

Council Assessment Panel Delegations Policy

Policy Author	General Manager – City Services
Date of next review	January 2022

1. Statement of Intent

The Council acknowledges the extensive growth and development occurring within the Council area and the importance of decision making in shaping our community. Council's Development Plan provides guidance in the assessment, appropriateness and public notification of such development.

In consideration of its delegations, the Council will balance the timely assessment of envisaged development with a greater level of independence in the consideration of applications of significant community impact.

2. Delegations

2.1 Applications to which Council's Assessment Panel is responsible

The Council Assessment Panel (CAP) is responsible for assessing and determining whether or not to issue Development Plan Consent arising under Part 4 of the *Development Act 1993* (the Act) and *Development Regulations 2008* in the form of the following:

- (a) Any development where notice of the application has been given pursuant to Section 38(4) or 38(5) of the Act and a person who has made a representation has indicated an interest in appearing before the authority personally or by a representative in support of the representation; or
- (b) Any development application that is of a kind described as non-complying development under the Development Plan except where the decision is a determine to proceed to an assessment in accordance with Regulation 17(3)(b), or the relevant Assessment Manager considers that the application does not need to be considered by the CAP; or
- (c) Any application to where staff have recommended refusal to issue Development Plan Consent except for refusals pursuant to Section 39(3)(b) of the Act; or
- (d) Any development application determined by the Assessment Manager to require assessment by the CAP.

2.2 Determination of balance development applications to which Council is the relevant authority

Any Development Applications lodged under the Act which do not fall within the categories outlined above may be determined by the Chief Executive Officer of the Council with a power to sub-delegate to staff.

3. Scope

The Act requires that Council delegate the function of development assessment and formulate a policy relating to the basis upon which delegation will occur. Council is further required to establish an Assessment Panel, the function of which includes to act as a delegate of Council.

This Policy applies to Council, where it is delegating its powers and functions as a relevant authority to Council's Assessment Panel and the Chief Executive Officer with respect to determining whether or not to grant development plan consent under the Act.

The Policy also applies to the Assessment Manager in consideration of matters to be referred to the CAP. The Assessment Manager will also utilise this policy for the preparation of recommendations for appropriate delegations for Council to endorse.

Council's planning officers will undertake assessment in accordance with this policy.

4. Legislation and References

- City of Playford Global Glossary
- *Development Act 1993*
 - Section 34 (23) & (27)
 - Section 38 (4),(5),(10) &(11)
 - Section 41(1)
 - Section 56A
- *Development Regulations 2008*
 - Regulation 17(3)(b)
- *Planning, Development & Infrastructure Act 2016*
 - Section 83

This Policy should not be considered as the only document that may relate to the council assessment panel delegations, other tiers of government, agencies or organisations may have legislation or policies that also apply.

5. Application

Chief Executive Officer	Ensure the Council is delegating the assessment of development applications under the <i>Development Act 1993</i> and demonstrating best practice in such determinations.
General Manager City Services Senior Manager Development Services	Ensure the Council Assessment Panel Delegations Policy accords with relevant legislation and relevant delegations reflect the complexity and community impact of development proposals when considered against Council's Development Plan.

Manager Planning Services	
Assessment Manager	
Relevant Delegated Officers	Ensure decisions made align with the appropriate delegations and intent of Council's policy.

6. Relevance to Risk Appetite Statement

Reputation

The City of Playford has a **LOW** appetite for negative perceptions that compromise its credibility and reputation. This policy addresses this risk by delegating applications to the Council Assessment Panel of significant community concern or where refusal is recommended, thus enabling transparency in decision making.

Regulatory Compliance

The City of Playford has **ZERO TOLERANCE** for non-compliance with applicable legislation. This policy addresses this risk by ensuring that decisions of Council are appropriately delegated.

7. Feedback

Your feedback on this policy is invited and can be directed to the Manager Governance via email to governance@playford.sa.gov.au or by calling the Customer Contact Team on 8256 0333.

Administration use only

ECM document set no.	3946373
Version no.	3
Procedure link	Nil
Policy author	General Manager - City Services
Endorsed by	Council
Resolution no.	4542
Legal requirement	<i>Development Act 1993 - Section 34(27)</i>
Review schedule	1 Year
Date of current version	April 2021
Date of next review	January 2022

Version history

Version no.	Approval date	Approval by	Change
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1	10/04/2015	General Manager – Planning, Strategy and Compliance (In accordance with Delegations Register – (Refer ECM Set No. 2129344)	New Policy
2	22/01/2019	Ordinary Council	Updates to reflect current practice and changing references from CDAP to CAP and position title of Assessment Manager
3	27/4/2021	Ordinary Council Resolution No 4542	Reference to Minister concurrence removed to reflect legislative change.