GEOP816

Local Government Approval Process

S2 Day 2016

Department of Geography and Planning

Contents

Disclaimer

Macquarie University has taken all reasonable measures to ensure the information in this publication is accurate and up-to-date. However, the information may change or become out-dated as a result of change in University policies, procedures or rules. The University reserves the right to make changes to any information in this publication without notice. Users of this publication are advised to check the website version of this publication [or the relevant faculty or department] before acting on any information in this publication.

General Information

Unit convenor and teaching staff
Cheramie Marsden
cheramie.marsden@mq.edu.au
After class or by appointment by phone/email

Credit points
4

Prerequisites
Admission to MEnvPlan or MEnvMgt or MEngMgt or MPPP or PGDipPP or MEnv or
GradDipEnv or GradCertSusDev or GradDipSusDev or GradCertEnvPlan or GradCertSIA or
GradDipSIA

Corequisites

Co-badged status

Unit description
This unit examines the development approval process which is a major component of
environmental planning in a statutory context. The examination will be undertaken from both
theoretical and practical perspectives with a focus upon the foundation elements of
environmental planning frameworks including stakeholders, assessment methods and
professional planning ethics, while considering both administrative and jurisdictional contexts.
This highly practical subject pays particular attention to methods of environmental assessment
in development control and case studies are employed to relate theory to practice, generating
professional planner practice skills for each participant.

Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are
available at https://www.mq.edu.au/study/calendar-of-dates

Learning Outcomes

On successful completion of this unit, you will be able to:

Gain an appreciation of the theory and practice of the development approval process in
NSW, including plan making

Develop an improved understanding of NSW local government law

Gain an appreciation of the range of methods, institutional and ethical contexts and
values of stakeholders in development approval processes and environmental

assessment in development control, including understanding the role of councils and the NSW Land and Environment Court.

Gain plan reading, design and on-site planning skills.

Analyse and critically evaluate practical case studies in development approval and assessment. Recognise the strengths and limitations of the development approval process and reflect on how personal experiences influence your own professional practice.

Write cogent and clearly structure reports, addressing defined issues, demonstrating an understand of planning terms in both strategic and development planning

Gain presentation skills for briefing clients, stakeholders and councillors and managing interactions between stakeholders.

Consider the ways in which values and ethical issues affect the built environment and reflect on how personal values and assumptions influence ethical practice.

Gain an appreciation of the contemporary evolutionary nature of land use planning in NSW and in other jurisdictions. Develop an understanding that current decisions and framework affect sustainability outcomes and planning is a continuous activity.

General Assessment Information

Please note that 10% of the overall assignment amount will be deducted for each day past the due date. A doctors certificate is required for consideration for any extensions due to illness and the days applicable for an extension will be the same as the number of days the doctors certificate covers. Please email the course convener to advise asap.

Submitting your assignment:

All assignments should be emailed to the course coodinator and where relevant bring a hard copy to class on the due date.

- your assignment must have a signed cover sheet
- **do not put your assignment in any plastic cover or folder**
- ensure that your name and student number are contained in the header or footer of each page
- keep a copy of all your submitted assignments, unfortunately they do get lost sometimes
- use wide margins (3cm) to allow for comments
- use a reference list to correctly list all sources cited in your text (note that failure to cite sources - including unpublished lecture material etc. - will be considered as plagiarism and will result in severe penalties, up to and including failure of the whole unit. If you need to include references to material not cited in your text, use a bibliography and include a brief paragraph explaining why).

Assignments will be returned to students - arrangements will be advised. You may be required to show Student ID to collect assignments.

1. There are five assignments for this course. **You must submit all five assignments** in order to pass the course.

2. Most of these assignments have a strict word limit the aim of which is to encourage concise and clear expression which is needed in most professional situations.

3. You may include summary tables, dot points, maps and other devices to present your information succinctly providing your dot points **can always be read as part of a full sentence**.

Assessment Tasks

Name	Weighting	Due
Analysis: topical development	5%	10am 11/08/2016
Measuring plans	5%	10am 24/08/2016
Review Court/council process	30%	7am 15/09/2016
DA report	30%	10am 3/10/2016
Essay	30%	10am 2/11/2016

Analysis: topical development

Due: **10am 11/08/2016**
Weighting: **5%**

The purpose of this assessment is to help prepare you for the course. The topic will get you thinking about development issues, planning processes, and stakeholders and aims to assist you in articulating and formulating your views about a topical development currently being debated.

Max 1500 words plus tables and references.

On successful completion you will be able to:
- Gain an appreciation of the theory and practice of the development approval process in NSW, including plan making
- Gain an appreciation of the range of methods, institutional and ethical contexts and values of stakeholders in development approval processes and environmental assessment in development control, including understanding the role of councils and the NSW Land and Environment Court.
- Analyse and critically evaluate practical case studies in development approval and

assessment. Recognise the strengths and limitations of the development approval process and reflect on how personal experiences influence your own professional practice.

- Gain presentation skills for briefing clients, stakeholders and councillors and managing interactions between stakeholders.
- Consider the ways in which values and ethical issues affect the built environment and reflect on how personal values and assumptions influence ethical practice.

Measuring plans

Due: **10am 24/08/2016**

Weighting: **5%**

Print two architectural drawings (provided in iLearn). Print these out at A3. Using the scale ruler measure the plans answering the set questions.

On successful completion you will be able to:

- Gain plan reading, design and on-site planning skills.

Review Court/council process

Due: **7am 15/09/2016**

Weighting: **30%**

Select a development proposal with which you are familiar or which is currently before a local Council of your choice, or a Land and Environment development appeal and prepare a verbal presentation accompanied by a **max 12 slide power-point presentation and a max 500 word summary**. Part of the task will involve self and peer assessment. The presentation itself and the peer and self assessment will occur **in class 17 September 2016**.

Submission requirements

1   This assignment requires a power point presentation. A copy of this presentation **which includes your talking notes** is to be emailed to Cheramie   Marsden, cheramie.marsden@mq.edu.au, **no later than 7am 15 September 2016. The presentation to the class will take place on 17 September.**

2   A printed version of the slides including your talking notes and your summary page is also to be submitted in class on the day of presentation.

3   Each student must prepare and submit a one page, 500 words max, handout to be provided to all class members summarising the key points.

On successful completion you will be able to:

- Gain an appreciation of the theory and practice of the development approval process in NSW, including plan making

- Develop an improved understanding of NSW local government law
- Gain an appreciation of the range of methods, institutional and ethical contexts and values of stakeholders in development approval processes and environmental assessment in development control, including understanding the role of councils and the NSW Land and Environment Court.
- Analyse and critically evaluate practical case studies in development approval and assessment. Recognise the strengths and limitations of the development approval process and reflect on how personal experiences influence your own professional practice.
- Write cogent and clearly structure reports, addressing defined issues, demonstrating an understand of planning terms in both strategic and development planning
- Gain presentation skills for briefing clients, stakeholders and councillors and managing interactions between stakeholders.
- Consider the ways in which values and ethical issues affect the built environment and reflect on how personal values and assumptions influence ethical practice.
- Gain an appreciation of the contemporary evolutionary nature of land use planning in NSW and in other jurisdictions. Develop an understanding that current decisions and framework affect sustainability outcomes and planning is a continuous activity.

DA report

Due: **10am 3/10/2016**
Weighting: **30%**

This assessment introduces the student to hands-on experience as a local government development assessment planner. A comprehensive assessment is something that is done for every application for a local development. The final product of this assignment (in association with assessment task 3) has been designed to be added to your portfolio should you wish to show a potential employer.

Using a current development application– draft a report assessing the proposal with a recommendation for the council development committee/council meeting.

Max 1500 word report excl. tables and references.

On successful completion you will be able to:
- Gain an appreciation of the theory and practice of the development approval process in NSW, including plan making
- Gain an appreciation of the range of methods, institutional and ethical contexts and values of stakeholders in development approval processes and environmental assessment in development control, including understanding the role of councils and the

NSW Land and Environment Court.

- Gain plan reading, design and on-site planning skills.

- Analyse and critically evaluate practical case studies in development approval and assessment. Recognise the strengths and limitations of the development approval process and reflect on how personal experiences influence your own professional practice.

- Write cogent and clearly structure reports, addressing defined issues, demonstrating an understand of planning terms in both strategic and development planning

- Gain presentation skills for briefing clients, stakeholders and councillors and managing interactions between stakeholders.

- Consider the ways in which values and ethical issues affect the built environment and reflect on how personal values and assumptions influence ethical practice.

- Gain an appreciation of the contemporary evolutionary nature of land use planning in NSW and in other jurisdictions. Develop an understanding that current decisions and framework affect sustainability outcomes and planning is a continuous activity.

Essay

Due: **10am 2/11/2016**
Weighting: **30%**

The purpose of the essay is to become familiar with recent changes to development assessment planning in local government.

Max 3000 Word Essay.

On successful completion you will be able to:

- Gain an appreciation of the theory and practice of the development approval process in NSW, including plan making

- Write cogent and clearly structure reports, addressing defined issues, demonstrating an understand of planning terms in both strategic and development planning

- Consider the ways in which values and ethical issues affect the built environment and reflect on how personal values and assumptions influence ethical practice.

- Gain an appreciation of the contemporary evolutionary nature of land use planning in NSW and in other jurisdictions. Develop an understanding that current decisions and framework affect sustainability outcomes and planning is a continuous activity.

Delivery and Resources

Technology

GEOP816 has a website which is accessible via ilearn.mq.edu.au. Here you can get access to unit materials, copies of PowerPoint slides, notices and a bulletin board to communicate with staff and fellow students. You should check the website regularly for messages.

Students are required to purchase a scale ruler in order to assess architectural plans - one of the skills that will be development in the unit. Please note that field visits will need to occur in the students own time and it would be advantageous for students to have the ability to take photographs.

Students are expected to use computers for the preparation and submission of assessments and to bring devices to all classes as access to materials via the internet will be required to participate fully.

Lecture Times

GEOP 816 is presented in block mode - 12 and 13 August and 16 and 17 September. Lectures and student participation activities are integrated throughout these four days. Class times are set for 9 to 4pm. Some flexibility on start and finish times is needed to ensure all content is covered and to cater for guest speakers. This will be confirmed in class and through iLearn announcements.

Learning and Teaching strategy

GEOP 816 is presented in block mode to maximise the opportunity to enhance planning profession skill learning and access to specialists in the planning field, as well as in class tasks and discussions. The unit comprises lectures, workshops, group activities, case studies and assessments designed to meet the learning objectives. Site visits are required to be conducted in the students own time.

Key Readings

City of Ryde *Development Application Form* http://www.ryde.nsw.gov.au/files/assets/public/forms-and-documents/development-application.pdf

City of Sydney *How DAs are Assessed* http://www.cityofsydney.nsw.gov.au/development/development-applications/how-das-are-assessed

Department of Planning *About Complying Development* https://dpe-files-test.s3-ap-southeast-2.amazonaws.com/s3fs-public/documents/2016/May/Understanding_complying_development.pdf

Farrier, D and Stein, P. 2016 *The Environmental Law Handbook* (6ed) Redfern Legal Centre Publishing.

Gosford Development Assessment Process http://www.gosford.nsw.gov.au/docs/default-source/building-and-development---da-process/development-assessment-process-flowchart.pdf?sfvrsn=2

Greater Sydney Commission http://www.gsc.nsw.gov.au/

Gurran, N. 2011 *Australian Urban Land Use Planning: Principles, Systems and Practice*. Sydney: Sydney University Press

Land and Environment Court NSW *Class 1: environmental planning and protection appeals* http://www.lec.justice.nsw.gov.au/Pages/types_of_disputes/class_1/class_1.aspx

Manly Council Flowchart of the DA Process file:///C:/Users/greg/Desktop/DA%20Flow%20Chart%20March%2009.pdf

NSW Young Lawyers, 2009 A Practitioner's Guide to the Land and Environment Court of NSW http://www.lec.justice.nsw.gov.au/Documents/practitioners%20guide%20to%20the%20lec%2024february2009.pdf

NSW Government *Environmental Planning and Assessment Act 1979* http://www.legislation.nsw.gov.au/#/view/act/1979/203

NSW Government *Environmental Planning and Assessment Regulation 2000* http://www.legislation.nsw.gov.au/#/view/regulation/2000/557

NSW Department of Planning and Environment website *Local Development* http://www.planning.nsw.gov.au/Assess-and-Regulate/Development-Assessment/Systems/Local-Development

NSW Electronic Housing Code website http://www.ehc.nsw.gov.au/

NSW Housing Code: A Guide to complying development http://buildcertconsultants.com.au///wp-content/uploads/2015/06/Complying-Development-Customer-Guide-issued-APRIL-2011.pdf

NSW Government *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* http://www.legislation.nsw.gov.au/#/view/EPI/2008/572

Planning Institute of Australia, 2014, *Code of Professional Conduct* https://www.planning.org.au/documents/item/6014

Southerland Council's guide for Statement of Environmental Effects http://www.sutherlandshire.nsw.gov.au/Development/Development-Applications/The-DA-Process/3-Preparing-a-Statement-of-Environmental-Effects

Thompson, S and Maginn P 2012 *Planning Australia: An Overview of Urban and Regional Planning*, Cambridge University Press

Whitehouse, J, 2012 *Development and Planning Law in New South Wales*, published by CCH Australia in 2012

Learning and Teaching Activities

Skills exercises

reading plans, using online tools, learning how to undertake a development assessment, becoming familiar with planning laws, regulations and controls.

Lectures

Lectures establishing foundation theory and application of land use planning and approval processes

Assessments

The assessments focus on the development assessment process including assessment and approval. There is also the opportunity to understand NSW's planning system by addressing planning reform more globally enabling students to see how planning is undertaken in other jurisdictions.

Policies and Procedures

Macquarie University policies and procedures are accessible from Policy Central. Students should be aware of the following policies in particular with regard to Learning and Teaching:

Academic Honesty Policy http://mq.edu.au/policy/docs/academic_honesty/policy.html

New Assessment Policy in effect from Session 2 2016 http://mq.edu.au/policy/docs/assessment/policy_2016.html. For more information visit http://students.mq.edu.au/events/2016/07/new_assessment_policy_in_place_from_session_2/

Assessment Policy prior to Session 2 2016 http://mq.edu.au/policy/docs/assessment/policy.html

Grading Policy prior to Session 2 2016 http://mq.edu.au/policy/docs/grading/policy.html

Grade Appeal Policy http://mq.edu.au/policy/docs/gradeappeal/policy.html

Complaint Management Procedure for Students and Members of the Public http://www.mq.edu.au/policy/docs/complaint_management/procedure.html

Disruption to Studies Policy http://www.mq.edu.au/policy/docs/disruption_studies/policy.html *The Disruption to Studies Policy is effective from March 3 2014 and replaces the Special Consideration Policy.*

In addition, a number of other policies can be found in the Learning and Teaching Category of Policy Central.

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: https://students.mq.edu.au/support/student_conduct/

Results

Results shown in *iLearn*, or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in eStudent. For more information visit ask.mq.edu.au.

Student Support

Macquarie University provides a range of support services for students. For details, visit http://students.mq.edu.au/support/

Learning Skills

Learning Skills (mq.edu.au/learningskills) provides academic writing resources and study

strategies to improve your marks and take control of your study.

- Workshops
- StudyWise
- Academic Integrity Module for Students
- Ask a Learning Adviser

Student Services and Support

Students with a disability are encouraged to contact the Disability Service who can provide appropriate help with any issues that arise during their studies.

Student Enquiries

For all student enquiries, visit Student Connect at ask.mq.edu.au

IT Help

For help with University computer systems and technology, visit http://www.mq.edu.au/about_us/ offices_and_units/information_technology/help/.

When using the University's IT, you must adhere to the Acceptable Use of IT Resources Policy. The policy applies to all who connect to the MQ network including students.

Graduate Capabilities

PG - Capable of Professional and Personal Judgment and Initiative

Our postgraduates will demonstrate a high standard of discernment and common sense in their professional and personal judgment. They will have the ability to make informed choices and decisions that reflect both the nature of their professional work and their personal perspectives.

This graduate capability is supported by:

Learning outcomes

- Gain an appreciation of the range of methods, institutional and ethical contexts and values of stakeholders in development approval processes and environmental assessment in development control, including understanding the role of councils and the NSW Land and Environment Court.
- Consider the ways in which values and ethical issues affect the built environment and reflect on how personal values and assumptions influence ethical practice.

Assessment tasks

- Measuring plans
- DA report
- Essay

PG - Discipline Knowledge and Skills

Our postgraduates will be able to demonstrate a significantly enhanced depth and breadth of knowledge, scholarly understanding, and specific subject content knowledge in their chosen fields.

This graduate capability is supported by:

Learning outcomes

- Gain an appreciation of the theory and practice of the development approval process in NSW, including plan making
- Develop an improved understanding of NSW local government law
- Gain an appreciation of the range of methods, institutional and ethical contexts and values of stakeholders in development approval processes and environmental assessment in development control, including understanding the role of councils and the NSW Land and Environment Court.
- Gain plan reading, design and on-site planning skills.
- Write cogent and clearly structure reports, addressing defined issues, demonstrating an understand of planning terms in both strategic and development planning
- Gain presentation skills for briefing clients, stakeholders and councillors and managing interactions between stakeholders.

Assessment tasks

- Analysis: topical development
- Measuring plans
- DA report
- Essay

PG - Critical, Analytical and Integrative Thinking

Our postgraduates will be capable of utilising and reflecting on prior knowledge and experience, of applying higher level critical thinking skills, and of integrating and synthesising learning and knowledge from a range of sources and environments. A characteristic of this form of thinking is the generation of new, professionally oriented knowledge through personal or group-based critique of practice and theory.

This graduate capability is supported by:

Learning outcomes

- Gain an appreciation of the theory and practice of the development approval process in NSW, including plan making
- Develop an improved understanding of NSW local government law

- Gain an appreciation of the range of methods, institutional and ethical contexts and values of stakeholders in development approval processes and environmental assessment in development control, including understanding the role of councils and the NSW Land and Environment Court.
- Gain plan reading, design and on-site planning skills.
- Analyse and critically evaluate practical case studies in development approval and assessment. Recognise the strengths and limitations of the development approval process and reflect on how personal experiences influence your own professional practice.
- Gain an appreciation of the contemporary evolutionary nature of land use planning in NSW and in other jurisdictions. Develop an understanding that current decisions and framework affect sustainability outcomes and planning is a continuous activity.

Assessment tasks

- Review Court/council process
- Essay

PG - Research and Problem Solving Capability

Our postgraduates will be capable of systematic enquiry; able to use research skills to create new knowledge that can be applied to real world issues, or contribute to a field of study or practice to enhance society. They will be capable of creative questioning, problem finding and problem solving.

This graduate capability is supported by:

Learning outcomes

- Gain an appreciation of the range of methods, institutional and ethical contexts and values of stakeholders in development approval processes and environmental assessment in development control, including understanding the role of councils and the NSW Land and Environment Court.
- Gain plan reading, design and on-site planning skills.
- Analyse and critically evaluate practical case studies in development approval and assessment. Recognise the strengths and limitations of the development approval process and reflect on how personal experiences influence your own professional practice.
- Write cogent and clearly structure reports, addressing defined issues, demonstrating an understand of planning terms in both strategic and development planning
- Gain an appreciation of the contemporary evolutionary nature of land use planning in

NSW and in other jurisdictions. Develop an understanding that current decisions and framework affect sustainability outcomes and planning is a continuous activity.

Assessment task

- Review Court/council process

PG - Effective Communication

Our postgraduates will be able to communicate effectively and convey their views to different social, cultural, and professional audiences. They will be able to use a variety of technologically supported media to communicate with empathy using a range of written, spoken or visual formats.

This graduate capability is supported by:

Learning outcomes

- Gain an appreciation of the range of methods, institutional and ethical contexts and values of stakeholders in development approval processes and environmental assessment in development control, including understanding the role of councils and the NSW Land and Environment Court.
- Write cogent and clearly structure reports, addressing defined issues, demonstrating an understand of planning terms in both strategic and development planning
- Gain presentation skills for briefing clients, stakeholders and councillors and managing interactions between stakeholders.

Assessment tasks

- Analysis: topical development
- Review Court/council process
- DA report

PG - Engaged and Responsible, Active and Ethical Citizens

Our postgraduates will be ethically aware and capable of confident transformative action in relation to their professional responsibilities and the wider community. They will have a sense of connectedness with others and country and have a sense of mutual obligation. They will be able to appreciate the impact of their professional roles for social justice and inclusion related to national and global issues

This graduate capability is supported by:

Learning outcomes

- Develop an improved understanding of NSW local government law
- Gain an appreciation of the range of methods, institutional and ethical contexts and

values of stakeholders in development approval processes and environmental assessment in development control, including understanding the role of councils and the NSW Land and Environment Court.

- Consider the ways in which values and ethical issues affect the built environment and reflect on how personal values and assumptions influence ethical practice.
- Gain an appreciation of the contemporary evolutionary nature of land use planning in NSW and in other jurisdictions. Develop an understanding that current decisions and framework affect sustainability outcomes and planning is a continuous activity.

Assessment task

- Essay

Changes from Previous Offering

This course is structured to respond to and take account of changes to planning systems and policies in NSW as they occur,