



POLICY

STANDARD CONDITIONS FOR SUBDIVISIONS



STANDARD CONDITIONS FOR SUBDIVISIONS

To ensure that conditions of subdivision are applied in a consistent format, are recognised publicly, included in recommendations to the Western Australian Planning Commission which would then be reflected in delegation reports, Council officers' reports and the minutes of Council.

Adopted:	25/05/2005 #17
Last reviewed:	27/09/2006 #519 28/04/2010 #105 11/07/2012 #163
Legal Authority	Local Government Act (Miscellaneous Provisions) (1960) Section 374 Town Planning Scheme No.2

Policy:

The following conditions of approval, and advice notes, within the scope of Town Planning Scheme No 2 and the various policies and publications of the Western Australian Planning Commission relating to subdivision represent the Standard Conditions of recommendation from Council.

(Note: Where a Standard Condition includes the annotation "\$" the appropriate street name, measurement, area, etc. specific to the proposed subdivision shall be inserted.)

CONDITIONS:

NUMBER	TEXT	COMMENT
	ROADS	
1	Those lots not fronting an existing road being provided with frontage to a constructed subdivisional road connected by a constructed subdivisional road(s) to the local road system and such subdivisional road(s) being constructed and drained at the subdivider's cost. As an alternative, the Western Australian Planning Commission is prepared to accept the subdivider paying to the Local Government the cost of such works as estimated by the Local Government subject to the Local Government giving an assurance to the Commission that the works will be completed within a reasonable period acceptable to the Commission. (LG)	Standard road condition.
2	Street corners within the subdivision being truncated to the standard truncation of \$ metres.	Standard truncation
3	Street corners within the subdivision being truncated to the standard truncation of 8.5 metres, with laneways being truncated to 4.25 metres.	
4	The design and construction of traffic management devices on subdivisional roads to the satisfaction of the Western Australian Planning Commission.	Traffic Control
5	Proposed roads shall be aligned to connect with roads to be provided by subdivision of adjoining land, to the satisfaction of the Western Australian Planning Commission.	
6	\$ being widened by \$ metres along the frontage of the land the subject of this application by the subdivider transferring the land required to the Crown free of cost for reversioning in Her Majesty as of Her former Estate for the purpose of widening \$.	Road widening on Diagram of Survey.
7	\$ being widened in accordance with the plan dated \$ (attached) by the subdivider transferring the land required to the Crown free of cost for reversioning in Her Majesty as of Her former Estate for the purpose of widening \$.	Road widening on Diagram of Survey in accordance with plan
8	The section of \$, widened in accordance with this approval, being constructed and drained at the subdivider's cost to the satisfaction of the Western Australian Planning Commission. (LG)	Road widening to be constructed and drained.
9	The \$ reserve being set out on a separate Diagram of Survey (Deposited Plan) and transferred free of cost to the \$ for Main Roads for road purposes, before approval of any Diagram or Plan of Survey (Deposited Plan) creating any new lots within the subdivision will be granted.	Road widening to be transferred free of cost to MRWA.

NUMBER	TEXT	COMMENT
10	\$ being widened in accordance with the plan submitted by the subdivider.	Road widening in accordance with plan (not necessarily)
11	Satisfactory arrangements being made with the Western Australian Planning Commission for the \$ of \$. (LG)	Upgrading / construction.
12	The applicant executing an agreement with the Commissioner of Main Roads WA for the acquisition of the land required for road widening which is shown on the plan (attached). The land required for road widening is to be shown as 'Road Widening' on the Diagram or Plan of Survey (Deposited Plan). (MRWA)	Road widening
13	The applicant executing an agreement with the Local Government for the acquisition of the land required for road widening which is shown on the plan (attached). The land required for road widening is to be shown as 'Road Widening' on the Diagram or Plan of Survey (Deposited Plan). (LG)	Road widening
14	The cul-de-sac heads being designed to the satisfaction of the Western Australian Planning Commission. (LG)	Cul-de-sac heads
15	Cul-de-sac head treatment to be to the satisfaction of the Western Australian Planning Commission. The linkages between cul-de-sac heads shall be designed to provide a high standard of residential amenity and a plan of development shall be submitted which addresses paving, manoeuvring spaces, lighting, fencing, planting and construction of crossovers. (LG)	Cul-de-sac head treatments
16	Satisfactory arrangements being made for the construction of full earthworks, one carriageway, dual use path(s), drainage facilities and grade separated pedestrian crossing(s) required within the portion of \$ adjacent to the application area. (LG)	Construction of earthworks, carriageways, dual use path(s) etc
	RIGHTS-OF-WAY / PEDESTRIAN ACCESS-WAYS / FOOTPATHS / DUP's	
30	The right-of-way \$ in width being shown on the Diagram or Plan of Survey (Deposited Plan) as such and vested in the Crown under section 20A of the Town Planning and Development Act, such land to be ceded free of cost and without any payment of compensation by the Crown.	ROW to be vested free of cost.

NUMBER	TEXT	COMMENT
31	A right-of-way \$ in width being provided along the \$ boundary, shown on the Diagram or Plan of Survey (Deposited Plan) as such, and vested in the Crown under section 20A of the Town Planning and Development Act, such land to be ceded free of cost and without any payment of compensation by the Crown.	ROW on boundary to be vested free of cost.
32	The pedestrian access-way(s) within the subdivision being shown on the Diagram or Plan of Survey (Deposited Plan) as such and vested in the Crown under section 20A of the Town Planning and Development Act, such land to be ceded free of cost and without any payment of compensation by the Crown.	PAWs to vest
33	The pedestrian access-way(s) within the subdivision being constructed and drained at the subdivider's cost to the satisfaction of the Western Australian Planning Commission. (LG)	PAWs to construct
34	A 0.1 metre wide pedestrian access-way being provided along \$ in order to prevent access onto \$. Such land to be shown on the Diagram or Plan of Survey (Deposited Plan) as a pedestrian access-way, vested in the Crown under section 20A of the Town Planning and Development Act and ceded free of cost and without any payment of compensation by the Crown.	PAWs to vest - 0.1 PAW
35	The dual use path/cycleway shown on the plan submitted by the applicant being constructed by the subdivider to the satisfaction of the Western Australian Planning Commission. (LG)	Cycleway(s) constructed by subdivider
36	The dual use path/cycleway as shown on the plan dated \$ (attached) being constructed by the subdivider to the satisfaction of the Western Australian Planning Commission. (LG)	Cycleway(s) constructed by subdivider
37	A dual use path/cycleway being constructed in accordance with the proposed cycle route facility as shown on the \$ Bikeplan Map (copy attached), to the satisfaction of the Western Australian Planning Commission. (LG)	Cycleway(s) to be constructed
38	The applicant executing an agreement with the Local Government for the construction of the dual use path/cycleway (or other cycling facilities such as bridges, underpasses, overpasses, median crossings, etc) which is shown on the plan submitted by the applicant. (LG)	Cycleway constructed Legal Agreement required.
39	The applicant executing an agreement with the Local Government for the construction of the dual use path/cycleway (or other cycling facilities such as bridges, underpasses, overpasses, median crossings, etc) as shown on the plan dated \$ (attached). (LG)	Cycleway constructed Legal Agreement require

NUMBER	TEXT	COMMENT
40	On road cycling facilities being provided, in accordance with recognised bicycle facility design guidelines, along \$ to the satisfaction of the Western Australian Planning Commission. (LG)	Cycleways to be constructed
41	Provision of a \$ metre pedestrian access-way between the \$ metre access places in order to restrict vehicular through traffic.	
42	The pedestrian access-way shown on the plan dated \$ being removed and replaced by a more appropriate form of pedestrian access.	More appropriate Pedestrian Access required (refer to text 8a31)
DRAINAGE		
50	The area marked 'drainage reserve' on the plan submitted by the applicant being shown on the Diagram or Plan of Survey (Deposited Plan) as such and vested in the Crown under section 20A of the Town Planning and Development Act, such land to be ceded free of cost and without any payment of compensation by the Crown.	Drain reserve to vest under 20A free of cost.
51	A drainage reserve \$ in width, in the position shown on the plan dated \$ (attached), being shown on the Diagram or Plan of Survey (Deposited Plan) as such and vested in the Crown under section 20A of the Town Planning and Development Act, such land to be ceded free of cost and without any payment of compensation by the Crown.	Drain reserve on additional plan to vest under 20A free of cost.
52	The area marked 'drainage reserve' on the plan submitted by the applicant being shown on the Diagram or Plan of Survey (Deposited Plan) as such and transferred free of cost to the Local Government for drainage purposes. (LG)	Drain reserve to be transferred to LG free of cost.
53	The drainage reserve \$ in width, in the position shown on the plan dated \$ (attached), being shown on the Diagram or Plan of Survey (Deposited Plan) and transferred free of cost to the Local Government for drainage purposes. (LG)	Drain reserve on additional plan to be transferred to LG free of cost.
54	All stormwater drainage to be disposed of on-site to the satisfaction of the Western Australian Planning Commission. (LG)	On-site drainage disposal
55	The land being filled and/or drained at the subdivider's cost to the satisfaction of the Western Australian Planning Commission. (LG)	Drain/fill
56	Such drainage easements as may be required by the Local Government being granted free of cost to that Authority. (LG)	Drainage easements

NUMBER	TEXT	COMMENT
57	The land being filled and/or drained at the subdivider's cost to the satisfaction of the Western Australian Planning Commission, and any easements and/or reserves necessary for the implementation thereof, being provided free of cost. (LG)	Fill and drain and easements/ reserves.
58	Drainage easements as may be required by the Local Government to cover drainage infrastructure developed within reserves being shown on the Diagram of Survey (Deposited Plan) as such and granted free of cost and vested to that Authority under section 20A of the Town Planning and Development Act. (LG)	Drainage easements to cover infrastructure
59	Satisfactory arrangements prior to any site works commencing for the preparation and implementation of a Drainage and Nutrient Management Plan for the subdivision to the satisfaction of the Western Australian Planning Commission. (LG)	Drainage and Nutrient Management Plan
60	The subdivider shall make a pro-rata contribution towards the development of a nutrient stripping retention basin/water feature to the north of Bertram Road (in and adjacent to the Peel Main Drain), to the satisfaction of the Western Australian Planning Commission. (LG)	Nutrient Stripping Retention Basin/Water Feature
61	Drainage facilities in proposed Public Open Space shall be designed and constructed to enable recreation, to the satisfaction of the Western Australian Planning Commission. (LG)	Drainage within POS
EARTHWORKS		
70	The land being graded and stabilised at the subdivider's cost to the satisfaction of the Western Australian Planning Commission. (LG)	Grading and stabilising
71	Measures being taken to the satisfaction of the Western Australian Planning Commission to ensure identification and protection of any vegetation on the site worthy of retention prior to commencement of site works. (LG)	Protection of vegetation
72	Satisfactory arrangements prior to any site works commencing for a fauna identification and relocation program to the satisfaction of the Western Australian Planning Commission. (LG)	Fauna identification and relocation program
73	Prior to any site works commencing, the subdivider shall provide information relating to the existing contours and natural features, and location of existing vegetation and extent of earthworks and final contours for the land, to the satisfaction of the Western Australian Planning Commission. (LG)	Existing features identification

NUMBER	TEXT	COMMENT
74	The applicant providing a geotechnical report certifying that the land is physically capable of development to the satisfaction of the Western Australian Planning Commission. (LG)	Geotechnical report - physically capable
75	The applicant providing a geotechnical report certifying that any filling or backfilling has been adequately compacted to the satisfaction of the Western Australian Planning Commission. (LG)	Geotechnical report - backfilling/ adequately compacted
76	Satisfactory arrangements prior to any site works commencing for the preparation and implementation of a Dust Management Plan for the subdivision to the satisfaction of the Western Australian Planning Commission. (LG)	Dust Management Plan
77	Satisfactory arrangements prior to any site works commencing for the preparation and implementation of a Noise/Vibration Management Plan for the subdivision to the satisfaction of the Western Australian Planning Commission. (LG)	Noise/Vibration Management Plan
78	Satisfactory arrangements prior to any site works commencing for the preparation and implementation of a Vectors & Nuisance Management Plan for the subdivision to the satisfaction of the Western Australian Planning Commission. (LG)	Vectors & Nuisance Management Plan
79	A site audit shall be conducted by the subdivider to determine the presence of any soil contamination as a result of past market garden operations conducted on the land and remedial works shall be carried out in the event of soil contamination being detected, to the satisfaction of the Western Australian Planning Commission.	Site Audit
80	All site works shall be carried out in accordance with the provisions of an approved acid sulphate soil management plan to the satisfaction of the Western Australian Planning Commission. (DoE)	Acid sulphate soil management plan
81	An acid sulphate soil management plan shall be submitted and approved before any site works are commenced, and all site works shall be carried out in accordance with the provisions of the approved management plan to the satisfaction of the Western Australian Planning Commission. (DoE)	

NUMBER	TEXT	COMMENT
82	<p>Prior to the commencement of any site works:</p> <p>(a) a site assessment shall be undertaken to determine whether acid sulphate soils are present on the land and, if present, their extent and severity;</p> <p>(b) if the site is found to contain acid sulphate soils, an acid sulphate soil management plan shall be submitted and approved; and</p> <p>(c) all site works shall be carried out in accordance with the provisions of the approved management plan to the satisfaction of the Western Australian Planning Commission. (DoE)</p>	
83	<p>There is to be no soil disturbance or excavation of the site until the land has been searched for unexploded ordnance to the satisfaction of the Western Australian Planning Commission. Following searching of the land, the subdivider will be required to make arrangements to the satisfaction of the Commission, to ensure purchasers and successors in title of the proposed lots are made aware of the matter of unexploded ordnance. (Unexploded Ordnance Unit, FESA) (WAPC)</p>	Unexploded ordnance
84	<p>The building envelopes being filled or drained at the subdividers cost to the satisfaction of Western Australian Planning Commission.</p>	Building Envelopes
	<p>WATER CORPORATION/LOCAL GOVERNMENT & POTABLE WATER</p>	
90	<p>Certification from the Water Corporation that arrangements have been made with that body so that connection to a water supply service will be available to the lot/s proposed by this application. (Water Corporation)</p>	Reticulated water (WC)
91	<p>Certification from the Water Corporation that arrangements have been made with that body so that connection to a sewerage supply service will be available to the lot/s proposed by this application. (Water Corporation)</p>	Reticulated sewerage (WC)
92	<p>The land being connected to the comprehensive district drainage system at the subdivider's cost to the satisfaction of the Western Australian Planning Commission. (LG)</p>	Comprehensive district drainage system (LG)

NUMBER	TEXT	COMMENT
93	The applicant transferring free of cost to the Water Corporation a future sewerage pump site as shown bordered green on the plan dated \$ (attached) and the site being set out on a separate Diagram of Survey (Deposited Plan). (Water Corporation)	Transferring pump station shown on plan (WC)
94	The land being provided with an adequate outlet drainage system at the subdivider's cost to the satisfaction of the Western Australian Planning Commission. (LG)	Drainage outlet (LG)
95	Certification from the Water Corporation that arrangements have been made with that body with respect to the drainage of the land either directly or indirectly into a drain under the control of the Water Corporation. (Water Corporation)	Standard main drainage (WC)
96	Certification from the Local Government that arrangements have been made with that body so that connection to an adequate sewerage service will be available to the lot/s proposed by this application. (LG)	Reticulated sewerage (LG)
97	The subdivider making arrangements satisfactory to the Western Australian Planning Commission to ensure that the prospective purchasers of lots acknowledge in writing that they are aware that the lots are located within the \$ Groundwater Area where there is a need to obtain a licence before a bore or well can be constructed. The licence will contain a number of conditions including the quantity of water that can be pumped each year. (WARC)	Obtain licence before bore or well can be constructed.
RECREATION RESERVES		
110	The proposed reserve(s) shown on the plan submitted by the applicant, being shown on the Diagram or Plan of Survey (Deposited Plan) as a "Reserve for Recreation" and vested in the Crown under section 20A of the Town Planning and Development Act, such land to be ceded free of cost and without any payment of compensation by the Crown.	Public Open Space shown on application plan to vest.
111	\$, in a position to be agreed between the subdivider and the Local Government, being shown on the Diagram or Plan of Survey (Deposited Plan) as a "Reserve for Recreation" and vested in the Crown under section 20A of the Town Planning and Development act, such land to be ceded free of cost and without any payment of compensation by the Crown. (LG)	Amount of POS to vest

NUMBER	TEXT	COMMENT
112	The proposed community purpose site, shown on the plan dated \$, to be ceded free of cost to the Crown and without payment of compensation by the Crown to the satisfaction of the Western Australian Planning Commission.	Community Purpose Site
113	Uniform fencing, which allows for surveillance, along the boundaries of all the proposed lots abutting the public open space to be constructed to the satisfaction of the Western Australian Planning Commission.	Uniform Fencing
BOUNDARY CLEARANCES		
120	All buildings having the necessary clearance from the new boundaries as required by the relevant Town Planning Scheme. (LG)	Boundary clearances
121	All buildings and effluent disposal systems, having the necessary clearance from the new boundaries as required under the relevant legislation. (LG)	Boundary clearances
DETAILED AREA PLANS		
125	Detailed Area Plan(s) for all laneway lots being prepared by the subdivider and submitted to the City of Kwinana for approval. These plans shall address orientation of housing, type of fencing, location of carports/garages, access, setback variations and solar orientation.	
126	Arrangements shall be made to the satisfaction of the Western Australian Planning Commission to ensure that prospective purchasers of the any lot which is the subject of a Detailed Area Plan, are made aware of the Detailed Area Plan(s) relating to the development of the lot.	
127	Arrangements being made to the satisfaction of the Western Australian Planning Commission to ensure compliance with the Detailed Area Plan(s).	
EDUCATION		
130	Satisfactory arrangements being made with the Western Australian Planning Commission for the provision of school sites to serve the area. (Education)	Provision of school sites.

NUMBER	TEXT	COMMENT
131	The portion of the proposed primary school site on the plan submitted by the applicant being set aside as a separate lot, pending the acquisition of the land by the Education Department of WA, to the satisfaction of the Commission. (Education)	Primary school site
132	The subdivider making a pro-rata contribution towards the cost of the acquisition of the primary school site as identified in the (\$) Structure Plan to the satisfaction of the Commission. (Education)	Primary school site pro-rata contribution
	POWER	
135	The transfer free of cost of transformer and high voltage switchgear sites to the Western Power Corporation, with the locations of the site being to the satisfaction of the Western Australian Planning Commission on the advice of the local government and Western Power Corporation. (Western Power)(Local Government)	Transfer of sites to Western Power
136	Road side and block frontage clearing required for a power line corridor to be undertaken to the satisfaction of the Western Australian Planning Commission. (Western Power)(Local Government)	Clearing of road reserves for power.
137	Arrangements being made for the provision of underground electricity to the lots approved under this application to the satisfaction of the Western Australian Planning Commission. (Western Power)	Underground Power
	MISCELLANEOUS	
140	Parts lots being amalgamated with an adjacent lot pending joint subdivision with an adjoining owner.	Part lots to amalgamate on D/S
141	The amalgamation taking place on the Diagram of Survey (Deposited Plan).	Amalgamation on D/S.
142	No lot having a frontage of less than \$. (LG)	Minimum lot frontage.
143	If the boundary(ies) of the lots are defined by "Party Walls", then a party wall rights easement(s) created pursuant to section 136C of the Transfer of Land Act shall be shown on the Diagram or Plan of Survey (Deposited Plan), in accordance with the development, as constructed, to the satisfaction of the Western Australian Planning Commission. (LG)	Party wall rights easements shown on D/S

STANDARD CONDITION FOR SUBDIVISIONS

NUMBER	TEXT	COMMENT
144	No lot being less than \$ in area. (LG)	Minimum lot size.
145	The building(s) concerned satisfying the Local Government in accordance with the provisions of the Strata Titles Act, 1985. (LG)	Buildings to be satisfactory for issue of Stratas.
146	Only one dwelling remaining on the newly created lot. (LG)	One house/one lot.
147	The lot/lots created by amalgamation being surveyed in accordance with the Licensed Surveyors (Guidance of Surveyors) Regulations.	Resurvey
148	The battleaxe access leg(s) being constructed and drained at the subdivider's cost to the satisfaction of the Western Australian Planning Commission. (LG)	Battleaxe access legs.
149	The applicant entering into an agreement with the Local Government to ensure reciprocal rights of access over adjoining battleaxe access legs. (LG)	Reciprocal rights.
150	The building being constructed to plate height prior to the submission of the Diagram or Plan of Survey (Deposited Plan). (LG)	Patio and Row Houses.
151	The applicant deleting curved lot frontages in favour of a series of chords to facilitate the placement of services and the easier definition of frontages and building lines. (LG)	Curved lot frontages.
152	Those easements required by this approval being shown on the Diagram or Plan of Survey (Deposited Plan) in accordance with the Town Planning and Development (Easement) Regulations, 1983.	Easements
153	The subdivision design being modified such that no lot is less than \$ in area. (LG)	
154	No lot having an effective frontage of less than 18 metres determined by averaging the actual frontage and the building line set at 7.5 metres from that frontage. (LG)	Effective frontage.
155	No lot having an actual frontage of less than 18 metres unless located on the heads of cul-de-sac and corners in which case the actual frontage should be not less than 15 metres. (LG)	Cul-de-sac heads.

	OTHER	
170	The subdivider making arrangements satisfactory to the Western Australian Planning Commission to ensure that prospective purchasers of the lots created will be advised of those provisions of the Local Government's Town Planning Scheme which relate to the use and management of the land. (LG)	Prospective purchasers of Special Rural lots to be advised of Town Planning Scheme provisions.
171	The subdivider making arrangements satisfactory to the Western Australian Planning Commission to ensure that the prospective purchasers in the transfer of the lots acknowledge in writing that they are aware of the Land Clearing Regulations administered under the Soil and Land Conservation Act 1945-82, and that the purchasers are provided, by the subdivider, with the Agriculture Western Australia brochure on Land Clearing Regulations. (AWA)	Compliance with Land Clearing Regulations.
172	The subdivider making arrangements to the satisfaction of the Commission to ensure that the purchasers and successors in title of the proposed lots are made aware of the matter of unexploded ordnance. (WAPC)	Unexploded ordnance
173	Certification by the Water Corporation/Bush Fire Services that subdivision reticulation plans meet specifications and that hydrant fire fighting services will be installed to the satisfaction of the Western Australian Planning Commission. (Water Corporation/Bush Fire Services)	Provision of fire hydrants
174	Certification by the Water Corporation/Fire and Emergency Services Authority that subdivision reticulation plans meet specifications and that hydrant fire fighting services will be installed to the satisfaction of the Western Australian Planning Commission. (FESA)	Provision of fire hydrants
175	Noise attenuation measures to minimise any impact from the Rail Line being installed to the satisfaction of the Western Australian Planning Commission.	Rail Noise
176	Arrangements being made to the satisfaction of the Western Australian Planning Commission to ensure that prospective purchasers and successors in title of the lots in the immediate vicinity of the Railway Reservation (as shown on the attached plan) are made aware of the potential for noise and vibration impact from the future rail service. (LG)	Rail Noise notification
177	Uniform fencing along the boundaries of all of the proposed lots abutting \$ to be constructed to the satisfaction of the Western Australian Planning Commission. (LG)	Uniform Fencing.

NUMBER	TEXT	COMMENT
178	The applicant obtaining development approval for the development of a dwelling(s) on the lots less than 350m ² in accordance with Clause 2.3.3 of the Residential Design Codes. (LG)	Development Approval for lots less than 350m ²
179	Notification in the form of a memorial to be placed on the Certificates of Title of all lots within the area (bounded by \$) advising the existence of a hazard or other factor, in accordance with section 12A of the Town Planning and Development Act 1928, and notice of this memorial to be included on the Diagram or Plan of Survey (Deposited Plan), to the satisfaction of the Commission and at the applicant's cost. (WAPC) The memorial to state as follows:	Memorial on Title
180	Notification in the form of a restrictive covenant to be placed on the Certificates of Title of all lots within the area (bounded by \$) advising the existence of a restriction on the use of the land, in accordance with section 129BA of the Transfer of Land Act 1893, and notice of this restriction to be included on the Diagram or Plan of Survey (Deposited Plan), to the satisfaction of the Commission and at the applicant's cost. (WAPC) The restrictive covenant to state as follows:	Restrictive covenant on Certificate of Title
181	Easements to be placed on the Certificates of Title of all lots within the area (bounded by \$) specifying the rights of access, in accordance with section 195 and 196 of the Land Administration Act 1997, and notice of this restriction to be included on the Diagram or Plan of Survey (Deposited Plan), to the satisfaction of the Commission and at the applicant's cost. (WAPC) The easement to state as follows:	Easements on Certificate of Title
182	The subdivider shall provide a written undertaking to the Commission that it will ensure that prospective purchasers and the initial purchasers of lots proposed in this subdivision within 500 metres of the existing poultry farm buildings on Lot \$ are notified on contracts of sale of the existence of the poultry farm and its potential for emitting odours, light, noise and/or dust. (WAPC)	Prospective purchasers to be advised of existence of poultry farm
183	Sign being provided on-site informing prospective landowners of those provisions of Town Planning Scheme No.2 which relate to the use and management of the land. (LG)	

NUMBER	TEXT	COMMENT
184	The subdivider to submit to the Local Government site plans at a scale of 1:2000 of each proposed lot showing lot boundaries and angles and building envelopes and to mark the location of each building envelope on all lots on-site. (LG)	

ADVICE TO APPLICANT:

NUMBER	TEXT	COMMENT
200	The Commission's approval to subdivision should not be construed as an approval to development on any of the lots proposed.	Subdivision approval not construed as development approval.
201	The Commission's approval of this subdivision should not be construed as an approval of zoning proposals. These are initiated by the Local Government and are, pursuant to the Town Planning and Development Act, subject to approval by the Minister for Planning.	Subdivision approval not construed as zoning approval.
202	The subdivider should liaise with the City of Kwinana prior to undertaking any site works with a view to obtaining approval for such works.	
203	The applicant is advised that Condition 1 includes the requirement to construct the proposed subdivisional roads to the boundary of the subdivision application area, a requirement to provide appropriate traffic control and calming treatments to roads within the subdivision area and the use of appropriate brick paving at the traffic approaches to intersections and round-a-bouts.	
204	The application is advised to liaise with the City of Kwinana and Western Power regarding the provision of appropriate street lighting.	
205	The City of Kwinana has requested that retaining walls be constructed such that the normal dwelling building area on each proposed lot is level.	
206	In regard to condition \$, the applicant is advised that the contribution towards the development of a nutrient stripping basin is in accordance with the Area 22, Clause 4.3 of Council's Town Planning Scheme. Furthermore, the pro-rata contribution towards the nutrient stripping basin/water feature shall be based on the total area of Residential Development Area No.1.	

NUMBER	TEXT	COMMENT
207	In relation to Condition ??, the landowner is advised that, as part of the agreed Bertram Contributions Schedule, the value of the land ceded free for the Bertram/Mortimer Road widening is to be reimbursed on a pro-rata basis by all landowners within the Casuarina Structure Plan.	
208	The applicant is advised that contributions for the upgrade and ceded land for Bertram/Mortimer Roads, Johnson Road, the Nutrient Stripping Water Basin/Feature, and the roads across the Peel Main Drain, should be in accordance with Bertram Contribution Schedule as adopted by the City of Kwinana.	
209	The subdivisional design is to allow for the siting of effluent disposal units at least 30 metres from the water course that traverses the land.	Subdivision to allow for effluent disposal.
210	The applicant's attention is drawn to the provisions of section 20C of the Town Planning and Development Act 1928 whereby arrangements can be made, subject to further approval of the Commission, for a cash-in-lieu contribution by the applicant to the Local Government, in respect of Condition \$ of this approval.	Cash-in-lieu
211	The Commission advises that the subdivider will be required to meet his obligations under section 28A of the Town Planning and Development Act, as and when required to do so by the Local Government.	28A obligation
212	The applicant is advised to consult the Local Government regarding the progress of \$.	
213	The applicant is advised that the land shown on the plan (attached) may, at some time in the future be required for the widening of \$.	MRWA land requirements.
214	The Commission advises that Condition \$ should not be interpreted to imply that it requires the construction/upgrading to be at the subdivider's cost but this is a matter for negotiation between the subdivider and the Local Government.	Cost of upgrading
215	The applicant is advised that the Department of Environmental Protection has prepared dust control guidelines for development sites, which inter alia, outline the procedures for the preparation of Dust Management Plans for development sites. Further information on the guidelines can be obtained from the Department or the Local Government.	Guidelines for Dust Management

NUMBER	TEXT	COMMENT
216	<p>You are advised that no reticulated water supply can be provided to the land by the Water Corporation. Therefore you should make arrangements to ensure that prospective purchasers are advised of this and that they will be required to make their own arrangements to provide an adequate water supply of potable water.</p> <p>Potable water is defined as water in which the levels of physical, chemical and microbiological constituents do not exceed the guideline values set out in the National Health and Medical Research Council and Australian Water Resources Council publication "Guidelines for Drinking Water Quality in Australia -1987", which has been approved by the Local Government subject to any conditions which may have been laid down by the Commissioner for Health.</p> <p>In the absence of a supply of underground potable water, the provision of a rainwater tank of not less than 120,000 litres capacity with the necessary accompanying roof catchment capacity and in addition thereof, a secondary (ie may be a non-potable) water supply sufficient for toilet and garden use from underground sources or dams will be an acceptable alternative.</p>	Potable water.
217	In respect of Condition \$ the Commission will accept building clearance requirements as specified in the relevant Town Planning Scheme operative at the time the subdivision approval was granted by the Commission.	Building clearances as specified by operative TPS
218	Council and the applicant are advised that unless otherwise agreed to by the Commission, the first Diagram or Plan of Survey (Deposited Plan) lodged for the Commission's endorsement shall include the Public Open Space required by Condition \$ of this approval, identified as a Reserve for Recreation, and shall include the creation of other lots within the subdivision to ensure that the Public Open Space land is properly vested under Section 20A on transfer of those lots.	Public Open Space to be shown on first Diagram/Plan of Survey
219	The applicant is advised to consult with the Geographic Names Section of the Department of Land Administration to ensure early clearance of any new or altered road names. This will avoid subsequent delay in the issue of titles.	Clearance of any new or altered road names.
220	In respect of Condition \$, the width of the pedestrian access-way is to be determined in consultation with Council on submission of detailed engineering drawings.	

NUMBER	TEXT	COMMENT
221	The Local Government/applicant is advised that the compensating basins and/or drainage lakes shown on the sketch plan of subdivision have been accepted as part of the required contribution to Public Open Space for this subdivision. The Local Government shall ensure that the contribution to open space consisting of the compensating basins and/or drainage lakes is safe for use by the public, and any development of the compensating basins and/or drainage lakes shall be to the satisfaction and specifications of the Local Government.	Compensating basins/drainage lakes
222	The applicant and Council are advised that the condition requiring the construction of Pedestrian Access-ways (Condition \$) does not apply to the 0.1 metre Pedestrian Access-way condition (Condition \$).	
223	In relation to condition \$ any proposed drainage works on the adjacent land reserved for Parks and Recreation under the Metropolitan Region Scheme requires the prior approval to commence development from the Western Australian Planning Commission.	Proposed drainage works adjacent to P&R needs approval
224	With regard to Condition \$ the applicant is advised that the Commission is not now prepared to accept the creation of narrow pedestrian access-ways between residential lots because of the adverse effects on the occupiers of the adjacent lots as a result of noise, loss of privacy, and general disturbance. Alternative design solutions such as extended cul-de-sacs or the re-orientation of lots to front onto a wider pedestrian link should be adopted in these circumstances.	More appropriate pedestrian access required.
225	Where, in this decision, any condition requires a clearance from a Local Government, it is expected that the subdivider shall first approach and seek clearance of those conditions from the Local Government. In the event that such clearance cannot be obtained after reasonable inquiry and reasonable provision of supplementary information, the subdivider may then approach the Western Australian Planning Commission. In such instances the Commission will expect that all matters involving engineering practice are designed and constructed to the satisfaction of an independent certified engineer, engaged by the applicant, who has certified that all engineering works have been carried out consistent with sound engineering practice, such practice being that normally adopted by metropolitan Local Government authorities and preferably, where known, those specifications and practices adopted by the City of Kwinana.	Joint clearance of Conditions LG/ WAPC

NUMBER	TEXT	COMMENT
226	The applicant is advised that a portion of the subject land is flood prone and the Water and Rivers Commission has identified a recommended minimum floor level of \$ AHD for the subject land. The applicant is advised to liaise with the Water and Rivers Commission in this regard.	Flood Prone Land.
227	The applicant is reminded that Condition \$ includes the provision of 10% Public Open Space, in accordance with the requirements of Town Planning Scheme Number \$.	Provision of POS in accordance with TPS.
228	<p>The Commission acknowledges that a corresponding rezoning of the land (Amendment Number \$ to the City of Kwinana Town Planning Scheme Number \$) has not yet been finalised but the Commission is satisfied, having regard to the progress on the rezoning and the merits of the case, that subdivision approval is warranted.</p> <p>This text should be used when it is necessary to advise the applicant that endorsement of Diagrams or Plans of Survey (Deposited Plan) is dependent on the finalisation of a Town Planning Scheme Amendment. It should only be used when there is no doubt that an Amendment will reach final approval, ie, when the amendment is with the Hon Minister for endorsement of final approval.</p>	Endorsement of Diagrams of Survey.
229	The applicant is advised to comply with the terms and conditions of the City of Kwinana Town Planning Scheme No \$. (LG)	
230	The City of Kwinana has recommended that the subdivider prepare a Land Management Plan for the subject land, containing land and waterways management measures. The subdivider should liaise with the City of Kwinana in this regard.	Preparation of Land Management Plan
231	A supply may be given from the existing overhead system at the present time, however, should the existing system be proposed to be undergrounded within the term of the approval, an underground supply will be required. The applicant is advised to liaise with Western Power regarding the necessary arrangements.	Overhead/ underground advice -
232	The Local Government has advised that no existing vegetation is to be cleared outside the road reserves and the proposed building envelopes during site works.	