



"Comfortable Country Living"

MODIFICATION APPLICATION

To modify a Development Consent (s.96 EP&A Act), Construction Certificate (cl. 148 EP&A Regs), Complying Development Certificate (s. 87 EP&A Act)

Bogan Shire Council
P.O. Box 221
Nyngan, NSW 2825
Ph: (02) 6835 9000
Fax: (02) 6835 9011

Office Use Only
Application No.: _____
Date Received: _____

The personal information that Council is collecting from you on this application form is personal information for the purposes of the Privacy and Personal Information Protection Act 1998 (PPIP Act). The supply of the information by you is not voluntary but is required by the Environmental Planning & Assessment Act, and in accordance with such Act and the Local Government Act, is required to be contained in a Public Register to which the public has right of access. This personal information may be supplied under certain circumstances to other public sector agencies e.g. Australian Bureau of Statistics, Australian Taxation Office, in accordance with the PPIP Act. Enquiries may be directed to Council's Public Officer concerning the PPIP Act or Council's Privacy Management Plan or your right of access to your personal information held by Council or its amendment.

Part 1 What is being modified?

1. **What type of application is being modified?**
 Development Consent No.: _____
Date of Issue: _____
 Construction Certificate No.: _____
Date of Issue: _____
 Complying Development Certificate No.: _____
Date of Issue: _____

2. **Description of the original approval**
Please provide a description of the development to be carried out under the consent (as previously modified)

3. **Was the original Approval for Integrated Development or had other approvals or concurrences?**
 No **Yes** – if yes, please list below:

Part 2 Site and Applicant Details

4. **Location of the proposed development**
Unit No: _____ House No.: _____ Property/Building Name: _____
Street: _____
Town/Village/Locality: _____

5. **Land title description**
We need this to correctly identify the land
Lot(s): _____ Section: _____
Deposited Plan(s): _____
Other: _____ Strata Plan: _____

6. **Your (the Applicant's) name**
If you represent a company, please apply in the company's name. State your position under the "Title – Other".
Title Mr Mrs Ms Miss
 Dr Other: _____
Surname: _____
Given names: _____
Company: _____
Contact person: _____

Part 2**Site and Applicant Details (cont.)****7. Your postal address**

8. Your contact detailsPhone (BH):

 Mobile:

Fax:

 Email:

Part 3**Modification Details****9. Type of Modification**

For Development Consents ONLY

- the modification is merely intended to correct a minor error, misdescription or miscalculation, or
- that the modification is intended to have some other effect, as outlined below:

For consents granted by the Land & Environment Court, is the modification being made:

- to the Court (under section 96), or
- to the consent authority (under section 96AA)

10. Modification Description

Description of the proposed modification to the development consent.

11. Impacts of the Modification

Please provide a description of the expected impacts of the modification.

12. Will the development (as modified) remain substantially the same as the development that was originally approved?

- Yes
- No You cannot modify the existing approval. You will need to lodge a fresh application.

Part 4**Signatures****13. Are you the owner of the land?**

- Yes No – If no, please ensure Q. 15 is completed.

14. Applicant's declaration

Before signing, make sure you have addressed and completed all applicable questions on this form.

I apply for approval to carry out the development described in this application, and I declare that to the best of my knowledge and belief, the information supplied is correct and complete.

I also understand that:

- Personal information, provided on/with this application will be available to be accessed by the Public pursuant to the EP&A Act and the LG Act. The subject Acts permit members of the public to obtain extracts of the application and of certain accompanying documentation.
- I am not entitled to copyright and am taken to have indemnified all persons using the application and documents in accordance with the Act against any claim or action in respect of breach of copyright (cl 57, EP & A Reg. 2000).
- This application authorises Council officers to enter the property to perform inspections associated with its processing, determination and compliance.
- I am liable to pay for/rectify any damage caused to Council roads, drains etc arising from construction works associated with the proposed development.

Applicant's Signature _____

Applicant's Name _____

Capacity, if not Applicant _____

15. Consent of all Land Owners to lodge this application

The owner(s) authorisation to lodge this application must be obtained if you are not the owner. This is a mandatory requirement of the Act.

Note: If the land is owned by a company, a company seal must be provided with at least one executive signature.

As owner of the above property, I/we consent to this application and grant permission for:-

- (1) The Applicant to:
 - submit amendments in relation to such application,
 - make application for activity approvals associated with the development,
 - make application for associated construction certificate(s),
 - make application for review/modification of any subsequent approval; and
- (2) Council officers to enter upon such property for the purposes of assessing this application and the performing of any associated and subsequent inspections.

Owner(s) Name: _____
(print)

Owner(s) Signature(s): _____

Date: _____

Part 5 Submission Checklist

16. The Modification Application must be accompanied by the following documents where the modification affects the following:

	Yes	N/A	Office Use Only
For all applications			
• Site Plan of the land , which must indicate the following:			
- Location, boundary dimensions, site area and north point of the land,	D	D	D
- Existing vegetation and trees on the land,	D	D	D
- The location and uses of existing buildings on the land,	D	D	D
- Existing levels of the land in relation to buildings and roads,	D	D	D
- The location and uses of buildings on sites adjoining the land.	D	D	D
• A Plan(s) of the development , which must indicate the following:			
- The location of any proposed buildings or works (including extensions or additions to existing buildings or works) in relation to the land's boundaries and adjoining development,	D	D	D
- Floor plans of any proposed buildings showing layout, partitioning, room sizes and intended uses of each part of the building,	D	D	D
- Elevations and sections showing proposed external finishes & heights of proposed buildings,	D	D	D
- Elevations and sections showing heights of any proposed temporary structures and the materials of which any such structures are proposed to be made (using the abbreviations set out in clause 7 of Schedule 1 of the Regulations),	D	D	D
- Proposed finished levels of the land in relation to existing & proposed buildings & roads,	D	D	D
- Proposed parking arrangements, entry and exit points for vehicles, & provisions for movement of vehicles within the site (including dimensions where appropriate),	D	D	D
- Proposed landscaping and treatment of the land (indicating plant types and their height and maturity)	D	D	D
- Proposed methods of draining the land.	D	D	D

- For BASIX affected development, such other matters as any BASIX certificate for the development requires to be included on the sketch,	D	D	D
- For BASIX optional development, if the development application is accompanied by a BASIX certificate or BASIX certificates, such other matters as any BASIX certificate for the development requires to be included on the sketch.	D	D	D
• In the case of development that involves the erection of a building , an A4 plan of the building that indicates its height and external configuration, as erected, in relation to its site (as referred to in clause 56 of the Regulation),	D	D	D
• If the development involves building work to alter, expand or rebuild an existing building , a scaled plan of the existing building.	D	D	D
• A species impact statement (in the case of land that is, or is part of, critical habitat or development that is likely to significantly affect threatened species, populations or ecological communities, or their habitats).	D	D	D
• If the development involves a change of building use:			
- A list of the Category 1 fire safety provisions that currently apply to the existing building, and	D	D	D
- A list of the Category 1 fire safety provisions that are to apply to the building under its new use.	D	D	D
• If the development involves any subdivision work:			
- Details of the existing and proposed subdivision pattern (including roads and allotments),	D	D	D
- Details of consultation with public authorities responsible for provision of utility services,	D	D	D
- Preliminary engineering drawings indicating proposed infrastructure including roads, water, sewerage, stormwater, power, telephone, gas,	D	D	D
- Existing and finished ground levels, existing buildings, trees, wells and water channels,	D	D	D
- Details of areas to be filled, including nominating any existing trees to be removed,	D	D	D
- Preliminary soil & water management details.	D	D	D
• If the land is within a wilderness area and is the subject of a wilderness protection agreement or conservation agreement within the meaning of the <i>Wilderness Act 1987</i> , a copy of the consent of the Minister for the Environment to the carrying out of the development,	D	D	D
• Additional information required by Council , where applicable:			
- Measures proposed to protect any adjoining properties, roads and footpaths, and the public.	D	D	D
- Waste products generated by the development, their collection and manner of disposal.	D	D	D
- Soil & water management plan, including erosion & sedimentation control details.	D	D	D
- Type, vehicle size, frequency and delivery times of service and delivery vehicles to the site.	D	D	D
• If the development is located on Bush Fire Prone Land:			
- A bush fire assessment detailing compliance/deviations from Planning for Bush Fire Protection,	D	D	D
- And if Integrated due to s100B, provide all details specified under clause 46 of the Rural Fires Regulation 2002, together with completion of the NSW RFS Referral Form.	D	D	D
• A development application for any BASIX affected development must also be accompanied by a BASIX certificate or BASIX certificates for the development, being a BASIX certificate or BASIX certificates that has or have been issued no earlier than 3 months before the date on which the application is made.	D	D	D
• If the proposed development involves the alteration, enlargement or extension of a BASIX affected building that contains more than one dwelling, a separate BASIX certificate is required for each dwelling concerned.	D	D	D
• if the development involves the erection of a temporary structure , the following documents:			
- Documentation that specifies the live and dead loads the temporary structure is designed to meet,	D	D	D
- A list of any proposed fire safety measures to be provided in connection with the use of the temporary structure,	D	D	D
- In the case of a temporary structure proposed to be used as an entertainment venue—a statement as to how the performance requirements of Part B1 and NSW Part H102 of Volume One of the <i>Building Code of Australia</i> are to be complied with (if an alternative solution, to meet the performance requirements, is to be used),	D	D	D
- Documentation describing any accredited building product or system sought to be relied on for the purposes of section 79C (4) of the Act,	D	D	D
- Copies of any compliance certificates to be relied on,	D	D	D
• in the case of a development involving the use of a building as an entertainment venue or a function centre, pub, registered club or restaurant —a statement that specifies the maximum number of persons proposed to occupy, at any one time, that part of the building to which the use applies.	D	D	D
• A development application that relates to development in respect of which a site compatibility certificate is required by a State Environmental Planning Policy must be accompanied by such a certificate.	D	D	D

For the Construction Certificate Application

• Detailed building plans , drawn to a suitable scale and consisting of a block plan and a general plan, that show:			
- A plan of each floor section, and	D	D	D
- A plan of each elevation of the building, and	D	D	D
- The levels of the lowest floor and of any yard or unbuilt on area belonging to that floor and the levels of the adjacent ground, and	D	D	D
- The height, design, construction and provision for fire safety and fire resistance (if any),	D	D	D
• Specifications for the development:			
- That describe the construction and materials of which the building is to be built and the method of drainage, sewerage and water supply, and	D	D	D

<ul style="list-style-type: none"> - state whether the materials to be used are new or second-hand and (in the case of second-hand materials) give particulars of the materials to be used, 	D	D	D
<ul style="list-style-type: none"> • A statement as to how the performance requirements of the <i>Building Code of Australia</i> are to be complied with (if an alternative solution, to meet the performance requirements, is to be used), 	D	D	D
<ul style="list-style-type: none"> • A description of any accredited building product or system sought to be relied on for the purposes of section 79C (4) of the Act, 	D	D	D
<ul style="list-style-type: none"> • Copies of any compliance certificate to be relied on, 	D	D	D
<ul style="list-style-type: none"> • If the development involves building work to alter, expand or rebuild an existing building, a scaled plan of the existing building, 	D	D	D
<ul style="list-style-type: none"> • In the case of development to which clause 6A (of Schedule 1 of the Regulations) applies, such other matters as any BASIX certificate for the development requires to be included in the plans and specifications. 	D	D	D
<ul style="list-style-type: none"> • If the development involves building work (other than work in relation to a dwelling-house or a building or structure that is ancillary to a dwelling-house or work that relates only to fire link conversion): <ul style="list-style-type: none"> - A list of any existing fire safety measures provided in relation to the land or any existing building on the land, and - A list of the proposed fire safety measures to be provided in relation to the land and any building on the land as a consequence of the building work, 	D	D	D
<ul style="list-style-type: none"> • An application for a construction certificate that relates only to fire link conversion need only be accompanied by a document that describes the design and construction, and mode of operation, of the new fire alarm communication link. 	D	D	D

LODGEMENT INFORMATION

HOW TO LODGE YOUR APPLICATION

Mail

Address the application to:

General Manager
Bogan Shire Council
PO Box 221
NYNGAN NSW 2825

Payment Methods by Mail

Cheque or Credit Card (*complete the section below*)

Lodge in person

Between 8.30am and 4.00pm at Council's Office

Bogan Shire Council
81 Cobar Street
NYNGAN NSW 2825

**Please note: You may need to spend some time with an Environmental Department Officer prior to or when submitting your application. This may take up to 30m minutes, however this can depend on the complexity of your application.*

Payment Methods in Person

Cash, Cheque, Credit Card and/ or EFTPOS

How to Contact Us

Phone: (02) 6835 9000
Fax: (02) 6835 9011

E: admin@bogan.nsw.gov.au
W: www.bogan.nsw.gov.au

Office Hours:
8.00am to 4.30pm*

Fees

Fees are in accordance with Council's adopted fees and charges.

Please note: a formal fee quotation must be obtained from the Development and Environment Department prior to acceptance of your application.

If you require further information regarding this request, please contact Council on (02) 6835 9000.

CREDIT CARD PAYMENT AUTHORITY

CREDIT CARD PAYMENT DETAILS

BANKCARD

Card holder phone Number:

MASTERCARD

Number: / / /

VISA

CCV Number:

NAME ON CARD:

EXPIRY DATE:

SIGNATURE:

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