



# **Concurrence and Referrals Monitoring**

**Final Report on Agency Processing Performance**

**1<sup>st</sup> July 2009 – 31<sup>st</sup> December 2009**



# 1 Purpose of Concurrence and Referrals Monitoring

As agreed by COAG in March 2008, and consistent with Jobs Summit initiatives, all levels of government will continue to identify ways to streamline approval processes to reduce development costs and improve the delivery of employment outcomes, affordable housing and infrastructure. A major impediment to an efficient planning system raised by industry was the system of concurrences and referrals and the ability of agencies to deal with them in a timely manner. On 15 December 2008 the *SEPP (Repeal of Concurrences and Referral Provisions) 2008* improved efficiency in the planning system by removing duplicative or unnecessary requirements in environmental planning instruments (EPIs) to consult with State agencies on planning decisions.

In May 2008, Cabinet agreed that electronic reporting systems be established by agencies to report on concurrences and referrals to their respective Ministers and to the Department of Planning every six months. DoP is now coordinating monitoring of concurrences and referrals to report on agency performance and identify areas where further efficiency gains may be made over the longer term. A trial report has been generated after the first 6 months (1<sup>st</sup> July 2009 to 31<sup>st</sup> December 2009) to assess whether agencies systems are able to report against common criteria for measuring activity and performance. These include:

- C&R processed by each agency
- Average number of days to process C&R
- Breakdown by LGA
- Breakdown by sector
- Qualitative information on adequacy (usual reasons why information is inadequate, usual types of C&R that are delayed, LGAs where there are high numbers)
- Further C&R clauses that could be flagged for removal from EPIs.

This will allow analysis of areas where improvement to assessment systems can be made. However, individual agencies monitoring systems should continue to be used for day to day monitoring of timely processing of C&R, and identification of issues for resolution.

## 2 Provision of Data

DoP requested data for the period 1<sup>st</sup> July 2009 to 31<sup>st</sup> December 2009 from each agency to ensure that adequate systems are in place for monitoring C&R over the 2009/10 year. The six-monthly report indicates some of the difficulties that some agencies are experiencing in providing agreed data, and highlights the measures that will need to be taken by agencies to ensure adequate systems are in place for the next reporting period. At the end of the 2009/10 financial year a summary will be included in the report on Local Development Performance Monitoring.

To enable agencies to provide data in a consistent form, DoP provided agencies with an Excel spreadsheet template customised to each agency's C&R activities (Appendix 1), and capable of recording all the information agreed by agencies earlier in 2009 (Table 1). Some

agencies opted to use this template, and consequently they were able to provide data to the standard requested. Some agencies had existing recording and monitoring systems which were able to provide some of the data in the requested form, but these will need some modification if a consistent provision of data from all agencies is to be attained. Greater effort to record standard information is needed to allow standard reports to be generated at regular intervals. This will reduce the amount of processing time of agency information and allow greater monitoring ability over the short and long term.

Table 1 – Agreed reporting fields for concurrences and referrals monitoring

<b>Information Requirement</b>	<b>Description</b>
<b>Agency</b>	Agency undertaking work for concurrence / referral
<b>Type</b>	Concurrence / Referral / Other
<b>EPI / Regulatory Tool</b>	SEPP / LEP / EP&A Act etc
<b>Section / Clause</b>	Section, clause, schedule of relevant EPI / Act
<b>Type / Topic</b>	e.g. Plan of Management for koala habitat; exceptions to development stds; development that will contravene housing density standards etc.
<b>Referring Council</b>	Name of Council
<b>Date received in Agency</b>	Date application arrived in concurrence / referral Agency
<b>Pre DA Meeting</b>	Did the agency attend a pre-DA meeting with the Proponent? (Y/N)
<b>Type of Development (sector)</b>	e.g. rural residential subdivision, extractive industry, aquaculture etc.
<b>Information supplied by applicant</b>	Description of information supplied (e.g. maps, diagrams, report, SEE etc)
<b>Adequacy of information</b>	Adequacy of information on which agency is to base concurrence / approval. No. of times submitted.
<b>Days taken to become adequate</b>	When application has to be returned to applicant due to inadequate information - No. of days taken by applicant to return adequate information
<b>Agency decision</b>	Concurrence / conditions / approval granted or refused
<b>Date Returned to Council</b>	Date

### 3 Observations

#### *Standardised sector descriptions and classifications*

Agencies that chose not to use the spreadsheet template supplied by DoP varied in their description of the sector for which each concurrence or referral record was required. As a result, some aggregation of sector information was required so that, as much as possible, it matched the sector descriptions used for local council performance in the Local Development Performance Monitor. For example, “multi-unit dwelling” was aggregated to a “residential” sector classification; “extractive industry” was aggregated to an “industrial” classification.

#### *Information on Adequacy of Proponent's Information*

Not all agencies collected information on the adequacy of the information provided by proponents, or if they did, there was no detail given as to why the information was inadequate. This information would assist agencies to determine how to improve the quality of information submitted by proponents and whether there is a need to provide supplementary information to applicants (e.g. guidelines, maps, checklists etc) and should be recorded by agencies.

#### *Gross and Net Average Processing Times*

Agencies using the spreadsheet template had a facility to record when additional information was sought from the proponent (i.e. when original information was inadequate), and thus allow calculation of the *gross* processing time as well as the *net* processing time (taking off time when the proponent is preparing the additional information). This difference between gross and net processing times would also provide a good indication of the need for support material/services to ensure an improved quality of application. Ideally, the date that additional information was required, and the date that the information comes back adequate would be recorded to allow both net and gross processing times to be calculated. Gross and net processing times are a feature of Council performance data and should also be for agency performance monitoring.

#### *Use of Existing Agency Systems*

Some agencies (RTA, RFS, MSB) chose to use systems already in use in their agency for other monitoring and reporting purposes to supply information to C&R reports. This left information gaps in some areas. For example, RTA was unable to report on the EPI which triggered each concurrence or referral, detailed information on days taken for each C&R processed, or on the adequacy of proponents' information. RFS and MSB were only able to provide total numbers without detail on many fields. Some modification to these systems will be required to allow consistent information to be reported on in the Local Development Monitor. The common factor of these three agencies is that they process very high numbers of C&R and, in the case of RFS and RTA, operate across a wide area of the state, and significant funding commitment to modifying existing systems would be required.

#### *Part 3 Referrals*

Some, but not all, agencies are reporting on the processing times for commenting on Draft LEPs under Part 3 of the EP&A Act. As the purpose of C&R monitoring is to monitor timely processing of DAs (rather than for making LEPs), Part 3 information should be recorded and monitored under this process or by the LEP Tracking System.

*Further Possibilities for Removal of C&R Clauses*

Although the reporting period is only 6 months there would appear to be a large number of remaining concurrence and referral clauses that are not triggered regularly and could be considered for removal or amalgamation with other clauses. Often the clauses are for specific developments and were included in LEPs at the time the development was being done. Some of these are no longer relevant and consideration should be given to repealing these outdated/redundant clauses. It is recommended that further analysis of clauses not triggered during 2009/10, which may be appropriately removed from EPIs, be done at the end of the reporting period.

*Preparation for 2010/11 reporting period*

In May 2010 all C&R agencies will meet to confirm the data and reporting requirements for the 2010/11 reporting year and confirm deadlines for provision of 2009/10 for inclusion in the *Local Development Monitoring* report.

## 4 Summary – 1<sup>st</sup> July 2009 to 31<sup>st</sup> December 2009

### 4.1 Agency Summary

Agency / Authority	C&R Received in Period	C&R Processed in Period	Average Processing Time <sup>1</sup>	Adequacy of original information submitted (% adequate)	Processed in ≤40 days (%)
Rural Fire Service	4443	4208	*16.88	92	95
Mine Subsidence Board	2800	2730	*3.2	98	100
Roads and Traffic Authority	1130	967	*22.13	N.A.	N.A.
NSW Office of Water	494	350	26.31	85	78
Heritage Branch of the DoP/NSW HC	294	257	*25.67	N.A.	81
Planning	253	213	20.62	69	85
Sydney Catchment Authority	169	126	28.82	72	94
Industry & Investment	139	136	11.76	91	96
Environment, Climate Change & Water	95	75	22.05	72	83
NSW Maritime	34	34	14.59	97	100
Railcorp	27	15	10.93	15	100
Natural Resources Commission	5	5	16.20	100	100
Sydney Olympic Park Authority	2	2	1.00	100	100
Sydney Water	2	2	21.00	100	100
Land & Property Management	0	0	~	~	~
<b>Overall (all agencies)</b>	<b>9887</b>	<b>9125</b>	<b>14.15</b>	<b><sup>2</sup>92</b>	<b><sup>3</sup>91</b>

N.A. = not available from data supplied by agency.

#### Highlights

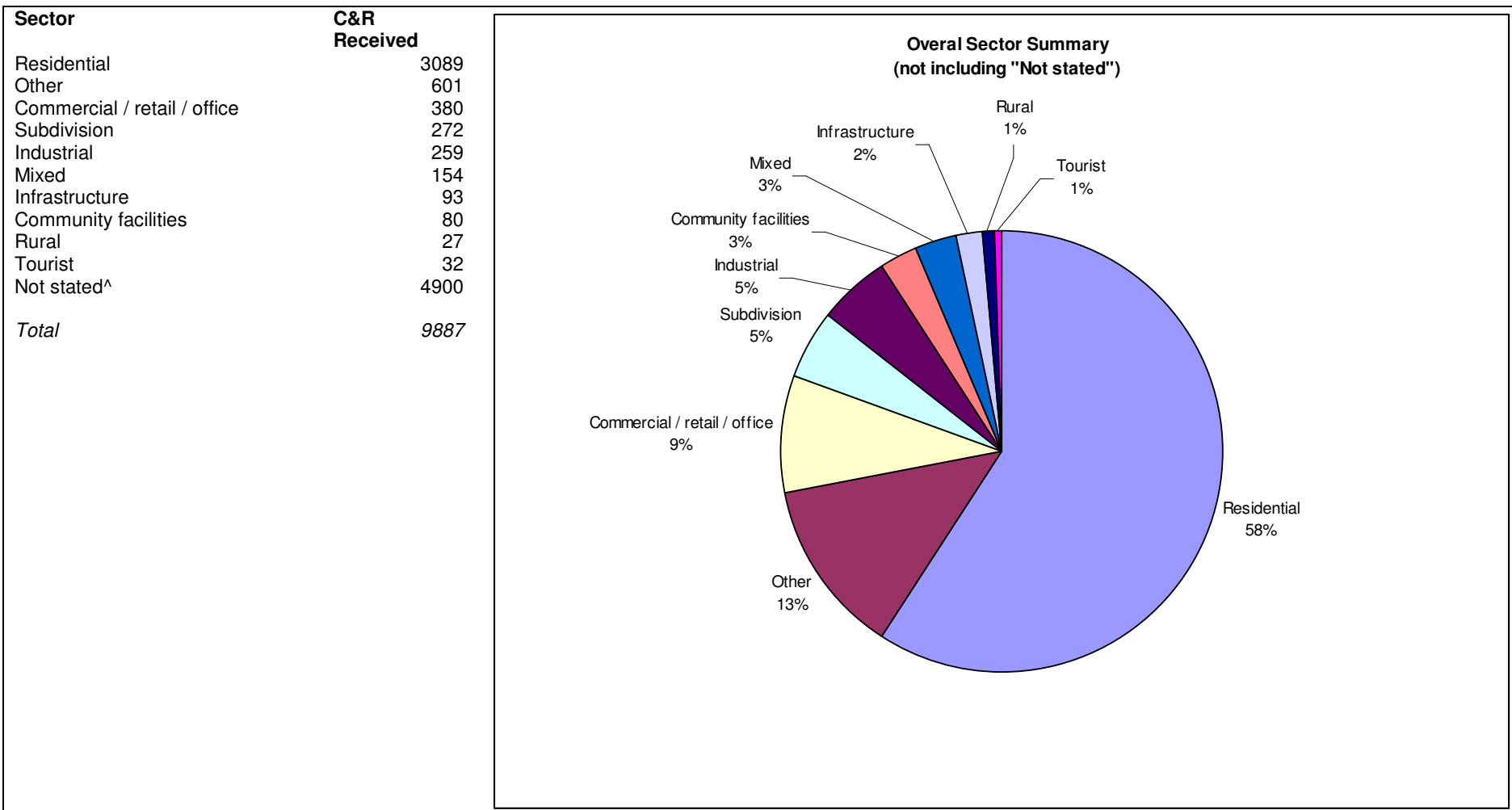
- 9877 C&R received by all agencies
- 9125 C&R were processed
- average net processing time was **14.15 days**
- **91%** of all C&R were processed in 40 days or less

<sup>1</sup> Average processing times are net times (i.e. total time minus time where additional information was being prepared by proponent). If net times were not available then gross times were used and marked with an \*.

<sup>2</sup> The overall figure for Adequacy is derived from the agencies where this information was provided.

<sup>3</sup> The overall figure for % processed <40 days is derived from the agencies where this information was provided.

## 4.2 Sector Summary





### 4.3 Local Government Area Summary

#### Top 20 LGAs by No. of C&R Received during period 1<sup>st</sup> July – 31 December 2009

Local Government Area	Total C&R Received (all agencies)
Lake Macquarie	1171
Wyong	476
Shoalhaven	389
Wingecarribee	387
Newcastle	362
Wollondilly	306
Maitland	285
Coffs Harbour	269
Ku-ring-gai	252
Camden	243
Hornsby	240
Campbelltown	234
Blue Mtns	205
The Hills	205
Gosford	185
Wollongong	177
Sydney	174
Wagga Wagga	169
Eurobodalla	147
Byron	136

#### Number of different councils each agency received C&R from

Agency	Number of LGAs C&R activity
Roads and Traffic Authority	127
Rural Fire Service	110
NSW Office of Water	92
Heritage Branch of the DoP/NSW Heritage Council	67
Planning	59
Environment & Climate Change	40
Industry & Investment	24
Railcorp	14
Mine Subsidence Board	11
Sydney Catchment Authority	9
NSW Maritime	9
Natural Resources Commission	5
Sydney Water	2
Sydney Olympic Park Authority	1
Land & Property Management	0

# Department of Planning

## Overview

DoP implemented the Hiive tracking System to monitor and report on its C&R in early July 2009. C&R are processed in Regional offices and brief training sessions were held in each region during July 2009. Since implementation there have been no significant problems with the system. Comments from regions have been generally positive and reports have indicated that the mandatory reporting fields are being completed, making completion of quarterly reports straightforward. Work is also being done to allow Regional teams to draw custom reports which enable day to day monitoring of individual C&R to ensure timely processing.

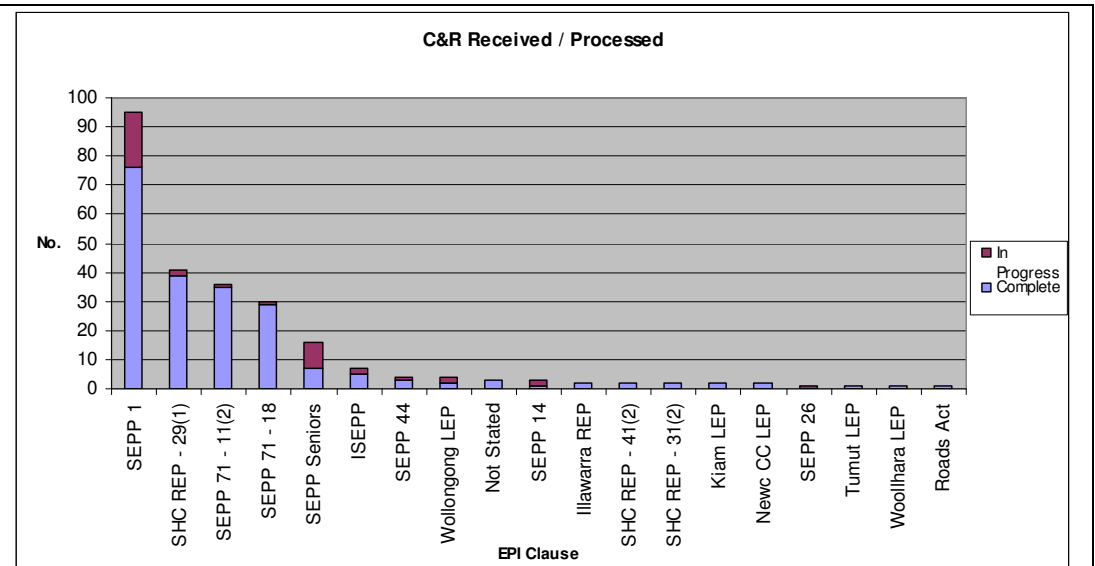
## Summary

Instrument	Complete	In Progress	Total
SEPP 1 - Development Standards - 7 or 8	76	19	95
Sydney REP (Sydney Harbour Catchment) 2005 - 29(1)	39	2	41
SEPP 71 - Coastal Protection - 11(2)	35	1	36
SEPP 71 - Coastal Protection - 18	29	1	30
SEPP (Housing for Seniors or People with a Disability) 2004 - 24	7	9	16
SEPP (Infrastructure) 2007 - 18	5	2	7
SEPP 44 - Koala Habitat Protection - 13 (1)	3	1	4
Wollongong City Centre LEP 2007 - 24(4)b	2	2	4
Not stated	3	0	3
SEPP 14 - Coastal Wetlands - 7(1)	1	2	3
Illawarra REP No 1 - 139(2)	2	0	2
Sydney Harbour Catchment SREP 2005 - CI 41(2)	2	0	2
Sydney REP (Sydney Harbour Catchment) 2005 - 31(2)	2	0	2
Kiama LEP 1996 - 47AC(4)	2	0	2
Newcastle City Centre LEP 2008 - 28(4)b	2	0	2
SEPP 26 - Littoral Rainforests - 7(3)	0	1	1
Tumut LEP 1990 Clause 12(4)	1	0	1
Woollahra LEP 1995 - 21BA(2)c	1	0	1
Roads Act 1993 - 149	1	0	1
<b>Total</b>	<b>213</b>	<b>40</b>	<b>253</b>

## Highlights

In the 1<sup>st</sup> 6 months of 2009/10:

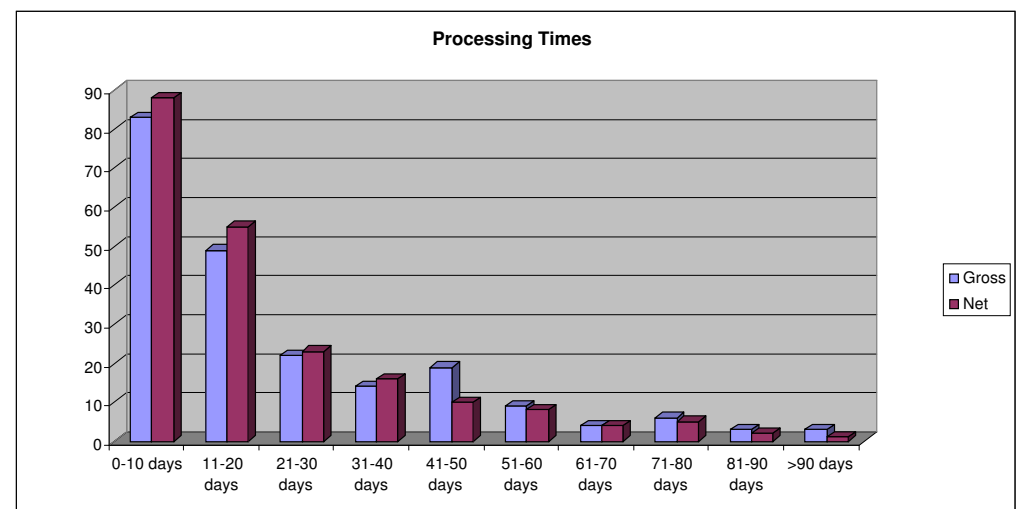
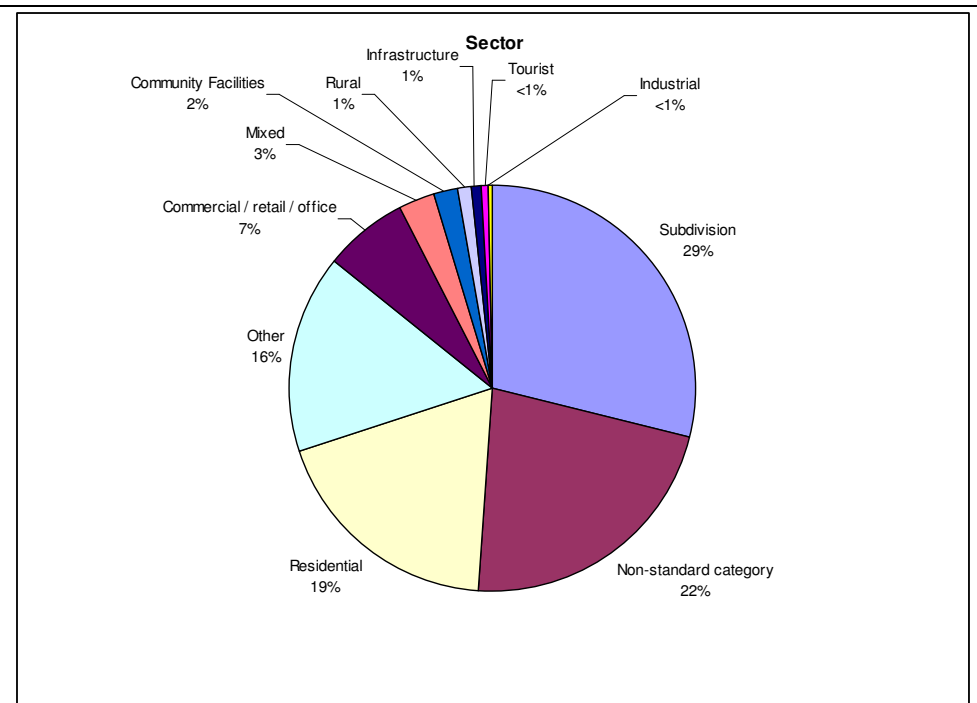
- **253** C&R were received
- **213** were processed
- Net average processing time was days **20.62** days
- the most common C&R clauses triggered were from
  - SEPP 1 development standards - **95** received
  - SEPP 71- Coastal Protection (cl 11(2) & 18) - **66** received
  - Sydney REP-Sydney Harbour Catchment (cl 29(1) & 31(2)) – **41** received
- the most common sector was *subdivision* – **73** received
- No. of EPI/Acts clauses which require concurrence from DoP = **77**
- No. of EPI/Acts clauses triggered during reporting period = **18**



Sector	Complete	In Progress	Total
Subdivision	64	9	73
Non-standard category	50	6	56
Residential	38	10	48
Other	34	6	40
Commercial / retail / office	13	4	17
Mixed	4	3	7
Community Facilities	5	0	5
Rural	1	2	3
Infrastructure	2	0	2
Tourist	1	0	1
Industrial	1	0	1
<b>Totals</b>	<b>213</b>	<b>40</b>	<b>253</b>

Adequacy of Original Information	No.	%
Adequate	175	69
Inadequate	56	22
Not Stated	22	9
<b>Total</b>	<b>253</b>	<b>100</b>

Processing Times	Gross	Net
0-10 days	83	88
11-20 days	49	55
21-30 days	22	23
31-40 days	14	16
41-50 days	19	10
51-60 days	9	8
61-70 days	4	4
71-80 days	6	5
81-90 days	3	2
>90 days	3	1
<b>Total</b>	<b>213</b>	<b>213</b>
<b>Average Processing Time</b>	<b>Gross</b> 23.79	<b>Net</b> 20.62



# Department of Environment, Climate Change & Water (DECCW)

## Overview

DECCW have a wide range of concurrence and referral roles (threatened species, water, cultural heritage, pollution) with statutory timeframes varying from 21 to 60 days. DECCW has requested that provisions relating to Acid Sulphate Soils be removed from the following LEPs:

- Canada Bay LEP 2008- 6.1 (3)b
- Liverpool LEP 2008- 7.7 (3)b
- Port Macquarie- Hastings (Area 13 Thrumster) LEP 2008 -7.1 (3)b
- Sydney REP no 24 – Homebush Bay Area- 20A (1)c
- Sydney REP No 33 – Cooks Cove 17 (1)d
- Woollahra LEP 1995 – 25D (5)b

DECCW elected to use the Excel template provided by DoP to record and monitor C&R which enabled DECCW to provide data in the agreed format at the end of the reporting period.

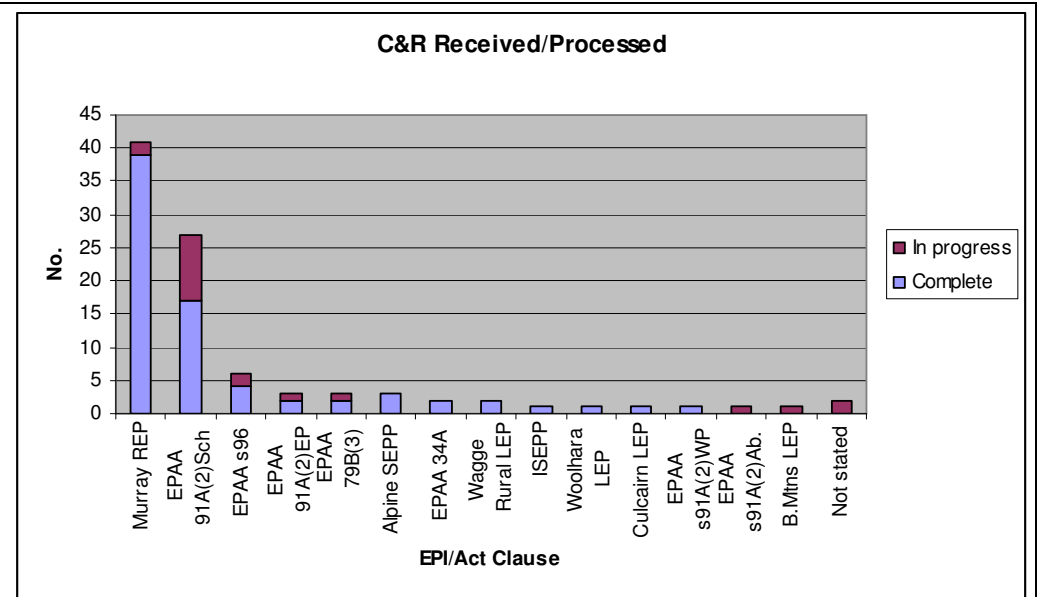
## Summary

Instrument	Complete	In Progress	Total
Murray REP No. 2 - 26	39	2	41
EP&A Act - s91A(2) s43(b), 48, 55 - Scheduled activities	17	10	27
EP&A Act s96(1) and (2) for modifications to consent	4	2	6
EP&A Act - s91A(2) s43(a), 47, 55 - EP Licence	2	1	3
EP&A Act - 79B(3)	2	1	3
Kosciusko - Alpine Resorts SEPP - 17(1) & (2) - Part 4 - DA Referral	3	0	3
EP&A Act - 34A(1)	2	0	2
Wagga Wagga Rural LEP 1991 - 21(4)	2	0	2
ISEPP - 16(1)	1	0	1
Woollahra LEP 1995 - 35D(5)b	1	0	1
Culcairn LEP 1998 - 26(5)	1	0	1
EP&A Act (91A(2) - Integrated Development) - POEO Act 1997, s43(d), 55, 122 - non-scheduled activity resulting in water pollution	1	0	1
EP&A Act (91A(2) - Integrated Development) - National Parks and Wildlife Act 1974, s90 - Aboriginal heritage	0	1	1
Blue Mountains LEP 2005 - 44(1) b	0	1	1
Not stated	0	2	2
<b>Total</b>	<b>75</b>	<b>20</b>	<b>95</b>

## Highlights

In the 6 month period 1<sup>st</sup> July 2009 to 31<sup>st</sup> December 2009:

- **95** C&R were received
- **75** were processed
- Net average processing time was **21.01** days
- the most common C&R clauses triggered were from
  - Murray REP No.2 - 41 received
  - EP&A Act (91A(2) - Integrated Development) - Protection of the Environment Operations Act 1997, s43(b), 48, 55 – Scheduled activities - **27** received
- the most common sector was *infrastructure* – **40** received
- No. of EPI/Acts clauses which require concurrence from DECCW = **62**
- No. of EPI/Acts clauses triggered during reporting period = **14**



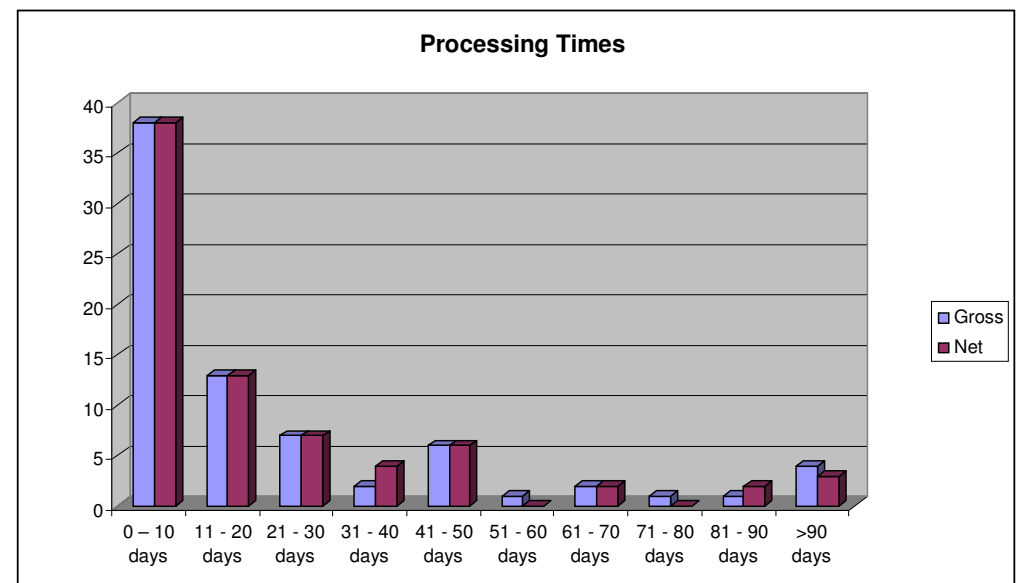
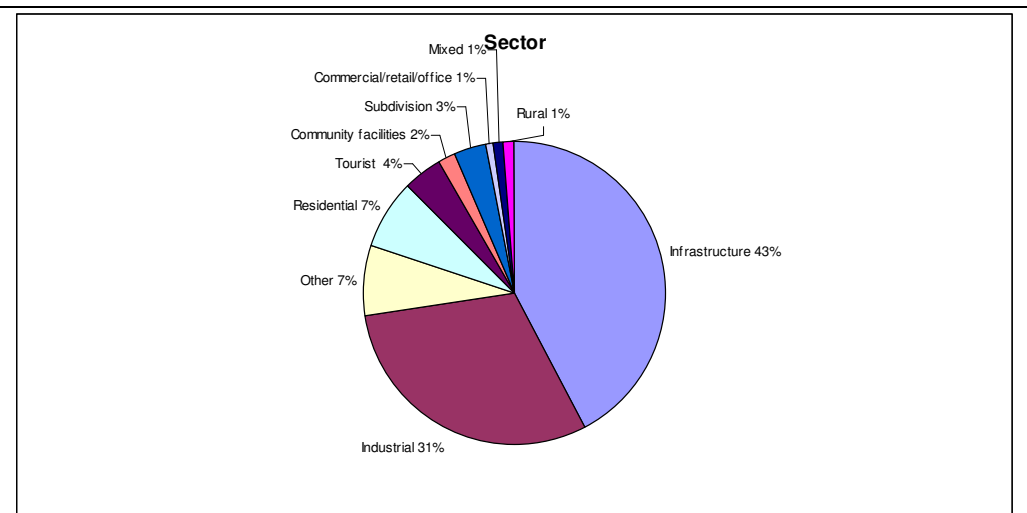
Sector	Complete	In Progress	Total
Infrastructure	33	7	40
Industrial	20	9	29
Other	6	1	7
Residential	6	1	7
Tourist	4	0	4
Community facilities	2	0	2
Subdivision	2	1	3
Commercial/retail/office	1	0	1
Mixed	1	0	1
Rural	0	1	1
<b>Total</b>	<b>75</b>	<b>20</b>	<b>95</b>

Adequacy of Original Information	No.	%
Adequate	68	72%
Inadequate	11	12%
Not stated	16	17%
<b>Total</b>	<b>95</b>	<b>100%</b>

Processing Times	Gross	Net
0 – 10 days	38	38
11 - 20 days	13	13
21 - 30 days	7	7
31 - 40 days	2	4
41 - 50 days	6	6
51 - 60 days	1	0
61 – 70 days	2	2
71 – 80 days	1	0
81 – 90 days	1	2
> 90 days	4	3
<b>Total</b>	<b>75</b>	<b>75</b>

Average Processing Time (days)	Gross	Net
	22.16	21.01



# Department of Industry and Investment (DII)

## Overview

DII used an Excel spreadsheet to record and monitor C&R. In general, this enabled DII to provide data in the agreed format at the end of the quarter, however *sector* information was recorded in non standard categories and had to be extrapolated to fit sector information consistent with categories used in the *Local Development Monitor*.

Most C&R are triggered by integrated development under the EP&A Act permit to carry out dredging or reclamation work, or to cut, remove, damage or destroy marine vegetation on public water land or an aquaculture lease, or on the foreshore of any such land or lease. These do not fall into a standard development category (sector) as per the *Local Development Monitor* thus accounting for the high number in the "Other" sector.

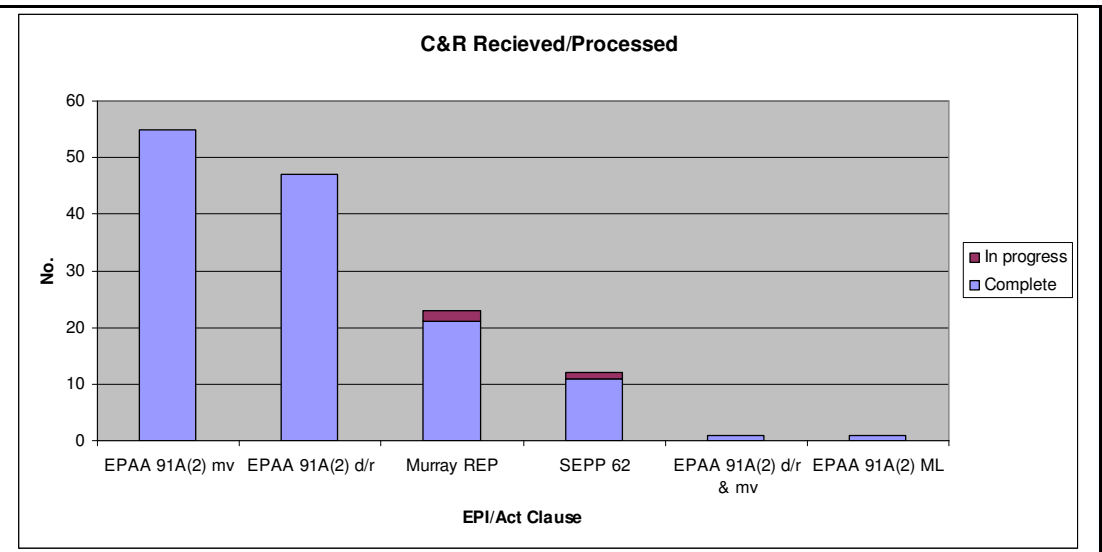
## Summary

Instrument	Complete	In progress	Total
IDA FM Act s205 marine vegetation (EP&A Act (91A(2)))	55	0	55
IDA FM Act s201 dredging/reclamation (EP&A Act (91A(2)))	47	0	47
Murray REP No 2	21	2	23
SEPP 62 - Sustainable Aquaculture - 15B	11	1	12
IDA FM Act s201 dredging/reclamation (EP&A Act (91A(2))); & s205 marine vegetation	1	0	1
EP&A Act (91A(2) - Integrated Development) - Mining Act 1992, s63 & s64 - mining lease	1	0	1
<b>Total</b>	<b>136</b>	<b>3</b>	<b>139</b>

## Highlights

In the 6 month period 1<sup>st</sup> July 2009 to 31<sup>st</sup> December 2009:

- **139** C&R were received
- **136** were processed
- Net average processing time was **11.76** days
- the most common C&R clauses triggered were from
  - EP&A Act s91A(2) marine vegetation – **55** received
  - EP&A Act s91A(2) dredging/reclamation – **47** received
- the most common sector was *Non standard category* – **70** received
- No. of EPI/Acts clauses which require concurrence from DII = **29**
- No. of EPI/Acts clauses triggered during reporting period = **6**

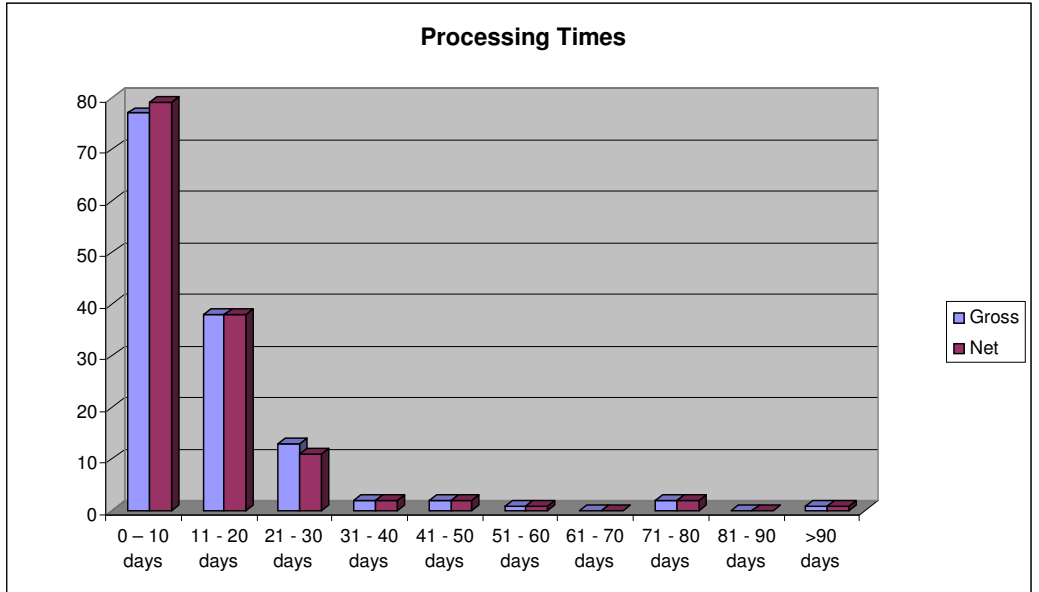
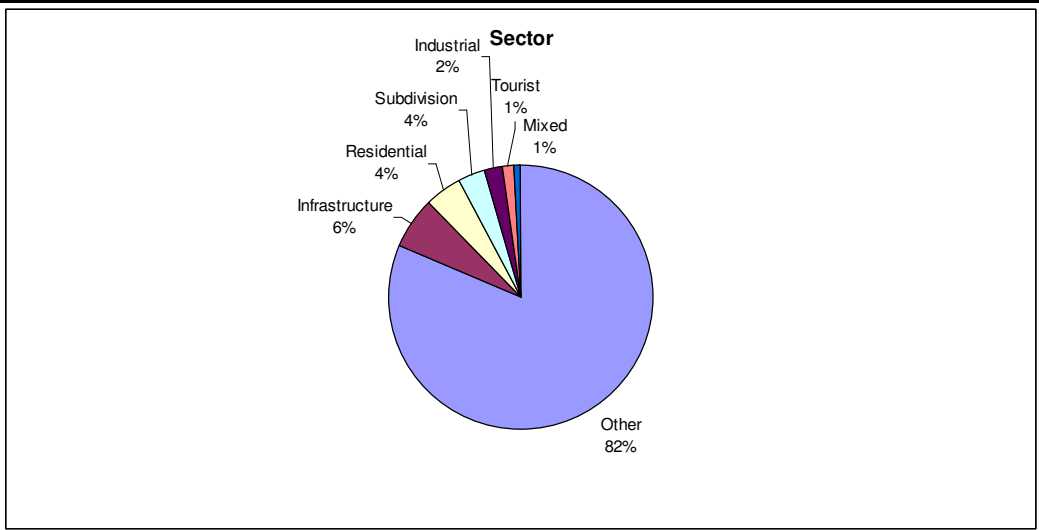


Sector	Complete	In progress	Total
Other	112	1	113
Infrastructure	8	1	9
Residential	5	1	6
Subdivision	5	0	5
Industrial	3	0	3
Tourist	2	0	2
Mixed	1	0	1
<b>Total</b>	<b>136</b>	<b>3</b>	<b>139</b>

Adequacy of Original Information	No.	%
Adequate	127	91%
Inadequate	12	9%
<b>Total</b>	<b>139</b>	<b>100%</b>

Processing Times	Gross	Net
0 – 10 days	77	79
11 - 20 days	38	38
21 - 30 days	13	11
31 - 40 days	2	2
41 - 50 days	2	2
51 - 60 days	1	1
61 - 70 days	0	0
71 - 80 days	2	2
81 - 90 days	0	0
>90 days	1	1
<b>Total</b>	<b>136</b>	<b>136</b>

Average Processing Time (days)	Gross	Net
	12.09	11.76



# Sydney Water

## Overview

Sydney Water provided C&R information in tables which were provided by DoP in 2009. This enabled Sydney Water to provide data in the agreed format at the end of the quarter. Sydney Water received few statutory concurrences or referrals made pursuant to a requirement in any legislation or environmental planning instrument. Sydney Water has certain rights and responsibilities under s73 of the *Sydney Water Act 1994*, which relate to issuing developers with compliance certificates. These do not delay the issue of development consent and are not monitored as part of this process.

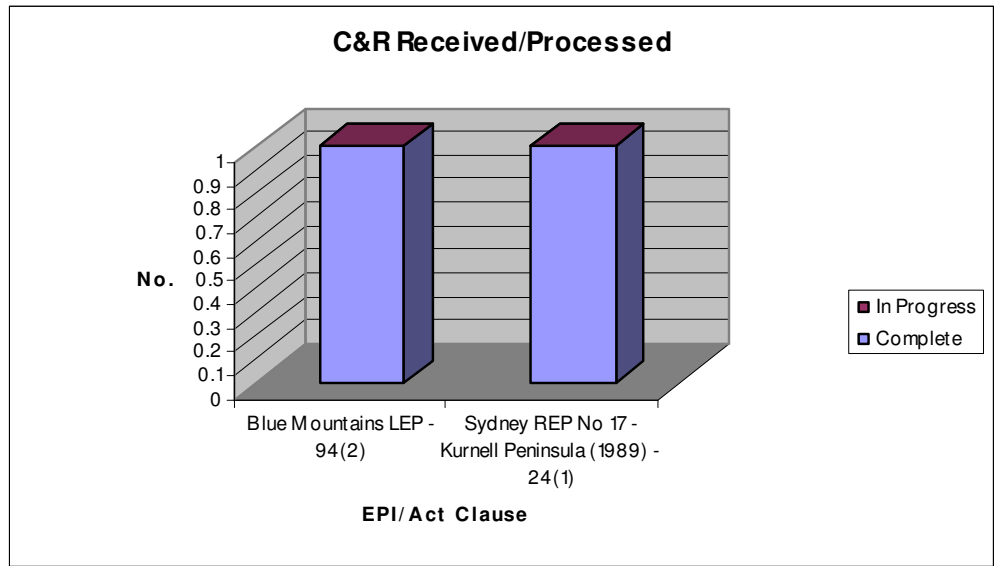
## Highlights

In the 6 month period 1<sup>st</sup> July 2009 to 31<sup>st</sup> December 2009:

- **2** C&R were received
- **2** were processed
- Net average processing time was **21.00** days
- the most common C&R clauses triggered were from
  - Blue Mountains LEP - 94(2) – **1** received
  - Sydney REP No 17 - Kurnell Peninsula (1989) - 24(1) – **1** received
- the most common sectors were *Tourist* and *Subdivision* – **1** each received
- No. of EPI/Acts clauses which require concurrence from Sydney Water = **7**
- No. of EPI/Acts clauses triggered during reporting period = **2**

## Summary

Instrument	Complete	In Progress	Total
Blue Mountains LEP - 94(2)	1	0	1
Sydney REP No 17 - Kurnell Peninsula (1989) - 24(1)	1	0	1
<i>Total</i>	<b>2</b>	<b>0</b>	<b>2</b>



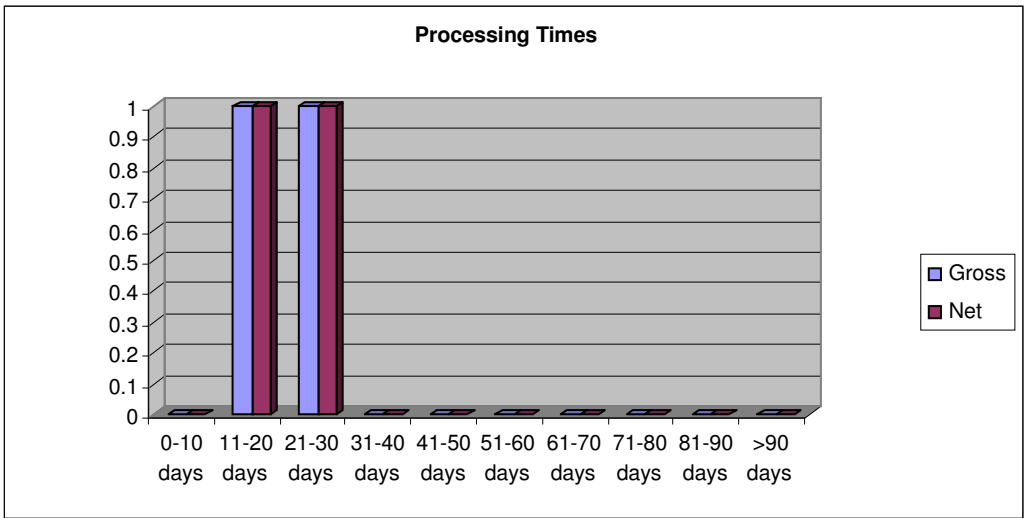
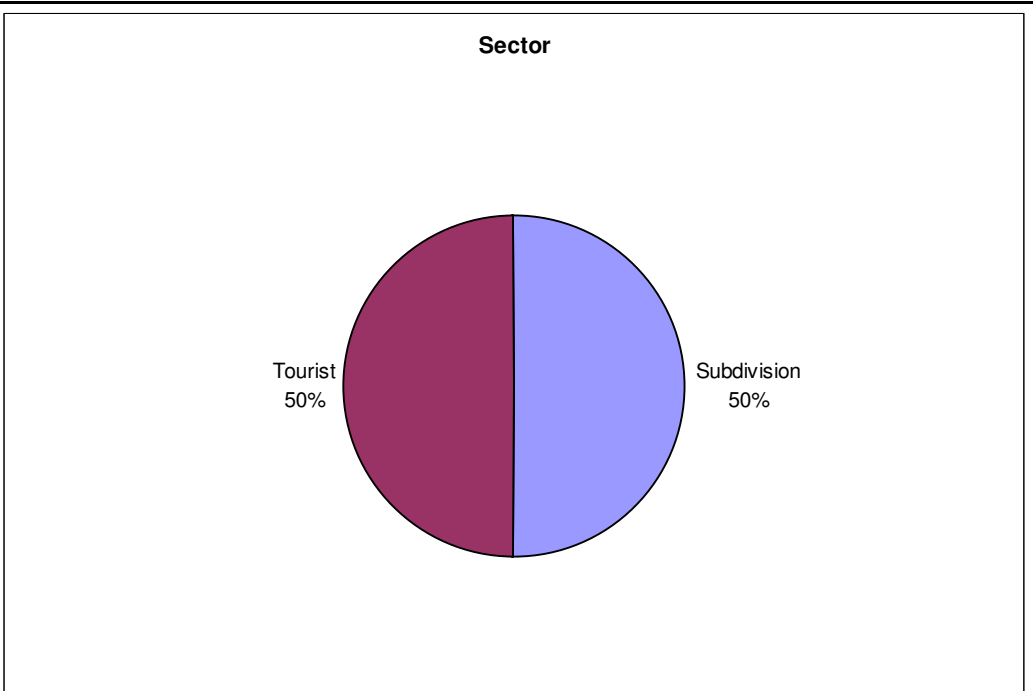


Sector	Complete	In Progress	Total
Subdivision	1	0	1
Tourist	1	0	1
<i>Total</i>	<i>2</i>	<i>0</i>	<i>2</i>

Adequacy of Original Information	No.	%
Adequate	2	100%
Inadequate	0	0%
<i>Total</i>	<i>2</i>	<i>100%</i>

Processing Times	Gross	Net
0-10 days	0	0
11-20 days	1	1
21-30 days	1	1
31-40 days	0	0
41-50 days	0	0
51-60 days	0	0
61-70 days	0	0
71-80 days	0	0
81-90 days	0	0
>90 days	0	0
<i>Total</i>	<i>2</i>	<i>2</i>

Average Processing Time	Gross	Net
	21.00	21.00



# Land and Property Management Authority (LPMA)

## *Overview*

LPMA did not receive any C&R during the reporting period. LPMA have requested that some C&R for which they have responsibility be revoked as these are adequately covered in other legislation.

The C&R that Lands have responsibility for are all in EPIs that are 15-20 years old. Most relate to soil conservation matters in rural areas, often in respect to specific single developments proposed at the time. The role of LPMAs has changed in the period since these LEPs were gazetted, and the provisions generate few or no referrals each year. There have been no referrals relating to soil conservation matters for at least 10 years.

LPMA have indicated that most of these referrals could be removed. LPMA is prepared to consider each provision in more detail, in particular those within LEPs that are prepared to meet the 2011 Standard Instrument timeline.

The referral provision that is most current is from Murray REP No.2 which generates 6-8 referrals per year. Referrals are often incorporated with requests by applicants for the consent of LPMA (as owner of the land) to the lodging of development applications. Processing time is generally <2weeks. It is understood that some councils in the Murray River region are already seeking to transfer the provision in Murray REP No.2-Riverine Land into their new Standard Instrument LEPs.

## *Highlights*

In the 6 month period 1<sup>st</sup> July 2009 to 31<sup>st</sup> December 2009:

- **0** C&R were received
- **0** were processed
- No. of EPI/Acts clauses which require concurrence from LPMA = **8**
- No. of EPI/Acts clauses triggered during reporting period = **0**



# Sydney Olympic Park Authority (SOPA)

## Overview

SOPA receive only occasional referrals under Sydney REP No 24 – Homebush Bay Area and these are processed very quickly. SOPA records C&R information using the spreadsheet template provided by DoP.

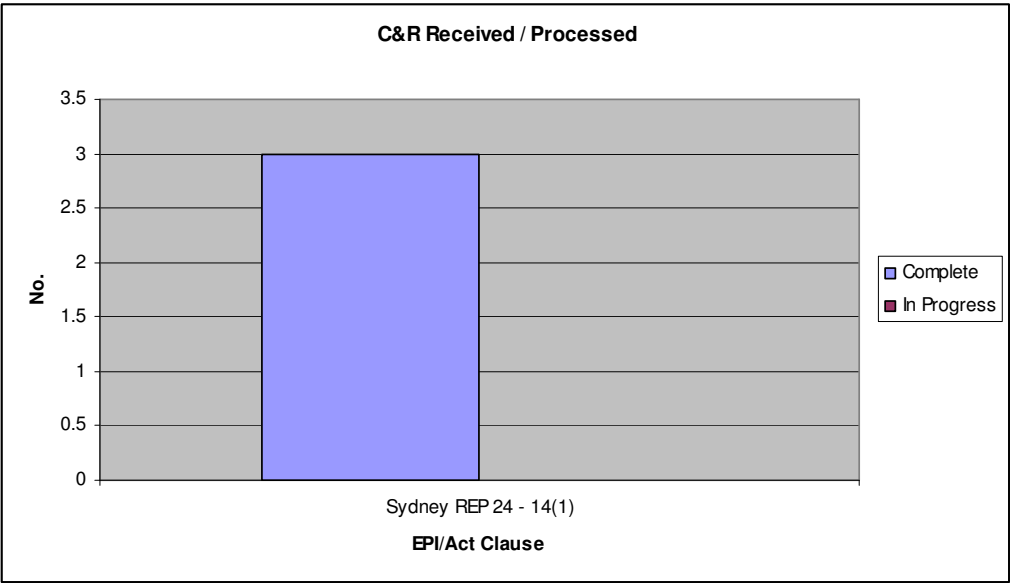
## Highlights

In the 6 month period 1<sup>st</sup> July 2009 to 31<sup>st</sup> December 2009:

- **3** C&R were received
- **3** were processed
- Net average processing time was **1.33** days
- the most common C&R clauses triggered were from
  - Sydney REP 24 - 14(1) – **3** received
- the most common sectors were *Commercial / retail / office* – **2** each received
- No. of EPI/Acts clauses which require concurrence from Sydney Water = **1**
- No. of EPI/Acts clauses triggered during reporting period = **1**

## Summary

Instrument	Complete	In Progress	Total
Sydney REP 24 - 14(1)	3	0	3
<i>Total</i>	<i>3</i>	<i>0</i>	<i>3</i>

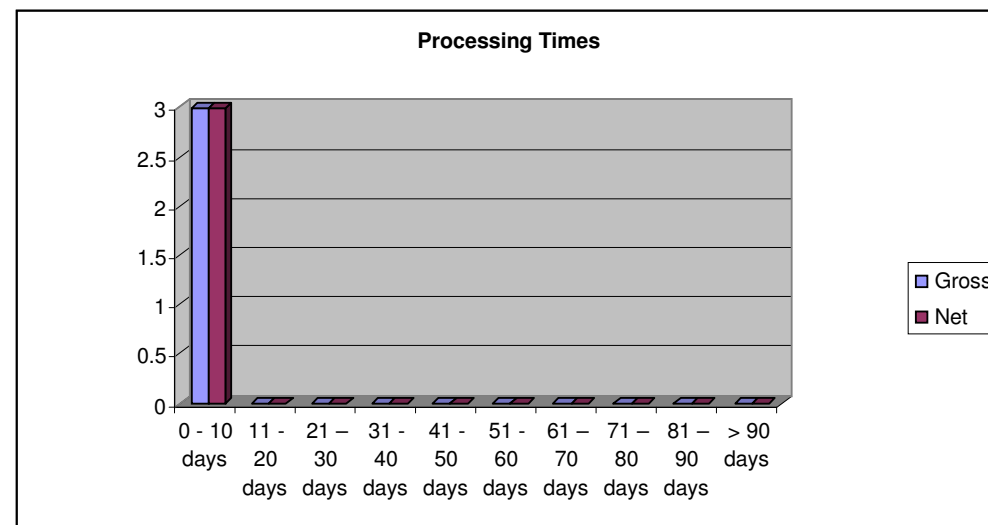
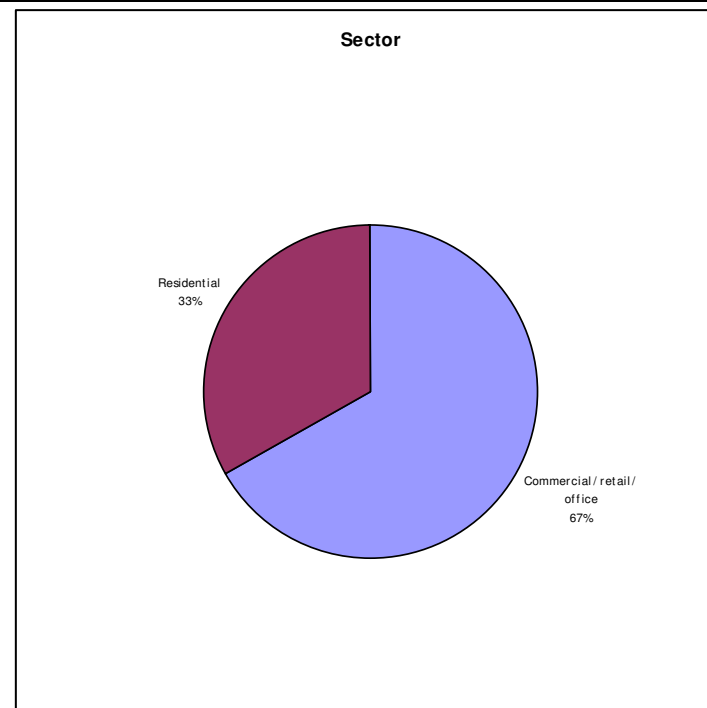


Sector			
Commercial / retail / office	2	0	2
Residential	1	0	1
<i>Total</i>	<i>3</i>	<i>0</i>	<i>3</i>

Adequacy of Original Information	No	%
Adequate	3	100
Inadequate	0	0%
<i>Total</i>	<i>3</i>	<i>100%</i>

Processing Times	Gross	Net
0 - 10 days	3	3
11 - 20 days	0	0
21 - 30 days	0	0
31 - 40 days	0	0
41 - 50 days	0	0
51 - 60 days	0	0
61 - 70 days	0	0
71 - 80 days	0	0
81 - 90 days	0	0
> 90 days	0	0
<i>Total</i>	<i>3</i>	<i>3</i>

Average Processing Time	Gross	Net
	1.33	1.33



# Railcorp

## Overview

Railcorp elected to use the Excel template provided by DoP to record and monitor C&R. This enabled Railcorp to provide data in the agreed format at the end of the quarter. A large proportion of applications received (85%) did not have adequate information supplied by the applicant, thus causing a large difference between the gross and net processing times. The usual reason for inadequacy included:

- No geotechnical report (19)
- No risk assessment – traffic impacts / level crossings (2)
- Further detail on revised retaining wall (1)
- Proposal withdrawn (1)

Given the high % of applications that do not have a geotechnical report included, Railcorp are in the process of preparing a number of documents that will be uploaded onto the RailCorp webpages which will hopefully address this issue. It is anticipated that this information will be completed before the end of this financial year and will include facts sheets, a "standard geotechnical brief" so that developers can send this to a geotechnical expert rather than writing it themselves, the risk assessment process for level crossings, a pre-DA service so the developer can meet with Railcorp to obtain their requirements before lodgement, rail corridor maps and a number of relevant planning/RailCorp standards. Once the webpage is up Railcorp will also be rolling out presentations to Councils so that they are better informed and can provide further information to applicants as part of their own pre-DA service, and to upgrade their Council webpage with a link to Railcorp with all the relevant information.

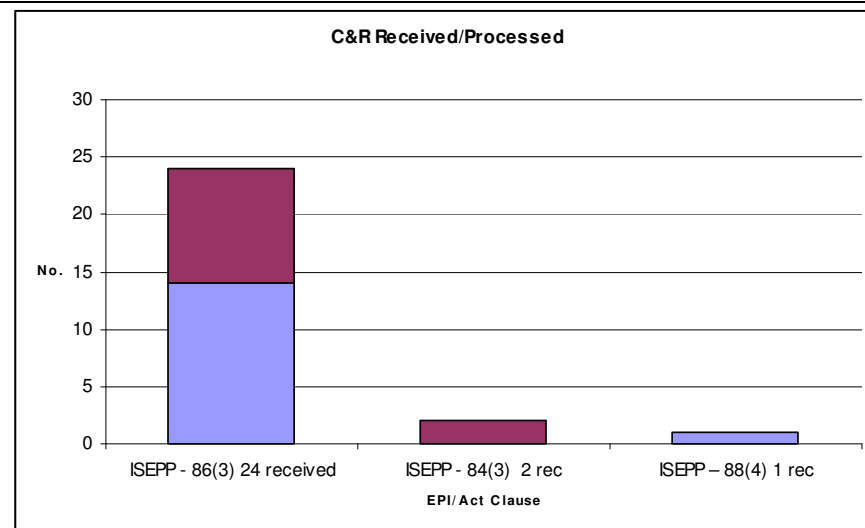
## Summary

Instrument	Complete	In Progress	Total
ISEPP - 86(3)	14	10	24
ISEPP - 84(3)	0	2	2
ISEPP – 88(4)	1	0	1
<i>Total</i>	<i>15</i>	<i>12</i>	<i>27</i>

## Highlights

In the 6 month period 1<sup>st</sup> July 2009 to 31<sup>st</sup> December 2009:

- **27** C&R were received
- **15** were processed
- Net average processing time was **10.93** days
- the most common C&R clauses triggered were from
  - SEPP Infrastructure – cl86(3) - **24** received
  - SEPP Infrastructure – cl84(3) – **2** received
- the most common sector was *Residential* – **16** received
- No. of EPI/Acts clauses which require concurrence from Railcorp = **9**
- No. of EPI/Acts clauses triggered during reporting period = **3**



Sector	Complete	In Progress	Total
Residential	8	8	16
Industrial	6	3	9
Commercial / retail / office	1	1	2
<i>Total</i>	<i>15</i>	<i>12</i>	<i>27</i>

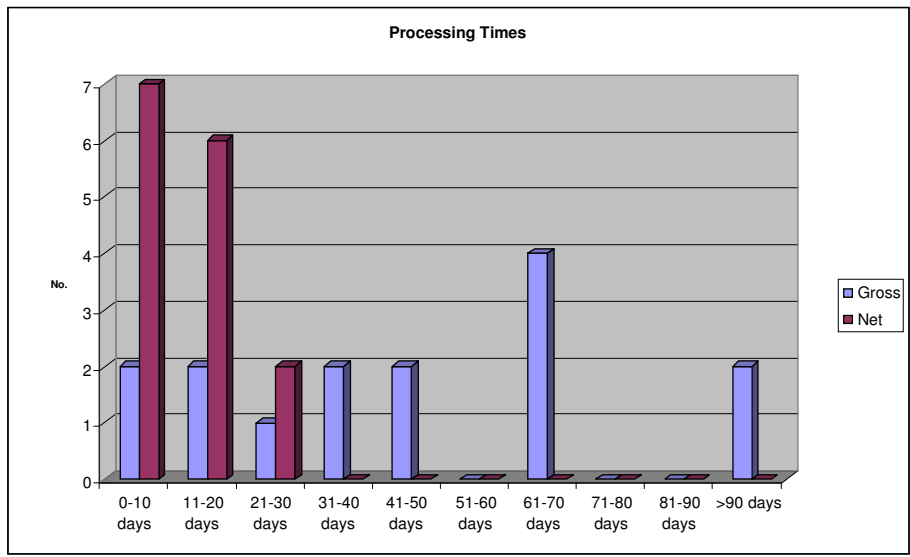
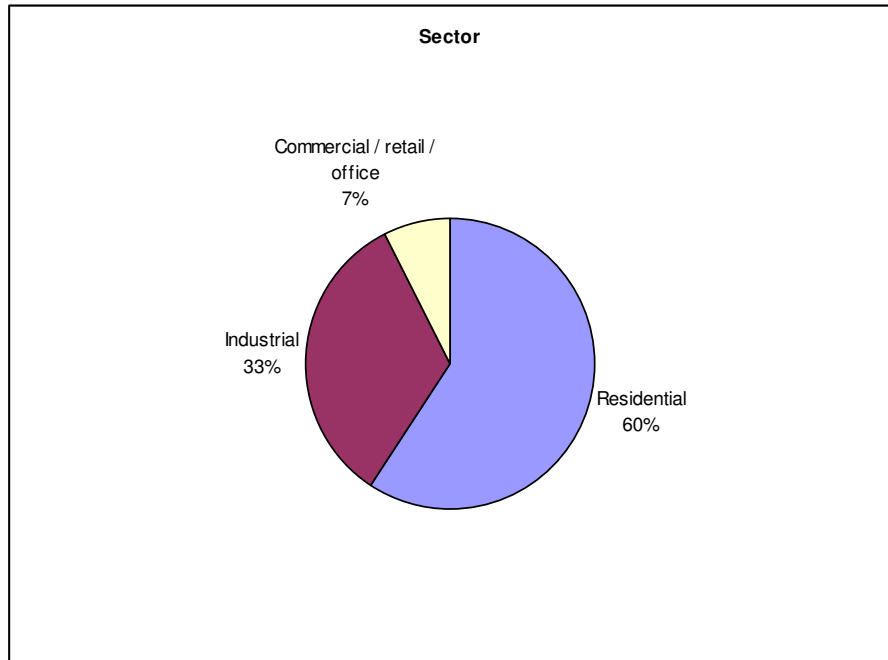
Adequacy of Original Information		
Adequate	4	15%
Inadequate	23	85%
<i>Total</i>	<i>27</i>	<i>100%</i>

Processing Times (Net)	Gross	Net
0 - 10 days	2	7
11 - 20 days	2	6
21 - 30 days	1	2
31 - 40 days	2	0
41 - 50 days	2	0
51 - 60 days	0	0
61 – 70 days	4	0
71 – 80 days	0	0
81 – 90 days	0	0
> 90 days	2	0
<i>Total</i>	<i>15</i>	<i>15</i>

Average Processing Time (days)	Gross	Net
	46.00	10.93



# Sydney Catchment Authority (SCA)

## Overview

SCA elected to use the Excel template provided by DoP to record and monitor C&R. This enabled SCA to provide data in the agreed format at the end of the quarter.

The SCA responded to all DAs within the statutory time period except for one. Concurrence was granted to all DAs except for one. The SCA also responded during the period to 17 requests from councils for advice on Section 96 modifications and 5 requests from councils for further advice on DAs which the SCA has previously responded to (e.g. when the applicant has modified the proposal prior to determination). Information on pre-DA meetings or days taken to be adequate were not collected in the quarter, but will be reported in the next period.

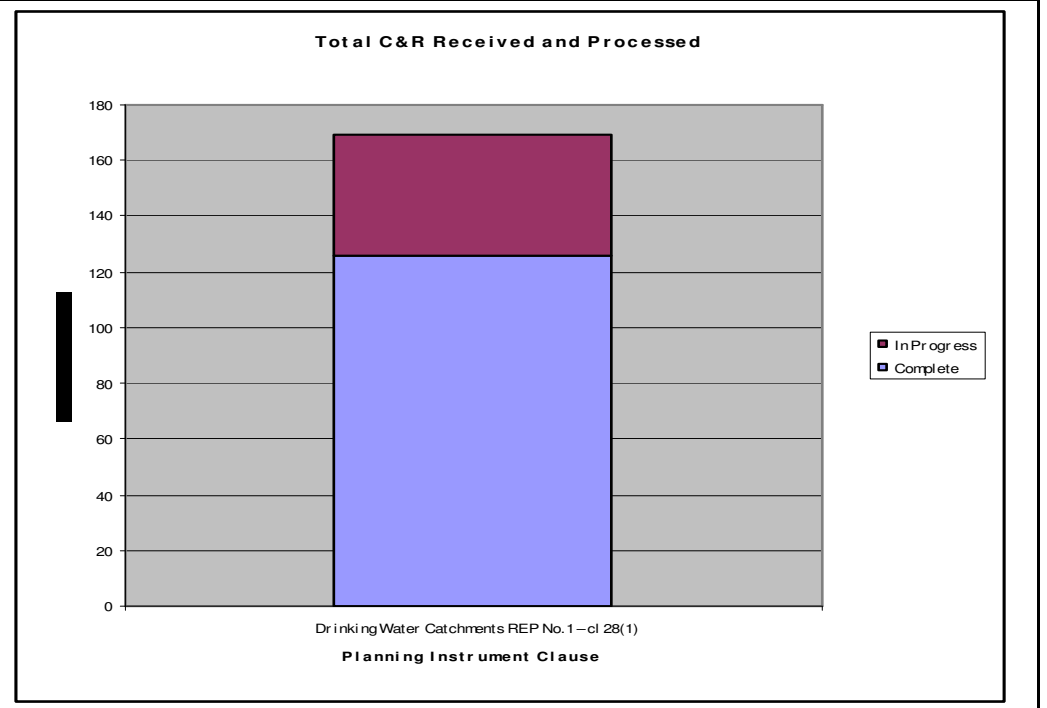
## Summary

Instrument	Complete	In Progress	Total
Drinking Water Catchments REP No.1 – cl 28(1)	126	43	169
<i>Total</i>	<i>126</i>	<i>43</i>	<i>169</i>

## Highlights

In the 6 month period 1<sup>st</sup> July 2009 to 31<sup>st</sup> December 2009:

- **169** C&R were received
- **126** were processed
- Net average processing time was **28.82** days
- the most common C&R clauses triggered was from
  - Drinking Water Catchments REP No.1 – cl 28(1) - **169** received
- the most common sector was *Residential* – **99** received
- No. of EPI/Acts clauses which require concurrence from SCA = **3**
- No. of EPI/Acts clauses triggered during reporting period = **1**



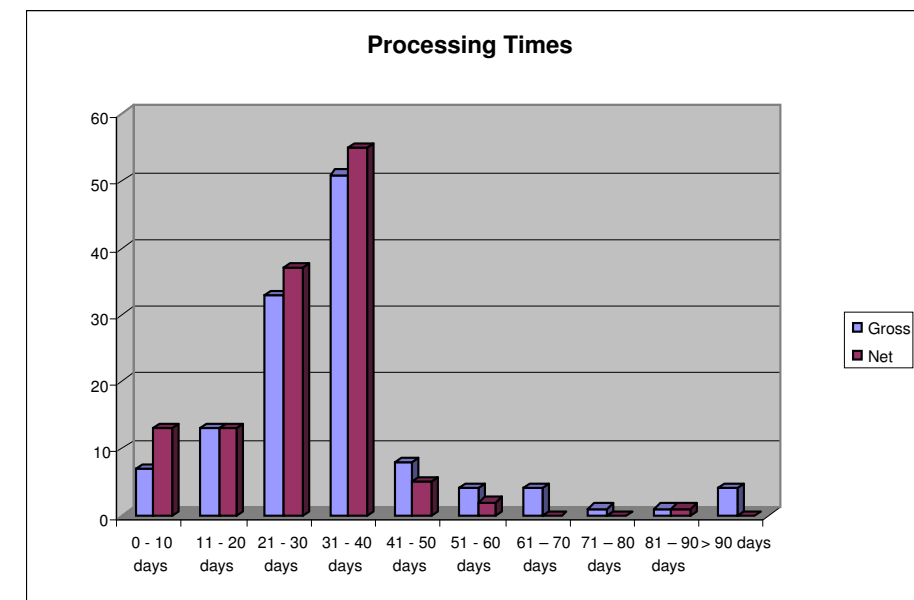
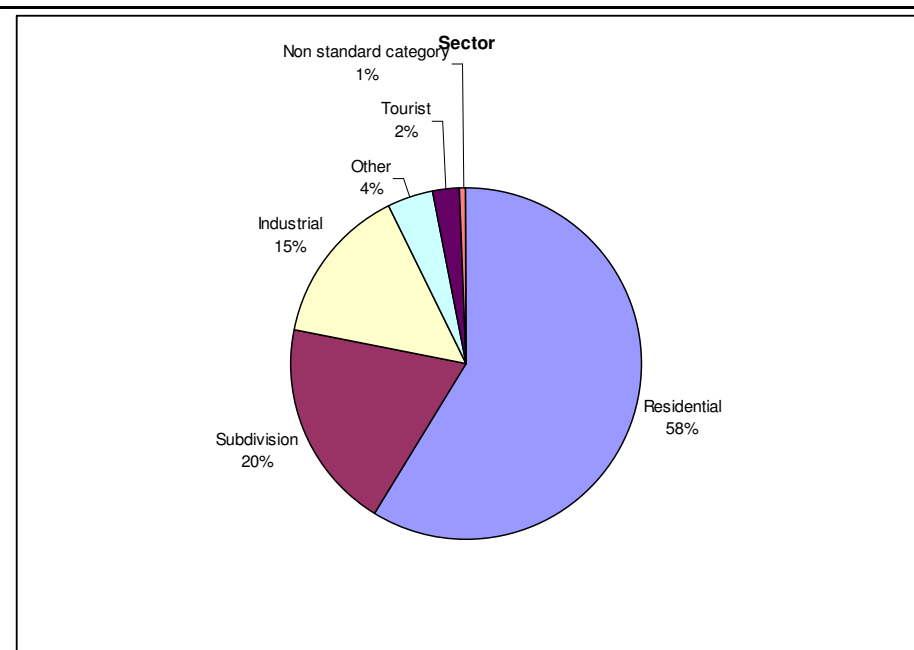


Sector	Complete	In Progress	Total
Residential	82	17	99
Subdivision	21	12	33
Industrial	14	11	25
Other	4	3	7
Tourist	4	0	4
Non standard category	1	0	1
<i>Total</i>	<i>126</i>	<i>43</i>	<i>169</i>

Adequacy of Original Information	No.	%
Adequate	121	72%
Inadequate	48	28%
<i>Total</i>	<i>169</i>	<i>100%</i>

Processing Times	Gross	Net
0 - 10 days	7	13
11 - 20 days	13	13
21 - 30 days	33	37
31 - 40 days	51	55
41 - 50 days	8	5
51 - 60 days	4	2
61 - 70 days	4	0
71 - 80 days	1	0
81 - 90 days	1	1
> 90 days	4	0
<i>Total</i>	<i>126</i>	<i>126</i>

Average Processing Time (days)	Gross	Net
	34.26	28.82



# NSW Maritime

## Overview

Maritime recorded C&R in a basic Excel spreadsheet which enabled them to provide some of the data in the agreed format at the end of the quarter. Maritime have also provided information on processing of comments/input to draft LEPs under Part 3 EP&A Act.

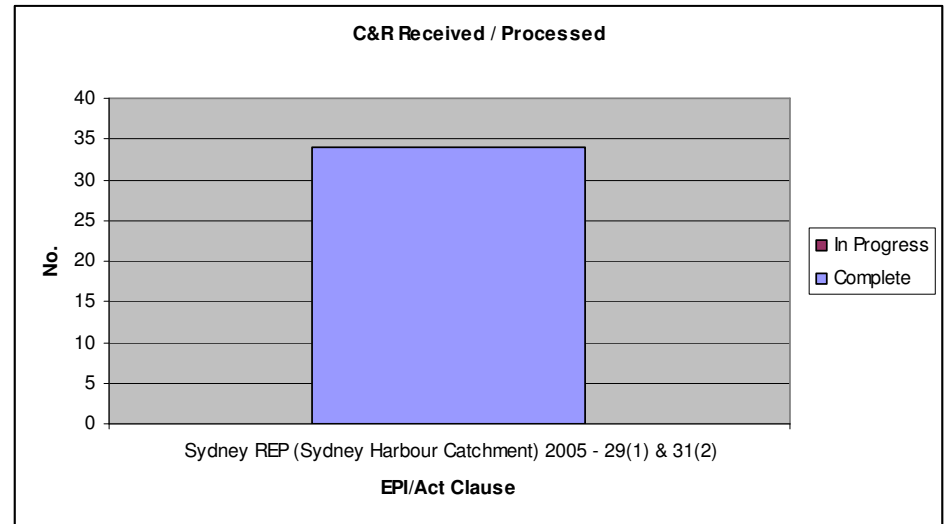
## Highlights

In the 6 month period 1<sup>st</sup> July 2009 to 31<sup>st</sup> December 2009:

- **34** C&R were received
- **34** were processed
- Net average processing time was **14.59** days
- the most common C&R clauses triggered was from
  - Sydney REP (Sydney Harbour Catchment) 2005 - 29(1) & 31(2) – **34** received
- the most common sector was *Residential* – **21** received
- No. of EPI/Acts clauses which require concurrence from NSW Maritime = **7**
- No. of EPI/Acts clauses triggered during reporting period = **1**

## Summary

Instrument	Complete	In Progress	Total
Sydney REP (Sydney Harbour Catchment) 2005 - 29(1) & 31(2)	34	0	34
<i>Total</i>	<i>34</i>	<i>0</i>	<i>34</i>

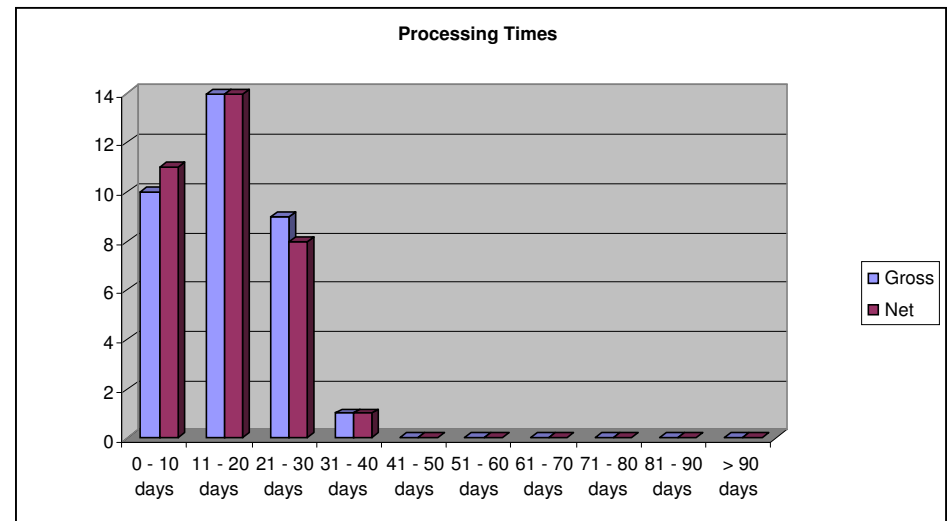
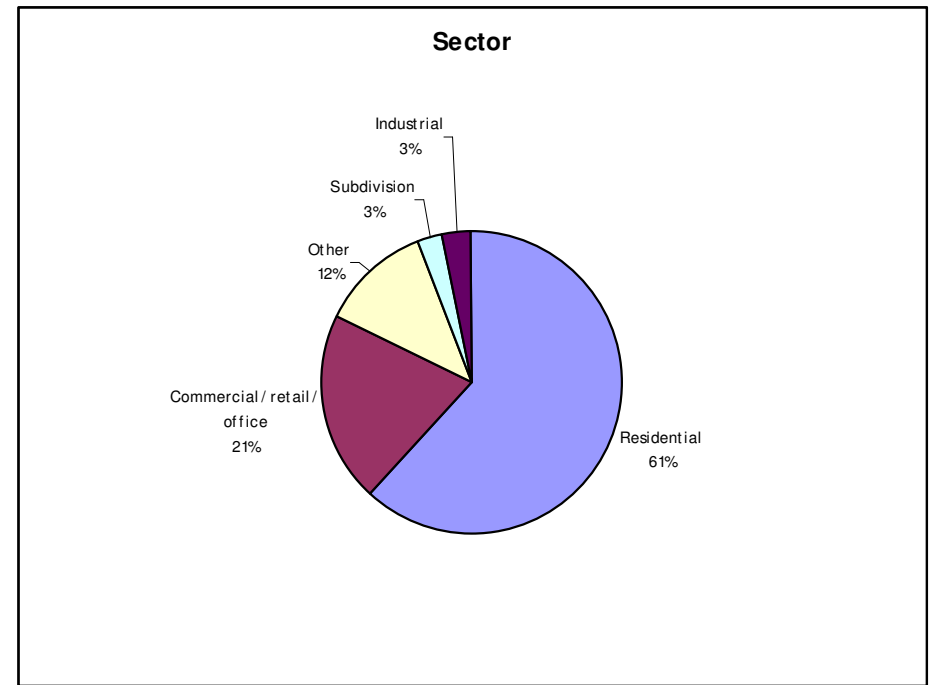


Sector	Complete	In Progress	Total
Residential	21	0	21
Commercial / retail / office	7	0	7
Other	4	0	4
Subdivision	1	0	1
Industrial	1	0	1
<i>Total</i>	<i>34</i>	<i>0</i>	<i>34</i>

Adequacy of Original Information	No.	%
Adequate	33	97%
Inadequate	1	3%
<i>Total</i>	<i>34</i>	<i>100%</i>

Processing Times	Gross	Net
0 - 10 days	10	11
11 - 20 days	14	14
21 - 30 days	9	8
31 - 40 days	1	1
41 - 50 days	0	0
51 - 60 days	0	0
61 - 70 days	0	0
71 - 80 days	0	0
81 - 90 days	0	0
> 90 days	0	0
<i>Total</i>	<i>34</i>	<i>34</i>

Average Processing Time	Gross	Net
	15.21	14.59



# Roads and Traffic Authority (RTA)

## Overview

RTA have a pre-existing internally developed monitoring system for tracking progress of C&R and storing details (incl. spatial information) of each one. RTA have indicated that, their system is maintained by one person who also has a range of other duties. Furthermore, data entry and use of the system is at a regional office level given the geographic distribution of its land use and development assessment functions. the RTA is currently in the process of undertaking customisations to allow all of the data requested to be drawn from their database.

RTA did not specify which provisions had triggered each concurrence or referral but the following Acts/EPIs are the primary provisions that RTA have responsibility for:

- SEPP (Infrastructure) 2007
- SEPP 64 Advertising and Signage
- Roads Act 1993

It should be noted that multiple referral and/or concurrence provisions can be triggered for a single proposal.

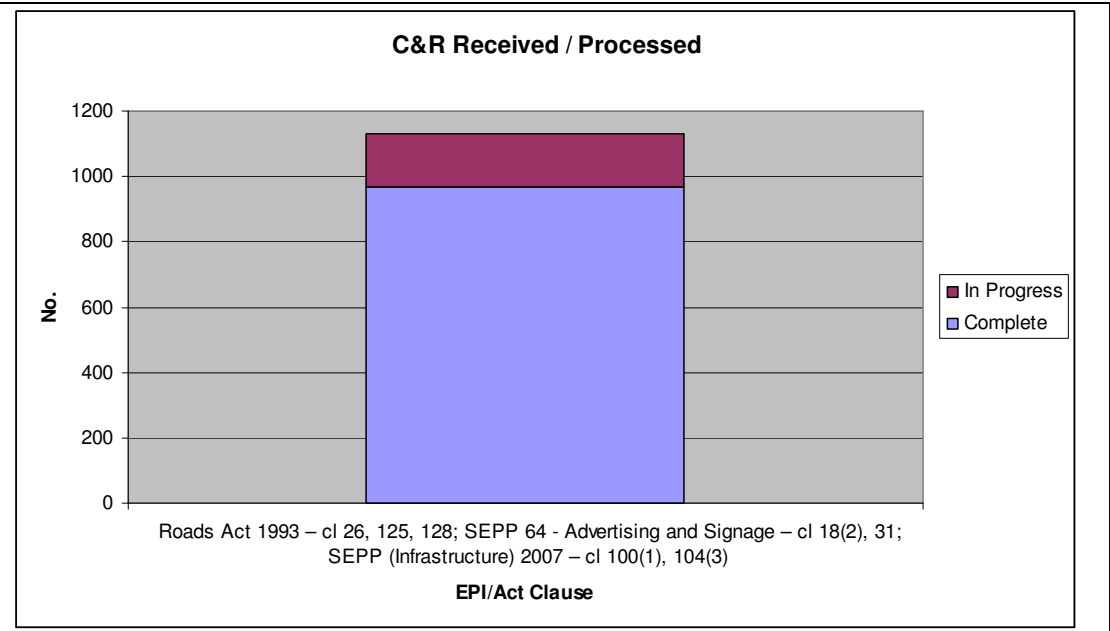
## Summary

Instrument	Complete	In Progress	Total
<ul style="list-style-type: none"> <li>• Roads Act 1993 – cl 26, 70, 87, 125, 128, 138</li> <li>• SEPP 64 - Advertising and Signage – cl 18(2), 31</li> <li>• SEPP (Infrastructure) 2007 – cl 100(1), 103(2), 104(3)</li> </ul> (Total received for each clause not specified)	967	163	1130
<b>Total</b>	<b>967</b>	<b>163</b>	<b>1130</b>

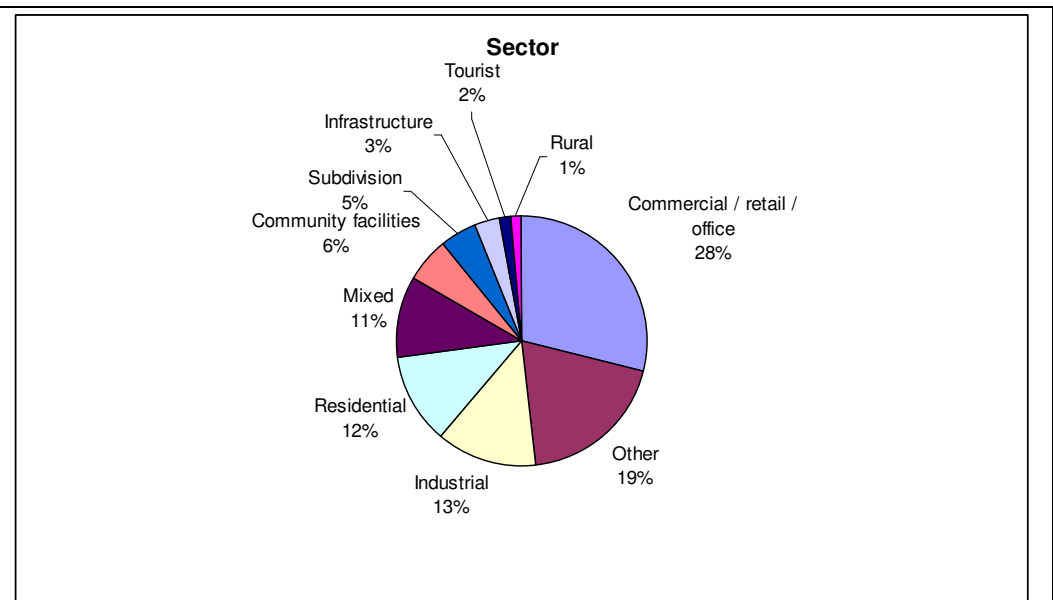
## Highlights

In the 6 month period 1<sup>st</sup> July 2009 to 31<sup>st</sup> December 2009:

- **1130** C&R were received
- **967** were processed
- Gross average processing time was **22.1** days
- the most common C&R clause triggered was not able to be distinguished from the data provided
- the most common sector was *Commercial/retail/office* – **280** processed
- No. of EPI/Acts clauses which require concurrence from RTA = **7**
- No. of EPI/Acts clauses triggered during reporting period = **not available**



<b>Sector</b>	<i>Complete</i>	<i>In Progress</i>	<i>Total</i>
Residential	112		112
Tourist	15		15
Commercial / retail / office	280		280
Infrastructure	30		30
Industrial	125		125
Community facilities	55		55
Rural	13		13
Subdivision	48		48
Other	186		186
Mixed	103		103
<i>Total</i>	<i>967</i>		<i>967</i>
<b>Adequacy of Original Information</b>		<b>No,</b>	<b>%</b>
Adequate		N.A.	N.A.
Inadequate		N.A.	N.A.
<i>Total</i>		N.A.	N.A.
<b>Processing Times (Net)</b>			
0 – 10 days		N.A.	N.A.
11 – 20 days		N.A.	N.A.
21 – 30 days		N.A.	N.A.
31 – 40 days		N.A.	N.A.
41 - 50 days		N.A.	N.A.
51 - 60 days		N.A.	N.A.
61 - 70 days		N.A.	N.A.
71 - 80 days		N.A.	N.A.
81 - 90 days		N.A.	N.A.
> 90 days		N.A.	N.A.
Total		N.A.	N.A.
<b>Average Processing Time</b>			<b>Gross</b>
			22.1



# Mine Subsidence Board (MSB)

## Overview

The MSB process many referrals for approval under the Mine Subsidence Compensation Act 1961, s15 - improvements / subdivision in mine subsidence district. The volume of the applications processed does not enable MSB to provide detailed information in regard to each individual referral received. However, most summary information was provided in an aggregated form consistent with the common reporting criteria.

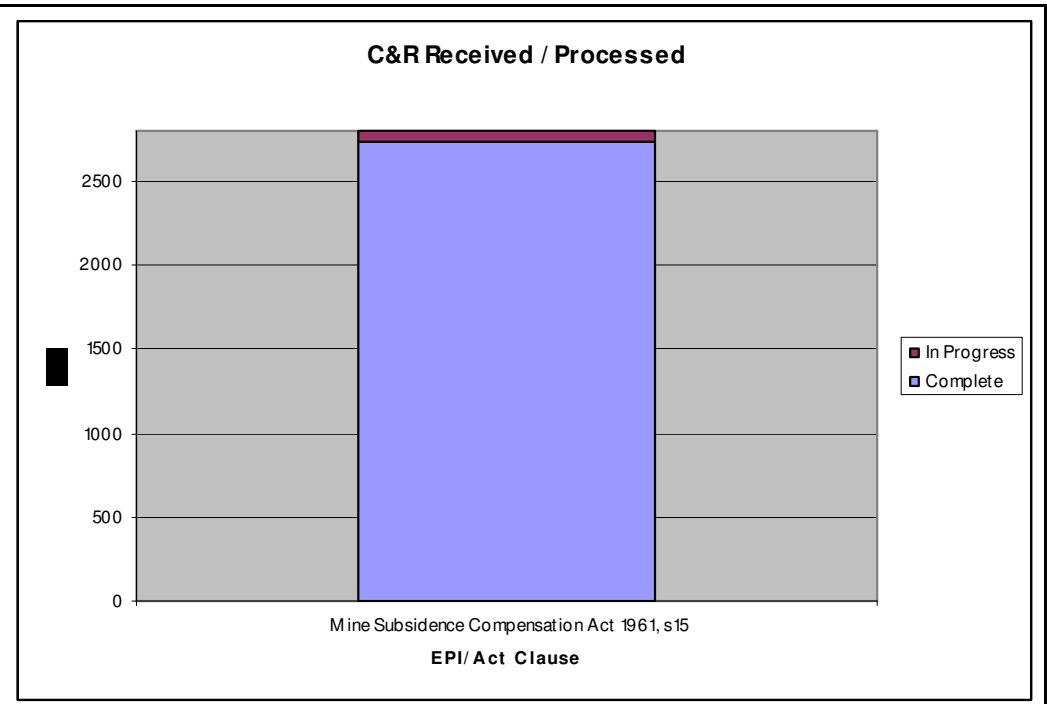
## Highlights

In the 6 month period 1<sup>st</sup> July 2009 to 31<sup>st</sup> December 2009:

- **2800** C&R were received
- **2730** were processed
- Gross average processing time was **3.20** days
- the most common C&R clauses triggered was from
  - Mine Subsidence Compensation Act 1961, s15 – **2800** received
- the most common sector was *Residential* – **2688** received
- No. of EPI/Acts clauses which require concurrence from MSB = **1**
- No. of EPI/Acts clauses triggered during reporting period = **1**

## Summary

Instrument	Complete	In Progress	Total
Mine Subsidence Compensation Act 1961, s15	2730	70	2800
<i>Total</i>	<i>2730</i>	<i>70</i>	<i>2800</i>

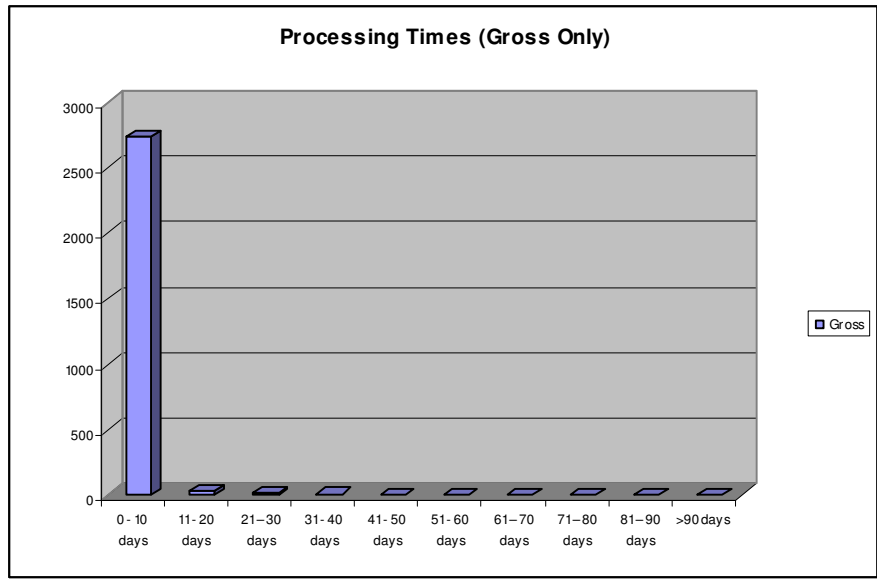
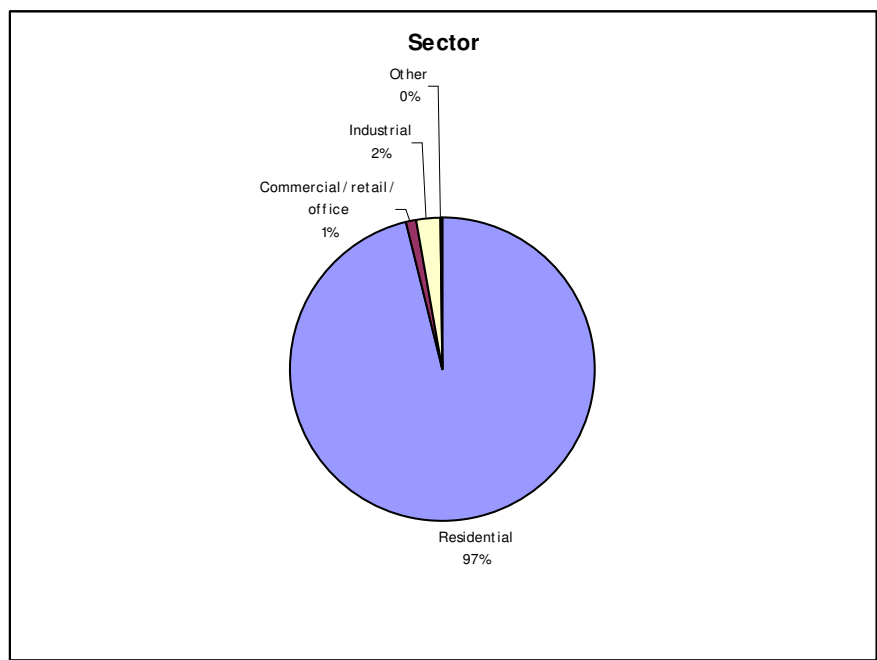


Sector	Total
Residential	2688
Commercial / retail / office	38
Industrial	65
Other	9
<i>Total</i>	<i>2800</i>

Adequacy of Original Information	No.	%
Adequate	2744	98%
Inadequate	56	2%
<i>Total</i>	<i>1200</i>	<i>100%</i>

Processing Times	Gross	Net
0 - 10 days	2732	N.A.
11 - 20 days	30	
21 - 30 days	16	
31 - 40 days	11	
41 - 50 days	7	
51 - 60 days	0	
61 - 70 days	0	
71 - 80 days	2	
81 - 90 days	0	
> 90 days	2	
<i>Total</i>	<i>2800</i>	

Average Processing Time	Gross	Net
	3.2	N.A.



# NSW Office of Water (NOW)

## Overview

NOW used an Excel spreadsheet derived from the template provided by DoP to record and monitor C&R. This enabled NOW to provide most of the data in the agreed format at the end of the quarter. However, the terminology used in some of the fields required clarification, particularly in relation to specifying the EPI which triggered the concurrence or referral.

## Highlights

In the 6 month period 1<sup>st</sup> July 2009 to 31<sup>st</sup> December 2009:

- **494** C&R were received
- **350** were processed
- Net average processing time was **26.31** days
- the most common C&R clauses triggered was from:
  - 91A(2) - Integrated Development - Water Management Act 2000, s89, 90, 91 – **323** received
- the most common sector was *Other* – **196** received
- No. of EPI/Acts clauses which require concurrence from NOW = **5**
- No. of EPI/Acts clauses triggered during reporting period = **3**

## Summary

Instrument	Complete	In Progress	Total
EP&A Act 91A(2) - Integrated Development - Water Management Act 2000, s89, 90, 91	223	100	323
Murray REP No.2	30	0	30
Controlled Activity Approvals - Water Management Act 2000, s89, 90, 91	97	44	141
<i>Total</i>	<i>350</i>	<i>144</i>	<i>494</i>

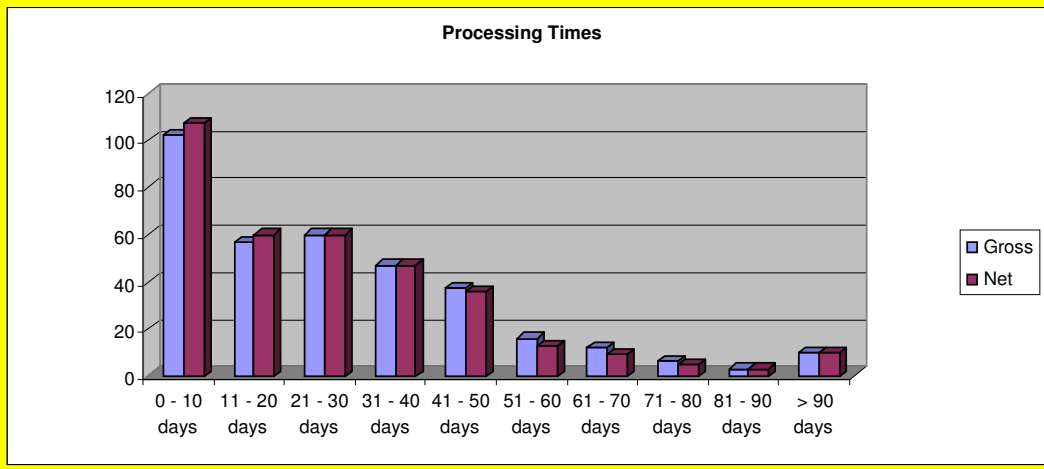
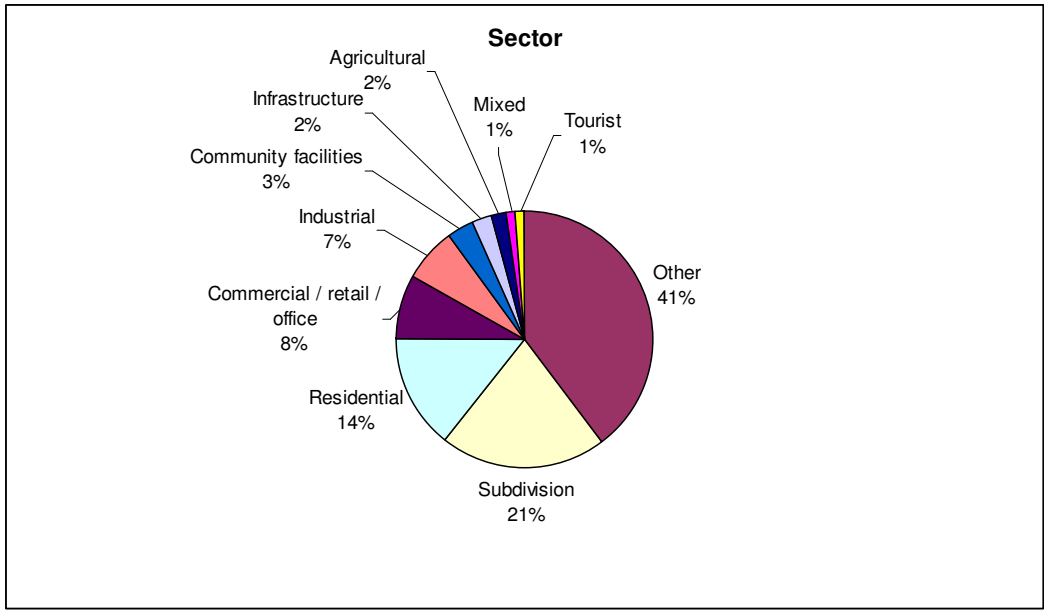
EPI Clause	Complete	In Progress	Total
91A(2) - Integrated Development - Water Management Act 2000, s89, 90, 91	223	100	323
Murray REP No.2	30	0	30
Controlled Activity Approvals - Water Management Act 2000, s89, 90, 91	97	44	141



Sector	Complete	In Progress	Total
Other			196
Subdivision			103
Residential			71
Commercial / retail / office			40
Industrial			34
Community facilities			17
Infrastructure			12
Agricultural			10
Mixed			6
Tourist			5
<b>Total</b>			<b>494</b>

Adequacy of Original Information	No.	%
Adequate	420	85%
Inadequate	74	15%
<b>Total</b>	<b>494</b>	<b>100%</b>

Processing Times	Gross	Net
0 - 10 days	102	107
11 - 20 days	57	60
21 - 30 days	60	60
31 - 40 days	47	47
41 - 50 days	37	36
51 - 60 days	16	13
61 - 70 days	12	9
71 - 80 days	6	5
81 - 90 days	3	3
> 90 days	10	10
<b>Total</b>	<b>350</b>	<b>350</b>
<b>Average Processing Time</b>	<b>Gross</b>	<b>Net</b>
	27.50	26.31



# Natural Resources Commission (NRC)

## Overview

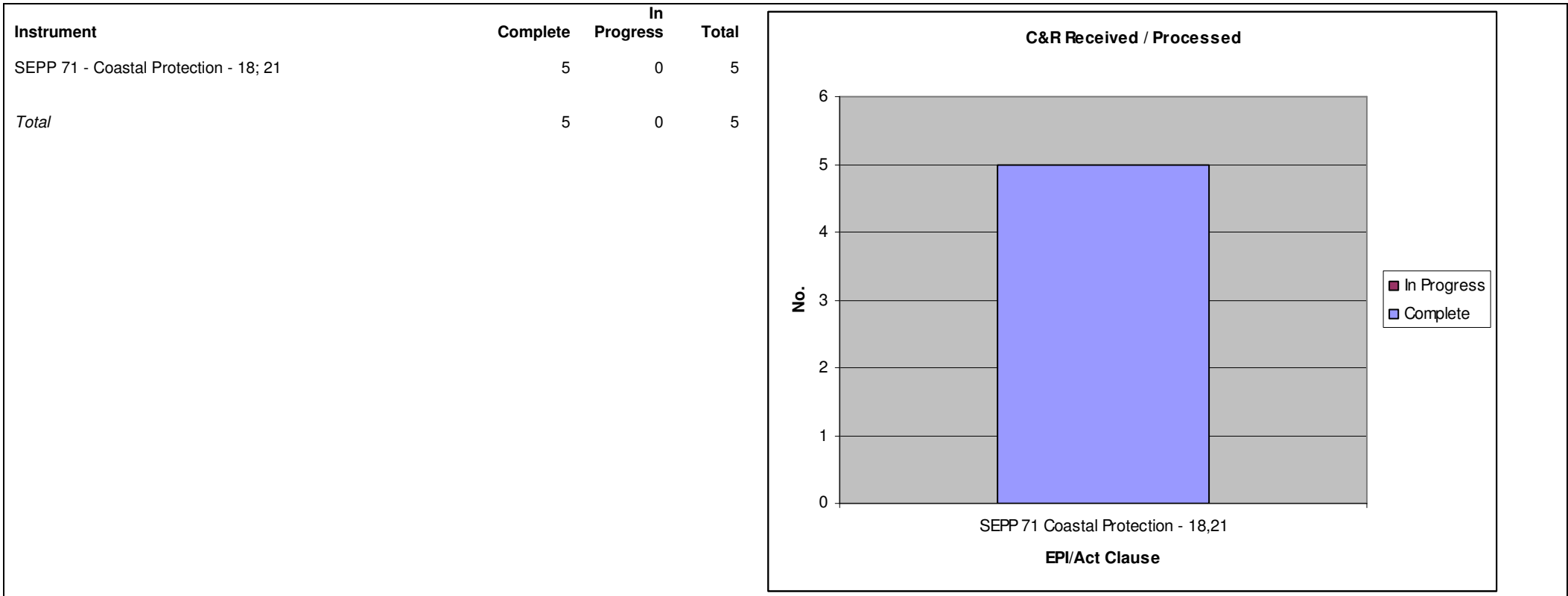
The Natural Resources Commission's referral roles are both associated with Master Plans under SEPP 71. Clause 18 requires the Minister to consult with the NRC on waiving the need to prepare a Master Plan if because of the nature of the development concerned, the adequacy of other planning controls that apply to the proposed development or for other such reasons as the Minister considers sufficient. Clause 21 requires the Minister to refer a draft Master Plan to the NRC for comment. All of the NRC's referrals relate to coastal subdivisions.

## Highlights

In the 6 month period 1<sup>st</sup> July 2009 to 31<sup>st</sup> December 2009:

- 5 C&R were received
- 5 were processed
- Net average processing time was **16.20** days
- the most common C&R clauses triggered was from
  - SEPP 71 - Coastal Protection - 18; 21 – 5 received
- the most common sector was *Subdivision* – 5 received
- No. of EPI/Acts clauses which require concurrence from NRC = 2
- No. of EPI/Acts clauses triggered during reporting period = 2

## Summary

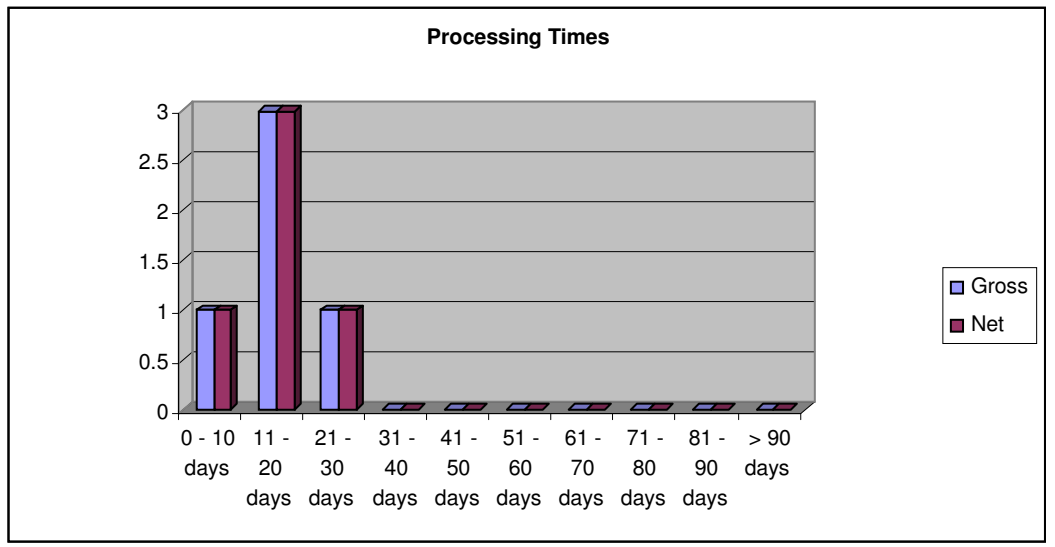
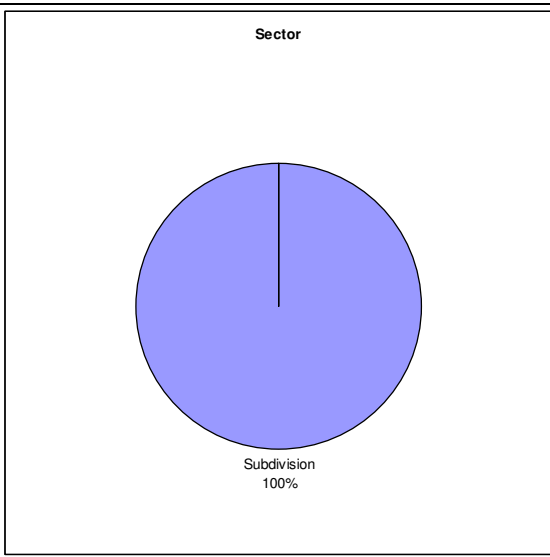


Sector	Complete	In Progress	Total
Subdivision	5	0	5
<i>Total</i>	<i>5</i>	<i>0</i>	<i>5</i>

Adequacy of Original Information	No.	Total
Adequate	5	100%
Inadequate	0	0%
<i>Total</i>	<i>5</i>	<i>100%</i>

Processing Times	Gross	Net
0 - 10 days	1	1
11 - 20 days	3	3
21 - 30 days	1	1
31 - 40 days	0	0
41 - 50 days	0	0
51 - 60 days	0	0
61 - 70 days	0	0
71 - 80 days	0	0
81 - 90 days	0	0
> 90 days	0	0
<i>Total</i>	<i>5</i>	<i>5</i>

Average Processing Time	Gross	Net
	16.20	16.20



# Rural Fire Service (RFS)

## Overview

The Rural Fire Service process high numbers of C&R in all areas of NSW. RFS used the Bushfire Risk Information Management System (BRIMS) to supply information for this report. BRIMS was able to provide data on C&R by LGA, totals received and processed, numbers of C&R where inadequate information was supplied and mean and median processing times for each LGA. Although specific information for each C&R processed was not able to be provided due to the large numbers, some information for a summary report was able to be derived. In order for RFS to provide sufficient detail over the longer term additional functions will need to be incorporated into BRIMS to allow this, so that a format consistent with other agencies can be achieved.

## Highlights

In the 6 month period 1<sup>st</sup> July 2009 to 31<sup>st</sup> December 2009:

- **4443** C&R were received
- **4208** were processed
- Gross average processing time was **16.22** days
- No. of each C&R clause triggered was not able to be distinguished from the data provided
- the most common sector was not able to be distinguished from the data provided
- No. of EPI/Acts clauses which require concurrence from RFS = **7**
- No. of EPI/Acts clauses triggered during reporting period = **2**

## Summary

Instrument	Complete	In Progress	Total
Rural Fires Act 1997, s100B; EP&A Act, s79BA(1).	4208	235	4443
<i>Total</i>	4208	235	4443
<b>Sector</b>			
Not stated	4208	235	4443
<i>Total</i>			
<b>Adequacy of Original Information</b>		<b>No.</b>	<b>%</b>
Adequate		4108	92%
Inadequate		335	8%
<i>Total</i>		4443	100%
<b>Processing Times</b>			
95% ≤ 40 days			
<b>Average Processing Time</b>		<b>Gross</b>	
			16.22



# NSW Heritage Branch of the DoP / NSW Heritage Council

## Overview

The Heritage Office records all C&R information in HOD, which captures most of the required fields. However, no information can be retrieved to calculate net processing times and information had to be extrapolated to allow standard sector information to be included. Some date data was also missing/misentered which prevented all C&R timeframes to be recorded.

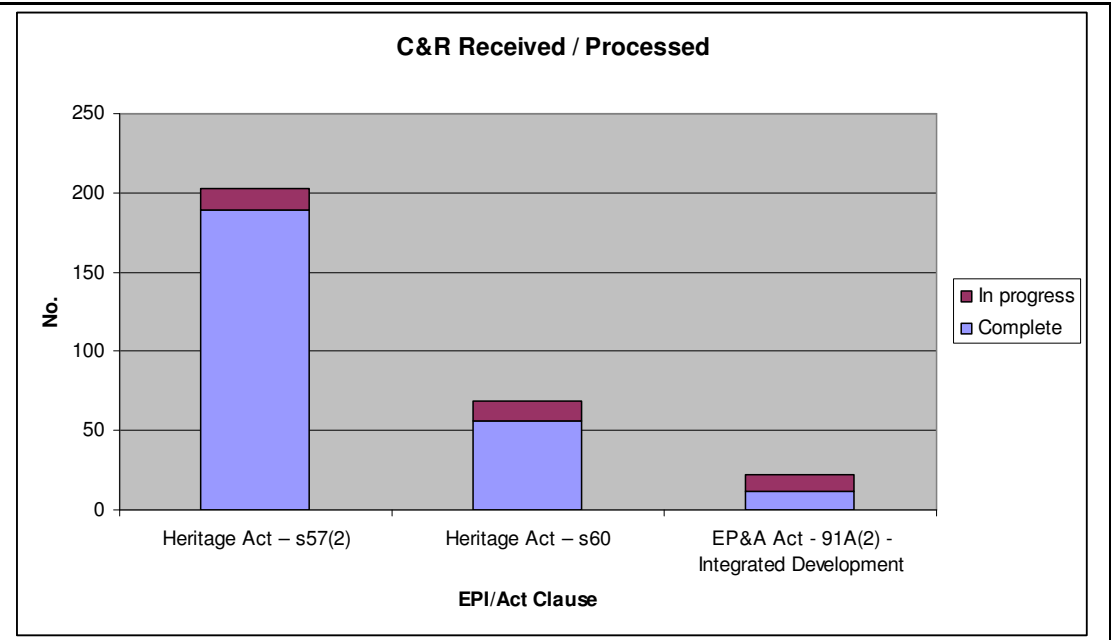
## Highlights

In the 6 month period 1<sup>st</sup> July 2009 to 31<sup>st</sup> December 2009:

- **294** C&R were received
- **257** were processed
- Gross average processing time was **25.67** days
- the most common C&R clauses triggered was from
  - Heritage Act – s57(2) – **203** received
- the most common sector was *Community facilities*– **5** received
- No. of EPI/Acts clauses which require concurrence from Heritage = **3**
- No. of EPI/Acts clauses triggered during reporting period = **3**

## Summary

Instrument	Complete	In progress	Total
Heritage Act – s60	56	13	69
Heritage Act – s57(2)	189	14	203
EP&A Act - 91A(2) - Integrated Development	12	10	22
<i>Total</i>	<i>257</i>	<i>37</i>	<i>294</i>

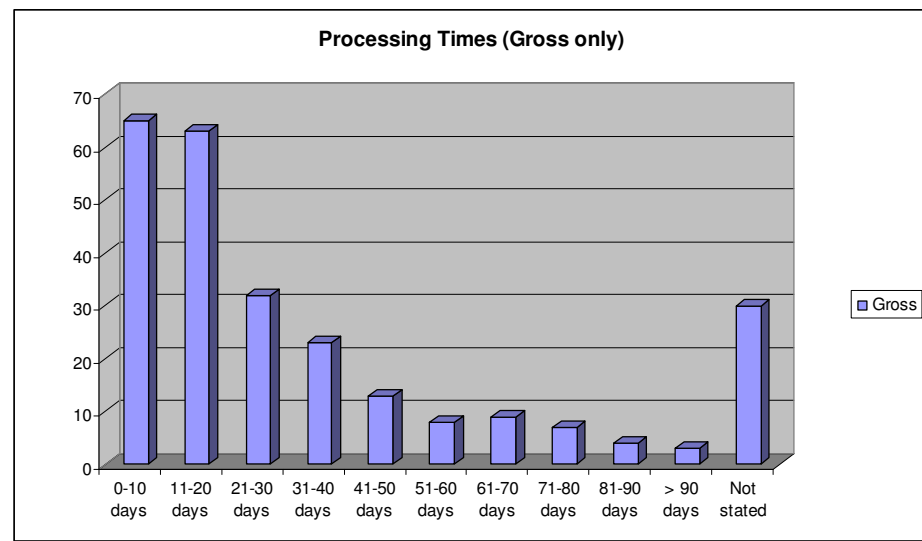
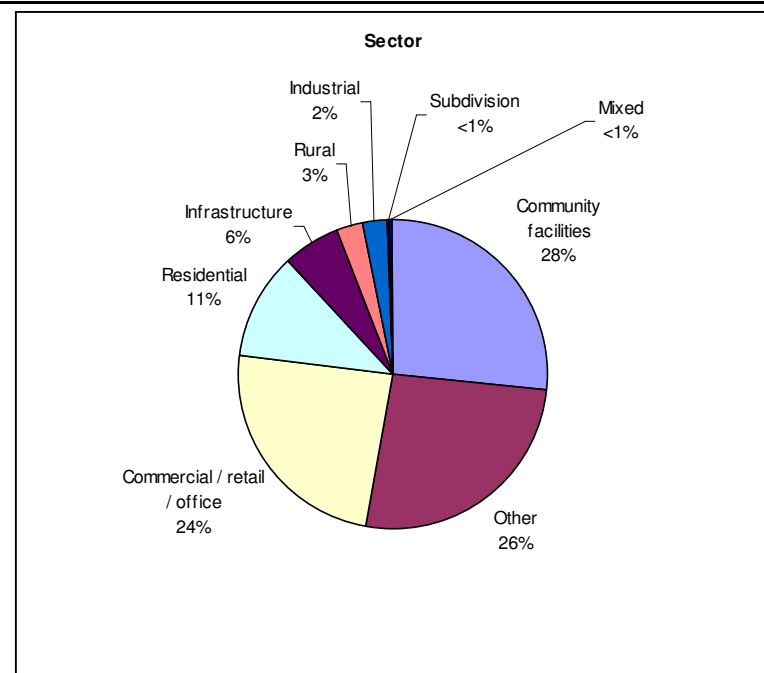


Sector	Total
Community facilities	78
Other	77
Commercial / retail / office	71
Residential	33
Infrastructure	18
Rural	8
Industrial	7
Subdivision	1
Mixed	1
<i>Total</i>	<i>294</i>

Adequacy of Original Information	No.	%
Adequate	Unknown	Unknown
Inadequate	Unknown	Unknown
<i>Total</i>		

Processing Times	Gross
0-10 days	65
11-20 days	63
21-30 days	32
31-40 days	23
41-50 days	13
51-60 days	8
61-70 days	9
71-80 days	7
81-90 days	4
> 90 days	3
Not stated	30
<i>Total</i>	<i>257</i>

Average Processing Time	Gross
Based on C&R with known start and finish dates (n=227)	25.67



**APPENDIX 1 – Example of Excel spreadsheet Template supplied to agencies**

	Job details								Council details						
No.	Job title	File No.	Type of C&R	Relevant EPI	Type of development	Date received by Agency	Status	Date Agency Decision due	Referring Council	Council Officer - Name	Council Officer - Phone	Council Officer - Email	Date Lodged with Council	DA Number	Pre-DA Meeting
Input	Text	Text	Pick-list	Pick-list	Pick-list	Date	Pick-list	Date	Pick-list	Text	Text	Text	Date	Text	Pick-list
1															
2															
3															
4															
5															
---> Continuation															
	Agency Officer				Information Supplied										
No.	Name	Branch / Division	Phone	Email	Development Application?	Development Plans?	Statement of Environmental Effects?	Maps/ Diagrams?	Other Information	Adequacy of Original Information Supplied	Reason for Inadequacy	Date Extra Information Requested	Date Extra Information Received		
Input	Text	Text	Text	Text	Pick-list	Pick-list	Pick-list	Pick-list	Text	Pick-list	Text	Date	Date		
1															
2															
3															
4															
5															
---> Continuation															
	Outcome														
No.	Recommendation	Decider	Agency Decision	Date Agency Decision	Date Agency Informed Council of Decision	Latest Comments On Progress									
Input	Pick-list	Text	Pick-list	Date	Date	Text									
1															
2															
3															
4															
5															



