

Strategic planning processes require a greater emphasis on the protection of natural resources and should be based on meaningful information from NRM strategies and measurable outcomes. Consistency in approach across all planning schemes would be helpful.

The Planning and Environment Act review should also include review of the effectiveness of the CaLP Act as an integrated process. This would achieve the removal of duplication of responsibility, ambiguity, inconsistencies and increase efficiencies. The Planning and Environment Act primarily focuses on development and lacks direction in protecting the environment. Roles and responsibilities require greater clarification in both the CaLP and Planning and Environment Acts. Strengthening the linkages between works undertaken by CMA's. The Planning and Environment Act

Referrals:

The CCMA supports the suggestion of encouraging proponents to liaise directly with referral authorities to create time efficiencies in the permit application assessment process. Provision for this is currently allowed for under Section 55s. It should also be possible for the responsible authority to highlight to a referral authority, conditions which are considered not reasonable or relevant to the proposal. This might also serve to educate referral authorities on the problems that arise when condition required are not enforceable.

Planning schemes and the Amendment process:

Improvements in the planning scheme amendment process are required. The resource implications and timeframes in which planning scheme amendments require can be substantial barriers and proponents.

Currently there is no scope for a proponent to challenge a decision by the planning authority to either abandon an amendment or refuse to prepare an amendment. The introduction of a formal mechanism could be considered particularly where there are unresolvable issues between a planning authority and a proponent. Decisions could be made by Ministerial staged advisory committee, where the amendment proposal can be explained in the context of policy generally.

Timeframes: Further consideration should be given to the current timeframes for decision making. Current timeframes do not reflect the increasing number of planning permit applications being dealt with by local government or referral authorities. Community expectations as to consultation are vastly different to when the act was formulated.

Consideration should be given to the development of timeframes for the Ministerial authorisation of an amendment to provide timeliness to process. A mechanism could be introduced which allows the Minister to seek further clarification or information should the amendment appear lacking. Example: Minister has 60 days to approve an amendment – 'clock stops' if the amendment is returned to Council for clarification and restarts when received by the Ministers department.

Consideration of amendment objections: As stated in the discussion paper there currently are no requirements for a submitter to demonstrate how they are specifically affected by an amendment. Currently submissions which raise irrelevant issues to the amendment are still heard at panel and add significantly to the processing cost of planning authorities and proponents. There is no provision for a planning authority to disregard it. Clear guidance is required without compromising natural justice. Criteria or a pro-forma form could be developed on a state level to determine the relevance of submissions. Submissions which support the amendment should have the same status as those submissions that object to it – this streamlines panel’s time and reduces processing costs especially to the responsible authority.

An opportunity for a planning authority to approve its own amendment via certification currently exists, however if the process saves little in the way of time and resources, there should be a list of certain categories of amendments which the planning authority can approve themselves e.g. correcting anomalies and review or upgrade of incorporated documents.

The Corangamite CMA considers the guidelines for review of planning schemes to lack direction for both the responsible authority and its major stakeholders. Review standards should be developed by the State Government to provide consistency of approach across all planning schemes.