

- Objectives:** Place
- Outcome:** 2.1 - A diverse, well planned built environment.
- Strategy:** 2.1.1 - Actively engage in the development and promotion of an effective planning framework.

Purpose

1. Ensure development applications are determined in a transparent, consistent and appropriate manner.
2. Ensure development applications are determined in a timely and efficient manner.
3. Ensure that other permits, licences and approvals issued by other operational areas at the Shire are discussed and/or referred to appropriate operational areas at the Shire prior to approval.

Definitions

Development Assessment Unit – The working group of Shire technical officers tasked with ensuring that development applications are determined in a timely and efficient manner in accordance with the assigned delegations.

Background

The delegated powers and duties of Council to the Chief Executive Officer are listed in the Instrument of Delegation Register. Delegations are exercised in accordance with delegation granted in terms of Section 5.42 of the Local Government Act 1995 as amended or other statutes as applicable to specified officers.

To ensure that such development applications are determined in a timely and efficient manner in accordance with the assigned delegations this policy details the operation and functions of the Development Assessment Unit (DAU).

A number of other approvals, licences and/or permits are issued by other operational areas at the Shire under relevant Local Laws and Regulations. Such matters, while not determined at DAU, are listed for discussion to ensure that appropriate comments across the Shire's operational areas are taken into account before determination.

Note: DAU does not make determinations on applications but does make a recommendation to the delegated officer, or Council in assessing the application. Determination is in accordance with delegated powers listed in the Instrument of Delegation Register or by Council if required.



Status

- (a) Relationship to Town Planning Scheme No.2
This Policy is a Planning Policy prepared, advertised and adopted pursuant to Clause 3 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- (b) Relationship to other documents
This policy has due regard for, and should be read in conjunction with State Planning Policies (SPPs), the Shire's Local Planning Policies (LPPs) and other legislative documents.

Policy

Operation of the Development Assessment Unit

Chairperson:	Director Development Services
Deputy Chairperson:	Manager Statutory Planning and Compliance / Manager Strategic Planning/Proxy
Representatives from Building Services:	Manager Building Services / Proxy
Representatives from Engineering:	Director Infrastructure Services / Proxy Manager Subdivisions
Representative from Health Services:	Manager Health / Proxy Health Officers as required
Representative from Rangers and Emergency:	Manager Rangers and Emergency Services / Proxy Compliance / Ranger Officers as required
Representatives from Statutory Planning:	Planning Officers as required
Representatives from Other Departments as required.	

Meeting Times

The DAU meets every Wednesday commencing at 9:00am, this may only be varied by the Chairperson or Deputy Chairperson for operational reasons.



Process – A Development Application - no advertising required

1. When an application for development approval is received, it is checked upon receipt to ensure that all the required information has been submitted in accordance with the Local Planning Policy/Checklist and fees have been paid. An application is not considered as lodged until the fees are paid and the application form has been signed by all landowners.
2. The application is recorded and date stamped.
3. The application is referred to Manager Statutory Planning and Compliance/Senior Statutory Planning Officer who assigns the application to an Officer.
4. Planning Administration (within 4 days from lodgement date):
 - i) Registers the application on Synergy;
 - ii) Lists it as a new application received on the agenda for the next DAU; and
 - iii) Arranges internal referral (when required) to other departments.
5. Internal referral (to be completed within 14 days from lodgement date) enables other departments to provide technical opinion in relation to their relevant field of expertise, request further information and/or advise of necessary conditions/advice notes.
6. Planning Officer undertakes a technical assessment within 21 days from lodgement date to determine if any additional information is required.
7. Within 21 days from lodgement date the technical assessment together with comments from other internal departments are brought to DAU to:
 - i) Determine whether further information is required. If so, the applicant is notified in writing specifying the type and form of the information to be submitted and requesting that such information be provided within 21 days of the date of the correspondence unless the type of information warrants more time; and
 - ii) Confirm the application does not require advertising.
 - iii) If further information is required and is not received within the specified timeframe or the information provided is not considered sufficient then:-
 - a. The application may be determined based on the information submitted; or
 - b. The applicant may request that the application is placed on 'hold' until the further information is obtained. The application can be kept on hold for up to two months (or further time as agreed upon by Chairperson); or
 - c. The applicant will be requested to withdraw the application and fees refunded in accordance with Council Policy.



8. Once the additional information has been received and considered sufficient, the Officer finalises the assessment which includes the recommendation and all conditions. The application is then listed at the next possible DAU or if the application is considered minor, the Manager Statutory Planning and Compliance may determine the application without it being presented back to DAU. Where delegations do not allow for a delegated decision, applications will be referred to an Ordinary Council Meeting.
9. Relevant Officer signs technical assessment and Notice of Determination.

Process – A Development Application – advertising required

1. When an application for development approval is received, it is checked upon receipt to ensure that all the required information has been submitted in accordance with the Local Planning Policy/Checklist and fees have been paid. An application is not considered as lodged until the fees are paid and the application form has been signed by all landowners.
2. The application is recorded and date stamped.
3. The application is referred to Manager Statutory Planning and Compliance/Senior Statutory Planning Officer who assigns the application to an Officer.
4. Planning Administration (within 4 days from lodgement date):
 - i) Registers the application on Synergy;
 - ii) Lists it as a new application received on the agenda for the next DAU; and
 - iii) Arranges internal referral (when required) to other departments.
5. Internal referral (to be completed within 14 days from lodgement date) enables other departments to provide technical opinion in relation to their relevant field of expertise, request further information and/or advise of necessary conditions/advice notes.
6. The Planning Officer undertakes technical assessment within 21 days from the lodgement date to determine if any additional information is required and to confirm that the application requires advertising in accordance with the Deemed Provisions or any adopted Local Planning Policy.
7. Within 21 days from the lodgement date, the application is brought to DAU for determination of whether:
 - i) Further information is required. If so the applicant is notified in writing, specifying the type and form of the information to be submitted and requesting that such information be provided within 21 days of the date of the correspondence unless the type of information warrants more time;
 - ii) The application requires advertising. Once all relevant information has been received and is deemed appropriate and complete, advertising will occur;



- iii) Notwithstanding Clause 64 of the Deemed Provisions, advertising shall be carried out for a period of no less than 21 days. Upon conclusion of the advertising period, the Planning Officer is to assess the submissions and:
 - a. If necessary, based on submissions received, request further clarification from the applicant, and where appropriate the applicant may be required to respond or address matters raised by submitters;
 - b. Internal departments are to prepare additional advice and propose conditions based on the further information and submissions received; and
 - c. The Planning Officer re-assesses the application and prepares an assessment which includes a recommendation and all conditions proposed.
8. The application is listed at the next possible DAU with a recommendation for determination to be included in the minutes. Where delegations do not allow for a delegated decision, applications will be referred to an Ordinary Council meeting.
9. Relevant Officer signs technical assessment and Notice of Determination.

Referral to Council

1. Where referral to Council is required, a report will be prepared and presented to Council at the next available Council meeting once all relevant information has been obtained.
2. All submitters are notified that the application will be presented to Council, at the time the Council meeting agenda is published, and that they are able to make a deputation in this regard.
3. The Council meeting minutes are to be published on the Shire's website.
4. The Notice of Determination is issued in accordance with the Council resolution and any submitters are notified of the decisions soon as practicable after the Ordinary Council meeting

DAU Agendas/Minutes

1. The agenda is circulated on the Monday afternoon prior to the DAU meeting to all DAU members.
2. The DAU agenda contains a list of planning, subdivision, building, health, Local Government Act and Local Law applications or permits or clearance requests received over the past week's business, as well as a list of formal complaints to investigate as compliance matters.
3. Other statutory planning matters including SAT appeals, Local Planning Scheme Amendments, Structure Plans and Local Development Plans are listed for discussion as required.
4. Other applications including but not limited to events, trading in public places and outdoor dining will be listed for a discussion whereby DAU will make a recommendation on the following:
 - i) Whether the application is to be referred to other operational areas of the Shire;
 - ii) Whether any additional information is required; and



- iii) Whether the proposal should be supported or not and any specific conditions of approval which may be required.

DAU meeting minutes accurately list the recommendations made at that meeting to the respective delegated Officer. The minutes of the DAU shall be presented to Council through the monthly information bulletin as the Delegations exercised; and therefore will fulfil the role as Delegation Register in accordance with Regulation 19 or the *Local Government (Administration) Regulations 1996*.

References

Name of Policy	Local Planning Policy 1.1: Development Assessment Unit Policy
Previous Policy	Local Planning Policy 1: Development Assessment Unit Policy
Date of Adoption and Resolution Number	23 July 2018 - OCM063/07/18
Review dates and Resolution Numbers	
Next review date	
Related documents	<p>Acts/Regulations <i>Local Government Act 1995</i> <i>Planning and Development Act 2005</i> <i>Planning and Development (Local Planning Schemes) Regulations 2015</i></p> <p>Plans/Strategies Strategic Community Plan 2017 - 2027</p> <p>Policies</p> <p>Delegations 11.1.1</p> <p>Work Procedures</p>

Note: changes to references may be made without the need to take the Policy to Council for review.