

Checklist for applying to modify development consent

S4.55(1), 1A, (2) and S4.56 of the Environmental Planning and Assessment Act 1979



Introduction	<ul style="list-style-type: none"> Please ensure that your application contains all the information listed in the table below, tick the column titled "Checklist - Applicant" or write 'NA' if it is 'not applicable' to the DA. This form must be uploaded to the NSW Planning Portal with your application.
Pre-Application Meeting (PAM)	<ul style="list-style-type: none"> It is recommended that a pre-application (PAM) meeting be held with Council Officers to identify any issues and outline requirements for the DA submission. More information is available on Council's website: https://www.blacktown.nsw.gov.au/Plan-build/Stage-3-preparing-an-application/Pre-Application-Meetings-PAM
Lodgement and fees	<ul style="list-style-type: none"> All information required by the checklist must be submitted with your development application. Incomplete applications or illegible information will not be accepted by Council. Fees will be charged in accordance with Council's Goods and Services Pricing Schedule. You will be invoiced once your development application has been checked by Council's Officers. Your development application won't be formally lodged until it has been checked for accuracy and completeness and the full and correct fees have been paid. Payment of fees can be made at https://eservices.blacktown.nsw.gov.au Credit card details are not to be provided to Council electronically.
Property	Address: Suburb: Postcode:

Application to Modify Development Consent (S4.55/4.56)		Checklist	
		Applicant	Staff
1. Pre-Application Meeting (PAM) – Refer to Council's 'Request a PAM Form' for details. The proposed development has been the subject of a pre-application meeting and the minutes have been included as part of the documentation for the DA.			
2. Electronic Documentation – All relevant documentation needs to be lodged online via the NSW Planning Portal https://www.planningportal.nsw.gov.au . Refer to Council's 'File Naming Convention' for requirements for uploading electronic files.			
3. Owner's Consent – All owner's have signed the Owner's Consent Form. Owner's names match those on Council's rates system and the form must be uploaded to the NSW Planning Portal. Refer to Council's 'Owner's Consent Form'			
4. Cost of Development – The application nominates the new estimated cost of development. <ul style="list-style-type: none"> This is to accord with the Department of Planning, Industry and Environment's circular 'Calculating the Genuine Cost of Development'. A revised cost summary prepared by a suitably qualified person is required for applications made under 4.55(2) or 4.56 that are not of minimal environmental impact. All development applications with an estimated cost of work less than \$3 million must be accompanied by a Cost Summary Report <link to form> Development applications for development with an estimated cost of work exceeding \$3 million are to be submitted with a Registered Quantity Surveyor's Detailed Cost Report. The Capital Investment Value (CIV) is required in addition to the cost of the development where proposed development triggers criteria for 'regionally significant development' within State Environmental Planning Policy (State and Regional Development) 2011. 			
5. Notification Plans – Plans showing site context and proposed plan of subdivision are provided. Please note, these plans will be sent to nearby property owners/occupiers where notification is required and are not to include internal layout plans of any housing products.			
6. Statement of Environmental Effects (SEE) – A SEE is provided. <ul style="list-style-type: none"> The Environmental Planning and Assessment Act 1979 requires the submission of a SEE with all DA's (except where an Environmental Impact Assessment is required for more major development). The SEE describes and discusses the development proposal in detail and outlines how the impact of the proposed development has been assessed by the applicant, and addresses Clause 4.55 or 4.56 of the EP&A Act 1979. Any modification sought must be detailed in the SEE with justification that any proposed modification is 'substantially the same' development. Where conditions are proposed to be amended, you are to identify which conditions you are seeking to be modified and to what you propose them be amended. Tables of compliance are to be included within the SEE detailing compliance with relevant planning standards and controls referred within relevant planning policy. 			
7. Owner's/Applicants Declaration of Affiliations – A Declaration of Affiliations form has been submitted. Refer to Council's document 'Declaration of Affiliations' for further information.			
8. Neighbour Consultation – You are encouraged to consult with your neighbours who may be affected by the proposed development (before lodging an application with Council).			

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Details of the proposed modification		Applicant	Staff
9. Details of determination to be modified Application/Consent No. Determination Date			
10. Type of Modification – Modifications to development consents are required to be ‘substantially the same’ development. Please indicate which application you are applying for with a brief description of the development proposal: <input type="checkbox"/> Modification/s under Section 4.55(1) This section applies to minor error, misdescription, miscalculation, and the like. <input type="checkbox"/> Modification/s under Section 4.55 (1A) This section applies to modifications that are of minimal environmental impact. <input type="checkbox"/> Modification/s under Section 4.55(2) This section applies where applications are <u>not</u> of minimal environmental impact. <input type="checkbox"/> Modification/s under Section 4.56 This section applies if the original approval was granted by the Land and Environment Court.			
11. Subdivisions – Where there is an increase in lot yield, additional costs for proposed lots are due to be paid. Consideration will need to be given to whether the proposal is ‘substantially the same’, or whether a new DA is required. <ul style="list-style-type: none"> ▪ How many lots were previously approved?..... ▪ How many lots are proposed in this application? 			
Plans (these are to be fully annotated and dimensioned)		Applicant	Staff
12. Plans – A full set of architectural plans are provided <ul style="list-style-type: none"> ▪ This is to include survey plan, site plan, elevations and sections, floor plans, cut/fill/retaining walls plan, landscape plan, plan of materials and finishes, shadow diagrams, engineering plans and the like (even if some of the plans are not impacted by any proposed amendment). • All amendments to your design must be highlighted on plans submitted with this form. Any alterations and/or additions proposed are to be clearly shown and in colour on plans. • You are to identify each plan or document you are seeking to modify. For plans, Architect’s Name, Job No., Drawing No. and Date is required. 			
13. BASIX Certificate – A new BASIX Certificate/s will be required if the proposed modifications impact upon any approved BASIX Certificate associated with the consent on the site. BASIX commitments are to be shown on plans.			
Documentation		Applicant	Staff
14. Documentation – New or amended reports are provided to reflect the proposed modifications where the proposed modifications affect reports previously submitted and relied upon for the original consent. Please note, it will be necessary to address any changes in legislation that may have occurred since the original consent was issued and to demonstrate a clear development assessment pathway for Council’s consideration.			
15. Exceptions to development standards - If a variation to a statutory development standard is proposed, a written justification against the exception to that development standard addressing Clause 4.6 of the relevant planning instrument has been provided.			

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Additional Requirements – Subdivision (where proposed)	Applicant	Staff
<p>16. Plan of subdivision - A pdf and vector file of the following is provided:</p> <ul style="list-style-type: none"> ▪ You are to provide a scaled and fully dimensioned plan showing the proposed lots and their size, widths and lengths, and any proposed access handles or easements. This is to be relative to the lot proposed to be subdivided and showing adjoining properties for context. Any buildings proposed to remain are to be shown with distances to boundaries nominated on the plan. ▪ A vector file for the plan of subdivision in Land XML or DWG format and PDF file to view the data is required. Coordinate system of Land XML or DWG must be MGA 56 GDA 2020. Each layer is to be able to be viewed separately (e.g. road, lots, easement, annotation, dimension, etc). The polyline must be closed and the unit of measurement is to be in metres. 		

Your Declaration	<p>Applicants should be aware that if all the required information is not provided, the development application WILL NOT be accepted by Council staff.</p> <p>Further information will be requested if not initially provided.</p>
	<p>I hereby make the Modification application outlined above and accept that this form is a public record and may be made available on Council's Website.</p> <p>Applicant's Name(s): <i>(Please Print)</i></p> <p>.....</p> <p>Applicant's Signature(s):</p>
Your Privacy	<p>The supply of personal information is legally required and will assist Council officers in assessing your application. Failure to supply the information may result in delays or rejection. The personal information provided in this application may be inspected by a person under various legislation, which provides that a person who has inspected a document may also request, and be provided with, a copy of that document.</p>
Office Use	<p>Duty Town Planner to check contents of the application and sign:</p> <p>Name:</p> <p>Signature Date:</p>

Notes: