



Most residents and landowners first become aware of a planning application in their area by:

- Receiving a notice from Council in the mail;
- Seeing a notice in a locally circulating newspaper; or
- Hearing about the proposal from neighbours or permit applicants.

Council actively encourages permit applicants to discuss their plans with neighbours as early in the process as possible, prior to lodging an application with Council. Some permit applicants heed this advice, but sometimes, the notice of application for a planning permit will be the first time neighbours hear about a planning application.

It is also important to note that the notification process does not apply to all planning applications. These include permit applications that are specifically exempt from notification and review under the Wangaratta Planning Scheme, and applications of a minor nature where it is considered that no material detriment will result.

What do I do when I receive notice of an application or see a notice on the land?

- Take down all the details such as the application number, where the application can be inspected (usually the Council offices) and the date on which the notice period expires.
- Visit Council offices during business hours to view the application form, plans and relevant documentation and take particular care to look at the plans of the proposal. The officer on duty can assist you with any questions you may have or points of clarification.
- If you require copies of documents on the file, you may be charged for photocopy costs.

What do I do if the plans are satisfactory and I am not affected?

If this is the case, then you do not need to do anything else.

What if I have concerns about the proposal?

You will need to lodge an objection, clearly stating the reasons why you are objecting, including how the proposal will affect you if a permit were to be granted for this proposal. An objection can be written by either using Council's submission form, or by writing a letter. All objections must be **in writing** and must quote the application number, site address and what is proposed. You must also include your name, address and contact telephone number. Written objections ensure that you will be kept informed by Council throughout the process and informed of Council's final decision.

Before lodging an objection, make sure that you fully understand the application and what you are objecting to. Written objections should be clear and concise. This will ensure that your concerns are clearly understood by Council officers and the permit applicant.

It is important that your objection identifies how you are directly affected by the proposal. However, please note that Council may not be able to consider or address all matters raised in the written objections. The Council (and the Victorian Civil and Administrative Tribunal when considering a review of Council's decision) can only consider matters afforded by it under the provisions of the Wangaratta Planning Scheme. The matters that can be considered vary from application to application, depending on the applicable planning controls. Council officers can assist you in outlining which matters can and cannot be considered for each application.

What about petitions?

Petitions can be lodged as an objection subject to the same guidelines, as outlined above. A petition should nominate one person who will act as the contact between the Council and the petitioners. All correspondence will be sent to this person rather than to each individual on the petition.

What if I don't object and the plans are changed?

If after inspecting the application documentation you are satisfied with the proposal, then you should expect that if a planning permit is issued, it should be generally in accordance with the exhibited plans. Any changes made to the proposal must be submitted to Council for endorsement prior to any modification being undertaken. If there is a significant change in the proposal that could potentially affect you, then you will be notified and given the opportunity to view the amended proposal and make comments.

Cosmetic changes of a minor nature, which often occur during construction of a development, may not require notification to neighbours.

What happens after I object to the application?

You will receive a written acknowledgment of your objection from Council.

Council may hold a Conciliation Meeting where all objectors and the permit applicant are invited to meet with Council officers to go through the proposal, discuss issues, and if the opportunity arises, seek a compromise. Such meetings are usually held where Council officers have identified that there may be an opportunity to mediate an outcome suitable to all parties. Attendance is not compulsory, however it is another opportunity for all parties to put forward their views and raise issues before Council decides on the application.

Most applications considered by Council are determined under delegated authority. Applications that have received a significant number of objections are usually reported to a Council Meeting. When Council decides on the application, you will be notified in writing of the decision. This notice will outline what your appeal rights are.

If Council decides to refuse the application, you will be notified of the refusal. The applicant also has rights to appeal to the Victorian Civil Administrative Appeals Tribunal (VCAT). If there is an appeal lodged by the applicant you will be notified by the Tribunal.

What do I do if I receive a Notice of Decision to Grant a Permit?

A 'Notice of Decision to Grant a Permit' represents a draft permit and conditions. A Notice of Decision to Grant a Permit is issued by Council when there have been objections to the proposal.

It is recommended that you read the conditions carefully as they may require changes to the plans to address issues raised in objections. If you have any questions, please contact the planning officer handling on the application to discuss them. If you consider that the details contained within the 'Notice of Decision to Grant a Permit' do not satisfy your issues, then you may lodge an appeal with VCAT. Details of where and how to lodge the appeal are on the reverse side of the 'Notice of Decision to Grant a Permit'. An appeal must be lodged within 21 days of receiving the Notice from Council.

This advice sheet is to be used as a general guide only. Council has made all reasonable effort to ensure the information provided in this series is true and accurate. However, it is recommended that readers seek professional advice before acting or making decisions on the basis of this information. For any questions or clarification, please contact Council's Planning Unit on 5722 0888.