

Development Assessment



northern
beaches
council



Why is it important?

- To ensure that development in our community is consistent with the outcomes of Council's Strategic Policy
- *“Establishing a culture that supports efficient and consistent development assessment – driven by the assessing officer, and supported by all levels of management and services – is fundamental to improving delivery times”*

Development Assessment Best Practice Guide, NSW Planning and Environment 2017



When is a DA needed?

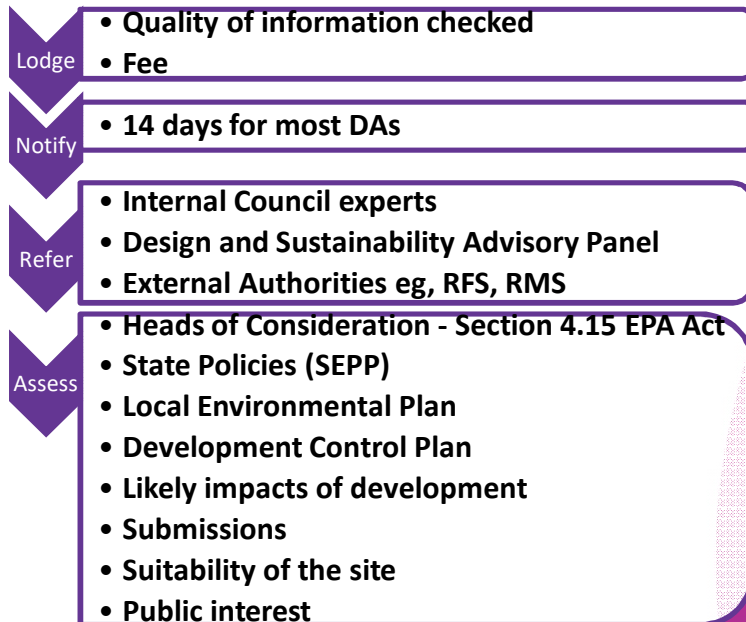
Exempt Development - No approval required; subject to meeting criteria eg, garden sheds less than <20sqm.

Complying Development - Complies with specified criteria and requires a complying development certificate (CDC) to be issued by Council or a Private Certifier

Development Consent - All other development requires consent through the lodgement of a Development Application



How is a DA assessed?



Making the decision

Managers Development Assessment

- Determine 95% of DAs

Development Determination Panel (DDP)

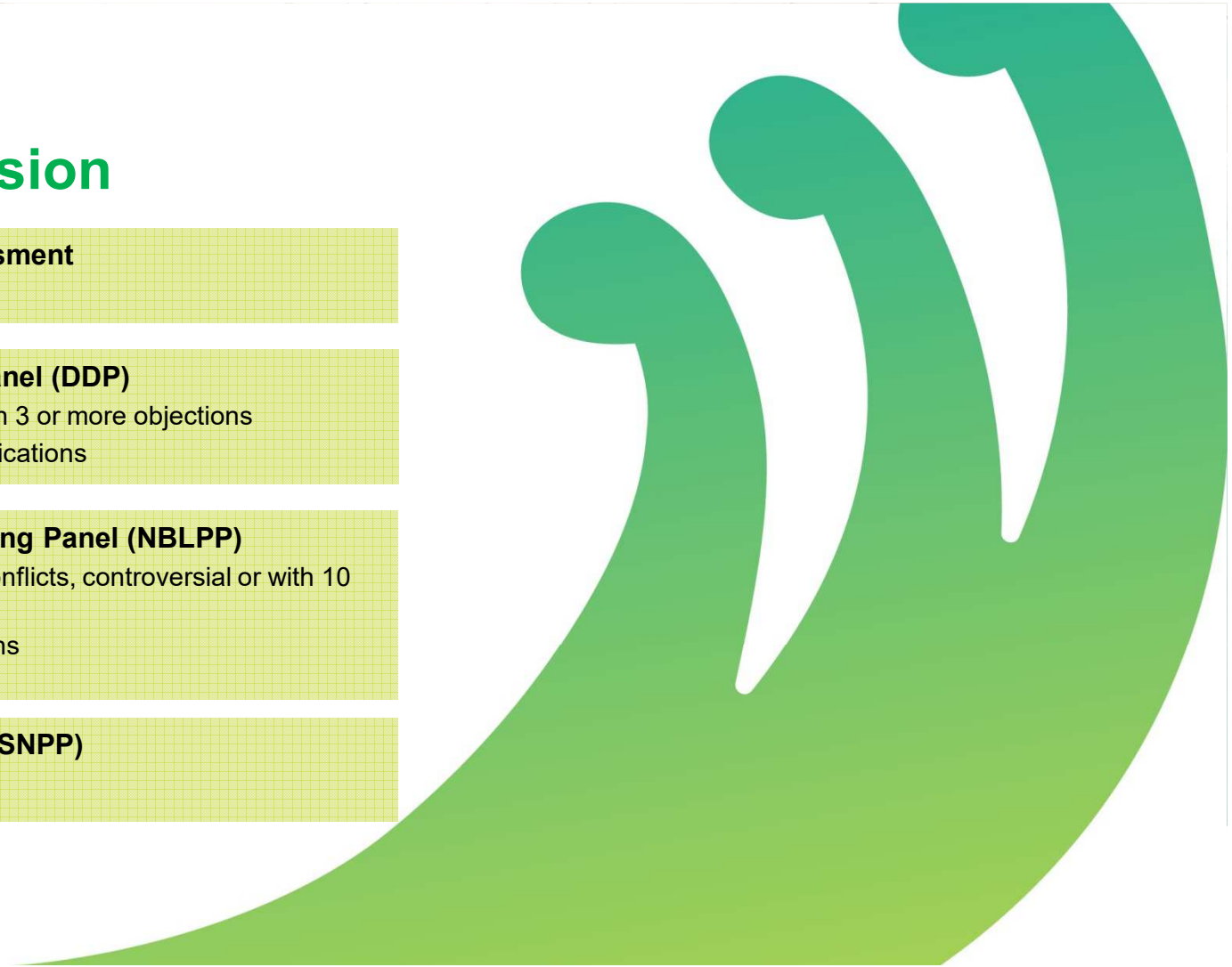
- Determines DA's >\$1M and with 3 or more objections
- Determines up to 2% of all applications

Northern Beaches Local Planning Panel (NBLPP)

- Determines DA's which have conflicts, controversial or with 10 or more objections, SEPP 65;
- Determines 2% of all applications

Sydney North Planning Panel (SNPP)

- Determines DA's >\$30M



Hierarchy of Authority/Planning Controls

Environmental Planning & Assessment Act and Regulations - EPA & Act/Regs

State Environmental Planning Policies – SEPP

Exempt and Complying, Affordable Rental Housing, Housing for Seniors or People with a Disability, Advertising and Signage, Design Quality of Residential Flat Development, Infrastructure, Coastal Management, Educational Establishments and Child Care Facilities, Building Sustainability Index (BASIX), Remediation of Land

Local Environmental Plans - LEP

Statutory

Development Control Plan – DCP

Guideline

Council Policies/Specification

Development Assessment Management Policy, Water Management Policy, Geotechnical Risk Policy, Plans of Management etc

Other relevant considerations

Other Acts

Biodiversity and Conservation Act, Rural Fires Act, Roads Act, Heritage Act, National Parks and Wildlife Act etc

Guidelines

Planning for Bushfire Purposes, Crime Prevention Through Environmental Design, etc

Land and Environment Court

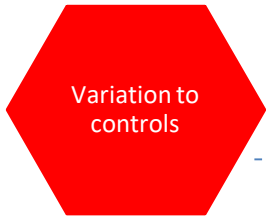
Case Law, Planning Principles



Inputs into the Assessment of an Application



Contentious aspects of assessment



Variation to controls

- Most planning controls can be varied subject to assessment.
- *Development Standards* are contained in LEP and SEPPs – they required a variation which is defined under clause 4.6 of the LEP.
- All variations are reported to Department of Planning and Council on a quarterly basis.
- DCP controls do not require as rigorous an assessment or reporting

Statutory

Guideline



Submissions

All submissions are addressed in the assessment report. Issues are often subjective and sometimes outside the authority of a DA. On subjective issues e.g view loss, privacy, our assessment applies professional standards based on consistent use by Council, Land and Environment case law and experience.



Consideration of Impacts

Impacts resulting from a proposed development are considered in the assessment report, even if the issue is not raised in a submission. Refusal of a DA is only considered when the impacts are significant and cannot be overcome by conditions of consent



