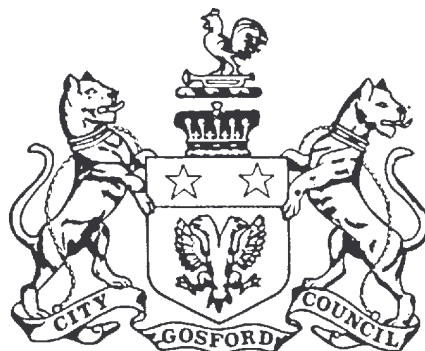




D6.53

**WITHDRAWAL AND DEFERRAL
OF DEVELOPMENT
APPLICATIONS**



D6.53 WITHDRAWAL AND DEFERRAL OF DEVELOPMENT APPLICATIONS

ENVIRONMENT AND PLANNING - DEVELOPMENT

POLICY OBJECTIVES

To provide a suitable framework for withdrawal or deferral of Development Applications, Construction Certificates and Building Certificate applications and associated fees.

POLICY STATEMENTS

1 Requests for Withdrawal of Application:-

- a A request for withdrawal of an Application will be granted at any time provided that the application has not been determined.
- b The request shall be in writing and signed by the applicant.
- c Any further action by the Council in determining the matter will only be dealt with by way of a new application subject to all fees being paid.

PROCEDURE

The Procedure (attached), being an administrative process, may be altered as necessary by the General Manager.

(Min No 494/1989)

(Min No 845/1990 - 19 June 1990)

(Min No 5/1992 - 25 February 1992)

(Min No 775/1992 - 28 July 1992)

(Min No 1610/1993 - 14 December 1993)

(Min No 651/1996 - 27 August 1996 - Review of Policies)No Change

(Min No 239/2000 – 24 October 2000 – Review of Policies)

(Min No 214/2005 - 8 March 2005 - Review of Policies)

(Min No 311/2009 - 5 May 2009 - Review of Policies)

ATTACHMENT - PROCEDURE

D6.53 WITHDRAWAL AND DEFERRAL OF DEVELOPMENT APPLICATIONS

1 Return of Fees

Council will grant a refund of Development Application fees in the following circumstances:-

- i Where no action taken by Council staff, the fee paid less the cancellation fee (as per Council's fees and charges).
- ii Where the application has been notified and advertised, the fee paid less ~~\$25.00~~ and the notification/advertising fee and the cancellation fee (as per Council's fees and charges).
- iii Where site inspection and preliminary assessment has been made, the fee paid less 50% and the notification/advertising fee. Where subsequent site inspections have been made, the fee paid less 75% and the notification/advertising fee.
- iv Where a report has been prepared containing a recommendation for determination, no refund of the fee paid and the notification/advertising fee.

2 Construction Certificate fees:

- i Where a Construction Certificate application is withdrawn before determination the fee paid less 50%.
- ii After determination, no refund

3 Building Certificate fees:

149D Building Certificate Application fees apply (as per Council's fees and charges). A re-inspection fee applies if a re-inspection is required.

- i Should the application be withdrawn prior to Council taking any action on the matter (i.e. loaded and scanned but no appointment made) then the application fee less a cancellation fee (as per Council's fees and charges).
- ii Should the application be withdrawn after an inspection has been conducted then no refund is payable.

4 Requests for Deferral of an Application before Council

- a Any request shall be in writing and signed by the applicant.
- b If the application has been included on the Agenda of a Council Meeting, it must be received not less than 24 hours prior to the time of the meeting.

- c The request shall specify reasons for making the request and if it relies on any change in circumstances, availability of additional information etc, shall provide a summary of those matters.
- d The request shall be accompanied by a fee of fifty dollars (\$50.00) CPI adjusted.
- e Notwithstanding compliance with these procedures, if the matter is listed on a Council Business Paper, the Council has the right to deal with it as it sees fit and may resolve to determine the application