

Guide – Steps in the Subdivision Process

A Planning Permit is usually required to subdivide land. In most cases, a Land Surveyor would make an application to Council for the subdivision. We are advised that it costs around \$60,000 per lot to undertake a subdivision. Further detail about costs can be obtained from a Land Surveyor. The key steps in the process are explained in the table below:

Step	Comments	Responsibility
Planning Permit	<p>The Planning Permit outlines specific conditions that must be met. These can include Servicing Authorities requirements, such as construction of vehicle crossings, drainage works and contribution towards open space where applicable. The Planning Permit may also request the submission of amended plans.</p> <p>When proposing to subdivide land into three or more lots, or two or more lots if any lot could be further subdivided in the future, assessment is made for a contribution to Council for the upgrade and/or purchase of land for open space such as public parks, playgrounds and reserves. Under Section 18 of the <i>Subdivisions Act 1988</i>, you will be required to make a public open space contribution via a condition of your Planning Permit.</p> <p>The Planning Permit includes an expiry condition and it is important to be aware of this date. If the Planning Scheme changes, it may not be possible to extend the Planning Permit.</p>	<p>Council issues the Planning Permit</p>
Certification	<p>Certification is an administrative step to ensure that the Plan of Subdivision is satisfactory. It should be noted that a plan cannot be certified until such time as a Planning Permit has been issued.</p> <p>The Plan of Subdivision for Certification is referred to the Servicing Authorities who check whether easements are required for their services.</p> <p>If Planning Permit conditions require works to be undertaken (e.g. construction of roads, drainage and services), engineering plans may be required. In such cases, the Plan of Subdivision is not Certified until the Engineering plans have been approved.</p> <p>Once the Servicing Authorities have consented to the Plan of Subdivision and Engineering plans have been approved (where and if required) the plan may be Certified. A Certified Plan is valid for five years, if the plan is not registered at the Titles Office within that time, the plan expires.</p> <p>Once a Plan of Subdivision has been certified, the Planning Permit cannot be extended.</p>	<p>Land Surveyor submits the Plan of Subdivision to Council, along with a Form 1 certification application under the Subdivision Act 1988.</p> <p>Council certifies the plan when the conditions are met.</p> <p>The permit holder is responsible for managing the conditions on the permit. Some permit holders engage a Land Surveyor to manage the permit conditions. There will be a need to liaise with the servicing authorities (These could include: Barwon Water, Powercor, Downer, VicRoads, DELWP, CFA), as well as Council departments such as Infrastructure or Open Space Planning.</p> <p>Works cannot commence on the subdivision until the Plan of Subdivision is certified.</p> <p>Council does not provide a project management service. If you are unclear about what action is required to meet permit conditions, you should liaise with your Land Surveyor.</p>

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Lodgement of the Certified Plan of Subdivision	<p>The certified Plan of Subdivision is required to be lodged with Land Victoria</p>	<p>Land Surveyor</p>
Statement of Compliance	<p>A Statement of Compliance is the document required to conclude the subdivision process, allow registration of the subdivision at the Titles Office and the release of the new titles by the Titles Office.</p> <p>A Statement of Compliance is not issued until all conditions of the Planning Permit have been met. Conditions of Planning Permit may include construction of drainage and vehicle crossings, and payment to all Servicing Authorities for water, sewerage/drainage, electricity supply.</p> <p>Council will only issue a Statement of Compliance once it has received a letter from each Servicing Authority and a final inspection of the site has been carried out by a Council Officer.</p>	<p>Council issues a Statement of Compliance when the conditions are met.</p> <p>The permit holder is responsible for managing the conditions on the permit. Some permit holders engage a Land Surveyor to manage the permit conditions. There will be a need to liaise with the servicing authorities (These could include: Barwon Water, Powercor, Downer, VicRoads, DELWP, CFA), as well as Council departments such as Infrastructure or Open Space Planning.</p> <p>Council does not provide a project management service. If you are unclear about what action is required to meet permit conditions, you should liaise with your Land Surveyor</p>
Section 173 Agreement	<p>If the conditions on your planning permit require a Section 173 Agreement to be entered into, you should engage a legal practitioner.</p> <p>Note: Harwood Andrews have been engaged by Council to review all Section 173 Agreements. You may engage Harwood Andrews directly to prepare your agreement or you may engage your own lawyer. If the agreement is drawn up by a firm other than Harwood Andrews then Council will forward the agreement to Harwood Andrews for review and they will liaise direct with you to confirm their checking/review fees.</p>	<p>Your solicitor</p> <p>The owner is responsible for contacting Harwood Andrews direct on 5226 8533.</p> <p>Harwood Andrews will liaise with Council for signing and confirm registration</p>
Access and Drainage	<p>Your planning permit may contain conditions requiring access and drainage works to be provided to each lot before Statement of Compliance is released.</p> <p>Queries regarding access and drainage should be directed to Council's Infrastructure Department on 5261 0621.</p>	<p>Once the access and drainage works are completed, call Council's Infrastructure Department (5261 0621) direct to arrange an inspection.</p>
Lodgement of the Statement of Compliance and any other plans or documents prepared by your land surveyor at Land Victoria.	<p>This step allows the separate titles to be created</p>	<p>Your solicitor or conveyancer</p>