



ATTACHMENTS

**Under Separate Cover
Council Meeting**

6.00pm Tuesday 21 December 2021

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P21227 17 O'CONNOR ROAD, LETHBRIDGE (2 LOT SUBDIVISION)**RECOMMENDED CONDITIONS FOR A PLANNING PERMIT****Endorsed plans**

1. The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

Public open space contribution

2. Before the issue of a statement of compliance under the *Subdivision Act* 1988, the applicant or owner must pay to Council a sum equivalent to 5% of the site value of all the land in the subdivision in lieu of public open space in accordance with Section 18 of the Act. The applicant or owner must pay on demand to Council, the Council's reasonable costs and expenses to provide valuation for payment in lieu of open space.

Telecommunications

3. The owner of the land must enter into an agreement with: 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 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.
4. 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 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; and 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.

Mandatory conditions

5. The owner of the land must enter into agreements with the 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.
6. 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.
7. 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 that Act.

Expiry

8. 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 of the date of certification.

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.

Golden Plains Shire Environmental Health

- 9. Before the issue of a statement of compliance under the *Subdivision Act* 1988, the existing on-site wastewater management (septic tank) system must be altered / replaced and brought into compliance with the *Environment Protection Act* 2017 and associated legislative framework to the satisfaction of the Responsible Authority.
- 10. All waste water must be treated and retained within the lots in accordance with the requirements in the Environment Protection Regulations under the *Environment Protection Act* 2017 to the satisfaction of the Responsible Authority.

Golden Plains Shire Development Engineering

- 11. Before the issue of a statement of compliance under the *Subdivision Act* 1988, the developer must construct stormwater drainage for the site, to the satisfaction of the Responsible Authority and generally in accordance with the supplied drainage plan. The works must be in accordance with requirements of the Infrastructure Design Manual (IDM).
- 12. Before the issue of a statement of compliance under the *Subdivision Act* 1988, a vehicle crossing to each lot must be provided and, if required, the existing vehicle crossing/s upgraded to the satisfaction of the Responsible Authority by providing:
 - a) Crushed rock drive entry;
 - b) Reinforced concrete pipe culvert; and
 - c) Mountable end walls.Vehicle crossing/s must be in accordance with the IDM standard drawing SD 255 and to the satisfaction of the Responsible Authority.
- 13. Before the issue of a statement of compliance under the *Subdivision Act* 1988, existing dwellings and ancillary buildings must be drained to the approved legal point of discharge.
- 14. Before the issue of a statement of compliance under the *Subdivision Act* 1988, services to the existing dwelling must be modified to ensure the services are exclusive to and totally within the boundaries of the new lot to which it applies. In particular, the following existing services must be modified:
 - a) All downpipes, stormwater drainage and sanitary drainage must be taken to an approved legal point of discharge to the satisfaction of the Responsible Authority.

Permit notes

Note: *Prior to certification the responsible authority will require a plan showing the location of all existing and proposed vehicle crossings. The plan is required to show setback distances of existing and proposed crossovers from the closest property boundary to the satisfaction of the responsible authority. The plan is required to satisfy Regulation 29 of the Subdivision (Procedures) Regulations 2011, allowing the allocation of street numbers.*

Note: *Pursuant to section 17(2)(b) of the Subdivision Act 1988 and Clause 5 of the Subdivision (Permit and Certification Fees) Regulations 2000, the prescribed*

maximum fee for supervision of works will be up to 2.5 percent of the cost of constructing those works, which are subject to supervision. Such a fee must be paid to the responsible authority prior to the issue of a statement of compliance.

Note: *Pursuant to section 43(2)(a)(iv) of the Subdivision Act 1988 and Clause 6 of the Subdivision (Permit and Certification Fees) Regulations 2000, the prescribed maximum fee for checking engineering plans will be 0.75 percent of the estimated cost of constructing the works proposed on the engineering plan. Such a fee must be paid to the responsible authority prior to the issue of a statement of compliance.*

Note: *A works within road reserve permit must be obtained from the Responsible Authority prior to the carrying out of any vehicle crossing works.*

Note: *Works Department will not consent to the issue of Statement of Compliance until such time as the applicant contact provides satisfactory evidence of compliance with the above conditions.*