

Can I speak to the Panel?

In some cases, people who have made written objections, as well as applicants, are able to make a verbal presentation in support of their written representation at the Panel meeting.

The Panel allows people who have made written objections, complaints or queries to Category 3 applications, as well as applicants, to speak to the Panel. At the Panel's discretion, Category 2 and Category 1 representors and applicants may also speak.

This process allows people who have made written objections, complaints or queries an opportunity to clarify or expand further on the written representation that they have previously submitted to the Council. It also allows the applicant to hear and respond to these comments. Both applicants and representors are allowed to nominate an agent to speak on their behalf if they wish.

If a written request has been made by a representor to speak to the Panel for a Category 2 or 3 development, Council will notify the representor and applicant at least five business days prior to the date of the meeting indicating the date, time and place of the meeting.

You'll then be asked to confirm your attendance prior to the meeting or, if you're not attending in person, who will be speaking on your behalf.

Continued in Guide:

"The Development Assessment Panel

- Part 2



The Council Assessment Panel - Part 1

address 43 Dauncey Street, Kingscote

postal PO Box 121, Kingscote SA 5223

phone 08 8553 4500 | **fax** 08 8553 2885

email kicouncil@kicouncil.sa.gov.au

website www.kangarooisland.sa.gov.au

abn 93 741 277 391

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The Council Assessment Panel

The Council Assessment Panel is made up of independent members and Councillors, and makes decisions on certain types of development applications that have been delegated to it by the Council.

This leaflet has been designed to give you a better insight into the role of the Panel, and help answer the most commonly asked questions about why we have a Panel, what it does, and how it makes decisions.

The Panel— in more detail

All applications that are received by the Kangaroo Island Council Development & Environmental Services Department are assigned to one of three public notification categories.

In very general terms, simple developments are placed in Category 1, with more complex large-scale and non-complying proposals assigned to either Category 2 or Category 3.

All applications for developments that fall into Category 2 and 3, are notified to the owners or occupiers of adjacent land, and Category 3 applications also require a public notice in *The Islander*.

Within the framework of legislation and the Council's Delegation Policy, the Council delegate's decisions on some Category 2, and all Category 3 applications to the Panel if Council receives written objections, – known as representations. The Panel will also evaluate any non-complying Category 3 applications, as well as any other application that the Council's Planning Department has determined are contentious, controversial or fall outside the scope of the Development Plan provisions.

Local knowledge—specialist expertise

The Council Assessment Panel combines local knowledge and relevant skills with specialist expertise.

Its composition also helps to emphasise an important distinction between the Panel, which is a planning authority constituted under the Development Act to make planning decisions based on the Development Plan, and the governance and political decision making of the Council, constituted under the Local Government Act.

Council's Panel includes four independent members, one of whom is the Presiding Member. All Panel members are appointed for a term of two-years at a time.

For a list of the current members of the Panel, please contact us on 08 8553 4500 or check Council's website www.kangarooisland.sa.gov.au

What process does the Panel follow?

The Council Assessment Panel meets in the Council's chambers on the first Monday of every month at 1.30pm providing that there are at least four Panel members present.

Every development application that the Panel considers includes a covering report from the Council's Development Officers. This sets out the details of the application, the planning merits, issues and a recommended decision. In addition to the covering report, each application also has an associated set of attachments including all of the application details, a copy of all internal and external referral reports, a copy of any written representations received by Council, a copy of the response from the applicant, and photographs of the site.

A copy of the Agenda, which details all applications scheduled for decision at that meeting, is available for public viewing. You can review the Agenda at the Council's reception and Library and on the Council's web site five days before the meeting of the Panel.

All Panel meetings are open to the public at all stages of assessment, except where the Panel decides that a particular application must be considered on a confidential basis. This may happen for reasons of commercial or legal confidentiality, personal or commercial security, or where an open review would breach a law, order or direction of a court. However, the majority of applications are considered in a public forum.

