City of
Bayswater

Clearance of Subdivision Conditions Information Sheet

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About this guide

When the Western Australian Planning Commission (WAPC) approves a subdivision, it sets conditions that must be met before your survey-strata or deposited plan can be finalised. The conditions marked **(Local Government)** or **(LG)** on your WAPC approval letter are those that the City of Bayswater is responsible for clearing.

This guide explains how to clear the most common Local Government conditions - what you need to do, what evidence to provide, and who to contact for queries. Once you have satisfied these conditions, the City will endorse your survey plan (this process is called **condition clearance**).

If your approval letter contains other Local Government conditions that are not self-explanatory or that you are unsure how to progress, please contact the City's Statutory Planning team on **9272 0622** or **mail@bayswater.wa.gov.au**.

How the clearance process works

1	**Check your conditions** On your WAPC conditional approval letter, find the conditions marked (Local Government) or (LG). These are the conditions the City clears.
2	**Do the works and gather evidence** Complete any required works and collect the evidence listed in this guide for each condition (for example, photos, certificates, plans or a statutory declaration).
3	**Lodge your clearance request** Submit your request to the City with all supporting evidence. Include a site survey for the City's endorsement and your WAPC approval reference & plan.
4	**Assessment and inspection** The City reviews your evidence and may inspect the site or ask for more information.
5	**Clearance granted** Once the City is satisfied all its conditions are met, it endorses your plan so the subdivision can be finalised.

City of Bayswater

Clearance of Subdivision Conditions Information Sheet

Your clearance checklist

Use this checklist to see which conditions apply to you and what to submit. Tick the box once each item is ready. Detailed guidance for each condition follows on the next pages.

Not every condition applies to every subdivision - only clear the conditions listed on your WAPC approval letter.

Applies?	Done	Condition Summary	What to submit to the City
☐ Cond #___	☐	**Provide building clearance from the new boundaries**	A Building Approval Certificate (and/or a Building Permit if remedial works are undertaken) where a structure will have less than the required setback for fire separation.
☐ Cond #___	☐	**Retain an existing dwelling (R-Codes)**	Evidence the retained dwelling meets the R-Codes for car parking/access, a store, an outdoor living area, on-site drainage and any other items listed in the advice notes of the WAPC letter
☐ Cond #___	☐	**Construct & drain the accessway**	Evidence the accessway is constructed, graded and drained (soak wells and trafficable drains), including soak well capacity.
☐ Cond #___	☐	**Remove redundant crossover(s)**	Confirmation the redundant crossover is removed and the kerb, verge and footpath reinstated - or an approved bond (only where a replacement crossover is proposed in its place).
☐ Cond #___	☐	**Provide new crossover(s)**	Approved Crossover Application and evidence the new crossover(s) are built to City specifications - or an approved bond (where lots are vacant or no crossover is needed yet).
☐ Cond #___	☐	**Demolish structures not being retained**	A demolition permit and evidence structures (including pools) are removed and materials cleared. Asbestos must be removed per Health Services requirements.
☐ Cond #___	☐	**Decommission septic / effluent systems**	Plumber's certificate OR a statutory declaration confirming all tanks, soak wells, leach drains and pipework have been removed, filled with clean sand and compacted. Book a Health Services inspection at least 72 hours before removal.
☐ Cond #___	☐	**Fill / cap bores & wells**	A statutory declaration confirming a bore has been filled, OR details of any bore being retained on site.
☐ Cond #___	☐	**Provide / widen a right of way (ROW)**	A survey-strata plan showing the widened ROW ceded to the Crown, free of cost.
☐ Cond #___	☐	**Seal, pave & drain the right of way**	Evidence the ROW abutting your land (and any widening) is sealed, drained and paved to full width, and the remainder made trafficable.
☐ Cond #___	☐	**Retain significant trees**	A site plan showing the trees, plus an arborist's or landscape architect's report addressing the condition. Written City approval is needed to remove any street tree.
☐ Cond #___	☐	**Fill, stabilise, drain & grade the land**	Evidence the land is filled, stabilised, graded and drains on site (including a compaction certificate after any pool removal, and retaining where required).

How to clear each condition

Each condition below matches an item in the checklist.
Not every condition applies to every subdivision - only clear the conditions listed on your WAPC approval letter.

1. Provide building clearance from the new boundaries

Structures must have the clearance required from the new boundaries under the relevant legislation - mainly for fire separation requirements under the National Construction Code (NCC).
A Building Approval Certificate is required where the new boundaries will result in an existing structure having a lesser setback than required by the NCC. A Building Permit is required where remedial works are undertaken.

What to submit

- A Building Approval Certificate where required, and/or
- A Building Permit where remedial works are undertaken.

Contact

Contact the City's Statutory Building team first if you have any questions about this condition.

2. Retain an existing dwelling (Residential Design Codes)

Where an existing house is being retained, it must meet the Residential Design Codes (R-Codes) requirements. The main considerations of this condition are listed below, though additional items may also apply – refer to the advice notes of your WAPC letter.

Car parking and access

Car bays are to be paved or concreted, with dimensions in accordance with the Residential Design Codes, and are to have adequate manoeuvring constructed and drainage provided.

Store

An enclosed, lockable storage area of at least 4m² (minimum dimension 1.5m) is to be provided. This is to be accessible from outside the dwelling and match the house or be adequately screened from view where visible from the street.
Note: If the store is located in close to a lot boundary, there may additional setback and fire separation requirements under the National Construction Code.

Outdoor living area

An outdoor living area directly accessible from a main living space. The required area varies according to the lots density code (for example, an R25 lot needs 30m²), with a minimum dimension of 4m in all instances.
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 or landscaping.

Drainage

Stormwater must be contained on site, with downpipes directed to soak wells of adequate combined volume. Refer to the **Drainage guide** on page 6 for soak well capacity requirements.

3. Construct and drain the accessway

The accessway serving the rear lot(s) must be suitably constructed, graded and drained, which includes the installation of soak wells and trafficable drains to contain all stormwater runoff within the accessway. Where a rear lot is vacant, the City may accept a temporary crushed-limestone accessway in lieu of concrete or paving - refer to **Temporary accessways** on page 6 for material specifications. Adequate drainage is required regardless of accessway material - refer to the **Drainage guide** on page 6 for soak well capacity requirements.

The City may clear the condition as-is where works associated with a current development approval or building permit are ongoing, provided construction and drainage of the accessway are within the scope of those works

What to submit

- Evidence the accessway is constructed and drained, including soak well capacity.

Contact

Unsure about drainage? Email your proposed design to **mail@bayswater.wa.gov.au** (Engineering Services) before you build.

4. Remove redundant crossover(s)

Any crossover (driveway entrance) the City identifies as redundant or in poor condition must be removed. Missing kerbing or guttering must be replaced and the verge reinstated with landscaping or a suitable verge treatment, to the satisfaction of the City.

What to submit

- Confirmation the crossover has been removed and the kerb, verge and footpath reinstated. Or,
- Confirmation of a bond payment (see below).

Bonds

The City will only consider a bond for removal of a crossover where a new crossover is proposed in its place.
To obtain a bond/quote for works, submit a completed **Crossover Approval Application Form** and associated site plan to Engineering Services.

Contact

Contact the City's Engineering Services first if you have any questions about this condition.

5. Provide new crossover(s)

A new crossover must be built to service each lot shown on the approved plan, constructed to the City's specifications. You must obtain approval before starting crossover works.

What to submit

- An approved Crossover Application, and evidence the new crossover(s) are built to City specification. Or,
- Confirmation of a bond payment. (see below)

Bonds

Where all lots are vacant, or a new crossover is not required to service an existing house, the City may accept a bond in lieu of constructing the crossover for clearance.
To obtain a bond/quote for works, submit a completed **Crossover Approval Application Form** and associated site plan to Engineering Services.

Contact

Contact the City's Engineering Services if you have any questions about this condition.

6. Demolish structures not being retained

The lot must be cleared of all structures not shown for retention on the approved plan, including swimming pools. Vegetation may be kept, but all rubbish and leftover building materials must be removed. Strict requirements apply to the safe removal of asbestos.

What to submit

- A **demolition permit** from the City's Statutory Building team, and evidence structures are removed and materials cleared.

Contact

For asbestos removal, contact Environmental Health Services on **9272 0622**.

7. Decommission septic and effluent systems

All septic and effluent systems - tanks, pipes, soak wells and leach drains - and any old stormwater systems must be decommissioned in line with the Health Regulations. They must be removed, filled with clean sand and compacted. Arranging safe removal is the owner / applicants responsibility.

What to submit

- A certificate from a licensed plumber, **or** a statutory declaration from the owner/applicant, confirming the site has been inspected and all tanks, soak wells, leach drains and pipework removed.

Contact

Contact Environmental Health Services on **9272 0622** about the statutory declaration or system removal. You must book an inspection at least **72 hours** before removing any system.

8. Fill or cap bores and wells

A bore must be filled if it is located where future development will take place. A bore may be retained where it does compromise the ability to develop the new lot(s) - in which case it must be capped and clearly identified on site for safety reasons.

What to submit

- A statutory declaration confirming the bore has been removed an filled, **or** details of any bore being retained on site.

9. Provide or widen a right of way (ROW)

The condition will state how much widening is required. The widened portion must be shown on the survey plan and ceded to the Crown free of cost (with no compensation).

What to submit

- A Survey Plan accurately showing the widened right of way, ceded to the Crown free of cost.

10. Seal, pave and drain the right of way

The full width of the right of way immediately next to your property - including any widening - must be sealed, drained and paved. You may also be required to make the rest of the ROW trafficable where there is significant sand or mud present. All costs of construction are to be borne by the applicant/owner.

What to submit

- Evidence the ROW abutting your land (and any widening) is sealed, drained and paved to full width, and the remainder made trafficable.

Contact

ROW construction specifications are available from Engineering Services on **9272 0622**.

11. Retain significant trees

This condition applies where significant trees have been identified that could reasonably be kept without preventing future development.

Street trees have additional protection - a street tree cannot be removed unless the City has approved it in writing.

What to submit

- A site plan showing the location of the trees.

Contact

See the City's *Trees on Private Land and Street Verges Policy* and *Urban Trees Policy*. For street-tree queries contact Statutory Planning on **9272 0622** or **mail@bayswater.wa.gov.au**.

12. Fill, stabilise, drain and grade the land

The land must be filled, stabilised, graded and drained so that each lot can accommodate its intended development; finished ground levels at the boundaries match or coordinate with neighbouring land; and stormwater is contained on site.

After removing a pool

A soil compaction test certificate is required for the ground where a swimming pool has been removed.

Site grading and retaining walls

Retaining walls between internal lot boundaries are required where the site grade exceeds 1:8 (12.5%), or where the grade of adjacent parking bays exceeds 1:20 (5%).

Drainage

Refer to the **Drainage guide** on page 6 for soak well capacity requirements.

Drainage guide – containing stormwater on site

Several conditions require you to contain stormwater within your site. You do this by directing all downpipes and paved areas to soak wells of a sufficient combined capacity to contain the runoff from a heavy storm.

Required combined soak well volume (m³) = total impervious area (m²) × 0.0125*

An **impervious area** is any hard surface that sheds water e.g. roofs, paving, driveways and patios.

Worked example: a lot with impervious areas totalling 240m² requires 240 × 0.0125 = **3m³** of combined soak well storage.

Quick guide

Total impervious (hard) area	Soak well storage needed
100m²	**1.25m³**
150m²	**1.9m³**
200m²	**2.5m³**
250m²	**3.1m³**
300m²	**3.75m³**
400m²	**5m³**

**Based on retaining 12.5 mm of rainfall on site, consistent with the Stormwater Management Manual for Western Australia.*

Unsure about drainage? Email your proposed drainage design to **mail@bayswater.wa.gov.au** *(Engineering Services) before you build.*

Temporary accessways – surface grade and material specifications

These specifications apply to temporary accessways built from crushed limestone (see condition 3).

Material

- Crushed limestone, free of sand, capstone, roots and other unsuitable material.
- Compacted to at least 95% M.M.D. (AS 1289), with a minimum compacted depth of 50 mm evenly throughout.
- The owner must maintain the accessway so no material washes onto the road.

Crushed limestone grading

AS sieve	% by weight passing
76mm	100%
19mm	60–80%
2.36mm	20–40%

Surface gradient

- Maximum surface gradients must comply with AS 2890.1.
- The maximum gradient of any temporary accessway is 1 in 4 (25%).
- To stop vehicles scraping or bottoming out, a grade transition is needed where changes in grade exceed 1 in 8 (12.5%) for a summit, or 1 in 6.7 (15%) for a sag.