

Application for Development Approval Process

one city diverse places



Lodgement

You may now lodge your **Application for Development Approval** via email **instead of submitting a hardcopy application**.

To avoid your application being returned (for reconfiguration purposes) please ensure you adhere to the following steps.

1. Prepare an email:

- Address the email to planning.lodgement@swan.wa.gov.au; and
- Include the following text in the email's subject field:
Application for Development Approval – Proposal Description – Property Address

2. Ensure the following documents are included in your Application:

- a) Development Application Form – Signed by Owner/s & the Applicant. Please ensure that all sections of the form are completed.
- b) MRS Form 1 – Signed by Owner/s & Applicant (both application forms are required to have matching signatures and name details). Please ensure that all sections of the form are completed.
- c) A current ASIC Extract - Only required when the Owner is a Company. The City requires the additional pages which is the current ASIC **company extract** that contains the company contact details, share structure, membership and a historical record of changes (in some cases). There are several versions of the extract available to download from ASIC Connect. The website address is <https://asic.gov.au/online-services/search-asics-registers/companies-and-organisations/>.
- d) A recent certificate of title (no more than 3 months). This is available from Landgate. This is to verify the registered proprietors of the land including any encumbrances, interests, limitations & notifications that may be applicable. The landowner details on the application forms must correspond with the landowner details on the application forms to enable City staff to verify the registered proprietor/s of the Land. If the property is a strata development, a copy of the strata plan and the additional pages showing the entitlements of the strata lot must be included.
- e) Cover letter describing the proposal, explaining what approval/s is being sought.
- f) Plans – Including Site Plan, Floor Plans, Elevations & Sections (where applicable) of any building/structures and/or works proposed to be erected or altered and of any building that is intended to be retained.
- g) Supporting technical documents & Reports - Any specialist studies in respect of the development such as site surveys or traffic, heritage, environmental, engineering or urban design studies; bushfire management (where required).
- h) Associated Checklist – Depending on Application Type, refer to the City's website link: [Standard Development Application Checklists Questionnaires](#)

Who is the relevant signatory?

- i. If the land is owned by private landowners – signatures of all landowners are required.
- ii. If the land is owned by a company - Other than sole proprietorship companies, the appropriate signatory/ies for companies include two directors, a director and the company seal or a director and a company secretary. Please also identify the title of the person who signed the application form (Director, Secretary etc.) as this will prevent any further follow up and clarification about the signatories.
- iii. An agent of the landowner - If the company has appointed agent to act on their behalf and undertake sign legal documents, the application must be accompanied by a signed consent letter from either; 2x directors, 1x director and the company seal or 1x director and 1x company secretary or the Sole Director of the company, or a copy of the Power of Attorney advising of this. If the property is private ownership, the letter of consent must be from the registered proprietor/s or a copy of the Power of Attorney advising of this.
- iv. Where the land is subject to a contract of sale or offer and acceptance, evidence of landowner's consent must be provided. Relevant evidence may include:
 - an express provision of consent by the vendor on the contract of sale or offer and acceptance

- a letter of consent from the registered proprietor/s giving prospective purchaser/s consent to lodge the application or
 - a copy of the transfer of land document that incorporates a lodgement receipt
- v. If the land is owned by a strata company, consent can be signed by the strata company secretary or by an elected person of the strata company providing proof of authority either by letter of delegated authority, signed by all strata owners or minutes showing delegated authority.
- vi. If the landowner is an incorporated body, the following will be required:
- An extract from the minutes of a previously held recent Annual General Meeting or similar Committee meeting, that lists the office bearers and the position they hold; and
 - An extract from its Constitution that authorises the office bearers to represent the incorporated body (i.e. signing legal documents).
- vii. Where the land is registered in the name of a government authority, the application form must be signed by an authorised officer of the relevant authority, stating the name and position of the signatory/s. Alternatively, a letter of consent signed by an authorised officer.
- viii. For development applications relating to Unallocated Crown land, unmanaged reserves, land under management order to a local government where the development is not consistent with the reserve's purpose, or is used for commercial purposes, or land which is subject to a lease issued under the Land Administration Act 1997 – the application forms must be signed by the relevant authorised person/s from the Department of Planning, Lands & Heritage (Land Asset Division) for consideration and signature.
- ix. Deceased Estate - Where the land is registered in joint tenants, a copy of the death certificate of the deceased landowner must be provided. Where the land is registered in tenants in common, a copy of the grant of probate or endorsed enduring power of attorney must be provided.

1. Compile all required documents in one bookmarked PDF and attach them to the email.**

- Please refer to City's website for an explanation of what information is required for the following application types:

Buildings & Structures:	https://www.swan.wa.gov.au/Services-support/Property-land/Buildings-structures
Development in your garden or on your boundary:	https://www.swan.wa.gov.au/Services-support/Property-land/Boundaries-gardens-verges

- If document size (too large) prohibits you from lodging your application via email, please post a USB drive comprising the entire application to the City of Swan with a covering letter advising what the USB drive is for. **Please do not submit a hardcopy of the application with the USB drive.**

**CITY OF SWAN,
PO Box 196,
Midland, WA 6936**

** Please ensure the application is arranged in one bookmarked pdf to assist City staff in processing your application.

2. Payment of application fee

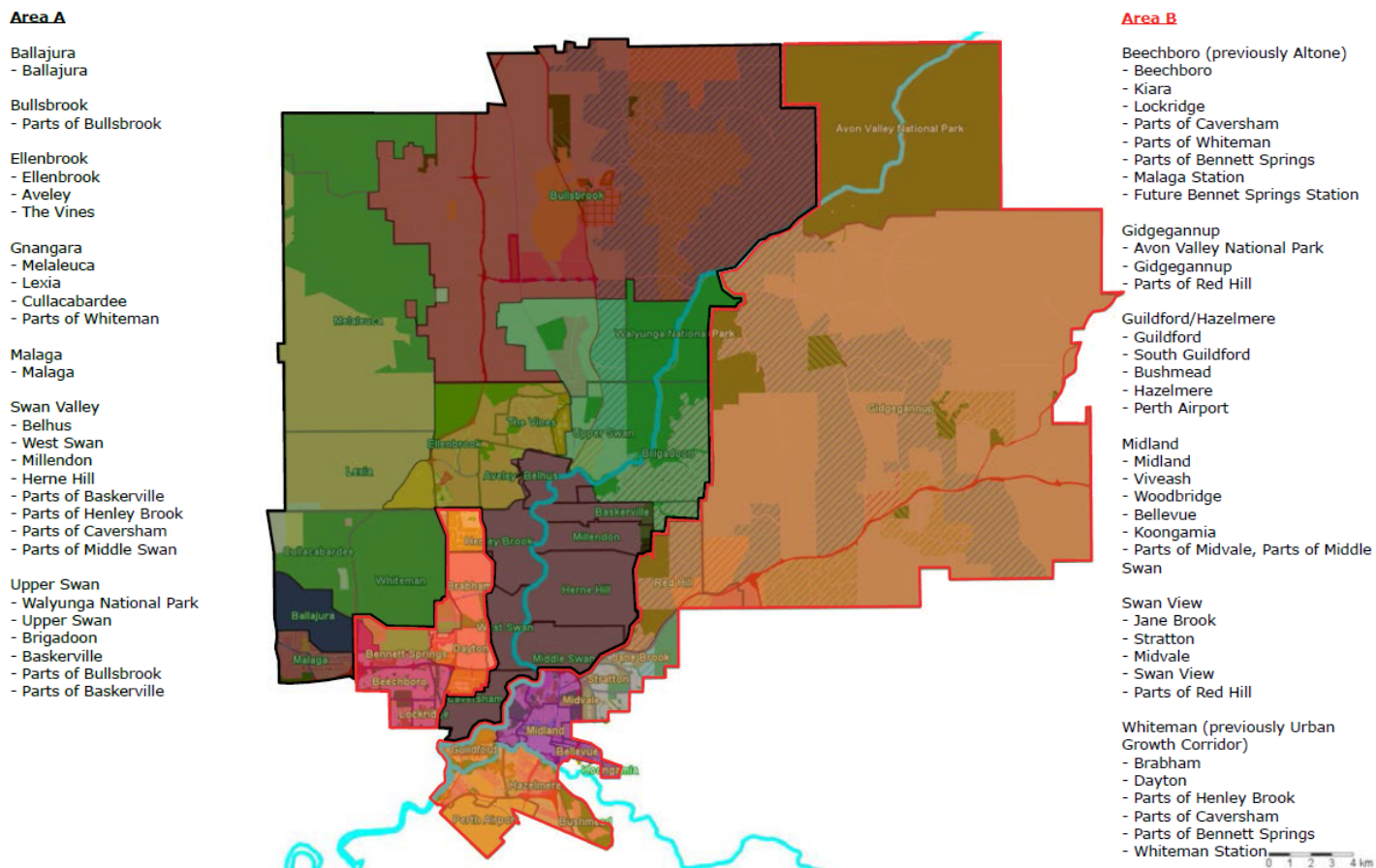
- Payment can be made via credit card.
- Refer to the [Statutory Planning Fees & Charges](#) document; and

Assessment

The City of Swan has two Planning Assessment Streams (Area A and B) which process planning applications based on their geographical location.

Once your application is deemed complete it will be formally lodged and assigned to a Planner in the relevant stream who will assess the application and prepare a recommendation report.

Statutory Planning Stream A and B Boundaries



Determination

In most instances an application's recommendation report will be reviewed and determined under Delegated Authority by the Coordinator or Senior Planner of Area A or B. These officers are empowered by our Delegated Authority Register to carry out this function.

Notwithstanding this, some applications may be required by law to be determined by:

- the City of Swan Council;
- the State Government; or
- the Metropolitan East Joint Development Assessment Panel (Metro East JDAP).

Where your application is not determined under Delegated Authority, a **recommendation report or referral letter** will be **prepared** by the assessment officer and **signed off** by a Delegated Authority Officer prior to being forwarded to the final decision maker.

City of Swan Application for Development Approval

ECM DSI - 3570106

Owner details					
Name/Company /Agency:		Name/Company /Agency:			
Signature:		Signature:			
Name & Position:		Name & Position:			
	(if signing on behalf of a company or agency)		(if signing on behalf of a company or agency)		
Date:		Date:			
ABN (if applicable):					
Address:					
Suburb:				Postcode:	
Phone:	Work:		Home:		Mobile:
Fax:		Email:			
Contact person for correspondence:					

The signature of the owner(s) is required on all applications. This application will not proceed without that signature. For the purposes of signing this application an owner includes the persons referred to in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 clause 62(2).

Signed only as acknowledgement that a development application is being made in respect of a proposal that includes Crown land, Crown reserves under management for the purpose, or a road and to permit this application to be assessed under the appropriate provision of the Planning and Development Act 2005 (including any planning scheme). The signature does not represent approval or consent for planning purposes. Further, in the event that development approval is granted for the proposal, the above signature should not be taken as an acknowledgement of or consent to the commencement or carrying out of the proposed development or to any modification of the tenure or reservation classification of the Crown land component.

Disclaimer: Development Applications relating to Unallocated Crown land, Unmanaged Reserves, land under management order to a local government where the development is not consistent with the reserve's purpose, or is used for commercial purposes, or land which is subject to a lease issued under the Land Administration Act 1997, will still need to be referred for the Department of Lands' consideration and signature.

Applicant details (if different from owner)					
Name:					
Address:				Postcode:	
Phone:	Work:		Home:		Mobile:
Fax:		Email:			
Contact person for correspondence:					
The information and plans provided with this application may be made available by the local government for public viewing in connection with the application.				<input type="checkbox"/> Yes <input type="checkbox"/> No	
Signature:		Date:			

Property details					
Lot No:		House/Street No:		Location No:	
Diagram or Plan No:		Certificate of Title Vol. No:		Folio:	
Title encumbrances (e.g. easements, restrictive covenants):					
Street name:				Suburb:	
Nearest street intersection:					

Proposed development					
Nature of development:	<input type="checkbox"/> Works <input type="checkbox"/> Use <input type="checkbox"/> Works & use		<input type="checkbox"/> Extension of Time for *(insert duration):		
	<input type="checkbox"/> Amendment to (please insert approval reference number):				
	* Please note that an extension of time request for more than 2 years from the original approval date will need to be considered by Council and cannot be determined under delegated authority.				
Is an exemption from development claimed for part of the development?				<input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, is the exemption for:				<input type="checkbox"/> Works <input type="checkbox"/> Use	
Description of proposed works and/or land use:					
Description of exemption claimed (if relevant):					
Nature of any existing buildings and/or land use:					
Approximate cost of proposed development (excluding GST):					
Estimated time of completion:					

OFFICE USE ONLY

Acceptance Officer's initials:	Date received:
Local government reference No:	



MRS

Form 1 Application for Planning Approval

Owner/s details

Registered proprietor/s (landowner/s) or the authorised agent's details **must** be provided in this section. If there are more than two landowners please provide all relevant information on a separate page. Signature/s must be provided by all registered proprietors or by an authorised agent.

Alternatively, a letter of consent, which is signed by all registered proprietors or by the authorised agent, can be provided.

Full name

Company/agency (if applicable)

ACN/ABN (if applicable)

Postal address

Town/suburb Postcode

Signature Date

The landowner/s or authorised agent consents to the applicant submitting this application

Print name and position
(if signing on behalf of a company or agency)

Applicant details

Name/company

Contact person

Postal address

Town/suburb Postcode

Phone Email

Applicant signature

Print name and position Date
(if signing on behalf of a company or agency)

Property details

Certificate of title description of land:	Lot No	<input type="text"/>	Location No	<input type="text"/>
Plan or diagram <input type="text"/>	Vol	<input type="text"/>	Folio	<input type="text"/>
Certificate of title description of land:	Lot No	<input type="text"/>	Location No	<input type="text"/>
Plan or diagram <input type="text"/>	Vol	<input type="text"/>	Folio	<input type="text"/>

Title encumbrances (e.g. easements, restrictive covenants)

Locality of development (house no., street name, suburb, etc)

Nearest street intersection

Existing building/land use

Description of proposed development and/or use

Nature of any existing buildings and/or use

Approximate cost of proposed development (excl. gst) \$

Estimated time of completion

Office use only

Acceptance officer's initials Date received

Local government reference No. Commission reference No.

The information and plans provided with this application may be made available by the WAPC for public viewing in connection with the application.

Additional Information to be provided on the MRS Form 1

Is the development within a designated Bushfire Prone Area? Yes No

If 'yes', have bushfire hazard issues been identified and addressed (e.g. by providing a BAL Assessment(s) or BAL Contour Map and a Bushfire Management Plan with the application)? Yes No
 N/A

If NA is selected and the development is in a designated bushfire prone area then a short statement justifying why SPP 3.7 does not apply should be included.

Does your application require determination by a Development Assessment Panel? (DAP) Yes No

Please refer to the following website for DAP requirements: www.dplh.wa.gov.au/daps

If yes, please complete DAP Application Form as per DAP requirements.

Checklist (supporting information)

Please complete the checklist below and ensure that all the relevant information is provided with the application.

1. Completed Metropolitan Region Scheme (MRS) Form 1
2. Plans at a scale not less than 1:500 (A3) showing:-
 - (i) the location of the site including street names, lot number(s), north point and the dimensions of the site;
 - (ii) the existing and proposed ground and floor levels over the whole of the land that is the subject of the application, including details of proposed cut and fill, and retaining walls;
 - (iii) the location, metric dimensions, materials, finishes and type of all existing and proposed structures, including services, on the land that is the subject of the application and all existing structures and vegetation proposed to be removed;
 - (iv) the existing and proposed use of the site, including proposed hours of operation and buildings to be erected on the site;
 - (v) the existing and proposed means of access and egress for pedestrians and vehicles to and from the site;
 - (vi) the location, number, dimensions and layout of all car parking spaces intended to be provided, including provision for the disabled;
 - (vii) the location and dimensions of any area proposed to be provided for the loading and unloading of vehicles carrying goods or commodities to and from the site and the means of access to and from those areas;
 - (viii) the location, dimensions and design of any open storage or trade display area and particulars of the manner in which it is proposed to develop those areas;
 - (ix) the nature and extent of any open space and landscaping proposed for the site; and
 - (x) proposed external lighting and signage.
3. Plans, elevations and sections, as appropriate, of any building or structure proposed to be erected or altered and of any building or structure it is intended to retain;
4. Any specialist studies that the responsible authority may require the applicant to undertake in support of the application such as traffic, heritage, environmental, engineering or urban design studies;
5. Any management plans the responsible authority may require to support or implement the application; and
6. Any other plan or information that the responsible authority may require to enable the application to be determined. This may include scale models or information in digital formats.

For additional information please refer to Development Control Policy 1.2
www.dplh.wa.gov.au/getmedia/37533b97-e0ad-4947-9d00-c4d62fa92746/DCP_1-2_general_principles

Development application checklist - lodgement requirements

Application signatures	<p>The MRS Form is to be signed by the registered proprietor/s as shown on the certificate/s of title.</p> <p>Where the landowner/s cannot sign, an authorised agent can sign and attach evidence of the authority.</p> <p>If the subject land is owned by a company, you must confirm whether it is a sole proprietorship company and state the full name/s and position/s of the company signatory/ies.</p> <p>Appropriate company signatory/ies include one director and the company seal, two directors, or one director and one secretary.</p> <p>Eg: _____</p> <p style="text-align: center;">John F. Smith - Director Peter S James - Director Smith Pty Ltd Smith Pty Ltd</p> <p>Or _____</p> <p style="text-align: center;">John F. Smith - Sole Director Smith Pty Ltd</p> <p>If the subject land is owned by a strata company, consent can be signed by the strata company secretary or by an elected person of the strata company providing proof of authority either by letter of delegated authority, signed by all strata owners or minutes showing delegated authority.</p>
Certificate of Title	<p>Ensure the Certificate of Title/s is/are current (within 6 months) and provide copy/s.</p>
Change of name	<p>Applications made by either private owners or companies who have changed names to that depicted on the Certificate of Title, must provide supporting documentation showing the change of name such as:</p> <ul style="list-style-type: none"> • a transfer of land document that incorporates a lodgement receipt, • a company search from the Australian Securities and Investment Commission, • a marriage certificate or • a change of name certificate.
Contacts	<p>A contact name, phone and email address is essential, in the event more information is required and for issuing correspondence relating to the Department's decision.</p>
Contracts of sale	<p>Where the land is subject to a contract of sale or offer and acceptance, evidence of landowner's consent must be provided. Relevant evidence may include;</p> <ul style="list-style-type: none"> • an express provision of consent by the vendor on the contract of sale or offer and acceptance, • a letter of consent from the registered proprietor/s giving prospective purchaser/s consent to lodge the application or • a copy of the transfer of land document that incorporates a lodgement receipt.
Crown land	<p>Where the land is registered in the name of the Crown, the application form must be signed by an authorised officer of the Department of Lands, stating the name and position. Alternatively, a letter of consent from the authorised Crown land officer.</p>
Deceased estates	<p>Where the land is registered in joint tenants, a copy of the death certificate of the deceased landowner must be provided. Where the land is registered in tenants in common, a copy of the grant of probate or endorsed enduring power of attorney must be provided.</p>
Designated Bushfire Prone Area	<p>If the proposed development is located within a Bushfire Prone Area according to the Map of Bush Fire Prone Areas, then bushfire hazard issues should be identified and addressed (e.g. by providing a BAL assessment(s) or BAL Contour Map and a Bushfire Management Plan with the application). If NA is selected and the development is in a designated bushfire prone area then a short statement justifying why SPP 3.7 does not apply should be included.</p>
Emailed documents	<p>Emailed applications or documents are acceptable, however the application must be signed by the registered proprietor/s.</p>
Government agencies	<p>Where the land is registered in the name of a government authority, the application form must be signed by an authorised officer of the relevant authority, stating the name and position of the signatory/s. Alternatively, a letter of consent signed by an authorised officer.</p>