



**DATE ADOPTED: 10 FEBRUARY 2020**

**VERSION: 3**

## **POLICY OBJECTIVES**

The objectives of this policy are to:

- a) Establish guidelines in relation to the lodgement of development and/or construction certificate applications by Councillors and Staff of Maitland City Council.
- b) Ensure the integrity of the development assessment process
- c) Promote transparency and accountability in Council's decision making.

## **POLICY SCOPE**

This policy applies to all Councillors and Staff of Maitland City Council.

## **POLICY STATEMENT**

To ensure the preservation and integrity of the development assessment process and promote transparency and accountability in Council's decision making, all applications for development and/or construction certificates in which Councillors or Council staff have a pecuniary interest shall be referred to Council for determination, with the exception of the following:

- a) The persons proposed private residence;
- b) Proposed extensions to private residence, domestic garage, carport, swimming pool, outbuildings.
- c) Change of use proposals to existing industrial or commercial buildings.

These exceptions shall only apply when:

- a) No objections have been received by Council;
- b) The development is in full compliance with Council's adopted development standards;
- c) The Executive Manager Planning, Environment and Lifestyle is not of the opinion that the application council be contentious and it would be in the interests of the applicant for the application to be determined by Council.

## **POLICY DEFINITIONS**

**'Pecuniary Interest':** An interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.

A person will also be taken to have a pecuniary interest in matter if that person's spouse or de facto partner or a relative of the person or a partner or employer of the person or a company or other body of which the person or a nominee, partner or employee is a member has a pecuniary interest in the matter.

## POLICY ADMINISTRATION

Business Group:	CORPORATE SERVICES
Responsible Officer:	EXECUTIVE MANAGER CORPORATE SERVICES
Council Reference:	Ordinary Council Meeting – 26 November 2013 Item 12.1
Policy Review Date:	Three (3) years from date of adoption
File Number:	103/1
Relevant Legislation	<ul style="list-style-type: none"> <li>Local Government Act 1993</li> </ul>
Related Policies / Procedures / Protocols	<ul style="list-style-type: none"> <li>Code of Conduct</li> <li>Provision of Information &amp; Interaction Between Councillors &amp; Staff Policy</li> </ul>

## POLICY HISTORY

VERSION	DATE APPROVED	DESCRIPTION OF CHANGES
1.0	09/12/2003	New protocol adopted
2.0	26/11/2013	Policy review, changes made to align with Council's branding and organisation structure. Further changes made to the wording to improve consistency and comprehension of the policy.
3.0	10/02/2020	Policy reviewed, no changes required. ELT approved policy renewal as is.