

## MODIFYING DA/CONSENT (s4.55) CHECKLIST

This checklist is to be completed and submitted with your application. For detailed information on plan/document requirements please consult the DEVELOPMENT APPLICATION – SUPPLEMENTARY INFORMATION document and Council's ELECTRONIC APPLICATION REQUIREMENTS when lodging your application.

**NOTE: Your Application will not be accepted by Council unless ALL required documentation is provided at the time of lodgement.**

Property Address: \_\_\_\_\_

Q1	Have you had a meeting with a Council officer regarding amendments to the development? <b>If yes,</b> a) what was the date of the meeting? ____ / ____ / ____ b) what was the name of the officer you met with? _____	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Q2	Is the development to which the consent as modified relates, substantially the same as the original development? <b>If yes,</b> you are required to provide a modification description (itemised list) which accurately describes all proposed amendments and demonstrates that the development is substantially the same. <b>If no,</b> do not proceed with your modification of Development Consent. A new Development Application will be required.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Q3	Has the Modification to DA form correctly identified the relevant type of Section 4.55 application? (see notes below) a) <b>4.55(1) application</b> – to correct a minor error, misdescription or miscalculation. You will need to describe the error etc. in the modification description. b) <b>4.55(1A) application</b> – for a modification that will have a minimal environmental effect. Examples include internal design changes, drainage design amendments, amended landscape plans, changes to approved schedule of finishes, change in unit mix. These amendments do not impact on privacy, height, overshadowing and the like. Description of changes shall be in the modification description and discussion or impacts shall be included in the Statement of Environmental Effects. c) <b>4.55(2) application</b> - used for more complex amendments involving greater environmental impact. Typically used where external impacts are expected or possible and includes changes to windows, floor levels, height, carparking, generation and roof forms. Description of changes shall be in the modification description as discussion of impacts shall be included in the Statement of Environmental Effects. d) <b>4.55(8) application</b> – to modify a consent issued by the Land and Environment Court.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Q4	Does the amended development involve a change to the approved building? <b>If yes,</b> you are required to provide architectural plans.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Q5	Does the amended development alter the footprint of the approved building? <b>If yes,</b> you are required to provide the following: a) Floor space ratio calculation plan b) Details of external finishes and materials	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Q5A	For commercial or industrial development, does the amended development alter the proposed Gross Floor Area (GFA)? <b>If yes to the above question,</b> would it result in increased GFA? <b>If yes to any of the above,</b> you are required to submit two (2) separate floor area calculation plans showing boundaries of existing vs proposed floor area. Have you provided these?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Q6	Does the amended development involve additional demolition to that previously approved? <b>If yes,</b> you are required to lodge an amended demolition plan	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Q7	Does the modification alter previously submitted documentation? E.g. traffic reports, acoustic reports, SEPP65 Design Verification Statement, OSD design etc. <b>If yes,</b> you are required to submit the amended documents.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Q8	Is the site: a) a Heritage Item listed in Willoughby Local Environment Plan (WLEP)? b) located within the vicinity of a Heritage Item? c) located within a Conservation Area? <b>If yes to any of the above,</b> you are required to provide an amended Heritage Impact Statement.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Q9	Is the site located within a Bushfire Prone Area? If unknown, check with the Council's Customer Service or website. <b>If yes,</b> you are required to provide an amended Bushfire Hazard Assessment, or if minor works, (e.g. ancillary structures) provide a statement in your Statement of Environmental Effects.	YES <input type="checkbox"/>	NO <input type="checkbox"/>

Q10	Is the site affected by Flooding / Overland Flow and do the amendments include development at or below ground level? <b>If yes</b> , an amended Flood Risk Management Report and/or Floor Impact Study (whichever applicable) will be required.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Q11	Are you altering any previously approved landscape areas? <b>If yes</b> , then an amended natural landscaped area calculation plan is required for the whole site and a landscape plan is required which, depending on the extent of the works, may be required for the whole site or just the area in the vicinity of the works.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Q12	Are the amendments likely to alter the extent of overshadowing to neighbouring residential properties? <b>If yes</b> , you are required to provide shadow diagrams.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Q13	Does the amended proposal alter Original BASIX commitments? (e.g. changes to window sizes or location, cladding materials, skylights etc) <b>If yes</b> , you are required to submit an amended BASIX Certificate and show the BASIX commitments on the plans.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Q14A	Does the development involve a dwelling house, dual occupancy or secondary dwelling and are the amendments likely to alter the stormwater drainage requirements? <b>If yes</b> , you are required to submit amended stormwater drainage plans.  <b>Note:</b> (i). If the total impervious area does not exceed 50% <u>or</u> if the total increase in impervious area (including the amendment) has not increased by 25m <sup>2</sup> then a revised stormwater drainage plan is not required. (ii). If the development drains to the street (not charged), directly to Middle Harbour or directly to Lane Cove River, then a revised stormwater drainage plan is not required. (iii). For rainwater tank size please refer to table 1 in Part I of WDCP. (iv). Total Site Impervious area is the area of a site which contains any built structures such as roofs (including eaves), swimming pools, driveways, pathways and paved/concreted areas as well as gravel surfaces. Open slatted timber decks above a natural surface are excluded. For more information see Part I – Stormwater Management of the Willoughby Development Control Plan.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Q14B	Does the amended post development add to or alter the impervious site area and/or add, alter or replace the roofing of a commercial, industrial, mixed use, residential flat building, multi housing or boarding house? <b>If yes</b> , you are required to provide an amended stormwater drainage plan prepared by a suitably qualified civil engineer. Council's Standard Design Checklist and an Engineers' Design Compliance certificate are also to be completed.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Q15:	Does the amended proposal include changes to the previously approved car parking; driveway; and/o vehicular crossings? (Crossings that are bitumen, driveway strips, gravel and the like (or if the concret apron is severely damaged even with a layback) will need a pre-approval if carparking or a carparking structure is proposed.) You will be required to submit a new <a href="#">Vehicle Crossing Pre-Approval Certificate</a> .	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Q16:	Does the amended proposal result in any additional impact on any large rock outcrops or overhanging rocks or any archaeological or potential archaeological sites? <b>If yes</b> , you are required to address the potential impacts in your amended Statement of Environmental Effects and depending on the significance of the features you may be required to submit an Archaeological Assessment Report and the development may be an Integrated Development under the National Parks and Wildlife Act.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Q17:	Have the following been shown on relevant plans? The responses below may not relate to <b>all</b> applications. Tick N/A if this does not relate to your application)  (a) All floor plans are dimensioned. (b) All front rear and side boundary setbacks are dimensioned on the floor plans and site plan. (c) The finished floor level RLs are on every floor plan. (d) The overall dimensional heights on elevations and sections from ground level. (e) N/A – the above does not relate to my type of application. <input type="checkbox"/>	YES <input type="checkbox"/> YES <input type="checkbox"/> YES <input type="checkbox"/> YES <input type="checkbox"/> YES <input type="checkbox"/>	NO <input type="checkbox"/> NO <input type="checkbox"/> NO <input type="checkbox"/> NO <input type="checkbox"/> NO <input type="checkbox"/>

**WEBSITES & REFERENCE MATERIAL:** WLEP & WDCP – See [www.willoughby.nsw.gov.au](http://www.willoughby.nsw.gov.au); Biodiversity and Conservation SEPP 2021 – See [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au); Planning for Bushfire Protection – See [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au); BASIX Certificate – See [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

SUBMISSION REQUIREMENTS		S4.55 (Modifying DA/ CONSENT)			Applicant to complete✓			
✓ Documents / plans required • Documents / plans may be required (as per Q1-15) × No documents required								
<b>Plans (All plans are to show new work in colour)</b>								
Architectural Plans (coloured)* (Q4)	•							
Floor Space Ratio Calculation Plan (Q5)	•							
Two (2) separate floor area calculation plans showing boundaries of existing vs proposed floor area (Q5A)	✓							
Demolition Plan (Q6)	•							
Natural Landscape Area Calculation Plan (Q11)	•							
Shadow Diagrams (Q12)	•							
BASIX commitments shown on plans (Q13)	•							
Stormwater/Drainage Plan & Engineering Design Compliance Certificate (Q14A and Q14B)	•							
Vehicle Crossing Pre-Approval Certificate (Q15)	•							
<b>SUPPORTING DOCUMENTATION</b>								
Statement of Environmental Effects	✓							
Modification description(itemised list)(Q3)	✓							
External Finishes & Materials (Q5b)	•							
Amended Reports & Statements (Q7)	•							
Heritage Impact Statement (Q8)	•							
Bushfire Hazard Assessment (Q9)	•							
Flood Risk Management Report/ Flood Impact Study (Q10)	•							
BASIX Certificate (Q13)	•							
Archaeological Assessment Report (Q16)	•							
<b>ADDITIONAL DOCUMENTATION</b>								
Modifying DA Application Form (including owner's consent)	✓							

\*All plans are to show new work in colour

#### DECLARATION

I (Applicant to print name) \_\_\_\_\_ declare that:

- the electronic copy of all plans, supporting documentation and additional documentation has been prepared and submitted according to Council's [Electronic Application Requirements Guideline](#); **AND**
- I have completed the all parts of this CHECKLIST and submitted all required documentation including this checklist; **AND**
- I understand the need to register an account at the State Government's [ePlanning Portal](#) to allow all parties' correspondences to be interacted via this portal; **AND**
- I confirm my consent to receiving my Notice of Determination documents and electronically stamped plans in an electronic format via Council's secure web link. (or via the [ePlanning Portal](#) if applicable)

Applicants Name (Please Print) \_\_\_\_\_

Applicants Signature \_\_\_\_\_

Date \_\_\_\_\_

**Disclaimer – This CHECKLIST identifies the main requirements for lodging a modification to DA/consent or CDC. Any person using the checklist must do so on the basis that not every scenario and issue can be addressed, and discussion with the relevant Council staff may be required. These documents are subject to change without notice.**