

**Assessment of Planning Applications and Planning Scheme Amendments**

Type	Nature of Application	PCA Action	Comments
Planning Permit	New or Existing house with proposed minor alterations and or additions where minor dispensations being sought, for height, for setback to either or all, front side and rear boundaries.	No Objection by or on behalf of the PCA	Need to be satisfied that no neighbour is adversely impacted, a precedent is not being set, overlooking/loss of privacy will not occur or the property has a Heritage classification.
	Multi storey house with dispensations due to impact on views, overlooking or site coverage	At the request of 2 or more members a submission or objection may be appropriate if a precedent is likely and or significant or material detriment may result.	These applications may need to be considered in the context of what has already occurred and impacts, is the development likely to create a precedent. An example may be a 3 storey dwelling where the local character of the area is characterised by low density single storey or two storey detached dwellings. There is a strong influence in most Schemes to encourage medium density development with dual occupancy and infill development with subdivisions of existing lots, especially those lots over 1,000m <sup>2</sup> .
	Residential multi storey dwelling/units with decreased setbacks, overlooking, overshadowing issues, lack of on site parking and high densities may be as high as 1unit per 250m <sup>2</sup> and lack of private open space.	At the request of 2 or more members the PCA may decide to make a submission	There may be an opportunity to participate in a meeting with applicants and submitters where this is being convened by a Councillor or Council staff member. The above comments may also apply
	Applications for Subdivision	At the request of 2 or more members the PCA may decide to make a submission	A planning permit to subdivide a property may take various forms and may lead to material detriment as a result of a lack of open space, use of unformed and or partly formed access roads for construction vehicles, there may be the potential for loss of significant vegetation and natural habitat or features. Approval for a subdivision should be treated as a separate activity and assessed on its merits and not relate to what may or may not be built on the land or its use (this needs to be discussed).
	Commercial and commercial and residential developments	At the request of 2 or more members the PCA may decide to make a submission	Applications of this type may be a large commercial development comprising shops, offices and residences (units) or it may be a large residential development. There may be issues of impact on or inconsistent with neighbourhood character, poor design, lack of parking, overdevelopment of the site or
Planning Appeals	Planning Permit Appeals to VCAT	PCA should seek an accredited Planning Barrister to provide Pro-Bono advice and representation if required.	It is preferable to make contact with a Barrister and advise our status as a community Organisation and confirm our interest in the matter and seek assistance with submission of an Appeal to VCAT. Also confirm our costs likely to be incurred. It is not unusual for Solicitors and Barristers to agree to carry out Pro-Bono work for community organisations. This can provide a safety valve which could result in good results without a major costs being incurred or being awarded against the PCA. It is unlikely a request for costs would be entertained by VCAT in mosts cases heard by VCAT.
Planning Scheme Amendment	Site Specific Amendments	PCA should always get involved especially where there may be a lack of strategic justification	These amendments are usually aimed at gaining approval for a development that does not sit within the discretionry use block and the applicant is seeking major changes to thre zone requirements. An example may be a hotel in a rural zone.
	General Scheme Amendments	PCA should always get involved if there is a major impact to the integrity of the Planning Scheme.	Often GSAs are used to tidy up anomalies or convert a zoning from say rural to residential or similar following a Scheme review or approval of a Strategy.

The major caveat on action in accordance with these guidelines would be that whilst the Executive may decide due to time constraints a submission or objection is necessary such action would be required to be confirmed by the PCA at the earliest meeting following submission of an objection or similar. The PCA would reserve the right to not confirm the action of the Executive and any submission would be withdrawn. This may prevent the PCA from becoming embroiled in litigation.

There may be an occasion where the PCA has a very strong concern about a proposal in these cases obtaining Pro- Bono advice would be essential and in the event the matter was the subject of an appeal against the VCAT decision then advice should be mandatory as would the approval of the PCA at a General Meeting Vote. It should be noted that the awarding of Costs by VCAT is unlikely unless an applicant can substantiate the PCA being a vexatious objector.