

Strathbogie Shire Council

Planning Permit Applications Referral to Council Policy

September 2023



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Responsible Officer:	Manager Planning and Investment

PART 1 POLICY

1. PURPOSE

The purpose of this Policy is to provide a clear and transparent process for referring planning permit applications to Council for determination.

Council, as a Responsible Authority, has power under the *Planning and Environment Act 1987* to grant, refuse or amend applications for planning permits under the Strathbogie Planning Scheme.

2. POLICY STATEMENT

Council Officers have a statutory obligation to decide on planning permit applications in a timely manner. The statutory timeframe for approval of a standard planning permit application is 60 days. A key performance indicator of the Strathbogie Shire Council 2021-2025 Council Plan is to decide on 80% of standard planning permit applications within the 60-day timeframe

The recently conducted Community Satisfaction Survey highlighted a source of frustration for ratepayers in the time it takes to obtain approval for a planning permit application. This was also reflected in feedback obtained from community members at the recent Talk to a Planner Days.

Currently a planning permit application that receives one or more objections or that is recommended for refusal needs to be referred to a Council meeting for a decision. Most planning permit applications that are referred to Council Meeting for a decision take longer than the 60-day statutory timeframe. This increases overall approval times and leads to community frustrations with the planning permit process.

This Policy will reduce the number of applications being presented to Council, particularly those with a small number of objections, will speed up overall approval times and free up more time for officer time to process other applications in a timelier manner.

The policy will focus on ensuring applications that are strategic in nature, complex or of community interest are decided on by Council, while simple applications with a small number of objections are decided on under delegation without delay.

3. APPLICATION OF THIS POLICY

This Policy provides clarity on the triggers for officers to refer a planning permit application to Council for a decision.

A delegate must refer planning permit applications with the following triggers to Council for a decision:

- An application with five (5) or more objections,
- An application that is called in by a Councillor,
- An application that raises an issue of significant public interest, concern or controversy, or is likely to do so, and/or
- An application where officers believe that the application or any issue arising in connection with it should be determined by the Council rather by officers.

In addition to the above, officers will provide a monthly report to Council on planning permit applications received and determined and applications that are proposed for refusal by officers, or applications that are proposed for a decision under officer delegation and have received and objection/s.

4. ACCOUNTABILITY AND RESPONSIBILITIES

This policy applies to officers delegated under the *Planning and Environment Act 1987*

Role	Responsibilities
Manager Planning and Investment	<ul style="list-style-type: none"> • Oversee adherence to the policy
Officers	<ul style="list-style-type: none"> • Apply the policy to refer the required planning permit applications to Council for determination.

5. DEFINITIONS

Term	Definition
Council Officer	An employee of Strathbogie Shire Council
Responsible Authority	As defined in <i>Planning and Environment Act 1987</i>
Council	The Strathbogie Shire Council

Trigger	The cause to refer a planning permit application to a Council Meeting for a determination.
Delegate	A delegated Council officer appointed under a relevant Instrument of Delegation.

6. RELATED POLICIES AND LEGISLATION

The following Council, State, regional and national plans and policies are relevant to this policy under each subtitle.

Legislation

Planning and Environment Act 1987

Council Related Documents

S6 Instrument of Delegation – Members of Staff

Strathbogie Shire Council Plan 2021-2025

7. POLICY REVIEW

Council may review this policy at any time and at least two years from the date of adoption.

The first scheduled date for review will be 12 months from its date of adoption.

8. CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES ACT 2006 AND THE EQUAL OPPORTUNITY ACT 2010

The Council acknowledges the legal responsibility to comply with the *Charter of Human Rights and Responsibilities Act 2006* and the *Equal Opportunity Act 2010*. The Charter of Human Rights and Responsibilities Act 2006 is designed to protect the fundamental rights and freedoms of citizens. The Charter gives legal protection to 20 fundamental human rights under four key values that include freedom, respect, equality and dignity.