

## **Proposed Conditions: 271 Glen Avon Rd Bannockburn**

### **Covenant Variation**

1. A plan of variation of a restriction must be submitted to the responsible authority for certification.
2. The certified plan must be lodged with the Office of Titles for registration in accordance with section 23 of the Subdivision Act 1988.
3. Before Statement of Compliance is issued, evidence that the plan of variation to vary covenant AH778818 by removing Clause 1 a) i) any more than single house on the land has been lodged with the title office must be supplied to the responsible authority.

### **Endorsed Plans**

4. The layout of the subdivision and the size and dimensions of the proposed lots must conform generally with the endorsed plan.

### **Telecommunications**

5. 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 National Broadband Network will not be provided by optical fibre.
6. Prior to 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; and
  - 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.

### **General**

7. 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.

8. 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.
9. 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.

### **Environmental Health**

10. Prior to certification a restriction must be placed on the plan of subdivision that provides for the following:
  - a) Any dwelling on lot 2 does not exceed 4 habitable bedrooms. Habitable bedrooms include any room that may be closed off with a door, such as a study, library or sunroom that could be used for the purposes of a bedroom.
  - b) This requirement is at the owner's expense and must not be varied except with the written consent of the responsible authority.
11. Before the issue of a statement of compliance under the *Subdivision Act 1988*, the existing septic tank system must be altered/decommissioned/replaced and brought into compliance with the latest version of the 'EPA Code of Practice – Onsite Wastewater Management' to the satisfaction of the responsible authority.
12. All waste water must be treated and retained within the lots in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.

### **Works Department**

13. Before to certification of the plan of subdivision and before any construction works associated with the development or subdivision start, detailed construction plans and drainage computations to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Construction plans shall be to Golden Plains Shire standards and specifications as detailed in current Infrastructure Design Manual (IDM)
14. Before to Statement of Compliance existing vehicle crossings to Lot 1 must be upgraded to a crushed rock drive entry, reinforced concrete culvert and driveable end walls conforming to requirements of Golden Plains Shire Council contained in Infrastructure Design Manual (IDM) standard drawing SD 255.
15. Before to Statement of Compliance a new vehicle crossing to Lot 2 must be provided by provision of a crushed rock drive entry, reinforced concrete culvert and driveable end walls conforming to requirements of Golden Plains Shire Council contained in Infrastructure Design Manual (IDM) standard drawing SD 255.
16. Before to Statement of Compliance provide open drains and provide each allotment in the subdivision a discharge point. Works must include shallow perimeter drain constructed along the eastern boundary of Lot 1 and Lot 2, discharging neatly into the existing table drain on Glen Avon Drive. Works must also include regrading of the existing table drain on Glen Avon Drive fronting the site where required. Works shall

be in accordance with requirements of Golden Plains Shire Council contained in the Infrastructure Design Manual (IDM) and to the satisfaction of the Responsible Authority. Open drains where required must be contained within a 5m drainage easement which must be set aside on the Plan of Subdivision for this purpose.

17. Before to Statement of Compliance all existing and proposed easements and sites for existing or required utility services, drainage 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 created.
18. Before to issue of Statement of Compliance services to the buildings on Lot 1 must be modified so that they are exclusive to and totally within the boundaries of the new lot to which it is appurtenant. 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.

### **Expiry**

19. This permit will expire if:
  - a) The variation to the restrictive covenant is not lodged at the titles office for registration within two years of the issue date of this permit; or
  - b) The plan of subdivision is not certified within two years of the date of this permit; or
  - c) 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.

***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:- 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 work will be up to 2.5 per cent 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:- Works within road reserve permit must be obtained from the Council prior to the carrying out of any vehicle crossing works.***

***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.***