



This information sheet has been prepared to provide general information on amendments to planning permits and endorsed plans, and extensions of time to planning permits.

### AMENDMENTS TO PLANNING PERMITS AND APPROVED PLANS

Any person entitled to act on a planning permit can apply to Council to amend a planning permit. Amendments can be sought to:

- Alter endorsed plans;
- Change planning permit conditions; and
- Change the use or development for which the permit was issued.

Please note that applicants should carefully consider their plans before proceeding through the planning process. However Council recognises that, over time, people may wish to make changes to plans or seek to alter conditions of permits due to changes in circumstances.

Please check that your permit has not expired before lodging an amendment application.

#### Minor Amendments to an Endorsed Plan (Secondary Consent)

Approval of minor changes to endorsed plans can be sought under secondary consent if a permit contains a condition similar to the following or with the same effect - *The use/development and/or subdivision as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.*

Council can only consider the use of secondary consent powers where Council is satisfied that the proposed minor changes to the endorsed plans will not:

- cause material detriment to any person;
- be of interest to any referral authorities;
- result in the need for changes to permit conditions or the description of what the permit allows.

#### Amending a Planning Permit and/or Endorsed Plan/s

To amend a planning permit and/or make changes to endorsed plans (other than minor amendments that can be considered under secondary consent), an Application to Amend a Planning Permit must be lodged under Section 72 of the *Planning and Environment Act 1987*. If the applicant is not the owner, the owner must consent to or be notified of the application.

An application to Amend a Permit must be processed in accordance with the requirements of Section 72 of the *Planning and Environment Act 1987*. This is essentially the same process as a planning permit application and may include:

- A request for any further information to allow Council to undertake a proper assessment;
- Referral to other authorities if required under the Planning Scheme;
- Public notification if Council considers the change may cause material detriment to any person.

If Council considers the changes acceptable it will issue an Amended Permit. A table at the foot of the permit will specify the changes to the permit. The permit expiry date will remain the same as it was prior to the amendment. Council may issue a Refusal to Amend a Permit if it does not support the changes, or a Notice of Decision to Amend a Permit if it agrees to the changes but objections were received. A Refusal does not cancel the original permit decision.

The same review provisions apply to Applications to Amend a Permit at VCAT as Applications for a Planning Permit.

#### What do I need to submit?

The following information will need to be provided for an amendment to the endorsed plans under secondary consent:

- Completed application for amendment under secondary consent form (see website)
- The application fee (see website)
- Three full sets of amended plans, with proposed changes clearly identified (one set of plans must be A3 or A4 size)
- Any additional supporting information

An application to **amend a planning permit** should be accompanied by the following:

- A completed and signed Amend a Planning Permit application form (see website)
- The application fee (see website)
- A full current copy of the Certificate of Title for the land, produced within the last 60 days and including:
  - Title page/s indicating current owner
  - Lot plan
  - Full copy of any Covenants, Section 173 agreements and/or Restrictions registered on the title
- Three full sets of amended plans, with proposed changes clearly identified (one set of plans must be A3 or A4 size)
- A report outlining the changes proposed

*Additional information may be required depending on the extent and complexity of the changes proposed.*

#### CONTACT

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