

KELLEHERS AUSTRALIA

In-House Memorandum

~

Procedures after Council receives a Planning Panel's report

Following a report by Planning Panels Victoria with respect to a proposed Planning Scheme Amendment, the Planning Authority ('the Authority') must follow certain steps in order to comply with the *Planning and Environment Act 1987* (Vic) ('P&E Act').

The Authority must release the report to the public within 28 days of receiving it. It must:

1. Consider the Panel's report before deciding whether or not to adopt the amendment (s27(1)); and
2. Tell the Minister in writing if it decides to abandon an amendment or part of an amendment (s28);

After complying with Division 1 and 2 in respect of an amendment, the Authority may adopt the amendment with or without changes (s29(1)).

Section 30(1), P&E Act, provides for situation where an amendment lapses.

An Authority, other than the Minister, must submit an adopted amendment to the Minister together with the prescribed information (s31(1))

Cameron Algie
19 December 2014

Copyright © Kellehers Australia 2014

This fact sheet is intended only to provide a summary and general overview on matters of interest. It does not constitute legal advice. You should always seek legal and other professional advice which takes account of your individual circumstances.

KELLEHERS AUSTRALIA: www.kellehers.com.au / e: kelllegal@kellehers.com.au

497 Swan Street, Burnley, 3121, Victoria, Australia