

## 2.02

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VC145

## THE PERMIT PROCESS

### Permit applications

If you propose to use or develop land, first discuss the proposal in detail with a Council planning officer. Early discussion will confirm whether a permit is necessary and identify any other requirements.

### Making a planning permit application

If a permit is required, an *Application for Planning Permit* form must be filled out and lodged with responsible authority, which is usually the Council.

The application must include all necessary supporting information such as plans, reports and photographs so that the proposal is fully described and can be understood by all interested parties.

The *Planning and Environment Act 1987* requires the payment of a fee for the processing of applications. Details of the fee can be obtained from Council.

In some circumstances, the Minister for Planning or another person *may* administer parts of this scheme. A Council planning officer can advise you what to do in such cases.

### Considering and giving notice of the application

In considering an application, Council will in most cases decide whether material detriment may be caused to any person and, if so, it must give them an opportunity to comment on the proposal.

There are a number of ways of giving notice of an application, including notifying the owners and occupiers of nearby properties, and placing notices on the land and in a newspaper circulating in the area.

With some applications, Council will seek the views of other government or public agencies before making a decision. It may also ask you to provide more information.

Once any necessary advertising has been completed and other agencies have had time to comment, the application will be decided.

In making its decision, Council must assess an application against the strategies and desired outcomes outlined in the scheme's policy frameworks. Any other matters that the scheme specifies must also be taken into account.

### The decision

Following consideration of your application, Council will decide to either:

- Issue a permit.
- Issue a notice of decision to grant a permit (which gives objectors a set time in which to lodge an application for review).
- Refuse to grant a permit.

A permit can be issued with or without conditions, and a proposal can only begin and continue if all the conditions on the permit are met.

**Do I have a right to seek a review of a decision?**

In many cases, yes. Your rights to a review of a Council decision are usually explained in the document that conveys advice of Council's decision. Additional information on reviews of decision may be obtained from the Victorian Civil and Administrative Tribunal, Planning List, 55 King Street, Melbourne 3000 - Phone (03) 9628 9777.

**What is the difference between building and planning permits?**

Planning permits must not be confused with building permits. Building permits are issued under the Victoria Building Regulations and generally relate only to the constructional aspects of a building or other development.

A building permit is required in most cases involving development. You should consult a building surveyor if any building is proposed. If a planning permit is required, it must be obtained before a building permit can be issued.