

Council decision

If no submissions are received and the application is not called up by Ward Councillors, officers will determine the application under delegated authority (decision can be issued by officers).

Council will either issue a Planning Permit (if no objections are received), a Notice of Decision to Grant a Planning Permit (if objections are received) or a Notice of Refusal to Grant a Planning Permit.

If a Notice of Decision is issued, objectors have 21 days to appeal Council's decision to VCAT. If after 21 days no applications for review have been lodged at VCAT, Council will issue a Planning Permit. For further information regarding the appeals process visit the VCAT website www.vcat.com.au

Other approvals

In some instances additional approvals will be required from other Council departments, e.g. Building Permits, Health Registration and Septic Tank Permits, Local Law Permits and Temporary Crossing or Road Opening Permits. Officers will advise you of other approvals you are likely to require and the appropriate person to contact.

Useful contacts

Central Highlands Water – 03 5320 3276

Powercor – 03 5563 2580

Telstra – 03 5329 9055/56

TXU Networks – 03 9361 7317

Vic Roads – 03 5335 8777

Country Fire Authority – 03 5338 2576

SPI Power Net – 03 8635 7333

Goulburn Murray Water – 03 5833 5500

National Broadband Network (NBN) - 1800 881 816

Glossary of terms

Development - Includes the construction, alteration or demolition of a building or works, and the subdivision or consolidation of land.

Planning permit - A legal document that gives permission for a use or development on a particular piece of land.

Objector - The party opposing a planning application.

Endorsed plans - Plans approved to form part of a planning permit.

Planning scheme - Controls land use and development within a municipality. It contains State and local planning policies, zones, overlays, particular and general provisions, definitions and maps.

VCAT - Victorian Civil and Administrative Tribunal.

Application for review - Application to VCAT to review a planning decision made by Council.

Mediation - Consultation or negotiation to resolve an issue conducted under the guidance of a council officer and held at Council offices. All submitters and applicants are invited to mediation meetings.

Zone - Planning scheme provision that controls land use and development based on the primary character of the land (for example, residential or industrial).

Overlay - Planning scheme provision that indicates that the land has some special feature, such as a heritage building. It affects how land can be developed.



For further information contact:

Statutory Planning
Phoenix Building, 25 Armstrong Street South
Ballarat VIC 3350
Phone: (03) 5320 5640
Fax: (03) 5333 4061
www.ballarat.vic.gov.au



A guide to the planning permit process

A planning permit is often required from Council before development (including demolition) can be undertaken, native vegetation is removed, a change of use occurs, signage is erected or land is subdivided. You should discuss whether you require a planning permit with an officer from the Statutory Planning Unit. Officers are available at the Planning and Building Counter in the Phoenix Building to discuss any planning enquiries you have during office hours (8.15am – 5pm)

Pre-application meetings

For major commercial, industrial and subdivision applications along with multi residential developments, applicants are encouraged to discuss preliminary proposals with officers. In some instances a pre-application meeting will include Council's Heritage Advisor and officers from other Council departments such as engineering. Pre-application meetings provide opportunity for officers to provide design and policy advice, outline application requirements and identify issues to be addressed prior to an application being submitted. The more information (concept plans etc) submitted at a pre-application meeting the greater level of direction can be provided. It is often appropriate to discuss your proposal at draft stage with adjoining owners and interested parties prior to lodging an application. However, signed consent letters should not be sought from neighbours as these are not considered when officers determine whether to advertise an application.

Lodging an application

An application must contain **three copies** of the following:

- A fully completed application form
- Current copy of title (issued in the last 30 days)
- Copies of scaled plans including elevations where necessary, including one set at A3 size
- Written outline of the proposal
- Other information as detailed in separate application checklist available at the Planning Counter.
- Payment of the required fee. A schedule of fees is available at the Planning Counter.

The more information you can provide with an application the easier it is for officers to assess your proposal or answer questions from adjoining residents. If sufficient information is not provided at the time of lodgement officers will request further information before advertising and/or assessing your application.

Council officers will outline any supporting material which should be lodged with particular applications by referring you to the relevant application checklist. Application checklists, forms, fee details and Planning Scheme requirements are all available on Council's website under the Statutory Planning section at www.ballarat.vic.gov.au

Advertising an application

You may be required to give 14 days notice of your application to adjoining land owners and occupiers, on the site and in the local newspaper depending on the nature of the proposal. You will be advised of these requirements once your application has been lodged. Advertising provides opportunity for local residents to have their say regarding your proposal. Council undertakes all advertising procedures which are subject to applicable fees.

Mediation meetings

If submissions are received from interested parties, it is Council policy that officers arrange a mediation meeting with all parties prior to an application being assessed. Mediation provides an informal forum where submitters and an applicant can discuss concerns and seek to resolve issues. Meetings are undertaken with the guidance of a planning officer, however officers do not provide any views on an application at the meeting. Mediation meetings are held in the Phoenix Building or Town Hall, depending on the number of attendees.

It is not compulsory for submitters to attend a mediation meeting. If they do not attend, their submission remains valid and must be taken into account when the application is assessed.

Referral of applications

Some applications will need to be referred to organisations outside Council such as VicRoads, the Environmental Protection Authority, servicing authorities and other Government agencies. Officers will provide contacts for you of each of the authorities so that you can ascertain likely requirements from them at an early stage. Referral Authority requirements must be included as conditions on all planning permits issued.

Applications may also be referred internally within Council, to Units such as Engineering and Traffic and Transport.

Call-up of applications

Councillors may determine to call up an application. This means the application must be considered by Council at a formal Council meeting. For an application to be referred to Council for a decision it must be called up by two Councillors from the Ward the application site is located within.

If an application is considered by Council the applicant and any submitters have an opportunity to present a verbal submission at the Council meeting.

Assessment of applications

Failure to provide adequate supporting documentation with your permit application will likely result in delays in application assessment.

Proposals which meet strategic planning objectives, comply with the Planning Scheme and relevant Council policy provisions will be processed in an expedient manner as possible. Most permits will include conditions which must be complied with.

Where objections are received or Council refuses to grant a permit, appeals may be lodged with the Victorian Civil and Administrative Tribunal (VCAT) by any affected party. An applicant may also appeal any conditions included on a permit.