



Planning Permit Compliance Policy

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1. PURPOSE

- 1.1 This policy, previously known as the Planning Permit Enforcement Policy, outlines Council's strategy for ensuring compliance with planning permit conditions. It provides a framework for undertaking a range of annual compliance inspections addressing both compliance checks and focused inspections.

2. SCOPE

- 2.1 This policy applies to planning permits issued by Golden Plains Shire since 1995.

Focused compliance inspections are to be undertaken for the following types of planning permits:

- Intensive animal husbandry,
- Accommodation permits on land covered by the Bushfire Management Overlay (BMO),
- Extractive industries,
- New dwelling approvals in the Farming Zone under 100 hectares and
- Multi-lot subdivisions.

Proactive compliance inspections are to be undertaken for up to 2% of the permits issued in the last 5 years.

An annual report is to be presented to Golden Plains Shire Council detailing the findings of compliance inspections. The annual report shall be presented at an Ordinary Council meeting.

Compliance inspections are to be coordinated by Council's Investigations Officer in consultation with the Coordinator Community Safety and Manager Development and Regulatory Services.

3. POLICY STATEMENT

- 3.1 It is Council's intention that this policy provides a framework for proactive planning permit compliance inspections.

The objectives of the Planning Permit Compliance Policy are:

- To assist Council in identifying breaches of Planning Permits and undertaking action to ensure compliance,
- To ensure the safety of residents living within a Bushfire Management Overlay,
- To ensure residents living in Farming Zone (under 100 hectares) are abiding by their Planning Permit conditions,
- To ensure the amenity of residents living in close proximity to quarries, mines and intensive animal husbandry businesses,
- To ensure the amenity of residents living and the protection of Council assets in close proximity to a subdivision under construction, and;
- To provide a consistent and coordinated process for undertaking proactive inspections.

This policy was developed to support the existing responsibilities completed by Council Officers.

4. PROCEDURES

Council Officers will report yearly to Council on the following inspections:

4.1 Focused Compliance Inspections

Focused compliance inspections seek to ensure that those land uses which have the greatest potential to cause material detriment are inspected and reviewed on a regular basis.

4.1.1 Intensive animal husbandry

To annually inspect and review the following permits:

- All permits for intensive animal husbandry issued by the responsible authority within the last five years.
- Five select permits issued after 1995 with an issue date that is more than five years old.

4.1.2 Accommodation permits on land covered by the Bushfire Management Overlay (BMO)

To annually inspect and review the following permits:

- Twenty-five permits issued by the responsible authority within the last five years.
- Ten select permits issued after 1995 with an issue date that is more than five years old.

4.1.3 Extractive Industry

To annually inspect and review the following permits:

- All planning permits for extractive industries issued by the responsible authority.

4.1.4 New dwelling approvals in the Farming Zone under 100 hectares

To annually inspect and review the following permits:

- Ten new dwelling permits for properties with an area of less than 100 hectares, issued by the responsible authority within the last five years.

4.1.5 Subdivisions

That Council's investigations Officer and/or Development Engineering staff attend and inspect all multi-lot subdivision permits that are under construction to ensure compliance with the permit conditions.

4.2 Proactive Compliance Inspections

Each year the number of permits selected for proactive compliance inspections shall equal 2% of the permits issued in the past five years.

5. RESPONSIBILITIES

Compliance, Monitoring and Review:

The policy owner is responsible for ensuring the policy:

- aligns with relevant legislation, government policy and Council’s requirements / strategies / values;
- is implemented and monitored; and
- is reviewed to evaluate its continuing effectiveness.

6. REPORTING

6.1 Council Officers will report to Ordinary Council Meeting about this policy once a year.

7. DEFINITIONS OF TERMS OR ABBREVIATIONS USED

Terms and Definitions

Term	Definition
<i>Council</i>	<i>Golden Plains Shire Council</i>
<i>Complaint</i>	<i>An expression of dissatisfaction with:</i> <ul style="list-style-type: none"> • <i>the quality of a service provided, an action taken, or decision made by Council or its contractor</i> • <i>a delay or failure in providing service, taking an action, or making a decision by Council or its contractor</i>
<i>Extractive Industry</i>	<i>As described in the Golden Plains Planning Scheme or as amended from time to time</i>
<i>Bushfire Management Overlay</i>	<i>As described in the Golden Plains Planning Scheme or as amended from time to time</i>
<i>Farming Zone</i>	<i>As described in the Golden Plains Planning Scheme or as amended from time to time</i>
<i>Intensive Animal Husbandry</i>	<i>As described in the Golden Plains Planning Scheme or as amended from time to time</i>
<i>Responsible Authority</i>	<i>Golden Plains Shire Council unless otherwise advised</i>

8. RELATED LEGISLATION AND DOCUMENTS

Legislation

Planning and Environment Act 1987.

9. HUMAN RIGHTS STATEMENT OF COMPATABILITY

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)*.

10. POLICY OWNER

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

11. FEEDBACK

11.1 You may provide feedback about this document by emailing enquiries@gplains.vic.gov.au

12. DOCUMENT INFORMATION

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NOTES:	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: https://www.goldenplains.vic.gov.au/identifiers/my-council/about-council/council-policies