

Approval of a council’s submissions policy

Items be considered when approving a council’s submissions policy

Councils under the Local Planning Panels Direction – Development Applications, made by the Minister for Planning on 23 February 2018, can develop a submissions policy to alter the number of unique objections required to refer a development application to a local planning panel for determination. A submissions policy prepared by a council must be approved by the Secretary of the Department of Planning, Industry and Environment (DPIE) before it can be operational.

The aim of this guide is to outline what should be considered when determining a council’s submissions policy. This guide applies to all council submissions policies reviewed by the Department and submitted to the Secretary for approval.

The following should be considered when approving a council’s submission policy:

| Consideration | Details |
|--------------------------------------|--|
| Clear description of proposed change | <ul style="list-style-type: none"> • What is proposed and how is it different from the current process? |
| Submissions analysis | <ul style="list-style-type: none"> • Evidence of public exhibition for a period of 28 days • A statement outlining the number of submissions received and issues raised • A statement on how council has addressed the feedback received • Copies of submissions if requested by the Department |
| Expected implications | <ul style="list-style-type: none"> • A statement on what the expected implications of the proposed submissions policy are, such as how it will affect the number of development applications being referred to the panel • Evidence that the submissions policy will maintain the policy intent of the referral criteria: that development applications are being determined at the appropriate level i.e. by delegated staff or the panel • Evidence that the submissions policy will not place an undue workload on the panel |
| Reasonable justification | <ul style="list-style-type: none"> • How the submissions policy may contribute to better planning outcomes for the community • If unresolved objections are part of the submissions policy, a clear justification is required |
| Relevant evidence and facts | <ul style="list-style-type: none"> • Data for the previous six months (or other time frame supported by the Department) must detail the following: <ul style="list-style-type: none"> - The number of applications determined under each delegation - The number of applications that would be captured by the 10 unique objections referral criteria - The number of applications that would be captured by the amended referral criteria within the proposed submissions policy |

DPIE will request further details where it is deemed necessary. Further considerations are at the discretion of the Secretary of DPIE.