

FAQ - SUBDIVISIONS

1. If I am not building, do I still need to complete the development works on site?
 - o Yes, all servicing (water, sewer, electricity, and telecommunications) will need to be completed on site. Council may also require drainage, driveway, common property areas and crossovers to be constructed.
2. Do I need to have a Building Permit before I subdivide?
 - o No, you do not need a building permit before commencing the subdivision, however you will need a development plan and permit approved by council. If completing the development is part of the subdivision permit, then a building permit will be required.
3. Is my property eligible for VicSmart?
 - o Your permit application will fall under VicSmart if the below applies to your land.
 - Two (2) Lot Building Subdivision following an approved development permit in which construction has started (i.e., Slab has been poured on site, there are some councils that require more than slab)
or
 - For more than Two (2) lots where an occupancy permit has been issued within the last five (5) years
 - Other VicSmart categories do exist but please talk to us for further details.
4. After submission, how long will it take for my permit to be issued?
 - o The council planning department has a statutory time frame of 60 days to issue the permit (plus time for any further information requests), however, generally it will take between 60-90 days to issue your planning permit.
5. Is my subdivision completed once the street addressing is issued from council?
 - o No, your street addressing does not mean your subdivision is complete, however you will need to use the addressing in your servicing applications. If you have queries regarding your street addressing, please contact council's rates department.
6. What is the purpose of a section 173 agreement?
 - o In a construction context, a section 173 agreement is an agreement between yourself and council that allows you to complete the subdivision prior to the development. The agreement will be registered on your title to ensure whoever constructs the development, does so in accordance with the approved development

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plans and permit. Please note you may still be required to construct development works such as drainage, driveway, common property area and crossovers on site.

7. Does certificate of occupancy mean my subdivision is complete?

- o The bulk of the subdivision works will be completed through the build process, however, for the subdivision conditions to be marked as satisfactory by council, the permit needs to be fully satisfied. To make this easier, JCA provides a list of the documentation that is to be provided to council as part of our subdivision checklist.

8. Do all conditions need to be completed before council will issue the statement of compliance?

- o Yes, all conditions listed on your subdivision permit must be completed to council's satisfaction prior to statement of compliance being issued.

9. Can JCA organise development site inspections?

- o In most instances council require someone to be on site for a development or engineering inspection. Unfortunately, JCA cannot organise this on your behalf. We will assist with who to call and any queries you may have on what is required before booking an inspection.

10. Does JCA complete the permit conditions on my behalf?

- o No, JCA are here to help you navigate the conditions on the permit and advise you on the next steps. The conditions will need to be completed by you, the property owner.

11. Once my subdivision permit is issued by council does this mean my subdivision is now complete?

- o The subdivision permit outlines what needs to be done to complete the subdivision. JCA will assist you in working through these requirements in order to complete your project.

12. I have received a certified plan of subdivision does this mean I can lodge my subdivision at Land Use Victoria (Title's Office)?

- o The certification of the plan is an important milestone; however, you must satisfy the remaining outstanding conditions of the permit to enable the issuing of the statement of compliance.

13. When should I contact JCA to complete the final survey on site?

- o **Single Level:** Please advise our office once the construction of the proposed unit(s) has reached base brick work (the first few courses of brick are laid), this will determine when our surveyors visit the site to complete the survey, in order to submit the final plan of subdivision to council for certification.

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- **Multilevel:** Please advise us once all boundary defining walls have been constructed. If your plan includes a basement, works within the basement including construction of car stackers and storage cages (if applicable), must be constructed before we visit the site. Once we are notified that these works have been undertaken, we will visit the site to conduct our final survey to submit the final plan of subdivision to council for certification.
- **Boundary Marking:** If you are not building and require the internal boundaries to be marked, please contact us once the site has been cleared.

If your site incorporates different construction methods and you are not sure what defines the proposed boundaries, please give us a call.

14. What is the standard timeframe for the servicing authorities to issue their consent for my subdivision?

- Servicing authorities will take between 5-20 working days to issue their consent for subdivision, once they have received the required documentation.

15. How long does it take council to issue the Certified Plan and Statement of Compliance?

- After the plan is submitted to SPEAR, council have issued the planning permit to subdivide (if required), and once all the certification conditions are met (servicing authority consents and permit conditions), they will certify the plan. The Statement of Compliance will be issued once all the servicing authorities have consented to compliance and all the planning permit conditions are satisfied.

16. I have received the Statement of Compliance does that mean my subdivision is now complete?

- Yes, the subdivision has been completed with council once the Statement of Compliance is issued, however, the subdivision will need to be lodged and registered at Land Use Victoria before you can obtain separate titles.

17. Will JCA lodge my subdivision at Land Use Victoria (Title's office)?

- JCA will guide you through the Statement of Compliance from council, at which point you will need to engage a conveyancer or solicitor, of your choice, to lodge the documents at Land Use Victoria. Please provide us your solicitor or conveyancers details at any stage and we will release all the subdivision documentation directly to them.