

## User Guide 7 Application to Amend a Planning Permit

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### Purpose of this User Guide

The purpose of this User Guide is to provide assistance to Applicant Contacts and councils about amending a planning permit that has been issued in SPEAR.

### Who should read this?

Primary audience: Councils and Applicant Contacts

### Introduction

Once council has issued a planning permit, the Applicant Contact can submit an "Application to Amend a Planning Permit". The application form will be viewed and assessed by council in SPEAR. Council may either accept or reject the application.

In accepting the application, council can require further documentation and additional information to be supplied by the Applicant Contact. Council will also be required to re-check whether the additional advertising and/or referrals are required as a result of the proposed changes to the planning permit.

If council accept, they must make an "Amended Planning Permit decision" (similar to permit decision). Council may choose to issue a "Notice of Decision" (NOD) to grant an amended planning permit, a "refusal" or a "grant of the amended planning permit". In the case of a NOD or refusal, the original planning permit remains valid.

Once council grant an "Amended Planning Permit", the original permit is no longer valid and will be watermarked "Superseded".

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### 7.1 How does the Applicant Contact apply to amend a planning permit in SPEAR?

- Once a planning permit has been granted in SPEAR, the Applicant Contact is able to apply to amend the planning permit by selecting the optional action "Add Application to Amend Planning Permit" from the "Other Actions" drop down list on the Details Tab.
- Click the 'Browse' button and attach the application as a previously prepared PDF format document. Click 'add now'.
- Once the document is authenticated, it will be saved in SPEAR and an email notification sent to the council notifying them of the application. SPEAR will create a mandatory action for council to assess the application to amend the planning permit.

## 7.2 How do council assess an application to amend the planning permit?

- Once an application to amend the planning permit has been lodged through SPEAR, council will have a mandatory action to "Assess Application to Amend Planning Permit".
- Council must select a radio button to indicate whether it accepts or rejects the application.
- Rejecting the application will notify the Applicant Contact of the rejection and the current planning permit will remain unaffected.
- In accepting the application, the council must decide if additional documentation or information must be supplied by the Applicant Contact to support the amendment of the planning permit.

The screenshot shows the SPEAR web application interface. At the top, there is a navigation bar with the SPEAR logo and the text "Planning & Subdivision Applications Online Barry Council (Signing User)". On the right side of the navigation bar, there is a dropdown menu showing "Zone: S2.01 Residential 1", "Planning Permit (Subdivision)", "Application Status: Permit Decision", and "References: SPEAR Ref # - S001965S". Below the navigation bar, there are two tabs: "Summary" and "Details". The main content area is titled "Assess application to council to amend planning permit - Additional Documents Required". Below the title, there is a paragraph stating: "In order to complete the assessment of the application to amend a planning permit, new versions of the following documents are required:". Below this paragraph, there is a list of documents with checkboxes next to them:

- [Copy of Title \(Vol/Fol: 9894/307\)](#)
- [Application for Planning Permit](#)
- [Endorsed Plan \(Number of Pages: 3, Surveyor's Plan Version: SUR1234\)](#)
- Add Photos
- Add Covenant Document
- Request Council Consent regarding a condition of permit
- Add Other Document Type
- Add Subdivision design response
- Add Site plan (existing)
- Add Site context and design response (Subdivision)
- Add Covering Letter
- Add Subdivision site and context description
- Other documents required that are not listed above.  
(Selecting this checkbox will allow you to specify further documents via Additional Information Request)

At the bottom right of the form, there are two buttons: "next >" and "cancel".

### Additional documents by council may be required to support the Application to Amend a Planning Permit

- If documentation is required to be added, a list of documents will be displayed and council can select tick boxes to indicate which documents are required. The council are also given the opportunity to request other

documents not included on the list; selecting this tick box will create a mandatory action for council to "Add Additional Information Request" to specify the documentation they require.

- Accepting the "Application to Amend Planning Permit" will change the status of the application back to "*Council Permit Decision Pending*" and create a mandatory action for council to recheck their decision on advertising and referral requirements. Once council has rechecked referral and advertising and the Applicant Contact has attached any required documentation, council are prompted to "Make Council Decision – Amended Planning Permit".

### **7.3 How do council amend a planning permit in SPEAR?**

- Making an amended planning permit decision in SPEAR is the same process as the original planning permit decision with the same options (Grant, Refuse or NOD) available to council. The decision must also be digitally signed to authenticate it.
- If the application to amend the planning permit was submitted after the plan had been certified and council grant the amended planning permit, council will then have a mandatory action to re-certify the plan of subdivision.

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### **Need more information?**

Further information on this topic can be found by:

1. Visiting the SPEAR website [www.landexchange.vic.gov.au/SPEAR](http://www.landexchange.vic.gov.au/SPEAR).
2. Contacting the SPEAR Service Desk on 8636 3049 or email [spear.info@dse.vic.gov.au](mailto:spear.info@dse.vic.gov.au)
3. Selecting the [Help](#) link in the relevant area of the system.