

CUMBERLAND CITY COUNCIL

Standard Terms for Restriction on Use commonly imposed by instrument under Section 88B of the Conveyancing Act, 1919 as amended.

*Restriction for provision of **Onsite Stormwater Detention system/s**
Pursuant to Section 88E of the Conveyancing Act, 1919.*

i) Terms of Restriction as to User:

The registered proprietor shall not erect or suffer the erection of any dwelling house or other structure on the lot(s) hereby burdened unless the registered proprietor has first constructed or made provision for the construction of an on-site stormwater detention system on the said lot(s), in accordance with the design, construction and/or provision requirements of the Cumberland City Council and to the satisfaction of Cumberland City Council. The expression “on-site stormwater detention system” shall include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater, as well as all surfaces graded to direct stormwater to the temporary storage. Any on-site stormwater detention system constructed on the lots burdened is hereafter referred to as “the system”.

Name of Authority having the power to release, vary or modify the restriction referred to is Cumberland City Council.

Note: The terms above is only necessary when construction of the OSD system is being deferred, which will only be permitted by Cumberland City Council in exceptional circumstances.