

What is a subdivision?

A subdivision seeks to split land or a building into a specific number of lots where separate titles can be created. Related applications include creation/removal of easements, consolidation, creation/removal of a restriction, or boundary realignments. A subdivision application must be undertaken by a licensed land surveyor.

Before you purchase the land, or start to subdivide

Consult with Council Officers. Not all land or buildings can be subdivided. Council must have regard to Planning Scheme requirements, infrastructures capabilities, vegetation protection, whether there are any restrictions on title and the zoning of the land. It is strongly recommended to obtain planning approval for a development prior to lodging a subdivision application.

Procedures Under the Planning and Environment Act 1987

Step 1 – Planning applications

Owner/Applicant submits plan to Council. If a permit is required Council processes the application in accordance with the Planning and Environment Act. Plans which do not require a planning permit are ready for certification under the Subdivision Act.

Step 2 – Referral of applications to specified authorities

Council or the owner refers the plan to authorities listed in the planning scheme. The referral authorities consider the application and notify Council of their decision within the prescribed time.

Step 3 – Permit or refusal

Council either issues a planning permit or refuses the application.

Procedures Under The Subdivision Act

Step 4 – Application for certification

Owner/Applicant submits plan/s to Council for certification.

Step 5 – Referral of plans to specified authorities

Where approval under the planning scheme was given subject to authority, Council refers the plan to the appropriate authorities for them to check details.

Step 6 – Certification or refusal

Providing the conditions of certification under the Subdivision Act are met, Council will certify the plan. The owner may lodge the certified plan with the Titles Office.

*Procedures Under
The Subdivision Act*

Step 7– Re-certification of amended plans

If the certified plan requires an amendment, the applicant can apply to Council for re-certification of an amended plan.

Step 8 – Statement of compliance with statutory requirements

Owner advises Council that subdivision works are complete, all agreements have been complied with and referral authority requirements have been met. Council issues Statement of Compliance. Owner provides Statement of Compliance to Titles Office.

Step 9 – Lodged plan for registration

Titles Office checks and registers certified plan and issues titles.

Quick notes for applicants/owners

- Applicants should be aware of the relevant standards against which the proposal will be tested.
- Discuss your proposal with Council Officers as early as possible even at the pre-purchase stage. Don't leave it until the last minute.
- Seek specialist advice where necessary.
- Don't lodge your application unless it is complete.
- Once an application is lodged, contact Council Officers at key points in the process. Appointments will need to be made if you wish to speak directly with Council Officers.
- If disputes arise have an open mind about suggestions made by all parties.

Where can you get information?

More information is available at www.land.vic.gov.au

Other helpful sites for information include:

www.bayside.vic.gov.au

www.dse.vic.gov.au