

Appointment of Independent Council Assessment Panel Members

Strategic Alignment - Our Community

Confidential - s 90(3) (a) unreasonable disclosure of personal affairs

Tuesday, 9 December 2025
Council

Program Contact:

Steve Zaluski, Associate Director
Regulatory Services

Approving Officer:

Jo Podoliak, Director City
Community

EXECUTIVE SUMMARY

This report seeks a Council decision to appoint four Independent Members and a Deputy Member to the Council Assessment Panel (CAP), under the *Planning, Development and Infrastructure Act 2016 (SA) (PDI Act)*.

The current CAP term expires on 31 December 2025. Following an expression of interest process, shortlisting and interviews have taken place with a list of five suitable candidates for Independent Members. Of the five candidates, one needs to be nominated as the Presiding Member.

The Council Member on CAP appointment is dealt with as a separate item in this agenda.

Consideration in confidence is sought as the expressions of interest submitted to Council contain personal information. The report will become public following confirmation of the appointments.

RECOMMENDATION

THAT COUNCIL

1. Appoints the following four Independent Members to the Council Assessment Panel from 1 January 2026 to 31 December 2027
 - 1.1. Mr Nathan Cunningham
 - 1.2. Ms Colleen Dunn
 - 1.3. Mr Robert Gagetti
 - 1.4. Mr Julian Rutt
2. Appoints Mr Nathan Cunningham from those appointed in recommendation 1 as the Presiding Member of the Council Assessment Panel from 1 January 2026 to 31 December 2027.
3. Appoints Mr David Cooke as the Deputy Member for the Independent Members appointed to the Council Assessment Panel as appointed in Recommendation 1 from 1 January 2026 to 31 December 2027.
4. In accordance with Section 91(7) & (9) of the *Local Government Act 1999 (SA)* and on the grounds that Item 28.4 [Appointment of Independent Council Assessment Panel Members] listed on the Agenda for the meeting of Council held on 9 December 2025 was received, discussed and considered in confidence pursuant to Section 90(3) (a) of the *Local Government Act 1999 (SA)*, this meeting of the Council, do order that:
 - 4.1. The discussion in relation to the matter remains confidential and not available for public inspection.
 - 4.2. The minutes and report remain confidential and only become public information upon confirmation of the Appointments to the Council Assessment Panel.
 - 4.3. The confidentiality of the matter be reviewed in December 2026.
 - 4.4. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2024-2028 Strategic Plan	Strategic Alignment – Our Community The CAP undertakes development assessment which is integral in assisting the growth of the city's population and to ensure the city is designed and developed so it is safe and enjoyable for all.
Policy	Not as a result of this report
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	The membership of the CAP is prescribed in section 83 of the PDI Act.
Opportunities	Not as a result of this report
25/26 Budget Allocation	Sitting Fees for the Presiding and Independent Members equates to \$17,100 for the second half of the 2025/26 financial year, in line with the Annual Business Plan and Budget. Sitting fees are paid upon attendance.
Proposed 26/27 Budget Allocation	Sitting Fees for 2026/27 will equate to \$34,200. Sitting fees are paid upon attendance.
Proposed 27/28 Budget Allocation	Sitting Fees of \$17,100 are expected for the first half of the 2027/28 financial year, which applies to this term. Sitting fees are paid upon attendance.
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
25/26 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

GROUNDS AND BASIS FOR CONSIDERATION IN CONFIDENCE

Grounds

Section 90(3) (a) of the *Local Government Act 1999 (SA)*

- a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

Basis

This Item is confidential as the expressions of interest contain personal information, the disclosure of which could represent an unreasonable disclosure of personal affairs.

The Council is satisfied the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information would unduly impact applicants who have expressed an interest to join the Council Assessment Panel in confidence.

DISCUSSION

Background

1. The City of Adelaide's Council Assessment Panel (CAP) is established as a relevant authority under Section 82 and 83 of the Planning, Development and Infrastructure Act 2016 (the PDI Act).
2. Section 83 of the PDI Act stipulates membership of the CAP must be no more than five members, only one of which can be a Council Member.
3. The Panel's role is to determine development applications assigned to the CAP via delegation.
4. The PDI Act enables the appointment of a Deputy Member or Members. The purpose of a Deputy Member is to substitute for another member when they are absent (i.e. a proxy). This ensures meetings are not cancelled due to a lack of quorum.
5. City of Adelaide's CAP Terms of Reference, [Link 1](#), outline that CAP Members will be appointed for a two-year term, which is a standard timeframe for CAPs across the State. There is no limit on the number of repeat terms that can occur.
6. The terms of current Panel Members conclude on 31 December 2025. A selection process has been undertaken to recommend a new Panel for the upcoming term of 1 January 2026 to 31 December 2027.
7. All Independent Members need to be 'Accredited Professionals' and therefore meet certain requirements set out by the PDI Act.
8. To provide CAP with a broad range of expertise, Members are selected with skills comprising from a range of fields are outlined in the CAP Terms of Reference, [Link 1](#).
9. In addition to demonstrating appropriate skills, knowledge and accreditation, the following attributes were also considered critical when selecting the Panel:
 - 9.1. Diversity across fields of expertise, experience, and gender.
 - 9.2. A mix of a new CAP Members and those continuing from the current term.

Selection Process

10. A CAP Selection Panel was endorsed by Council on 23 September 2025.
11. A total of 26 expressions of interest were received following an external advert. The Selection Panel reviewed each of expression of interest against criteria to determine a shortlist of candidates.
12. The Selection Panel conducting the short-listing consisted of the Lord Mayor, Councillor Freeman, the Director City Community, Associate Director People and Manager City Development.
13. Seven shortlisted candidates were interviewed on 18 November 2025.
14. The Selection Panel interviewing candidates consisted of the Lord Mayor's delegated Council Member, Councillor Martin, Councillor Freeman, the Associate Director Regulatory Services, Associate Director People and Manager City Development.

15. Three existing CAP Members are recommended to continue for a further term. All three existing members were interviewed by the Selection Panel.
 - 15.1. In addition to the qualifications and experience of existing Members, they are recommended for a further term due to their demonstrated ability to thoroughly review and interrogate applications, together with their deliberations during meetings and attendance record during the current CAP term.
 - 15.2. It is considered retaining some existing Panel Members whilst introducing a new Panel Member achieves a balance and ensures a level of continuation and experience, whilst also providing a fresh insight and approach to development proposals in the City of Adelaide.
16. Four other shortlisted candidates were interviewed by the Selection Panel. One candidate was considered as the most suitable due to their qualifications, experience, performance throughout the selection process, and the balance and diversity this creates for the CAP.
17. The CAP Selection Panel therefore recommends that for the period of 1 January 2026 to 31 December 2027:
 - 17.1. Mr Nathan Cunningham be appointed as the Council Assessment Panel Presiding Member.
 - 17.1.1. Mr Cunningham is the existing City of Adelaide CAP Presiding Member and Presiding Member of other CAPs. Mr Cunningham is a qualified planner with State and Local Government experience, the current CEO of District Council of Yankalilla, and has over 24 years of experience.
 - 17.2. Ms Colleen Dunn be appointed as an Independent Member.
 - 17.2.1. Ms Dunn is an existing City of Adelaide CAP Member with experience on other CAPs. Ms Dunn is a qualified Architect and Conveyancer with 40 years relevant experience.
 - 17.3. Mr Robert Gagetti be appointed as an Independent Member.
 - 17.3.1. Mr Gagetti is an existing City of Adelaide CAP Member with experience on other CAPs. Mr Gagetti is a qualified planner with Local Government and private sector experience across 23 years.
 - 17.4. Mr Julian Rutt be appointed as an Independent Member.
 - 17.4.1. Mr Rutt would be a new Member to City of Adelaide's CAP, having experience on other CAPs and at the Office for Design & Architecture South Australia (ODASA). Mr Rutt is a qualified Architect with over 20 years' experience in South Australia and overseas.
 - 17.5. Mr David Cooke be appointed as Deputy Member.
 - 17.5.1. Mr Cooke would be a new Member to City of Adelaide's CAP, having experience on another CAP. Mr Cooke is a qualified Architect and Urban Designer with over 25 years' experience.
18. The recommended Independent Members comprise a range of skills and diversity which meet the CAP Terms of Reference.
19. Councillor Abrahamzadeh is currently appointed as the Council Member on CAP until 31 December 2025. A Council Member is expected to be nominated to the Panel from 1 January 2026 to the end of the Council term. This process will be addressed via a separate report to Council.

DATA AND SUPPORTING INFORMATION

Link 1 – [Council Assessment Panel – Terms of Reference adopted 26 September 2025](#)

ATTACHMENTS

Nil

- 4.2. The minutes and report remain confidential and only become public information upon confirmation of the Appointments to the Council Assessment Panel.
- 4.3. The confidentiality of the matter be reviewed in December 2026.
- 4.4. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order.

Carried

CONFIDENTIAL