

# How the Planning Process Works

The *Planning and Environment Act 1987* sets out the legal process and procedures that must be followed in the planning process. The principal steps in the process are outlined here.



## Pre-Application Advice

Applicants are encouraged to have a pre-application meeting with Council planning officers before lodging to ensure their application has all the information officers need and to resolve any potential issues with their application. This will lead to a better quality application and a quicker assessment.



## Lodge Application

It is important that all the required information discussed in the pre-application meeting is submitted in the application and is of a high standard to avoid delays in the assessment.



## Preliminary Assessment

If insufficient detail is provided in the application, the Council planner will ask for additional information within 28 days of lodging the application. The assessment will be put on hold until that additional information has been received.



## Advertising Period

If the application has the potential to detrimentally impact another person, it will need to be advertised for a period of 14 days. If your application is advertised, any person may view the plans and supporting documents at Council and lodge an objection.



## Detailed Assessment

A detailed assessment is undertaken by the planner based on an assessment of the policies and decision guidelines in the Hobsons Bay Planning Scheme, the planning merits of any objections received and responses from any referral authorities such as VicRoads and Melbourne Water.



## Special Planning Committee (SPC)

If eleven or more objections are received and are not resolved, the application is referred to the Special Planning Committee (SPC) which is chaired by councillors. Applicants and objectors are invited to attend and present at SPC.



## Amendment or change to the Permit

A request to amend the application during the assessment stage, or amend the permit after the decision can be made to Council. An amendment follows the same process as a new planning application, and an application will be advertised again if the amendment has the potential to detrimentally affect another person.



## Lodge Final Plans with Council

If a permit has conditions which require changes to the plans or additional information, updated plans and information must be submitted for final assessment and endorsement by Council.



## Appeal

Applicants or objectors can appeal Council's decision to VCAT. The Council, objectors and the applicant present their cases to VCAT at a formal hearing. Following the decision Council will be directed to issue a planning permit, or a refusal.



## Planning Permit

The planning permit authorises the use and development of land with conditions. The applicant has the ability to lodge an appeal against conditions to VCAT.



## Notice of Decision

If Council proposes to approve the application and objections have been received, a Notice of Decision to grant a permit is issued. This allows objectors 28 days to apply to the Victorian Civil and Administrative Tribunal (VCAT) for an application for review. If no appeal is lodged, a planning permit is issued.



## Notice of Refusal

A notice of refusal includes the reasons why the proposal was refused. The applicant has the ability to lodge an appeal against the Notice of Refusal with VCAT.

**Other Requirements:** Once you have planning approval, you may need other permits or licenses, such as a building permit, registration with Council's Public Health Unit or a liquor license. Please contact Council's customer service on **9932 1000** or email [customerservice@hobsonsbay.vic.gov.au](mailto:customerservice@hobsonsbay.vic.gov.au) for further information

