

# Information Sheet

## Clearance of Subdivision Conditions

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This information sheet is intended to provide a guide to completing the most common conditions of the Western Australian Planning Commission's conditional subdivision approvals.

### Subdivision conditional approval

A conditional approval to subdivide a parcel of land issued by the Western Australian Planning Commission (WAPC) will almost certainly list a number of conditions for the applicant/owner to satisfy.

Prior to the City endorsing the deposited plan, the conditions of approval must be fulfilled. The conditions that are required to be cleared by the City of Bayswater are denoted by a (local government) or (LG) printed next to the condition on the conditional approval letter from the WAPC.

### How to clear specific conditions

- 1. All septic sewer systems including all tanks and pipes and associated drainage systems (soak wells or leach drains) and any stormwater disposal systems are to be decommissioned, in accordance with the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974, removed, filled with clean sand and compacted. Proof of decommissioning is to be provided in the form of either certification from a licensed plumber or a statutory declaration from the landowner/applicant, confirming that the site has been inspected and all septic tanks, soak wells, leach drains and any associated pipework have been removed.***

This condition is applied to all subdivisions where a dwelling may have been connected to a septic tank system. It is the applicants/owners' responsibility to arrange for any septic systems to be completely and safely removed and is to provide a **statutory declaration** confirming that a septic system is no longer present on the site.

The applicant is to contact the City's Environmental Health Section on 9272 0622 at least 72 hours prior to the removal of any system to arrange for an inspection. Please contact the City's Environmental Health Section on 9272 0622 for information regarding the statutory declaration or removal of septic tanks.

- 2. Redundant vehicle crossover(s) to be removed and the kerbing, verge and footpath (where relevant) reinstated to the satisfaction of the City of Bayswater.***

The applicant/owner is required to remove any crossover that the city identifies as redundant or in poor condition. On side by side lots this condition is commonly imposed as the future driveway location is usually unknown. Missing portions of kerbing or guttering are to be replaced and the verge reinstated with landscaping or suitable verge treatment to the satisfaction of the City. The City may consider pre-payment for the removal of the crossover for vacant lots or where there is dwelling(s) under construction in lieu of the works being completed at the time of subdivision clearance.

Quotes for this work can be obtained through the City's Engineering Services on 9272 0622.

**3. Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision.**

The applicant/owner is to arrange for the construction of new crossover(s) to service each lot. This condition is usually imposed where an existing crossover is in poor condition or not to the City's specifications or a new crossover location is required.

Construction of the crossover in accordance with the specifications of the City may be arranged through a private contractor (note the City shall review the crossover design and issue a permit for the crossover first) or arranged through the City's Engineering Services on 9272 0622.

The City will not normally construct a crossover unless a driveway has already been installed, however in some instances where there is no existing dwelling being retained, the City may be able to clear the condition if the applicant/owner has pre-paid the City in full for the crossover to be constructed. In this instance the applicant/owner should advise the City when they are ready for the crossover to be installed and the City will then undertake the works (usually at the completion stage of a new dwelling). Missing portions of kerbing or guttering are also to be replaced.

### Quotes for works

Quotes for works to be undertaken by the City of Bayswater including the construction or removal of crossovers, installation of new crossovers and reinstatement of verge kerbing can be obtained through the City's Engineering Services on 9272 0622

**4. The common property access way(s) being constructed and drainage/soakwells to be provided at the subdivider's cost to the satisfaction of the local government.**

The City requires the common property accessway to the rear lot(s) to be constructed in concrete or brick paving and suitably drained, which includes the installation of soakwells and drains to contain all stormwater within the lot. Drainage plans may be required to be submitted to the City prior to construction and evidence that the drainage has been installed may be requested at the subdivision clearance stage. The driveway must be fully constructed in order to provide access and compliant maneuvering to any existing dwelling that is being retained.

If all lots subject to the subdivision clearance are vacant or there are dwellings under construction then the City may accept the driveway to be partially constructed prior to clearance. In this instance a compacted limestone base is to be provided and drainage/soakwells installed prior to clearance in accordance with the below specifications:

### MATERIALS

Temporary access ways and crossovers are to be constructed from crushed limestone that conforms with the following requirements;

- The crushed limestone shall be free of sand, capstone, roots and other deleterious material.
- The crushed limestone shall conform to the following grading requirements;

AS Sieve	% By Weight Passing
76mm	100%
19mm	60-80%
2.36mm	20-40%

- The crushed limestone shall be compacted to no less than 95% M.M.D. as per AS1289.
- A minimum compaction depth of 50mm shall be achieved evenly throughout.

It is the land owners responsibly to maintain temporary access ways to ensure that no material is washed onto the road.

If the driveway is being fully constructed, it will need to be finished with concrete or brick paving along with drainage grates to the satisfaction of the City of Bayswater.

## **DRAINAGE**

- The drainage and surface grade of the temporary access way should be constructed in such a way to ensure all stormwater runoff is retained on site to the satisfaction of the City.

Soakwell systems are to be designed to have a total combined minimum storage volume adequate for a 1:10 year storm event. The formula below should be used to calculate the required soakwell volumes for properties within the City of Bayswater.

**AREA (m<sup>2</sup>) x RAINFALL (m) = VOLUME (m<sup>3</sup>)**

**AREA** = Total combined impervious surfaces. The Impervious area includes all surfaces other than a highly mulched/well maintained garden beds.

**RAINFALL** = 12.5mm or 0.0125m

**VOLUME** = Minimum combined soakwell capacity

If you are unsure of the drainage requirements, please submit the proposed drainage design to the City's Engineering Services prior to construction by emailing [mail@bayswater.wa.gov.au](mailto:mail@bayswater.wa.gov.au)

## **ACCESS WAY SURFACE GRADIENT**

- Maximum surface gradients to comply with AS2890.1.
- The maximum gradient of any proposed temporary access ways is 1 in 4 (25%).
- To prevent vehicles scraping or bottoming, changes in grade in excess of the following require introduction of a grade transition between the main grade lines:
  - a) 1 in 8 (12.5%) for summit grade changes
  - b) 1 in 6.7 (15%) for sag grade changes

### **5. All lots shall utilise the common property access way for vehicular access to and from the site.**

The Residential Design Codes (R-Codes) requires that vehicle access is to be from a common property accessway if there is one available. Therefore all vehicle parking bays may be required to be located where they can be accessed from the common driveway instead of directly accessed from the primary street.

### **6. The existing dwelling being retained is to comply with the requirements of the Residential Design Codes including (but not limited to):**

- a) **provision and construction of [1-2] car bays;**

- b) provision of a permanent enclosed storage area and adequate provision for rubbish storage;*
- c) provision of a [area]m<sup>2</sup> outdoor living area, with a minimum dimension of 4m<sup>2</sup>;*
- d) The provision of adequate stormwater storage within the lot.*

This condition is applied where an existing house is being retained.

## **CAR PARKING AND ACCESS**

The R-Codes require the existing dwelling to provide on-site parking for one – two cars depending on the property's proximity to high frequency public transport. The car bay dimensions are to be in accordance with the Residential Design Codes, are to be paved or concreted and are to have adequate (paved) maneuvering and drainage, including the installation of soakwells.

## **STORE**

The City requires the existing dwelling to have a permanent enclosed storage area of at least 4m<sup>2</sup> in area, with a minimum dimension of 1.5m. It should also be enclosed, lockable and accessible from outside the dwelling. The storage area should be built to match the existing dwelling where visible from the street. Note that if the store is located in close proximity to a lot boundary there may be setback and fire requirements under the National Construction Code. Please liaise with the City's Statutory Building Department in the first instance if you have any queries relating to the erection of a store.

## **BIN STORE**

The existing dwelling is to have a location set aside for the storage of three waste bins.

## **OUTDOOR LIVING AREA**

The existing dwelling is also required to have an outdoor living area, directly accessible from a living room with a minimum dimension of 4m. The required area varies according to the lot's zoning (eg. for an R25 zoned lot an area of 30m<sup>2</sup> is to be provided). The outdoor living area should be located behind the street setback line, however where no other option exists it may be located within the front setback, subject to the area being clearly delineated by a fence, wall or landscaping. It should be noted that any fence or wall within the front setback area should be visually permeable above 1.2m and may require a separate planning approval and/or building permit from the City.

## **DRAINAGE**

The existing house is required to demonstrate that stormwater has been contained on site. Soakwell systems are to be designed to have a total combined minimum storage volume adequate for a 1:10 year storm event. The formula below should be used to calculate the required soakwell volumes for properties within the City of Bayswater.

$$\text{AREA (m}^2\text{) x RAINFALL (m) = VOLUME (m}^3\text{)}$$

**AREA** = Total combined impervious surfaces. The Impervious area includes all surfaces other than a highly mulched/well maintained garden beds.

**RAINFALL** = 12.5mm or 0.0125m

**VOLUME** = Minimum combined soakwell capacity

- 7. All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme and Building Regulations of Australia.**

The two major considerations for this condition are to ensure that structures do not cross over proposed lot boundaries and that structures have the necessary clearance for fire separation purposes under the Building Codes of Australia. Please liaise with the City's Statutory Building Department in the first instance if you have any queries relating to this condition.

- 8. Other than buildings, outbuildings and/or structures shown on the approved plan for retention, all buildings, outbuildings and/or structures present on lot(s) at the time of subdivision approval being demolished and materials removed from the lot(s).**

The City requires the subject lot to be cleared of all structures, including swimming pools. Should demolition of any structures, including dwellings or ancillary accommodation be required, a demolition permit is required to be obtained from the City's Statutory Building Department.

Vegetation is permitted to be retained on the site, however all leftover building materials and rubbish are to be removed. The City's Environmental Health Section has stringent requirements for the safe removal of structures containing asbestos. Please contact the Environmental Health Section on 9272 0648.

- 9. Suitable arrangements being made to enable all vehicles to exit the property in a forward gear.**

The City requires all vehicles to be able to exit the lot in a forward gear along major roads. This may involve the installation of a turning bay for the existing dwelling to provide an adequate manoeuvring area. The turning bay is to be paved or concreted and provided with drainage.

Landowners should take this condition into account when considering a potential new dwelling on lots along Primary or Other Regional Roads, or Local Distributor Roads.

- 10. A [insert value] metre wide right-of-way is to be provided, constructed and drained at the landowner/applicants cost along the south-west boundary of the subject land. The right-of-way is to be accurately illustrated and denoted on the Survey-Strata Plan and vested in the Crown under Section 152 of the Planning and Development Act 2005, such land to be ceded free of cost and without any payment of compensation by the Crown.**

This condition is applied where a right of way does not achieve a 6m width, or a road reserve requires widening.

It is a WAPC requirement for all rights of way to achieve a minimum width of 6.0m to allow two way access. The condition will state how much of widening area is required. The widened portion of the right of way or street is to be granted free of cost and shown on the finalised deposited/survey-strata/strata plan submitted for clearance.

- 11. The portion of the right-of-way abutting the boundary of the subject land and any portion/s of the right of way required to be widened for the purpose of this subdivision being sealed, drained and paved to its full width and the remaining portion of the right-of-way from the boundary to the existing nearest constructed road being made trafficable.**

The City requires the full width of the right of way (ROW) immediately adjacent to the subject property to be sealed, drained and paved, including any portion of the ROW to be widened. Specifications for the ROW construction are available from the City's Engineering Services on 9272 0622. All costs of construction are to be borne by the applicant/owner.

The applicant/owner may be required to make the remainder of the right of way, to the street indicated in the condition, trafficable by removing all obstructions and providing a limestone base where significant amounts of sand/mud are located. Should you have any queries, please contact the City's Engineering Section on 9272 0622.

**12. Arrangements being made for the filling and/or capping of any bores and/or wells, or the identification of any bore and/or well to be retained on the land.(Local Government)**

Bores must be filled if they are located in a position where the future development is to take place. A bore may be retained if it is located where it does not compromise the ability to develop a new lot(s). A statutory declaration is also required confirming that a bore is no longer present on the site.

If a bore is to be retained then the bore should be capped and identified on site for safety reasons.

**13. The access way forming part of the rear lot shall be a minimum width of [INSERT VALUE] metres, free of any building projections associated with existing site development and depicted on the diagram or plan of survey (deposited plan) and/or survey strata plan accordingly. (Local Government).**

The accessway is required to be free of projection to allow an adequate vertical height clearance for emergency vehicle access. This means that any air-conditioning units must be removed, overhanging eaves must be cut back and any openings such as doors or windows must be modified so they do not open outwards into the accessway. A building permit may be required prior to cutting back eaves or modifying openings.

**14. Prior to the commencement of subdivisional works, measures being undertaken to identify any vegetation on the site worthy of retention, including any potential habitat or foraging trees for threatened fauna species, and protection measures implemented to ensure such vegetation is not impacted by subdivisional works. (Local Government).**

This condition is imposed where significant trees have been identified on site in a location where they could feasibly be retained so as to not prevent reasonable future development of the lots. To clear the condition a site plan identifying the location of the trees along with a report addressing the requirements of the condition prepared by a suitably qualified consulting arborist or landscape architect is to be submitted to the City.

## **Other Conditions**

Should the approval letter contain other conditions that are not self-explanatory, please contact the City's Development and Place on 9272 0622 for information on how to clear the condition.

## **Information on street trees**

The City has a Trees on Private Land and Street Verges Policy and an Urban Trees Policy which outlines requirement for retention of street trees. A street tree is not permitted to be removed unless the City has granted approval in writing. Please contact the City's Development and Place on 9272 0622 for information about street trees.

