

How the Planning Act would read with the proposed amendments to recognize the number of objectors:

Wording added by the new Bill is underlined

Phrases in bold font are the most important relevant parts of the Act

6 What can a planning scheme provide for?

(1) A planning scheme for an area—

(a) must seek to further the objectives of planning in Victoria within the area covered by the scheme; and

(aa) must contain a municipal strategic statement, if the scheme applies to the whole or part of a municipal district³; and

(b) may make any provision which relates to the use, development, protection or conservation of any land in the area.

(2) **Without limiting subsection (1), a planning scheme may—**

(kcb) set out classes of applications for permits that are exempted wholly or in part from the requirements of s60(1)(b) to (f), (1A) and (1B);

(kda) set out classes of applications for review that are exempted wholly or in part from the requirements of section 84B(2)(b) to (jb);

60 What matters must a responsible authority consider?

(1) Before deciding on an application, the Responsible Authority must consider—

(e) any significant effects which the Responsible Authority considers the use or development may have on the environment or which the RA considers the environment may have on the use or development; and

(f) any significant social effects and economic effects which the Responsible Authority considers the use or development may have.

(1A) Before deciding on an application, the responsible authority, if the circumstances appear to so require, may consider—

(1B) For the purposes of subsection (1)(f), the Responsible Authority must (where appropriate) have regard to the number of objectors in considering whether the use or development may have a significant social effect.

(3A) If an application for a permit is of a class that is exempted by a planning scheme wholly or in part from the requirements of subsections (1)(b) to (f), (1A) and (1B), the Responsible Authority is not required to consider the exempted matters before deciding the application.

84B Matters for Tribunal to take into account

(2) In determining an application for review under this Act, in addition to the matters referred to in subsection (1), the Tribunal—

(f) must (where appropriate) take account of the extent to which persons residing or owning land in the vicinity of the land which is the subject of the application for review were able to and in fact did participate in the procedures required to be followed under this Act before the responsible authority could make a decision in respect of the application for a permit;

(jb) must (where appropriate) have regard to the number of objectors in considering whether the use or development may have a significant social effect;

(3) If an application for review is of a class that is exempted by a planning scheme wholly or in part from the requirements of subsection (2)(b) to (jb), the Tribunal is not required to take into account or have regard to the exempted matters in determining the application.
