



Council Policy

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| Policy Title: | Development Assessment Panel (DAP) - Role, Constitution and Operation |
| Policy Number: | 15.2 |
| Focus Area: | Rural and Urban Development |
| Responsibility: | Assessment, Environment and Regulation |
| Meeting Adopted: | 23 June 2015 - 230615/14 |

OBJECTIVE

To consider all aspects of development applications submitted to Richmond Valley Council and act as technical support first contact with developers.

POLICY

Role of Development Assessment Panel (DAP)

1. To seek solutions to any issues raised by Development Proposals to ensure development is encouraged and promoted within Council's jurisdiction.
2. To provide a forum for pre-lodgement advice to development proponents. Proponents can attend the panel to present their proposal in order to obtain advice prior to lodgement and to discuss potential solutions.
3. To review all new Development Applications (other than applications for Class 1 and 10 buildings) received by Council and provide initial comments, and potential issues for consideration by the Development Assessment Officers.
4. To consider from a Corporate and Strategic viewpoint, all aspects of development applications, as well as infrastructure projects carried out by Council, to seek solutions for compliance with current legislation and Council Policy and Practice.
5. To concur or refuse to concur with recommendations of the Development Assessment Officers to provide final determination of applications within its delegation and provide recommendations for all other applications.
6. The DAP will not determine or amend:

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| Any application for which two Councillors have made a request in writing to the General Manager that the application is to be submitted to Council for consideration and determination. | |
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| Any Application generating <i>objections of a significant nature</i> , being those which, while valid under Section 79C of the Environmental Planning and Assessment Act, cannot be addressed by means such as: | <ol style="list-style-type: none"> 1. Conditions of consent 2. Negotiated alterations to the proposal 3. Mediation or by other means. |
| Any Application identified as requiring Council determination due to their contentious nature: | <ol style="list-style-type: none"> 1. Residential Flat Buildings greater than 20 units 2. Designated Development as defined by the EP&A Act 3. Subdivision Applications greater than 50 lots 4. Submissions for rezoning of land 5. New Commercial/Retail development in excess of 2,500m² of gross floor area 6. New Industrial Development in excess of 5,000m² of gross floor area 7. Applications where Council's Mediation Policy has been initiated to seek resolution of a dispute 8. Significant applications submitted on behalf of Council where Council is the owner of the land and/or applicant of the application. |
| Any Consents previously determined by the Council unless: | <ol style="list-style-type: none"> 1. The amendment is inconsequential and minor 2. The amendment does not address issues considered significant in submissions received during the original processing of the development application, or 3. Unless authorised specifically by the Council. |

Constitution

1. The DAP will have a membership of qualified professional staff representing each area of Council involved in the assessment of Development Applications.
2. The General Manager and Executive Manager Management Team will determine appropriate delegated officers to represent the following technical functions required in development assessment:
 - Land use planning
 - Building
 - Environmental Health
 - Engineering – roads, traffic and water and sewer

A chairperson and administrative assistant may be nominated to assist with administrative functions.

3. A quorum of three members present shall be required, provided all technical sections are represented. All members present shall be properly briefed in respect of all matters to be dealt with at each meeting.

Operation

1. The DAP shall meet weekly unless otherwise determined by the Manager Assessment, Environment and Regulation.
2. Minutes shall be kept of each meeting, signed by the Chairperson and countersigned.
3. The focus of the Panel will be to simplify compliance requirements and seek solutions to technical issues that support development proposals.
4. When development proponents attend the Panel to receive pre-lodgement advice, the Panel's advice will be minuted. The pre-lodgement minutes will be provided to the Manager Assessment, Environment and Regulation and formally to the proponent(s).
5. Where a unanimous DAP decision cannot be achieved, the application shall be referred to the Executive Management Team or Council, for determination

REVIEW

This policy will be reviewed by Council at the time of any relevant legislative changes, compliance requirements or at least every four years.