

# FACT SHEET

## – Wollondilly Local Planning Panel



☎ (02) 4677 1100

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### What is the Wollondilly Shire Local Planning Panel?

The Wollondilly Shire Local Planning Panel, is a Panel comprising a group of experts and local community members who will determine certain Development Applications (DAs) and provide advice on Local Environmental Planning Proposals (LEPs) submitted to Council.

From 1 March 2018, it is mandatory for all local Councils in the greater Sydney area, including Wollondilly Shire Council, to have a Local Planning Panel in place to determine DAs with a high level of public interest, sensitivity, strategic importance, or risk of corruption.

The criteria for which types of applications must be determined by the Local Planning Panel has been set by the NSW Minister for Planning.

The Wollondilly Shire Local Planning Panel will decide development applications that meet one or more of the following criteria:

- **Conflict of interest**
  - Development applications for which the applicant or property owner is the Council, a Councillor, a Councillor's family member, a Council staff member, or a State or Federal Member of Parliament.
- **Contentiousness**
  - Development applications that receive 10 or more objections from different households.
- **Strategic importance**
  - Development applications accompanied by a proposed voluntary planning agreement.
- **Departure from development standards**
  - Development applications seeking to depart by more than 10 per cent from a development standard.
- **Sensitive developments and modifications**
  - Development applications classified as sensitive development such as residential flat building 3 storey or more in height, demolition of heritage items, licensed places of public entertainment, sex industry premises, and designated development (defined by the Environmental Planning and Assessment Regulation).
  - Any other development application for which there is no delegation to staff.
- **Planning Proposals (such as rezoning applications)**
  - Are required to be referred to the Wollondilly Shire Local Planning Panel for advice only. The Panel will consider these matters in a closed session in accordance with Clause 26 (1) of Schedule 2 of the Environmental Planning and Assessment Act, 1979, and formulate its advice in the form of a resolution.
  - The advice will be recorded in the Minutes of the Wollondilly of the Wollondilly Shire Local Planning Panel meeting and placed on Council's website to ensure compliance with Clause 26 (3) of Schedule 2 of the Environmental Planning Assessment Act, 1979.
  - The advice for the Planning Proposal will also form part of the subsequent report to Council on the matter.
  - Applications which are not required to be determined by the Wollondilly Shire Local Planning Panel will be determined by Council staff under delegation, or by the Sydney West City Planning Panel. Development Applications will no longer be determined by Councillors at Council meetings.

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### When are the meetings held?

Local Planning Panel meetings occur monthly on a Thursday in Council's Administration Building at 3:30pm.

The meeting format usually includes:

- on-site inspection
- public panel meeting, with an open forum for interested persons and groups to hear and make submissions about the development proposal
- closed panel session for the panel to deliberate
- decision released within 5 business days
- Decisions of the panel are determined by majority of votes with each member casting one vote. In the event of a tied vote, the Chairperson has a casting vote.

### Who are the Wollondilly Shire Local Planning Panel Members?

An independent expert Chairperson and two alternate Chairpersons have been appointed by the NSW Department of Planning and Environment and other expert members have been appointed by Council from a pool established by the NSW Department of Planning and Environment. The Chairpersons and experts have qualifications and extensive experience in a range of relevant disciplines, including town planning, architecture, urban design, law, and public administration.

Local community representatives have been selected by Wollondilly Shire Council as a result of an Expression of Interest process.

Each meeting of the Wollondilly Shire Local Planning Panel will comprise a minimum of four members - a Panel Chairperson, two independent experts, and one community representative. The Panel members will generally rotate between meetings.

All Panel members are required to adhere to the Code of Conduct for Local Planning Panel Members, and the Operational Procedures.

Panel members are not permitted to communicate with any applicant, property owner, or other interested party, including supporters and objectors, on any matter being considered by the Wollondilly Shire Local Planning Panel.

### The Wollondilly Shire Local Planning Panel members are:

- Chris Wilson, Chair
- Elizabeth Kinkade, Alternate Chair
- David Crofts, Alternate Chair
- Gary Chapman, Expert
- Anthony Hudson, Expert
- Grant Christmas, Expert
- Scott Barwick, Expert
- Toney Hallahan, Expert
- Kim Burrell, Expert
- David Johnson, Expert
- Juliet Suich, Expert
- Lindsey Dey, Expert
- Peter Brennan, Expert
- John Soldo, Community Rep
- Luke Joseph, Community Rep
- Wade Lancaster, Community Rep
- Vanessa Morschel, Community Rep

### How does the Wollondilly Shire Local Planning Panel operate?

#### Application lodgement

The lodgement and information requirements for development applications and other planning applications to be considered by the Panel are the same requirements as for any other development application determined by Council staff. All applications are still required to be lodged with Council

All applications submitted will be subject to Council's standard lodgement fees. There are no additional fees associated with referral to and determination by the Panel. Council's

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Development Services staff will prepare an assessment report on the application, including suggested conditions of consent or reasons for refusal, and that report will be submitted to the Wollondilly Shire Local Planning Panel for consideration. The Panel is able to make a decision to approve, refuse, or defer an application and to add, subtract or modify conditions of approval, independent of the Council's staff report.

### Site visits

The Panel will generally conduct an inspection of each site for which it is determining an application. Site inspections will be conducted by arrangement with the property owner before the Panel meeting to determine the application. Properties of submitters may also be inspected where required.

### Community engagement in the Wollondilly Shire Local Planning Panel Meeting

When an application is to be referred to the Panel, Council will notify the applicant and any community members who have made a submission on the application prior to the meeting date.

The applicant, representatives, and submitters are able to apply to address the Wollondilly Shire Local Planning Panel by completing the online form.

If you wish to speak about an item on the Local Planning Panel agenda you must [submit a form](#). By submitting this form, you consent to being recorded and live streamed when addressing the Local Planning Panel.

The panel members will consider submissions made by objectors and applicants at the meeting. Applications will be accepted until 12:00pm (noon) the day before the relevant Local Planning Panel meeting. Speakers have three (3) minutes to address the panel.

Once all speakers on all items have addressed the Panel, the public session of the meeting will be closed, and the Panel will go into closed session to discuss and determine each item. Panel decisions will be made available via the Minutes (refer below).

### Agendas and Minutes of Wollondilly Shire Local Planning Panel Meetings

An agenda of all items to be determined by the Panel will be published on Council's Local Planning Panel webpage at least one week prior to the date of the meeting.

Minutes of the meeting will be published on the same webpage within five working days following the meeting. Before publication, the Minutes will be confirmed by the Panel Chair, in consultation with the other Panel members.

Following the publication of the Minutes, Determination Notices will be prepared and issued for all development applications that were determined at the meeting. Those persons who made submissions will also be notified in writing of the Panel's decision.

### Further information

Further information can be found on Council's [website](#) including:

- Applications currently under assessment
- Code of Conduct for members of Local Planning Panels
- Charter and Code of Meeting Practice for Wollondilly's Local Planning Panel
- Council's Local Environment Plan
- Council's Development Control Plan

For any questions relating to the Wollondilly Shire Local Planning Panel, please contact Council's Administrative Secretary – Local Planning Panels, Governance 02 4677 9600.

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