

RICHMOND VALLEY COUNCIL POLICY REGISTER

File No: T.230.00

Policy No: 2.7.5

POLICY:	APPLICATIONS REFERRED TO COUNCIL FOR DETERMINATION
FUNCTION:	Development/Strategic Planning
OBJECTIVE:	To provide a process which identifies the type and/or circumstances which necessitate Environmental Development Services applications being referred to Council for determination
DIRECTORATE:	ENVIRONMENTAL DEVELOPMENT SERVICES

POLICY:

MATTERS TO WHICH THE POLICY APPLIES

This Policy applies to the following matters:

- Development Applications
- Submissions for Rezoning of Land
- Other applications deemed necessary by the General Manager, Director Environmental Development Services and/or Development Assessment Panel to be referred to Council for decision.

DEFINITIONS

Under this Policy, the following expressions have special meanings:

DEVELOPMENT ASSESSMENT PANEL

The Development Assessment Panel is a team of Council Officers with considerable expertise in the assessment of development, building, subdivision and rezoning applications proposals.

RESIDENTIAL FLAT BUILDING

By definition, a Residential Flat Building is a building containing three (3) or more dwellings.

DESIGNATED DEVELOPMENT

Those developments listed in Schedule 3 under Part 1 of the Environmental Planning and Assessment Regulation, 1994 and identified within any State Environmental Planning Policy under the Environmental Planning and Assessment Act, 1979.

COMMERCIAL DEVELOPMENT

Development for retail, dining, fast food, offices, community facilities, etc which is typical of the commercial area of a village or town.

DELEGATED AUTHORITY

Applications of a minor nature, approval of which is delegated to Council Officer for determination.

MEDIATION POLICY

Policy 2.7.4 - Mediation, adopted by Council, providing for the resolution of dispute concerning development and building proposals and related matters.

DEVELOPMENT APPLICATION TYPE AND CIRCUMSTANCE FOR REFERRAL TO COUNCIL FOR DETERMINATION

Application Type

- Applications the Development Assessment Panel identify as necessary to be referred to Council due to their contentious nature.
- Residential Flat Buildings, greater than 20 units
- Designated Development.
- Subdivision Applications.
 - Subdivision greater than 50 lots
- Submissions for rezoning of land.
- New commercial/retail development in excess of 2,500 metres of gross floor area.
- New Industrial Development in excess of 5,000 metres of gross floor area.
- Any application for which two (2) Councillors have made a request in writing to the General Manager that the application is to be submitted to Council for consideration and determination.
- Any Development Application generating objections of a significant nature, being those which while valid under S.79C of the Environmental Planning and Assessment Act (1979), cannot be addressed by means such as conditions of consent, negotiated alterations to the proposal, mediation by other means.
- Application where the process for the resolution of disputes have been applied through Council's Mediation Policy.
- Significant applications submitted on Council's behalf where Council is the owner of the land and/or applicant of the application.

MONITORING POLICY

The Policy document will be reviewed annually following its adoption by Council.

VARIATION

Council reserves the right to vary and/or revoke this Policy from time to time.