

If you need help to complete this form, read **MORE INFORMATION** at the end of this form.

- ▲ The City of Greater Geelong is committed to protecting your privacy. Our privacy policy is available on our website and at our Customer Service Centres.
- ▲ The personal information requested on this form is being collected by the City of Greater Geelong for the purpose of assessing planning permit applications, parts of which are set out in the *Planning and Environment Act 1987*.

The personal information will be used for the following purposes:

- Correspond with you about your permit application.
- If necessary, notify affected parties who may wish to inspect your application so that they can respond - this may be a notice onsite, a notice online, a notice in the newspaper and/or by post.
- Or for any other directly related or reasonably related purposes.

The information you provide will be made available:

- Online on the City's website (geelongaustralia.com.au) during the public notice period of the application.
- On the City's permit register.
- To any person who may wish to inspect your application until the application process is concluded, including any review at the Victorian Civil and Administrative Tribunal.
- To the relevant officers within the City and other pertinent Government agencies directly involved in the planning process.
- To persons accessing information in accordance with the *Public Records Act 1973*, *Planning and Environment Act 1987* or the *Freedom of Information Act 1982*.

Your personal information will not be disclosed on the City of Greater Geelong's website without your consent except in accordance with the *Planning and Environment Act 1987*. If the personal information is not collected, we may not be able to process your application. If you wish to access or alter any of the personal information you have supplied to the City of Greater Geelong, please contact the Planning Department on 5272 4456 or via email statplanning@geelongcity.vic.gov.au or privacy@geelongcity.vic.gov.au

▲ Questions marked with an asterisk (*) must be completed, including all required signatures.

▲ If the space provided on the form is insufficient, please attach a separate sheet

The Land i

Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address *

Unit No.:	Street No.:	Street Name:
Suburb/Locality:		Postcode:

Formal Land Description *

Complete either A or B.

▲ This information can be found on the certificate of title.

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

A	Lot No.:	<input type="radio"/> Lodged Plan	<input type="radio"/> Title Plan	<input type="radio"/> Plan of Subdivision	No.:
OR					
B	Crown Allotment No.:	Section No.:			
Parish/Township Name:					

Planning Permit Details i

What permit is being amended? *

Planning Permit No.:

The Amended Proposal

▲ You must give full details of the amendment being applied for. Insufficient or unclear information will delay your application.

What is the amendment being applied for? *

- Indicate the type of changes proposed to the permit.
- List details of the proposed changes

If the space provided is insufficient, attach a separate sheet.

This application seeks to amend:	
<input type="checkbox"/> What the permit allows	<input type="checkbox"/> Plans endorsed under the permit
<input type="checkbox"/> Current conditions of the permit	<input type="checkbox"/> Other documents endorsed under the permit
Details:	
Provide additional information about the proposal, including plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.	



Development Cost i

Estimate cost of development *

If the permit allows **development**, estimate the cost difference between the development allowed by the permit and the development to be allowed by the amended permit.

Cost of proposed amended development:	Cost of the permitted development:	Cost difference (+ or -):
\$ <input style="width: 90%;" type="text"/>	- \$ <input style="width: 90%;" type="text"/>	= \$ <input style="width: 90%;" type="text"/>
<p>Insert 'N/A' if no development is proposed by the permit.</p> <p> You may be required to verify this estimate.</p>		

Existing Conditions i

Describe how the land is used and developed now *

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Have the conditions of the land changed since the time of the original permit application? Yes No

If yes, please provide details of the existing conditions

Provide a plan of the existing conditions if the conditions have changed since the time of the original permit application. Photos are also helpful.

Title Information i

Encumbrances on title *

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

Yes (If 'yes' contact Council for advice on how to proceed before continuing with this application.)
 No
 Not applicable (no such encumbrance applies).

Provide a full, current copy of the title for each individual parcel of land forming the subject site. The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.



Applicant and Contact Details i

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

Applicant *

The person who wants the permit.

Name		
Title:	First Name:	Surname:
Organisation (if applicable):		
Postal Address		
<small>If it is a P.O. Box, enter the details here</small>		
Unit No.:	St. No.:	St. Name:
Suburb/Locality:	State:	Postcode:

Note: The consent relates to personal information to be available on the City's website. Business information is public information therefore consent is not required.

As the applicant, I give my consent for my personal name, contact details and signature to be made available on the City's website for the purposes of the *Planning and Environment Act 1987* and may only be used for those purposes. Yes No

Signature: (Required)	Date:
	<small>day / month / year</small>

Contact *

Where the preferred contact person for the application is different from the applicant, provide the details of that person
OR

Same as Applicant:

Contact person's details		
Name		
Title:	First Name:	Surname:
Organisation (if applicable):		
Postal Address		
<small>If it is a P.O. Box, enter the details here</small>		
Unit No.:	St. No.:	St. Name:
Suburb/Locality:	State:	Postcode:

Note: The consent relates to personal information to be available on the City's website. Business information is public information therefore consent is not required.

As the contact, I give my consent for my personal name, contact details and signature to be made available on the City's website for the purposes of the *Planning and Environment Act 1987* and may only be used for those purposes. Yes No

Signature: (Required)	Date:
	<small>day / month / year</small>



Applicant/Contact Details i

Please provide at least one contact phone number and an email address *

Business Phone:	Mobile Phone:
Email:	

Owner Details i

Owner *

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation

OR

Same as Applicant:

Owner's details

Name

Title:	First Name:	Surname:
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Organisation (if applicable):

Postal Address If it is a P.O. Box, enter the details here

Unit No.:	St. No.:	St. Name:
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Suburb/Locality:	State:	Postcode:
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Owner's Signature: (Optional)	Date: <small>day / month / year</small>
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Declaration

This form must be signed by the applicant *

Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

I declare that I am the applicant; that all the information in this application is true and correct; that all changes to the permit and plan have been listed as part of the amended proposal and that the owner (if not myself) has been notified of the permit application.

Signature:
(Required)

Date:

day / month / year

Need help with the Application?

If you need help to complete this form, read More Information at the end of this form or contact Council's planning department. General information about the planning process is available at planning.vic.gov.au

Contact Council's planning department to discuss the specific requirements for this application and obtain a checklist. Insufficient or unclear information may delay your application.

Has there been a pre-application meeting with a council planning officer?

No Yes

If 'Yes', with whom?

Date:

day / month / year

Checklist

Have you: *

Filled in the form completely?

Paid or included the application fee?

Attached all necessary supporting information and documents?

A full, current copy of title information for each individual parcel of land forming the subject site.

Amended plans showing the layout and details of the proposal (if applicable)

Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.

If your application includes any personal information (name, phone numbers, email addresses, signature) we ask that a [Personal Information Consent form](#) be completed and submitted (if they are not the applicant/contact) with your application, or that you remove or redact the personal information from your application documents.

Completed the relevant council planning permit checklist?

Signed the declaration above?



Most applications require a fee to be paid.

Contact Council to determine the appropriate fee or click [Planning Fees Online](#) to view the fees via the Council website.

Lodgement

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

City of Greater Geelong
PO Box 104
Geelong VIC 3220

Wurriki Nyal
137-149 Mercer Street
Geelong VIC 3220

statplanning@geelongcity.vic.gov.au

Contact information:
Phone: (03) 5272 4456

Deliver application in person, by post or by electronic lodgement.



i MORE INFORMATION

The Land

It is important that your application to amend a planning permit includes details of the land, consistent with the Planning Permit. Refer to a copy of your Planning Permit, when completing the street address section of the form.

Also ensure you provide up-to-date details for the formal land description, using the current copy of the title.

Planning Permit Details

You must identify the permit being amended by specifying the permit number. This can be found at the beginning of the permit.

The Amended Proposal

First select the type of amendment being applied for. This may include an amendment to:

- the use and/or development allowed by the permit
- conditions of the permit.
- plans approved by the permit.
- any other document approved by the permit.

Then describe the changes proposed to the permit, including any changes to the plans or other documents included in the permit.

Development Cost

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 to be allowed by the amended permit and the difference between the development allowed by the permit.

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.

The cost difference is calculated as follows:

Development cost related to the Application to Amend a Planning Permit	-	Development cost related to the Application for a Planning Permit	=	Cost Difference
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If the estimated cost of the proposed amended development is less than the estimated cost of the development allowed by the permit, show it as a negative number.

Example 1

Where the cost of the development to be allowed by the amended permit is lower than the cost of the development allowed by the permit:

$$\$180,000 - \$195,000 = -\$15,000$$

Example 2

Where the cost of the development to be allowed by the amended permit is higher than the cost of the development allowed by the permit:

$$\$250,000 - \$195,000 = \$55,000$$

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

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

Existing Conditions

How should land be described?

If the conditions of the land have changed since the time of the original permit application, you need to describe, in general terms, the way the land is used now, including the activities, buildings, structures and works that exist (for example, single dwelling, 24 dwellings in a three-storey building, medical centre with three practitioners and 8 car parking spaces, vacant land).

Please attach to your application a plan of the existing conditions of the land, if the conditions have changed since the time of the original permit application. 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.

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 purchaser, mortgagee or chargee claim, but can sometimes include claims to a covenant or easement on the land. These types of caveats may affect your proposal.

Other less common types of obligations may also be specified on title in the form of 'notices'. These may have an effect on your proposal, such as a notice that the building on the land is listed on the Heritage Register.

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.

▲ 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.

▲ 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**.

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.

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.

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

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

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.



Applicant and Contact Details i

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

Applicant *

The person who wants the permit.

Note: The consent relates to personal information to be available on the City's website. Business information is public information therefore consent is not required.

Name

Title: First Name: Surname:

Organisation (if applicable):

Postal Address If it is a P.O. Box, enter the details here

Unit No.: St. No.: St. Name:

Suburb/Locality: State: Postcode:

As the applicant, I give my consent for my personal name, contact details and signature to be made available on the City's website for the purposes of the *Planning and Environment Act 1987* and may only be used for those purposes. Yes No

Signature: (Required)

Date: day / month / year

Contact *

Where the preferred contact person for the application is different from the applicant, provide the details of that person OR

Same as Applicant:

Note: The consent relates to personal information to be available on the City's website. Business information is public information therefore consent is not required.

Contact person's details

Name

Title: First Name: Surname:

Organisation (if applicable):

Postal Address If it is a P.O. Box, enter the details here

Unit No.: St. No.: St. Name:

Suburb/Locality: State: Postcode:

As the contact, I give my consent for my personal name, contact details and signature to be made available on the City's website for the purposes of the *Planning and Environment Act 1987* and may only be used for those purposes. Yes No

Signature: (Required)

Date: day / month / year

Applicant/Contact Details i

Please provide at least one contact phone number and an email address *

Business Phone: Mobile Phone:

Email:

Owner Details i

Owner *

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation OR

Same as Applicant:

Owner's details

Name

Title: First Name: Surname:

Organisation (if applicable):

Postal Address If it is a P.O. Box, enter the details here

Unit No.: St. No.: St. Name:

Suburb/Locality: State: Postcode:

Owner's Signature: (Optional)

Date: day / month / year