

Council Policy



Policy Title:	Development Principles and Development Assessment Panel (DAP)
Policy Number:	15.2
Focus Area:	Growing our Economy
Responsibility:	Development & Environment Group
Meeting Adopted:	17 March 2020 [Resolution 170320/7]

DEVELOPMENT PRINCIPLES

Richmond Valley Council encourages and promotes sustainable development within its local government area in line with its vision to create “A great community with a relaxed lifestyle, beautiful environment and vibrant economy”.

Council will do this by:

- Facilitating an environment which encourages investment.
- Working in partnership with existing and prospective businesses to create new economic opportunities.
- Encouraging appropriate development in line with legislation and Council’s Local Strategic Planning Statement, Local Environment Plan and Development Control Plan.
- Providing a Development Concierge service to support applicants through the development application and assessment process.
- Providing a free pre-lodgement development application advisory service.
- Streamlining application, assessment and approvals processes in line with NSW Government requirements.
- Prioritising significant development applications which stimulate economic activity in line with Council’s Community Strategic Plan.
- Enhancing relationships with the planning and development industry to ensure continuous improvement in the standard of development and the applications lodged.
- Our target is to approve applications within 40 days. It should be noted that depending on the complexity of the development and the information provided in the development application, this can take longer. If a development requires referral to government agencies including the Rural Fire Service, Department of Planning, Infrastructure & Environment, the Environment Protection Authority or the Heritage Office, it will take longer.
- Providing responsive building certification, environmental health and engineering services which builds relationships with its customers and delivers a practical and commonsense approach to ensure the safety and public health requirements of developments are delivered during the approvals and construction phases.

DEVELOPMENT ASSESSMENT PANEL

1. PURPOSE

To support Council's stated priorities as set out above, a Development Assessment Panel (DAP) will be established to provide a peer review mechanism to encourage solution-focused assessments and consistent application of development standards and requirements.

2. OBJECTIVE

To consider all aspects of specified development and modification applications lodged to Richmond Valley Council.

To provide an internal forum for technical comments for the review of environmental factors (REFs) prepared for Council projects.

3. CONSTITUTION

- 3.1 The DAP will have a membership of qualified professional staff involved in the assessment of Development Applications.
- 3.2 The General Manager and/or Director Infrastructure and Environment will determine appropriate delegated officers to represent the following technical functions required in development assessment:
 - Planning
 - Building Services
 - Environmental Health
 - Engineering
- 3.3 The quorum shall comprise of a Chairperson and two officers, all from different technical functions.
- 3.4 The Manager Development & Environment shall hold the position of Chairperson or appoint an alternate as necessary.
- 3.5 The assessing officer shall not participate as a member of DAP in any recommendations made. However, may attend the meeting for the purpose of explaining the development application and answering any questions.
- 3.6 Any other Council officer may attend as an observer.

4. POLICY/ROLE OF DEVELOPMENT ASSESSMENT PANEL (DAP):

- 4.1 To review all lodged Development and modification Applications except for the ones specified below:

- New single dwellings, alterations and additions to dwellings and any ancillary developments which are not heritage listed;
 - Minor alterations and additions and fit-out works to the existing commercial buildings which are not heritage listed;
 - Secondary dwellings and dual occupancies which are not heritage listed.
- 4.2 To consider the completeness of applications, determine if the application can progress to the assessment stage, or to advise the applicant further information is required.
- 4.3 To review any other development and modification applications at the discretion of the Manager Development & Environment.
- 4.4 Identify notification requirements for applications in accordance with the Community Participation Plan, identify external and internal referrals and provide recommendations on the allocation of the application to an officer for assessment.
- 4.5 Undertake a preliminary review to highlight any obvious issues for further investigation during assessment and to offer possible solutions.
- 4.6 The Chair may determine an application initially reviewed by DAP may not need to be returned to DAP prior to completion of a Notice of Determination.
- 4.7 To provide advice on the recommendations of the Development Assessment Officer(s) prior to final determination of applications under delegated authority.
- 4.8 DAP will review the recommendations and proposed conditions for any application lodged with Council which cannot be determined under delegated authority including the following:

Applications which cannot be determined under delegated authority as identified in legislation.	<p>Examples</p> <ul style="list-style-type: none"> • Regionally Significant Development • Clause 4.6 (RVC LEP) variations where the Director's concurrence cannot be assumed • Section 4.55(2) (EP&A Act) modifications to Regionally Significant Development
Applications called up by at least two Councillors, or where there is significant public interest, or where determination may result in major policy implications.	<p>Examples</p> <ul style="list-style-type: none"> • Significant applications submitted on behalf of Council or where Council is the landowner. • Any Application generating <i>objections of a significant nature</i>, which cannot be addressed by conditions of consent.
A modification application under section 4.55 (2) (EP&A Act) to a consent previously determined by Council.	

4.9 To provide an internal forum for technical comments for REFs prepared for Council projects as requested. It should be noted that DAP has no role in approving REFs and does not sign off on REFs.

5. OPERATION

5.1 The DAP shall meet twice weekly or as needed unless otherwise determined by the Manager Development & Environment.

5.2 Applications requiring DAP review and advice should be submitted in a timely way to avoid assessment and determination delays.

5.3 Minutes shall be kept of each meeting, signed by the Chairperson and countersigned.

5.4 Where a unanimous DAP consensus on recommendations cannot be achieved, the assessing officer may refer the application to the Manager Development & Environment for determination.

6. REVIEW

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

Version Number	Date	Reason / Comments
1	25 June 2015	New policy
2	17 March 2020	Review