



# Consideration of Planning Applications Procedure

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## 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 ~~Planning 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.
- (b) A list of applications currently on advertising.

- 3.1.2 On a weekly basis, the Manager ~~Planning 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.~~

~~3.1.10~~ 3.1.9 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. O~~o~~-objections and~~/~~ details of any forthcoming ~~ss-A~~ 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~~Planning if they wish to attend the consultation meeting-

~~3.1.113.1.10~~ On a weekly basis, the Manager ~~Development and Regulatory Services~~Planning 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 :

~~3.1.123.1.11~~ Applications proposed to be refused under delegation

~~3.1.133.1.12~~ Applications to be refused under delegation whereby a Recommending Authority has objected to an application; and

~~3.1.143.1.13~~ Applications which have already been called in to Council but are pending a decision and the status of that application.

### 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 planning permit application with ~~2 3~~ or more objections / submissions; where the objections are received from different addresses.

3.2.3 Applications proposed to be refused under delegation.

3.2.4 The process for a Councillor to call-in a matter to be heard at an Ordinary Council meeting is set out in Appendices 1.

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

3.3.1 To ensure public transparency on decision making, the following applications must be forwarded to Council for a determination.

3.3.2 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 Regulator Services~~Planning.
- Chief Executive Officer.
- Senior Officers of Council, as defined in this policy.
- Current sitting Councillors.

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

3.4.1 ~~As improved delegations are being provided to officers, T~~the following quarterly reporting to Council is required to be undertaken by the Manager

~~Development and Regulatory Services-Planning.~~

- (a) Applications received over the three-month period.
- (b) Applications determined over the three-month period (no objections).
- (c) Applications determined over the 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 period.
- (f) Applications determined within 60 days.

~~(g)~~ Applications determined within 10 business days (VicSmart).

~~(g)~~~~(h)~~ Applications triggered under the Heritage Overlay.

~~(h)~~~~(i)~~ Number of certified plans issued.

~~(i)~~~~(j)~~ Number of new allotments created.

~~(j)~~~~(k)~~ 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-Planning~~ 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
Call-in	A process to request an application to be called-in to the Chamber to enable Council to determine the matter.

CEO	Chief Executive Officer
Council	Golden Plains Shire Council
Councillor	Councillor means a person who holds the office of a member of a Council.
Financial interest	Ownership or future ownership of property with the potential for profit.
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

- 8.1 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). Council is committed to consultation and cooperation between management and employees. Council will formally involve elected employee Health and Safety Representatives in any workplace change that may affect the health and safety of any of its employees.

## 9. PROCEDURE OWNER

- 9.1 The owner of this procedure is the Manager ~~Development and Regulatory Services~~Planning.
- 9.2 The procedure owner is the individual who is given the responsibility to review, edit and maintain this procedure and associated procedure. They are also the point of contact for any questions regarding this procedure.

## 10. DOCUMENT INFORMATION

DOCUMENT TYPE:	Procedure document
DOCUMENT STATUS:	Approved
DOCUMENT OWNER POSITION:	Manager <del>Development and Regulatory Services</del> <u>Planning</u>
APPROVED BY:	Council
DATE ADOPTED:	<del>26 April 2022</del> <u>TBC</u>
VERSION NUMBER:	<del>23</del>
REVIEW DATE:	<del>26 April 2024</del> <u>TBC+2 years</u>
DATE RESCINDED:	[Include if relevant]
EVIDENCE OF APPROVAL:	  Signed by Chief Executive Officer
FILE LOCATION:	
NOTES:	<p>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:</p> <p><a href="https://intranet.goldenplains.vic.gov.au/the-hub">https://intranet.goldenplains.vic.gov.au/the-hub</a></p>

## Appendices 1

### “Call-in” Process

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

A minimum of two Councillors are required to agree to call-in an application which has 2 or more ~~obj~~ 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*, 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 email from initiating councillor.



Manager ~~Development and Regulatory Services~~ Planning 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 planning officer ~~is~~ of the call-in and administrative officers who record 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.

Once an application is called in to Council, it must be decided by Council and cannot be delegated back to officers, unless all objections are withdrawn.

If all objections are withdrawn prior to the Council meeting, Councillors may withdraw their call in by emailing the Manager Planning and all other Councillors that they wish to withdraw their call in.

Councilors will be provided the status of applications called in by weekly email.