



Checklist for planning applications

Buildings and works in a Special Building Overlay and Land Subject to Inundation

Background Information

A Special Building Overlay (SBO) and Land Subject to inundation Overlay (LSIO) are applied to land which have been identified as liable to flooding. The information required is to assist in ensuring development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

Council must refer such permit applications to Melbourne Water, as the relevant floodplain management authority, for comment

You may need this checklist if you are:

- Wanting to construct a building or under works that fall within the SBO or LSIO.

Please note that a Planning Permit is required only if the buildings and/or works fall within the portion of the site identified as being affected by the SBO or LSIO, i.e.: if only part of the site is covered by the overlay and buildings/works are within this area or where the entire site is affected by the overlay.

For further guidance about whether you will need to use this checklist, please consider booking a pre-application meeting.

To be accepted for assessment, your application must include:

- A completed application form, including a signed declaration
- A recent copy of the title for the land (dated no more than 30 days prior to the application) including a copy of the diagram or relevant plan of subdivision and the Register Search Statement which lists any encumbrances or restrictive covenants that may affect the land. A Certificate of Title may be obtained online from [LANDATA¹](https://www.landata.vic.gov.au/) or by contacting the [Land Information Centre²](https://www.land.vic.gov.au/)
- The prescribed application fees
- An electronic copy of plans, fully dimensioned and drawn to scale, including:

Site Plan and Elevations showing:

- Site boundaries and dimensions
- Layout, size and use of existing and proposed buildings and works, including site, floor and elevation plans
- Setbacks between existing and proposed buildings and site boundaries
- Floor and surface levels of any existing and proposed building and works to Australian Height Datum
- Cross-section details of any basement entry or exit ramps (apex)
- For fence applications a notation of the percentage of openings (Eg. 25% openings in a paling fence).

Note: An application fee is requested by the Responsible Officer after the application is lodged. Please ensure the section of the application form titled “Cost of Works” is completed when you lodge your application to prevent delays in calculating the correct fee.

In addition to the mandatory items above, you will need some or all of the following:

- Site plans and elevations (development drawings) that are fully dimensioned and scaled to 1:100 or 1:200

Note: Plans and elevations plans must be prepared in conjunction with a licensed surveyor or a suitably qualified person who can determine the applicable floor levels of any existing and proposed building to Australian Height Datum (AHD). For context AHD is an altitude measurement and refers to the height of land above sea level.

- A North arrow on all floor/site plans
- The boundaries and dimensions of the site elevation drawings showing the colour and materials of all buildings and works
- The location of any existing buildings, including fences, and trees
- Adjoining roads labelled
- The location, height and purpose of buildings and works on adjoining land including setbacks

¹ <https://www.landata.vic.gov.au/>

² https://www.land.vic.gov.au

- The layout of existing and proposed buildings and works
- Relevant ground levels and maximum building height from the natural ground level to Australian Height Datum (AHD)
- All driveway, car parking and loading areas
- The location of any easements
- All external storage and waste treatment areas
- A cover letter or report that includes a written description of the proposal and a response to any relevant planning policy

Note: A report prepared by a suitability qualified person such as a town planning consultant or architect is recommended as it can assist the planning process and often provides written justification as to how the proposal responds to the relevant requirements of the Melbourne Planning Scheme.

- A written description of the proposal.
- How the proposal responds to any relevant policy set out in the Scheme. This includes the following:
 - [Clause 44.04 - Land Subject to Inundation Overlay](#) ³
 - [Clause 44.05 - Special Building Overlay](#) ⁴
- Any relevant images that help convey the above information.

Helpful Hints

1. This checklist outlines the standard information required for application lodgment. Additional information may be requested by the assessing planning officer.
2. If you would like to discuss your proposed licensed premises, you can arrange a pre-application meeting at [Planning pre-application advice](#) ⁵
3. For information about fees, please refer to the [Schedule of fees](#) ⁶. Please note, you may require other permits, and these may incur additional fees.
4. Depending on the proposed building and or works you may not need to obtain a planning permit under the SBO or LSIO. The following are common exemptions that apply under the SBO:
 - To an extension of less than 20 square metres in floor area to an existing building (not including an out-building), where the floor levels are constructed to at least 300mm above the flood level or if Melbourne Water has agreed in writing that the flowpath is not obstructed.
 - To an upper storey extension to an existing building.
 - To an alteration to an existing building where the original building footprint remains the same and floor levels are constructed to at least 300mm above flood level.
 - To fencing with at least 25% openings and with the plinth at least 300mm above the flood level.

³ <https://planning-schemes.app.planning.vic.gov.au/Melbourne/ordinance/44.04>

⁴ <https://planning-schemes.app.planning.vic.gov.au/Melbourne/ordinance/44.05>

⁵ <https://www.melbourne.vic.gov.au/building-and-development/planning-and-building-services>

⁶ <https://www.melbourne.vic.gov.au/SiteCollectionDocuments/planning-schedule-of-fees>

Application lodgement guidelines

Please submit your application electronically – by email, online file sharing service or USB. Your email should include the complete application as a single PDF document, optimised to reduce file size and not encrypted or password protected. Alternatively, you may lodge the application via our online portal [Lodge a planning application](#)⁷. For other lodgement options, please contact Council.

To get in touch with Council about your application

Telephone: (03) 9658 9658
Email: planning@melbourne.vic.gov.au
Online: [Contact us](#)⁸

⁷ <https://www.melbourne.vic.gov.au/building-and-development/planning-and-building-services/planning-applications>

⁸ <https://www.melbourne.vic.gov.au/pages/contact-us.aspx>