



# **Request for DA Information Matrix Policy**

## POLICY OBJECTIVE

The Objectives of this policy are to:

- Establish clear and consistent guidance around the issuing of requests for information relating to Development Applications;
- Allow for the efficient assessment of complete applications; and
- Provide Developers with certainty around determination times.

## LEGISLATIVE PROVISIONS

*Local Government Act 1993*

*Environmental Planning and Assessment Act 1979*

## POLICY STATEMENT

Environmental Planning and Assessment (Statement of Expectations) Order 2021 was made by the Minister for Planning & Public Space on 26 November 2021. The Order:

- sets out clear expectations as to what constitutes an efficient and effective planning system to support a strong economy and delivering better places; and
- sets benchmarks for Council performance for development assessment.

The Minister's expectations outlined in the Order state a Council should:

- prepare an assessment report for a regionally significant development application and refer it to the relevant Regional Panel as soon as practicable and no longer than 250 days from lodgement;
- determine a development application for which it is the consent authority as soon as practicable and no longer than 180 days from lodgement; and
- report a development application for which its functions as a consent authority are exercisable by the local planning panel to the panel for determination within four (4) weeks of a request from the panel chair.

The Order sets out the heads of consideration to be taken into consideration in exercising the Minister's powers under s9.6(1)(b) of the Environmental Planning and Assessment Act, in appointing a planning administrator or a regional panel to exercise functions of a council including:

- whether or not the Council has failed to meet the Minister's expectations in relation to council performance.

The NSW Department of Planning and Environment's 'Development assessment best practice guide' recommends utilisation of Council's prelodgement service for more complex proposals and the lodgement of complete applications supported by the necessary plans, documents and professional reports.

To assist with the efficient assessment of development applications, requests for information will adhere to the timeframes in the Matrix table below. If no response is received from the applicant during the relevant period, Council will proceed to complete an assessment of the application and make a determination based on the information that is available at that point in time.

Exceptions to the timeframes within the Matrix table can be considered including in the following circumstances:

- Matters relating to the regularisation of unauthorised development where there is a demonstrated need for additional time (whether or not premises is subject to a Development Control Order).
- Instances where written advice has been received from an industry professional (accredited if required by field of practice) that indicates a need for longer lead times in order to prepare specific reports.

Requests for variations to the timeframes within the Matrix table are:

- To be considered on merit.
- Applicants are to have demonstrated that sufficient and reasonable efforts have been undertaken to adequately prepare a comprehensive and complete application.
- Variations will not be endorsed where it is considered appropriate for the development application to be withdrawn and resubmitted once the necessary information can be procured.
- Any variation must be endorsed by the Business Manager Planning & Development.

**Application of Requests for Information**

The table below outlines how and when a request for information is applied:

<b>MATRIX</b>	Matters that have minimal environmental impact	Matters that have moderate environmental impact	Matters that have significant or severe environmental impact or impact upon public health or safety
<b>Small scale development</b> (Single dwelling, ancillary development, commercial shop fitout, first use DA's, etc.)	14 days	21 days	28 days
<b>Medium scale development</b> (Attached dwellings, Secondary dwellings, subdivisions less than 20 lots, change of use DA's, industrial/commercial less than 500m <sup>2</sup> , etc)	14 days	21 days	28 days
<b>Large scale development</b> (Multi-unit residential, subdivisions 20 lots or more, industrial/commercial, 500m <sup>2</sup> or more, etc)	21 days	28 days	35 days
<b>Designated Development</b>	28 days	35 days	42 days

**Note 1:** Unless otherwise legislated, external stakeholders, including Government agencies will also be required to adhere to the above timeframes in responding to referrals. If no response is received in the allocated timeframe, it will be taken as though the stakeholder does not wish to make comment.

**Note 2:** Days are defined as calendar days.



## GOULBURN MULWAREE COUNCIL REQUEST FOR DA INFORMATION MATRIX POLICY

Version	Council Meeting Date	Resolution	Adoption Date	Effective From
1	18 May 2021	2021/200	18 May 2021	30 July 2021
2	6 September 2022	2022/312	6 September 2022	4 October 2022
<b>All policies can be reviewed or revoked by resolution of Council at any time.</b>				

**DIRECTORATE:** Planning & Environment

**BUSINESS UNIT:** Planning & Development