

DIVISION 8.2 REVIEW INFORMATION SHEET

Request for Review of Determination under Division 8.2 of the Environment Planning and Assessment Act 1979 enables an applicant to request a review of Council's Determination on a Development Application. A review can only be made on the application as Determined. The application may be altered or amended as part of the review process, but only if Council is satisfied that the development remains substantially the same as the original development. Council may review the determination and as a consequence of the review, may confirm or change the determination. The decision as to whether or not the determination should be reviewed will be made by the Local Planning Panel (independent representatives) or by a Council Officer who was not involved in the original assessment and determination of your application.

A Division 8.2 review relates to the entire determination and not just part of the proposal. If you wish to amend a condition or conditions of your Development Consent, you should make an application to modify these conditions under Section 4.55 of the Environmental Planning and Assessment Act 1979 rather than seek a review under Division 8.2. A Section 4.55 modification form can be obtained from our Customer Service Centres, or Council's website.

When can a Request for Review be made?

A request for Review of Determination can only be made by the applicant shown on the original application and must be received, assessed and determined by Council within 6 months of the date shown on your Notice of Determination of Development Application.

A review cannot be made for State Significant Development, Complying Development or Designated Development. A Request for Review of Determination can only be made once on each determination.

Use this form if you wish to request a review of your Development Application determination.

REQUESTS FOR REVIEW RELATE TO THE ENTIRE DETERMINATION AND MAY RESULT IN COUNCIL OVERTURNING ITS PREVIOUS DECISION. If you do not wish to risk the previous approval but would like to have a condition/s of consent reviewed, you should make an application to modify your Development Consent under Section 4.55 of the Environmental Planning and Assessment Act 1979. Please ask for a Section 4.55 Modification form.