

MINUTES

for the

EYRE PENINSULA

REGIONAL ASSESSMENT PANEL

MEETING

held on

MONDAY 10 AUGUST 2020

commencing at 5.30pm

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Wudinna District Council

MINUTES

COMMITTEE	EYRE PENINSULA REGIONAL ASSESSMENT PANEL (EPRAP)
MEETING DATE	MONDAY 10 AUGUST 2020
LOCATION	CITY OF PORT LINCOLN COUNCIL CHAMBERS, LEVEL 1, 60 TASMAN TERRACE, PORT LINCOLN AND VIA ZOOM TELECONFERENCE
FILE REF	MIN2036

Meeting Opened: 5.30pm

1. **PRESENT**

Presiding Member	Rob Donaldson
Members	Alex Mackenzie (via Zoom teleconference)
	Jodie Isle
	Darren Starr (via Zoom teleconference)
	Cheryle Pedler (via Zoom teleconference)

Staff in Attendance

Acting Regional Assessment Manager	Jess Burns
Development Services	
Administration Officer	Rachel McGuire

Also in Attendance

Nil

2. **ACKNOWLEDGEMENT OF COUNTRY**

The Presiding Member acknowledged the Barngarla People, the Traditional Owners of the land and their continuing connection to land, sea, culture and community. The Presiding Member paid his respects to Elders past, present and emerging, and extended that respect to other Aboriginal and Torres Strait Islander people in the community.

3. **WELCOME TO THE EYRE PENINSULA REGIONAL ASSESSMENT PANEL**

The Presiding Member welcomed Panel Members to the first meeting of the Eyre Peninsula Regional Assessment Panel. Each member of the Panel provided a self introduction and background of their professional working history.

4. CONFLICT OF INTEREST DECLARATION

Nil

5. REPORTS**5.1 CODE OF CONDUCT FOR ASSESSMENT PANEL MEMBERS**

EPRAP 20/01	CODE OF CONDUCT FOR ASSESSMENT PANEL MEMBERS
Moved:	A Mackenzie
Seconded:	J Isle
That the Eyre Peninsula Regional Assessment Panel receives and notes the ' <i>Assessment Panel Members – Code of Conduct</i> ' attached as Attachment 5.1 to the Agenda.	

CARRIED

5.2 TERMS OF REFERENCE

EPRAP 20/02	EYRE PENINSULA REGIONAL ASSESSMENT PANEL TERMS OF REFERENCE
Moved:	C Pedler
Seconded:	D Starr
That the Eyre Peninsula Regional Assessment Panel receives and notes the 'Eyre Peninsula Regional Assessment Panel Terms of Reference' as Attachments 5.2 to the Agenda.	

CARRIED

5.3 EYRE PENINSULA REGIONAL ASSESSMENT PANEL MEETING PROCEDURES

EPRAP 20/03	EYRE PENINSULA REGIONAL ASSESSMENT PANEL MEETING PROCEDURES
Moved:	C Pedler
Seconded:	D Starr
That the Meeting Procedures policy attached to the Report as Attachment 5.3 to the meeting of 10 August 2020 be adopted by Eyre Peninsula Regional Assessment Panel.	

CARRIED

The Panel noted that a review of meeting procedures and policies will be undertaken in six months.

5.4 DELEGATION OF EPRAP POWERS AND DUTIES

EPRAP 20/04	DELEGATION OF EPRAP POWERS AND DUTIES
Moved:	J Isle
Seconded:	A Mackenzie
That the Eyre Peninsula Regional Assessment Panel:	

- 1 In exercise of the power contained in Section 100 of the Planning, Development and Infrastructure Act 2016, the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation (attached as Attachment 5.4 to the Report dated 10 August 2020) and entitled 'Delegation of EPRAP Powers and Duties' – incorporating a change to item 3 of each of the limitations clauses to read, "3. A decision to refuse development authorisation, except in response to circumstances where a deemed consent is imminent, in the opinion of the delegate" - are hereby delegated this 10th day of August 2020 to the Regional Assessment Manager for the Eyre Peninsula Regional Assessment Panel (including any person acting in the position of Assessment Manager for the Eyre Peninsula Regional Assessment Panel) subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
- 2 Such powers and functions may be further delegated by the Regional Assessment Manager for the Eyre Peninsula Regional Assessment Panel in accordance with Section 100(2)(c) of the Planning, Development and Infrastructure Act 2016 as the Regional Assessment Manager for the Eyre Peninsula Regional Assessment Panel sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

CARRIED

5.5 STANDING REFERRAL FOR BUILDING WORK

EPRAP 20/05	STANDING REFERRAL FOR BUILDING WORK
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Moved: C Pedler**Seconded: D Starr**

1. The Eyre Peninsula Regional Assessment Panel (Panel) determines to act under Section 99(1)(b) of the Planning, Development and Infrastructure Act 2016 (the Act) in relation to all development applications received by it that involve the performance of building work.
2. Pursuant to Section 99(1)(c) of the Act, where the Panel has determined to act under Section 99(1)(b) of the Act, the Panel refers the assessment of the development in respect of the Building Rules to the council for the area in which the proposed development is to be undertaken.

CARRIED

5.6 EYRE PENINSULA REGIONAL ASSESSMENT PANEL REVIEW OF DECISION OF ASSESSMENT MANAGER POLICY

EPRAP 20/06	EYRE PENINSULA REGIONAL ASSESSMENT PANEL REVIEW OF DECISION OF ASSESSMENT MANAGER POLICY
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Moved: J Isle**Seconded: D Starr**

1. The Eyre Peninsula Regional Assessment Panel adopts the *'Eyre Peninsula Regional Assessment Panel Review of Assessment Manager Policy'* as attached as Attachment 5.6 to the Agenda.

CARRIED

5.7 MANAGEMENT OF ERD COURT APPEALS AGAINST DECISIONS OF EPRAP

EPRAP 20/07	MANAGEMENT OF ERD COURT APPEALS AGAINST DECISIONS OF EPRAP
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Moved: D Starr**Seconded: C Pedler**

That the Eyre Peninsula Regional Assessment Panel resolves to request the Regional Assessment Manager to manage the conduct of appeals to the Environment Resources and Development Court against decisions of the Panel or its delegate/s, subject to the Regional Assessment Manager undertaking the following actions in each case:

- consult the Panel - either at a meeting or by out-of-session communication - and have regard to response/s received before agreeing to a compromise settlement;
- consult with the CEO of the relevant council and have regard to any response/s received, in relation to matters likely to have an impact, other than minor, on the conduct, cost or outcome of the appeal; and
- inform the Panel at scheduled meetings, or otherwise as appropriate, of the status of any appeal matters at any point in time.

CARRIED

6. **OTHER BUSINESS**

- 6.1 The Panel discussed the question of appointing Additional Members and agreed to rely on the current meeting procedures in the first instance. Should a circumstance arise where the Panel believes an Additional Member would improve the performance of the Panel's duties, then consideration will be given at that time.
- 6.2 The Panel discussed the question of appointing Deputy Members. The Panel agreed to proceed to operate without Deputy Member/s at this time, but will review the possible appointment of Deputy Member/s in or before February 2021.
- 6.3 The Panel discussed the use of a development assessment report template from the SA Planning Portal and agreed to await the proposed template to be developed by the Regional Assessment Manager, which will have regard to the portal template and ensure assessment reports that are suitable and consistent for the Panel's purposes.
- 6.4 The Panel discussed the preparation of draft standard conditions of consent. The proposed standard conditions will be made available for the information of the Panel.
- 6.5 The Panel discussed the scheduled timing of the EPRAP meetings and possible variations to the meeting time, when required, to accommodate optimal travel schedules for members of the Panel based outside the region and facilitate attendance in person and/or site visits as part of the assessment process. The Panel agreed that in such circumstances consideration would be given to varying the scheduled meeting time to accommodate attendance by all Panel members.

7. NEXT MEETING

The next meeting is scheduled for 14 September 2020

8. CLOSURE

There being no further business the meeting was declared closed at 6.57pm

Minutes confirmed: DATE:

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