



Charter Council Assessment Panel (CAP)

Charter Reference Number:	1.31		
Category	Governance	Classification:	Public
First Issued/Approved:	19/07/2017		
Review Frequency:	After General Election every 4 years		
Last Reviewed:	19/07/17		
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Responsible Officer:	Manager Planning and Building		
Applicable Legislation:	Section (83 (1) (b) of the Planning Development and Infrastructure Act 2016		
Relevant Policies:			
Related Procedures:			
Adopted on:	19/07/17 (Original Adoption) 24/01/18 (First Revision)		

1. Establishment

The District Council of Ceduna Council Assessment Panel (the **Panel**) has been established by the District Council of Ceduna (the **Council**) pursuant to the provisions of Section 83 of the Planning Development and Infrastructure Act 2016 (the **Act**).

2. Objectives

- 2.1. The Panel is charged with responsibility for all matters arising under Part 7 of the Planning Development and Infrastructure Act 1993 and the Development Regulations 2008, with respect to determining whether or not to grant development plan consent, in accordance with the Delegations made by Council and recorded in Council's Delegations Register.
- 2.2. The Panel shall assess applications of a class that are :
 - Non-complying, or
 - Subject to third party representors wanting to be heard, or
 - The authorised officer considers the application should be referred to the Panel.
- 2.3. The Panel will keep Council informed of its decisions and activities as required by the Council.
- 2.4. The Panel will determine Development Applications in accordance with powers outlined herein.
- 2.5. The Panel will maintain confidentially where necessary whilst ensuring transparent and accountable decision-making.
- 2.6. The Panel will allow a reasonable level of public accessibility to its proceedings.

3. Membership

- 3.1. The Committee shall consist of no more than five (5) members, who shall be appointed by Council pursuant to Section 83 (1) (b) of the Act as follows:
 - Up to Four (4) Independent Members who are not members or officers of Council;
 - One (1) Elected member appointed by Council;
- 3.2. Any person appointed pursuant to sub clause 3.1 hereof shall be appointed for a term of up to four (4) years, to coincide with the term of Council and at the expiration of a term of appointment, a member is eligible for reappointment.
- 3.3. All appointments to the Panel shall be in accordance with the provisions of Section 83 of the Planning' Development and Infrastructure Act 2016.
- 3.4. Council will appoint the presiding member of the committee from within four independent members.
- 3.5. No liability attaches a member of the Panel for an honest act or omission by that member or the Panel in the performance or discharge of the members or the Panels functions or duties.

4. Member Allowance & fees

- 4.1. All members of the Council development assessment panel (including Council elected members) will be paid a sitting fee of \$50 per meeting attended, with these sitting fees to be paid on a quarterly basis in arrears at the end of September, December, March and June.
- 4.2. Travel expenses will be paid to any member of the Council development assessment panel that resides outside of the Ceduna or Thevenard township area.
- 4.3. The rate of reimbursement will be as per the Australian Taxation Office rate. Any such claims for travel expenses will be made following presentation to, and approval by the Council development assessment panel

5. Operating Procedures

- 5.1. The Panel shall meet at a place deemed necessary by the Panel
- 5.2. The Panel shall hold meetings where possible in the Council Chambers, 44 O'Loughlin Terrace, Ceduna, or where necessary hold its meetings at a time and place reasonably accessible to representors wishing to be heard in relation to a development.
- 5.3. A quorum of members shall be 50% +1 (e.g. 5 Panel members = quorum 3).
- 5.4. Written notice of a meeting of the Development Assessment Panel must be given to each member of the Panel at least three (3) clear business days before the date of the meeting. The notice must set out the date, time and place of the meeting and shall be accompanied by an agenda for the meeting.
- 5.5. The Presiding Member shall if present preside at all meetings of the Panel.
- 5.6. The Panel members will appoint a Deputy Presiding Member from its membership to act as Presiding Member in the absence of the Presiding Member.

- 5.7. Every decision of the Panel shall be decided by consensus or in the absence of consensus via a majority of votes of all members present and in the event of a tied vote, the Presiding Member shall have a casting vote in addition to their deliberate vote.
- 5.8. Agendas and Minutes of the Panel shall be produced and kept on record in the same manner as required under the Local Government Act 1999.
- 5.9. Meetings of the Panel shall be generally open to the public, however in matters where the Planning, Development and Infrastructure Act provides that members of the public may be excluded or where the Presiding Member directs that portion of a meeting that consists of discussion or determination of any application, the Panel may exclude members of the public in order to consider such matters on a confidential basis.
- 5.10. The Panel will determine the procedures to be observed in relation to the conduct of the business of the Panel

6. Assessment Manager

The Assessment Manager will be appointed by Council's Chief Executive Officer.