

21/3/16

GR 28/4/15



COMMITTED TO A
SUSTAINABLE
PENINSULA



Application for an Extension of Time to a Planning Permit

Use this form to apply for an extension of time to an existing Planning Permit under Section 69 of the *Planning and Environment Act 1987*

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 STREET, RICHMOND, VIC	
Postcode: 3121	
Contact phone: Irrelevant & Sensitive	Mobile Phone: Irrelevant & Sensitive
Email: Irrelevant & Sensitive	
Name:	
Organisation:	
Postal Address:	
Postcode:	
Contact phone:	Mobile Phone:
Email:	

Applicant Contact

The person you want council to communicate with about the application (only complete if different from above)

2. Planning permit reference

Please provide the original planning permit number

P 15/0321

REF: P15/0321-01
LAND NO.

1117
21 MAR 2016

OFFICER: emma.N

3. The land

Address of the land

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

4. Title Information

Encumbrances on title*

Check on title information:
Covenants, section 173 agreements and other restrictions are identified on the certificate of 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?

- ☐ Yes (if 'yes' contact Council for advice on how to proceed before continuing with this application)
- ☐ No
- ☒ Not applicable (no such encumbrance applies)

 **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 the application

Has the development &/or use commenced?

☒ Yes – provide details below ☐ No

Detail the status of the development &/or use.
(e.g. earthworks, vegetation removed)

VEGETATION REMOVAL WORKS TO THE FRONT OF THE PROPERTY HAVE BEEN CARRIED OUT AND COMPLETED IN JUNE 2015

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

☒ 1 year ☐ 2 years ☐ Other (please specify) _____

6. Information checklist

Have you....

- ☒ 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

! Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

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.

Name: MICHELLE FAN

Signature:  Personal Information

Date: 21 / 03 / 2016

Lodgement

Lodge a hard copy of the completed signed form and all documents:

Mail:  Mornington Peninsula Shire, Private Bag 1000, Rosebud, 3939

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



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AL097465Q

TRANSFER OF LAND**Section 45 Transfer of Land Act 1958**

Lodged by:

Name Wise would MahonyPhone 9629 8333Address 81419 Collins St MelbourneRef: FJF: 4004 4552Customer Code 11702**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.

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.

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: 14/5/2014

Execution and attestation:

SIGNED by the
presence of:

Personal Information

Personal Information

R A Stent

Witness

Personal Information

Personal Information

Witness

cher

Personal Information

Personal Information

With

rard

Approval No. 5221205A

ORDER TO REGISTER
Please register and issue title to**STAMP DUTY USE ONLY****T1**

Signed

Cust. Code

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

AL097465Q**Privacy Collection Statement**

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ANNEXURE PAGE

Transfer of Land Act 1958

This is page 2 of *Approved Form T1* dated **14/5/14**

Between R A Stent, J A Fletcher & G L Howard to G R & B L

Borghesi

Signatures of the parties

Panel HeadingSigned by the transferees in the
Presence of:

Personal Information

G R Borghesi

Personal Information

Personal Information

B L Borghesi

Witness

J. F. Muschalik

Approval No.5221205A

A1

1. 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.
 3. 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

CP109563

PLAN OF CONSOLIDATION
PART OF CROWN PORTION I SECTION B
PARISH OF WANNAEUE
COUNTY OF MORNINGTON

Scale: 10 5 0 10 20
 LENGTHS ARE IN METRES



CHART No. 8^A

APPROVED

Personal Information

DATE 29.9.81 TIME 8.53

ACCEPT \$26

CHIN 14758.90/3

12/11/79

(EXEMPTED FROM SURVEY)



Drainage vide P/s 114212 shown thus

STREET NAME AMENDED
 FROM ROAD
 TO PENNY LANE
 CORR. VGG 85 P.216
 DATE 28/6/85

VIEW POINT ROAD

VOL. 9438 FOL 254

C/T. 9369.F.972
 9088.F.777

**SEAL & ENDORSEMENT
 OF MUNICIPALITY**

SURVEYORS CERTIFICATION

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

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

Personal Information

LICENSED SURVEYOR

DATED 15-11-1978

Pursuant to the provisions of Section 569 A/B. of
 Local Government Act 1958, THE COUNCIL OF THE
 SHIRE OF FLINDERS hereby consents to this Plan
 of Consolidation and the Common Seal of the President
 Councilors and Ratepayers of the Shire of Flinders is
 hereunto affixed on this 9th
 day of February 1979

Personal Information

President

Personal Information

Councillor

Personal Information

Shire Secretary

Bree Stone

From: WebQuery - Statutory Planning
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
 Private Bag 1000, Rosebud VIC 3939 | 2 Queen St, Mornington VIC 3931
www.mornpen.vic.gov.au | Follow us on Twitter [@MornPenShire](https://twitter.com/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
 T. 03 9429 4855 F. 03 9429 8211
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

3. 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 owner or occupier of land to which a permit for a development applies may ask the responsible authority for an extension of time to complete the development or a stage of the development if—

- (a) the request for an extension of time is made within 12 months after the permit expires; and
- (b) the development or stage started lawfully before the permit expired.

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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