

Certification and Statement of
Compliance

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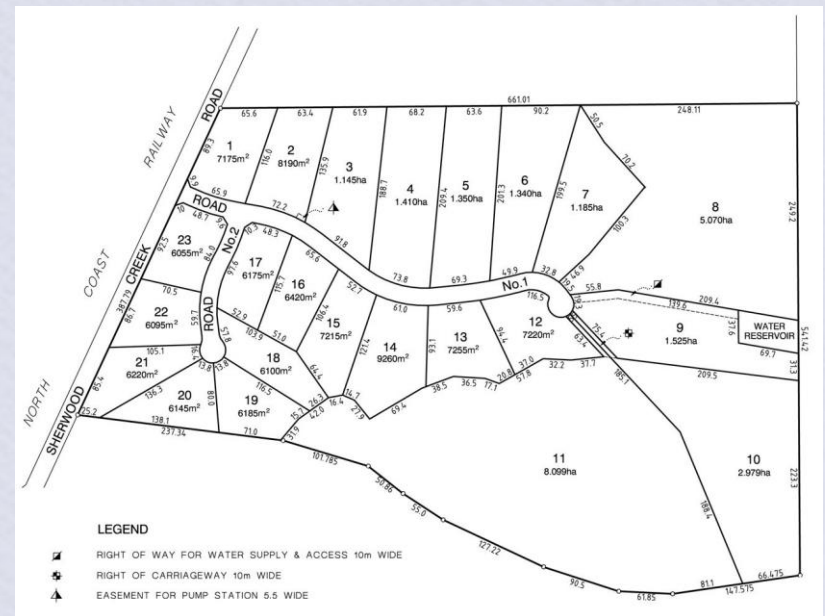
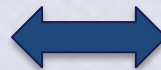
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N I C H E
— PLANNING —
S T U D I O
S U B I A C
COLLINGWOOD
M I T

What is Subdivision

A parcel of **land** is divided into two ++ parcels

OR

Multiple parcels are consolidated into one or more plans



The Local Government & Municipal Knowledge Base, 2016)

But what is 'land'

Under section 3 of the Subdivision Act 'land' includes buildings and airspace.

How do you subdivide?

Two Step Process

- Planning & Environment Act 1987
 - application for planning permit (Clause 56)
- Subdivision Act 1988
 - application for Certification

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MOST require a two Step Process

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Running Together

- Can the planning permit and certification processes run together?

Running Together

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YES

Sir Planning Permit



Sir Certification



However, if a planning permit is required for subdivision, a plan cannot be certified before a planning permit is issued

Overview of the process

Get a planning permit!

P1



Certify Plan

S1

Do engineering works!

S2

Get Statement of Comp!

S3

Register your Plan!

S4



Case Study – 6 White Avenue, Romsey



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SUSANNE COURT

(Google Maps, 2016)

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— PLANNING —
STUDIO

Case Study – What went wrong?

APPLICATION FOR PLANNING PERMIT PLN/2013/438

Land: Lot 2 LP 118591, 6 White Avenue, Romsey.

Proposal: 2 Lot Subdivision, works associated with the existing dwelling and development and use of an additional Dwelling (2nd Dwelling) on proposed Lot 2

Case Study – Certification

- Planning permit and Certification ran concurrently
- Planning permit included conditions tied to the certification and Statement of Compliance Process
- EG: Before Certification, conditions such as must be met:

23. Prior to Certification, the Plan of Subdivision must be referred to Melbourne Water, in accordance with Section 8 of the Subdivision Act 1988.

Case Study – Certification

- Plans are drawn up with regards to the condition and submitted to the Referral Authority
- They then provide the surveyor with the following letters:

Property: 6 WHITE AVENUE ROMSEY 3434
Plan Number: PS728338C **Version:** V01 **Stage:** N/A
Surveyor Ref: 7562
Council Ref: PLN/2013/438, CRT/2014/56
Melb Water Ref: 240453

Thank you for your letter of 07 July 2014 regarding a certification application referral with the above details.

Melbourne Water, pursuant to Section 9 of the Subdivision Act 1988, **consents** to the Certification of the Plan of Subdivision.

Your Council **may not** issue a Statement of Compliance at this time as not all of Melbourne Water's requirements have been met.

1. Prior to the issue of a Statement of Compliance a separate application, direct to Melbourne Water, must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses. Prior to accepting an application, evidence must be provided demonstrating that Council considers that it is not feasible to connect to the local drainage system.

Case Study – Do Works!



Case Study – Statement of Compliance

- A Statement of Compliance is not issued until **ALL** conditions of the Planning Permit have been met.
- 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.

Case Study – Statement of Compliance

1. Before the plan of subdivision is certified under the Subdivision Act 1988, three copies of amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be generally in accordance with the plans submitted, but modified to show:
 - ✓ a) One covered car parking space for the existing dwelling in Lot 1, setback in front of the dwelling utilising the proposed driveway.
 - ✓ b) A 500mm gap in length between each car parking space provided in tandem for both the existing and proposed dwellings.
 - ✓ c) The bend in the driveway for the dwelling in Lot 2 amended to have a minimum internal radius of 4m at any change in direction.
- ✓ 2. The development as shown on the endorsed plans must not be altered unless with the prior written consent of the Responsible Authority.
- ✓ 3. The subdivision allowed by this permit and shown on the plans endorsed to accompany the permit shall not be amended for any reason unless with the prior written consent of the Responsible Authority.

Case Study – What went right?

***Lot 2 LP 118591, 6 White Avenue, Romsey.
2 Lot Subdivision***

MOST subbie's require a planning permit?

SOME DON'T.

– Clause 62.04 identifies classes of subdivisions that are exempt from the requirement to obtain a planning permit under the planning scheme.

- But most are to do with public authorities and utility providers



- Or a subdivision which realigns the common boundary between two

– A permit is also generally not required to consolidate land unless a zone or overlay includes a specific permit trigger.