



Biodiversity
Conservation
Trust

Biodiversity Conservation Trust Conservation Agreement as Development Consent Conditions

Variation application form

Please complete this form to request a variation to a development consent condition agreement on your land.

Please provide responses to each field. Once complete, print and sign the form (or sign electronically). A copy of the form should be emailed to info@bct.nsw.gov.au.

It is recommended landholders read the BCT policy on variation and termination of agreements found on our [website](#)

Lodging your application

To lodge an application to vary, this form must be completed and sent with all attachments to the BCT at info@bct.nsw.gov.au with the subject line 'Request to vary condition of consent agreement'.

- Landholders are requested to attach a map to this application showing the proposed changes to the area of the agreement
- Landholders are requested to submit a Fit and Proper Person declaration for each landholder if the request involves a new Lot and DP to be added to the agreement

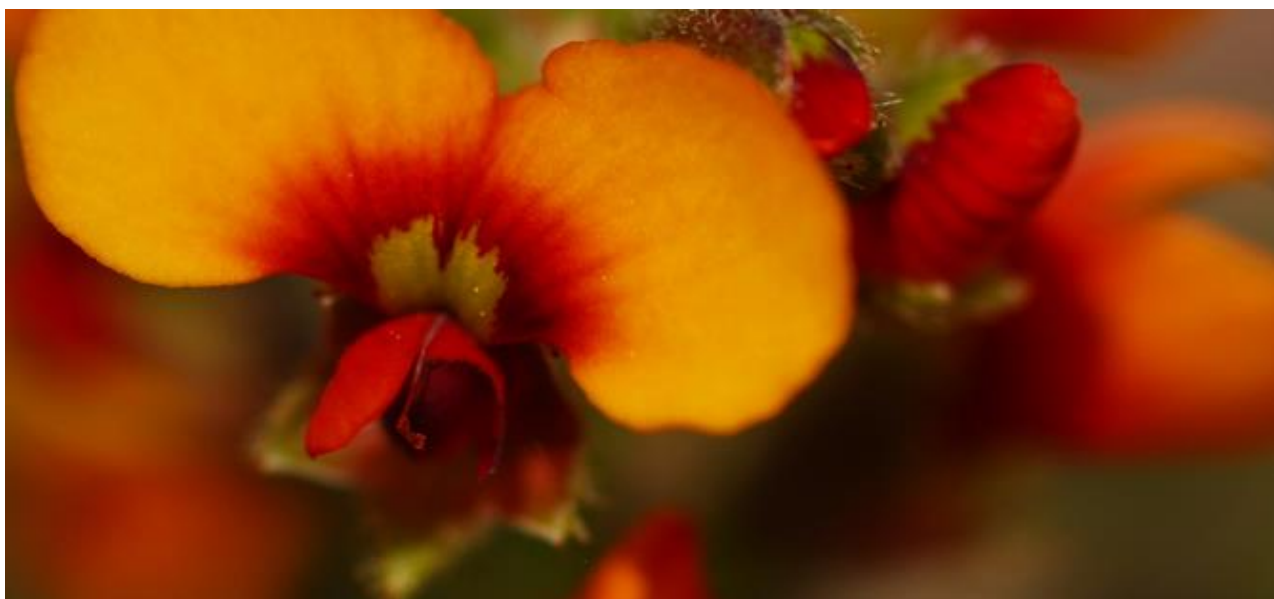
If you need any assistance completing this form, please contact the BCT on 1300 992 688 or info@bct.nsw.gov.au.

Information on fees

Landholders requesting a variation may be charged a one-off application fee.

The fee is the same as the fee to vary a Biodiversity Stewardship Agreement which can be found [here](#). Note that fees are adjusted annually for CPI.

If appropriate, the fee will be payable when the BCT confirms the request to vary falls within the scope of our variation and termination policy, and prior to commencing.



1. Proposed variation to the condition of consent agreement

Condition of consent agreement name			
Condition of consent agreement number			
Property address			
Property name			
Property address			
Town			
State		Postcode	
General description of the variation			
<p><i>In the space below provide a description of, and reasoning for, the proposed variation; please attach a map of your proposed change/s.</i></p>			
Location details			
Current area of agreement (ha)		Proposed area of agreement (ha)	
Title reference of agreement site	Lot and DP number/s		
	Folio identifier or volume-folio (if Torrens Land System)		
	Registered deed number (if Old Land System)		
Local government area (LGA)			
Are you proposing to add additional Lot/DPs? (provide details)	No	Yes:	

Please indicate if any of the following exist on any additional proposed Lot and DP/s:		
Conservation Agreement under the Biodiversity Conservation Act 2016	Yes	No
Trust Agreement under the Nature Conservation Trust Act 2001	Yes	No
Registered Property Agreement under the Native Vegetation Conservation Act 1997	Yes	No
A Property Vegetation Plan (PVP), offset or set-aside requirement	Yes	No
Carbon agreement or a private native forestry agreement	Yes	No
Do you have other covenants, caveats, agreements or restrictions on title?	Yes	No
If you have answered yes to any of the above, please provide name of the agreement/requirement and the reference number:		

2 Landowner's details

The application for variation must be made by the owner of the land that is subject to the condition of consent agreement.

Landowner/s	
Owner type	Individual Partnership Corporation/Company Trustee Local council Public Authority Other
Owner name(s) (the full name (s) of the legal owner of the land as it appears on the Certificate of Title)	
ABN (registered for GST)	

3 Contact details for application

Provide the contact details for the **primary landowner and contact person** who should be included on correspondence from the BCT in relation to this application.

If the application relates to additional land that is owned by a corporation or more than one individual then each landowner, including director and/or secretary, is required to complete **Attachment 1 and submit with this application**. This includes all directors or persons concerned in the management of a body corporate.

Primary landowner						
Position/Role	Individual	Director	Secretary	Partner	Trustee	Other
Title						
Name				Mobile		

Phone		Email	
Street address			
Address			
Town			
State		Postcode	
Mailing address (if different from above)			
Address			
Town			
State		Postcode	
Contact person for application (if different from primary landowner)			
Name		Mobile	
Phone		Email	

4 Signature(s) of the condition of consent site owner(s)

This application should be signed by the person(s) who legally own(s) the land.

I/we am/are applying to vary a Condition of Consent Agreement on my property and understand that submitting this application does not carry any rights or obligations and does not guarantee approval of an agreement.

The information provided is complete and correct to the best of my/our knowledge.

Signatures of the landholder(s)*:

Signature		Signature	
Name		Name	
Position		Position	
Date		Date	
Signature		Signature	
Name		Name	
Position		Position	
Date		Date	

* Signature(s) of all the legal owners of the property are required. If the landowner is an organisation this form must be signed by a minimum of two representatives.

Attachment A - Fit and Proper Person Declaration

The NSW BCT may decline an offer if any owner of the site is, in the NSW BCT's discretion, considered to not be a fit and proper person to enter into and fulfil the obligations imposed by a Conservation Agreement. Each landholder of the land must respond to the following questions.

Landholder Name:	
	Has the landholder or an Associated Manager of the landowner contravened any Relevant Legislation*, or held a licence or other authority that has been suspended or revoked under any Relevant Legislation?
	If the landholder is an Associated Manager of another person, has the other person contravened any Relevant Legislation*, or held a licence or other authority that has been suspended or revoked under any Relevant Legislation*?
	Has the landowner or an Associated Manager of the landowner, in the previous 10 years, been convicted in New South Wales or elsewhere of an offence involving fraud or dishonesty?
	Has the landowner or an Associated Manager of the landowner, during the previous 3 years, been an undischarged bankrupt or applied to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounded with creditors or made an assignment of remuneration for their benefit?
	If a body corporate, is the landowner the subject of a winding up order, or has the landowner had a controller or administrator appointed during the previous 3 years?
	If an individual, is the landowner or has the landowner been the director or person concerned in the management of a body corporate that is the subject of a winding up order or for which a controller or administrator has been appointed during the previous 3 years?

* Relevant Legislation means the following Acts, or parts of Acts, and any regulations, agreements, authorities or other instruments entered into, granted or made under those Acts or parts (whether or not still in force):

- the Biodiversity Conservation Act 2016;
- Part 5A of the Local Land Services Act 2013;
- Parts 7 and 7A of the Fisheries Management Act 1994;
- the Environmental Planning and Assessment Act 1979;
- an Act or part of an Act administered by the Minister for the Environment;
- a repealed Act that corresponds to an above-mentioned Act
- an Act of the Commonwealth, another State or Territory that corresponds to an above-mentioned Act.