

* Confidentiality Order Removed 15/9/17 *

CONFIDENTIAL

ITEM 901

APPOINTMENT OF INDEPENDENT DEVELOPMENT ASSESSMENT PANEL MEMBER

MOVED Councillor Palmer
SECONDED Councillor Salaman

That:

1. The report be received.
2. Nicole Dent be appointed as a new Independent Member to the DAP for a term commencing on 1 July 2017 and concluding on 17 March 2018.

CARRIED UNANIMOUSLY

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DECISION REPORT

REPORT TITLE: APPOINTMENT OF INDEPENDENT
DEVELOPMENT ASSESSMENT PANEL
MEMBER

ITEM NUMBER: 901

DATE OF MEETING: 26 JUNE 2017

AUTHOR: PAUL WEYMOUTH

JOB TITLE: MANAGER DEVELOPMENT AND
REGULATORY SERVICES

EXECUTIVE SUMMARY

The purpose of this report is to recommend Council appoint Nicole Dent as a new Independent Member to the Development Assessment Panel (DAP) for a term commencing on 1 July 2017 and concluding on 17 March 2018.

This appointment follows the recent resignation of Independent Member Barbara Norman.

RECOMMENDATION

That:

1. The report be received.
 2. Nicole Dent be appointed as a new Independent Member to the DAP for a term commencing on 1 July 2017 and concluding on 17 March 2018.
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1. RELEVANT CORE STRATEGIES/POLICIES

- 1.1 Section 56A of the *Development Act 1993* – Council to establish a DAP comprising of seven members (three Elected Members and four Independent Members)
- 1.2 Section 83 of the *Planning, Development and Infrastructure (PDI) Act 2016* – Designated authority to establish Assessment Panels of no more than five members (one Elected Member and four Independent Members)

Note: Section 83 of the *PDI Act* has yet to be proclaimed.

2. DISCUSSION

Background

At the meeting of 24 April 2017, Council considered a report to undertake the appointment of a new Independent Member to the Development Assessment Panel (DAP) following the recent resignation of Ms Barbara Norman effective from the April 2017 DAP meeting. At this meeting, Council endorsed the following:

1. *The report be received.*
2. *A report be presented to the June 2017 Council Meeting by the General Manager City Services recommending the appointment of an Independent Member of the DAP until 18 March 2018.*
3. *Ms Barbara Norman be thanked for her contribution as an Independent Member on to the City of Unley DAP for the past two years.*

This recruitment process has now concluded and the Administration has approached former DAP Member Nicole Dent who has expressed her interest in nominating for a short term appointment. Nicole is currently a director with Catalyst Architects with specialist skills in heritage conservation and design. Nicole replaces Barbara Norman who also has architectural qualifications.

Please note, the current term of the existing seven-member DAP expires on 17 March 2018. The new *PDI Act* will alter the composition of future Assessment Panels from seven members to five, noting the decrease relates to the number of Elected Members who may participate. The *PDI Act* commences on 1 April 2017, however the section of the Act dealing with Assessment Panels has yet to be proclaimed.

Furthermore, the Department of Planning, Transport and Infrastructure (DPTI) advises that the proclamation date for the commencement of the new Assessment Panel will be 1 August 2017 with a short transition time whereby councils are required to establish the new Assessment Panels by 1 October 2017. Membership of the new Assessment Panel from 1 October 2017 will be the subject of a separate report to Council in August.

The *Development Act 1993* and Council's meeting procedures are silent regarding the process for replacement of DAP members. Given that the current DAP term expires in March 2018, it is considered that a short term appointment is warranted for an eight month period until March 2018.

While Council could potentially operate the DAP with one less independent member, this is not recommended given the proposed changes to reduce the membership of DAP from 1 October 2017.

3. ANALYSIS OF OPTIONS

Option 1 – Nicole Dent be appointed as a new Independent Member to the DAP for a term commencing on 1 July 2017 and concluding on 17 March 2018.

The appointment of Nicole Dent will enable a seamless transition by appointing a new Independent Member with previous experience on the Unley DAP and the types of qualifications and skills that are most relevant to the nature of applications assessed by the DAP.

The only disadvantage is that Council have not sought expressions of interest from the public however given the short term nature of the appointment and Ms Dent's experience, this is not considered an efficient option.

Option 2 – Council does not make a new appointment and the DAP continues to function with 6 members until the transitional provisions for the *PDI Act* commence operation.

The disadvantages of this option are:

- The DAP will function with one member short which may create difficulties with achieving a quorum if there are conflicts of interest or two or more apologies from a meeting.
- When the *PDI Act* commences Council will still need to recruit at least one new Independent Member as the decrease relates to the number of Elected Members who may participate.

4. RECOMMENDED OPTION

Option 1 is the recommended option.

5. POLICY IMPLICATIONS

The recommendation meets Council legislative requirements. There are no policy implications.

6. REPORT CONSULTATION

Acting Group Manager Governance and Risk.

7. REPORT AUTHORISERS

Name	Title
Megan Berghuis	General Manager City Services
Peter Tsokas	Chief Executive Officer