|  |
| --- |
| NOTE: Please complete all sections identified in red text. The below comments are a guide only – please amend text as applicable to the proposed development. |

# SITE LOCATION AND DETAILS

|  |  |
| --- | --- |
| **Statement prepared by:** | *Insert details* |
| **Date prepared:** | *Insert details* |
| **Property address:** | *Insert details* |
| **Zone:** | *Insert details* |
| **Lot size:** | *Insert details* |
| **Existing Structures/Use:** | *Insert details* |

***Note:*** *Please include any site photos here.*

# BACKGROUND

*This section is a detailed description of the subject site, its current/approved use, and the existing built structures.*

# PROPOSED MODIFICATION

*This section should detail what the modification application is seeking consent for.*

# ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (EP&A ACT)

*This section is to detail the Section Type of modification sought and how it complies with the Clause 4.55 of the Act. Please delete the Section not applicable to the proposed modification.*

***Either***

**(Section 4.55(1)) - Modifications involving minor error, misdescription or miscalculation**

Section 4.55(1) of the EP&A Act allows for modifications to be made to a development consent issued by a consent authority to correct a minor error, misdescription or miscalculation. Subsections (1A), (2), (3), (5) and (6) and Part 8 of Section 4.55 do not apply to such a modification.

*Please detail the error, misdescription or miscalculation and how it is proposed to be rectified.*

***OR***

**Section 4.55(1A) - Modifications involving minimal environmental impact**

Section 4.55(1A) of the EP&A Act allows for modifications to be made to a development consent issued by a consent authority if -

(a) it is satisfied that the proposed modification is of minimal environmental impact, and

(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and

(c) it has notified the application in accordance with—

(i) the regulations, if the regulations so require, or

(ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and

(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.

*Provide a detailed outline of how the proposed modification satisfies sub-clauses (a) to (d) above as suggested below:*

*The relevant matters relating to clause 4.55 are discussed below:*

1. **Substantially the same development**

*Outline how the proposed development remains substantially the same to that which was approved.*

1. **Consultation***Outline any authorities or bodies that are required to be consulted.*
2. **Notification***The application was not required to be notified in accordance with the regulations or under Council’s Notification/Community Participation Plan.*
3. **Submissions***The application was not required to be notified.*
4. **Relevant matters in Section 4.15**

*Section 4.15(1) EP&A Act outlines the matters a consent authority is to take into consideration that are of relevance to the development the subject of the development application. They are:*