

## Application to modify a State Significant Development consent that was formerly a project to which Part 3A applied

This form has been developed for modification applications for projects that were previously projects to which Part 3A applied and declared to be State significant development (SSD) under clause 6 of Schedule 2 of the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017*.

Before lodging this form, you should contact the Department of Planning and Environment to:

- ensure your project has been declared to be SSD under clause 6 of Schedule 2;
- discuss information requirements and the fee for your application.

This form should only be used in these circumstances.

If you are submitting an application to modify a SSD project approved under Part 4 of the EP&A Act this should be made online on the Department's [Major Project website](#).

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### Applicant Details:

Title

First Name

Last Name

Telephone or Mobile

Email

Company/Organisation

ABN

Address

City

State

Post Code

### Mailing Address Details:

Same as above      Yes      No

Address

City

State

Post Code

**Political Donations:**

Persons lodging applications are required to declare reportable political donations (including donations of \$1,000 or more) made in the previous two years. For more details, go to <http://www.planning.nsw.gov.au/assess-and-regulate/development-assessment/systems/donations-and-gift-disclosure>.

Do you need to make a political donations disclosure statement?

Yes - Please ensure you complete and attach a Political Donations Disclosure Statement.

No

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**Development Details:**

Please provide the name and application number of the development consent for which a modification is being sought.

Please provide a description of the development to be carried out under the consent (as previously modified). If this is addressed in supporting documentation, it is sufficient to just provide references to the relevant document and section within that document.

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**Site Details:**

Please provide a description of the address and formal particulars of title of the land on which the development is to be carried out. If this is addressed in supporting documentation, it is sufficient to just provide references to the relevant document and section within that document.

Is there additional land included in the modification?

Yes

No

If Yes, please describe the land to be added to the original site. Provide Lot/DP or Lot/Section/DP or Lot/Strata No.

If a detailed site description is included in supporting documentation, it is sufficient to just provide references to the relevant document and section within that document.

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**Modification Type:**

Please select the type of modification application that is being sought:

Section 4.55(1) involving minor error, misdescription or miscalculation.

Section 4.55(1A) involving minimal environmental impact, where the development as originally approved remains substantially the same.

Section 4.55(2) other modification, where the development as originally approved remains substantially the same.

Section 4.56 modification of consent granted by the Land and Environment Court, where the development as originally approved remains substantially the same.

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**Modification Description:**

In the case of a section 4.55(1) application, indicate the nature of the minor error, misdescription or miscalculation in the space below.

In the case of a section 4.55(1A), section 4.55(2) or section 4.56 application briefly describe the proposed modification in the space below, including any conditions of consent to be modified and/or deleted.

If the modification description is addressed in supporting documentation, it is sufficient to just provide references to the relevant document and section within that document.

**Modification Impact:**

Please provide a description of the expected impacts of the modification. If this is addressed in supporting documentation, it is sufficient to just provide references to the relevant document and section within that document.

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**Modification Extent:**

For modification applications under section 4.55(1A) or section 4.56, please provide an undertaking to the effect that the development (as to be modified) will remain substantially the same as the development that was originally approved.

For modification applications under section 4.55(2), please provide an undertaking to the effect that the development (as to be modified) will remain substantially the same as the development as last modified under section 75W.

If this information is addressed in supporting documentation, it is sufficient to just provide references to the relevant document and section within that document

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**Capital Investment Value and Jobs:**

What is the additional Capital Investment Value (\$) that would result from this modification application?

What would be the net change to the number of full time equivalent construction jobs created as a result of this application?

What would be the net change to the number of full time equivalent operational jobs created as a result of this application?

**Approvals:**

Did the original development, (but for section 4.41 of the EP&A Act), require any of the following?

- a permit under section 201, 205 or 219 of the Fisheries Management Act 1994
- an approval under Part 4, or an excavation permit under section 139, of the Heritage Act 1977
- an Aboriginal heritage impact permit under section 90 of the National Parks and Wildlife Act 1974
- a bush fire safety authority under section 100B of the Rural Fires Act 1997
- a water use approval under section 89, a water management work approval under section 90 or an activity approval under section 91 of the Water Management Act 2000

Did the original development require any of the following approvals in order to be carried out (section 4.42 of the EP&A Act)? Select all that apply.

- an aquaculture permit under section 144 of the Fisheries Management Act 1994
  - an approval under section 15 of the Mine Subsidence Compensation Act 1961
  - a mining lease under the Mining Act 1992
  - a petroleum production lease under the Petroleum (Onshore) Act 1991
  - an environment protection licence under Chapter 3 of the Protection of the Environment Operations Act 1997 (for any of the purposes referred to in section 43 of that Act)
  - a consent under section 138 of the Roads Act 1993
  - a licence under the Pipelines Act 1967
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**Supporting Information:**

What supporting documents are you submitting with this application?

- Biodiversity development assessment report\*
- Statement from a qualified designer\*\*
- BASIX certificate(s)\*\*\*
- Other supporting information

Please list other supporting documents if applicable

### **Additional Requirements:**

\* In the case of an application that is accompanied by a biodiversity development assessment report, the application must contain information regarding the reasonable steps taken to obtain the like-for-like biodiversity credits required to be retired under the report to offset the residual impacts on biodiversity values if different biodiversity credits are proposed to be used as offsets in accordance with the variation rules under the *Biodiversity Conservation Act 2016*.

If this is addressed in supporting documentation, it is sufficient to just provide references to the relevant document and section within that document.

\*\*Where the application relates to residential apartment development and the development application was required to be accompanied by a design verification from a qualified designer under clause 50(1A), the application must be accompanied by a statement by a qualified designer that meets the requirements.

\*\*\*Development for which the development application was required to be accompanied by a BASIX certificate or BASIX certificates, or if it relates to BASIX optional development in relation to which a person has made a development application that has been accompanied by a BASIX certificate or BASIX certificates (despite there being no obligation under clause 2A of Schedule 1 for it to be so accompanied), must also be accompanied by the appropriate BASIX certificate or BASIX certificates.

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### **Landowner's Consent:**

Have you attached landowner's consent?

Yes

No - owner's consent is not required for this application as it is 'public notification development' under clause 49 of the *Environmental Planning and Assessment Regulation 2000*.

Please note:

Landowner's consent requirements apply to modification applications in the same way as they apply to development applications. If you are unsure, refer to sections 115 and 49 of the *Environmental Planning and Assessment Regulation 2000*.

Where the application relates to land owned by a Local Aboriginal Land Council, the consent of the New South Wales Aboriginal Land Council is required.

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### **Confirmation:**

Name:

Date:

In what capacity are you completing the form if you are not the applicant?