

# Application to Amend or End a Section 173 Agreement

Planning and Environment Act 1987, Section 178A



APPLICANT DETAILS					
Name:					
Email Address:					
Postal Address:				Postcode:	
Contact No. (H)		(W)		(M)	
I declare that I am the Applicant contact for this application and I have obtained written consent from the land owner(s) about this application request to amend / end the Section 173 Agreement:					
<input type="checkbox"/> I am the applicant and owner / occupier of the land	<input type="checkbox"/> The applicant and I have notified the owner of the land and obtained the land owner(s) written consent		<input type="checkbox"/> No *see Declaration section below		

LAND OWNER DETAILS (IF DIFFERENT TO APPLICANT DETAILS)					
Name:					
Email Address:					
Postal Address:				Postcode:	
Contact No. (H)		(W)		(M)	

PLANNING PERMIT DETAILS (IF APPLICABLE)	
Planning Permit Number:	
Address:	
Provide details to clearly identify the <b>existing</b> Agreement proposed to be amended, ended, or ended in part, and the purpose of the Agreement. A full copy of the <b>existing</b> Agreement must be submitted with this application.	

**DETAILS OF APPLICATION:** Please complete either **A or B**

**A:** Proposal to **Amend** an Agreement  
*Clearly describe the **proposed** Amendment, the purpose of the **proposed** Amendment and any change in circumstances that necessitates it. Attach further documentation if necessary.*

**DECLARATION:** This form must be signed.  
 I / We as the Applicant declare that I / We have notified the land owner about this application and that all information provided on this application form is true and correct.

Owner / Applicant Full Name:	Owner / Applicant Signature:	Date:

**B:** Proposal to **End** an Agreement (in whole or in part)  
*Clearly describe the parts of the Agreement **proposed** to be ended and/or why the Agreement is no longer required. Attach further documentation if necessary.*

**DECLARATION:** This form must be signed.  
 I declare that all the information in this request is true and correct and that I am the owner(s) or occupier of the land to which the Planning Permit applies, or have obtained consent from the owner or occupier of the land to lodge this request on their behalf. \*I understand that if I selected 'No' in the Applicant Details on this form, that Council is unable to process this request.

Applicant Full Name:	Applicant Signature:	Date:

**REQUIRED INFORMATION CHECKLIST**

Completed and signed Application Form	}	
A full current copy of title (the title must be clearly legible and <u>less than 30 days old</u> )		
A copy of the proposed Section 173 Agreement (*if you are lodging an application to amend an Agreement)		

## APPLICATION LODGEMENT



### EMAIL

Please **email** the completed application form and supporting documents to:

[Planningadmin@yarracity.vic.gov.au](mailto:Planningadmin@yarracity.vic.gov.au)

Note: An invoice will be emailed to you to pay the application fee online.



### MAIL

Please **post** the completed application form, cheque and supporting documents to:

Yarra City Council

**Statutory Planning**

PO BOX 168

RICHMOND VIC 3121

Note: An invoice will be emailed to you to pay the application fee online, if a cheque isn't attached to your application.

## IMPORTANT INFORMATION

The land owner, or a person who has entered into a Section 173 Agreement in anticipation of becoming the land owner, may apply to Council (the Responsible Authority) for agreement to a proposal:

- to amend an Agreement in respect of that land; or
- to end an Agreement in respect of that land, wholly or in part, or as to any part of that land.

### Please Note:

You must be the owner of the land burdened by the Section 173 Agreement, or a person who has entered into a Section 173 Agreement in anticipation of becoming the owner of the land burdened, to make this application.

You will be notified in writing if Council (the Responsible Authority) agrees or does not agree with your application in principle. If Council agrees with your application in principle, it must give notice of the application to all parties to the Section 173 Agreement and any other persons that Council considers may suffer material detriment as a result of the application.

Section 178B of the *Planning and Environment Act (1987)* sets out the matters Council must consider in assessing the application.

This application form must be completed and signed before lodging it to Council. It is against the law to provide false or misleading information and it could result in a fine or cancellation of the permit.

The City of Yarra is committed to protecting your privacy. The personal information requested on this application form is being collected by City of Yarra for the purposes of assessment of your application, parts of which are set out in the *Planning and Environment Act 1987*. The personal information will be used for the following purposes:

- To correspond with you about your application
- If necessary, to notify affected parties who may wish to inspect your application so that they can respond – this may be a notice onsite, in a notice online, and/or by post
- For any other directly related, or reasonably related, purpose.

The personal information will be made available:

- online on Council's website during the public notice period of the application (if relevant);
- on Council's permit register (no name or personal details are visible on the online register);
- to any person who may wish to inspect your application until the application process is concluded, including any review at the Victorian Civil and Administrative Tribunal (VCAT);
- to relevant officers within Council and other pertinent Government agencies directly involved in the planning process;
- to contract service providers, where necessary or appropriate;
- to persons accessing information in accordance with the *Public Records Act 1973*, *Planning and Environment Act 1987* or the *Freedom of Information Act 1982*.

The personal information will not be disclosed to any other external party without your prior consent, unless required or authorised by law.

If personal information is not collected, Council may not be able to process your application.

If you wish to access or alter any of the personal information you have provided on the application form, please contact the City of Yarra by email [info@yarracity.vic.gov.au](mailto:info@yarracity.vic.gov.au)