

# Application to Release, Vary or Modify a Restriction on Use of Land or Positive Covenant

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FOR OFFICE USE  
ONLY

Council Reference Number

Date Lodged

## About this form

This form is to be used when applying for:

- a release, variation or modification of a restriction on use of land or positive covenant in favour of Port Stephens Council (Council); or
- consent of Council to a release, variation or modification of a restriction on use of land or positive covenant in favour of Council; or
- consent of Council to a release, variation or modification of a restriction on use of land or positive covenant in favour of a third party.

## Lodgement

To lodge the application, this form must be filled in, duly signed by the applicant and provided to Council together with all the required supporting documentation. Lodgement can be done at Council's Administration Building, by mail or email. Application and accompanying documentation may be provided in electronic format (recommended) or in paper form.

- If you choose to lodge the application in electronic format, please visit the Council website and follow the guidelines described.
- If you choose to lodge the application in paper form, you must provide only one paper copy of all the supporting documentation. A scanning fee will apply for applications lodged in paper form.

## Privacy

The information provided may contain personal information as defined under the Privacy and Personal Information Protection Act 1998 (NSW).

The purpose of collecting this information is to enable Council to consider matters under related legislation, issue related documentation where required and other associated matters as provided by law and will be utilised by Council officers in assessing the application and other associated activities. The information may also be made available to other persons in accordance with the relevant Acts and regulations, such as the Government Information (Public Access) Act 2009 (NSW) and will be stored in Council's record system.

## PART A

### Applicant details

First name

Family name

Company/Organisation/Agency

Position

Address

Postcode

Email

Phone

Mobile

Please indicate preferred method of contact:            Australia Post            Email

I hereby make application to Council for a release, variation or modification of a restriction on the use of land or positive covenant, described in Part C below. I understand that if the information submitted is incomplete, the application may be delayed, rejected or more information may be requested.

**Applicant's signature**

**Name and capacity of signatory**

**Date (DD/MM/YYYY)**

## PART B

### Property details

Unit/Street Numbers	Street Name	Suburb	Postcode	Lot Number	DP/SP
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## PART C

### Description of proposed release, variation or modification

Include all requested amendments and attach separate sheets if necessary. A full copy of the restriction or covenant to be released, varied or modified must be provided.

### Reason for proposed release, variation or modification

### Type of release, variation or modification

Release or Extinguishment of Positive Covenant — (NSW Land Registry Services Form 13PRE)

Release or Extinguishment of Restriction on the Use of Land - (NSW Land Registry Services Form 13RRE)

Letter of Consent

Other (provide full details)