

Document Name	Document Version Number	Review Date
Determination of Development Applications Under Delegated Authority Policy	1.0.3	August 2024
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Purpose

- To ensure the effective and efficient processing of development applications.
- To provide opportunity for Councillor input into those applications where circumstances warrant referral to Council.
- To clearly articulate the demarcation between those applications determined under delegated authority and those determined by Council.

Scope

Nil.

Definitions

Nil.

Policy Content

That all development applications received by Council be determined by the General Manager under delegated authority in accordance with section 377 of the *Local Government Act 1993* with the exception of those applications which fall in a category nominated below. It should be noted that the authority delegated to the General Manager in relation to development applications is in turn sub-delegated to the Director Environment and Planning and staff of the Environment and Planning Department in accordance with section 378 of the *Local Government Act 1993*.

Categories of development applications to be determined by Council:

- a. Any application where one or more unresolved objection exists. In situations where an objection is considered by the General Manager (in consultation with the Director Environment and Planning) to be vexatious in nature, then such will not act as a trigger for referral of the application to Council.
- b. Any application recommended for refusal (except where refusal is recommended following two written requests seeking further information and that information has not been provided within the requested time frame).
- c. Any application where the applicant seeks to significantly depart from the standards contained in a Development Control Plan or Policy of Council. As endorsed by Council resolution 3515 [McInerney/Meyer] the Director of the Environment and Planning is permitted to authorise variations to Council's Development Control Plan.
- d. Any application where the applicant is objecting to a development standard contained in a local planning instrument in accordance with Clause 4.6 of the Greater Hume Local Environment Plan 2012.
- e. Any application considered by the General Manager (in consultation with the Director Environment and Planning) to be of significant public interest.

Links to Policy

Nil.

Links to Procedure

Nil.

Links to Forms

Nil.

References

Nil.

Responsibility

Nil.

Document Author

Director Environment & Planning

Relevant Legislation

Environmental Planning and Assessment Act 1997, Environmental Planning and Assessment Regulations 2000.

Associated Records

Nil.