

It's all in the planning

We are committed to helping you to plan and bring your development to life.



**MORNINGTON
PENINSULA**
Shire

The Mornington Peninsula Shire plays a key role in all developments that occur within its municipality. For example, the Mornington Peninsula Shire is responsible for issuing approvals for: planning permits, septic tank permits, report and consents under Building Regulations and any works within Council road reserves. The Shire is committed to assisting the community to plan and bring their development ideas to fruition.

This guide is designed to be a useful working tool for you, to assist with the various statutory and legislative

requirements involved with a development project. The guide is aimed to provide a comprehensive summary of all of the relevant approvals that you may need during the various stages of a development, particularly the approval processes that the Shire administers.

The guide is split up into sections with links which follow the typical stages through a development project so that you can think through each item as it comes up and even work ahead so that you're anticipating each step and are prepared for when it comes.

Initial enquiries

Before you start planning and designing your proposal, it's a good idea to do some preliminary research to make sure that you're aware of any restrictions that apply to the use and development of your land. It's best to get a copy of the Planning Report, Certificate of Title and Property Information Certificate relevant to your land.

Each Council within Victoria has its own planning scheme. The Mornington Peninsula Shire planning scheme provides a framework for the long-term direction regarding land use and development and aims to protect the special values of the peninsula for current and future generations. To find out how planning relates to your property, you can obtain a copy of your Planning Report from

land.vic.gov.au

A Certificate of Title is a personal record of interests and rights affecting your land. You should check your Title for any restrictions that may affect development. If you have any questions or concerns about restrictions that apply to your land, it's a good idea to seek independent legal advice. You can request a copy of your current Certificate of Title from their website:

landata.vic.gov.au

The below background documentation is likely to assist with your project and is available from the Shire upon request:

A Property Information Certificate e.g. prone to flooding, bushfire or termites. You can request a Property Information Certificate from

mornpen.vic.gov.au/buildingforms

Copies of previous permit and plans can be requested by using the following forms:

Application for Copies of Planning Permits and Endorsed Plans Form

mornpen.vic.gov.au/planningforms

House Plans Application

mornpen.vic.gov.au/houseplans

Furthermore, you may contact the Planning Services or Building team for initial advice:

- Call 5950 1000
- Visit the Mornington office, 2 Queen Street, Mornington

- Book a pre-lodgement appointment to discuss your proposal with one of our planners.

You can make an appointment at:

mornpen.vic.gov.au/planningadvice

We recommend that you contact the relevant service authorities to understand their requirements and the availability of services to your property. For example some rural, residential and commercial areas within the Mornington Peninsula are still not connected to mains utilities (e.g. sewer, water etc.) and such services are also not available.

Design

If planning requirements apply to your land, the development process may be more complex. It's a good idea to employ professionals to oversee the complete design, planning and construction process. Investing in technical expertise can save both time and money over the course of the process.

Questions to consider or ask a professional may include:

- Has my property survey identified any limitations that apply to the land?
- How will services be connected to my property?
- How does my development respond to landscape features such as hilltops, ridgelines, existing trees and vegetation?
- Is erosion management an issue and will I need a slope stability assessment?
- My property is within a Green Wedge zone – how do I respond to the agricultural and conservation objectives?
- Does my proposed floor level accommodate flood conditions?
- Does my design have any impact on the view from neighbouring properties?
- What are the design requirements for living in a bushfire prone area?
- Where is my legal point of discharge and does it influence my design?

Planning permit: application process

If you have sought advice and identified that a planning permit is required for your proposed development, you must lodge an application with Council for consideration.

The following flowchart maps out the typical steps a planning application will go through:

mornpen.vic.gov.au/planningpermit

Lodgement of planning application

Review by Council Officer with possible request for further information

Referrals undertaken

Advertising to adjoining properties

Assessment of application by Shire Officer

Decision on planning application

Appeal to VCAT



Planning permit? Building permit?

Planning permits and **building permits** are different and each one is governed by different laws and regulations. A planning permit approves the use and development of your land and a building permit ensures that the building

work is safe, structurally sound and complies with building regulations. A planning permit must be issued before you can apply for your building permit.

Additional approvals and considerations

It's possible that additional requirements might apply to your proposal many of which require consent from the Shire. Various teams within the Shire are responsible for issuing these consents including the Building team, the Environmental Health team & Engineering team. These approvals include:

Building approvals

You may need to apply to the Shire for 'Report and Consent' for the following:

Flood assessment

If your land is identified as being in a flood prone area

mornpen.vic.gov.au/floodassessment

Request to vary siting requirements

(if the matter isn't regulated by your planning permit) e.g. a request to increase wall heights beyond building regulations

mornpen.vic.gov.au/consentforsiting

Demolition

(if a building permit for demolition is required) e.g. you want to demolish an existing building that doesn't have a heritage overlay.

mornpen.vic.gov.au/demolitionconsent

Engineering approvals

Build across a Shire easement

e.g. you wish to build a carport over drainage infrastructure

mornpen.vic.gov.au/buildovereasement

Identifying legal point of discharge

To incorporate a stormwater drainage system into your design, you will need to identify your point of discharge.

You can apply for your Stormwater point of discharge here:

mornpen.vic.gov.au/stormwaterdischarge

Health approvals

Install or alter a septic tank system

e.g. if mains sewer is not connected to or available to your property

mornpen.vic.gov.au/septic tanks

Shire owned/controlled land

Any infrastructure works or Shire works on Shire owned or controlled land should be considered via the Shire's community capital policy.

mornpen.vic.gov.au/capitalpolicy

Construction

All building permits are issued by a private building surveyor.

A private building surveyor will need to be engaged before construction begins to ensure that all requirements have been met to begin building work and to conduct inspections at key stages during construction to check that the building work is compliant.

When the building surveyor lodges the building permit with the Shire, a Shire officer will inspect the site before, during and after construction to monitor the condition of community assets e.g. the footpath, road, drains, service pits and the nature strip. The function of these protection works is to ensure that the community is not liable for damage caused to assets as a result of building works.

There are a number of permits that can apply to the construction process e.g. excavating a road, occupying a nature strip or creating access for a driveway. These permits are issued by the Shire's Infrastructure team.

Permits that may be required include:

Road opening permit

mornpen.vic.gov.au/roadopeningpermit

Occupy or fence off a road or footpath

mornpen.vic.gov.au/occupyroad

Construct a vehicle crossing

mornpen.vic.gov.au/vehiclecrossings

For more information, please see:

mornpen.vic.gov.au/engineering

If you want to landscape your nature strip, you can apply for a permit from Council to conduct private works on nature strips.

Consideration will be given to requests in specific circumstances ensuring that access for the general community and utility services is not impacted.

mornpen.vic.gov.au/naturestrips



We hope that this guide has assisted you with understanding the multiple approvals and considerations that may be required to bring your development dream to fruition.

Please remember that experienced team members are available at Shire offices to provide further guidance through the development process.

We wish you all the best with making your development goals become a reality.

Contact us

Private Bag 1000, Rosebud 3939

[Customer Service: 1300 850 600 or 5950 1000](tel:1300850600)

customerservice@mornpen.vic.gov.au

mornpen.vic.gov.au

[facebook.com/mornpenshire](https://www.facebook.com/mornpenshire)

Customer Service Centres

Rosebud 90 Besgrove Street, 3939

Mornington 2 Queen Street, 3931

Hastings 21 Marine Parade, 3915

Mornington Peninsula Shire acknowledges and pays respect to the Boon Wurrung/Bunurong people, the traditional custodians of these lands and waters.