

Chief Executive Officer
City of Kalamunda
PO Box 42
Kalamunda WA 6926

1st June 2018

ATTENTION: PLANNING DEPARTMENT

Dear Sir / Madam,

RE: PROPOSED SCHEME AMENDMENT – LOT 500 (No. 27) WANDOO ROAD, FORRESTFIELD

On behalf of the owners of the above property, we seek the City's initiation of an Amendment to Local Planning Scheme No. 3 to rezone a 570m² portion from 'No Zone' (road reserve) to Residential R20.

The proposed rezoning is consistent with advice contained in WAPC's subdivision approval reference number 155121 for the subject property which states that the land identified as road reserve is no longer required. The rezoning will remove an anomaly of a proposed subdivided lot having a portion zoned Residential and another portion identified as road reserve, in favour of a single Residential zoning.

The 570m² portion of land identified as road reserve is owned by our clients. This portion is surplus to the current and future requirements of Coolabah Way and the lots within it which were created over 40 years ago. As a result there will be no impact on adjoining and nearby owners.

In support of the Amendment we enclose a report detailing the proposed in further detail in accordance with the City's requirements.

Can you please provide us with an invoice for the City's fee made out to Norman & Susan Wong c/- The Land Division.

Regards,



Joel Carter

APPLICANT'S SCHEME AMENDMENT REPORT

1. INTRODUCTION

The landowners of Lot 500 (No. 27) Wandoo Road, Forrestfield seek to initiate an amendment to the City of Kalamunda's Local Planning Scheme No. 3 ('LPS 3') by:

- Rezoning a portion of Lot 500 (No. 27) Wandoo Road, Forrestfield from 'No Zone' (identified as road reserve in LPS 3) to 'Residential' with an applicable density code of R20 as shown in the Scheme Amendment Map (**Appendix 1**).

The amendment will enable a proposed new subdivided lot to be entirely zoned Residential R20, rather than a complicated Residential R20 zoning / No Zone classification.

The proposed new subdivided lot is described as Lot 501 in draft Deposited Plan 412868 (**Appendix 2**).

Note: the land identified as road reserve in LPS 3 has never previously been created and forms part of Lot 500. This amendment is therefore not a road closure.

2. BACKGROUND

2.1 Location

Lot 500 is located in the eastern portion of Forrestfield in close proximity to Lesmurdie Falls Natinal Park. Land to the north and east of the subject site is zoned 'Special Rural' and land to the south and west is categorised by Residential zoned land. The surrounding land is established and has been developed according to applicable zoning / density classifications.

2.2 Land Description & Ownership

The subject land is legally described as Lot 500 on Deposited Plan 46029 on Certificate of Title Volume 1465, Folio 458 and is owned in fee simple by Norman & Susan Wong (see **Appendix 3** – Record of Certificate of Title).

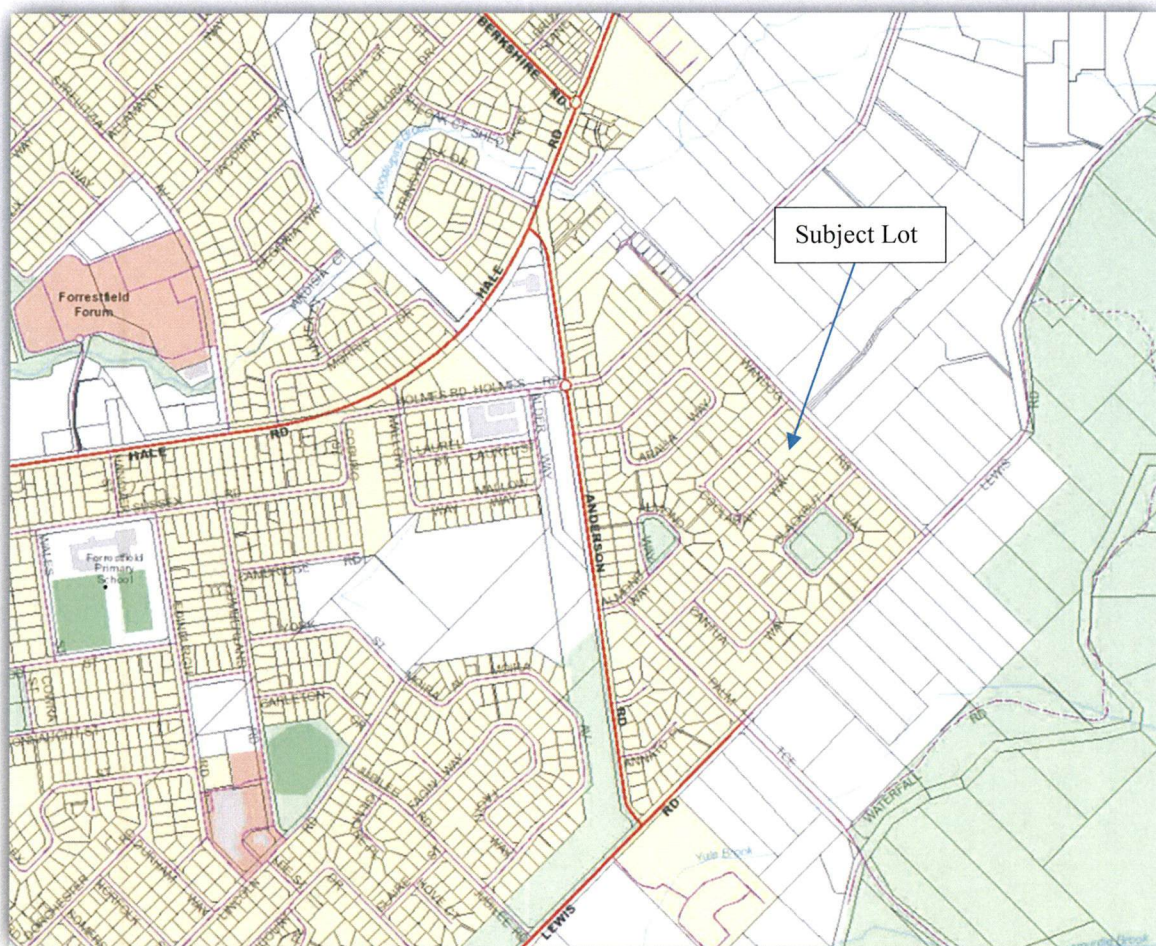


Figure 1 – Location Plan

2.3 Subdivision Approval

On the 2nd August 2017 the Western Australian Planning Commission ('WAPC') conditionally approved a subdivision of the subject land into 5 lots.

The submitted subdivision plan proposed the creation of 570m² of road reserve (extension of Coolabah Way) and a 500m² residential lot.

During the subdivision assessment process the Applicants for the subdivision (The Land Division) were advised by the WAPC that the City no longer required the 570m² road reserve. Consistent with this advice the following Conditions and Advice Notes were imposed in the WAPC's subdivision approval reference 155121:

Condition 1. *The plan of subdivision be modified to amalgamate proposed Lot 1 and the proposed 570m² road to form a balance lot.*

Advice Note 1. *In regard to Condition 1, the landowner/applicant is advised that the proposed road reserve as identified on the approved plan of subdivision **is no longer required** by the Shire of Kalamunda. The applicant should discuss the possibility of a Local Planning Scheme Amendment with the City of Kalamunda. (emphasis added in bold).*

2.4 Physical Characteristics & Current Land Use

Lot 500 is generally rectangular in shape and comprises a total area of 3,555m². The land enjoys frontage to both Wandoo Road and Coolabah Way (see **Appendix 4 – Deposited Plan 46029**).

The land has been developed with a residential house and various incidental outbuildings and improvements.

The 570m² portion of land to be rezoned is relatively flat and devoid of native vegetation. Dial Before You Dig investigations have concluded that there are no services located within this portion.



Figure 2 – Aerial Image

3 STRATEGIC AND STATUTORY FRAMEWORK

3.1 State Planning Context

3.1.1 Metropolitan Region Scheme

Lot 500 is classified 'Urban' zone under the Metropolitan Region Scheme (MRS). The proposal is therefore consistent with the zoning classification under the MRS.

3.1.2 State Planning Policies

3.1.2.1 SPP 3.7 – Planning in Bushfire Prone Areas

A portion of Lot 500 is identified as being within a 'Bushfire Prone Area' however this is not considered relevant to the proposal given that this was previously addressed as part of the subdivision assessment process prior to subdivision approval being issued.

More relevantly the 570m² portion of land to be rezoned is not identified as being within a 'Bushfire Prone Area'.

3.2 Local Planning Context

3.2.1 Local Planning Scheme

Under the terms of the City of Kalamunda's current operative Local Planning Scheme No.3 (LPS 3) the majority of Lot 500 is classified 'Residential' zone with a density coding of R20. The south eastern portion of the site (approx. 20m in width and 570m² in area) is identified for Road Reserve purposes.

4 AMENDMENT PROPOSAL

4.1 Proposed Rezoning

This amendment to LPS 3 proposes to rezone a portion of Lot 500 (No. 27) Wandoo Road, Forrestfield from 'No Zone' (road reserve) to 'Residential R20'.

4.2 Planning Justification

Based on the City's of Kalamunda's directive that the 570m² portion of land identified as Road Reserve is no longer required, the amendment will essentially remove an anomaly under LPS 3 where a proposed subdivided lot would have a dual Residential zoning / Road classification in favour of a standard Residential zoning across the entire lot. This will in turn simplify consideration and assessment for any future Building applications for the land.

Existing lots in Coolabah Way were created in 1975 & 1977 and therefore the existing road network has functioned in its current state for over 40 years without a 'short cut' through Lot 500. Given the relatively short length of Coolabah Way, it is agreed that the minor road extension (which would introduce intersections) is not necessary. The 570m² portion of land to be rezoned is therefore considered to be surplus to the current and future requirements of the established road network.

The 570m² portion of land to be rezoned is cleared and physically capable of being developed for residential purposes at the proposed density. Parent Lot 500 enjoys good access to the local and regional road network and is served by essential service infrastructure.

5 CONCLUSION

Pursuant to Section 75 of the Planning and Development Act we request Council adopt a standard amendment to LPS 3 by:

- Rezoning a 570m² portion of Lot 500 (No. 27) Wandoo Road, Forrestfield from 'No Zone' (road reserve) to 'Residential R20'.

The amendment will enable the proposed new subdivided lot to have a standard Residential zoning across the entire lot.

The amendment will have no impact on the amenity or character of the locality and is considered to be consistent with orderly and proper planning.