

## MAYORAL MINUTE

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On the 6 March 2025, The Hon. Paul Scully MP, Minister for Planning and Public Spaces wrote to me (refer Attachment 1) stating that the Department of Planning, Housing and Infrastructure (DPHI) has identified criteria for assessing Council performances and that Wingecarribee Shire Council (WSC) has not met these performance standards for Development Applications (DA).

Minister Scully has stated that WSC has three months to demonstrate improvement and has requested a written response, endorsed by the elected Council, which identifies an action plan, along with associated program to swiftly improve performance.

My position and goal on DA assessment standards remains unchanged from what I declared in my inaugural Mayoral Minute dated 30 October 2024, that:

*As Mayor, my goal for our Shire is to lift Council's current percentage of DA's being determined within the Ministers expected timeframe from the current rate of 16% to 62%, matching the NSW average, at the one-year mark of the new council being sworn in.*

We will achieve this goal. In October 2024, my fellow WSC Councillors and I affirmed the importance of meeting the Ministers' expectations for improved DA assessment. WSC staff have responded with enthusiasm and unwavering commitment since my inaugural Mayoral Minute which has resulted in demonstrable improvements and an action plan already established prior to the Minister's letter being received on 6 March 2025.

WSC has determined 300 DAs since July 2024, ranking 34th out of 128 councils in the state. Improvements and actions are profiled in the draft response letter (refer Attachment 2). Some of the actions we are requesting the Minister's support via resources and sponsorship in order to meet his performance criteria (refer Attachment 1) and Statement of Expectations Order for all NSW Councils dated 1 July 2024.

### RECOMMENDATION:

**THAT Council endorses the Mayor's proposed draft response to The Hon. Paul Scully MP, Minister for Planning and Public Spaces regarding Wingecarribee Shire Council's development assessment performance standards.**

**The Hon Paul Scully MP**  
Minister for Planning and Public Spaces



Ref: IRF25/144

**Cr Jesse Fitzpatrick**  
Mayor  
Wingecarribee Shire Council  
PO Box 141  
Moss Vale NSW 2577  
[mayor@wsc.nsw.gov.au](mailto:mayor@wsc.nsw.gov.au)

Dear Cr Fitzpatrick

The National Housing Accord, agreed across all levels of government, sets an ambitious target for NSW.

To achieve our target of 377,000 new homes by mid-2029 local councils must help facilitate the delivery of these homes. All levels of government have a shared responsibility to address the housing challenge in NSW and meet the goals of the National Housing Accord.

The land use planning and assessment functions of councils need to adjust to support the approval and development of more homes in well-located areas for young people, families, and key local workers.

I have previously requested that councils factor this into their decision making and prioritise the delivery of housing when assessing development applications and rezoning proposals – so that the whole planning system is geared towards addressing our housing challenge.

You would recall that I introduced a new Ministerial Statement of Expectations Order in July 2024, which set out the NSW Government's expectations for council performance in the areas of development assessment, planning proposals and strategic planning.

As indicated in July 2024, the Government has been monitoring the performance of all councils in meeting this Statement of Expectations, and the Department of Planning, Housing and Infrastructure has identified criteria for assessing council performances.

The criteria are as follows:

1. **Council's current DA Assessment Performance:** Councils with gross end-to-end timeframes of 145 days or greater.
2. **Council's percentage of applications assessed:** Councils with 50 per cent or less of their applications meeting the 115 day end to end expectation.
3. **Housing target/implied dwelling demand:** Councils with a housing target, or implied dwelling demand greater than 500 during the housing accord period.

I can advise that in the six months since monitoring began, Wingecarribee Shire Council has not met these performance standards. The current Development Application assessment

performance is 246 days and only 26 per cent of applications are being assessed within the expected timeframe.

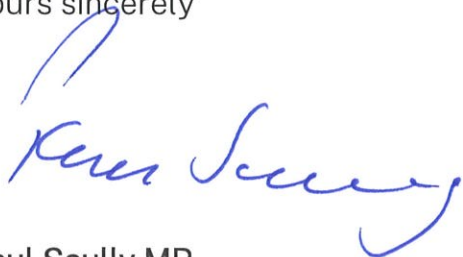
The Department will now contact your Council to discuss performance against these criteria. Council will have 28 days from the date of this letter to provide a written response, endorsed by the elected Council. Your response must identify an action plan, along with associated program to swiftly improve performance.

Your Council has three months to demonstrate improvement. If there is no improvement the Government has a range of powers to compel compliance, including the issuing of a Performance Improvement Order.

I look forward to seeing Council make improvements to assessment processes and decrease average assessment times in order to deliver more homes for your community.

If you have any questions, please contact your Local Planning and Council Support Director within the Department.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Paul Scully".

**Paul Scully MP**  
Minister for Planning and Public Spaces

6/13/25

**Draft**

19 March 2025

The Hon. Paul Scully MP  
Minister for Planning and Public Spaces  
52 Martin Place  
Sydney NSW 2000

Dear Minister Scully

Wingecarribee Shire Council (WSC) are committed to achieving our new homes target and improving our Development Application (DA) assessment performance.

I was elected as Mayor on 9 October 2024. In that same month I declared via my inaugural Mayoral Minute dated 30 October 2024 that:

*As Mayor, my goal for our Shire is to lift Council's current percentage of DA's being determined within the Ministers expected timeframe from the current rate of 16% to 62%, matching the NSW average, at the one-year mark of the new council being sworn in.*

My Mayoral Minute from 30 October 2024 can be viewed in full online [here](#)

Preceding this, the Minister for Local Government suspended the WSC and appointed an Interim Administrator between March 2021 and September 2024. Additionally, our Council is currently subject to a twelve-month Performance Improvement Order (PIO) issued by the Hon. Ron Hoenig MP, Minister for Local Government on the 19 September 2024. The PIO includes the requirement that WSC must implement the budget and operations plan for 2024/25. It is noted that the 2024/25 budget and operations plan was adopted by the WSC Administrator prior to your Statement of Expectation Order (SEO) dated 1 July 2024.

In October 2024, my fellow WSC Councillors and I affirmed the importance of meeting the Ministers' expectations for improved DA assessment. WSC staff have responded with enthusiasm and unwavering commitment since my Minute which has resulted in demonstrable improvements and an Action Plan (AP) already established, prior to your letter being received on 6 March 2025.

WSC must be one of the few, if not the only NSW Council which routinely report DA assessment performance based on your Council League Table to every ordinary meeting of Council. This commenced in November 2024 in response to my inaugural Mayoral Minute. The most recent Council report/Mayoral Minute is dated 19 March 2025 and can be viewed at: *(URL to be confirmed following Council Resolution)*.

This Council report demonstrates that since you issued your SOE on 1 July 2024 our Council has reduced our DA average assessment days by 83 days representing a 26% improvement. Our percentage of DA assessments meeting your expectations have risen from 16% prior to my October Minute to the current rate of 28%. For the month of

*We're with you*

February 2025, 50% of DA assessments met your performance expectations which meets criteria 2 of your letter dated 6 March 2025.

Our DA assessment AP is based on three core initiatives as detailed in my Mayoral Minute, being:

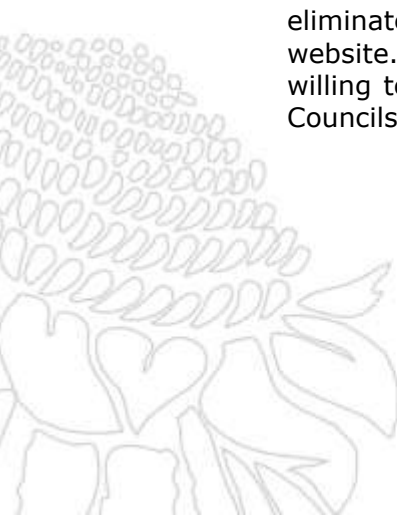
1. improving the speed and availability of information to DA applicants and the community via artificial intelligence, our already established DA tracker and the NSW Planning Portal;
2. reducing our reliance on consultants and strengthening our in-house capacity through increased skill, knowledge and resourcing; and
3. strengthening the functionality and efficiency of our systems and processes.

Various AP actions are underway or planned based on these three initiatives. Many of these initiatives require your support and in some cases all NSW Councils will benefit from the work we are doing to improve DA assessment performance.

WSC have scheduled to meet with your Department of Planning, Housing and Infrastructure (DPHI) Local Planning & Council Support Team to explore what WSC AP actions can be supported by your department. Following that meeting we will send you our AP.

Some of the actions we are requesting your support via resources are:

- A Fresh Start For Local Government Apprentices, Trainees And Cadets Grants Program - Applications for funding for Round 2. WSC request your support to our Round 2 application which proposes to expand our Student Cadet Planner workforce to directly assess DAs.
- Additional Assessment Planners. WSC are continually challenged with recruiting assessment planners, particularly with advanced/senior assessment skills. This is due to being in administration for such a long time and based on our geographical location. We request additional human and financial resourcing from you to meet your SOE.
- WSC Consolidated Comprehensive Development Control Plan (DCP) - Council resolved on 19 February 2025 to progress a WSC consolidated comprehensive DCP to replace the complexity of our existing 17 DCPs to reduce our DA assessment times. WSC previously submitted a \$250,000 application through the Regional Housing Strategic Planning Fund - Round 3. We note that Round 3 has not been awarded to date, despite this Council resolved to progress. We await your support on our application.
- Artificial Intelligence (AI) in NSW Planning Council Early Adopter Grant Program. Since spring 2024, WSC have been developing an AI tool with DPHI's appointed service provider to reconcile and review DA application documentation to accelerate assessment timeframes between DA submission and lodgement. WSC recommended to DPHI's appointed service provider that the AI tool should be annexed to the NSW Planning Portal rather than WSC's website, as this will eliminate the hurdle for DA applicants to us both the Planning Portal and WSC's website. We understand via DPHI's appointed service provider that DPHI are not willing to explore this arrangement. Such an arrangement would benefit all NSW Councils and applicants.



- WSC Community Heritage Study 2021-23. This Planning Proposal was sent in August 2024 to DPPI with a request for a Gateway Determination in accordance with s3.34 of the Environmental Planning & Assessment Act 1979. This pending Gateway Determination is impacting on our immediate ability to assess DAs directly and indirectly impacted by WSC Community Heritage Study 2021-23. We await the Gateway Determination being issued.
- Council League Table - In late 2024, WSC wrote to DPPI requesting greater data transparency on your Council League Table for the benefit of the community. Currently the Council League Table counts all DA applications at Lodgement stage but does not count all of those applications once the DA assessment is finalised. On this basis no Council is able to achieve a 100% completion rate for all lodged DAs. This was brought to DPPI attention, however, has been ignored. The data absence results in no line of sight to the community for all DAs being assessed. Additionally, WSC recommend that monthly records are published on your Council League Table. Currently, there is only FYTD data which does not clearly highlight the performance of all Councils per month or quarter.

I look forward to WSC meeting the criteria in your letter, improvement will continue to be achieved in the forthcoming three months. However, due to our current backlog of 309 undetermined DA applications with a current average of 137 days (undetermined) meeting your criteria and your SOE in the short term will be a challenge.

If you have any questions, please feel free to contact my office on 4868 0714 or via email [mayor@wsc.nsw.gov.au](mailto:mayor@wsc.nsw.gov.au)

Your sincerely

Jesse Fitzpatrick  
**Mayor**

