	<b>POLICY 35.01.07 – DEVELOPMENT ASSESSMENT PANEL</b>	Version No:	1.1
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		Next Review:	July 2015

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## 1 **MEMBERSHIP**

That pursuant to Section 56A of the Development Act, 1993 the members of the Council Development Assessment Panel shall comprise of:


The Presiding Member, Mr Michael Roberts  
 Cr Julie Low  
 Cr Wendy Holman  
 Cr Peter Mitchell  
 Mr Andrew Chappell  
 Mr Jim Egan  
 Mr Ian Fitzsimmons

## 2 **APPOINTMENT OF COMMUNITY MEMBERS**

The community members for the Council Development Assessment Panel be appointed by the Council following a public call for nominations by placing an invitation in the *Port Lincoln Times*;

## 3 **PRESIDING MEMBER**

That pursuant to Section 56A of the Development Act, 1993 the Presiding Member of the Council Development Assessment Panel shall be determined by Council.

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**4 DEPUTY PRESIDING MEMBER**

That pursuant to Section 56A of the Development Act, 1993, the Deputy Presiding Member of the Council Development Assessment Panel shall be determined by the Panel.

**5 PUBLIC NOTIFICATION OF PANEL APPOINTMENT**

That pursuant to Section 56A(5) of the Development Act, 1993, Council publishes in the Port Lincoln Times the appointments to the Council Development Assessment Panel within 14 days of appointment;

**6 TERM OF MEMBERS**


That Members of the Council Development Assessment Panel are appointed for a maximum period of twenty four (24) months or until removed by resolution of the Council;

**7 TRAVEL REIMBURSEMENT AND SUPPORT**

That the members of the Council Development Assessment Panel, excluding staff, shall be entitled to travel reimbursement and support in accordance with the Local Government Act, 1999 and Council’s Policies 26.04.02 and 27.01.07 for attendance at meetings and inspections.

**8 SITTING FEES**

That Members of the Panel, excluding Councillors and staff, shall be paid a sitting fee of \$150 (Presiding Member) and \$100 (member) per meeting attended including inspections arranged by the Panel and training arranged for the Panel.

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## 9 TERMS OF REFERENCE

That the Terms of Reference for the Council Development Assessment Panel are as follows:

### 9.01 Responsibilities of the Panel

- To determine procedure in relation to the conduct of the business of the Panel not already determined by the Development Act 1993 or the Council;
- To hold meetings of the Panel in a place open to the public;
- To provide reasonable access to both the Agenda for and Minutes of a meeting of the Panel to the public;
- To determine an ordinary meeting schedule, unless determined by Council;
- To ensure that accurate minutes are kept of its proceedings.

### 9.02 Actions Governed by Legislation and Council Policies

The Panel shall act at all times in strict accordance with the relevant legislation including any relevant Code of Conduct under Section 21A of the Development Act 1993 which are relevant to the Panel in the performance of its functions.

### 9.03 Meeting Arrangements

The Council Development Assessment Panel shall meet at such times and such places as the Council Development Assessment Panel may, from time to time, determine.

### 9.04 Special Meetings

A special meeting of the Council Development Assessment Panel may be called by the Presiding Member or any three members of the Panel. The Manager of Development & Environmental Services, or delegated officer, must be provided with an agenda for the meeting at the time of the request or the request will be of no effect. The Manager of Development & Environmental Services, or delegated officer, must deal with a request for a special meeting of the Panel in the same manner as a request for a special meeting of the Council.

### 9.05 Notice of Meetings

Written notice of a meeting of the Council Development Assessment Panel must be given to each member of the Panel at least three (3) clear days before the date of the meeting. The notice must set out the date, time and place of the meeting, be signed by the Manager of Development & Environmental Services, or delegated officer, of the Council and contain or be accompanied by the agenda for the meeting.

(continued):

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**9 TERMS OF REFERENCE** cont'd:

**9.05 Notice of Meetings** cont'd:

The notice may be given to a member of the Council Development Assessment Panel –

- (a) Personally; or
- (b) By delivering the notice (whether by post or otherwise) to the usual place of residence of the member or to another place authorised in writing by the member; or
- (c) By leaving the notice for the member at an appropriate place at the principal office of the Council, if authorised in writing by the member to do so; or
- (d) By a means authorised in writing by the member as being an available means of giving notice (eg. facsimile transmission).

A notice that is not given in accordance with the above sub-section is taken to have been validly given if the Manager of Development & Environmental Services, or delegated officer, considers it impracticable to give the notice in accordance with that sub-section and takes action the Manager of Development & Environmental Services, or delegated officer, considers reasonably practicable in the circumstances to bring the notice to the attention of the member.

The Manager of Development & Environmental Services, or delegated officer, must maintain a record of all notices of meetings given under this clause to members of the Council.


**9.06 Conduct of Meetings**

All meetings of the Council Development Assessment Panel will be conducted in accordance with the Development Act and these Terms of Reference.

Subject to a member of the Council Development Assessment Panel having a direct or indirect personal or pecuniary interest in accordance with Section 56A(7) and (8) of the Development Act, 1993, each member present at a meeting of the Council Development Assessment Panel must vote on a question arising for decision.

Except as otherwise provided by these Terms of Reference, the meetings of the Council Development Assessment Panel shall be conducted in accordance with Part 2 and Regulations 28 and 29 of the Local Government (Procedures at Meetings) Regulations 2000.

If the Presiding Member of the Council Development Assessment Panel is absent from a meeting of the Panel, the Deputy Presiding Member will preside at the meeting and if both the Deputy Presiding Member and the Presiding Member are absent a member of the Panel chosen from those present will preside at the meeting.

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**9 TERMS OF REFERENCE** cont'd:

**9.07 Minutes of Meetings**

The Manager of Development & Environmental Services, or delegated officer, and the Presiding Member of the Council Development Assessment Panel are responsible for ensuring that accurate minutes are kept of all proceedings of the Panel. The minutes must include any disclosure of an interest pursuant to Section 56A (7) of the Development Act, 1993.

For the purpose of Section 56A(2)(b) of the Development Act, 1993 all members of the Panel and Council are to be provided with a copy of the minutes of meetings of the Council Development Assessment Panel within five (5) days of a meeting of the Council Development Assessment Panel.

**9.08 Procedure not Prescribed**

Insofar as the Development Act 1993, Part 2 and Regulations 28 and 29 of the Local Government (Procedures at Meetings) Regulations 2000, and these Terms of Reference do not prescribe the procedure to be followed at a meeting of the Council Development Assessment Panel, the Panel may determine its own procedure.

**9.09 Delegations**

That the delegations under the Development Act, 1993 and Development Regulations, 2008 for the Council Development Assessment Panel are as detailed in the current Council Delegation manual.

SIGNED: .....  
 CEO  
 Date: 19 / 09 / 2014

.....  
 Mayor, DCLEP  
 Date: 19 / 09 / 2014