

Subdivision Guide

Certification and Statement of Compliance

Once a Planning Permit has been issued for subdivision of land you must gain Certification and Statement of Compliance from Council before separate Titles can be released.

It is important that you read your Planning Permit carefully so that you are fully aware of any requirements that may apply prior to either Certification or Statement of Compliance and of Planning Permit expiry timeframes.

Step 1: Certification

- A Plan of Subdivision must be prepared and submitted to Council by a Licensed Land Surveyor for Certification in accordance with the *Subdivision Act 1988* and the Planning Permit.
- For help finding a Licensed Surveyor, you can refer to the Association of Consulting Land Surveyors www.acsv.com.au or The Institute of Surveyors www.surveying.org.au
- The plan submitted for Certification will be referred to the Referral Authorities and Council's Engineering Department who will review the plan and request amendments if necessary.
- Once all parties consent and any relevant conditions of the Planning Permit have been satisfied, Certification will be granted.

Step 2: Statement of Compliance

- Council and any Referral Authorities will outline various requirements that must be satisfied before Statement of Compliance can be issued. The Planning Permit may also outline works, fees or legal agreements that are required prior to the issue of a Statement of Compliance.
- Once all Referral Authorities and relevant Council departments have consented to the release of a Statement of Compliance, Council will issue the Statement of Compliance. The Licensed Land Surveyor must lodge the relevant documentation with Land Victoria for titles to be issued.

General Advice

- Contact service authorities early in the process to understand what works will be required to be undertaken, what documentation is required to be submitted and what fees will be required to be paid.
- Your Planning Permit may include conditions relating to Telecommunications. If you or your land surveyor are unsure how to meet these conditions, please contact a Subdivision Officer (as below) for advice.
- If your Planning Permit included development and you intend to subdivide the land before construction, there is likely to be a Condition on the Permit requiring a Section 173 Agreement be entered into. This is a legal agreement that is registered on the title to control the development of land. You may engage a solicitor of your choice to draft the agreement which will then be peer reviewed by Council's Solicitors, the cost of the review is borne by the Permit Holder. Alternatively, you may engage Council's Solicitors (Harwood Andrews) to draft the agreement and avoid the need for a peer review. This process can take some time, so it is recommended you start the process early.