

# Council happenings . . .

with Mayor  
Glenn Wall

## Hunter Councils calls a halt to Planning Panel Nominations.

The Board of Hunter Councils comprises the Mayors of all eleven local government areas in the Hunter Region.

At its meeting of 21 May 2009 the Board discussed the operation of the Joint Regional Planning Panels to be introduced by the State Government from 1 July 2009 and, more specifically, the required nomination of Council representatives to those Panels by 5 June 2009.

The Joint Regional Planning Panels as devised by the NSW Department of Planning will comprise three State Government-appointed members, including the Chairperson, and two representatives appointed by the local government area where the development is located. The Panels will stand in the place of a council in the determination of all commercial, residential, mixed use, retail and tourism developments valued between \$10 million and \$100 million, 'ecotourism' projects and public and community infrastructure projects valued over \$5 million, certain coastal developments currently considered under Part 3A, designated development and development over \$5 million where the council is the proponent.

According to Cr Julie Lyford, the Chair of Hunter Councils, local government in the Hunter is committed to a more efficient and effective planning system. She said, "Councillors and council staff in the Hunter Region are supportive of refinements to legislation and practice that will make the planning system in New South Wales more transparent, defensible and apolitical. At our meeting the Mayors were unanimous in the view, however, that as currently proposed the Joint Regional Planning Panels will act against planning reform because the Department of Planning has failed to consider how the Panels will actually function and how issues, for example, of conflict of interest and communication will be addressed."

She added, "Local government in the Hunter is not prepared at this stage to recommend that Councils nominate representatives to the Planning Panels because no real guidance or Code is offered as to how these representatives will manage on the one hand their 'independent from Council' role on the Panels with, on the other, their day to day activities as Council planning and development staff or as Councillors. The two roles are potentially diametrically opposed, and we cannot see – especially in the absence of any real guidelines on real life operations – how possibly fatal compromise to the development assessment process can be avoided."

As a result of the above the Board of Hunter Councils has resolved the following:

1. To support the submissions to the Department of Planning made by the NSW Local Government and Shires Associations and the Local Government Planners Directors Group in regard to the Joint Regional Planning Panels
2. To urgently seek extensions to the 5 June deadline for Panel nominations and the start date for Panel operation, and
3. To advise member Councils of Hunter Councils not to nominate representatives on the Planning Panels until such time as guidelines and codes of conduct are created.

The latter resolution is an unprecedented move for local government in the Hunter, and reflects the gravity of the situation potentially confronting the planning system in our region.

The Board will also as a matter of urgency will be sending a delegation to Sydney to meet with the Department of Planning and / or Planning Minister Kristina Keneally to seek deferral of the deadlines and to secure a fundamental reassessment of how the Panels will operate and be resourced.

26 May 2009