

## 8.13. Sydney North Planning Panel - Membership Nomination 2022

**AUTHOR:** Stephen Beattie, Manager Development Services

**ENDORSED BY:** Joseph Hill, Director City Strategy

**ATTACHMENTS:** Nil

### **PURPOSE:**

For Council to determine its appointment of representatives to the Sydney North Planning Panel.

### **EXECUTIVE SUMMARY:**

On 25 November 2019, Council considered a report on the nomination of members to the Sydney North Planning Panel (SNPP) for the 2019-20 reporting period. Council resolved:

1. *THAT Council nominate Kenneth Robinson and Virginia Waller as the community representatives to represent North Sydney Council on the Sydney North Planning Panel, with Councillor Barbour and Kevin Alker as alternates 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.*
4. *THAT Council write to Veronique Marchandean and Michel Reymond expressing gratitude for their service to the Sydney North Planning Panel on behalf of our community.*

The above appointments were made due to the Council not taking up the option of having Councillor representation on the Panel. The appointments were due or expire in March 2021 aligned with the original Local Government election date in September 2020. Given that the Local Government elections have been deferred from September 2020 to September 2021 and then to December 2021, these appointments were extended by further Council resolution until the ordinary council meeting in March 2022 thus allowing the newly formed Council to select their representatives.

It is now necessary for the Council to consider appointing new representatives to the Sydney North Planning Panel. In the first instance Council should consider Councillor representation, being two qualified Councillors and an alternative. The alternative option is to seek Expressions of Interest from the North Sydney Local Planning Panel Community representative pool.

### **FINANCIAL IMPLICATIONS:**

There are no additional financial considerations arising from this report and the current Sydney North Planning Panel operational budget of \$10,000 remains adequate.

**RECOMMENDATION:**

**1.THAT** Council nominates 2 representatives, Councillor \_\_\_\_\_ and Councillor \_\_\_\_\_ and at least one alternate, Councillor \_\_\_\_\_, to sit on the Sydney North Planning Panel.

**2.THAT** should Council fail to find at least 3 representatives from the sitting members of Council that expressions of interest be called from the North Sydney Local Planning Panel Community representatives with delegation to appoint this additional representation being granted to the General Manager.

**3.THAT** Council thanks the outgoing representatives for their service to the North Sydney Community.

## **LINK TO COMMUNITY STRATEGIC PLAN**

The relationship with the Community Strategic Plan is as follows:

### **5. Our Civic Leadership**

5.1 Council leads the strategic direction of North Sydney

5.2 Council is well governed and customer focused

## **BACKGROUND**

On 25 November 2019, Council considered a report on the nomination of members to the Sydney North Planning Panel (SNPP) for the 2019-20 reporting period. Council resolved:

- 1. THAT Council nominate Kenneth Robinson and Virginia Waller as the community representatives to represent North Sydney Council on the Sydney North Planning Panel, with Councillor Barbour and Kevin Alker as alternates 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.*
- 4. THAT Council write to Veronique Marchandean and Michel Reymond expressing gratitude for their service to the Sydney North Planning Panel on behalf of our community.*

The above appointments were made due to the Council not taking up the option of having Councillor representation on the Panel. The appointments were due or expire in March 2021 aligned with the original Local Government election date in September 2020. Given that the Local Government elections have been deferred from September 2020 to September 2021 and then to December 2021, these appointments were extended by further Council resolution until the ordinary council meeting in March 2022 thus allowing the newly formed Council to select their representatives.

It is now necessary for the Council to consider appointing new representatives to the Sydney North Planning Panel. In the first instance Council should consider Councillor representation, being two qualified Councillors and an alternative. The alternative option is to seek Expressions of Interest from the North Sydney Local Planning Panel Community representative pool.

## **CONSULTATION REQUIREMENTS**

Community engagement is not required at this time.

## **DETAIL**

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 (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 (Local Government Areas).

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 (Brian Kirk and Julie Savit Ward); 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 current council based representatives are Kenneth Robinson and Virginia Waller as the primary representatives with alternative being former Councillor Stephen Barbour and Kevin Alker.

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 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 meetings are held typically during the day on the first Wednesday of the month but may be on any Wednesday depending on the panel's workload. Currently meetings are held electronically and depending on the number of submitters and the complexity of the issues may last between one and five hours. Business papers are circulated ten days before the meeting

### **Nomination of Members**

Council’s membership of the Sydney North Planning Panel has previously been determined on an annual basis. The current Council-based membership was extended until March 2022 and will subsequently expire.

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 the 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.

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

It is open for the Council to nominate representatives who are Councilors provided one of the nominee's process qualifications as outlined above. Should Council be unable to find sufficient representatives within its own ranks it is recommended that expressions of interest be called from those community representatives appointed to the North Sydney Local Planning Panel with delegated authority being granted to the General Manager to confirm those appointments.

Council currently pays its community members \$750 for their attendance at SNPP meetings. This arrangement should continue and is included in current budget estimates. **There is no payment to Councilors beyond their current allowance.**