



COUNCIL POLICY

Incomplete and Inadequate Development Application Management

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Clause Number	CCL18/130
Responsible Officer	Darryll Quigley
Position	Manager Building and Development Services
Branch	Building and Development Services
Division	Planning and Environment
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Consultation	Public consultation undertaken

Document Revision History
Description
This Policy aims to facilitate the efficient assessment of all applications for development under the Environmental Planning and Assessment Act 1979, by communicating how Council will manage applications.
Notes
This Council Policy replaces the equivalent Council Policy titled <i>Incomplete Development Applications</i> adopted 26 April 2005 and reviewed 16 September 2016.

POLICY

PURPOSE

The delivery of a consistent, equitable and efficient development assessment service, is only possible when applications are submitted with the required information so that an informed, proper and timely assessment can be made.

The handling of incomplete or deficient applications that require several amendments and the provision of further information, requires significant resources to manage. This impacts on the processing times for all other applications.

This Policy is designed to outline the principles of dealing with unclear, illegible, grossly non-compliant, deficient applications and to encourage the lodgement of quality applications.

Council is committed to an efficient, consistent and effective application assessment service which benefits the majority of applicants that submit quality and complete applications.

BACKGROUND AND RELATED LEGISLATION

- Environmental Planning and Assessment Act, 1979;
- Environmental Planning and Assessment Regulation, 2000;
- Local Government Act, 1993; and
- Development Assessment Best Practice Guide (2017).

SCOPE

This Policy applies to the lodgement and assessment of all development applications, modifications and Review of Determinations submitted to Dubbo Regional Council.

POLICY

To ensure a consistent, equitable and efficient development assessment service, the following actions will be applied:

- Applicants will be encouraged to discuss proposals with Council prior to lodgement to ensure the application is complete and can be assessed;
- Council commits to providing clear and consistent pre-lodgement advice;
- Council commits to addressing issues with applicants in a timely and efficient manner;
- Council will reject development applications that fail to provide the information required by clause 51 of the Environmental Planning and Assessment Regulation, 2000;
- Where an application is not rejected, the applicant will be requested to withdraw incomplete and inadequate applications. A refund of a portion of the fees may be offered based on Council's costs to that point;

Failure to withdraw such applications will result in a determination based on the information submitted;

- Council will generally only make two (2) requests for further information from an applicant subject to the following timeframes:
 - First request: applicant provided with 21 days to respond; and
 - Second request: a further 14 days provided to respond.

Failure to provide the requested information will result in a determination based on the information submitted. Council may consider requests for an extension to these timeframes subject to the particular circumstances of the case;

- Applicants have the opportunity to seek a 'Review of Determination' under Sections 8.2 to 8.5 of the Environmental Planning and Assessment Act, 1979, if they are not satisfied with the outcome.

RESPONSIBILITIES

Manager Building and Development Services is responsible for the implementation of this Policy.