

# Development Control Plan

## Duration of Development Consents

Sutherland  
Shire  
Council



9.0/01  
edition 3



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## 1. Where does the Plan apply?

This plan applies to all land in Sutherland Shire to which the following plans apply:

- (a) Sutherland Shire Local Environmental Plan 2000,
- (b) Sutherland Shire Local Environmental Plan – Menai Town Centre 1992,
- (c) Sydney Regional Environmental Plan No.17 - Kurnell Peninsula (1989).

## 2. What is the purpose of the Plan?

The purpose of this plan is to reduce the time period for lapsing of development consents from five years to three years.

## 3. What are the overall objectives?

The objectives of reducing the duration of the time period for the lapsing of development consents are:

- \* Achieve greater certainty in the development process;
- \* Quantify and comprehend the cumulative impacts of a development easier;
- \* Reduce the likelihood in a change in ownership of neighbouring properties to the site subject to the development consent; and
- \* Reduce the occurrence of dormant sites around the Shire.

## 4. The duration of development consent

In accordance with the provisions of Section 95 of the Environmental Planning and Assessment Act, 1979, all development consents shall lapse three years after the date from which it operates.

In accordance with the provisions of Section 95A of the Environmental Planning and Assessment Act, 1979, Council may consent to an extension of the period of consent, for a period of one year, subject to receipt of an application in writing seeking such an extension within one month of the date of the consent lapsing.

In any application for a one year extension, Council will consider if planning controls have significantly changed in the interim and/or the characteristics of the local area have changed since consent was issued.

## 5. Origin

### Edition 1:

Adopted by Council on 18 May 1998 (EHC 266-98).  
Came into effect on 25 August 1998.

- (a) Amended to upgrade standard of presentation.
- (b) Minor alterations which make the document consistent with the Sutherland Shire Local Environmental Plan 1993 as amended and other Development Control Plans
- (c) Status of code amended to a Development Control Plan.

### Edition 2:

Minor alterations which make the document consistent with Sutherland Shire Local Environmental Plan 2000.

| Action                         | Date                            |
|--------------------------------|---------------------------------|
| Council Endorse Draft Plan     | 5 February 2001<br>(EHC 213-01) |
| Public Notice (draft)          | 20 February 2001                |
| Exhibition – Start             | 20 February 2001                |
| Exhibition - Finish            | 20 March 2001                   |
| Council Decision to Adopt Plan | 30 April 2001                   |
| Public Notice in Newspaper     | 8 May 2001                      |
| In Effect from                 | 8 May 2001                      |

### Edition 3:

Alteration to limit development consents to three years only.

| Action                          | Date   |
|---------------------------------|--|
| Council Endorse Draft Amendment | 15 March 2004<br>(Mayoral Minute No 13/2003-04 15/03/04) |
| Public Notice (draft)           | 27 <sup>th</sup> April 2004                              |
| Exhibition – Start              | 27 <sup>th</sup> April 2004                              |
| Exhibition - Finish             | 25 <sup>th</sup> May 2004                                |
| Council Decision to Adopt Plan  | 21 <sup>st</sup> June 2004                               |
| Public Notice in Newspaper      | 6 <sup>th</sup> July 2004                                |
| In Effect from                  | 6 <sup>th</sup> July 2004                                |