

20 September 2017

Our Ref: [REDACTED] Subdivision App Cover Letter (Freehold)

Western Australian Planning Commission  
Locked Bag 2506  
PERTH WA 6001

**RE: PROPOSED SUBDIVISION - LOTS 7 AND Y271 FLORENCE STREET, WEST PERTH**

We act on behalf of our client, [REDACTED] who have entered into a contract with the landowner [REDACTED] to purchase Lots 7 and Y271 Florence Street, West Perth. In our capacity as applicant we provide for your approval the following items:

- Completed Form 1A application;
- Certificate(s) of Title; and
- Eight (8) copies of the Plan of Subdivision.

**1. INTRODUCTION**

**PURPOSE OF THIS APPLICATION**

The purpose of this application is for the amalgamation and re-subdivision of Lots 7 and Y271 (the 'site) to create three (3) lots, being:

- Proposed Lot 100 fronting Florence Street to provide for the retention of a heritage residence on a freehold lot with direct road frontage;
- Proposed Lot 101 created as a freehold Residential R50 lot with further survey strata subdivision potential (subject to separate survey strata subdivision application). Lot 102 gains legal road access via an extension of the existing Sheridan Lane; and
- Proposed Lot 102 created as a freehold Residential R80 lot with gazetted road frontage via extension of existing Sheridan Lane, with future subdivision and development potential.

This application allows for retention of a heritage residence on Proposed Lot 1, and creates a balance lot for survey strata subdivision, as well as facilitates creation of road access to a currently land-locked site with no legal road frontage (Lot Y271). A separate survey strata subdivision application in relation to Proposed Lot 101 has been submitted with WAPC concurrent with this application, on the basis that survey strata subdivision would occur following creation of freehold lots as per this application.

## BACKGROUND

have the site under contract of sale, with settlement conditional on securing subdivision approval in the manner proposed by this application. Proposed Lot 100, containing the heritage listed residence, will be retained by the current landowner.

## 2. SITE DETAILS

The site is formally described as:

- Lot 7 (No. 14) Florence Street on Plan 2360; Certificate of Title 1690, Folio 103. The land is owned by
- Lot Y271 (No. 14) Florence Street on Deposited Plan 222985; Certificate of Title 1690, Folio 104. The land is owned by

A copy of the Certificates of Title are provided as an attachment to this letter.

Lot 7 contains a dwelling registered on the City of Vincent's Municipal Heritage Inventory ('Eddington House') located on the front of Lot 7, with the residence proposed to be retained on Proposed Lot 100.

The rear of Lot 7 contains a portion of a commercial factory building which is proposed to be demolished as part of this subdivision application.

Lot Y271 contains the balance of the commercial factory building, with the remainder of Lot Y271 being vacant land. Lot Y271 is currently land-locked, with legal road access to Sheridan Lane proposed as a result of this subdivision.

## 3. STATUTORY TOWN PLANNING CONSIDERATIONS

### METROPOLITAN REGION SCHEME

The site is zoned 'Urban' under the Metropolitan Region Scheme (MRS).

### CITY OF VINCENT TOWN PLANNING SCHEME NO. 1

Lot 7 is zoned 'Residential R50' under the City of Vincent Town Planning Scheme No. 1 (TPS 1). Lot Y271 is zoned 'Residential R80' under the City of Vincent Town Planning Scheme No. 1 (TPS 1).

The site is located within the Cleaver Street Precinct (P5), with multiple dwellings not permitted within the area zoned Residential R50 east of Cleaver Street as per Part 3, Division 1, S. 20(4)a(i) of TPS 1.

Clause 20(2)(a) (p16) of TPS1 stipulates that "Council may grant an increase in the permitted dwelling density of up to 50% if:

- (a) the proposed development effects the discontinuance of a non-conforming use"; or
- (b) the proposed development conserves or enhances an existing dwelling or existing dwellings worthy of retention.

This subdivision will result in both the discontinuance of the current non-conforming use, and

the retention of the heritage residence on Lot 7. Dwelling density concessions as per Clause 20(2) of TPS1 therefore apply, with survey strata subdivision of Proposed Lot 101 into three (3) strata lots is proposed as part of a separate survey strata subdivision application.

## CITY OF VINCENT DRAFT TOWN PLANNING SCHEME NO. 2

Lot 7 is zoned 'Residential R50' under the draft City of Vincent Town Planning Scheme No. 2 (TPS 2). Lot Y271 appears to be incorrectly zoned 'Residential R50' under the City of Vincent Town Planning Scheme No. 1 (TPS 1), however as TPS2 remains as draft, TPS 1 requirements have been applied in preparing this subdivision application on the basis that it remains the operation scheme for considering subdivision and development.

## RESIDENTIAL DESIGN CODES (R-CODES)

Subdivision and development standards are to be consistent with the requirements of the WAPC's Residential Design Codes as they relate to the Residential R50 and R80 zones.

All proposed lots are well in excess of the minimum lot sizes of 160m<sup>2</sup> and 120m<sup>2</sup> respectively, with all setback requirements also satisfied.

Survey strata subdivision of Proposed Lot 102 into three (3) strata lots consistent is proposed as part of a separate application.

## 4. PROPOSED SUBDIVISION

### SUBDIVISION LAYOUT AND LOT SIZES

The subdivision proposes the creation of two (2) Residential R50 lots and one Residential R80 lot. The purpose of the subdivision is to create a single lot fronting Florence Street containing the heritage listed residence, with two Residential R50 and R80 super lots for subsequent subdivision and development consistent with zoning under TPS 1.

This subdivision also seeks to provide legal road access to Proposed Lots 101 and 102 through an extension of the existing Sheridan Lane.

### ROADS AND ACCESS

Access to Proposed Lot 100 is via direct frontage to Florence Street.

Access to Proposed Lot 101 is via an extension of the existing Sheridan Lane. A frontage of 4m to Sheridan Lane is provided to satisfy vehicular access requirements as per 5.3.5 (C5.2) of the Residential Design Codes.

Access to Proposed Lot 102 is also via the proposed extension of Sheridan Lane, as well as the partial amalgamation with former Lot 7. The portion of Proposed Lot 102 zoned Residential R50 (formerly the rear of Lot 7) will be used for access and parking only.

These proposed access arrangements have been discussed in principle with City of Vincent technical staff and are proposed to secure legal road access for Lot Y271, to satisfy WAPC requirements. Internal access arrangements are outlined in the survey strata subdivision application for Proposed Lot 101, which has been lodged separately with the WAPC for approval.

## PUBLIC OPEN SPACE

No Public Open Space (POS) is provided as part of this subdivision, consistent with the exemptions for subdivision of less than 5 lots as per Element 4 - R39 of *Liveable Neighbourhoods*. Given the infill nature of the subdivision and the significant amount of nearby public open space and recreational areas in the vicinity, no additional POS contribution is proposed.

## ENVIRONMENT

There are no significant environmental considerations, with the site being primarily developed or vacant land.

## SERVICES

Services to the proposed lots is available via extension of existing services located along Sheridan Lane.

## 5. SUMMARY AND CONCLUSION

The subdivision application has been prepared to rationalise challenging current lot and access arrangements. The subdivision provides for the retention of a heritage residence fronting Florence Street, encourages the removal of an existing non-conforming use and resolves constraints to development by creating two super lots with access to Sheridan Lane for subsequent subdivision and development.

All lot size requirements are satisfied as per the requirement of the sites Residential R50 and R80 zoning under TPS 1. Lot design is consistent with the general form of subdivision in the area.

This subdivision application is to be read in conjunction with a separate survey strata subdivision application lodged with respect to Proposed Lot 101 (Plan No: 7-3-002, Dated: 20 September 2017).

We seek approval to the above subdivision application by the Western Australian Planning Commission at the earliest opportunity, and ask that you contact to the undersigned on [REDACTED] or via email at [REDACTED] should you have any queries regarding the content of this letter or attachments.

Yours sincerely

[REDACTED]