

VicSmart planning permit system

What is VicSmart?

VicSmart is a fast track system for planning applications introduced by the State Government. Key features of VicSmart include:

- A 10 business day permit process
- Applications are not advertised to the public and objections cannot be considered
- Information that applicants are required to submit is predetermined

Does my application qualify for VicSmart?

Not all application types will be eligible for the VicSmart process. To determine whether your application qualifies VicSmart, please contact Council on **03 5422 0333** or visit the **Gisborne Council office**. A planner is always available at the Gisborne Council office to discuss your application from 8.30am to 5pm Monday to Friday.

For more information on application types and required criteria to meet VicSmart, please see the table 'VicSmart planning application types'.

Applications in a Heritage Overlay

A number of permit applications within a Heritage Overlay qualify for VicSmart. If you think you have an application that qualifies VicSmart within a Heritage Overlay, please speak to Council's Heritage Advisor. The Heritage Advisor is located at the Gisborne Council office or can be contacted on 5422 0333. The Heritage Advisor is available once a week on Tuesday mornings.

How do I submit a VicSmart application?

VicSmart applications can be submitted electronically via mrsc@mrsc.vic.gov.au or in person at the Gisborne Council office at 40 Robertson Street, Gisborne between 8.30am and 5pm Monday to Friday. The 10 business day VicSmart process commences the day after your application is received.





What information is required for a VicSmart application?

The following information is required to be submitted with a VicSmart application:

- Completed VicSmart planning permit application form (including signed declaration)
- Current full copy of Certificate of Title (obtained within last six months)
- The prescribed fee
- Photographs of the subject site and the street
- Completed VicSmart Checklist (including signed declaration)
- All documents as required by the relevant VicSmart checklist (if your application falls within more than one VicSmart class, you must complete all relevant VicSmart checklists)

If you submit an incomplete application, it will be sent back to you to complete and resubmit.

Requesting further information

Where an application is received and the information is inadequate, Council may request further information from you. In making this request, Council will provide a due date for the information to be returned (if Council makes the request within 5 business days of receiving your application). You may ask for additional time to return the information but it must be done before the due date.

Once the information requirements are met, Council has 10 business days to make a decision. If further information is not received by the due date, the application will lapse and cannot be recommenced.

Amending a VicSmart application

A VicSmart application can be amended after lodgement. The day that Council receives the amendment will become the lodgement date, with the 10 business day process commencing the day after the new lodgement date.

Deciding a VicSmart application

Decisions for VicSmart applications should be made within 10 business days.

Under VicSmart, if a decision has not been made after 10 business days you have a right to review by the Victorian Civil and Administrative Tribunal (VCAT) for failure to decide but are not compelled to do so.

Before applying to VCAT, please contact Council to check when a decision will be made. Where a decision cannot be made within 10 business days, a planner will contact you and in most cases, a decision will be made within a reasonable timeframe.

For further information about the review process at VCAT, please see 'VCAT Review Process for VicSmart'.

Objecting to a VicSmart application

Under the VicSmart system, third parties (members of the public) do not have the opportunity to object to VicSmart applications and cannot apply for a review at VCAT.



VicSmart planning application types

Your application must meet the application type and criteria outlined in the table below to qualify for VicSmart.

<p>Subdivision</p>	<p>Type of application</p> <ul style="list-style-type: none"> Subdivide land to realign the common boundary between two lots 	<p>Criteria (all must be met)</p> <ul style="list-style-type: none"> The area of either lot is reduced by less than 15 per cent; and The general direction of the common boundary does not change; and If the land is in a rural zone, each new lot is at least the area specified for the land in the zone or the schedule to the zone. 	<p>Where this applies</p> <ul style="list-style-type: none"> All residential zones All industrial zones All commercial zones All rural zones Special Use Zone Comprehensive Development Zone Capital City Zone Docklands Zone Priority Development Zone Activity Centre Zone Environmental Significance Overlay Special Building Overlay Heritage Overlay Design and Development Overlay
<p>Subdivision</p>	<p>Type of application</p> <ul style="list-style-type: none"> Subdivide land into lots each containing an existing building or car parking space 	<p>Criteria (all must be met)</p> <ul style="list-style-type: none"> The buildings or car parking spaces have been constructed in accordance with the provisions of the planning scheme or a permit issued under the scheme; and An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within five years prior to the application for a permit for subdivision. 	<p>Where this applies</p> <ul style="list-style-type: none"> All residential zones (except the Low Density Residential Zone) All industrial zones All commercial zones Special Use Zone Comprehensive Development Zone Capital City Zone Docklands Zone Priority Development Zone Activity Centre Zone Environmental Significance Overlay Special Building Overlay Heritage Overlay Design and Development Overlay



<p>Subdivision</p>	<p>Type of application</p> <ul style="list-style-type: none"> Subdivide land with an approved development into two lots 	<p>Criteria (all must be met)</p> <ul style="list-style-type: none"> The construction of a building or the construction or carrying out of works on the land has been approved under the planning scheme or by a permit issued under the scheme and the permit has not expired; and The construction or carrying out of the approved building or works on the land has lawfully started; and The subdivision does not create a vacant lot. 	<p>Where this applies</p> <ul style="list-style-type: none"> All residential zones (except the Low Density Residential Zone) All industrial zones All commercial zones Special Use Zone Comprehensive Development Zone Capital City Zone Docklands Zone Priority Development Zone Activity Centre Zone Environmental Significance Overlay Special Building Overlay Heritage Overlay Design and Development Overlay
<p>Subdivision</p>	<p>Type of application</p> <ul style="list-style-type: none"> Subdivide land into two lots in a rural zone 	<p>Criteria (all must be met)</p> <ul style="list-style-type: none"> Each new lot is at least the area specified for the land in the zone or the schedule to the zone. 	<p>Where this applies</p> <ul style="list-style-type: none"> All rural zones
<p>Buildings and works in zones</p>	<p>Type of application</p> <ul style="list-style-type: none"> Construct an outbuilding, extend a dwelling or make structural changes to a dwelling 	<p>Criteria (all must be met)</p> <ul style="list-style-type: none"> The minimum garden area for a lot in the General Residential Zone or Neighbourhood Residential Zone is met; and The development does not exceed a building height of 5 metres; and The development is not visible from the street (other than a lane) or a public park; and The development meets the following standards of Clause 54: A10 Side and rear setbacks, A11 Walls on boundaries, A12 Daylight to existing windows, A13 North-facing windows, A14 Overshadowing open space, A15 Overlooking. 	<p>Where this applies</p> <ul style="list-style-type: none"> Mixed Use Zone Township Zone Residential Growth Zone General Residential Zone Neighbourhood Residential Zone



<p>Buildings and works in zones</p>	<p>Type of application</p> <ul style="list-style-type: none"> • Construct or extend a front fence within 3 metres of a street 	<p>Criteria (all must be met)</p> <ul style="list-style-type: none"> • None 	<p>Where this applies</p> <ul style="list-style-type: none"> • All residential zones (except the Low Density Residential Zone)
<p>Buildings and works in zones</p>	<p>Type of application</p> <ul style="list-style-type: none"> • Construct a building or construct or carry out works (except in residential and rural zones) 	<p>Criteria (all must be met)</p> <ul style="list-style-type: none"> • The estimated cost does not exceed: <ul style="list-style-type: none"> ○ \$1,000,000 in an industrial zone, or ○ \$500,000 in other applicable zones; and • The land is not within 30 metres of land (not a road) which is in a residential zone. (This does not apply in a Capital City Zone or Docklands Zone.); and • Is not for a purpose listed in the table to Clause 52.10 in the planning scheme. • Is not for a Brothel or Adult sex bookshop. (This does not apply in a special purpose zone.) 	<p>Where this applies</p> <ul style="list-style-type: none"> • All industrial zones • All commercial zones • Special Use Zone • Comprehensive Development Zone • Capital City Zone • Docklands Zone • Priority Development Zone • Activity Centre Zone
<p>Buildings and works in zones</p>	<p>Type of application</p> <ul style="list-style-type: none"> • Construct a building or construct or carry out works in residential zones 	<p>Criteria (all must be met)</p> <ul style="list-style-type: none"> • The estimated cost does not exceed \$100,000; and • The development is not associated with dwelling; and • The development complies with the following standards of Clause 54: A10 Side and rear setbacks, A11 Walls on boundaries, A12 Daylight to existing windows, A13 North-facing windows, A14 Overshadowing open space, A15 Overlooking. 	<p>Where this applies</p> <p>Clause 32.03-4 Clause 32.04-8 Clause 32.05-9 Clause 32.07-7 Clause 32.08-8 Clause 32.09-8</p>
<p>Buildings and works in zones</p>	<p>Type of application</p> <ul style="list-style-type: none"> • Construct a building or construct or carry out works up to \$250,000 in some rural zones 	<p>Criteria (all must be met)</p> <ul style="list-style-type: none"> • The land is not within 30 metres of land (not a road) which is in a residential zone; and • The land is not used for Animal keeping, Intensive animal husbandry or Rural industry; and • The works are not earthworks specified in the schedule to the zone. 	<p>Where this applies</p> <ul style="list-style-type: none"> • Rural Living Zone • Green Wedge Zone • Green Wedge A Zone • Rural Conservation Zone



<p>Buildings and works in zones</p>	<p>Type of application</p> <ul style="list-style-type: none"> • Construct a building or construct or carry out works up to \$500,000 under some rural zones 	<p>Criteria (all must be met)</p> <ul style="list-style-type: none"> • If the land is used for a Section 2 use in the Table of uses of the zone, the land must not be within 30 metres of land (not a road) which is in a residential zone; and • If the land is used for a Section 2 uses in the Table of uses of the zone, the land must not be used for Animal keeping, Intensive animal husbandry or Rural industry; and • The works are not earthworks specified in the schedule to the zone. 	<p>Where this applies</p> <ul style="list-style-type: none"> • Farming Zone • Rural Activity Zone
<p>Buildings and works in overlays</p>	<p>Type of application</p> <ul style="list-style-type: none"> • Construct a building or construct or carry out works for a carport, garage, pergola, verandah, deck, shed or similar structure. • Construct a building or construct or carry out works for a rainwater tank. 	<p>Criteria (all must be met)</p> <ul style="list-style-type: none"> • The buildings and works must be associated with a dwelling; and • For applications under the Salinity Management Overlay, the consent of the referral authority. 	<p>Where this applies</p> <ul style="list-style-type: none"> • Environmental Significance Overlay • Significant Landscape Overlay • Erosion Management Overlay • Salinity Management Overlay
<p>Buildings and works in overlays</p>	<p>Type of application</p> <ul style="list-style-type: none"> • Construct a fence in an overlay 	<p>Criteria (all must be met)</p> <ul style="list-style-type: none"> • None 	<p>Where this applies</p> <ul style="list-style-type: none"> • Environmental Significance Overlay • Significant Landscape Overlay • Design and Development Overlay • Erosion Management Overlay
<p>Buildings and works in overlays</p>	<p>Type of application</p> <ul style="list-style-type: none"> • Remove, destroy or lop one tree 	<p>Criteria (all must be met)</p> <ul style="list-style-type: none"> • None 	<p>Where this applies</p> <ul style="list-style-type: none"> • Environmental Significance Overlay • Vegetation Protection Overlay • Significant Landscape Overlay • Neighbourhood Character Overlay



Buildings and works in a Heritage Overlay	Type of application <ul style="list-style-type: none"> Demolish or remove an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure) 	Criteria (all must be met) <ul style="list-style-type: none"> The outbuilding to be demolished or removed is not identified in the schedule to the overlay 	Where this applies <ul style="list-style-type: none"> Heritage Overlay
Buildings and works in a Heritage Overlay	Type of application <ul style="list-style-type: none"> Demolish or remove a fence 	Criteria (all must be met) <ul style="list-style-type: none"> The fence to be demolished or removed is not identified in the schedule to the overlay 	Where this applies <ul style="list-style-type: none"> Heritage Overlay
Buildings and works in a Heritage Overlay	Type of application <ul style="list-style-type: none"> Externally alter a non-contributory building 	Criteria (all must be met) <ul style="list-style-type: none"> The building is a non-contributory building 	Where this applies <ul style="list-style-type: none"> Heritage Overlay
Buildings and works in a Heritage Overlay	Type of application <ul style="list-style-type: none"> External painting Construct a fence Construct a carport, garage, pergola, verandah, deck, shed or similar structure Construct and install domestic services normal to a dwelling Construct and install a non-domestic disabled access ramp Construct a vehicle cross-over Construct a domestic swimming pool or spa and associated mechanical equipment and safety fencing Construct a rainwater tank Construct or display a sign Lop a tree Construct or install a solar energy facility attached to a dwelling 	Criteria (all must be met) <ul style="list-style-type: none"> None 	Where this applies <ul style="list-style-type: none"> Heritage Overlay



Buildings and works in a Design and Development Overlay	Type of application <ul style="list-style-type: none"> • Construct a building or construct or carry out works for a carport, garage, pergola, verandah, deck, shed or similar structure. • Construct a building or construct or carry out works for an outdoor swimming pool. 	Criteria (all must be met) <ul style="list-style-type: none"> • The buildings and works must be associated with a dwelling. 	Where this applies <ul style="list-style-type: none"> • Design and Development Overlay
Buildings and works in a Design and Development Overlay	Type of application <ul style="list-style-type: none"> • Construct a building or construct or carry out works up to \$500,000. 	Criteria (all must be met) <ul style="list-style-type: none"> • Must be in an commercial zone or a Special Use, Comprehensive Development, Capital City, Docklands, Priority Development or Activity Centre Zone. 	Where this applies <ul style="list-style-type: none"> • Design and Development Overlay
Buildings and works in a Design and Development Overlay	Type of application <ul style="list-style-type: none"> • Construct a building or construct or carry out works up to \$1,000,000. 	Criteria (all must be met) <ul style="list-style-type: none"> • Must be in an industrial zone. 	Where this applies <ul style="list-style-type: none"> • Design and Development Overlay
Buildings and works in a Neighbourhood Character Overlay	Type of application <ul style="list-style-type: none"> • Construct a building or construct or carry out works for: <ul style="list-style-type: none"> ○ a carport, garage, pergola, verandah, deck, shed or similar structure. ○ an outdoor domestic swimming pool or spa and associated mechanical equipment and safety fencing. ○ a rainwater tank. 	Criteria (all must be met) <ul style="list-style-type: none"> • The buildings and works must be associated with a dwelling. 	Where this applies <ul style="list-style-type: none"> • Neighbourhood Character Overlay
Buildings and works in a Neighbourhood Character Overlay	Type of application <ul style="list-style-type: none"> • Construct, demolish or remove a fence. 	Criteria (all must be met) <ul style="list-style-type: none"> • None 	Where this applies <ul style="list-style-type: none"> • Neighbourhood Character Overlay
Buildings and works in a Neighbourhood Character Overlay	Type of application <ul style="list-style-type: none"> • Demolish or remove an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure). 	Criteria (all must be met) <ul style="list-style-type: none"> • None 	Where this applies <ul style="list-style-type: none"> • Neighbourhood Character Overlay



Buildings and works in a Special Building Overlay	Type of application <ul style="list-style-type: none">• Construct a building or construct or carry out works	Criteria (all must be met) <ul style="list-style-type: none">• Consent of referral authority	Where this applies <ul style="list-style-type: none">• Special Building Overlay
Advertising signs	Type of application <ul style="list-style-type: none">• Display a sign	Criteria (all must be met) <ul style="list-style-type: none">• The sign is not within 30 metres of land (not a road) which is in a residential zone; and• The sign is not a pole sign, sky sign, reflective sign, internally illuminated, floodlit, electronic or animated; and• The total display size of the sign does not exceed 10 square metres.	Where this applies <ul style="list-style-type: none">• All industrial zones• All commercial zones• Special Use Zone• Comprehensive Development Zone• Capital City Zone• Docklands Zone• Priority Development Zone• Activity Centre Zone
Car parking reduction	Type of application <ul style="list-style-type: none">• Reduce the required number of car parking spaces	Criteria (all must be met) <ul style="list-style-type: none">• By no more than 10 car spaces	Where this applies <ul style="list-style-type: none">• All zones• Parking Overlay
Loading and unloading of vehicles	Type of application <ul style="list-style-type: none">• Reduce or waive the loading and unloading requirements	Criteria (all must be met) <ul style="list-style-type: none">• None	Where this applies <ul style="list-style-type: none">• All zones

Visit the VicSmart website www.planning.vic.gov.au/vicsmart for more information.