Acquisition of Land by Acquiring Authority Application Form

(Section 35 of the Subdivision Act 1988)

This form is required for a SPEAR application which seeks to acquire or relinquish Wyndham City Council’s land under Section 35 of the Subdivision Act 1988.

**APPLICANT**

|  |  |
| --- | --- |
| Is this application being lodged on behalf of Council? | *Choose an item.* |
| Name: | Click or tap here to enter text. |
| Organisation (if applicable): | Click or tap here to enter text. |
| Address: | Click or tap here to enter text. |
| Telephone No.: | Click or tap here to enter text. |
| Email Address: | Click or tap here to enter text. |

 **APPLICATION SUMMARY**

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| Land parcels included in this acquisition: |
| Parcel No. | Volume: | Folio: |
| 1 |  |  |
| 2 |  |  |
| 3 |  |  |
| 4 |  |  |
| 5 |  |  |
| Is Wyndham City Council the **acquiring** authority in this application? | *Choose an item.* |
| Is this application associated with - |  |
| a Section 173 Agreement? | *Choose an item.* |
| a DCP project? | *Choose an item.* |
| a Planning Permit? | *Choose an item.* |
| If yes to the above, please complete the relevant fields in the application details section. |
| Are works required to be completed to land included in this application? | *Choose an item.* |
| Have you met with a Wyndham City Officer prior to submitting this application?  | *Choose an item.* |
| If Yes, please provide the Officer’s name:  |
| Has Wyndham City Council provided a consent letter and approved plan for this application? | *Choose an item.* |
| Has this application been previously submitted to Wyndham City Council?  | *Choose an item.* |
| If this application has been previously submitted, please discuss with a planning officer prior to lodgement. |

**APPLICATION DETAILS**

|  |  |
| --- | --- |
| Plan of Subdivision Number: | Click or tap here to enter text. |
| SPEAR Application Reference: | Click or tap here to enter text. |
| Address: | Click or tap here to enter text. |
| Please provide **detailed** justification for why the application must proceed under Section 35 of the Subdivision Act 1988? |
| Click or tap here to enter text. |
| Summary of the purpose of the application which should include (but not limited to):* What has triggered this application?
* Description of the current conditions of the land?
* What is the future use/development of the land?
* If associated with a planning permit, what stage is this land associated with?

*Please ensure that supporting documents referenced in this summary have been submitted with the application.*  |
| Click or tap here to enter text. |
| Associated Section 173 Agreement (if applicable): | *Choose an item.* Click here to enter text. |
| Associated DCP Project (if applicable): | *Choose an item.* Click here to enter text. |
| Associated Planning Permit No. (if applicable): | *Choose an item.* Click here to enter text. |
| If yes to any of the below, please provide evidence of an approved staged payment plan from the relevant statutory authority. |
| Are any of the affected parcels subject to GAIC payments? | *Choose an item.* |
| Are any of the affected parcels subject to MSA levies? | *Choose an item.* |

**DECLARATION:** This form must be signed. Complete box A, B **or** C.

|  |  |  |
| --- | --- | --- |
| **A.** I declare that I am the Applicant and Owner of this land and that all information given is true and correct. | Owner/ Applicant signature:  | Date:*Enter a date.* |
| **B.** I am the Owner of the land. I have seen this application. I/We the Applicant declare that all information given is true and correct.  | Owner signature: Applicant signature:  | Date:*Enter a date.*Date:*Enter a date.* |
| **C.** 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:*Enter a date.* |

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| **SUBMISSION CHECKLIST** |
| 1. Completed form
2. With Relevant Certification Fee - View [Town Planning fees](https://www.wyndham.vic.gov.au/media/1477)
3. With Relevant Property Fee
4. Copy of Certificate of Title, Encumbrances & Instruments for each parcel
5. Plan of Subdivision (under Section 35 of the Subdivision Act 1988)
6. Foreign Capital Gains Clearance Certificate
7. Approved MSA Levy Staged Payment Plan
8. Approved GAIC Staged Payment Arrangement
9. Supporting Documentation
 | Completed form and all other documentation is to be added in the SPEAR application as appropriate. If adding unique documents, please submit as an ‘Other Document Type’ with the document description ‘*Application Documents – \*Document Description\*’* |

**PRIVACY COLLECTION STATEMENT** – Your personal information is being collected by Council in order to process your application to vest land in Council in accordance with the requirements of *Section 35 of the Subdivision Act 1988.* Your personal information will be stored in Council’s Customer Database and used to process your application and to identify you when communicating with Council. For further information about how your personal information is handled, refer to Council’s Privacy Policy.