



# Planning Delegation Policy

## Contents

1	Document Information.....	1
2	Purpose.....	1
3	Definitions .....	1
4	Scope.....	2
5	Policy Details.....	2
6	Delegation Authority and Decision Guidelines .....	2
7	Related Documents and Resources .....	3

## 1 Document Information

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RESPONSIBLE GENERAL MANAGER	General Manager Planning and Development
RESPONSIBLE MANAGER (Policy Owner)	Manager City Development
ADOPTED BY	Council
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CM REF AND VERSION	08/98033[v4]
VERSION HISTORY	This Policy replaces 08/98033[v3] adopted on 22/02/2016

## 2 Purpose

The purpose of the policy is to specify the delegation for determining applications for a planning permit.

The intention of the policy is to specify the applications that can be determined by Council, the CEO, or their nominated delegate(s) to provide clarity and transparency in the decision-making process.

## 3 Definitions

<b>CEO</b>	Chief Executive Officer
<b>CIS</b>	Councillor Information Session

## **4 Scope**

This policy is relevant to Council staff receiving and processing applications for planning permits under the *Planning and Environment Act 1987* and the Kingston Planning Scheme. This policy applies to all applications for planning permits except for applications decided under VicSmart.

## **5 Policy Details**

The following types of planning permit applications (where officers are recommending approval) must be decided by the Council:

- applications for five (5) or more dwellings that incorporates one or more double storey dwelling(s) to the rear of the site, with 3 or more objections
- applications of major significance
- one or more Councillor(s) 'call in' the application, by requesting this in writing (email accepted) to the City Development Department
- applications located in the Green Wedge and the cost of the development exceeds \$20,000
- any application for a planning permit seeking approval to remove ten or more trees as required by the Kingston Planning Scheme
- any application for a planning permit for the use and/or development of land, where the removal of ten or more trees forms part of the application (where not specifically required by the Kingston Planning Scheme) in the following circumstances:
  - i. A tree with a trunk circumference greater than 110 centimetres measured at its base; or
  - ii. A multi-stemmed tree where the circumference of its exterior stems measured at its base is greater than 110 centimetres; or
  - iii. A tree planted as required by a replanting condition of a permit issued for the removal of a protected tree, excluding species which are environmental weeds or noxious weeds.

All other applications can be determined by the CEO, or their nominated delegate(s).

All applications for 2-storeys in the backyard with at least one objection in the General Residential 3 Zone to be listed and provided to Councillors prior to the Planning CIS agenda.

## **6 Delegation Authority and Decision Guidelines**

This Policy is applicable to all applications for planning permits.

### **6.1 Delegations/Authorisations**

- Instrument of Delegation to Members of Council Staff

### **6.2 Exemptions**

There are no exemptions to this Policy.

### **6.3 Human Rights Charter**

This policy has been reviewed against and complies with the Charter of Human Rights and Responsibilities Act 2006.

## **7 Related Documents and Resources**

### **Legislation**

- *Planning and Environment Act 1987*
- *Subdivision Act 1988*
- *Marine and Coastal Act 2018*
- *Aboriginal Heritage Act 2006*
- *Local Government Act 2020*