FORM
TRIM 14/14678

(SD-FO-213) REVIEW OF DETERMINATION

Environmental Planning & Assessment Act, 1979 – Section 8.3

Office Use	Review No: _____ /_____	Determined: _____/_____/____

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Part 1: Applicant's Details

Title: Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other _____

Family name (or company): _____

Given names (or ACN): _____

Postal address: _____ Postcode: _____

Phone: (w) _____ (h) _____ (m) _____ Fax: _____

Contact person: _____ E-mail: _____

Signature(s) _____ Date ____/____/____

Part 2: Location Details

Unit No _____ House No _____ Street _____ Locality/Town _____

Lot(s) _____ Section _____ DP/ SP _____

Part 3: Landowner's Details

Title: Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other _____

Family name (or company): _____

Given names (or ACN): _____

Postal address: _____ Postcode: _____

Phone: (w) _____ (h) _____ (m) _____ Fax: _____

Contact person: _____ E-mail: _____

Signature(s) _____ Date ____/____/____

_____ Date ____/____/____

Part 4: Consent to be Reviewed

Original Development Consent No: _____/_____ Original date of determination of DA: _____/_____/_____

Description of Development:

Type of Review

(Provide details of reason for review and details of any proposed modifications to the original application) _____

Note: The application must be within 12 months of the date of determination. Applications lodged after this time cannot be considered

Lodgement of Application

Hours of Lodgement:

Monday to Friday: 8:15 am – 4:00 pm

Fees:

Fees are payable on lodgement as per Council's current Revenue Policy. Quotations are available by contacting Council's Customer Service on (02) 6962 8100.

How to contact us:

Phone: 1300 176 077

E-mail: admin@griffith.nsw.gov.au
Web: www.griffith.nsw.gov.au

Postal address:

The General Manager
Griffith City Council
PO Box 485
GRIFFITH NSW 2680

Personal or Courier Delivery:

Customer Service Centre
Ground Floor
Griffith City Council Administration Building
1 Benerembah Street
GRIFFITH NSW 2680

FORM

(SD-FO-213) REVIEW OF DETERMINATION

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 – SECTION 8.3

Review of determination

(1) If the consent authority is a council, an applicant may request the council to review a determination of the applicant's application, other than:

(a) A determination to issue or refuse to issue a complying development certificate, or

(b) A determination in respect of designated development, or

(c) A determination in respect of integrated development, or

(d) A determination made by the council under section 116E in respect of an application by the Crown.

(2) A request for a review may be made at any time, subject to subsection (2A)

(2A) A determination cannot be reviewed:

(a) After the time limit for the making of an appeal under section 8.7 expires, if no such appeal is made against the determination, or

(b) After an appeal under section 8.7 against the determination is disposed of by the Court, if such an appeal is made against the determination.

(3) The prescribed fee must be paid in connection with a request for a review.

(3A) In requesting a review, the applicant may make amendments to the development described in the original application, subject to subsection (4) (c).

(4) The council may review the determination if:

(a) It has been notified the request for review in accordance with:

(i) The regulations, if the regulations so require, or

(ii) a development control plan, if the council has made a development control plan that requires the notification or advertising of requests for the review of its determinations, and

(b) It has considered any submissions made concerning the request for review within any period prescribed by the regulations or provided by the development control plan, as the case may be, and

(c) In the event that the applicant has made amendments to the development described in the original application, the consent authority is satisfied that the development, as amended, is substantially the same development as the development described in the original application.

(4A) As a consequence of its review, the council may confirm or change the determination.

(5) The decision whether or not to review the determination must not be made by the person who made the determination unless that person was the council, but is to be made by a person who is qualified under subsection (6) to make the review.

(6) If the council reviews the determination, the review must be made by:

(a) If the determination was made by a delegate of the council-the council or another delegate of the council who is not subordinate to the delegate who made the determination, or

(b) If the determination was made by the council-the council.

(7) The council must give notice of the result of the review to the applicant as soon as practicable after the review.

(8) If on the review the council grants development consent, or varies the conditions of a development consent, the council must endorse on the notice the date from which the consent, or the consent as varied, operates.

(9) If on review the council changes a determination, the changed determination replaces the earlier determination as from the date of the review.

(10) If on a review the council grants development consent, or varies the conditions of a development consent, the council is entitled, with the consent of the applicant and without prejudice to costs, to have an appeal made under section 8.7 in respect of its determination withdrawn at any time prior to the determination of that appeal.

(11) A decision on a review may not be further reviewed under this section.