

**Report to General Manager**Attachments:
Nil**SUBJECT:** Sydney North Planning Panel - Membership Nomination 2019-2020**AUTHOR:** Stephen Beattie, Manager Development Services**ENDORSED BY:** Joseph Hill, Director City Strategy**EXECUTIVE SUMMARY:**

On 30 July 2018, Council considered a report on the nomination of members to the Sydney North Planning Panel (SNPP) for the 2018-2019 period. Council resolved (Min No. 251):

- 1. THAT Council retain its current nominees being former Councillors Michel Reymond and Veronique Marchandreau, and alternate Councillor Stephen Barbour, to represent Council on the Sydney North Planning Panel for the next 12 months.*
- 2. THAT the Panel membership be reviewed in 12 months' time.*
- 3. THAT community representatives be paid \$750 per Panel meeting and that the appropriate arrangements be made to increase Development Application fees accordingly as such applications are required to be considered by the Sydney North Planning Panel.*

The former Councillors and Councillor Barbour accepted the nomination and have served on the Sydney North Planning Panel since that date.

It is more than 12 months since the appointments were made and it is necessary to reconsider appropriate appointments which should serve Council until at least the Local Government elections in September 2020 if not beyond to early 2021.

On 26 August 2019, Council considered a report on the nomination of members to the Sydney North Planning Panel (SNPP) for the 2018-2019 period. Council resolved (Min No. 231):

- 1. THAT Council advertise for Expressions of Interest for community representatives for the Sydney North Planning Panel as soon as possible and in the interim the current community representatives continue to serve on the Panel.*

Expressions of interest were sought for a period of 28 days to 25 October 2019, by notifying existing SNPP Members; members of the North Sydney Local Planning Panel (NSLPP) that are residents; and all Precincts. Notices were also on Council's website and in the local paper. Ten nominations were received.

The remuneration of non-Councillor representatives was set at \$750 per panel meeting. This reflects half of that paid to sitting members of the North Sydney Local Planning Panel which generally deals with a greater number of matters at its meetings.

In order for Councillors to discuss the content of this in Confidence report containing information regarding personnel matters concerning particular individuals (other than Councillors) it will be necessary to close the Council meeting to the public.

FINANCIAL IMPLICATIONS:

The \$750 fee proposed for community representatives on the Panel is equivalent to a cost of approximately \$13,500 per year. This fee is funded via the fee which is paid at the time of lodgement of an application. There is currently no provision in legislation that enables this amount to be recouped through the Development Application fee.

RECOMMENDATION:

- 1. THAT** Council nominate two plus one alternate community representatives to represent North Sydney Council on the Sydney North Planning Panel up to 31 March 2021.
 - 2. THAT** the Panel membership be reviewed following the Local Government elections in September 2020.
 - 3. THAT** community representatives continue to be paid \$750 per Panel meeting.
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LINK TO COMMUNITY STRATEGIC PLAN

The relationship with the Community Strategic Plan is as follows:

- Direction: 5. Our Civic Leadership
- Outcome: 5.1 Council leads the strategic direction of North Sydney
5.2 Council is well governed and customer focused

BACKGROUND

On 18 May 2009, Council's Planning and Development Committee considered a report regarding the nomination of Council appointed members to the Sydney East Joint Regional Planning Panel (JRPP). On 10 August 2009, Council resolved to nominate two (2) Councillors to be members of the JRPP and at least one (1) Councillor be nominated as an alternate member for a nominated period of three (3) years. Since that time, Council has continually reviewed the JRPP membership on an annual basis.

On 21 November 2016, the JRPPs were replaced by Sydney Planning Panels. North Sydney Council forms part of the Sydney North Planning Panel.

On 30 October 2017, Council considered a report in relation to the nomination of members to the Sydney North Planning Panel for 2017-2018 period. Council resolved to nominate Councillor Drummond and Councillor Mutton, with Councillor Barbour as an alternative, to represent Council on the Panel.

On 6 November 2017, Councillors Drummond and Mutton advised that they were unable to fulfil their commitment to the role and withdrew from their appointment.

Council subsequently resolved at its meeting of 20 November 2017 (Min. No. 408):

- 1. THAT Council write to former Councillors Marchandau and Reymond asking whether they would be interested in taking on the role of Council's representatives on the Sydney North Planning Panel for 6 months.*
- 2. THAT Council call for Expressions of Interest for the role of Council's representatives on the Sydney North Planning Panel, commencing in 6 months' time.*

Former Councillors Reymond and Marchandau accepted Council's invitation and confirmed that they would like to be Council's representatives to the Sydney North Planning Panel.

Following a similar Council resolution of 30 July 2018, former Councillors Reymond and Marchandau accepted Council's further invitation and confirmed that they would like to continue as Council's representatives to the Sydney North Planning Panel, with Councillor Stephen Barbour being an alternative.

It is more than 12 months since the appointments were made and it is necessary to reconsider appropriate appointments which should serve Council until at least the Local Government elections in September 2020 if not beyond to early 2021.

On 26 August 2019, Council considered a report on the nomination of members to the Sydney North Planning Panel (SNPP) for the 2018-2019 period. Council resolved (Min. No. 231):

1. THAT Council advertise for Expressions of Interest for community representatives for the Sydney North Planning Panel as soon as possible and in the interim the current community representatives continue to serve on the Panel.

CONSULTATION REQUIREMENTS

Expressions of interest were sought for a period of 28 days to 25 October 2019, by notifying existing SNPP Members; members of the North Sydney Local Planning Panel (NSLPP) who are residents; and all Precincts. Notices were also on Council's website and in the local paper.

SUSTAINABILITY STATEMENT

The sustainability implications are of a minor nature and did not warrant a detailed assessment.

DETAIL

Sydney Planning Panels were established to replace the JRPPs under the Greater Sydney Commission (GSC) on 21 November 2016. There are six (6) Sydney Planning Panels and boundaries for the Panels reflect the District boundaries declared under the 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 (5) members:

- The chair (Peter Debnam, appointed by the State in January 2018);
- Two (2) additional State members (John Roseth and Sue Francis); and
- Two (2) council-based panel members who are required to be Councillors, members of council staff or other persons nominated by the relevant council.

The Panels are 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 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.

Council's membership of the Sydney North Planning Panel has been determined on an annual basis. The current Council-based membership has expired and it is suggested that any

appointments be made with an intent to serve through until after the election of the new Council in September 2020.

Nomination of Members

Council is required to nominate a total of two (2) people to become members of the Sydney North Planning Panel. Council is also required to nominate at least one (1) additional person as an “alternate member”. Therefore, a minimum of three (3) people must be nominated by Council.

At least one Council appointed member is required under Division 2.4 of the Environmental Planning and Assessment Act 1979 (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.

In accordance with the amendments to EP&A Act that came into force on 1 March 2018, property developers and real estate agents are no longer eligible to sit as the Panel members.

It is recommended that in order to meet the above criteria, that nominee must at least have qualifications in one or more of the particular fields and/or have been working within one of the particular fields for more than a five-year period.

Council currently pays its community members \$750 for their attendance at SNPP meetings. This arrangement should continue and is included in current budget estimates.

Nominations

Expressions of interest were sought for a period of 28 days to 25 October 2019, by notifying existing SNPP Members; members of the North Sydney Local Planning Panel (NSLPP) who are residents; and all Precincts. In response to the advertising, ten nominations were received.

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