

Buildings and works

Fact Sheet



Building on your land, excavating or removing trees is known as carrying out buildings and works. Generally speaking, you need a permit to do this.

How do I know if I need a permit?

The zones and the overlays on the site will determine whether or not you need a planning permit to develop your property.

Zones:

Zones indicate whether a planning permit is required to build or renovate on your land. Generally speaking, extensions to buildings and external works (e.g. changing shop front windows) usually require planning permission. There are sometimes exemptions from needing a permit for more minor things, like internal fit-outs or adding toilets.

Overlays:

You must also check whether the land is included in any overlays, which included permit requirements to develop land. Many inner-city locations have Overlay controls, particularly a Heritage Overlay, or Design and Development Overlay.

To find out which zones and overlays affect you property, get a free VicPlan planning report here: <https://www.planning.vic.gov.au/schemes-and-amendments/planning-report-search>

Its best to confirm with your Council prior to selecting a property to find out if the development you want to do needs a planning permit, and if the development would be acceptable. Heritage Overlays, being the most common, are often on council websites. Most councils also provide a free heritage advisory service.



Why do I need a planning permit in addition to a building permit?

It may seem like doubling up, but the planning and the building assessments look at different things. The building permit will cover things like the structural integrity of the build, the fire safety and compliance with the building code. Planning looks at the concept of the proposal - is it fundamentally something that should be approved? Is the appearance and the impact of the building work acceptable?

What do councils consider when assessing buildings and works?

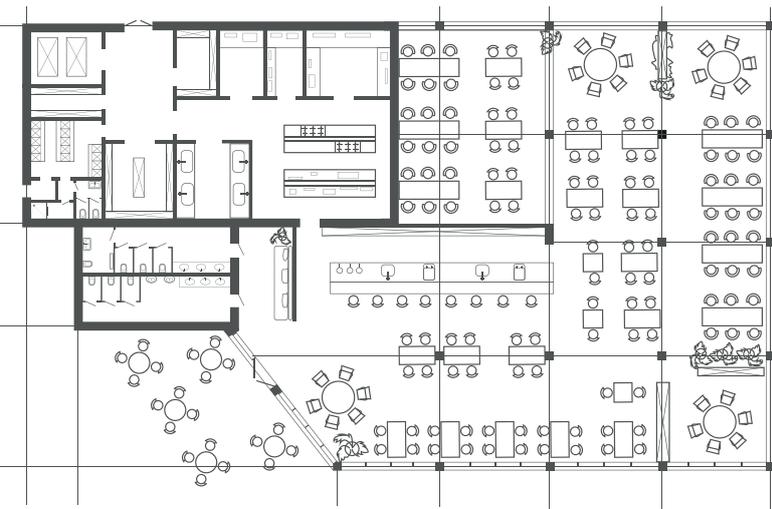
What a council assesses depends on the reason for the planning permit. For example, in commercial areas many councils also have requirements to keep shopfronts having clear windows, to create a friendly pedestrian environment. Another common reason for needing a permit is heritage. In older shopping strips, there may be a Heritage Overlay applied to maintain the feel of the shopping strip and important architectural features.

Consider accessibility

When preparing plans for buildings and works, it's important to consider accessibility to and within your premises. Whilst accessibility is normally a requirement under the building regulations, it's a good idea to factor in potential accessibility issues at the planning stage. This will help you make sure your building plans align with your planning permit, avoiding the potential need to seek a subsequent change to the endorsed planning plans.

A number of Councils believe good access is good business. To learn more about how to make your business accessible, look at Merri-bek's accessibility advice:

<https://www.moreland.vic.gov.au/building-and-business/business/>



Example of a plan



Signs

Like most businesses, you may want an exterior sign to help customers find you. Councils need to make sure signs don't unduly detract from the environment, so a planning permit is usually required before signs can be installed.

Sign controls are contained in Clause 52.05 of all planning schemes, however most councils also have local policies and guidelines - check your council website.

Why do councils assess signs?

Signage can have a big impact on the character, appearance and even traffic safety of an area. In general, it is best to steer clear of signs which flash or block important view-lines. Too much signage can also detract from the amenity of a local shopping strip. That said, in commercial areas there are exemptions for simple, non-illuminated signs up to a certain size. You can check with your Council to see if the type of signage you are proposing is acceptable in your location.

Sign requirements for your environment

Sign controls are contained in Clause 52.05 of all planning schemes, however most councils also have local policies and guidelines - check your council website.

Clause 52.05 sets out the different requirements for signs in commercial, industrial, residential and rural environments. In broad terms, more signage may be allowed in a commercial area than a residential area. However, there may be additional restrictions in a commercial area where there is a Heritage Overlay.

Clause 52.05 is found here:

<https://planning-schemes.app.planning.vic.gov.au/>

Sign definitions

Clause 73.02 contains information on different sign types. Some signs may fit within more than one sign type. For example, an illuminated sign above a veranda may also fit within the definition of Floodlit sign. You may need to check with a Council planner to ensure an accurate description of a sign application or to engage a planning consultant to assist you in preparing the planning application.

Clause 73.02 is found here:

<https://planning-schemes.app.planning.vic.gov.au/>



More information

You can learn about the process, fees and timeframes involved in permit applications in our range of Council Guidelines, e.g. Council Guidelines for Hospitality Businesses, Council Guidelines for Music Venues etc.