

1 STATEMENT OF INTENT

The purpose of this Planning Procedure is to set out the requirements for the preparation, assessment and determination of an application for subdivision clearance. This procedure will assist in the preparation of properly prepared applications, which will assist the City in its assessment and decision making process of applications for subdivision clearance.

This Planning Procedure should be read in conjunction with the *Planning and Development Act 2005* (PD Act 2005) and Town Planning Scheme No.2 (TPS2).

2 SUBDIVISION APPROVAL

The Western Australian Planning Commission (WAPC) under the provision of s135 of the PD Act 2005 grants Subdivision Approval conditionally or unconditionally. Subdivision Approvals are valid for a prescribed period of 4 years for a subdivision that creates more than 5 lots and 3 years for a subdivision that creates 5 lots and under.

3 REQUIREMENT FOR SUBDIVISION CLEARANCE

The requirement for approval of a diagram or plan of survey of an approved plan of subdivision is derived from s145 of the PD Act 2005.

The applicant is required to request the Western Australian Planning Commission (WAPC) to approve the diagram or plan of survey of the subdivision, provided the conditions of the Subdivision Approval are fulfilled to the satisfaction of the WAPC.

4 CITY'S ROLE

The City is responsible for clearing any conditions relevant to the Local Government and to provide written advice to the applicant confirming that the WAPC's requirements outlined in the applicable conditions have been fulfilled.

5 APPLICATION FOR SUBDIVISION CLEARANCE

5.1 Requirements

The City requires specific details seeking applications for subdivision clearance to ensure the requirements of the condition have been adequately fulfilled. In making an application for subdivision clearance, applicants must include the following information:

- (a) Completed Application for Clearance of Conditions of a Subdivision Approval form and Checklist for Clearance of Conditions (Appendix 1);
- (b) Two hard copies and one digital version of the Deposited or Survey Strata Plan;
- (c) Applicable Clearance Fee Cheque;
- (d) Supervision Fee (accompanied with a summary/calculation of how the figure was reached) paid and Receipt attached or Cheque enclosed (if applicable);
- (e) Two copies of Staging Plan indicating the subject Deposited Plan area attached (if applicable). The Staging Plan is to show the lots within the estate/structure plan which have already received titles. Corresponding stage titled i.e. 8C and stage boundaries are requested to be shown. Where there are different subdivision approvals in place within the estate/structure plan, it is requested that the subdivision boundary and WAPC reference number be depicted;
- (f) Two copies of Bond Schedule attached (if applicable);

- (g) Maintenance Bond (City to return after 12 month defect inspection) (if applicable);
- (h) Development Contributions Payment Receipt attached or Cheque enclosed (if applicable); and
- (i) Any relevant documents to demonstrate clearing of the relevant condition (e.g. Geotechnical Reports, Legal Agreements, Compaction Tests, As-Constructed Survey Data – DGN/DWG, Rspec & Dspec, Statutory Declarations, Fire Management Plan, Urban Water Management Plan, Landscape Plan etc).

6 SUBDIVISION CLEARANCE ASSESSMENT PROCESS

Upon receipt of all necessary information, the City will refer the application to relevant internal Departments to assess whether the requirements of the condition(s) have been met.

When the City is satisfied that the requirements of condition(s) have been met, the City will notify the applicant in writing that the requirements outlined in the WAPC conditional approval have been fulfilled.

7 INTERPRETATIONS

For the purpose of this Planning Procedure, the following terms shall have the same meaning as in Town Planning Scheme No.2:-

WAPC means the Western Australian Planning Commission constituted under the Planning and Development Act 2005.

PD Act means the Planning and Development Act 2005.

TPS2 means the City of Rockingham Town Planning Scheme No.2

8 DELEGATION

Delegations for providing recommendations to the WAPC are pursuant to Planning Procedure 1.1 – Delegated Authority.

9 ADOPTION

This Planning Procedure was adopted by the City on the 21st January 2016.

Appendix

1. **Application for Clearance of Conditions of Subdivision Approval & Checklist for Clearance of Conditions**



APPENDIX 1

Application for Clearance of Conditions of Subdivision Approval and Checklist for Clearance of Conditions

APPLICATION FOR CLEARANCE OF CONDITIONS OF SUBDIVISION APPROVAL

WAPC No.:				
WAPC Approval Date:				
WAPC Conditions to be Cleared: (numbers)				
Property Address:	Lot No.		Street No.	
	Street		Suburb	
Estate Name & Stage:				
Deposited or Survey Strata Plan No.:				
No. of Lots to Clear & Application Fee:	No. of Lots		Application Fee	\$

The Applicant

Company:				
Mailing Address:				
Contact Person:				
Contact Details:	Phone:		Mobile:	
	Email:			

CERTIFICATION BY PROJECT MANAGER/OWNER THAT SUBDIVISIONAL WORKS ARE COMPLETED

On behalf of _____, I certify that the requirements of all of the conditions of the Subdivision Approval have been completed, and that the attached Clearance Checklist and this Clearance Application Form are correct.

Signature of Project Manager/Owner

Lodgement Checklist <i>(Incomplete Applications will be returned to the Applicant)</i>	Tick When Complete
Completed Application for Clearance of Conditions of a Subdivision Approval form and Checklist for Clearance of Conditions (Appendix 1)	
Two copies of the Deposited or Survey Strata Plan attached	
Digital version of Deposited or Survey Strata Plan submitted (emailed to nicole.d'alessandro@rockingham.wa.gov.au)	
Clearance Application Fee Cheque enclosed	
Supervision Fee (accompanied with a summary/calculation of how the figure was reached) Paid and Receipt attached or Cheque enclosed (if applicable)	
Two copies of Staging Plan indicating the subject Deposited Plan area attached*	
Two copies of Bond Schedule attached (if applicable)	
Maintenance Bond (to be returned after 12 month defect inspection)	
Developer Contributions Payment Receipt attached or Cheque enclosed (if applicable)	
All relevant documents (e.g. Geotechnical Reports, Legal Agreements, Compaction Tests, As-constructed survey data – DGN/DWG, Rspec & Dspec, Statutory Declarations, Fire Management Plan, Urban Water Management Plan, Landscape Plans etc) attached <i>(Any other documentation relating to the approval Local Government conditions of subdivision must be supplied with the application for clearance, regardless of such information having been previously supplied to the City)</i>	

*the Staging Plan is to show the lots within the estate/structure plan which have already received titles. Corresponding stage titles i.e. 8C and stage boundaries are requested to be shown. Where there are different subdivision approvals in place within the estate/structure plan, it is requested that the subdivision boundary and WAPC reference number be depicted.

Is the Deposited Plan consistent with the plan of subdivision approved by the Western Australian Planning Commission?

Yes

No. Significant changes have been proposed. **Clearance application should not be lodged.** Any significant variations to the approved plan of subdivision require Western Australian Planning Commission approval.

Has Practical Completion Inspection (PCI) been undertaken?

Yes. PCI Date:

Yes, and the City has approved a bond application for the outstanding works:

Bond Amount: \$ _____
 (Copy of receipt attached)

Bond Payment Date: _____



No. (A Clearance Application that includes the construction of roads and drainage should not be lodged if PCI has not been undertaken and bond has not been approved by the City and paid by the Subdivider).

Not applicable.

CHECKLIST FOR CLEARANCE OF CONDITIONS

All Local Government Conditions **must** be satisfied and certification documents attached for clearance process to begin.

Condition No.	Condition Key Words	Action Undertaken to Fulfill Condition	Signed by Project Officer

LODGEMENT OF APPLICATIONS FOR CLEARANCE

<p>CLEARANCE APPLICATION</p>	<p>1.1 To enable the City to consider clearance requests and to assist in the prompt processing of applications, the submission of two (2) copies of all of the following are required:-</p> <p>1.1.1 Clearance Application Form;</p> <p>1.1.2 Approval Condition Checklist;</p> <p>1.1.3 Deposited Plans (DP's) 2x hard copies and 1x digital;</p> <p>1.1.4 A Staging Plan, highlighting the identification of the subject DP's on the Western Australian Planning Commission approved plan;</p> <p>1.1.5 Appendices and any other supporting information, (i.e. copies of Bond Receipts, Schedules, Statutory Declarations, etc.)</p> <p>1.2 The Clearance Application Form must be completed and the Approval Condition Checklist must demonstrate how each of the Local Government Western Australian Planning Commission Conditions have been complied with.</p> <p>1.3 All Clearance Applications should be marked to the attention of the Planning Administration Officer.</p>
<p>CLEARANCE FEES</p>	<p>2.1 In accordance with the Scale of Fees for Planning Services, the Clearance Fees are as per the City's current Fee Schedule.</p> <p>2.2 Fees must be lodged with the Application. Cheques should be made payable to the City of Rockingham and attached to the Clearance Application Form. The Application will not progress until the Fees have been received.</p>
<p>SUPERVISION FEES</p>	<p>3.1 The City's Engineering Supervision Fees is:-</p> <p>1.5% of Road Works, Drainage and earthworks contained within the road reserve (and is subject to GST).</p> <p>3.2 Fees must be lodged with the Application. Cheques should be made payable to the City of Rockingham and attached to the Clearance Application Form.</p>
<p>BONDING OF SUBDIVISIONAL WORKS</p>	<p>4.1 All Bond requests are to be submitted to the City's "Application for Bonding Outstanding Subdivision Works" in accordance with the City's "Subdivision Policy & Guidelines" document.</p> <p>4.2 The bonding of subdivisional works should be submitted and approved by the City and paid to the City, prior to the lodging of the Clearance Application Form, Deposited Plans and Approval Condition Checklist. Copies of the Bond receipts should be included in the Appendices attached to the Approval Condition Checklist.</p>

<p>BOUNDARY CLEARANCE CONDITIONS</p>	<p>5.1 To assist a standard boundary clearance condition, the City requires a Survey Plan indicating the boundary clearances and building pickup points of the existing buildings (and effluent disposal systems/septic tanks, where appropriate) on the land to the proposed boundary lots.</p> <p>5.2 New setback distances to boundaries resulting from subdivision may necessitate the submission of a Building Permit to ensure existing structures meet current standards. The City's Building Services can be contacted on 9528 0316 in this regard.</p> <p>5.3 Existing septic tanks and aerobic treatment units are to be decommissioned (if required). Evidence of decommissioning must be submitted from a licenced liquid waste contractor with the lodgement for clearance.</p>
<p>LOCAL DEVELOPMENT PLANS</p>	<p>6.1 Local Development Plans should be prepared by the subdivider and submitted to the City for approval prior to clearance.</p>
<p>FIRE MANAGEMENT PLANS</p>	<p>7.1 If a Fire Management Plan is required it should be prepared by a qualified consultant and submitted to the City with the lodgement for clearance.</p>
<p>URBAN WATER MANAGEMENT PLANS</p>	<p>8.1 If an Urban Water Management Plan is required it must be submitted to and approved by the City prior to applying for clearance.</p>
<p>PUBLIC OPEN SPACE</p>	<p>9.1 Landscape Plans for the development of Public Open Space must be submitted to the City's Parks Development Services in advance of applying for Subdivision Clearance.</p>
<p>DEVELOPMENT CONTRIBUTION FEES</p>	<p>1.1 All Development Contribution Fees should be received with, or prior to, the application for clearance of subdivision conditions.</p>

Note: Separate cheques should be prepared and forwarded for bonds, clearance application fees, supervision fees and development contribution fees.