

# Council Assessment Panel - Adoption of Meeting Procedures

Council Assessment Panel  
Monday, 28 August 2023

**From:**  
Manager, City Development  
(Assessment Manager)

## PURPOSE

Amended Meeting Procedures are required to be considered by the Council Assessment Panel (CAP) and adopted to align with recent legislative changes and updates.

## RECOMMENDATION

That the CAP adopt amended Meeting Procedures (marked as Attachment B).

## ATTACHMENTS

Attachment A - Marked up version of Meeting Procedures highlighting proposed amendments

Attachment B - Amended Meeting Procedures

## DISCUSSION

### Legislative Change

Amendments were recently made to the *Planning, Development and Infrastructure (General) Regulations 2017* (SA) regarding Panel reviews of Assessment Manager decisions. These amendments were gazetted to commence on 26 May 2023.

Regulation 116(2) has been included as follows:

*'An applicant to an assessment panel for a review of a prescribed matter must be given an opportunity to provide the assessment panel with the applicant's submissions in relation to the review (and, if the assessment panel determines to hold a hearing, must be given written notice of the date of the hearing and an opportunity to appear and make submissions at the hearing in person).'*

In summary, where an applicant has sought an assessment panel review of an Assessment Manager decision, they must be given an opportunity to provide submissions on the review, and to appear and make submissions at the relevant Panel meeting.

### Applications submitted under the Development Act 1993

In addition to this legislative change, it is noted the City of Adelaide no longer has development applications to be assessed under the *Development Act 1993* (SA). Therefore Section 4 of the current Meeting Procedures, which refers to such applications, is proposed to be removed.

### Legal Advice and Decision

Council's Assessment Manager has sought legal advice regarding the latest changes. This advice included a review of the Meeting Procedures together with suggested amendments in accordance with the latest Local Government Association (LGA) Template Meeting Procedures.

The CAP Meeting Procedures have been revised in accordance with a latest change to the PDI Regulations, the LGA Template Meeting Procedures and to reflect the City of Adelaide no longer having development applications to be assessed under the *Development Act 1993* (SA).

The CAP is required to decide whether or not to adopt these amended Meeting Procedures.

## NEXT STEPS

Should CAP resolve to adopt the amended Meeting Procedures, these will come into effect immediately and the previous version will be revoked.

- END OF REPORT -