

10.1 Appointment of Independent Member - Development Assessment Panel

A selection process has been concluded for appointment of an independent member to Council's Development Assessment Panel, and the Selection Panel is seeking Council endorsement of an appointment.

This is an update on a previously reported project, concept or issue.

General Manager: Terry Sutcliffe General Manager City Development
Report Author: Terry Sutcliffe, General Manager City Development
(tersut@onkaparinga.sa.gov.au)
Contact Number: 8384 0792
Attachments: Nil

1 Executive Summary

Topic

A selection process has been concluded for appointment of an independent member to Council's Development Assessment Panel (DAP), and the Selection Panel is seeking Council endorsement of an appointment.

Context

At its meeting on 7 October 2008, Council considered a report on appointment of members to the Development Assessment Panel and resolved (in part):

- 1. That the Mayor and the Chairperson of the Planning and Heritage Committee be appointed to a selection panel in conjunction with the General Manager City Development to review and short list registrations of interest, interview short-listed candidates, and make recommendation to Council on the appointment of a suitable candidate, having regard to the appointment criteria contained in the Development Assessment Panel's Terms of Reference.*
- 2. That a further report on the outcomes of the registration of interest process for an independent Panel member be presented to Council no later than 18 November 2008.*

The timelines for reporting back to Council were unable to be achieved, and this is the first opportunity to report on the outcomes of the selection process.

Interviews for the one vacant independent member position were held on 24 November 2008. Council resolved on 7 October to re-appoint David Ellis as independent Presiding Member, and Debra Arnold and Grant Halstead as

independent members. The vacant position arose from Peter Wellington not seeking a further term as an independent member.

The Elected Member positions on the Panel were resolved by Council at its meeting on 4 November 2008, with Councillors Coomans, Erwin and Manson being appointed to the Panel for a term expiring at the end of the current Council term.

Suggested Outcome

It is suggested that Council consider this item in Confidence. Section (ii) 90(3)(a) of the Local Government Act 1999 is suggested as the most appropriate to use for this purpose.

This item is presented as a confidential item because as the report refers to personal details of candidates and a selection process for candidates.

The possible implications of not considering this item in Confidence are inappropriate disclosure of personal and private information about an individual, and information provided to Council on a confidential basis by referees

The selection panel has reached a unanimous decision in relation to the preferred candidate and recommends that Judith Urquhart be appointed as an independent member of the Development Assessment Panel.

Recommendation(s)

1. That

- a. under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public be excluded from attendance at the meeting in order to consider in confidence this item.**
- b. the Council is satisfied that it is necessary that the public be excluded to enable the Council to, receive, discuss and consider the matter at the meeting on the following grounds:**
 - (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).**
- c. That accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.**

- 2. That having regard to the recommendations of the selection panel for an independent member of the Development Assessment Panel established by resolution of Council on 7 October 2008, Council appoints Judith Urquhart to the position of independent member of the City of Onkaparinga Development Assessment Panel for a term commencing upon acceptance of the offer of appointment and expiring 30 November 2010.**
- 3. That in the event that Judith Urquhart does not accept or is unable to accept the offer of appointment, Council appoint Michael Heath to the position of independent member of the City of Onkaparinga Development Assessment Panel for a term commencing upon acceptance of the offer of appointment and expiring 30 November 2010.**
- 4. That in accordance with Section 56A(5) of the Development Act, public notice of the appointment be given upon receipt of acceptance of the position by the preferred candidate.**
- 5. That an order be made under the provisions of Section 91(7) and (9) of the Local Government Act 1999 that the abovementioned document (or part of such document) including the minutes and the report of the Council relating to discussion of the subject matter of that document, having been dealt with on a confidential basis under Section 90 of the Act, should be kept confidential on the grounds of information contained in 90(3)(a) until acceptance of the offer of appointment as an independent member of the Development Assessment Panel by the preferred candidate.**

Key Factors

Discussion

At its meeting of 7 October 2008, Council resolved a process for appointment of an independent member to our Development Assessment Panel, to fill a vacancy created by a previous independent member, Mr Peter Wellington, not seeking a continuation of his term as a Panel member.

The selection panel comprising the Mayor, Councillor Fletcher and the General Manager City Development shortlisted the candidates and undertook interviews on 24 November 2008.

Candidates were assessed against the criteria contained in the DAP Terms of Reference. Interview questions covered the following areas:

- motivation for applying to be a Panel member

- potential conflict of interest issues that may impede their effectiveness as a Panel member, and confirmation of their ability to commit to the requirements of the Panel (meeting times, agendas etc.)
- confirmation of the expertise they would bring to the Panel
- exploration of their depth of understanding of and extent of experience with the development assessment system, and their understanding of the role of Council in development assessment
- exploration of their level of knowledge of the Onkaparinga area and key planning issues in the area.

17 registrations of interest were received, with three candidates shortlisted for interview. Of these, two candidates were considered suitable for the role and referee checks undertaken. The two candidates are:

- Michael Heath, semi-retired architect and landscape architect with experience in the public and private sector
- Judith Urquhart, planner with experience in the Local Government sector, including former recent experience with the City of Onkaparinga.

Having regard to the skills and experience of the two candidates, and their knowledge of the planning system and the Onkaparinga area, it is the unanimous recommendation to Council that Judith Urquhart be appointed to the position.

The two preferred candidates possess different skills and experience and are considered suitable for appointment to the Panel. Ms Urquhart's detailed knowledge of the area and of the planning system and the Onkaparinga Development Plan was a factor in her being considered the preferred candidate.

In the event that Judith Urquhart does not accept the position, the recommendation attached to this report includes the option of offering the position to Michael Heath.

Members of the selection panel will be available to answer any questions that may arise at the meeting regarding the process or candidates.