

# APPLICATION TO MODIFY DEVELOPMENT CONSENT

This form is required for lodgement of application for modification of a Development Consent under Section 4.55 (1), (1A), (2) or Section 4.56 of the *Environmental Planning and Assessment Act, 1979*.

## About this form

Use this form for a minor modification to the approved development, or to vary / delete a condition on your consent, or for amendments to the approved design which will not substantially alter the approved development.

## Council Contact Details

**Customer Service Centre** 1 Pope Street, Ryde NSW  
**Post** Locked Bag 2069, North Ryde NSW 1670  
**Email** cityofryde@ryde.nsw.gov.au  
**Phone** (02) 9952 8222

## PART 1 : APPLICANT AND LOCATION DETAILS

To apply, you must be the original applicant or any other person entitled to act on the Consent as per provisions of the *Environmental Planning and Assessment Act, 1979*

Please note that the applicant is the only person the City of Ryde will communicate with in the matter.

It is important that we are able to contact you if we need more information.

**Title**                      **Mr**        **Mrs**        **Ms**        **Miss**        **Other**

**Given Name** (or company)

**Family Name** (or ACN)

**Address**

**Suburb**

**Postcode**

**Postal Address**

We will only post correspondence to this address if deemed necessary otherwise it will be via the NSW Planning Portal

If different from above

**Suburb**

**Postcode**

**Preferred contact**

**Mobile**

**Phone**

**Email**

**Mobile**

**Phone**

**Business phone**

**Home phone**

**Email**

Please note: all correspondence will be sent to this email address (please print clearly).

## LOCATION OF PROPERTY

We need this to correctly identify the land.

**Address**

**Suburb**

**Postcode**

**Legal description of property**

(e.g. lot / DP etc.)

Personal information collected from you is held and used by Council under the provisions of the *Privacy and Personal Information Protection Act 1998*. The supply of information is voluntary, however if you cannot provide, or do not wish to provide the information sought, Council may be unable to process your request. Please note that the exchange of information between the public and Council, may be accessed by others and could be made publicly available under the *Government Information Public Access Act 2009 (GIPA Act)*. If you require further information please contact Council's Customer Service Centre on 9952 8222.

OFFICE USE ONLY Receipt number

Amount paid \$

Date received

## OWNER'S CONSENT

Every owner of the land must sign this form.

If the owner is a company, this form must be signed by two directors or a director and a company secretary and the common seal must be stamped on this form if applicable.

If it is Council owned property / land, the General Manager must sign this form prior to the application being submitted.

If the property is a unit under strata title or a lot in a community title, then in addition to the owners signature, the common seal of the body corporate must be stamped on this form over the signature of the owner and signed by the chairman or secretary of the Body Corporate or the appointed managing agent.

Name of owner or authorised person

Position (if company)

Address

Suburb

Postcode

Preferred contact

Mobile

Phone

Email

Mobile

Phone

Email

As owner of the land to which this application relates, I consent to this application. I also consent for authorised Council officers to enter the land and carry out inspections relating to this application.

Signature

Date

Without the owner's consent, we will not accept the application. This is a very strict requirement for all applications.

If you are signing on the owner's behalf as the owner's legal representative, you must state the nature of your legal authority and attach documentary evidence (e.g. power of attorney, executor, trustee, company director, etc).

## DEVELOPMENT CONSENT TO BE MODIFIED

LDA Consent No.

Determination Date

PAN No.

Has the work commenced?

Yes

No

## PART 2 : TYPE AND DESCRIPTION OF MODIFICATION

Tick which modification applies

**Minor modification under Section 4.55 (1) (This is only for correction of misdescriptions or errors:**

Describe minor error, misdescription or miscalculation

**Minor modification with minimal environmental impact under Section 4.55 (1A)**

Provide details about the variation to condition/s or minor amendment to design. This must be clearly highlighted on the plans and a schedule of changes.

**Other modification under Section 4.55 (2) or Section 4.56**

Provide details of the proposed variation to condition/s, and amendment to design, etc. This must be clearly highlighted on the plans and a separate schedule of changes must be provided.

**REASON FOR REQUESTING THE MODIFICATION**

Explain your reasons for requesting the modification and how additional impacts will be minimised. A separate Statement of Environmental Effects may be required when lodging via the NSW Planning Portal.

**PART 3 : DECLARATION**

I hereby make the application outlined above and I declare that the modifications listed above are the only changes proposed.

I also understand that if the information is incomplete, the application may be delayed or rejected or more information requested. I acknowledge that if the information provided is misleading, any approval granted “may be void”.

**Signature**

**Date**

## HOW TO LODGE THIS APPLICATION

Your application for modification can only be lodged via the NSW Planning Portal (online lodgement). Please refer to Council's website for more information for lodgement of Development Applications.

**Additional information:** For more information visit [www.ryde.nsw.gov.au](http://www.ryde.nsw.gov.au) or call the Ryde Customer Service Centre on 9952 8222.

**We recommend that you consult with the City of Ryde Customer Service Team before lodging this application. You may be required to lodge a construction certificate. Please discuss your application with a Customer Service Officer.**

### FEES

Fees are calculated in accordance with the City of Ryde fees and charges. Additional notification fees may apply if additional changes are made that were not notified on the application form. Fee will be requested when your application is ready for acceptance by Council after pre-lodgement review via the NSW Planning Portal.

### PAYMENT METHODS

**Post** Cheque or Money Order

**In person** Cash, Cheque, Money Order, Mastercard, Visa, AMEX and / or EFTPOS

Restrictions may apply to the use of credit cards. Please contact the City of Ryde Customer Service Centre for advice. Make cheques payable to "City of Ryde".

**Upon lodgement, you will receive a receipt specifying the amount of fees paid and the registration number of the application.**

## INFORMATION ABOUT MAKING AN APPLICATION TO MODIFY A DEVELOPMENT CONSENT

### What is a Section 4.55 Modification?

Section 4.55 of the *Environmental Planning and Assessment Act*, enables an application to be made to Council for minor changes to a Development Consent.

If the Council is satisfied that the modification proposed is minor and will not substantially alter the nature of the original approval, and if the proposed modification has been notified to people who may be affected, it may grant approval for the modification.

### When can an Application for a Modification be made?

You can only make an Application for a Modification for a consent while it is still valid. Consents are valid for 5 years and they are also valid once the approved development has commenced in accordance with the conditions of consent.

### What must be included in an Application for Modification?

Your application must clearly explain the amendments that you wish to make. If these amendments involve changes to the design, the application must include copies of plans that show these changes plus all relevant supporting documentation that justify the change/s.

- A PDF copy of the original stamped approved plans and Determination Notice with conditions
- New plans with area/s changes clearly identified by colouring in or clouding
- A schedule of changes
- Changes should be in colour, or bubbled on the plan
- Plans should include: site plan, elevations, floor plan and / or sections.
- 1 x copy of completed application form and any other documentation and Statement of Environment Effects.

- 1 x A4 colour copies of new plans if notification is required.
- Plus 1 electronic version (PDF) of all documents and plans.
- Fees will be charged in accordance with Council's fees in the Management Plan.

**Note:** From 1 June 2020, all plans and documentation must be submitted as part of the application as in accordance with Council's electronic lodgement of documents and file naming guidelines contained within the Development Application Information Package.

### Privacy Notification

In completing this form you will be prompted to supply information that is personal information for the purposes of the *Privacy and Personal Information Act 1998*. The supply of this information is voluntary. If you cannot provide, or do not wish to provide the information sought, the Council may be unable to process your request. With regard to Subdivision Certificate Applications, Council requires the provision of owner's name and address with signature(s) to verify owner's permission. This information is available for public inspection. Council is required under the Act to inform you about how your personal information is being collected and used. If you require further information please contact Council's Customer Service Centre on 9952 8222 and ask for an information sheet to be forwarded to you.