



WAPC ref: 201142
Date: 20 March 2025
Enquiries: Caroline Hatherly
6551 9337

Kenyon Greaves,
Creative Design and Planning
2/464 Murray Street
Perth 6000

Transmitted via email only to: info@cdpaus.com.au

Dear Kenyon

APPROVAL OF APPLICATION WAPC REF: 201142

Thank you for your application to subdivide Lot 9044 Heath Avenue, Eglinton.

The Western Australian Planning Commission (WAPC) has approved application WAPC Ref: 201142 and, once the attached conditions of approval are fulfilled, is prepared to endorse a Deposited plan in accordance with the plan date-stamped 9 December 2024.

This decision is valid for four (4) years from the date of this letter. In order to implement this letter and have the new titles created, a request for the endorsement of a Deposited plan (Form 1C) must be submitted to the WAPC within the term of the approval, that is by the close of business on 20 March 2029 or this approval will no longer be valid.

The Form 1C and a schedule of fees can be found on Planning Online:
<https://planningonline.dplh.wa.gov.au>.

CONDITIONS:

1. The plan of subdivision is to be modified in accordance with the attached plan Attachment 1 – Annotated Plan to remove the reference to 'drainage' in POS areas 1, 2 and 3. (Western Australian Planning Commission)

(City of Wanneroo)

2. The landowner/ applicant contributing towards development infrastructure provisions pursuant to the City of Wanneroo District Planning Scheme No. 2.

(City of Wanneroo)

3. Uniform visually permeable fencing being constructed along the boundaries of all of the proposed lots abutting Public Open Space.

(City of Wanneroo)

4. Engineering drawings and specifications are to be submitted, approved, and works undertaken in accordance with the approved engineering drawings, specifications and

approved plan of subdivision, for grading and/or stabilisation of the site to ensure that:

- a) lots can accommodate their intended use; 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

(City of Wanneroo)

5. Engineering drawings and specifications are to be submitted and approved, and works undertaken in accordance with the approved engineering drawings and specifications and approved plan of subdivision, for the filling and/or draining of the land, including ensuring that stormwater is contained on-site, or appropriately treated and connected to the local drainage system. Engineering drawings and specifications are to be in accordance with an approved Urban Water Management Plan (UWMP) for the site, or where no UWMP exists, to the satisfaction of the Western Australian Planning Commission.

(City of Wanneroo)

6. Prior to the commencement of subdivisional works, the landowner/applicant is to provide a pre-works geotechnical report certifying that the land is physically capable of development or advising how the land is to be remediated and compacted to ensure it is capable of development; and In the event that remediation works are required, the landowner/applicant is to provide a post geotechnical report certifying that all subdivisional works have been carried out in accordance with the pre-works geotechnical report.

(City of Wanneroo)

7. Drainage easements and reserves as may be required by the local government for drainage infrastructure being shown on the diagram or plan of survey (deposited plan) as such, granted free of cost, and vested in that local government under Sections 152 and 167 of the Planning and Development Act 2005.

(City of Wanneroo)

8. Measures being taken to ensure vegetation within the proposed Conservation Reserves as identified in the plan dated 9 December 2024 (attached), is protected prior to the commencement of subdivisional works.

(DBCA - Swan)

9. Measures being taken to ensure no vegetation within Bush Forever Site No. 397 is removed or disturbed during subdivisional works, other than as approved in a Management Plan, including any secondary impacts from works to provide service infrastructure and drainage to implement the approved plan of subdivision.

(DBCA - Swan)

10. A Local Development Plan being prepared and approved for lots shown on the plan dated 9 December 2024 (attached) that address development standards which provide

passive surveillance and an appropriate interface with public open space, including visually permeable fencing to the satisfaction of the Western Australian Planning Commission.

(City of Wanneroo)

11. The landowner/applicant shall make arrangements to ensure that prospective purchasers of lots subject of a Local Development Plan are advised in writing that Local Development Plan provisions apply.

(City of Wanneroo)

12. The proposed reserve(s) shown on the approved plan of subdivision being shown on the diagram or plan of survey (deposited plan) as reserves for Recreation, or Conservation, or Drainage (as shown in Attachment 1 – Annotated 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.

(City of Wanneroo)

13. Arrangements being made for the proposed public open space to be developed by the landowner/applicant to a minimum standard and maintained for two summers through the implementation of an approved landscape plan providing for the development and maintenance of the proposed public open space in accordance with the requirements of Liveable Neighbourhoods and to the specifications of the local government.

(City of Wanneroo)

14. Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, to ensure that those lots not fronting an existing road are provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) are constructed and drained at the landowner/applicant's cost. As an alternative, and subject to the agreement of the Local Government the Western Australian Planning Commission (WAPC) is prepared to accept the landowner/applicant paying to the local government the cost of such road works as estimated by the local government and the local government providing formal assurance to the WAPC confirming that the works will be completed within a reasonable period as agreed by the WAPC.

(City of Wanneroo)

15. Engineering drawings and specifications are to be submitted and approved, and subdivisional works undertaken for construction of roads in accordance with the approved plan of subdivision, engineering drawings and specifications to ensure that:

(a) street lighting in accordance with dark sky principles is installed on all new subdivisional roads to the standards of the relevant licensed service provider and/or

(b) roads that have been designed to connect with existing or proposed roads abutting the subject land are coordinated so the road reserve location and width connect

seamlessly and/or

(c) temporary turning areas are provided to those subdivisional roads that are subject to future extension and/or

(d) embayment parking is provided within the proposed Public Open Space and laneway lots.

(City of Wanneroo)

16. Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, for the provision of shared paths and the Social/Pedestrian/ Cycle linkage connecting to the application area in accordance with Attachment 1 Annotated Plan dated 9 December 2024 (attached). The approved shared paths and Social/Pedestrian/Cycle linkage are to be constructed by the landowner/applicant.

(City of Wanneroo)

17. All local streets within the subdivision being truncated in accordance with the Western Australian Planning Commission's Liveable Neighbourhoods policy.

(City of Wanneroo)

18. Pursuant to Section 150 of the Planning and Development Act 2005 and Division 3 of the Planning and Development Regulations 2009 a covenant preventing vehicular access onto the secondary street being lodged on the certificate(s) of title of the proposed lot(s) at the full expense of the landowner/applicant. The covenant is to prevent access, to the benefit of City of Wanneroo, in accordance with the plan dated 9 December 2024 (attached) and the covenant is to specify:

"No vehicular access is permitted to and from the secondary street."

(City of Wanneroo)

19. The approved Amberton Estate Foreshore Management Plan (Reference EP12-032(01)-001F CKK, Revision E, dated June 2016) is to be implemented to ensure the protection and management of the sites environmental assets, to the satisfaction of the Western Australian Planning Commission.

(City of Wanneroo)

20. The approved Eglinton Beach Conservation Area Management Plan (CAMP) Version 3 (CAMP; PGV Environmental, dated 5 August 2022) is to be implemented to ensure the protection and management of the sites environmental assets, to the satisfaction of the Western Australian Planning Commission.

(City of Wanneroo)

21. Information is to be provided to demonstrate that the measures contained in Section 5;

Table 4 of the bushfire management plan Amberton Estate Coastal Precinct, Eglinton, 22 July 2021, 61185/138,575, by Strategen JBS&G, have been implemented during subdivisional works. This information should include a completed 'Compliance Certificate' prepared by the bushfire planning practitioner.

(City of Wanneroo)

22. A notification, pursuant to Section 165 of the Planning and Development Act 2005, is to be placed on the certificate(s) of title of the proposed lot(s) with a Bushfire Attack Level (BAL) rating of 12.5 or above, advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

"This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and is/ may be subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land".

(Western Australian Planning Commission)

23. Prior to the commencement of subdivision works: a) An assessment survey for UXO is to be undertaken to determine if a remediation survey is required, as this property is on a site where records confirm a history of numerous UXO finds or heavy residual fragmentation. If no evidence of UXO is found, no further action is required. b) If evidence of UXO is found, a remediation survey is to be completed to locate and remove any UXO. c) If a remediation survey is completed, a notification, pursuant to Section 165 of the Planning and Development Act 2005, is to be placed on the certificate(s) of title of the proposed lot(s), advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows: "This land has been used by Defence for military activities. There is a history of numerous UXO finds or heavy residual fragmentation. Whilst the land has been surveyed for UXO, there is still a possibility that dangerous items of UXO may be found on this site. Contact police if a suspicious item that may be UXO is found. Visit www.defence.gov.au/uxo for further information".

(DFES Unexploded ordnance (UXO))

24. Arrangements being made with a licensed electricity network operator for the provision of an underground electricity distribution system that can supply electricity to each lot shown on the approved plan of subdivision.

(Western Power)

25. The transfer of land as a Crown reserve free of cost to Western Power for the provision of electricity supply infrastructure.

(Western Power)

26. Arrangements being made with a licensed water provider for the provision of a suitable water supply service to the lots(s) shown on the approved plan of subdivision (Water

Corporation)

(Water Corporation)

27. Arrangements being made with the Water Corporation so that provision of a sewerage service to the lot(s) shown on the approved plan of subdivision (Water Corporation)

(Water Corporation)

28. The provision of easements for existing or planned future water, sewerage and/or drainage infrastructure as may be required by Water Corporation being granted free of cost to that body.

(Water Corporation)

ADVICE:

1. Condition 5 has been imposed in accordance with Better Urban Water Management Guidelines (WAPC 2008). Further guidance on the contents of urban water management plans is provided in 'Urban Water Management Plans: Guidelines for preparing and complying with subdivision conditions' (Published by the then Department of Water 2008)
2. With regard to Condition 14, the development is to include full earthworks, reticulation, grassing of key areas, and pathways that form part of the overall pedestrian and/or cycle network. Any lighting within the public open space shall comply with the dark sky principles and AS/NZS 4282:2019 - Control of the obtrusive effects of outdoor lighting. Smart lighting should also be installed to ensure that lighting infrastructure is capable of remote operation and/or timing.
3. In relation to Condition 16, a Foreshore Dual Use Path is to be installed to continue onto Heath Avenue, as well as a Dual Use Path and Cycle Path around the entire Conservation POS including Heath Avenue. The Social/Pedestrian/Cycle linkage is to be guided by the cross section in the *Eglinton Local Structure Plan No. 82*.
4. In regard to Condition 15, 16 and 17, the landowner/applicant is advised that the road reserves, including the constructed carriageways, laneways, truncations, footpaths/dual use paths and car embayments, are to be generally consistent with the approved plan of subdivision.
5. In regard to Condition 16 the landowner/applicant is advised that to achieve the dark sky principles, new street lighting is to comply with a correlated colour temperature of 3,000 kelvins or less, shielded luminaires and in accordance with AS/NZS 4282:2019 - Control of the obtrusive effects of outdoor lighting.

6. The City of Wanneroo will not accept any utility infrastructure including but not limited to transformers, switchboards, waste water pump stations or the like within any proposed or existing City assets. Any burden to POS resulting from the installation of public utility infrastructure will generally not be supported by the City and consent at the deposited plan stage will not be provided without prior approval from the City at the subdivision design stage that specifically addresses the location and impacts of the proposed infrastructure on the POS. It is recommended that as part of the detailed design stage the City of Wanneroo is consulted and prior approval sought for any infrastructure within or adjacent to POS sites.
7. The Department of Defence has established the Defence Infrastructure Panel - Environment, Heritage and Estate Engineering Services, which includes contractors for UXO and derelict explosive ordnance assessment and management. The list of UXO contractors on the panel can be found at this link: www.defence.gov.au/estatemangement/support/DEHP/WhoToEngage.asp
8. In regard to Condition 26, Western Power [provides only one underground point of electricity supply per freehold lot.
9. In regard to Conditions 28 and 29, 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.
10. The Residential Design Code Plan area date stamped 25 February 2025 (attached) has been approved by the WAPC and shall now form part of the Eglinton Local Structure Plan No. 82. In accordance with the provisions of the Eglinton Local Structure Plan No.82, any variations to the R-Code Plan will require further approval from the WAPC.
11. The applicant/landowner is advised that pursuant to the Commonwealth Telecommunications Act 1997 there will generally be a requirement for the installation of fibre-ready telecommunications infrastructure. Exemptions can be sought for certain types of development. Further information is available from the Australian Government website at Department of Infrastructure, Transport, Regional Development, Communications and the Arts www.infrastructure.gov.au
12. ATCO Gas Australia advises that the proposal is in the vicinity of a high pressure gas pipeline and the landowner/applicant is to contact ATCO and 'Before You Dig Australia' before commencing works. For additional information, refer to ATCO document AGA-O&M-PR24- Additional Information for Working Around Gas Infrastructure: <https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html>

13. The applicant is advised that portions of the subdivision area are subject to the formal road closures prior to the creating of titles for residential lots. This process is being facilitated under section 58 of the Land Administration Act 1997 and is separate to the subdivision process. If the road closure process is not approved or formally undertaken within the validity period of the subdivision approval, the lots subject to road closures cannot be implemented.

If further clarification is required, please review the attached information about your approval, or contact the planning officer listed at the top of this letter

Sam Boucher.

Ms Sam Boucher
WAPC Secretary
20 March 2025

APPLICATION DETAILS

Applicant	Kenyon Greaves, Creative Design and Planning 2/464 Murray Street Perth 6000
Owner	1. Eglinton Estates Pty Ltd
Application Receipt	29 October 2024
Lot Number	9045
Diagram / Plan	Plan 428321 / Diagram 428321
Location	Eglinton
C/T Volume/Folio	4063/332
Street Address	Lot 9044 Heath Avenue, Eglinton
Local Government	Wanneroo, City of

What are conditions and how are they fulfilled?

Conditions and associated advice notes are an essential tool used by the WAPC to ensure compliance with its statutory responsibilities.

Condition(s) must be fulfilled before a request for endorsement of a deposited plan (Form 1C) can be lodged. This provides the basis to create the new land titles.

Each condition has a nominated clearing authority, noted at the end of each condition, and the landowner/applicant needs to liaise with that authority in order to fulfil the condition. Typically, conditions need to be addressed before any site works are commenced.

When the written advice of each clearing authority has been obtained, this advice is to be submitted to the WAPC with a Form 1C and a copy of the deposited plan (that has been lodged with Landgate). The Form 1C and schedule of fees are available on the WAPC website: <https://planningonline.dplh.wa.gov.au>

Can I request reconsideration/review of a condition or a decision?

There are two ways in which an applicant/owner may request reconsideration or review of a condition or a decision:

1. Seeking WAPC reconsideration - Sections 144 and 151(1) of the *Planning and Development Act 2005* provide for the landowner/applicant, within 28 days from the date of the decision, to make a written request to the WAPC to reconsider the decision, or conditions imposed. Such an application can be made via the Form 3A, which can be found, together with a schedule of fees, online from: <https://planningonline.dplh.wa.gov.au>

In seeking a reconsideration the applicant/landowner needs to provide new information or evidence that would warrant the WAPC making a different decision.

An application for reconsideration may be submitted to the WAPC prior to submission of an application for review of a decision through the State Administrative Tribunal.

2. Seeking a review by the State Administrative Tribunal – An applicant/landowner may also apply to the State Administrative Tribunal for review of a decision under Section 251 of the *Planning and Development Act 2005*.

An application should be lodged within 28 days of the date of the decision. Further details can be obtained at www.sat.justice.wa.gov.au

What if the clearing authority does not provide written confirmation?

The applicant/owner should make reasonable endeavour with the clearing authority to fulfil conditions. This may include the provision of supplementary information. If the clearing authority will not provide its written confirmation following reasonable endeavour, the applicant/owner should seek advice from the WAPC.

There is scope for the WAPC to clear conditions of subdivision through the Form 1C process; however, it is best to seek pre-lodgement advice so that the WAPC can advise if the clearing of

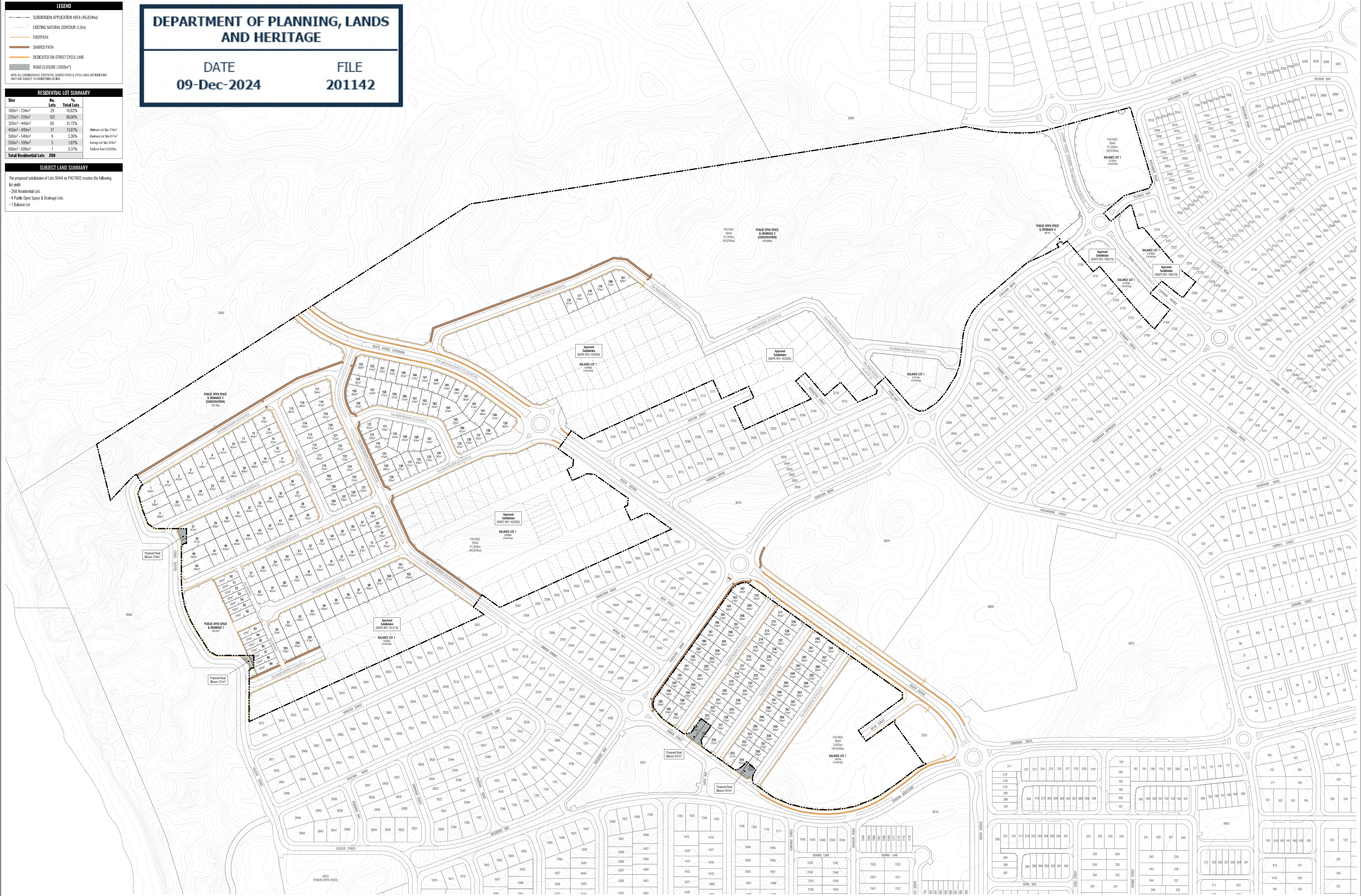
conditions would be a minor administrative matter, or whether it will require the WAPC to seek further advice or investigate the matter with the clearing authority.

Lodgement of deposited plans with the Western Australian Land Information Authority

The deposited plan is to be submitted to the Western Australian Land Information Authority (Landgate) for certification. Once certified, Landgate will forward it to the WAPC. A copy of the Deposited Plan should also be provided to the WAPC when the Form 1C is lodged.

Applying for new certificates of title

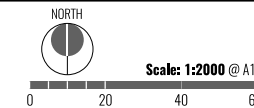
Once the WAPC has endorsed the Deposited Plan, then, under Section 146 the *Planning and Development Act 2005*, the landowner/applicant has two years to apply to Landgate for new certificates of title to be issued.



PROPOSED FREEHOLD SUBDIVISION

Lot 9044 Heath Avenue, EGLINTON Page 1 of 3

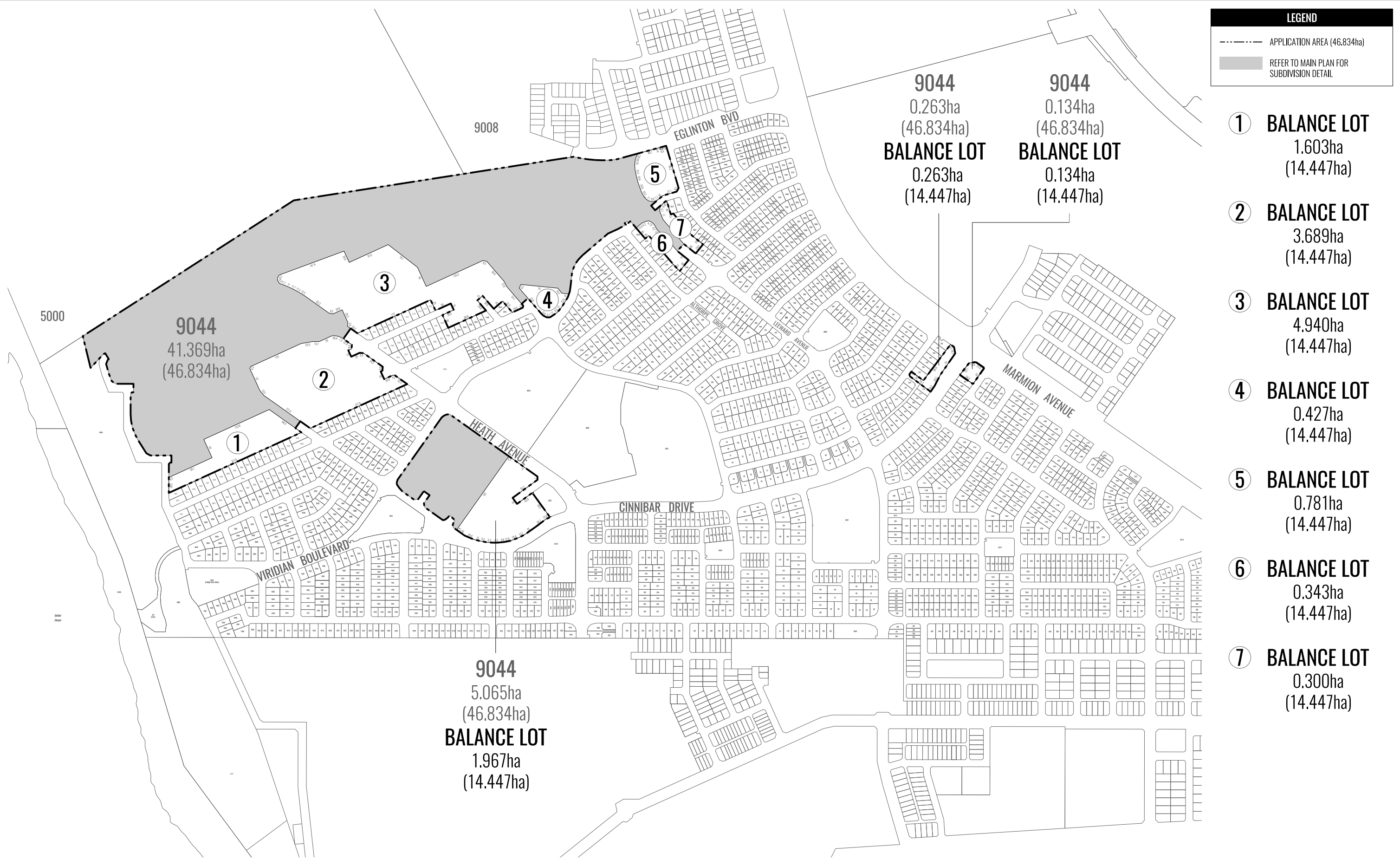
A Stockland Project



Scale 1:2000 @ A1
PLAN 05465-9-000
DATE 14/10/2024
PROJECTION PCS 54
DATUM 1984
DEED:DI



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Perth WA 6000
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BALANCE LOT DETAIL

Lot 9044 Heath Avenue, EGLINTON Page 2 of 3

A Stockland Project

Scale: 1:7500 @ A3

0 75 150 225m

PLAN: OSAEG-3-060
DATE: 14/10/2024
PROJECTION: PCG 94
DATUM: AHD

REVISION: A
DRAWN: JP
PLANNER: KG
CHECK: CH

cdp

Town Planning & Urban Design

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LEGEND

----- APPLICATION AREA (46.834ha)

NORTH

Scale: 1:7500 @ A3

0 75 150 225m

PLAN: OSAEG-3-060
DATE: 14/10/2024
PROJECTION: PCG 94
DATUM: AHD

REVISION: A
DRAWN: JP
PLANNER: KG
CHECK: CH

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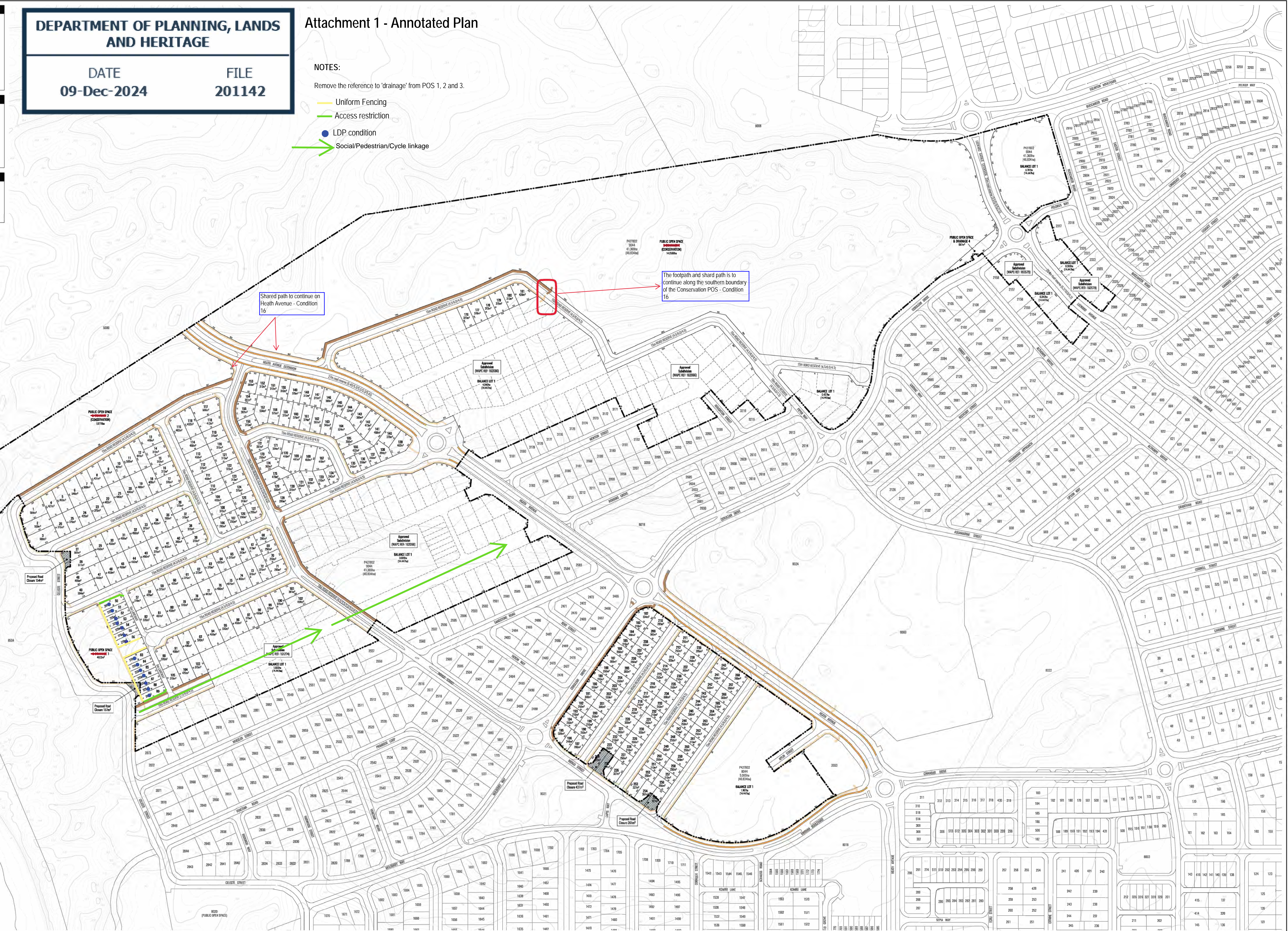
SUBJECT LAND SUMMARY

The proposed subdivision of Lots 9044 an P427802 creates the following lot yield:

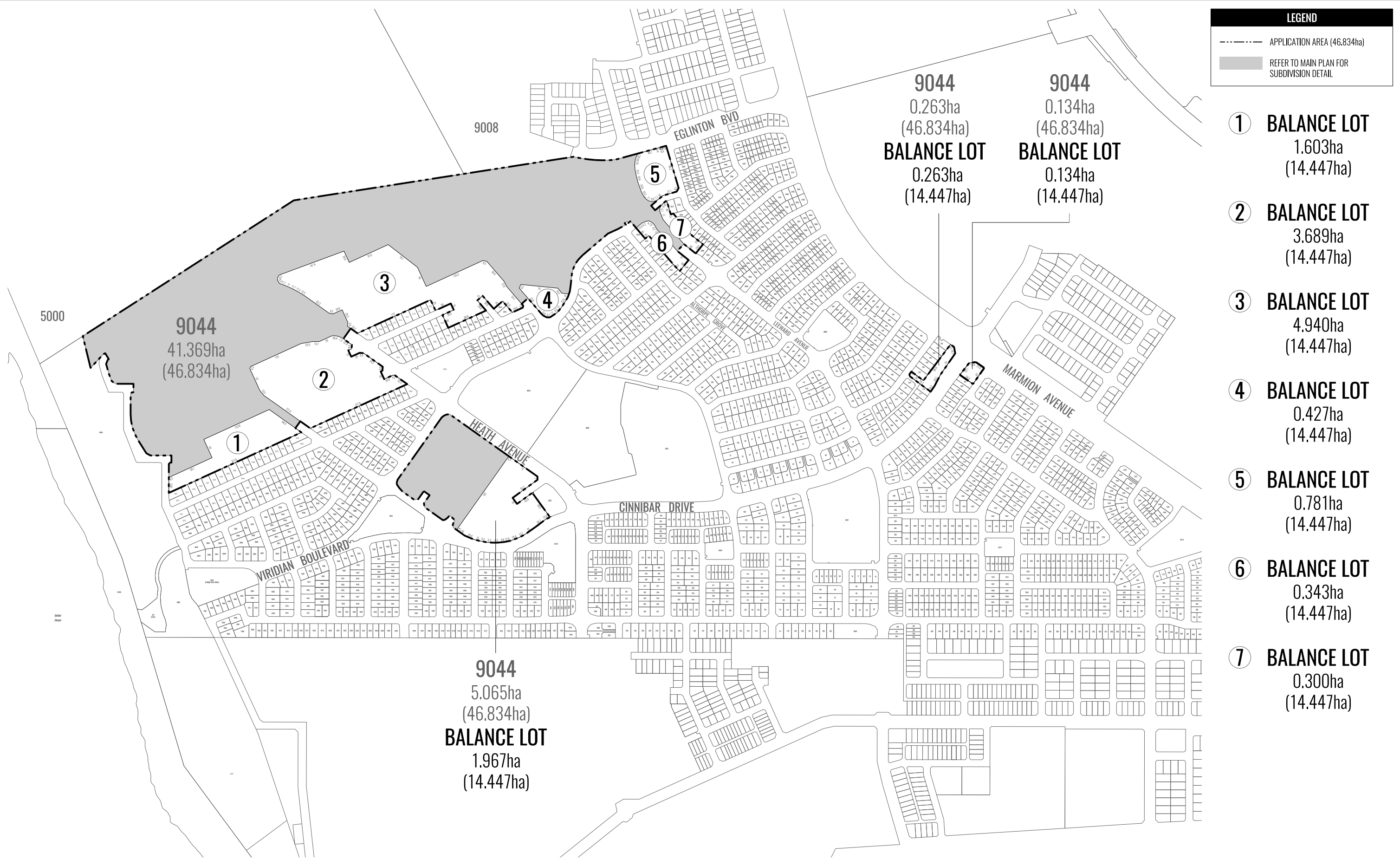
- 268 Residential Lots
- 4 Public Open Space & Drainage Lots
- 1 Balance Lot

FILE
201142




- LDP condition
- ➔ Social/Pedestrian/Cycle linkage



A Stockland Project



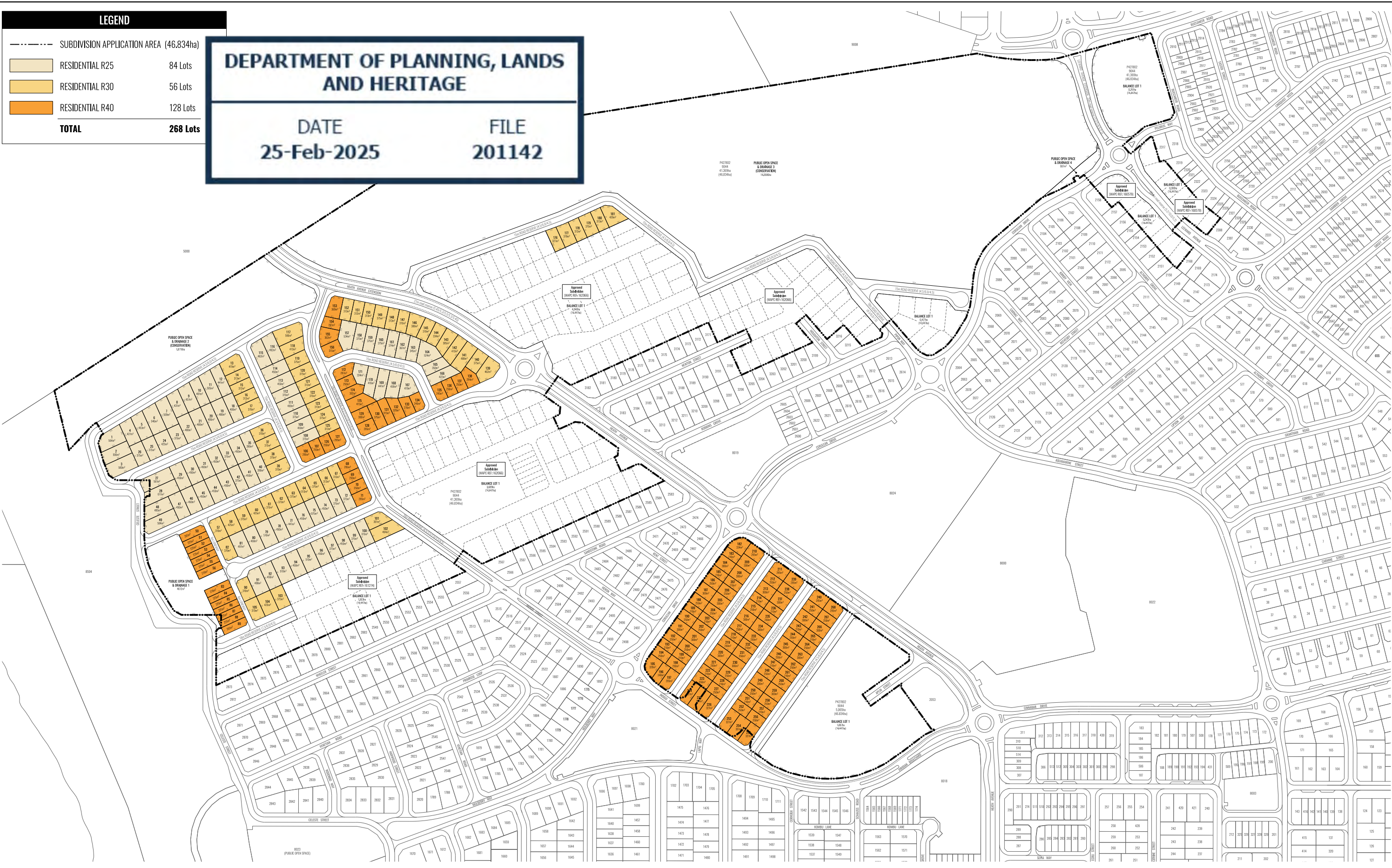


LEGEND		
-----	SUBDIVISION APPLICATION AREA (46.834ha)	
	RESIDENTIAL R25	84 Lots
	RESIDENTIAL R30	56 Lots
	RESIDENTIAL R40	128 Lots
TOTAL		268 Lots

DEPARTMENT OF PLANNING, LANDS
AND HERITAGE

DATE
25-Feb-2025

FILE
201142



RESIDENTIAL DESIGN CODES

Lot 9044 Heath Avenue, EGLINTON

A Stockland Project

NORTH

0 40 80 120m

Scale: 1:4000 @ A3

PLAN: OSEAG-5-159
DATE: 15/10/2024
PROJECTION: PCG 94
DATUM: AHD

REVISION:
DRAWN: JP
PLANNER: KG
CHECK: CH



Town Planning & Urban Design

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