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1. PREAMBLE

The Development Application Policy provides guidance to ensure fairness and equity in the assessment of applications previously adjudicated by the Holdfast Bay Development Assessment Panel.

1.1 Background

Council adopted a Development Application Policy (the Policy) following State Government requirements for the establishment of Council Assessment Panels (the Panel), as a means to ensure that both proponents and representors received fair and equitable assessments.

1.2 Purpose

This policy provides a set of principles to be used to avoid bias in the assessment of Development Applications.

1.3 Scope

This policy applies to all development applications where the Council Assessment Panel is the relevant decision making authority.

1.4 Definitions

Development Application means an application that has been lodged with Council for the purposes of development as defined by the *Development Act 1993* and the *Planning, Development and Infrastructure Act 2016*.

1.5 Strategic Reference

Placemaking: Creating vibrant and safe places
 Placemaking: Building character and celebrating history
 Placemaking: Housing a diverse population

2. PRINCIPLES

To avoid bias in the processing of Development Applications, Council has resolved that:

DEVELOPMENT APPLICATION POLICY

- a) where a Development Officer (Planning) has expressed an opinion or presented a recommendation in relation to a Development Application with which the Council's Assessment Panel has ultimately not concurred in its decision(s); and
- b) a subsequent development application is made for the same land (or portions of it) and for a proposal similar to that previously considered;

then the same Officer shall not be responsible for the administrative processing or formulation of any report(s) and/or recommendation(s) in relation to the later proposal.

3. REFERENCES

3.1 Legislation

- *Development Act 1993*
- *Development Regulations 2008*
- *Local Government Act 1999*
- *Planning, Development and Infrastructure Act 2016*
- *Planning, Development and Infrastructure (General) Regulations 2017*

3.2 Other References

- Holdfast Bay Council Development Plan
- Planning and Design Code