



6.1.12 STRUCTURE PLANS AND SUBDIVISIONS

Purpose

The purpose of this policy is to provide assessment criteria for the provision of Public Open Space (POS) at Structure Plan and Subdivision Stages and to outline the circumstances in which the Shire of Manjimup may be prepared to support applications for subdivision/amalgamation within the Shire.

Objectives

The objectives of this policy are:

- J to ensure that proposals for subdivision and/or the amalgamation of land occurs in accordance with the principals of orderly and proper planning and do not prejudice the future development land located within the Shire;
- J to guide the provision of well designed, located and integrated Public Open Space (POS); and
- J to provide for the balance between conservation of natural assets, provision of water management infrastructure and usable areas of active and passive parkland.

Assessment

1. Structure Plans

All proposed structure plans are to be accompanied by the following information, consistent with the requirements of Liveable Neighbourhoods:

- 1.1. A site and context analysis that identifies key open space opportunities and constraints such as wetlands, locally significant vegetation and areas of POS in close proximity and detail how the proposed development will protect and integrate sites with the surrounding natural and developed areas;
- 1.2. A detailed site survey that shows the location of significant features such as a flora and fauna survey and existing and proposed contours;
- 1.3. A landscape master plan with associated POS schedule consistent with Liveable Neighbourhoods that details the calculation of the amount of proposed open space, including areas for restricted and unrestricted POS use; and
- 1.4. A local water management strategy prepared in accordance with the Better Urban Water Management Guidelines.

2. Subdivision

2.1. In providing comment to the WAPC on any application for subdivision/amalgamation for land within the Shire of Manjimup, the following matters shall be taken into account:

- a) The proposal's consistency with the objectives of the zone in which the application is located and compliance with the provisions of the Scheme as they relate to that zone;

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- b) In the case of subdivision within the Residential Zone, compliance with the criteria for minimum lot size as identified by the State Planning Policy 7.3 Residential Design Codes (the R-codes) for the nominated density under the Scheme.
- c) For all other zones, compliance with the minimum lot size prescribed within Section 5 of the Shires the Scheme;
- d) Any existing development complying with setbacks required under the Residential Design Codes and/or the Scheme as applicable to the land.
- e) All new lots should be physically capable of development and used in accordance with the Scheme and other normal requirements for the intended purpose.
- f) The protection and enhancement of areas containing remnant vegetation;
- g) Any dam and associated dam infrastructure located on the property being wholly contained within a single lot;
- h) Compliance with adopted WAPC State Planning Policies and Development Control Guidelines as applicable;
- i) Existing and proposed roads complying the minimum standards prescribed with Table 1 attached to this policy.

2.2. All proposed residential subdivision applications that contain POS will be required to include a Public Open Space development and management plan depicting the following information in addition to Table 2 of Liveable Neighbourhoods:

- a) A minimum of 10 per cent of the gross subdividable area is to be shown on the plan of subdivision for POS, with no more than one-fifth of that area comprising restricted use POS, in accordance with Element 4 of Liveable Neighbourhoods. A cash-in-lieu of land contribution may be accepted in circumstances where subdivision is proposed in an area of multiple landownership, where a local or regional POS exists within 150-300m of the proposed new dwellings; and/or 10 per cent of the subdividable area would result in the creation of parkland considered to be too small to be of functional use or efficiently maintained;
- b) The submission of landscape concept plans for each area of POS and streetscapes showing the proposed size, location, function, form and parkland infrastructure; and
- c) The submission of a detailed tree survey identifying stands of mature trees and significant vegetation to be retained within POS and road reserves. The tree survey shall indicate the location, height, canopy, species and condition of all mature trees and significant vegetation and show the existing and proposed contours or ground levels.

3. Development of recreational Public Open Space and Streetscapes

3.1. Recreational Public Open Space

- a) In accordance with R37 of Element 4 – Public Parkland within Liveable Neighbourhoods, the Local Government will generally require that areas of recreational POS are to be developed by the subdivider to an agreed minimum standard.

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- b) The Local Government encourages developers to be creative and provide infrastructure and facilities above the minimum standard, subject to prior agreement being obtained from the Council.

3.2. Development of POS on Land held in Multiple Ownership

- a) Where recreational POS is proposed to be formed from land held in multiple, fragmented ownership or site constraints exist and it is only possible to develop the recreational POS in stages, the Local Government will require a financial contribution from the subdivider for the future development of the recreational POS. The contribution will be calculated by multiplying the area of recreational POS by an agreed rate that makes provision for the cost of POS development and maintenance for two years to a standard consistent with Liveable Neighbourhoods.
- b) The Local Government will, where possible, seek to formalise this approach through developer contribution plans established under the operative Local Planning Scheme.

3.3. Streetscapes

- a) The construction of any new public streets is to include the provision of street trees, in accordance with the Local Government's Street Tree Planting and Replacement Policy and R47 of Element 2 - Movement Network within Liveable Neighbourhoods.

3.4. Maintenance of Public Open Space and Landscaping

- a) The Local Government will take over the maintenance responsibility of recreational POS from two years from the date of agreed practical completion and the relevant portion of land is formally vested with the Crown.

4. Delegation

4.1. The Chief Executive Officer is granted delegated authority to provide comment to the WAPC on the following forms of subdivision/amalgamation:

- a) Any proposal for the amalgamation of lots;
- b) Minor boundary adjustments where no new lots are being created;
- c) Any application for subdivision of up and including 5 lots where the design complies with the minimum lot sizes, is consistent with an adopted subdivision guide plan (where applicable) and any other requirement prescribed by the Scheme
- d) Any proposal that it is not to be supported given non-compliance with the Scheme, the R-codes or an adopted subdivision guide plan.

4.2. All applications for subdivision resulting in the creation of more than 5 lots may only be supported by resolution of Council.

5. Conditions of Approval

5.1. Where recommending conditions of approval to the WAPC, standard WAPC conditions will be used wherever possible.

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5.2. Where a proposed subdivision fronts an existing road that does not comply with the standards and specifications outlined in Table 1 attached to this policy, the Shire shall seek to have a condition imposed to require the proponent to contribute towards the upgrading in accordance with WAPC Development Control Policy 1.7.

5.3. It is acknowledged that the authority to determine which conditions of approval are applied to any subdivision/amalgamation approval rests with the WAPC.

6. Clearances

6.1. Where conditional approval is granted and the Shire is identified as the responsible authority for certifying certain conditions have been met, the following considerations apply:

- a) The proposed lots shall be surveyed, with survey markers in place at each relevant point on the boundary of the proposed lot;
- b) The Shire may, at the discretion of the Chief Executive Officer, accept the use of bonds/bank guarantees in relation to road works provided that the developer/land owner enters into a formal agreement with the Shire to ensure that:
 - i. all prospective purchasers are be advised that physical access to the newly created lots will be impeded pending completion of the road works; and
 - ii. access to each lot will be provided prior to the commencement of the fire season in order that firebreaks may be constructed and maintained.

ADOPTED – 8 July 2021

EFFECTIVE –21 July 2021

NEXT DUE FOR REVIEW – July 2025

The Administration of this Policy is by the Development and Regulation Division.

TABLE NO 1

SUBDIVISION LOCAL ROAD STANDARDS

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Zoning/Area	Road Classification	Construction Standard	Traffic Volumes
Residential/Town Centre and other urban areas	All Urban Roads	In accordance with Western Australian Planning Commission Development Control Policy No 1.4 & 2.6.	
Industrial Areas	Access Roads	Fully constructed, 10m wide bitumen surface with formally constructed kerbs and drains.	
Rural Residential, Rural Smallholdings & Rural Conservation	a) Local Distributor	Fully constructed with 7.4m wide bitumen surface and 1.2m constructed shoulders and culvert drains. Kerbing to inside curves.	Serves more than 40 dwellings;
	b) Local Road	Fully constructed with 6.5m wide bitumen surface and 1.2 constructed shoulders and culvert drains. Kerbing to inside curves.	Services up to 40 dwellings.
Priority Agriculture, General Agriculture & Bushland Protection	a) District Distributor	Fully constructed with 6.8m wide bitumen surface and 1.2m wide constructed shoulders and culvert drains.	Greater than 1,000 vehicles per day
	b) Local Distributor	Fully constructed 6.5m wide bitumen surface and 1.2m wide constructed shoulders.	Greater than 150 vehicles per day
	c) Local Road	Fully constructed with 6.2m wide bitumen surface and 1.2 constructed shoulders.	Greater than 50 vehicles per day
	d) Access Way/Place	Formed road, sheeted with pavement material as required. Intersections with local road to be fully constructed with bitumen surface.	Less than 50 vehicles per day