

**BURWOOD COUNCIL**

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# **DEVELOPMENT APPLICATION (DA) MEDIATION POLICY**

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PO Box 240, BURWOOD NSW 1805  
2 Conder Street, BURWOOD NSW 2134  
Phone: 9911-9911 Fax: 9911-9900  
Email: [council@burwood.nsw.gov.au](mailto:council@burwood.nsw.gov.au)  
Website: [www.burwood.nsw.gov.au](http://www.burwood.nsw.gov.au)

## Objective

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1. To encourage reasoned debate, identification of issues and possible resolution of matters pertaining to major contentious development applications or applications with a wide public interest.
2. To establish a structured but informal procedure for mediation.

## Policy Statement

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Council will recommend that applicants partake in DA mediation.

Where an applicant agrees, independently facilitated DA mediation will take place between the applicant and persons who have made submissions on the DA. Council will facilitate this process as set out in this policy.

## Procedural Steps

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1. The procedure for Development Application (DA) Mediation shall generally be as follows:
  - a. Persons who have made submissions and development proponents are to receive no less than 7 days notice of a DA mediation meeting. Submitters and development proponents are to be sent a copy of this policy with the mediation notice.
  - b. Council committee rooms will be the normal venue for mediation.
  - c. An independent Council appointed facilitator with a town planning background will conduct the mediation process.
  - d. Normal meeting procedures shall apply.
  - e. The conduct of the meeting will normally be as follows:
    - The applicants/proponents will present their submission.
    - A Council officer will provide basic facts and background to the application and where the proposal sits with Council policy.
    - The objectors/submitters will present their submissions. If there are a large number of objectors, speakers should normally be limited to four representatives to avoid repetition and allow ample opportunity for questions. Each speaker would be limited to 5 minutes duration.
    - With any questions or statements from the floor, Council staff will provide technical answers to questions only and will not provide comment on subjective aspects of the application or degrees of impact upon a particular property.
    - The facilitator will briefly sum up the mediation covering any agreed outcomes.
    - The facilitator will provide a report to Council on the meeting and any agreed outcomes that have resulted from the process.
2. Council officers will include the independent facilitator's report of the mediation process with the report to Council (where a report to Council is required).
3. DA mediation should normally begin at 6pm with duration of 1 hour but the starting time and duration will be flexible in exceptional circumstances.

## Contact

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Building & Development