

Application for an

Extension of Time to a Planning Permit

COMMITTED TO A SUSTAINABLE PENINSULA



Use this form to apply for an extension of time to an existing Planning Permit under Section 69 of the Planning



Supplementary information requested in this form should be provided as an attachment.

Privacy notice

All information collected as part of this permit application will be available for public inspection in accordance with Section 51 of the *Planning and Environment Act 1987*. If you fail to provide this information, your application may not be processed. The information collected about you as part of the planning permit process will be made available at your request

Council help with the application

Contact council on (03) 5950 1010 to discuss the specific requirements for this application and obtain a planning permit checklist. Insufficient or unclear information may delay your application.

1. Applicant details

Provide details of the applicant and contact (if applicable)

Applicant	Name: MICHELLE FAN					
	Organisation: JOHN PATRICK PTY LTD					
	Postal Address:	324 VICTORIA STR	REET, RICHMOND, VIC			
			Post	code: 3121		
	Contact phone:	Irrelevant & Sensitive	Mobile Phone: Irrelevant & Sensitive			
	Email:	Irrelevant & Sensitive				
Applicant Contact	Name:					
The person you want council to communicate with about the application (only complete if different from above)	Organisation:					
	Postal Address:					
	Postcode:					
	Contact phone:		Mobile Phone:			
	Email:		REE (DA)			
			I AND NO			
2. Planning permit refer	ence		2 1 MAD 2016			
Please provide the original planning permit number	P 15/0321		2 1 MAR 2016			

3. The land

Address of the land

Street No:	10	Street Name: VIEW POINT ROAD	
Lot No:		On LP/PS No:	
Township:	McCF	RAE	Postcode: 3938

OFFICER: (

A4861980 Last updated 24/7/2014

4. Title Information Encumbrances on title*	Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, a section 173 agreement or other obligation such as easements or building envelope?			
Check on title information:	Yes (if 'yes' contact Council for advice on how to proceed before continuing			
Covenants, section 173	with this application)			
agreements and other restrictions are identified on the certificate of				
title.				
	Provide a full, current copy of the title (no more than three months old) for each individual parcel of land forming the subject site. (The title includes: the covering "registered search statement', the title plan of subdivision and the associated title documents, known as 'instruments', e.g. restrictive covenants).			
5. Reason for extension Provide details of the amendment/s to				
Has the development &/or use commenced?	X Yes – provide details below No			
Detail the status of the development &/or use.	VEGETATION REMOVAL WORKS TO THE FRONT OF THE PROPERTY HAVE BEEN CARRIED OUT AND COMPLETED IN JUNE 2015			
(e.g. earthworks, vegetation removed)	OUT AND COMPLETED IN JUNE 2013			
Why is the extension required?				
	TO COMPLETE WORK (VEGETATION REMOVAL AND REVEGETATION) TO REAR OF SITE (DELAY DUE TO DEFERRING PLANTING UNTIL AFTER SUMMER PERIOD)			
Time required				
Timo required	X 1 year			
6. Information checklist				
Have you	X Filled in the form completely?			
	Paid or included the application fee? (Contact council to determine the appropriate fee).			
7. Declaration				
This form must be signed	I declare that all the information in this application is true and correct and the owner (if not myself) has been advised of the permit application.			
! Remember it is against the law to provide false or misleading	Name: MICHELLE FAN			
information, which could result in a heavy fine and cancellation of the permit.	A second			
	Signature: Personal Information			
	Date: 2 1 1 0 3 1 2 0 1 6			
Lodgement				
Lodge a hard copy of the	Mail: ■ Mornington Peninsula Shire, Private Bag 1000, Rosebud, 3939			
completed signed form and all documents:	In Person: The Sustainable Environment Group is located at the Mornington Office, Queen Street, Mornington. You can also lodge your application, with Councils Customer Service Staff, at the following offices; Rosebud Office: Besgrove Street, Rosebud, Hastings Office: Marine Parade, Hastings, Somerville Office: Edward Street, Somerville			
For help or more information	Telephone: ■ Planning Support (03) 5950 1010 and Fax: (03) 5950 1910 Email: statutory.planning@mornpen.vic.gov.au Website: www.mornpen.vic.gov.au			

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

Page 1 of 1

VOLUME 09438 FOLIO 254

Security no : 124059585906P Produced 21/03/2016 11:22 am

LAND DESCRIPTION

Land in Plan of Consolidation 109563.
PARENT TITLES:
Volume 09088 Folio 777 Volume 09369 Folio 972
Created by instrument CP109563 31/10/1981

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
GERRARD RAYMOND BORGHESI
BRONWYN LESLEY BORGHESI both of
AL097465Q 21/05/2014

Irrelevant & Sensitive

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE CP109563 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 10-12 VIEW POINT ROAD MCCRAE VIC 3938

DOCUMENT END

Title 9438/254 Page 1 of 1



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AL097465Q

The information from this form is collected under statutory authority and is used for the purpose of maintaining publicly searchable registers and

"TRANSFER OF LAND

Section 45 Transfer of Land Act 1958

Lodged by:

Name Wisewould Mahony

Phone 96298333

Address 8/419 Collins St melbourne

Ref: FJF: 4004 4552

Customer Code 1170R

The transferor at the direction of the directing party (if any) transfers to the transferee the estate and interest specified in the land described for the consideration expressed and subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer.

Privacy Collection Statement

indexes in the Victorian Land Registry.

Land: (volume and folio references)

CERTIFICATE OF TITLE VOLUME 9438 FOLIO 254

Estate and Interest: (e.g. "all my estate in fee simple")

ALL OUR ESTATE IN FEE SIMPLE

Consideration:

CIC

Transferor: (full name)

ROBERT ALAN STENT, JENNIFER ANN FLETCHER & GILLIAN LORAYNE HOWARD

Transferee: (full name and address including postcode)

GERRARD RAYMOND BORGHESI & BRONWYN LESLEY BORGHESI BOTH OF 4/206 ESPLANADE, BRIGHTON VIC 3186 AS JOINT PROPRIETORS

Directing Party: (full name)

Dated: 14/5 12014

Execution and attestation:

SIGNED by the Transferors in the presence of:

Personal Information

Personal Information

Witness

Personal Information

Personal Information

Witness,

R A Stent

Personal Information

Witness

Approval No. 5221205A

ORDER TO REGISTER Please register and issue title to

STAMP DUTY USE ONLY

Signed

Cust. Code

THE BACK OF THIS FORM MUST NOT BE USED Land Registry, 570 Bourke Street, Melbourne, 3000, Phone 8636-2010

AL097465Q

ANNEXURE PAGE

Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes in the Victorian Land Registry.

This is page 2 of Approved Form T1 dated 141514 Between R A Stent, J A Fletcher & G L Howard to G R & B L Borghesi

Signatures of the parties

Panel Heading

Signed by the transferees in the

Presence of:

Personal Information

Witness

J.F. Muschalik

 \cap

formation

G R Borghesi

ersonal Information

_B L Borghesi

Approval No.5221205A

A1

- If there is insufficient space to accommodate the required information in a panel of the Approved Form
 insert the words, "See Annexure Page 2" (or as the case may be) and enter all the information on the
 Annexure Page under the appropriate panel heading. THE BACK OF THE ANNEXURE PAGE IS
 NOT TO BE USED.
- 2. If multiple copies of a mortgage are lodged, original Annexure Pages must be attached to each.
- The Annexure Pages must be properly identified and signed by the parties to the Approved Form to which it is annexed.
- 4. All pages must be attached together by being stapled in the top left corner. Land Registry, 570 Bourke Street, Melbourne, 3000, Phone 8636-2010



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PS 2486

PLAN OF CONSOLIDATION CP109563 PART OF CROWN PORTION I SECTION B PARISH OF WANNAEUE COUNTY OF MORNINGTON Scale: 10 LENGTHS ARE IN METRES APPROVED Personal Information CHART No. 8 DENNY LANE 60.61 Drainage vide P/s 114212 shown thus zazan

STREET NAME AMENDED FROM ROAD

PENNY LANE

CORR. V.G.G 85 P.216 DATE 28/6/85

VIEW POINT

21.25.

VOL. 9438FOL 254

c/r. 9369.F.972 9088.F.777

& ENDORSEMENT OF MUNICIPALITY

Sealed Pursuant to the provisions of Sec. 569 A B of the Local Gov. Act

Pursuant to the provisions of Section 569 AIB. of Local Government Act 1958, THE COUNCIL OF THE SHIRL OF FLINDERS horeiny consents to this Plan al Consolidation and the Common Seat of the President Councillors and Ralapayers of the Shire of Flinders kehereunto affixed on this 9th 1979

Personal Information President .. Councillor

.... Shire Secretary

SURVEYORS CERTIFICATION

ROAD

I certify that this plan has been made by me or under my immediate supervision and accords with title.

Personal Information

LICENSED SURVEYOR

DATED 16-11-1978

Bree Stone

WebQuery - Statutory Planning From: Sent: Monday, 21 March 2016 4:19 PM

To: Planning Amendments

Subject: FW: Planning Application P15/0321 10-12 View Point Road McCrae

Attachments: 15-005 Application for an EOT 20160321.pdf

EOT application



ALISON HOGG | Senior Planning Support Officer | MORNINGTON PENINSULA SHIRE

T: 03 5950 1079 E: alison.hogg@mornpen.vic.gov.au MORNINGTON Private Bag 1000, Rosebud VIC 3939 | 2 Queen St, Mornington VIC 3931 www.mornpen.vic.gov.au | Follow us on Twitter @MornPenShire

From: Michelle Fan [mailto:MFan@johnpatrick.com.au]

Sent: Monday, 21 March 2016 11:57 AM To: WebQuery - Statutory Planning

Cc: Keith Scott

Subject: RE: Planning Application P15/0321 10-12 View Point Road McCrae

Dear Planning Officer,

Planning Application P15/0321 10-12 View Point Road McCrae

On behalf of the client I would like to request for an extension to the permit, which will expire 23rd April 2016. The works to the front of the site were carried out in June 2015. The works to the rear of the site were delayed in order to avoid the extreme summer weather, which started unusually early in November and has extended well into March.

I am visiting the site with the contractor early next week, and works will begin shortly after (depending on availability of local plant stock), however we are concerned that it will not be complete by the permit expiration date.

Please find enclosed the Extension of Time application. Should you have any queries please don't hesitate to contact me. I have copied in Keith Scott who prepared the last permit, for his information.

Regards,

MICHELLE FAN Landscape Architect AILA



LANDSCAPE ARCHITECTS **ENVIRONMENTAL HORTICULTURALISTS** LANDSCAPE HERITAGE CONSULTANTS CONSULTANT ARBORISTS

JOHN PATRICK PTY LTD 324 Victoria St Richmond VIC 3121 F. 03 9429 8211 T. 03 9429 4855 www.johnpatrick.com.au

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From: Keith Scott [mailto:Keith.Scott@mornpen.vic.gov.au]

Sent: Thursday, 30 April 2015 9:27 AM

To: John Patrick

Subject: Planning Application P15/0321 10-12 View Point Road McCrae

Hi John

With regard to your enquiry to extend the life of the permit, condition 3 of the planning permit states:

Expiry

This permit will expire if the removal of the approved vegetation is not completed within one (1) year of the date of this permit.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible Authority for an extension of the periods referred to in this condition.

An application for an extension of time to the permit attracts a fee of CIC

Section 69 of the Planning and Environment Act states:

S. 69(1A) inserted by No. 3/2013 s. 77(2).

- (1A) The <u>owner or occupier</u> of <u>land</u> to which a <u>permit</u> for a <u>development</u> applies may ask the responsible authority for an extension of time to complete the <u>development</u> or a stage of the <u>development</u> if—
 - (a) the request for an extension of time is made within 12 months after the permit expires; and
 - (b) the <u>development</u> or stage started lawfully before the <u>permit expired</u>.

According to the above, if vegetation removal is commenced now, you have almost 1 year before the permit expires and you can apply for an extension of time within 12 months after the permit expires. I recommend that an application for an extension of time is made in one year before the current permit expires. This will allow you to demonstrate that reasonable efforts have been made to undertake the work and that an extension of time is required to complete the work.

The alternative is to apply for an amendment to the conditions of the permit. This, however, will attract a fee of CIC

Regards

Keith Scott Vegetation Officer - Statutory Planning Mornington Peninsula Shire, 2 Queen Street Mornington VIC 3931

Private Bag 1000 Rosebud VIC 3939 (03) 5950 1903 (03) 5950 1910 . . .

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