

# Notice of Surrender of a Development Consent

Under Section 4.17 and 4.63 of the *Environmental Planning and Assessment Act 1979*

## About this form

Use this form to make a surrender of a development application that has been granted under Section 4.63 or "existing use right" conferred by Division 4.11. You may also use this form if Council imposes a condition requiring the modification or surrender of a development consent or existing use right.



If you require assistance reading and understanding this document, please contact the Translating and Interpreting Service on 131 450 and ask them to call Wentworth Shire Council on 03 5027 5027.

## HOW TO LODGE THIS APPLICATION



### Email to Council:

council@wentworth.nsw.gov.au



### Post this form or lodge it at Wentworth Shire Council:

### Main Administration Office

61 Darling Street  
(PO Box 81)  
Wentworth NSW 2648

## Type of Surrender

### What type of application are you applying for?

- ☐ Voluntary surrender of consent under Section 4.63 of the *Environmental Planning and Assessment Act 1979*.  
Note: If the development has commenced, Part D must be filled out.
- ☐ Council condition requiring surrender or modification of consent under Section 4.17
- ☐ Council condition requiring surrender or modification of existing use right under Section 4.17

## PART A Property details

Street No.	<input type="text"/>	Street Name	<input type="text"/>
Town/Locality	<input type="text"/>	Postcode	<input type="text"/>
Lot No/s	<input type="text"/>	Section	<input type="text"/>
		DP No/s	<input type="text"/>

## PART B Person giving notice

Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms	<input type="checkbox"/> Other	<input type="text"/>
Applicants Name	<input type="text"/>		
Postal Address	<input type="text"/>		
Town/Locality	<input type="text"/>	State	<input type="text"/>
		Postcode	<input type="text"/>
Email	<input type="text"/>	Fax	<input type="text"/>
Phone	<input type="text"/>	Mobile	<input type="text"/>

## PART C Details of consent to be surrendered or modified (if applicable)

Consent Number	<input type="text"/>	Determination Date	<input type="text"/>
Description of approved development	<input type="text"/>		
Reason for surrender or description of modification	<input type="text"/>		

## PART D Additional information required for Voluntary Surrender of Consent under Section 4.63

(as required under Clause 68 of the *Environmental Planning and Assessment Regulation 2021*)

Note – this information is not required for a Surrender of Consent under section 4.17

If development has commenced to be carried out in accordance with the consent, a statement from the person giving notice that:

**1. So much of the development as has been carried out has been carried out in compliance with any condition of the consent, or any agreement with the consent authority relating to the consent, that is relevant to that part of the development.**

**2. The surrender will not have an adverse impact on any third party or the locality.**

## PART E Owners consent

Name/s

Company Name (if applicable)

Postal Address

Phone

Mobile

Email

As owner/s of the land to which this notice relates to, I/we consent to surrender the development consent(s) described in this notice. I/we also authorise:

- Council representatives to enter the property for the purpose of site inspections;
- Council to make copies of all the documents for the purpose of assessing the notice of surrender or to advise any third party who may be affected by the surrender.

Note:

- If more than one owner, every owner must sign.
  - If you are signing on the owner's behalf as their legal representative, you must state the nature of your legal authority and attach documentary evidence (e.g. power of attorney, executor, trustee, company director)
  - For company ownership, the following company officers must sign and must be accompanied by ASIC register search providing proof of company officers (visit [asic.gov.au](http://asic.gov.au) to search the ASIC register):
    - a) two (2) directors of the company; or
    - b) a director and a company secretary of the company; or
    - c) for a proprietary company that has a sole director who is also the sole company secretary – that director.
  - Owners Corporation (Strata plan)
  - If the proposed works affect a joint wall or fence, consent of both property owners is required.
  - If the land is Crown Land, consent will be required from NSW Department of Primary Industry - Lands.
- Please refer to separate attachment Landowner's Consent: Landowner's consent application.

Name

Signature

Date

Name

Signature

Date

*If more than two signatures are required, please attach a separate document.*

**Privacy and Personal Information Protection Notice** The personal information provided on this form is collected by Council for the purposes of processing this licence application by Council's employees and other authorised persons. This form will be stored within Council's record management system and may be available for public access and/or disclosure as required by law.