



6 April 2018

IRF18/892

Mr Paul Hickey
General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

Dear Mr Hickey

I am writing to draw your attention to new legislative provisions relating to the Joint Regional Planning Panels and Sydney Planning Panels.

As you would be aware amendments to the *Environmental Planning and Assessment Act 1979* (Act) came into force on 1 March 2018. A key change in the Act now means that property developers and real estate agents are no longer eligible to sit as either state-nominated or council-nominated Panel members.

If you have not already done so, please review Council's nominated Panel members and ensure their continuing eligibility to participate. If you make changes to your council-nominated members please email the Planning Panels Secretariat at enquiry@planningpanels.nsw.gov.au of any changes to Council's members at least two weeks prior to any scheduled Panel meeting.

The categories of regionally significant development can now be found in schedule 7 of State Environmental Planning Policy (State and Regional Development) 2011. The threshold for general development has changed: development that has a capital investment value (CIV) of more than \$30 million is now considered regionally significant development.

Please note that transitional provisions mean any development applications that were lodged but not determined before 1 March 2018 that met the former CIV threshold of more than \$20 million will remain with the Panel for determination.

Under section 8.2 of the Act Panel determinations are now subject to reviews of decisions made on development and modification applications. These reviews will be undertaken by different Panel members to those that made the original decision. Please ensure Council has sufficient alternate council members appointed to enable this decision review function to be carried out in a timely manner.

Another new requirement is that all public Panel meetings are to be recorded and the recording made available on the Planning Panels website at planningpanels.nsw.gov.au. The Panels Secretariat has arranged for audio recording specialists to record these

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10.3 Joint Regional Planning Panel - Election of Alternate Delegate.DOC

meetings. However, where Council is equipped to be able to make audio recordings, it would be appreciated if these facilities could be made available for Panel meetings. Could you please contact the Panel Secretariat to discuss how we could use your equipment.

Should you have any questions in relation to any of these matters, please contact Mr Stuart Withington, Manager, Planning Panels Secretariat, on 8217 2061.

Yours sincerely

A handwritten signature in blue ink that reads "Marcus Ray". The signature is fluid and cursive, with a long horizontal stroke at the end.

Marcus Ray
Deputy Secretary
Planning Services

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