Helping you understand your planning needs

CITY OF YARRA

Understanding Planning in Yarra

The term 'planning' can be quite confusing. There are many facets to planning, many different rules and regulations, and often many complex terms and abbreviations such as zone, overlay, and MSS.

This fact sheet aims to provide a simple and broad overview of the different aspects of planning, what is involved, and an explanation of key terms and concepts.

There are a number of ways that you may get involved in local planning decisions. Most commonly it will be because:

> You may need a planning permit - for example if you would like to extend your home or open a business

> You are given the opportunity to comment on someone else's application for a planning permit - for example your neighbours may be seeking to build units on their property and you have objections to their proposal.

Alternatively, you may be invited to help Council develop planning controls for a specific area or large site. These planning controls could then be included in the Yarra Planning Scheme and used to assess any future development plans for that area or site.

What is a planning scheme?

A planning scheme is a legal document that sets out policies and controls for the way land may be used; for example for housing or a shop/business, and what development is appropriate; for example what the height of a building should be and how much open space should be provided.

All municipalities in Victoria have a planning scheme which is based on the *Victoria Planning Provisions.* All applications for planning permits are assessed against the relevant planning scheme.

What does the Yarra Planning Scheme include?

The Yarra Planning Scheme is made up of both State and Local provisions and includes a number of key components as shown in the diagram overleaf.

The **State Planning Policy Framework (SPPF)** includes objectives and policies relating to matters such as metropolitan development, environment, housing, economic development and infrastructure.

One of the key State Government planning policies affecting Yarra is *Melbourne 2030*. *Melbourne 2030* is a plan for the managed growth and development of the metropolitan area.

In the 30 years from 2000 to 2030 the population of metropolitan Melbourne is expected to grow by 1 million. *Melbourne 2030* sets out a plan for how those extra people will be accommodated and how the extra demand for transport and services will be managed.

Further information

If you need more information about planning in Yarra:

Visit our website
> www.yarracity.vic.gov.au/planning

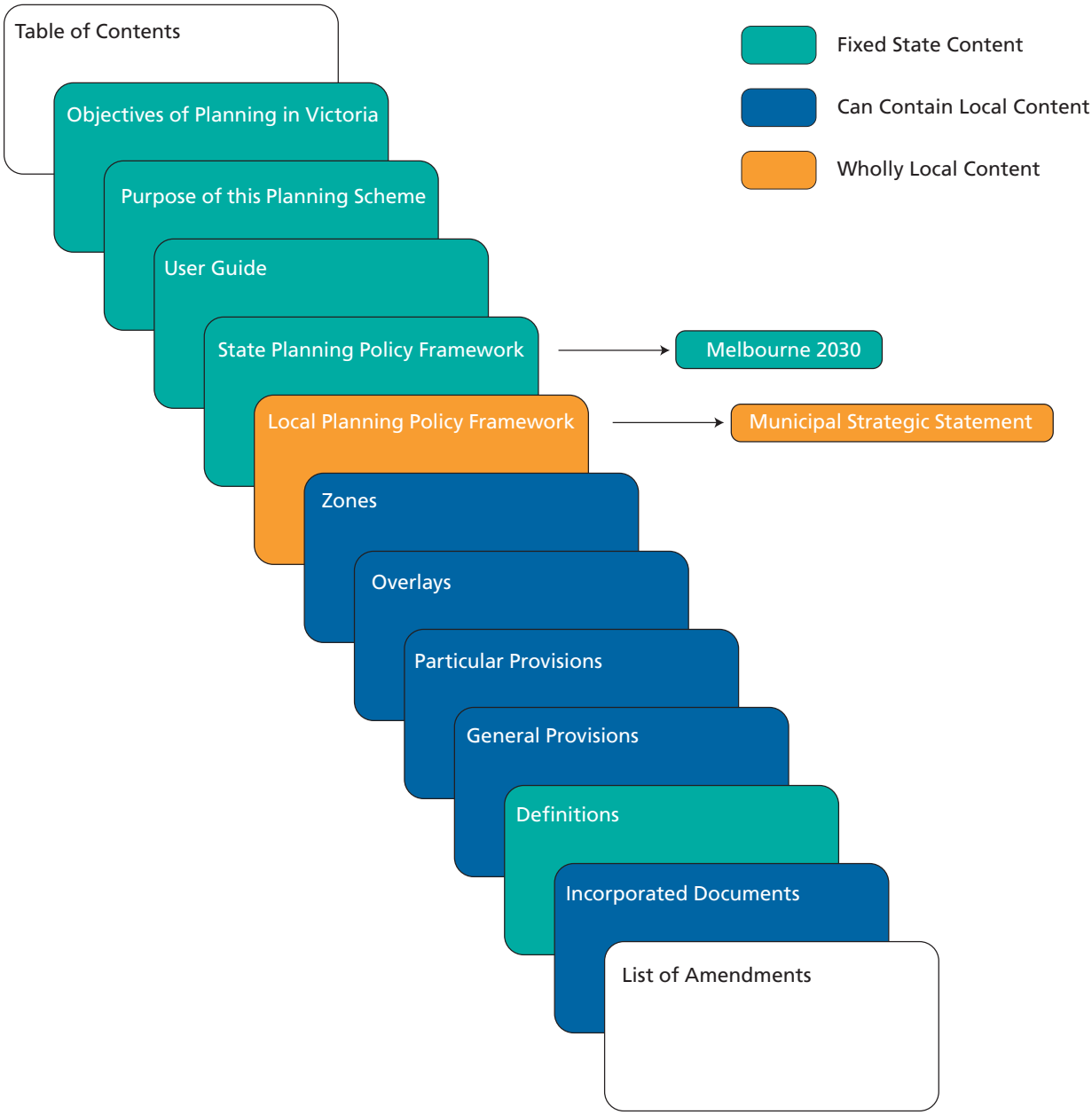
Telephone
> 9205 5555 (between 8.30am and 5.00pm, Monday to Friday)

Visit the planning counter
> Richmond Town Hall
333 Bridge Road, Richmond
Monday to Friday
8.30am to 5.00pm and
Tuesday 8.30am to 6.00pm

For more information about planning in Victoria, please visit www.dpcd.vic.gov.au or call 1300 366 356 and request a copy of *'Planning: a short guide'*.

diverse vibrant exciting inclusive

Components of a planning scheme



For more information about *Melbourne 2030*, please visit www.dpcd.vic.gov.au/melbourne2030

The **Local Planning Policy Framework (LPPF)** is made up of the *Municipal Strategic Statement (MSS)* and local planning policies. The *MSS* is Council's primary strategic land use and development planning policy and provides the basis for all local provisions in the Yarra Planning Scheme. It provides a vision for key matters such as the City's characteristics, sustainability and the local economy. It also outlines where the City of Yarra is now, and the direction in which Council wants it to go.

The City of Yarra also has a number of **local planning policies**, which relate to particular areas within the municipality such as the *Victoria Street East Precinct Policy*, or relate to particular types of development, such as the *Development Guidelines for Heritage Places Policy* and *Built Form and Design Policy.*

The Planning Scheme also applies **zones** to all land in the municipality and may also apply **overlays** to some land. Zones and overlays provide information on how the land may be used and what kind of development may be appropriate based on the unique attributes that apply to a site and its surrounds.

Zones are selected from a suite of zones provided in the Victoria Planning Provisions which allocate land for different uses, such as residential, industrial or business. Each zone has a set of requirements outlining what that land can and can't be used for and what buildings and works on that land require a planning permit.

These are described as:

> 'As of right' uses (no planning permit is required)

> Discretionary uses (planning permit required), or

> Prohibited uses.

In some zones it is possible to apply local provisions in order to better reflect local circumstances.

Overlays are also selected from the Victoria Planning Provisions and relate to specific issues such as heritage significance, environmental significance or flood risk.

The Planning Scheme also includes provisions relating to particular issues such as car parking requirements, advertising signs, particular uses and residential standards.

Can the Planning Scheme be changed?

Changing the Planning Scheme is called an amendment to the Planning Scheme. Council's Strategic Planning department is often developing new policies, changing existing policies or rezoning areas to reflect a new strategic direction. The community is consulted as part of the amendment process. Once Council has adopted the amendment, it is submitted to the Minister for Planning to approve and include in the Yarra Planning Scheme. This is to ensure that it is in line with the State planning policy.

Who administers the planning scheme?

The administration and enforcement of a planning scheme is the duty of the *responsible authority* which for the Yarra Planning Scheme is the Yarra City Council.

Council is responsible for considering applications for planning permits made in accordance with the requirements of the Yarra Planning Scheme. Like many other legal processes, if you are unhappy with a Council decision you can appeal its decision with the Victorian Civil and Administrative Tribunal (VCAT). In certain circumstances, the Minister for Planning has the power to call in a planning permit application. This means that the Minister has chosen to assess the permit. This may occur if the application is considered to be of State significance.

Where can I view the Yarra Planning Scheme?

The Yarra Planning Scheme can be viewed online at www.dpcd.vic.gov.au/planningschemes, or in person at the Richmond Town Hall, 333 Bridge Road, Richmond (8.30am – 5.00pm Monday to Friday).

Determining what type of permit you need can be quite confusing because there are many different factors and conditions that apply. The best way to find out exactly what permits you need is to contact Council on 9205 5555.

Is a planning permit the same as a building permit?

No, planning permits and building permits are different. Sometimes you will only need a planning permit or a building permit, and other times you will need both.

Generally, planning is concerned with the land – the way it will be used and/or developed, whereas building is concerned with the actual construction – its quality and the safety of a building for its occupants.

Determining what type of permit you need can be quite confusing because there are many different factors and conditions that apply. The best way to find out exactly what permits you need is to contact Council on 9205 5555.

How do I know which area of Council to contact?

The different functions of Council's Statutory Planning, Strategic Planning and Building units often get confused.

Statutory Planning, also known as Town Planning, is the team responsible for considering applications for a planning permit, such as an application to build or extend a property, replace a fence, open a business or construct an advertising sign. Applications for planning permits are assessed against the policies and controls in the Yarra Planning Scheme.

Strategic Planning is the team responsible for developing the policies and controls that make up the Yarra Planning Scheme and considering requests for changes to the Yarra Planning Scheme, including the rezoning of land.

Building is the team responsible for considering applications for a building permit, occupancy permit and conducting building safety inspections. After receiving your planning permit (if required) you must apply for a building permit either through Council or via a private building surveyor.