

## T14. Development on Shire of Dundas Controlled Land Policy

### Policy Objective

This policy is to outline the process for development on Shire of Dundas owned and controlled land.

### Definitions:

**Land:** in this policy means any land that is owned in fee simple by the Shire of Dundas or any land over which the Shire of Dundas has a management order issued from the Department of Lands.

**Development:** in this policy means the construction, alteration or removal of any structure / building or the like on Shire land, or the use of the land for any general or specific purpose.

**Lessee:** in this policy means any person or organisation that has a lease with the Shire of Dundas to undertake activities on the land as outlined in the lease

### Policy Statement

#### Development Approval

Any development on Shire of Dundas land requires the prior consent from the Council or a delegated officer as outlined in the delegations register.

An application for the development of Shire land must include the following details:

- Plans, specifications and details of the proposed development;
- Full costing of the proposed development including funding partners; and
- The Shire's contribution that is necessary or requested.

The application is to be considered by the Council who may approve, refuse or grant conditional approval for the proposed development. The notification of approval or otherwise is to be given to the applicant in writing.

#### Financial Implications

Any contribution by the Shire to the proposed development must be included in the Shire of Dundas annual budget prior to the commencement of the project.

#### Building Approval

Notwithstanding any development approval, prior to the construction of any structure, building or the like on Shire land, the applicant must submit an application for a building permit. The application for a building permit is to include the following details:

- A fully completed BA4 application form;
- 2 copies of plans and specifications;

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- 2 copies of a structural engineers plans and appropriate certification;
- An independent building certifiers report;
- Details of the registered builder engaged to undertake the project;
- Any other details that the permit authority may require.

The Shire of Dundas as the permit authority is not to issue a building permit without an independent building certifiers report on land under the care, control or management of the local government.

Development on Shire land that requires a building permit is not to commence until the permit authority has issued a valid building permit BA2.

### **Lease Implications**

Where a building, structure or the like is to be constructed on Shire land that is to be leased, the Shire is to negotiate with the proposed lessee the appropriate responsibilities/ obligations of each party prior to occupation of the new development.

Where a building, structure or the like is to be constructed on Shire land that is the subject of an existing lease agreement, the Shire is to negotiate with the lessee to renew or amend the lease to reflect any changes to lease area and any responsibilities or obligations that may be impacted by the new development prior to occupation of the new development.

This policy does not preclude the lessee from undertaking lawful activities on the land as outlined in the existing lease.

***Policy Reviewed October 2020***