## 

Heritage Council of New South Wales  
Modification to Approved Works Application (Section 65a)

When a minor variation or correction to an approved Works Application is required, the applicant may apply for a modification of approval under section 65a of the *Heritage Act 1977.*

In considering the application to modify an approval, the delegate needs to be satisfied that the modification does not substantially change the original approval granted under section 63 of the *Heritage Act 1977.*

There is no fee for a Modification Application.

# Step 1: Confirm the listing

Confirm that the item is listed on the State Heritage Register (SHR).

| Item affected by proposed works |
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| Address  Click or tap here to enter text.  Name of heritage item  SHR listing No.  Click or tap here to enter text.  Local Government Area  Lot, Section and DP / SP  Suburb  Postcode  Click or tap here to enter text.  Click or tap here to enter text. |

| **Field** | **Explanation** |
| --- | --- |
| SHR Listing No. | The State Heritage Register listing number can be found by searching the [online heritage database](http://www.environment.nsw.gov.au/heritageapp/heritagesearch.aspx) (see below). |
| Name of heritage Item | Include the item name as listed on the State Heritage Register (see above) |
| Address | Include the street number, street name, suburb and postcode |
| Lot, Section and DP | Include the:   * lot number and section for the location where the proposed works are occurring * relevant Plan Code related to the Lot Number (e.g. DP/SP) * relevant Plan Number related to the Lot and Plan Code provided. |
| Local Government Area | Include the Local Government Area (local council) where the property is located. |

## Step 2: Describe the modification

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| **Proposal** |
| Click or tap here to enter text.  Application number:  Estimated cost of modification:  Brief description of and reasons for the proposed modification (1-2 sentences):  Click or tap here to enter text.  $ Click or tap here to enter text. |

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| **Integrated Development** |
| Has a Development Application (DA) been lodged with the local Council for the works?    Approval date: Click or tap here to enter text.  DA number: Click or tap here to enter text.  Click or tap here to enter text.  Has development consent been granted?  Yes  No  Yes  No  Yes  No  Is this application consistent with the approved DA?  If no, please detail any changes: |

| **Field** | **Explanation** |
| --- | --- |
| Application number | The application number from the existing Works Application (section 60) approval letter, which you are applying to have modified. |
| Estimated cost of proposal | Include the estimated total cost of carrying out the proposed works. Notifications will not be assessed without this information. |
| Description of the proposed modification | This is a legal document and you must explain proposed works by providing a general overview of intended activities. Do not only refer to attached documentation or plans. |
| Has development consent been granted? | If yes, please also provide in the Development Application (DA) number in the ‘DA No.’ box and the date it was approved. |
| Is this application consistent with the approved DA? | Indicate whether the proposed works are consistent with those works proposed in the approved DA |
| If no, please detail any changes | Please specify any changes to the proposed works from those approved in the DA. |

## Step 3: Complete applicant, landowner and Excavation Director details

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| **Landowner** |
| Business/Organisation name (if applicable)  Click or tap here to enter text.  Click or tap here to enter text.  Telephone  Last name  Click or tap here to enter text.  Click or tap here to enter text.  First name  Click or tap here to enter text.  Address  Date  Email  Click or tap here to enter text.  Title  Mobile  Click or tap to enter a date.  Click or tap here to enter text.  Signature  ( ) Click or tap here to enter text. |

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| Applicant |
| If the Landowner is also the Applicant, you do not need to complete this section.  Yes  No  Is the landowner also the applicant?    Business/Organisation name (if applicable)  Last name  First name  Title  Click or tap here to enter text.  Date  Signature  Email  Mobile  Telephone  Address  Click or tap to enter a date.  Click or tap here to enter text.  Click or tap here to enter text.  Click or tap here to enter text.  Click or tap here to enter text.  Click or tap here to enter text.  Click or tap here to enter text.  ( ) Click or tap here to enter text. |

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| **Excavation Director** |
| Business/Organisation name (if applicable)  Click or tap here to enter text.  Click or tap here to enter text.  Click or tap here to enter text.  Telephone  Click or tap here to enter text.  Click or tap here to enter text.  Click or tap here to enter text.  Address  Date  Email  Mobile  Last name  First name  Title  Click or tap to enter a date.  Click or tap here to enter text.  Signature  ( ) Click or tap here to enter text. |

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| --- | --- |
| **Field** | **Explanation** |
| Signature | This form is a legal document and so it is important that the landowner’s formal signature is included here. Lack of a signature will prevent the application from being processed. |
| Applicant | The applicant is the person who will be formally contacted in relation to the application. Please note, if a business/organisation name is provided, this is considered to be the applicant, and the individual identified is the contact person for the applicant. The applicant cannot be the Excavation Director.  **Note:** Failure to include land owner’s consent will prevent the application from being progressed. |
| Excavation Director | Complete this section if the proposal involves the excavation of land, or works to building cavities, which will, or is likely to disturb archaeology.  Excavation Directors are people with professional training and extensive fieldwork experience in the investigation of relics within historical archaeological sites that have completed tertiary training in archaeology, prehistory or a related field. Excavation Directors may be consultant historical archaeologists undertaking paid professional work associated with site redevelopment projects; university employed archaeologists and/or others undertaking research investigations of historic sites. Refer to the [Criteria for the Assessment of Excavation Directors](http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/excavationdirectors.pdf)to ensure you nominate a suitably qualified person.  **Note:** the applicant is responsible for nominating an Excavation Director for the proposed works, if the works involve archaeological excavation, and ensuring the Excavation Director section of the form is complete before submitting. Failure to include documentation of the Excavation Director will prevent the application being progressed. |

## Step 4: Attach the documents

Check that you have included the following:

* The completed **65a Modification Application form**
* **Plans/drawings** describing your proposal. The plans/drawings should clearly show the proposed works. Including any proposed conservation, activation or stabilisation works; any proposed demolition, removal, destruction or excavation, what will remain without change, and what you propose to construct, create, plant or alter. The plans should show the relationship of your proposal to the site boundaries and existing site features. If there are multiple plans please include a plan schedule.
* A **Heritage Impact Statement** – information to assist you in preparing a Heritage Impact Statement is available in the guideline [**Statements of Heritage Impact**](https://www.environment.nsw.gov.au/resources/heritagebranch/heritage/hmstatementsofhi.pdf)**.** If an endorsed CMP exists, please confirm compliance of the proposed works against the policies of the CMP.
* **Excavation Directors resume or CV** – if your proposal will include archaeological excavation.
* An **Archaeological Assessment** – if the proposal involves the excavation of land, or works to building cavities, which will, or is likely to disturb archaeology.
* An **Archaeological Research Design (ARD)** – if archaeology is proposed and an ARD does not already form part of the Heritage Impact Statement.
* A **copy of the notice of determination and stamped plans from council** - if you are applying after an integrated development consent.

## Step 5: Check and submit the application

| **Final check** | | **Please tick** |
| --- | --- | --- |
| Are all fields in the form complete? | | **☐** |
| Is the item on the SHR or subject to an IHO? | | **☐** |
| Has the SHR number and location details been provided? | |  |
| Have you provided copies of plans/drawings indicating the location and extent of the proposed works? Digital copies of all documents are preferred. | Hard copies will only be excepted in special circumstances. Please contact us if you cannot supply digital copies of all documents. | **☐** |
| Have you described your proposed works **and** included the estimated cost of the proposal? | | **☐** |
| Have you included the contact details and consent of the landowner? | | **☐** |
| Have you included the contact details and signature of the applicant? | | **☐** |
| Have you attached a copy of the Heritage Impact Statement? | | **☐** |
| If you are applying after an integrated development approval, have you included a copy of the notice of determination and stamped plans from council? | | **☐** |
| If archaeological excavation is proposed, have you: | |  |
| Attached an Archaeological Assessment and/or Archaeological Research Design? | | **☐** |
| Included the details of the Excavation Director, their signature, and resume or CV? | | **☐** |

**The completed form and related documents should be emailed to:**

PlanningLodgements@cityofsydney.nsw.gov.au

## What happens next?

An officer will review your application. To avoid confusion and delays, it is important that the application form and documents are submitted together. Applications cannot progress until they are determined to be administratively complete.

An officer may seek further information to enable proper assessment. In this case, you will have 14 calendar days to provide the additional information. If you do not submit the required information within that time, you will be asked to withdraw your application and re-submit when the required information is available.

# Further information

If you wish to clarify any of the application requirements, please contact the City of Sydney on 02 9265 9333.