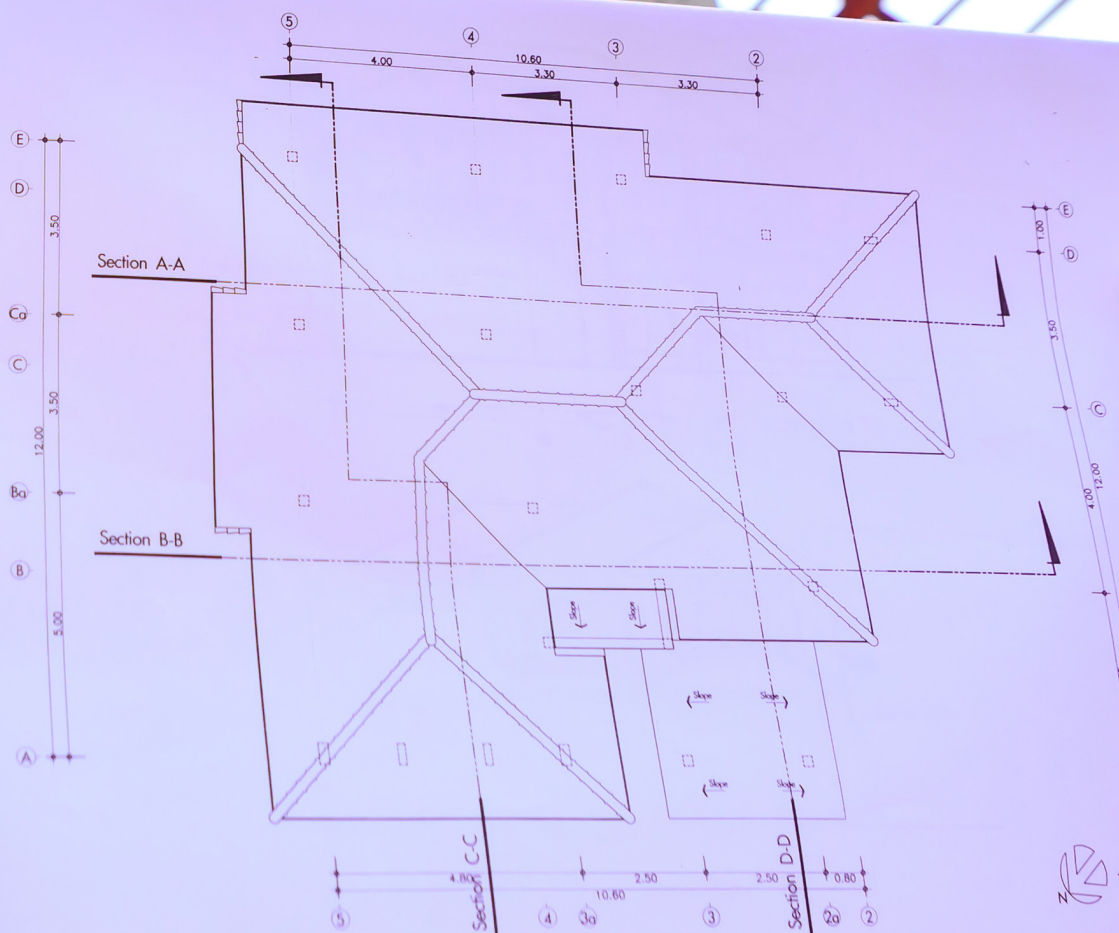


## ATTACHMENT 4 - Draft Waverley Development Application Guide



WAVERLEY  
COUNCIL

# WAVERLEY DEVELOPMENT APPLICATION GUIDE



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An aerial photograph of a city, likely Vancouver, with a blue color overlay. The image shows a dense urban landscape with numerous buildings, including high-rise apartment complexes and commercial structures. A large body of water is visible in the upper left, and a highway runs through the lower left. The text 'Part 01.' is overlaid in white on the left side of the image.

# Part 01.

## INTRODUCTION AND TYPES OF DEVELOPMENT

# INTRODUCTION AND PURPOSE OF THIS DOCUMENT

This guide has been prepared to provide information to applicants regarding Development Applications. Further information regarding the Development Assessment process can be found on Council's website.

The guide is to be read in conjunction with the Waverley Development Control Plan 2012 (WDGP2012), and the Waverley Local Environmental Plan 2012 (WLEP2012).

## WHAT IS A DEVELOPMENT APPLICATION

A Development Application (DA) is an application made to Council seeking consent to carry out a proposed development. The development standards and controls for a DA are largely set by Council as well as the NSW Government. Certain requirements can be varied if it results in a development which achieves the objectives of the controls and an improved outcome for a site.

A Complying Development Certificate (CDC) is a fast-tracked approval process that can be used for straightforward developments which have minor environmental impacts. If an application meets specific CDC criteria, it can be determined by Council or an accredited certifier. Requirements for CDCs are set by the NSW Government and apply across

the state. These requirements cannot be amended for individual developments.

Exempt development involves minor development that, subject to certain criteria, does not require any approvals. This criteria is also set by the NSW Government and applies across the state.

Applicants are advised to engage an urban planner and architectural professional to provide advice on:

- Whether the proposed development is permissible;
- Whether a DA is required, or if it the proposal may be 'exempt' or 'complying' development instead; and
- How Waverley's plans, codes and policies affect your proposed development.

## WHEN IS A DEVELOPMENT APPLICATION REQUIRED

A DA is required for most development within the Waverley Local Government Area. The Environmental Planning and Assessment Act 1979 (the Act) defines development as:

- Demolishing a building or structure;
- Building a residential, commercial or industrial building;
- Making an alteration or addition to a residential, commercial or industrial property;
- Subdivision; or
- Changing the use of a building.

It is the applicant's responsibility to ensure that the relevant planning controls and policies have been identified and satisfied. A DA can be approved by a local council, a planning panel, or the NSW Government, and is assessed in accordance with the development standards established by Council and the NSW Government. If Council, or another determining body, is satisfied with the proposal, development consent for the DA may be granted.

Applicants can obtain a Development Application Pack from Council's Customer Service Centre or alternatively, all relevant forms are available via Council's Website. Council's Customer Service Centre can provide information on DA fees payable, either in person or over the phone.

## INTEGRATED DEVELOPMENT

Some development requires approval from another government agency. This is referred to as 'integrated development.' The DA application form lists different activities that may be integrated development.

Please refer to Section 91 of the Environmental Planning and Assessment Act 1979 for more information.



# Section 02.

**HOW TO PREPARE  
AND LODGE A  
DEVELOPMENT  
APPLICATION**

## The following process should be followed when preparing and lodging a DA:

### 1. SEEK ADVICE AND INFORMATION

Council's Duty Planning Officer can provide information on how to locate and understand the planning policies and procedures that may be relevant to a development, however they will not provide design or planning advice, as there is a separate formal process for this (explained below). To contact Council's Duty Planning Officer, call 9083 8484, or drop into the Customer Service Centre at 55 Spring Street Bondi Junction Monday - Friday 8.30am - 1pm and 2pm - 4pm.

Applicants are encouraged to seek planning and design advice from an architectural or planning professional to understand the suitability of the proposal for the site.

### 2. HAVE A PRE-LODGE MEETING

Some large, complex or sensitive developments may benefit from a pre-DA meeting to discuss likely issues and impacts of the proposed development prior to the assessment of the proposal.

This type of application requires less documentation and supporting information than a DA and provides written advice, identifying issues and a preliminary opinion on the merits of a proposal from senior

development assessment staff. This is usually only necessary for significant development proposals or where substantial variations from development controls are being sought or for complex development sites.

Pre-DA consultations cannot determine the outcome of an application and do not bind Council to the advice given. However they do provide useful early advice regarding a proposal and can help in determining whether to proceed with an application. This service is available subject to a fee.

### 3. PREPARE DA DOCUMENTATION

Your application documentation should include:

- Administrative information including application forms and DA checklist available from Council's website.
- Drawings, models and diagrams to communicate the proposed development.
- A Statement of Environmental Effects.
- Additional supplementary reports and documentation as outlined in Documentation Requirements listed later in this guide

### 4. LODGMENT REQUIREMENTS

- USB or CD with ALL forms, plans and documents in soft copy, each individually labelled to identify the property address and subject of file, each in pdf form, limited to 5MB per file;
- FORMS: 1 x hard copy of forms;
- PLANS: 3 x hard copy of plans to scale (preferably limited to A3 size), coloured and labelled to clearly show all new works (Refer to Council's Colour Code for reference of colour palette to use);
- DOCUMENTATION\*: 3 x hard copy of documentation; and,
- DESIGN EXCELLENCE PANEL APPLICATIONS ONLY: 5 x hard copy, in addition to the above requirements.
- For developments with an estimated cost of works >\$10million, it is recommended 2 additional sets of Section 2 & 3 documents be provided
- DA fees are required and can be paid with Cash, Card and Cheque. Call the Customer Service Centre to determine the DA fees prior to lodgement.
- Lodge the DA with the appropriate fees at Council's Customer Service Centre: 55 Spring Street, Bondi Junction Mon – Fri, 8.30am-1pm and 2pm– 4pm



## POLICIES AND PLANNING CONTROLS

After determining whether a DA is required, the second step is to find out what policies and planning controls apply to the development.

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## ENVIRONMENTAL PLANNING INSTRUMENTS

Environmental Planning Instruments are statutory plans made under Part 3 of the Environmental Planning and Assessment Act 1979 that guide development and land use. The two main instruments used in the assessment of development applications are: Local Environmental Plans and State Environmental Planning Policies (SEPPs).

### **Waverley Local Environmental Plan 2012 (WLEP)**

This is the principal legal document controlling development within the Waverley Council Local Government Area. It contains information on how land is zoned, what uses are permissible in the zone, and development standards to regulate the extent of development. The WLEP also includes provisions to conserve heritage and the natural environment.

### **State Environmental Planning Policies (SEPP)**

State Environmental Planning Policies (SEPPs) are prepared by the state government and specify planning controls for certain areas and/or types of development. The NSW Legislation website provides a list of SEPPs that may be applicable to development within the Waverley Local Government Area.

## WAVERLEY DEVELOPMENT CONTROL PLAN 2012

The Waverley Development Control Plan 2012 (DCP) is prepared by Council and provides information and controls relating to the design and planning of developments. The DCP provisions are structured into two components: objectives and controls. The objectives provide the framework for assessment under each control and outline key outcomes that a development is expected to achieve. The controls contain both quantitative and qualitative provisions. All DA proposals are required to address both the relevant objectives and controls.



## GUIDELINES AND COUNCIL POLICIES

There are various guidelines and policies that are appropriate for different types of development. Refer to Council's website for more information.

## OTHER STANDARDS AND LEGISLATION

All DAs are expected to comply with:

- Any legislation relevant to the application, for example the Disability Discrimination Act 1992;
- The Building Code of Australia (BCA) and National Construction Code (NCC); and
- Relevant Australian Standards (AS).

## PLANNING CERTIFICATES

A Planning Certificate (issued under Section 149 of the Environmental Planning and Assessment Act 1979) provides information including land zoning and development standards and controls applicable to a site. Planning certificates can be obtained through Council.



# Section 03.

**DEVELOPMENT  
APPLICATION  
REQUIREMENTS**

## INTRODUCTION

The statutory requirements for supporting information to accompany a Development Application (DA) are established in Schedule 1, Part 1 of the Environmental Planning and Assessment Regulation 2000 (the Regulation). The additional information outlined below ensures the level of detail provided is adequate to assess each DA and will not lead to delays in the processing of an application.

It is recommended that applicants seek the services of professional architectural and urban planning consultants for guidance and assistance. The required skills and expertise will vary depending on the nature and scale of a development.

In some circumstances it may be appropriate to lodge a Pre-DA Application before lodging a DA, the requirements of which have been explained earlier in this guide.

This section details all the documentation requirements for each type of development application.

## MAPPING INFORMATION

Council provides an Online Mapping Tool - Planning Map available at:

**[http://www.waverley.nsw.gov.au/building/planning\\_a\\_development/online\\_maps](http://www.waverley.nsw.gov.au/building/planning_a_development/online_maps)**

The tool enables users to gather planning related information about their property, using various 'layers.' The tool has multiple layers that can be applied, to provide information about a

property. Where a layer is to be used to determine whether a Documentation Requirement applies, the layer is entitled 'OMT Layer: Layer Name.'

Where this tool is relevant to development controls is identified throughout the WDCP2012 in the format of the box shown below.

### Waverley Online Mapping Tool

**[planning.waverley.nsw.gov.au/connect/analyst](http://planning.waverley.nsw.gov.au/connect/analyst)**

Layer	Geotechnical Hazard
	Coastal Inundation

**Note:** Council aims to ensure that the data on the Online Mapping Tool is correct and up to date at all times. In the case of a discrepancy between the WLEP2012 or another Environmental Planning Instrument and the Online Mapping Tool, the WLEP2012 or Environmental Planning Instrument available on the NSW Legislation website is to take precedence.

## DOCUMENTATION DETAILS

The following information is required on all drawings:

- Title Block showing:
  - Name of Architect or Draftsman
  - Plan/Drawing number and date
  - Amendment number and date (where relevant)
  - Applicants' name
  - Address of property
- Orientation – Include a north point (true north) on plans.
- Scale – Show a ratio and bar scale. Use a standard scale of

1:50 or 1:100 when printed on A3. A scale of 1:200 may be used for the site plan, and 1:500 for the site context.

- Levels – Plans and elevations must show levels relative to Australian Height Datum (AHD)
- BASIX requirements
- Colours – Differentiate alterations and additions from existing buildings works.

All other documents must provide the following information:

- Author of document
- Professional appropriateness to prepare the document (where relevant)
- Preparation date
- Amendment number and date (where relevant)
- Applicants' name
- Address of property

## DOCUMENTATION REQUIREMENTS

The following table identifies the documentation requirements for all types of DAs. The level of detail included depends upon the size of the proposal and the likely environmental impacts. Where the proposal raises particular issues, it may only be necessary to submit details relevant to those issues. After receiving a DA, an applicant may be requested to provide additional information if that information is necessary for the determination of the application.

## DEVELOPMENT APPLICATION REQUIREMENTS

Plan / Document	When Required	Information
Forms and Checklists: All forms are available at <a href="http://waverley.nsw.gov.au">waverley.nsw.gov.au</a>		
<b>DA Form</b>	All Development Applications	Requires owners consent (and the owners corporation seal where applicable) and brief description of the proposal.
<b>Compliance Table</b>	All Development Applications	Outlines compliance (or noncompliance) with all relevant development standards within WLEP2012 and numerical controls within WDCP2012.
<b>Political Donations and Gifts Disclosure Statement</b>	As required under Section 147(4) of the EP&AA 1979.	Provides for the disclosure of relevant political donations or gifts as per Section 147(4) of the EP&AA 1979. See: <a href="http://legislation.nsw.gov.au">legislation.nsw.gov.au</a>
<b>Non-Residential Development</b>	All new or change of use for non-residential development.	Provides additional information regarding the management of the use.
<b>Site Plan</b>	All development applications.  The level of detail included in the plan will be dependent on the scale of the proposed works.	<p>A Site Plan must be at a scale of not less than 1:200 and include:</p> <ul style="list-style-type: none"> <li>• The location, boundary dimensions, site area and north point of the land;</li> <li>• Existing levels of the land in relation to buildings and roads to Australian Height Datum;</li> <li>• Existing vegetation and trees including their botanic name and size of trees proposed to be removed and retained;</li> <li>• Proposed private open spaces and landscaped areas;</li> <li>• The location of other natural features on the site e.g. rock/sandstone outcrops, watercourses;</li> <li>• The location and levels of existing buildings, fences and other structures;</li> <li>• The location and levels of any proposed new buildings or alterations and additions to existing buildings;</li> <li>• The location, levels and uses of buildings on the adjoining land;</li> <li>• Waste bin storage and collection areas;</li> <li>• Onsite stormwater management; and</li> <li>• Location of easements and services on the site and immediately adjoining the site.</li> </ul> <p>Note: Applicants may also be required to provide a Site Analysis indicating the predominant front and rear setbacks upon request by Council officers.</p>

## DEVELOPMENT APPLICATION REQUIREMENTS

Plan / Document	When Required	Information
<b>Site Analysis Plan</b>	All Development	<p>The Site Analysis can be demonstrated by plan at an appropriate scale, and shall include, but is not limited to:</p> <ul style="list-style-type: none"> <li>• Property details including site boundaries, dimensions and area.</li> <li>• Encumbrances such as easements or rights of way.</li> <li>• Orientation, aspect, views and microclimate.</li> <li>• Existing noise sources, light spillage and overshadowing.</li> <li>• Landform including contours or spot levels, areas of landfill.</li> <li>• Landscape including existing trees, vegetation and natural features.</li> <li>• Services and infrastructure including stormwater drainage.</li> <li>• Access and street features including roads, poles, footpaths, driveways.</li> <li>• Existing development including buildings, fences, driveways.</li> <li>• Existing heritage or archaeological features on or adjoining the site.</li> <li>• Existing land and development adjoining the site.</li> <li>• Proposed development.</li> </ul> <p>In addition, submit a written statement in the Statement of Environmental Effects, supported by photographs, demonstrating how the proposed design responds to the constraints and opportunities identified in the site analysis.</p>
<b>Context Analysis</b>	<p>All development within a Heritage Conservation Area.</p> <p>Development of Heritage Items, Multi Residential Development, and Mixed Use Developments.</p> <p>Places of public worship.</p> <p>Development subject to Part E Site Specific Development.</p>	<p>Submit a written document describing how the design proposal has considered and responded to the context.</p> <p>This document should include photos, illustrations and descriptions of:</p> <ul style="list-style-type: none"> <li>• Existing buildings and uses</li> <li>• Neighbouring buildings and uses</li> <li>• Streetscape and heritage characteristics</li> <li>• Business / Local centre characteristics</li> <li>• Stormwater and drainage</li> <li>• Trees and landscaping</li> <li>• Views</li> <li>• Privacy</li> <li>• Traffic, transport and parking</li> <li>• Access</li> <li>• Sunlight</li> <li>• Ventilation</li> </ul> <p>For more information refer to WDCP2012 Part B12 Design Excellence Section 12.2 Context and Site Analysis.</p> <p>The site analysis should detail how the proposed development or change of use will affect the site, the streetscape and surrounding properties, and also analyse the existing conditions of the site to identify the opportunities and constraints.</p> <p>The Context Analysis is to include a written statement describing:</p> <ul style="list-style-type: none"> <li>• How the design proposal has considered and responded to the context; and</li> <li>• The nature and degree of consistency of the built form and character within the streetscape.</li> </ul>

## DEVELOPMENT APPLICATION REQUIREMENTS

Plan / Document	When Required	Information
<b>Streetscape Analysis</b>	Development that proposes a new vehicle crossing (driveway).	<p>A Streetscape Analysis must:</p> <ul style="list-style-type: none"> <li>• Provide a comparison between the current and proposed on-street parking provision and layout;</li> <li>• Provide an analysis of the character of the street and whether vehicular access will adversely impact the streetscape; and</li> <li>• Demonstrate how pedestrian and cyclist accessibility and safety is maintained.</li> </ul>
<b>Floor, Elevation and Section Plans</b>	All development applications involving building work and change of use.	<p>Floor Plans must be at a scale not less than 1:100 and include:</p> <ul style="list-style-type: none"> <li>• Existing and proposed works on each floor including roof plans;</li> <li>• Calculable GFA for proposal;</li> <li>• Room sizes and intended uses/works;</li> <li>• Ventilation systems, air conditioning and satellite dishes;</li> <li>• Setbacks from boundaries and adjoining buildings including window openings, doors and external living areas;</li> <li>• Outdoor spaces, such as balconies with dimensions and ancillary structures;</li> <li>• Details of any devices/measures to address amenity issues e.g. screening, window details;</li> <li>• Swimming pools/spas and associated works including the location of the pool filter and pool motor; RLs of the pool coping in relation to the existing ground levels of the subject premises and adjoining premises; and</li> <li>• External lighting.</li> </ul> <p>Elevation Plans must be at a scale not less than 1:100 and include:</p> <ul style="list-style-type: none"> <li>• Outline of existing buildings;</li> <li>• Elevations of all sides of the building or structure;</li> <li>• Materials and external finishes;</li> <li>• Location of adjoining buildings showing height and setback;</li> <li>• Proposed window details;</li> <li>• Chimney, lift motor rooms and other structure associated with the roof.</li> </ul> <p>Section Plans must be must be at a scale not less than 1:100 and include:</p> <ul style="list-style-type: none"> <li>• Appropriate number and location of each section;</li> <li>• Section line;</li> <li>• Room names;</li> <li>• Areas of cut/and or fill;</li> <li>• Finished ground levels, floor levels, roof line levels and driveway grade;</li> <li>• Location of existing trees; and</li> </ul> <p>Ground level from survey.</p>

## DEVELOPMENT APPLICATION REQUIREMENTS

Plan / Document	When Required	Information
<b>Landscape Plan – Low Density Residential</b>	Alterations and additions to development to which WDCP2012 Part C2 - Low Density Residential applies.	<p>The plan must demonstrate an understanding of the site and its context having regard to the coastal location and sandy soil.</p> <p>The plan is to be prepared in accordance with Part B3 Landscaping and Biodiversity.</p> <p>The Plan is to include a plant species list, showing the botanical and common names of plants, pot size of plants, number of plants and the area of origin of the plant material.</p> <p>For properties containing or adjoining remnant vegetation, habitat corridors or recognised habitat, (See Part B3 - Landscaping and Biodiversity) the landscape plan should be consistent with the relevant section of the Biodiversity Action Plans – Remnant Sites or Habitat Corridors.</p> <p>The Plan must include all proposed changes to landscaped space including:</p> <ul style="list-style-type: none"> <li>• Existing levels and finished levels (indicating the extent of cut and fill)</li> <li>• Provision of deep soil areas (deeper than 400mm);</li> <li>• Any landscaping to be retained;</li> <li>• Any trees to be removed;</li> <li>• Proposed new planting (species, pot size, mature height and quantity); and</li> </ul> <p>Proposed surface treatments (e.g. turf, paving, etc.)</p>
<b>Landscape Plan – All Other Development</b>	<p>All new developments excluding development in Business Centres.</p> <p>In cases where additions to existing buildings include alterations to landscaped open space.</p> <p>Landscape works.</p>	<p>Landscape Plan must be prepared by a suitably qualified and experienced landscape architect or landscape designer (minimum of Diploma, and eligibility for membership with AILA or AILDM).</p> <p>The plan must demonstrate an understanding of the site and its context having regard to the coastal location and sandy soil.</p> <p>The plan is to be at a scale not less than 1:100.</p> <p>The plan is to be prepared in accordance with Part B3 Landscaping and Biodiversity.</p> <p>The Plan is to include a plant species list, showing the botanical and common names of plants, pot size of plants, number of plants and the area of origin of the plant material.</p> <p>For properties containing or adjoining remnant vegetation, habitat corridors or recognised habitat, (See Part B3 - Landscaping and Biodiversity) the landscape plan should be consistent with the relevant section of the Biodiversity Action Plans – Remnant Sites or Habitat Corridors.</p>

## DEVELOPMENT APPLICATION REQUIREMENTS

Plan / Document	When Required	Information
<b>Landscape Plan – All Other Development</b> <i>continued</i>	<p>All new developments excluding development in Business Centres.</p> <p>In cases where additions to existing buildings include alterations to landscaped open space.</p> <p>Landscape works.</p>	<p>he plan must include all proposed changes to landscaped space including:</p> <ul style="list-style-type: none"> <li>• Existing levels and finished levels (indicating the extent of cut and fill)</li> <li>• Provision of deep soil areas (deeper than 400mm);</li> <li>• Any landscaping to be retained;</li> <li>• Any trees to be removed;</li> <li>• Proposed new planting (species, pot size, mature height and quantity); and</li> </ul> <p>Proposed surface treatments (e.g. turf, paving, etc.)</p>
<b>Survey Plan</b>	<p>All development excluding minor alterations and additions.</p>	<p>Survey to be prepared by a Registered Surveyor to AHD and to show existing natural ground level, proposed levels of all floors and roof/roof eaves and (where required by the assessing officer) the level of adjoining roof/roof eaves.</p> <p>The survey should also show the location and levels of any existing buildings on the site and on adjoining sites.</p>
<b>Shadow Diagrams</b>	<p>All development applications for dwelling houses or dual occupancies where the height or setback controls are not complied with.</p> <p>All development applications for Multi Residential Development, Mixed Use Development and Commercial Development greater than 1 storey in height.</p> <p>In both cases above, there may be exceptions where the Council officer considers otherwise in regards to the circumstances of the case.</p>	<p>Shadow diagrams must be at a scale not less than 1:100 and should include:</p> <ul style="list-style-type: none"> <li>• North point (true north);</li> <li>• Position of existing and proposed buildings and fences;</li> <li>• Position of buildings on adjoining land including windows to living areas; private outdoor open space; swimming pools and solar panels;</li> <li>• Shadows cast during the winter solstice for 9am, 12 noon and 3pm (show altitude and azimuth angles);</li> <li>• Change(s) in shadows from existing to proposed development; and</li> <li>• If the proposal is likely to overshadow, the windows of adjoining building(s), provide an elevation to show shadow impacts.</li> </ul>

## DEVELOPMENT APPLICATION REQUIREMENTS

Plan / Document	When Required	Information
<b>Water Management Site Plan</b>	All development applications except for internal works.	Plans are to be in accordance with the Waverley Water Management Technical Guidelines.
<b>Stormwater Management Plan</b>	All development (excluding minor alterations and additions) on land identified as, or land adjacent to, remnant vegetation in the Terrestrial Biodiversity Maps in WLEP2012.  Also identifiable on OMT Layer: Biodiversity.	A stormwater management plan must be submitted with the development application that demonstrates the proposed measures that will be adopted to ensure no adverse environmental impact is imposed on any remnant vegetation. Such measures could include sediment fencing to retain stockpiles on site or geotechnical fabric to protect stormwater drains.
<b>Subdivision / Strata Plan</b>	All development applications proposing to torrens subdivide or strata subdivide land.	The Plan is to include: <ul style="list-style-type: none"> <li>• Existing and proposed subdivision boundaries;</li> <li>• The number of lots;</li> <li>• Any easements or encumbrances;</li> <li>• Lot areas in square metres; and</li> </ul> Lot and deposited plan numbers.
<b>Statement of Environmental Effects (SEE)</b>	All Development Applications.	An SEE outlines the proposal and addresses all issues for consideration and assessment.  The SEE must outline: <ul style="list-style-type: none"> <li>• The details of the proposal;</li> <li>• The suitability of the site for the proposed development;</li> <li>• Explain how the proposal has resolved the relevant matters contained within Section 79C of the EP&amp;AA 1979;</li> <li>• Compliance with the relevant Environmental Planning Instruments, and the WLEP2012 and WDCP2012;</li> <li>• Where any relevant controls are not satisfied justification for the non-compliance must be provided;</li> <li>• The likely environmental impacts of the development on the natural and built environment;</li> <li>• The steps to be taken to protect the environment or to lessen the expected harm to the environment;</li> <li>• Any likely social or economic impacts from the development;</li> <li>• If the non-compliance relates to a development standard in WLEP 2012 (e.g. Lot size, building height and floor space ratio), a Clause 4.6 of the WLEP2012 Justification which sets out how non-compliance may be considered.</li> </ul>

## DEVELOPMENT APPLICATION REQUIREMENTS

Plan / Document	When Required	Information
<b>BASIX Certificate</b>	<p>Under State Environmental Planning Policy (BASIX Sustainability Index) 2007 the following applications require a certificate:</p> <ul style="list-style-type: none"> <li>• All new residential buildings;</li> <li>• Alterations and additions to existing residential buildings where the estimated cost of construction is more than \$50,000 and where development approval is required; and</li> <li>• New swimming pool or spa with a capacity of 40,000 litres or more.</li> </ul>	<p>Certification is to be submitted to ensure the development satisfies suitability targets prescribed by the NSW Government.</p> <p>Site, floor elevation and landscape plans must identify BASIX commitments.</p> <p>If a swimming pool is proposed, the column of the pool must be shown on the plans.</p> <p>See: <a href="http://basix.nsw.gov.au">basix.nsw.gov.au</a></p>
<b>Archaeological Assessment</b>	Applications involving development on land identified as Archaeological in the WLEP 2012 Heritage Maps.	See: <a href="http://heritage.nsw.gov.au">heritage.nsw.gov.au</a>
<b>Heritage Impact Statement</b>	Applications relating to a heritage item, sites within a heritage conservation area, or on sites within the vicinity of a heritage items or heritage conservation area.	<p>A Heritage Impact Statement is to be prepared by a qualified heritage architect/planner in accordance with the NSW Heritage Manual and the Burra Charter and include:</p> <ul style="list-style-type: none"> <li>• An assessment of the impact of works on the site, item and/ or conservation area;</li> <li>• Include a history of the property; and</li> <li>• Before and after photos.</li> </ul> <p>Council may also require the submission of a Heritage Conservation Management Plan.</p>
<b>Heritage Conservation Management Plan</b>	<p>Applications involving:</p> <ul style="list-style-type: none"> <li>- a change of use of a heritage item of State heritage significance;</li> <li>- any alteration to the fabric or setting of a heritage item of State heritage significance which requires consent;</li> <li>- an award of heritage floor space under Sydney LEP 2012; or</li> <li>- substantial alterations and or additions to a heritage item considered by the Council to be of high local significance, unless the consent authority determines that it is not required.</li> </ul>	<p>See: <a href="http://heritage.nsw.gov.au">heritage.nsw.gov.au</a></p> <p>The conservation management plan is to include:</p> <ul style="list-style-type: none"> <li>• the investigation of the physical and documentary evidence of the heritage item;</li> <li>• a comparative analysis and curtilage assessment;</li> <li>• assessment of the significance of the heritage item;</li> <li>• the investigation of the constraints and opportunities for the item including the owner's needs and resources, and external constraints;</li> <li>• conservation policies which address the following:             <ol style="list-style-type: none"> <li>i. conservation of the fabric and setting of the heritage item;</li> <li>ii. appropriate uses of the heritage item;</li> <li>iii. appropriate ways to interpret the significance of the heritage item;</li> <li>iv. management of the heritage item;</li> <li>v. guidelines for future development; and</li> </ol> </li> <li>• priorities for instigation of conservation policies.</li> </ul>

## DEVELOPMENT APPLICATION REQUIREMENTS

Plan / Document	When Required	Information
<b>Heritage Conservation Management Strategy</b>	May be applicable in place of a Conservation Management Plan for heritage items of local significance.	A conservation management strategy is to be prepared in accordance with the guidelines available from the Office of Environment and Heritage.
<b>SEPP 65 Assessment and Design Verification Statement</b>	Applications to which State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development	<p>Requirements include:</p> <ul style="list-style-type: none"> <li>• An explanation of the design in terms of the design quality principles set out in Part 2 of State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development;</li> <li>• Photomontages or photos of the model of the proposed development in the context of surrounding development;</li> <li>• A design verification statement by a registered architect; and</li> <li>• Applicable fee for referral.</li> </ul> <p>Please refer to the Residential Flat Design Code to confirm submission requirements.</p> <p>See: <a href="http://planning.nsw.gov.au/residential-flat-design-code">planning.nsw.gov.au/residential-flat-design-code</a></p>
<b>Models and/or Photomontages</b>	<p>Photomontage and Model for:</p> <ul style="list-style-type: none"> <li>• SEPP 65 applications.</li> <li>• New residential dwellings including new multi-unit dwellings</li> </ul> <p>Council may require a photomontage for smaller scale development than those listed.</p>	<p>A Model should:</p> <ul style="list-style-type: none"> <li>• Be a minimum 1:200 scale;</li> <li>• Include the subject property and its relationship to its context and adjoining developments; and</li> <li>• Including existing vegetation and exterior detail of the proposed development.</li> </ul> <p>A Photomontage should:</p> <ul style="list-style-type: none"> <li>• Be a three-dimensional perspective of the proposal in relation to the existing streetscape; and</li> <li>• Include at least 2 sites on either side of the subject site.</li> </ul>
<b>View Loss Analysis</b>		A detailed view loss analysis should include an accurate 'before' and 'after' photomontage or set of architectural drawings demonstrating the position of the proposed development within the view or views to be impacted. The analysis should be prepared by an architect, draftsman or suitably qualified expert and should be to scale where possible.

## DEVELOPMENT APPLICATION REQUIREMENTS

Plan / Document	When Required	Information
<b>Digital 3D Model</b>	<p>Any development that proposes to make amendments to a building's existing envelope within the B3 Commercial Core or B4 Mixed Use Zone.</p> <p>For all other zones - Any development that proposes to make amendments to a building's existing envelope, which will result in a building height of 12 metres or more.</p>	<p>A 3D digital model of the building must be generated at a scale of 1:1 with units of measurement in metres and include the following:</p> <ul style="list-style-type: none"> <li>• a building envelope which includes all elements affecting shadow analysis;</li> <li>• accurate placement of glazing, balconies, roof pitches, terraces, roof services and any other prominent external design features;</li> <li>• neighbouring dwellings impacted by the proposal (for sites outside the Bondi Junction B3 Commercial Core or B4 Mixed Use Zone);</li> <li>• ground level terrain showing accurate RLs extending to site boundaries;</li> <li>• internal floor plate of each level showing accurate RLs.</li> </ul> <p>All models must be generated in accordance with Council's Requirements for Submitting a Digital 3D Model.</p> <p>Any future modifications (under Section 96 of the EP&amp; AA 1979) that affect the external configuration of building (from the ground level and up) require an amended model to be submitted.</p> <p>See: <a href="http://waverley.nsw.gov.au">waverley.nsw.gov.au</a></p>
<b>Schedule of external finishes</b>	<p>For all new development.</p> <p>For significant alterations and additions to existing buildings.</p>	<p><b>A materials board including all external finishes proposed is to be submitted.</b></p>
<b>Site Waste &amp; Recycling Management Plan</b>	<p>All development excluding minor internal alterations.</p>	<p>A Site Waste &amp; Recycling Management Plan must be completed and submitted with applications.</p> <p>See: <a href="http://waverley.nsw.gov.au">waverley.nsw.gov.au</a></p>
<b>Public Art Plan</b>	<p>For all new development and major alterations and additions within the B3 Commercial Core and B4 Mixed Use Zone in Bondi Junction.</p> <p>All DA's proposing public art.</p> <p>For more information, refer to <i>WDCP2012 Part B11 Public Art, and Council's Public Art in the Private Domain Policy</i>.</p>	<p>Submission are to be in accordance with Council Public Art in the Private Domain Policy and include:</p> <ul style="list-style-type: none"> <li>• Art Plan;</li> <li>• Description of art;</li> <li>• Budget and cost summary;</li> <li>• Timeframe and staging;</li> <li>• Personnel;</li> <li>• Concept scaled drawings, samples and finishes; and</li> </ul> <p>A plan of implementation and the ongoing management of the artworks.</p>

## DEVELOPMENT APPLICATION REQUIREMENTS

Plan / Document	When Required	Information
<b>Fire Safety Upgrade Report</b>	For all new and major alterations and additions to Multi Residential Development, Mixed Use Development, and Commercial buildings or where required by Council's Fire Safety Officer.	The fire safety upgrade report is to be prepared by a suitably qualified surveyor/accredited certifier which outlines an assessment of the levels of fire and life safety within the existing and proposed development and proving appropriate recommendations for its upgrade.
<b>Planning Agreement</b>	Where a PA is being offered.	<b>Applications are to be submitted in accordance with the Waverley Planning Agreement Policy.</b>
<b>Site Compatibility Certificate</b>	Applications in accordance with: <ul style="list-style-type: none"> <li>• State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</li> <li>• State Environmental Planning Policy (Infrastructure) 2007; or</li> <li>• State Environmental Planning Policy (Affordable Rental Housing) 2009.</li> </ul>	Certificates are to be in accordance with the relevant SEPP.  See: <a href="http://legislation.nsw.gov.au">legislation.nsw.gov.au</a>
<b>Housing Report</b>	Applications in accordance with State Environmental Planning Policy (Affordable Rental Housing) 2009.	The report is to address SEPP (ARH) 2009 provisions.  See: <a href="http://legislation.nsw.gov.au">legislation.nsw.gov.au</a>
<b>Traffic and Transport Management Plan</b>	Applications for development as identified in <i>WDCP2012 Section B8 Transport: 8.6 Traffic and Transport Management Plans</i> .	The plan should provide an assessment of the traffic and parking impacts the development proposal may have on the surrounding road network and must address matters such as: <ul style="list-style-type: none"> <li>• Current on street parking restrictions and availability;</li> <li>• Current traffic conditions;</li> <li>• The likely impact of the proposed development on existing traffic flows, the surrounding street system and on street parking availability;</li> <li>• Safety of pedestrian and vehicular movements in and around the centre;</li> <li>• How impacts of drop-off and pick up will be accommodated;</li> <li>• Proposed Travel Plan; and</li> <li>• Encouraging active transport.</li> </ul>

## DEVELOPMENT APPLICATION REQUIREMENTS

Plan / Document	When Required	Information
<b>Arborist Report</b>	<p>Where a development has any potential impact on existing trees an arborist report must be submitted.</p> <p>A report may be required where a tree is:</p> <ul style="list-style-type: none"> <li>• Listed on the significant tree register or heritage listed.</li> <li>• Considered hazardous or dangerous.</li> <li>• Council considers prominent due to age, amenity, size or habitat and likely to be affected by a proposed development; or</li> <li>• Council considers the submitted information is insufficient and further information/clarification is required.</li> </ul>	<p>The report must:</p> <ul style="list-style-type: none"> <li>• Be in accordance with the Australian Standard 4970 – 2099 - Protection of Trees on Development Sites;</li> <li>• Include recommendations for minimising loss of landscape amenity;</li> <li>• Be thorough, balanced and objective in assessing the impact on a tree/s health and condition;</li> <li>• Be written by a qualified arborist with the minimum qualification of Level 5 AQF (Australian Qualification Framework) or equivalent;</li> <li>• Identify each tree with reference to the survey plan; and</li> <li>• Meet the criteria as outlined in Council’s Tree Management Policy Appendices.</li> </ul>
<b>Acoustic Report</b>	<p>Mixed Use Development comprising non-residential uses and residential uses, or Commercial and Retail development within a residential area.</p> <p>Council may request an acoustic report on any DA as deemed reasonable, necessary and appropriate to the assessment of the proposal.</p> <p>Development involving:</p> <ul style="list-style-type: none"> <li>• extension of trading hours;</li> <li>• a review of trial period is sought; and</li> <li>• a live entertainment venue.</li> </ul>	<p>The acoustic report must include, but is not limited to:</p> <ul style="list-style-type: none"> <li>• Identification of sensitive noise receivers potentially impacted by the proposal;</li> <li>• Quantification of the existing acoustic environment at the receiver locations (measurement techniques and assessment period should be fully justified and in accordance with relevant Australian Standards and NSW Environmental Protection Authority (EPA) requirements;</li> <li>• Formation of a suitable assessment criteria having regard to the guidelines contained in the NSW EPA Industrial Noise Policy;</li> <li>• Identification of operational noise producing facets of the proposal and the subsequent predictions of resultant noise at the identified sensitive receiver locations from the operation of the use. Where appropriate the prediction procedures must be justified and include an evaluation of prevailing atmospheric conditions that may promote noise propagation; and/or</li> <li>• A statement indicating the development/use will comply with the relevant criteria together with details of acoustic control measures incorporated into the development/use, will not create adverse noise impacts to surrounding development.</li> </ul>

## DEVELOPMENT APPLICATION REQUIREMENTS

Plan / Document	When Required	Information
<b>Access Report</b>	Where disabled access is required under the Disability Discrimination Act 1992.	<p>If claiming exceptional circumstances as reasons for a proposal not complying with the requirements of the Disability Discrimination Act 1992, the application must be accompanied by an access report.</p> <p>For more information please refer to <a href="http://humanrights.gov.au">humanrights.gov.au</a></p>
<b>Adaptable Housing</b>	All new development with 3 or more habitable storeys or 10 or more units.	Adaptable units must be identified on all floorplans as 'adaptable housing units'. A plan is to be included for each dwelling type that demonstrates the layout before and after adaptation.
<b>Electric Car Charging Stations</b>	All developments proposing electric car charging points.	Charging point locations and details are to be identified on DA Plans.
<b>Car Share</b>	All development proposing car share spaces.	A letter from a commercial car share operator is to be provided confirming their intention to place one of more car share vehicles within the development.
<b>Geotechnical Report</b>	<p>All development on land identified on the Online Mapping Tool layers:</p> <p>OMT Layer: Geotechnical Hazard</p> <p>OMT Layer: Coastal Inundation</p> <p>Also required where excavation is:</p> <ul style="list-style-type: none"> <li>• proposed for development at or near cliff faces;</li> <li>• greater than 2m; and/or</li> <li>• on sites that have a slope of 25% or more.</li> </ul> <p>If Council deems appropriate a report may be requested.</p>	<p>A geotechnical report must be prepared by a suitably qualified geotechnical engineer addressing the stability of the site and surrounding properties.</p> <p>Where excavation is close to a boundary the report must address how the works will be undertaken so as not to adversely affect surrounding properties.</p> <p>If the property is identified on the Geotechnical Hazard or Coastal Inundation layers refer to the Waverley Coastal Risk Management Policy.</p>
<b>Energy Assessment Commitment</b>	All Multi Residential Development, including Mixed Use Development, and Commercial Development with a cost of works \$3 million or greater.	<p>Applicants are to demonstrate a commitment to achieving the reduced operational energy use and greenhouse gas emissions as outlined in Section B2.5 Energy Assessment. This can be demonstrated via an intended sketch and draft outline of measures, and evidence that a suitably qualified professional has been engaged for the process.</p> <p>A detailed Energy Assessment Report will be required as a condition of consent.</p>
<b>Preliminary Contamination Report</b>	Applications on land that is or may be potentially contaminated.	<p>Applications are to be in accordance with State Environmental Planning Policy No. 55 – Remediation of Land.</p> <p>See: <a href="http://legislation.nsw.gov.au">legislation.nsw.gov.au</a></p>

## DEVELOPMENT APPLICATION REQUIREMENTS

Plan / Document	When Required	Information
<b>Crime Risk Assessment</b>	Applications for new residential development comprising of 50 or more dwellings.	A crime risk assessment is to be prepared in accordance with Crime Prevention through Environmental Design principles under Section 79C of the EP&AA 1979.
<b>Integrated or Designated Development</b>	All integrated or designated development.	<p>An application for integrated or designated development must include:</p> <ul style="list-style-type: none"> <li>• sufficient information for the approval body to make an assessment of the application;</li> <li>• additional copies of the plans as determined by the consent authority; and</li> <li>• an additional fee for each approval body and administrative fee to Council.</li> </ul>
<b>Demolition Report</b>	Applications for demolition works, as directed by Council.	<p>An application involving the demolition must include:</p> <ul style="list-style-type: none"> <li>• Details of the age and condition of the buildings or work to be demolished;</li> <li>• Details of the method of securing the site during the demolition and the course of construction; and</li> <li>• Site Waste &amp; Recycling Management Plan.</li> </ul>
<b>Plan of Management</b>	<p>Development of:</p> <ul style="list-style-type: none"> <li>• Shared Accommodation</li> <li>• Tourist and Visitor Accommodation</li> <li>• Child Care Centres</li> <li>• Late Night Traders</li> <li>• Licensed Premises</li> <li>• Restricted Premises</li> <li>• Tattoo Parlours/Studios</li> <li>• Places of Public Worship</li> </ul> <p>As deemed reasonable, necessary and appropriate to the assessment of the proposal by Council.</p> <p>Where a premise applies for:</p> <ul style="list-style-type: none"> <li>• an extension of trading hours;</li> <li>• a review of trial period; is proposing live entertainment; or</li> <li>• is in the opinion of Council to have the potential to create an acoustic impact a Plan of Management is to be submitted with the DA.</li> </ul>	<p>A Plan of Management is to include:</p> <ul style="list-style-type: none"> <li>• Description of the proposal;</li> <li>• Proposed management;</li> <li>• Hours of operation;</li> <li>• Set out measures taken to mitigate any likely adverse environmental or social impact;</li> <li>• Proposed vehicles ingress and egress, the adequacy of any loading, unloading, turning or parking facilities;</li> <li>• Existing and likely future amenity of the neighbourhood;</li> <li>• Traffic likely to be generated and the adequacy of existing roads and present volume of traffic carried;</li> <li>• Whether public transport will be necessary to serve the development, availability and adequacy of public transport;</li> <li>• Social and economic effects of the development on the community, including the loss of affordable housing;</li> <li>• Any special circumstances relating to the site or the locality; and</li> </ul> <p>Additional requirements as specified within the WDCCP2012.</p>

## DEVELOPMENT APPLICATION REQUIREMENTS

Plan / Document	When Required	Information
<b>Open Space Plan</b>	Places of Public Worship Educational Establishment	<p>The Open Space Plan is to:</p> <ul style="list-style-type: none"> <li>• identify the amount of open space area to be provided;</li> <li>• identify the types of open space area to be provided, including indoor and outdoor recreation facilities;</li> <li>• identify any potential opportunities for public access to the open space when not in use by the place of worship; and</li> <li>• identify the likely effects of the use of open space areas on the amenity of nearby residents (including how often and the type of activities to occur) and measures to mitigate and manage the impacts of noise on adjoining properties.</li> </ul>
<b>Loading Vehicles Plan of Management</b>	Applications for development as identified in <i>WDCP2012 Part B8 Section 8.3 – Loading Facilities</i> .	The Loading Vehicles Plan of Management is to be submitted when a development proposes less loading spaces than required by Table 4 in <i>WDCP2012 Part B8 Section 8.3 – Loading Facilities</i> .
<b>Coastal Risk Assessment</b>	All development on land identified on the Waverley Online Mapping Tool on layers: <i>OMT Layer: Coastal Inundation</i>	A Coastal Risk Assessment must be prepared by a suitable qualified expert in accordance with the Waverley Coastal Risk Management Policy.
<b>Green Travel Plan or Workplace Travel Plan</b>	<p>A Green Travel Plan or Workplace Travel Plan is mandatory for all developments:</p> <ul style="list-style-type: none"> <li>• With over 2,500m<sup>2</sup> for office / commercial/ retail land uses;</li> <li>• Including 15 units or more;</li> <li>• Where 50 or more employees are proposed;</li> <li>• Places of public worship; or</li> <li>• As deemed necessary by Council.</li> </ul>	<p>A travel plan must include:</p> <ul style="list-style-type: none"> <li>• Targets – this typically includes the reduction of a single occupant car trips to the site for the journey to work and the reduction of business travel.</li> <li>• Travel data – an initial estimate of the number of trips to the site by mode is required.</li> <li>• Measures – a list of specific tools or actions to support and achieve the targets.</li> </ul> <p>See <a href="http://pcal.nsw.gov.au">pcal.nsw.gov.au</a> and <a href="http://travelsmart.gov.au">travelsmart.gov.au</a></p>
<b>Wind Environment Statement</b>	<p>Development over 5 storeys in height - provided a Wind Tunnel Study is not required.</p> <p>Refer to <i>WDCP2012 Part E1.20 Wind Mitigation</i>.</p>	Wind environment statement is to be prepared by a suitably qualified wind consultant providing evaluation of the wind conditions occurring on the various outdoor spaces within and around the development. The assessment is based on an understanding of the local wind climate, a site inspection, as well as an inspection of the proposed design. If any areas within or around the development are likely to be adversely affected then in-principle recommendations should be made to address these wind effects.

## DEVELOPMENT APPLICATION REQUIREMENTS

Plan / Document	When Required	Information
<b>Wind Tunnel Study</b>	<p>Applications for any buildings over 9 storeys in height or is considered exposed.</p> <p>Refer to <i>WDCP2012 Part E1 Bondi Junction Section 1.20 Wind Mitigation</i>.</p>	<p>Wind Tunnel Study must:</p> <ul style="list-style-type: none"> <li>Assess the likely wind effects of the development;</li> <li>If the wind conditions in any of the areas surrounding the site exceed the relevant criteria then model the existing wind conditions to accurately quantify the impact; and</li> </ul> <p>Recommend measures required to improve adverse wind conditions created by the proposal and demonstrate that the recommended measures will be effective in mitigating the adverse wind effects.</p>
<b>Reflectivity Report</b>	<p>Applications for buildings which incorporate large areas of glazing (either clear or highly reflective) in external surfaces above ground floor level.</p> <p>Refer to <i>WDCP2012 Part B16 Public Domain Section 16.4 Reflectivity</i>.</p>	<p>Solar reflectivity report prepared by a suitably qualified consultant. Report must document whether luminance intensity of 500 candelas / m<sup>2</sup> (as calculated by Holladay formula) will be exceeded.</p> <p>Alternatively specify the limiting reflectivity such that luminance intensity of 500 candelas / m<sup>2</sup> is not exceeded. Report is to propose measures to reduce potentially undesirable / hazardous solar reflections.</p>
<b>Green Roof/ Wall Design Statement</b>	<p>All green roof or green wall works.</p> <p>Refer to <i>WDCP2012 Part B3 Landscaping and Biodiversity Section 3.1.3 Green Roofs and Walls</i>.</p>	<p>The Green Roof/Wall Design Statement must include:</p> <ul style="list-style-type: none"> <li>The anticipated load of the green roof or wall, by a structural engineer.</li> <li>Evidence the green roof or wall has been assessed as part of the structural certification for the building.</li> <li>Evidence the green roof or green wall has been assessed as part of the waterproofing certification for the building.</li> <li>A cross-sectional diagram that details all the components of the green roof or green wall.</li> <li>The location of existing and proposed structures</li> <li>Drainage, irrigation and waterproofing, and overflow provisions.</li> <li>Earthworks and mounding and retaining walls and planter boxes (if applicable).</li> <li>The proposed growing medium, with soil types and depth</li> <li>The location, species and numbers of plants likely to be used.</li> <li>Safety features such as balustrades and maintenance hooks (if applicable).</li> <li>The parts of the green roof that are accessible and inaccessible.</li> <li>How a green wall is attached or fastened to the wall.</li> </ul> <p>A maintenance plan detailing arrangements for inspection and maintenance, including waterproofing membrane, drainage and irrigation.</p>

## DEVELOPMENT APPLICATION REQUIREMENTS

Plan / Document	When Required	Information
<b>Risk Assessment and Risk Management Plan</b>	All new buildings and significant alterations and additions in 'flood planning areas' as identified in the <i>WLEP 2012 Flood Planning Map</i> .	Risk Assessment and Risk Management Plan is to be in accordance with the Waverley Water Management Technical Guidelines.
<b>Advertising and Signage Documentation</b>	<i>All applications for advertising or signage.</i>	<p>All applications for advertising and signage are to include sections and elevations.</p> <ul style="list-style-type: none"> <li>• Details of all advertising proposed for the site, including:</li> <li>• Number of signs proposed</li> <li>• Location and size of signs proposed</li> <li>• Lettering content for each sign</li> <li>• Colours to be used</li> <li>• Information about electronic, illuminated or animated signage</li> <li>• Plans drawn to an appropriate scale showing the location and size of all proposed advertising on the building.</li> </ul> <p>Photographs detailing the site and the relationship of the proposed advertising to that on adjoining buildings and the streetscape.</p>

A blue-tinted photograph of a person wearing a white hard hat and a dark jacket, looking through the eyepiece of a surveying instrument mounted on a tripod. The instrument has a large lens and various adjustment knobs. The background is a solid blue color.

# Section 04.

**THE ASSESSMENT  
PROCESS**

## This section outlines the Development Application assessment process.

### 1. INITIAL PROCESSING

Once a DA has been lodged, the initial processing takes place. This includes generating a unique application number for your reference and an acknowledgement letter sent to the applicant.

Referrals are also provided to relevant internal council officers, external agencies and government departments for review and comment on the proposal where required.

### 2. PUBLIC CONSULTATION

Council is required to notify adjoining and neighbouring owners that may be affected by a development proposal unless the proposal is of a minor nature. Council will send out notification letters to persons or organisations that may wish to comment on or object to the proposed development. Council may also advertise certain applications in the local newspaper. Please refer to *WDCP2012 Part A Preliminary Information Section 2 Notification for more information*.

### 3. ASSESSMENT

The assigned Assessment Officer undertakes a detailed assessment of the application in accordance with Section 79C of the Environmental Planning and Assessment Act 1979. This involves considering all relevant environmental planning

instruments, development control plans, council policies, the likely impacts of the development, the suitability of the site for the proposed development and any submissions received. The assessment process may include a site inspection and we may need to gain access to your property.

The Assessment Officer may require additional information about an application to carry out the assessment. This information may be required after the DA lodgment.

### 4. DECISION

Once the Assessment Officer has assessed the application, a report is prepared to be determined by one of the following groups or persons:

- Staff Delegation
- Development Building Unit (Development Assessment Area Managers)
- Waverley Development Assessment Panel (An Independent Hearing and Assessment Panel)
- Sydney Eastern City Planning Panel
- NSW State Government

*Development Assessment Area Manager*

Most DAs (up to a value of \$2 million) are determined by a Development Assessment Area

Manager under delegated authority from Council.

#### Waverley Development Assessment Panel

The following matters not otherwise delegated to the General Manager will be referred to the Waverley Development Assessment Panel for determination:

1. Development Applications for Class 1 and 10 buildings that receive 4 or more unresolved objections.
2. Development applications for Class 2-9 buildings that:
  - a) have a value of greater than \$3m, or
  - b) have received more than 6 unresolved objections,
3. Applications for review of a decision or modification of a condition made by the Development and Building Unit (DBU) where the DBU does not support the application.
4. Applications for review of decisions or modification of a condition made by the Panel or Development Control Committee, where:
  - a) In the case of Section 82a reviews of refusals, all applications determined by the Panel or Development Control Committee; and

b) In the case of Section 96 modifications of conditions of a determination made by the Panel or Development Control Committee, where the condition required a design or other change relating to a development standard or unresolved objection.

5. Development applications where the owner, applicant or objector is a staff member or Councillor of Waverley Council and any unresolved objections have been received.

6. Development Applications that, in the opinion of the General Manager or Director Waverley Futures or delegate should be determined by the Panel for public interest reasons.

\*Unresolved Objections - For the purposes of referral to the WDAP, an unresolved objection means: An objection that directly relates to an impact caused by, or as a result of, non compliance with a development standard and is considered by the Director of Waverley Futures or delegate to have planning merit, relevance, substance, reasonableness and validity, and which has not been addressed by the imposition of conditions of consent.

### **Sydney Eastern City Planning Panel (SECPP)**

The following applications will be determined by the SECPP:

- Development with a capital investment value (CIV) over \$20 million
- Development with a CIV over \$5 million which is:
  - Council related
  - Lodged by or on behalf of the Crown (State of NSW)

- Private infrastructure and community facilities or
- Eco-tourist facilities

- Extractive industries, waste facilities and marinas that are designated development
- Certain coastal subdivisions
- Developments with a CIV between \$10 million and \$20 million, which are referred to the regional panel by the applicant after 120 days
- Crown development applications (with a CIV under \$5 million) referred to the regional panel by the applicant or local council after 70 days.

### **NSW Government**

The Minister for Planning is the consent authority for State Significant Development (SSD) applications. SSD applications are assessed by the Department of Planning and Environment. In some cases, the Minister may delegate the decision making function to Department staff.

In addition, if an SSD proposal is not supported by the relevant local council(s), or the Department has received more than 25 public objections, the Department's recommendation is referred to the independent Planning and Assessment Commission (PAC) for determination.

## **5. POST DETERMINATION PROCESS**

After an application has been determined, a Notice of Determination of Development Application will be sent to the nominated applicant, and will detail whether the application has been approved or refused. As approved DA usually has a number

of conditions that must be satisfied. These are included in the Notice of Determination. If an application is refused, reasons why it has been refused are included in the Notice of Determination.

You can appeal against Council's decision in the Land and Environment Court within six (6) months of the date of the Determination Notice. Alternatively, you can seek a Review of Determination by Council under Section 82A of the Environmental Planning and Assessment Act 1979.

Alternatively, If you are dissatisfied with a condition of the consent, you may apply to Council under Section 96 of the Environmental Planning and Assessment Act 1979 to have the condition removed or varied. You need to give reasons or supply such additional information that supports your application. You can discuss this with the Assessment Officer.

## **6. CONDITIONS OF APPROVAL**

Development consents are generally valid for five years unless a condition of your consent specifies that it lasts for a shorter time. All development consents will have a number of conditions attached and it is important that you read and understand all of them.

If you fail to comply with any requirements, your development may be stopped and/or fines imposed. If you have any queries about any conditions please contact the Assessment Officer whose name appears near the end of the consent notice.

# FURTHER ENQUIRIES

After reading this guide, if you have any further queries about the development application requirements or the assessment process, please contact Council's Duty Town Planner on **8083 8484**.



55 Spring St, Bondi Junction, NSW 2022  
PO Box 9 Bondi Junction NSW 1355

[info@waverley.nsw.gov.au](mailto:info@waverley.nsw.gov.au)  
[waverley.nsw.gov.au](http://waverley.nsw.gov.au)

Telephone enquiries  
General business **9083 8000**  
General fax **9387 1820**  
TTY/voice calls for hearing/speech impaired **133 677**  
After hours emergencies **9083 8000**