner,
- (b) the spouse or de facto partner of the person or of a person referred to in paragraph (a).

## **Political donations and gifts disclosures:**

Persons with a financial interest in a planning application, or those associated with that person, must disclose any reportable political donations and gifts made to any councillor of this council, or gifts to employees of this council, made during the previous 2 years of making the application. Disclosure Statements must accompany the application or be lodged with Council within 7 days from making the donation or gift, up to the time it is determined. Copies of the form and further information are available from council's offices and website [www.bmcc.nsw.gov.au](http://www.bmcc.nsw.gov.au)