

# Owners' Consent

City Development

*Environmental Planning and Assessment Act 1979 (EP&A Act)*

*Local Government Act 1993 (LGA)*

*Strata Schemes Management Act 2015*

*Corporations Act 2001*

## Guidance

Owners' consent is required to be supplied at the time of lodgment. Applications will not be accepted if current Owner's Consent is not provided.

Guidance for completing this form can be found in the [Development HUB](#) located on Council's website.

All applications must be lodged through the [NSW Planning Portal](#)

Applicant details		
First Name:		
Last Name:		
Company:		
Development site – location and title details		
Unit / Street No:	Street name:	
Lot:	Section:	DP:
Suburb:		Postcode:
Application type		
<input type="checkbox"/> Application for a Development Consent (DA)	<input type="checkbox"/> Drainage (s68 LGA)	
<input type="checkbox"/> Application for a Construction Certificate for building work (CC)	<input type="checkbox"/> Application for a Subdivision Construction Certificate / Subdivision Works Certificate	
<input type="checkbox"/> Application for a Complying Development Certificate (CDC)	<input type="checkbox"/> Subdivision Certificate	
<input type="checkbox"/> Modification Application (s.4.55)	<input type="checkbox"/> Modification to CC, CDC, or SWC	
<input type="checkbox"/> Other (specify):		
Relevant DA/CC/CDC application numbers (if any) relating to this owner's consent:		
Registered owners' consent		
<p>The Environmental Planning &amp; Assessment Act 1979 requires that <u>all</u> registered owners of the land to be developed must give consent and sign the application.</p> <p>Being the owner of the land to which this application relates, by signing this form I hereby consent to the making of the application indicated in Section 3 of this form and authorise and consent to entry of the Application Site by Council Officers for the purpose of processing this application and inspecting the subject site, during the course of development/building works.</p>		

<b>Name:</b>	
Phone:	Email:
Signature:	
Date:	
<b>Name:</b>	
Phone:	Email:
Signature:	
Date:	
<b>Name:</b>	
Phone:	Email:
Signature:	
Date:	
<b>COMPANY DETAILS</b>	
<p>If the owner is a Company, the owner's consent must be signed by directors of the Company in accordance with Section 127 of the Corporations Act 2001 Sect 127 ie. <i>two company directors; or one company director and company secretary; or for a proprietary company that has a sole director who is also the sole company secretary, that director</i>. The applicant must provide the ABN or ACN numbers, the names and positions of those signing the consent, an up to date (dated the day of lodgement or the day before) ASIC company extract (<a href="http://www.asic.gov.au">www.asic.gov.au</a>) and any other required supporting documentation. A common seal may be affixed if the seal is witnessed in accordance with s127(2) of the Act. If a common seal is to be affixed, it must be stamped on the "Owners Consent" form.</p>	
Company Name:	
ABN / ACN:	
Phone:	Email:
Director Name:	
Position:	
Director Signature:	Seal to be affixed here:
Date:	
Name:	
Position:	
Director/ Company Secretary Signature:	
Date:	

**STRATA PROPERTY - Works affecting common property**

For works that affect common property, the owner's corporation consent is required.

Section 108 of the Strata Schemes Management Act 2015 allows for changes to common property if the owner's corporation has passed a special resolution authorising the works. The applicant must ensure that the owner's corporation has given a valid consent. The applicant should seek a copy of the minutes / resolution of a general meeting authorising the change to common property or letter on strata management letterhead stating that the requirements of the Strata Schemes Management Act 2015 have been met.

Owners Corporation Name:

Name:

Position:

Phone:

Email:

Signature:

Strata stamp or seal to be affixed here:

Date:

**ASSOCIATION PROPERTY - works affecting a community, precinct or neighbourhood parcel**

If works affect a community, precinct or neighbourhood parcel within the meaning of the Community Land Development Act 1989, the consent of the association for the parcel is required.

The applicant must ensure that the association has given a valid consent in accordance with the requirements of the Community Land Management Act 1989 and the relevant management statement.

Association Name:

Name:

Position:

Phone:

Email:

Signature:

Strata stamp or seal to be affixed here:

Date:

**COUNCIL OWNED LAND – Delegated person to sign**

If works affect Council owned land, the consent of the asset owner is required.

Please send this form along with your proposed plans and associated documentation to:  
[council@shoalhaven.nsw.gov.au](mailto:council@shoalhaven.nsw.gov.au) Attention: Council landowners consent required.

Name:

Position:

Signature:



Date:

## CROWN LAND

The Department of Planning, Industry & Environment—Crown Lands (the department) has the authority to grant minister's consent as landowner under the Crown Land Management Act 2016 to the lodging of:

- development applications, Complying Development Certificate applications, and major project applications under the Environmental Planning and Assessment Act 1979
- development applications under the Native Vegetation Act 2003
- applications required under other applicable legislation.

Landowner's consent will only be given if it is determined that the proposal is consistent with the management of Crown land under the Crown Land Management Act 2016. Crown land includes waterway areas.

If your proposal requires the lodgement of a Development Application (DA) with council, the completed DA in its entirety, must be forwarded to the department for the provision of land owner's consent prior to lodgement with council.

Applications can be made using the following link [Crown Land Owner's Consent Form](#)

## Important information

### Public Access to information

Pursuant to the *Government Information (Public Access) Act 2009* (GIPA Act) Council is required to make certain information publicly available, including by way of publication on public registers and on its website. Information submitted on and with this form may be made available to the public, unless there is an overriding public interest against disclosure of this information. Council is obliged to make information available on its website excluding the following:

- the plans and specifications for any residential parts of a proposed building, other than plans that merely show its height and its external configuration in relation to the site on which it is proposed to be erected; or
- commercial information, if the information would be likely to prejudice the commercial position of the person who supplied it or to reveal a trade secret.

### Privacy

The personal information that Council is collecting from you on submission of this form is personal information for the purposes of the *Privacy Act 1998*. The intended recipients of the personal information are officers within the Council and third parties for the purpose of assessing the application as well as any person wishing to inspect the application in accordance with the *Local Government Act 1993* or the GIPA Act. The personal information may also be included on a public register and displayed on Council's website. The supply of personal information by you is voluntary. However, if you cannot provide or do not wish to provide the information required, Council will be unable to process your application. You may make application for access to, or amendment of, information held by Council. You may also make a request that Council suppress your personal information from a public register. Council will consider any such application in accordance with the relevant legislation. Enquiries concerning this matter can be addressed to Council by telephoning (02) 4429 3111

### Office use only

Related Policies: Legislative requirement

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Owned by (section): City Development