

Department of Planning and Environment

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Planning Concierge

Service Charter and Probity Agreement

November 2023



Acknowledgement of Country

The Department of Planning and Environment acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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The Planning Concierge

The Planning Concierge (Concierge) performs a planning and support function that assists investors and Government with navigating the NSW Planning System. Concierge provides one of the core functions of the Planning Delivery Unit (PDU), whose purpose is to drive efficient planning decisions by increasing capability and building trusted relationships across the planning system.

Service Charter

- This Service Charter (the Charter) sets out the services provided by the Concierge, and the terms on which they will be provided. It ensures that the Concierge functions:
 - are efficient, consistent, transparent, and fair;
 - align with probity fundamentals;
 - empower Concierge staff to identify and control risks;
 - help deliver on NSW Government and Planning priorities;
- This Charter is to be read in conjunction with other NSW Planning policies and guidelines that govern activities that support the NSW planning system.
- Concierge was established in July 2020 as part of the planning reform and provides a support service to major and diverse developers as well as Aboriginal land managers deliver high public value projects across NSW. Planning Concierge works with proponents, agencies, and consent authorities to efficiently resolve complex issues and ensure enhanced customer experiences for all parties interacting with the NSW Planning System.




The Concierge team provides the following key services:

- Connecting partners, government agencies and consent authorities to facilitate discussions and resolve complex issues that are impeding the progress of projects.
 - Identifying pathways for issue resolution within DPE and government agencies.
 - Keeping partners informed of DPE policy progression and look for opportunities for consultation and industry sounding workshops.
 - Follow up of overdue referrals with State Government agencies.
 - Discussing potential planning pathways and solutions, without compromising sound planning decisions.
- Has a clear and standard approach to maintaining partnerships with developers, Community Housing Providers, Aboriginal land managers, and State Government agencies, including:
 - Commitments from all partners on the quality of the information and documentation provided, probity and professional standards to be upheld.

- Exploring and pursuing opportunities for closer collaboration between the Department, councils and statutory referral agencies.
- Identifying pathways for issue resolution within DPE and other Government agencies.
- The Concierge team does not:
 - Retain any statutory approval powers nor make decisions on behalf a consent authority.
 - Guarantee a favourable planning outcome or determination for projects being undertaken by developers.
 - Interfere with decision making processes or lobby by or on behalf of any developer partner. or seek to prosecute decisions made by consent authorities or statutory referral agencies.
 - Provide legal advice that should be relied upon by any partner.




Concierge: Our Commitment

Concierge is committed to maintaining service standards to ensure we are meeting the needs of our partners. Service standards include:

<p>Professionalism</p> 	<ul style="list-style-type: none">• We will engage purposefully with respect and transparency.• Meetings are to be held on a schedule agreed between the Partner and Concierge and adjusted as required. Generally, meetings are held with partners monthly, quarterly, or on an as needed basis.• Agenda items will be called approximately a week out for the regular meeting.• Meeting Minutes are to be provided to the group within 3 business days of the meeting.• Undertake actions agreed during interaction between the Partner and the Planning Concierge in a timely manner.
<p>Communication</p> 	<ul style="list-style-type: none">• Correspondence or requests for support received by the Planning Concierge team will be responded to in a timely manner. The length of time required to respond to correspondence may vary according to the issues raised and the work required to prepare a response. Where a longer response time is anticipated, Concierge will provide an initial acknowledgement and updates as required.• The Concierge team will make themselves available to partners and provide continuous service as required in between formal meetings.• Solution focussed – Concierge will leverage tools, resources and relationships that can support partners to resolve complex planning issues that are, or have the potential, to cause delays in decision making processes.
<p>Effective Governance</p> 	<ul style="list-style-type: none">• We will operate in accordance with the NSW Independent Commission Against Corruption's <i>Probity and Probity Advising, Guidelines for Managing Public Sector Projects, November 2005</i>. The Probity Principles outlined in the Guidelines have been adopted by Concierge and shall inform all decisions related to Concierge functions. These include:<ul style="list-style-type: none">○ Transparency and accountability○ Impartiality○ Managing conflicts of interest○ Ensuring confidentiality○ Value for Money

Our Partner's Responsibilities

Acknowledge partnered approach adopted for a Planning Concierge service, all partners are required to

<p>Professionalism</p> 	<ul style="list-style-type: none">• Engage purposefully with respect and transparency.• Act as a Model Proponent.• Undertake actions agreed during interaction between the Partner and the Planning Concierge in a timely manner.
<p>Communication</p> 	<ul style="list-style-type: none">• Nominate a primary point of contact for the Concierge to engage with for administrative purposes.• Use reasonable endeavours to inform Concierge if it intends to escalate any planning matter being discussed with Concierge within the NSW Government or at a Ministerial level.• Provide accurate and timely information to the Concierge, knowing that the information provided will be treated as commercially sensitive and not shared outside of the relationship unless required to under relevant legislation.
<p>Effective Governance</p> 	<ul style="list-style-type: none">• Immediately advise the Planning Concierge if the partner becomes aware of any actual or perceived conflict of interest or other issue that can be negatively perceived or impact the partnership.• Advise if any third-party lobbyist is being brought in to support a project. If a third-party lobbyist is engaged, the Partner will request a meeting via the DPE Lobbyist Contact Register prior to any meetings involving the lobbyist.• Provide regular and constructive feedback to Concierge on its experiences in working with Concierge and across the NSW Planning system more generally.

Termination of partnership & change of scope of services

- This Charter is valid for 12 months from execution.
- A review will be undertaken every 12 months to ensure continued alignment with Concierge service qualification criteria and effective utilisation of Concierge and DPE resources.
- Director, Planning Concierge retains sole discretion to withdraw or, if deemed appropriate, alter the scope or frequency of ongoing Planning Concierge services.
- Planning Concierge support may be terminated if:
 - The partner does not comply with their responsibilities.
 - The partner becomes bankrupt or is put into administration.
 - The partner or one of their projects is referred to the Independent Commission Against Corruption, or other regulatory state government agencies.
 - The strategic value of the proposed project is reduced to below the threshold levels and Concierge qualification criteria.

Ongoing Planning Concierge support may also be terminated by mutual agreement of Director Planning Concierge and the Partner at any time.

Probity and Transparency

It is noted that:

- Concierge is not a consent authority or a lobbyist. It will not influence the decisions of consent authorities or agencies or undertake activities that are or could reasonably be perceived as performing a lobbyist function.
- All individuals, including Planning Concierge staff, engaged with Planning Concierge must declare conflicts of interest as soon as known and manage appropriately
- Concierge reserves the option to engage an external probity adviser for complex projects where it is deemed appropriate.
- The progress of projects, key activities undertaken, and decisions made at partner meetings will be documented to ensure transparency and community confidence that the Concierge is delivering the objectives of *the Environmental Planning and Assessment Act 1979*. We will:
 - Provide agendas, minutes, and note actions from our meetings.
 - Release information in compliance with GIPA requests, Standing Order 52s, subpoenas and other legally binding orders. Where appropriate we will consult with partners prior to the release of information and inform them of any review rights they have in relation to the release of information.

Agreement

I, as delegated representative of agree to partner and engage with Planning Concierge in line with this Service Charter:

Partner Representative

Signed:
[Signature of Partner representative]
Name:
Date:
Position:
Phone:
Email:

Planning Concierge Representative

Signed:
[Signature of Partner representative]
Name:
Date:
Position:
Phone:
Email: