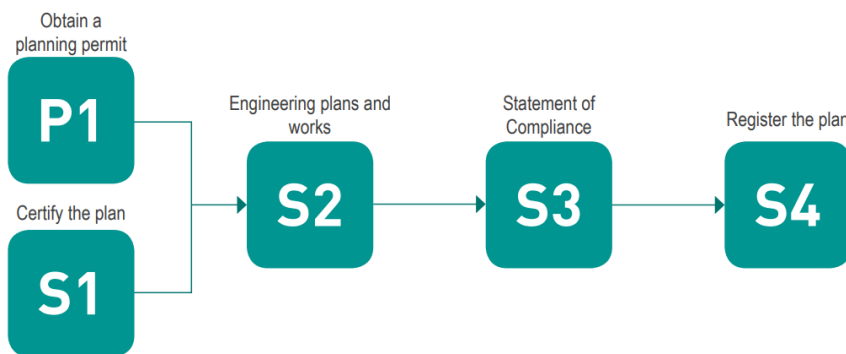


[July 2024]

This checklist outlines the documents required for planning application lodgement. Including these documents with your application will allow us to commence assessment of the application and can reduce processing time. Additional information may be requested by the assessing planning officer. All referenced forms can be found on the [Moyne Shire Council website](#).

Use this checklist for applications for subdivision

The *Planning and Environment Act 1987* defines 'subdivision' as the division of land into two or more parts which can be disposed of separately. For example, subdividing land into two or multiple lots with separate land titles or creating common property with an owners corporation in a residential zone.



Option 1: application for a planning permit followed by certification - Certification application is submitted by a licensed land surveyor after the planning permit is issued, seeking approval for the plan of subdivision.

Option 2: application for a combined planning permit and certification – Planning application and certification application are submitted concurrently by a licensed land surveyor, seeking approval for both.

Compliance - The Council issues a statement of compliance when all planning permit requirements are fulfilled, and servicing authorities provide their consent. This allows you to lodge the statement of compliance with Land Use Victoria to establish new titles.

Need help?

For more information on how to apply for a planning permit:

- Visit the [planning department website](#)
- Telephone us on 03 5568 0555
- Email us at moyne@moyne.vic.gov.au
- Meet us by appointment at the Moyne Shire Council office, Princes Street Port Fairy VIC 3284
From 8.45am to 4.45pm, Monday to Friday

Book a pre-application meeting

Before you submit your planning application, we encourage you to book a pre-application meeting with a planning officer for planning advice. Please contact the planning department to schedule a meeting. Meetings will be scheduled at a time that is mutually convenient. You need to provide a description of the proposal, the title and any relevant documents. A pre-application meeting fee may apply.

Minimum requirements for a planning permit application for subdivision

A completed application form

- Application form is available at [planning forms, fees and checklists](#).
- Ensure 'cost of works' is completed when you lodge.

A recent copy of the title and the relevant plan for the land (dated no more than 3 months prior to the application)

- A copy of the title and the relevant plan can be obtained online from [Landata](#).
- Provide a copy of any registered covenant and Section 173 agreement if applicable.

An electronic copy of scaled and dimensioned site plan

- Site plan is fully dimensioned and scaled to not less than 1:200, showing as applicable:
 - The proposed configuration of the lots, including any common property.
 - Boundary dimensions, lot size and adjoining roads.
 - Any existing or proposed easements.
 - On-site or nearby utility infrastructure¹.
 - Location of buildings and structures to be retained or demolished.
 - Location of trees and or vegetation to be retained or removed.
 - Location of proposed building, driveway and effluent envelopes.

An assessment detailing how the proposed development aligns with the planning requirements

Provide justification as to how the proposal responds to the following provisions of the Moyne Planning Scheme:

- Relevant state, regional, and local planning policies
- Zone – Application requirements to support assessment against decision guidelines
- Overlays - Application requirements to support assessment against decision guidelines
- Particular provisions - Requirements and standards (e.g., Clause 53.01 public open space contribution, Clause 53.18 stormwater management in urban development and Clause 56 residential subdivision)

A land capability assessment prepared by a qualified professional

For the site where reticulated sewerage is unavailable, a land capability assessment is required to demonstrate that the land can effectively treat and retain all wastewater. Guidance on conducting this assessment is provided by the Municipal Association of Victoria².

Certification

1. Application for subdivision certification must be prepared by a licensed land surveyor.
2. Land surveyor applies for certification via SPEAR.
3. Plans should use the latest templates available on the SPEAR website. Examples are provided by Land Use Victoria to assist professionals in preparing plans of subdivision³.

¹ Infrastructure locations can be accessed through Before You Dig Australia, <https://www.byda.com.au/>

² Victorian Land Capability Assessment Framework, Municipal Association of Victoria, <https://www.mav.asn.au/what-we-do/policy-advocacy/environment-water/on-site-domestic-wastewater-management>

³ Plans of subdivision and consolidation, Department of Transport and Planning, <https://www.land.vic.gov.au/land-registration/for-professionals/plans-of-subdivision-and-consolidation>

Statement of compliance

- All requirements related to public works have been met

All permit conditions relevant to public works, such as roads, open spaces, sewerage, or drainage, have been satisfied with the Responsible Authority. Engineering plans must be approved by the Council before commencing these works.

- All necessary consent from the Referral Authorities has been provided

Referral authorities have given written consent for services such as power, water, sewer, telecom and gas.

- All other conditions specified in the planning permit have been fulfilled

For instance, the public open space contribution has been made if required.

Please note that the Council does not provide project management services. If you are unsure about the actions required to meet permit conditions, please consult with your land surveyor.

How to lodge your application

Please submit your application electronically by email to moyne@moyne.vic.gov.au. For other lodgement options, please contact Moyne Council.

How to pay your application fee

After we acknowledge the receipt of your application, an invoice will be sent to your preferred contact person's email address. Payment options include mail, in-person, by phone, or via BPAY.

Councils provide services under the *Planning and Environment Act 1987*, which incur fees in accordance with the *Planning and Environment (Fees) Regulations 2016*. For detailed information on application fees, please see [fees \(planning.vic.gov.au\)](http://planning.vic.gov.au).

What happens next

1. Additional information may be requested by the assessing planning officer. A request for further information may be sent to the contact person listed on the application form.
2. Once your application is considered to be complete, the planning officer will decide whether your application needs to be notified or referred to any Referral Authorities under the Moyne Planning Scheme and the *Planning and Environment Act 1987*.
3. You may need to adjust your plans in response to objections from the community, recommendations and decisions made by Referral Authorities.
4. At the end of the notification and referral period, the planning officer will assess the proposal and make a decision to issue a notice of decision, grant a permit, or refuse a permit. You will be informed of the outcome in writing.
5. Upon receiving a planning permit, carefully review the conditions and take note of any that must be complied with before the use and development starts.
6. If you receive a notice of decision to grant a permit, an objector has 28 days to appeal the council's decision to the Victorian Civil and Administrative Tribunal (VCAT). If no appeal is lodged within this period, the planning permit will be issued.
7. You can lodge an application for review with the VCAT if your application is refused by the council, if you are dissatisfied with the conditions, or if a decision has not been made in time.

To get in touch with Council with your application

- Telephone: 03 5568 0555
- Email: moyne@moyne.vic.gov.au
- In person: Moyne Shire Council office, Princes Street Port Fairy VIC 3284

