

Modification of Development Approval

Environmental Planning and Assessment
Act 1979 Section 4.12
Section 4.55 Modifications

You can use this form to request approval to modify an existing development approval in the Georges River Council Local Government Area where Council is the consent authority. **Note:** This form should **NOT** be used for a new development consent, review or applications for Food and Drink Premises registration, Outdoor Dining and Complying Developments.

Advisory Notes

- The **Development Application Guide** is available at www.georgesriver.nsw.gov.au. This guide will help you complete the application form. For further enquiries, contact Customer Service on 9330 6400.
- An incomplete submission may result in rejection of your application. Please refer to the **Application Checklist** attached to ensure all required documents are provided prior to submitting this application.
- Completed application form must be submitted with owner's consent given by **ALL** owners. Incomplete or incorrect owners consent will result in rejection of your application.
- Application fee must accompany application – Refer to Schedule of Fees and Charges.
- All documents must be stored on a USB that is not password protected in accordance with Council's Development Application Guide.

NOTE: **Part A** of this application form **must** be provided separately in the electronic copy of documentation. **Part B** of this form, with your completed details, may be publicly available on Council's website.

Part A - Applicant and Owner Details

Applicant Details		CSO Checked <input type="checkbox"/>
Company/Organisation:	ABN:	
<p style="color: red; font-weight: bold; margin: 0;">If Applicant is a Company:</p> <p style="font-size: small; margin: 0;">Application form must be signed by 2 directors or a director and the company secretary. In the case of a proprietary company that has a sole director, that director only must sign and must indicate that he/she is the sole director. An ASIC search must be attached to the application form.</p>		
Mr <input type="checkbox"/> Ms <input type="checkbox"/> Mrs <input type="checkbox"/> Dr <input type="checkbox"/> Other <input type="checkbox"/>		
Name:		
Street Address:	Suburb:	Postcode:
Postal Address:		
Phone:	Mobile No:	
E-mail Address:		
Signature:	Date:	
Position:		
Signature:	Date:	
Position:		

Development Site Address	
Please list all properties subject to this application	
Street Address:	
Suburb:	Postcode:
Lot:	Section:
Site Area (m ²):	DP/SP:
	Floor Area (m ²):

Registered Owners Consent Appropriate for your Application	
Torrens Title Property	<ul style="list-style-type: none"> Owned by individuals. Please complete the Registered Owners Detail section. Owned by a company. Please complete the Registered Owners Detail section and the application form must be signed by 2 directors or a director and the company secretary. In the case of a proprietary company that has a sole director, that director only must sign and must indicate that he/she is the sole director. An ASIC search must be attached to the application form.
Strata Title Property	<ul style="list-style-type: none"> Owned by individuals / works not affecting common property. Please complete the Registered Owners Detail section. Owned by individuals / works affecting common property. Please complete the Registered Owners Detail section and the Strata Property - works affecting Common Property section.

Registered Owner Details		CSO Checked <input type="checkbox"/>
Organisation/Company Name (if applicable):		
Title:	Title:	
Name	Name	
Postal Address:	Postal Address:	
Suburb:	Suburb:	
Contact Number:	Contact Number:	
E-mail Address:	E-mail Address:	
As the owner(s) of the property subject to this application I/we consent to the lodgement of this application and to Council entering the property for assessing the application and compliance with any approval which may be issued by Council.		
Signature:		
Position:	Date:	
Signature		
Position:	Date:	



Strata Property	
Works affecting common property – Section 108 of Strata Scheme Management Act	CSO Checked <input type="checkbox"/>
For works that affect common property, the owners corporation consent is required. Section 108 of the Strata Schemes Management Act allows for changes to common property if the owners corporation has passed a special resolution authorising the works. The applicant must ensure that the owners corporation has given a valid consent. The applicant should seek a copy of the minutes / resolution of a general meeting authorising the change to common property or letter on strata management letterhead stating that the requirements of the Strata Schemes Management Act 2015 have been met.	
Strata/Body Corporate Name:	Position:
Signature:	Date:
Strata/Body Corporate Name:	Position:
Signature:	Date:
Strata Stamp Seal to be affixed here if applicable	

Conflict of Interest	
Is the applicant or owner a staff member, Councillor, or contractor of Georges River Council or is the applicant or owner related to someone who is a staff member, Councillor, or contractor of Georges River Council?	<input type="checkbox"/> Yes <input type="checkbox"/> No If Yes state relationship:
Is the application being submitted on behalf of an employee or Councillor?	<input type="checkbox"/> Yes <input type="checkbox"/> No If Yes please explain nature of interest:

Declaration	
<ul style="list-style-type: none"> ▪ I understand that if the information is incomplete, the application may be rejected and returned. ▪ I declare that all the information in the application is to the best of my knowledge, true and correct. ▪ I acknowledge that if the information provided is misleading, any approval granted 'may be void'. ▪ I accept that inadequacies in the material submitted may result in delays in the processing of the application. ▪ I certify that any shadow diagrams provided with this application are prepared in accordance with the survey (prepared by a registered surveyor), drawn to true North, indicate the shadows cast by the proposal between 9am and 3pm on 21st June, indicate the shadow cast by existing buildings and structures on site and in the surrounding area and if applicable elevations of adjoining premises showing existing and proposed shadows. ▪ I understand that Council will use the information and materials provided for notification and advertising purposes. ▪ I understand that Council officers may need to carry out a site inspection and will undertake to make site access available as required. ▪ I am authorised by the copyright holder of any material submitted with this application to provide this material to Council for the purpose of this application. 	
Applicant's Signature:	Date:



Political Donations and Gift Disclosure Statement

Persons lodging an application with Council are required to declare reportable political donations and gifts. Has the applicant or owner made political donations of more than \$1,000 or gifts (regardless of value) in the previous two (2) years?

- No
- Yes

If yes, you must complete & submit the Declaration of Political Donations and Affiliations form. For more details refer to the Development – Political Donations and Gifts page on our website or the following link <https://www.planning.nsw.gov.au/Assess-and-Regulate/Development-Assessment/Planning-Approval-Pathways/Donations-and-Gift-Disclosure>

Privacy Statement

Georges River Council is required under the *Privacy and Personal Information Protection Act 1998* to collect, maintain and use your personal information in accordance with the Information Privacy Principles. Your personal information is being collected to process your application. Council may use your personal information for the purposes of processing your application. Council is regarded as the agency that holds the information and in accordance with section 18(1)(b) of the *Privacy and Personal Information Protection Act 1998 (NSW)*, you are advised that all application forms received by Council will be placed on the appropriate Council file and may be disclosed to Councillors, Council officers, consultants to Council or members of the public. Pursuant to the provisions of the *Government Information (Public Access) Act 2009*, Council is obliged to allow inspection of its documents, including any application you make. You may apply to access or amend your information by contacting Council on 9330 6400 or at mail@georgesriver.nsw.gov.au.

Applicant's Signature:.....Date:.....



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Section 4.55 Modifications

Part B - Application and Site Details

Please note that the information provided in this part may be placed on Council's website and be publicly available.

Site Details

Please list all properties subject to this application

Unit No.	House No.	Building Name:
Street Name:		
Suburb:		Postcode:
Lot:	Section:	DP/SP:
Site Area (m ²):		Floor Area (m ²):

Applicant Details

Title	Given Name:	Family Name:
Organisation/Company Name (if applicable):		

Details of the Original Development Consent

Describe what the original consent allows:	
What is the development application number?	What is the date of the consent?

Type of Modification

<input type="checkbox"/> Section 4.55(1) modification to correct a minor error, misdescription or miscalculation <input type="checkbox"/> Section 4.55(1A) modification that will have minimal environmental impact <input type="checkbox"/> Any other Section 4.55	
Describe the error, misdescription or miscalculation or Describe the modification and its expected impact:	
Who approved the application you wish to amend?	
<input type="checkbox"/> Council (or Georges River Local Planning Panel) or <input type="checkbox"/> Sydney South Planning Panel or <input type="checkbox"/> Land & Environment Court	
(If it was the Land and Environment Court, you may apply to Council or the Land & Environment Court to modify the consent)	
Do you wish to apply to the Council under Section 4.56 to modify the consent?	
<input type="checkbox"/> No If No, the Council cannot determine this application and you must apply to the Land & Environment Court	

<input type="checkbox"/>	Yes	Describe the modification and its expected impact:
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Substantially the Same Development

Will the modified development be substantially the same as the development that was originally approved?

<input type="checkbox"/>	No	Please do not use this form. You need to lodge a Development Application.
<input type="checkbox"/>	Yes	Please provide evidence that the development will remain substantially the same. (If you need to attach additional pages, please list the material attached).

Submitted plans must highlight all proposed amendments made and provision of associated recalculations if applicable. Substantial alterations may require a new development application. The development as modified must be substantially the same development and you must provide evidence of this. It is recommended that you contact the assessment officer who dealt with the Development Application to discuss the modification or book pre – lodgement meeting prior to lodgement.

Development Requirements

Construction Certificate

Is a Construction Certificate Application to be lodged at the same time as the application for development consent?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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If Yes, a Construction Certificate application must be completed and lodged with this application.

Principal Certifying Authority

If your development involves building works you will need to appoint a Principal Certifying Authority to carry out inspections and ensure it complied with any Development Consent that may be granted.

Do you wish to appoint Georges River Council as your PCA?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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If Yes, the Principal Certifying Authority (PCA) agreement must be completed and lodged with this application

Which type of Consent is required?	<input type="checkbox"/>	immediate commencement (recommended for most developments subject to construction cert. & notice of commencement)
	<input type="checkbox"/>	deferred commencement (recommended where many issues which may affect issue of consent exists - seek our advice)
	<input type="checkbox"/>	staged development (recommended for very large complex developments - seek our advice)

Pre – Lodgement Consultation

Have you had a pre-lodgement consultation?	<input type="checkbox"/>	Yes – Pre – lodgement number
	<input type="checkbox"/>	No - go to next question

Section 68 Approval

Are you seeking approval to carry out any activity which requires Council approval in accordance with Section 68 of the Local Government Act 1993?	<input type="checkbox"/>	Yes – please provide details:
	<input type="checkbox"/>	No - go to next question

Environmental Planning & Assessment Regulation

Is the property/land a critical habitat?	<input type="checkbox"/>	Yes
	<input type="checkbox"/>	No
Will the development affect threatened species, populations, ecological communities or their habitats?	<input type="checkbox"/>	Yes
	<input type="checkbox"/>	No



Is the development a biodiversity compliant development? Biodiversity compliant development is defined in Schedule 1 of the Environmental Planning and Assessment Regulations 2000	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the land subject to a private land conservation agreement under the Biodiversity Conservation Act 2016?	<input type="checkbox"/> Yes – please provide details below: <input type="checkbox"/> No
Approval from Other Government Agencies	
Are you seeking approval for any activity as detailed on Attachment 1 from State Government Authorities as an integrated development?	<input type="checkbox"/> Yes – complete Attachment 1 <input type="checkbox"/> No
Do you need the concurrence of a State Agency to carry out the proposed development?	<input type="checkbox"/> Yes - please advise which agencies concurrence is required from <input type="checkbox"/> No
Design Review Panel	
Is Referral to the Design Review Panel for assessment under SEPP 65 applied for with this service?	<input type="checkbox"/> Yes – please ensure additional plans are provided as per checklist guidelines. <input type="checkbox"/> No
Heritage	
Does your proposal require works to a local heritage item or is within a heritage conservation area?	<input type="checkbox"/> Yes - please attach a heritage impact statement <input type="checkbox"/> No
If your proposal within the vicinity of a heritage item?	<input type="checkbox"/> Yes - please attach a heritage impact statement <input type="checkbox"/> No

Office Use Only	
DA_____ / _____	Amount Paid: \$
Date:	Receipt No:
CSO (Print name):	

Instructions for Applicants	
<p>Lodging an application requires a completed application form, supporting documentation and payment of the relevant fee.</p> <p>Fees and charges payable are shown in the Schedule of Fees and Charges available on our website. Payments can be by cash, cheque, EFTPOS and some credit cards (subject to a fee). Do not post cash. It is best to confirm fees before writing cheques. Dishonoured cheques will result in an application being cancelled and further charges to be added.</p>	
Print form	<p>Printed form can be submitted in person at Georges River Civic Centre or Kogarah Service Centres or it can be posted via the postal address Georges River Council, PO Box 205, Hurstville BC NSW 1481</p>
<p>Lodge by E-mail: mail@georgesriver.nsw.gov.au</p>	
<p>Lodge in person: Georges River Council:</p> <ul style="list-style-type: none"> • Georges River Civic Centre Corner MacMahon & Dora Streets, Hurstville Open: 8.30am – 5.00pm, Monday to Friday 	



- Kogarah Service Centre
Kogarah Town Square
Belgrave Street, Kogarah
Open: 8.30am to 12.00 noon

www.georgesriver.nsw.gov.au/ContactUs

Cashiering: For application lodgement purposes Georges River Civic Centre hours are from 8:30am - 4:30pm & Kogarah Service Centre hours are from 8.30am – 12.00 noon.

Lodge by mail: Georges River Council, PO Box 205, Hurstville BC NSW 1481

Cheques are to be made payable to: Georges River Council

Credit card: Please call Georges River Council with credit card details

Electronic Lodgement Requirements

- All applications and supporting information must be submitted digitally as PDF files on a USB. Security settings, including passwords and editing restrictions must not be applied to electronic plans and documents.
- Each document or plan must be titled in the following format:

Title of Plan or Document – Address of property.pdf

No punctuation (with the exception of the dash and “.pdf”) will be accepted. Failure to name the files in accordance with these requirements will result in the rejection of the application.

- Each plan must be at a minimum A4 size and rotated to landscape orientation.

For more information in relation to the electronic lodgement of development applications please see:

<https://www.georgesriver.nsw.gov.au/StGeorge/media/Documents/Development/Fact-Sheet-DA-Electronic-Lodgement.pdf>

- I declare that the electronic data provided is a true copy of all plans and associated documents submitted. I declare that each document is a PDF no bigger than 5MB; named descriptively; and there are no security settings applied. I declare that the electronic data is not corrupted and does not contain any viruses. I understand that information provided on the USB will be publicly available. I have stored Part A and B of this form separately on the USB.

Applicant (print name):Date:

Hard Copy Lodgement Requirements

- Applications lodged under State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development are required to be submitted to the Design Review Panel must be accompanied by 3 sets of hard copy plans and supporting documents.
- The Development Application Form and letter of owners consent will be accepted in hard copy if a pdf version is unavailable.



Attachment 1

Must be completed for Integrated Development

Nominate here other approvals which must be obtained for your proposal under Section 90 Environmental Planning & Assessment Act 1979 by placing a tick in the relevant box(es):


Section 90 Environmental Planning & Assessment Act 1979		
Approval being sought	Act & Section Reference	Responsible Authority
<input type="checkbox"/> Erect a structure or carry out a work in or over a public road	S138 Roads Act 1993	Council or RMS for classified roads
<input type="checkbox"/> Dig up or disturb the surface of a public road	S138 Roads Act 1993	Council or RMS for classified roads
<input type="checkbox"/> Remove or interfere with a structure, work or tree on a public road	S138 Roads Act 1993	Council or RMS for classified roads
<input type="checkbox"/> Pump water into a public road from any land adjoining the road	S138 Roads Act 1993	Council or RMS for classified roads
<input type="checkbox"/> Connect a road (whether public or private) to a classified road	S138 Roads Act 1993	Council or RMS for classified roads
<input type="checkbox"/> Carry out aquaculture	S144 Fisheries Management Act 1994	NSW Dept of Primary Industries
<input type="checkbox"/> Carry out dredging	S201 Fisheries Management Act 1994	NSW Dept of Primary Industries
<input type="checkbox"/> Cut, remove or destroy marine vegetation or net/dam/weir	S205 or S219 Fisheries Management Act 1994	NSW Dept of Primary Industries
<input type="checkbox"/> Revocation/modification conservation orders/state heritage item	S58 Heritage Act 1977	Heritage Council of NSW
<input type="checkbox"/> Works with area of relics or Aboriginal place	S90 National Parks & Wildlife Act 1974	National Parks & Wildlife Service
<input type="checkbox"/> Scheduled development	S434/47/55 POEO Act 1997	Environment Protection Authority
<input type="checkbox"/> Scheduled activities	S434/48/55 POEO Act 1997	Environment Protection Authority
<input type="checkbox"/> Non-scheduled activities	S434/55/122POEO Act 1997	Environment Protection Authority
<input type="checkbox"/> Licence-controlled waste facility	Waste Management Act 2000	Environment Protection Authority
<input type="checkbox"/> Bushfire safety of subdivision of land	S100B Rural Fires Act 1997	Rural Fire Service
<input type="checkbox"/> Water use, management	Water Management Act 2000 Part3 Ch3	Various



Attachment 2: Modification Application Checklist

Georges River Council DA Lodgement Requirements Matrix		Alts & Acids / Residential	Carports & Garages	Swimming Pools	Single (new) Dwellings / Secondary Dwelling	Dual Occupancy	Multi-Dwellings (not RFB)	Boarding House	Residential Flat Buildings	Mixed Use Development	Childcare Centres / Place of Public Worship	Alts & Acids Commercial	Change of Use / Commercial Fit out	Commercial / Retail / Industrial	Signage	Subdivision Only	Applicant Check	Applicant to Indicate if N/A	Council Officer Check
Plans & Drawings	Site Analysis Plan	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			
	Site Plan	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			
	Survey Plan	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	●	✓			
	Floor Plans - Existing and Proposed	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓					
	Elevations & Sections	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓				
	Landscape Plan				✓	✓	✓	✓	✓	✓	✓	✓		✓	●				
	Deep Soil Plan	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	●				
	Stormwater Drainage Concept Plan / OSD	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓		●			
	Flood Study	●	●	●	●	●	●	●	●	●	●	●		●	●	●			
	Shadow Diagrams – Existing and Proposed	●			●	✓	✓	✓	✓	✓	●	●		●	●				
	Subdivision / Strata Plan						●		●	●				●		✓			
	Environmental Site Management Plan	●	●	●	●	✓	✓	✓	✓	✓	✓	✓		✓					
	GFA & Building Height Certification						●	●	✓	✓	●	●		●					
	Streetscape Character Analysis	●	●	●	●	✓	✓	✓	✓	✓	✓	●		✓					
	Erosion & Sediment Control Plan	●	●	●	✓	✓	✓	✓	✓	✓	✓	●		●					
	Schedule of Colours & External Finishes	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓					
	Photo Montages					✓	✓	✓	✓	✓	✓	●		✓	✓				
	A4 size Notification Plans	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			
	3D Model								●	●									
	Supporting documentations	Statement of Environmental Effects	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
BASIX Certificate		●	●	●	✓	✓	✓	✓	✓	✓									
Arborist Report		●	●	●	●	●	●	●	●	●	●	●		●	●	●			
Assessment of Significance (5 part test)		●	●	●	●	●	●	●	●	●	●	●		●	●	●			
Bushfire Report		●	●	●	●	●	●	●	●	●	●	●		●	●	●			
Vegetation Management		●	●	●	●	●	●	●	●	●	●	●		●		●			



Georges River Council DA Lodgement Requirements Matrix  ✓ = Required ● = May be Required		Alts & Adds / Residential	Carports & Garages	Swimming Pools	Single (new) Dwellings / Secondary Dwelling	Dual Occupancy	Multi-Dwellings (not RFB)	Boarding House	Residential Flat Buildings	Mixed Use Development	Childcare Centres / Place of Public Worship	Alts & Adds Commercial	Change of Use / Commercial Fit out	Commercial / Retail / Industrial	Signage	Subdivision Only	Applicant Check	Applicant to Indicate if N/A	Council Officer Check
Heritage Impact Statement	●	●	●	●	●	●	●	●	●	●	●		●	●					
Waste Management Plan	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓						
Clause 4.6 Variation	●	●		●	●	●	●	●	●	●	●		●		●				
Fire Safety Schedule						●	●	●	●	●	●	●	●						
Access Report						✓	✓	✓	✓	✓	✓	✓	✓						
Design Verification Statement								✓	✓										
Geotechnical Report	●	●	✓	●	●	●	●	✓	✓	●	●		●						
Excavation Plan	●	●	✓	●	●	●	●	✓	✓	●	●		●						
Acid Sulphate Soils Management Plan	●	●	●	●	●	●	●	●	●	●	●		●						
Contamination / Remediation Action Plan	●	●	●	●	●	●	●	●	●	●	●		●						
Traffic and Parking Assessment Report						✓	✓	✓	✓	✓	✓	✓	✓						
Acoustic Report / Noise Assessment						●	✓	●	✓	✓	●	●	✓						
Construction Management Plan						✓	✓	✓	✓	✓	✓		✓	●					
Crime Risk Assessment						✓	✓	✓	✓		●	●	✓						
Structural Engineers Report / Party Wall Consent	●	●		●	●	●	●	●	●	●	●	●	●	●					
Swept Paths / Driveway Long Sections		✓		✓	✓	✓	✓	✓	✓	✓	●		✓		●				
NCC (BCA) Report					●	●	✓	✓	✓	✓	✓	✓	✓						
Social Impact Comment or Assessment							✓	✓	✓	✓			✓						
Solar Access Report					●	●	●	✓	✓										
Plan of Management							✓			✓									
Hard Copy Documents and Plans								✓	✓										

Note:

All Development Applications must provide all relevant plans and documentation included in the matrix table below. **Should a specified item be checked “N/A” the accompanying Statement of Environmental Effects must state why this item is not required.** Failure to submit all the information required in relation to the Development Application will result in the application being rejected.



Office Use Only		
Comments by Lodgement Officer I.e. Outstanding information or reasons for information not submitted	<input type="checkbox"/> Mail application	<input type="checkbox"/> Counter application

Applicant (print name): _____

Date: _____

Council Officer (print name): _____

Date: _____

Further information or frequently asked questions
<p>I have lodged Modification of Development Approval form, what should I expect in return?</p> <p>You will receive a confirmation email within two weeks of lodging your application providing you the name of the responsible officer in Council looking after your application and the next steps. If you have not received an email please call Council on (02) 9330 6400.</p>

