



PLANNING AND DEVELOPMENT ACT 2005

LOCAL PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

SHIRE OF LAKE GRACE LOCAL PLANNING SCHEME NO.4 AMENDMENT NO.6

Notice is hereby given that the Lake Grace Shire Council has resolved, pursuant to Section 75 of the *Planning and Development Act 2005*, to amend the above Local Planning Scheme as follows:

- a) Remove all reference to Special Use Zone No.SU12 in Schedule 4 of the Scheme Text which is described as the western most portion of Lot 1 Griffin Street, Lake Grace, however now legally covers Lot 500 on Deposited Plan 47225 Wattle Drive, Lake Grace, and portions of Lots 90 (No.9) and 91 (No.1) South Road, Lake Grace; and
- b) Change the zoning of Lot 500 on Deposited Plan 47225 Wattle Drive, Lake Grace from 'Special Use 12' (SU12) to 'Residential' with a density coding of R30; and
- c) Change the zoning of the easternmost portion of Lot 90 (No.9) South Road, Lake Grace from 'Special Use 12' (SU12) to 'Special Use 4' (SU4); and
- d) Change the zoning of the easternmost portion of Lot 91 (No.1) South Road, Lake Grace from 'Recreation' reserve and 'Special Use 12' (SU12) to 'Special Use 4' (SU4); and
- e) Amend the relevant Scheme map accordingly.

A document setting out and explaining the scheme amendment proposal is attached.

Comments on the proposal are now invited and can be emailed to shire@lakegrace.wa.gov.au or posted to the Shire's Chief Executive Officer at PO Box 50, LAKE GRACE WA 6353. All submissions must include the following information:

- Your name, address and contact telephone number;
- How your interests are affected whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property;
- Address of property affected (if applicable); and
- Whether your submission is in support of or objecting to the proposal, either in part or in whole, and any reasons supporting your comments.

Comments on the scheme amendment proposal may be submitted to the local government on or before **Friday 3 May 2024**.

All submissions received may be made public at a Council meeting and included in a Council Agenda, which will be available on the Shire's website in due course, unless a submission specifically requests otherwise.

Alan George
CHIEF EXECUTIVE OFFICER
SHIRE OF LAKE GRACE



SHIRE OF LAKE GRACE

TOWN PLANNING SCHEME NO.4

AMENDMENT NO.6

Prepared for: Shire of Lake Grace

Prepared by: Exurban Rural & Regional Planning

OCTOBER 2023

PROPOSAL TO AMEND A LOCAL PLANNING SCHEME

1. **LOCAL AUTHORITY:** Shire of Lake Grace
2. **DESCRIPTION OF LOCAL PLANNING SCHEME:** Local Planning Scheme No.4
3. **TYPE OF SCHEME:** District Zoning Scheme
4. **SERIAL NUMBER OF AMENDMENT:** No.6
5. **AMENDMENT TYPE:**

The Amendment is **Standard** under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

- i) The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and
- ii) The amendment does not result in any significant environmental, social, economic or governance impacts in the scheme area.

6. **PROPOSAL:**

Amend the Shire of Lake Grace Local Planning Scheme No.4 as follows:

- a) Remove all reference to Special Use Zone No. SU12 in Schedule 4 of the Scheme Text which is described as the western most portion of Lot 1 Griffin Street, Lake Grace, however now legally covers Lot 500 on Deposited Plan 47225 Wattle Drive, Lake Grace, and portions of Lots 90 (No.9) and 91 (No.1) South Road, Lake Grace; and
- b) Change the zoning of Lot 500 on Deposited Plan 47225 Wattle Drive, Lake Grace from 'Special Use 12' (SU12) to 'Residential' with a density coding of R30; and
- c) Change the zoning of the easternmost portion of Lot 90 (No.9) South Road, Lake Grace from 'Special Use 12' (SU12) to 'Special Use 4' (SU4); and
- d) Change the zoning of the easternmost portion of Lot 91 (No.1) South Road, Lake Grace from 'Recreation' reserve and 'Special Use 12' (SU12) to 'Special Use 4' (SU4); and
- e) Amend the relevant Scheme map accordingly.

PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME
SHIRE OF LAKE GRACE LOCAL PLANNING SCHEME NO.4
AMENDMENT NO.6

RESOLVED that the local government, in pursuance of Section 75 of the *Planning and Development Act 2005* (as amended), amend the Shire of Lake Grace Local Planning Scheme No.4 as follows:

- a) Remove all reference to Special Use Zone No.SU12 in Schedule 4 of the Scheme Text which is described as the western most portion of Lot 1 Griffin Street, Lake Grace, however now legally covers Lot 500 on Deposited Plan 47225 Wattle Drive, Lake Grace, and portions of Lots 90 (No.9) and 91 (No.1) South Road, Lake Grace; and
- b) Change the zoning of Lot 500 on Deposited Plan 47225 Wattle Drive, Lake Grace from 'Special Use 12' (SU12) to 'Residential' with a density coding of R30; and
- c) Change the zoning of the easternmost portion of Lot 90 (No.9) South Road, Lake Grace from 'Special Use 12' (SU12) to 'Special Use 4' (SU4); and
- d) Change the zoning of the easternmost portion of Lot 91 (No.1) South Road, Lake Grace from 'Recreation' reserve and 'Special Use 12' (SU12) to 'Special Use 4' (SU4); and
- e) Amend the relevant Scheme map accordingly.

Resolved that the Amendment is 'standard' under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

- a) The amendment would have minimal impact on land in the Scheme area that is not the subject of the amendment; and
- b) The amendment would not result in any significant environmental, social, economic or governance impacts on land in the Scheme area.

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Alan George
CHIEF EXECUTIVE OFFICER
Dated this 25th day of October 2023

SCHEME AMENDMENT REPORT

INTRODUCTION & BACKGROUND

The Shire of Lake Grace is proposing to amend the Shire of Lake Grace Local Planning Scheme No.4 to change the current zoning classification of Lot 500 on Deposited Plan 47225 Wattle Drive, Lake Grace from 'Special Use' to 'Residential' with a density coding of R30 to allow the land to be subdivided and developed for low density residential purposes.

The following report provides a detailed description of the subject land and its immediate surrounds, as well as the planning rationale and justifications for the scheme amendment proposal. A series of maps and plans are also provided for illustrative purposes.

LAND DESCRIPTION & OWNERSHIP

The land subject to this proposed amendment comprises Lot 500 on Deposited Plan 47225 Wattle Drive, Lake Grace, formerly described as the western portion of Lot 1 Griffin Street, Lake Grace.

Lot 500 is owned by the Shire of Lake Grace.

A copy of the land's Certificate of Title and Deposited Plan is provided in Appendix 1.

LOCATION, PHYSICAL CHARACTERISTICS & CURRENT LAND USE

Lot 500 is located in the eastern part of the Lake Grace townsite, comprises a total area of 1.4573 hectares and is gently sloping from east to west with the natural ground level ranging from approximately 293 metres AHD along its eastern boundary to 291 metres AHD along its western boundary (see Appendix 2 - Plans 1 & 2).

The subject land has been extensively cleared, has not been developed and/or used for any specific purpose/s and has direct frontage and access to Wattle Drive along its southern boundary which is a sealed and drained local road under the care, control and management of the Shire of Lake Grace (see Appendix 2 - Plan 3).

Due to its location in a well-established part of the Lake Grace townsite Lot 500 is served by a comprehensive range of key essential service infrastructure including electricity, reticulated water, reticulated sewerage, telecommunications and stormwater drainage (see Appendix 2 - Plan 4).

The property has not been designated by the Fire and Emergency Services Commissioner as being bushfire prone, is not identified on the Department of Water and Environmental Regulation's Contaminated Sites Database as being contaminated, and does not contain any buildings or places of cultural heritage significance. A significant proportion of the land has however been designated by the Department of Water and Environmental Regulation as being flood prone.

Existing adjoining and other nearby land uses are broadly described as follows:

- North – Recreation reserve owned in fee simple by the Shire of Lake Grace with the Stubbs Street Road reserve, another recreation reserve, an operational railway reserve, and a grain handling and storage facility beyond;

- South – The Wattle Drive road reserve with Crown Reserve 39833 beyond which is under the care, control and management of the Shire of Lake Grace for the designated purpose 'Public Recreation';
- East – Low density residential development comprising single houses on lots ranging in size from 799 to 992m²; and
- West – Commercial development, including a roadhouse and motel, and Crown Reserve 35214 which is under the care, control and management of the Shire of Lake Grace for the designated purpose 'Public Recreation'.

SCHEME AMENDMENT PROPOSAL

The Shire of Lake Grace is proposing to develop additional residential lots in the Lake Grace townsite to accommodate current and future anticipated demand. All residential lots developed by the Shire in the eastern part of the townsite have now been sold. Lot 500 on Deposited Plan 47225 Wattle Drive, Lake Grace (formerly described as the western portion of Lot 1 Griffin Street, Lake Grace) has been identified as one of the preferred locations for the development of additional residential lots.

All of the land comprising Lot 500 is currently classified 'Special Use' zone in the Shire of Lake Grace Local Planning Scheme No.4 (LPS4). Under the terms of clause 3.7.2 and Schedule 4 in LPS4 Lot 500 is only permitted to be developed and used for the purposes of roadhouse, motel and/or aged persons accommodation.

Lot 500 was classified 'Special Use' zone in LPS No.4 and included the use classes 'roadhouse' and 'motel' due to existing boundary encroachments from the historical development of the existing roadhouse and motel on Lots 90 and 91 located immediately west. The use class 'aged persons accommodation' was also included due to significant interest shown in developing the subject land for this purpose by a private property developer.

The boundary encroachment issues have now been resolved and the private developer decided not to proceed with the development of aged persons accommodation on the subject land. The Shire has also decided it will be more beneficial for any new aged persons accommodation to be developed more centrally in the Lake Grace townsite in closer proximity to key essential services and facilities, including the Lake Grace Hospital and Medical Centre.

In order to allow Lot 500 to be subdivided and developed for low density residential purposes as proposed, a formal amendment to LPS4 is required to change the land's current zoning classification from 'Special Use' to 'Residential'. Council has also resolved to apply a density coding of R30 to allow for the creation of a number of new lots to accommodate single houses and grouped dwellings comprising an average site area of 300m² per dwelling.

PLANNING FRAMEWORK CONSIDERATIONS & JUSTIFICATIONS

The following elements of the Shire's current local planning framework are of relevance to the future proposed development and use of the subject land for residential purposes. Written justification in the context of each are provided to assist consideration of the scheme amendment proposal.

- **State Planning Strategy 2050**

The *State Planning Strategy 2050* is the lead strategic planning document within Government. It provides the context and basis for the integration and coordination of land use planning and development across State, regional and local jurisdictions and contains a set of planning

principles, strategic goals and objectives that can be used as a basis to find synergies between competing, complex and often inter-related issues.

The proposal for Lot 500 is considered to be consistent with this Strategy for the following reasons:

- i) The land will provide infill and higher density housing in an appropriate location;
- ii) The land will be made available for residential purposes and be used efficiently and appropriately to optimal levels;
- iii) Development of the land for residential purposes will provide built-in capacity to cater for forecast growth and future expansion;
- iv) It will provide affordable, suitably located lots that are easily accessible and fully serviced;
- v) The local government will be leading by example in the delivery of additional, affordable land for residential purposes; and
- vi) It will allow for development in an area that will not adversely affect the amenity of the immediate locality, constrain any existing established land uses or have any negative impacts on the health, well-being and safety of future residents and the local community more generally.

- **Wheatbelt Regional Planning and Infrastructure Framework 2015**

The *Wheatbelt Regional Planning and Infrastructure Framework 2015* defines a strategic direction for the future development of the Wheatbelt Region over the next 20 years. It addresses the scale and distribution of population growth, opportunities for economic development and associated infrastructure priorities in the region. It aims to ensure that social, economic and environmental change will benefit residents and enhance the region's character and natural resources. The Framework also addresses land use planning responses to future growth and development pressures in the region.

The proposal for Lot 500 is considered to be consistent with the Framework for the following reasons:

- i) It recognises the current and changing demographics of the area;
- ii) It will help to attract, retain and diversify the local population;
- iii) It will help to further establish Lake Grace as a sub-regional centre in the Wheatbelt Region;
- iv) It will ensure there is an adequate supply of land available to cater for the future housing needs of the local community;
- v) It will provide for the productive use of under-utilised local government owned land to accommodate the future growth of the Lake Grace townsite;
- vi) It will provide an opportunity to diversify the existing housing stock, including affordable housing options;
- vii) It will provide opportunity for additional accommodation to cater for seasonal or project-related workforces; and
- viii) The land has access to a comprehensive range of key essential service infrastructure including electricity, reticulated water, reticulated sewerage, telecommunications and stormwater drainage.

- **Shire of Lake Grace Strategic Community Plan 2017-2027**

The *Shire of Lake Grace Strategic Community Plan 2017-2027* contains a series of objectives and prioritised strategies and actions to guide development in the Shire for at least the next ten (10) years to achieve the community's long-term visions and aspirations.

The proposal for Lot 500 is considered to be consistent with this plan as it will help support local businesses and promote further investment in the district by ensuring there is a sufficient supply of housing to accommodate future needs and demand.

- **Shire of Lake Grace Local Planning Strategy 2007**

The *Shire of Lake Grace Local Planning Strategy 2007* is a non-statutory, strategic planning tool which sets out the local government's general aims, objectives and intentions for long term development and growth within its municipal district.

Whilst Lot 500 is identified in the Townsite Development Strategy Plan for Lake Grace as being a 'Special Use' site with the designated purposes roadhouse, motel and/or aged persons accommodation, it is understood this does not constrain or fetter the Hon. Minister for Planning's ability to approve the scheme amendment proposal, particularly in light of the fact the Shire's Local Planning Strategy is non-statutory in nature.

The proposal for Lot 500 is also considered to be generally consistent with the broader aims and objectives of the Shire's Local Planning Strategy for the following reasons:

- i) It will provide additional suitably zoned and serviced residential land in the Lake Grace townsite to accommodate future need and demand;
- ii) It will provide a greater choice of lot sizes and housing types to suit the needs of the local community;
- iii) It will help to create a local neighbourhood with community identity and high levels of safety, accessibility and amenity; and
- iv) It will help stimulate and sustain local economic development and growth.

- **State Planning Policy 3.0 - Urban Growth and Settlement**

State Planning Policy 3.0 entitled *Urban Growth and Settlement* sets out the principles and considerations which apply to planning for urban growth and settlement in Western Australia. The policy seeks to:

- promote a sustainable and well planned pattern of settlement across the State, with sufficient and suitable land to provide for a wide variety of housing, employment, recreation facilities and open space;
- build on existing communities with established local and regional economies;
- manage the growth and development of urban areas in response to the social and economic needs of the community and in recognition of relevant climatic, environmental, heritage and community values and constraints;
- promote the development of a sustainable and liveable neighbourhood form; and
- coordinate new development with the efficient, economic and timely provision of infrastructure and services.

The proposal for Lot 500 is considered to be consistent with State Planning Policy 3.0 for the following reasons:

- i) It will contribute to the sustainable and well-planned future growth of the Lake Grace townsite with sufficient and suitable land for new housing development in close proximity to a wide range of existing community services and facilities;
- ii) It will build on the existing Lake Grace community with investment in services and infrastructure and enhance the quality of life in the local community;

- iii) It will meet the social and economic needs of the community, while recognising relevant climatic, environmental and community values and constraints;
- iv) It will promote the development of a liveable neighbourhood form which provides choice and affordability of housing and contributes to an identifiable sense of place for the local community; and
- v) It is a logical extension to existing urban development in the Lake Grace townsite and is capable of being developed efficiently and cost effectively due its location in close proximity to a wide range of key essential service infrastructure.

- **State Planning Policy 3.4 – Natural Hazards and Disasters**

State Planning Policy 3.4 entitled *Natural Hazards and Disasters* seeks to minimise the adverse impacts of natural disasters on communities, the economy and the environment by integrating mitigation activities into the land use planning process. The policy encourages local governments to adopt a systematic approach to the consideration of natural hazards and disasters when performing their statutory or advisory functions.

Given that a significant proportion of Lot 500 has been designated by the Department of Water and Environmental Regulation as being flood prone, due consideration must be given to the future potential flood risk and appropriate mitigation measures.

Firstly, it should be noted the subject land is identified by the Department of Water and Environmental Regulation as being located within a floodplain, not a floodway, where the risk of flooding is less severe. Secondly, the Floodplain Management Strategy commissioned by the Shire following the major flood event in the Lake Grace townsite in January 2006 confirmed the western and southern portions of Lot 500 are subject to flooding that ranges in depth from 0.02 to 0.15 metres above the land's natural ground level.

Given the significant effort and investment made by the Shire since the 2006 flood event to address the various mitigation measures recommended by the Floodplain Management Strategy and its intention to design and construct all new lots in the flood prone portion of the subject land to ensure the final finished floor level of all proposed new dwellings is at least 300mm above the highest known flood level, it is contended all future proposed lots and dwellings thereon will have an adequate level of flood protection that addresses the requirements of State Planning Policy 3.4.

- **State Planning Policy 4.1 – Industrial Interface**

State Planning Policy 4.1 entitled *Industrial Interface* seeks to prevent conflict and encroachment between industrial and sensitive land uses.

The Environmental Protection Authority's Guidance Statement No.3 entitled '*Separation Distances between Industrial and Sensitive Land Uses*' confirms a generic buffer distance of 50 metres is required between any sensitive land use and service stations that contain vehicle cleaning/detailing facilities and involve the retail sale of spare parts and foodstuffs operating during normal hours (i.e. Monday to Saturday from 7.00am to 7.00pm) to help mitigate any potential negative impacts.

Given there is an existing roadhouse located immediately adjacent to the western boundary of Lot 500 on Lot 91 (No.1) South Road, Lake Grace that simply involves the retail sale of fuel and food products, due consideration must be given to the requirements of State Planning Policy 4.1 and the Environmental Protection Authority's Guidance Statement No.3.

Having regard for the location of the existing refuelling facilities and fuel storage tanks on Lot 91, a portion of the required 50 metre buffer area will encroach upon the north-western portion of Lot 500. As such, when formulating a subdivision plan for Lot 500 the Shire will ensure all future proposed residential lots are not located within this designated buffer area and will set the buffer area aside as public open space that ties into and complements the existing recreation reserve along the northern boundary of Lot 500. In so doing it is contended the requirements of State Planning Policy 4.1 and Guidance Statement No.3 will be suitably addressed.

- **State Planning Policy 5.4 – Road and Rail Noise**

State Planning Policy 5.4 entitled *Road and Rail Noise* seeks to minimise the adverse impacts of road and rail noise on noise sensitive land uses and/or development within the specified trigger distance of strategic freight and major traffic routes and other significant freight and traffic routes. The policy aims to ensure communities are protected from unreasonable levels of transport noise, whilst also ensuring the future continued operation of strategically important transport corridors.

Due to the subject land's location in close proximity to Stubbs Street, which is a regional distributor road, and a freight railway corridor immediately north, any future residential development has potential to be impacted by road and rail noise from these important, well-established transport corridors.

Assessment of the potential noise impacts in the context of the Road and Rail Noise Guidelines that support State Planning Policy 5.4 has confirmed the indoor and outdoor day and night noise targets can be achieved without the need for any mitigation measures by ensuring all future dwellings are sited a minimum of 40 metres from the edge of the Stubbs Street road carriageway. Having regard for the width of the Stubbs Street road reserve and the recreation reserve along the subject land's northern boundary, all dwellings will need to be sited a minimum of 15 metres south of the land's northern boundary to satisfy the relevant road noise targets. It is contended this can easily be achieved through the subdivision design process in due course by considering street and lot layouts and the built form outcomes arising therefrom.

In relation to the potential noise impacts arising from the nearby freight railway corridor, the following key points should be noted:

- i) The frequency of train movements is low and seasonal in nature;
- ii) The speed of train movements is also low due to the significant curve in the railway line immediately north of the subject land;
- iii) The existing mature vegetation in the recreation reserves between the railway corridor and subject land help to mitigate/ suppress all railway noise currently being generated; and
- iv) The Shire has no record of any noise complaints from the owners or occupiers of existing dwellings in the same proximity to the railway line as the new lots proposed to be developed on the subject land.

In light of all the above it is contended the proposed development of Lot 500 for low density residential purposes will not be subjected to unreasonable levels of road and railway noise and will therefore be consistent with the aims and objectives of State Planning Policy 5.4.

- **State Planning Policy 7.3 - Residential Design Codes (Volume 1)**

State Planning Policy 7.3 entitled *Residential Design Codes (Volume 1)* (i.e. the 'R-Codes') provides a comprehensive basis for the control of residential development throughout Western Australia.

The R-Codes are applied to all applications for subdivision and development for residential purposes and provide details of minimum and average lot sizes per dwelling for any given density coding, minimum street and boundary setbacks, minimum lot frontages, vehicle access, parking, open space and outdoor living requirements, as well as measures to ensure privacy, protection of local streetscapes and minimise excessive overshadowing.

The proposal for Lot 500 has been formulated with due regard for the standards and requirements of the R-Codes, including those applicable to the land's proposed new R30 density coding which will allow for the creation of new lots comprising an average area of 300m² per dwelling unit.

Given that the R-Codes are incorporated by reference in Part 4 of Local Planning Scheme No.4 and form part of the Scheme, due consideration must be given to all relevant standards and requirements if and when the land is subdivided and developed for residential purposes at the R30 density coding as proposed.

It should be noted no exclusions or variations to the Residential Design Codes for incorporation in Part 4 of Local Planning Scheme No.4 are proposed by this amendment.

- **Government Sewerage Policy**

The *Government Sewerage Policy* establishes the Western Australian Government's position on the provision of sewerage services through the planning and development of land.

Broadly, the policy requires reticulated sewerage to be provided during the subdivision and development of land. Where reticulated sewerage disposal infrastructure is not available it adopts a best practice approach to the provision of on-site sewage treatment and disposal in accordance with *Australian/New Zealand Standard 1547 On-site domestic wastewater management*.

Part 4 of Local Planning Scheme No.4 supports the *Government Sewerage Policy* by requiring the provision of reticulated sewerage disposal infrastructure to all residential and other developments in the Lake Grace townsite which exceeds the R5 density code.

Given Lot 500 is located in close proximity to existing reticulated sewerage disposal infrastructure in the Lake Grace townsite, any future subdivision of the land for residential purposes will be designed to ensure all lots are connected to this infrastructure. As such, the proposal to rezone and develop the land for low density residential purposes is consistent with the requirements of the *Government Sewerage Policy*.

- **WAPC Development Control & Operational Policies**

The following development control and operational policies published by the Western Australian Planning Commission are of relevance to the future proposed subdivision of Lot 500 for residential purposes:

- 1.1 – *Subdivision of Land – General Principles*;
- 2.2 – *Residential Subdivision*;
- 2.3 – *Public Open Space in Residential Areas*; and
- 2.6 – *Residential Road Planning*.

The Shire will have due regard for the requirements of these policies when formulating a subdivision plan for the subject land for formal consideration and determination by the Western Australian Planning Commission at the appropriate point in the statutory approval process.

- **Shire of Lake Grace Local Planning Scheme No.4**

The *Shire of Lake Grace Local Planning Scheme No.4* articulates the local government's planning aims and intentions for its municipal district, sets aside land as reserves for public purposes, zones land for the purposes defined in the Scheme, controls and guides land use and development, sets out procedures for the assessment and determination of development applications, makes provision for the administration and enforcement of the Scheme and addresses other matters contained in Schedule 7 of the *Planning and Development Act 2005*.

The stated objectives in Part 3 of Local Planning Scheme No.4 for all land classified 'Residential' zone are as follows:

- *To achieve a high standard of residential development in accordance with contemporary planning and development practice for the benefit of the community of the Shire of Lake Grace;*
- *To enhance the character and amenity of residential areas;*
- *To provide for residential development at a range of densities with a variety of housing types to meet the needs of the community; and*
- *To provide an opportunity for residents to undertake occupations ancillary to the use of their dwelling that are compatible in character, scale and operation with the residential use and which will not have an adverse effect upon the existing character and amenity of these areas.*

The proposed subdivision and development of Lot 500 for residential purposes represents a logical extension to existing residential development in the Lake Grace townsite, is capable of being developed in a manner consistent with the abovementioned Scheme objectives and all other relevant standards and requirements, and is unlikely to compromise the existing character, amenity or compatibility of existing or proposed land uses in the immediate locality or give rise to any serious land use conflicts.

CONCLUSION

In light of the above information and justifications, it is concluded the proposed rezoning of Lot 500 Wattle Drive, Lake Grace from 'Special Use' to 'Residential' with a density coding of R30 as proposed by this amendment is consistent with the aims and objectives of the Shire's current local planning framework and will be of significant benefit to the future development and growth of the Lake Grace townsite and the local community.

As such, the Shire of Lake Grace is now seeking the necessary approvals from the Environmental Protection Authority, the Western Australian Planning Commission and the Hon. Minister for Planning to amend the Shire of Lake Grace Local Planning Scheme No.4 as proposed.



APPENDIX 1 – CERTIFICATE OF TITLE & DEPOSITED PLAN

WESTERN



AUSTRALIA

TITLE NUMBER

Volume Folio

2800 380

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 500 ON DEPOSITED PLAN 47225

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

SHIRE OF LAKE GRACE OF POST OFFICE BOX 50, LAKE GRACE

(AF M053335) REGISTERED 20/9/2012

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

1. EASEMENT BURDEN CREATED UNDER SECTION 136C T.L.A. FOR RIGHT OF CARRIAGEWAY PURPOSES - SEE DEPOSITED PLAN 69071

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required. Lot as described in the land description may be a lot or location.

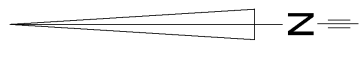
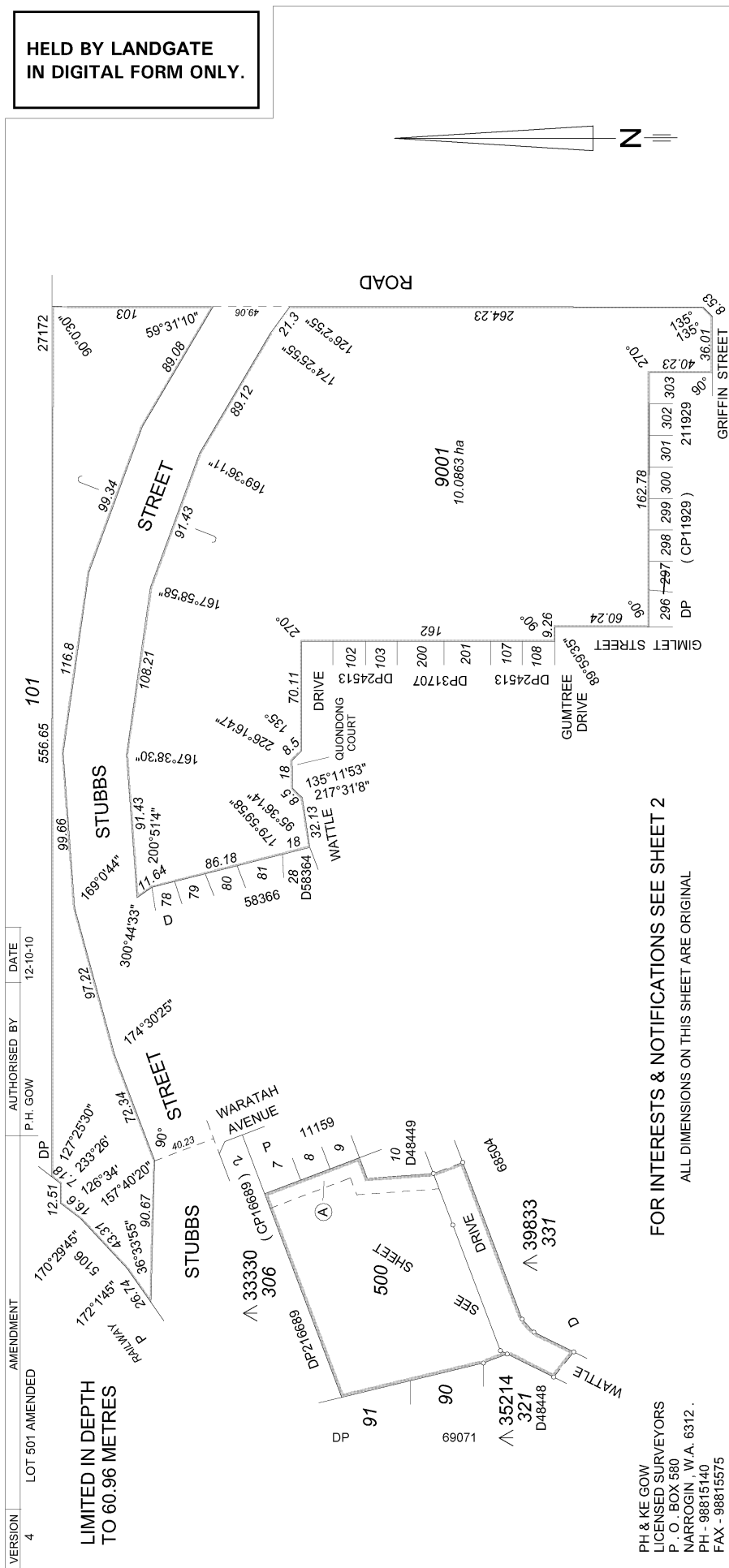
-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.



SKETCH OF LAND: DP47225
PREVIOUS TITLE: 2123-309
PROPERTY STREET ADDRESS: NO STREET ADDRESS INFORMATION AVAILABLE.
LOCAL GOVERNMENT AUTHORITY: SHIRE OF LAKE GRACE

**HELD BY LANDGATE
IN DIGITAL FORM ONLY.**



FOR INTERESTS & NOTIFICATIONS SEE SHEET 2
ALL DIMENSIONS ON THIS SHEET ARE ORIGINAL

PH & KE GOW
LICENSED SURVEYORS
P. O. BOX 580
NARROGIN, W.A. 6312
PH - 98815140
FAX - 98815575

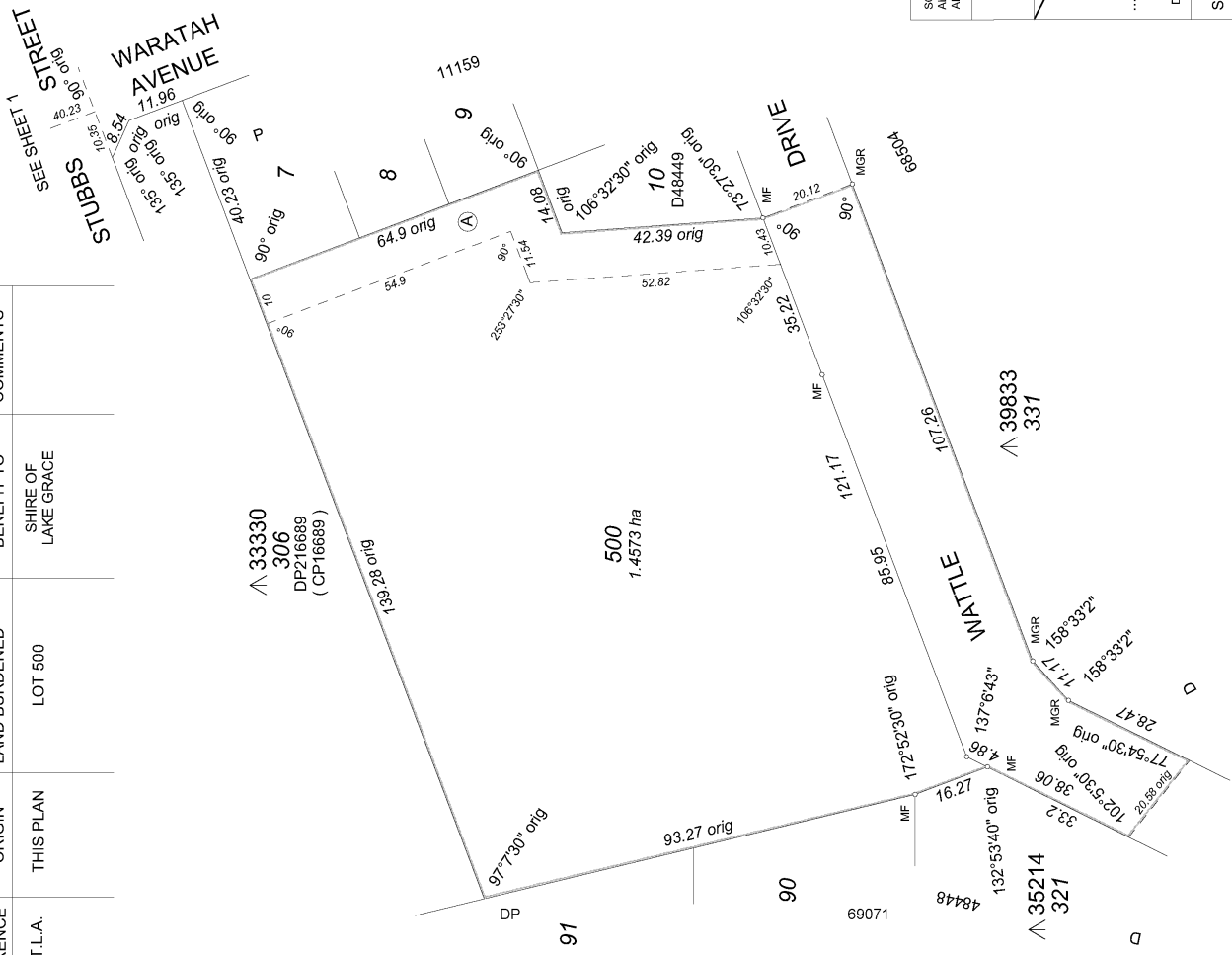
VERSION 4	AMENDMENT LOT 501 AMENDED	AUTHORISED BY P.H. GOW	DATE 12-10-10
LIMITED IN DEPTH TO 60.96 METRES		<p>APPROVED BY</p> 	
<p>TYPE FREEHOLD</p> <p>PURPOSE SUBDIVISION</p> <p>PLAN OF</p>		<p>DISTRICT WILLIAMS</p> <p>FILE</p> <p>LOCAL AUTHORITY SHIRE OF LAKE GRACE</p>	
<p>LOT 1 ON D27840 C/T 2123 - 309</p> <p>FORMER TENURE</p> <p>ON</p> <p>BL31 (2) 06.17 BL31 (10) 1.4</p> <p>INDEX</p>		<p>FIELD BOOK 96361</p>	
<p>SCALE 1:2500 DISTANCE ARE IN METRES</p> <p>0 50 100</p>		<p>APPROVED</p>  <p>20/09/2012 INSPECTOR OF PLANS & SURVEYS DATE</p>	
<p>DEPARTMENT OF WESTERN AUSTRALIA</p> <p>Department of Land Information</p>		<p>DEPOSITED PLAN 47225</p>	
<p>SHEET 1 OF 2</p> <p>VERSION 4</p>		<p>FOR INSPECTOR OF PLANS & SURVEYS</p> <p>AUTHORIZED LAND OFFICER</p>	
<p>APPROVED BY</p> <p>WESTERN AUSTRALIAN PLANNING COMMISSION</p> <p>FILE 139735</p> <p>DELEGATED UNDER S.20 WAPC ACT 1995</p> <p>DATE 16-Nov-2010</p>		<p>IN ORDER FOR DEALINGS</p> <p>SUBJECT TO</p> <p>Section 136C of the T.L Act.</p> <p>Section 168 (1) (2) of the P & D Act and</p> <p>Simultaneous Dealing on DP 69071</p> <p>24-Nov-2011 DATE</p>	
<p>LOGGED</p> <p>DATE 22-Jul-05</p> <p>FEE PAID \$274.00</p> <p>ASSSES 463046</p>		<p>TYPE OF VALIDATION</p> <p>FULL AUST LEGAL COMPONENT</p> <p>BOOKET G. Singleton</p> <p>BOOKET 01735-2005</p> <p>CORRECTED CORRECTED</p> <p>ISS C. 12-Oct-2010</p> <p>F.S.C.</p>	
<p>SURVEYORS CERTIFICATE - Reg 54</p> <p>P. H. GOW</p> <p>hereby certify that this is a correct representation of the survey and/or calculations from measurements recorded in the field book lodged for the purposes of this plan and that it complies with the relevant written law(s) in relation to which it is lodged.</p> <p>DATE</p>		<p>SSA YES / NO</p> <p>Completed</p> <p>SURVEYORS CERTIFICATE - Completed</p> <p>hereby certify that this compiled plan (a) is a correct and accurate representation of the survey(s) of the subject land, and (b) is in accordance with the relevant law in relation to which it is lodged.</p> <p>DATE</p>	

**HELD BY LANDGATE
IN DIGITAL FORM ONLY.**

FOR HEADING SEE SHEET 1

INTERESTS & NOTIFICATIONS

SUBJECT	PURPOSE	STATUTORY REFERENCE	ORIGIN	LAND BURDENED	BENEFIT TO	COMMENTS
(A)	RIGHT OF CARRIAGEWAY	SEC 136C OF THE T.L.A.	THIS PLAN	LOT 500	SHIRE OF LAKE GRACE	



Department of Land Information
GOVERNMENT OF WESTERN AUSTRALIA

APPROVED BY
WESTERN AUSTRALIAN PLANNING COMMISSION

DELEGATED UNDER S.20 WAPC ACT 1985

DATE

DEPOSITED PLAN
47225


SHEET 2 OF 2
VERSION 4

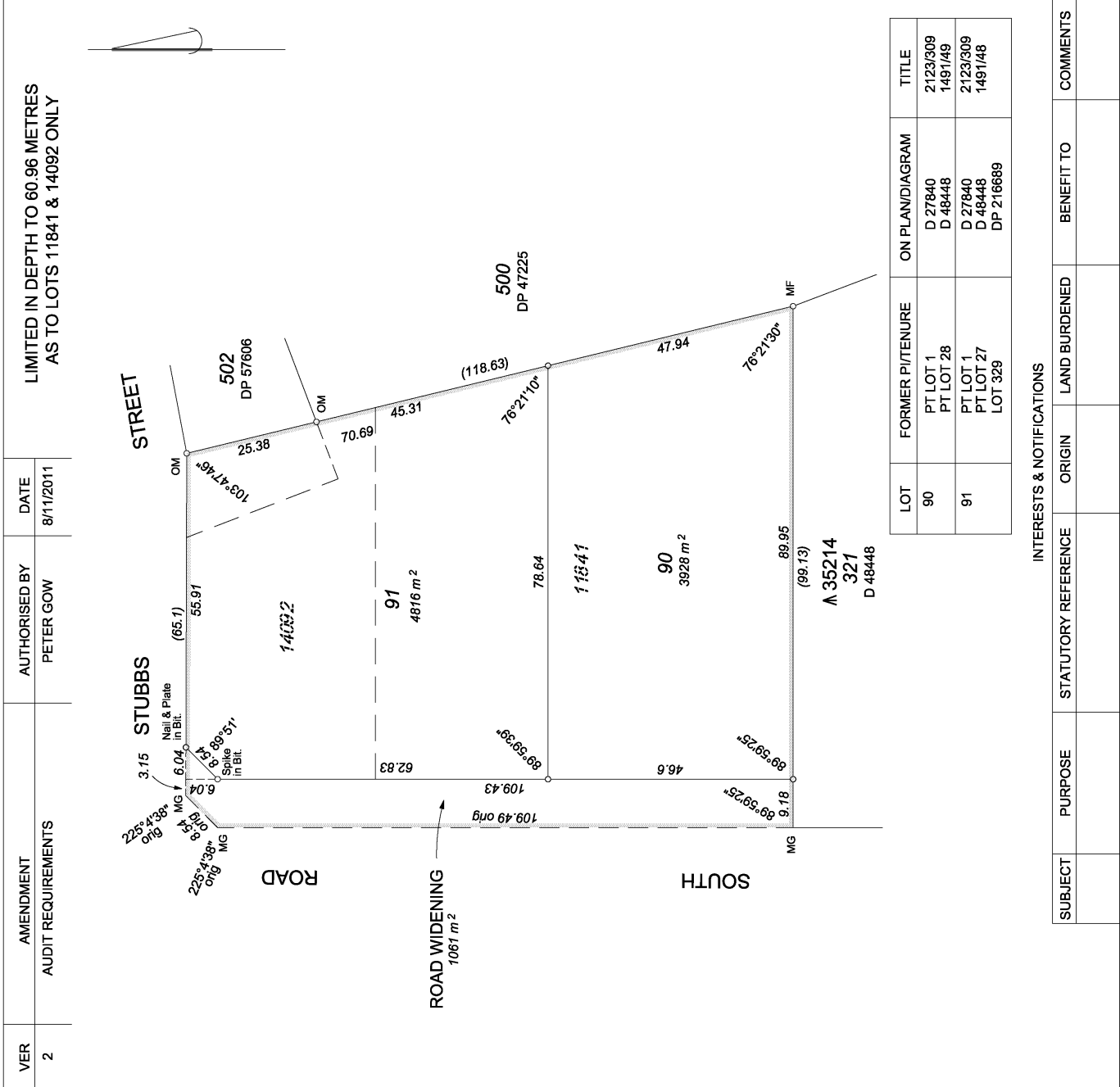
SCALE 1:1000
DISTANCE ARE IN METRES

0 10 20 30 40 50

PH & KE GOW
LICENSED SURVEYORS
P. O. BOX 580
NARROGIN, W.A. 6312.
PH - 98815140
FAX - 98815575

**HELD BY LANDGATE
IN DIGITAL FORM ONLY.**

TYPE	FREEHOLD
PURPOSE	SUBDIVISION
PLAN OF	LOTS 90, 91 & ROAD WIDENING
DISTRICT	WILLIAMS LAKE GRACE
TOWNSITE	LAKE GRACE
LOCAL AUTHORITY	SHIRE OF LAKE GRACE
LOCALITY	LAKE GRACE
FORMER TENURE	ON
SEE TABLE	INDEX BL31 (2) 06.17
FIELD BOOK	51590 118468
SCALE	1:750 AT A3 SIZE
ALL DISTANCES ARE IN METRES	
P. H. & K. E. GOW LICENSED SURVEYORS P.O. Box 580 Narrogin W.A. 6312 Phone (08) 9881 5140 Fax (08) 9881 5575 Email: peter.gow@bigpond.com File No. 11164 Plan No. 1184-IDP	
DATE	19-Oct-11
TYPE OF VALIDATION	FULL-AUDIT
LEGAL COMPONENT	G. Singleton
PLANDIAGRAM CERTIFIED CORRECT	Trim 10-Nov-2011
ASSES No.	9574319
I.S.C.	
F.S.C.	
IN ORDER FOR DEALINGS	
SUBJECT TO	Transfer of Lot 329 to Freehold, Two Owners, Simultaneous Dealing on DP47225 & Section 168(3) P & D Act
APPROVED BY	WESTERN AUSTRALIAN PLANNING COMMISSION
FILE	144470
DELEGATED UNDER S.16 P & D ACT 2005	25-Nov-2011
 Western Australian Land Information Authority	
DEPOSITED PLAN 69071	
SHEET	1 OF 1
VERSION	2



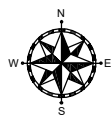
VER	AMENDMENT	AUTHORISED BY	DATE
2	AUDIT REQUIREMENTS	PETER GOW	8/11/2011



APPENDIX 2 – PLANS 1 TO 4



Tel: (08) 9303 2532
 Mob: 0429 303 100
 PO Box 1695
 WANGARA DC WA 6947
 www.exurban.com.au



LEGEND:

SUBJECT LAND.....

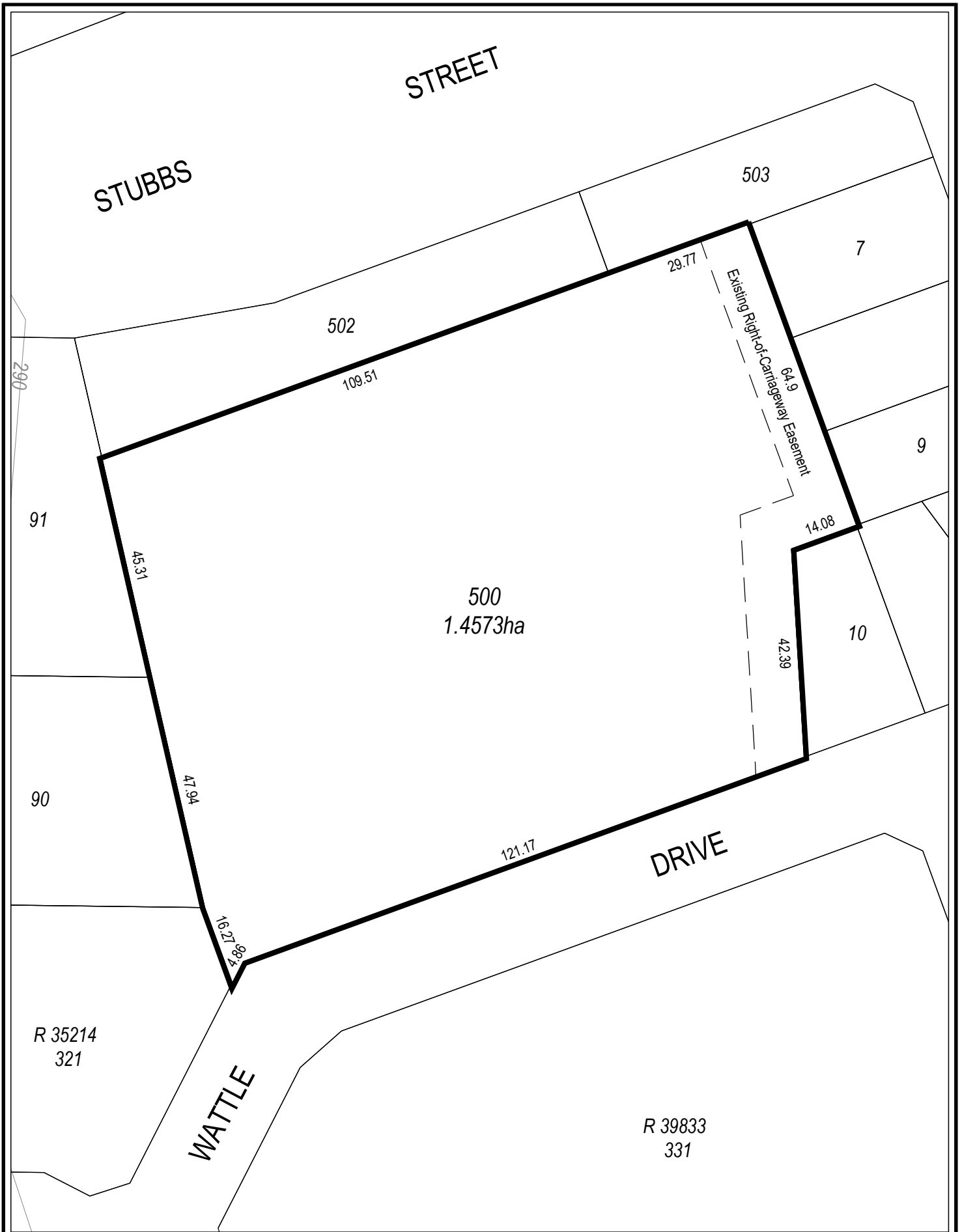


LOCATION PLAN PLAN 1

LOT 500 ON DEPOSITED PLAN 47225 WATTLE DRIVE
 LAKE GRACE
 Shire of Lake Grace

0 50 100 150 200m

SCALE 1:5000 @ A4
 DATE: 08.11.2023



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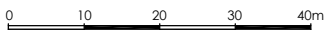
LEGEND:

SUBJECT LAND.....



EXISTING LOT CONFIGURATION PLAN PLAN 2

LOT 500 ON DEPOSITED PLAN 47225 WATTLE DRIVE
 LAKE GRACE
 Shire of Lake Grace



SCALE 1:1000 @ A4
 DATE: 09.11.2023



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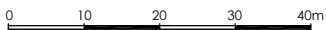
LEGEND:

SUBJECT LAND.....

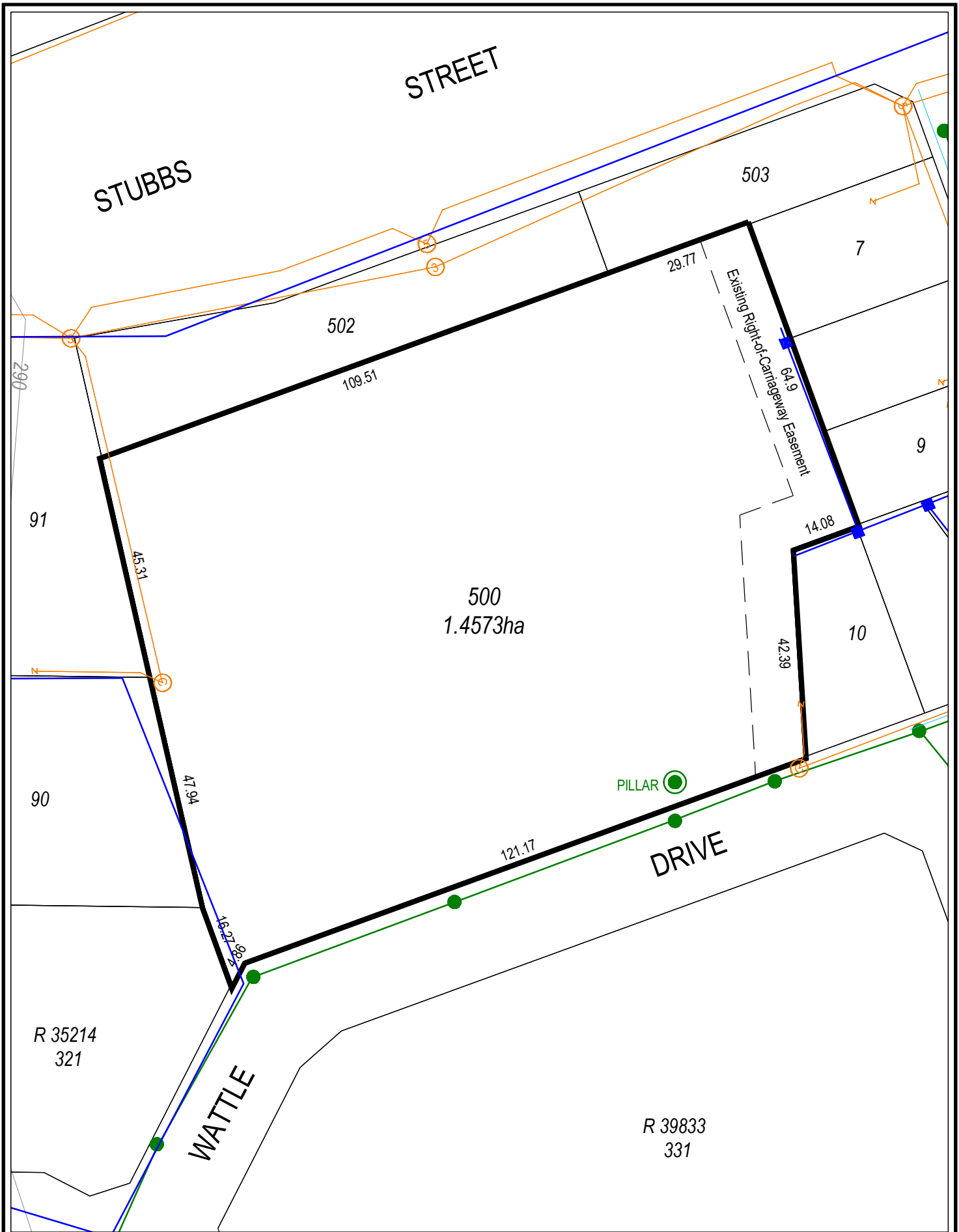


AERIAL PHOTO PLAN 3

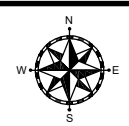
LOT 500 ON DEPOSITED PLAN 47225 WATTLE DRIVE
 LAKE GRACE
 Shire of Lake Grace



SCALE 1:1000 @ A4
 DATE: 09.11.2023



Tel: (08) 9303 2532
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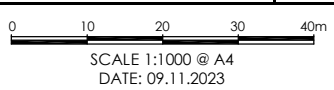


LEGEND:

SUBJECT LAND.....	
OVERHEAD POWERLINES.....	
TELSTRA SERVICES.....	
SEWER INFRASTRUCTURE.....	
WATER SUPPLY INFRASTRUCTURE	

EXISTING ESSENTIAL SERVICE INFRASTRUCTURE PLAN 4

LOT 500 ON DEPOSITED PLAN 47225 WATTLE DRIVE
 LAKE GRACE
 Shire of Lake Grace



PLANNING AND DEVELOPMENT ACT 2005

SHIRE OF LAKE GRACE

LOCAL PLANNING SCHEME NO.4

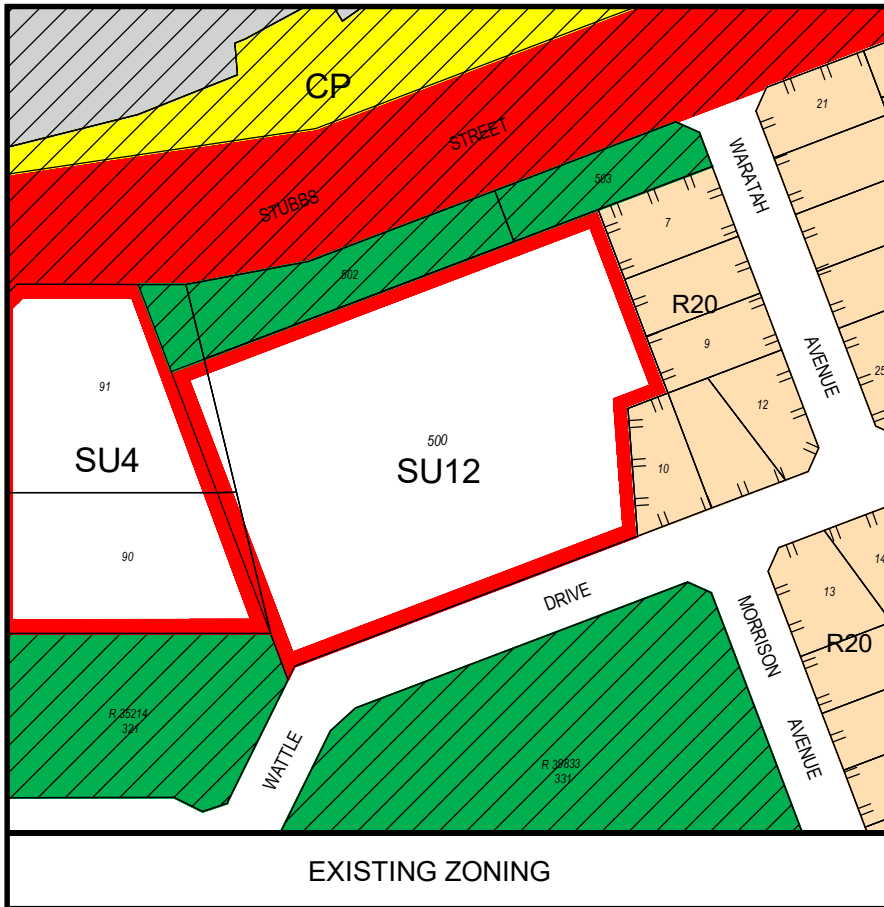
AMENDMENT NO.6

The Lake Grace Shire Council, under and by virtue of the powers conferred upon it in that behalf by the *Planning and Development Act 2005* (as amended), hereby amends the above Local Planning Scheme as follows:

- a) Remove all reference to Special Use Zone No. SU12 in Schedule 4 of the Scheme Text which is described as the western most portion of Lot 1 Griffin Street, Lake Grace, however now legally covers Lot 500 on Deposited Plan 47225 Wattle Drive, Lake Grace, and portions of Lots 90 (No.9) and 91 (No.1) South Road, Lake Grace; and
- b) Change the zoning of Lot 500 on Deposited Plan 47225 Wattle Drive, Lake Grace from 'Special Use 12' (SU12) to 'Residential' with a density coding of R30; and
- c) Change the zoning of the easternmost portion of Lot 90 (No.9) South Road, Lake Grace from 'Special Use 12' (SU12) to 'Special Use 4' (SU4); and
- d) Change the zoning of the easternmost portion of Lot 91 (No.1) South Road, Lake Grace from 'Recreation' reserve and 'Special Use 12' (SU12) to 'Special Use 4' (SU4); and
- e) Amend the relevant Scheme map accordingly.





This proposed amendment to the Shire of Lake Grace Local Planning Scheme No.4 is 'standard' under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

- a) The amendment would have minimal impact on land in the Scheme area that is not the subject of the amendment; and
- b) The amendment would not result in any significant environmental, social, economic or governance impacts in the Scheme area.



LEGEND



LOCAL SCHEME RESERVES

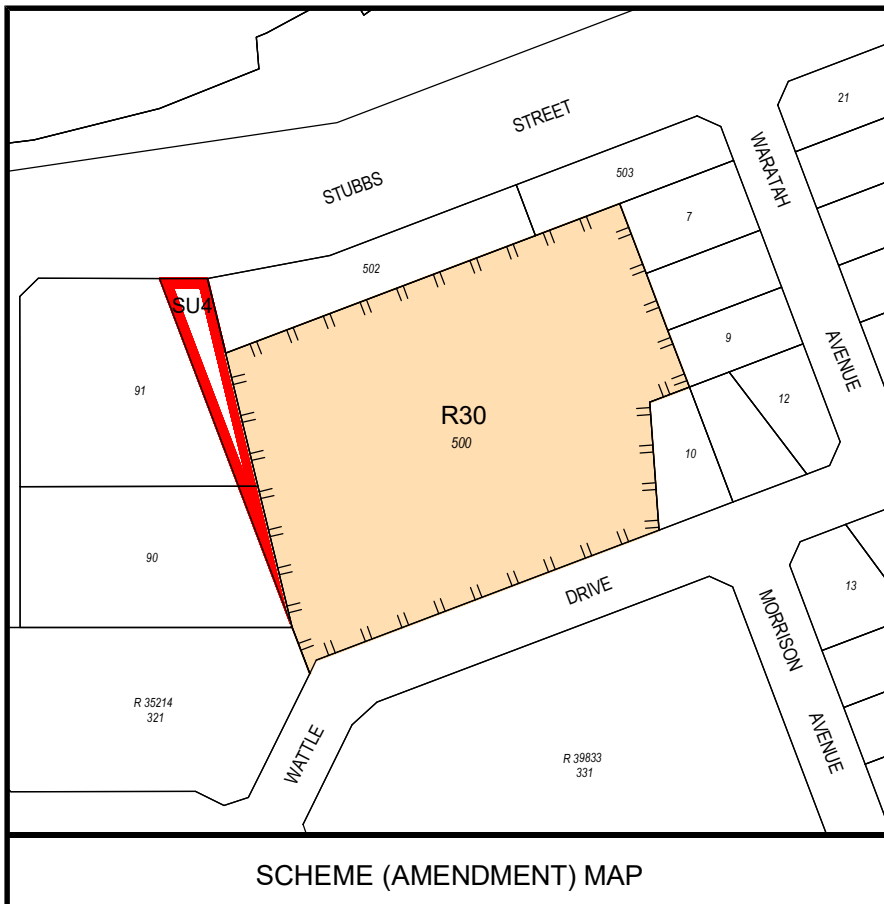
-  MAJOR ROAD
-  PUBLIC PURPOSES - COMMUNITY PURPOSES
-  RECREATION
-  RAILWAY

LOCAL SCHEME ZONES

-  RESIDENTIAL
-  SPECIAL USE

OTHER CATEGORIES
(see scheme text for additional information)

-  R CODES
-  SPECIAL USE AREA



ADOPTION

This Standard Amendment was adopted by resolution of the Council of the Shire of Lake Grace at the Ordinary Meeting of the Council held on the 25th day of October 2023.

.....
SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

FINAL APPROVAL

This Amendment is recommended for approval by resolution of the Shire of Lake Grace at the Ordinary Meeting of the Council held on the ____ day of _____ 2024 and the Common Seal of the Shire of Lake Grace was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

RECOMMENDED / SUBMITTED FOR FINAL APPROVAL

.....
DELEGATED UNDER S.16 OF THE P&D ACT 2005

DATE.....

FINAL APPROVAL GRANTED

.....
MINISTER FOR PLANNING

DATE.....