

Suggested business practices for councils



Under building... pedestrians.

INFORMATION REQUIREMENTS

For all planning permit applications the following **MUST** be provided:

- A completed application form
- Signed the declaration on the application form
- Paid or included the application fee

Accompanying information

The following information must be provided as appropriate. The responsible authority must be satisfied that it can assess the application without the information providing more information than the planning scheme requires.

- Copy of title and any registered restrictive covenant.
- The title information must include a 'register search statement' and the responsible authority must search the title information for any restrictive covenants. Some councils require that title information must have been searched by the council for advice on their requirements.
- 3 copies of a plan drawn to scale and fully dimensioned showing the location, shape and size of the site.
- The location of any existing buildings, including fences, and any buildings to be demolished
- An elevation of the proposed building.
- The size and design of any proposed sign, including details of illumination.

A written description of the proposal including:

- Any impacts on the significance of the heritage place.
- How the proposal responds to any relevant local heritage requirements.
- If lopping of a tree is proposed, the reason for the lopping.
- The proposed colour schedule and nature of any materials to be used on the area affected by the proposal.

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Published by
Department of Environment, Land, Water and Planning
1 Spring Street Melbourne Victoria 3000 Australia
Telephone (03) 9208 3333
Published June 2014; updated March 2017

ISBN 978-1-922250-25-4

Accessibility

If you would like to receive this publication in an alternative format, please telephone the DELWP Customer Service Centre on 136186, email customer.service@delwp.vic.gov.au (or relevant address), or via the National Relay Service on 133 677 www.relayservice.com.au. This document is also available on the internet at www.planning.vic.gov.au

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Implementing VicSmart

The purpose of this guide is to provide councils with model business practices to implement VicSmart and achieve decisions in 10 business days.

This guide provides:

- a framework that steps out the process for receiving, processing and deciding VicSmart applications within 10 business days
- suggested business practices that can be implemented at each step of the VicSmart permit process.

Key features of a fast track permit assessment

A number of councils have already implemented a fast track system for simple, straightforward applications. While they vary in the applications considered and processes used there are also a number of common overarching principles or features present to ensure a fast track process. Typically the successful implementation of a fast track process is directly linked to:

- **Creating a culture of fast tracking with organisational support across council** motivated by a desire to improve the quality and efficiency of customer service.
- **Ensuring that 'fit for purpose' information is provided** so that planners can process fast track applications within the designated timeframes.

- **Minimising any administrative delays when registering applications** before being provided to the planning team for assessment.
- **Distinctly identifying fast track applications in both the physical and electronic systems** to highlight them as priority applications and ensure they can be properly tracked.
- **Delegating authority to staff that undertake various processing actions.**
- **Appropriately resourcing the fast track process** depending on the anticipated number of fast track applications through dedicated fast track planners or sharing the fast track applications between the statutory planning team.

Reviewing business processes

Each council should review their business processes to ensure that they are capable of meeting the statutory timeframes for deciding VicSmart permit applications.

In order to achieve this the planning permit application process has been broken down into steps with suggestions for achieving time savings at each step.

Traditional descriptions of the planning permit process do not identify the registration, scanning and creation of a file as an individual step. However the timely and efficient completion of this step is essential in order to meet the VicSmart timeframe.

For simplicity the steps are shown sequentially but some steps may occur in parallel, or in a different order. For example, assessment of an application involves both a preliminary assessment to determine whether an internal referral is required as well as more detailed assessment of the proposal against decision guidelines.

Milestone targets

Based on lessons learned from councils which have a fast track planning permit process, two milestones are crucial:

- Register, scan, create and allocate the file to the assessing planner as soon as possible but no later than the end of **Day 2**

- Assess the report and decide the application no later than the end of **Day 8** to provide sufficient time for review of the delegate’s report and despatch of the decision.

Note: This timeframe could be extended where streamlined processes are in place for the issue and despatch of decisions.

Meeting these milestones offers a high level of assurance that applications will be determined in 10 days. These milestone targets should be adapted to suit individual circumstances when considering individual council business processes.

VicSmart Business Process

▼	▼	▼	DAY 2	▼	▼	▼	DAY 8	▼	▼
Prepare an application	Lodge and pay fee	Register, scan and create file	Allocate file	Assess	Further information	Internal referral	Report and decide	Issue decision	VCAT Review

Suggested practices for each step

Business practices documented under each step have been drawn from a variety of sources including discussions with various councils (with and without fast track systems), referral authorities and VCAT, submissions to VicSmart, workshops and information sessions.

Prepare an application



This step covers the activities associated with preparing a planning permit application and its supporting documentation.

Objective

- To identify whether the proposal is a VicSmart application, the information requirements and the matters to consider.
- To ensure applicants are provided with the information, checklists and tools to ensure that their applications are complete and fit for purpose.
- To ensure an application provides all the necessary information that allows an assessment without requiring further information.

• Incomplete and poor quality applications

Councils have identified that the primary obstacle in achieving a fast track permit process is the quality and completeness of material received at the time of the application.

Timeline

No specific timeframe applies as an application has not been lodged.

Issues

• Awareness of the fast track process

Processing of the application within the 10 day timeframe will be greatly assisted by the application being immediately identifiable as a VicSmart application upon lodgement.

This requires the applicant to have an awareness of the VicSmart process prior to lodgement, in order to access the specific application form and requirements necessary to facilitate the process.

Suggested business practices

Information for applicants

1. Provide information on the VicSmart classes and permit process online and at the planning counter.

The following information is currently available at www.planning.vic.gov.au/vicsmart

- *Applicant's Guide to Lodging a VicSmart application*
 - VicSmart application forms
 - Detailed checklist for each class of VicSmart application
 - *How to Apply for a VicSmart Planning Permit under the Special Building Overlay*
2. Use the VicSmart application form and checklists to assist applicants.

Pre-application discussion

3. Require pre-application discussion to identify and document any issues and information requirements.
4. Assess and confirm the eligibility for VicSmart by an appropriately skilled officer.
5. Use the VicSmart checklists to identify what information must be provided with the application.
6. Consider whether the application would benefit from early discussions with any internal referral.

Checklists

7. Make standardised checklists available that must be completed by the applicant for each application class and submitted with the application.

Use electronic systems to improve application quality

8. Use electronic systems with mandatory requirements to ensure applicants attach required material.
9. Request an electronic version of plans and documents so the application can be processed more quickly.

Obtain some information for applicants

10. Councils can obtain title searches on behalf of the applicant and charge for them.

Lodge and pay fee

Prepare an application	LODGE AND PAY FEE	Register, scan and create file	Allocate file	Assess	Further information	Internal referral	Report and decide	Issue decision	VCAT review
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This step covers lodging and receiving a VicSmart planning permit application.

Objective

- To ensure a complete application is submitted (plans, forms, fees, reports, and contact details) and the need to request further information is avoided.

Issues

- Quality control**
Applications can be lodged by mail, electronically, at a planning office or remotely located council service centres, which may not have planning staff. This makes quality control of information entering the system difficult, as a planner may not always be available to check the application at the time of lodgement.

Timeline

Lodgement processes should be completed in less than 24 hours to enable allocation of the file to the assessing planner no later than the end of Day 2.

Target: Less than 24 hours

Tolerance: Maximum 24 hours

Suggested business practices

Check the application for completeness

1. Implement a pre-lodgement meeting to make sure all information is included.
2. Ensure the application is reviewed at the planning counter, prior to lodging the application.
3. Prepare protocols and guidelines for how applications with incomplete documentation will be managed.
4. Encourage the applicant to address outstanding material before lodgement.

Forms and checklists

5. Use the VicSmart application form and checklists to assist applicants to lodge a complete application.
6. Encourage applicants to complete the application checklist(s) and submit with the application.
7. Check the application and accompanying information provided at the counter against the checklist(s) prior to lodgement.

Use electronic systems

8. Request applicants to submit an electronic version of the application documents and plans to speed up delivery to the planner.
9. To encourage faster payment of fees, make available an online payment system, credit card form with approved transaction or direct transfer.
10. Use electronic systems with mandatory requirements to ensure applicants attach required material.

Strict fee payment protocols

11. Ensure fees are submitted and processed at lodgement.
12. Where a fee is required and not paid:
 - contact the applicant directly and request payment
 - flag the file as 'fee not paid'
 - process the application but do not issue the decision until the fee is paid.

Register, scan and create file



This step involves registering, scanning and creating a file.

Objective

- To minimise time spent in preliminary administration.
- To register and allocate physical files within 48 hours of lodgement.

Issues

- **Timely file creation**
Efficient and timely registration, scanning and creation of a file is essential in order to meet the overall VicSmart timeframe.
The creation of files may engage multiple staff members in the transport, recording and physical assembly of files.
Recording a planning application via council's central records system can delay receipt of applications by planners.

Timeline

Recording and file creation processes should be completed within 24 hours to enable allocation of the file to the assessing planner no later than the end of Day 2.

Target: 24 hours.

Tolerance: Maximum 36 hours

Suggested business practices

Immediately identify VicSmart applications for fast tracking

1. Use the VicSmart application form and other processes such as pre-application meetings to immediately identify VicSmart applications.
2. Identify VicSmart application files through coloured files, stickers or some other means.

Use electronic systems to lodge online and scan hard copy files

3. Make online lodgement available.
4. Ensure the application including all documents and plans goes directly to the planner. Only the application form is scanned and sent to records at this stage.
5. Request applicants to submit an electronic version of the application, documents and plans to speed up delivery to the planner.

Alter administrative processes to prioritise VicSmart applications

6. Ensure VicSmart applications are given priority by administration and records.
7. Set targets for registration and file creation.
8. Support the VicSmart process with dedicated administrative staff.
9. Ensure the application is registered and sent to the planner first before it is sent to records.
10. For applications lodged at the counter or at a remote office:
 - Send the application directly to the planner.
 - Scan the application form and send to records.
11. For applications received by records through the mail, records to identify VicSmart applications, prioritise and send to planning.

Allocate file



This step involves the allocation of the file to the planner assessing the application. Sometimes this step can involve preliminary assessment of the application and guidance from senior officers.

Objective

- To allocate files expeditiously.

Issues

- **Timely file creation**

File allocation may need to be streamlined.

Efficient and timely allocation of the file is essential in order to meet the overall VicSmart timeframe.

Timeline

Milestone: Allocation of the file to the assessing planner should be completed no later than the end of Day 2. The milestone can be adjusted where streamlined processes are in place to complete later tasks.

Target: Before end of Day 2.

Tolerance: End of Day 2.

Suggested business practices

Pre-set allocation protocols

1. Establish an agreed protocol between records and planning about the processing of VicSmart applications.
2. Allocate the application to the planner who is the dedicated VicSmart planner, or who had the pre-application discussion with the applicant or who accepted the application over the counter.
3. An administration officer is trained to identify and allocate VicSmart applications.
4. Use a VicSmart tray for daily allocation.
5. Prioritise any applications delayed through records processes.
6. Develop distinctive VicSmart application or file.

Dedicated VicSmart planner or team

7. If possible establish a dedicated VicSmart business support, planner, team or specialist.
8. Rotate the VicSmart role among planners so everyone has an opportunity to understand VicSmart. Use a monthly or similar roster of planners for VicSmart.
9. Ensure all VicSmart applications are coordinated or monitored by one senior planner.
10. Ensure that there are nominated officers in other council business units for internal referrals.

Regular triage system

11. Establish regular team leaders meetings to complete initial assessment and determine allocation of VicSmart files.
12. Quality control at triage enables a permit to be issued under delegation by a planning officer.

Assess



This step may involve both a preliminary assessment and a later detailed assessment considering the proposal’s merits.

Objective

- To complete an initial assessment.
- To set a direction on the immediate management of the file including the need for any further information and any internal referrals.
- To form a view about the overall merits of a complete application and commence recording information in the final report format.

Timeline

Assessment of the application should begin by Day 3 in order ultimately to determine an application within 10 business days. Completion of the assessment process is linked to subsequent steps of further information and internal referrals.

Target: Commenced by Day 3.

Tolerance: By Day 4.

Issues

- **Identification of incomplete or inaccurate content in applications**
The preliminary assessment may be the first opportunity for the content and merits of an application to be screened and its consistency with VicSmart verified, particularly when there has been no discussion prior to, or at the time of, lodgement.
- **Matching skills to the assessment task**
The planner making the assessment needs to have the skills, experience and level of delegation to make rapid and appropriate decisions on the content and merit of the application.

Suggested business practices

Immediately undertake preliminary assessment to identify any further information, internal referral or site visit requirements

1. Ensure the planner confirms that the application is a valid VicSmart application.
2. Immediately identify if there is a need for further information, site visit and internal referrals.
3. Use standard templates and checklists to speed up assessment.
4. Immediately refer the application internally if required.
5. If possible, inspect the site with the internal referral officer.

Negotiate changes directly with the applicant

6. If changes are negotiated and agreed to by the applicant, mark up the agreed changes in red on the plan.

Use supporting tools, guides, checklists to complete the assessment

7. Use the checklist(s) to confirm information requirements are met.
8. Use standard report templates to simplify assessment.
9. Progressively populate a delegate's report with control clauses, assessment information, and so on.

Further information



An applicant can be required to provide more information about a proposal.

Objective

- To promptly identify, communicate and obtain any further information requirements.
- To set clear protocols for file management where key information is missing.

Issues

- **Incomplete or inaccurate content in applications**
While various practices and tools are used to ensure appropriate information is provided with applications, some can still be lodged with incomplete or inaccurate content. Without complete and accurate information that is 'fit for the purpose' of assessing and deciding the application, the application cannot be decided within 10 business days.

Timeline

The request for further information must be in writing setting out the information to be provided and, if issued within five business days of receiving the application, must include a lapse date.

Target: Further information request issued before Day 5.

Tolerance: Further information request issued on Day 5.

Information can be requested after five business days, but the responsible authority is not protected from a request for review against its failure to decide the application and an application cannot be lapsed.

Suggested business practices

Dealing with missing information for the applicant

1. Prepare protocols and guidelines for how applications with incomplete documentation will be managed.
2. Obtain the certificate of title on behalf of the applicant.
3. Complete the arborist report on behalf of the applicant.

Mark up plans or apply a condition for amended plans with agreed changes

4. If changes are negotiated and agreed to by the applicant, mark up agreed changes in red on the plan.
5. Require amended plans through a condition on the permit.

Contact the applicant and request the information needed to make a decision

6. Immediately contact the applicant and ask for the missing information.
7. Issue a request for further information and include the lapse date if issued within five business days of receiving the application. The lapse date must not be less than 30 days after the date of the notice requesting the information.
8. Make applicants aware of the consequences of allowing an application to lapse. An application that has lapsed cannot be recommenced.

Internal referral



Internal referrals for specialist advice remain an important part of assessing some VicSmart applications. However, they must be done expeditiously.

Objective

- To limit internal referral except where essential.
- To minimise the time taken to obtain comments from internal referrals.

Issues

- **Timeframe for internal referral comments**

Internal referral processes may delay decisions on VicSmart applications. Particularly where specialists, such as heritage consultants, may not be on council staff or may only be infrequently available.

Timeline

Target: Referrals should be sent on Day 3 or earlier as part of the preliminary assessment of the application.

Tolerance: Referrals to be returned by Day 7 of the application being lodged.

Suggested business practices

Seek internal referral comments prior to lodgement

1. Where the referral is central to the decision making, encourage applicants to seek internal referral comments prior to lodgement. For example, from heritage adviser, arborist or traffic engineer.
2. Implement a practice of pre-application discussions to ensure all requirements are identified and any relevant advice from internal referrals could be obtained before lodgement.

New referral procedures

3. Review the current internal referral arrangements and agree on the approach and content to speed up the process.
4. Set targets for internal referral so the planner can assess and decide the application by Day 8 or sooner.
5. Ensure the internal referral of applications is carried out at the registration or allocation stage.
6. Refer the application electronically.

7. Establish regular meetings of specialists in heritage, transport, infrastructure and the arborist for verbal or written advice within 24 hours.
8. Meet directly with the internal referral officer.
9. Inspect the site with the internal referral officer and obtain an immediate response.
10. Accept a verbal or email response.

Agree on thresholds, standard conditions and prescribed solutions

11. Agree on a 'threshold' at which planning referral is required. For example, painting a fence does not require formal internal referral.
12. Agree to standard conditions.
13. Standardise referral requests and forms.
14. Prescribe suitable designs in certain circumstances (for example, fence design guides) that do not require internal referral.

Where a decision is technical, allocate assessment to the relevant specialist

15. Where a specialist is the primary decision maker, allocate assessment to the specialist. For example applications for tree removal should be decided by council's arborist.
16. Allocate heritage applications to a planner with experience in heritage issues.

Report and decide



This step involves preparing a report assessing the application, recommending a decision and making a decision.

Objective

- To facilitate a precise and efficient reporting framework, commensurate to the task.
- To ensure appropriate quality control processes are in place.

Issues

- **'Fit for purpose' delegate's report**

Sometimes lengthy and detailed delegate reports are produced. These are resource intensive both in preparation and review.

- **Matching skills to the assessment task**

The planner making the assessment needs to have the skills and experience to make rapid and appropriate decisions on the merits of the application.

- **Levels of delegation and need for quality control**

It is important to ensure the appropriate level of delegation for decision making as well as processes for quality control are in place.

Timeline

Milestone: The completion of the planning report marks the end of the second milestone. The timeframe provides sufficient time for quality control checks, any adjustments to reports or decisions, and for preparation of permit documentation. The milestone can be adjusted where streamlined processes are in place to complete these tasks.

Target: Delegate report finalised by Day 8.

Tolerance: By Day 9 – subject to streamlined processes for subsequent tasks.

Suggested business practices

Use supporting tools, guides, checklists

1. Standardise the delegate report (2-3 pages) and draft conditions to speed up decision making and assist quality control.

Efficient and effective delegation

2. Ensure the level of delegation is set at the most efficient and effective level.
3. Where the decision is technical, delegate a specialist for approval of the application including the delegate's report and issue of permit. For example, provide delegation to council's arborist for tree removal applications.
4. Ensure delegate reports are signed off by two planners to ensure quality control.
5. Establish a quality control review of the application by the senior planner/team leader before the application is allocated to enable a permit to be issued under delegation by the planning officer.
6. Ensure delegation from the CEO to other staff is in place when VicSmart commences.

Prioritise decision making on VicSmart applications

7. Ensure VicSmart applications are given priority by the delegated officer.
8. Officer's report and prepared permit/plans for endorsement are concurrently signed by the delegate.

Issue decision



This step includes processing, issuing and despatching the decision.

Objective

- To issue a decision by Day 10.

Issues

- **Timely decision**
Efficient and timely issue of the decision is necessary in order to meet the overall VicSmart timeframe.

Timeline

Milestone: This is the final milestone and the overall target.

Target: By Day 10.

Suggested business practices

Streamline the process for issuing the decision

1. Dedicate support staff who can process the issuing of decisions and planning permits once a decision has been made.
2. Issue the decision at approval of the delegate's report.
3. Issue of decision by the specialist assessing the application (for example, the arborist).

Timely dispatch of decision

4. Prioritise the issue of VicSmart permit paperwork once approved.
5. Review administrative mailing processes for VicSmart applications.
6. Prepare standard covering letters including timeline advice about review rights, building approvals or other relevant subsequent approvals or processes.

Use electronic systems for faster transfer of the decision

7. Email the application decision immediately and mail the hard copy.
8. Make and issue the decision on site, for example, an application for tree removal.

VCAT review



An applicant can apply for a review for:

- a requirement for more information
- refusal to extend the time to provide information
- failure to grant a permit within the prescribed time
- refusal to grant a permit
- conditions in a permit
- refusal to extend the time to commence or complete a development or use.

Objective

- To minimise unnecessary VCAT reviews.

Issues

- **Unnecessary reviews**
Sometimes delays occur because a council officer cannot decide an application because of missing information, inadequate fee, design negotiations or other outstanding matters. A further information request can address some of these issues, but not all.

Sometimes a decision can be made, but is inadvertently delayed. Communication with applicants regarding the progress of their application will enable them to weigh up the merits of exercising their review rights or not.

- **Reviews require resources from councils, applicants and VCAT**

While streamlined review processes are in place for VicSmart applications, VCAT hearings still require time and resources from all parties. There are both practical actions and legislative provisions that can be used to minimise review hearings.

Timeline

Target: Not applicable

Tolerance: Not applicable

Suggested business practices

Do not automatically approve or refuse an application on Day 10

1. There is no need to approve or refuse an application on Day 10. Day 10 does not automatically trigger a review.
2. Ensure applicants are kept informed about any outstanding matters.
3. Ensure applicants are informed of any delays. If they know they will get a permit in a reasonable timeframe they are unlikely to request a review.
4. Where an application may be delayed establish business protocols for informing applicants.

Make a decision even after an application for failure to decide has been lodged

5. To avoid going to VCAT where a permit would have been granted, decide the application but do not issue the decision, and advise VCAT. VCAT may determine the case without a hearing. (s.84 P&E Act.)

