

### APPLICATION REQUIREMENTS: CHANGE OF USE

This information sheet sets out the information you need to provide to Council when applying for a planning permit to change the way that your land is used.

The zoning of your land specifies which uses are allowed without the need for a planning permit; which uses require a planning permit; and which uses are prohibited. To find out what zoning applies to your land and whether the use requires a planning permit, please visit <http://planningschemes.dpcd.vic.gov.au/schemes/mitchell> and following the link to the relevant zone control that applies to your land. Alternatively you can contact Council's Statutory Planning Department.

If a planning permit is required to change the use of your land, Council requires certain information to be provided in order to properly assess your application against the planning controls contained in the Mitchell Planning Scheme. To ensure that your application can be processed quickly and efficiently, it is important that all the relevant information is included.

An application for the change of use of land must be accompanied by the following information:

#### Standard information to be provided with all applications

- **A fully completed and signed application form.** The application form can be obtained from the Statutory Planning page on Council's website.
- **A full current copy of Title** for the land, including current ownership details, title plan and a full copy of any registered covenants, restrictions or Section 173 Agreements that apply to the land. The copy of Title must be clearly legible and no older than 3 months. A copy of the Title can be obtained by contacting the Victorian Land Titles Office on (03) 8636 2456 or download a copy from <https://www.landata.vic.gov.au>.
- **The prescribed application fee.** Please refer to the fee schedule on Council's website or contact Council's Statutory Planning Department to determine the applicable fee.

#### Specific information relevant to a change of use

- A **written statement** setting out how the land is **currently used**
- A **written statement** setting out how the land is **proposed to be used**, which includes, as appropriate:
  - Details of the types of activities proposed to be carried out
  - The proposed hours of operation
  - Proposed staff and patron/customer numbers
  - Details of vehicle parking arrangements on the land, including the number of car parking spaces and bicycle parking facilities to be provided
  - The likely effects of the proposed use on adjoining land. This should include information about noise levels, traffic predictions, hours of delivery and dispatch of goods and materials, light spill, solar access, glare and any other relevant information.
  - Detail of how parts of the land not required for immediate use will be maintained.

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- The type and quantity of materials and goods to be stored, processed, produced or delivered to/from the land.
- If the proposal is for an industry or warehouse use:
  - The likely effects of the use on adjoining land, including details of air-borne emissions or emissions to land and water.
  - Details of whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
  - Details of whether a notification under the Occupational Health and Safety (Major Hazard Facilities) Regulations 2000 is required, a licence under the Dangerous Goods Act 1995 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2000 is exceeded.

### **Plans to support the proposal (including three copies of the plans with at least one copy at an A3 size)**

- **A proposed site layout plan** drawn at a scale of 1:100 or 1:200 which includes, as appropriate:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location of all existing and proposed buildings, including details of how they will be used and their proximity in relation to title boundaries.
  - The location and use of buildings on adjoining properties including habitable room windows and private open space areas of any dwellings.
  - Relevant ground levels.
  - The location of any proposed landscaping or vegetation within the site.
  - The location and dimensions of driveways and vehicle parking areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.
- Fully dimensioned **floor plans** drawn at a scale of 1:100 or 1:200 which includes:
  - The layout of the building, including details of how each part of the building will be used.
  - The total floor area of each part of the building to be occupied by the proposed use.

### **Other information to support the application**

- **A car parking plan** drawn at a scale of 1:100 or 1:200 (or for the information required in a car parking plan to be detailed on other plans submitted with the application) which includes:
  - All car parking spaces that are proposed to be provided (whether on the land or on other land).
  - Access lanes, driveways and associated works.
  - Allocation of car parking spaces to different uses or tenancies, if applicable.
  - Any landscaping and water sensitive urban design treatments.
  - Finished levels.

*Contact us:*

t: (03) 5734 6200  
e: [mitchell@mitchellshire.vic.gov.au](mailto:mitchell@mitchellshire.vic.gov.au)  
w: [www.mitchellshire.vic.gov.au](http://www.mitchellshire.vic.gov.au)

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### Some other relevant things to consider

#### *Car parking*

In some cases it may not be possible to provide all the car parking spaces required under clause 52.06 of the Mitchell Planning Scheme and you may need to apply for a planning permit to reduce or waive the number of car parking spaces required under the planning scheme. Further information regarding applying for a reduction in car parking can be found in Council's Car Parking checklist.

#### *Alterations or extensions to buildings or the construction of a new building*

If you wish to alter or extend an existing building or construct a new building as part of your proposal to change the use of the land, you may be required to obtain a planning permit for buildings and works. Further information regarding applying for a buildings and works can be found in Council's 'Minor Buildings and Works' checklist.

#### *Pre-application*

Before you submit an application for a change of use, it may be useful to have a pre-application meeting with the Statutory Planning Department to ensure that any preliminary issues or concerns are addressed before your application is submitted. Please contact the Statutory Planning Department to arrange a pre-application meeting.

### For further information and to lodge an application

Visit our website	<a href="http://www.mitchellshire.vic.gov.au">www.mitchellshire.vic.gov.au</a>
Send us an email	<a href="mailto:mitchell@mitchellshire.vic.gov.au">mitchell@mitchellshire.vic.gov.au</a>
Give us a call	(03) 5734 6200 (option 3) <i>Monday to Friday, 9.00am – 5pm</i>
Visit a planner	Planning and Building Services Office Level 1, 61 High Street, Wallan <i>Monday to Friday, 9.00am – 5pm</i>

The following options are available to lodge your application:

<b>In person</b> Planning and Building Services Office Level 1, 61 High Street, Wallan;  <i>(This Office only has EFTPOS and Credit Card facilities and does not accept cash or cheque payment)</i>  or  Broadford Customer Service Centre 113 High Street, Broadford	<b>By post</b> Statutory Planning Department Mitchell Shire Council 113 High Street, Broadford 3658  <i>(please include a cheque payment or call to make a credit card payment)</i>
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*Note: These requirements are intended as a guide for applicants only and may vary depending on the extent of the proposed use and/or development. This list of information to be provided is not exhaustive and is compiled without the benefit of a site inspection or referrals which might reveal other material constraints and/or considerations. Additional items may be required to enable a proper consideration of an application. Council reserves the right to request additional information pursuant to Section 54(1) of the Planning and Environment Act 1987. Other planning scheme controls may also affect your proposal. Please check the planning scheme requirements before submitting an application by visiting the Department of Environment, Land, Water and Planning Website or visiting the planning enquiries counter at the Planning and Building Services Office of Mitchell Shire Council.*

*Contact us:*

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