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## POLICY REGISTER

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<b>Title:</b>	LOCAL APPROVALS - APPEALS TO LAND AND ENVIRONMENT COURT
<b>MOSPLAN Reference:</b>	04.02.02
<b>Date Adopted:</b>	14 March 2000 (PF/51)
<b>Date Reviewed:</b>	21 June 2004 - amended (EP/90)

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### Policy Details:

That where Land and Environment Court Appeals are lodged and Council's professional officers do not support the Council decision and it is inappropriate for them to appear in Court on its behalf, Council's solicitors be instructed to obtain a second opinion on a rotating basis from a panel of consultant Town Planners.

In the event that the panel expert approached in a particular case is not able to support the Council's decision Council's solicitors be requested to negotiate with the applicant on the appointment of an expert appointed by the Court.

In the event that the Court appointed expert is not able to support Council's decision the Mayor and General Manager be delegated authority to settle the matter on the advice of Council's solicitors.

In the event of plans being unsatisfactory when they come before the Court that Council seek costs as they arise; and any grounds for refusal must be accompanied by reasons for their implementation that are supported by relevant planning instruments.

<b>Reference(s):</b>	Refer Dataworks Document No. 117911and 1320042
<b>Responsible Department(s):</b>	General Manager