

Hawkesbury Local Planning Panel

What is the Hawkesbury Local Planning Panel?

The Hawkesbury 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 Hawkesbury City Council, to have an Hawkesbury 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 an Hawkesbury Local Planning Panel has been set by the NSW Minister for Planning.

The Hawkesbury 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.

High-risk developments and modifications

Development applications associated with the potential for a high risk of corruption, such as residential apartment buildings under SEPP 65, 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 Hawkesbury 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 Hawkesbury of the Hawkesbury 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 Hawkesbury 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.

Who are the Hawkesbury 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 Hawkesbury City Council as a result of an Expression of Interest process.

Each meeting of the Hawkesbury 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 Hawkesbury Local Planning Panel.

The Hawkesbury Local Planning Panel members are:

Expert Chairs (Appointed by the Minister for Planning)

Alison McCabe (Chairperson)

Current member of the Southern Joint Regional Planning Panel and qualified Town Planner with post graduate qualifications in environmental law, practicing for over 35 years.

Steve Kennedy (Alternate Chairperson)

Council-nominated Planning Panel member since 2009 with 30 years' experience as an architect and urban designer.

David Ryan (Alternate Chairperson)

Town Planner and Lawyer with over 30 years' experience in local government and private practice. Council-nominated representative on Sydney West Central Planning Panel.

Expert Panel Members

David Broyd

John Brunton

Jane Fielding

Juliet Grant

Michael Harrison

Helen Mulcahy

Deborah Sutherland

Community Representatives

Graham Edds

Cassandra Holtom

Paul Rogers

How does the Hawkesbury 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:

- **In person** at our Customer Service Centre at 366 George Street Windsor, between 8.30am and 5.00pm, Monday to Friday.
- **By mail** to: Hawkesbury City Council, P.O. Box 146, Windsor NSW 2756 or to: DX 8601 Windsor.

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 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 Hawkesbury 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.

October 2018

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 Hawkesbury 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 Hawkesbury Local Planning Panel by completing the *Application to address the Hawkesbury Independent Hearing and Assessment Panel* form and returning the form to Council **before 3pm on the day before the meeting.**

The application form can be lodged:

- In person at Council's Customer Service Counter at the Hawkesbury City Council Administration Building at 366 George Street, Windsor;
- **By post, addressed to:**
The General Manager
Hawkesbury City Council
PO Box 146
WINDSOR NSW 2756
- By email to council@hawkesbury.nsw.gov.au

Each speaker will be given a maximum of **five minutes** to address the Panel. Persons addressing the Panel may also be asked to answer questions from 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).

The public session of the meeting will be audio recorded for administration purposes and a Podcast will be made available through the Council website within two working days following the meeting.

Agendas and Minutes of Hawkesbury Local Planning Panel Meetings

An agenda of all items to be determined by the Panel will be published on Council's Hawkesbury Local Planning Panel *Meeting Schedule and Business Papers* 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

For any further information relating to the Hawkesbury Independent Hearing and Assessment Panel, please contact Council's Manager Corporate Services and Governance (02) 4560 4426.



This document contains important information. If you do not understand it, contact the Telephone Interpreter Service on 131 450.



Hawkesbury City Council

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Council Website: www.hawkesbury.nsw.gov.au
Office Hours: Monday to Friday 8:30am-5pm