



Bayside Council

Serving Our Community

Housing Application Policy

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Housing Application Policy

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1 Introduction

1.1 Background

Council determines development and related applications in accordance with the delegations issued under Section 79C of the *Environmental Planning and Assessment Act, 1979* (the Act), and *Environmental Planning and Assessment Regulation, 2000* (the Regulations). Bayside Council aims to achieve seamless customer service delivery relating to development applications, and in particular, those identified as housing applications.

This Housing Application Policy (the Policy) streamlines the assessment process by clarifying roles; responsibilities and communications for the DA process by:

- Identifying the critical steps in the applications process and clarifying responsibilities at those points;
- Clarifying the Applicant's responsibility and information required for lodgement of complete applications;
- Focusing Council customer support efforts at the pre-lodgement stage;
- Committing to timeframes for assessments of housing applications;
- Limiting distractions to assessment officers during the assessment phase of a housing application;
- Identifying communication and awareness strategies to improve knowledge of the development assessment process.

1.2 Definitions

The definitions of certain terms are:

Council

The Council of a Local Government Area, in this Policy, being Bayside Council.

DA

A Development Application (DA) is a formal request for consent to carry out proposed forms of development.

DAS

Council's Development Advisory Unit.

Housing Application

Housing Applications are identified by the Office of Local Government as those which generate the net addition of one (1) dwelling house i.e. a new dual occupancy; semi-attached dwelling development and/or a secondary dwelling development.

1.3 Policy Statement

Council is committed to making the development assessment process efficient and to achieve the NSW Premier's priority for *Faster Housing Approvals*, with a target of 90% of housing applications determined within 40 days of lodgement.

This policy outcome is to be achieved by:

- Encouraging applicants to discuss proposals with Council's Development Advisory Services Unit, prior to lodgement, to achieve completeness and/or compliance with relevant Policies;
- Committing Council to providing clear and consistent pre-lodgement advice;
- Providing timely advice to applicants on any insufficient or non-compliant applications which will either be recommended for withdrawal or refusal;
- Committing Council to identifying planning matters in a timely and efficient manner;
- Advising applicants that Council will generally assess and determine the application in its original form;
- Committing Council to providing plain English information in a variety of mediums to assist in the understanding of the DA process.

1.4 Scope of policy

This policy relates to all housing applications submitted to and considered by Bayside Council.

2 Assessment Efficiency Partnership Agreement

Council and applicants alike, commit to the *Assessment Efficiency Partnership Agreement* (page 30) of the Department of Planning and Environment *Development Assessment Best Practice Guide* (March 2017).

The Agreement is included in Appendix 1.

3 Policy Implementation

3.1 Policy Roles and Responsibilities

The Director City Futures has overall responsibility for this Policy.

The Manager Development Assessment has responsibility for the implementation of this Policy.

Coordinators and Development Assessment staff have the responsibility for administering and maintaining procedural compliance with the Policy.

Customer Service staff have responsibility of receiving the completed DA once checked by DAS staff; receipting monies and providing a DA number.

3.2 Procedures

Procedures that support this Policy, may be approved by the General Manager from time to time and may address such issues as administrative workflow for approvals.

3.3 Breaches

Consequences of a breach of this Policy will cause confusion with applicants; the community and constituents with regard to Council's treatment of housing applications. Breaches may also effect Council's ability to successfully achieve the NSW Premier's target.

Breaches of this Policy by staff may lead to disciplinary action or the requirement to develop a performance improvement plan.

4 Document control

4.1 Review

In order to ensure currency this Policy should be reviewed at least every four (4) years or on changes to legislation, whichever occurs sooner.

The Director City Futures or Manager Governance & Risk may approve non-significant and/or minor editorial amendments that do not change the policy substance.

4.2 Act and Regulations

In the event of any inconsistency between this Policy and the Environmental Planning and Assessment Act, 1979, and the Regulations, the Act or the Regulations (as the case may be) prevails to the extent of the inconsistency.

4.3 Related documents

Department of Planning and Environment *Development Assessment Best Practice Guide – To assist Councils to improve delivery timeframes*, March 2017.

4.4 Version history

Version	Release Date	Author	Reason for Change
1.0	09/08/2017	Alexandra Hafner	New document

Appendix – Assessment Efficiency Partnership Agreement

Days	Applicant	Council
Pre-Lodgement and Lodgement		
N/A	➤ The Applicant will commit to utilising pre-lodgement services and meetings (where appropriate).	➤ Council will provide clear and publicly available information on application requirements and pre-lodgement services.
N/A	➤ The Applicant will provide sufficient information 1-2 weeks prior to a pre-lodgement meeting.	➤ Council's Coordinator - DAS will schedule and coordinate pre-lodgement meetings upon request and when appropriate
N/A	➤ The Applicant will only lodge completed applications.	➤ Council's Coordinator - DAS will ensure all appropriate technical staff and state agencies (where necessary) are in attendance at pre-lodgement meetings
N/A		➤ Council will ensure a Duty Planner/DAS Officer is available during office hours to answer standard questions on development standards; controls; lodgement requirements and other related planning considerations.
Preliminary Assessment		
6 to 15	<ul style="list-style-type: none"> ➤ Applicant allows the assessment officer to undertake the assessment without escalating issues or disrupting staff unnecessarily. ➤ Applicant commits to having a single member of the project team as a point of contact. 	<ul style="list-style-type: none"> ➤ The allocated assessment planner will contact the applicant within 15 days of receiving the application to: <ol style="list-style-type: none"> a. Advise that they have been allocated the application; b. Advise that a letter requesting further information has/will be sent (if relevant) and the applicant will have 14 days to submit the requested information. c. Commit to a report back date (generally at 25 calendar days since lodgement).
Stop the Clock		
15 to 29	➤ Applicant will only escalate an issue with more senior staff and/or Councillors following/after the report back date.	<ul style="list-style-type: none"> ➤ The allocated assessment planner will report back to the Applicant to identify that: <ol style="list-style-type: none"> a. The application has been assessed and determined; or

Days	Applicant	Council
		<ul style="list-style-type: none"> b. The application has a recommendation but is yet to be determined; or c. Requested information has or has not yet been received by Council d. The application is at neither of these stages and the reasons for this.
	<ul style="list-style-type: none"> ➤ Applicant will respond to Council's letter requesting further information within 14 days from the date the letter is sent. <p style="text-align: center;">Please note, the 14 day request for further information extends to all applications received and determined by Council under the Act and Regulations.</p> <ul style="list-style-type: none"> ➤ Applicant submits all information mentioned in the letter and that any amendments are clearly shown and updated on all affected documentation and plans. 	<ul style="list-style-type: none"> ➤ The allocated assessment planner will report back to the Applicant to identify that: <ul style="list-style-type: none"> a. The requested information has been received and a final assessment will be undertaken b. The requested information has not been received and the applicant can either withdraw the application or submit the information in the remaining 1 day. ➤ If the information is not received or the application is not withdrawn (in writing) within 14 days from the date of the letter, the assessment officer must finalise assessment on the information before them.
		<ul style="list-style-type: none"> ➤ Where the application is yet to be determined, explains the reasons and commits to a determination timeframe.
		<ul style="list-style-type: none"> ➤ All staff to return applicant phone call/emails within 24 hours when made after the report back date.
Determination		
30 to 40	<ul style="list-style-type: none"> ➤ Once provided with a targeted determination date, the Applicant agrees not to contact assessment officers for further updates or discussions around the merits of the application. 	<ul style="list-style-type: none"> ➤ The application will be determined based on the information available after 14 days of council's letter. The application will be refused should the information available be insufficient or unsatisfactory (if application not withdrawn).

Days	Applicant	Council
		<ul style="list-style-type: none"> ➤ Assessment officer to advise applicant within one (1) business date of decision and/or of any change to decision timing (e.g. if matter is deferred or doesn't make agenda).