



COUNCIL DEVELOPMENT ASSESSMENT PANEL

TERMS OF REFERENCE

August 2015

COUNCIL DEVELOPMENT ASSESSMENT PANEL

Adopted/Reviewed	17 December 2014
Minutes Reference	OM318/14
Next Review Date	February 2017

TABLE OF CONTENTS

TERMS OF REFERENCE :

- 1.1 The Development Act, 1993 – Division 4, Part 4 – Section 56a
- 1.2 Role of Council Development Assessment Panel (CDAP) 3
- 1.3 Responsibilities of the Panel
- 1.4 Review of Delegated Power and Function
- 1.5 Membership and Conditions of Appointment

CODE OF CONDUCT :

- 2.1 Interpretation
- 2.2 Panel Member Behaviour
- 2.3 Breaches of the Code, Complaints and Sanctions
- 2.4 Delegate Behavior
- 2.5 Breaches of the Code

PROCEDURES :

- 3.1 General
- 3.2 Meeting Procedure
- 3.3 Decisions
- 3.4 Minutes of Meeting
- 3.5 Scheduled Meetings
- 3.6 Special Meetings

Schedule 1 Committee Membership

TERMS OF REFERENCE

1.1 THE DEVELOPMENT ACT, 1993 – DIVISION 4, PART 4 – SECTION 56A

* *Provision or direction of, the Development Act 1993.*

1.1.1* To facilitate the expeditious assessment of applications made to the Council, Council has established a Council Development Assessment Panel (CDAP) as the relevant authority to exercise or perform, its powers and functions in accordance with the *Development Act 1993*.

1.1.2* The *Local Government Act 1999* does not apply to, or relate to, the Council Development Assessment Panel (including with respect to its members when acting under *Section 56A* or its processes or procedures).

1.2 ROLE OF COUNCIL DEVELOPMENT ASSESSMENT PANEL (CDAP)

1.2.1* To exercise, perform and discharge the following responsibilities on behalf of the Council:

1. To determine whether or not to grant Planning Consent under the Development Act for various kinds of development as submitted by the Administration to the Panel for consideration.
2. To act as a delegate of the Council in making assessments in accordance with the requirements of the Development Act.
3. As it thinks fit, to provide advice and reports to the council on trends, issues and other matters relating to planning or development that have become apparent or arisen through its assessment of applications under the Development Act;
4. Decisions made by the Panel shall be on the basis of the Development Plan applying at the time an application is lodged.
5. Decisions made by the Panel shall be based on the policies in the Development Plan, not on popularity or other extraneous matters.
6. The Panel shall make a decision on an application after consideration of submissions from the applicant (or their agent), submissions from third parties, agenda reports and the policies in the Development Plan and in doing so may change a recommendation or suggested conditions.
7. To consider suitable compromises at conference stages of planning appeals.
8. The panel must not grant consent to development that involves an important or grave departure in either quantity or degree from the Development Plan.

1.2.2 The Council Development Assessment Panel will hear only as follows:

1. *All Category 3 representors who request to be heard (or their nominees);
2. *At the Panel's discretion, Category 2 representors who request to be heard (or their nominees);
3. *In any case where representors are heard, the Panel will give the applicant (or nominee) the opportunity to respond.
4. At the discretion of the Presiding Member, any applicant, or applicants representative that wishes to address the Panel in support of his application.

1.2 ROLE OF COUNCIL DEVELOPMENT ASSESSMENT PANEL (CDAP) (Cont'd)

1.2.3 At its discretion, the Panel will call for and hear specialist technical/professional advice related to assessment.

1.3 RESPONSIBILITIES OF THE PANEL

1.3.1* To determine procedure in relation to the conduct of the business of the Panel not already determined by the *Development Act 1993*.

1.3.2* The Presiding Member shall be an independent person (not an Elected Member) appointed by the Port Pirie Regional Council.

In the absence of the Presiding Member, the Panel will select a Panel Member to preside at a meeting.

1.3.3* To hold meetings of the Panel in a place open to the public.

1.3.4* To provide reasonable access to both the Agenda and Minutes of CDAP meetings to the public.

1.3.5 The determination of a meeting schedule.

1.3.6 The determination of distribution and presentation requirements for the Agenda and Minutes for Members of the Panel and the general public.

1.3.7* To ensure that accurate minutes are kept of its proceedings.

1.4 REVIEW OF DELEGATED POWER AND FUNCTION

1.4.1* The Council will review annually the delegated powers and functions of the Panel.

1.4.2 The Panel will report to the Council annually detailing:

- The level of attendance of Panel Members;
- The Panel's activity and performance in making decisions; and
- Comment or analysis of policy or process that are relevant to the Panel's assessment functions, with suggested improvements.

1.5 MEMBERSHIP AND CONDITIONS OF APPOINTMENT

Composition (Effective 1/3/11):

1.5.1 Presiding Member (1)

*Independent person appointed by Council.

1.5.2 Members (6)

(3) Elected Members appointed by Council; and

(3) Independent persons appointed by Council.

*(1) Member must be a woman and (1) Member must be a man.

Where practicable the membership shall consist of equal numbers of men and women.

1.5 MEMBERSHIP AND CONDITIONS OF APPOINTMENT (Cont'd)

Conditions of Appointment

- 1.5.3 Elected Members serving on the Council Development Assessment Panel are appointed for a term of 2 years.
Independent Members serving on the Council Development Assessment Panel are appointed for a term of 2 years.
- 1.5.4 All members will be paid a fee determined by the Port Pirie Regional Council to cover out of pocket expenses.
- 1.5.5* Compliance with the provisions of *Section 56A (7) & (8) of the Development Act 1993* [disclosure of a direct or indirect personal or pecuniary interest].
- 1.5.6* Non-Compliance with *Section 56A (7) of the Development Act 1993* will constitute a ground for the Council removing a member from the Panel.
- 1.5.7* Pursuant to *Section 56A of the Development Act 1993* a member of the Panel incurs no liability for an honest act done in the exercise or performance, or purported exercise or performance, of powers or function under *Division 4, Part 4 of the Act*.
- 1.5.8 The Council may remove a member of the Panel from office for:
- breach of, or failure to comply with, the conditions of appointment;
 - misconduct;
 - neglect of duty;
 - incapacity to carry out satisfactorily the duties of his or her office; or
 - failure to carry out satisfactorily the duties of his or her office.
- 1.5.9 The office of a member of the Panel becomes vacant if the member:
- dies; or
 - completes a term of office and is not reappointed; or
 - resigns by written notice addressed to the Presiding Member of the Panel;
or
 - is removed from office by the Council.
- 1.5.10 Where office of a member of the Panel becomes vacant, a person may be appointed in accordance with the process contained herein.

CODE OF CONDUCT

**In accordance with Section 21A of the Development Act, 1993 (the Act).*

This Code has been adopted pursuant to the provisions of the *Development Act 1993* as a Code of Conduct to be observed by Members of the Development Assessment Commission, Members of Regional Development Assessment Panels, Members of Council Development Assessment Panels and delegates.

In order to foster the respect of applicants, representors and the community, panel members and delegates must uphold the highest standards of behaviour and ensure that they act in accordance with the provisions of the Act at all times.

This Code is binding on all panel members and delegates exercising their powers and functions as members of a panel or as a delegate.

This Code must be read in conjunction with the *Act*.

2.1 INTERPRETATION

Act means the *Development Act, 1993*.

Closed Meeting means a panel meeting, or a part of a panel meeting where the public is excluded in accordance with the Act:

Code means a code of conduct established under *Section 21A of the Act*.

Confidential Information includes but is not limited to:

- (a) information derived from a document marked by the presiding member to clearly show that the information in the document is confidential or not to be disclosed;
- (b) information you acquired in a closed meeting ; and
- (c) any other information which would be considered confidential and not generally available to members of the public.

Delegate means a person who is authorised to act as a delegate under *Sections 20 or 34(23) of the Act*, but does not include a panel member.

Disclosure of Financial Interest means disclosing a pecuniary interest as set out in *Schedule 2 of the Act*.

Interest has the same meaning as in *Section 56A (7)&(8) of the Act*.

Minister means the Minister responsible for the administration, from time to time, of the Act.

Panel means an assessment panel as defined in *Schedule 2 of the Act*.

Panel Information means information that is disclosed at a panel meeting or in the course of a panel member's duties.

Panel Member means a person who is a member of a Panel under the Act.

Presiding Member means a panel member appointed as presiding member under the Act.

Public Officer means a person appointed as a public officer under the Act.

2.2 PANEL MEMBER BEHAVIOUR

Panel Information

- 2.2.1 As a panel member, you hold a position of trust and must not misuse or derive undue benefit from your position. As such, you must treat panel information appropriately by:
- (a) Not using information gained by virtue of your membership of the panel for any purpose than to exercise your role as a panel member;
 - (b) Respecting the panel's procedures in relation to public comments and communications with the media;
 - (c) Not releasing confidential information;
 - (d) Ensuring that you take care and maintain the integrity and security of confidential documents or information in your possession, or for which you are responsible; and
 - (e) Recognising that information may be subject to the requirements of the *Privacy Act 2000* and abiding by the principles of that legislation.

However, nothing in this Code prevents you from disclosing information:

- 2.2.2 At a closed meeting;
- (a) To the extent specified by the panel and subject to such other conditions as the panel determines;
 - (b) That is already in the public domain; or
 - (c) If the disclosure is required by law.

Conflict of Interest

- 2.2.3 You must make all decisions impartially and in accordance with the requirements of the Act. You must recognise the importance of fully observing the requirements of the Act in regard to disclosure of financial interests and disclosure of any other interest which may affect your ability to fulfill your duties on a panel.
- 2.2.4 If you consider that you have, or might reasonably be perceived to have an interest in the matter before the panel, you must clearly state the nature of that interest in writing to the Presiding Member before the matter is considered.
- 2.2.5 If you consider that you have a personal interest which may be in conflict with your public duty to act impartially and in accordance with the principles of the Act, you must declare a conflict of interest as above.
- 2.2.6 If you have an interest in a matter, you must not partake in any part of the assessment process involving the matter. You must leave the room at any time in which the matter is discussed by the panel including during the hearing of any representations or during any vote on the matter. You must not vote on the matter and you must not move or second any motion or participate in any discussion through the consensus process.
- 2.2.7 If an interest has been declared by any member of the panel, the Presiding Member must record the nature of the interest in the minutes of meeting.

2.2 PANEL MEMBER BEHAVIOUR (Cont'd)

Relations with State/Local Government Employees and Applicants/Representors

- 2.2.8 In your role as a panel member, you must not, other than in accordance with the provisions of the Act:
- (a) Direct a person who is a Local Government employee to do or not to do anything in the person's capacity as a Local Government employee;
 - (b) In the case of members of the Development Assessment Commission, direct a person who is a State Government employee to do or not do anything in the person's capacity as a State Government employee;
 - (c) Attempt to influence the conduct of a person who is a Local Government employee in the person's capacity as a Local Government employee;
 - (d) Approach or discuss with an applicant or representor any application which is either before the panel or will come before the panel at some future time, except during the course of a panel meeting where the application forms part of the agenda and the applicant or representor has a right to be heard by the panel; and
 - (e) Except where required as part of the assessment of a particular decision such as a formal panel viewing of a development site, you should not enter a development site, even if invited by the land owner or a neighbouring property owner or any other person.

Development Assessment Conduct

- 2.2.9 You acknowledge that the assessment of development by the panel requires that you act impartially and limit yourself to assessing an application strictly in accordance with the Act. Panel members must determine whether or not to grant Development Plan Consent by assessing the development against the provisions of the appropriate Development Plan without reference to extraneous matters but with due regard to relevant matters such as representations made in accordance with the provisions of the Act.
- 2.2.10 You must not:
- (a) Engage in consultation outside the panel process with any party on a proposed development application that is likely to be heard by the panel;
 - (b) Give advice to an applicant or other third party on a development application after it has been lodged outside of a panel meeting;
 - (c) Speak at a public meeting for or against a proposal where the purpose of the meeting is to discuss either a proposed development or a development application unless required by the Act;
 - (d) Express an opinion on a development application or a proposed development outside of a panel meeting; and
 - (e) Engage in any other act or omission which may give rise to a reasonable presumption that you have prejudged a development proposal or application.

2.2 PANEL MEMBER BEHAVIOUR

Development Assessment Conduct (Cont'd)

2.2.11 In regard to attendance of a public meeting as set out in point 2.2.10 (c) above, members must inform the panel of attendance at such a meeting, confirm that no representations were made by the member, to the meeting, or discussed the matters raised at the meeting with any person or given an indication as to the merits of a particular development application or proposed development application outside of a panel meeting.

Note: The Code does not prevent or restrict members from seeking clarification or comment from staff members prior to or during the discussion of any matter in a panel meeting.

Public Comment

2.2.12 Only the Presiding Member or another person determined by the panel, is permitted to speak publicly to the media and address the public on behalf of the panel. No other panel member may make comment to the media or the public in relation to any matter before the panel or any decision of the panel.

2.3 BREACHES OF THE CODE, COMPLAINTS AND SANCTIONS (PANEL MEMBERS)

2.3.1 Panel Members have an obligation to act honestly and diligently as a panel member. Members should report any instances of suspected breach of the Act, this Code or any other misconduct by other panel members immediately to the Public Officer in writing and refrain from discussing those matters at future panel meetings.

2.3.2 Upon receipt of this information the Public Officer may:

- (a) Seek legal advice; and/or
- (b) Require an investigation into the allegations by an appropriate person; and/or
- (c) Refer the matter to the Police; and/or
- (d) Take any other action which the Public Officer deems appropriate and which accords with the Act.

Note: The Code does not prevent members, or any other person from making a complaint under the *Ombudsman Act 1972*.

2.3.3 Where an investigation is undertaken in accordance with this Code, the person to whom the allegation of misconduct relates must be given by the Public Officer:

- (a) Full particulars of the alleged misconduct in advance of the investigation (at least 7 days prior to the date of the meeting at which the complaint will be investigated);
- (b) An opportunity to respond to the allegations; and
- (c) The right to have a representative attend any hearing with them (including legal counsel).

2.3 BREACHES OF THE CODE, COMPLAINTS AND SANCTIONS (PANEL MEMBERS) (Cont'd)

2.3.4 Where an allegation of misconduct is made out, the Minister (in regard to the Development Assessment Commission), the relevant Councils (in regard to a Regional Development Assessment Panel) and the relevant Council (in regard to a Council Development Assessment Panel or a Regional Development Assessment Panel) may:

- (a) Remove the person from the panel;
- (b) Suspend the person from the panel for a period of time; or
- (c) Take any other reasonable action deemed appropriate.

2.4 DELEGATE BEHAVIOUR

2.4.1 In order to foster the respect of applicants, representors and the community, delegates must uphold the highest standards of behaviour and ensure that they act in accordance with the provisions of the Act at all times.

Development Application Information

2.4.2 As a delegate, a position of trust must be upheld, without misuse or derived undue benefit from the position. As such, delegates must treat development application information appropriately by:

- (a) Not using information gained by virtue of the role as delegate for any purpose than to exercise that role;
- (b) Not releasing confidential information;
- (c) Ensuring that due care is taken to maintain the integrity and security of confidential documents or information in the delegates possession, or for which the delegate is responsible; and
- (d) Recognising that information may be subject to the requirements of the *Privacy Act 2000* and abide by the principles of that legislation.

Conflict Of Interest

2.4.3 Delegates must make all decisions impartially and in accordance with the requirements of the Act. Delegates must recognise the importance of fully observing the requirements of the Act in regard to disclosure of any interest which may affect a delegate's ability to fulfill their duties as a delegate:

- (a) If a delegate considers that they have, or might reasonably be perceived to have an interest in the matter before them as delegate, the delegate must clearly state the nature of that interest in writing and must not proceed to exercise their delegation; and
- (b) If a delegate considers that they have a personal interest which may be in conflict with their public duty to act impartially and in accordance with the principles of the Act, they must declare a conflict of interest as above and must not proceed to exercise their delegation.

2.4 DELEGATE BEHAVIOUR (Cont'd)

Development Assessment Conduct

2.4.4 Delegates acknowledge that to exercise delegation in relation to the assessment of development requires them to act impartially and limit themselves to assessing an application strictly in accordance with the Act. Delegates must determine whether or not to grant development plan consent by assessing the development against the provisions of the appropriate Development Plan without reference to extraneous matters but with due regard to relevant matters such as representations made in accordance with the provisions of the Act.

2.4.5 Delegates must not:

- (a) Exercise delegation to make a decision on an application for development plan consent, or issue an instruction in relation to the exercise of a delegation held by another person, where they have assisted the applicant in the preparation of the application, to the extent that it leads to an expectation that if the applicant followed this advice they would grant delegated consent to the application;
- (b) Speak at a public meeting for or against a proposal where the purpose of the meeting is to discuss either a proposed development or a development application where delegation is held, other than to outline process and/or requirements of the Act or Regulations or, unless required by the Act; and
- (c) Engage in any other act or omission which may give rise to a reasonable presumption that the delegate has prejudged a development proposal or application.

2.5 BREACHES OF THE CODE (DELEGATES)

2.5.1 Breaches of this code by a delegate are to be reported to either the Chief Executive Officer of the relevant Council or the Chief Executive Officer of the relevant Government Department. The responsible Chief Executive Officer will take the appropriate action as required.

PROCEDURES

3.1 GENERAL

The Development Act, 1993 provides significant flexibility in setting procedures, to be set either in accordance with the Development Regulations or by the Panel itself (not Council). The Act deliberately ensures that a Council Development Assessment Panel is not bound by the Local Government Act and informality and consensus are encouraged.

3.1.1 The Panel will ensure that:

- Procedures are fair and contribute to open, transparent and informed decision-making;
- Procedures reflect the levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting;
- Procedures shall be sufficiently certain to give the community and decision-makers confidence in the deliberations undertaken at the meeting.

3.1.2 Meetings of the Panel will generally be held at 7:30pm on the second Wednesday of each month in the Council Chamber, Council Administration Centre, 115 Ellen Street, Port Pirie and from time to time in other locations as determined by the Panel.

3.1.3 The ordinary meeting of the Panel will be dispensed with, in the event that there are no agenda items for the Panel to consider.

3.1.4 In the event that a meeting of the Panel is dispensed with, Administration staff will provide written advice to all Panel members by facsimile, email or letter at least 3 business days prior to the scheduled meeting.

3.1.5 The quorum for the Panel is 4 and no business will be transacted at a meeting unless a quorum is present.

3.1.6 A matter for determination at a meeting of the Panel will be decided by consensus.

3.1.7 Where consensus is not obtained, the Presiding Member will call for a vote and the matter will be determined by a majority of the votes cast by the members present at the meeting, who are entitled to vote.

3.1.8 Each Member of the Panel who is present at a meeting, unless a conflict of interest arises, must vote.

3.1.9 All members of the Panel have a deliberative vote.

3.1.10* The presiding member of the Panel (or any member acting in the position) has a deliberative vote and a casting vote in the event of an equality of votes.

3.1.11 A Panel Member who is unable to attend a meeting in person may participate and partake in the discussion and deliberation by telephone or video-conference.

3.1.12 Where Panel members require further information or clarification in relation to any current development application, any Panel Member can request this information from Council Administration and the information will be provided at the earliest possible opportunity.

3.1 GENERAL (Cont'd)

- 3.1.13 Submissions and representations from applicants, their agents and third parties shall be heard in public however the public, applicants, their representatives and third parties shall be excluded from attendance during determination of an application.
- 3.1.14 Approval of applications “en block” shall be acceptable provided that there is unanimous agreement for such resolution.
- 3.1.15 The Manager of Environmental Services or the Presiding Member may be delegated the power to grant approval to an application subject to the provision of specific information.

Public Notice of Meetings

- 3.1.16 One Public Notice of Meeting containing the scheduled meeting dates will be provided at the Administration Centre and a listing of meeting dates provided on Council's web site www.pirie.sa.gov.au.
- 3.1.17 In the event that a scheduled meeting date is altered Public notice of the change will be given in the Administration Centre and on the web site.
- 3.1.18 Public notice of a special meeting of the Panel will be displayed in the Administration Centre, no later than, three (3) hours before the commencement of the meeting.

Notice of Meeting for Panel Members

- 3.1.19 Written notice of a meeting of the Development Assessment Panel must be given to each member of the Panel at least (3) clear days before the date of the meeting. The notice must set out the date, time and place of the meeting, must be signed by the Chief Executive Officer of the Council and contain or be accompanied by the agenda and reports for the meeting. Notice may be given to a member of the 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 authorized 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).

Agenda and Reports

- 3.1.20 An Agenda listing items of business and associated reports will be made available in hard copy to the public at the Administration Centre, 115 Ellen Street, Port Pirie prior to the meeting and at the meeting venue.
- 3.1.21 An Agenda for a meeting of the Panel, where applicable, will indicate the intention of the Panel to receive, discuss or consider information or matters on a confidential basis.
- 3.1.22 Items of business may be reported upon verbally at the meeting, distributed in hard copy with the Agenda or tabled at the meeting.

3.1 GENERAL

Agenda and Reports (Cont'd)

3.1.23 Each report to the Panel requiring a determination will contain a recommendation providing a direction for discussion.

3.2 MEETING PROCEDURE

*The Panel may determine procedure in relation to the conduct of the business of the Panel not already determined by the *Development Act 1993*.

General

3.2.1 In the absence of the Presiding Member, the Panel shall appoint a member to act in the position of the Presiding.

Quorum

3.2.2 In the event that a quorum is not present, within 30 minutes of the commencement time for a meeting, business listed on the Agenda will be dealt with at the next meeting of the Panel.

Speaking

3.2.3 Members of the Panel may speak more than once with the consent of the Presiding Member in order to facilitate discussion and agreement on a matter before the Panel.

3.2.4 A member of the Panel must not speak for longer than 5 minutes at any one time.

Decision Making

3.2.5 The Presiding Member will call for comment/discussion in the first instance on a matter presented to the Panel for determination in order to facilitate consensus.

3.2.6 Voting in support of a proposal and then against it, as requested by the Presiding Member, shall be by show of hand.

3.2.7 The Presiding Member will request each Member to vote by a show of hands and declare the outcome.

3.2.8 The Presiding Member, in the absence of comments to be made in relation to the business requiring determination, will seek a consensus as per the recommendation before the Panel.

3.2.9 When a Member(s) indicates the intention to discuss the matter before the Panel, the Presiding Member will facilitate discussion in order to reach consensus and utilise his/her discretion to determine when to call for a show of hands to enable the Panel to determine the matter.

3.2.10 The Presiding Member will utilise his/her discretion to conclude the opportunity for discussion on a matter before the Panel.

3.2 MEETING PROCEDURE

Decision Making (Cont'd)

3.2.11 In the event that the Presiding Member has determined that consensus is unlikely to be reached:

- The Presiding Member will call for consensus as per the recommendation with suggested/agreed inclusions or deletions or an alternate recommendation reflecting discussion;
- The Presiding Member will then call for debate, including the opportunity for a variation.
- At the conclusion of debate, if no variation has been agreed upon, the Presiding Member will request a show of hands and declare the outcome.
- If consensus is reached, the Panel has determined the matter and will proceed to the next item of business, if not, the Presiding Member will request an alternate recommendation to enable the Panel to determine the matter.

Exclusion of the Public from Attendance at a Meeting

3.2.12* The Panel may exclude the public from attendance –

- (a) during so much of the meeting as necessary to receive, discuss or consider on a confidential basis any of the following information or matters:
 - (i) information that would, if disclosed, confer a commercial advantage on a person with whom a council is conducting (or proposes to conduct) business, or prejudice the commercial position of a council;
 - (ii) commercial information of a confidential nature that would if, if disclosed-
 - (a) prejudice the commercial position of the person who supplied it; or
 - (b) confer a commercial advantage on a third party; or
 - (c) reveal a trade secret;
 - (iii) matters affecting the security of any person or property;
 - (iv) matters that must be considered in confidence in order to ensure that the panel does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;
 - (v) legal advice, or advice from a person who is providing specialist professional advice;
 - (vi) information provided by a public official or authority (not being an employee of a council, or a person engaged by a council) with a request or direction by that public official or authority that it be treated as confidential; or
 - (vii) unless otherwise determined by the council-during so much of a meeting that consists of its discussion or determination of any application or other matter that falls to be decided by the panel.

3.2.13 The Panel, prior to the release of a copy of the Minutes of a meeting, may exclude from the Minutes, information about any matter dealt with on a confidential basis by the Panel.

3.3 DECISIONS

3.3.1* Notification of Assessment will be given within 5 business days after the decision is made on the application.

3.4 MINUTES OF MEETING

3.4.1 The Minutes of the proceedings of a CDAP Meeting will record:

- The names of the Panel members present;
- The name and time of a Panel member entering or leaving;
- The name of a person who has made a representation to the Panel;
- Each decision made by the Panel and the reason for such decision and any conditions attached thereto;
- *Any disclosure of interest made by a Panel member;
- The decision of the Panel to exclude public attendance;
- A notation, describing the confidential nature of the information and matter, in the event that a matter has been excluded from the Minutes.

3.4.2* Minutes will be available within 5 days after their adoption by the members of the Panel.

3.4.3 Draft Minutes will be published within 5 days of the meeting.

3.4.4 Debate on the adoption of the Minutes shall relate to the accuracy of the minutes as a record of proceedings only.

3.4.5 On the adoption of the Minutes, the Presiding Member shall initial each page and sign and date the last page of the Minutes.

3.4.6 Minutes will be made available in hard copy to the public at the Council Administration Office, 115 Ellen Street, Port Pirie and at the Port Pirie Regional Council web site www.pirie.sa.gov.au.

3.5 SCHEDULED MEETINGS

3.5.1 Prior to the Notice of Meeting being sent to Panel Members, if the number of apologies received by the Chief Executive Officer indicates that a quorum of (4) will not be achieved for a scheduled meeting, the Chief Executive Officer, in consultation with the Presiding Member, may cancel the meeting.

3.6 SPECIAL MEETINGS

3.6.1 Special Meetings of the Panel may be held at any time.

3.6.2 A Special Meeting of the Panel may be called at the request of –

- The Principal Member of the Panel; or
- At least 3 serving Panel members; or
- The Chief Executive Officer.

3.6.3 A Special meeting will only deal with the business for which the meeting has been called.

3.6 SPECIAL MEETINGS (Cont'd)

- 3.6.4 A request to call a Special Meeting must be accompanied with an Agenda stating the item(s) of business for which the Panel is requested to convene. If an Agenda is not provided at the time of the request, the Special Meeting will not be called.
- 3.6.5 Each Member of the Panel will be provided verbal and/or sent a notice of a Special Meeting at least four (4) hours before the commencement of the meeting, accompanied by the Agenda for the meeting.

SCHEDULE 1

COUNCIL DEVELOPMENT ASSESSMENT PANEL MEMBERSHIP

PRESIDING MEMBER

Fiona Barr, Independent Member

OTHER MEMBERS

Cr Debbie Devlin, Port Pirie Regional Council

Cr Joe Paparella, Port Pirie Regional Council

Cr Alan Zubrinich, Port Pirie Regional Council

Chad King, Independent Member

Anthony Pisani, Independent Member

Corey Loizeau, Independent Member