



# **ATTACHMENTS**

**Under Separate Cover  
Council Meeting**

---

**6.00pm Tuesday 26 April 2022**



## Table of Contents

---

### 7.10 Statutory Planning Delegations

Attachment 1	Attachment 1 Consideration of Planning Applications Policy.....	4
Attachment 2	Attachment 2 Consideration of Planning Applications Procedure.....	13
Attachment 3	Attachment 3 Consultation Meeting Policy .....	25
Attachment 4	Attachment 4 Consultation Meeting Procedure .....	31

CONSIDERATION OF PLANNING APPLICATIONS POLICY



# Consideration of Planning Applications Policy

CONSIDERATION OF PLANNING APPLICATIONS POLICY

CONTENTS

1. PURPOSE.....3

2. SCOPE.....3

3. POLICY STATEMENT .....3

4. PROCEDURES.....4

5. RESPONSIBILITIES.....4

6. DEFINITIONS OF TERMS OR ABBREVIATIONS USED .....4

7. RELATED LEGISLATION AND DOCUMENTS.....5

8. APPENDICES .....5

9. HUMAN RIGHTS STATEMENT OF COMPATIBILITY .....5

10. POLICY OWNER.....6

11. FEEDBACK .....6

12. DOCUMENT INFORMATION .....6

## CONSIDERATION OF PLANNING APPLICATIONS POLICY

### 1. PURPOSE

- 1.1 This policy guides how planning applications will be considered and determined.

### 2. SCOPE

- 2.1 This policy applies to statutory planning applications lodged with cCouncil under the *Planning and Environment Act 1987* (the Act).

### 3. POLICY STATEMENT

- 3.1 The ~~Planning and Environment~~ Act requires that cCouncil:
- 3.1.1 Deal with applications for use and development s-and-works that are not as of right or prohibited by the Golden Plains Shire Planning Scheme.
  - 3.1.2 Determine if further information is required to enable cCouncil to assess and make a decision on a proposal.
  - 3.1.3 Determine if a proposal is likely to cause material detriment to a third party (in a planning sense) and, if so, require that the application be advertised.
  - 3.1.4 Determine applications that are exempt from being advertised pursuant to the provisions of the zone/overlay controls of the scheme.
  - 3.1.5 ~~Consider submissions, Assess~~ a proposal against the Golden Plains Shire Planning Scheme, consider any objections/submissions and make a determination within specified timelines.
- 3.2 If either the applicant or an objector is dissatisfied with cCouncil's decision there is an opportunity for the matter to be reviewed by the Victorian Civil and Administrative Tribunal (VCAT).
- 3.3 Given the volume of applications considered, decisions are delegated by cCouncil to planning officers.
- 3.4 Previous practice has been for all applications that receive one or more objections to be is referred to an Ordinary Council meeting for a decision, other than two lot subdivisions which receive 3 or less submissions, which are considered under delegation.
- 3.5 Previous practice saw only the following applications able to be considered under delegation; also included that applications which lack the required information to make a decision, applications which seek to vary a restrictive covenant which has received submissions or when a determining authority objects to an application, these types of applications are able to be considered under delegation.
- 3.6 Given the changes to the Planning and Environment Act delegations, this policy seeks to provide guidance on how a decision should be referred to a Council meeting, in one of the following two ways:

## CONSIDERATION OF PLANNING APPLICATIONS POLICY

3.6.1 A matter may be "called in" by Councillors, if done in accordance with policy and procedure and, there are 3 or more objections, after considering the issues, two Councillors are of the view that it should be determined at a Council meeting.

3.6.2 ~~A planning officer or Councillor may determine a matter is in the public interest or a significant project and request that an officer prepare a delegate's report for consideration at a Councillor Briefing meeting.~~

3.7 Given the improved delegations provided to officers, it is also proposed to improve the reporting to Council on decisions made under delegation and to also ensure that applications whereby Statutory and Strategic Planning officers, Senior Officers and Councillors who have a financial interest in a property is also forwarded to Council for a decision.

### 4. PROCEDURES

- 4.1 Consideration of Planning Applications Procedures.
- 4.2 Consultation Meeting Procedure and Policy.

### 5. RESPONSIBILITIES

#### Compliance, monitoring and review

- 5.1 The Manager Development and Regulatory Services is responsible for all aspects of compliance with this procedure.

#### Reporting

- 5.2 The procedure is clear in terms of the additional reporting required as part of the adoption of this policy.

#### Records Management

- 5.3 Council is required to maintain a call-in register as part of this policy

### 6. DEFINITIONS OF TERMS OR ABBREVIATIONS USED

#### Terms and definitions

Term	Definition
Call-in	A process to request an application to be called-in to the Chamber to enable Council to determine the matter. <u>Must be in accordance with Consideration of Planning Applications Policy and Procedure.</u>
CEO	Chief Executive Officer

## CONSIDERATION OF PLANNING APPLICATIONS POLICY

<i>Council</i>	<i>Golden Plains Shire Council</i>
<i>Councillor</i>	<i>Councillor means a person who holds the office of a member of a Council.</i>
<i>Senior Officer</i>	<i>Senior officer means <del>—</del></i> <i>(a) the Chief Executive Officer;</i> <i>(b) persons with the title of Director, reporting to the Chief Executive Officer; and</i> <i>(c) persons with the title of Manager, reporting to a person with the title of Director.</i>
<i>VCAT</i>	<i>Victorian Civil and Administrative Tribunal</i>

### 7. RELATED LEGISLATION AND DOCUMENTS

#### 7.1 Strategic Documents, Policies or Procedures

Consideration of Planning Applications Procedure

Consultation Meeting Policy and Procedure

#### Legislation

Local Government Act 2020

Planning and Environment Act 1987

### 8. APPENDICES

8.1 Flow chart for the call-in procedure

8.2 ~~Form to be completed by Councillors when calling in an application to be determined within the Chamber.~~

### 9. HUMAN RIGHTS STATEMENT OF COMPATIBILITY

9.1 It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (Vic).

## CONSIDERATION OF PLANNING APPLICATIONS POLICY

### 10. POLICY OWNER

10.1 The owner of this policy is the Manager Development and Regulatory Services.

10.2 The policy owner is the individual who is given the responsibility to review, edit and maintain this policy and associated procedure. The policy owner is also the point of contact for any questions regarding this policy.

40-210.3 The policy owner will review Consideration of Planning Applications Policy and Procedure in conjunction with Consultation Meeting Policy and Procedure every two (2) years.

### 11. FEEDBACK

11.1 You may provide feedback about this document by emailing [enquiries@gplains.vic.gov.au](mailto:enquiries@gplains.vic.gov.au)

### 12. DOCUMENT INFORMATION

DOCUMENT TYPE:	Procedure document
DOCUMENT STATUS:	[For example: Approved/Not Approved]
DOCUMENT OWNER POSITION:	Manager Development and Regulatory Services
APPROVED BY:	[For example: Senior Management Team/Director/Manager]
DATE ADOPTED:	[Insert Date/Month/Year]
VERSION NUMBER:	[Insert version number]
REVIEW DATE:	26 April 2024
DATE RESCINDED:	[Include if relevant]
EVIDENCE OF APPROVAL:	 Signed by Chief Executive Officer
FILE LOCATION:	[Include a file location (AltusECM Ref) so that it may be accessed in future and amended - Word and PDF – insert file path] INT[XX/XXXX]
NOTES:	Procedure documents are amended from time to time, therefore you should not rely on a printed copy being the current version. Please consult Council's Procedure page on the Golden Plains Shire Council website to ensure that the version you are using is up to date. Available at: <a href="https://intranet.goldenplains.vic.gov.au/the-hub">https://intranet.goldenplains.vic.gov.au/the-hub</a>

## CONSIDERATION OF PLANNING APPLICATIONS POLICY

## Appendices 1

## "Call-in" Process

Each Friday, Councillors are notified via email of applications which have received objections/submissions, are of a public interest and that are proposed to be refused.

A minimum of two Councillors are required to agree to call-in an application which has 3 or more objections and must not have a conflict of interest.

Within 5 business days of circulation of Applications to be Considered Under Delegation Unless Call In, The Councillors are required to notify the Manager Development and Regulatory Services via email of a call-in.

A call in must contain the following information:  
Application number  
Application address  
Planning reason/s for call-in  
Nominating councillor name and  
Declaration that they have no  
conflict of interest

Seconding councillor – as above  
using the email from initiating  
councillor.

## CONSIDERATION OF PLANNING APPLICATIONS POLICY

Manager Development and Regulatory Services will acknowledge receipt via return to both councillors and provide a copy to all other councillors.

The same email is used to notify the planning officer ~~is notified~~ of the call-in and administrative officers who records the information on the call-in register.

The planning officer will add the call-in email to the file.

The planning officer notifies the permit applicant and objectors that the matter will be forwarded to an Ordinary Council meeting for a decision. Invitations to a Council meeting will be provided in the usual manner.

The planning application proceeds to a Council meeting for a decision.

## CONSIDERATION OF PLANNING APPLICATIONS POLICY

**Appendices 2****Request to Call In a Planning Application**

Application Number: \_\_\_\_\_

Description of Planning Application: \_\_\_\_\_

Nominating Councillor 1: Name \_\_\_\_\_ Signature \_\_\_\_\_

I confirm that I do not have a conflict of interest in this matter ☐

Nominating Councillor 2: Name \_\_\_\_\_ Signature \_\_\_\_\_

I confirm that I do not have a conflict of interest in this matter ☐

Reason for requesting the application to be called in:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date Received by Manager: \_\_\_\_\_

Date acknowledgment emailed to Councillors: \_\_\_\_\_

Date provided to Planning Officer and Recorded in the Register: \_\_\_\_\_

CONSIDERATION OF PLANNING APPLICATIONS PROCEDURE



## Consideration of Planning Applications Procedure

CONSIDERATION OF PLANNING APPLICATIONS PROCEDURE

CONTENTS

1. PURPOSE.....3

2. SCOPE.....3

3. PROCEDURE.....3

4. RESPONSIBILITIES.....6

5. DEFINITIONS OF TERMS OR ABBREVIATIONS USED .....6

6. RELATED LEGISLATION AND DOCUMENTS.....7

7. APPENDICES.....7

8. HUMAN RIGHTS STATEMENT OF COMPATIBILITY .....8

9. PROCEDURE OWNER .....8

10. DOCUMENT INFORMATION .....8

## CONSIDERATION OF PLANNING APPLICATIONS PROCEDURE

### 1. PURPOSE

- 1.1 This procedure establishes how the Policy for Consideration of Planning Applications will be implemented.

### 2. SCOPE

- 2.1 This procedure applies to Councillors, staff within the Statutory Planning team, including Manager Development and Regulatory Services and Senior Officers at Council (as defined under the Local Government Act).
- 2.2 This procedure does not include VicSmart applications, as these applications are delegated directly to officers from the CEO in accordance with the Planning and Environment Act 1987.

### 3. PROCEDURE

#### 3.1 Information to Councillors

- 3.1.1 On a weekly basis, the Statutory Planning team will circulate via the Loop:

- (a) A list of applications paid for in past 7 days, formally submitted in the past week.
- (b) A list of applications currently on advertising.

3.1.2 On a weekly basis, the Manager Development and Regulatory Services or Coordinator Statutory Planning will provide to Councillors (via email), a Submissions Report which includes the following information:

3.1.3 Application number

3.1.4 Address

3.1.5 Description of the proposal

3.1.6 Cost of works

3.1.7 Number of objections/submissions lodged

3.1.8 Details of any forthcoming consultation meetings dates/times

3.1.9 New applications under consideration which are triggered (wholly or in part) under the Heritage Overlay.

3.1.23 1.10 On an on-going basis, all objections/submissions will be accessible to councillors via Teams. They will be unredacted and are for the consideration of planning matters only and must not be further circulated as this would constitute a breach of privacy. list of applications that have received objections/submissions and details of any forthcoming consultations meetings is being convened. This list will also provide the

## CONSIDERATION OF PLANNING APPLICATIONS PROCEDURE

~~number of submissions received, a consultation meeting date (if one has been determined), and Applications listed on the Submissions Report are to be considered under delegation unless called-in in accordance with the Considerations of planning Applications Policy and Procedure. Councillors are able to express their interest in attending the consultation meeting to gain greater insight of the issues being presented to Council officers and must not have a conflict of interest. Councillors must notify the Manager Development and Regulator Services. This report will also provide the permit triggers and cost of development.~~

~~3.1.11 On a weekly basis, the Manager Development and Regulatory Services or Coordinator Statutory Planning will also provide to Councillors (via the same email) Applications to be Considered Under Delegation Unless Called-in under the Consideration of Planning Applications Policy which will list: a list of:~~

~~3.1.12 A applications proposed to be refused under delegation~~

~~3.1.13 Applications to be refused under delegation whereby a Recommending Authority has objected to an application; and~~

~~3.1.14 Applications that are proposed to be refused under delegation and applications which are considered to be of interest to the public or a significant project for the municipality.~~

### 3.2 Calling in Applications to Council

~~3.2.1 A Councillor may only request to call in the following planning permit applications:~~

~~3.2.2 A a planning permit application with 3 4 or more objections / submissions;~~

~~3.2.3 , applications whereby the planning officer or Councillor determines that the application is in the interest of the public or a significant project and~~

~~3.2.4 Applications proposed to be refused under delegation, for refusal.~~

~~3.2.5 The process for a Councillor to call-in a matter to be heard at an Ordinary Council meeting is set out in Appendice 1, as follows:~~

~~(a) Councillors requesting a call in, is required to notify officers of their intention to call in an application and the reasons for doing so, within five business days of the circulation of the list of applications. This is to ensure that officers can manage workloads and are made aware as soon as possible that an application is being called in. This information will be recorded against the file and call in register.~~

~~(b) A minimum of two Councillors are required to agree to call in an application and complete the attached form.~~

~~Officers will contact applicants and objectors to notify them of the meeting details in writing once the Council date has been selected.~~

### 3.3 Referral of an application by Officer to Council

## CONSIDERATION OF PLANNING APPLICATIONS PROCEDURE

- 3.3.1 ~~In deciding on whether a matter should be referred to a Councillor Briefing for discussion purposes, planning officers will give consideration to:~~
- ~~(a) The number of objections. Applications with less than four objections would generally only be referred to Council in exceptional circumstances.~~
  - ~~(b) Whether the application is a repeated application, and previous reiterations to Council have been refused.~~
  - ~~(c) The substance and variety of grounds of objections. Trivial or commercial objections or objections not related to planning matters would be given less weight.~~
  - ~~(d) The public profile of the application i.e. has there been significant public interest in the application regardless of the number of objections?~~
  - ~~(e) Whether the application or the decision is likely to be controversial.~~
  - ~~(f) The size and strategic significance of the project that is the subject of the application.~~
  - ~~(g) Whether the decision is consistent with current Council policy direction. Any applications that are contrary to current policy but are nevertheless recommended for approval must be referred to Council.~~
- 3.3.2 ~~For matters referred by officers to a Councillor Briefing meeting, Councillors will determine whether the matter should be dealt with at an Ordinary Council meeting or under officer delegation.~~
- 3.3.3 ~~The same process will apply for determining which matters are to be referred to Council to adopt a position in the event that an applicant appeals to VCAT if Council fails to make a decision within 60 statutory days.~~

### 3.4 Automatic referral of applications to Council for determination

- 3.4.1 To ensure public transparency on decision making, the following applications must be forwarded to Council for a determination.
- 3.4.2 An application whereby any the following have a financial interest in the subject site:
- Officers of the Statutory Planning team and Strategic Planning team, including Manager Development and Regulatory Services.
  - Chief Executive Officer.
  - Senior Officers of Council, as defined in this policy.
  - Current sitting Councillors.

### 3.5 Reporting requirements to Council on a Quarterly Basis

- 3.5.1 As improved delegations are being provided to officers, the following

## CONSIDERATION OF PLANNING APPLICATIONS PROCEDURE

quarterly reporting to Council is required to be undertaken by the Manager Development and Regulatory Services.

- (a) Applications received over the ~~three-month~~three-month period.
- (b) Applications determined over the ~~three-month~~three-month period (no objections).
- (c) Applications determined over the ~~three-month~~three-month period with objections.
- (d) Applications refused, including by a determining and recommending authority.
- (e) Estimated cost of development for applications approved in the ~~three month~~three-month period.
- (f) Applications determined within 60 days.
- (g) Applications determined within 10 business days (VicSmart).
- (h) Number of certified plans issued.
- (i) Number of new allotments created.
- (j) Number and type of applications called-in to Council for a decision.

### 4. RESPONSIBILITIES

#### Compliance, monitoring and review

- 4.1 The Manager Development and Regulatory Services is responsible for all aspects of compliance with this procedure.

#### Reporting

- 4.2 The procedure is clear in terms of the additional reporting required as part of the adoption of this policy.

#### Records Management

- 4.3 Council is required to maintain a call-in register as part of this procedure.

### 5. DEFINITIONS OF TERMS OR ABBREVIATIONS USED

#### Terms and definitions

Term	Definition
<i>Call-in</i>	<i>A process to request an application to be called-in to the Chamber to enable Council to determine the matter.</i>

## CONSIDERATION OF PLANNING APPLICATIONS PROCEDURE

CEO	Chief Executive Officer
Council	Golden Plains Shire Council
Councillor	Councillor means a person who holds the office of a member of a Council.
<u>Financial interest</u>	<u>Ownership or future ownership of property with the potential for profit.</u>
Senior Officer	Senior officer means— (a) the Chief Executive Officer; (b) persons with the title of Director, reporting to the Chief Executive Officer; and (c) persons with the title of Manager, reporting to a person with the title of Director.
VCAT	Victorian Civil and Administrative Tribunal

### 6. RELATED LEGISLATION AND DOCUMENTS

#### 6.1 Strategic documents, policies or procedures

Consideration of Planning Applications Policy

#### 6.2 Legislation

Local Government Act 2020

Planning and Environment Act 1987

### 7. APPENDICES

7.1 Flow chart for the call-in procedure.

7.2 Form to be completed by Councillors when calling in an application to be determined within the Chamber.

## 8. HUMAN RIGHTS STATEMENT OF COMPATIBILITY

- ## 9. PROCEDURE OWNER

- ## 10. DOCUMENT INFORMATION

Effective Date: July 2021  
Page 8 of 12

CONSIDERATION OF PLANNING APPLICATIONS PROCEDURE

## CONSIDERATION OF PLANNING APPLICATIONS PROCEDURE

## Appendices 1

## "Call-in" Process

Each Friday, Councillors are notified of applications which have received objections/submissions, are of a public interest and that are proposed to be refused.

A minimum of two Councillors are required to agree to call-in an application which has 3 or more objections and must not have a conflict of interest.

Within 5 business days of circulation of Applications to be Considered Under Delegation Unless Called In, The Councillors are required to notify the Manager Development and Regulatory Services via email of a call-in, through the completion of the attached form to the procedure, within five business days of the circulation of the list of applications.

A call-in must contain the following information:  
Application number  
Application Address  
Planning reason/s for call-in  
Nominating councillor name and  
Declaration that they have no conflict of interest.

Seconding councillor – as above  
using email from initiating councillor.

## CONSIDERATION OF PLANNING APPLICATIONS PROCEDURE

Manager Development and Regulatory Services will acknowledge receipt via return email to both councillors and provide a copy to all other councillors.

The same email is used to notify  
~~the~~ the planning officer is ~~notified~~ of the call-in and administrative officers ~~who~~ records the information on the call-in register.

The planning officer will add the call-in email to the file.

The planning officer notifies the permit applicant and objectors that the matter will be forwarded to an Ordinary Council for a decision. Invitations to a Council meeting will be provided in the usual manner.

The planning application proceeds to a Council meeting for a decision.

## CONSIDERATION OF PLANNING APPLICATIONS PROCEDURE

**Appendices 2****Request to Call In a Planning Application**

Application Number: \_\_\_\_\_

Description of Planning Application: \_\_\_\_\_

Nominating Councillor 1: Name \_\_\_\_\_ Signature \_\_\_\_\_

I confirm that I do not have a conflict of interest in this matter ☐

Nominating Councillor 2: Name \_\_\_\_\_ Signature \_\_\_\_\_

I confirm that I do not have a conflict of interest in this matter ☐

Reason for requesting the application to be called in:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date Received by Manager: \_\_\_\_\_

Date acknowledgment emailed to Councillors: \_\_\_\_\_

Date provided to Planning Officer and Recorded in the Register: \_\_\_\_\_

CONSULTATION MEETING POLICY



## Consultation Meeting Policy

CONSULTATION MEETING POLICY

CONTENTS

1. PURPOSE.....3

2. SCOPE.....3

3. POLICY STATEMENT .....3

4. PROCEDURES.....3

5. RESPONSIBILITIES.....3

6. DEFINITIONS OF TERMS OR ABBREVIATIONS USED .....4

7. RELATED LEGISLATION AND DOCUMENTS.....4

8. HUMAN RIGHTS STATEMENT OF COMPATIBILITY .....4

9. POLICY OWNER.....5

10. FEEDBACK .....5

11. DOCUMENT INFORMATION.....5

## CONSULTATION MEETING POLICY

### 1. PURPOSE

- 1.1 This policy outlines the purpose and intent of scheduling and undertaking consultation meetings for statutory planning applications.

### 2. SCOPE

- 2.1 This policy relates to statutory planning applications which receive objections/submissions.
- 2.2 This policy should be read in conjunction with the Consultation Meeting Procedure and Consideration of Planning Applications Policy and Procedure.
- 2.3 This policy does not apply to VicSmart applications and applications which are exempt from public notice requirements under the Planning and Environment Act 1987 and the Golden Plains Shire Planning Scheme.

### 3. POLICY STATEMENT

- 3.1 Council is committed to ensure that planning decisions are transparent and that all parties to an application are engaged in the process.
- 3.2 In order to achieve this outcome, cCouncil has developed a Consultation Meeting Procedure and Policy which sets out the procedure and roles of officers and Councillors (if applicable) at cConsultation meetings.
- 3.3 The procedure also sets out how consultation meetings are to be arranged and undertaken to ensure consistency between officers and to ensure that the meetings are appropriately chaired.

### 4. PROCEDURES

- 4.1 Consultation Meeting Procedure.

### 5. RESPONSIBILITIES

#### Compliance, monitoring and review

- 5.1 The Statutory Planning team are responsible for the compliance and implementation of this policy.
- 5.2 The policy will be required to be reviewed within 12 months of its adoption to ensure its effectiveness.

#### Reporting

- 5.3 No additional reporting is required as part of this policy.

## CONSULTATION MEETING POLICY

### Records Management

- 5.4 The ~~agenda and~~ officer meeting notes will be retained on file. Officer meeting notes will not be circulated or distributed to other parties and are not formal minutes to the meeting.

## 6. DEFINITIONS OF TERMS OR ABBREVIATIONS USED

### Terms and definitions

Term	Definition
<i>Council</i>	<i>Golden Plains Shire Council</i>
<i>Councillor</i>	<i>Councillor means a person who holds the office of member of a Council.</i>
<i>Golden Plains Planning Scheme</i>	<i>The approved planning scheme for Golden Plains Shire Council.</i>
<i>Notice</i>	<i>Notice means the notice of an application requirements as set out in Section 52 of the Planning and Environment Act 1987.</i>
<i>VicSmart</i>	<i>VicSmart are applications which have been designated under the planning scheme as applications which are not subject to the Notice provisions under Section 52 of the Planning and Environment Act 1987 and have a statutory timeframe of determination of ten business days.</i>

## 7. RELATED LEGISLATION AND DOCUMENTS

### 8.1 Strategic Documents, Policies or Procedures

Consultation Meeting Policy

Consideration of Planning Applications Policy and Procedure

Legislation

Planning and Environment Act 1987

## 8. HUMAN RIGHTS STATEMENT OF COMPATIBILITY

- 8.1 It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (Vic).

**9. POLICY OWNER**

## 10. FEEDBACK

## 11. DOCUMENT INFORMATION

<b>DOCUMENT TYPE:</b>	Council [/or Organisational] Policy document
<b>DOCUMENT STATUS:</b>	[For example: Approved/Not Approved]
<b>DOCUMENT OWNER POSITION:</b>	Manager Development and Regulatory Services
<b>APPROVED BY:</b>	[For example: Senior Management Team/Director/Manager]
<b>DATE ADOPTED:</b>	[Insert Date/Month/Year]
<b>VERSION NUMBER:</b>	[Insert version number]
<b>REVIEW DATE:</b>	26 April 2024
<b>DATE RESCINDED:</b>	[Include if relevant]
<b>EVIDENCE OF APPROVAL:</b>	Signed by Chief Executive Officer
<b>FILE LOCATION:</b>	[Include a file location (AltusECM Ref) so that it may be accessed in future and amended - Word and PDF – insert file path] INT[XX/XXXX]
<b>NOTES:</b>	Policy documents are amended from time to time, therefore you should not rely on a printed copy being the current version. Please consult Council's Policy page on the Golden Plains Shire Council website to ensure that the version you are using is up to date. Available at: [Select one URL below and delete the other]  [for Council policy] <a href="https://www.goldenplains.vic.gov.au/residents/my-council/about-council/council-policies">https://www.goldenplains.vic.gov.au/residents/my-council/about-council/council-policies</a>  [for organisational policy] <a href="https://intranet.goldenplains.vic.gov.au/the-hub">https://intranet.goldenplains.vic.gov.au/the-hub</a>

CONSULTATION MEETING POLICY

CONSULTATION MEETING PROCEDURE



## Consultation Meeting Procedure

CONSULTATION MEETING PROCEDURE

CONTENTS

1. PURPOSE.....3

2. SCOPE.....3

3. PROCEDURE.....3

4. RESPONSIBILITIES.....5

5. DEFINITIONS OF TERMS OR ABBREVIATIONS USED .....6

6. RELATED LEGISLATION AND DOCUMENTS.....6

7. HUMAN RIGHTS STATEMENT OF COMPATIBILITY .....7

8. PROCEDURE OWNER .....7

9. DOCUMENT INFORMATION .....7

## CONSULTATION MEETING PROCEDURE

### 1. PURPOSE

- 1.1 This procedure establishes a process to schedule and undertake consultation meetings for planning applications which receive objections/submissions and provide for community participation, where possible. ~~to ensure that community participation is provided for.~~

### 2. SCOPE

- 2.1 This procedure applies to the Statutory Planning team in undertaking their role as responsible authority in considering and determining planning applications.
- 2.2 This procedure does not apply to VicSmart applications or applications that are exempt from the notice requirements under the Planning and Environment Act 1987 and Golden Plains Shire Planning Scheme.

### 3. PROCEDURE

- 3.1 A consultation meeting is required to be undertaken for all applications for planning permits which receive objections/submissions which are not in favor of the proposal, except for applications in the following categories, which are exempt:

3.1.1 Applications where a mandatory referral agency directs refusal;

3.1.2 An application which is prohibited and therefore a permit cannot be issued;

3.1.3 An application that is exempt from the notice requirements under the Planning and Environment Act 1987 or the Golden Plains Shire Planning Scheme.

3.1.3 3.1.4 One or more of the parties advise council that they will not attend on account of a neighbourhood dispute.

- 3.2 If an applicant advises that they will not attend, a consultation meeting will not be convened. ~~opportunity must still be offered to submitters, albeit only between submitters and Council officers. Council officers may still have informal discussions with objectors/submitters.~~ If an external referral agency responds to Council with concerns about the application, these agencies will also be offered to attend the consultation meeting.

#### 3.3 Attendance at Consultation Meetings

3.3.1 The Council officer and Coordinator Statutory Planning will attend the consultation meeting, with either the Council officer or Coordinator acting as the chairperson.

3.3.2 The applicant ~~and /~~ or ~~its~~ contact will be invited to attend the meeting to describe and outline their proposed use and / or development and respond to objectors and officers including any questions or clarifications.

3.3.3 Only objectors/submitters who have lodged a written submission to Council

## CONSULTATION MEETING PROCEDURE

can attend the consultation meeting. An objector/submitter may bring a third party to speak on their behalf.

3.3.4 The owner of the subject site may attend as an observer if they are not the applicant or contact.

3-3-33.3.5 A consultation meeting that is convened but not attended by the applicant, contact or objector/s will not be reconvened.

### 3.4 Role of Councillors at Consultation Meetings

3.4.1 On a weekly basis, Councillors are provided with a list of applications that have received objections/submissions and whereby consultation meetings are being convened on a weekly basis, in accordance with the Consideration of Planning Applications Policy and Procedure. From this list, Councillors are able to advise the Manager Development and Regulatory Services of their intention to attend a consultation meeting on a particular application.

3.4.2 Councillors are able to attend consultation meetings, as observers only, and are able to ask clarifying questions and seek to understand the views of applicantstions and objectors.

3.4.3 Councillors will not present any view on the applications at the consultation meeting, noting that participation at consultation meetings may place the Councillor in a position of perceived biases.

3-4-33.4.4 If the application was to go to a council meeting or briefing and a councillor would declare a conflict of interest, the same test applies, and the councillor cannot attend.

### 3.5 Scheduling a Consultation Meeting

3.5.1 Where possible, it is preferred that the consultation meeting is arranged within fourteen (14) days from the close of the notice period.

3.5.2 Consultation meetings will be scheduled at a time and date agreed to by Council officers and the permit applicant/contact.

3.5.3 Consultation meetings are able to be held within business hours and outside of business hours and can be arranged to be held at the Shire offices or virtually. This decision will be based on the availability of staff and the permit applicant, the number of submissions received and Council's ability to host the meeting at Council officers.

3.5.4 Written notification of the consultation meeting will be provided (via email) to all invitees with no less than five business days' notice.

### 3.6 Conducting a Consultation Meeting

3.6.1 Each consultation meeting will be provided with a nominated chair, of either the Council officer or Coordinator Statutory Planning.

3.6.2 On some occasions it may be necessary to engage an "independent" chair / facilitator, particularly in circumstances whereby a large number of

## CONSULTATION MEETING PROCEDURE

submissions has been received or if the application is particularly controversial.

3.6.3 The Council officer present at the consultation meeting must be readily available to provide technical advice on Council policy and the Golden Plains Shire Planning Scheme.

3.6.4 At the commencement of each consultation meeting, the code of conduct for consultation meetings must be conveyed to those present. The code of conduct consists of the following key points:

- (a) ~~The agenda should be prepared and followed;~~
- (b) Respect to others around you and their opinion;
- (c) Do not talk over others, or interrupt those speaking;
- (d) Refrain from being derogatory to others;
- (e) Unruly or threatening behavior will not be tolerated and will result in the termination of the meeting;
- (f) If you do not understand something that has been said, please ask for assistance / clarification; and
- (g) Keep to the issues related to the application and not unrelated council or other matters.

3.7 At the conclusion of the consultation meeting, the chairperson will provide a verbal summary of the issues raised and discussed and any resolutions or agreements made between the parties (if applicable) and any actions to follow as a result of the consultation meeting.

3.8 The chairperson will then advise what the next steps are for the planning application.

---

#### 4. RESPONSIBILITIES

##### Compliance, monitoring and review

4.1 The Statutory Planning team are responsible for the compliance and implementation of this policy.

4.2 The policy will be required to be reviewed within 12 months of its adoption to ensure its effectiveness.

##### Reporting

4.3 No additional reporting is required as part of this policy.

##### Records Management

4.4 The ~~agenda and~~ officer meeting notes will be retained on file. Officer meeting notes will not be circulated or distributed to other parties and are not formal minutes to the

## CONSULTATION MEETING PROCEDURE

meeting.

### 5. DEFINITIONS OF TERMS OR ABBREVIATIONS USED

#### Terms and definitions

Term	Definition
<i>Council</i>	<i>Golden Plains Shire Council</i>
<i>Councillor</i>	<i>Councillor means a person who holds the office of member of a Council.</i>
<i>Golden Plains Planning Scheme</i>	<i>The approved planning scheme for Golden Plains Shire Council.</i>
<i>Notice</i>	<i>Notice means the notice of an application requirements as set out in Section 52 of the Planning and Environment Act 1987.</i>
<i>VicSmart</i>	<i>VicSmart are applications which have been designated under the planning scheme as applications which are not subject to the Notice provisions under Section 52 of the Planning and Environment Act 1987 and have a statutory timeframe of determination of ten business days.</i>

### 6. RELATED LEGISLATION AND DOCUMENTS

#### 6.1 Strategic Documents, Policies or Procedures

Consultation Meeting Policy

Consideration of Planning Applications Policy and Procedure

#### Legislation

Planning and Environment Act 1987

## CONSULTATION MEETING PROCEDURE

### 7. HUMAN RIGHTS STATEMENT OF COMPATIBILITY

- 7.1 It is considered that this procedure does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (Vic).

### 8. PROCEDURE OWNER

- 8.1 The Manager Development and Regulatory Services is the owner of this procedure.

### 9. DOCUMENT INFORMATION

DOCUMENT TYPE:	Procedure document
DOCUMENT STATUS:	[For example: Approved/Not Approved]
DOCUMENT OWNER POSITION:	Manager Development and Regulatory Services
APPROVED BY:	[For example: Senior Management Team/Director/Manager]
DATE ADOPTED:	[Insert Date/Month/Year]
VERSION NUMBER:	[Insert version number]
REVIEW DATE:	26 April 2024
DATE RESCINDED:	[Include if relevant]
EVIDENCE OF APPROVAL:	 Signed by Chief Executive Officer
FILE LOCATION:	[Include a file location (AltusECM Ref) so that it may be accessed in future and amended - Word and PDF – insert file path] INT[XX/XXXX]
NOTES:	Procedure documents are amended from time to time, therefore you should not rely on a printed copy being the current version. Please consult Council's Procedure page on the Golden Plains Shire Council website to ensure that the version you are using is up to date. Available at: <a href="https://intranet.goldenplains.vic.gov.au/the-hub">https://intranet.goldenplains.vic.gov.au/the-hub</a>