



South Gippsland
Shire Council

Request to Extend a Planning Permit

Section 69(1) of the Planning & Environment Act 1989

The Applicant			
Name:			
Address:			
Postcode:			
Phone Number (Day):			
Planning Permit No:		Date Issued	
Land affected by this Application			
Address:			
Lot Number(s):			
<input type="checkbox"/> Copy of Title attached (less than 60 days old)			
The Owner			
Name:			
Address:			
Postcode:			
Phone Number (Day):			
I am the:			
<input type="checkbox"/> Owner of the land; or			
<input type="checkbox"/> Occupier of the land; or			
<input type="checkbox"/> Authorised representative of the owner or occupier of the land			
Extension of time request			
Pursuant to Section 69 of the Planning & Environment Act 1987, I wish to apply for an extension of time:-			
Use and Development			
<input type="checkbox"/> To start the use or the development; or			
<input type="checkbox"/> To complete the development			
Subdivision			
<input type="checkbox"/> To certify a plan of subdivision (Note: Council cannot extend the time to register a plan of subdivision)			
If the project has started, what date did it start? _____			
<i>Please be aware that Council may request evidence that the development started before the permit expired</i>			

Has the request been made:

Within 6 months after the expiry date where the use or development has not started, or within 6 months if the plan of subdivision has not been certified?

Yes No

Within 12 months after the expiry date, where the development has lawfully started before the permit expired?

Yes No

Time frame being sought:

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

Fees

Payment of the appropriate fee in accordance with Council's Fees and Charges is required when lodging this application.

Reason for Extension of Time Request:

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

Multiple empty horizontal lines for providing the reason for extension of time request.

What evidence can be provided that the project has progressed since the permit was issued, or previous 'Extension of Time'?

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

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

Multiple empty horizontal lines for providing evidence of project progression.

Any other matters you would like considered for your Extension of Time Request?

Multiple empty horizontal lines for providing other matters for consideration.

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

Signature: _____

Name (print): _____ **Date:** _____

Making an extension of time request

Request for Extension of Time

Under Section 69 (1) of the Planning and Environment Act 1987 the owner or occupier of the land may ask the responsible authority for an extension of time:

- Before or within 6 months after the permit expiry date, where the use or development allowed by the permit has not yet started;
- Within 12 months after the expiry date, where the development allowed by the permit has lawfully started before the permit expires.

If a request is made out of time, the responsible authority cannot consider the request and the permit holder will not be able to apply to VCAT for a review of the matter.

Making a Request

Council has prepared this form to assist you in making a request, although it is not mandatory to use this form.

What does Council Consider?

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

- (a) Whether or not the time originally imposed 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;
- (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 grant of the permit;
- (d) In the case of an extension of time request to complete a development (where it has been commenced), the extent to which the development has been progressed.

How long will Council extend the permit?

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 time frame 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.