

PLANNING FACT SHEET

Planning Application (A Basic Guide)



The purpose of this information sheet is to provide a brief overview of the Murrindindi Planning Scheme and the planning application process to new users of the planning approvals system.

What is a Planning Scheme?

The objectives of land use planning in Victoria, as set out in the Planning and Environment Act 1987, are achieved through the implementation of planning schemes. A Planning Scheme sets out requirements and policies for the use, development, protection and conservation of land. It is a legal document, binding on all parties and enforceable by law.

Each municipality in Victoria is covered by a Planning Scheme which has been approved by the Minister for Planning.

The purpose of a Planning Scheme is to:

- Provide a clear and consistent framework within which decisions about the use and development of land can be made.
- Express state, regional and local community expectations for areas and for land use.
- Provide for the implementation of state, regional and local policies affecting land use and development.

All Planning Schemes include maps, which show the zoning and any overlays affecting the land. They will also include written provisions and definitions relating to use and development, as well as policies to guide discretionary decision-making.

The Murrindindi Planning Scheme

The Murrindindi Planning Scheme includes the Planning Policy Framework (PPF).

The PPF sets out the State, regional and local planning principles and objectives.

The PPF includes

- Settlement
- Environmental and Landscape Values
- Environmental Risks and Amenity
- Natural Resource Management
- Built Environment and Heritage
- Housing
- Economic Development
- Transport
- Infrastructure

Zones and Overlays

The zones and overlays included in the MPS have been chosen from the Victoria Planning Provisions (VPPs) and have been applied to each area of the Shire, to achieve the objectives of the PPF.



The MPS maps categorise land into different zones according to the existing or desired primary uses (such as residential, industrial or rural conservation).

Within each zone, uses are categorised as

- permitted without the need for a permit (Section 1 use)
- permitted subject to obtaining a permit (Section 2 use)
- prohibited (Section 3 use)

If you apply for a Section 2 use, your application will be considered, but may not be granted. Council must use the PPF to determine whether the proposal should be granted or not.

The zones also include specific development requirements.

Special planning controls which apply to a particular area (such as an area requiring bushfire management or areas with special heritage significance) are shown on an overlay map.

An overlay may cover a number of zones and where more than one special feature applies there may be multiple overlays over the same parcel of land.

Overlays frequently used in the Murrindindi Planning Scheme include

- Bushfire Management Overlay (BMO);
- Environmental Significance Overlay (ESO);
- Erosion Management Overlay (EMO);
- Significant Landscape Overlay (SLO);
- Floodway Overlay (FO) and Land Subject to Inundation Overlay (LSIO);
- Heritage Overlay (HO)

Particular Provisions

In addition to zones and overlays, there are also particular provisions which relate to certain types of development and land use (eg. car parking, advertising signs and home occupation). You can find more information on these in the MPS.

The MPS is now only available [online](#).

Considering developing or changing the use of land?

If you are considering developing or changing the use of your land, we encourage you to get in contact with our Planning Unit as early as possible, either by phone on 5772 0333 or email at planning@murrindindi.vic.gov.au

Make sure that you have accurate and detailed property information – including a search copy of the property title, not more than 3 months old. We will go through the zoning and overlay maps with you and will also help you to determine how the Planning Scheme provisions may affect your development and/or use proposal.

What happens once you submit a planning application?

Upon receipt of your application, it will be allocated to a planning officer who will be responsible for the assessment of your proposal. You will be advised in writing of the planning officer assigned to your application, along with an application number.

The nominated planning officer will determine if there is sufficient information to assess your application.

If the information provided is insufficient, you will receive a letter detailing the additional information required.

To avoid delays in your application, we encourage you to get in contact with one of our planning officers prior to lodging the your application.

Once the application is submitted with all the required information, the planning officer will then determine whether advertising of your application is required or not.

As the applicant, if advertising is required, you will receive written instructions on the form of advertising to take place. Advertising will last for a minimum of two weeks. Where objections are received, Council officers will try to resolve these objections and if the opportunity arises, seek a compromise or agreement. You will have an opportunity to view and respond to any objection.



Provided that the application is satisfactory, a planning permit may then be issued.

Alternatively, a notice of decision to grant a permit will be issued if there are objections to the proposal. This document represents a draft permit with conditions.

Should the application be unsatisfactory, a refusal to grant a permit will be issued, outlining the grounds for refusal.

Appeal rights are detailed on the reverse side of all permits and notices.

Enforcement of the Murrindindi Planning Scheme

The use and development of land needs to comply with the Murrindindi Planning Scheme and any planning permit issued. This is monitored by the Council's Planning Unit.

Contraventions may result in enforcement action including

- Remedial action
- The issuing of a Planning Infringement Notice (with a penalty attached)
- Magistrates' Court prosecution
- VCAT proceedings

This information sheet is to be used as a general guide only. Council has made all reasonable effort to ensure the information provided in this sheet is true and accurate. However, we recommend that you seek professional advice before acting or making decisions on the basis of this information. For any questions or clarification, please contact Council's Planning Unit.

Council takes breaches to the MPS (and any planning permits) very seriously. Landowners are required to comply with the provisions of the MPS and permit holders are required to comply with all permit requirements.

Other permits or approvals

Other permits may need to be obtained from Council prior to the commencement of any works associated with building. A building permit may be required and can be obtained from Council's Building Unit or a Private Building Surveyor. Council's Environmental Health Unit may require a septic tank permit to be obtained if the site is located within non-sewered areas. A permit may also be required from Council's Infrastructure Assets Department for a new crossover, alteration to an existing crossover (road opening permits), or other approvals relating to drainage and stormwater retention.

For more information, contact Murrindindi Shire Council

(03) 5772 0333

planning@murrindindi.vic.gov.au

murrindindi.vic.gov.au