

10.7. Sydney North Planning Panel - Membership Nomination 2025

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ENDORSED BY	Marcelo Occhiuzzi, Director Planning and Environment
ATTACHMENTS	Nil
CSP LINK	3. Our Innovative City 3.3 Distinctive sense of place and design excellence 4. Our Social Vitality 4.1 North Sydney is connected, inclusive, healthy and safe 4.3 North Sydney's history is preserved and recognised 5. Our Civic Leadership 5.2 Strong civic leadership and customer focussed services 5.3 Community is engaged in what Council does 5.4 Council services are efficient and easy to access

PURPOSE:

The purpose of this report is for Council to determine the appointment of representatives to the Sydney North Planning Panel.

EXECUTIVE SUMMARY:

- At its meeting of 21 February 2022, Council considered a report addressing the need to appoint community representatives to the Sydney North Planning Panel (SNPP). Council granted delegation to the Chief Executive Officer to make those appointments from the Community representatives serving on the North Sydney Local Planning Panel.
- The Chief Executive Officer appointed the current community panel members following Council's resolution.
- The existing community representatives' tenure ends in September 2025, and it is now necessary for Council to consider the appointment of new community representatives to the Sydney North Planning Panel.
- It is noted that Council has chosen not to have Councillor representation on the SNPP for some years. However, Council may now want to consider Councillor representation, being one qualified Councillor and at least two alternatives.
- An alternative option is to seek expressions of Interest from eligible North Sydney Local Planning Panel community representatives and the wider community.

RECOMMENDATION:

1.THAT Council consider nominating two Councillors and at least one alternate Councillor, to sit on the Sydney North Planning Panel, OR call for expressions of interest from the North

Sydney Local Planning Panel community representatives and the wider community, with delegation being issued to the Chief Executive Officer to appoint the additional representation.

2.THAT Council thank the outgoing representatives for their service to the North Sydney Community.

Background

At its meeting of 21 February 2022, Council considered a report on the nomination of community members to the Sydney North Planning Panel (SNPP).

There was no Councillor nomination to fill the vacancies and subsequently Council resolved:

- 1. THAT expressions of interest be called for the Sydney North Local Planning Panel Community representatives with delegation to appoint this additional representation being granted to the General Manager.*
- 2. THAT the General Manager be delegated authority to extend the term of the existing representatives while expressions of interest are sought.*

Report

Sydney Planning Panels were established to replace the Joint Regional Planning Panels under the Greater Sydney Commission (GSC) on 21 November 2016. There are six Sydney Planning Panels, and boundaries for the Panels reflect the district boundaries declared under the Environmental Planning and Assessment Act 1979 (EP&A Act).

The North Sydney Local Government Area (LGA) is included within the North District and is served by the Sydney North Planning Panel, together with Hornsby, Hunters Hill, Ku-ring-gai, Lane Cove, Northern Beaches, Mosman, Ryde, and Willoughby LGAs.

The Sydney North Planning Panel consists of five members:

- the Chair, appointed by the State in January 2018;
- Two additional State members; and
- Two community panel members who may be Councillors, members of Council staff, or other persons nominated by the relevant Council.

Each panel member holds relevant professional expertise and experience which has enabled them to contribute on level footing with the State-appointed panel member.

The Panel is responsible for:

- determining “regionally significant” development applications and modification applications with a capital investment value more than \$30 million;
- acting as the Planning Proposal Authority when directed;
- considering Rezoning Reviews, through which proponents can request a review of a Planning Proposal if not supported by Council, or if a Council determination is not made within 90 days; and
- providing advice on other planning and development matters requested by the Department or the Minister.

The Sydney North Panel sits to determine North Sydney matters approximately six times a year. The Panel is also briefed on individual applications following lodgement.

Meetings are held during the day on the first Wednesday of the month but may be on any Wednesday or any other day depending on the Panel's workload. Currently, meetings are generally held electronically and depending on the number of submitters and the complexity of the issues, last between one and five hours. Provision remains for meetings to be held face-to-face.

Business papers are circulated ten days before the meeting. The actual determination of matters is held *in camera* and absent of Council staff and the applicant.

Nomination of Members

Council's membership of the Sydney North Planning Panel has previously been determined on an annual basis. However, the current appointments have been for an initial period of three years. This was extended until September 2025 to align with Local Planning Panel community appointments and will subsequently expire.

Council is required to nominate at least two persons to become members of the Sydney North Planning Panel. Council is also required to nominate at least one additional person as an "alternate member". Therefore, a minimum of three persons must be nominated by Council, as community representatives.

At least one Council-appointed member is required under Division 2.4 of the EP&A Act to have experience in one or more of the following fields: planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering, or tourism. This background is the same as that required for State-appointed members.

In accordance with the amendments to EP&A Act that came into force on 1 March 2018, property developers and real estate agents are not eligible to sit as the Panel members.

While the legislation enables Council staff to represent Council on the Panel, it is considered inappropriate for them to do so. This is due to the perception of potential conflict or professional views which may not align with those of Council or community.

It is open to Council to nominate representatives who are Councillors, provided one of the nominees have qualifications as outlined above.

Should Council choose not to nominate representatives within its own ranks of Councillors, it is recommended that expressions of interest be called from the community representatives appointed to the North Sydney Local Planning Panel and the wider community, with delegated authority being granted to the Chief Executive Officer to confirm those appointments.

Council currently pays \$750 per community representative to attend SNPP meetings. This arrangement should continue and is included in the current budget. There is no provision for payment to Councillors beyond their current allowance.

Consultation requirements

Community engagement is not required.

Financial/Resource Implications

There are no additional financial considerations arising from this report and the current Planning Panel Budget remains adequate.

Legislation

The relevant Legislation associated with this report is Division 2.4 of the Environmental Planning and Assessment Act 1979 (EP&A Act).