

COMPASS CONSULTING SURVEYORS

DIRECTION IN DEVELOPMENT

SUBDIVISION AND BOUNDARY ADJUSTMENT

Subdivision is the process of dividing a large land portion to create smaller individual lots for various uses. A boundary adjustment, where no new lots are created but the boundary between existing lots is moved, is still considered a subdivision and the same actions apply.

The subdivision process is outlined below:

1. INITIAL ENQUIRY

- For a client that is considering subdividing their land, Compass Consulting Surveyors need some information up front. The address of the land is useful but even more accurate is the Lot, Section and DP Number (You can find these on your rates notice). We also need to know what you plan to do with the subdivision and why (farm adjustment, future house/s, community scheme, etc). Providing us with a rough sketch of your proposal is also helpful.

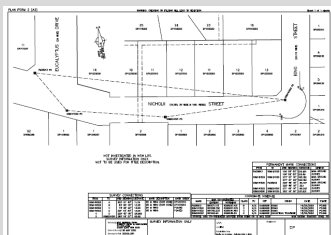
- From this information we will provide you with a fee proposal and our Terms of Engagement. There are many factors that make up the quote as each site is unique, so it is often not possible to provide an accurate estimate without some research of the site first. The complexity of the project is a factor, but other considerations include the quality and recency of surrounding plan information and the accessibility of your site.

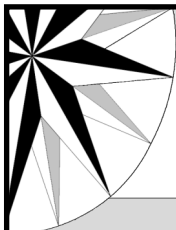
- We aim to provide you with our fee estimate within two working days of your enquiry. This time frame does depend on our current workload, and the complexity of the project, and may be longer.

- Once we receive your signed Terms of Engagement, we can schedule the work required to commence your project.

- This is dependent on our current workload and the weather. Surveying equipment is very sensitive to rain and we cannot conduct fieldwork in wet weather.

- We aim to commence your project within five—ten working days of receiving your signed ToE.





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2. SUBMITTING THE DEVELOPMENT APPLICATION TO COUNCIL

- For a straightforward application, we will usually proceed directly to submission. In other instances, we will seek prelodgement advice from your local Council to determine the feasibility of the project proposed. If there are concerns raised by Council at this stage, Compass Consulting Surveyors will discuss with you the perceived obstacles and whether you wish to proceed.

- We will prepare Development Application plans. One will show the existing site and boundaries, and the second will show the proposed site changes. These plans often show the slope of the land, existing buildings and large trees. Sometimes this can be done with information we already have, but for other projects, fieldwork will need to be scheduled to enable us to provide an accurate site description.

- Compass Consulting Surveyors will prepare a Statement of Environmental Effects (SEE) to accompany the DA plans. The report addresses the parts of legislation relevant to your proposal and explains why the proposal should be approved. This report may address identified hazards such as flooding or bushfire prone land and planning restrictions such as biodiversity, allotment access and land use.

- In many regional and rural areas, we will need to provide a Bushfire Assessment along with the SEE. This addresses the NSW Rural Fire Service requirements of "Planning for Bushfire Prevention" and explains why the proposal will comply, or the steps to be taken to make the proposal comply.

- There may be other reports necessary, depending on the nature of your project. We can prepare Property Development Plans, Community Management Statements or other reports as required.



- A Development Application form specific to each Council is required to be completed and signed by the land-owners to accompany the other documents.

- We aim to complete your Development Application for submission to the relevant Council within four weeks of the date of engagement. More complex projects with extra reports may take an extra two to four weeks.

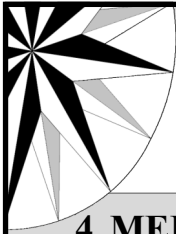
3. APPLICATION TRACKING AND CONSENT SUMMARY

- We will liaise with Council during their assessment period regarding any further information requested.

- Depending on which Local Council is involved, the approval process takes approximately two to six weeks.

- When Development Consent is granted, there are almost always conditions imposed by Council that will have to be met prior to the application for a Subdivision Certificate. Compass Consulting Surveyors will summarise the conditions for you and explain what is required. The application for the Subdivision Certificate cannot be commenced until after Development Consent is received.

- We aim to complete the consent condition summary within two working days of receiving your consent.



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4. MEETING COUNCIL'S CONDITIONS OF CONSENT

- Conditions vary widely and depend on the nature of the land involved, and the project being undertaken. There may be the requirement for service connections (new water, sewer, and/or electricity infrastructure) or new access, whether it be a new driveway or an entire new road. This may involve civil engineering design and then further fieldwork showing the work that has been completed. Compass Consulting Surveyors can prepare the design plan if required as well as a final works-as-executed survey to ensure Council consent conditions are met. There may be the requirement for easements to be created depending on the location of services and access requirements.

- During the process of meeting the conditions of consent, it is essential to keep all receipts, permits, certification details and photos to document progress and completion. This is very important for the next stage in the process. Compass Consulting Surveyors can keep these on file for you, so

- *It is impossible to estimate the time frame to complete this stage given that consent conditions vary widely.*

- *The important point to note is that your Development Consent has a time limit of five years. The project does not need to be completed in this five-year period. As long as you have documented commencement the approval will not expire. Commencement is generally considered anything physically done on site—creation of a driveway, installation of a water meter or a sewer junction. A survey mark is not considered commencement. The consent will remain valid until development is either completed or the land owner indicates to Council that they wish to withdraw the application.*



5. FIELDWORK, PLAN PREPARATION AND SUBMISSION TO COUNCIL FOR SUBDIVISION CERTIFICATE

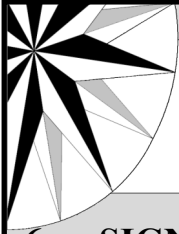
- A plan showing final lot layout, any easements and all relevant survey marks will be prepared. This will usually require fieldwork to locate the existing survey marks, and place new marks denoting the boundaries.

- *This fieldwork may take as little as a few hours but may be up to a week or more depending on the complexity. The plan preparation may take several days for a complex project, including the quality assurance process*

- A letter addressing the conditions of consent is prepared by Compass Consulting Surveyors, explaining how each condition has been met and providing evidence to Council of this. For this reason, keeping all your receipts, permits and other certifying documents is crucial to allow your project to be accepted.

- A Subdivision Certificate application form will need to be signed by the landowners and submitted to Council with the deposited plan. This accompanies the plan of subdivision, letter addressing consent and any other legal documents (for instance, those to create easements) to Council.

- *We aim to complete the required fieldwork, plan preparation and letter addressing consent within four weeks of consent conditions being completed as advised by you.*



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6. SIGNATURES OF CONSENT TO SUBDIVISION

- When a Subdivision Certificate is approved by Council, we receive back signed documents with the Subdivision Certificate number.

- Time frame depends on the Local Council involved, but usually takes three to four weeks.

- We then require all documents to be signed by all parties with an interest in the land. This is usually the landowner/s and any bank/s with a mortgage over the land. It can also include authorities such as Essential Energy if there is an electrical easement, or NSW Rural Assistance Authority if they have an interest in the land.

- This cannot be completed electronically. The original documents are required to be signed by all parties with very specific conditions attached to the execution of these.

- The time taken varies on how many people are involved. Generally, a bank will take four to six weeks to execute documents. Essential Energy usually take approximately three weeks to complete and return documents.

- If it is a complex project with several owners, each with a different bank holding the mortgage, this process can take several months.

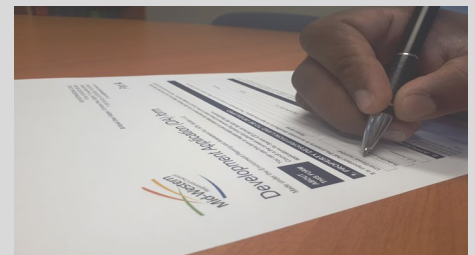
- When all the documents have been executed correctly and returned to Compass Consulting Surveyors, we will lodge the plan of subdivision with NSW Land Registry Services.

- At this time, the certificates of title of all existing lots involved are required to be sent to NSW Land Registry Services. These will be destroyed, and new ones created with the new lot details once the plan is registered. If the lots have a mortgage over them, the bank will hold the titles. Compass Consulting Surveyors will liaise with the bank to ensure the titles are produced in a timely manner. If there is no mortgage, often the titles are kept with your solicitor. We can liaise with them to ensure timely production.

- Plan registration usually takes approximately four weeks with NSW Land Registry Services. If they require additional information, this may add another week or two to the process.

- Once your new plan is registered, we will notify you.

The new titles will be sent to either your bank, or your solicitor.



If you have any questions about the process or if we can provide you with additional information, please do not hesitate to contact Compass Consulting Surveyors.

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