

10.5. Development Assessment Performance - Ministerial Letter

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ENDORSED BY	Therese Cole, Chief Executive Officer
ATTACHMENTS	1. Ministerial Letter DA Performance 6 March 2025 [10.5.1 - 2 pages]
CSP LINK	<p>1. Our Living Environment</p> <p>1.1 Protected, enhanced and biodiverse natural environment</p> <p>1.3 Clean and green places</p> <p>2. Our Built Infrastructure</p> <p>2.2 Vibrant public domains and villages</p> <p>3. Our Innovative City</p> <p>3.1 Our commercial centres are prosperous and vibrant</p> <p>3.3 Distinctive sense of place and design excellence</p> <p>4. Our Social Vitality</p> <p>4.1 North Sydney is connected, inclusive, healthy and safe</p> <p>4.3 North Sydney's history is preserved and recognised</p> <p>5. Our Civic Leadership</p> <p>5.4 Council services are efficient and easy to access</p>

PURPOSE:

The purpose of this report is to respond to the Minister for Planning and Public Spaces' letter dated 6 March 2025 which noted that Council's development assessment performance was below the stated target and outlined the need to prepare a Council-endorsed action plan to improve this performance.

EXECUTIVE SUMMARY:

- The Minister for Planning and Public Spaces issued a Ministerial Order of Expectations in July 2024 requiring that all NSW Councils meet certain development assessment targets. For North Sydney Council, this included an expectation that development applications be determined, on average, in 115 days. Council's current year to date performance sits at 154 days.
- Council has been actively working to improve its Development Application (DA) processing times. Currently these are tracking at approximately 25% better than the previous two years.
- It is planned and anticipated that further reductions will occur in the future as Council continues to implement improvement strategies. These include implementing recommendations from an independent process-mapping review due for completion mid-2025 (funded by a Commonwealth Government grant), streamlining its

Development Control Plan (also funded by a Commonwealth Government Grant), and participating in a pilot with other Sydney local councils to improve integration with the NSW Planning Portal. Priority is being given to clear the backlog, with Council taking a 'clearing house' approach.

- The average value of DAs in the North Sydney LGA is the highest in NSW. Many of Council's DAs are large and complex. Approximately 15% of Council's DAs were determined by the Land and Environment Court or the Regional Planning Panel, which averaged 408 and 260 days respectively. These statistics impact Council's performance on the League Table.
- Council received a letter from the Minister for Planning and Public Spaces on 6 March 2025, stating that North Sydney Council is not currently meeting his targets and that a Council-endorsed "action plan along with an associated program to swiftly improve performance" is to be prepared and submitted within 28 days of the letter.
- Council staff have been actively pursuing process improvements in this environment as broadly outlined in the report considered by Council on 10 March 2025.
- This report more specifically addresses the Minister's requirement for an action plan which is included in this report for endorsement.

RECOMMENDATION:

- 1. THAT** Council endorse the action plan described in this report and request a meeting with the Minister for Planning to present Council's improvement initiatives.
- 2. THAT** Council request funding from the NSW Government to assist with the delivery of the various initiatives and strategies to reduce determination times as outlined in this report.
- 3. THAT** Council write to the Minister seeking acknowledgement that more complex, large-scale applications cannot realistically be determined in 115 days and that a different target stream, as per the targets established for the Regional Planning Panels, be created for such applications.
- 4. THAT** in the interim, representations be made to the Panel's Secretariat highlighting the Minister's letter to Council and urging the Regional Planning Panel to also focus sharply on determination times in its assessment processes and directions.
- 5. THAT** given that only about one quarter of all DAs submitted and determined for the North Sydney LGA to February 2025, represent additional housing, the Minister be requested to consider DA determination measures that are more specific to applications that will deliver increased housing supply.

1. Background

In July 2024, the Minister for Planning and Public Spaces issued a Statement of Expectations Order requiring that all NSW Councils meet certain development assessment targets. For North Sydney Council, this included an expectation that development applications (DAs) would be determined, on average, in 115 days after lodgement. This is tracked via the NSW Planning League Table and updated on a monthly basis. The Order sequentially reduces this target as follows:

- 105 days from 1 July 2025;
- 95 days from 1 July 2026; and
- 85 days from 1 July 2027.

Council staff have actively embarked on various initiatives to reduce development application processing times. Whilst more needs to be done, Council has achieved a discernible improvement over the last 2.5 years as illustrated in Diagram 1 below. It is anticipated that further reductions will occur in the future as North Sydney Council continues to implement improvement strategies.

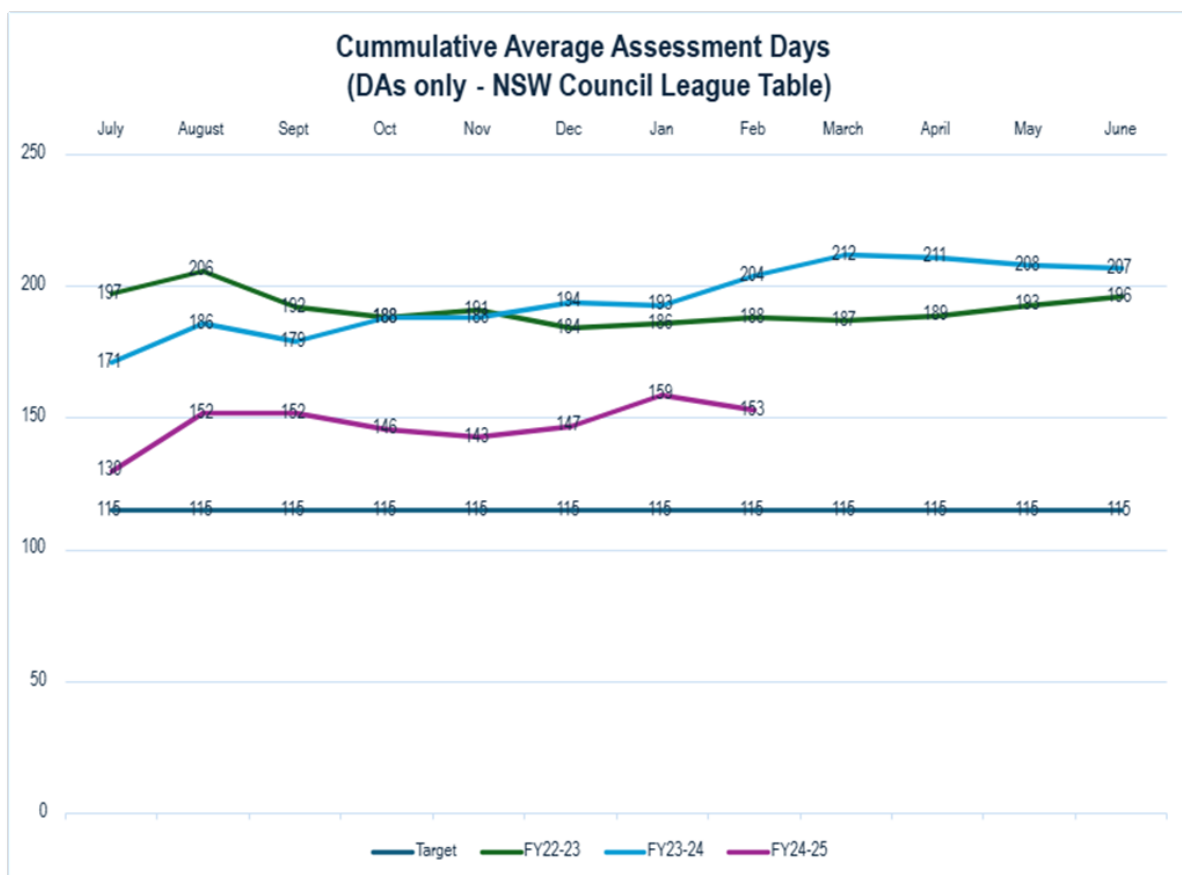


Diagram 1 - DA Determination Times NSC – Jul. 2022 – Feb. 2025 (Source: DPPI League Table)

Council considered a report at its meeting of 10 March 2025, which outlined both Council’s performance for the first two quarters of 2024/25 as well as proactive initiatives to improve this performance.

Council received a letter from the Minister for Planning and Public Spaces on 6 March 2025, outlining that North Sydney Council is not currently meeting these targets and that a Council-endorsed “action plan along with an associated program to swiftly improve performance” is to be prepared and submitted within 28 days of the letter.

This report is in response to that letter and documents and formalises the various initiatives currently being undertaken and planned to improve Council’s performance as required by the Minister.

The following is the basis for the required action plan as per the Minister's letter of 6 March 2025. These actions are summarised in Table 1 below.

2. Action Plan

Council staff have methodically been identifying and working on various improvements to internal systems and assessment procedures. This is reflected in the improvements of the current year compared with the last two as highlighted in Diagram 1 above. As previously described, Council’s outdated and unintegrated software systems continue to be a significant hurdle to sustainable improvement.

Notwithstanding this, there are various short, medium, and longer-term improvements that have been identified, and they are discussed below. It is important to note that changes and improvements need to ensure that they can be implemented in a sustainable manner that can be embedded in Council’s “business as usual” operations.

The medium-term actions will yield longer term and more sustainable improvements, but short-term temporary actions are also proposed in the interim. For example, an action that staff have been actively pursuing is to methodically clear the backlog of older DAs. In April 2024, Council was holding 32 DAs that were older than 150 days; as at 10 March 2025 this number had decreased to 18 DAs. As an older DA is determined, however, this puts upward pressure on the average determination times. It is critical that older DAs be cleared and, in the longer term, that they are actively managed to ensure they do not “age” in the system. Determining these legacy DAs, whilst causing a downturn in the short term, in terms of League Table results, are necessary to create the environment for longer term sustainable improvement.

2.1 Short Term

In the next month, Council staff will employ the following initiatives to promote determination time improvements:

- Employ a short-term contractor to assist to clear backlog. Council employed a contractor several months ago to fill vacant positions that have been in the process of being recruited, to determine more straightforward “shovel-ready” DAs. This will be replicated with another short-term contractor until July 2025.

- Team “blitz” over one-two weekends. A weekend workday was arranged with staff in October 2024 and this resulted in an accelerated determination timeframe for 12 DAs. It is important to plan for this and ensure that this overtime environment is resourced with willing staff and that the DAs that are targeted, are not awaiting additional information, or are deficient in other ways.
- Staff will continue to push to get older DAs determined. The effect of this will be that our determination statistics in the short term will worsen. However, the sooner they are determined, the better this is in the longer term, as this frees up resources to manage and determine more recent applications. It must be acknowledged here however, that DAs that are managed by the Regional Planning Panel as per Table 3 below, are somewhat out of Council’s control.
- Identify minor or simple DAs into a “Rapid Assessment” pathway, typically involving development applications which require standard conditions, or involving minor impacts. A focus on younger, simple DAs to partly balance the impact of the determination of old DA’s.
- Continue to uphold “once only” Requests for Information (RFI) process. This puts the onus on applicants to not rely on repeated submissions and may result in a greater number of refusals.
- Streamline internal referral processes to reduce timeframes associated with this internal consultation process. Whilst significant improvements have been made in the last 12 months, more can be achieved here.
- DAs that are very non-compliant to be rapidly refused, especially if the subject of a pre-DA process and if that advice has not been incorporated.
- Closer consideration of the need to notify applications or amended plans if they represent minimal change, and greater consideration given to the need to advertise minor applications where impacts on the community are remote. The Community Consultation Protocol has some flexibility that facilitates this.
- DA notification periods are not to be extended.
- If not the responsibility of the Local Planning Panel or Regional Planning Panel, determine “deemed refusal” applications immediately after appeal is lodged. Where refusal is warranted, an abbreviated report format will apply, incorporating the contentions on which any defence of the appeal will be based. This will reduce the amount of duplication brought about by having to manage both the appeal and application simultaneously.
- Encourage NSLPP to determine applications rather than defer them.
- Seek formal delegation from the Local Planning Panel to determine any application that is subject of a deemed refusal appeal using staff delegation.
- Acknowledging the significant number of DAs in North Sydney that are managed by the Regional Planning Panel, representations will be made to the Secretariat highlighting the Minister’s letter to Council and urging the Regional Planning Panel to also focus sharply on determination times in its assessment processes and directions.

It should be acknowledged, however, that a turnaround will not be immediate. An expectation that a “swift improvement” within three months will be achieved is statistically difficult given that there are already 146 DAs in the League Table (with a further 19 applications lodged in the last week). We are 67% into the current League Table assessment period and a significant number of older DAs are likely to be determined in the next three

months by the Regional Planning Panel or by the Court. In addition, Council staff will continue to progress older DAs in this period to liberate our systems of these legacy applications.

2.2 Medium Term

2.2.1 Process Mapping Accelerated Project

Significant process improvements are required to achieve compliance with the Ministerial Direction. A 'process mapping' and improvement review to help assist in reducing assessment times, commenced in late 2024 and is nearing completion. This has been funded by a Commonwealth grant. Council staff have been working with consultants *Morrison Low and Strategic Directions*, to map current processes, identify areas of improvement, and prepare a roadmap for sustainable process improvements. The objective of the review has been to build an improved assessment process that focuses not just on process, but also on policy, people, and technology.

This work broadly identifies draft recommendations and actions in the areas described below. Each of these will have its own detailed work streams and areas of process improvements which will be articulated in more depth in an internal roadmap, procedures, and protocols for improvement.

- Adopt a seven-stage development assessment model with the two major deliverables being the request for information and the determination package as Council's standard development assessment process.
- Adopt "Rapid", "Standard" and "Complex" DA assessment pathways and associated procedures and timeframes for the processing of each.
- Adopt a DA Protocol aiming to send RFI within 25 days of lodgment and to determine Rapid applications within 28 days.
- Development Review Panel (DRP) to be instigated to determine assessment pathway, extent of notification, referrals and allocation quickly and methodically.
- Notification to be sent on the same day or day after DRP meeting.
- Clarify and refine staff delegations to empower determinations by appropriate staff to ensure more timely determinations.

2.2.2 Improved Internal Systems and Integration with the NSW Planning Portal

Council's internal systems have suffered from significant levels of historical underinvestment.

Council has recently invested significant human resources in assisting in the development of a purpose-built DA management platform to convert the human effort that North Sydney Council expends in assessing DAs, into faster determination times. The system is expected to provide Council assessment teams with greater efficiency, quality, visibility, and consistency throughout the DA approvals process by system integration.

Successful integration will have potentially transformative benefits as only one dashboard will need to be updated with information that otherwise would need to flow to three systems.

Delivery is expected to be staged and operational by February/March 2026.

When rolled out, it is anticipated that it will provide for considerable time savings in assessing and determining DAs. It is expected to provide for real time DA processing information, monitoring/performance capacity, automation of many administrative, repetitive tasks, and a wealth of AI-type functions and more consistent decision-making and monitoring. This will replace our current outdated systems which are not process specific, require manual handling, duplication, and represent significant inefficiencies.

2.2.3 Appeals

The staff time and money that is spent on appeals is disproportionate and needs to be better managed. Appeal workload is prioritised over other assessment tasks as Council is answerable to the Court with its very demanding timeframes.

Some members of the team may be managing up to three appeals concurrent with their normal assessment responsibilities. In addition, and importantly, the inevitable delays associated with appeals adds to the League Table determination statistics. Due to the complex nature of some applications which are appealed, determination times of up to 600 days can accumulate in the planning portal.

Avoiding appeals by increasing the level of confidence in our customers that their application will be promptly assessed, should be a primary goal. However, restricting the time allowed for the applicant's response to RFI and the early determination of poor applications carries with it an inherent risk of additional appeals. This will need to be the subject of careful management and review.

Council is currently in the process of recruiting a specialist planning lawyer to assist with appeals. It is expected that this will provide both a saving in expenditure, as well as in-house expertise in more efficient and timely appeals management.

2.2.4 DCP Review

Council appointed a consultant to assist in a review of the North Sydney Development Control Plan 2013. This is being funded by a Commonwealth grant. The objective of this review is to simplify and update the existing DCP by reducing inconsistencies, redundancies, and duplication.

Delivery of this project is anticipated in Q4 of the 2024/25 financial year and will be subject to community consultation (following initial adoption by Council). It should be noted that the delivery timeframe for this project (associated with the strict time limits of the grant) will mean that this project can only realistically deliver a first stage of a more comprehensive streamlining exercise. A more comprehensive process is likely to take in the order of 18-24 months, with more significant levels of community engagement required, and potentially more fundamental decisions required in the context of the Ministerial Expectations Order with its diminishing DA determination timeframes over time. This may include reviewing circumstances that do not require applications being notified.

3. Action Plan Summary

The Table below summarises the actions proposed to be submitted in responds to the Minister’s letter dated 6 March 2025.

Action	Description	Timeframe
Immediate - Short Term		
1	Employ short term contractor to assist to clear backlog.	April 2025
2	Team “blitz” over 1-2 weekends.	April-May 2025
3	Renewed push to get older DAs that are within Council’s control, determined.	April 2025
4	Identify minor or simple DAs into a Rapid assessment pathway typically involving development applications which require standard conditions or involving minor impacts.	April 2025
5	Continue to uphold “once only” RFI process.	April 2025
6	Streamline internal referrals and reduce timeframes associated with this consultation process.	April 2025
8	DAs that are very non-compliant, to be rapidly refused especially where the subject of pre-DA process and where that advice has been ignored.	April 2025
9	Closer consideration of the need to notify applications or amended plans if they represent minimal change.	April 2025
10	DA notification periods are not to be extended.	April 2025
11	Where not the responsibility of the Regional Planning Panel, determine “deemed refusal” applications when appeal is lodged	April 2025
12	Encourage NSLPP to determine applications rather than defer matters.	April 2025
13	Representations to the Panel’s Secretariat highlighting the Minister’s letter to Council and urging the Regional Planning Panel to also focus sharply on determination times in its assessment processes and directions.	April 2025
14	Seek greater delegation from the North Sydney Planning Panel.	May 2025
15	Review reporting standards to ensure that relevant matters are addressed comprehensively but as briefly as the circumstances allow.	May 2025
16	Employ a specialist planning lawyer to assist with the more efficient management of planning appeals.	May/June 2025

Action	Description	Timeframe
Short to Medium Term		
Internal Processes		
17	Adopt a seven-stage development assessment model with the two major deliverables being the request for information and the determination package as Council’s standard development assessment process.	June 2025
18	Develop “Rapid”, “Standard” and “Complex” DA assessment pathways and associated procedures and timeframes for the processing of each.	June 2025
19	Adopt a DA Protocol aiming to send RFIs within 25 days of lodgment and to determine Rapid applications within 28 days.	June 2025
20	Development Review Panel (DRP) to be instigated to determine assessment pathway extent of notification, referrals and allocation.	July 2025
21	Notification of applications to be issued on the same day or day after DRP meeting.	July 2025
22	Clarify and refine staff delegations to empower more timely determinations	July 2025
23	Monitor and refine actions 18-22.	July-Dec 2025
Staff		
24	Ongoing professional development of staff	Ongoing
Technology		
25	Implement advanced development assessment software to more systematically and efficiently enable management of development assessment and performance monitoring processes.	Feb/Mar 2026
Planning Controls		
26	Amend notification requirements to reduce the need to notify for simple applications	September 2025
27	Simplify and streamline DCP (stage 1)	July 2025
28	Simplify and streamline DCP (stage 2)	July 2027

Table 1 – Summary Action Plan

4. Challenges

This section provides a brief overview of the context in which development assessment is conducted in North Sydney and the unique challenges that North Sydney faces in a development assessment environment. This context is useful in outlining Council's plan of action to respond to the Minister's requirements.

4.1 Regional Planning Panel DAs

As at February 2025, North Sydney Council had the highest average value per DA in NSW for the 2024/25 year (see Table 2 below). The average value of all development determined in North Sydney as at February 2025, was approximately \$4.4M per DA. This was also significantly higher than Sydney City Council's average DA value.

	Council	DAs	Total Value	Ave Value/DA
1	North Sydney	146	\$647,165,025	\$4,432,637
2	Queranbeyan-Palerang	379	\$1,537,901,300	\$4,057,787
3	Sydney	736	\$1,708,141,286	\$2,320,844
4	Woollahra	327	\$400,510,018	\$1,224,801
5	Camden	455	\$443,925,924	\$975,661
6	The Hills	791	\$718,798,431	\$908,721
7	Blacktown	667	\$567,870,345	\$851,380
8	Northern Beaches	739	\$480,668,925	\$650,432
9	Lake Macquarie	991	\$434,612,089	\$438,559
10	Central Coast	1018	\$391,367,387	\$384,447

Table 2 – Top Ten Value DAs in NSW July 2024-February 2025 (Source: DPHI League Table)

This is relevant given that this tends to indicate a greater degree of complexity associated with the scale of development. It is noted that the performance targets set for the Regional Planning Panels is 275 days (compared to Council's target of 115 days) in recognition that it deals with development proposals of a larger scale.

During the reporting period, it is noted that the DAs outlined in Table 3 below, were ones that met value or use thresholds that triggered consideration and determination by the Sydney North Planning Panel (SNPP). That Panel directs the assessment process including whether additional information should be sought and those timeframes, whether repeated requests for additional/ amended information should be allowed and broadly, target dates for determination. Council does not control these determination timeframes. It is noted that the majority of these remain under assessment and the assessment clock continues to tick on these applications.

DA No.	Site	Proposal	Days	Consent Authority
DA 392/2022	100 Christie Street, St Leonards	Mixed Use development	281 days	SNPP
DA 193/2023	270 Pacific Highway, Crows Nest	Mixed Use Development	480 days ²	SNPP & LEC
DA/66/23	286-294 Pacific Highway Crows Nest	Mixed Use Development	247 days ²	SNPP & LEC
DA 216/2024	62 Willoughby Street, Kirribilli	Marina Designated Development	182days ²	SNPP
DA 258/2023	41-53 Grosvenor St, Neutral Bay	Coles retail and mixed-use development	123 days ¹	SNPP
DA 297/2023	619-621 Pacific Highway St Leonards	retail, community and mixed-use development	181 days ¹	SNPP
DA 120/2024	55 Chandos St, St Leonards	Mixed Use development (staged)	257 days ²	SNPP & LEC
DA 162/2024	1-7 Rangers, Neutral Bay	Woolworths (Concept DA)	208 days ²	SNPP & LEC
DA 149/2024	180 Falcon Street, North Sydney	Place of worship	185 days ¹	SNPP
DA 281/2024	1-7 Rangers Road, Neutral Bay	Woolworths Retail and mixed-use development	120 days ²	SNPP& LEC
DA 393/2022	157 Walker Street, North Sydney	Office building	600 days ²	SNPP& LEC

Table 3 – DAs Managed by the Regional Planning Panel

1. undetermined
2. subject to deemed refusal appeal

The cumulative average assessment days for the above Regionally Significant DAs (RSDAs) is currently 260 days, which is 126% above the Minister’s Expectations for the combined DA stream. A number of these RSDAs remain undetermined so these numbers will continue to grow. It is to be expected that these applications will continue to substantially impact on Council’s performance assessment times in this performance period.

Several of the above DAs have had the “clock” restarted following the lodgement of significantly amended plans.

Given the scale and significance of these DAs, the Regional Planning Panel has, to date, been accommodating in terms of additional information or amended plans. This represents a significant drag on average determination times and resources. It is also noted that the Regional Planning Panel does not publish League Table-type results of its DA determination time performance, unlike those published on a monthly basis for Local Government. It is notable that the Pathways development in Cremorne, for example, remains undetermined despite having been lodged with the Department on 6 August 2023 (which represents 584 days).

Ironically, it is those larger DAs considered by the Regional Planning Panels that tend to contribute towards housing supply, more so than the bulk of “local” DAs that Council deals with and that fit outside its jurisdiction.

It is also noted that referrals to State Government agencies can be very time-consuming and add considerable time to determination times. Two very clear examples of this are referrals to Metro regarding high-rise mixed-use proposals at 100 Christie Street and 617-621 Pacific Highway St Leonards which have contributed significantly to the overall assessment times.

Arising from this, representations will be made to the Regional Planning Panel secretariat highlighting the Minister’s 6 March 2025 letter to Council and requesting that the Panel also focus on determination times in its assessment processes and directions.

4.2 Independent Local Planning Panel

A total of 38 DAs were considered by the Local Planning Panel in the reporting period. Two of these applications were deferred by the Panel. Whilst it is clearly the purview of the Panel to determine or defer applications as it independently sees fit, deferrals add to determination times, and so Council staff will engage with the Panel Chair to discuss the contents of the Minister’s letter.

4.3 Deemed Refusal Court Appeals

During the reporting period, there were 11 “deemed refusal” appeals lodged with the Land and Environment Court. Such appeals can be lodged with the Court 42 days after lodgement of the DA on the Planning Portal. Four of these appeals were lodged in under 50 days after the DA submission.

Because they remained undetermined (until the Court determined them), these represented an average of 408 days to determination. In other words, assessment days continue to accumulate until determination by the Court, even though these matters are in the hands of the Court. This represents a very significant contribution of time to the League Table results.

Council staff will in future, determine applications that are the subject of deemed refusal appeals, as they will be dealt with by the Court in any case and only add processing time to League Table statistics. This would merely represent an administrative step as it makes no difference to the Court’s decision and process but potentially makes a significant contribution to the League Table.

It is worth noting that there are currently 15 DAs awaiting determination by the Land and Environment Court. Challenges associated with resourcing and managing appeals is discussed above in section 2.2.3.

4.4 Heritage and Amenity Issues in North Sydney

North Sydney Council has over 1,000 individual heritage items and 25 heritage conservation areas. Many of our development assessments are impacted by heritage considerations which add a level of complexity or nuance to the applications effected. In addition, North Sydney is

one of the densest Local Government Areas (LGAs) in Sydney and even small-scale proposals can be contentious given density, views, loss of canopy, parking, and traffic issues that are often highlighted. A proposal in this LGA is not comparable with a proposal in a newly established or less constrained environment in terms of assessment complexity.

4.5 Modification Applications

Around one third of North Sydney's application stream is modifications to existing approvals applications. The League Table does not recognise the amount of time put into this application stream, with performance in this area not being assessed at present.

4.6 Housing Supply

The stated theme of the Minister's 6 March 2025 letter is to reduce DA determination times "in order to deliver more homes for your community".

Of the 146 DAs determined in North Sydney during the assessment period, 62 were for single houses or alterations and addition, 39 were for multi-unit housing, and the remainder (45) were for non-residential works. Therefore, only 27% of all DAs determined during the assessment period were for multi-unit housing. If the purpose of accelerated determination times is to assist with housing supply, it is suggested that different measures should be adopted that are more specific and targeted.

4.7 Working Towards Approvals

Council's development assessment work for many years, has been undertaken in a manner that works towards granting approval to applicants, particularly for domestic, smaller scale applications. This takes time and has often required repeated requests for amended plans or additional information.

The legal and administrative requirements associated with the modern development assessment process is often difficult for irregular applicants to navigate, with North Sydney's standards for application submission reflecting the complexity of the planning system and community expectations. Whilst no doubt Council's systems and processes can and will improve, the determination timeframes imposed by the NSW Government will mean less negotiation prior to the determination of DAs and will rely on DAs submitted being largely compliant to guarantee success.

Consultation requirements

Community engagement is not required.

Financial/Resource Implications

The action plan associated with this report will have financial implications that have already been planned for. Short-term contractors are sourced from existing budgets arising from the vacancies that exist between resignations and positions being filled. The investment in

software solutions were identified in the Governance Strategy and will be recommended for inclusion within the 2025/26 budget.

Legislation

The requirements of the Environmental Planning and Assessment Act govern the assessment and determination processes for development applications.

The Hon Paul Scully MP
Minister for Planning and Public Spaces



Ref: IRF25/144

Cr Zoe Baker
Mayor
North Sydney Council
PO Box 12
North Sydney NSW 2059
mayor@northsydney.nsw.gov.au

Dear Cr Baker *Zoe*

The National Housing Accord, agreed across all levels of government, sets an ambitious target for NSW.

To achieve our target of 377,000 new homes by mid-2029 local councils must help facilitate the delivery of these homes. All levels of government have a shared responsibility to address the housing challenge in NSW and meet the goals of the National Housing Accord.

The land use planning and assessment functions of councils need to adjust to support the approval and development of more homes in well-located areas for young people, families, and key local workers.

I have previously requested that councils factor this into their decision making and prioritise the delivery of housing when assessing development applications and rezoning proposals – so that the whole planning system is geared towards addressing our housing challenge.

You would recall that I introduced a new Ministerial Statement of Expectations Order in July 2024, which set out the NSW Government's expectations for council performance in the areas of development assessment, planning proposals and strategic planning.

As indicated in July 2024, the Government has been monitoring the performance of all councils in meeting this Statement of Expectations, and the Department of Planning, Housing and Infrastructure has identified criteria for assessing council performances.

The criteria are as follows:

1. **Council's current DA Assessment Performance:** Councils with gross end-to-end timeframes of 145 days or greater.
2. **Council's percentage of applications assessed:** Councils with 50 per cent or less of their applications meeting the 115 day end to end expectation.
3. **Housing target/implied dwelling demand:** Councils with a housing target, or implied dwelling demand greater than 500 during the housing accord period.

I can advise that in the six months since monitoring began, North Sydney Council has not met these performance standards. The current Development Application assessment

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performance is 159 days and only 50 per cent of applications are being assessed within the expected timeframe.

The Department will now contact your Council to discuss performance against these criteria. Council will have 28 days from the date of this letter to provide a written response, endorsed by the elected Council. Your response must identify an action plan, along with associated program to swiftly improve performance.

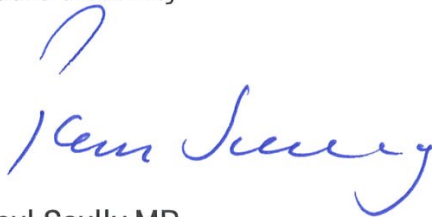
Your Council has three months to demonstrate improvement. If there is no improvement the Government has a range of powers to compel compliance, including the issuing of a Performance Improvement Order.

I note our recent meeting and discussion regarding Council's development assessment and the program of improvements that Council is implementing to improve processing timeframes and reduce the backlog of applications.

I trust that this process will provide an opportunity for the Department to work with Council and further assist with continued improvements to the development application process. I look forward to seeing Council make improvements to assessment processes and decrease average assessment times in order to deliver more homes for your community.

If you have any questions, please contact your Local Planning and Council Support Director within the Department.

Yours sincerely



Paul Scully MP
Minister for Planning and Public Spaces

6/3/25