

PLANNING INITIATIVES

**Project Brief
for the Development of
Best Practice Internal Administration Systems
for the administration of the Development Act
for the Cities of
Port Augusta, Whyalla & Port Pirie**

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INTRODUCTION

The purpose of the planning initiatives is broadly to provide a high degree of consistency and certainty, together with reduced turn around times on a regional basis for developers who may wish to establish within the region. The consistency would apply to planning policies and zones as they exist within the Councils which make up the region. For example, the sorts of control and requirements for industry in the industrial zone in Port Augusta, should be very similar or identical to the requirements for the same industry should it wish to be located in Port Pirie or Whyalla.

Similarly controls on retail or shopping development and residential development should exhibit a high degree of consistency. The controls should be highly developed and well thought out so that developers who meet the appropriate standards can expect a quick and predictable outcome/approval.

This approach would indicate a high degree of cooperation between the Local Government Authorities and State Government. A common approach would present well to developers and would appeal particularly to developers of national or international stature.

At an administrative level, there should be some degree of commonality between the three Local Government Authorities in the region regarding over the counter advice, process, procedures, information sheets and other relevant matters.

These common administrative matters could include:

- A single common application form.
- Consistency between internal policies and procedure manuals.
- Consistency of delegations.
- Ability to make many relevant decisions at an Officer or CEO level.
- Consistency of regular Council meetings.
- Ability to determine major project status and fast track or prioritise applications.
- A Developer Advocacy Officer to advise developers on processes and procedures.

Implementation of planning initiatives of this type would give the region a competitive advantage. It would give a clear statement that the region has “its act together and is open for business”.

METHODOLOGY

It is expected the study will require an onsite inspection of each of three Local Authorities of Port Pirie, Whyalla and Port Augusta.

Each authority will be investigated in certain respects and the findings presented to each of the three Councils and to the Common Purpose Group. Existing work practices and procedures will be reviewed through the entire development approval process from the time an initial approach is made, through the processes until a decision is made and approval (or refusal) is issued. It is expected Councils will be encouraged to adopt Best Practices and develop a high degree of consistency throughout the region.

It is expected the work of Garth Heynon and the Local Approval Review Process will be reviewed and revisited (LARP) where such a review was previously undertaken.

COMPONENTS

Front Counter Service

This area being the first point of contact is critical. The following matters should be addressed:

- Availability of trained staff.
- Office hours.
- Adequacy of first level or basic information in the form of guidelines, brochures, policies or standards.
- Availability of second level or more detailed technical advice.
- Follow up of initial contact.
- Referrals to relevant agencies or instrumentalities.
- Identification of “problem” or complex applications.

Two Councils do not employ qualified planning staff! What happens when expert planning advice is required?

Development Policies

Each Council should have a set of planning, building or development policies in a consolidated form or manual. These policies give guidance to developers and staff on related administrative or procedural matters, on standards of development or various precedents or rulings made in the past.

Existing policies should be reviewed and updated where necessary. New policies may be required where “gaps” exist. The Manual should be in an easy to read and accessible format. It should be made available at the front counter for each reference.

Application Form

Each Council has a Development Application Form it uses, however the individual Councils may or may not accept application forms used by other Councils. The form itself is not set by legislation and can be varied to allow for additional or less information to be included.

It is desirable that a single common application form be developed, that all authorities will accept and use.

If this single form is not possible, agreement should be reached on the acceptance of application forms used by other authorities in the region.

In addition requirements for information and plans to accompany applications should be readily available, inadequate plans or information is the single most common cause for delays.

Delegations

Delegations or the ability of staff to make decisions on the administration of applications, on processes, public notification categories and to make decisions to approve, to approve with conditions or to refuse are critical to the development process. The Development Act 1993 and Local Government Act 2000 allow for decisions to be made at officer level or to committees to facilitate quick turn around times.

Reference should be made to the model delegations shown on the Local Government Reference Database developed by Norman Waterhouse Solicitors or to some other model of best practice for all the required delegations under the Development Act. Each Authority should have a high level of delegation at an officer level, to approve or refuse most applications with the possible exception of controversial, significant or contentious applications.

Council Meetings or Recording Procedures

It is desirable that each authority holds meetings (which determine applications) on a regular and frequent basis.

This could be daily or weekly in the case of delegated approvals and preferably fortnightly in the case of determinations by Councils at a convened meeting.

Approvals and decisions made by delegation or at an officer level should be reported to Council for noting at the regular meetings. The process should be streamlined and should not involve going to a committee then Council, the process should be straight to the decision making body.

Turnaround Times

Performance standards in the form of turnaround times should be developed for each authority. It may be necessary to develop classes of applications such as:

- Routine or complying (eg 2 weeks).
- Requiring assessment or referral (eg 4 weeks or 8 weeks).
- Complex or contentious (eg 12 weeks or 16 weeks).

The objective is for the planning authority to meet the best practice standard for the region as it relates to turnaround times.

Compliance with the previously discussed matters of delegations, meetings and recording procedures etc will assist with turnaround times. The time taken between granting of approval and posting out the paperwork should also be reviewed.

Priority or Fast Tracking of Applications

It is essential that the Planning Authorities have an ability to identify and assign a project “major Project” status and expedite the administration of an application.

It is expected that the CEO should have an authority to assign status and the project will be afforded priority or precedence by way of:

- Put on “top of pile”.
- Priority over lesser or other tasks.
- Follow up calls made to referral agencies.
- Close liaison with the applicant to avoid delays.

- Special meetings of Councils may be required.
- Conflict resolution meetings may be required with objectors or opponents or referral agencies.
- Other special considerations.

Adequacy of Development Plan Provisions

The objective of delegating decisions is to speed up the decision making process however in order for this to take place there must exist a highly developed framework of “rules” or policies to guide development. It will be necessary to review each Development Plan as it applies to the Council areas to ensure an adequate policy framework exists.

Inadequacies or policy vacuums should be identified. Section 30 review should be evaluated and recommendations made where policy gaps exist.

Other matters ie Developers Advocate and relationships with Development Boards

Some authorities have difficulty when trying to facilitate development or act in an advocacy capacity and then to subsequently wear the hat of a regulatory authority and administer the application impartially, and in accordance with legislation.

Often Development Boards are involved in the facilitation of a project or in the putting together or assistance. It may be necessary to establish guidelines or procedures so authorities avoid conflicts, bias or suggestions of improper conduct.

Reporting

It is expected the findings of investigations will be delivered to each Council individually and then subsequently to the Common Purpose Group.

Where inadequacies exist it is expected that remedies or solutions will be put forward which are capable of implementation by the organisation involved. It is expected other issues may emerge which require attention.

Time Frames

A period of six months from the awarding of a contract for the project will apply, although this may be extended by agreement between the parties.