

2. The Land Subdivision Process

(Change of `USE` permit)

This document is intended as a general guide to the land subdivision process (only) & does not consider the previous

1. `Development application process`. There are four (4) separate stages involved in the process that must be completed before you can consider legally selling or transferring your land into another name. If intending to build, we recommend that this subdivision process be undertaken later during the construction stage to simplify the initial development permit. However if you are not intending to build, & simply wish to sell one portion of the land with the planning permit, then this subdivision process will be required to be run in conjunction with the `development permit`. In this instance, design drawings are passed on to the land surveyor for their part of the process.

1	PRELIMINARIES:	
a.	Subdivision Type	Determine whether project is to be vacant lots (Land only) or built dwellings (Building) If building, consult Design Equilibrium Pty Ltd for development (design) application before proceeding
b.	Title Search	Conduct title search, and check certificate of title for dimensions and any restrictions
c.	Planning	Obtain and check planning certificate for zones, overlays and requirements
d.	Services	Obtain and check service plans for requirements
e.	Cost Estimate	Licensed Land Surveyor prepares a preliminary estimate for requirements and subdivision costs
2	PLANNING:	
a.	Pre-application	Undertake meetings with council to discuss the subdivision & planning requirements
b.	Feature Survey	Undertake a survey to locate and take levels of existing site and adjoining conditions for planning
c.	Consultants	Reports for specific issues & level the existing site and adjoining conditions for planning purposes
d.	Preliminary Subdivision	Prepare preliminary plan of subdivision for planning purposes
e.	Application	Arrange planning application, owners signatures and fees
f.	Report	Compile and examine the relevant reports and documents for the planning application
g.	Submission	Submit planning application, plans and report to council
h.	More information	Council considers application and requests more information if required
i.	Referral Authorities	Council sends proposal to referral authorities for their conditions and approval
j.	Advertising	Council requires notice on site and certified mail to adjoining neighbours
k.	Objections	Council receives objections from any interested parties
l.	Referral Authorities	Council receives consent from all service authorities
m.	Consideration	Council officer prepares report and recommendation
n.	Permit	Council issues planning permit for subdivision with conditions – generally valid for 2 years
o.	Management	Manage planning process, consult with all authorities, provide summary of permit conditions
3	CERTIFICATION:	
a.	Title Survey	Undertake a title survey to determine the exact boundaries for works and subdivision
b.	Subdivision	Prepare formal plan of subdivision and application form for certification referral purposes
c.	Referral	Council sends proposal to referral authorities for their consent to the plan certification
d.	Conditions	All relevant planning conditions completed prior to certification e.g. 173 Agreement etc.
e.	Referral Authorities	Council receives consent from all service authorities e.g. Melbourne Water etc.
f.	Boundaries	Undertake a survey to locate and check new buildings and boundaries
g.	Modifications	Amend plan if required, forward final plan to council for certification
h.	Certification	Council certifies plan of subdivision – valid for 5 years without compliance before expiry
i.	Management	Manage certification process, consult with all authorities.
4	COMPLIANCE:	
a.	Conditions	All relevant planning conditions completed prior to certification e.g. Contribution fees, Works etc.
b.	Referral Authorities	Council receives consent from all service authorities e.g. Melbourne Water, TXU etc.
c.	Compliance	Council issues `Statement of Compliance` letter for lodging at the Land Registry
d.	Documents	Obtain Certified plan, Compliance, Survey Field notes and Report and Tracings
e.	Management	Manage compliance process, consult with all authorities
5	REGISTRATION:	
a.	Lodging	Solicitor lodges all relevant documents at Land Registry
b.	Registration	Subdivision registered for separate titles after approvals, Mortgagees consent etc.
6	NOTES:	
a.	Building Design	Building designers will require a title survey of property, and feature survey of site and adjoining House locations to be carried for their design purposes
b.	Council	Council may prefer the `Development` (design) application to proceed the subdivision `Use` application. In this instance, Design Equilibrium Pty Ltd should be consulted to carry out the `Development` application

Shire councils will generally require a `development application` (*which consists of the building design & planning drawings*) to accompany any `Use` (subdivision) application on `infill` sites within the metropolitan area. Design Equilibrium Pty Ltd will complete the `Development` application and forward relevant drawings to the Land surveyor for their preparation & management of the `Use` (subdivision) application. The `Use` (subdivision) application takes less time, & will not progress further than the `development` application as each will be linked.