**SUBDIVISION - PLANNING PERMIT APPLICATION CHECKLIST**

A planning permit may be required to subdivide land. Ask a Council planner if a planning permit is required. These planning permit applications should be accompanied with the following information.

Note: If the proposal is for subdivision only, the application must be submitted through SPEAR via

<https://www.spear.land.vic.gov.au/spear/>

**FORMS, FEES AND LEGAL DOCUMENTS**

* Complete planning permit application form and pay application fee

For the application form and fee schedule please refer to <https://www.bawbawshire.vic.gov.au/Plan-and-Build/Planning-permits/Application-Forms-and-Permit-Information/Your-Planning-Permit#section-5>

* Certificate of Title not more than 60 days old including:
* Plan of Subdivision or Title Plan
* Restrictive Covenants (if any)
* Section 173 Agreements (if any)

To obtain the Certificate of Title please refer to landata.vic.gov.au

**PLANS**

* Proposed Plan of Subdivision prepared by a qualified Land Surveyor
* Site Plan including:
* Drawn to scale
* North point
* Boundaries and dimensions of the site
* Existing or proposed easements and common property
* Existing or proposed access points
* All proposed infrastructure and works
* Garden area\* including dimensions
* Proposed sequencing of development (if required)
* Proposed effluent disposal building envelope (if required)

**REPORTS**

* Written response about the proposal and how it satisfies the zone, overlays and other relevant provisions of the planning scheme including Clause 56 for residential subdivision (ResCode)\* if required.

For a copy of planning scheme provisions please refer to [http://planning-schemes.delwp.vic.gov.au](http://planning-schemes.delwp.vic.gov.aut)

**OTHER REQUIREMENTS**

Ask a Council planner if other planning application requirements apply including (but not limited to):

* Feature Survey prepared by a qualified Land Surveyor
* If a sign is proposed, see Signs Checklist
* If subdivision is proposed, see Subdivision Checklist
* Proposed stormwater management system
* Carparking Demand Assessment and/or Traffic Impact Assessment by a qualified Traffic Engineer
* Bushfire Management Plan, see Bushfire Requirements Checklist
* Cultural Heritage Management Plan
* If the lot is over 4000 square metres and native vegetation removal is proposed, see Native Vegetation Removal Checklist

**TERMS EXPLAINED**

**Clause 56 assessment (ResCode)**

In Victoria the residential subdivision of land must be assessed in accordance with Clause 56 of the Planning Scheme, or commonly known as ResCode, and includes:

* objectives that must be met
* standards that should be met
* decision guidelines

A ResCode report is only required in urban areas and does not apply to rural land. Further information is available at

<https://www.planning.vic.gov.au/planning-permit-applications/specific-permit-topics/residential-development>

**Garden area**

Any area on a lot with a minimum dimension of 1 metre that does not include:

1. a dwelling or residential building, except for:

* an eave, fascia or gutter that does not exceed a total width of 600mm;
* a pergola;
* unroofed terraces, patios, decks, steps or landings less than 800mm in
* height;
* a basement that does not project above ground level;
* any outbuilding that does not exceed a gross floor area of 10 square metres;
* and
* domestic services normal to a dwelling or residential building;

b) a driveway; or

c) an area set aside for car parking.

A lot must provide the minimum garden area at ground level as set out in the planning scheme.

**Planning**

Planning covers a broad range of issues, but is essentially about the control of the construction, growth and development of towns, cities and urban areas. More information is available at

<https://www.planning.vic.gov.au/planning-in-victoria/a-guide-to-the-planning-system>

**Planning Permit**

A planning permit is a legal document that allows a certain use and/or development on land. A planning permit is not a building permit. You may need to obtain both a building permit and a planning permit. Further information is available at

<https://www.planning.vic.gov.au/planning-permit-applications/do-i-need-a-permit>

Under Victoria's planning system, local councils and the State Government develop planning schemes to control land use and development. They contain planning policies, zones, overlays and other provisions that affect how land can be used and developed. Further information is available at <http://planning-schemes.delwp.vic.gov.au/about>

**Public Open Space**

An area of land to provide a network of quality, well-distributed, multi-functional and cost-effective open space to the public that includes local parks, active open space, linear parks and trails and links to regional open space.

**VicSmart**

VicSmart is a streamlined assessment process for straightforward planning permit applications including:

* prescribed planning permit application fee
* a 10-day planning permit application process
* applications are not advertised and there are no third-party appeal rights
* pre-set information must be submitted with an application
* the Chief Executive Officer or delegate officer (planner) of council is the decision maker

More information is available at <https://www.planning.vic.gov.au/planning-permit-applications/vicsmart>

**LODGEMENT**

You can lodge the planning permit application with Council via:

**Online:**

[planning@bawbawshire.vic.gov.au](mailto:planning@bawbawshire.vic.gov.au)

**Post:**

Baw Baw Shire Council

Planning Department

PO Box 304

WARRAGUL VIC 3820

**Person:**

Baw Baw Shire Office

33 Young Street

DROUIN VIC 3818