

## APPLICATION TO EXTEND TIME SECTION 69 OF THE PLANNING & ENVIRONMENT ACT

### THE APPLICANT

Name

Email Address

(Your extension of time will be emailed to you if approved.)

Address

Postcode

Phone during business hours

**PLANNING PERMIT NO.: PA**

**DATE ISSUED:**

### LAND AFFECTED BY THIS APPLICATION:

Address:

Lot Number(s):

Plan of Subdivision:

Title Details: Volume:

Folio:

### THE OWNER

Name

Address

Postcode

Phone during business hours

I am the:

- Owner of the land; or  
 Occupier of the land; or  
 An authorised representative of the owner or occupier of the land.

### ***EXTENSION OF TIME REQUESTS***

Pursuant to Section 69 of the *Planning and Environment Act 1987*, I wish to apply for an extension of time for the following:-

- To commence the use or the development; or  
 To complete the use or the development.

If the project has commenced, what date did it commence? \_\_\_\_\_

*Please be aware, that Council may request evidence that the works commenced by the stated date.*

Has the request been made within 6 months from the date of expiry?  Yes  No

***TIMEFRAME BEING SOUGHT:***

I wish to apply for an extension of time for \_\_\_\_\_ months/ years.

**REASONS FOR EXTENSION OF TIME ARE AS FOLLOWS:**

*If there is not enough space on the form you may add pages.*

**WHAT EVIDENCE CAN BE PROVIDED THAT THE PROJECT HAS PROGRESSED SINCE THE PERMIT ISSUE OR PREVIOUS EXTENSION OF TIME?**

*Please be aware, that Council may request evidence that there has been some progression of the project to commence. Examples may include (but not limited to):*

- *Issue of building permit;*
- *Builder's contract entered;*
- *Endorsed plans finalised;*
- *Site preparation works undertaken;*
- *Site vacated.*

**ANY OTHER MATTERS WOULD YOU LIKE COUNCIL TO CONSIDER FOR YOUR EXTENSION OF TIME REQUEST?**

**Declaration** I declare that all of the information contained in this application is true.

**Signature:**

**Name (print):** \_\_\_\_\_ **Date:** \_\_\_\_\_

# INFORMATION ABOUT MAKING A REQUEST FOR AN EXTENSION OF TIME

## REQUEST FOR EXTENSION OF TIME

Before a planning permit expires or within six (6) months afterwards, the owner or occupier of the land to which the permit applies may ask Council for an extension of time, to extend the life of the permit.

Council may extend the time within which the use or development or any stage of it is to be started, or the development or any stage of it is to be completed, or the time within which a plan is to be certified (under the Subdivision Act).

A fee of **\$169.00** is payable for the first request for an extension of time to a permit pursuant to **Section 69** of the Act. This fee is subject to G.S.T. A second request for a time extension the Fee is **\$253.00**.

## REQUESTS IN WRITING

Pursuant to Section 16 of the Planning and Environment Regulations 2005 the request must be made in writing.

Council has prepared a form to be completed to assist you in making such a request in accordance with the above Section of the Regulations.

## WHAT DOES COUNCIL CONSIDER?

When considering the issue of extending the life of a planning permit, several tests have previously been applied by the Victorian Civil and Administrative Tribunal. The established tests include:

- (a) Whether or not the time originally limited was in all circumstances reasonable and adequate taking into account the steps which would be necessary before the development could actually commence;
- (b) Any intervening circumstances which may have rendered it unreasonable that the applicant should be held to the time originally fixed; and
- (c) Whether or not since the issue of the original planning permit there have been any changes in planning policy which would mitigate against the granting of the permit.

## HOW LONG WILL COUNCIL EXTEND THE PERMIT FOR?

Council has discretion with respect to the length of time that a planning permit will be extended for. Council reserves the right to extend the permit for an alternative timeframe than the timeframe requested.

Council will take into account the extent of the time delay, the reasons for the extension and the scale of the development when considering what length of time is appropriate for the permit to be extended.