

Development Applications

Making comments & submissions



Councils are generally responsible for the assessment and determination of development applications (DA) to carry out various types of development such as:

- building a house, residential flat building or a mixed commercial/residential development
- making alterations and additions to a building
- subdividing land or a building
- changing the use of a building.

Notification of a development application

Council will usually write to owners and residents of properties who are in the near vicinity of a proposed DA and who may be affected by a development proposal. This provides them with the opportunity to view the plans and supporting information for the application and comment and/or object to the proposal.

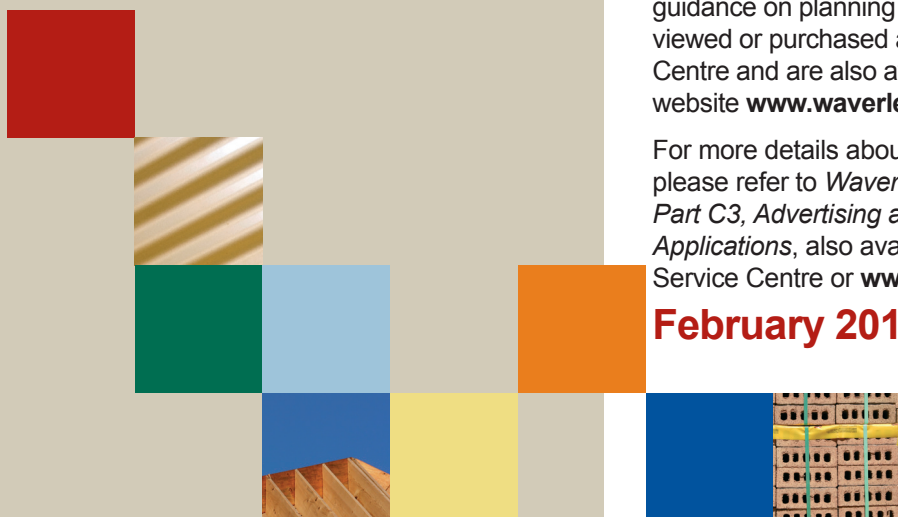
For certain types of development—including residential flat buildings and heritage-listed buildings—Council is generally required to advertise a development application in the local newspaper, place a notice on the site and notify owners and residents in writing to allow them to submit comment.

Council also notifies the local Precinct Committees of all applications received within their area.

During the notification period you can visit Council's Customer Service Centre to look at the development proposal or view certain information associated with the application at www.waverley.nsw.gov.au/building_and_development/da_progress_enquiry. Council's Duty Planner will be able to provide you with basic information about the proposal and provide guidance on planning controls. These controls can be viewed or purchased at Council's Customer Service Centre and are also available through Council's website www.waverley.nsw.gov.au.

For more details about Council's notification process, please refer to *Waverley Development Control 2010 – Part C3, Advertising and Notification of Development Applications*, also available at Council's Customer Service Centre or www.waverley.nsw.gov.au.

February 2011 PES1



How do I make a submission?

Once you have viewed the development proposal, and if you feel the proposal has the potential to impact on your property or the wider environment, you may want to make a written submission to Council objecting to the DA.

The reasons for your objection must be included in your submission. Your reasons must be based on planning considerations relating to the proposal's impact on your amenity and not on irrelevant matters.

Some issues that may have the potential to impact on your property include:

- height and bulk of the proposal
- building setbacks
- overshadowing and loss of sunlight
- visual and acoustic privacy
- loss of views
- streetscape and finishes
- landscaping and open space.

All submissions received within the period specified in the notification letter will be fully considered by Council prior to the determination of the DA.

Submissions are kept on file and may be accessed by other members of the public and in particular the applicant, under the *Local Government Act* and the *Government Information (Public Access) Act 2009*.

Where amendments are made to a DA you may (depending on the extent of the amendments) be notified of the amended proposal and given the opportunity to revise your submission. If you are not notified of amendments your earlier submission will still be considered in the assessment of the application.

Petitions

If you organise a petition regarding a DA or an important community issue, then you must include your name and contact details and the organisation (if any) that is represented.

This will enable Council to send a response to the person or organisation circulating the petition. Council's response can then be distributed to the signatories by the petition organiser.

Lodging the submission

To lodge your written submission you can:

- mail it to the General Manager, Waverley Council, PO Box 9, Bondi Junction 1355
- hand deliver to the Customer Service Centre, 55 Spring Street, Bondi Junction
- email to waver@waverley.nsw.gov.au.

Assessment of development applications

When the notification process is finished, the application will be allocated to an Assessment Officer who will carry out a detailed assessment of the proposal. The assessment will generally include a site inspection, review of any submissions received, and consideration of all relevant planning controls.

Please make sure you provide a daytime contact telephone number in your submission as it may also be necessary to carry out an inspection from your property.

The Assessment Officer's report will outline the relevant planning controls, comment on relevant issues, provide a summary of submissions received (including the address from where the submission was received) and advise whether or not the proposal complies with various controls and any amendments to the plans.

The report will provide a recommendation, be it approval subject to conditions, refusal or deferral for the submission of amended plans or information.

Tracking your application

Have a question or want to find out the progress of your application? Visit www.waverley.nsw.gov.au/building_and_development/da_progress_enquiry.

Council's Independent Hearing & Assessment Panel (IHAP)

Council has established an IHAP to provide an independent hearing forum for applicants and objectors on complex and/or controversial development applications. You will be advised if the application is to be considered by the IHAP and invited to attend the meeting.

The Panel meets once a month to provide comment and recommendations to Council.

Determination

A development application can be determined in different ways.

Delegated authority

The Assessment Officer who has been allocated the application prepares a report and has the authority (delegation) to make a decision about the application. Delegation is restricted to applications where no objections have been received and/or where applications do not depart (other than in a minor degree) from statutory provisions and Council codes and policies. Approximately 50% of development applications are determined this way.

Council's Development and Building Unit (DBU)

Development applications are referred to this staff committee where objections are received and/or applications depart from statutory provisions and Council codes and policies.

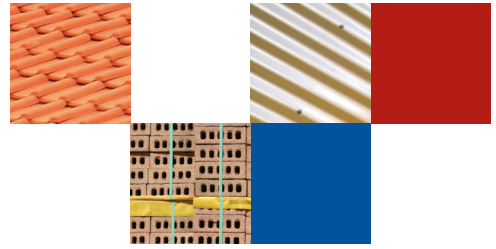
The DBU has delegated authority to make a decision about these applications unless a Councillor or the General Manager has requested they be referred to Council. The DBU also refers applications to Council where there are significant public interest or policy issues.

The DBU usually meets weekly.

Development Control Committee (DCC)

This is a Council committee with all Councillors as members. It exercises the decision-making powers of Council.

The Committee usually meets on the fourth Tuesday of each month at 7pm. The agenda for the Committee includes Development and Building Unit (DBU) reports about a number of development applications. Each report contains an assessment and recommendation about the application and helps Councillors to make a determination on a proposal.



You will be advised if the application is to be considered by the DCC.

Copies of the agenda are available from Council's Customer Service Centre, Waverley Library and from our website at www.waverley.nsw.gov.au from noon on the Wednesday prior to the meeting.

To find out which development applications will be considered by the DCC, please phone **9369 8194** from noon on the Wednesday prior to the meeting for recorded information.

Members of the public can attend the DCC meeting and both applicants and objectors can address the committee. If you wish to address the committee you should contact Council's Governance Unit on **9369 8000** by 3pm on the day of the meeting.

The DCC usually determines most applications. However, it may refer an application for viewing by the Ward Councillors or the full Council (Inspection Meeting).

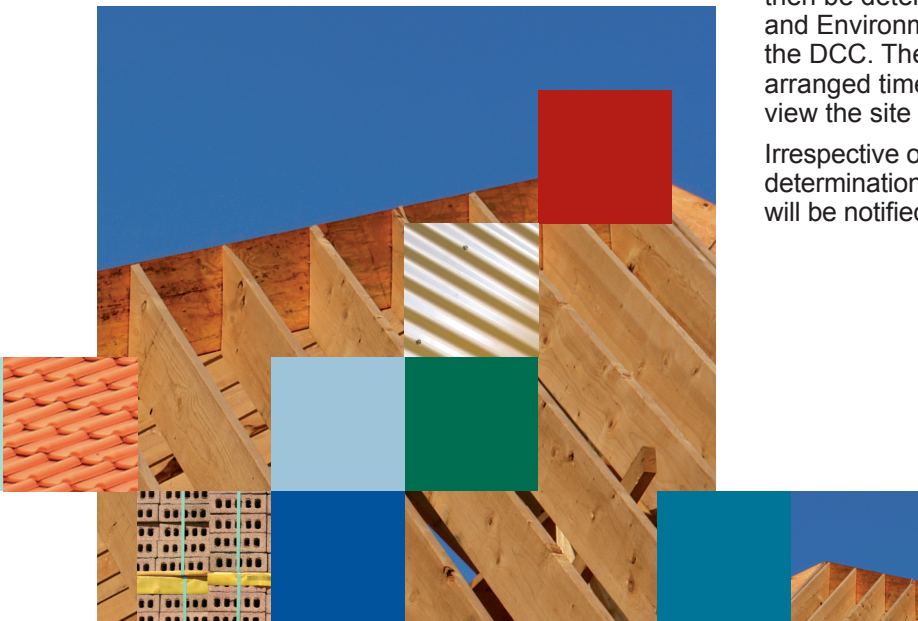
Inspection Meetings

Council Inspection Meetings are usually held on the first or second Saturday of each month at 12.30pm. Members of the public can also attend this meeting and applicants and objectors are given the opportunity to address Council, usually on-site at the time of the inspection.

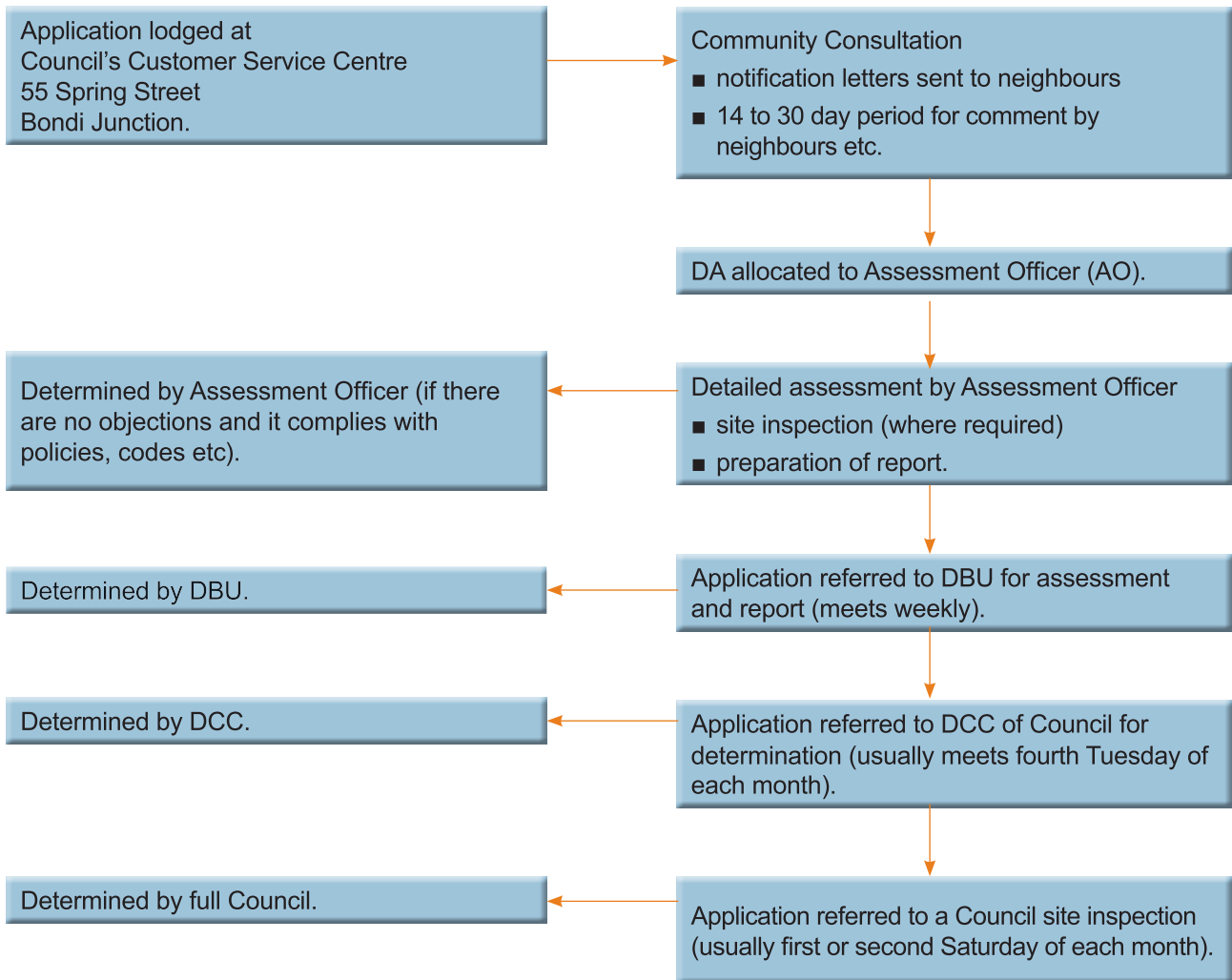
After inspecting the site, the application is generally determined by the Councillors on their return to Council Chambers.

If Ward Councillors view the site, the matter may then be determined by the Director of Planning and Environmental Services or referred back to the DCC. These viewings do not occur at a pre-arranged time; the Ward Councillors concerned view the site by mutual arrangement.

Irrespective of the method or outcome of Council's determination, if you have made a submission you will be notified in writing of the outcome.



Development application process



How to contact us

CONTACT Waverley Council Customer Service Centre
PHONE 9369 8000
FAX 9387 1820
TTY for hearing impaired phone 9389 9827
ONLINE www.waverley.nsw.gov.au
ADDRESS 55 Spring Street (corner Newland Street, next door to the Eastgate Shopping Centre) Bondi Junction
POSTAL ADDRESS PO BOX 9 Bondi Junction 1355

