

Changing or Extending a Planning Permit



Council's planning department often receives inquiries about whether people can make changes to their planning permit and/or approved plans. If you have an existing planning permit, you are obligated to comply with all the conditions. However, if you would like to make some changes, or need more time, you can apply for an amendment or extension to your planning permit.

This fact sheet aims to provide information about making an amendment to your planning permit, what is involved, and an explanation of key terms and concepts.

What changes can I make?

Planning permits consist of two documents: the permit and the approved plan(s). You can propose changes to the permit or the plan(s) or both. For example, you may run a restaurant and wish to change the hours of operation (change to permit), or you may be making an extension to your house and decide to change the design (change to plans). Either way, they are both referred to as an amendment to the planning permit.

Can I extend the expiry of my permit?

There are many factors that may cause a delay in the commencement of works, or operation. Most permits expire two years from the date of issue unless otherwise specified on the permit, however if you feel that you need extra time, you can apply for an extension of time to your permit.

Any application to extend the length of a permit must be made *before* the permit expires (see permit for expiry date). To extend the length of a permit, you must:

- 1) Complete an 'Extension of Time to a Planning Permit' form** – These are available at our Statutory Planning counter or on Council's website.
- 2) Pay the relevant fee** – See the *Fee Schedule*, available at the planning counter or on Council's website.
- 3) Clearly explain time extension** – Provide information on how long you want to extend the time to commence the permit and why.

Applying for an amendment

There are three main types of amendments that can be considered by Council:

- 1) Section 62(3) Amendment** – for minor changes to plan(s) only, on a permit issued *before* 23 August 2005.
- 2) Section 72 Amendment** – for minor changes to the actual planning permit, permit conditions and/or plan(s). These amendments follow the same seven steps as the planning permit application process (for more information on these steps, please see Council's 'Overview of the Planning Permit Process' fact sheet).

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'.

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Please note: Council cannot amend this permit if it was issued by the Victorian Civil and Administrative Tribunal (VCAT).

3) Secondary Consent – for minor changes to plan(s) only, where a provision for change is given in the permit conditions. For example, some planning permits include conditions which end with the phrase "...must not be altered without the written consent of the Responsible Authority." This means that you can apply in writing for secondary consent to make minor changes.

Preparing an amendment application

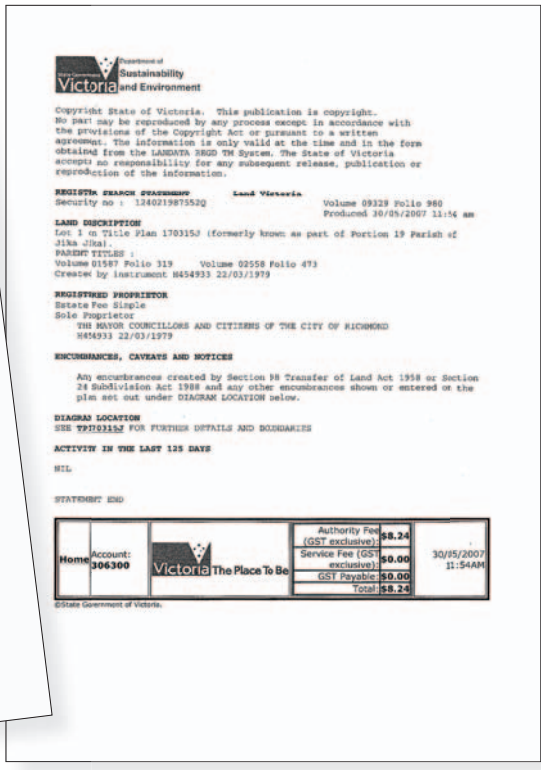
An application to amend a planning permit must be made in writing. The written request must clearly identify the amendments sought (including clearly marked amended plans if applicable) and specify the reasons why you wish to make the amendment(s).

To ensure that your application can be processed quickly and efficiently, it is important that all the relevant information is included.

Your amendment application should consist of:

- 1) A completed 'Planning Permit Amendment Application' form.**
 - > Section 72 Amendment forms are available at the Statutory Planning counter at the Richmond Town Hall (333 Bridge Road, Richmond) or on Council's website www.yarracity.vic.gov.au/planning.
 - > Section 62(3) Amendment forms are only available at the Statutory Planning counter.





Certificate of Title (left)
 A *Certificate of Title* is a formal legal record about a particular piece of land. It contains basic information about the land including current ownership.

> There is no standard form for a Secondary Consent Amendment application, please submit a written cover letter outlining your intention to apply for a Secondary Consent amendment.

2) A recent Certificate of Title
 A *Certificate of Title* is a formal legal record about a particular piece of land. It contains basic information about the land including current ownership. The copy of the *Certificate of Title* must be clear, legible, complete and obtained within the last three (3) months.

If the land is covered by a *Restrictive Covenant* or Section 173 Agreement, a copy will also need to be provided. A *Restrictive Covenant* is a private agreement between land owners which may restrict the way land may be used and

developed. This will be registered on the *Certificate of Title*.

If you do not have a copy of the *Certificate of Title*, you can obtain a copy:

> In person:
 Land Information Centre
 Level 10, 570 Bourke Street
 Melbourne
 Telephone 8636 2456

or
> Online:
www.land.vic.gov.au

3) Payment of fee
 Refer to the *Fee Schedule* to determine what fee you need to pay to lodge your application. The *Fee Schedule* is available at our Statutory Planning counter or on Council's website (www.yarracity.vic.gov.au/planning).

Please note that the fee needs to be paid by cheque or money order and should be made payable to the 'City of Yarra'.

4) Revised plans (if applicable)
 It is important that you provide revised plans in the same layout as those that have already been approved, and clearly mark where the amendments are proposed.

Lodging an amendment application

You can lodge your amendment application by:

- > **Post** – Statutory Planning Department, City of Yarra, PO Box 168, Richmond, VIC 3121
- or
- > **In person** – Statutory Planning counter, Richmond Town Hall, 333 Bridge Road, Richmond.

Which type of amendment do I need? Use the following flowchart to determine what kind of amendment you need.

