

APPLICATION FOR PLANNING PERMIT



Planning and Environment Act 1987 Section 47(1)(a)
Planning and Environment Regulations 2015, Regulation 13

NOTE: Council's preferred lodgement method is paperless via our online portal www.stonnington.vic.gov.au/eplanning
If lodging in paper, please print clearly and read the notes on the back before completing this form.

APPLICATION NUMBER:

DATE RECEIVED:

THE APPLICANT: Who is making this application?

APPLICANT:		PHONE:	
C/-: CONSULTANT OR OTHER		FAX:	
ADDRESS:		EMAIL:	
DID YOU HAVE A PRE APPLICATION MEETING? IF SO WITH WHOM?			YES <input type="checkbox"/> NO <input type="checkbox"/>
IS THIS APPLICATION A RESULT OF AN ENFORCEMENT ISSUE?			YES <input type="checkbox"/> NO <input type="checkbox"/>

LAND AFFECTED BY THIS APPLICATION - A full copy of title and plan, including any covenant details, must be supplied

ADDRESS:					
LOT NO.		PLAN OF SUBDIVISION:			
TITLE DETAILS:		VOLUME:		FOLIO:	

THE PROPOSAL: For what use, development or other matter do you require a permit?

Describe the way the land is used now.

THE COST OF THE DEVELOPMENT

State the estimated cost of the proposed development. Be aware that you may be required to verify this estimate.	\$
ANY MATERIAL SUBMITTED WITH AN APPLICATION INCLUDING PLANS WILL BE MADE AVAILABLE FOR PUBLIC VIEWING AND COPIES MAY BE MADE BY INTERESTED PARTIES FOR THE SOLE PURPOSE OF ENABLING CONSIDERATION AND REVIEW AS PART OF A PLANNING PROCESS UNDER THE PLANNING AND ENVIRONMENT ACT 1987	

THE OWNER: give the name and address of the owner of the land (not c/- the applicant or consultant)

Name:	Phone during business hours:
Address:	

DECLARATION

This form must be signed

Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit

I declare that all the information in this application is true and correct and the owner (if not myself) has been advised of the application.

In accordance with the Planning and Environment Act 1987, for the purpose of enabling consideration and review as part of a planning process, I consent to any material submitted, including plans and personal information, being made available for public viewing and copying (including electronically) to any interested parties – see over for privacy collection notice.

Name:

I am the (tick all that apply)

☐ Owner

☐ Applicant

Signature:

Signature:

Date:

HOW TO APPLY FOR A PLANNING PERMIT

Applications made under section 47 (1)(a) must include the information required by Regulation 13 of the Planning and Environment Regulations 2015. This Application for Planning Permit is provided to assist applicants.

You MUST GIVE FULL DETAILS of your proposal and attach as many supporting documents as possible. If you do not give enough detail or give a suitable description of the proposal, you will be asked for more information. This **WILL DELAY** your application.

- **THE APPLICANT**
 - Give your full name or the name of the company.
 - Give your full postal address and your contact phone number.
- **THE LAND**
 - Give the street number, street name, town and postcode and the lot number and lodged plan number or other Title particulars.
 - If you attach a plan, include:
 - the boundaries of the land and their measurements;
 - the street it faces, the nearest intersecting street, the distance from this street and the name of all streets on the plan;
 - the direction of north and the scale of the plan.
 - **Your planning application must be accompanied by 'a recent and legible copy of the certificate of title including details of any unregistered dealings and copy of title plan' for the land subject to the permit application. The title should be no older than 14 days from the date the planning application is lodged with Council.**
 - **You are required to complete the attached form (Standard Declaration) and submit it to Council.**
 - **Section 61(4) of the Act requires the Council to refuse a permit, if a permit authorises anything that would result in a breach of a registered covenant.**
 - If the Council considers this applies to your application, the application must be refused unless you decide to take one of the following five options. (The options are outlined in the attached Standard Declaration. The option chosen must be indicated on the standard declaration form and returned to Council):-
- **THE OWNER**
 - Complete this section if the applicant is not the owner, otherwise indicate "applicant".
- **THE PROPOSAL**
 - Describe fully what you want to do with the land. The application must include a plain English description of the proposal that clearly conveys the nature of the proposal. This will be used in any notice about the application. Attach additional information if there is insufficient room.
 - Attach a plan to show details of the proposed development.
 - Briefly describe the current use of the land and any buildings.
- **THE COST OF THE DEVELOPMENT**
 - If a permit is required to develop land, you must give the estimated cost of the development. This is used to assess the amount of any fee you may have to pay. (Applications over \$1,133,000 require a current Metropolitan Planning Levy certificate (no older than 90 days) Levy certificates are issued by the State Revenue Office and expire 90 days from the issue date.
 - Development here refers to the buildings and works you intend to construct on the land. If no buildings or works are proposed and you only intend to change the use in an existing building or on the land, the word 'NIL' should be written in this square.
 - The Responsible Authority will tell you the fee you have to pay.

HAVE YOU:

- Answered all the questions?
- Included payment to cover the application fee? (Metropolitan Planning Levy where relevant)
- Attached all the maps, plans, photographs and other documents?
- Included a list of all the documents?
- The Responsible Authority will tell you how many copies of each document it needs.

OTHER MATTERS THE APPLICANT MUST HAVE REGARD FOR:

To ensure safety, the location of overhead power lines, including an allowance for sag and sway, must be factored into building design. It is the obligation of the property owner/s to ensure safe clearances are maintained. You are encouraged to visit the Energy Safe Victoria website for further details.

REMEMBER it is against the law to give false or misleading information. You may receive a heavy fine and your permit may be cancelled.

PRIVACY COLLECTION NOTICE:

In accordance with the Planning & Environment Act 1987, for the purpose of enabling consideration and review as part of a planning process, Council collects your name, contact details and signature (**Personal Information**), including any material submitted such as plans and other documents.

The information you provide will be used for the following purposes:

- correspond with you about your permit application
- be made available for public viewing and copying (including electronically) to any interested parties - this may be a notice onsite, in a newspaper, online via ePlanning and/or by post
- if necessary, forward your application to a Statutory Referral Authority, to other Council departments and report on it or applications more generally
- be recorded in the permit register (no name or personal details are visible in the online register).

If you do not provide your Personal Information your application will be deemed invalid.

If you wish to access or alter any of the Personal Information that you have supplied to Stonnington City Council, please contact Council's Privacy Officer by telephoning 03 8290 1333 or emailing council@stonnington.vic.gov.au. For more information about how Council handles Personal Information, please refer to our [Privacy Policy](#).

Send the completed form and all the documents to the Responsible Authority:

STONNINGTON CITY COUNCIL – STATUTORY PLANNING UNIT

PO BOX 58 MALVERN 3144

311 GLENFERRIE ROAD, MALVERN VIC 3144

COUNCIL@STONNINGTON.VIC.GOV.AU

WWW.STONNINGTON.VIC.GOV.AU/PLANNING

THIS CHECKLIST MUST ACCOMPANY APPLICATIONS LODGED WITH COUNCIL

Site Address:

Applicant:

Date lodged:

☒ **TICK BOXES AS APPROPRIATE**

PLEASE INDICATE THE NATURE OF YOUR APPLICATION:

- | | |
|--|---|
| <input type="checkbox"/> ALTERATIONS TO AN EXISTING STRUCTURE | <input type="checkbox"/> CHANGE OF USE OF LAND / BUILDING ie Liquor Licence |
| <input type="checkbox"/> SINGLE DWELLING ON SITE > 500M ² | <input type="checkbox"/> COMMERCIAL / INDUSTRIAL SITE |
| <input type="checkbox"/> SINGLE DWELLING ON SITE < 500M ² | <input type="checkbox"/> ADVERTISING SIGN |
| <input type="checkbox"/> MULTI-UNIT DEVELOPMENT | <input type="checkbox"/> OTHER |

SECTION A - ALL APPLICANTS MUST PROVIDE INFORMATION OUTLINED WITHIN THIS SECTION INCLUDING

- ☐ Completed Application Form, including owner's consent/declaration that owner is aware of application
- ☐ Recent copy of Title INCL COPY OF TITLE PLAN (Not more than seven (7) days old for multi-unit development) applications - may be obtained from the LANDATA (Land Registry Services Pty Ltd)
2 Lonsdale Street, Melbourne. P: 9102 0402 | https://www.landata.online/tpc_menu.aspx
- ☐ Application fee (Based on cost of works – see Schedule of Fees)

INCLUDE ONE SET OF PLANS (1:100) ON USB OR DISC

SITE PLANS

- ☐ A site plan (birds-eye view) which shows:
 - the existing buildings and structures
 - setbacks of the subject and surrounding buildings to the boundary
 - any other features such as vegetation, car parks, driveways and crossovers
 - the length and heights of fences and walls built to the boundary
 - levels on the subject and surrounding sites
 - the distance between existing and proposed buildings and the property's boundaries and adjoining walls. It should distinguish between existing and proposed structures and features.

The plan must also include a summary of:

- the site coverage
- floor area
- the number of parking spaces
- area proposed for landscaping
- other relevant details

Please note: additional details may be required for Multi Unit Development (refer to Clause 55.01 of the Stonnington Planning Scheme and Single Dwellings on a site less than 500m² (refer to Clause 54.01 of the Stonnington Planning Scheme).

FLOOR PLANS

- ☐ An existing conditions floor plan.
- ☐ A proposed floor plan
Both plans should show:
 - the layout of the building
 - its relationship to buildings on all adjoining boundaries
 - the location and dimensions of walls, windows and doors
 - the use of each room and area within the building

ELEVATION PLANS

- ☐ Elevations of all four sides (north, south, east and west)
- ☐ The height and length of walls
- ☐ Details of construction materials, including finishes and colours

Cont...

SECTION B - ADDITIONAL INFORMATION REQUIRED FOR SPECIFIC PERMIT APPLICATIONS:

METROPOLITAN PLANNING LEVY - (Applications cannot be accepted without the certificate)
ALL APPLICATIONS WITH A COST OF WORKS GREATER THAN \$1,133,000
<input type="checkbox"/> Recent copy of Title INCL COPY OF TITLE PLAN (Not more than seven (7) days old for multi-unit development) applications - may be obtained from the LANDATA (Land Registry Services Pty Ltd) 2 Lonsdale Street, Melbourne. P: 9102 0402 https://www.landata.online/tpc_menu.aspx
ALTERATIONS TO EXISTING STRUCTURES
<input type="checkbox"/> A written statement detailing all the amendments to current structure which are being sought
SINGLE DWELLING ON SITES LESS THAN 500M²
<input type="checkbox"/> Neighbourhood and Site Description as per Clause 54.01 of the Stonnington Planning Scheme <input type="checkbox"/> Design response as per Clause 54.01-2 of the Stonnington Planning Scheme <input type="checkbox"/> Plans must show all gradients and internal dimensions of all parking facilities (car spaces / garages) including bicycle parking facilities, parking aisles, internal access roadways and driveways and turning circles, to demonstrate compliance with the relevant Australian Standard or Rescode requirements. <input type="checkbox"/> A written statement certifying whether any trees were removed from the site 12 months prior to the application being made <input type="checkbox"/> Shadow diagrams to demonstrate compliance with Clause 54.04-5 of the Stonnington Planning Scheme
MULTI UNIT DEVELOPMENTS
<input type="checkbox"/> Neighbourhood and Site Description as per Clause 55.01 of the Stonnington Planning Scheme <input type="checkbox"/> Design response as per Clause 55.01-2 of the Stonnington Planning Scheme <input type="checkbox"/> Landscape plans – 3 copies including 1 set in colour <input type="checkbox"/> A written statement that describes how the development is consistent with any relevant policy for housing in the State and Local Planning Policy Frameworks in the Stonnington Planning Scheme (refer to Clause 55.02-2) <input type="checkbox"/> Plans must show all gradients and internal dimensions of all parking facilities (car spaces / garages) including bicycle parking facilities, parking aisles, internal access roadways and driveways and turning circles, to demonstrate compliance with the relevant Australian Standard or Rescode requirements. <input type="checkbox"/> A written statement certifying whether any trees were removed from the site 12 months prior to the application being made <input type="checkbox"/> Shadow diagrams to demonstrate compliance with Clause 55.04-5 of the Stonnington Planning Scheme <input type="checkbox"/> More than 4 Storeys – Apartment Development (refer to Clause 58) Urban Context Report And Design Response, Urban Context, Site Layout, Amenity Impacts, On-Site Amenity and Facilities, Detailed Design and Internal Amenity
ADVERTISING SIGNS
<input type="checkbox"/> An elevation plan showing the full facade of the building (scale 1:20 or 1:50) and include: - correct dimensions of signage (including height) - method of illumination - whether the sign is on poles and any other supporting structures

CHANGE OF USE (BUILDING/SITE) AND COMMERCIAL / INDUSTRIAL DEVELOPMENTS
<input type="checkbox"/> A re-establishment and feature survey indicating whether the present boundaries accord with title
<input type="checkbox"/> A written explanation of the proposal, including information on: - employee numbers - details and hours of operation - car parking - seating numbers - other licences sought
<input type="checkbox"/> Liquor Licence applications must contain all relevant material as listed in Clause 22.10-4 of the Stonnington Planning Scheme.

**REGISTRATION AND PROCESSING OF APPLICATIONS IS DEPENDENT UPON THE SUBMISSION OF
REQUIRED INFORMATION (AS OUTLINED IN THIS CHECKLIST)**

STANDARD DECLARATION FOR PLANNING PERMITS

Description of Land Subject to the Application:

NUMBER		STREET				SUBURB	
TITLE DETAILS:	LOT		LP		PS		

Is a restrictive covenant recorded or registered on the certificate(s) of title?

Yes ☐ No ☐

Does a restriction on the registered plan of subdivision (if applicable) affect the land?

Yes ☐ No ☐

****If you answered NO to both the above questions, please sign the base of the form on the following page and return with a 'recent, legible and complete copy of the certificate of title including details of any unregistered dealings' (no older than 14 days) to Council**

(You have finished this statement – please sign the base of the statement on the following page and return to Council. The Council will need to verify this statement. If the Council disagrees with your statement, Council staff will contact you.)

****If you answered YES to either of the above questions, please go on.**

Please attach a '**recent, legible and complete copy of the certificate of title including details of any unregistered details no older than 14 days** (if you have not already provided this to Council) **and** a copy of the restrictive covenant or restriction.

Do you think that the permit you have sought authorises anything that would result in a breach of the covenant?

Yes ☐ No ☐

If **NO** please briefly explain your reasons:

If **YES** , please explain which aspects of the permit you believe would result in breach of the covenant

If **YES**, please attach information clearly identifying each allotment or lot benefited by the registered restrictive covenant.

I AM AWARE OF THE OPTIONS NOW AVAILABLE TO ME AND I HAVE DECIDED TO ADOPT:

☐ **OPTION #1**

I have decided to make a separate application for a planning permit to remove vary a restrictive covenant. Please defer a decision on this application until that application is being determined. I am aware that notice will need to be given of the new application and that additional notice may be required in relation to this application.

☐ **OPTION # 2**

I have decided to apply to the Supreme Court for an order to remove or vary the covenant. Please defer this request until I notify you of the outcome of that application.

☐ **OPTION #3**

Please defer a decision on this application. I intend to make a request to council to prepare an amendment to the planning scheme to authorise the removal or variation of the registered restrictive covenant.

☐ **OPTION #4**

I withdraw this application and intend to make a request that the council prepare an amendment to the planning scheme to remove or vary the covenant and consider a permit application which authorises something that would otherwise result in a breach of a covenant.

☐ **OPTION # 5**

I have decided to withdraw the application.

The above information is true and correct. I understand that obtaining or attempting to obtain a permit by wilfully making or causing to be made any false representation or declaration either orally or in writing in an offence under the *Planning and Environment Act 1987*.

* Signature (Signed by or for or on behalf of the applicant)

Name:

Date:

PLANNING SCHEDULE OF PERMIT APPLICATION FEES

Fees as of 1 July 2022

(In accordance with the Monetary Units Act 2004, the fee unit for the 2022-23 financial year is: \$15.29 and rounded to nearest .10c)

The fee for an amendment application for any combination of the classes of amendment outlined below is the sum of the highest of the fees which would have applied if separate applications were made and 50% of each of the other fees which would have applied if separate applications were made

Reg 9	Type of Permit Application	Fee
Class 1	Use only	\$1,360.80
Reg 9	SINGLE DWELLINGS To develop land for a single dwelling per lot or use and develop land for a single dwelling per lot and undertake development ancillary to the use of land for a single dwelling per lot included in the application (other than a class 7 or 8 permit or a permit to subdivide or consolidate land) if the cost of development is:	Fee
Class 2	\$10 000 or less	\$206.40
Class 3	More than \$10 000 and not more than \$100 000	\$649.80
Class 4	More than \$100 000 and not more than \$500 000	\$1,330.20
Class 5	More than \$500 000 and not more than \$1 000 000	\$1,437.30
Class 6	More than \$1 000 000 and not more than \$2 000 000	\$1,544.30
	\$2 000 000 and above – refer to Other Development below	
Reg 9	VICSMART Applications which meet the VicSmart criteria	Fee
Class 7	Development \$10 000 or less	\$206.40
Class 8	Development more than \$10 000	\$443.40
Class 9	Subdivide or consolidate land	\$206.40
Class 10	VicSmart application (other than a class 7, class 8 or class 9 permit)	\$206.40
Reg 9	OTHER DEVELOPMENT To develop land (incl single dwelling per lot) if the estimated cost of development is:	Fee
Class 11	\$100 000 or less	\$1,185.00
Class 12	More than \$100 000 and not more than \$1 000 000	\$1,597.80
Class 13	More than \$1 000 000 and not more than \$5 000 000	\$3,524.30
Class 14	More than \$5 000 000 and not more than \$15 000 000	\$8,982.90
Class 15	More than \$15 000 000 and not more than \$50 000 000	\$26,489.90
Class 16	\$50 000 000 and above	\$59,539.30
Reg 9	SUBDIVISION	Fee
Class 17	To subdivide an existing building (other than a class 9 permit)	\$1,360.80
Class 18	To subdivide land into two lots (other than a class 9 or class 17 permit)	\$1,360.80
Class 19	To effect a realignment of a common boundary between lots or to consolidate two or more lots (other than a class 9 permit)	\$1,360.80
Class 20	To subdivide land (other than a class 9, class 17, class 18 or class 19 permit) per 100 lots created	\$1,360.80
Class 21	To: a) create, vary or remove a restriction within the meaning of the Subdivision Act 1988; or b) create or remove a right of way; or c) create, vary or remove an easement other than a right of way; or d) vary or remove a condition in the nature of an easement (other than right of way) in a Crown grant.	\$1,360.80
Reg	CERTIFICATION	Fee
Reg 6	Certification of a plan of subdivision	\$180.40
Reg 7	Alteration of a plan under section 10 (2) of the Act (Any instance where Council requires a change to the plan to make it suitable for certification whether it be conditioned on the permit or prior)	\$114.70
	OTHER APPLICABLE STATUTORY FEES	Fee
Reg 15	Certificates of Compliance (under Section 97N)	\$336.40
Reg 16	For an agreement to a proposal to amend or end an agreement under S173 of the Act	\$680.40
Reg 18	Where a planning scheme specifies that a matter must be done to the satisfaction of a responsible authority, Minister, public authority or municipal council Including lodging plans to comply if the first submission to Council was unsatisfactory	\$336.40
Reg 9 Class 22	A permit not otherwise provided for in the regulation	\$1,360.80