



Coorong District Council Information Guide

Planning & Development

Council Assessment Panel

Introduction

As a planning authority, Councils are required to establish a Council Assessment Panel (CAP). The CAP for Coorong District Council comprises five (5) members; one (1) Elected Member and four (4) independent members with particular expertise in planning matters. One of the independent members acts as the Presiding Member.

The role of the CAP is to make impartial and transparent development assessment decisions based on the policies in the Coorong District Council Development Plan. In doing so, the CAP looks at the “pros and cons” of an application. The CAP cannot grant Development Plan Consent (“planning approval”) if it believes that the proposed development is seriously at variance with the Development Plan. If an application does not satisfy or meet all the policies in the Development Plan, the CAP is required to determine, on balance, whether or not the application should be approved. All members have voting rights and decisions are made on a majority basis. If votes are equal, the Presiding Member is entitled to a second or casting vote.

The CAP is presented with a report for each application to be considered. Each report assesses the proposed development against the policies and provisions in the Development Plan and includes documentation submitted with the application. If the application underwent public notification, copies of any representations lodged are also included. All reports are compiled into an agenda and this is available on Council’s website prior to the meeting. Due to copyright restrictions, copies of any plans are not included in the public agenda.

Members of the CAP are not permitted to talk to applicants, representors, members of the public or government agencies, except at the CAP meeting when the application is being considered. Members are also not permitted to enter a development site unless it is part of the assessment of the development such as a formal panel viewing.

Operation of Council Assessment Panel Meetings

- A minimum of three (3) Panel members are required to make a quorum
- The Presiding Member opens the meeting and advises all representors and applicants of the meeting procedure
- Each agenda item is introduced by the Presiding Member and are assessed one at a time.
- The Presiding Member invites those who have lodged representations (and have stated that they wish to be heard by

the CAP) for the subject application, to come forward and address their concerns with the CAP. Each speaker is given up to five (5) minutes to address the CAP with their concerns and comments (representors are advised that the CAP have a copy of their initial written representation and should therefore utilise their time wisely with the concerns they wish to raise).

- After hearing all representors, the applicant (and/or their consultant) is invited to address the CAP for ten (10) minutes. Following this, the Presiding Member will invite CAP members to ask the applicant any questions that they may have.
- Should the applicant have any new or additional material in relation to the application, it is at the discretion of the Presiding Member whether they will accept the new/additional material. If it is accepted, copies should be provided for all CAP members, the applicant and representors.
- For applications that have no representors to be heard, the applicant does not have the opportunity to address the CAP. The Presiding Member however may invite CAP members to ask the applicant questions.
- The CAP will then deliberate and resolve to either grant or refuse Development Plan Consent, taking into consideration the relevant provisions of the Development Plan, and having regard to any representations (written or verbal).
- In some cases, the CAP may resolve to defer the application to seek further information or amendments to an application.
- The CAP may call for and consider professional assistance from Council staff or other professional advisors where necessary and appropriate.
- The CAP may exclude the public from attendance during a meeting where necessary to discuss, receive or consider items in confidence.
- The Presiding Member may ask a member of the public who is present at a CAP and behaving in a disorderly manner, causing interruption, or using recording device without prior agreement, to leave the meeting.

Formal notification of a decision from the CAP will be posted to the applicant and representors. Minutes of the meeting will be available online following the meeting.

The CAP’s *Terms of Reference*, *Code of Conduct* and the *Operating & Meeting Procedures* are available on Council’s website.

Development Information Guides are intended to assist the public in understanding how the CAP meetings are carried out. If you require any further clarification please review the Operating & Meeting Procedures document available on Council’s Website or contact the Development Team.