



Development Assessment & Decision Making Policy

POLICY OBJECTIVE

To provide guidance for the assessment and determination of Development Applications.

LEGISLATIVE PROVISIONS

Local Government Act 1993

Environmental Planning and Assessment Act 1979

POLICY STATEMENT

Under s377 of the *Local Government Act 1993*, Council may delegate any function of Council (other than the items listed) to the General Manager/Chief Executive Officer. The assessment and determination of Development Applications and other forms of approval are functions that may be delegated.

Under s378 of the *Local Government Act 1993*, the General Manager/Chief Executive Officer may in turn sub-delegate a function delegated to the General Manager/Chief Executive Officer by the Council (other than the power of delegation) to any other person (including another employee of Council).

Section 380 of the *Local Government Act 1993* requires delegations to be reviewed in the first 12 months of each term of office of the Council.

It is acknowledged that there needs to be a system of delegation to staff to assess and determine routine applications for approvals while Council retains an assessment and determination role for significant applications.

The following applications will be presented to Council:

1. Any application in respect of which there is an unresolved objection resulting from the neighbour notification/exhibition process. For the avoidance of doubt, it is at the discretion of the assessing officer to determine what constitutes an unresolved objection, with a final endorsement from the Business Manager Planning & Development to be given prior to the determination being made.
2. Any application that seeks to vary Council's Local Environmental Plan or Development Contribution Plan.
3. Any application that seeks to vary the objectives of Council's Development Control Plan or Policies relating to Engineering Standards.
4. Any application that seeks a review by Council of a determination made under delegated authority.
5. Any application that is called in by Councillors.

A list of all applications received by Council is distributed weekly to enable Councillors to identify any applications that may be of particular interest to call in. For an application to be called in at least three Councillors will need to nominate the application with any nomination to be in writing to the General Manager/Chief Executive Officer. Those not called in will continue to be assessed and determined under delegation.

Applications presented to Council may be determined by Council or Council may as part of a Resolution resolve for the application to be determined under delegation.



GOULBURN MULWAREE COUNCIL DEVELOPMENT ASSESSMENT & DECISION MAKING POLICY

Version	Council Meeting Date	Resolution	Adoption Date	Effective From
1	17 January 2006	06/17		
2	15 March 2011	11/73	15 March 2011	
3	21 May 2013	13/179	21 May 2013	5 July 2013
4	19 July 2022	2022/241	19 July 2022	16 August 2022
All policies can be reviewed or revoked by resolution of Council at anytime.				

DIRECTORATE: Planning & Environment

BUSINESS UNIT: Planning and Development