

December 2018

# Independent Hearing and Assessment Panel Online Reporting User Guide

# *Independent Hearing and Assessment Panel – Online Reporting User Guide*

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## **Overview**

On 1 March 2018, the NSW Government introduced Local Planning Panels, also known as Independent Hearing and Assessment Panels (IHAPs). The Department of Planning and Environment has developed an online reporting system that will be a key tool for the monitoring and evaluation program.

The aim of the reporting system is to enable the collection of quantitative data about panel operations. This data will be collected from councils at the end of each calendar quarter. The Department has built the reporting tool to be as simple as possible with the aim of ensuring reporting is not burdensome and does not detract from a council's ability to support effective IHAP operations. We encourage councils to provide feedback to the Department about any aspects of the form that do not meet this objective by emailing: [legislativeupdates@planning.nsw.gov.au](mailto:legislativeupdates@planning.nsw.gov.au)

The data collected through this reporting tool will provide the Department with information on panel performance and whether panels are operating efficiently and delivering on policy outcomes.

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## Home Page

NSW GOVERNMENT

Independent Hearing and Assessment Panel

Home Update Password Log Out

Create Independent Hearing and Assessment Panel form 1

Filter Records

From (Application Received): 01-11-2017

To (Application Received): 19-03-2018

Search

Show 10 entries Search:

Date Submitted	Month	Year	Council Name	Status
No data available in table				

Showing 0 to 0 of 0 entries Previous Next

2

The Home Page is the landing page from which councils can:

- create new monthly reports for IHAP meetings by selecting the 'create Independent Hearing and Assessment Panel form' (1)
- select an existing monthly report ('Not Submitted') from the report list to add additional data (2)
- access previous reports saved in the system using the search function and filtering monthly reports by date (2).

Each generated report has three tabs that allow users to navigate through monthly and quarterly reporting information. These tabs include:

- IHAP Meeting Data
- IHAP Development Application Data (DA Detail)
- Quarterly Data (this tab will only be generated for reporting months at the end of each calendar quarter e.g. March, June, September, and December).

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## Create IHAP Form

### Add an IHAP Form

To add a new Independent Hearing and Assessment form, click on the 'Create Independent Hearing and Assessment Form' button located at the top left of the home page.

The screenshot shows the 'New Form' page of the Independent Hearing and Assessment Panel. The page has a dark blue header with the NSW Government logo on the left and 'Independent Hearing and Assessment Panel' on the right. Below the header is a navigation bar with 'Home', 'Update Password', and 'Log Out'. The main content area is titled 'New Form' and contains a form with two dropdown menus: 'Month \*' and 'Year \*'. The 'Month' dropdown is currently set to 'Please select Month' and the 'Year' dropdown is set to 'Please select Year'. A 'Next' button is located below the dropdowns. A red box highlights the two dropdown menus.

This will take you to the above 'New Form' page. The first page will ask for the 'Month' and 'Year' of the new report being generated. This should align with the month of the council's IHAP meeting/s.

For instance, if your council IHAP met on 20 April, 14 and 15 May and 6 June in the reporting quarter, you will create three monthly forms – one for April, one for May, and one for June.

While you can enter more than one meeting in each monthly form, only one form can be created per month. As such in this example, you would have two meeting dates entered in the monthly form for May (accessed through the IHAP Meeting data tab).

Once the month and year has been entered, the portal will confirm that you want to create a new IHAP form. Confirm the creation of a new form.

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## Input panel meeting details

IHAP Meeting data

Your IHAP meeting data has been created successfully

**Membership for this meeting**

Meeting date \*  Help?

Chair \*

Alternate Chair \*

Community representative \*

Independent expert \*

Independent expert \*

Optional - please provide any additional details about membership for the meeting as necessary

**Time**

Total time spent on site visits for this meeting \*  minutes

Total time spent at public meeting (excluding site visits and closed deliberations) \*  minutes

No meeting for this month

Once the IHAP form has been created, the user is requested to add details about the specific panel meeting/s held each month. The form has been tailored to each council.


The new form requires the user to input the following data fields:

- **Meeting date:** select the meeting date from the drop-down calendar
- **Chair:** select the meeting chair from the drop-down menu.
- **Community representative:** select the community representative that attended the meeting from the drop-down menu.
- **Independent experts:** select the two independent experts that attended the meeting from the drop-down menu.
- **Time:** insert the approximate time (minutes) spent by the panel on site visits and public meeting. Insert data as numbers only, not text.

When all data fields are correct and complete press the 'Add Meeting' button. This will create a meeting summary below the meeting detail box. At this stage, users can still delete the meeting summary if the details are wrong and re-enter the data.

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[Download Meeting Data](#) 

Meeting date	Chair	Alternate Chair	Community representative	Independent expert	Independent expert	Membership of the meeting	Total time spent on site visits for this meeting	Total time spent at public meeting (excluding site visits)	Action
12-10-2018						N/A	40 mins	27 mins	Delete

[Next >>](#)

## No meeting for this month

If no meeting was held for this month, check the box 'No meeting for this month' and press the 'Submit your form' button.

If the month is the last in the quarterly period, fill and complete the 'Quarterly Data' tab before submitting. If there was no meeting for the last month of the quarter, please check 'No meeting for this month' in the Quarterly Data' tab before submitting. Please see page 15 for details about this tab.

The form allows the user to enter in multiple IHAP meeting dates. In the screenshot below, two IHAP meetings have been entered for the March 2018 form (19 March and 26 March).

Home | **User Guide** | [A+](#) [A-](#) | [Update Password](#) | [Log Out](#)

[IHAP Meeting data](#) | [DA detail](#) | [Quarterly data](#)

**Membership for this meeting**

Meeting date \*  [Help?](#)

Chair \*

Alternate Chair \*

Community representative \*

Independent expert \*

Independent expert \*


Optional - please provide any additional details about membership for the meeting as necessary

**Time**

Total time spent on site visits for this meeting \*  minutes

Total time spent at public meeting (excluding site visits and closed deliberations) \*  minutes

[Add Meeting](#)

[Download Meeting Data](#) 

Meeting date	Chair	Alternate Chair	Community representative	Independent expert	Independent expert	Membership of the meeting	Total time spent on site visits for this meeting	Total time spent at public meeting (excluding site visits)	Action
13-06-2018		N/A					2 hrs	8 hrs and 40 mins	Delete
19-06-2018		N/A					2 hrs and 30 mins	8 hrs and 20 mins	Delete

[Next >>](#)

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Once all meeting details are entered press the 'Next' button in the meeting summary box and navigate to the next form: 'DA Detail'.

## Input DA detail

This section of the online form allows councils to input data about development and modification applications considered at each IHAP meeting and any internal reviews conducted.

### Development Applications (DA)

Meeting Date *	<input type="text" value="Please select meeting date"/>
Application Number *	<input type="text"/> <a href="#">Help?</a>
Site Address *	<input type="text"/>
<b>Referral criteria</b>	
Referral criteria *	<input type="text" value="Conflict of interest&lt;br/&gt;Contentious development&lt;br/&gt;Departure from development standard&lt;br/&gt;Sensitive development"/>
1. Conflict of Interest *	<input type="text" value="N/A"/> <a href="#">Help?</a>
2. Contentious development *	<input type="text"/> Number of objections <a href="#">Help?</a>
3. Departure from development standard <a href="#">Help?</a>	Lot Size <input type="checkbox"/> <input type="text"/> % <a href="#">Help?</a>
	Building Height <input type="checkbox"/> <input type="text"/> % <a href="#">Help?</a>
	Floor Space Ratio <input type="checkbox"/> <input type="text"/> % <a href="#">Help?</a>
	Other <input type="checkbox"/> <input type="text"/>
4. Sensitive development <a href="#">Help?</a>	
a. Development Type *	<input type="text" value="N/A"/>
b. Number of storeys	<input type="text"/> <a href="#">Help?</a>
5. Other	<input type="text"/>



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## Other DA information

Application cost of works *	<input type="text"/>	Dollar value <a href="#">Help?</a>
Number of proposed new dwellings and/or lots *	Please select	<a href="#">Help?</a>
What was the number of storeys? *	Please select	<a href="#">Help?</a>
Was a site visit conducted? *	Please select	<a href="#">Help?</a>
Was the application electronically determined? *	Please select	
What was the number of registered speakers?	<input type="text"/>	<a href="#">Help?</a>
Was there a request for further information by the panel? *	Please select	<a href="#">Help?</a>
What was the determination of the panel? *	Please select	<a href="#">Help?</a>
Please provide reason for deferred to another meeting	<input type="text"/>	<a href="#">Help?</a>
What was the recommendation of the council's assessment report? *	Please select	<a href="#">Help?</a>
Was the IHAP determination consistent with the recommendations of the council's assessment report? *	Please select	<a href="#">Help?</a>
Optional – provide any further details e.g. if the panel varied conditions, were these variations significant?	<input type="text"/>	
How many days did the determination take from the time of application? *	<input type="text"/>	number of days <a href="#">Help?</a>
Is the application a modification application? *	Please select	<a href="#">Help?</a>
Is the application a review application? *	Please select	<a href="#">Help?</a>
	<input type="button" value="Add DA"/>	

The required data fields for application reporting includes:

## Background Information

**Meeting Date:** select the meeting date on which the relevant development application was considered by the panel from the drop-down manual. The drop-down menu will show the IHAP meeting dates entered on the previous screen.

**Application Number:** insert council reference application number

**Site Address:** insert full address details: number, street, suburb and postcode, for subdivisions or designated development, lot and DP number can be used.

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Home User Guide

IHAP Meeting data DA detail Quarterly data

## Development Applications (DA)

Meeting Date \*  [Help?](#)

Application Number \*  [Help?](#)

Site Address \*  [Help?](#)

## Referral Criteria

Select the referral criteria relevant to the development application using the list below:

### Referral criteria

Referral criteria \*  [Help?](#)

More than one criterion can be selected by pressing Ctrl+Click. Once you select the relevant referral criteria, you will be able to enter further information in the list below. Where the referral criterion is:

1. *Conflict of Interest* – use the drop-down menu to select the relevant class of conflict. Note: 'Conflict of interest refers to referral criteria, rather than any conflicts of interest raised in the panel meeting itself'. If the land is owned and managed by the Crown, it is not captured. If the Crown land is managed by council and council is the applicant, it is captured. If the land is managed by council but council is not the applicant, the application is not captured.
2. *Contentious development* – list the number of unique objections in relation to the development application. This number must be 10 or more unique objections for councils in Schedules 1 and 2 (all councils other than City of Sydney) and 25 or more objections for councils in Schedule 3 (City of Sydney). Note: Petitions are counted as one objection for the purpose the criteria. This is the same for form letters. Each objection needs to be unique. If the application has been notified more than once (e.g. the second time with amended plans), objections from both notification periods are counted as long as the objection is unique and has not been retracted by the original submitter.

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3. *Departure from development standards* – list the relevant development standard which the development application proposal is exceeding (select the relevant box) and insert the percentage over which the development application exceeds the numerical or quantitative development standard. This value must be over 10%. For example, if the development standard for building height is 10 metres and the proposed development has a proposed a height of 15 metres, the percentage increase is 50 per cent.
4. *Sensitive development* – select the development type from the drop-down menu. For 'SEPP65 applications, including Residential Flat Building development, the user will also be required to enter the number of storeys of the proposed development. Note: storeys for residential flat buildings do not include levels below ground level provided for car parking or storage that protrude less than 1.2 metres above ground level. The use of demolition in the referral criteria has the same meaning as under the Standard Instrument—Principal Local Environmental Plan: 'demolish, in relation to a heritage item or an Aboriginal object, or a building, work, relic or tree within a heritage conservation area, means wholly or partly destroy, dismantle or deface the heritage item, Aboriginal object or building, work, relic or tree'.
5. *Other* – input departures from development standards not related to lot size, building height or floor space ratio.

The user should input all relevant information including where a development application triggers multiple referral criterion. It is noted that the form allows multiple criteria to be entered. In the example below, both 'Conflict of interest' and 'Departure from development standard' have been selected, and the corresponding fields for these criteria can now be edited. The user can now select who the conflict of interest refers to in the drop-down menu, and can click the check box next to 'Building Height' to enter the percentage of the variation.

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## Referral criteria

Referral criteria \*

1. Conflict of Interest \*
2. Contentious development \*
3. Departure from development standard [Help?](#)

4. Sensitive development [Help?](#)

- a. Development Type \*
- b. Number of storeys

5. Other

Conflict of interest  
Contentious development  
Departure from development standard  
Sensitive development [Help?](#)

Member of staff [Help?](#)

Number of objections [Help?](#)

Lot Size   % [Help?](#)

Building Height  15 % [Help?](#)

Floor Space Ratio   % [Help?](#)

Other

N/A [Help?](#)

## Other DA information

The user should include the following additional information on the application. Please note this section should only capture applications that were considered at the IHAP meeting (e.g. any applications withdrawn before the meeting should not be recorded):

- **Application cost of works**

Enter in the estimated costs of works (as a dollar value with no spaces or punctuation) as listed in the development or modification application.

- **Number of proposed dwellings and/or lots**

Insert the number of dwellings the development application proposes to construct and/or lots to be created through the subdivision. Do not subtract the number of dwellings to be constructed by the number of existing dwellings to be demolished when determining this data input.

Example:

1. Conversion of a dwelling house to dual occupancy = 2
2. Alterations/additions to an existing dwelling = 0 (because construction of a dwelling is not proposed)

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3. Demolition of existing dwelling house and construction of a new Residential Flat Building comprising of 6 units = 6
4. Construction of a multi dwelling housing development comprising of 8 units. Existing dwelling house on site remains untouched = 8

- **What was the number of storeys?**

Insert the number of storeys for the main building structure subject to the development application. Schedule 2 and 3 councils will use this field when the DA is one where SEPP65 applies and is under four storeys. Schedule 1 councils will input data about storeys for Residential Flat Buildings in the referral criteria section (as all RFBs are referred to IHAPs in Schedule 1 LGAs).

Information about what schedule your council is in can be found in the referral criteria for IHAPs, which is kept on the Department's website at: <http://planning.nsw.gov.au/Assess-and-Regulate/Development-Assessment/Independent-Hearing-and-Assessment-Panels/Statutory-rules>

- **Was a site visit conducted?**

Use the drop-down menu and select 'Yes' if a site visit was conducted for the relevant development application.

- **Was the application electronically determined?**

Use the drop-down menu and select 'Yes' if the application was electronically determined.

- **What was the number of registered speakers?**

Insert the number of speakers that registered to talk at the meeting, excluding the applicant.

- **Was there a request for further information by the panel?**

Use the drop-down menu to indicate whether the panel requested further information from the applicant. Select 'Yes', if the panel requested the applicant to provide further information.

- **What was the determination of the panel?**

Use the drop-down menu to indicate the result of the panel's determination. There are five options from which the user can select and indicate the outcome of the panel's determination: 'approved', 'refused', 'deferred commencement approval', 'deferred to another meeting', and 'referred back to council staff.'

- **Please provide the reason why the application was deferred to another meeting**

If the answer to the previous question was that the application was deferred to another meeting, please enter the reason(s) why.

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- **Was the IHAP determination consistent with the recommendation of the council’s assessment report?**

Use the drop-down menu to indicate whether the determination of the panel was consistent with the recommendations in the council assessment report.

- **What was the recommendation of the council assessment report?**

Indicate the recommendation of the council assessment report using the drop-down menu. Input values include: ‘approve’ or ‘refuse’.

- **How many days did the determination take from the time of application?**

If the application was not deferred or referred back to council, insert the total number of days between the application lodgement date and the panel determination date. Any days accumulated as a result of stop the clock provisions or referrals should not be included in the total. Similarly, please count all days (weekdays and weekends) in your calculations.

- **Is the application a modification application?**

Indicate if the application is modification application. If the application is not a modification application use the drop-down menu to select ‘No’. If the application is a modification application, please select the relevant type of modification application from the following values:

- s4.55(1) - Modifications involving minor error, misdescription or miscalculation
- s4.55(1A) - Modifications involving minimal environmental impact
- s4.55(2) – Other Modifications
- s4.56 – Modification by consent authorities of consents granted by the Court.

- **Is the application a review application?**

Indicate whether the application is a review application under Division 8.2 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) using the drop-down menu.

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Was a site visit conducted? *	<input type="text" value="Please select"/>	<input type="button" value="Help?"/>
Was the application electronically determined? *	<input type="text" value="No"/>	
What was the number of registered speakers?	<input type="text"/>	<input type="button" value="Help?"/>
Was there a request for further information by the panel? *	<input type="text" value="Please select"/>	<input type="button" value="Help?"/>
What was the determination of the panel? *	<input type="text" value="Referred back to council staff"/>	<input type="button" value="Help?"/>
Please provide reason for deferred to another meeting	<input type="text"/>	<input type="button" value="Help?"/>
What was the recommendation of the council's assessment report? *	<input type="text" value="Approve"/>	<input type="button" value="Help?"/>
Was the IHAP determination consistent with the recommendations of the council's assessment report? *	<input type="text" value="Yes"/>	<input type="button" value="Help?"/>
Optional – provide any further details e.g. if the panel varied conditions, were these variations significant?	<input type="text"/>	
How many days did the determination take from the time of application? *	<input type="text"/>	number of days <input type="button" value="Help?"/>
Is the application a modification application? *	<input type="text" value="Please select"/>	<input type="button" value="Help?"/>
Is the application a review application? *	<input type="text" value="Please select"/>	<input type="button" value="Help?"/>
	<input type="button" value="Add DA"/>	

## Add DA

Once all fields are complete select the 'Add DA' button at the bottom of the web page. The user will be notified if field values are missing when the 'Add DA' is selected. Fill in missing values and resubmit the DA data.

A summary of the DA will appear at the bottom of the page once it has been entered. The form will automatically reload to add in information for the next DA.

## Submitting the form

Once the information for each DA considered at the meeting is filled in, press the 'Submit your form' button at the bottom right of the page. For months at the end of the calendar quarter (March, June, September and December), there will be a third tab with information to fill in before the form is submitted. Please see below for details about this tab.

Please note once submitted, the form cannot be amended. It is up to the council if you submit the form in parts (e.g. once the data for each meeting has been filled out) or as a whole at the end of the quarter.

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## Quarterly data form

The Secretary's direction for IHAP reporting outlines additional information on panel operations related to advice on planning proposals, code of conduct complaints and appeals (this includes appeals to the Land and Environment Court appeals or Division 8.2 reviews (previously s82A) under the EP&A Act.

Guidance on the required data and information is provided below. Please note this tab is only accessible for monthly forms that are created for the final month of the calendar quarter e.g. March, June, September and December. This part of the online reporting form must be completed before the monthly folder can be submitted.

### Planning Proposal

- **How many planning proposals were referred to the panel for advice in the quarter?**

Insert the number of planning proposals referred to the panel for advice during the relevant reporting period.

- **How many recommendations were provided?**

Insert the number of recommendations made by the panel about the planning proposal. Press the green 'Add' button to add another line.

- **For each planning proposal, what was the panel's advice?**

Use the drop-down menu to select the panel's advice from the following options:

- Proceed with planning proposal
- Do not proceed with planning proposal
- Proceed with planning proposal subject to amendments
- Deferred to another meeting
- Not applicable

Press the green 'Add' button to include the panel's advice for each relevant planning proposal.

### Code of Conduct Complaints

- **How many Code of Conduct complaints were received?**



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List the number of Code of Conduct complaints made against members of the panel during the relevant reporting period, if any.

- **For each complaint, what was the outcome of the complaint?**

Use the drop-down menu to select the outcome of complaint investigations for each relevant complaint from the following options:

- Resolved – no further action taken
- Resolved – action taken within council
- Resolved – panel member dismissed
- Referred to ICAC
- Referred to NSW Police
- Referred to another NSW agency
- Other
- Not applicable
- Press 'Add' to include the outcome for each relevant complaint.

## Appeals and reviews

- **How many appeals of IHAP determinations were filed in the Land and Environment Court in the quarter?**

Insert the number of appeals filed in the Land and Environment Court (LEC) against determinations made by your council IHAP in the quarter.

- **How many LEC appeals for IHAP determinations were finalised this quarter?**

Insert the number of LEC decisions handed down for appeals of IHAP determinations made by your council in the quarter.

- **What was the outcome of any LEC appeals finalised in this quarter?**

Use the free text free text box to input the outcomes of any appeals handed down for your council's IHAP in the last quarter. Please include the application number and the outcome, for example: upheld, dismissed, section 34 agreement, etc.

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- **How many internal reviews under Division 8.2 of the EP&A Act did the IHAP commence in the quarter?**

Use the drop-down menu to select N/A or list the number of reviews conducted. Please note a division 8.2 review can include the IHAP reviewing a determination of a council officer and/or a determination of the IHAP (noting that for the later, a reconstituted IHAP is required). This section is not seeking information about internal reviews conducted by council officers, only reviews conducted by the IHAP.

- **What was the outcome of any internal reviews conducted by the IHAP and finalised in the quarter?**

Use the drop-down menu to select the outcome of any internal reviews finalised by the IHAP in the last quarter from the following options 'Decision confirmed', 'Decision confirmed with changes', 'Decision reversed', or 'Not applicable'.

## Submitting your form

Once you have entered in all meeting, application and quarterly data, please press the "Submit your form" button at the bottom right-hand corner of the screen. Once submitted, data cannot be amended in any part of the form for the quarterly reporting period.

## Downloading the data in your form

You can download data by clicking the 'Download Meeting Data', 'Download DA Data', or 'Download Quarterly Data' buttons within the relevant tab. Note: the data will be downloaded into an Excel (.xls) format.

IHAP Meeting data    DA detail    Quarterly data

---

**Membership for this meeting**

Meeting date \*  [Help?](#)

Chair \*

Alternate Chair \*

Community representative \*

Independent expert \*

Independent expert \*

Optional - please provide any additional details about membership for the meeting as necessary

**Time**

Total time spent on site visits for this meeting \*  minutes

Total time spent at public meeting (excluding site visits and closed deliberations) \*  minutes

[Download Meeting Data](#)

Meeting date	Chair	Alternate Chair	Community representative	Independent expert	Independent expert	Membership of the meeting	Total time spent on site visits for this meeting	Total time spent at public meeting (excluding site visits)	Action
01-09-2018		N/A				N/A	10 mins	10 mins	
05-09-2018		N/A				N/A	15 mins	15 mins	

[Uncomplete Form](#)

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## **Questions?**

If you have any questions or feedback about the reporting process, please contact [legislativeupdates@planning.nsw.gov.au](mailto:legislativeupdates@planning.nsw.gov.au). You can find further information in the [Independent Hearing and Assessment Panels FAQs](#).