

# Is your application eligible for VicSmart?

| Requirement  | Note   |
|--|--|
| <p><input type="checkbox"/> <b>All the requirements for a permit must be listed as a VicSmart application</b></p>  | <p>To be classed as a VicSmart application the proposal must be listed in the table overleaf, meet all the criteria and be located in the specified zone, overlay or particular provision.</p> <p>A proposal could have more than one requirement for a permit and therefore may fall into more than one class of VicSmart application. The permit requirements should be identified and then be checked against the classes of application overleaf.</p> <p>All the requirements for a permit must be listed as a VicSmart application. If the application requires a permit under a provision of the planning scheme that is not listed as a VicSmart application, it is not a VicSmart application.</p> <p>A council planning officer can advise you what permit requirements apply to your proposal, and whether they are all classed as VicSmart.</p> |
| <p><input type="checkbox"/> <b>A permit issued must not breach a registered restrictive covenant</b></p>           | <p>An application where a permit would breach a registered restrictive covenant is excluded from being a VicSmart application.</p>   |
| <p><input type="checkbox"/> <b>Referral authority approval must be obtained before lodging the application</b></p> | <p>If a referral is required under Clause 66 of the planning scheme, the written consent of the referral authority must be lodged with the application.</p> <p>The written consent must not be older than three months.</p> <p>If you do not obtain this consent or the referral authority objects, the application cannot be a VicSmart application and you must apply through the regular permit application process.</p>  |

# Is your proposal classed as a VicSmart application?

To qualify for the VicSmart permit process your proposal must be listed as a type of application, meet the criteria and be located in the zone or overlay detailed in the table below.

A proposal may fall into more than one class of VicSmart application.

Your council may have also introduced local VicSmart classes of application that are not listed below. Check with your local council for any additional local VicSmart classes.

**Table 1: VicSmart classes of application**

|                    | Type of application   | Criteria (all must be met)   | Where this applies   |
|--------------------|---|--|--|
| <b>Subdivision</b> |   |  |  |
| 1                  | <ul style="list-style-type: none"> <li><input type="checkbox"/> Subdivide land to realign the common boundary between two lots</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> The area of either lot is reduced by less than 15 per cent,</li> <li><input type="checkbox"/> The general direction of the common boundary does not change, and</li> <li><input type="checkbox"/> 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.</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> All residential zones</li> <li><input type="checkbox"/> All industrial zones</li> <li><input type="checkbox"/> All commercial zones</li> <li><input type="checkbox"/> All rural zones</li> <li><input type="checkbox"/> Special Use Zone</li> <li><input type="checkbox"/> Comprehensive Development Zone</li> <li><input type="checkbox"/> Capital City Zone</li> <li><input type="checkbox"/> Docklands Zone</li> <li><input type="checkbox"/> Priority Development Zone</li> <li><input type="checkbox"/> Activity Centre Zone</li> <li><input type="checkbox"/> Environmental Significance Overlay</li> <li><input type="checkbox"/> Special Building Overlay</li> <li><input type="checkbox"/> Heritage Overlay</li> <li><input type="checkbox"/> Design and Development Overlay</li> </ul> |



|   | Type of application   | Criteria (all must be met)   | Where this applies   |
|---|---|--|--|
| 2 | <ul style="list-style-type: none"> <li><input type="checkbox"/> Subdivide land into lots each containing an existing building or car parking space</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> 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</li> <li><input type="checkbox"/> 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.</li> </ul>                               | <ul style="list-style-type: none"> <li><input type="checkbox"/> All residential zones (except the Low Density Residential Zone)</li> <li><input type="checkbox"/> All industrial zones</li> <li><input type="checkbox"/> All commercial zones</li> <li><input type="checkbox"/> Special Use Zone</li> <li><input type="checkbox"/> Comprehensive Development Zone</li> <li><input type="checkbox"/> Capital City Zone</li> <li><input type="checkbox"/> Docklands Zone</li> <li><input type="checkbox"/> Priority Development Zone</li> <li><input type="checkbox"/> Activity Centre Zone</li> <li><input type="checkbox"/> Environmental Significance Overlay</li> <li><input type="checkbox"/> Special Building Overlay</li> <li><input type="checkbox"/> Heritage Overlay</li> <li><input type="checkbox"/> Design and Development Overlay</li> </ul> |
| 3 | <ul style="list-style-type: none"> <li><input type="checkbox"/> Subdivide land with an approved development into two lots</li> </ul>                          | <ul style="list-style-type: none"> <li><input type="checkbox"/> 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</li> <li><input type="checkbox"/> The construction or carrying out of the approved building or works on the land has lawfully started; and</li> <li><input type="checkbox"/> The subdivision does not create a vacant lot.</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> All residential zones (except the Low Density Residential Zone)</li> <li><input type="checkbox"/> All industrial zones</li> <li><input type="checkbox"/> All commercial zones</li> <li><input type="checkbox"/> Special Use Zone</li> <li><input type="checkbox"/> Comprehensive Development Zone</li> <li><input type="checkbox"/> Capital City Zone</li> <li><input type="checkbox"/> Docklands Zone</li> <li><input type="checkbox"/> Priority Development Zone</li> <li><input type="checkbox"/> Activity Centre Zone</li> <li><input type="checkbox"/> Environmental Significance Overlay</li> <li><input type="checkbox"/> Special Building Overlay</li> <li><input type="checkbox"/> Heritage Overlay</li> <li><input type="checkbox"/> Design and Development Overlay</li> </ul> |

|                                     | Type of application   | Criteria (all must be met)  | Where this applies  |
|-------------------------------------|---|---|---|
| 4                                   | <input type="checkbox"/> Subdivide land into two lots in a rural zone   | <input type="checkbox"/> Each new lot is at least the area specified for the land in the zone or the schedule to the zone.  | <input type="checkbox"/> All rural zones  |
| <b>Buildings and works in zones</b> |   |   |   |
| 5                                   | <input type="checkbox"/> Construct or extend a front fence within 3 metres of a street                            | <input type="checkbox"/> None   | <input type="checkbox"/> All residential zones (except the Low Density Residential Zone)  |
| 6                                   | <input type="checkbox"/> Construct a building or construct or carry out works in some non-rural zones             | <input type="checkbox"/> The estimated cost does not exceed: <ul style="list-style-type: none"> <li><input type="radio"/> \$50,000 in a Mixed Use Zone</li> <li><input type="radio"/> \$1,000,000 in an industrial zone</li> <li><input type="radio"/> \$500,000 in other applicable zones</li> </ul> <input type="checkbox"/> 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.)<br><input type="checkbox"/> Is not for a purpose listed in the table to Clause 52.10 in the planning scheme.<br><input type="checkbox"/> Is not associated with a dwelling in a Mixed Use Zone.<br><input type="checkbox"/> Is not for a Brothel or Adult sex bookshop. (This does not apply in a special purpose zone.) | <input type="checkbox"/> Mixed Use Zone<br><input type="checkbox"/> All industrial zones<br><input type="checkbox"/> All commercial zones<br><input type="checkbox"/> Special Use Zone<br><input type="checkbox"/> Comprehensive Development Zone<br><input type="checkbox"/> Capital City Zone<br><input type="checkbox"/> Docklands Zone<br><input type="checkbox"/> Priority Development Zone<br><input type="checkbox"/> Activity Centre Zone |
| 7                                   | <input type="checkbox"/> Construct a building or construct or carry out works up to \$250,000 in some rural zones | <input type="checkbox"/> The land is not within 30 metres of land (not a road) which is in a residential zone.<br><input type="checkbox"/> The land is not used for Animal keeping, Intensive animal husbandry or Rural industry.<br><input type="checkbox"/> The works are not earthworks specified in the schedule to the zone.   | <input type="checkbox"/> Rural Living Zone<br><input type="checkbox"/> Green Wedge Zone<br><input type="checkbox"/> Green Wedge A Zone<br><input type="checkbox"/> Rural Conservation Zone  |

|  | Type of application   | Criteria (all must be met)   | Where this applies  |
|--|---|--|---|
| 8                                      | <ul style="list-style-type: none"> <li><input type="checkbox"/> Construct a building or construct or carry out works up to \$500,000 under some rural zones</li> </ul>  | <ul style="list-style-type: none"> <li><input type="checkbox"/> 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.</li> <li><input type="checkbox"/> 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.</li> <li><input type="checkbox"/> The works are not earthworks specified in the schedule to the zone.</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Farming Zone</li> <li><input type="checkbox"/> Rural Activity Zone</li> </ul>   |
| <b>Buildings and works in overlays</b> |   |  |   |
| 9                                      | <ul style="list-style-type: none"> <li><input type="checkbox"/> Construct a building or construct or carry out works for a carport, garage, pergola, verandah, deck, shed or similar structure.</li> <li><input type="checkbox"/> Construct a building or construct or carry out works for a rainwater tank.</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> The buildings and works must be associated with a dwelling.</li> <li><input type="checkbox"/> For applications under the Salinity Management Overlay, the consent of the referral authority.</li> </ul>  | <ul style="list-style-type: none"> <li><input type="checkbox"/> Environmental Significance Overlay</li> <li><input type="checkbox"/> Significant Landscape Overlay</li> <li><input type="checkbox"/> Erosion Management Overlay</li> <li><input type="checkbox"/> Salinity Management Overlay</li> </ul>        |
| 10                                     | <ul style="list-style-type: none"> <li><input type="checkbox"/> Construct a fence in an overlay</li> </ul>  | <ul style="list-style-type: none"> <li><input type="checkbox"/> None</li> </ul>  | <ul style="list-style-type: none"> <li><input type="checkbox"/> Environmental Significance Overlay</li> <li><input type="checkbox"/> Significant Landscape Overlay</li> <li><input type="checkbox"/> Design and Development Overlay</li> <li><input type="checkbox"/> Erosion Management Overlay</li> </ul>     |
| 11                                     | <ul style="list-style-type: none"> <li><input type="checkbox"/> Remove, destroy or lop one tree</li> </ul>  | <ul style="list-style-type: none"> <li><input type="checkbox"/> None</li> </ul>  | <ul style="list-style-type: none"> <li><input type="checkbox"/> Environmental Significance Overlay</li> <li><input type="checkbox"/> Vegetation Protection Overlay</li> <li><input type="checkbox"/> Significant Landscape Overlay</li> <li><input type="checkbox"/> Neighbourhood Character Overlay</li> </ul> |



|  | Type of application   | Criteria (all must be met)  | Where this applies                        |
|--|---|---|---|
| <b>Buildings and works in a Heritage Overlay</b> |   |   |   |
| 12   | <input type="checkbox"/> Demolish or remove an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure)  | <input type="checkbox"/> The outbuilding to be demolished or removed is not identified in the schedule to the overlay | <input type="checkbox"/> Heritage Overlay |
| 12   | <input type="checkbox"/> Demolish or remove a fence   | <input type="checkbox"/> The fence to be demolished or removed is not identified in the schedule to the overlay       | <input type="checkbox"/> Heritage Overlay |
| 12   | <input type="checkbox"/> Externally alter a non-contributory building   | <input type="checkbox"/> The building is a non-contributory building  | <input type="checkbox"/> Heritage Overlay |
| 12   | <input type="checkbox"/> External painting<br><input type="checkbox"/> Construct a fence<br><input type="checkbox"/> Construct a carport, garage, pergola, verandah, deck, shed or similar structure<br><input type="checkbox"/> Construct and install domestic services normal to a dwelling<br><input type="checkbox"/> Construct and install a non-domestic disabled access ramp<br><input type="checkbox"/> Construct a vehicle cross-over<br><input type="checkbox"/> Construct a domestic swimming pool or spa and associated mechanical equipment and safety fencing<br><input type="checkbox"/> Construct a rainwater tank<br><input type="checkbox"/> Construct or display a sign<br><input type="checkbox"/> Lop a tree<br><input type="checkbox"/> Construct or install a solar energy facility attached to a dwelling | <input type="checkbox"/> None   | <input type="checkbox"/> Heritage Overlay |

|   | Type of application   | Criteria (all must be met)   | Where this applies   |
|---|---|--|--|
| <b>Buildings and works in a Design and Development Overlay</b>  |   |  |  |
| 13  | <ul style="list-style-type: none"> <li><input type="checkbox"/> Construct a building or construct or carry out works for a carport, garage, pergola, verandah, deck, shed or similar structure.</li> <li><input type="checkbox"/> Construct a building or construct or carry out works for an outdoor swimming pool.</li> </ul>   | <ul style="list-style-type: none"> <li><input type="checkbox"/> The buildings and works must be associated with a dwelling.</li> </ul>   | <ul style="list-style-type: none"> <li><input type="checkbox"/> Design and Development Overlay</li> </ul>  |
| 13  | <ul style="list-style-type: none"> <li><input type="checkbox"/> Construct a building or construct or carry out works up to \$500,000.</li> </ul>  | <ul style="list-style-type: none"> <li><input type="checkbox"/> Must be in an commercial zone or a Special Use, Comprehensive Development, Capital City, Docklands, Priority Development or Activity Centre Zone.</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Design and Development Overlay</li> </ul>  |
| 13  | <ul style="list-style-type: none"> <li><input type="checkbox"/> Construct a building or construct or carry out works up to \$1,000,000.</li> </ul>  | <ul style="list-style-type: none"> <li><input type="checkbox"/> Must be in an industrial zone.</li> </ul>  | <ul style="list-style-type: none"> <li><input type="checkbox"/> Design and Development Overlay</li> </ul>  |
| <b>Buildings and works in a Neighbourhood Character Overlay</b> |   |  |  |
| 14  | <ul style="list-style-type: none"> <li><input type="checkbox"/> Construct a building or construct or carry out works for:                             <ul style="list-style-type: none"> <li><input type="radio"/> a carport, garage, pergola, verandah, deck, shed or similar structure.</li> <li><input type="radio"/> an outdoor domestic swimming pool or spa and associated mechanical equipment and safety fencing.</li> <li><input type="radio"/> a rainwater tank.</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> The buildings and works must be associated with a dwelling.</li> </ul>   | <ul style="list-style-type: none"> <li><input type="checkbox"/> Neighbourhood Character Overlay</li> </ul> |
| 14  | <ul style="list-style-type: none"> <li><input type="checkbox"/> Construct, demolish or remove a fence.</li> </ul>   | <ul style="list-style-type: none"> <li><input type="checkbox"/> None</li> </ul>  | <ul style="list-style-type: none"> <li><input type="checkbox"/> Neighbourhood Character Overlay</li> </ul> |

|  | Type of application   | Criteria (all must be met)  | Where this applies   |
|--|---|---|--|
| 14   | <input type="checkbox"/> Demolish or remove an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure). | <input type="checkbox"/> None   | <input type="checkbox"/> Neighbourhood Character Overlay   |
| <b>Buildings and works in a Special Building Overlay</b> |   |   |  |
| 15   | <input type="checkbox"/> Construct a building or construct or carry out works   | <input type="checkbox"/> Consent of referral authority.   | <input type="checkbox"/> Special Building Overlay  |
| <b>Advertising signs</b>                                 |   |   |  |
| 16   | <input type="checkbox"/> Display a sign   | <input type="checkbox"/> The sign is not within 30 metres of land (not a road) which is in a residential zone<br><input type="checkbox"/> The sign is not a pole sign, sky sign, reflective sign, internally illuminated, floodlit, electronic or animated, and<br><input type="checkbox"/> The total display size of the sign does not exceed 10 square metres | <input type="checkbox"/> All industrial zones<br><input type="checkbox"/> All commercial zones<br><input type="checkbox"/> Special Use Zone<br><input type="checkbox"/> Comprehensive Development Zone<br><input type="checkbox"/> Capital City Zone<br><input type="checkbox"/> Docklands Zone<br><input type="checkbox"/> Priority Development Zone<br><input type="checkbox"/> Activity Centre Zone |
| <b>Car parking reduction</b>                             |   |   |  |
| 17   | <input type="checkbox"/> Reduce the required number of car parking spaces   | <input type="checkbox"/> By no more than 10 car spaces  | <input type="checkbox"/> All zones<br><input type="checkbox"/> Parking Overlay   |
| <b>Loading and unloading of vehicles</b>                 |   |   |  |
| 18   | <input type="checkbox"/> Reduce or waive the loading and unloading requirements   | <input type="checkbox"/> None   | <input type="checkbox"/> All zones   |