



# HUON VALLEY COUNCIL

40 Main Street, Huonville  
PO Box 210, Huonville 7109  
hvc@huonvalley.tas.gov.au  
ph: (03) 6264 0300  
ABN: 77 602 207 026

## APPLICATION FOR A MINOR AMENDMENT TO PLANNING PERMIT

Pursuant to Section 56 of *Land Use Planning and Approvals Act 1993*

ALL APPLICATIONS CAN BE SUBMITTED FOR LODGEMENT ELECTRONICALLY IN PDF FORMAT  
EMAIL TO [HVC@HUONVALLEY.TAS.GOV.AU](mailto:HVC@HUONVALLEY.TAS.GOV.AU) OR BY HARD COPY

<b>Planning Permit Number</b>	
<b>Applicant</b>	Agency: _____ Contact Name: _____ Phone: _____ Email: _____ Postal Address: _____ Suburb or Town: _____ State: _____ Postcode: _____
<b>Current Owner(s)</b>	Name: _____ Phone: _____ Email: _____ Postal Address: _____ Suburb or Town: _____ State: _____ Postcode: _____
<b>Location of Site</b>	
<b>If Applicant is <u>not</u> the Owner</b> A separate written letter of consent from the owner(s) is attached.	
<b>A detailed description of Proposed Amendment is attached with associated plans or documents</b> To assist in a quick assessment all changes to the proposal must be separately listed and all changes must be clearly highlighted on new plans or documents.	
<b>Reason for Amendment</b> Is provided within a separate attached letter.	
<b>Describe what stage the development is currently at on a separate attached letter</b> For example is the approved use or development inside or outside the two year period to commence: has it commenced: is it completed.	

I consent to information being given by means of an electronic communication to the nominated email address above in accordance with the *Electronic Transactions Act 2000* and acknowledge that information will only be provided in electronic form unless I formally request otherwise.

### Declaration

- I have read the Certificate of Title and Schedule of Easements for the land and I am satisfied that this application is not prevented by any restrictions, easements or covenants.
- I authorise the Council for the purposes of assessment or public consultation to copy documents relating to this application and to provide copies as required to referral agencies. I confirm that I am the copyright owner or have the authority to sign on behalf of any other person with copyright for documents relating to this application.
- I declare that in accordance with Section 56 (1) of the *Land Use Planning and Approvals Act 1993*, that (if I am not the owner of all land involved in the planning permit) I have the consent of the owner to request this minor amendment and the owner's written consent is attached.
- I acknowledge that Council officers may have to enter the land to assess this application, and the owner consents to this occurring.
- I have read the *Important Information about Requests for Amendments to Permits and Endorsed Plans* on the back of this Application Form and understand that if the amendment does not meet these requirements, a fresh Planning Permit application will be required.
- I declare that the above information is true and correct.

<b>Applicant's Signature</b>		<b>Date</b>	
------------------------------	--	-------------	--

## **Important Information about Requests for Amendments to Permits and Endorsed Plans**

1. Pursuant to Section 56 (2) of *Land Use Planning and Approvals Act 1993*, Council is able to amend a Planning Permit only if it is satisfied that the amendment:
  - Does not involve an amendment of a condition or restriction, specified in the permit, that is required, imposed or amended by the Appeal Tribunal; and
  - Does not change the effect of a condition or restriction, specified in the permit, that is required, imposed or amended by the Appeal Tribunal; and
  - Does not cause a detriment to any person; and
  - Does not change the use or development for which the original Planning Permit was assessed and issued other than a minor change to the description of the use or development.

If an application does not meet any of these requirements, a fresh Planning Permit application will be required as the change cannot be considered to be a minor amendment.

Put simply, if the proposed change triggers a new discretion or intensifies an existing discretion it is hard to consider the amendment to be compliant with the above listed requirements, without clear supporting evidence prepared by a suitably qualified person.

2. If the amendment to a Planning Permit is approved, please be aware that pursuant to Section 56 (3) of *Land Use Planning and Approvals Act 1993*, the following will be notified of the amendment:
  - the person who requested the permit to be amended; and
  - if that person is not the owner of the land, the owner; and
  - in the case of a Planning Permit granted under Section 57 (original application was classified discretionary), the owner or occupier of any property which adjoins the land; and
  - any person who made a representation under Section 57(5) in relation to the application for the original Planning Permit.

Please note that the Amended Planning Permit is not valid until the after the 14 day appeal period from the date on Council gives notice has expired and no appeal has been lodged with the Appeal Tribunal. The use, development or associated works cannot commence or progress until after the appeal period has finished and no appeal has been lodged with the Resource Planning and Appeals Tribunal (RMPAT) and all other applicable permits have been obtained.

3. Please note that Council will endeavour to provide a response to your application within twenty one (21) calendar days, from the date that all listed information requested by this application form is provided and applicable fees have been paid in full.