

## ITEM 5

## APPOINTMENT OF COUNCIL 'LOCAL EXPERT' MEMBERS ON THE SOUTHERN REGIONAL PLANNING PANEL

Sydney and Regional Planning Panels were introduced to NSW in 2009 to strengthen decision making on regionally significant development applications and other planning matters. The five member panels include three State appointed members and two Council appointed members, one of which is required to be a local "expert" member. This report sets out a process to refresh the Council appointed expert panel members.

## RECOMMENDATION

Council endorse the appointment for local expert representatives Marjorie Ferguson and Tina Christie (alternative delegate) to the Southern Regional Planning Panel for a period of three years to replace the previous outgoing members, Michael Mantei and Mark Carlon.

## REPORT AUTHORISATIONS

Report of: Mark Adamson, Manager Development Assessment and Certification  
Authorised by: Linda Davis, Director Planning + Environment - Future City + Neighbourhoods

## ATTACHMENTS

There are no attachments for this report.

## BACKGROUND

Regional Panels provide independent, merit-based decision making on regional development and commenced operation on 1 July 2009. Wollongong City Council is part of the Southern Regional Planning Panel which was the first in the state to hold a determination meeting on 24 September 2009. Regional Panels consist of five members comprising one chair (appointed by Minister), two experts (appointed by Minister) and two Council appointed members. Historically Wollongong has appointed one Councillor (non-expert) and one local expert as local panel members.

Section 4.4 of the Sydney District & Regional Planning Panel Operational Procedures (November 2022) states that *'Two council members are appointed by each council. At least one council member must have expertise in one or more of the following areas: planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering or tourism'*.

On 21 February 2023, Council resolved unanimously to appoint Councillor David Brown (Delegate) and Councillor Tania Brown (Alternate Delegate) as Councillor representatives.

The term of Council's qualified expert members Michael Mantei and alternate Mark Carlon expired in December 2023. The expert position and alternate are now vacant and require replacement. To date, Council's expert members have been effective professional panel members and their service has been highly regarded.

Section 4.5 of the Sydney District & Regional Planning Panel Operational Procedures (November 2022) states that *'Councils are not restricted to nominating people from the council's local area. They can appoint, terminate, and reappoint members at any time, and can determine the duration of each appointment. Generally, so as to ensure the greatest degree of continuity for the Panels, councils should consider appointing members for the maximum term of 3 years. However, councils should reconsider if the nominations to the Panels are appropriate within 12 months following a council election.'*

Following some consultation with the Panel Secretariat, a review of the existing pool of experts appointed by the Minister for local and State planning panels was identified as an efficient and ideal resource to identify suitable candidates. The Planning Panels Secretariat at the Department of Planning, Housing and Infrastructure maintains a list of approved independent experts and can make this list available to councils on request.

State panel locally appointed experts are required to be appropriately qualified in the relevant areas of town planning, architecture and like fields.

The Minister's pool has approximately 200 qualified experts. Experts in the pool have also already undergone necessary probity checks to be eligible. *Each expert has completed probity checks and provided a statutory declaration that they have not been bankrupt, do not have a criminal record and are not developers or real estate agents.*

Reviewing the pool has enabled Council to efficiently identify relevantly qualified and experienced experts that have undergone probity checks that are located within the Wollongong Local Government Area.

The candidates were all evaluated by managers within the Development Assessment and Certification division against the following selection criteria:

- Relevant expertise in one of the following areas - planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering or tourism
- Qualification levels
- Experience in development assessment or as member on an assessment panel
- Knowledge of local area and local planning issues
- Ability to act independently and to represent community concerns

As a result of the evaluation process two (2) preferred candidates were identified:

- Marjorie Ferguson
- Tina Christie (alternative)

The recommended experts do not hold any other positions within the Local Government Area that may affect their ability to undertake the role or result in any perceived conflicts of interest. Both candidates have indicated that they would accept the appointment to the Panel.

It is recommended that the above candidates be appointed as local experts. Both candidates have local knowledge and extensive experience in development assessment, planning issues and decision making. The new members may be appointed for a period of up to three years. This appointment ensures the continuation of the strong performance delivered by the Southern Regional Planning Panel on significant local development proposals.

## PROPOSAL

Council endorse the appointment of a local expert representative and an alternate member to replace the outgoing members.

This appointment ensures the continuation of local representation with suitably experienced members and the strong performance delivered by the Southern Regional Planning Panel on significant local development proposals.

## CONSULTATION AND COMMUNICATION

Local experts with relevant planning panel experience and expertise were identified via the list of experts appointed by the Minister for Planning.

## PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2032 Goal 1: We value and protect our environment. It specifically delivers on core business activities as detailed in the Delivery Program and Operational Plan Development Assessment service.

## RISK MANAGEMENT

Legislative and Regulatory Risk – The Panel is to be constituted in accordance with legislation.

## FINANCIAL IMPLICATIONS

Council determines the fees paid to local panel members and is responsible for making payments to local expert panel members when they attend regional panel meetings. It is proposed to retain the existing remuneration arrangement as follows:

Schedule of remuneration	
Councillors	No additional payment beyond existing Councillor entitlements
Council Experts	\$1,100 (GST inclusive) per meeting

## CONCLUSION

This report recommends that Council endorse the appointment of local expert representatives Marjorie Ferguson and Tina Christie (alternate) to the Southern Regional Planning Panel for a period of three years to replace the outgoing members, Michael Mantei and Mark Carlon. The alternate local expert is to provide expertise in the event the primary expert is unavailable or identifies a conflict of interest.