

# Kyogle Council

## Development Management Panel - Function and Operation



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## **1. Title**

This Policy may be cited as the Development Management Panel - Function and Operation Policy.

## **2. Validity of Policy**

This Policy derives its validity from Council Resolution 111113/17.

## **3. Effect**

The Policy shall be effective from 2 December, 2013.

## **4. Policy**

To ensure the accountability and transparent nature of the development assessment process and procedure for the assessment, consideration and determination of development applications lodged with Kyogle Council.

## **5. Role**

5.1 The Development Management Panel (DMP) is to apply an whole of organisation consideration of all aspects of development applications including compliance with current legislation and Council policy and practice.

5.2 In light of these considerations, to concur or refuse to concur with recommendations of the Planning & Environment Department regarding the determination of such applications.

## **6. Constitution**

6.1 The DMP should have a membership of 4 fully qualified professional staff representing aspects of engineering, environmental health, building and town planning.

6.2 A quorum of 3 members present shall be required, provided that both Technical Services and Planning & Environment Departments are represented. All members present shall be properly briefed in respect of all matters dealt with at each meeting.

## **7. Operation**

7.1 The DMP shall meet weekly unless otherwise determined by the Executive Manager Planning & Environment.

7.2 Applications to be considered and dealt with shall include such applications that require multi departmental consideration (ie roads, vehicular access, water & sewerage services, illegal buildings, dwelling entitlements etc), such as Subdivisions, Multi Residential, Commercial, Industrial or domestic dwelling applications which require additional consideration, or other non domestic type applications.

7.2 Minutes shall be kept of each meeting, signed by two members of the panel.

7.3 Roll over lists of applications received and dealt with shall be circulated to Councillors at the monthly Council meeting.

7.4 When development proponents attend the Panel to receive pre-lodgement advice, the panel's advice will be minuted. The pre-lodgement minutes will be provided to the Executive Manager Planning & Environment who will document the comments in a letter to the proponents.

7.5 The proponents shall provide sufficient information at least 4 working days prior to the DMP meeting scheduled to discuss the proposal to ensure members of the DMP have had sufficient time to review and research the proposal.

7.6 The fee applicable for pre-lodgement meetings with the DMP is set by Council through its adopted annual Fees and Charges. This fee shall apply to all subsequent meetings following the first meeting.

7.7 In addition to the applications being determined at the DMP, the DMP shall review and provide an update on all remaining outstanding/undetermined applications.

## **8. Special Issues**

8.1 Where a decision as to whether or not to give concurrence is not unanimous, the application shall be referred to the Executive Manager Planning & Environment.

8.2 Consents determined by the Council meeting shall not be amended under delegated authority unless:

the amendment is inconsequential and minor,  
the amendment does not address issues considered significant in submissions received during the original processing of the development application or  
unless authorized specifically by the Council.

8.3 The DMP will not determine:

Any application for which two Councillors have made a request in writing to the General Manager that the application is to be submitted to Council for consideration and determination.

Any Development Application generating objections of a significant nature, being those which, while valid under S79C of the Environmental Planning & Assessment Act, cannot be addressed by means such as conditions of consent, negotiated alterations to the proposal, mediation or by other means.  
system.

Any Development Application submitted by Kyogle Council, a Councillor of Kyogle Council, Executive Management Staff of Kyogle Council or a lineal relative or a Councillor or Executive Management Staff as defined by Pecuniary Interest rules.