

## User Guide 14 Responding to a Referral Request

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### Purpose of this User Guide

The purpose of this User Guide is to provide guidance to Referral Authorities on how to respond to referral requests in SPEAR.

### Who should read this?

Primary audience: Referral Authorities

### Introduction

The approach to responding to referrals in SPEAR varies broadly between Referral Authorities (RA), with some indicating they are unsure about what is required.

Any application that has been referred to your organisation through SPEAR **must** be responded to in the SPEAR system.

Councils will be unable to issue a planning permit, certification or Statement of Compliance (SOC) until your response is in SPEAR. Sending a paper response to councils for a SPEAR referral will delay the process and can significantly increase the amount of work to be done by councils and you, to complete the referral process.

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### 14.1 How do I know what I need to respond to in SPEAR?

Once you have logged into SPEAR, you can see all the applications currently referred to your organisation. The last column on the right hand side of the Application List screen displays the sections of legislation not yet responded to by your organisation for each application. (Refer to image of screen on next page).

Public Search | View Document Rules | Settings | Contact Us | Help | Logout

Planning & Subdivision Applications Online    seema sumaru  
Referral Authority  
(Password Approval User)

**SPEAR**

Current Applications - Origin Energy (1 - 6 of 6)

Filter for:

Search for:  containing

**Application List**

Property	Council	Type	Status	Advertised	Objected	Appealed	A.I.R.	Hosted	SPEAR#	RA Ref	Plan Number	Initial Referral	Estate Name	Action
<a href="#">2 MAUD STREET, SUNSET 3777</a>	Casey City Council	Planning Permit and Certification	Referred	<input checked="" type="checkbox"/>					S003845S	-	PS620230A	10/08/2009	-	<a href="#">Assess Additional Info, Sec 55 &amp; 8</a>
<a href="#">1A AUBREY STREET, ARMADALE VIC 3143</a>	Stonnington City Council	Planning Permit and Certification	Statement of Compliance						S003840P	070809-1	PS620085G	07/08/2009	-	-
<a href="#">Bus Shelter Advertising - Zone 34.03 Business 3, Overlay(s) 43.02 Design and Development</a>	Stonnington City Council	Planning Permit (Buildings and works)	Permit Decision (Refuse)	<input checked="" type="checkbox"/>					S003829M	-	-	04/08/2009	-	-
<a href="#">4 SMITH STREET, HAMPTON VIC 3188</a>	Bayside City Council	Certification of a Plan	Statement of Compliance						S003822T	-	PS703773X	03/08/2009	RP - Estate Name	-
<a href="#">2 SMITH STREET, HAMPTON VIC 3188</a>	Bayside City Council	Planning Permit and Certification	Council Permit Decision Pending	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				S003820C	-	PS620703G	03/08/2009	my estate name	-
<a href="#">2 SMITH STREET, HAMPTON VIC 3188</a>	Bayside City Council	Planning Permit (Use: Other, Buildin...)	Permit Decision (Grant) (Under Appeal)						S003819T	-	-	03/08/2009	-	-

Indicates what responses are outstanding for each application in SPEAR

### Application List for Referral Authorities

Sections of legislation not yet responded to can include:

- "Sec 55" indicates that your organisation has been referred to under Section 55 of the Planning and Environment Act 1987 and relates to planning permits.
- "Sec 8" and SOC indicate that your organisation has been referred to under Section 8 of the Subdivision Act 1988 and relates to the certification of the plan of subdivision and the SOC.

A blank space indicates that your organisation has been referred to "For Information Only" or under Section 52 of the Planning and Environment Act, you are not required to respond but can choose to submit a response by selecting "Add Other Document Type" from the "Other Actions" drop down list and clicking 'go'.

The Details Tab will list the mandatory action by your organisation eg: "Add RA Response (Section 55, Certification, SOC)".

To view the referral request added to SPEAR by council, click on the link next to the mandatory action, displayed as [\(View Referral 02/08/2007\)](#).

Return to Application List | View Document Rules | Settings | Contact Us | Help | Logout

2 MAUD STREET, SUNSET 3777  
Council: Casey City Council  
Planning Permit and Certification  
Dealing Type: Section 22 (Subdivision)  
Application Status: Referred  
References: SPEAR Ref # - S003845S

Planning & Subdivision Applications Online seema sumaru  
Referral Authority  
(Password Approval User)

**SPEAR**

Summary Details Contacts Bulk Download View activity log

▶ Applicant Contact - Oberon Surveys Pty Ltd has no actions required (show)

▶ Council - Casey City Council has actions required (show)

▼ Referral Authorities - Origin Energy has actions required (hide)

**Melbourne Fire Brigade - Reg 15 Documents**

RA Response	Not supplied	
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**Melbourne Water Documents**

Additional Information Request (10/08/2009 02:41 pm)	Supplied	10/08/2009
RA Response	Not supplied	
Assess Response to Additional Information Request	Not supplied	

**Origin Energy Documents**

**Actions**

↑ Add RA Response (Section 55, Certification, SOC) Action required (View Referral 10/08/2009)

Other Actions... go

▶ Online Objectors - No online objections (show)

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The "Actions" box currently displays the RA responses currently outstanding for your organisation and a link to the referral request submitted by council

### Details Tab with a Mandatory Action for the RA to respond to a Referral Request

## 14.2 Where do I get the application documentation?

When an application is referred to an RA in the paper process, the council decides which documents are to be copied and sent to each RA. In SPEAR, the RA can access all documentation associated with the application and selects for themselves which documents need to be downloaded or printed for them to make their referral response.

Application documentation can be accessed by clicking on the "Applicant Contact" section of the Details Tab.

Summary Details Contacts Bulk Download View activity log

▶ Applicant Contact - Oberon Surveys Pty Ltd has no actions required (show)

SPEAR will then display all of the supporting documentation supplied by the Applicant Contact.

You can view, save or print documents needed to respond to the application.

If you wish to download multiple documents from the application for saving or printing, this can be done more easily by using the "Bulk Download" function. Tick the boxes next to the documents you need and then select either "Save Documents" which puts all of the selected documents into a zip file for you to save to your computer or network, or select "merge documents" which merges all of the selected documents into one PDF document that can be easily printed.

Return to Application List | View Document Rules | Settings | Contact Us | Help | Logout

2 MAUD STREET, SUNSET 3777  
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Application Status: Referred  
References: SPEAR Ref # - S003845S

Planning & Subdivision Applications Online    seema sumaru  
Referral Authority  
(Password Approval User)

**SPEAR**

Summary    **Details**    Contacts    Bulk Download    View activity log

▼ **Applicant Contact - Oberon Surveys Pty Ltd has no actions required** (hide)

<a href="#">Copy of Title (Vol/Fol: N/A)</a>	Supplied	06/08/2009
<a href="#">Application for Planning Permit &amp; Certification</a>	Supplied	06/08/2009
<a href="#">Plan for Endorsement (Number of Pages: 3)</a>	Supplied	06/08/2009
<a href="#">Plan of Subdivision or Consolidation (Surveyor's Plan Version: Plan 001, Number of Pages: 3)</a>	Supplied	06/08/2009
<a href="#">Pre-approved RA Consent</a>	Supplied	06/08/2009
<a href="#">Response to Additional Information Request (10/08/2009 02:55 pm)</a>	Supplied	10/08/2009

▶ **Council - Casey City Council has actions required** (show)

▼ **Referral Authorities - Origin Energy has actions required** (hide)

**Melbourne Fire Brigade - Reg 15 Documents**

RA Response	Not supplied	
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**Melbourne Water Documents**

<a href="#">Additional Information Request (10/08/2009 02:41 pm)</a>	Supplied	10/08/2009
RA Response	Not supplied	
Assess Response to Additional Information Request	Not supplied	

**Origin Energy Documents**

**Actions**

▶ [Add RA Response \(Section 55, Certification, SOC\)](#) Action required    [\(View Referral 10/08/2009\)](#)

Other Actions...   

▶ **Online Objectors - No online objections** (show)

Click on each document name to view, print or save the document for your use.

Or, click on "Bulk Download" to select multiple documents at one time.

### Viewing, Printing and Saving Key Documents from SPEAR

## 14.3 How do I add my response to SPEAR?

You do not need to respond to the whole referral request in one response. You can complete responses to certification or SOC at a later date.

Once you have made a decision, you can add your response into SPEAR by clicking on the action "Add RA Response".

In the first screen, you will need to select one or more tick boxes to indicate which legislation you are responding to, then click the 'next >' button.

Return to Application List | View Document Rules | Settings | Contact Us | Help | Logout

2 MAUD STREET, SUNSET 3777  
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References: SPEAR Ref # - S003845S

Planning & Subdivision Applications Online    seema sumaru  
Referral Authority  
(Password Approval User)

**SPEAR**

Summary   Details   Contacts

### Add Referral Response

This application has been referred to you under Section 55 of the Planning and Environment Act 1987 (VIC) and Section 8 of the Subdivisions Act 1989 (VIC).

Please indicate which of the following you are responding to:

- Section 55 - Planning Permit
- Section 8 - Certification
- Section 8 - Statement of Compliance

(Select one or more options)

[next >](#)   [cancel](#)

**Selecting the legislation you are responding to.**

Remember that you can only consent to SOC. If you are not ready to consent yet, you should leave the tick box blank.

The second screen requires you to select radio buttons to indicate the nature of your response letter.

Return to Application List | View Document Rules | Settings | Contact Us | Help | Logout

2 MAUD STREET, SUNSET 3777  
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Application Status: Referred  
References: SPEAR Ref # - S003845S

Planning & Subdivision Applications Online    seema sumaru  
Referral Authority  
(Password Approval User)

**SPEAR**

Summary   Details   Contacts

### Add Referral Response

State the nature of your response: [? Referral Guidelines](#)

**Section 55 - Planning Permit**

- Do not object to the granting of the permit
- Do not object to the granting of the permit subject to conditions
- Object to the granting of the permit (specify grounds of objection)
- Request additional information
- No referral required

**Section 8 - Certification**

- Consent
- No referral required
- Refuse consent
- Request a suspension of time (Requirement for alterations to plan)

Add Comments:

These comments are optional and will be displayed as a brief notation in addition to your main response.  
Depending upon the option you have chosen above you may still be required to attach or enter details regarding your response on the next screen.

[next >](#)   [cancel](#)

**What is the nature of your response?**

You must select one radio button for Section 55 (planning permit) and one for certification. SOC allows only consent, therefore no options are provided.

The following table describes the meaning of each response type:

<b>Section 55 (Planning Permit)</b>	
Do not object to the granting of the permit	Your response letter has no conditions that the council should include on the planning permit for the Applicant Contact to satisfy.
Do not object to the granting of the permit subject to Conditions	Your response letter contains one or more conditions that council should include in the planning permit for the Applicant Contact to satisfy.
Object to the granting of the permit (specify grounds of objection)	Your response letter advises the council to refuse the planning permit. You should not select this response unless your organisation thinks the application cannot go ahead at all.
Request Additional Information	The documentation and information provided in the application is not enough to allow you to make a response decision and creates a mandatory action for you to request additional information. Your response should include details about the changes you require the Applicant Contact to make to the plan of subdivision.
No Referral Required	You are indicating that this application has been referred to your organisation in error and you do not wish to provide any response.

<b>Certification (Section 8)</b>	
Consent	Your response letter consents to the certification of the plan of subdivision. The letter may also describe the steps required to be completed by the applicant before your organisation will consent to Statement of Compliance (SOC).
No Referral Required	You are indicating that this application has been referred to your organisation in error and you do not wish to provide any response.
Refuse Consent	Your response letter advises the council to refuse certification. You should not select this response unless your organisation thinks the application can not go ahead at all.
Request a	The documentation and information provided in the

suspension of time (Requirement for alterations to the Plan)	application is not enough to allow you to make a response decision. Your response should include details about the changes you require the Applicant Contact to make to the plan of subdivision. This action tells the council to stop the statutory clock to allow you more time to respond and tells the applicant contact that changes to the plan are required before you will consent to the certification of the plan. The Applicant Contact will have a mandatory action to add a new version of the plan of subdivision into SPEAR.
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A comments box is provided at the bottom of this screen. Brief comments typed into this box will appear as a link [View RA Comments](#) next to your response and should not include any critical information. These comments can be viewed by both the council and Applicant Contact.

Once you have completed your selections, click the 'next >' button.

The third screen displayed allows you to add your response letter into SPEAR via two methods:

1. attach your letter in PDF format, or
2. type your response (or paste it) into the text box provided and SPEAR will create a PDF format letter for you.

Your response letter should contain all of the information you are required to provide for a paper based response, and should be easily identifiable as being from your organisation if it is printed out. Refer to section 14.4 of this User Guide for more information on content.

Return to Application List | View Document Rules | Settings | Contact Us | Help | Logout

2 MAUD STREET, SUNSET 3777  
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Planning & Subdivision Applications Online    seema sumaru  
Referral Authority  
>Password Approval User

**SPEAR**

Summary    Details    Contacts

**Add Referral Response**

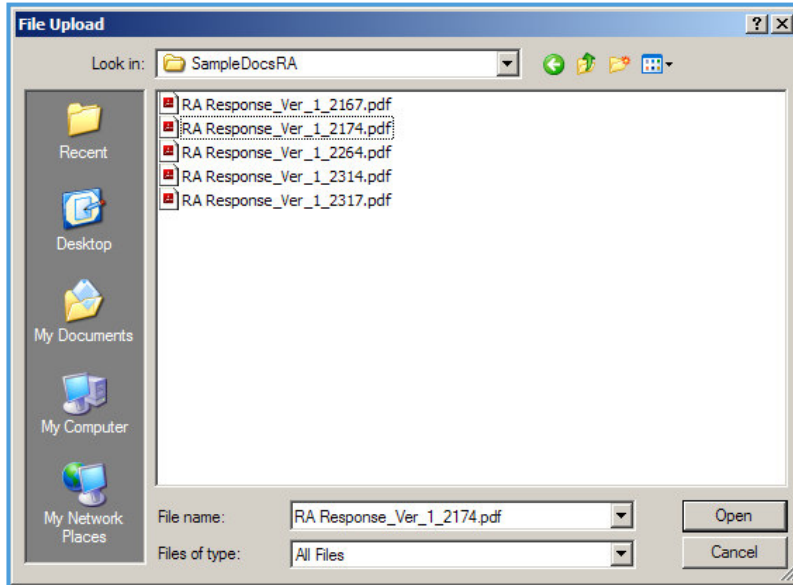
Attach file (PDF)

**OR**

Enter Referral Response directly

### Adding your response letter.

To attach a letter you have previously created in PDF format, click on the 'Browse' button. You will be prompted to search through your computer files to find your response document.



Search through your files for your PDF response letter.

Once you have found and highlighted your response document, click the 'Open' button.

The file path to your document will now be displayed in the field next to the 'Browse' button.

To have SPEAR create a PDF format document for you, type your response details into the text box provided or copy the text of your letter from Word and paste it into the SPEAR text box.

The following header is placed at the top of each page of the PDF format document SPEAR creates for you:

SPEAR Ref #:	S000782V	Property:	100 RAMSEY STREET, HEPBURN 3698
Plan Number:	PS605341B	Document Supplied:	05/02/2008
Council Ref #:	1656578	Council:	Environ City Council
Applicant Ref #:	DSE Training	Applicant:	Albert Northing
		Applicant Org Name:	Sustainability Consulting
RA Ref #:	(Not Supplied)	RA:	Bells Water

### Header on SPEAR created PDF documents.

Once you have attached or typed your letter into this screen, click the 'add now' button.

The response must be authenticated by a SPEAR user with the appropriate level of authorisation in your organisation.

**Note: If the response is not authenticated, council and the Applicant Contact will be unable to view the document in SPEAR and will not know that you have responded to the application. Refer to Section 14.5 of this User Guide for instructions on how to authenticate.**

#### **14.4 What information should my response letter include?**

The letter should contain the same information you need to supply when responding to an application in the paper system.

Not providing this information could result in council or the Applicant Contact having to contact you for more information. These delays are the very thing SPEAR was designed to reduce.

If you are using the text box to type in your response and have SPEAR create a PDF document for you, please ensure that your letter is properly formatted and clearly identifies your organisation at the top of the letter.

The example letter on the next page demonstrates the information that councils expect to be supplied in each referral response regardless of whether you type into the text box or attach a document you have created previously.

Our Reference: TP01-996  
Your Reference: PLN07/0594

SPEAR Reference: S000874J  
Plan of Subdivision No: PS614314G (Version 1)  
Location: 1- 9 Best Road, Derbyshire - 2 Lots

5 October 2007

**REFERRAL AUTHORITY NAME**

Telephone (03) 8636 3049  
Facsimile (03) 8636 2588  
E-mail Joe.Bloggs@referral.com.au

**CONDITIONAL CONSENT TO PERMIT  
BUT CERTIFICATION AND COMPLIANCE REQUIRED**

Pursuant to Section 56 (1) (b) of the Planning and Environment Act 1987, Referral Authority not object to the granting of a permit for the above application subject to the following conditions:-

1. Any plan lodged for certification will be referred to the Referral Authority pursuant to Section 8(1)(a) of the Subdivision Act.
2. Reticulated sewerage facilities must be provided to each lot by the owner of the land (applicant contact, in anticipation of becoming the owner) to the satisfaction of the Referral Authority. This will include the construction of works and the payment of major works contributions by the applicant contact.
3. A reticulated water supply must be provided to each lot by the owner of the land (applicant contact, in anticipation of becoming the owner) to the satisfaction of the Referral Authority. This will include the construction of works and the payment of major works contributions by the applicant contact.

Referral Authority will not consent to the issue of a Statement of Compliance until such time as the applicant contact provides satisfactory evidence of compliance with the above conditions.

If you have any queries, please contact me on the above telephone number.

Yours faithfully

Joe Bloggs  
Referrals Officer

At least one identifying reference number or reference details, preferably including the SPEAR Reference Number.

- The Date
- Referral Authority Name
- Contact Details of the Responding Officer

Clearly indicate what consents you are giving and not giving.

Clearly indicate if they are for the planning permit, certification or Statement of Compliance

State any conditions that you require the council to include on the planning permit and the applicant contact to satisfy.

These should be numbered.

The name and position of the responding officer or staff member.

## 14.5 How do I authenticate my response?

Responses must be authenticated by a SPEAR user who has a "password" level of authorisation in your organisation. If the response is not authenticated, council and the Applicant Contact will be unable to view the document in SPEAR and will not know that you have responded to the application.

Once you have added your response to SPEAR it will appear in your documents list on the Details Tab as "not authenticated".

To authenticate the response, click on the 'go' button next to the "authenticate" drop down box to the right of your response.

Return to Application List | View Document Rules | Settings | Contact Us | Help | Logout

2 MAUD STREET, SUNSET 3777  
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Planning Permit and Certification  
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Application Status: Referred  
References: SPEAR Ref # - S003845S

Planning & Subdivision Applications Online seema sumaru  
Referral Authority  
(Password Approval User)

**SPEAR**

Summary Details Contacts Bulk Download View activity log

▶ Applicant Contact - Oberon Surveys Pty Ltd has no actions required (show)

▶ Council - Casey City Council has actions required (show)

▼ Referral Authorities - Origin Energy has actions required (hide)

**Melbourne Fire Brigade - Reg 15 Documents**

RA Response..... Not supplied

**Melbourne Water Documents**

Additional Information Request (10/08/2009 02:41 pm) Supplied 10/08/2009

RA Response..... Not supplied

Assess Response to Additional Information Request..... Not supplied

**Origin Energy Documents**

RA Response (Requested AIR (Section 55), Refused (Certification), Refused (SOC), 14/08/2009 01:55 pm) Not Authenticated 14/08/2009

Authenticate - Password go (View Referral 10/08/2009)

**Actions**

Other Actions... go

Click the 'go' button to begin the authentication process

### Authenticating your response.

You will be prompted to type in your SPEAR password (the same one you use to login to SPEAR) and click the 'authenticate' button.

Return to Application List | View Document Rules | Settings | Contact Us | Help | Logout

2 MAUD STREET, SUNSET 3777  
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Planning Permit and Certification  
Dealing Type: Section 22 (Subdivision)  
Application Status: Referred  
References: SPEAR Ref # - S003845S

Planning & Subdivision Applications Online seema sumaru  
Referral Authority  
(Password Approval User)

**SPEAR**

Summary Details Contacts

**Authenticate Document**

To validate the authenticity of this document please enter your password and select "authenticate".

RA Response (Requested AIR (Section 55), Refused (Certification), Refused (SOC), 14/08/2009 01:55 pm)

Password:

authenticate cancel

### Use your SPEAR login password to authenticate.

Your response is now complete. You can complete any other outstanding referral responses at a later date if required.

## 14.6 Re-referrals

If the Applicant Contact makes significant changes to the application documentation (such as the plan of subdivision), the council may decide to re-refer the application to your organisation. If you have previously added your response to an application into SPEAR, a re-referral will require you to repeat the process and respond again, with consideration of the new information.

## 14.7 Requesting additional information

You can request additional information from the "Other Actions" drop down list on the Details Tab or you may be prompted to complete this action when you request a suspension of time in response to a Section 55 referral request.

Your response will need to be in PDF format.

To add a previously prepared additional information request in PDF format:

- click the 'Browse' button and find your request letter, or,
- type (or paste) the details of your additional information request into the field provided. SPEAR will create a PDF document for you from this text.
- Click the 'add now' button.

Once the document is authenticated, it will be saved in SPEAR and an email notification sent to the Applicant Contact notifying them. The Applicant Contact will now have a mandatory action to respond to the RA's request.

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### Need more information?

Further information on this topic can be found by:

1. Visiting the SPEAR website [www.landexchange.vic.gov.au/SPEAR](http://www.landexchange.vic.gov.au/SPEAR)
2. Contacting the SPEAR Service Desk on 8636 3049 or email [spear.info@dse.vic.gov.au](mailto:spear.info@dse.vic.gov.au)
3. Selecting the Help link in the relevant area of the SPEAR system
4. Referring to User Guides #3 and #5 of this series.