



INFORMATION SHEET: Objecting to a Planning Application

OVERVIEW

When a planning application requires formal advertising, all the supporting documentation such as plans and reports will be available to view on Council's web site and at the Shire offices.

Generally notices will be sent by Council via post adjoining properties owners and occupiers; however some applications will also be advertised in the local newspaper and via a sign on the property.

Written comments are welcomed in response to the advertisement of an application. If these comments oppose the proposal they are considered an objection. A standard objection form is available for downloading via the Council web site for use in preparing your objection submission.

WHO CAN OBJECT?

Any person who may be affected by the granting of the permit may lodge an objection.

HOW MUST AN OBJECTION BE MADE?

An objection must be made in writing to the Responsible Authority, stating the reasons for the objection and how the objector would be affected by the grant of the permit.

The Responsible Authority recommends objections should be submitted by the date listed on the Public Notice; however objections can be received up until the time a decision has been made by Council.

An objection cannot be considered by the Responsible Authority after a decision has been made.

WHAT SHOULD AN OBJECTION INCLUDE?

All objections should include the following:

- Name and contact details
- The application number or property address
- The reasons and grounds for the objection. It is important to know what the proposal involves and to make ensure that your objection relates to what is being assessed.

If you are unsure of what the proposal involves, and whether your objection will be considered, it is important to speak with the planning officer who is assessing the application.

WHO CAN SEE AND READ OBJECTIONS? ARE COPIES OF OBJECTIONS PUBLICLY AVAILABLE?

Any person is entitled to view and read an objection to a planning application. The Responsible Authority may provide an applicant with a copy of your objection.

Privacy laws do not limit who can view and read an objection as the Planning and Environment Act makes an objection publicly available and accessible (refer to s57(5) of *Planning and Environment Act 1987*).

WHO CONSIDERS AN OBJECTION?

The Responsible Authority is required to consider your objection before it makes a decision on the planning application.

For applications where multiple objections are received Council will generally hold a Consultation Meeting before deciding on the application. The permit applicant and elected Council representatives are invited to attend these meetings which provide an opportunity to have questions answered about the proposal and to discuss design and other changes to address concerns raised in the objections.

DECISION ON A PLANNING APPLICATION

The Responsible Authority must not decide on an application for a planning permit until 14 days after it has given public notice of the application. Longer notice periods will be provided for major applications and for applications being advertised over the January holiday period.

All applications where objections are received are required to be considered and determined at an ordinary meeting of Council. All objectors will be notified in advance of the time and date of the meeting.

WILL OBJECTORS BE NOTIFIED OF THE DECISION AND WHAT ARE MY APPEAL RIGHTS?

When written objections have been received the decision made by Council will be in the form of a Notice of Decision (NOD) or refusal. A copy of the decision will be sent to any person who has made an objection to the application.

If Council determines to Grant a Notice of Decision (NOD), an appeal can be lodged against the decision with the Victorian Civil Administrative Tribunal (VCAT) within 21 business days.

Details of appeal procedures are set on the back of a Notice of Decision (NOD) which you will receive provided. Further information on appeals can be obtained by visiting the VCAT website: www.vcat.vic.gov.au