

# PROCEDURES FOR THE

## CITY OF UNLEY COUNCIL

### ASSESSMENT PANEL

(“the Panel”)

#### 1. Guiding Principles

- 1.1 The following principles should be applied with respect to the procedures to be observed at a Panel meeting:
  - 1.1.1 procedures should be fair and contribute to open, transparent and informed decision-making;
  - 1.1.2 procedures should encourage appropriate community participation as may be required under the *Planning, Development and Infrastructure Act 2016* (“the PDI Act”), the *Planning, Development and Infrastructure (General) Regulations 2016* (“the PDI Regulations”), the *Development Act 1993* (“the Development Act”) or Development Regulations 2008 (“the Regulations”);
  - 1.1.3 procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting;
  - 1.1.4 procedures should be sufficiently certain to give applicants, representors and the general community confidence in the deliberations at the meeting.
- 1.2 Interactions between Members of the Panel, the public, Council staff and elected Members of the Council are to be courteous and respectful.
- 1.3 The assessment of development by the Panel requires Members to act impartially and to limit themselves to assessing an application strictly in accordance with the Act. Panel Members must determine whether or not to grant consent by assessing the development against the provisions of the Development Plan without reference to extraneous matters but with due regard to relevant matters such as representations made in accordance with the Act.

#### 2. Meetings

- 2.1 The Panel shall meet at a time, day and frequency that facilitates the timely and efficient processing of development applications in an open and accessible way.
- 2.2 The Panel shall meet at the Unley Civic Centre at Oxford Terrace, Unley or at such other places as the Panel may, from time to time, determine.

#### 3. Notice of Meeting

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- 3.1 Written notice of a meeting of the Panel must be given to each Member of the Panel at least five (5) clear days before the date of the meeting.
  - 3.2 The notice must:
    - 3.2.1 set out the date, time and place of the meeting;
    - 3.2.2 be signed by the Assessment Manager;
    - 3.2.3 contain or be accompanied by the agenda for the meeting.
  - 3.3 The notice may be given to a Member of the Panel –
    - 3.3.1 personally; or
    - 3.3.2 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
    - 3.3.3 by leaving the notice for the Member at an appropriate place at the principal office of the Council, if authorized in writing by the Member to do so; or
    - 3.3.4 by a means authorized in writing by the Member as being an available means of giving notice (e.g. facsimile transmission or email).
  - 3.4 A notice that is not given in accordance with sub-clause 3.3 is taken to have been validly given if the Assessment Manager considers it impracticable to give the notice in accordance with that sub-clause and takes action the Assessment Manager considers reasonably practicable in the circumstances to bring the notice to the attention of the Member.
  - 3.5 The Assessment Manager must ensure that notice is given to the public of the times and places of meetings of the Panel by causing a copy of the notice and agenda to be placed on public display at the principal office of the Council as soon as practicable after the time that notice of the meeting is given to Panel Members. The notice and agenda must be kept on public display until the completion of the relevant meeting of the Panel.
  - 3.6 The Assessment Manager must maintain a record of all notices of meetings given under this sub-clause.
  - 3.7 A special meeting of the Panel may be called by the Presiding Member or any three Members of the Panel. The Assessment Manager must be provided with an agenda for the meeting at the time of the request or the request will be of no effect. The Assessment Manager of the Council 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.
  - 3.8 Notice of a special meeting of the Panel must be given in the same manner as notice for a special meeting of the Council.

#### 4. Commencement of Meeting and Quorum

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- 4.1 A meeting of the Panel will commence as soon after the time specified in the notice of the meeting, as a quorum is present.
  - 4.2 A quorum for a meeting of the Panel shall be the total number of Members of the Panel in office divided by two (2) (ignoring any fraction resulting from the division) and adding one (1).
  - 4.3 In the event that the Presiding Member is not present at a meeting, the Members shall appoint an Acting Presiding Member to preside at the meeting.
  - 4.4 If the number of apologies received by the Assessment Manager indicates that a quorum will not be present at a meeting the Assessment Manager may adjourn the meeting to a specified day and time.
  - 4.5 If at the expiration of 30 minutes from the time specified in the notice of meeting as the time of commencement a quorum is not present, the Presiding Member or, in the absence of the Presiding Member, the Acting Presiding Member, or in the absence of both those Members, the Assessment Manager, will adjourn the meeting to a specified day and time.
  - 4.6 If a meeting is adjourned for want of a quorum, the Assessment Manager will record in the minute book the reason for the adjournment, the names of any Panel Members present, and the date and time to which the meeting is adjourned.
  - 4.7 If a meeting is adjourned to another day, the Assessment Manager must:
    - 4.7.1 give notice of the adjourned meeting to each Panel Member setting out the date, time and place of the meeting; and
    - 4.7.2 give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place of the meeting to be placed on display at the principal office of the Council.

## **5. When a Deputy Member is to attend a Panel meeting**

- 5.1 If a Panel Member provides sufficient notice, in advance of a meeting, that they are unavailable to attend a meeting, the relevant Deputy Member is to be notified by the Assessment Manager to attend and participate in that entire meeting.
- 5.2 If a Panel Member has a conflict of interest in relation to an item on the meeting agenda and there is a risk that a quorum will not be achieved for that item, the Deputy Member is to be notified by the Assessment Manager to attend the meeting and participate for that item only.
- 5.3 The Assessment Manager will undertake all reasonable measures to ensure that Deputy Members are notified as required by sub-clauses 5.1 and 5.2 above as soon as possible.
- 5.4 For clarity, if the elected Member appointed to the Panel is unavailable to attend a meeting, the Deputy Member who will be notified to attend the meeting will be the Deputy Member who is also an elected member of the Council. If an independent Member of the Panel is unavailable to attend a meeting, the Deputy Member who will

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be notified to attend the meeting will be the Deputy Member who is not an elected member of the Council.

## 6. Public access to meetings

6.1 In connection with the conduct of the proceedings of the Panel, members of the public are entitled to attend a meeting of the Panel other than as set out in sub-clause 6.2.

6.2 The Panel may exclude the public from attendance at a meeting—

6.2.1 during so much of the meeting as is necessary to receive, discuss or consider in confidence any of the following matters:

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
- (b) information the disclosure of which—
  - (i) could unreasonably be expected to confer a commercial advantage on a person, or to prejudice the commercial position of a person; and
  - (ii) would, on balance, be contrary to the public interest;
- (c) information the disclosure of which would reveal a trade secret;
- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which—
  - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
  - (ii) would, on balance, be contrary to the public interest;
- (e) matters affecting the safety or security of any person or property;
- (f) information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;
- (g) matters that should be considered in confidence in order to ensure that the Panel, or any other entity, does not breach any law, or any order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;
- (h) legal advice;
- (i) information relating to actual litigation, or litigation that the Panel believes on reasonable grounds will take place;

- (j) information the disclosure of which—
  - (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, the Commission, or another public authority or official; and
  - (ii) would, on balance, be contrary to the public interest; and

6.2.2 during so much of the meeting that consists of its discussion or determination of any application or other matter that falls to be determined by the assessment panel.

6.3 The Assessment Manager may, after consultation with the Presiding Member of the Panel indicate on a document or report to Panel Members that the Panel may consider the matter in confidence pursuant to sub-clause 6.2 above provided that the Assessment Manager must also specify the basis on which a decision could be made by the Panel in accordance with said sub-clause.

6.4 At the meeting of the Panel, the Panel Members will consider if it is necessary and appropriate to exclude the public in accordance with sub-clause 6.2.

6.5 Before excluding the public from a meeting of the Panel, the Panel must formally determine, whilst in public session, whether the exclusion is necessary and, if so, pass an appropriate resolution to exclude the public during discussion of the item.

6.6 The grounds for exclusion of the public are to be recorded in the minutes of the meeting and communicated to the members of the public in attendance at the meeting at the time they are requested to leave the meeting.

6.7 At the conclusion of the discussion in relation to a confidential item, the Panel will consider whether it is necessary to determine whether any document associated with the confidential item is to remain confidential.

## 7. Voting

7.1 Each Member of the Panel present at a meeting of the Panel is entitled to 1 vote on a matter arising for decision and, if the votes are equal, the Member presiding at the meeting is entitled to a second or casting vote.

7.2 Sub-clause 7.1 does not apply to a person who is taken to be a Panel Member under section 85 of the PDI Act.

7.3 All decisions of the Panel shall be made on the basis of a simple majority decision of the Members present.

7.4 Subject to a Member of the Panel having a direct or indirect personal or pecuniary interest in accordance with the Code of Conduct adopted by the Minister under the PDI Act, each Member present at a meeting of the Panel must vote on a question arising for decision.

## 8. Minutes

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- 8.1 The Panel must ensure that accurate minutes are kept of its proceedings.
- 8.2 A disclosure by a Member of the Panel of a direct or indirect pecuniary interest in any aspect of a development or anybody associated with any aspect of a development required under the Act or a disclosure of an interest pursuant to the Code of Conduct adopted by the Minister, must be recorded in the minutes of the Panel.
- 8.3 Members of the public are entitled to reasonable access to—
- 8.3.1 the agendas for meetings of the Panel; and
- 8.3.2 the minutes of meetings of the Panel.
- 8.4 However, the Panel may, before it releases a copy of any minutes under sub-clause 8.3, exclude from the minutes information about any matter dealt with on a confidential basis by the Panel.
- 8.5 Minutes must be available under sub-clause 8.3 within 5 business days after their adoption by the Panel.
- 8.6 The minutes of the proceedings of a meeting must be submitted for adoption at the next meeting of the Panel or, if that is omitted, at a subsequent meeting.
- 8.7 No discussion on the minutes may occur before confirmation, except as to the accuracy of the minutes as a record of proceedings.
- 8.8 On the confirmation of the minutes, the Presiding Member will:
- 8.8.1 initial each page of the minutes, which pages are to be consecutively numbered; and
- 8.8.2 place his or her signature and the date of confirmation at the foot of the last page of the minutes.
- 8.9 The minutes of the proceedings of a meeting must as a minimum include:
- 8.9.1 the matters contained within sub-clause 8.2 above;
- 8.9.2 the names of the Panel Members present at the meeting;
- 8.9.3 in relation to each Panel Member present;
- (a) the time at which the person entered or left the meeting;
- (b) unless the person is present for the whole of the meeting, the point in the proceedings at which the person entered or left the meeting;
- 8.9.4 each motion or amendment, and the names of the mover and seconded;
- 8.9.5 any amendment or withdrawal of a motion or amendment;
- 8.9.6 whether a motion or amendment is carried or lost;

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- 8.9.7 details of the making of an order to exclude the public to consider matters in confidence under sub-clause 6.6; and
- 8.9.8 details of any adjournment of business; and
- 8.9.9 any other matter required to be included in the minutes under the Act.
- 8.10 Each Panel Member must, within five days after a meeting of the Panel, be supplied with a copy of all minutes of the proceedings of the Panel.
- 8.11 A person is entitled to inspect, without payment of a fee, at the principal office of the Council reports to the Panel received at the meeting of the Panel.
- 8.12 Sub-clause 8.11 does not apply to a document or part of a document dealt with on a confidential basis by the Panel.
- 8.13 The Assessment Manager is responsible for ensuring that accurate minutes are kept of all proceedings of the Panel.
- 9. Validity of proceedings**
- 9.1 A proceeding of the Panel (and any decision made by the Panel) is not invalid by reason only of a vacancy in its Membership or a defect in the appointment of a Member.
- 10. Any Other Business**
- 10.1 A Panel Member may raise a matter that has been deferred by the Panel or is currently before the Courts or is a general procedural matter as it applies to the assessment of applications by the Panel.
- 10.2 The Presiding Member may allow the reply or response to the matter raised to be given at the next meeting.
- 10.3 The Presiding Member may rule that the matter raised under this agenda item is not relevant to the business of the Council Assessment Panel and/or is not in keeping with the purpose of Any Other Business as defined under sub-clause 10.1 above.
- 11. Debate and Motions**
- 11.1 Comment/discussion in the first instance on a matter presented to the Panel for determination may be sought by a Panel Member or the Presiding Member.
- 11.2 Prior to the moving/seconding of a motion for determination, Panel Members may speak more than once with the consent of the Presiding Member in order to comment on/discuss a matter before the Panel.
- 11.3 Prior to the moving/seconding of a motion for determination, the Presiding Member in facilitating comment/discussion will utilise his/her discretion to determine when to call for a motion enabling the Panel to determine the matter.

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- 11.4 Prior to calling for a motion, the Presiding Member will utilise his/her discretion to conclude the opportunity for discussion/comment only after each Panel Member present at the meeting has been provided the opportunity to speak.
- 11.5 An outcome to comment/discussion must be given effect by, and shall only be valid when presented as, a motion by a mover and seconder. For the avoidance of doubt, a motion may be moved or seconded by the Presiding Member.
- 11.6 The Presiding Member may refuse to accept a motion if the subject matter is, in his or her opinion, beyond the power of the Panel.
- 11.7 A motion will lapse if it is not seconded at the appropriate time.
- 11.8 The Presiding Member, in the absence of comment/discussion in relation to the business requiring determination, will either move a motion or will request a motion to be moved and seconded.
- 11.9 A Member moving or seconding a motion or amendment may speak to the motion at the time of moving or seconding the motion or amendment.
- 11.10 A Member may only speak once to a motion or any subsequent amendment except:
- 11.10.1 to provide an explanation in regard to a material part of his or her speech, but not so as to introduce any new matter; or
  - 11.10.2 with leave of the meeting; or
  - 11.10.3 as the mover in reply.
- 11.11A Member who has spoken to a motion or amendment may not at a later stage of the debate move or second an amendment to the motion or another amendment.
- 11.12The mover of a motion or amendment may sum up on the motion or amendment prior to a vote being taken.
- 11.13When the Panel has adopted an amendment to the motion, the mover of the motion may sum up prior to the vote being taken on the motion as amended.
- 11.14At the conclusion of debate the original motion (or as amended) will be put to a vote by the Presiding Member. If carried the Panel has determined the matter. If lost the Presiding Member will call for an alternate motion to be moved and seconded to enable the Panel to determine the matter.
- 11.15Voting in favour and then against a motion or amendment, as requested by the Presiding Member, shall be by show of hand.
- 11.16The Presiding Member will request each Member to vote on a motion or amendment and then declare the outcome at the conclusion of debate/mover having summed up.
- 11.17If the Presiding Member considers that the conduct of the meeting would benefit from suspending the application of the provisions of the Meeting Procedures prior to a vote being taken after proceedings have been exhausted, the Presiding Member



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may, with the approval of at least 2/3rds of the Members present suspend the Meeting Procedures to facilitate informal discussion.

11.18 The period of informal discussion will be as determined by the Presiding Member.

11.19 During the period of suspension:

11.19.1 The meeting may proceed as long as a quorum is present.

11.19.2 No motion may be moved, seconded, amended or voted on.

11.20 The period of suspension will come to an end:

11.20.1 At the conclusion of the period determined by the Presiding Member; or

11.20.2 If the Presiding Member determines that the period should be brought to an end; or

11.20.3 If at least 2/3rds of the Members present request that the period be brought to an end.

11.21 If a Panel Member leaves a Panel meeting for reason of that Member's interest declared in accordance with the PDI Act or the Code of Conduct, the Panel Member must state the reason for leaving immediately prior to leaving the meeting.

## 12. **Amendments to Motions**

12.1 A Member who has not spoken to a motion at an earlier stage of the debate may move or second an amendment to the motion.

12.2 An amendment will lapse if it is not seconded at the appropriate time.

12.3 A person who moves or seconds an amendment (and, if he or she chooses to do so, speak to the amendment) will, in so doing, be taken to have spoken to the motion to which the amendment relates.

12.4 If an amendment is lost, only one further amendment may be moved to the original motion.

12.5 If an amendment is carried, only one further amendment may be moved to the original motion.

12.6 An amendment must detail the effect, if carried, on the original motion.

12.7 An amendment may seek to include, alter or delete a part(s) of the original motion.

12.8 An amendment may seek to delete and then replace a part(s) of the original motion.

12.9 An amendment may not be a direct negative.

## 13. **Variations**

13.1 The mover of a motion or amendment may, with the consent of the seconder, request leave of the meeting to vary, alter or withdraw the motion or amendment.

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13.2 The Presiding Member must immediately put the question for leave to be granted and no debate will be allowed on that question.

#### **14. Points of Order**

14.1 The Presiding Member may call to order a Member who is in breach of these Procedures.

14.2 A Member may draw to the attention of the Presiding Member such a breach and must state briefly the nature of the alleged breach.

14.3 A point of order takes precedence over all other business until determined.

14.4 The Presiding Member will rule on a point of order.

14.5 If an objection is taken to the ruling of the Presiding Member, a motion that the ruling not be agreed with must be moved immediately.

14.6 The Presiding Member is entitled to make a statement in support of the ruling before a motion under sub-clause 14.5 is put.

14.7 A resolution under sub-clause 14.5 binds the meeting and, if a ruling is not agreed with:

14.7.1 the ruling has no effect; and

14.7.2 the point or order is annulled.

14.8 Suspected breaches of the PDI Act, the Development Act or the Code of Conduct should be reported in writing to the State Planning Commission in accordance with the PDI Regulations.

#### **15. Interruption of Meetings by Panel Members**

15.1 A Panel Member must not, while at a meeting:

15.1.1 behave in an improper or disorderly manner;

15.1.2 cause an interruption or interrupt another Member who is speaking;

15.1.3 behave in a manner which is disrespectful to other Members, staff or the public.

15.2 Sub-clause 15.1 does not apply to a Panel Member who is:

15.2.1 objecting to words used by another Panel Member who is speaking; or

15.2.2 calling attention to a point of order; or

15.2.3 calling attention to want of a quorum.

15.3 If the Presiding Member considers that a Panel Member may have acted in contravention of sub-clause 15.1, the Panel Member must be allowed to make a personal explanation.

15.4 Subject to complying with sub-clause 15.3, the relevant Panel Member must leave the meeting while the matter is considered by the meeting.

15.5 If the remaining Panel Members resolve that a contravention of sub-clause 15.1 has occurred, those Panel Members may, by resolution:

15.5.1 censure the Panel Member; or

15.5.2 suspend the Panel Member for a part, or for the remainder, of the meeting.

## 16. **Addresses by Members**

16.1 A Panel Member must not speak for longer than five (5) minutes at any one time without leave of the Panel.

16.2 Leave of the meeting may be sought through a verbal request or a motion moved and seconded.

16.3 Leave of the meeting is granted after the majority of Members present have indicated agreement when agreement is sought by the Presiding Member or when a vote is carried on a motion moved/seconded.

16.4 The contribution of a Panel Member must be relevant to the subject matter of the debate.

## 17. **Addresses by Members of the Public**

17.1 The Panel will hear:

17.1.1 all Category 3 representors who request to be heard (or representative);

17.1.2 Category 2 representors where:

- (a) the matter is not processed by administration under delegation, and
- (b) in accordance with advice from the Assessment Manager, the representor has unresolved planning concerns which cannot be addressed through the imposition of conditions upon a Development Plan consent.

17.1.3 the applicant (or representative) in any case where representors are heard, so as to give the applicant the opportunity to respond;

17.1.4 the applicant (or representative) where Panel Members have any questions of the applicant which may assist them in assessing the proposal.

17.1.5 the applicant when there is a recommendation for refusal.

17.2 Representors and applicants will be allowed 5 minutes each to address the Panel, unless a longer time is allowed by the Presiding Member.

17.3 Where the Panel hears representors and/or the applicant this should not be a debate but an opportunity for persons to summarise and/or respond to representations and to answer any questions that the Panel may have. The purpose

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of such representations and submissions is to ensure that the Panel is informed about any relevant planning issues with respect to any particular matter. The Presiding Member of the Panel will restrict submissions not related to the planning issues of a particular matter.

- 17.4 Representors to the Panel, or their nominated spokesperson, will speak first followed by the applicant who will be invited to respond to the points made by the representors. Either party may speak on their own behalf or seek assistance from other persons such as lawyers, planning consultants or other supporters.
- 17.5 Panel Members may ask the representors or applicant questions to clarify points. Questions will only be initiated through the Presiding Member of the Panel.
- 17.6 Only those Panel Members who are present at any verbal representation made by representors and the applicant shall participate in the consideration of and decision of that application. The absence of a Panel Member who was present for the verbal representation of an application does not preclude the remaining Members present from proceeding to consider and determine the application.
- 17.7 All applicants of Development Application Agenda item(s) and persons who have lodged a representation will be invited to the Panel meeting no less than five (5) business days prior to the scheduled meeting in accordance with Regulation 37 of the Development Regulations.
- 17.8 Any person who has not indicated on their representation that they wish to be heard may only be heard at the Panel meeting at the discretion of the Presiding Member.

## 18. **Additional Information**

- 18.1 Additional information submitted after distribution of the meeting agenda, and before a meeting, must be submitted to the Assessment Manager so that they may advise the Panel accordingly.
- 18.2 Additional information which requires presentation in a PowerPoint, video, image or other electronic format will not be considered unless it is provided to the Assessment Manager by no later than 4:00pm on the day prior to the Panel's meeting.
- 18.3 Additional information submitted at the Panel meeting will not normally be considered unless the Presiding Member in their absolute discretion allows the consideration of the additional information. Additional information submitted at the Panel meeting may not be considered if the party submitting the additional information has not provided sufficient copies for each of the Panel Members.

## 19. **Site Visits**

- 19.1 Subject to compliance with the Code of Conduct, all Members are expected to undertake a site inspection in relation to any development assessment matter presented to the Panel for determination.
- 19.2 If Panel Members believe entry to the subject land would be a useful component of the assessment process and would assist their understanding of the proposal, the

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Panel should request that the Assessment Manager make suitable arrangements for such an inspection.

19.3 The Panel shall then undertake the inspection on the date determined by the Assessment Manager and the applicant. Notes of the Panel's visits of this nature should be recorded by a person independent of the Panel and tabled at the next Panel meeting for the purpose of the Panel's adoption of them as a true and correct record of the Panel's observations.

## 20. **Assistance from the Assessment Manager and Additional Members**

20.1 Subject to section 85 of the PDI Act, the Panel may appoint additional members.

20.2 At its discretion, the Panel can call for and hear professional advice from the Assessment Manager.

20.3 In acting under sub-clauses 20.1 and 20.2, the Panel should be mindful of allowing the applicant and representors a reasonable opportunity to consider the information that may be provided before making a determination on the development application.

20.4 Where Panel Members disagree with a recommendation put forward by the Assessment Manager, they may seek the assistance of the Assessment Manager in the wording of, but not the substance of, an alternate resolution.

## 21. **Deferrals**

21.1 In the interests of allowing the Panel and representors sufficient time to adequately consider the matter, if further information is received from the applicant after the circulation of agendas, the matter may be deferred to the next meeting.

21.2 If the applicant seeks the deferral of an application, the request for such deferral will not be granted as a matter of course, but will be considered and determined by the Panel on a case by case basis.

21.3 If all information is before the Panel usually a decision will be made on the day the matter is considered. However, on occasions, the Panel may defer the matter to enable further information to be obtained to fully address matters raised during consideration of the matter.

21.4 Where notice is given to representors in accordance with the requirements of the Development Regulations and the representor is not present at the scheduled meeting when the matter in question is to be considered, the Panel will not, as a general rule, defer consideration of the matter unless such deferral is consented to by the applicant.

21.5 The Panel should only defer a decision if it considers that the additional time allowed will create benefits in allowing a thorough decision to be made and provided that the reasons for the deferral are clear to the applicant and any representors that may be involved. Panel Members, however should be aware of the time frames within which certain decisions are required to be made under the Development Act.

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Note: Section 41 of the Development Act imposes a duty upon the Panel to deal with an application as expeditiously as possible and, in any event, within the time prescribed by the Development Regulations 2008.

**22. Training and Development**

22.1 As and when required Panel Members should attend training sessions aimed at enhancing the Members capability and understanding of their role and responsibilities

**23. Panel Procedures**

23.1 All meetings of the Panel will be conducted in accordance with the PDI Act and PDI Regulations including the Code of Conduct, the Terms of Reference and these Procedures.

23.2 Insofar as any of the documents referred to in sub-clause 23.1 do not prescribe the procedure to be followed at a meeting of the Panel, the Panel may determine its own procedures.

**24. Review of Procedures**

The Panel will review these procedures on an annual basis.

**25. Reports to Council**

The Panel shall report to the Council in August of each year in respect of the following matters –

25.1 resignation of a Panel Member;

25.2 the incidence of items deferred by the Panel;

25.3 the adjournment of consideration of development applications;

25.4 any matter that would improve the effectiveness of, or expedite, the decisions of the Panel; and

25.5 any other matters upon which the Panel thinks fit to report.