

## **POLICY STATEMENT**

# **DETERMINATION OF DEVELOPMENT APPLICATIONS CONTRARY TO DIRECTOR'S RECOMMENDATIONS**

**POLICY ADOPTED:** 15 July 2014

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**Policy Objective:**

To ensure that the required ethical and professional standards are applied in determination of applications.

**Recommended Practices:**

**1. Approval Contrary to Director's Recommendation**

Where Council wishes to approve an application, contrary to the recommendation made by the Director:

- Council shall indicate the reasons for the approval. The application will be approved and referred to the General Manager for appropriate conditions prior to issue of consent. Council's reasons for approval are to be included in the letter of notification to the applicant and objectors.

**2. Refusal Contrary to Director's Recommendation**

Where Council determines an application by way of refusal, contrary to the recommendation made by the Director:

- Council shall indicate the reasons for the refusal. The application will be refused and referred to the General Manager for appropriate conditions prior to issue of the refusal. Council's reasons for refusal are to be included in the letter of notification to the application and objectors.

**3. Preparation of Council's Reasons and Conditions**

To ensure that the ethical and professional standards of Council's staff (Delegated Staff Members) involved in the assessment and determination of development applications are maintained, the preparation of Council's reasons and conditions of consent shall not involve those staff in question.

**4. Court Appearances**

When approval for an application has been recommended by Council officers and Council resolves to refuse, officers will not be allowed to appear in court unless they have been served a subpoena.

**Authorisation:**

<b>Status</b>	<b>Committee</b>	N/A	
	<b>Manex</b>	N/A	
<b>Owner</b>	<b>Director Corporate, Community &amp; Development Services</b>		
<b>EDRMS Doc. ID</b>	428838		
<b>Superseded Policy</b>	N/A		
<b>Date of Adoption/ Amendment</b>	<b>Revision Number</b>	<b>Minute Number</b>	<b>Review Date</b>
19 July 2011		11072011	July 2012
15 July 2014	1		July 2019
<b>Related Council Policy / Procedure</b>			