



Your Ref : Lots 7 & Y271 Florence



## Approval Subject To Conditions Survey-Strata Plan (Amended Plan)

**Application No** : 631-18

**Planning and Development Act 2005**

Applicant	:	[Redacted]
Owner	:	[Redacted]
Application Receipt	:	19 June 2018

Lot Number	:	7 , Y 271
Diagram / Plan	:	2360, 222985
C/T Volume/Folio	:	1690/103, 1690/104
Street Address	:	Lot 7 No.14), Y271 (No.14) Florence Street, West Perth
Local Government	:	City of Vincent

The Western Australian Planning Commission has considered the application referred to and is prepared to endorse a survey-strata plan in accordance with the amended plan date-stamped **30 October 2018** (copy attached) once the condition(s) set out have been fulfilled.

This decision is valid for **four years** from the date of this advice, which includes the lodgement of the survey-strata plan within this period.

The survey-strata plan for this approval and all required written advice confirming that the requirement(s) outlined in the condition(s) have been fulfilled must be submitted by **15 November 2022** or this approval no longer will remain valid.



### **Reconsideration - 28 days**

Under section 151(1) of the *Planning and Development Act 2005*, the applicant/owner may, within 28 days from the date of this decision, make a written request to the WAPC to reconsider any condition(s) imposed in its decision. One of the matters to which the WAPC will have regard in reconsideration of its decision is whether there is compelling evidence by way of additional information or justification from the applicant/owner to warrant a reconsideration of the decision. A request for reconsideration is to be submitted to the WAPC on a Form 3A with appropriate fees. An application for reconsideration may be submitted to the WAPC prior to submission of an application for review. Form 3A and a schedule of fees are available on the WAPC website: <http://www.planning.wa.gov.au>

### **Right to apply for a review - 28 days**

Should the applicant/owner be aggrieved by this decision, there is a right to apply for a review under Part 14 section 251 of the *Planning and Development Act 2005*. The application for review must be submitted in accordance with part 2 of the *State Administrative Tribunal Rules 2004* and should be lodged within 28 days of the date of this decision to: the State Administrative Tribunal, Level 6, State Administrative Tribunal Building, 565 Hay Street, PERTH, WA 6000. It is recommended that you contact the tribunal for further details: telephone 9219 3111 or go to its website: <http://www.sat.justice.wa.gov.au>

### **Survey-strata plan**

The survey-strata plan is to be submitted to the Western Australian Land Information Authority (Landgate) for certification. Once certified, Landgate will forward it to the WAPC. In addition, the applicant/owner is responsible for submission of a Form 1C with appropriate fees to the WAPC requesting endorsement of the survey-strata plan. A copy of the survey-strata plan with confirmation of submission to Landgate is to be submitted with all required written advice confirming compliance with any condition(s) from the nominated agency/authority or local government. Form 1C and a schedule of fees are available on the WAPC website: <http://www.planning.wa.gov.au>

### **Condition(s)**

The WAPC is prepared to endorse a survey-strata plan in accordance with the plan submitted once the condition(s) set out have been fulfilled.

The condition(s) of this approval are to be fulfilled to the satisfaction of the WAPC.

The condition(s) must be fulfilled before submission of a copy of the survey-strata plan for endorsement.



The agency/authority or local government noted in brackets at the end of the condition(s) identify the body responsible for providing written advice confirming that the WAPC's requirement(s) outlined in the condition(s) have been fulfilled. The written advice of the agency/authority or local government is to be obtained by the applicant/owner. When the written advice of each identified agency/authority or local government has been obtained, it should be submitted to the WAPC with a Form 1C and appropriate fees and a copy of the survey-strata plan.

If there is no agency/authority or local government noted in brackets at the end of the condition(s), a written request for confirmation that the requirement(s) outlined in the condition(s) have been fulfilled should be submitted to the WAPC, prior to lodgement of the survey-strata plan for endorsement.

Prior to the commencement of any subdivision works or the implementation of any condition(s) in any other way, the applicant/owner is to liaise with the nominated agency/authority or local government on the requirement(s) it considers necessary to fulfil the condition(s).

The applicant/owner is to make reasonable enquiry to the nominated agency/authority or local government to obtain confirmation that the requirement(s) of the condition(s) have been fulfilled. This may include the provision of supplementary information. In the event that the nominated agency/authority or local government will not provide its written confirmation following reasonable enquiry, the applicant/owner then may approach the WAPC for confirmation that the condition(s) have been fulfilled.

In approaching the WAPC, the applicant/owner is to provide all necessary information, including proof of reasonable enquiry to the nominated agency/authority or local government.

The condition(s) of this approval, with the accompanying advice, are:

#### CONDITIONS:

1. Other than buildings, outbuildings and/or structures shown on the approved plan for retention, all buildings, outbuildings and/or structures present on the proposed lots at the time of subdivision approval being demolished and materials removed from the lots. (Local Government)
2. The land being filled, stabilised, drained and/or graded as required to ensure that:
  - (a) lots can accommodate their intended development; and
  - (b) finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting; and
  - (c) stormwater is contained on-site. (Local Government)



3. The proposed access way(s) being constructed and drained at the landowner/applicant's cost to the specifications of the local government. (Local Government)
4. A 3 metre x 3 metre truncation is to be provided at the junction of the common property access and Sheridan Lane. (Local Government)
5. An easement in accordance with Section 195 and 196 of the *Land Administration Act 1997* for the benefit of the City of Vincent is to be placed on the certificate(s) of title of the proposed lot(s) specifying access rights. Notice of this easement(s) is to be included on the diagram or plan of survey (deposited plan). The easement is to state as follows:  
  

*"The easement is to provide public access to facilitate vehicle manoeuvring, to the benefit of the City of Vincent."*

(Local Government)
6. Satisfactory arrangements being made with the local government for the full cost of constructing/upgrading Sheridan Lane. (Local Government)
7. Arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)
8. Arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)
9. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power, for the provision of an electricity supply to the survey strata lots shown on the approved plan of subdivision, which may include the provision of necessary service access rights either as an easement under Section 136C and Schedule 9A of the *Transfer of Land Act 1893* for the transmission of electricity by underground cable, or (in the case of approvals containing common property) via a portion of the common property suitable for consumer mains. (Western Power)
10. The transfer of land as a Crown reserve free of cost to Western Power for the provision of electricity supply infrastructure. (Western Power)

ADVICE:

1. With regard to Condition 1, planning approval and/or a demolition licence may be required to be obtained from the local government prior to the commencement of demolition works.



2. With regard to Condition 5, the easement is to enable use of the proposed common property access way for vehicle manoeuvring, so that vehicles can exit Sheridan Lane in forward gear.
3. With regard to Conditions 7 & 8, the landowner/applicant shall make arrangements with the Water Corporation for the provision of the necessary services. On receipt of a request from the landowner/applicant, a Land Development Agreement under Section 83 of the *Water Services Act 2012* will be prepared by the Water Corporation to document the specific requirements for the proposed subdivision.
4. With regard to Condition 9, Western provides only one underground point of electricity supply per freehold lot.
5. With regard to Conditions 7, 8 and 9, it is the Commission's expectation that each strata lot be provided with its own suitable utility service connection, which is protected by easements where necessary. This is to ensure that each strata lot is development ready and does not result in the need to extend services over adjacent strata lots after titles have been created.

[REDACTED]  
Ms Sam Fagan  
Secretary  
Western Australian Planning Commission  
16 November 2018

Enquiries : Nina Lytton [REDACTED]