kelledy jones
LAWYERS

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LG Leader

Contents

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2013: New Year, New Resolve!

Michael Kelledy

Next year will see the introduction of mandatory codes of conduct for both elected members and Council officers. These will coincide with the operation of our ICAC.

Currently, the consultation draft of the Mandatory Code of Conduct for Council Members has been made available – the consultation period ends on 21 December 2012.

One of the most interesting elements of this draft Code is the introduction, for the first time in SA, of regulatory controls around gifts and benefits. These types of limitations upon the holders of public office are not uncommon interstate, particularly in NSW which, of course, is home to Australia's original ICAC.

The proposal for SA is that elected members will face an absolute prohibition on receiving any gift, advantage or promise related to their duties of office from any person who is, or who seeks to be in, a contractual or special relationship with the Council. Alternatively, any gift, benefit or advantage from any other person, again related to the duties of office, which is offered and accepted, must be recorded in a register of gifts where the monetary or retail value exceeds an amount determined by the Minister.

There are a whole raft of considerations and questions flowing from the above that are not addressed here. Suffice to say that gifts and benefits for elected members will, in the main, be prohibited but otherwise will become disclosable transactions. The public policy objective is easy to understand and traditional offerings such as lunches/dinners, miscellaneous gifts, football tickets, entertainment box invitations and so on will be 'off the agenda'. This is particularly important when it is considered that these restrictions are to be found at Part 3 of the draft Code, the Part that deals with 'Misconduct' which is investigated by the Ombudsman and could easily end up in the District Court.

...our role is to inform, counsel, educate, assist and protect our clients, not to act in any manner that could be said to be conducive to a breach of the law and to thereby expose our clients to a liability.

It is expected that similar provisions dealing with gifts and benefits will be included in the Mandatory Code of Conduct for Council officers.

From our perspective, in the best interests of our clients, from 1 January 2013 we will not be engaging in the provision of any gift, benefit or other gratuity for elected members or officers that will raise the spectre of a Misconduct complaint. After all, our role is to inform, counsel, educate, assist and protect our clients, not to act in any manner that could be said to be conducive to a breach of the law and to thereby expose our clients to a liability.

Finally and as if by way of coincidental reinforcement of this principle, it is to be noted that the NSW ICAC recently found that:

- employees and former employees of 14 councils engaged in corrupt conduct by accepting gift vouchers as an inducement to keep using certain companies; and
- that despite agencies generally having policies and training in place about the acceptance of gifts and benefits they did not focus on corruption risks in the broader relationships; and
- the provision of 'incentives' by business to public officers in NSW was widespread – and must be addressed as part of the maintenance of acceptable probity standards.

Dealing with Angry Mutts: The Dog Aggression Incident Guideline

Cimon Burke

With reports that dog attack incidents are on the rise, it is incumbent upon Council's to ensure appropriate steps are taken to protect the community from dogs that display aggressive tendencies.

In particular, when determining what action to take following the investigation of a dog attack, it is necessary to consider whether the issue of a Control Order under the *Dog and Cat Management Act 1995* is warranted. A relevant consideration in this regard is the **Dog Aggression Incident Guideline** published by the Dog and Cat Management Board. The Guideline sets out an "incident severity scale" and provides examples of the types of (dog) behaviour that may give rise to the issue of various Control Orders.

Both the Ombudsman and the Courts have recognised the Guideline as being a relevant consideration to be taken into account by officers in determining whether a Control Order should be issued.

Importantly, whilst it provides assistance to Councils, the Guideline is not a legally binding document. A decision to issue a Control Order must be made on a case by case basis having regard to the circumstances in question.

'Bias' banter: What do we really know?

Natasha Jones

We are increasingly hearing the term 'bias' being utilised in various circumstances. The State Ombudsman is frequently addressing the issue of bias when undertaking investigations into alleged breaches of the conflict of interest provisions. It now appears in the draft Code of Conduct for Elected Members – placing an obligation on Council members to "be committed to making decisions without bias". This means that if an elected member is found to make a decision with bias it will amount to a breach of Part 3 of the Code, which is misconduct for reporting purposes to the Office for Public Integrity. Equally, there is no reason why a similar obligation will not be placed upon Council staff through the mandatory Code of Conduct for Council Officers.

But what do we really understand bias to mean? We are frequently asked what is the difference between a 'conflict of interest' and an 'interest'? The answer is that there is no difference. An elected member or a staff member either has an actual conflict of interest, or he/she does not. It matters not whether it is referred to as an interest or a conflict of interest - the impact is the same and the obligations under section 74 of the Act do not change. However, a person who does not have an actual conflict of interest, may have such a personal interest in a matter that causes them to be considered to have a bias in the decision making process.

We are frequently asked what is the difference between a 'conflict of interest' and an 'interest'?

A bias can take two forms. It may be actual or apprehended/perceived. Actual bias is when the decision maker has a closed mind, a real and demonstrated predisposition which prevents them from objectively considering the matter with an open mind (i.e. when a member has also made up their mind on a matter and is not open to hearing the debate). Apprehended bias is where another person might perceive the decision maker to have a bias – whether a fair-minded, lay observer in possession of the relevant facts might reasonably apprehend that the decision-maker cannot bring an impartial and unprejudiced mind to the resolution of the question to be decided (i.e. an observer may apprehend bias, perhaps based on a special relationship, but the decision maker him/herself has an open mind to hearing the debate).

The detailed consideration given to the concept of 'bias' in the 2011 investigation into the City of Charles Sturt and the introduction of the concept into the Code of Conduct for Elected Members only heightens the necessary awareness and importance of understanding the concept and how it should and should not be applied.

Section 86(1)(f) Reviews and Development Authorisations – to quash or not to quash?

Victoria Shute

Judge Costello determined in *Turner & Ors v DC Yankalilla & Anor* [2011] SAERDC 41 that the ERD Court does not have power under section 88 of the *Development Act* to quash a development approval.

The rationale behind this decision is that section 88(1)(a) of the Act, which allows the Council to reverse or vary decisions of a relevant authority, applies only to decisions to which proceedings relate. As a section 86(1)(f) application is limited to challenging a decision to determine the nature of a development, its classification under section 35 or its categorisation under section 38, the Court has no power to vary or reverse a Development Approval (or even, on my reading of this judgment, a Development Plan consent) as section 86(1)(f) does not provide for this.

Recently, the ERD Court delivered a judgment - *Cheesman & Anor v The Corporation of the Town of Walkerville & Anor* [2012] SAERDC 59, which many aggrieved residents and other lay people are interpreting as changing this position. This is because the Court overturned the Respondent Council's decision to categorise the relevant development application as Category 2.

We confirm that this judgment does not alter the legal position in *Turner*. We understand that in the *Cheesman* case, the applicant (a representor) raised the possibility of a section 86(1)(f) application being made to the ERD Court during the public notification period. As a result of this, the Council held the development application in abeyance until the application was determined. As the Council had not issued Development Plan consent, the Court was prepared to order that the application be remitted to the Council to be processed as a Category 3 application.

Managing Cemeteries: Getting it Dead Right!

Cimon Burke

As readers may recall, in May of this year the Attorney General released the draft *Burial and Cremation Bill 2012* for public comment. Submissions on the Bill were sought from Council's through the Local Government Association.

The draft Bill has since been finalised and was introduced to Parliament on 29 November 2012. It will be debated in the New Year.

The Bill is intended to repeal Part XXX of the *Local Government Act 1934* and the *Local Government (Cemetery) Regulations 2010*. However, if commenced, a number of requirements under the existing Regulations will continue to operate. This includes the requirements relating to the content of interment rights and the provision of a *plain English* statement *before* an interment right is granted. Such statement must set out:

- the matters that are required to be included in an interment right;
- the rights and responsibilities of the cemetery authority and relatives of a deceased person whose remains may be interred pursuant to the interment right in relation to any memorial (including any unclaimed memorial) to the deceased person; and
- the cost of the interment right and any options for periodic payment.

In our experience, a number of Councils are unknowingly acting in breach of the legislative requirements relating to cemeteries, including by failing to provide the necessary plain English statement before an interment right is granted. The introduction of the Bill is, therefore, a timely reminder for Council's to rectify any non-compliances and to review their standard interment rights to ensure they address the matters required by legislation.

Attaching Conditions to Complying Developments

Joanna Oborne

It is a common misconception that Councils are not able to attach conditions to development authorisations for complying development. Our advice is that Councils are, within the parameters discussed below, able to validly attach conditions (including standard conditions) to such development authorisations.

A Councils' power to impose conditions comes from section 42(1) of the *Development Act 1993*. This section does not impose any limitations on the kinds of developments to which conditions may be attached, or on the subject matter of such conditions. Rather, it enables a relevant authority to attach to development authorisations such conditions as it "thinks fit to impose".

While the ERD Court has, over time, imposed limits on Councils' powers under section 42(1) of the Act, it has not gone so far as to prevent conditions being imposed in respect of complying developments.

Our advice is that Councils are able to impose conditions on any development authorisation, including an authorisation for complying development, provided that they relate to the proposed development, are fair and reasonable, and are based on a relevant provision of either the Development Plan (in the case of a condition attaching to Development Plan consent), or the Building Rules (in the case of a condition attached to Building Rules consent).

However, a condition which may be "fair and reasonable" in respect of a merit or non-complying development, may not be "fair and reasonable" in respect of a complying development. That is, a higher threshold test is applied to the definition of "fair and reasonable" in respect of complying development. This is in recognition of the fact that Councils are obliged to approve such developments, so onerous conditions should not be imposed.

As a general rule, provided that a condition is not onerous and does not prevent an applicant from lawfully acting on their development authorisation, it will be a valid condition in respect of a complying development. Therefore, Councils' standard conditions, especially those relating to noise, stormwater, dust (etc.), can validly be imposed in respect of complying developments.

The Good, the Bad and the Ugly about Policy Application

Natasha Jones

Administrative law principles are of such importance during the decision-making process that they should not be forgotten when a Council decision requires the application of policy and, more importantly, reference to any relevant policy should be made only to inform and guide the decision-making process.

The Good: Policy is a good tool in the decision making process. It is useful and important, it promotes consistency, and focuses the mind in decision making. It must be applied flexibly and can always be deviated from, but only when there is good reason to do so.

The Bad: Policy must be applied consistently. The *Local Government Act* makes specific reference to this requirement. For example, in declaring rates a Council must consider issues of consistency and comparability across the Council area (section 153(2)). The application of policy can turn bad when it is not applied consistently or, conversely, it is applied inflexibly as a blanket approach without regard to the individual merits of the matter. A further example is if one member of the public in the same or similar circumstances to another is treated differently to that person. This may give rise to challenge in an attempt to understand why the Council made a decision that was different from a previous one where the circumstances are similar. So, unless a set of circumstances exist that place a person in a unique and special position to that of the next person, a Council must ensure it applies an already established policy position consistently.

The Ugly: A recent case from New South Wales highlights the issue relating to the application of Council policy and when it can turn ugly by a Council including additional requirements in a policy that the law does not require. In this case a pensioner ratepayer owed outstanding rates. The Council was in the process of taking action under the equivalent provisions of section 184 of the SA *Local Government Act* to sell land for non-payment of rates when the ratepayer sought reliance on the Council's "Hardship Policy". The Policy stated that *"ratepayers that have satisfied the eligibility criteria for a pensioner rebate are not subject to legal action or sale of land for unpaid rates. Variations to this process due to exceptional circumstances are reported to the Council."* This policy position meant that the Council would not take action to recover outstanding rates against pensioners. The report to Council correctly identified that some of the properties were owned by pensioners and that action would not normally be taken, but that there were "extenuating circumstances" to enable the Council to proceed. The precise "extenuating circumstances" were not specified in the report. The ratepayer successfully argued that the Hardship Policy created a legitimate expectation that she would be afforded the opportunity to make submissions to the Council on any action it proposed to take to recover the arrears. Accordingly, the Court said the ratepayer was denied procedural fairness and the contract for the sale of her property could not proceed.

...it can turn ugly by a Council including additional requirements in a policy that the law does not require.

The Court noted that if it were simply the case that the Council was selling property under the statutory provisions the rules of procedural fairness would not have applied, but the Council went further and had a Policy in place that applied in the circumstances and needed to be adhered to.

On this basis, be careful when developing a Council Policy that it does not impose additional and unnecessary obligations upon the Council, beyond the law, that may commit the Council to taking a more onerous, more resource intensive and less cost efficient approach.

You Have the Right to Remain Silent... Or do you?

Cimon Burke

The *right to remain silent* principle is linked to the common law privilege against self-incrimination. Where a person is alleged to have committed an offence, he/she is not obligated to provide any evidence that may incriminate him/her or make him/her liable to a penalty. Rather, the onus to prove that the person committed the offence rests with the relevant prosecutorial authority.

However, some Local Government regulatory legislation including the *Food Act 2001*, the *Development Act 1993* and the (soon to be fully operational) *South Australian Public Health Act 2011*, displaces the operation of the *right to remain silent* principle. Such legislation provides that it is **not** a lawful excuse to fail to comply with a requirement under the legislation to provide information on the basis that the information may incriminate the person or make the person liable to a penalty BUT, where information is provided in compliance with such a requirement, it is **not** admissible in evidence against the person in criminal proceedings.

Notwithstanding this, when investigating offences under such legislation, it is possible to obtain evidence from an alleged offender that may be used in evidence against him/her. This is achieved by first asking the alleged offender questions without reliance upon any legislative powers of coercion. Importantly, as soon as there is any reasonable suspicion that a person has committed an offence a caution **must** be issued before any or further questions are asked so that any information obtained is admissible as evidence of the relevant offence. In this scenario, the right to remain silent applies (i.e. the alleged offender is **not** required to answer the questions). However, any answers he/she does provide may be used as evidence that he/she committed an offence.

... as soon as there is any reasonable suspicion that a person has committed an offence a caution must be issued before any or further questions are asked...

Once this questioning approach has been exhausted, where necessary, an authorised person may seek to re-question the alleged offender and compel him/her to answer the questions pursuant to the officer's powers under the relevant legislation. However, the information obtained in this scenario **cannot** be used in evidence against the alleged offender.

Where the above two questioning techniques are utilised, in light of the evidentiary implications, it is necessary to distinguish the answers obtained to questions posed following the issue of a caution from those obtained in exercise of coercive powers under legislation.

Meeting Procedures – Deferral or Adjournment?

Michael Kelledy

Under the 'Meeting Regulations' there is no concept of a deferral motion being a motion to delay the consideration of the matter to a later time whether at the same or a subsequent meeting.

Under the 'Meeting Regulations' there is no concept of a deferral motion...

What the 'Meeting Regulations' do recognise are formal motions in the nature of *'that the question be adjourned'* or *'that the question lie on the table'*. Each of these formal motions also operates to delay consideration of the matter to a later time, the former to a stipulated later time and the latter until such time as a further motion retrieves it from the table.

Councils use these for the purpose of not determining an item of business at that point in time. What then is the difference other than that formal motions enjoy legal recognition whilst a deferral motion doesn't?

The answer is simple. A deferral motion is used before an item of business is subject to a motion, moved and seconded. However, once a motion is before the meeting, that item of business can only be delayed/postponed by use of the formal motions.

2012 – The Year of Planning and Building Reform

Victoria Shute & Joanna Oborne

This year, we have witnessed the introduction and implementation of a number of significant changes to the *Development Act 1993* ("the Act") and *Development Regulations 2008* ("the Regulations") each of which have brought important changes to the way in which development is regulated, and a number of which have significant implications for the planning and building professions.

Each of these changes are unique to South Australia, and are being considered with interest by interstate State and Local Governments and peak professional bodies.

We recap these changes below.

Regulated Trees

On 17 November 2011, the *Development (Regulated Trees) Amendment Act 2009*, the *Development (Regulated Trees) Amendment Regulations 2011* and the Regulated Trees Ministerial DPA (together, "the Regulated Trees Changes") commenced and the effects of these changes were largely felt throughout 2012.

At the time the Regulated Trees Changes came into operation many in the community considered that they went too far and protected too few trees. This was especially so with respect to the "10-metre rule", under which all trees within 10 metres of an existing dwelling or an existing in-ground swimming pool are deemed not to be regulated trees (regulation 6A(5)(a) of the Regulations).

These community concerns were also expressed by both the Greens and the Liberal Party earlier this year, as they attempted to negotiate with the Government to pare back some of these changes. When these negotiations stalled, Liberal member, Michelle Lensink, moved a motion to have the *Development (Regulated Trees) Amendment Regulations 2011* disallowed. However, this motion has not been carried and all of the Regulated Tees Changes remain in force.

The final part of the Regulated Trees Changes was completed last month when, on 15 November, the Regulated Trees Ministerial DPA, which had been on interim operation since 17 November 2011, was finalised. Only minor changes to some of the DPA's terminology were made between the initial and the final versions.

However, it appears that this is not the end of the matter. Later last month, on 28 November, Mark Parnell introduced a bill, the *Development (Regulated Trees) Amendment Bill 2012*, into Parliament which would amend the Act to:

- void any regulations which purport to exclude any tree within 10 metres of a building or a swimming pool from being a regulated tree (i.e. overcoming the effect of regulation 6A(5)(a) of the Regulations);
- move the definition of 'maintenance pruning' which does not amount to tree damaging activity from regulation 6A(8) of the Regulations into the Act (i.e. so that only Parliament can change that definition in the future);
- create a presumption that all development applications seeking to construct a dwelling or a swimming pool within 10 metres of a regulated tree will involve tree damaging activity and introduce a requirement that such applications must be accompanied by, or incorporate, an application to undertake tree damaging activity; and
- expand Councils' ability to request expert or technical reports under section 39(3a) and (3b) of the Act by enabling them to request such reports with respect to the:
    - species of a tree;
    - circumference of a tree; and
    - distance of a tree from a building or swimming pool.

    It also appears that Mr Parnell would seek to amend the Regulations to add clarity to the phrase "special circumstances" as used in section 39(3a) and (3b) of the Act.

While we hold the view that Mr Parnell's Bill is unlikely to become law, it does show that this issue is far from resolved and that members of Parliament will continue to work in the New Year to pare back some of the Regulated Trees Changes. We will continue to keep you updated in the New Year on any further changes which are proposed, or made, in respect of the Regulated Trees Changes.

Roof trusses

All development applications for Building Rules consent lodged from 1 July 2012 which include the construction of roof trusses are subject to the new roof trusses notification and inspection requirements within the Regulations.

Of particular concern to Councils was the increased mandatory inspection rates required to be carried out for

building work in each Council area, thus resulting in many Councils having to employ or engage additional qualified building officers and contractors. This requirement has proven to be onerous for many small regional and rural Councils, particularly as fees cannot be charged to developers for such inspections.

Earlier this year, the LGA commenced lobbying the State Government to impose a fee for truss inspections. We will keep you updated if any such fee is introduced in the future.

Character Preservation Acts

On 8 November 2012, the *Character Preservation (Barossa Valley) Act 2012* and the *Character Preservation (McLaren Vale) Act 2012* were assented to. We expect that these Acts (which rely upon, as yet, unreleased regulations) will be proclaimed in the first quarter of next year.

These Acts contain overriding restrictions upon the exercise of planning assessment powers by both the affected Councils and the DAC under the *Development Act* within "district" areas (but not within areas designated as "townships"). Land divisions proposed in "rural areas" within districts which involve the creation of 1 or more additional allotments must be refused. In the Barossa Valley district area, residential land divisions in rural living areas may occur, provided that if the relevant authority is a Council, the DAC concurs with the grant of consent and vice versa. All non-residential land divisions creating 1 or more additional allotments may occur in both districts, however, the reciprocal concurrence requirement applies before they can be approved.

As a result of these Acts, the Minister for Planning will be required to undertake a review of the Planning Strategy and undertake amendments such that the "character values" of each protected area are expressly recognised. Following these amendments, the Minister will review each affected Council's Development Plan to ensure that they adequately reflect the "character values" of each district.

We will keep you updated *vis-à-vis* the implementation of these Acts in the New Year.

Private Certification of Development Plan Consent

In October 2012, the Government introduced the *Development (Private Certification) Amendment Bill 2012*, which became law on 29 November 2012 ("the Amending Act"). It is accompanied by the *Development (Private Certification) Amendment Regulations 2012* ("the Amending Regulations), which have not yet been Gazetted in final form.

We anticipate that the Amending Act and Amending Regulations will come into operation in **March of next year**. The key features of the changes include:

Residential Code Development

The prohibition in section 89(3) of the Act from private certifiers issuing Development Plan consent will be deleted and a new regulation inserted into the Regulations to limit private certifiers to assessing, and granting Development Plan consent to, residential code developments only.

In this regard, we note that the Government deliberately adopted this approach, rather than amending section 89(3) to limit private certification to residential code development, in order to make it easier to expand the role of private certifiers beyond residential code development at a later time, should they consider such a need to arise.

Qualifications and Powers of Private Certifiers

Private Certifiers will not be required to obtain any new qualifications, or undertake any training before they are able to issue Development Plan consent. Rather, amendments to regulation 91 of the Regulations will provide that the qualifications to either assess Building Rules consent, or other qualifications and experience as approved by the Minister will be sufficient.

Private Certifiers will be able to determine that a variation from the requirements of the residential code is a minor variation only (for the purposes of section 35(1b) of the Act) and proceed to issued Development Plan consent in respect of the application.

Role of Council

The Council will be required, pursuant to a new section 35(6) of the Act, to accept a certificate of Development Plan consent issued by a private certifier, even if it is found to contain an error or omission.

However, the Council's power to conduct a consistency check pursuant to regulation 46(1) of the Regulations is unchanged. Therefore, provided the Development Plan consent and Building Rules consents are consistent, the Council must grant development approval, even if Development Plan consent was incorrectly issued.

ICAC

Private certifiers will be subject to the new *Independent Commissioner Against Corruption Act 2012.* Section 89(5) of the Act provides that, private certifiers exercise the functions of a public officer, in that they exercise delegated authority under the Act. Such persons are caught by Schedule 1 to the ICAC Act, and so, once

operational, the OPI will accept complaints made to it against private certifiers.

Audits

Changes to the Act and the Regulations have been made to facilitate the independent auditing of planning decisions made in respect of Residential Code developments and Building Rules assessments made by both Councils and private certifiers.

The first Building Rules Assessment Audits must be undertaken by 8 July 2013, and then undertaken every three years thereafter.

The first Development Plan Assessment Audits must be undertaken by 30 June 2016, and then undertaken every three years thereafter.

Capital City DPA, Bowden Village DPA and Inner Rim DPA's

The above DPA's represent a fundamentally important shift in planning policy for inner-metropolitan Adelaide and demonstrate a clear commitment to increased urban consolidation and high-density residential development, first expressed in the 30-Year Plan for Greater Adelaide when it was launched in 2010.

Given the current economic climate and the delays to transport infrastructure upgrades announced in this financial year's budget, it remains to be seen how quickly developments encouraged by these DPAs will occur.

However, given ever-increasing land prices, and the changing nature of households in our State, we have no doubt that history will demonstrate the significance of these documents in the development of the Adelaide Metropolitan area.

New Year's Resolutions

- Private Certification: develop new procedures, as well as template forms and letters, in preparation for private certification of Development Plan consent;
- Probity in Public Office: ensure training and education opportunities are provided for members and officers relevant to the ICAC and Codes of Conduct;
- Roof Trusses: ascertain whether Council is on track to meet its regulation 80AB inspection targets;
- Policy Review: ensure there is a permanent revolving programme of policy reviews to ensure the revocation of defunct ones and the maintenance of continuing ones;
- Instruments of Appointment: update the instruments of appointment for environmental health officers upon the commencement of the *South Australian Public Health Act 2011*;
- Authorised Officers: appoint authorised officers under section 34 of the *Safe Drinking Water Act 2011* (Act to commence 1 March 2013);
- Gifts: adopt or review the Gifts and Benefits Policy to reflect the new requirements before 30 June 2013;
- Section 92 Code of Practice: update the Code of Practice by May 2013 as recommended by the State Ombudsman in his recent audit report;
- Cemetery Management: ensure compliance with obligations under the Local Government (Cemetery) Regulations 2010 by preparing a template plain english statement to be provided to any person applying for an interment right before such right is granted.

Please note that our offices will be closed from 1pm, Friday 21 December 2012 until Friday 4 January 2013, re-opening on Monday 7 January 2013.

The team at KelledyJones wish you a safe and happy festive season.

The KelledyJones Governance Support Program for SA

February 2013 will see the introduction of the KelledyJones Governance Support Program across South Australia.

The half-hour online session will be 'jam-packed' with useful information, practical guidance and tips on a wide range of relevant topics that will address:

- The role of Committees, Advisory Groups and Working Parties
- Terms of Reference for a Committee
- What holding Public Office means?
- Minute Taking
- The Gifts and Benefits Register and what it needs to include
- When a Council Decision results in 'no decision
- What does 'public interest' mean?
- The difference between Authorisations and Delegations
- Confidentiality Orders and tips on how to minimise the use of the Confidentiality Provisions
- The Review of Confidential Items
- Governance issues for CDAPs
- Frequently Asked Meeting Procedure Questions
- The Role of Delegations and the Review Process

Natasha Jones will be the primary presenter for these sessions but will be joined by other team members as relevant. Natasha is looking forward to discussing these topics with you.

Registration details will be provided in the New Year, but in the meantime email Natasha on njones@kelledyjones.com.au or give her a call on 8113 7102 if you have other issues or suggestions that you would like included.

The Law Society: ICAC

In recognition of the expertise here at KelledyJones in relation to the ICAC legislation, we are pleased to advise that Michael and Natasha have been engaged to present to the SA legal profession on the content and implications of the ICAC Act 2012 as part of the Law Society CPD Programme on 30 January 2013.

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