

DISTRICT COUNCIL OF LOWER EYRE PENINSULA

Land Division Applications



“Working with our Rural & Coastal Communities”

	DEV-POL-02 – LAND DIVISION APPLICATIONS	Version No:	1.2
		Issued:	June 2019
		Next Review:	June 2022

Responsibility:	Development
Minutes reference:	C166 (1)
Applicable Legislation:	Development Act 1993 Development Regulations 2008
Related Policies/Procedures/Codes:	Austrroads Guide to Road Design
Review Frequency:	Following Council Elections

1. INTRODUCTION

The Development Act 1993 and Development Regulations 2008 provide that certain prescribed requirements must be satisfied prior to a Development Approval being issued.

In relation to infrastructure, the prescribed requirements cover such issues as width of roads and thoroughfares, requirements as to forming of roads, construction of roads, bridges, drains and services and other supplementary requirements.

In accordance with Section 33 of the Development Act 1993 and to ensure the satisfaction of the prescribed conditions under Part 9, Division 2 of the Development Regulations 2008, this policy establishes Conditions of Approval to be applied to all land divisions where relevant; except where any development specific alterations are made by the Development Assessment Panel based on advice from Council staff.

2. DEVELOPMENT PLAN CONSENT CONDITIONS

2.1 Approved Plan

The following condition is to be applied to all land division approvals and altered accordingly for each specific application:

2.1.1 The application hereby approved shall be carried out in accordance with the Plan of Division prepared by [insert name of Surveyor] reference [insert Plan reference number] as uploaded through the EDALA system on [insert date uploaded], except where the Plan is further amended by the following conditions:

2.2 Open Space

Where it is proposed, and the Council has accepted, the creation of a reserve as open space within a land division:

2.2.1 The reserve is to be vested in Council as Open Space.

Where an Open Space contribution is required under the Development Act, and the Council declines to accept ownership of a reserve as open space, the following condition shall apply and be altered accordingly for each specific application:

2.2.2 A financial contribution of [insert applicable amount in accordance with Development Regulations] is to be made to Council for Open Space.

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2. LAND DIVISION CONSENT CONDITIONS

2.3 Common Wastewater Management System

In the townships of Cummins, Coffin Bay, North Shields and Tulka all new allotments created are to be connected to the Common Wastewater Management System. The following conditions are to be imposed on all relevant consents:

2.3.1 *The applicant shall provide all necessary engineering survey, design drawings and specifications for the construction of common effluent drainage works required to connect each allotment to Council's Community Wastewater Management Scheme.*

After approval of these drawings and specifications by Council and the Department of Health, the work shall be carried out by the applicant and at their expense, in accordance with the drawings and specifications and to the satisfaction of Council.

2.4 Stormwater Drainage

2.4.1 *The applicant shall provide a detailed Stormwater Management Plan, including all necessary engineering survey, design plans and specifications for the site. After approval of the Stormwater Management Plan by Council, the work shall be carried out by the applicant and at their expense, in accordance with the drawings and specifications and to the satisfaction of Council.*

The Stormwater Management Plan shall demonstrate:

- adequate conveyance of a minor (ARI = 10years) and major (ARI = 100years) rainfall event.*
- strategies to ensure the post-development peak runoff flow is no greater than the pre-development peak runoff flow*
- strategies to manage the entry of litter and pollution from the development entering the stormwater network*

2.4.2 *Where gravity drainage of allotments to the road watertable cannot be achieved, the applicant shall provide all engineering survey, design plans and specification for the installation of rear of allotment sub-surface drainage. After approval of these drawings and specifications by Council, the work shall be carried out by the applicant and at their expense, in accordance with the drawings and specifications and to the satisfaction of Council.*

2.4.3 *The applicant shall provide engineering certification that all proposed allotments provide an appropriate building envelope which is not subject to risk of inundation from a 100 year average recurrence interval rainfall event.*

2.4.4 *A drainage easement shall be provided to Council of sufficient width to contain the spread of expected floodwaters from a 100 year average recurrence interval rainfall event.*

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2.5 Easements

2.5.1 *Easements in favour of Council are to be provided wherever necessary to provide for stormwater or effluent infrastructure. Easements for single services shall have a minimum width of 3m, and easements containing two services shall have a minimum width of 4m.*

2.6 Access

2.6.1 *The applicant shall at his/her expense provide safe and convenient access, in accordance with the requirements of the current version of the Austroads Guide to Road Design and to the satisfaction of Council, from each allotment delineated on the Plan of Division to the carriageway of any existing or proposed road.*

2.7 Roadworks, Footpaths, Stormwater Infrastructure

All new roads created by land division within townships shall be bitumen sealed, constructed with concrete kerb and water table and provided with a concrete or paved footpath to at least one road verge.

New roads created within rural living zones shall be bitumen sealed, and at least one verge shall provide a suitably level and surfaced path to provide for off-carriageway movement of pedestrians.

The following conditions are to be imposed where the application proposes to create new road(s):

2.7.1 *The applicant shall provide all necessary engineering survey, design plans and specifications for the construction of all proposed roads and footpaths to the satisfaction of Council. After approval of these drawings and specifications by Council, the work shall be carried out by the applicant and at their expense, in accordance with the drawings and specifications and to the satisfaction of Council.*

All proposed roads shown on the application are to be:

Residential subdivision 8.0m sealed and kerbed on both sides
Rural Living/Rural land division 7.0m sealed plus 1.0m unsealed shoulder

2.7.2 *Road verges on both sides of a kerbed carriageway shall be shaped to provide a minimum width of 2m adjacent the kerb with a 2.5% crossfall towards the top of kerb. Batters into allotments are to be no steeper than 1 in 6.*

2.7.3 *Road verges on both sides of an un-kerbed carriageway shall have a batter slope of no greater than 1:6.*

2.7.4 *Roads shall be designed and constructed generally in accordance with the requirements of the current version of the Austroads Guide to Road Design 2009 to the satisfaction of Council.*

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2.7 Roadworks, Footpaths, Stormwater Infrastructure

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2.7.5 A 1.5m wide footpath of concrete or block paving construction with a crossfall of not greater than 2.0% shall be provided on one side of all proposed roads. The side for footpath construction shall be agreed with Council prior to construction.

2.7.6 The developer shall provide a street name sign at the threshold of all new roads. All roads shall be named in consultation with Council and in accordance with Council's Property Identification policy.

2.7.7 All necessary signs, traffic control devices and pavement marking shall be provided in accordance with AS1742.

2.8 Electricity

2.8.1 The applicant shall at his/her expense provide all Electricity services to be installed underground/above ground [delete irrelevant] to each allotment to the requirements of the relevant authority.

2.9 Public Lighting

Public street lighting shall be required on all proposed roads within residential sub divisions other than within the Rural Living, General Farming and Water Protection Zones.

2.9.1 Public lighting is to be designed and installed to satisfy at a minimum the requirements for P5 lighting standard in accordance with AS1158. Luminaires shall be Compact Fluorescent 42W in accordance with ETSA specifications.

2.10 Reserves to be vested with Council

Any reserves proposed to be created as land division and vested with Council shall be subject to acceptance by resolution of the Council. Where a proposed reserve is accepted by Council the following conditions will apply.

2.10.1 The reserve is to be landscaped at the applicant's expense using an appropriate selection of native trees and shrubs in accordance with a Landscaping and Irrigation Plan approved by the Council. The reserve shall be provided such that open surfaces are suited to mowing maintenance with a ride on lawn mower, with grades no greater than 1 in 6.

2.10.2 Fencing shall be erected along the shared boundaries of any proposed allotment with existing or proposed Council reserve. Such fencing shall be 1800mm capped colourbond fencing with posts and rails 'facing into the allotment'. Any other fencing design requires Council approval. The type and particulars of fencing shall be detailed in a plan and approval in writing from Council is required prior to the erection of such fencing.

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2.11 Construction/Post Construction

2.11.1 *No construction works shall commence until the written approval of Council is obtained for any plans or specifications required under these conditions.*

2.11.2 *All construction work shall be carried out under the supervision of a professional engineer, and certification of construction in accordance with approved plans and specifications shall be provided to Council prior to Council advising the State Commission Assessment Panel that its requirements have been met.*

2.11.3 *The applicant shall provide a 12 month maintenance period on all works undertaken as part of this development, commencing from the date of issue of the Certificate of Practical Completion.*

2.11.4 *The applicant shall provide ‘as-constructed’ drawings for all road, stormwater and CWMS infrastructure at the completion of works. These plans shall detail all levels and grades of roads and pipes, and detail the locations of all connection, flushing and inspection points, manholes and other elements, referenced to property boundaries.*

SIGNED:

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CEO

Date: 21 / 06 / 2019

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Mayor, DCLEP

Date: 21 / 06 / 2019

DOCUMENT HISTORY		
Version:	Issue Date:	Description of Change:
1.2	21/06/19	Adopted with minor amendments