

## APPLICATION TO REVIEW A DETERMINATION

(made under the Environmental Planning and Assessment Act 1979, Section 8.3)

Use this form if you wish to request a review of your Development Application determination.  
(see over for additional information)

### I. APPLICANT'S DETAILS

Mr <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Mrs <input type="checkbox"/>	Full Name:
Postal Address:	
Phone/Mobile:	Email:
I hereby apply for approval to amend the development consent described below	
Applicant(s) signature: _____ Date: _____	

### 2. OWNER DETAILS

Mr <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Mrs <input type="checkbox"/>	Full Name:
Postal Address:	
Phone/Mobile:	Email:
I/we, being the owner of the land to which this application relates, hereby consent to the making of this application.	
Applicant(s) signature: _____ Date: _____	

### 3. LAND DETAILS

No.:	Street/Road:	Locality:
Lot No.	DP:	Section No.

### 4. APPLICATION DETAILS

Development Application No.:	Date of Determination:
Details of the Consent given:	
Was the application approved or refused by Council?      Approved <input type="checkbox"/> Refused <input type="checkbox"/>	

### 5. REASONS FOR REQUESTING A REVIEW OF DETERMINATION

<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>if insufficient room, please attach separate sheet/s)</p>
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 DA No.:                      Total Amount: \$                      Date received:                      Receipt Number:                      -----

## 6. IMPORTANT INFORMATION

### What is a Request for Review of Determination?

Section 8.3 of the *Environmental Planning and Assessment Act 1979*, enables an applicant to request a Review of Councils determination on a Development Application.

### When to use this form

Use this form if you wish to request a review of your Development Application determination. A review cannot be made for State Significant development, Complying development, Designated developments or Integrated developments. A request for review can only be made once for each determination and **the request must be received by Council within six (6) months of the date shown on your determination notice.**

### What can a Review of Determination mean to you?

**APPLICATIONS FOR REVIEW RELATE TO THE ENTIRE DETERMINATION AND MAY RESULT IN COUNCIL OVERTURNING ITS PREVIOUS DECISION.** If you do not wish to risk the previous approval but would like to have a condition/s of consent reviewed, you should make an application to modify your Development Consent under Section 4.55 of the Environmental Planning & Assessment Act. A Section 4.55 Modification form can be obtained from the Council or its website at [www.hilltops.nsw.gov.au](http://www.hilltops.nsw.gov.au).

A Section 8.3 Review relates to the entire determination and not just part of the proposal. For example, if you are seeking a review of a proposal which has been part approved and part refused, Council may decide to overturn the approval decision and refuse the entire proposal. Therefore, if you only wish to amend the conditions of an approval which you are dissatisfied with, you should make an application to modify these conditions under Section 4.55 of the Environmental Planning and Assessment Act 1979 rather than seek a review under Section 8.3.

### Can the application for a Review of Determination involve a modification?

A review can be made on the application as determined or amendments may be made to the development described in the original application. However, any amendments made to the development must be substantially the same as the development described in the original application. If the request for review involves amendments, Council may notify the application to adjoining and neighbouring residents.

### How is the application determined?

The Council **may** review the determination, and as a consequence of the review, **may** confirm or change the determination. The decision as to whether or not the determination should be reviewed will be made by the Council (elected representatives) or by a delegate of Council who is **not** subordinate to the delegate who made the determination.

### Fees

An application fee applies to both Section 8.3 Reviews and Section 4.55 Modifications. A separate fee for advertising and/or notification will also be charged where the application for a Review involves amendments to the development described in the original application. Please contact Council for the current fee.