

**Guidelines for lodgement of development applications and construction of dwellings on unregistered land**

**1. Introduction**

This guideline outlines criteria to enable the lodgement of Development Applications (DA) and/or the issue of Construction Certificates (CC) for dwellings on approved allotments prior to their registration.

**2. When do these guidelines apply?**

- (a) where the applicant is both the developer responsible for the subdivision of the land, and the builder responsible for the construction of the subject dwelling on the approved unregistered allotment/s
- (b) where the applicant is a developer responsible for the subdivision of the land, and enters into an arrangement with one or more builders/building companies for the construction of dwellings on the approved unregistered allotment/s
- (c) where the applicant is the developer responsible for the subdivision of the land, and is applying for the construction of exhibition homes for the purposes of an exhibition village on the approved unregistered allotment/s.

**3. Lodgement requirements**

The lodgement of a DA for a dwelling on unregistered land will only be accepted on the basis it meets the above and the following criteria:

- (a) The subdivision works as approved have been substantially completed and the following has occurred:
  - (i) road subgrade and drainage construction is completed for the subject lot
  - (ii) final lot levels have been completed for the subject lot
  - (iii) lot staking has been set out for the subject lots by a registered surveyor and the lot numbers have been marked on site either on the survey pegs or on the kerb.
- (b) A dwelling DA which forms part of a future exhibition village can only be lodged if it meets the above criteria and a DA for the overall use of land as an exhibition village has been approved.
- (c) Lodgement information to support the dwelling DA must include the following in addition to the normal DA requirements:
  - (i) a site plan including the draft 88B instrument and linen plan relevant to the subject allotment/s
  - (ii) the geo-technical report relevant to the subject allotment/s
  - (iii) other reports relevant to the subject allotment/s covering issues such as bush fire, acoustics, flooding, etc.
  - (iv) a copy of the subdivision development consent
  - (v) a master plan of the subdivision that shows the location of the proposed allotment/s and dimensions as approved by Council.

The applicant must demonstrate that all of the above requirements have been met to Council's satisfaction to ensure the acceptance of a dwelling DA on unregistered land. In the instance the above requirements are not met to Council's satisfaction, the DA will be automatically rejected by Council's Duty Planner at the counter and a re-lodgement required once all the aforementioned requirements are met.

#### **4. Construction requirements**

The following requirements must be satisfied prior to the issue of a Construction Certificate:

- (a) the proposed dwelling being issued with development consent
- (b) written evidence from all relevant servicing authorities that adequate servicing provisions have been/will be provided for the proposed allotment/dwelling.

Subject to the satisfaction of the above criteria, the Certifying Authority may issue a Construction Certificate while the remaining subdivision works are carried out.

#### **5. Occupation requirements**

The following requirement must be satisfied prior to the issue of an Occupation Certificate:

- (a) dwellings must not be occupied and no Occupation Certificate may be issued without proof of registration of the land having been presented to the Principal Certifying Authority.