

SOUTHERN GRAMPIANS SHIRE COUNCIL

PLANNING COMMITTEE TERMS OF REFERENCE

Purpose

To support the efficient and effective consideration of planning permit applications in accordance with S6 Instrument of Delegation – Members of Staff, for the effective use and development of land and strategies in support of the environment, community and economy.

To provide an open forum where planning applications can be considered and applicants and objectors have an opportunity to be heard.

Scope

This committee was established as a Delegated Committee of Council on 12 August 2020 in accordance with Section 64 of the *Local Government Act 2020*.

Matters for consideration

All planning permits valued between \$5million and \$10 million (or less if the officer is recommending refusal except if refusal relates to a matter which is prohibited under the Planning Scheme).

All planning permits that receive between 10 and 20 objections

All applications where the officer is recommending refusal (except if refusal relates to a matter which is prohibited under the Planning Scheme).

Power to decide to grant an amendment to a planning permit if the value of the original development exceeds \$5 million or if 10 or more objections were received, or if the officer is recommending refusal (except if refusal relates to a matter which is prohibited under the Planning Scheme)

All planning permits made pursuant to Section 97C of the *Planning and Environment Act 1987* to request the Minister to decide the application.

All planning scheme amendment under section s.8A(7) of the *Planning and Environment Act 1987* to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 days.

All planning scheme amendments that clarify or correct mistakes in the Planning Scheme (applied for under Section 20(4) of the *Planning and Environment Act 1987*).

Whether applications should be referred to the full Council for a decision.

Operational Guidelines

Chairperson: Nominated Councillor, as determined by the Council at its annual statutory meeting.

Minutes/Agenda: Minutes, agenda and working papers will be distributed before the meeting.

Meetings will be held on a needs basis and will be called at short notice if specific issues need to be dealt with expeditiously.

Applicants and objectors/submitters (or their representatives) will have the right to make a submission to the Committee. All meetings will be held open to the public

Membership

Two Councillors (representatives nominated by Council)

Director Wellbeing, Planning and Regulation

Director Infrastructure and Sustainability (or one other member of the Executive Leadership Team if unavailable)

Councillor proxy(ies) can be nominated if one or two of the Councillors are unavailable.

Quorum

More than 50% of the membership.

Voting

As per Council's Governance Rules adopted under section 60 of the *Local Government Act 2020*; and

- voting must be by show of hands; and
- if the number of votes in favour of the question is half the number of members of the delegated committee present at the meeting at the time the vote is taken, the Chairperson has a second vote.

Extent of Authority

The extent of delegated authority for the Planning Committee will be as per Council's Instrument of Delegation.

Reporting

Minutes will be received by Council at the next available Council meeting following the Planning Committee meeting.

Secretariat

Director Wellbeing, Planning and Regulation will provide the secretarial/administration support to the Committee.

Sunset provision

The Terms of Reference will be reviewed, at a minimum, every four years or as required.