



BUILDERS AND DEVELOPERS INFORMATION PACK



City of
STONNINGTON

Contents

The following are the range of permits that may be required for building in the City of Stonnington:

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Application forms

All application forms can be downloaded from the City of Stonnington's website:
stonnington.vic.gov.au

Please note that for all applications:

- An assessment will not be undertaken unless all necessary supporting information, documentation and application fees are submitted.
- Permits will not be issued unless all fees, charges and security bonds are paid in full.

It is the responsibility of the person undertaking the works or associated activity that requires a permit, and in some cases the property owner, to have a valid permit. Failure to have a valid permit may result in enforcement action being taken, including fines.

Permit fees

Council's Fee Schedule can be found in the Schedule of Permit Fees at the City of Stonnington's website: stonnington.vic.gov.au

What you need to know about building in Stonnington

Dear Resident / Property Owner/Builder/Developer,

There has been unprecedented development in Stonnington over the past ten years and this growth is likely to continue.

Council is mindful of the need to balance amenity in the community with the rights of builders and developers to build within the City. Council also needs to protect its assets and ensure public safety.

There are a number of things you can do to ensure that your work is hassle-free and meets Council expectations.

Permits

Consider what Council permits are required at every phase of your proposed works. Plan ahead and apply early, as the sooner we receive your permit application, the sooner it can be processed. Often other Council departments must be consulted with regards to your application, such as approval of Construction Management Plans and Traffic Management Plans, so lead time is important. Also please remember *no payment, no permit*.

Amenity and Asset Issues – Council has zero tolerance to the following activities:

- Dust, noise and site spoil on roads and footpaths;
- Unnecessary restricted access to roads and adjoining properties; and
- Damage to and unauthorised occupation of Council property.

Enforcement

Compliance Officers will monitor your site during all project phases to ensure permit and Local Laws compliance. Council's enforcement model is similar to other neighbouring municipalities: *ask, tell, enforce* and repeated or serious breaches may result in prosecution. Damage to any Council asset will result in Council seeking full cost recovery.

I commend this *Builders and Developers Information Kit* and hope that your building development experience in Stonnington is a positive one.

Yours sincerely



Stuart Draffin
General Manager
Planning and Amenity
City of Stonnington

Road Asset Protection Permit

City of Stonnington General Local Law 2008 (No. 1)

When is an Asset Protection Permit required?

A person requires an Asset Protection Permit if building work is carried out on land and the building work involves an activity that may damage a vehicle crossover, footpath, street tree, kerb, channel, right of way, laneway or other part of the road.
(Note: Vehicle crossovers maintenance remains the responsibility of the property owner)

Why is an Asset Protection Permit required?

An Asset Protection Permit is required because building work has the potential to damage or destroy Council assets. The assets include but are not limited to any roads, vehicle crossover, footpath, nature strip, street tree, kerb, channel, pit, street furniture, signage, right of way, laneway or other part of the road including Council infrastructure under the roads.

For this reason, Council must ensure that its assets are protected and, if damaged are maintained in a safe condition and repaired. Therefore, each application will be considered to determine what condition the Council asset is in prior to the work and after the work, so that the person who damages a Council asset repairs the asset to Council's satisfaction.

The Permit process also protects any person against paying for damage that may have existed prior to starting their building work.

What are the permit conditions likely to be included?

Council can include conditions in a Permit, such as the following:

- Measures to protect assets;
- Erection of temporary fencing;
- A specified time frame for damage to be repaired; and
- Installation of a temporary vehicle crossing prior to commencement of building works or delivery of equipment or materials to the land.

Applying for an Asset Protection Permit

When Council receives notification from your building surveyor of building and/or demolition works, an Officer will assess the risk of damage to Council assets from the works and, if necessary, will undertake an inspection of the property and surrounds.

A letter and invoice, report of existing conditions and a Works Completed Form will be sent to the property owner, advising of the requirement for an Asset Protection Permit, and applicable fee and bond, prior to commencing the works.

Once the invoice is paid, the application will be processed and the Permit issued.

What does the Permit cost?

A non-refundable administration fee pays for the administration and inspections associated with the Permit.

A refundable security bond is also required. Higher bonds may apply for larger or more complex applications.

The security bond will be refunded to the permit holder at the end of the works provided that Council has not been required to carry out any repairs, reinstatements, or to make assets safe during the construction process.

Important information

- Any damage to Council's assets may result in an infringement notice being served on the permit holder and/or builder.
- Council reserves the right to undertake rectification works and will deduct these costs from the security bond. Council will also seek to recover additional costs if the bond does not cover the rectification.
- If building works commence without an Asset Protection Permit, an infringement notice may be issued to the property owner and/or builder for failing to comply with Council's Local Law. If building works commence without an Asset Protection Permit, Council will assume that there was no existing damage to public assets prior to the commencement of the building works.
- At the completion of works the applicant is required to submit a Works Completion Form requesting a final inspection. The Permit holder will be advised of the result of this inspection in writing.

Are other permits required?

During works, you may need to place or store material or equipment on Council land.

The following permits may be required:

- Skip Bin Permit;
- Road Occupation Permit;
- Road Opening Permit;
- Temporary/Permanent Vehicle Crossing Permit; and
- Out-of-Hours Permit.

[stonnington.vic.gov.au/development/building-and-local-law-services/
local-law-permits-construction/road-asset-protection-program](http://stonnington.vic.gov.au/development/building-and-local-law-services/local-law-permits-construction/road-asset-protection-program)

Out-of-Hours Permit

City of Stonnington General Local Law 2008 (No. 1)

Why is an Out-of-Hours Permit required?

An out of hours permit is required because building works may create noise and other effects that impact on the amenity of neighbouring residents. For this reason, Council considers each application to ensure that the time, duration and character of noise does not unduly impact on local amenity.

When is an Out of Hours Permit required?

A builder requires a Permit to carry out any building activity or use any machinery or device for building activity **on, over or across a road or Council Land** between the following hours:

- 8pm to 7am Monday to Friday;
- 8pm Friday to 9am Saturday; and
- Any Sunday, Public Holidays, Christmas Day, Easter Sunday, Good Friday and Anzac Day.

Noise

Environment Protection Act 1970 and Environment Protection (Residential Noise) Regulations 2008.

Unreasonable noise must not emit from construction activities from any residential premises between the following hours:

- 8pm to 7am Monday to Friday; and
- 8pm to 9am Weekends and Public Holidays

Noise is deemed to be unreasonable if it is emitted from residential premises from construction activity and can be heard in a habitable room in any other residential premises, regardless of whether any door or window giving access to that room is open.

EPA legislation does not allow for a permit to conduct construction activities and create unreasonable noise from residential premises during the above hours.

Further details regarding the EPA requirements can be found at:
epa.vic.gov.au/about-us/legislation/noise-legislation

Out-of-Hours Permits – Non Residential Premises (Commercial and Retail)

A Local Law permit may be issued to conduct construction activities outside of the above hours at non-residential properties (i.e. commercial premises, shop fitouts etc.).

Each application will be assessed to determine whether any adjoining residential amenity is not unduly affected from any proposed works. For further details regarding this permit contact Council's Building and Local Law Services Unit.

stonnington.vic.gov.au/development/building-and-local-law-services/local-law-permits-construction/building-work-outside-of-regular-hours-non-residential-only

Important information

- Other permit requirements such as Concrete Pumps, Mobile Cranes, Traffic Management, Skip Bins, Road Openings and Closures must be included in the application as only the works specified on the Permit can be undertaken. Failure to obtain a Permit or comply with the conditions on the permit may result in an infringement being issued.
- The Permit does not override *Environment Protection Act 1970* requirements or the Environment Protection (Residential Noise) Regulations, 2008.

Road Occupation Permit

City of Stonnington General Local Law 2008 (No. 1)

When is a Road Occupation Permit required?

A Permit is required to wholly or partially occupy a footpath or road for works for:

- The erection of hoarding, scaffolding, protective barriers or like structures or overhead protective awnings, (gantry);
- Placing, leave standing or using a crane, travel tower, boom, hydraulic arm, lift, tackle or other machine for any building works; or
- Placing or storing any construction materials or tools, machinery, plant or equipment.
- Applicants should be aware that if Council street furniture has to be relocated that this will incur an additional cost for removal, relocation, storage and reinstatement.
- Works that may affect other authority assets will require written approval to be obtained from that authority and provided to Council with the application.

Applications take approximately ten working days to assess provided no further information or changes are required and a Permit will only be issued once payment is made.

Applying for a Road Occupation Permit

The applicant must provide:

- A copy of current Public Liability Insurance;
- A site plan/drawing including all street furniture, authority assets and street trees etc;
- Traffic Management Plan details;
- A complete application form and application fee.

NB: A Report and Consent from Council may also be required. For further information regarding the report and consent process contact Council.

[stonnington.vic.gov.au/development/building-and-local-law-services/
local-law-permits-construction/road-occupation](http://stonnington.vic.gov.au/development/building-and-local-law-services/local-law-permits-construction/road-occupation)

Road Opening Consent

Road Management Act 2014, s63.

When is a Road Opening Consent required?

Council consent is required for any works in, on, under or over a municipal road.
The consent of VicRoads is required for any works in, on, under or over an arterial road.

To ascertain the status of the road refer to:

[stonnington.vic.gov.au/development/building-and-local-law-services/
local-law-permits-construction/road-openings](http://stonnington.vic.gov.au/development/building-and-local-law-services/local-law-permits-construction/road-openings)

Road opening applications will usually take the following time to process:

- Supply extension works – 15 business days;
- Connection of services – three business days; and
- For other application types – 20 business days.

Exemptions

There are some exemptions and Council can advise you of these.

Even for exemptions, there are obligations under the *Road Management Act 2004* and requirements to advise Council or VicRoads of the completion of work.

Applying for a Road Opening Consent

The applicant must provide:

- A completed application form and applicable fees;
- A site plan/drawing and description of work;
- A copy of current public liability insurance;
- Traffic management plan details;
- Copies of notices given to other infrastructure managers or works managers; and
- Public consultation details if required.

Application fees must be paid for the application to be accepted and all consent fees must be paid prior to the consent being issued.

Who Conducts the Works?

All reinstatement works are required to be completed by the works manager.
For guidance on reinstatement standards please contact Council

Significant Tree Permit

City of Stonnington General Local Law 2008 (No.1) s.719

When is a Significant Tree Permit required?

A Tree Work Permit must be obtained before a person prunes, cuts, trims, removes, damages, kills or destroys a Significant Tree on private land. A permit is also required for any works (including but not limited to trenching, digging, compaction, excavation, fill and storage of materials and equipment) within the protected Root Zone of a Significant Tree. A Significant Tree is a tree:

- With a trunk circumference of 180 centimetres or greater measured at its base; or
- With a total circumference of all its trunks of 180 centimetres or greater measured at its base; or
- With a trunk circumference of 140 centimetres or greater measured at 1.5 metres above its base; or
- With a total circumference of all its trunks of 140 centimetres or greater measured at 1.5 metres above its base; or
- Listed on the *National Trust of Australia Register of Significant Trees*.

Why is a Significant Tree Permit required?

Stonnington is renowned for its leafy suburbs and trees and the loss of Significant Trees would detract from the amenity of the municipality. However, some trees may pose a risk and that risk requires management.

For the above reasons, a Tree Work Permit is required.

What Permit conditions are likely to be included?

Permit conditions may include:

- Tree pruning standards consistent with the Australian Standard® (AS4373);
- Appropriate public insurance of arborists undertaking the work;
- Surrounding resident notifications; and
- Replacement trees where a removal Permit has been granted.

Applying for a Significant Tree Permit

The applicant must provide:

- A completed application form,
- Proof of property ownership and identity (Driver Licence and Rates Notice);
- A copy of written consent from the Body Corporate Manager or Committee of Management, if applicable;
- The appropriate fee (\$20 per tree); and
- Any supporting documentation relevant to the application.

An application will take approximately 15 business days to consider.

Application forms and further information can be found at:

[stonnington.vic.gov.au/development/building-and-local-law-services/
local-law-permits-construction/significant-trees](http://stonnington.vic.gov.au/development/building-and-local-law-services/local-law-permits-construction/significant-trees)

Significant Tree Permit (cont...)

What will happen if I do not have a Permit and remove or destroy a significant tree?

A Tree Work Permit is required if you intend to lop, prune, remove or destroy a Significant Tree on private property.

Council street trees must not be cut, trimmed, pruned, damaged, killed or destroyed during construction activities.

For further information regarding Council trees that may be impacted by construction activities, contact Council on 8290 1333, and ask to speak to one of our arborists.

Council has zero tolerance of the removal and destruction of Significant Trees without a permit. Builders, developers or property owners found responsible for the removal or destruction of significant trees without a Council Permit will be prosecuted at the Magistrates' Court of Victoria.

Skip Bin Permit

City of Stonnington General Local Law 2008 (No. 1)

When is a Skip Bin Permit required?

A Skip Bin Permit is required for the placement of a bulk rubbish bin on a road or Council land.

The skip bin company must apply for the permit as it is the responsible party.

Why is a Skip Bin Permit required?

A Skip Bin Permit is required for public safety, amenity, and drainage and to monitor potential damage to road surfaces. For these reasons Council considers each skip bin application.

What Permit Conditions are likely to be included?

The following conditions could be included:

- Bin location including the ability of traffic to pass, compliance with road rules, footpath use and disability access;
- Flashing orange lights and/or reflective tape shall be fitted on the corner of the container nearest to traffic, from sunset to sunrise.
- No overnight bins in Chapel Street, Commercial Road and Toorak Road between Rockley Road and Punt Road and on occasion, other roads.
- All costs for damage caused by the bin to be borne by the permit holder and restoration must be to Council's standards.
- Copy of Public Liability Insurance to a minimum value of \$5M.
- No rotting material or offensive odour.

A list of conditions placed on a Skip Bin Permit can be viewed at:

[stonnington.vic.gov.au/development/building-and-local-law-services/
local-law-permits-construction/skips-on-roads-or-council-land](http://stonnington.vic.gov.au/development/building-and-local-law-services/local-law-permits-construction/skips-on-roads-or-council-land)

Applying for a Skip Bin Permit

The applicant must provide:

- A copy of current Public Liability Insurance; and
- An application form and the applicable fee.

An application will take approximately three days to assess.

What if my Permit expires?

If the Permit expires before you get the bin, a new application is required and refunds are not provided.

What will happen if I do not have a permit and place a bin on the road?

Placement of a skip bin on a road or Council land without a permit may incur an infringement notice with a \$200 penalty.

Vehicle Crossing Consent

Road Management Act 2004, s63/City of Stonnington Local Law 2008

When is a Vehicle Crossing Consent required?

A Consent is required under the *Road Management Act* to construct a permanent vehicle crossing or alter a vehicle crossing over a municipal road.

A Permit is required under the Local Law to place a temporary vehicle crossing on a road.

A Permit issued under the Local Law is evidence of a consent (under the *Road Management Act 2004*).

Why is a Vehicle Crossing Consent required?

The *Road Management Act* requires a Consent to conduct these works. For crossovers on an arterial road, a planning permit is required.

Applying for a Vehicle Crossing Consent

The applicant must provide:

- A completed application form and applicable fee;
- A Road Asset Protection Bond in case damage to the roadway, pathway or area of roadside is not reinstated to the same standard as prior to the works;
- A site plan/drawing and description of work including:
 - The subject site, fully scaled and dimensioned, including:
 - All physical constraints, including pits, poles, drainage points, street trees etc.;
 - Any existing/redundant vehicle crossovers at the site;
 - The length and width of the proposed crossover;
 - The setback of the building from the boundary line;
 - The width of the property frontage including the proposed location of the crossover;
- Confirmation that Dial before you Dig has been contacted through 1100.com.au, to ensure that no underground services are damaged;
- A copy of current public liability insurance;
- Copies of any proposed traffic management plan;
- Copies of notices provided to other infrastructure managers or works managers; and
- Details of public consultations (if required).

Assessment

Assessment of the application will consider the following:

- Proposed access point and vehicular movements;
- Impacts on utility services, infrastructure and public assets (including street trees), safety impacts on pedestrians, road users and the public; and
- Any loss of on-street parking and the availability and demand for parking in the area.

Applications will be responded to within 20 business days. No work must be commenced without a Consent being issued.

Application fees must be paid upon lodgement of the application to be processed. Where a Consent will be issued, all Permit fees and charges must be paid prior to issuance.

Prior to construction

If a Consent is granted, any required alteration to street signs, parking meters or road line markings will be at the property owner's expense.

In some instances, other payments may be required by Council such as for the loss of a street tree which diminishes amenity. These issues would be determined in the assessment.

Please refer to the City of Stonnington Vehicle Crossing Policy, Specifications and Standard Drawings. Copies can be obtained from the City of Stonnington's website:
stonnington.vic.gov.au/development/building-and-local-law-services/local-law-permits-construction/building-vehicle-crossings

Completion

The Works Manager must notify Council of the completion of works and an inspection will be undertaken. Any damage to surrounding road surfaces is required to be repaired within a specified period. If this does not occur, Council will repair the road and recover the costs from the reinstatement bond.

Tradesperson's Parking Permits

Road Management 2004, s63/City of Stonnington Local Law 2008

When is a Parking permit required?

A Parking Permit may be required to:

- Allow a tradesperson to park in a residential zone without the need to comply with the relevant time restrictions;
- Allow a tradesperson to park in a commercial zone without the need to comply with the relevant time restrictions; and
- Allow construction workers to park within a zone adjacent to the construction site.

Why are parking permits required?

Parking permits are required to maximise the opportunity for residents and visitors to Stonnington to park. A Tradesperson's Residential or Commercial Parking Permit allows a tradesperson to park within the zone for a short period of time.

For large developments, a Works Zone Permit is available for construction workers to utilise.

What are the permit conditions?

A Tradesperson's Residential Parking Permit will contain Council's standard conditions.

The conditions can be viewed at:

[stonnington.vic.gov.au/development/building-and-local-law-services/
local-law-permits-construction/trades-persons-parking-permits](http://stonnington.vic.gov.au/development/building-and-local-law-services/local-law-permits-construction/trades-persons-parking-permits)

Tradespersons Vehicle Occupation Permit (Commercial Areas) and a Works Zone Occupation Permit will contain Council's standard conditions. The conditions can be viewed at:

[stonnington.vic.gov.au/development/building-and-local-law-services/
local-law-permits-construction/works-zone](http://stonnington.vic.gov.au/development/building-and-local-law-services/local-law-permits-construction/works-zone)

Applying for Parking Permits

To apply for a Tradesperson's Residential Permit the following is required:

- A completed application form;
- Proof of residency (if you do not already have a resident's parking permit); and
- A letter from the resident confirming that the trades person will be carrying out works at the property (if the application is made by a trades person).

A Tradesperson's Residential Permit will not be granted for commercial developments, for work carried out in non-residential premises and if permits have been issued for one month or more.

To make an application for a Tradesperson's Vehicle Occupation Permit (Commercial Areas) or a Works Zone Occupation Permit, you will require:

- A completed application form;
- Details of the requested parking spaces (a site plan may be required); and
- Pay the permit fee and any additional parking bay charges.

Parking Permit applications will be assessed, and may be approved within the following time frames:

<u>Works Zone Occupation Permit</u>	<u>20 business days</u>
<u>Tradesperson's Vehicle Occupation Permit (Commercial areas)</u>	<u>three days</u>

Tradesperson's Residential Permit upon payment at Council's Service Centres.

City of Stonnington | **Building and Local Law Services**

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