

# Applying the planning rules to development

The planning system in Victoria is managed by the State Government and is the responsibility of the Minister for Planning. The State Government maintains the Planning Scheme – or the ‘planning rulebook’. The rules are applied to development through the Planning Permit process\* which is administered by local councils. The State Government sets the process that Council must follow to assess planning permit applications.



1. Prepare Application	2. Submission and Initial Assessment	3. Referrals	4. Public Advertising	5. Detailed Assessment	6. Decision	7. Appeal	8. Development
<p>The applicant prepares their application, most often with assistance from experts.</p> <p>This process usually involves a pre-application discussion with Council about the proposal.</p>	<p>The applicant submits their application. Council does an initial check to make sure it is complete and to assess the public advertising requirements.</p> <p>The State Government exempts some straightforward types of applications from public advertising (called the ‘VicSmart’ process).</p>	<p>Council may refer the application to internal Council experts or external agencies for advice (e.g. Councils engineering team, VicRoads).</p> <p>This is to manage any potential impacts on important public infrastructure or the local environment.</p>	<p>Neighbours and the local community can review and raise any concerns via ‘objections’. A meeting with objectors, Council officers and the applicant may be held to try to resolve issues.</p> <p>This process is set by the State Government but run by Council and includes on-site signage, letters to nearby residents and information online.</p>	<p>Council officers do a detailed review of the application considering the objections and referrals and assess it against the rules in the Planning Scheme.</p> <p>The assessment and decision must follow the rules, regulations, process and criteria set by the State Government.</p>	<p>Council either ‘approves’ or ‘refuses’ the application, or if there are still ‘objections’ it may issue a ‘Notice of Decision to Grant a Permit’ which gives 30 days for an appeal to be lodged with VCAT or the permit is granted.</p> <p>Depending on the application the decision may be made by a Senior Council officer (delegate) or by Council at a formal Meeting.</p>	<p>Applicants and objectors can appeal councils decision at the Victorian Civil and Administrative Tribunal (VCAT), which has the power to overrule a Councils decision.</p> <p>Senior Council officers represent Council at VCAT and Council will often engage legal experts.</p>	<p>Before development can start, other permits may be required (e.g. Building Permit).</p>
Who is involved	Who is involved	Who is involved	Who is involved	Who is involved	Who is involved	Who is involved	Who is involved
<ul style="list-style-type: none"> <li>✓ Council</li> <li>✓ Applicant</li> <li>✓ Experts</li> </ul>	<ul style="list-style-type: none"> <li>✓ Council</li> <li>✓ Applicant</li> </ul>	<ul style="list-style-type: none"> <li>✓ Council</li> <li>✓ Experts</li> </ul>	<ul style="list-style-type: none"> <li>✓ Council</li> <li>✓ Applicant</li> <li>✓ Community</li> </ul>	<ul style="list-style-type: none"> <li>✓ Council</li> </ul>	<ul style="list-style-type: none"> <li>✓ Council</li> </ul>	<ul style="list-style-type: none"> <li>✓ Council</li> <li>✓ Applicant</li> <li>✓ Community</li> <li>✓ Experts</li> </ul>	<ul style="list-style-type: none"> <li>✓ Applicant</li> <li>✓ Experts</li> </ul>

\*Some types of development are exempt from needing a planning permit.

**Preparing or responding to a planning permit application?** Visit our website for detailed videos on each step of the process so you know what to expect at [bayside.vic.gov.au/services/planning-and-building](https://bayside.vic.gov.au/services/planning-and-building)  
**Want to know how planning rules are made or changed?** See our explainer at [bayside.vic.gov.au/letstalkplanning](https://bayside.vic.gov.au/letstalkplanning)