# Riverland Regional Assessment Panel

**Meeting Procedures**
As adopted by the RAP on 4 December 2025

These Meeting Procedures are to be read in conjunction with:

- the Gazette notice pursuant to which the RAP was constituted; and
- the RAP's Policy for Assessment Panel Review of Decision of Assessment Manager (**Assessment Manager Review Policy)**.

For clarity, unless the context otherwise requires:

- a reference to a Member in these Meeting Procedures includes a Deputy Member and an Additional Member (save that an Additional Member is not able to vote on any matter arising for determination by the RAP);
- and terms defined in the *Planning, Development and Infrastructure Act 2016* (the **Act**) and regulations under the Act have the same meaning in this document.

## 1. RAP MEETINGS

### Ordinary Meetings

1.1 Ordinary meetings of the Riverland Regional Assessment Panel (**RAP**) will be held at such times and places as determined by the RAP. The meeting may be held

1.1.1 at the Chambers of the Councils on an annual, rotating basis in accordance with the Service Agreement between the Councils; and/or

1.1.2 via teleconference, video conference, webinar, online platform, or other electronic means, or

1.1.3 any combination of the above.

1.2 Notice of an ordinary meeting will be given to all RAP Members by the Assessment Manager not less than three clear days prior to the holding of the meeting in accordance with clause 1.3.

1.3 Notice of a meeting of the RAP must:

1.3.1 be in writing;

1.3.2 set out the date, time and place of the meeting;

1.3.3 be signed by the Assessment Manager;

1.3.4 contain or be accompanied by the agenda and any documents and/or reports that are to be considered at the meeting (in so far as practicable in the discretion of the Assessment Manager); and

1.3.5 be given to a RAP Member personally, by post to a place authorised in writing by the Member or by other means authorised by the Member as being an available means of giving notice.

1.3.6 where attendance at the meeting is able to occur by electronic means (in whole or in part), include details of how to connect to the meeting; and

1.3.7 where the meeting is to be live streamed for viewing by members of the public, include details of how to access and/or connect to the live stream.

1.4 A notice that is not given in accordance with clause 1.3 is taken to have been validly given if the Assessment Manger considers it impracticable to give the notice in accordance with that clause and takes action the Assessment Manager considers reasonably practicable in the circumstances to bring the notice to the attention of the Member.

1.5 A copy of the agenda for all meetings of the RAP will be available for viewing by the public on each constituent Council's website and each constituent Council's offices as soon as practicable after the time that notice of the meeting has been given to RAP Members.

1.6 The Assessment Manger may, with leave or at the request of the Presiding Member, include in the agenda an item to be considered at the meeting to which the agenda relates after notice of the meeting has been given to RAP Members. In such instance, the Assessment Manger shall provide an updated agenda and any documents and/or reports relating to that item to be considered at the meeting to Members as soon as practicable. The Assessment Manager will also make an updated agenda available to the public.

1.7 The Presiding Member may adjourn a RAP meeting to a future date and time unless the RAP resolves to continue the meeting.

1.8 A meeting will break for fifteen (15) minutes once every two (2) hours, or more or less often as determined by the Presiding Member.

**Special Meetings**

1.9 The Presiding Member, or two (2) or more RAP Members, may by delivering a written request to the Assessment Manager require a special meeting of the RAP to be held. The written request must be accompanied by the agenda for the special meeting.

1.10 On receipt of a request pursuant to clause 1.19, the Assessment Manager must determine the date, time and place of the special meeting and give notice to all RAP members at least four (4) hours before the commencement of the special meeting.

## 2. DEPUTY MEMBERS

2.1 If a RAP Member is unable or unwilling to attend a meeting or part of a meeting, he or she must use his or her best endeavours to notify the Presiding Member or Assessment Manager at his or her earliest opportunity.

2.2 If notification pursuant to clause 2.1 is given, the Assessment Manager may request a Deputy Member attend the meeting in place of the RAP Member for the meeting or part of the meeting.

## 3. ADDITIONAL MEMBERS

3.1 The RAP may appoint up to two (2) Additional Members in accordance with Section 85 of the Act.

3.2 Where the RAP has appointed Additional Member(s), the Presiding Member, in consultation with the Assessment Manager, may invite one or both Additional Members to attend any meeting (or part thereof) where he or she considers the Additional Member(s) will, by virtue of their qualifications, expertise or experience, assist the RAP in dealing with a matter that it must assess under the Act.

3.3 A request that an Additional Member attend a meeting must be made in writing and be accompanied by the notice for the meeting in accordance with clause 1.3, highlighting the item(s) the Additional Member is required to consider.

## 4. MEETINGS VIA ELECTRONIC MEANS

4.1 One or more Panel members may attend a meeting via electronic means.

4.2 Member attending a meeting by electronic means is taken to be present at the meeting provided that the Member:

4.2.1 can hear and, where possible, see all other Members who are present at the meeting;

4.2.2 can hear and, where possible, see, all representors (or their representatives) and applicants (or their representatives) who speak at the meeting;

4.2.3 can be heard and, where possible, seen by all other Members present at the meeting; and

4.2.4 can be heard and, where possible, seen by the person recording the minutes of the meeting.

4.3 Where a meeting occurs via electronic means, it shall (to the extent that the public is not able to physically attend the meeting) be live streamed or made accessible in a manner, such that the public can hear and see as they would in a physical meeting. Where a meeting is occurring via electronic means, any live streaming or other form of access as described at clause 4.3 above shall be disconnected only during those parts of the meeting during which the public has been excluded from attendance.

4.4 Where the public has been excluded from attendance, the Assessment Manager or a person nominated by the Assessment Manager shall ensure that all parties except for RAP members and persons permitted by the RAP to remain in the meeting disconnect from, or are disconnected from, the meeting.

4.5 The RAP will have regard to the matters set out in Regulation 13 of *the Planning, Development and Infrastructure (General) Regulations 2017* when deciding whether to exclude the public from attendance, but is not bound by that Regulation.

## 5. COMMENCEMENT OF MEETINGS

5.1 Subject to a quorum being present, a meeting of the RAP will commence as soon as possible after the time specified in the notice of a meeting.

5.2 If the number of apologies received by the Assessment Manager or Presiding Member indicates that a quorum will not be present at a meeting, the Presiding Member may adjourn the meeting to a specified day and time.

5.3 If at the expiration of thirty (30) minutes from the commencement time specified in the notice of the meeting a meeting a quorum is not present, the Presiding Member may adjourn the meeting to a specified date and time.

5.4 In the event that the Presiding Member is absent from a meeting, the Assessment Manager, or such other person as nominated by the Assessment Manager, will preside at the meeting until such time as the meeting appoints an Acting Presiding Member.

## 6. ASSESSMENT OF DEVELOPMENT APPLICATIONS

These Meeting Procedures relate only to the RAP's assessment of development applications under Part 7 of the Act

NB: The procedures for determining an application for review of an Assessment Manager's decision are contained in the Assessment Manager Review Policy

6.1 The Assessment Manager may in his or her discretion exclude:

6.1.1 a representation or response to representation(s) which is received out of time;

6.1.2 a representation or response to representation(s) which is otherwise invalid.

6.2 The Assessment Manager and/or the Presiding Member may, in his or her discretion, accept and allow to be considered by the RAP any new or additional material submitted by a representor or applicant. The RAP may, in its discretion, defer consideration of the application to enable full and proper assessment of the further information.

Any material to be considered by the RAP pursuant to clause 6.2 must be provided to the applicant and/or representor(s) (as the case may be) in a manner directed by the Assessment Manager and/or the Presiding Member and those parties be provided with an opportunity to respond, either in writing or verbally, at the discretion of the Assessment Manager.

6.3 In relation to each application it considers, the RAP must:

6.3.1 determine whether the proposal is seriously at variance with the Planning Rules (as relevant) and provide reasons for its determination; and

6.3.2 provide reasons for refusing planning consent and for the imposition of any conditions.

6.4 If the RAP determines that a proposal is seriously at variance with the Planning Rules (as relevant), it must refuse development authorisation to the application.

6.5 In relation to each application to be considered and determined by the RAP:

6.5.1 a person who has lodged a representation in relation to an application for which notice must be given under the Act, which has not been excluded pursuant to clause 6.1 and who has indicated that they wish to be heard on their representation is entitled to appear before the RAP and be heard in support of their representation, in person or by an agent;

6.5.2 a person who has lodged a representation in relation to an application for which notice must be given under the Act, which has not been excluded pursuant to clause 6.1 and who has indicated that they wish to be heard on their representation may, at the discretion of the Presiding Member, appear before the RAP and be heard in support of their representation, in person or by an agent;

6.5.3 where one or more representors are heard by the RAP, the applicant is entitled to appear before the RAP to respond to any relevant matter raised by a representor, in person or by an agent;

6.5.4 where no representors appear at the meeting, the Presiding Member may, in his or her discretion, allow an applicant to be heard in support of his or her application, in person or by an agent;

6.5.5 representors and applicants will be allowed five (5) minutes each to address the RAP. The Presiding Member may allow a party additional time at his or her discretion. After representors and applicants address the Panel there is no further opportunity to be heard unless the Panel has additional questions;

6.5.6 A representor or person who is speaking on behalf of one or more other representors, may be permitted more than five (5) minutes to speak at the absolute discretion of the Presiding Member;

6.5.7 RAP members may question and seek clarification from a representor or applicant who has addressed the RAP at the conclusion of their address; and following addresses from representors and the applicant, the Presiding Member will invite all Members to speak on any matter relevant to the application.

6.5.8 Clauses 6.6.1 to 6.6.4 are satisfied if a representor or applicant (as the case may be) appears via electronic means. The Presiding Member may require that any such appearance be via electronic means.

## 7. DECISION MAKING

7.1 Each Member present at a meeting of the RAP is entitled to one vote on any matter arising for decision. If the votes are equal, the Presiding Member is entitled to a second or casting vote. Additional Members appointed to the RAP to provide expert advice and assistance are not entitled to vote.

7.2 Matters arising for decision at a meeting of the RAP will be decided by a majority of the votes cast by Members present at the meeting and entitled to vote.

7.3 The Presiding Member may adjourn a meeting in the event of a disruption or disturbance by any person (including a RAP Member, applicant, representor or other member of the public) to a specified date and time.

7.4 The Presiding Member may ask a member of the public (including an applicant, representor or other member of the public) to leave or disconnect from a meeting where he or she is, in the opinion of the Presiding Member:

7.4.1 behaving in a disorderly manner; or

7.4.2 causing an interruption or disruption to the meeting.

7.5 Where a person is entitled or has been requested to appear before the RAP in relation to an application for review of an Assessment Manager decision (including the Assessment Manager or delegate), the person may appear via electronic means. The Presiding Member may require that any such appearance be via electronic means.

## 8. MINUTES AND REPORTING

8.1 The RAP must ensure that accurate minutes are kept of all meetings.

8.2 The Assessment Manager, or a person nominated by the Assessment Manager, will take minutes of all meetings.

8.3 The minutes will record:

8.3.1 the names of all Members present;

8.3.2 methods of attendance by all Members present and by every person who makes or responds to a representation.

8.3.3 the names of all Members from whom apologies have been received;

8.3.4 the name and time that a Member enters or leaves the meeting;

8.3.5 the name of every person who makes or responds to a representation in relation to a development application;

8.3.6 the name of every person who appears in relation to an application for review of an Assessment Manager decision (including the Assessment Manager or delegate;

8.3.7 in relation to each development application:

8.3.7.1 the determination of the RAP as to whether the proposal is seriously at variance with the Planning and Design Code (as relevant) including reasons for the RAP's determination; and

8.3.8 in relation to each application for review of an Assessment Manager decision:

8.3.8.1 the determination of the RAP as to whether the proposal is seriously at variance with the Planning and Design Code (as relevant) including reasons for the RAP's determination; and

8.3.8.2 the reasons for the RAP's decision under Section 203(4) of the Act; and

8.3.8.3 where a decision is by majority vote, the decision and its mover and seconder, but not each Members' vote;

8.3.9 where a decision is by majority vote, the decision and its mover and seconder, but not each Members' vote; if an application is not determined by the RAP, the deferral of the application and the reasons for the deferral;

8.3.10 a decision to exclude the public from attendance;

8.3.11 any disclosure of a direct or indirect pecuniary interest in any aspect of a development or anybody associated with any aspect of a development made by a Member in accordance with Section 84(1)(g) of the Act, and the nature of the interest;

8.3.12 any disclosure of a conflict of interest made by a Member pursuant to the Code of Conduct adopted by the Minister under Clause 1(1)(c) of Schedule 3 of the Act (**Code of Conduct**), and the nature of the interest; and

8.3.13 if a meeting is adjourned by the Presiding Member, the reason for the adjournment and the date and time to which the meeting is adjourned.

8.4 All minutes must be confirmed by the Assessment Manager in conjunction with the Presiding Member as being accurate prior to, or at the commencement of, the following RAP meeting. Copies of the minutes will be published on the Councils' websites within 7 days.

## 9. ADDITIONAL PROCEDURES

9.1 Insofar as any procedure to be followed by the RAP is not prescribed by the Act, any regulations made under the Act , the notice published in the Gazette constituting the RAP, the RAP's Terms of Reference, the Code of Conduct, the Assessment Manager Review Policy or these Meeting Procedures - the RAP may by resolution determine the procedure for itself. Any such determination may be added to these Meeting Procedures.

9.2 The RAP may call for and consider such professional assistance from the Assessment Manager and, in consultation with the Assessment Manager, other professional advisors as it deems necessary and appropriate from time to time.

## 10. DEFINITIONS

The following definitions apply in relation to these meeting procedures:

10.1 *connect* means able to hear and/or see the meeting by electronic means, including via a live stream

10.2 *disconnect* means to remove the connection so as to be unable to hear and see the meeting

10.3 *electronic means* includes a telephone, computer or other electronic device used for communication

10.4 *live stream* means the transmission of audio and/or video from a meeting at the time the meeting is occurring