

DPE Progress Report on Operation Dasha Recommendations (February 2023 – Further Information)

ICAC Recommendation	Update on Response Measures (October 2022)	Timeframe	Further Information/Documentation for Completed Actions (February 2023)
<p>Recommendation 1 That the DPIE amends the <i>Guidelines for the Appointment and Oversight of General Managers</i> to recommend that the performance agreements of general managers include performance indicators related to ethical culture. Specific measures that could be promoted include the conduct and measurement of outcomes from staff surveys and the promotion of whistleblowing procedures.</p>	<ul style="list-style-type: none"> The <i>Guidelines for the Appointment and Oversight of General Managers</i> have been updated to include guidance that councils should include performance indicators in their general managers' performance agreements relating to the promotion of an ethical culture (e.g. through staff surveys and activities to promote the <i>Public Interest Disclosures Act 1994</i> and information on how to report wrongdoing). 	<p>Completed August 2022</p>	<ul style="list-style-type: none"> The updated guidelines can be found here: https://www.olg.nsw.gov.au/wp-content/uploads/2022/08/Guidelines-for-the-appointment-and-oversight-of-general-managers.pdf
<p>Recommendation 2 That the DPIE conducts a review into the no "reason" termination provision in the Standard Contract, which should canvass options such as requiring a two-thirds majority vote of a council, an absolute majority vote or the availability of mediation.</p>	<ul style="list-style-type: none"> The "no fault" termination provisions in the standard contract of employment for general managers of councils have been reviewed in consultation with the parties to the <i>Local Government (State) Award</i>. The contract has been amended to strengthen access to mediation and to require reasons to be given for "no fault" terminations where they are requested. The new standard contract has been approved and issued. At the request of the parties to the Award, the Office of Local Government has issued a discussion paper to consult with the local government sector on whether amendments should be 	<p>Completed August 2022</p>	<ul style="list-style-type: none"> The Standard Contract can be found here: https://www.olg.nsw.gov.au/wp-content/uploads/2022/08/A812271-OLG-Standard-contract-of-employment-general-managers-of-local-councils-final.docx It can be found on this page on OLG's website here: https://www.olg.nsw.gov.au/councils/governance/standard-contracts-of-employment/standard-contracts-of-employment-for-general-managers-and-senior-staff/ The circular showing consultation on senior staff employment arrangements can be found here: https://www.olg.nsw.gov.au/council-circulars/22-27-discussion-paper-senior-staff-employment/

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	<p>made to the <i>Local Government Act 1993</i> to remove the option for councils to employ senior staff other than the general manager under fixed term contracts. Under the proposed amendments, all staff other than the general manager would be employed under the <i>Local Government (State) Award</i>. Submissions closed on 15 November 2022.</p> <ul style="list-style-type: none"> Amendments to the current standard contract of employment for senior staff have been deferred pending the outcome of that consultation. 		
<p>Recommendation 4 That the DPIE clarifies what constitutes “consultation” with council by the general manager for the purpose of appointment and dismissal of senior staff as required by s 337 of the LGA. The clarification should:</p> <ul style="list-style-type: none"> detail acceptable consultation processes and procedures in the absence of compelling reasons to the contrary, 	<ul style="list-style-type: none"> A circular to councils (Circular 21-22) has been issued providing detailed guidance on what constitutes “consultation” with councils by the general manager on the appointment and dismissal of senior staff as required by s337 of the <i>Local Government Act 1993</i>. This guidance has been incorporated into the new <i>Guidelines on the Recruitment of Senior Council Executives</i> (see Recommendation 5). 	<p>Completed August 2021</p>	<ul style="list-style-type: none"> Circular 21-22 providing updated guidance on consultation with councillors on the appointment and dismissal of senior staff can be found here: https://www.olg.nsw.gov.au/council-circulars/21-22-updated-guidance-on-the-appointment-and-dismissal-of-senior-staff/ This guidance has since been incorporated into the <i>Guidelines on the Recruitment of senior council executives</i> which can be found here: https://www.olg.nsw.gov.au/councils/governance/standard-contracts-of-employment/guidelines-on-the-recruitment-of-senior-council-executives/
<p>Recommendation 5 That the DPIE introduces guidelines under s 23A of the LGA concerning the appointment of senior staff. The guidelines should address the following:</p>	<ul style="list-style-type: none"> <i>Guidelines for the Appointment and Oversight of Senior Staff</i> are being developed in consultation with the parties to the <i>Local Government (State) Award</i>. It is anticipated they will be finalised and issued before the end of the year. 	<p>Completed October 2022</p>	<ul style="list-style-type: none"> Please note that this action has been completed since the last progress report The <i>Guidelines on the Recruitment of Senior Council Executives</i> were issued in October 2022 and can be found here: https://www.olg.nsw.gov.au/councils/governance/standard-contracts-of-employment/guidelines-on-the-recruitment-of-senior-council-executives/

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<ul style="list-style-type: none"> • that a senior human resources manager, or external recruitment consultant, be involved in recruitment processes, and have a role in verifying that council processes and procedures were followed in the appointment of senior staff • the inclusion of subject matter experts on interview panels for the appointment of senior staff, especially for high-risk positions that require specialised technical knowledge • the provision of independent assurance through the involvement of internal audit in conducting periodic reviews into senior staff recruitment processes • the appropriate avenues for reporting concerns about process or complaints about suspected corrupt conduct. 			
<p>Recommendation 6 That the DPIE amends the <i>Model Code of Meeting Practice for Local Councils in</i></p>	<ul style="list-style-type: none"> • The Model Code of Meeting Practice for Local Councils in NSW has been amended to require that council business and 	<p>Completed November 2021</p>	<ul style="list-style-type: none"> • The amended Model Code of Meeting Practice for Local Council in NSW is available here: https://www.olg.nsw.gov.au/wp-

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<p>NSW to require that council business and briefing papers include a reminder to councillors of their oath or affirmation, and their conflict of interest disclosure obligations.</p>	<p>briefing papers include a reminder to councillors of their oath or affirmation, and their conflict of interest disclosure obligations (see clause 3.23).</p>		<p>content/uploads/2021/10/Model-Code-Meeting-Practice-2021.pdf</p>
<p>Recommendation 17 That the DPIE:</p> <ul style="list-style-type: none"> • applies a risk-based assessment that considers corruption risks prior to the drafting of Gateway Determinations authorising councils to make LEPs • takes measures to verify that councils have complied with Gateway Determination conditions • establishes a program of regular risk-based auditing of council processes relating to the making of LEP amendments to help provide assurance over systems and to establish whether gateway conditions were met (the outcome of audits should inform future Gateway Determinations authorising councils to make LEPs). 	<ul style="list-style-type: none"> • In 2021, DPE implemented a Risk Based Assessment (RBA) tool that is now applied by teams assessing planning proposals for Gateway determination. It includes a section for potential conflicts of interests that councils may have. • DPE is currently monitoring the effectiveness of the RBA tool and may adjust this later this year based on feedback. • In 2021, DPE also updated the finalisation reporting to ensure that staff evaluate how each planning proposal has addressed Gateway Determination conditions. • DPE will continuously monitor the way that councils are progressing and assessing planning proposals. 	<p>Completed 2021; monitoring ongoing</p>	<ul style="list-style-type: none"> • Following ICAC’s request on 26 October 2022 for further information on this recommendation, please note the following response. • The “Completing the Risk Assessment” guide (Attachment A) explains the Risk Based Assessment tool which is part of the Gateway determination process. It is compulsory for DPE staff to complete it on the Planning Portal. It helps to dictate what level of decision maker is required. Where there is a higher level of risk, a higher authority is required for signing off (i.e. director, Deputy Secretary etc). • The LEP Making Guideline sets out finalisation package requirements (extract sent as Attachment B & online https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/LEP-Making-Guideline.pdf?la=en). This is not integrated into the portal. • Where finalisation is done by DPE, staff follow the finalisation template (Attachment C) which sets the evaluation requirements. For finalisation completed by Council, their staff follow the requirements in the LEP Making Guideline referred to above. • Please note, in September 2021, it was proposed to establish a program of regular risk-based auditing of council processes regarding LEP amendments in conjunction with auditing occurring as part of Recommendation 14 (related to Clause 4.6). However, after further investigation, DPE has not yet adopted a formal auditing program for compliance with Gateway conditions. Instead DPE actively checks compliance with Gateway conditions when finalising planning proposals and discusses any issues through formal governance arrangements for the active management of planning proposals. This process is highly effective and an efficient use of DPE and council resources. In addition,

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			recommendation 14 is now instead being delivered through a new, comprehensive, monitoring and reporting framework.
<p>Recommendation 22 That the DPIE issues a practice note, or other similar guidance, on the topic of local councils obtaining specialist advice about planning matters, including obtaining urban design studies. The practice note should address:</p> <ul style="list-style-type: none"> • what constitutes proper interactions between councils and consultants engaged to provide advice • when specialist advice, independent of a development proponent, should be requested and relied on. 	<p>Completed and addressed through:</p> <ul style="list-style-type: none"> • Local Environmental Plan Making Guideline 2021 • Office of Local Government - Model Code of Conduct for Local Councils in NSW 2020 	<p>Completed December 2021</p>	<ul style="list-style-type: none"> • The LEP Making Guideline and its attachments (https://www.planning.nsw.gov.au/Plans-for-your-area/Local-Planning-and-Zoning/Making-and-Amending-LEPs) set out when technical studies are needed and what should be in them • The Model Code of Conduct for Local Councils in NSW 2020 (https://www.olg.nsw.gov.au/wp-content/uploads/2020/08/Model-Code-of-Conduct-2020.pdf) contains provisions that address corruption risks in relation to planning matters and that address conduct of the type contemplated by recommendation 22. Refer to Clauses 3.13 and 3.14. • Please note, at this point, the Department is not providing similar guidance for obtaining advice in relation to development assessment. This is because after further consideration the general guidance in the Model Code of Conduct noted above is sufficient to cover these interactions.

Finalisation as LPMA

The process for assessing and finalising the planning proposal is similar regardless of whether council or the Minister (or delegate) is the LPMA. The LPMA is responsible for:

- Completing the assessment, ensuring compliance with Gateway conditions (if relevant) and ensuring the relevant section 9.1 Directions have been appropriately addressed
- arranging the drafting of any required LEP to give effect to the proposal of the PPA
- making the LEP

Where a council is the LPMA, the Department's primary function is to provide support and advice throughout the course of the process, if requested to do so. The Department will undertake a technical review of any maps required to implement the LEP to ensure compliance with the mapping guidelines and alignment with the LEP.

The Department will finalise the planning proposal when:

- council is not the LPMA
- council is the LPMA but there is an unresolved agency objection, restricting council from exercising LPMA functions or
- council no longer wishes to exercise LPMA functions

Note: The reasons the Minister (or its delegate) may withdraw an authorisation for a council to make an LEP are outlined on [page 29](#).

Finalisation package requirements

When the Minister (or delegate) is the LPMA, the following information must be provided to the Department to enable the finalisation of the LEP:

- evidence all Gateway conditions have been satisfied
- evidence relevant section 9.1 Directions have been addressed
- evidence that public exhibition occurred for the required period and all agencies were consulted in accordance with the Gateway determination
- a copy of the council report, including details of public exhibition and a summary of submissions received including the proponent's response to submissions (if provided) and discussion of agency submissions and how they were addressed
- a copy of submissions received from authorities and government agencies
- a copy of the council resolution endorsing the proposal for finalisation
- any recommendation by an independent planning panel
- details of any changes made to the planning proposal post-exhibition, or a statement that no changes have been made
- the final planning proposal
- draft maps, cover sheets and GIS data (where relevant)²⁰ and confirmation that they have been uploaded to the Planning Portal

Checking the finalisation package

The Department will check the finalisation package to ensure it is complete and includes all required documentation within 5 days of submission for finalisation.

If inadequate, the Department will return the package to the PPA with advice on requirements for re-submission.

20. Consistent with the *Standard Technical Requirements for Spatial Datasets and Maps*



IRF NUMBER

Plan finalisation report – PP number

Draft LEP name and address/site

Month Year



Published by NSW Department of Planning and Environment

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Title: Plan finalisation report – PP number

Subtitle: Draft LEP name and address/site

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Acknowledgment of Country

The Department of Planning and Environment acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Guidance tips on how to use this template:

- Red text in square brackets is either an example or alternative text that can be included within the report. Delete if not required or change the font colour to black.
- *Italic Green text is guidance notes on what to include in each section. Delete once the section is complete.*
- Blue text is where information needs to be inserted.

- When the report is completed, check that table and figure captions are chronologically ordered. Update where necessary.
- All documentation submitted to us is public (council reports, specialist/consultant reports, the planning proposal report, submission reports, etc). These should be referred to in the report as attachments including the relevant dates as these can change between Gateway and finalisation. Note: OK to refer to some attachments as Attachment Maps or Attachment Report.

1 Introduction

1.1 Overview

1.1.1 Name of draft LEP

<Name of council> Local Environmental Plan <Year> (Amendment No. <number>).

Drafting note: include a brief summary of the purpose of the plan in plain English. If there have been changes or if there is a complex background please refer back to the Gateway report and attach a chronology only if essential.

1.1.2 Site description

Table 1 Site description

Site Description	The planning proposal (Attachment <letter>) applies to land at <street address and suburb or brief description of locality to identify site>
Type	Please select
Council / LGA	Click or tap here to enter text.
LGA	Click or tap here to enter text.

Draft Note: Copy text from site description section of GD report.

To insert a figure: Right-click on the picture box and choose Change Picture.

To resize box: Right-click on it and choose Size and Position.

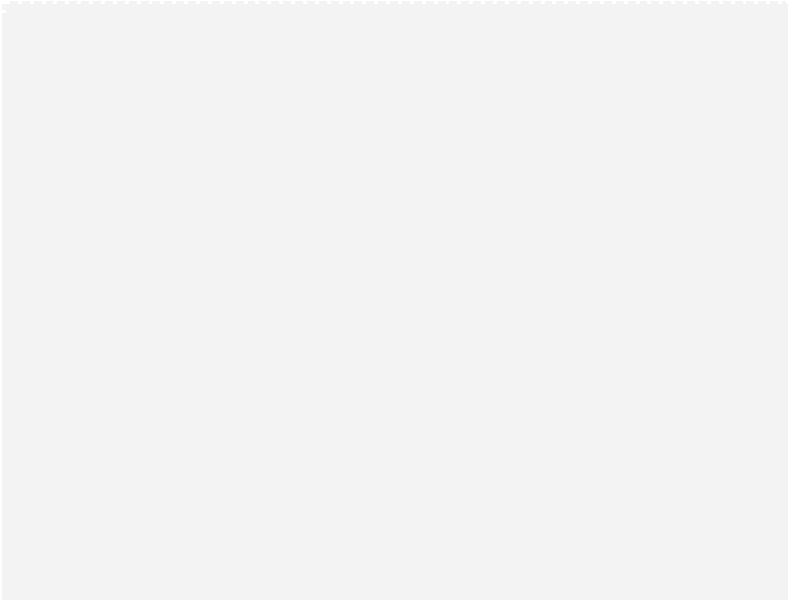


Figure 1 Subject site

1.1.3 Purpose of plan

Drafting Note: This section should only include the intent of what the draft instrument is seeking to do and provide a summary of the LEP amendments. Include site-specific clause if required.

Discussion of site-specific controls may be extended outside of table.

If row not relevant, then delete. Table optional dependent upon PP complexity – include as dot points as alternative.

The table below outlines the current and proposed controls for the LEP.

Table 2 Current and proposed controls

Control	Current	Proposed
Zone	Click or tap here to enter text.	Click or tap here to enter text.
Maximum height of the building	XX.Xm	XX.Xm
Floor space ratio	X.XX:XX	X.XX:XX
Minimum lot size	Click or tap here to enter text.	Click or tap here to enter text.
Number of dwellings	Number of dwellings from	Number of dwellings to
Number of jobs	N/A	Number of jobs
Reclassify land from	Click or tap here to enter text.	Click or tap here to enter text.

1.1.4 State electorate and local member

The site falls within the <Name of state> state electorate. <Name of state MP> MP is the State Member.

The site falls within the <Name of federal electorate> federal electorate. <Name of Federal MP> MP is the Federal Member.

[To the team's knowledge, neither MP has made any written representations regarding the proposal] *or* [The Hon. <Name of representative> MP wrote to Council/Department on <date> (Attachment <letter>) to advise that she/he does not support the proposal on the following grounds:

- <List matters raised>]

[There are no donations or gifts to disclose, and a political donation disclosure is not required.] *or* [A political donation disclosure statement has been provided.]

[There have been no meetings or communications with registered lobbyists with respect to this proposal.] *or* [There have been meetings and communications with registered lobbyists with respect to this proposal, details are as follow:]

- <List communications and meetings>]

2 Gateway determination and alterations

Drafting note: Do not repeat all the Gateway conditions and do not discuss any changes to the proposal that may be inconsistent with the current Gateway determination. This will be discussed below.

The Gateway determination issued on <date> (Attachment <letter>) determined that the proposal should proceed subject to conditions. [Council has met all the Gateway determination conditions.] *or* [Council has not met the following conditions (give reasons).]

Delete the following statement if not required.

[The Gateway determination was altered on <insert date/s> and <reason/s>.

- <List any previous alternations to the gateway determination>

In accordance with the Gateway determination (as altered) the proposal is due to be finalised on <date>.

3 Public exhibition and post-exhibition changes

Drafting Note: Discuss how Council has addressed the issues raised in community submissions and note whether the planning proposal was referred to the local planning panel under section 2.19(1)(b).

Use the following headings to group submissions that support/object the proposal, for submissions that are neutral or other issues raised use section 3.3. Remove sections that are not relevant.

[In accordance with the Gateway determination, the proposal was publicly exhibited by Council from <start date> to <end date>, as required by section 29 of the *Local Government Act 1993*.

A total of <number of submissions received> community submissions were received, comprising of <number> objections and <number> submissions supporting the proposal (**Attachment <letter>**.)]

Or [No public meeting was held following public exhibition.]

3.1 Submissions during exhibition

3.1.1 Submissions supporting the proposal

Drafting Note: Summarise and list key supporting points raised in the community submissions to highlight the positive contributions of the proposal, using dot points. If there are complex and numerous submissions use the table below.

3.1.2 Submissions objecting to and/or raising issues about the proposal

Drafting Note: Summarise and list key objecting points raised in the community submissions and the council response, using the table below.

Table optional where a low amount of submissions were received or it is a simple PP. If a low amount of submissions were received, remove reference to % of total as this is not relevant.

If no submissions were received, delete and write that no community submissions were received.

There were <number> submissions received from individuals and organisations < include name of groups, organisations, etc>

Of the individual submissions, <number> objected to the proposal (<% of total>), <number> supported the proposal (<% of total>) and <number> were unclear on their position (<% of total>)

Additionally, an online petition with <number> signatures objecting to the proposal was also submitted to Council. [Delete if not relevant]

Table 3 Summary of Key Issues [WHERE CONSIDERABLE NUMBER OF SUBMISSIONS RECEIVED]

Issue raised	Submissions (%)	Council response and Department assessment of adequacy of response
Click or tap here to enter text.	%	Council Response: Click or tap here to enter text. Department Response: Click or tap here to enter text.
Click or tap here to enter text.	%	Council Response: Click or tap here to enter text. Department Response: Click or tap here to enter text.

3.1.3 Other issues raised

Other matters of concern raised by submissions included:

- [Example - Conversion of existing commercial space]
- [Example - Inadequate VPA]
- [Example - Lack of variety in housing types]

Drafting Note: Summarise and list any other issues raised, using dot points. These may be minor issues raised that may not make-up bulk of submissions.

3.2 Advice from agencies

In accordance with the Gateway determination, Council was required to consult with agencies listed below in Table 4 who have provided the following feedback.

Drafting Note: Discuss the key issues raised by agency and how Council has addressed these issues.

Table is optional depending on complexity of issues raised. Use dot points as alternative.

Table 4 Advice from public authorities

Agency	Advice raised	Council response
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

The Department considers Council has adequately addressed matters raised in submissions from public authorities.

Drafting Note: if the Department considers that a matter hasn't been adequately considered or addressed by Council this needs to be addressed in Section 4.1.

3.3 Post-exhibition changes

Drafting Note: Discuss if any amendments were made to the planning proposal following public exhibition. Delete this section if no changes were made.

If these changes have not previously been agreed to by the Department, include a succinct recommendation in this paragraph whether the amendment can be endorsed e.g. It is recommended that this amendment be endorsed without requiring further exhibition as it does not change the intent of the planning proposal as exhibited, but merely adds clarity. Further detail regarding the suitability of these changes is to be discussed below.

If these subcategories do not apply, please delete.

3.3.1 Council resolved changes

At Council's Ordinary Meeting on <date>, Council resolved to proceed with the planning proposal with the following post-exhibition changes:

- <list post-exhibition changes>

3.3.2 The Department's recommended changes

Following the receipt of the revised planning proposal from Council, the Department has made further changes to the proposal as follows:

- <list changes to the proposal>

3.3.3 Justification for post-exhibition changes

The Department notes that these post-exhibition changes are justified and do not require re-exhibition. It is considered that the post-exhibition changes:

- [Are a reasonable response to comments provided by the public authorities.]
- [Ensure that <Click or tap here to enter text> matters are further addressed at the development stage.]
- [Do not alter the intent of the planning proposal and are minor amendments to the planning proposal.]

4 Department's assessment

***Drafting Note:** If specific issues have been raised during exhibition and/or there have been changes to the proposal, refer to those issues and provide a response to why it is recommended that the draft LEP be made or refused.*

The proposal has been subject to detailed review and assessment through the Department's Gateway determination (**Attachment <letter>**) and subsequent planning proposal processes. It has also been subject to a high level of public consultation and engagement.

The following reassesses the proposal against relevant Section 9.1 Directions, SEPPs, Regional and District Plans and Council's Local Strategic Planning Statement. It also reassesses any potential key impacts associated with the proposal (as modified).

As outlined in the Gateway determination report (**Attachment <letter>**), the planning proposal submitted to the Department for finalisation:

- [Remains consistent with the regional and district plans relating to the site.]
- [Remains consistent with the Council's Local Strategic Planning Statement.]
- [Remains consistent with all relevant Section 9.1 Directions]
- [Remains consistent with all relevant SEPPs]

The following tables identify whether the proposal is consistent with the assessment undertaken at the Gateway determination stage. Where the proposal is inconsistent with this assessment,

requires further analysis or requires reconsideration of any unresolved matters these are addressed in Section 4.1

Table 5 Summary of strategic assessment

	Consistent with Gateway determination report Assessment	
Regional Plan	<input type="checkbox"/> Yes	<input type="checkbox"/> No, refer to section 4.1
District Plan [if relevant]	<input type="checkbox"/> Yes	<input type="checkbox"/> No, refer to section 4.1
Local Strategic Planning Statement	<input type="checkbox"/> Yes	<input type="checkbox"/> No, refer to section 4.1
Local Planning Panel (LPP) recommendation	<input type="checkbox"/> Yes	<input type="checkbox"/> No, refer to section 4.1
Section 9.1 Ministerial Directions	<input type="checkbox"/> Yes	<input type="checkbox"/> No, refer to section 4.1
State Environmental Planning Policies (SEPPs)	<input type="checkbox"/> Yes	<input type="checkbox"/> No, refer to section 4.1

Table 6 Summary of site-specific assessment

Site-specific assessment	Consistent with Gateway determination report Assessment	
Social and economic impacts	<input type="checkbox"/> Yes	<input type="checkbox"/> No, refer to section 4.1
Environmental impacts	<input type="checkbox"/> Yes	<input type="checkbox"/> No, refer to section 4.1
Infrastructure	<input type="checkbox"/> Yes	<input type="checkbox"/> No, refer to section 4.1

4.1 Detailed assessment

The following section provides details of the Department's assessment of key matters and any recommended revisions to the planning proposal to make it suitable.

Drafting Note: Using Tables 5 and 6 as assessment of key, unresolved and/ or outstanding matters only where different to the original assessment in the Gateway determination report.

Key impacts should be addressed, which may stem from the proposal, including matters raised during exhibition through submissions from the public/stakeholders and agencies. Example of this may be traffic and transport impacts.

This section should also include the Department's assessment of impacts where the proposal is different from the scope of the proposal at the Gateway stage. For example, if the proposed FSR or building height controls are different, then assessment of these changes should be considered in terms of built form impacts (i.e. overshadowing, bulk form, streetscape appearance, comparative scale/built form in terms of character).

This section can be deleted if Tables 5 and 6 identify that there are no matters different to the original assessment in the Gateway determination report.

5 Post-assessment consultation

The Department consulted with the following stakeholders after the assessment.

Drafting Note: Add and delete rows in the table as required.

Table 7 Consultation following the Department's assessment

Stakeholder	Consultation	The Department is satisfied with the draft LEP
Mapping	<Number> maps have been prepared by the Department's ePlanning team and meet the technical requirements.	<input type="checkbox"/> Yes <input type="checkbox"/> No, see below for details
Council	<p>Council was consulted on the terms of the draft instrument under clause 3.36(1) of the <i>Environmental Planning and Assessment Act 1979</i> (Attachment <letter>) [<i>Attach letter/email to Council from Department consulting on the Draft LEP</i>].</p> <p>Council confirmed on <date> that it approved the draft and that the plan should be made (Attachment <letter>) [<i>Attach letter/email from Council regarding the draft plan</i>].</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No, see below for details
Parliamentary Counsel Opinion	On <date>, Parliamentary Counsel provided the final Opinion that the draft LEP could legally be made. This Opinion is provided at Attachment PC .	<input type="checkbox"/> Yes <input type="checkbox"/> No, see below for details

Delete the below if all the above agree with draft LEP.

[Key issue(s) and resolution(s) identified in post-assessment consultation with the Department.]

- [No maps have been prepared by the Department's ePlanning team, and Parliamentary Counsel has not been notified, as this proposal is not supported to proceed.]

6 Recommendation

It is recommended that the Minister's delegate as the local plan-making authority determine to make the draft LEP under clause 3.36(2)(a) of the Act because:

- [The draft LEP has strategic merit being consistent with <name of local strategic> plan.]
- [It is consistent with the Gateway Determination.]
- [Issues raised during consultation have been addressed, and there are no outstanding agency objections to the proposal.]

Drafting Note: Alternative text below when the proposal is not supported.

[It is recommended that the Minister's delegate as the local plan-making authority determine not to make the draft LEP under clause 3.36(2)(b) of the *Environmental Planning and Assessment Act 1979* because:

- The proposal has unresolved concerns from the community and Council.

- Any additional development capacity for the site should be considered as part of the Council's strategic forward planning under its Local Housing Strategy and coordinated with planning for supporting infrastructure and services.]

Name

Manager, Branch

Name

Director, Branch

Assessment officer

Name

Position, Branch

Phone Number

Attachments

Attachment	Document
A	<Insert name of document and date of document>
B	<Insert name of document and date of document>
C	<Insert name of document and date of document>
D	<Insert name of document and date of document>

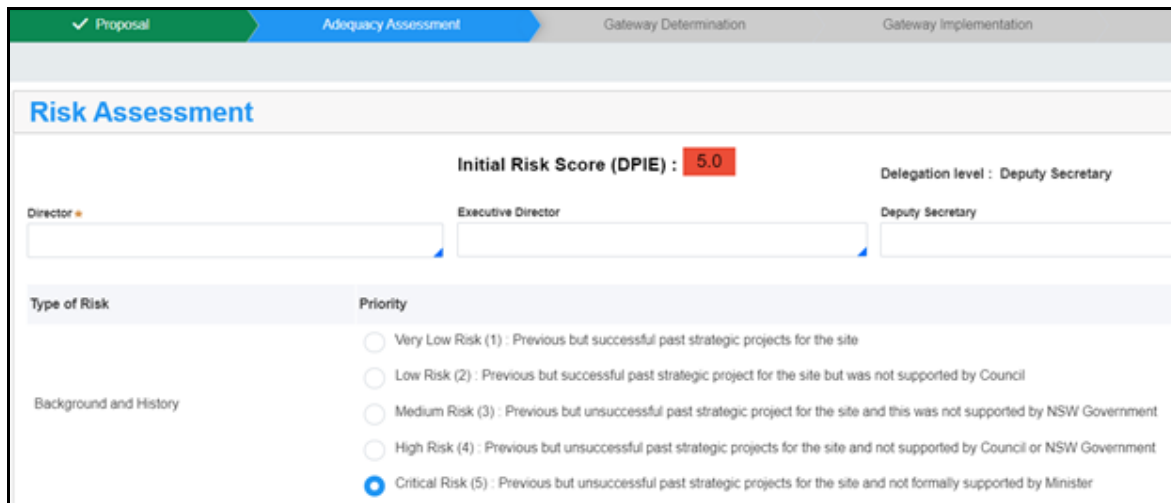
Completing the Risk Assessment

DPIE Internal – ePlanning Proposals



As part of the Adequacy Assessment, the Risk Assessment feature allows DPIE or PM users to create Risk Scores for a case by selecting the risk level from a set of eight questions in the Adequacy Assessment screen.

As the Risk Score total increases, the system will also determine who the Delegation Authority will be, for example, a Risk Score of 0.5 will see the delegation level of Director or a score of 4.5 is delegated to the Deputy Secretary or above. The Initial Risk Score is also colour coded and changes as it is calculated.



Initial Risk Score: This will be adjusted based on the responses to the Type of Risk and the Priority selected within each type. As each risk priority is selected, the system will automatically calculate the Initial Risk Score value based on data tables in the back end of the system.

Delegation level: The System will calculate the Delegation Level role based on the calculated Initial Risk Score (DPIE). For example, Director, Executive Director or Deputy Secretary. If more than one delegation level is displayed each will need to be populated so that relevant approvals can workflow as required.

Getting Started

<p>1. Open the relevant Planning Proposal, ensuring it is at the Adequacy Assessment Stage, and DPIE Risk Assessment section of the screen.</p>	
<p>2. Click to select one of the listed risk priority options for the Background and History risk.</p>	

Completing the Risk Assessment

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<p>Note: As a risk priority number is selected, the Initial Adjusted Risk Score is updated. For example, if a Low Risk (2) was selected, the score is 0.2.</p> <p>The score is updated as each of the eight risks question scores are selected.</p>	<div style="border: 1px solid black; padding: 5px;"> <p style="text-align: right;">Initial Risk Score (DPIE) : 0.2</p> <p style="text-align: right;">Delegation level : Director</p> <p>Director * dirppuser1@yopmail.com</p> </div>
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Completing the Risk Assessment

<p>3. Repeat the above step for the remaining eight risks and review each one to ensure the final score displayed is accurate.</p>	<div style="border: 1px solid black; padding: 5px;"> <p style="text-align: right;">Initial Risk Score (DPIE) : 0.5</p> <p style="text-align: right;">Delegation level : Director</p> <p>Director * dirppuser1@yopmail.com</p> </div>
<p>4. Click in the Director field and enter the Director email address.</p> <p>Note: If during the risk assessment the Executive Director and Deputy Secretary fields display, enter the email details for each delegation level.</p>	<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <p>Director * dirppuser1@yopmail.com</p> </div>
<p>5. Indicate if the proposal ready for assessment.</p> <p>Note: If additional information is required please use the Action button and select request more information from council.</p>	<div style="border: 1px solid black; padding: 5px;"> <p>Following a preliminary consideration, is the proposal ready for assessment? *</p> <p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> </div>

<p>6. Enter or edit the proposal description that was entered by council.</p>	<div style="border: 1px solid black; padding: 5px;"> <p>Proposal description</p> <hr/> <p>brief description is as follows...</p> <p>This is a description of the Planning Proposal entered by the council</p> </div>
<p>7. Enter any relevant DPIE Pre lodgement comments.</p>	<div style="border: 1px solid black; padding: 5px;"> <p>DPIE Pre lodgement comments:</p> <hr/> <p>This field can contain any relevant comments relating to DPIE pre lodgement</p> </div>

Completing the Risk Assessment

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8. Click the drop-down and select if the Gateway Request is adequate to proceed to Assessment.

- If Yes. Enter or select the date the PP is (considered to be) adequate.
- If No. Please provide a reason in the space that displays.

Is the Gateway Request adequate to proceed to Assessment?
No
Select...
Yes
No

Adequacy date (date the PP is considered adequate) [What is this?](#)
23/09/2020

Please provide a reason *
Following the review of the Gateway Assessment it has been

Note: If you answer 'Yes' to this question, you will now be able to view the Active Management Plan.

9. If you answer 'No' to the final question, the following screen will display, and you will need to complete the following steps.

> Review the Planning Proposal details submitted by the council

Is the Gateway Request adequate to proceed to Assessment? *
No

Please provide a reason *
Remaining: 159 characters

What is the date the application was returned?
[Date Picker]

10. Enter the reason the Gateway Request is not proceeding in 512 characters or less.

Please provide a reason *
Remaining: 512 characters

11. Select the date the application was returned.

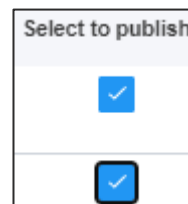
What is the date the application was returned?
[Date Picker]

12. If required, **Click** Upload to attach relevant documents.



Upload

13. **Tick** the Select to publish boxes if required.



Select to publish

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>

Note: This action will publish selected documents onto the website where they can be viewed by any internal or external party.

14. **Click** Submit to continue



Submit

What Happens Next?

If you have completed all other sections of the Adequacy Assessment, the Planning Proposal Assessment details are saved and the application progresses to the Determination phase. To find out more about this stage of the process, read our relevant quick reference guide.

If you need more information

- Click the Help link at the top of the screen to access the NSW Planning Portal help pages and articles.
- Review the Frequently Asked Questions - <https://www.planningportal.nsw.gov.au/support/frequently-asked-questions> and / or contact ServiceNSW on 1300 305 695.