



Application for Certificate of Compliance

This form is only for an application under Section 97N of the Planning and Environment Act 1987

The cost of this application is **\$349.80**.

Please make payment at time of lodgement if submitting at Councils Customer Service Centre or submitting through our on-line portal. If emailing your application, a payment link will be sent to your nominated email once registered on the system.

Section 1: PROPERTY DETAILS

Unit Number:	Street Number:	Street Name:
Town:	Postcode:	

Section 2: PERMIT APPLICANT

Name:						
Business:						
Postal Address:					Postcode:	
Telephone No. (H)		(W)		(M)		
Email Address:						

OWNER DETAILS (If different to the Applicant)

Name(s):						
Postal Address:					Postcode:	
Telephone No. (H)		(W)		(M)		
Email Address:						

Section 3: LAND DETAILS (Please complete either A or B – this information can be found on the Certificate of Title)

Option A:

Lot No:			
Type of Plan: Please tick ✓	Lodge Plan <input type="checkbox"/>	Title Plan <input type="checkbox"/>	Plan of Subdivision <input type="checkbox"/>
Plan Number:			

Option B:

Crown Allotment Number:	
Section Number:	
Parish/Township Name:	

Section 4: PROPOSAL Select the form you are applying for: Certificate of Compliance

- ☐ Existing Use or Development form 14 (a certificate stating that an existing use or development of land complies with the requirements of the planning scheme at the date of the certificate)
- ☐ Proposed Use or Development form 15 (a certificate stating that a proposed use or development (or part of a use or development) of land would comply with the requirements of the planning scheme at the date of the certificate)

Describe the buildings, works or use for which the certificate is sought

Section 5: DECLARATION This form must be signed. Complete box A or B

A. I declare that I am the Applicant and all information given is true and correct.	Applicant signature:	Date:
B. I/We the Applicant declare that I/We have notified the owner about this application and that all information given is true and correct.	Applicant Signature:	Date:

CHECK LIST Please ensure you have included the following items with your application form. *Failure to provide all the information above may result in a delay in the processing of the application.*

- ☐ A fully completed and signed copy of this form.
- ☐ Full and current copy of title (no older than 60 days) for each individual parcel of land forming the subject site, including the relevant title plan, plan of subdivision, and all restrictions, or S173 Agreements registered on the land
- ☐ Copy of site plan showing the existing features of the land, existing envelope, easements
- ☐ Schedule list/cover letter detailing the operation and history of the land including its use and development
- ☐ Copy of previous permits issued for the land (as applicable)
- ☐ Demonstration of existing uses right in accordance with Clause 63 of the Scheme (as applicable)
- ☐ Provided a contact phone number and e-mail address

PLEASE FORWARD THIS APPLICATION TO

E-mail: planning@bawbawshire.vic.gov.au

Mail: Planning Department, Baw Baw Shire Council
PO Box 304
Warragul VIC 3820

Phone: 5624 2411

In Person: Customer Service Centre: 33 Young Street Drouin

HOW TO SUBMIT A REQUEST FOR A CERTIFICATE OF COMPLIANCE

The Planning and Environment Act 1987, Section 97N provides that:

1. A person may apply to the Responsible Authority for –

(a) A certificate stating that an existing use or development of land complies with the requirements of the Planning Scheme at the date of the certificate ; OR

(b) A certificate stating that a proposed use or development (or part of a proposed use or development of land would comply with the requirements of the Planning Scheme the date of the certificate.

2. The application must be accompanied by the prescribed fee

The responsible authority must consider the application and must either issue a Certificate of Compliance, or refuse to issue the certificate if the use or development or any part thereof would require a permit or prohibited under the Planning scheme.

If you are seeking confirmation of an **existing use right** you must provide evidence that the use currently occupying the land has operated at the site **for each year over the past 15 continuous years**. Documentation may include:

- ☐ Yearly Rate Notices
- ☐ Bills, invoices, purchase orders and the like
- ☐ Lease agreements
- ☐ Advertisements for the business with date shown

Or a combination of the above or other documentation that provides proof of the use.

You will need documentation for each of the years of the previous 15 years and each document must clearly specify the use of the land. The documentation must **prove** the existing use at that time. The use must be defined specifically and not be a generic description (for example, if the existing use is “butcher shop”, then documentation referring to “retail premises” would not suffice).