



ACT
Government

STATUTORY PLANNING DIVISION

MEETINGS POLICY

NOVEMBER 2023

CONTENTS

POLICY STATEMENT	3
PURPOSE	3
SCOPE	3
POLICY REQUIREMENTS.....	4
GUIDELINES	4
WHEN CAN I HAVE A MEETING?	4
WHERE CAN I HAVE A MEETING?	5
WHO SHOULD ATTEND A MEETING?.....	5
WHAT INFORMATION CAN I PROVIDE?	5
RECORD OF MEETING	6
WORK INSTRUCTION	6
PRIOR TO MEETING	6
DURING MEETING.....	6
POST MEETING.....	6
EXAMPLE GROUND RULES FOR MEETINGS.....	7

POLICY STATEMENT

The Statutory Planning Division (the Division) within the Environment, Planning and Sustainable Development Directorate (EPSDD) performs statutory decision-making functions on behalf of the Territory Planning Authority and other planning and land administration functions. The Division includes the statutory office of the Surveyor-General, responsible for the regulation of surveyors and land information processes.

The Division is committed to delivering its functions with integrity, fairness, and transparency to stakeholders and the community.

Many of the Division's functions involve engagement with external personnel such as applicants, professional consultants, community members, referral entities and other ACT Government agencies. The statutory and professional relationships with external entities raise their own set of potential integrity issues which are addressed through this policy.

PURPOSE

This policy has been developed to outline the standard requirements the Division's staff must adhere to when attending meetings with external personnel on matters related to statutory functions.

This policy aims to ensure that the Division has a robust, transparent and fair process for external personnel meetings.

This policy forms part of the Integrity Package for the Division and complements the Division's Integrity Plan 2020-22. This document is designed to provide a framework for building the capacity of staff to engage with external personnel and promote public trust and confidence in decision making and responses that are fit-for-purpose. It will assist in providing guidance to staff in the Division and external entities on the way meetings will be held.

SCOPE

This policy applies to all staff within the Division including:

- Permanent and temporary ACT Government personnel and Executives of the Division;
- Non-government personnel including contractors and consultants acting for, or on behalf of, the Division.

This policy applies to all staff in the Division for meetings with external personnel relating to statutory functions. For the purpose of this policy, ACT Government staff acting in their capacity as a proponent for a development are considered external personnel.

While this policy relates to staff exercising their statutory functions, staff should be acutely aware of the perceptions surrounding meetings with external personnel when performing other public service functions.

This policy does not apply to a staff member's phone conversations in the ordinary course of the business of administering the Division's processes and customer service functions. However, records of phone conversations should be kept and filed appropriately. Where external personnel wish to

discuss detailed and significant matters relating to an application, a meeting should be held in accordance with this policy.

This policy also recognises the customer service functions performed by the DA Gateway team, with regular customer interactions over the counter or through telephone conversations. The DA Gateway team provide advice to applicants and the public on development assessment processes and required documentation, and an explanation of planning rules. The DA Gateway team does not provide assessment or planning advice. This policy does not apply to the DA Gateway team, however their customer interactions should be appropriately recorded through the record management system.

POLICY REQUIREMENTS

This policy is based on the principles that meetings must be:

- Transparent:* Decisions are made in a way that is open and accountable.
- Informed:* Decisions are made based on relevant, quality information.
- Inclusive:* Decisions respect the diverse needs and interests of the local community.
- Trusted:* The community has confidence that staff act ethically and make decisions in the interests of the community as a whole.
- Respectful:* Division staff and attendees treat each other with respect.
- Effective:* Meetings have a defined purpose and a clear outcome.

GUIDELINES

WHEN CAN I HAVE A MEETING?

Meetings with the Division can be held with external personnel who require information or assistance with ACT planning and land administration matters that are relevant to the statutory functions of the Territory Planning Authority, including development approvals, leasing and licensing, deed management and environmental impact assessment, as well as matters regulated and managed by the Office of the Surveyor-General and Land Information.

Meetings can provide a good opportunity to raise or identify issues that may arise during assessment processes, and in some cases resolve these issues before an application is submitted.

Meetings should not be held while a development application, or other planning application, is currently under assessment with the Division, except where the Authority requires further information to complete the assessment.

Given the time demands and workloads of staff in the Division, and the considerable time required to prepare appropriately for meetings, meetings should only be held when necessary and where there is a clear purpose. Unnecessary meetings should not be held. Recognising the change in work practices through working-from-home arrangements, online or teleconferencing is preferable over in-person meetings.

Examples of when a meeting can be held:

- When the Authority has sent a further information request on a development application and the applicant would like to clarify the type of information sought
- A formal pre-application meeting to highlight key matters for the applicant to respond to in the application
- A meeting to explain the reasons for refusal of a decision.

Examples of when a meeting should not be held:

- When a development application is under assessment and no further information is required
- When an application for reconsideration, or merits review to the ACT Civil and Administrative Tribunal (ACAT), has been made (except where the Authority is required to attend by the ACAT, such as mediation).

WHERE CAN I HAVE A MEETING?

In-person meetings should be held at EPSDD's offices. In special circumstances, off-site meetings may be appropriate i.e. site visits. Staff may also make use of technology to hold meetings, such as teleconferencing.

Staff should avoid meeting at off-site venues, such as cafes and restaurants, unless the circumstances of the discussion necessitate such a location. Staff should always pay for their own bill and not accept payment or gifts by an external party.

WHO SHOULD ATTEND A MEETING?

Meetings should be attended by at least two officers from within the Division, with at least one staff member being of sufficient seniority to represent the Division at that meeting.

The officers attending the meeting will be determined based on the complexity of the matter and experience of available officers.

Officers should not attend a meeting alone. If there are no officers of sufficient seniority available to attend a proposed/scheduled meeting, then the meeting should be rescheduled.

Any departure from this requirement must be strongly justified, documented in writing, and take place in a public place.

WHAT INFORMATION CAN I PROVIDE?

The Division recognises its important role as part of the public service in assisting applicants and members of the community to engage with the statutory processes administered by the Division. This role includes explaining statutory and administrative processes and providing guidance on how valid applications can be made for assessment.

However, the Division also performs independent decision-making functions under several laws. This means that staff within the Division cannot provide advice on how an approval or refusal decision could be obtained. This applies to both applicants for an approval, and those opposing an application. Where necessary, applicants or the community should seek advice from industry professionals to assist in submitting applications or comments to the Division for assessment.

The Division does not provide in-principle support or approval and all applications submitted to the Division are assessed against the relevant legal requirements.

RECORD OF MEETING

During a meeting one officer is required to take notes about what has been discussed, the issues raised, any advice given, and document all attendees and actions arising.

Officer's in attendance are also responsible for filing a copy of the meeting minutes. A written agenda, and written minutes/outcomes/actions, should be recorded in a relevant Objective file and provided to parties in attendance as a record of the meeting.

All Territory records are subject to public release under the *Freedom of Information Act 2016*.

WORK INSTRUCTION

PRIOR TO MEETING

- Meetings should be allocated to two officers prior to scheduling the meeting.
- Once scheduled, a meeting room at EPSDD offices should be booked for the meeting.
- As soon as possible after arranging a meeting, the Officers attending the meeting should develop the agenda and ensure all required entities have been invited to attend and/or have accepted an invitation to the meeting, and have been provided with the agenda.
- Prior to the meeting both officers should review and discuss the background and any relevant information to the agenda.
- Prior to the meeting, the officers attending should decide which officer will take the lead and chair the meeting.

DURING MEETING

- The Officer chairing the meeting should set the ground rules for the meeting (see example on following page)
- The officer who is not chairing the meeting will be responsible for taking notes.
- Names of all attendees should be recorded.
- Any advice provided or actions arising should be clearly stated and recorded.

POST MEETING

- The officer who took notes should complete them and file them accordingly, in a timely manner.
- The notes should be sent to the other officer who attended the meeting to ensure they are an accurate reflection of the meeting, then sent to all attendees as a formal record of the meeting.

EXAMPLE GROUND RULES FOR MEETINGS

- We are an independent Planning Authority
- We are subject to an integrity plan, mandatory reporting requirements and regular audits
- All information shared with us is potentially discoverable as part of our commitment to transparency and open access, and Freedom of Information Act requirements
- The purpose of a meeting is to discuss process, timeframes, and current and future workloads, and could also clarify design responses and responses to statutory and policy requirements
- The meeting can also be used to establish the most appropriate line-of-communication at the respective stages of a development e.g. EDP, Design and Siting DA, and Deed Management
- The purpose of a meetings is not to influence a delegate of the Territory Planning Authority in his/her assessment and decision, and a meeting can be terminated by a delegate if this is perceived to be the case
- The proponent will not receive any special, preferential or priority treatment as a result of this meeting
- The Territory Planning Authority will only respond to the appointed applicant for a development application, typically a planning or design consultant
- The meeting does not negate the need for a consultant and/or technical expertise
- Minutes are to be taken by the consultant/ proponent and to be provided to the Territory Planning Authority afterwards for clearance and storage on the relevant DA file. The Authority may also keep its own records of meetings.
- The Territory Planning Authority recognises the financial pressures associated with developments and seeks to make timely decisions in accordance with the law.
- Meetings may be terminated where the behaviour of attendees is considered unacceptable. Unprofessional behaviour, or aggressive and threatening language, towards staff will not be tolerated. Staff may provide a warning that the meeting will be terminated if behaviour does not improve and may end the meeting at any time if the circumstances require.