



PUBLIC NOTIFICATION GUIDE **(for permit applicants)**

HOW TO GIVE PUBLIC NOTICE OF A PLANNING PERMIT APPLICATION

In accordance with Section 52 of the *Planning and Environment Act 1987*, applicants may be required by Council to provide public notification of planning permit applications on Councils behalf. This may take several forms depending on the type of development and its surrounding area.

This is a general guide only intended to explain what the process involves and to take you through each step.

Please refer to your letter for the specific advertising requirements for your Permit Application. Contact the Council office if you have any queries.

1. THE ADVERTISING PROCEDURE – WHAT IS INVOLVED

Council will write to you (the applicant) informing of the public notification (advertising) requirements. The letter will advise who to advertise to, what form it should take, and will include the appropriate number of notices to be mailed out.

As the applicant, you are then required to undertake the advertising procedure. This usually involves sending a planning notice by **Registered Post**, displaying a **sign on the subject property** for fourteen days, and *in some circumstances* placing a **notice in a local newspaper**. The specific type of advertising for each application is addressed in the covering letter.

Anyone interested in the proposal is able to view the application at Council offices. During this time, the application and all related documents will be available to view on Councils website.

Upon completion of the advertising period, the applicant is required to return a **Statutory Declaration** and supporting information to Council, stating that the advertising was carried out as Council required (see point 6).

Council will then consider the application, along with any objections received.

2. TYPES OF NOTIFICATION

There are three forms of advertising which Council may require you to undertake. These are:-

- a) Notice to property owners and occupiers by Registered Post (see point 3), and/or
- b) Display one or more signs on the subject land (see point 4), and/or
- c) Public notice placed in a local newspaper (see point 5).

The applicant may not be required to undertake all three forms of advertising. Please read your advertising letter carefully to see what you are required to complete.

3. NOTICE TO PROPERTY OWNERS AND OCCUPIERS BY REGISTERED POST



Where this is required, an appropriate number of A4 size forms headed "Notice of an Application for Planning Permit" will be sent to you for posting to the persons indicated in the letter (owners and occupiers of adjoining/nearby properties). Please note that notices cannot be hand delivered and must be sent to all parties on the list, regardless of what you may know personally about the current occupancy of a neighbouring dwelling.

A decision cannot be made on the application until 14 days from when the last required notice was given have lapsed. Therefore before you undertake the advertising of the application, you must complete the section of the notice: "*The Responsible Authority will not decide on the application before:*" with the relevant date being FOURTEEN (14) clear days from the date of the last type of notification given. eg. If sent on the 1st then 14 clear, complete days is the 16th. In some circumstances, a 21 day period may be required (for example, over the Christmas/New Year holiday). This date must be included on **each type** of notification that is given, e.g. notice on site and notice by registered post. The letter requesting public notification will clarify the required number of days for your application.

The notices must be sent by **Registered Post**. Please note that delivery confirmation cards are not required. If this is not carried out as specified in the letter, Council may require that the advertising procedure be repeated.

Registered Post: This is a service provided by Australia Post which registers the date and post office of posting of the letter and provides physical proof of the date and post office of collection by the recipient. Your local post office will be able to assist you with this. Please ensure you keep the registered mail receipt or lodged document which includes record

numbers for tracking via the Australia Post website. Delivery confirmation cards are not required.

4. **DISPLAY OF A SIGN ON THE SUBJECT LAND**

Where this is required, a PINK coloured A3 notice will be included with the advertising letter. In some circumstances (ie properties with two street frontages), TWO signs are to be placed on site. Refer to your letter for more details. The sign is to be dated with the **same date** as the notices to the neighbours (as per point 3).

The notice should then be covered with a sheet of clear plastic or similar material (lamination is ideal) to ensure it is maintained in a legible condition for the entire advertising period. It should then be placed on a solid board mounted on a post in the ground. Plywood and star pickets, or similar materials, are considered suitable. Alternatively, the weatherproof notice can be fixed to a front fence.

The site notice must be placed in a prominent position not more than one (1) metre from the frontage of the property (facing the front boundary) so that an interested person can easily read all the particulars without trespassing on the land.

The notice must be maintained in a good condition on the site for the required time.

5. **PUBLIC NOTICE PLACED IN A NEWSPAPER**

If you are required to undertake this form of notification it will be specifically mentioned in the covering letter, stating which publication to use.

If this notification is required, a copy of the DATED form headed "Notice of an Application for Planning Permit" should be forwarded to the relevant newspaper. Details will be included in the letter.

The notice is to be placed in the "Public Notices" section on one occasion with Borough logo (provided to the newspaper by Council).

It is necessary to provide confirmation of the newspaper notice and return it to Council along with your completed Statutory Declaration. (See point 6)

6. **INFORMATION TO BE RETURNED TO COUNCIL**

Upon the completion of the public notification period, the **Statutory Declaration** (provided with the letter) must be completed and returned to Council before further consideration of the application can take place. Along with the completed and witnessed Statutory Declaration, the following (where applicable) must also be returned:

- a) Copy of the dated notice sent to adjoining owners and occupiers;

- b) Registered mail tracking information from Australia Post;
- c) Any letters returned as not delivered or unclaimed;
- d) Evidence of the notice placed in the newspaper;
- e) A photo of the sign displayed on site.

7. CONSIDERATION OF THE APPLICATION BY COUNCIL

To ensure Council officers can consider the application within a timely manner, it is essential that this all parts of this request are acted upon promptly. Following the receipt of the abovementioned information, Council will then consider the application, along with any objections or comments received during the process.

If you have any questions in relation to the public notification (advertising) procedure, please contact council's Town Planning Department, on (03) 5258 1377 or email: info@queenscliffe.vic.gov.au