# Planning and Environment Division

## Sample Consent Orders – Planning and Environment Division

**Sample Consent Order 1**

## Section 77 or 79 of the Planning and Environment Act 1987

**This sample applies if the parties agree to the grant of a permit in relation to an application by a permit applicant to review the refusal to grant a permit under section 77 of the *Planning and Environment Act 1987* or in relation to an application by a permit applicant to review the failure to grant a permit within the prescribed period under section 79 of the *Planning and Environment Act 1987***

The parties in Application insert relevant VCAT application number have reached agreement and request the Tribunal to grant the following order.

1. In application insert relevant VCAT application number, the decision of the responsible authority is set aside.
2. In planning permit application insert permit application number a permit is granted and directed to be issued for land at insert address in accordance with the endorsed plans and the conditions set out in Appendix A. The permit allows:
* Insert description of what the permit allows, having regard to the provisions of the planning scheme under which permission is required

**The parties must attach Appendix A containing all the conditions. Do not include notes.**

## CONSENTS

Applicant/Permit applicant (print name and sign) ………………………………..

Responsible Authority (print name and sign) …………………………………….

(If relevant) Other party (eg objector, referral authority) (print name and sign) ………………………………………

**Sample Consent Order 2**

## Section 82 of the Planning and Environment Act 1987

**The following sample applies if the parties agree to the grant of a permit in relation to an application by an objector to review the grant of a permit under section 82 of the *Planning and Environment Act 1987* and there are extensive changes to permit conditions in the notice of decision and all conditions are attached**

The parties in Application insert relevant VCAT application number have reached agreement and request the Tribunal to grant the following order.

1. In application insert relevant VCAT application number, the decision of the responsible authority is varied.
2. In planning permit application insert permit application number a permit is granted and directed to be issued for the land at insert address in accordance with the endorsed plans and the conditions set out in Appendix A. The permit allows:
* Insert description of what the permit allows, having regard to the provisions of the planning scheme under which permission is required

**The parties must attach Appendix A containing all the conditions. Do not include notes.**

## CONSENTS

Applicant/Objector (print name and sign) ………………………………………...

Responsible Authority (print name and sign) …………………………………….

Permit applicant/Respondent (print name and sign) ....……………………………

(If relevant) Other party (eg referral authority) (print name and sign) …………………………………..

**The following sample applies if the parties agree to the grant of a permit in relation to an application by an objector to review the grant of a permit under section 82 of the *Planning and Environment Act 1987* and there are minimal changes to permit conditions in the notice of decision**

The parties in Application insert relevant VCAT application number have reached agreement and request the Tribunal to grant the following order.

1. In application insert relevant VCAT application number, the decision of the responsible authority is varied.
2. In planning permit application insert permit application number a permit is granted and directed to be issued for the land at insert address in accordance with the endorsed plans. The permit allows:
* Insert description of what the permit allows, having regard to the provisions of the planning scheme under which permission is required
1. The permit is subject to the conditions contained in the notice of decision to grant a permit dated insert date subject to the following variations:
* Insert exact wording of any new conditions, deleted conditions and/or varied conditions

## CONSENTS

Applicant/Objector (print name and sign) ………………………………………...

Responsible Authority (print name and sign) …………………………………….

Permit applicant/Respondent (print name and sign) ....……………………………

(If relevant) Other party (eg referral authority) (print name and sign) …………………………………..

**The following sample applies if the parties agree to the grant of a permit in relation to both an application by an objector to review the grant of a permit under section 82 of the *Planning and Environment Act 1987* and an application by a permit applicant to review conditions of the proposed permit under section 80 of the *Planning and Environment Act 1987* and the parties agree to modifications in the conditions.**

The parties in Application insert the two relevant VCAT application numbers have reached agreement and request the Tribunal to grant the following order.

1. In application insert the two relevant VCAT application numbers, the decision of the responsible authority is varied.
2. In planning permit application insert permit application number a permit is granted and directed to be issued for the land at insert address in accordance with the endorsed plans. The permit allows:
* Insert description of what the permit allows, having regard to the provisions of the planning scheme under which permission is required
1. Tribunal directs that the permit must contain the modified conditions set out in Appendix A.

**The parties must attach Appendix A containing all the conditions. Do not include notes.**

## CONSENTS

Permit applicant (print name and sign) ………………………………………...

Responsible Authority (print name and sign) …………………………………….

Objector (print name and sign) ....……………………………

(If relevant) Other party (eg referral authority) (print name and sign) …………………………………..

**If a party is a party to one application but not the other application, the consents should specify the application to which the person is a party**

**Sample Consent Order 3**

## Section 72 of the Planning and Environment Act 1987

**This sample applies if the parties agree to the grant of an amended permit in relation to an application by a permit applicant to review the refusal to grant an amended permit under section 72 of the *Planning and Environment Act 1987***

The parties in Application insert relevant VCAT application number have reached agreement and request the Tribunal to grant the following order.

1. In application insert relevant VCAT application number, the decision of the responsible authority is set aside.
2. Planning permit insert permit number is amended and an amended permit is directed to be issued for the land at insert address. The permit is amended as follows:
	1. (If relevant) What the permit allows is amended to read as follows:
* Insert description of what the permit allows, having regard to the provisions of the planning scheme under which permission is required
	1. (If relevant) Condition insert number is deleted.
	2. (If relevant) Condition insert number is amended to read:
* Insert amended condition in full
	1. (If relevant) A new condition is included as follows:
* Insert new condition or conditions in full
1. Conditions in the permit are renumbered accordingly.
2. (If applicable) Plans endorsed under condition insert number of the permit are amended and the responsible authority is directed to endorse amended plans being the plans insert name of person who prepared the plans, the drawing numbers, the revision number and dates or (if applicable) is directed to endorse plans showing insert description of how the plans must be amended (eg *the sill of the bedroom 1 window to dwelling 1 increased to no less than 1.7 metres above the floor*).

## CONSENTS

Applicant/Permit applicant (print name and sign) ………………………………..

Responsible Authority (print name and sign) …………………………………….

(If relevant) Other party (eg objector or referral authority) (print name and sign) ………………………………………

**Sample Consent Order 4**

## Section 87 or 87A of the Planning and Environment Act 1987

**This sample applies if the parties agree to the grant of an amended permit in relation to an application to amend a permit under s 87 or 87A of the *Planning and Environment Act 1987***

The parties in Application insert relevant VCAT application number have reached agreement and request the Tribunal to grant the following order.

1. Application insert relevant VCAT application number is allowed.
	1. (If relevant) What the permit allows is amended to read as follows:
* Insert description of what the permit allows, having regard to the provisions of the planning scheme under which permission is required
	1. (If relevant) Condition insert number is deleted.
	2. (If relevant) Condition insert number is amended to read:
* Insert amended condition in full
	1. (If relevant) A new condition is included as follows:
* Insert new condition or conditions in full
1. Conditions in the permit are renumbered accordingly.
2. (If applicable) Plans endorsed under condition insert number of the permit are amended and the responsible authority is directed to endorse amended plans being the plans insert name of person who prepared the plans, the drawing numbers, the revision number and dates or (if applicable) is directed to endorse plans showing insert description of how the plans must be amended (eg *the sill of the bedroom 1 window to dwelling 1 increased to no less than 1.7 metres above the floor*).

OR

The responsible authority is directed to endorse amended plans reflecting the amendments to the permit.

## CONSENTS

Person requesting amendment (print name and sign) …………………………….

Responsible Authority (print name and sign) …………………………………….

(If relevant) Other party (eg objector or referral authority) (print name and sign) …………………………………...

**Sample Consent Order 5**

## Section 80 of the Planning and Environment Act 1987

**This sample applies if the parties agree to modified conditions in a permit in relation to an application to review the conditions of a permit under section 80 of the *Planning and Environment Act 1987***

The parties in Application insert relevant VCAT application number have reached agreement and request the Tribunal to grant the following order.

1. In application insert relevant VCAT application number, the decision of the responsible authority is varied.
2. The Tribunal directs that planning permit insert number must contain the conditions set out in planning permit insert number issued by the responsible authority on insert date with the following modifications:
	1. (If relevant) Condition insert number is deleted.
	2. (If relevant) Condition insert number is amended to read:
* Insert amended condition in full
	1. (If relevant) A new condition is included as follows:
* Insert new condition or conditions in full
1. Conditions in the planning permit are renumbered accordingly.
2. The responsible authority is directed to issue a modified planning permit in accordance with this order.

## CONSENTS

Applicant/Permit holder (print name and sign) …………………………………...

Responsible Authority (print name and sign) ……………………………………..

(If relevant) Other party (eg objector or referral authority) (print name and sign) …………………………………........

**Sample Consent Order 6**

## Section 149 of the Planning and Environment Act 1987

**This sample applies if the parties agree to the approval of a plan or other document under a permit in relation to an application to review the refusal to approve the plan or other document under section 149 of the *Planning and Environment Act 1987***

The parties in Application insert relevant VCAT application number have reached agreement and request the Tribunal to grant the following order.

1. In application insert relevant VCAT application number, the decision of the responsible authority is set aside.
2. Insert name of plan(s)[[1]](#footnote-1) or other document is approved as being to the satisfaction of the responsible authority under condition insert number of planning permit insert number.[[2]](#footnote-2) The responsible authority is directed to endorse the plans or insert name of other document.

## CONSENTS

Applicant (print name and sign) …………………………………………………..

Responsible Authority (or other specified body) (print name and sign) ……………………………………..

**Sample Consent Order 7**

## Section 114 of the Planning and Environment Act 1987

**This sample applies if the parties agree to the making of an enforcement order under section 119 of the *Planning and Environment Act 1987***

The parties in Application insert relevant VCAT application number have reached agreement and request the Tribunal to grant the following order.

1. In application insert relevant VCAT application number, an enforcement order is made as set out in the attachment and is directed to be issued for the land at address or description of land.
2. (If relevant) insert any costs orders.

**In preparing the enforcement order in the attachment, it must contain the following:**

* **A description of the contravention (eg ‘demolition of a building without a permit as required under clause insert number of the insert name of planning scheme’).**
* **The full names of each person against whom the enforcement order is made.**
* **A precise description of what each named person is required to do and by what date having regard to s 119(b) of the *Planning and Environment Act 1987*.**

## CONSENTS

Applicant (print name and sign) …………………………………………………..

Responsible Authority (if not Applicant) (print name and sign) ………………….

Respondent 1 (print name and sign) ………………………………………………

(If relevant) Respondent 2 (print name and sign) …………………………………

(If relevant) Other party (print name and sign) …………………………………...

**Sample Consent Order 8**

## Section 81(1) of the Planning and Environment Act 1987

**This sample applies if the parties agree to the extension of a permit under section 81(1) of the *Planning and Environment Act 1987***

The parties in Application insert relevant VCAT application number have reached agreement and request the Tribunal to grant the following order.

1. In application insert relevant VCAT application number, the decision of the responsible authority is set aside.
2. Pursuant to section 85(1)(f) of the *Planning and Environment Act 1987*, the Tribunal directs that:
	1. (If relevant) The time within which the use described in permit insert number is to be started is extended to insert date.
	2. (If relevant) The time within which the development or a stage of it described in permit insert number is to be started is extended to insert date.
	3. (If relevant) The time within which the development described in permit insert number is to be completed is extended to insert date.
	4. (If relevant) The time within which a plan under the *Subdivision Act 1988* is to be certified as described in permit insert number is extended to insert date.

CONSENTS

Applicant (print name and sign) …………………………………………………..

Responsible Authority (print name and sign) ……………………………………..

1. If the plan shows floor plans, elevations and sections of a building under requirements to amend application plans under condition 1 of a permit, the plan should identify the person who prepared the plans, the drawing numbers, the revision number (if applicable) and date. [↑](#footnote-ref-1)
2. The exact wording of this order will depend on the wording of the relevant condition eg whether ‘satisfaction’, ‘approval’ or ‘consent’ is required under the condition. [↑](#footnote-ref-2)