



# Owners Consent

For use when submitting a Development Application, a Section 68 Application or any instance where Owners Consent is required.

## DECLARATION

Under the Environmental Planning and Assessment Act 1979 section 4.12, Environmental Planning and Assessment Regulation 2021 section 23, and Corporations Act 2001.

### Details of Land to be Developed

#### Development Applicant Details:

First Name:

Surname:

Company (If Applicable):

ABN (If Applicable):

#### Property Details:

Street No:

Street Name:

Suburb:

Postcode:

Lot No:

DP/SP:

#### Description of Proposed Development:

### Public Land (Public land is land that is owned or managed by Council or the NSW Government)

Is the proposed development/activity on public land?

☐ Yes ☐ No

For Public Land, the owner will be Council or the NSW Government. In some cases, you may need permission from both parties. Contact Council for further information.

### Owner(s) Details and Consent (see "Owners Consent Requirements" - last page of form)

First Name:

Surname:

Company (If Applicable):

ABN (If Applicable):

Street No:

Street Name:

Suburb:

Postcode:

Contact Phone No:

I/We the undersigned are the owner(s) of the property described in this application and consent to its lodgement. I/We hereby permit a duly authorised officer of Albury City Council to enter the land premises to carry out inspection and undertake work as required for the administration of the Act(s), Regulations or Planning Instrument.

Signature:

Date:

Print Name:

Capacity (Owner/Director):

Please indicate by 'X'

☐ Private Land Owner

☐ Sole Director

☐ Director, Secretary & Company Seal

# Owners Consent (continued)

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## DECLARATION

### Owner(s) Details and Consent

First Name:	Surname:
Company (If Applicable):	ABN (If Applicable):
Street No:	Street Name:
Suburb:	Postcode:
Contact Phone No:	

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Signature:	Date:
Print Name:	Capacity (Owner/Director):
Please indicate by 'X' <input type="checkbox"/> Private Land Owner <input type="checkbox"/> Sole Director <input type="checkbox"/> Director, Secretary & Company Seal	

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# Owners Consent (continued)

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## DECLARATION

### Owners Consent Requirements

#### Properties owned by individuals

All owner(s) of the land, the subject of this application, must sign this form. If you are not the owner of the land, you must have all the owners sign this form. Where the application involves works on a shared boundary, joint wall or fence, consent of all adjoining property owners is also required.

If you are signing as the owner's representative, you must state the nature of your legal authority and attach documentary evidence of your authority, a full copy is required. Depending on the nature of your authority, the following evidence may be accepted:

- Power of attorney
- Trust deed
- Probate
- Letters of administration
- Delegation schedule
- Letter on company owners' letterhead confirming your authority

#### Strata Titled Properties

Development or a proposed use on a strata property that is completely within a single unit, only the owner/s of the relevant unit need to give their consent.

If development or proposed use is across more than one unit or affects the common property, both the owner/s of the relevant units and/or the owners corporation will need to give their consent.

Owner's consent from the owner's corporation must be signed in line with section 273 of the Strata Schemes Management Act 2015 (NSW) by way of the seal of the owner's corporation being affixed in the presence of:

- a) where the owner's corporation has only one owner, that owner or the strata managing agent
- b) where the owner's corporation has only two owners, both those owners or the strata managing agent
- c) where the owner's corporation has more than two owners, either of the following:
  - Two owners as determined by the owner's corporation
  - The secretary of the owner's corporation and any other member of the strata committee
  - The strata managing agent

#### Properties owned by a Company

If the owner is a company, the owner's consent must be signed by:

- a) any 2 directors; or
- b) a director and the company secretary; or
- c) the sole director of a sole director company.

The applicant must provide the names and position of those signing the consent and either:

- a) a current company extract from the Australian Securities and Investments Commission (asic.gov.au) dated within 30 days of the application; or
- b) a letter on official letterhead of the Company confirming the position(s) of those signing the consent dated within 30 days of the application; or
- c) an email from an address using the official URL of the Company confirming the position(s) of those signing the consent dated within 30 days of the application.