	Offi	ce Use Only							
	Vic	Smart?				☐ YES		NO	
	Specify class of VicSmart application:								
	App	lication No.:			Date	Lodged:	1	1	
	Application for a <b>Planning Dormit</b>								
	Application for a <b>Planning Permit</b>								
	If you need help to complete this form, read MORE INFORMATION at the back of this form.  Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the <i>Planning and Environment Act 1987</i> . If you have any concerns, please contact Council's planning department.								
							ies for ing		
	A	Questions marke	d with an asterisk (*) m	ust be completed.					
	A	If the space provi	ded on the form is insu	ufficient, attach a se	eparate sh	eet.			
Clear Form	Click for further information.								
Application Type Is this a VicSmart application?*  Pre-application Meetin	Vics	No Yes s, please specify v smart class or class If the application fa it is a VicSmart app	ses:lls into one of the classe	es listed under Claus	e 92 or the	schedule to	Clause 94	4,	
Has there been a									
pre-application meeting with a Council planning officer?	No Yes If 'Yes', with whom?:								
			Date:	lay / month ,	nth / year				
 The Land I									
Address of the land. Complete the St	reet A	Address and one	of the Formal Land De	scriptions.					
Street Address *	Unit No.: St. No.: St. Name:								
	H	Suburb/Locality: Postcode:					=		
Formal Land Description * Complete either A or B.	A	A Lot No.: OLodged Plan O Title Plan O Plan of Subdivision No.:							
This information can be found on the certificate of title.	OR								
If this application relates to more than one address, attach a separate sheet setting out	В	Crown Allotment No.: Section No.:							
any additional property details.		Parish/Township Name:							

Vol: 9547 Fol: 030 Lot 7 on LP144800

Vol: 10180 Fol: 885 Lot C on LP220192B

• Vol: 10200 Fol: 311 LoMY NPHLAN 2013 2 € SUNCIL

**Town Planning Advertised Documents** 

**Plan: 1 of 7** 

Th	ie Proposal					
A	•	r proposal and attach the information required to my will delay your application.	o assess the application.			
	For what use, development or other matter do you require a permit? *					
			ncluding: plans and elevations; any information required by the in a Council planning permit checklist; and if required, a description			
	1	Cost \$	ay be required to verify this estimate.			
i	Estimated cost of any development for which the permit is required *	Insert '(	O' if no development is proposed.  Ge (as defined in section 3 of the <i>Planning and Environment Act 1987</i> ) ion (adjusted annually by CPI) the Metropolitan Planning Levy <b>must</b>			
Ex	isting Conditions 💶					
For dwe	d and developed now * example, vacant, three llings, medical centre with two stitioners, licensed restaurant 80 seats, grazing.					
		Provide a plan of the existing conditions. Photos are	e also helpful.			
		Tronde a plan of the existing containone. There are	alco Holpidi.			
Tit	le Information 💶	Does the proposal breach, in any way, an encumbrance on title such as a restrictrive covenant, section 173 agreement or other obligation such as an easement or building envelope?				
Enc	umbrances on title *		how to proceed before continuing with this WYNDHAM CITY COUNCIL Town Planning			
		Not applicable (no such encumbrance applicable)	Advertised Documents			
		Provide a full, current copy of the title for each indivariate includes: the covering 'register search state as 'instruments' for example, restrictive coverants				



# Applicant and Owner Details II

Provide details of the applicant and the owner of the land.

Applicant *		<del>-</del> -							
• •	Name:								
The person who wants the permit.	Title: Mr First Name: Stephen Si			Surna	Surname: Lake				
	Organisation (if applicable): Taylors								
	Postal Address: If it is a P.O. Box, enter the details here:								
	Unit No.: 8 St. No.: 270 St. Name: Ferntree Gully Road					/ Road			
	Suburb/Locality: Notting Hill				State	:Vic	Postcode: 3168		
Please provide at least one contact	Contact information for applicant OR contact person below								
priorie rialisser	Business phone: 9510 2800 Email:				nail: S. a	i∷s.lake@taylorsds.com.au			
	Mobile phone: 0419940675 Fax:				x:				
Where the preferred contact person for the application is different from	Contact person's details*  Name:  Same as applicant								
the applicant, provide the details of that person.	Title:	First Name:			Surna	me:			
·	Organisation (if applicable):								
	, ,				ox, enter	x, enter the details here:			
	Unit No.:	St. No.:	St. N	ame:					
	Suburb/Locality:			State	tate: Postcode:				
Owner *							Same as applicant		
The person or organisation	Name:				_				
who owns the land	Title: First Name Su				Suma	mame:(			
Where the owner is different from the	Organisation (if applicable):								
applicant, provide the details of that person or organisation.					lox, enter	enter the details here:			
	Unit No.: St. No. St. Name								
	Suburb/Locality:Werribee				State	State:Vic Postcode:3030			
	Owner's Signature (Optional):					Date:			
					_	day / month / year			
requirements	Contact Council's pobtain a planning p	elanning department to dis ermit checklist.	cuss th	e spe	ecific re	quirements f	or this application and		
Is the required information provided?	C Yes C No	I							
Declaration II									
This form must be signed by the ap	pplicant *								
Remember it is against the law to provide false or misleading information, which could result in a	I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.								
heavy fine and cancellation	Signature				Date: 25/01/2023				
of the permit.						day / month / year			

WYNDHAM CITY COUNCIL

Town Planning

**Advertised Documents** 

**Plan: 3 of 7** 

Checklist 🔟	Filled in the form completely?
Have you:	Paid or included the application fee?  Most applications require a fee to be paid. Contact Council to determine the appropriate fee.
	Provided all necessary supporting information and documents?
	A full, current copy of title information for each individual parcel of land forming the subject site.
	A plan of existing conditions.
	Plans showing the layout and details of the proposal.
	Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.
	If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts).
	If applicable, a current Metropolitan Planning Levy certificate (a levy certificate expires 90 days after the day on which it is issued by the State Revenue Office and then cannot be used). Failure to comply means the application is void.
	Completed the relevant council planning permit checklist?
	Signed the declaration above?

# Need help with the Application? I

If you need help to complete this form, read More Information at the end of this form.

For help with a VicSmart application see Applicant's Guide to Lodging a VicSmart Application at www.planning.vic.gov.au

General information about the planning process is available at www.planning.vic.gov.au

Assistance can also be obtained from Council's planning department.

# Lodgement II

Lodge the completed and signed form, the fee and all documents with:

## Wyndham City Council

PO Box 197 Werribee VIC 3030 45 Princes Highway Werribee VIC 3030

## Contact information:

Telephone: 03 8376 5503 Fax: 03 9741 6237

Email: statplanning@wyndham.vic.gov.au

TTY: 133 677 DX: 30258

Translation: Please call 131 450 and ask to be connected to Council on 9742 0777, if you would like this

information to be translated.

 $\label{eq:decomposition} \textbf{Deliver application in person, by post or by electronic lodgement.}$ 

WYNDHAM CITY COUNCIL

Town Planning

Advertised Documents

**Plan: 4 of 7** 

## MORE INFORMATION

#### The Land

Planning permits relate to the use and development of the land. It is important that accurate, clear and concise details of the land are provided with the application.

#### How is land identified?

Land is commonly identified by a street address, but sometimes this alone does not provide an accurate identification of the relevant parcel of land relating to an application. Make sure you also provide the formal land description - the lot and plan number or the crown, section and parish/township details (as applicable) for the subject site. This information is shown on the title.

See Example 1.

## The Proposal

#### Why is it important to describe the proposal correctly?

The application requires a description of what you want to do with the land. You must describe how the land will be used or developed as a result of the proposal. It is important that you understand the reasons why you need a permit in order to suitably describe the proposal. By providing an accurate description of the proposal, you will avoid unnecessary delays associated with amending the description at a later

A Planning schemes use specific definitions for different types of use and development. Contact the Council planning office at an early stage in preparing your application to ensure that you use the appropriate terminology and provide the required details.

#### How do planning schemes affect proposals?

A planning scheme sets out policies and requirements for the use, development and protection of land. There is a planning scheme for every municipality in Victoria. Development of land includes the construction of a building, carrying out works, subdividing land or buildings and displaying signs.

Proposals must comply with the planning scheme provisions in accordance with Clause 61.05 of the planning scheme. Provisions may relate to the State Planning Policy Framework, the Local Planning Policy Framework, zones, overlays, particular and general provisions. You can access the planning scheme by either contacting Council's planning department or by visiting the Planning Schemes Online section of the department's website http://planning-schemes.delwp.vic.gov.au

A You can obtain a planning certificate to establish planning scheme details about your property. A planning certificate identifies the zones and overlays that apply to the land, but it does not identify all of the provisions of the planning scheme that may be relevant to your application. Planning certificates for land in metropolitan areas and most rural areas can be obtained by visiting www.landata.vic.gov.au. Contact your local Council to obtain a planning certificate in Central Goldfields, Corangamite, Macedon Ranges and Greater Geelong. You can also use the free Planning Property Report to obtain the same information.

#### See Example 2.

## **Estimated cost of development**

In most instances an application fee will be required. This fee must be paid when you lodge the application. The fee is set down by government regulations.

To help Council calculate the application fee, you must provide an accurate cost estimate of the proposed development. This cost does not include the costs of development that you could undertake without a permit or that are separate from the permit process. Development costs should be calculated at a normal industry rate for the type of construction you propose.

Council may ask you to justify your cost estimates. Costs are required solely to allow Council to calculate the permit application fee. Fees are exempt from GST.

Costs for different types of development can be obtained from specialist publications such as Cordell Housing: Building Cost Guide or Rawlinsons: Australian Construction Handbook.

A Contact the Council to determine the appropriate fee. Go to www.planning.vic.gov.au to view a summary of fees in the Planning and Environment (Fees) Regulations.

Metropolitan Planning Levy refer Division 5A of Part 4 of the Planning and Environment Act 1987 (the Act). A planning permit application under section 47 or 96A of the Act for a development of land in metropolitan Melbourne as defined in section 3 of the Act may be a leviable application. If the cost of the development exceeds the threshold of \$1 million (adjusted annually by consumer price index) a levy certificate must be obtained from the State Revenue Office after payment of the levy. A valid levy certificate must be submitted to the responsible planning authority (usually council) with a leviable planning permit application. Refer to the State Revenue Office website at www.sro.vic.gov.au for more information. A leviable application submitted without a levy certificate is void.

## **Existing Conditions**

## How should land be described?

You need to describe, in general terms, the way the land is used now, including the activities, buildings, structures and works that exist (e.g. single dwelling, 24 dwellings in a three-storey building, medical centre with three practitioners and 8 car parking spaces, vacant building, vacant land, grazing land, bush block).

Please attach to your application a plan of the existing conditions of the land. Check with the local Council for the quantity, scale and level of detail required. It is also helpful to include photographs of the existing conditions.

See Example 3.

## Title Information

#### What is an encumbrance?

An 'encumbrance' is a formal obligation on the land, with the most common type being a 'mortgage'. Other common examples of encumbrances include:

- Restrictive Covenants: A 'restrictive covenant' is a written agreement between owners of land restricting the use or development of the land for the benefit of others, (eg. a limit of one dwelling or limits on types of building materials to be used).
- Section 173 Agreements: A 'section 173 agreement' is a contract between an owner of the land and the Council which sets out limitations on the use or development of the land.
- Easements: An 'easement' gives rights to other parties to use the land or provide for services or access on, under or above the surface of the land.
- Building Envelopes: A 'building envelope' defines the development boundaries for the land.

Aside from mortgages, the above encumbrances can potentially limit or even prevent certain types of proposals.

## What documents should I check to find encumbrances?

Encumbrances are identified on the title (register search statement) under the header 'encumbrances, caveats and notices'. The actual details of an encumbrance are usually provided in a separate document (instrument) associated with the title. Sometimes encumbrances are also marked on the title diagram or plan, such as easements or building envelopes.

#### What about caveats and notices?

A 'caveat' is a record of a claim from a party to an interest in the land. Caveats are not normally relevant to planning applications as they typically relate to a purple of the relation to a covenant or easement on the rand. These types of caveats may affect your prown Planning

Other less common types of obligations may also be specified on title in the form of 'notices'. The solution of the form of 'notices'. such as a notice that the building on the land is listed on the Heritage Register.

**Plan:** 5 of 7

# What happens if the proposal contravenes an encumbrance on title?

Encumbrances may affect or limit your proposal or prevent it from proceeding. Section 61(4) of the *Planning and Environment Act 1987* for example, prevents a Council from granting a permit if it would result in a breach of a registered restrictive covenant. If the proposal contravenes any encumbrance, contact the Council for advice on how to proceed.

You may be able to modify your proposal to respond to the issue. If not, separate procedures exist to change or remove the various types of encumbrances from the title. The procedures are generally quite involved and if the encumbrance relates to more than the subject property, the process will include notice to the affected party.

A You should seek advice from an appropriately qualified person, such as a solicitor, if you need to interpret the effect of an encumbrance or if you seek to amend or remove an encumbrance.

#### Why is title information required?

Title information confirms the location and dimensions of the land specified in the planning application and any obligations affecting what can be done on or with the land.

As well as describing the land, a full copy of the title will include a diagram or plan of the land and will identify any encumbrances, caveats and notices.

#### What is a 'full' copy of the title?

The title information accompanying your application must include a 'register search statement' and the title diagram, which together make up the title.

In addition, any relevant associated title documents, known as 'instruments', must also be provided to make up a full copy of the title.

Check the title to see if any of the types of encumbrances, such as a restrictive covenant, section 173 agreement, easement or building envelope, are listed. If so, you must submit a copy of the document (instrument) describing that encumbrance. Mortgages do not need to be provided with planning applications.

A Some titles have not yet been converted by Land Registry into an electronic register search statement format. In these earlier types of titles, the diagram and encumbrances are often detailed on the actual title, rather than in separate plans or instruments.

## Why is 'current' title information required?

It is important that you attach a current copy of the title for each individual parcel of land forming the subject site. 'Current' title information accurately provides all relevant and up-to-date information.

Some Councils require that title information must have been searched within a specified time frame. Contact the Council for advice on their requirements.

▲ Copies of title documents can be obtained from Land Registry: Level 10, 570 Bourke Street, Melbourne; 03 8636 2010; www.landata.vic.gov.au – go direct to "titles & property certificates".

## Applicant and Owner Details

This section provides information about the permit applicant, the owner of the land and the person who should be contacted about any matters concerning the permit application.

The applicant is the person or organisation that wants the permit. The applicant can, but need not, be the contact person.

In order to avoid any confusion, the Council will communicate only with the person who is also responsible for providing further details. The contact may be a professional adviser (e.g. architect or planner) engaged to prepare or manage the application. To ensure prompt communications, contact details should be given.

Check with council how they prefer to communicate with you about the application. If an email address is provided this may be the preferred method of communication between Council and the applicant/contact.

The owner of the land is the person or organisation who owns the land at the time the application is made. Where a parcel of land has been sold and an application made prior to settlement, the owner's details should be identified as those of the vendor. The owner can, but need not, be the contact or the applicant.

See Example 4.

#### Declaration

The declaration should be signed by the person who takes responsibility for the accuracy of all the information that is provided. This declaration is a signed statement that the information included with the application is true and correct at the time of lodgement.

The declaration can be signed by the applicant or owner. If the owner is not the applicant, the owner must either sign the application form or must be notified of the application which is acknowledged in the declaration.

▲ Obtaining or attempting to obtain a permit by wilfully making or causing any false representation or declaration, either orally or in writing, is an offence under the *Planning and Environment Act 1987* and could result in a fine and/or cancellation of the permit.

#### Checklist

# What additional information should you provide to support the proposal?

You should provide sufficient supporting material with the application to describe the proposal in enough detail for the Council to make a decision. It is important that copies of all plans and information submitted with the application are legible.

There may be specific application requirements set out in the planning scheme for the use or development you propose. The application should demonstrate how these have been addressed or met.

The checklist is to help ensure that you have:

- · provided all the required information on the form
- · included payment of the application fee
- · attached all necessary supporting information and documents
- · completed the relevant Council planning permit checklist
- signed the declaration on the last page of the application form

A The more complete the information you provide with your permit application, the sooner Council will be able to make a decision.

## Need help with the Application?

If you have attended a pre-application meeting with a Council planner, fill in the name of the planner and the date, so that the person can be consulted about the application once it has been lodged.

## Lodgement

The application must be lodged with the Council responsible for the planning scheme in which the land affected by the application is located. In some cases the Minister for Planning or another body is the responsible authority instead of Council. Ask the Council if in doubt.

Check with Council how they prefer to have the application lodged. For example, they may have an online lodgement system, prefer email or want an electronic and hard copy. Check also how many copies of plans and the size of plans that may be required.

Contact details are listed in the lodgement section on the last page of the form

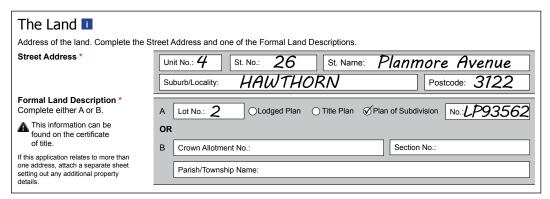
Approval from other authorities: In addition to obtaining a planning permit, approvals or exemptions may be required from other authorities or Council departments. Depending on the nature of your proposal, these may include food or health registrations, building permits or approvals from water and other service authorities.

# WYNDHAM CITY COUNCIL Town Planning Advertised Documents

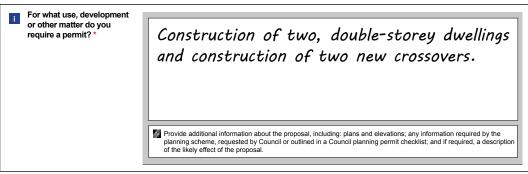
**Plan:** 6 of 7

## **EXAMPLES**

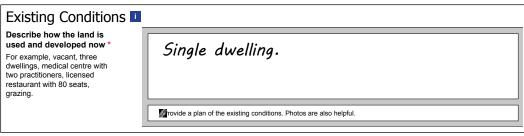
## Example 1



## Example 2



## Example 3



## Example 4

