

# Amending or Ending a Section 173 Agreement Application Form

You are able to apply to Swan Hill Rural City Council to amend or end a Section 173 Agreement on a land title. Depending on the complexity of the Agreement, the amendment/ending proposal will be actioned by Council officers and maybe referred to Council's solicitors if required. Interested parties to the Section 173 Agreement may be notified of the proposal, as applicable.

Applicant's details	
Name:	
Postal Address:	
Contact Phone:	
Email:	

Section 173 Agreement Detail	
Reference and Date of Section 173 Agreement:	
Planning Permit Number that required the Agreement:	
Address of Subject Land:	
Title details (Volume, Folio, Plan of Subdivision numbers):	
Details of the nature of the change sought to the Section 173 Agreement	Amendment <input type="checkbox"/> End <input type="checkbox"/>

Reason for the proposed change to the Agreement
<b>Has written consent to the proposed change been obtained from all parties to the Agreement?</b>

## Declaration

I declare that I am the applicant, and that all the information in this application is true and correct; and the owner (if not myself), has been notified of the application.

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

# Amending or Ending a Section 173 Agreement Checklist

When applying to Council to amend or end a Section 173 Agreement, the following documentation must be submitted with your application:

Checklist	Have you provided?
<b>A completed application form</b>	<input type="checkbox"/>
<b>A copy of the title</b> A full, current copy of the title of the property, including any restrictions/covenants listed. A copy of this can be purchased from the Land Titles Office <a href="http://www.landata.vic.gov.au">www.landata.vic.gov.au</a> . Copies of Titles must not be older than 3 months from the lodgment date of your application.	<input type="checkbox"/>
<b>Detail of all parties to the Section 173 Agreement.</b> A suitably qualified legal practioner must prepare this information.	<input type="checkbox"/>
<b>A company search</b> If the subject land is owned by a company, a company search must be submitted with the application to confirm he correct ownership details. The company search must not be older than 3 months from the lodgment date.	<input type="checkbox"/>
<b>The appropriate fee.</b> A statutory fee is required. This covers the administration costs (including advertising or referral) of amending or ending the agreement. Please refer to Council's website for current fee: <a href="https://www.swanhill.vic.gov.au/building-and-planning/planning/fees-forms-checklists/">https://www.swanhill.vic.gov.au/building-and-planning/planning/fees-forms-checklists/</a> PLEASE NOTE: * Fees may be subject to change * If the agreement requires referral to Council's solicitors, the applicant will be responsible for any associated costs. An esitmate of costs will be provided prior to the application being referred.	<input type="checkbox"/>
<b>Written statement outlining the reasons for amending or ending the Agreement.</b> The application must be accompanied by a written statement that outlines the purpose of the amendment or ending of the Agreement, why the amendment or ending of the agreement is required, and any changes in circumstances that necessitates the proposed amendment.	<input type="checkbox"/>

## Personal Information

The personal information on this form is collected by Swan Hill Rural City Council (Responsible Authority) for the purpose of considering your application under the Planning & Environment Act 1987 (the Act). If you do not provide the prescribed information, Council will not be able to consider your application. You must not submit any personal information or copyrighted material of third parties without their informed consent. By submitting the material, you agree that the use of the material as detailed above does not breach any third party's right to privacy and copyright. Personal Information includes:

- \* a third party's opinion about the planning applicaiton or related issue
- \* photographs of a third party or their property
- \* the name, address or contact details of any third party

If you have any concerns or wish to request access to your personal information, please contact Council's Planning Department on 5036 2352.