



GREATER
SHEPPARTON

Responding to a Planning Permit Application

Information

The way people use and develop their properties can have effect on surrounding residents and the wider community. This is why the planning permit process is in place and why people have the right to comment on a planning permit application before a decision is made.

The Victorian Planning System is set up to ensure that everyone has the opportunity to comment on a planning permit that may affect them before a decision is made. If you receive notification of an application, it is a good idea to have a look at the proposal and assess if the proposal will affect the enjoyment of your property in anyway. Think about how the proposed changes will affect you personally.

Most residents and land owners first become aware of a planning application either by receiving a notice from the Council in the mail, seeing a notice on the subject site or a notice in the paper. Alternatively, your neighbour or the developer may approach you to discuss their plans prior to submitting the application with the Council. However you first become aware of the proposal, if you are affected by the use or development you have the right to "Object".

You receive notice when an application for planning permit has been received by the Council in relation to land indicated in the public notice. You will usually receive a public notice if you are the owner or occupier of land adjoining or nearby to the subject land.

Most planning permit applications are advertised unless the Council is satisfied that granting a permit will not cause material detriment to any person, or if the Greater Shepparton Planning Scheme specifically states that advertising is not required.

How do I comment on the proposal?

If you are happy with the proposal, you do not need to take any action, although you can make a submission of support for the application if you wish. If you have concerns with the proposal however, you will need to lodge an objection. All objections must be made in writing by either using the Councils *Objection to Planning Permit* form or by writing a letter. Your objection must state exactly how the proposed use and/or development will affect you. You may also want to state in your objection how the proposal could be changed in order to make it acceptable.

Before lodging your objection, make sure you clearly understand what is being proposed and what you are objecting to. You may want to make an appointment with one of the Councils planning officers to discuss the proposal in full before lodging your objection.

Anyone can lodge an objection to a planning permit application. The Council must consider all objections (and favourable submissions) when assessing the application. Objections can be lodged with the Council any time up until when a decision is made, however, objections are usually lodged during the 14-day advertising period.

Please Note: An objection is a public document and copies may be made available to other parties, including the applicant, Councillors and the Victorian Civil and Administrative tribunal.

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What happens after I object to an application?

As an objector you must be aware that one of the Councils planning officers may contact you to discuss your objection or to invite you to a mediation/consultation meeting with the applicant and other objectors. The purpose of the meeting is to go through the proposal, discuss issues, and if opportunity arises seek a compromise.

It is not a compulsory for an objector to attend any of the organised meetings, but it is recommended that all objectors attend as it is another opportunity for all parties to put forward their views and raise any other issues.

If you have objected to an application you will be notified in writing by the Council of the decision. This notice will outline what your appeal rights are if the Council decides to grant a permit. If the Council decides to refuse the application you will also be notified.

Can I withdraw my objection?

If you are satisfied with the outcome of negotiations with the permit applicant, or do not wish to pursue your objection, you can withdraw it by writing to the Council or fill out a *Withdrawal of Objection* form. However, if you withdraw your objection, you will lose your right to apply to the Victorian Civil and Administrative Tribunal (VCAT) for a review of the overall decision.

You can also withdraw an objection conditionally, for example, provided certain changes are made. This will protect your right to apply for a review if the changes are not made.

Can I appeal against the Councils decision?

If the Council decides to grant a permit, it will need to issue a *Notice of Decision*. A Notice of Decision represents a draft permit and conditions. A Notice of Decision is issued by the Council when there have been objectors to the proposal. It is recommended that you read the conditions carefully.

As an objector you will be sent the Notice of Decision, and if you consider that the details contained in the Notice of Decision do not satisfy your issues, you than have the right to appeal the decision at VCAT. An appeal must be lodged with VCAT within 21 days of receiving the notice from the Council. If no objectors lodge a review with VCAT during this time, the Council will grant a planning permit. The applicant or developer can also appeal any conditions imposed on their proposed development.

If the Council decides to refuse the application, the applicant or developer can also appeal against the Council's decision. As an objector, you will be notified if an appeal has been lodged by the applicant or developer against a refusal or against conditions on the Notice of Decision.

For further assistance in the preparation of your objection or for more information on the application, please contact the Council to make an appointment to meet with one of the planning officers on (03) 5832 9700 or make a booking online at <http://www.greatershepparton.com.au/bookings/>.