Development Applications
Assessment process

This guide will help you to understand how Waverley Council will assess your development application. It provides some basic information about the lodgement process and outlines the various steps that your application will go through before it is determined.

Before you lodge your development application

Before lodging your development application you should first obtain a Development Application Pack. These are available from:
Council’s Customer Service Centre
55 Spring Street
Bondi Junction.

The DA pack contains details of the type of information that you will need to lodge with your application, including a development application checklist and application form.

You will need to fill out and sign the application form and checklist and make sure that you have all of the relevant information. Our customer service staff cannot accept your application if anything is missing.

How to lodge your development application

To lodge your application, please bring your completed Development Application Pack to Council’s Customer Service Centre. Our customer service staff will check your application and calculate the application fee.

You will be given an application number and referred to pay the application fees. Your development application has now been successfully lodged.
The assessment process

There are a number of steps that need to be followed before your application can be determined. Some applications must be referred to the Waverley Development Assessment Panel (WDAP) meeting whilst others may be determined by Council’s assessment staff if they are delegated to do so.

The path that your application follows will not be immediately known. We suggest that you follow the progress of your application online at www.waverley.nsw.gov.au/building_and_development/da_progress_enquiry.

DAP meetings are held on the fourth Wednesday of every month (December being an exception). However, more complex applications may take longer. The majority of applications determined by our Assessment Officers under delegation are done so in less than 40 days. Applications that must be referred to WDAP take longer than this.

Community consultation

We usually notify owners and residents of properties in the vicinity of your proposal so they have an opportunity to provide comment. Some development applications are also advertised in the local newspaper. We notify local Precinct Committees of all applications received within their area.

Generally, the time allowed for feedback is either 14 or 30 days (depending on the type of development application). Our customer service staff will be able to advise you of the length of the notification period. You will generally be able to view any comments made about your application.

Specific details of our policy on advertising and notification are contained in Waverley Development Control Plan 2010 – Part C3, Advertising and Notification of Development Applications.

Who will assess your application?

Applications are allocated to an Assessment Officer in chronological order and as an Assessment Officer becomes available. This may not occur as soon as the notification period ends. The Assessment Officer will telephone you when your application has been allocated to them.

The assessment process may include a site inspection and we may need to gain access to your property. You can help this process by providing a daytime telephone contact number.

The Assessment Officer will also consider any submissions that are received about your application. They may need to undertake a view of your property from nearby properties to determine the impact of your proposal on these properties. The Assessment Officer will then prepare a report which includes a recommendation (ie. approval, deferral or refusal).

Waverley Development Assessment Panel (WDAP)

The Waverley Development Assessment Panel will determine significant DA’s in the Waverley LGA. This will include DA’s where there are numerous objections, a conflict of interest or the development has a construction cost of $3 million or more.

The Panel is made up of a pool of planning experts, independent of Council, who will meet monthly. The Panel replaces the former DCC and the IHAP, which will help streamline the planning process. It also means that Councillors will no longer be involved in the decision-making process for determining those DA’s, allowing them more time to focus on strategic planning issues, such as the planning controls that underpin DA decisions.

Determination

A development application can be determined in the following 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 the General Manager or Director of Planning and Environmental Services has requested they be referred to WDAP. The DBU also refers applications to WDAP where there are significant public interest or policy issues. The DBU usually meets weekly.
The Development Assessment Panel usually meet on the fourth Wednesday of each month at 11am. The agenda for the Development Assessment Panel includes Development and Building Unit reports about a number of development applications. Each report contains an assessment and recommendation about the development application assisting in the determination of a proposal.

You will be advised if your application is to be considered by WDAP.

Copies of the agenda are available from noon on the Wednesday prior to the meeting through Council’s Customer Service Centre, Waverley Library and our website [www.waverley.nsw.gov.au](http://www.waverley.nsw.gov.au).

To find out which development applications will be considered by the WDAP, please phone 9369 8273 from noon on the Wednesday prior to the meeting for recorded information.

Members of the public can attend the WDAP meeting and both applicants and objectors can address the Panel. If you wish to address the committee you should contact the Panel Co-ordinator preferably via email: WDAP@waverley.nsw.gov.au or by phone on 9369 8273

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### After determination

Irrespective of the method or outcome of the Panels determination, you will be notified of the outcome in writing. Your application may be determined in the following ways:

- approved without any changes to the design you submitted
- approved but with some changes
- deferred to allow some changes
- refused.

### Right of appeal

You can appeal against the Panels decision in the Land and Environment Court in accordance with the provisions of Environmental Planning and Assessment Act 1979. Alternatively you can seek a Review of Determination by the Panel under Section 82A of the Environmental Planning and Assessment Act 1979.

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 your Assessment Officer.

### 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.

### Tracking your application

Development application process

Application lodged at Council’s Customer Service Centre
55 Spring Street
Bondi Junction

Community Consultation
- Notification letters sent to neighbours
- 14 – 30 day period for comment by neighbours etc.

DA allocated to Assessment Officer (AO)

Determined by Assessment Officer (if there are no objections and it complies with policies, codes etc.)

Detailed assessment by Assessment Officer
- Site inspection (where required)
- Preparation of report

Determined by DBU

Application referred to DBU for assessment and report (meets weekly)

Determined by WDAP

Application referred to WDAP for determination (usually meets fourth Wednesday of each month)

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