

Build over Easement Agreement

(This is not an application for a building permit which must be sought separately)

APPLICATION DETAILS

Details of site	Property Lot No:	Street No:
Street:		
Suburb:		

Owners details:		
Name:		
Address:		
Contact	Phone:	Mobile:
	Email:	

I hereby apply for consent to build over the easement and/or asset as shown on the site plan; and agree to abide by the condition of any consent issued by Swan Hill Rural City Council

Construction details

Type of Structure:			
Construction and/or site plans attached:		Yes	
Title Attached:		Yes	

Easement

Type of Easement:	
Easement description on plan:	

Building Permit details

Date of Building Permit	
Building Permit No:	

Conditions for permit to build over stormwater pipe/easement

Permit issued in so far as Council's rights are concerned, subject to the following conditions:

- 1) That other Authorities with utilities/assets within the easement are notified of works to be undertaken.
- 2) You permit Council to enter into and upon the building or other structure and/or the easement for the purpose of inspecting, constructing and maintaining or repairing any drain or other works of the Council now laid or which may be hereinafter laid by the Council.
- 3) You be solely responsible for all injury, loss or damage which may be occasioned to the said building or other structure by reason of or incidental to the carrying out of the inspection, construction, maintenance or repair of the said drain or other works of the Council or by reason of or incidental to the presence of the said drain or other works of the Council.
- 4) You indemnify the Council against all actions, claims, suits and demands arising out of or incidental to the erection and/or retention of the said building or other structure over the said drain or other works of the Council and/or the said easement.
- 5) You pay the Council any additional costs incurred by it in inspecting, constructing, maintaining or repairing the said drain or other works of the Council by reason of the said building or other structure having been erected over such drain or other works of the Council and/or the said easement.
- 6) Not to sell or mortgage land to which this Consent refers without first disclosing the contents of this Consent being granted.
- 7) You meet the costs of any alterations Council may make to its drains, or manholes as a result of this Consent being granted.
- 8) You accept responsibility either now or in the future, for the relocation of any private house drains or other works of the Council that are located underneath the proposed building.

Note: *This Consent does not constitute a building permit or permit under the Planning and Environment Act for the use of land for any purpose not in conformity with any Interim Development Order or Planning Scheme made pursuant to such Acts and does not absolve the person to whom it is give from complying with any Statute of Regulations made thereunder and particularly with the Building Code of Australia, Victoria, any applicable Municipal By-Law of the provisions.*

Signature of Owner(s)		
Name:		
Dated this		day of

Approved: Yes (standard agreement required) **Date:** _____
 Yes (section 173 agreement required)
 No

Signature: _____
 Name: _____
 Title: _____
 Swan Hill Rural City Council

OFFICE USE ONLY	Date:	File No:	Doc ID:
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