

MELBOURNE STRATEGIC ASSESSMENT (ENVIRONMENT MITIGATION LEVY) ACT 2020 s.26

Melbourne Strategic Assessment

Application for Staged Payment Approval

This form is for applications for new approvals. Please see alternative form to vary existing approvals.

Contact details

| | |
|--|--|
| Landowner name: (as it appears on the land title) | |
| Billing contact name: (if different from Landowner name) | |
| Billing address: | |
| Email: | |
| Phone: | |
| ABN (if applicable): | |
| Contact name: (landowner's employee, consultant, etc.) | |
| Email: | |
| Phone: | |
| Company name (if applicable): | |
| Company address (if applicable) | |
| Company email (if applicable): | |
| Company phone (if applicable): | |

Levy event details

Select the event giving rise to the MSA levy liability.

Standard

| | |
|--------------------------|---|
| <input type="checkbox"/> | Issue of statement of compliance (SOC) – standard subdivision |
|--------------------------|---|

Other

| | Column A | Column B |
|--------------------------|---|---|
| <input type="checkbox"/> | Certification – s.35 subdivision where no statement of compliance is required | Acquiring Authority: |
| <input type="checkbox"/> | Application for building permit – freehold land | |
| <input type="checkbox"/> | Application for building permit – Crown land | Person/company responsible for the carrying out of the building work: |
| <input type="checkbox"/> | Approval of extractive industry workplan – private land | |
| <input type="checkbox"/> | Approval of extractive industry workplan – Crown land | Approval holder: |

| | | |
|--|---|--|
| | Variation to extractive industry workplan – private land | |
| | Variation to extractive industry workplan – Crown land | Approval holder: |
| | Construction of utility infrastructure works on Crown land | Person/company responsible for the carrying out of the work: |
| | Construction of a road or road infrastructure on Crown land | Person/company responsible for the carrying out of the work: |

| | |
|-------------------------|------------|
| Levy event date: | dd/mm/yyyy |
|-------------------------|------------|

The date on which the above event occurred. If you are applying prior to the levy event occurring, you may estimate a date for the event – but note that, while this application may lodged prior to the levy event occurring, **it cannot be assessed and approved until after the event has occurred.**

| | |
|---------------------------------------|------------|
| SPEAR case reference (if applicable): | |
| Further levy event details: | (optional) |

Land details

| | |
|--------------------------------------|--|
| Land address: | |
| Municipality: | |
| Estate name / Project name: | |
| Plan of subdivision (if applicable): | |
| Standard Parcel Identifier (SPI): | |
| Volume and Folio number: | |
| Total area: | |

Proposed staging schedule

Please propose a staging schedule using the table below.

Stage number

List all proposed stages of development, including conservation areas and utility infrastructure sites contained within the parcel.

Estimated SOC issue date / Estimated stage completion date

It is understood that it is not always straightforward estimating dates for the issue of SOC, or the final area and boundaries of a stage, particularly for stages scheduled further into the future. *These details are used by DEECA as a guide only and will not form part of the conditions of approval.*

Estimated area

The estimated area comprises of lots, internal roads, reserves and easements within a stage. *Standard Staged Payment Approvals determine levies by land parcel, not by staging boundaries - i.e. the various stage areas are used to proportion the payment of the levy into stages.*

Proposed payment due dates

The proposed payment due dates for each stage – if approved – will form part of the conditions of approval. Proposed payment due dates can be **fixed dates** (for example “23 September 2021”), or **dates which relate to a future event** (for example “3 months after the issue of SOC for this stage”) Additional clauses can be added to address different scenarios, see below example:

“Payment is due 3 months after the issue of the statement of compliance for that stage – or, if an invoice is requested prior to the issue of the statement of compliance for that stage, payment is due 3 months after the request for the invoice is made.

If the payment due date for a stage will fall in a subsequent financial year, and the applicable levy rates for that financial year have not yet been published in the Government Gazette under section 23, the due date for payment for that stage will instead be set at 30 June of the financial year which the request for the invoice was made.”

The advantage of setting dates which relate to future events is that project delays or unpredictable timings do not result in schedules requiring adjustments, or (more seriously) – due dates being missed.

The example above provides approval holders with the flexibility to request a levy assessment notice (invoice) before or after the issue of the statement of compliance. The months in the condition proposal can be set as you wish (e.g. 1, 3, 6 months)

This example is a suggestion only – you are free to propose any alternative due date you wish.

Please note - irrespective of the due date set in the conditions, a plan of subdivision cannot be lodged with the Registrar of Titles without the relevant certificate issued under the Act indicating that no levy amount is outstanding for that plan.

Once a staged payment approval is granted, approval holders may apply to adjust the approved payment due dates by submitting an Application to Vary the Conditions of a Staged Payment Approval form.

| Stage Number | Estimated SOC issue date / Estimated stage completion date | Estimated Area | Proposed Payment Due Date <i>(see above for example suggested wording)</i> |
|--------------|--|----------------|---|
| | | | |
| | | | |
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| | | | |

If space is insufficient, please attach a completed table separately.

If you have already been granted a GAIC staged payment approval in relation to the land identified above, you may simply wish to propose that your MSA levy payment schedule is aligned with your GAIC payment schedule. In this case, attach the relevant GAIC approval documentation, leave the table above blank, and check the box below:

| | |
|--|---|
| | I have, or intend to apply for, a GAIC staged payment approval for this land and wish to align my MSA staged payment approval with my GAIC staged payment approval. |
|--|---|

Alignment will not be always be possible. If there are reasons that the two payment schedules cannot be aligned, you will be asked to make an alternative proposal.

Supporting documentation:

Please attach to your application –

- staging plan
- plan of subdivision (if applicable)
- GAIC staged payment application or approval (optional/if applicable)

Proposed total number of stages:

It is understood that the number of stages that make up a development may change as the development progresses. However, the proposed total number of stages – if approved – will form part of the conditions of approval. Once a staged payment approval is granted, approval holders may apply to adjust the approved total number of stages by submitting an Application to Vary the Conditions of a Staged Payment Approval form.

Proposed final date for payment of the whole of the levy subject to the approval:

Unlike the proposed payment dates for each stage, the proposed final date for payment of the whole of the levy **must** be a fixed date – for example 30 June 2028.

It is understood that estimating a final date for payment of the whole of the levy may not be straightforward, and the progress of a development over a number of years can be unpredictable. However, the proposed final date for payment of the whole of the levy – if approved – will form part of the conditions of approval. Once a staged payment approval is granted, approval holders may apply to adjust the final date by submitting an Application to Vary the Conditions of a Staged Payment Approval form.

Subdivisions which do not create ‘stages’

If this application is being made in relation to a levy event other than subdivision, please ignore this section.

Where land is being subdivided and developed in stages, it is not always the case that every new subdivision application will result in the creation of a new ‘stage’. Some subdivision applications are for the creation of ‘superlots’ or other larger areas which will be further subdivided into ‘stages’ in future.

Please use the table below to identify proposed subdivisions on the land identified above which will not result in the creation of stages. Identifying these subdivisions in the table below will assist DEECA in promptly releasing these subdivisions for lodgment.

| Subdivision description / reference in plan of subdivision or staging plan | Estimated SOC issue date |
|--|--------------------------|
| | |
| | |
| | |
| | |

If space is insufficient, please attach a completed table separately.

Declaration

To be completed by:

- the landowner, or an authorised representative of the landowner, or
- where a person or company is named in Column B of the Levy Event section above, that person, or an authorised representative of that person or company.

The information contained in this application is true and accurate. This application may be approved or refused by the Secretary to the Department Energy, Environment, and Climate Action, or a delegate of the Secretary. If this application is approved, information provided in this application will form the basis of conditions of approval.

I understand that, if the staged payment approval is granted, I may apply to vary any condition of approval, included a scheduled payment due date. This application may be approved or refused by the Secretary to the Department Energy, Environment, and Climate Action, or a delegate of the Secretary.

I understand that, if I do not comply with a condition of approval – including failure to make a payment for any stage by the due date for that stage – pursuant to s.27(3)(f) and s.34 of the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020*, the whole of the levy for which I am liable will become payable on the day after the day that failure occurs.

| | |
|------------------------|--|
| Name: | |
| Role and Organisation: | |
| Signature: | |
| Date: | |

