

# Building or extending one or more dwelling

## Planning guide and check list



### Find out what information you need to provide when applying for a planning permit to build or extend one or more dwelling.

There are rules and regulations that set out the type and number of dwellings that can be built on a piece of land. A dwelling is any kind of place that people live in, for example units, free-standing houses, apartments, townhouses etc. The purpose of the regulations are to ensure that development is appropriate for the area.

The Kingston Planning Scheme sets out these rules by applying zones and overlays to all land in Kingston. Zones and overlays determine what type of development is allowed, what type is prohibited and what requires approval through the planning permit process. In some circumstances 'overlays' are also applied to land that outline a special set of rules based on the unique features of that land (for example, flooding or environmental significance).

This guide provides information about how to prepare and submit a planning permit application to build or extend one or more dwelling on a piece of land. Council requires certain information in order to properly assess your application against the planning controls contained in the Kingston Planning Scheme.

tip



It's highly recommended that you discuss your proposed plans to build or extend with your neighbours and council before lodging your planning permit application. For more information and tips about how to make the process as efficient as possible, please refer to the 'Overview of the planning permit process' guide.

To ensure that your application can be processed efficiently, it is important that all the relevant information is included – this guide will help you do this. However, please note that if your property is affected by an overlay, extra requirements may be needed so please check with our Planning Team.

tip

To find out what zone applies to your property and if any overlays apply please visit: [planningschemes.dpcd.vic.gov.au/schemes/kingston](http://planningschemes.dpcd.vic.gov.au/schemes/kingston), contact Council on (03) 9581 4131 or visit the Planning Enquiry Counter on level one at the Cheltenham Council offices.



## What does your application need to include?

### Certificate of Title - 1 copy

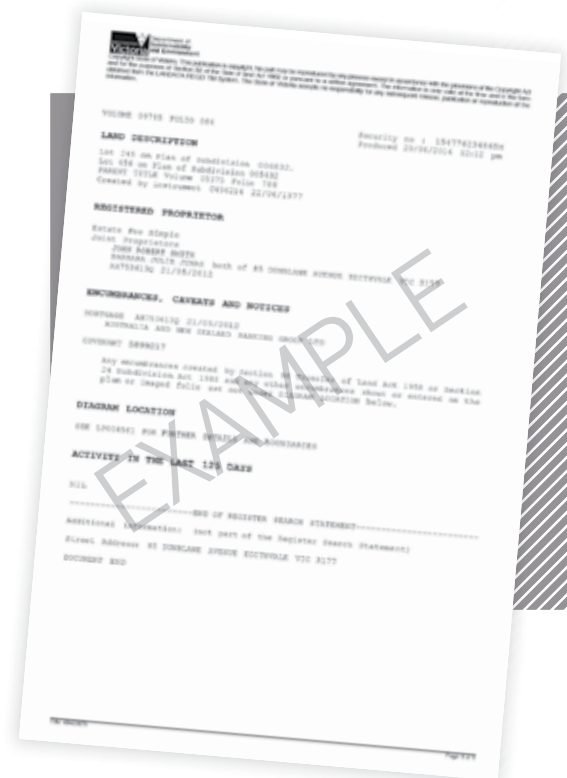
A Certificate of Title is the formal legal record of a piece of land. It contains basic information such as current ownership details and a 'plan of subdivision' - a plan of the property that may also shows adjoining properties and roads.

Please provide an up-to-date Certificate of Title and plan of subdivision with your application. The Certificate of Title must be clear, legible, complete and issued within the last three (3) months.

If the land is covered by a Restrictive Covenant or Section 173 Agreement, a copy will also need to be provided. This will be registered on the Certificate of Title (see example).

A Restrictive Covenant is a private agreement between land owners which may restrict the way land may be used and/or developed.

A Section 173 Agreement is a legal contract between a land owner and the Council which may restrict the way land may be used and/or developed, or require the land owner to undertake specific works.



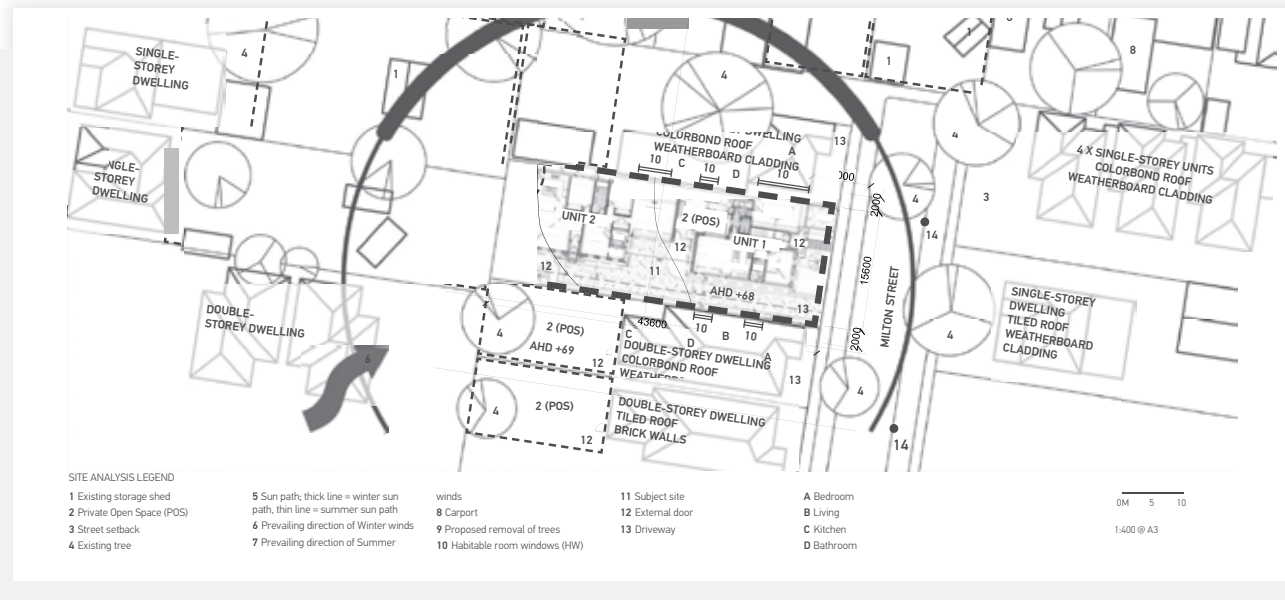
If you need an up-to-date copy of the Certificate of Title, you can purchase a copy from:

- ▶ **Landata**      [landata.vic.gov.au](http://landata.vic.gov.au)
  
- ▶ **Council**      **Electronic**  
Complete the request form available on our website  
[kingston.vic.gov.au/planning](http://kingston.vic.gov.au/planning)  
and email to [planningapplications@kingston.vic.gov.au](mailto:planningapplications@kingston.vic.gov.au)
- In Person**  
Planning Enquiry Counter  
Level 1, 1230 Nepean Hwy  
Cheltenham  
Operating hours  
8:30am–5:30pm (Mon–Fri)  
Telephone: (03) 9581 4131

## ✓ Site Analysis Plan - 3 copies

A Site Analysis Plan is a clear drawing that shows your site and all bordering sites, including the location of buildings and their uses. It is drawn as if looking down from above. At a minimum, it should show the two properties either side of the site, three properties across the rear of the site, and three properties opposite the site.

Please submit three (3) copies of the Site Analysis Plan with your application.



The Site Analysis Plan must be drawn to a scale of 1:20 and show:

- ▶ The boundaries and dimensions of the site
- ▶ The location of any easements (refer to the Certificate of Title to confirm if any apply to your land)
- ▶ Levels of the site to Australian Height Datum and the difference in levels between the site and surrounding properties
- ▶ The location and layout of the existing building(s) on the site including the location of all external windows, doors, outdoor areas and driveways, the distance between walls and boundaries, the location and height of walls built on the boundary of the site and the front setback distance
- ▶ The use of the neighbouring buildings and their street numbering
- ▶ The location and layout of buildings on neighbouring properties including the location of windows and what type of room it is (ie bedroom, bathroom), external doors, outdoor areas and driveways, the distance between walls and boundaries, the location and height of walls built on the boundary of the site and the front setback distance



Before a Site Analysis Plan is prepared a boundary re-establishment survey should be undertaken. A re-establishment survey is done by a land surveyor and leaves no doubt in the minds of property owners and neighbours about where their boundaries lie.

- ▶ Street frontage features such as poles, street trees, driveways and fence types and heights
- ▶ The location of trees on the site and adjoining properties, including any removed within the last 12 months
- ▶ Solar access (the amount of the sun's energy available to the building and direction of prevailing (most usual) sunlight)
- ▶ The location of local services such as public transport, shops and schools
- ▶ The land's orientation to north
- ▶ Any other notable features or characteristics of the site

## ✔ Digital Photographs

Photographs help Council get a better understanding of your land, any existing buildings and the surrounding area.

Please provide at least one digital photograph that shows where you would like to build or extend

It is also helpful to provide additional photographs of the surrounding area and street so that your application can be understood within the context of the local area.



## ✓ Design Response Plan - 3 copies

A Design Response Plan is similar to a Site Analysis Plan, but shows the proposed new building(s), extensions and vegetation. It is also drawn as if looking down from above.

Please submit three (3) copies of the Design Response Plan with your application.

The Design Response Plan must include the same level of detail as the Site Analysis Plan, and in addition to showing the proposed new building/s, extensions and vegetation, it should also show any existing buildings and vegetation on the site that you will keep.



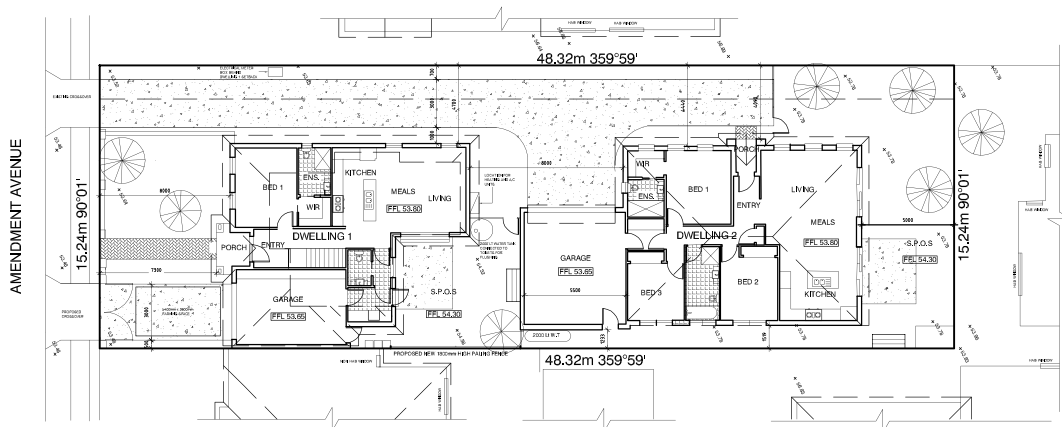
tip

If you require assistance drawing these plans, you can hire an architect or a draftsman. You can easily find one by searching online or in your local directory.

## ✓ Proposed Floor Plan - 3 copies

A Proposed Floor Plan is a clear drawing that shows the location of the proposed building/extension and other structures on the site. It should also show the buildings and open space areas of properties immediately adjoining your site. It is drawn as if looking down from above.

Please submit three (3) copies of the Proposed Floor Plan with your application.



The Proposed Floor Plan must be drawn to a scale of 1:100 and show:

- ▶ The boundaries and dimensions of the site
- ▶ The location of any easements (refer to the Certificate of Title to confirm if any apply to your land)
- ▶ Levels of the site to Australian Height Datum and the difference in levels between the site and surrounding properties
- ▶ The location of the proposed building or additions (including the distance between the external walls and the property boundaries), and the use and finished floor level of each room

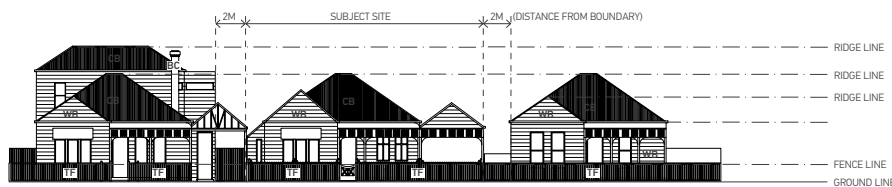
- ▶ The location and dimensions of all outdoor spaces, including all vegetation proposed to be removed/retained, all car parking spaces, driveways and crossovers
- ▶ The location of existing buildings on the surrounding properties, including the distance between walls and boundaries, the location and height of walls built on the boundary of the site, the front setback distance and outdoor spaces
- ▶ The use of the neighbouring buildings, their street numbering and the location of windows and what type of room they are in (for example, bedroom or bathroom)
- ▶ Street frontage features such as poles, street trees, driveways and fence types and heights
- ▶ Any other relevant features or characteristics of the site
- ▶ The land's orientation to north
- ▶ A 'Development Summary' table showing the total site area, floor areas, garage carport areas, area of private open space for each dwelling (all in sqm), and the percentage (%) of building site coverage and site permeability

Where the development is more than one level, the first floor plan must show the outline of the ground floor below.

## ✓ Existing Elevation Plan - 3 copies

Existing Elevation Plans are clear drawings that show the length, width and height of the existing building(s) on a block. They are drawn as if looking from the front or side to show the height.

If you propose to keep part or all of any building(s) currently on the site, please submit three (3) copies of Existing Elevation Plans with your application.



EXISTING EAST ELEVATION  
1:200 @ A3

0M 5 10

### MATERIALS LEGEND

BC - Brick chimney	TF - Timber Fence
BR - Brickwork	WB - Weatherboard
CB - Colourbond	
TI - Tiles	

Plans must be provided for each elevation of the existing building (for example, north, south, east and west), even if the addition is only going to affect one part of the existing building.

Existing Elevation Plans must be drawn to a scale of 1:100 and show:

- ▶ The length, width and height of the existing building(s)
- ▶ The overall height of the building(s) above the natural ground level
- ▶ A streetscape elevation showing adjoining buildings and existing facade
- ▶ The colours and materials of the existing building(s)

## ✓ Proposed Elevation Plan - 3 copies

A Proposed Elevation Plan is a clear drawing that shows the height and location of the proposed building, other structures on the site and how it will fit into the streetscape. It is drawn as if looking from the front or side to show the height.

Please submit three (3) copies of the Proposed Elevation Plan with your application.

The Proposed Elevation Plan must be drawn to a scale of 1:100 and show:

- ▶ The length, width and height of the retained and proposed building/s
- ▶ The overall height of the building(s) above the natural ground level
- ▶ The proposed streetscape elevation
- ▶ The land's orientation to the north
- ▶ The minimum sill height of all windows and any screening measures (for example obscure glazing or external screens)
- ▶ A Colour Schedule that details proposed colours, materials and finishes of all external surfaces including roof, fences and garages (see example)



## ✓ Shadow Diagram - 3 copies

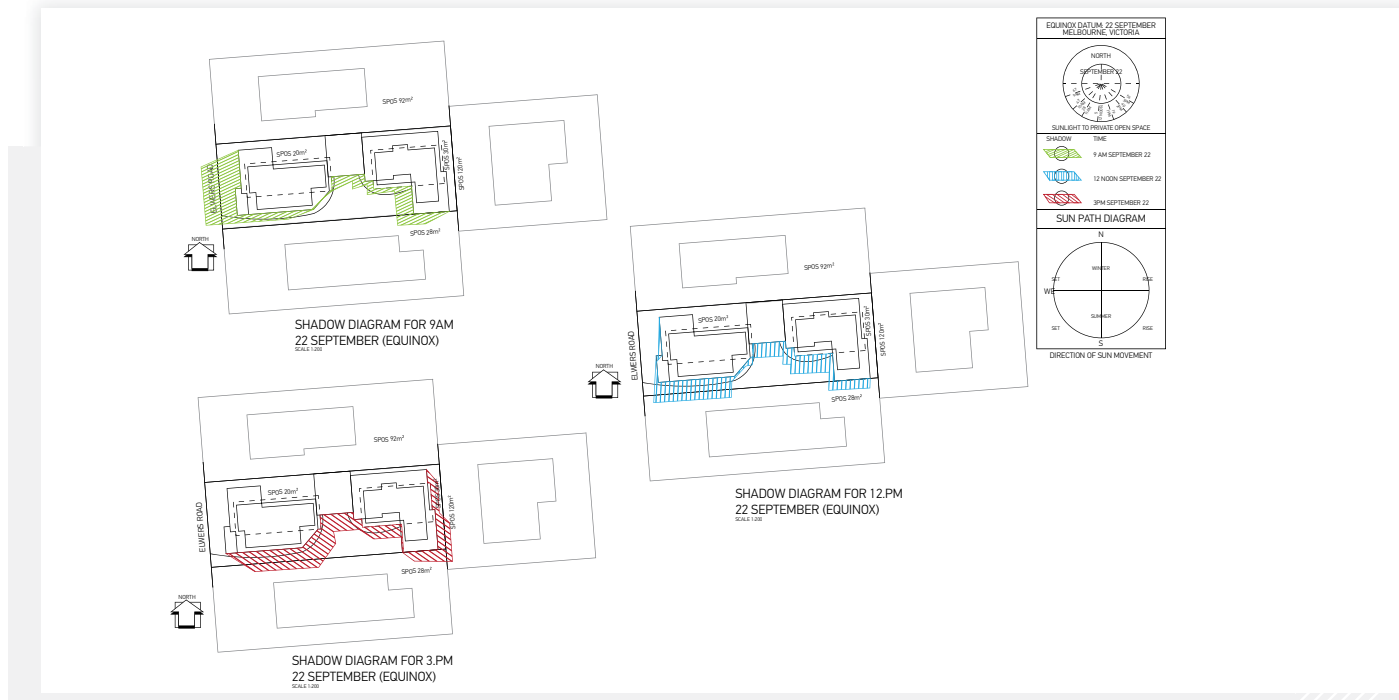
tip

The Design Response Plan is often used as the basis for the Shadow Diagram.

A Shadow Diagram is a clear drawing that shows the shadow that will be cast by a building at set times of the day.

The Diagram, drawn as if looking down from above, will need to show the shadows cast at three times of the day – 9am, 12pm and 3pm, measured on the September equinox (22 September). It is used to assess whether a proposed building will inappropriately overshadow neighbouring properties.

Please submit three (3) copies of a Shadow Diagram with your application.

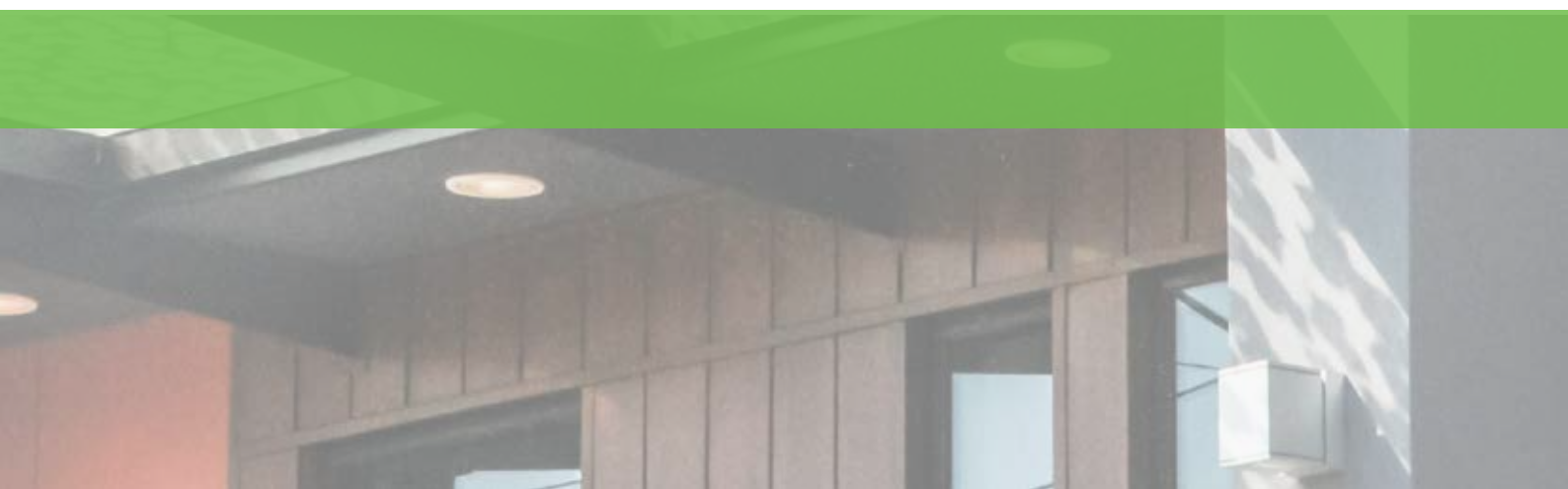


The Shadow Diagram should be drawn at a scale of 1:100 or 1:200 and the shadows clearly shown at different times of the day, ideally on separate plans.

## ✓ Written Assessment - 1 copy

A Written Assessment explains how your proposed development complies with the appropriate policies and regulations, in particular ResCode and the Local Kingston Planning Policy (explained further below).

Please submit one (1) copy a Written Assessment with your application.







### ResCode

ResCode is a State Government legislation that sets certain requirements for all residential developments across Victoria. It applies to the construction or extension of one or more dwellings up to, and including, four storeys in height.

The ResCode provisions can be found in the Kingston Planning Scheme either Clause 54 or 55 depending on the type of works you are proposing:

- ▶ **Clause 54** – an addition to, or construction of, one dwelling on a lot (block of land) less than 300m<sup>2</sup> in area
- ▶ **Clause 55** – an addition to, or construction of, two or more dwellings on a lot

Each Clause contains objectives and standards against which you need to explain how your proposal complies.

For example, Clause 54.03-4 (permeability objectives) seeks to “reduce the impact of increased stormwater run-off on the drainage system” and “facilitate on-site stormwater infiltration”. The relevant standard, (A6) states that “the site area covered by pervious surfaces should be at least 20 per cent of the site”.

Your assessment of this Standard would discuss how much of the site is proposed to be covered by pervious surfaces, and provide justification if the objective is not met (using the ‘Decision Guidelines’ listed in the Clause).

### Local Policy

Local Policy is set by Kingston Council in its Planning Scheme. In simple terms, it’s just like ResCode but at a local level. For residential building(s) and extensions, the two most important clauses are 21.05 ‘Residential Land Use’ and 22.10 ‘Residential Development Policy’, however it’s advisable to check with the Planning Team what other Clauses you may also need to respond to.

Just like ResCode, you need to explain how your proposal complies against the relevant local planning policy and provide justification if the objectives and strategies are not met.



To find the ResCode (Clause 54 and 55 of the Kingston Planning Scheme) and other Local Policies please visit: [planningschemes.dpcd.vic.gov.au/schemes/kingston](http://planningschemes.dpcd.vic.gov.au/schemes/kingston), contact Council on (03) 9581 4131 or visit the Planning Enquiry Counter on level one at the Cheltenham Council offices.

## Other permits you may need

A common misconception is that once you have a Planning Permit you can start your works, however you also require a Building Permit, and possibly other types of permits depending on the works you want to carry out.

A Planning Permit gives permission for how the land is used and developed (ie for dwellings or commercial premises), whereas a Building Permit gives permission for how buildings are constructed (structural).

It's a good idea to speak to us about these early to make sure you have all the permits you need before you start making any changes to your land or buildings.

- ▶ **Building Permit** – required if you want to do any structural re-modelling to buildings, or the 'class' or category of the building's use/occupancy changes (for example removing an internal load-bearing wall or adding additional rooms or floor space). More details can be found in the 'Building' section of our website [kingston.vic.gov.au/building](http://kingston.vic.gov.au/building)
- ▶ **Asset Protection Permit** - required for building or works conducted near any public assets such as drainage, footpaths, roads etc to ensure they do not get damaged in the process. More details can be found in the 'Roads and Traffic Management' section of our website.
- ▶ **Vehicle Crossing Permit** – required when constructing a new, or amending existing, vehicle crossing (driveways that cross the footpath). More details can be found in the 'Roads and Traffic Management' section of our website.


To help us process your application efficiently please provide a copy of all plans and reports in electronic format, via CD, USB drive or by email to [planningapplications@kingston.vic.gov.au](mailto:planningapplications@kingston.vic.gov.au) (please include the address in the subject line).





## Further Information

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A range of information is available on our website and a suite of other guides and checklists that may be useful. For further assistance, please contact our Planning Team:

 Online: [kingston.vic.gov.au/planning](http://kingston.vic.gov.au/planning)

 In person: Planning Enquiry Counter  
Level 1, 1230 Nepean Hwy  
Cheltenham  
Operating hours:  
8:30am–5:30pm (Mon–Fri)

 Telephone: (03) 9581 4131

 Email: [info@kingston.vic.gov.au](mailto:info@kingston.vic.gov.au)

 Translation service:  131 450  
TIS National



### To apply simply follow these five steps:

1. **Discuss your plans with Council.** Get initial feedback on your proposal, ensure you are aware of all planning requirements and include all necessary information in your application through a pre-application meeting.
2. **Prepare your application.** Follow this guide to make sure you include all the information required, such as plans and a written submission, including electronic versions to help speed up the process. Refer to the checklist provided.
3. **Complete an 'Application for Planning Permit' Form.** These are available at our Planning Enquiry Counter or on Council's website [kingston.vic.gov.au/planning](http://kingston.vic.gov.au/planning)
4. **Determine the fee that applies.** Fees vary depending on the type of application and need to be paid when your completed application is lodged. Refer to the fee schedule available at the Planning Enquiry Counter, on our website [kingston.vic.gov.au/planning](http://kingston.vic.gov.au/planning), or by contacting us on (03) 9581 4131.
5. **Lodge your completed application.** Submit your completed application, including the 'Application for a Planning Permit' form and the checklist included in this guide, and pay the required fee. You can do so via:

**Mail:** City Development, City of Kingston  
PO Box 1000  
Mentone VIC 3194

**In Person:** Planning Enquiry Counter  
Level 1, 1230 Nepean Hwy,  
Cheltenham VIC 3192

## Checklist

One of the best ways you can help speed up the planning permit process is to make sure that your application includes all the information required. This checklist outlines everything you need to include with your application. Please complete it and submit with your application. Further detail of all items of the checklist can be found in the previous pages of this guide

- |   |   |
|---|---|
| <input type="checkbox"/> Completed Application Form                                     | <input type="checkbox"/> Existing Elevation Plans (3 copies) if appropriate |
| <input type="checkbox"/> Fee (credit card, cheque or money order)                       | <input type="checkbox"/> Proposed Elevation Plans (3 copies)                |
| <input type="checkbox"/> Certificate of Title (1 copy, issued within the last 3 months) | <input type="checkbox"/> Shadow Diagrams (3 copies)                         |
| <input type="checkbox"/> Site Analysis Plan (3 copies)                                  | <input type="checkbox"/> Written Assessment (1 copy)                        |
| <input type="checkbox"/> Photographs (at least 1 digital copy)                          | <input type="checkbox"/> An electronic version of all plans and documents   |
| <input type="checkbox"/> Design Response Plan (3 copies)                                |   |
| <input type="checkbox"/> Proposed Floor Plans (3 copies)                                |   |



**important**

Please ensure three copies of all plans are submitted: One A3 and two A1 sizes.