

**PLANNING PROCESS PROTOCOL**

The Planning Process protocol is for the management of participation by Councillors, staff, proponents and submitters within the development process subject to a minor change to include at the discretion of the Director, the ability for Councillors to accompany potential applicants / members of the community to informal meetings with the Director/Manager in respect of planning matters.

	<b>Role</b>			
<b>Stages of Planning</b>	<b>Applicant/Developer/ Consultant</b>	<b>Councillors</b>	<b>Council Staff</b>	<b>Submitters/Public</b>
Planning Scheme Preparation	Nil	<ul style="list-style-type: none"> <li>• Raise policy issues with staff</li> <li>• Formulate and review policy positions and strategic direction including confidential workshops / briefings</li> </ul>	<ul style="list-style-type: none"> <li>• Provide information to Council and document Council's planning intentions</li> </ul>	Nil
Planning Scheme Exhibition	<ul style="list-style-type: none"> <li>• Provide input / submissions during industry stakeholder meetings and public consultation</li> </ul>	<ul style="list-style-type: none"> <li>• Attend stakeholder / public consultation meetings to listen to community input</li> <li>• Refer issues raised by stakeholders to staff</li> </ul>	<ul style="list-style-type: none"> <li>• Prepare draft planning scheme for public advertising and conduct stakeholder / public consultation</li> </ul>	<ul style="list-style-type: none"> <li>• Make a submission</li> <li>• Provide input/ submissions during public consultation</li> </ul>
Planning Scheme Adoption	Nil	<ul style="list-style-type: none"> <li>• Not accept lobbying / submissions within 24 hours prior to Ordinary Council meeting</li> <li>• Adopt Planning Scheme by Council resolution</li> </ul>	<ul style="list-style-type: none"> <li>• Prepare report to Council</li> </ul>	Nil
Development Application Pre-application	<ul style="list-style-type: none"> <li>• Submit preliminary development application information and attend</li> </ul>	<ul style="list-style-type: none"> <li>• Not attend formal pre-application meetings</li> <li>• Receive developer information but avoid</li> </ul>	<ul style="list-style-type: none"> <li>• Co-ordinate pre-application meeting and provide notes</li> </ul>	Nil

Meetings	pre-application meeting with staff	<p>offering support or comment, either personally or on behalf of Council, to developers until staff assessment is completed</p> <ul style="list-style-type: none"> <li>• Respond to factual inquiries following advice from senior staff</li> <li>• Request details / information from staff on pre-application discussions.</li> </ul>	<ul style="list-style-type: none"> <li>• Provide Councillor updates on major developments</li> </ul>	
Development Application	<ul style="list-style-type: none"> <li>• Submit application</li> </ul>	<ul style="list-style-type: none"> <li>• Councillors notified of new applications on a regular basis.</li> <li>• Divisional Councillor briefed on request</li> <li>• Request details / information on any application.</li> </ul>	<ul style="list-style-type: none"> <li>• Receive and acknowledge application</li> <li>• Provide Councillor update on major developments</li> </ul>	Nil
Information and Referral Stage	<ul style="list-style-type: none"> <li>• Respond to request for additional information and refer application to referral agency (if required)</li> </ul>	<ul style="list-style-type: none"> <li>• Request details / information on any application.</li> </ul>	<ul style="list-style-type: none"> <li>• Issue request for further information (if required).</li> <li>• Receive referral agency response</li> </ul>	Nil
Public Notification (where required)	<ul style="list-style-type: none"> <li>• Advertise the application in accordance with Act requirements</li> </ul>	<ul style="list-style-type: none"> <li>• Receive informal objections and encourage a formal submission to be made.</li> <li>• Listen and reply to applicant and/or objector contact but avoid offering support or opinion until staff assessment is completed and report prepared for Ordinary meeting or in case of delegated authority applications, advice is received from senior staff (manager / Director)</li> </ul>	<ul style="list-style-type: none"> <li>• Make file available for viewing</li> <li>• Acknowledge submissions</li> </ul>	<ul style="list-style-type: none"> <li>• Make a submission</li> <li>• Send copy to Councillors</li> </ul>

Decision (delegated)		<ul style="list-style-type: none"> <li>• Request details/information on any application.</li> <li>• Raise any concerns with Director, Manager, or Planning Portfolio Councillor.</li> <li>• Applications recommended for refusal discussed with Planning Portfolio Councillor and Divisional Councillor prior to issue.</li> <li>• Council can by resolution direct that a specific application be reported to a Councillor Workshop/Briefing for discussion and/or an Ordinary meeting for determination.</li> </ul>	<ul style="list-style-type: none"> <li>• Assess and decide application.</li> <li>• Issue decision notice</li> </ul>	
Decision (Reported to Council)	<ul style="list-style-type: none"> <li>• Request to address Councillors at a Councillor Workshop/Briefing</li> </ul>	<ul style="list-style-type: none"> <li>• Listen and reply to applicant and/or objector contact but avoid offering support or opinion until staff assessment is completed and report prepared for Ordinary Council meeting.</li> <li>• Not accept lobbying / submissions within 24 hours prior to Ordinary Council meeting.</li> <li>• Decide application by resolution of Council.</li> <li>• Where the decision is not consistent with officer recommendation, provide written reasons for the alternate recommendation.</li> <li>• Make public comment on the merits of the proposal if desired after the decision is made.</li> </ul>	<ul style="list-style-type: none"> <li>• Prepare assessment report and recommendation for inclusion in Ordinary Meeting Agenda</li> </ul>	<ul style="list-style-type: none"> <li>• Request to address Councillors at a Councillor Workshop/Briefing</li> </ul>

Negotiated decision (delegated)	<ul style="list-style-type: none"> <li>• Submit representations</li> </ul>	<ul style="list-style-type: none"> <li>• Raise questions regarding specific conditions with senior staff.</li> <li>• Not attend formal meetings between staff and applicants/consultants to discuss representations on conditions of approval.</li> </ul>	<ul style="list-style-type: none"> <li>• Decide representations and issue Negotiated Decision Notice</li> </ul>	
Negotiated decision (Reported to Council if original decision made by Council)	<ul style="list-style-type: none"> <li>• Submit representations</li> </ul>	<ul style="list-style-type: none"> <li>• Not attend formal meetings between staff and applicants/consultants to discuss representations on conditions of approval.</li> <li>• Not accept lobbying / submissions within 24 hours prior to Ordinary Council meeting.</li> <li>• Decide representations by resolution.</li> <li>• Where the decision is not consistent with officer recommendation, provide written reasons for the alternate recommendation.</li> </ul>	<ul style="list-style-type: none"> <li>• Prepare assessment report and recommendation for inclusion in Ordinary Meeting Agenda.</li> <li>• Issue Negotiated Decision Notice</li> </ul>	
Appeal	<ul style="list-style-type: none"> <li>• Lodge appeal with Planning and Environment Court or elect to be a co-respondent to any submitter appeal.</li> <li>• Restrict contact with Council to via legal representatives.</li> </ul>	<ul style="list-style-type: none"> <li>• Refrain from any contact or discussions with appellant or their representatives in regards to the appeal.</li> </ul>	<ul style="list-style-type: none"> <li>• Implement Council's adopted Planning Appeal Protocol.</li> <li>• Provide confidential Councillor updates as required.</li> <li>• Liaise with Council's solicitors and experts as required.</li> </ul>	<ul style="list-style-type: none"> <li>• Lodge appeal with Planning and Environment Court or elect to be a co-respondent to any applicant appeal.</li> <li>• Restrict contact with Council to via legal representatives.</li> </ul>