

WHAT IS AN AMENDMENT?

If your development application is lodged but NOT yet determined and you wish to change an aspect(s) of the development you may **amend** your plans. In some instances Council may require that you amend your plans. Council will not accept an amendment where the development proposed will be significantly different from that which is being considered. In such circumstances a new development application will be required. Where an amendment is lodged after the application has been placed on public exhibition the application may be re exhibited and new notification fees must be paid if required. You will be required to fill out a M3 Form when you submit this additional information.

WHAT IS A MODIFICATION

Should you wish to make changes to an APPROVED development you may do so only through a section 96 Application to modify the development consent. Your proposed changes MUST result in the development remaining SUBSTANTIALLY THE SAME as the original development for which consent was granted.

There are a number of different types of Section 96 applications. You should seek guidance from Council as to what type of modification you propose. If Council believes that you have lodged an application under the wrong type of modification you will be notified and will be required to pay the additional fees.

The three types of S96 applications are:

- **S96(1)** should only be used where there has been a MINOR error, misdescription or miscalculation.
- **S96(1)(a)** should only be used where the changes will result in MINIMAL environmental impact. For example this may include changes to internal floor plans, reduction in window sizes, changes to proposed colour schedules, etc.

- **S96(2)** should be used for all other applications. These are applications where it is likely that Council will be notifying the modified development application or sending out multiple referrals and/or need to refer the application to other government departments etc.

Please note that there are different fees applicable to each of the types of modification so you need to check with Council to see what fee is payable.

WHAT IS A MODIFICATION?

Any proposed changes that DO NOT result in the development remaining SUBSTANTIALLY THE SAME as the original development for which consent was granted.

If it is a new building, garage, deck, pergola, carport, structures etc it is a new development application. This applies even if your current development is under construction and is not yet completed.

INFORMATION REQUIREMENTS

You are required to lodge the following information with ALL modifications or amendments:

- 5 full sets of both modified or amended plans and relevant documentation such as a Statement of Environmental Effects;
- All plans MUST clearly indicate by way of shading or highlighting the proposed changes;
- All modified or amended plans must be renumbered and redated ; and
- A statement outlining the proposed modifications or amendments and reasons for the changes.