



WAVERLEY
COUNCIL

Application to Modify a Development Consent

Made under Section 4.55/4.56 of the Environmental Planning and Assessment Act 1979

About this form

Use this form to apply to modify a development consent. If the changes you propose mean the development will not be substantially the same as originally approved, you need to submit a new development application.

How to complete this form

1. Ensure that all fields are filled out correctly and the form is submitted on the [NSW Planning Portal](#) together with all other required documentation during lodgement. Incomplete applications will be returned through the Planning Portal.
2. All fields are mandatory and must be completed before submitting the application.
3. Your proposal may also require other approvals of government agencies or of Council for certain activities as detailed throughout this application form.
4. To minimise any delay in receiving a decision about your application, please ensure you submit all relevant information and a valid email address. You will be advised by email upon your application being determined.
5. Once your application is lodged with Council, you can follow the progress on Council's website, via the [DA Tracking Tool](#)

Applicant details

Title:	☐ Mr	☐ Mrs	☐ Ms	☐ Other
First Name:			Family Name:	
Company Name (if applicable):				
ABN/ACN (if applicable):				
Mailing Address:				
Suburb:		State:		Post Code:
Email Address:				
Daytime Telephone No. (Home/Work):			Mobile No:	

Site/property details

Lot No(s):		Section:		DP/SP Number:	
Unit No:		Street No:		Street Name:	
Suburb:		Post Code:			

CM reference: D24/119407 | Last updated: 29/10/2024

1/11

Postal address

PO Box 9, Bondi Junction NSW 1355
ABN 12 502 583 608

Waverley Council Service Centres

Bondi Junction Customer Service Centre, 55 Spring St, Bondi Junction NSW 2022
Bondi Pavilion Customer Service, Queen Elizabeth Drive, Bondi Beach NSW 2026

W waverley.nsw.gov.au

E info@waverley.nsw.gov.au
T (02) 9083 8000

You can contact us through the [National Relay Service](#)
if you are deaf or have a hearing or speech impairment.

[Translating and Interpreting Service \(TIS\)](#)
131 450

[TTT/Voice Calls](#)
133 677

[Speak & Listen](#)
1300 555 727

Owner's consent

As owner of the land to which this application applies:

- I apply for consent to carry out the development described in this application.
- I give permission for Council representatives to enter the site for the purpose of site inspections.
- I have read and understood the privacy/GIPA notice in this form.
- If more than one owner, every owner must sign.
- If you are signing on the owner's behalf as their legal representative, please state your legal authority e.g. Power of Attorney, Executor, Trustee: and attach evidence of this authority.
- If the property is within a strata plan, the consent of the Owners Corporation (strata secretary) is required under seal.
- If the owner is a Company, the director/s or company secretary must sign the form and attach the company seal or provide a signed company letterhead with the ACN / ABN included giving consent to this application

Full Name:

Full Name:

Address:

Address:

Phone No.:

Phone No.:

Signature:

Signature:

Date:

Date:

If signing on behalf of a Company/Strata Corporation, please also indicate your position:

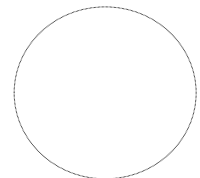
Position:

Position:

Affix Common Seal:

Company Name:

Company Name:



ACN/ABN:

Date:

Owner or applicant conflict of interest

For Council to ensure the integrity of the Development Application process, please advise if:
You are a Council employee, Councillor and/or their immediate relative(s) or contractor of Council.

☐ No

☐ Yes

If yes, please state the relationship:

Do you have an affiliation with a Council Officer or Councillor or member of Parliament by way of family, close personal friendship or business interest?

☐ No

☐ Yes

If yes, please provide details:

Original consent details

Development Consent No:	DA-	PAN (Planning Portal Reference) If applicable:	
Date of Consent:			
Description of Original Development Consent:			

Type of modification

☐	S4.55 (1) – A modification to correct a minor error, mis-description or miscalculation only (administrative error)
☐	S4.55(1A) – A modification that will have minimal environmental impact
☐	S4.55 (2) – Any other modification
☐	S4.56 – A modification of Court consent

Description of proposed modification/s
(including the condition number of any conditions to be modified)

Amended total estimated cost of works

The total cost of works as amended by this application. This is checked by Council before acceptance or during the assessment process. In the case of construction or building work, the development application fee is based on the estimated cost of development and is based on the cost incurred if a contractor carried out the works (this is not the cost of an owner-builder carrying out the works). An updated detailed cost report (less than \$500K) or Registered Surveyor’s detailed cost report (more than \$500K) is required. Please submit the report with the application.

Estimated Development Cost (including GST)	
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Political donations

Under the Environmental Planning and Assessment Act 1979, the applicant (or any other persons with a financial interest in the application) must disclose any reportable political donations or gifts they have made to a Councillor or Council employee in the two years before the application is made. The disclosure requirements continue to apply until the application is determined.

Note: Failure to disclose relevant information is an offence under the Act. It is also an offence to make a false disclosure statement.

Are you aware of any person with a financial interest in this application who made a reportable donation or gift in the last two years?	☐ Yes Complete the ‘Political Donation and Gifts Disclosure Statement’ available on Council’s website and lodge with this application.	☐ No In signing this application I undertake to advise the Council in writing if I become aware of any person with a financial interest in this application who has made a political donation or has given a gift in the period from the date of lodgement of this application and the date of determination.
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Lodgement requirements

Use this checklist to ensure that you have the correct information prior to lodging your application through the Planning Portal to avoid delays or having your application returned. This checklist should be read in conjunction with the [Waverley Development Application Guide](#), which outlines lodgement requirements in more detail.

Applications will not be accepted unless all plans and supporting documentation are provided in accordance with this checklist and labelled in accordance with [Council’s Electronic Lodgement Guidelines](#) for Building and Development Applications.

Requirements	Applicant Use		Office Use	
	Yes	No	Yes	No
1. Electronic Documentation Forms, plans and documentation in pdf form, combined and labelled in accordance with the ‘Electronic Lodgement Guidelines: Building and Development Applications’. Files to be unprotected and limited to 5MB per file.	☐	☐	☐	☐

Requirements	Applicant Use		Office Use	
Application forms	Yes	No	Yes	No
2. Application form (Development Application, Modification or Review) and checklist (this checklist)	☐	☐	☐	☐
3. Political Donations and Gifts Disclosure Form is required to disclose any relevant political donations or gifts as per Section 10.4(4) of the EP & A Act 1979.	☐	☐	☐	☐
4. Non-Residential Development form available to download from Council's website is required to be completed for all applications that relate to a commercial premises including any new use or change of use for a non-residential development.	☐	☐	☐	☐
Plans				
5. Site plans for all applications.	☐	☐	☐	☐
6. Survey plan for applications excluding minor alterations and additions. Must be generated no more than 2 years prior to lodgement.	☐	☐	☐	☐
7. Site Analysis Plan for all development, except minor alterations and additions to single dwellings	☐	☐	☐	☐
8. Context Analysis for all development within a Heritage Conservation Area, Heritage Items, Multi residential development, mixed use development, places of public worship, commercial and retail buildings, or development subject to Part E of the WDCP 2022 (Site specific Development), SEPP (Housing) 2021 development boarding houses, student housing, serviced apartments, institutional buildings, significant alterations and additions to buildings in the E1 (Local Centre), E2 (Commercial Centre) and MU1 (Mixed Use) zones.	☐	☐	☐	☐
9. Streetscape Analysis is required for development that proposes new vehicle crossing (driveway).	☐	☐	☐	☐
10. Floor plans (including existing), elevations, roof and section plans required for all applications involving building work and change of use. Plans are to indicate north point, maximum permissible height as per LEP 2012 and DCP 2022 (wall and overall height) and detail ventilation systems, air conditioning, satellite dishes and screening. Please see the DA guide for comprehensive requirements.	☐	☐	☐	☐
11. Section 4.55 Modification Applications – A full set of plans is to be provided for all modifications applications. The plans are to clearly note the proposed changes, either using colour or cloud with a key to clearly identify those aspects of the proposal that are seeking to be amended in the application.	☐	☐	☐	☐
12. Calculation of Gross Floor Area for all applications that seek additional or amended gross floor area using the definition in the LEP.	☐	☐	☐	☐
13. Shadow Diagrams or View from the Sun Diagrams are required for all applications for dwelling houses and dual occupancies, multi residential development, mixed use development and commercial development greater than 1 storey in height. Plans to show existing and proposed shadows and the full extent of shadow.	☐	☐	☐	☐
14. Landscape plan is required for all alterations and additions to development which WDCP 2022, part C2 applies and all new development (excluding development in business centres) and changes to landscaped open space, or applications for landscaping works.	☐	☐	☐	☐

Requirements	Applicant Use		Office Use	
Plans continued	Yes	No	Yes	No
15. Stormwater Management Plan required for all development applications except for internal works and to be in accordance with Council's Water Management Technical Manual (October 2021). The checklist as set out on pages 68-76 of the Water Management Technical Manual is available online shall be completed and submitted with all plans.	☐	☐	☐	☐
16. Subdivision Plan (Land, Strata or Stratum) required for all applications proposing to Torrens title, strata or stratum subdivision. Any proposed deposited plans should be as per the Registrar General's Guidelines on NSW Land Registry Services Website.	☐	☐	☐	☐
Compulsory documentation				
17. Statement of Environmental Effects (SEE) – Required for all DAs. The SEE must address relevant State Environmental Planning Policies (SEPPs) Waverley LEP 2012 and Waverley DCP 2022 and justify any variations.	☐	☐	☐	☐
18. BASIX Certificate as required by SEPP (Sustainable Buildings) 2022 (unless less than \$50K or pool under 40,000L). Certificate to be dated within 3 months of lodgement.	☐	☐	☐	☐
19. NatHERS Summary Report	☐	☐	☐	☐
20. BASIX and/or NatHERS commitments noted on architectural plans	☐	☐	☐	☐
21. Cost Report – required for all DAs. Costs <\$500,000, a detailed cost report is required prepared by a suitably qualified person. For development costs ≥ \$500,000, a Registered Quantity Surveyor's detailed cost report is required.	☐	☐	☐	☐
Development specific documentation/plans				
22. Arborist Report for any DA which may have a potential impact on an existing tree covered by a Tree Preservation Order or listed on a significant tree register or heritage listing.	☐	☐	☐	☐
23. Archaeological Assessment for a DA for works on land identified as Archaeological Heritage Item or Aboriginal sites in the WLEP 2012 heritage maps or State heritage inventory	☐	☐	☐	☐
24. Access Report where disabled access is required under the Disability Discrimination Act 1992 ie. public spaces, common open spaces in multi dwelling housing and commercial development.	☐	☐	☐	☐
25. Adaptable Housing Plan all new development with 3 or more habitable storeys or 10 or more units.	☐	☐	☐	☐
26. Acoustic Report mixed use development comprising non-residential uses, new child care centres or intensification of an existing child care centre, commercial and retail development within a residential area, may also be required for late night trade or noise generating uses.	☐	☐	☐	☐

Requirements	Applicant Use		Office Use	
	Yes	No	Yes	No
Development specific documentation/plans continued				
27. Advertising and signage documentation - if applicable to the proposal - addressing Chapter 3 and Schedule 5 of State Environmental Planning Policy (Industry and Employment) 2021	☐	☐	☐	☐
28. Crime Risk Assessment - all new residential development comprising 50 or more dwellings	☐	☐	☐	☐
29. Coastal Risk Assessment – all development on land identified on the Waverley Online Mapping tool to be within an area of <i>Coastal Inundation</i>	☐	☐	☐	☐
30. Digital 3D model and Photomontage for any development that: - Proposes amendments to a building's existing envelope within the E2 Commercial Centre or MU1 Mixed Use Zone. - 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. - SEPP (Housing) 2021 applications (residential flat buildings of 4 or more dwellings and 3 or more storeys), - New residential dwellings and new multi-unit dwellings, mixed use developments of 3 or more storeys (photomontage only) For requirements for submission, refer to the Waverley Digital Model section on Council's website and 3D digital model checklist and information sheet .	☐	☐	☐	☐
31. Electric Vehicle Charing Location/points – must be shown on the plans for all commercial developments and mixed use and multi –residential developments with more than 5 dwellings	☐	☐	☐	☐
32. Energy Assessment Report Commitment –all mixed use development and commercial development with cost of works of \$3 million or more.	☐	☐	☐	☐
33. Fire Safety Upgrade Report - for major alterations and additions to multi residential development, mixed use and commercial buildings, or where required by Council's fire safety officer.	☐	☐	☐	☐
34. Fire Safety Statement - For any change of use for a class 1b, 2 to 9 building (as defined under the Building Code of Australia), even when building works not proposed.	☐	☐	☐	☐
35. Flood Certificate (Council flood level information report) – For all properties in a 'flood planning area' as identified on a 10.7 Planning Certificate or Council's online mapping system .	☐	☐	☐	☐
36. Flood Risk Assessment and Risk Management Plan – All new buildings and significant alterations and additions in 'flood planning areas' as identified on or Council's online mapping system .	☐	☐	☐	☐
37. Flood Impact Assessment report (FIA) - A FIA report may be required for development on land or part of the land identified in the 'flood planning area' as identified on or Council's online mapping system . Refer to the requirements listed in Chapter B5 Water Management of the Waverley DCP	☐	☐	☐	☐

Requirements	Applicant Use		Office Use	
	Yes	No	Yes	No
Development specific documentation/plans continued				
38. Geotechnical Report – All development on the land identified on the Online Mapping Tool layers as a Geotechnical Hazard, Coastal Inundation or where excavation is proposed at or near cliff faces or is greater than 2m or on sites that have a slope of 25% or more, or where requested by Council.	☐	☐	☐	☐
39. Green Travel Plan or Workplace Travel Plan – All development with over 2,500m ² office/commercial/retail, 15 dwellings or more, 50 or more employees, places of public worship or as required by Council.	☐	☐	☐	☐
40. Green Roof/Wall Design Statement – any development that proposes a green wall or green roof.	☐	☐	☐	☐
41. Heritage Conservation Management Plan or Heritage Conservation Management Strategy – change of use alterations to the fabric or setting of a state heritage item, or substantial alterations and additions to a local heritage item considered to be of high local significance, or as required by Council.	☐	☐	☐	☐
42. Heritage Impact Statement – applications relating to a heritage item, sites within a heritage conservation area or sites within the vicinity of a heritage item.	☐	☐	☐	☐
43. Housing Report – Applications to strata subdivide an existing building with multi dwelling housing (aka. residential flat building) OR an application for the demolition of a building with multi dwelling housing OR significant alterations and additions to a multi dwelling housing which is <u>not</u> strata titled. The report must assess whether the proposal will result in a loss of affordable housing in accordance with SEPP (Housing) 2021 due to Please refer to the SEPP for further information.	☐	☐	☐	☐
44. Integrated or Designated Development – as specified in Part 4.46 (Integrated) of the EPA Act 1979 or 4.10 (Designated) of the EPA Act and Schedule E of the EPA Regulation 2021.	☐	☐	☐	☐
45. Loading Vehicles Plan of Management – Application for development as identified in WDCP 2022 Part B7 – Transport (see chapter on loading facilities)	☐	☐	☐	☐
46. Open Space Plan – Places of Public Worship and Education Establishments.	☐	☐	☐	☐
47. Planning Agreement – where a Planning Agreement is being offered. Please refer to Council's Planning Agreements Policy. Please use the template for a 'Letter of Offer' that is provided in Appendix 6 of Council's Planning Agreement Policy for the proposed VPA.	☐	☐	☐	☐
48. Preliminary Contamination Report – Applications on land that is or may be potentially contaminated, in accordance with Chapter 4 of the State Environmental Planning Policy (Resilience and Hazards) 2021	☐	☐	☐	☐
49. Public Art Plan for all new development and major alterations and additions within the E1 Local Centre, E2 Commercial Centre or MU1 Mixed Use Zone or any DA's proposing public art. Please refer to WDCP 2022, Part B10 and the Council's Public Art in the Private Domain policy.	☐	☐	☐	☐

Requirements	Applicant Use		Office Use	
	Yes	No	Yes	No
Development specific documentation/plans continued				
50. Plan of Management - places of shared accommodation, tourist and visitor accommodation, childcare centres, late night traders, restricted premises, licensed venues, tattoo parlours, places of public worship or as required by Council.	☐	☐	☐	☐
51. Reflectivity Report – applications for buildings which incorporate large areas of glazing in external surfaces above ground floor level. Refer to WDCP 2022, Part B15 (specifically 15.5 – Reflectivity)	☐	☐	☐	☐
52. Schedule of external finishes for all new development or significant alterations and additions to existing buildings. In all other cases, details of materials & finishes to be shown on plan.	☐	☐	☐	☐
53. Site Compatibility Certificate – applications in accordance with SEPP (Transport and Infrastructure) 2021 or SEPP (Housing) 2021 where a certificate has been obtained from the Department of Planning and Environment for the use in that zone.	☐	☐	☐	☐
54. Site Waste and Recycling Management Plan (SWRMP) – Checklist No 1 form required for all DAs excluding minor internal alterations or single unit dwellings (individual house).	☐	☐	☐	☐
55. Social Impact Statement – applications that require one in accordance with Waverley's Social Impact Assessment Guidelines 2022 .	☐	☐	☐	☐
56. Structural Engineers Report - applications which propose to retain a portion of the existing building but are demolishing more than 50%.	☐	☐	☐	☐
57. Traffic and Transport Management Plan - Childcare centres, residential development with 15 units or more, or commercial development with 2,500sqm GFA or more or as required by Council.	☐	☐	☐	☐
58. View Loss Analysis – Any application that may result in view loss from public spaces and private property.	☐	☐	☐	☐
59. Wind Environment Statement - Development in Bondi Junction over 6 storeys in height. Refer to WDCP 2022, Part E1.20	☐	☐	☐	☐
60. Wind Tunnel Study – Development in Bondi Junction over 9 storeys in height OR to be within an exposed wind area. Refer to WDCP 2022, Part E1.20.	☐	☐	☐	☐
61. Design Excellence Advisory Panel Applications				
Design Verification Statement by a Registered Architect and Assessment against Parts 3 and 4 of the Apartment Design Guide (if applicable)				
62. Site analysis, architectural and landscape plans	☐	☐	☐	☐
63. Photomontage and 3D digital model	☐	☐	☐	☐

Applicant declaration

- I apply for consent to carry out the development described in this application.
- I also understand that if incomplete, the application may be delayed, returned or rejected and more information may be requested to process my application.
- I declare that all the information is true and correct, and electronic plans and documents submitted on electronic storage medium are an exact reproduction of the original source of documents submitted with this application.
- I give permission to Waverley Council ('Council') to make copies, including electronic copies, of all submitted documents, including plans, for the purposes of assessing and determining this application (and related purposes) under the *Environmental Planning and Assessment Act 1979* and to provide copies, including electronic copies, of all submitted documents, including plans, to members of the public, and to publish them on Council's website, in accordance with the *Government Information (Public Access) Act 2009*. This application form will not be published on Council's website.
- I warrant that if I am not entitled to copyright in respect of any submitted document, I have obtained permission from the copyright owner for Council to use the documents lodged with this application in accordance with the above paragraph.
- I indemnify the Council against all claims and actions in respect of a breach of copyright arising from the Council copying, issuing copies, reproducing or publishing any documents lodged with this application.
- I declare that I authorise the Council to disclose my personal information to the Department of Planning, Housing and Infrastructure (as required) for the purpose of assessing my application, and that my personal information will be disclosed to other NSW Government agencies (as required) for the purpose of assessing my application.
- I authorise the Council to make amendments to an application in the NSW Planning Portal when required, to ensure that the application can be lodged, the data aligns with the works proposed in the application and to calculate the Housing Productivity Contribution.
- The personal information required on this form may be available for public access under various legislation.

Applicant Name

Applicant Signature

Date

 / /

How to lodge this application

All development applications are required to be lodged on the [NSW Planning Portal](#). Applications can no longer be lodged by mail or over the counter with Council. For more information on how to lodge applications on the NSW Planning Portal, please visit the [NSW Planning Portal website](#). Use the Waverley DA checklist to ensure that you have the correct information for lodgement. Incomplete applications will be returned through the Planning Portal and will not be accepted.

Fees

Application fees are in accordance with Council's Fees and Charges Policy. To avoid delays at lodgement, please contact us to obtain a quote prior to lodging your application. Once your application checked for completeness, you will be sent an invoice to pay the application fee within 48hours. Once paid, your application will be formally lodged into Councils system from the Planning Portal. Your application will be returned through the Planning Portal, if the fee has not been paid. If lodging multiple applications, a separate payment must be made for each application. Fees may be paid by online on Council's website and FTPOS. Please contact Council should you wish to pay with cash or cheque.

Privacy notice

Waverley Council (55 Spring Street, Bondi Junction NSW 2022) is collecting and holding your personal information for the purpose of processing your request or application. The intended recipients of your personal information are Council officers and other service providers necessary to process your request or application, if applicable. We will not disclose your personal information to anybody else unless you have given consent, or we are authorised or required to do so by law. This form is classified as open access information under the *Government Information (Public Access) Act 2009* and may be disclosed to members of the public on request. If you do not provide your personal information, we may be unable to process your request or application. To access or correct your personal information, please contact info@waverley.nsw.gov.au or call 9083 8000. For further details on how Council manages your personal information, please refer to the Privacy Management Plan on our website: waverley.nsw.gov.au/privacy

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