

Appendix 6 - Proposed Conditions

1. The subdivision must be in accordance with the endorsed plans and must not be modified without the written consent of the Responsible Authority.
2. All existing conditions affected by the development works must be reinstated at no cost and to the satisfaction of the Responsible Authority.
3. Before a Statement of Compliance is issued for the subdivision, the owner must enter into an agreement with Council made pursuant to Section 173 of the *Planning and Environment Act 1987* to provide for the following:

(a) On-site detention for all the subdivided lots.

(b) The land must not be further subdivided so as to create any additional lots.

(c) Not to construct any new dwelling on Lot 1 outside the building envelope except with the written consent of the Responsible Authority. Non-habitable buildings and works which are ancillary to the dwelling (such as sheds, accessways, landscaping and the like) may be located outside the building envelope.

Application must be made to the Registrar of Title to register the Section 173 Agreement on the title to the land under Section 181 of the Act.

The landowner under this permit must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

4. The owner of the land must enter into an agreement with:
 - (a) A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - (b) A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
5. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- (a) A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time;
 - (b) A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
- 6. The owner of the land must enter into agreements with relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
 - 7. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
 - 8. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of the Act.
 - 9. Prior to the issue of a Statement of Compliance, a vehicle crossing must be provided to each of the subdivided lots and must be constructed to the satisfaction of the Responsible Authority.
 - 10. Stormwater must not be discharged from the site other than by means of an underground pipe drain discharged to a legal point of discharge to the satisfaction of the Responsible Authority.
 - 11. All allotments shall be subdivided under Section 12 (2) of the Subdivision Act 1988.
 - 12. This permit will expire if:
 - (a) The plan of subdivision is not certified within two years of the date of this permit; or
 - (b) The registration of the subdivision is not completed within five years from the date of certification of the plan of subdivision.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months afterwards.

Notes

Engineering

- All drains contained within the allotment, except in drainage easements created in favour of Council, must remain the property of the landowners and must not be taken over by Council for future maintenance.
- Any proposed vehicle crossing must have clearance from other services, public light poles, street sign poles, other street furniture, trees and any traffic management devices.