



# **ATTACHMENTS**

**Under Separate Cover  
Council Meeting**

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**6.00pm Tuesday 27 July 2021**



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### 7.7 Statutory Planning Delegations

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	CEO; DID; MDRS; CSTRATP CSTATP; TP	<p>Delegation to officers does not apply to:</p> <ul style="list-style-type: none"> <li>• <del>Applications that have been called in in accordance with the Consideration of Planning Applications Policy;</del></li> <li>• <del>Applications whereby a recommending referral authority objects to an application, and the officer recommendation is to issue a Notice of Decision to Grant a Permit;</del></li> <li>• <del>Applications whereby a member of the statutory and strategic planning team, Senior Officer or Councillors has a financial interest in the land.</del></li> <li>• <del>Making decisions on applications that have received objections, other than applications for the removal or variation of restrictive covenants;</del></li> <li>• <del>Making decisions on applications that have received objections, other than applications for two lot subdivisions that have received three or less objections</del></li> <li>• <del>Making decisions to refuse applications other than—</del> <ul style="list-style-type: none"> <li>• <del>Applications that lack the information required for assessment and which cannot be lapsed;</del></li> <li>• <del>Applications that a determining referral</del></li> </ul> </li> </ul>



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>authority has objected to; and</p> <p>— Applications for the removal or variation of restrictive covenants.</p> <p>The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006.</p>
s61(1)(c)	Power to refuse to grant a permit.	CEO; DID; MDRS; CSTATP; TP	<p>Applications where applicant has failed to provide further information within specified timeframe.</p> <p>Delegation does not apply to:</p> <ul style="list-style-type: none"> <li>• Applications that have been called in in accordance with the Consideration of Planning Applications Policy.</li> </ul>
s61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	CEO; DID; MDRS; CSTATP; TP	
s61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	Not delegated	
s61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Not delegated	Does not apply to Golden Plains Shire Council.
s61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	CEO; DID; MDRS; CSTATP; TP	
s61(4)	Duty to refuse to grant the permit if grant would	CEO; DID; MDRS;	



CONSIDERATION OF PLANNING APPLICATIONS POLICY



# Consideration of Planning Applications Policy

CONSIDERATION OF PLANNING APPLICATIONS POLICY

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**CONSIDERATION OF PLANNING APPLICATIONS POLICY**

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**1. PURPOSE**

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

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**2. SCOPE**

- 2.1 This policy applies to statutory planning applications lodged with Council under the Planning and Environment Act 1987.

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**3. POLICY STATEMENT**

- 3.1 The Planning and Environment Act requires that Council:
- 3.1.1 Deal with applications for uses 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 Council to assess 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 and make a determination within specified timelines.
- 3.2 If either the applicant or an objector is dissatisfied with Council'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 Council to planning officers.
- 3.4 Previous practice has been for all applications that receive one or more objection 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 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:
- 3.6.1 A matter may be "called in" by Councillors, if, after considering the issues, two Councillors are of the view that it should be determined at a Council

## CONSIDERATION OF PLANNING APPLICATIONS POLICY

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.

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### 4. PROCEDURES

4.1 Consideration of Planning Applications Procedures.

4.2 Consultation Meeting Procedure and Policy.

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### 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

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### 6. 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>
<i>CEO</i>	<i>Chief Executive Officer</i>
<i>Council</i>	<i>Golden Plains Shire Council</i>

## CONSIDERATION OF PLANNING APPLICATIONS POLICY

<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— (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.</i>
<i>VCAT</i>	<i>Victorian Civil and Administrative Tribunal</i>

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### 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

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### 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.

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### 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.

### 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:	Council [/or Organisational] Policy document
DOCUMENT STATUS:	[For example: Approved/Not Approved]
DOCUMENT OWNER POSITION:	[For example: Director Corporate Services]
APPROVED BY:	[For example: Senior Management Team/Director/Manager]
DATE ADOPTED:	[Insert Date/Month/Year]
VERSION NUMBER:	[Insert version number]
REVIEW DATE:	[Insert review date – this should coincide with the policy review date. Best practice would be no longer than five years between reviews]
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:	<p>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]</p> <p>[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]</p>



## CONSIDERATION OF PLANNING APPLICATIONS POLICY

	<a href="https://intranet.goldenplains.vic.gov.au/the-hub">https://intranet.goldenplains.vic.gov.au/the-hub</a>
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## CONSIDERATION OF PLANNING APPLICATIONS POLICY

## Appendices 1

## "Call-in" Process

Councillors are notified of applications which have received 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.

The Councillors are required to notify the Manager Development and Regulatory Services through the completion of the attached form to the procedure, within five business days of the circulation of the list of applications.

The planning officer is notified of the call-in and administrative officers records the information on the call-in register.

The planning officer notifies the permit applicant and objectors that the matter will be forwarded to a Council for a decision.

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:

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

Date acknowledgment emailed to Councilors: \_\_\_\_\_

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

CONSIDERATION OF PLANNING APPLICATIONS PROCEDURE



## Consideration of Planning Applications Procedure

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**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.

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**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.

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**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 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 will provide to Councillors, a list of applications that have received submissions and a consultation meeting is being convened. This list will also provide the number of submissions received, a consultation meeting date (if one has been determined), and Councillors are able to express their interest in attending the consultation meeting to gain greater insight of the issues being presented to Council officers. This report will also provide the permit triggers and cost of development.
- 3.1.3 On a weekly basis, the Manager Development and Regulatory Services will also provide to Councillors a list of 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 a planning permit application with 4 or more objections / submissions, applications whereby the planning officer or Councillor determines that the application is in the interest of the public or a significant project and applications for refusal.
- 3.2.2 The process for a Councillor to call-in a matter to be heard at an Ordinary Council meeting is 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

## CONSIDERATION OF PLANNING APPLICATIONS PROCEDURE

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.
- (c) 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

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 the following have a financial interest in the subject site:



## CONSIDERATION OF PLANNING APPLICATIONS PROCEDURE

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

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## 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.



## CONSIDERATION OF PLANNING APPLICATIONS 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>
<i>CEO</i>	<i>Chief Executive Officer</i>
<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— (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.</i>
<i>VCAT</i>	<i>Victorian Civil and Administrative Tribunal</i>

### 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.

## CONSIDERATION OF PLANNING APPLICATIONS 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.
- 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:	[For example: Approved/Not Approved]
DOCUMENT OWNER POSITION:	[For example: Director Corporate Services]
APPROVED BY:	[For example: Senior Management Team/Director/Manager]
DATE ADOPTED:	[Insert Date/Month/Year]
VERSION NUMBER:	[Insert version number]
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EVIDENCE OF APPROVAL:	 Signed by Chief Executive Officer
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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:

**CONSIDERATION OF PLANNING APPLICATIONS PROCEDURE**

<https://intranet.goldenplains.vic.gov.au/the-hub>

**Appendices 1****"Call-in" Process**

**CONSIDERATION OF PLANNING APPLICATIONS PROCEDURE**

Councillors are notified of applications which have received 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.

The Councillors are required to notify the Manager Development and Regulatory Services through the completion of the attached form to the procedure, within five business days of the circulation of the list of applications.

The planning officer is notified of the call-in and administrative officers records the information on the call-in register.

The planning officer notifies the permit applicant and objectors that the matter will be forwarded to a Council for a decision.

The planning application proceeds to a Council meeting for a decision

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

**CONSIDERATION OF PLANNING APPLICATIONS PROCEDURE**

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:

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

Date acknowledgment emailed to Councilors: \_\_\_\_\_

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

CONSULTATION MEETING POLICY



## Consultation Meeting Policy

CONSULTATION MEETING POLICY

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**CONSULTATION MEETING POLICY**

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**1. PURPOSE**

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

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**2. SCOPE**

- 2.1 This policy relates to statutory planning applications which receive 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.

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**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, Council has developed a Consultation Meeting Procedure and Policy which sets out the procedure and roles of officers and Councillors (if applicable) at Consultation 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.

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**4. PROCEDURES**

- 4.1 Consultation Meeting Procedure.

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**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.

**Records Management**



## CONSULTATION MEETING POLICY

- 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

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

## CONSULTATION MEETING POLICY

### 10. FEEDBACK

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

### 11. DOCUMENT INFORMATION

DOCUMENT TYPE:	Council [/or Organisational] Policy document
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DOCUMENT OWNER POSITION:	[For example: Director Corporate Services]
APPROVED BY:	[For example: Senior Management Team/Director/Manager]
DATE ADOPTED:	[Insert Date/Month/Year]
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REVIEW DATE:	[Insert review date – this should coincide with the policy review date. Best practice would be no longer than five years between reviews]
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EVIDENCE OF APPROVAL:	<u>Signed by Chief Executive Officer</u>
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:	<p>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]</p> <p>[for Council policy]  <a href="https://www.goldenplains.vic.gov.au/identities/my-council/about-council/council-policies">https://www.goldenplains.vic.gov.au/identities/my-council/about-council/council-policies</a></p> <p>[for organisational policy]  <a href="https://intranet.goldenplains.vic.gov.au/the-hub">https://intranet.goldenplains.vic.gov.au/the-hub</a></p>

CONSULTATION MEETING PROCEDURE



## Consultation Meeting Procedure

CONSULTATION MEETING PROCEDURE

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## CONSULTATION MEETING PROCEDURE

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### 1. PURPOSE

- 1.1 This procedure establishes a process to schedule and undertake consultation meetings for planning applications which receive submissions and to ensure that community participation is provided for.

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### 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.

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### 3. PROCEDURE

- 3.1 A consultation meeting is required to be undertaken for all applications for planning permits which receive 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.

- 3.2 If an applicant advises that they will not attend, a consultation opportunity must still be offered to submitters, albeit only between submitters and Council officers. 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 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.
- 3.3.3 Only submitters who have lodged a written submission to Council can attend the consultation meeting.

3.4 Role of Councillors at Consultation Meetings

- 3.4.1 Councillors are provided with a list of applications that have received 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



## CONSULTATION MEETING PROCEDURE

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 applications 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.

### 3.5 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.

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 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 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

**CONSULTATION MEETING PROCEDURE**

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 and not unrelated matters.

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

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

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**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 meeting.

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**5. DEFINITIONS OF TERMS OR ABBREVIATIONS USED****Terms and definitions**

<b>Term</b>	<b>Definition</b>
<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>

## CONSULTATION MEETING PROCEDURE

<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

### 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:	[For example: Director Corporate Services]
APPROVED BY:	[For example: Senior Management Team/Director/Manager]



## CONSULTATION MEETING PROCEDURE

DATE ADOPTED:	[Insert Date/Month/Year]
VERSION NUMBER:	[Insert version number]
REVIEW DATE:	[Insert review date – this should coincide with the procedure review date. Best practice would be no longer than five years between reviews]
DATE RESCINDED:	[Include if relevant]
EVIDENCE OF APPROVAL:	<div style="border-top: 1px solid black; height: 20px; width: 100%;"></div> 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>