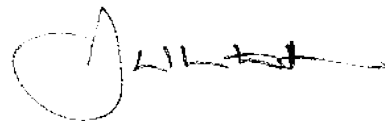


PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME
SHIRE OF NORTHAM
LOCAL PLANNING SCHEME No. 6

RESOLVED THAT Council in pursuance of Section 75 of the Planning and Development Act 2005, amend the above Local Planning Scheme by:

1. Recoding Lot 100 (#54) Byfield Street, Northam to "Residential R20".
2. Amend the Scheme Map, accordingly.

Dated this.....16th..... day ofNovember..... 20²²....



.....
CHIEF EXECUTIVE OFFICER

File No:.....
Part of Agenda:.....

MINISTER FOR PLANNING

PROPOSAL TO AMEND A SCHEME

1. *LOCAL AUTHORITY:* Shire of Northam
 2. *DESCRIPTION OF LOCAL PLANNING SCHEME:* Local Planning Scheme No. 6
 3. *TYPE OF SCHEME:* District Zoning Scheme
 4. *SERIAL No. OF AMENDMENT:* Amendment No. 18
 5. *PROPOSAL:* Recoding of Lot 100 (#54) Byfield Street,
Northam from "Residential R15" to
"Residential R20"
-

SCHEME AMENDMENT REPORT

Proposed Scheme Amendment No. 18

Recoding from "Residential R15" to "Residential R20"

Lot 100 (#54) Byfield Street, Northam

Shire of Northam Local Planning Scheme No. 6 (LPS6)

Proposed Scheme Amendment No. 18

Recoding from "Residential R15" to "Residential R20"

Part Lot 100 (#54) Byfield Street, Northam

Shire of Northam Local Planning Scheme No. 6 (LPS6)

Prepared by:

Akron Pty Ltd

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NORTHAM WA 6401

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Prepared for:

Yilgarn Property Pty Ltd

Urban Planning Specialist:

Job Number:

Version / Date:

Kobus Nieuwoudt

TP005

Final Version / 14 October 2022

Contents

1.0	EXECUTIVE SUMMARY	1
2.0	INTRODUCTION	2
3.0	LOCATION & SITE DETAILS.....	3
4.0	SCHEME AMENDMENT PROPOSAL	5
4.1	<i>Amendment Specifications.....</i>	<i>5</i>
4.2	<i>Rationale in Support of Amendment</i>	<i>5</i>
4.3	<i>Concept Plan.....</i>	<i>5</i>
5.0	STRATEGIC & STATUTORY FRAMEWORK	6
5.1	<i>Local Planning Context.....</i>	<i>6</i>
5.1.1	<i>Local Planning Scheme No. 6</i>	<i>6</i>
5.1.2	<i>Shire of Northam Local Planning Strategy.....</i>	<i>7</i>
5.2	<i>State Planning Context</i>	<i>7</i>
5.2.1	<i>State Planning Policies</i>	<i>7</i>
5.2.2	<i>Development Control Policies.....</i>	<i>8</i>
5.3	<i>Other Planning Considerations</i>	<i>10</i>
5.3.1	<i>Utility Services</i>	<i>10</i>
5.3.2	<i>Roads</i>	<i>10</i>
6.0	CONCLUSION	11

Annexures

Annexure 1:	Certificate of Title
Annexure 2:	Concept Plan
Annexure 3:	Approved Plan of Subdivision Lots 100, 105 & 107
Annexure 4:	Approved Plan of Subdivision Lot 106 & Remnant Portion of Lot

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1.0 EXECUTIVE SUMMARY

The purpose of this Scheme Amendment to the Shire of Northam Local Planning Scheme No. 6 (LPS6) is to recode Lot 100 (#54) Byfield Street in Northam (the subject land) from “Residential R15” to “Residential R20”.

Akron, on behalf of the landowner (Yilgarn Property), seeks Council Approval to recode the subject land to facilitate the property being developed in conjunction with Lot 105 (1 Frankish Road), Lot 106 (3 Frankish Road) and Lot 107 (5 Frankish Road) in Northam, also owned by Yilgarn Property.

Akron’s justification in support of the Scheme Amendment is summarised as follows:

- The proposal accords with the relevant State Planning and Development Control Policies of the Western Australian Planning Commission (WAPC);
- The subject land is contained in *Shire of Northam Local Planning Strategy 2013* as being suitable for increased residential development; and
- The subject land is located immediately adjacent to other Residential R20 coded land to the south, and opposite Residential R30 coded land to the west.

Akron therefore seeks the Council of the Shire of Northam’s favourable consideration of the proposed Scheme Amendment.

For the purposes of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposed Scheme Amendment is a ‘Standard’ Scheme Amendment as the proposal is consistent with a local planning strategy for the scheme that has been endorsed by the WAPC.

2.0 INTRODUCTION

Akron Pty Ltd acts for the landowner of Lot 100 (#54) Byfield Street, Northam and lodges this request on their behalf, seeking the Council of the Shire of Northam's support for a Scheme Amendment for the recoding of the site from "Residential R15" to "Residential R20".

The proposed Scheme Amendment seeks to increase residential development opportunities on the subject site in a manner similar to nearby and adjacent land in accordance with the current local town planning framework.

The Shire of Northam Administration's assessment on this proposal is sought and following a supportive report to the Council of the Shire of Northam for initiation, the formal Scheme Amendment documents and further information (if required) will be provided.

3.0 LOCATION & SITE DETAILS

The subject land is described on Certificate of Title Volume 1589, Folio 297. (Refer **Annexure 1 – Certificate of Title**).

The registered proprietor of the subject land is outlined in the table below:

Land Description	Registered Proprietor	Volume	Folio	Size
LOT 100 ON PLAN 13407	YILGARN PROPERTY PTY LTD OF PO BOX 910 NORTHAM	1589	297	8,838m ²

Lot 100 (#54 Byfield Street in Northam) is located on the corner of East Street and Byfield Street in Northam (refer **Figure 1 – Location Plan**).

Figure 1: Location Plan (Source: DPLH, PlanWA)



Lot 100 is currently zoned “Residential R15” by LPS6.

The subject site slopes down from south to north.

The land characteristics of the site include limited remnant vegetation and access to urban infrastructure services.

The subject land has been approved by the WAPC for subdivision with Lot 105, 106 and 107 Frankish Road. The approved plan of subdivision for Lot 100 currently

includes a proposed access road and yields 12 lots ranging from 581m² to 794m² in size.

The subject land has the following locational attributes:

- The land is located close to existing and developing urban areas of Northam and is adjacent to existing "Residential R20", "Residential R2.5" and "Residential R30" coded land;
- The land will have access to all urban infrastructure services;
- The land is approximately 4 minutes' drive from major shopping centre facilities in Northam CBD and less than a minute's drive from the nearest school;
- The land has no environmental issues which cannot be addressed, and which might otherwise, prevent further development; and
- The land is intended to be developed together with adjoining 'R20'-coded land (Lots 105, 106 and 107 Frankish Road).

4.0 SCHEME AMENDMENT PROPOSAL

4.1 Amendment Specifications

Proposed Scheme Amendment No. 18 to LPS6 seeks to recode Lot 100 on Plan 13407 (#54) Byfield Street, Northam from 'Residential R15' to "Residential R20".

4.2 Rationale in Support of Amendment

In circa 2017, the WAPC granted approval to subdivide Lot 100 (#54) Byfield Street, Lot 105 (#1) and Lot 107 (#5) Frankish Road as depicted on the attached Plan of Subdivision included at **Annexure 3 – Approved Plan of Subdivision Lots 100, 105 & 107**, as part of a single development. More recently, the WAPC also approved subdivision of Lot 106 (#3) Frankish Road and Part Lot 107 (#5) Frankish Road (refer **Annexure 4 – Approved Plan of Subdivision Lot 106 & Remnant Portion of Lot 107**, also forming part of the same subdivision.

The proposed recoding of Lot 100 will bring it into consistency with the current R20 density code of Lots 105, 106 and 107. At R20 density code, Lot 100 could potentially yield up to 16 lots ranging between 413m² to 610m², including a public access road.

The proposed recoding of Lot 100 will further increase residential development capacity and reduce the need for the long-term provision of new 'Residential' zoned land. This principle is supported by the Shire of Northam's Local Planning Strategy.

Further rationale in support of the proposed Scheme Amendment is outlined in response to the various Planning requirements associated with the site, outlined and detailed in Section 5.0 of the Scheme Amendment Report.

4.3 Concept Plan

The proposed Scheme Amendment will enable a resultant subdivision/development which is depicted in the attached Concept Plan included at **Annexure 2**.

The Concept Plan identifies a layout for the lot, which will be developed in stages at R20 density code in conjunction with Lot 105 to the south, including Lot 106 and Lot 107 to the south-east.

5.0 STRATEGIC & STATUTORY FRAMEWORK

5.1 Local Planning Context

5.1.1 Local Planning Scheme No. 6

The subject land is zoned "Residential R15" by Shire of Northam Local Planning Scheme No. 6 (LPS6).

Clause 4.2 of LPS6 will apply to the recoded land, as it deals with the Residential Design Codes (R Codes). In accordance with subclause 4.2.2, the development of land in LPS6 for any of the residential purposes dealt with by the R Codes (unless otherwise provided for in LPS6), is to conform with the provisions of those Codes.

The land is not affected by any of the Special Control Areas contained in Part 5 of LPS6.

The site is located directly adjacent to land that is coded R20 to the south, land coded R2.5 to the east, and land coded R30 west of East Street. Refer LPS6 Zoning Map Extract at **Figure 2** below.

Figure 2: LPS6 Zoning Map Extract



The objectives of the Residential Zone (subclause 3.2.1 of LPS6) are to –

- *Provide for residential development at a range of densities with a variety of housing types to meet the needs of all sectors of the community through application of the Residential Design Codes.*
- *Maintain and enhance the residential character and amenity of the zone.*

5.1.2 Shire of Northam Local Planning Strategy 2013

The Shire of Northam Local Planning Strategy 2013 depicts the subject land as existing urban land in Northam Townsite.

The Vision/Objective for Housing under the LPS (cl. 2.2.3) is, *“to ensure a sufficient supply of suitably zoned and serviced residential land in established settlements to accommodate future housing growth and to provide for housing choice and variety in neighbourhoods with a community identity and high levels of affordability, accessibility, safety, sustainability and visual amenity.”*

With respect to Northam Townsite, the LPS also highlights the potential for increases in density of low-density residential areas, which will further increase residential development capacity and reduce the need for the long-term provision of new ‘Residential’ zoned land.

The proposed Scheme Amendment is also consistent with the set Strategies for Housing in the LPS given the proposed Scheme Amendment –

- encourages the take up of existing residential land in the Northam Townsite prior to proceeding with new land releases;
- directs new housing development to the Northam Townsite;
- will provide for development which take advantage of existing services in the immediate area; and
- will provide for additional housing types in a central location.

5.2 State Planning Context

5.2.1 State Planning Policies

State Planning Policy 7.3 – Residential Design Codes Volume 1

The purpose of the R-Codes is to provide a comprehensive basis for the control of residential development throughout Western Australia.

The general objectives of the R-Codes Volume 1 are to –

- provide residential development of an appropriate design for the intended residential purpose, density, context of place and scheme objectives;
- encourage design consideration of the social, environmental and economic opportunities possible from new housing and an appropriate response to local amenity and place;
- encourage design which considers and respects heritage and local culture; and
- to facilitate residential development which offers future residents the opportunities for better living choices and affordability.

The proposed Scheme Amendment accords with the general objectives of the R-Codes Volume 1.

5.2.2 Development Control Policies

Development Control Policy 2.2– Residential Subdivision (DCP 2.2)

The objectives of DCP 2.2 are to –

- establish a consistent and coordinated approach to the creation of residential lots throughout Western Australia;
- adopt criteria for residential lots which will ensure that each lot has a suitable level of amenity, services and access; and
- to facilitate the supply of residential lots in regular shapes and size ranges that reflect the statutory provisions of local planning schemes – including the R-Codes, the availability of reticulated sewerage, electricity and water and the need for frontage to public streets for access.

The proposed Scheme Amendment accords with the abovementioned objectives.

The ‘General Requirements’ of the ‘Policy Measures’ at subclause 4.1.1 of DCP 2.2 indicate that applications for the subdivision of land into residential lots will be assessed against –

- criteria set out in clause 4.1.3 of DCP 2.2;

- the context of the general subdivision requirements of DCP 1.1 – *Subdivision of Land – General Principles*;
- state and local planning frameworks, including Liveable Neighbourhoods; and
- water sensitive urban design principles.

In response to these general requirements, the following is provided with respect to Lot 100 –

- all new development sites or lots created on the land will be capable of development in accordance with the R-Codes, read with subclause 4.3.2 in LPS6;
- any new proposed lots and any new development to be created on the land will take into account the topography of the site and include appropriate stormwater drainage systems as required;
- any new proposed lots and any new development to be created on the land will link with the existing pedestrian footpath network; and
- the development is located close to Northam CBD, an existing school and public open space.

The proposed recoding of the subject land from R15 density code to R20 density code, therefore, accords with the General Requirements outlined under subclause 4.1.1 of DCP 2.2.

5.3 Other Planning Considerations

5.3.1 Utility Services

The subject land will be provided with telecommunications, a reticulated power supply, scheme water and sewer services.

5.3.2 Roads

The site has frontage to East Street to the west, and Byfield Street to the north. These roads are under the maintenance, care, and control of the Shire of Northam.

6.0 CONCLUSION

Given the proposed Scheme Amendment is consistent with the objectives of *Shire of Northam Local Planning Strategy 2013* and accords with the Western Australian Planning Commission's relevant State Planning and Development Control Policies, it is requested that the Council of the Shire of Northam initiates proposed Scheme Amendment No. 18 to Shire of Northam Local Planning Scheme No. 6 to recode Lot 100 (#54) Byfield Street, Northam from "Residential R15" to "Residential R20".

ANNEXURES

ANNEXURE 1

Certificate of Title

WESTERN



AUSTRALIA

REGISTER NUMBER	
100/P13407	
DUPLICATE EDITION	DATE DUPLICATE ISSUED
4	17/12/2015

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

VOLUME
1589FOLIO
297

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.

BG Roberts
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 100 ON PLAN 13407

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

YILGARN PROPERTY PTY LTD OF PO BOX 910 NORTHAM

(T N202930) REGISTERED 15/12/2015

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

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.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
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: 1589-297 (100/P13407)
PREVIOUS TITLE: 1589-296
PROPERTY STREET ADDRESS: 54 BYFIELD ST, NORTHAM.
LOCAL GOVERNMENT AUTHORITY: SHIRE OF NORTHAM

ANNEXURE 2

Concept Plan

CONCEPT PLAN ONLY

SUBJECT TO SHIRE & WAPC ACCEPTANCE / APPROVALS

347

109

400

104

103

102

15.7m Road Reserve

15m Road Reserve

12.5/15m Road Reserve

15m Road Reserve

EAST STREET

BYFIELD STREET

FRANKISH ROAD

104

103

102

27

28

29

30

31

32

33

360

359

358

GH
42
610m2

41
413m2

40
413m2

39
413m2

38
413m2

37
413m2

36
413m2

35
413m2

34
413m2

33
422m2

GH
43
598m2

44
414m2

45
415m2

46
416m2

47
417m2

48
418m2

49
419m2

50
420m2

51
421m2

52
426m2

GH
31
616m2

30
456m2

29
456m2

28
456m2

27
456m2

26
456m2

EX HOUSE
25
1017m2

19
415m2

18
462m2

17
462m2

16
462m2

15
462m2

GH
14
613m2

13
456m2

12
456m2

11
456m2

10
456m2

PAW
9
647m2
EX HOUSE

8
490m2

7
490m2

6
497m2

20
458m2

21
458m2

22
458m2

23
418m2

24
GH
2352m2

1
409m2

2
402m2

3
402m2

4
402m2

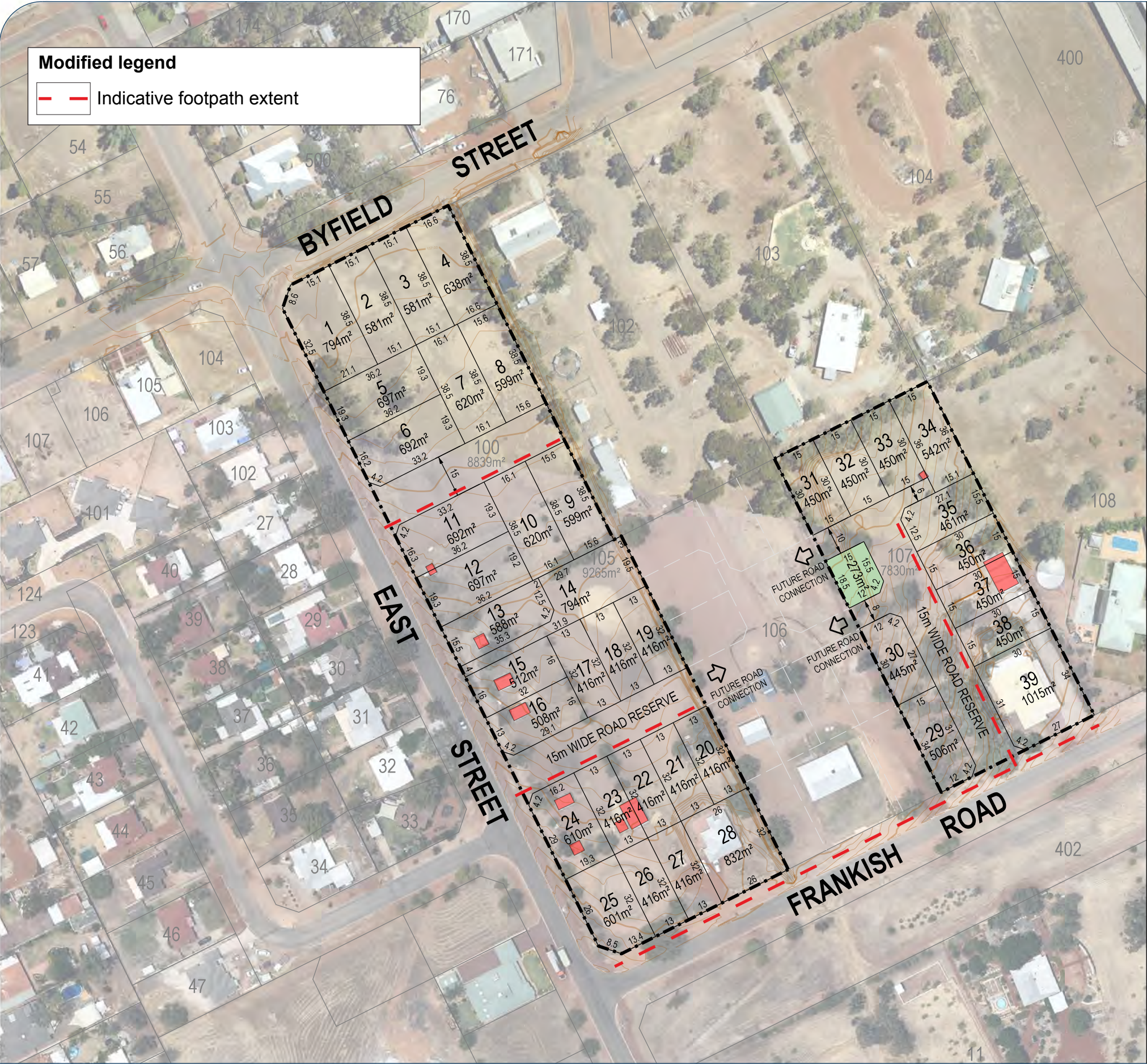
5
461m2

GH
32
597m2

GH
53
626m2

ANNEXURE 3

Approved Plan of Subdivision Lots 100, 105 & 107



LEGEND

- EXISTING CADASTRE
- EXISTING MAJOR CONTOURS - 1m INTERVALS
- EXISTING MINOR CONTOURS - 0.2m INTERVALS
- SUBJECT LAND
- PROPOSED CADASTRE
- PUBLIC OPEN SPACE
- CONCEPTUAL FUTURE CADASTRE
- BUILDINGS TO BE DEMOLISHED

LOT YIELD TABLE

LOT YIELD			LOT AREA		
Size	No. Lots	% Total Lots	Average Size	% of Total Area	Area
320m² - 449m²	10	25.64%	418m²	19.33%	4189m²
450m² - 499m²	7	17.95%	451m²	14.59%	3161m²
500m² - 549m²	4	10.26%	517m²	9.54%	2068m²
550m² - 599m²	3	7.69%	583m²	8.08%	1750m²
600m² - 699m²	11	28.21%	642m²	32.61%	7065m²
700m² - 799m²	2	5.13%	794m²	7.33%	1588m²
800m² - 899m²	1	2.56%	832m²	3.84%	832m²
1000m² - 1499m²	1	2.56%	1015m²	4.68%	1015m²
Total Number of Lots		39			

Minimum Lot Size 416m²
Maximum Lot Size 1015m²

Average Lot Size 555m²
Total Lot Area 21668m²

DEPARTMENT OF PLANNING, LANDS AND HERITAGE

DATE
15-Nov-2017

FILE
155540



ANNEXURE 4
***Approved Plan of Subdivision Lot 106 &
Remnant Portion of Lot 107***

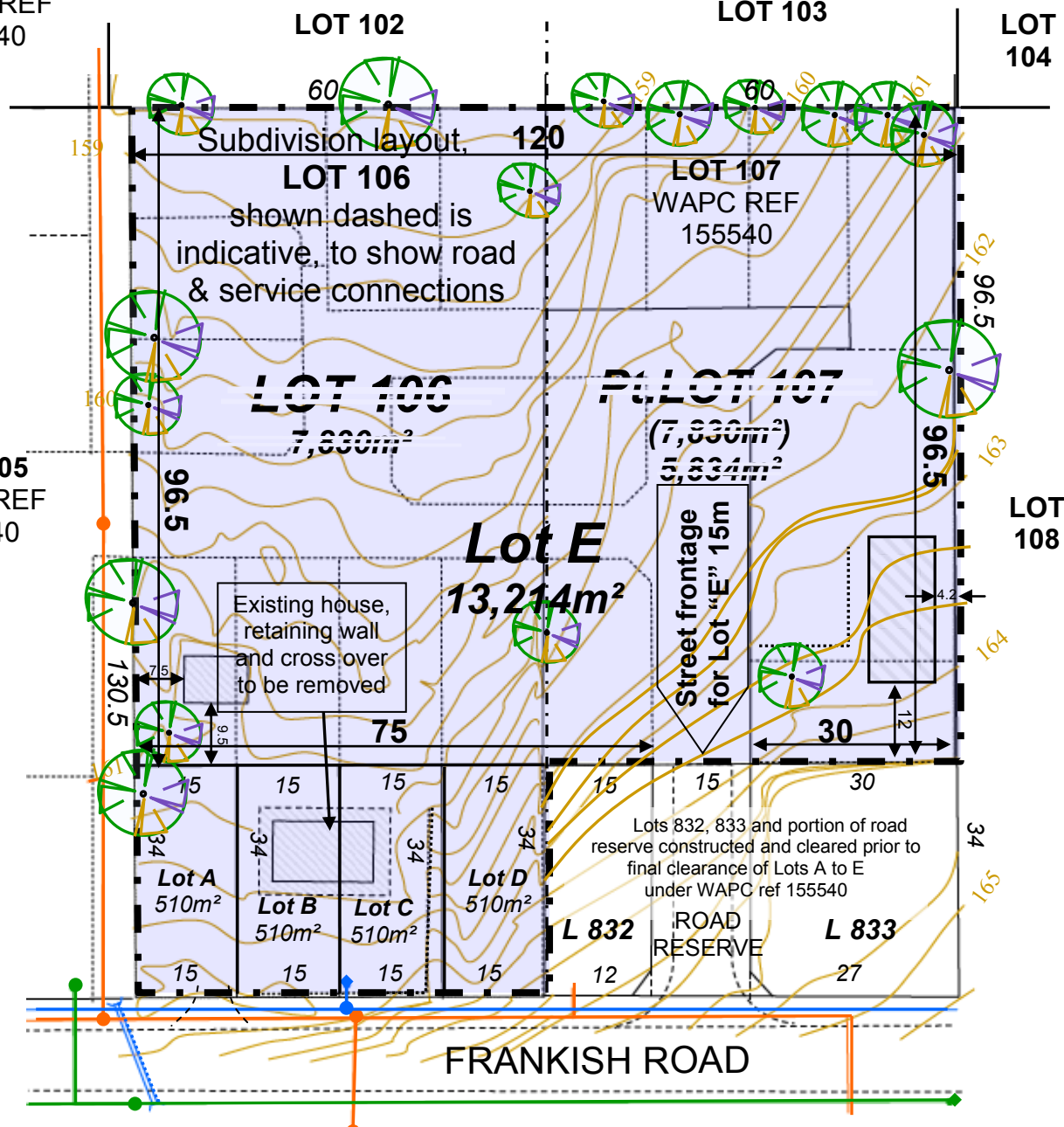
LOT 100
WAPC REF
155540

LOT 102

LOT 103

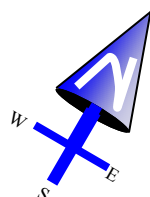
LOT 104

LOT 105
WAPC REF
155540



LEGEND

- Sewer
- Water
- Electricity
- Drainage
- Retaining wall
- Contours
- Existing Structures
- Trees



SCALE 1:1000 @ A4

Portion of Lot 107, showing Lots 832, 833 and Road reserve is subject of lodgement of plan of survey for first stage of subdivision WAPC ref 155540, due for clearance in September 2022.

Parent Lots

Lot 106 on PLAN 13407 C/T 1589-387

Lot 107 on PLAN 13407 C/T 1589-388

PROJECT NAME & CLIENT	Subdivision of Lot 106 and amalgamation of remnant portion with Pt 107 Frankish Rd for YILGARN				
ADDRESS	Lots 106 & 107 (#3&5) Frankish Rd NORTHAM				
JOB REF	238 FN	SK #	SUB stg 2.1	DRWN	dst
PO BOX 890 Fremantle 6959 david@networkppd.com.au +61 417 943 744					

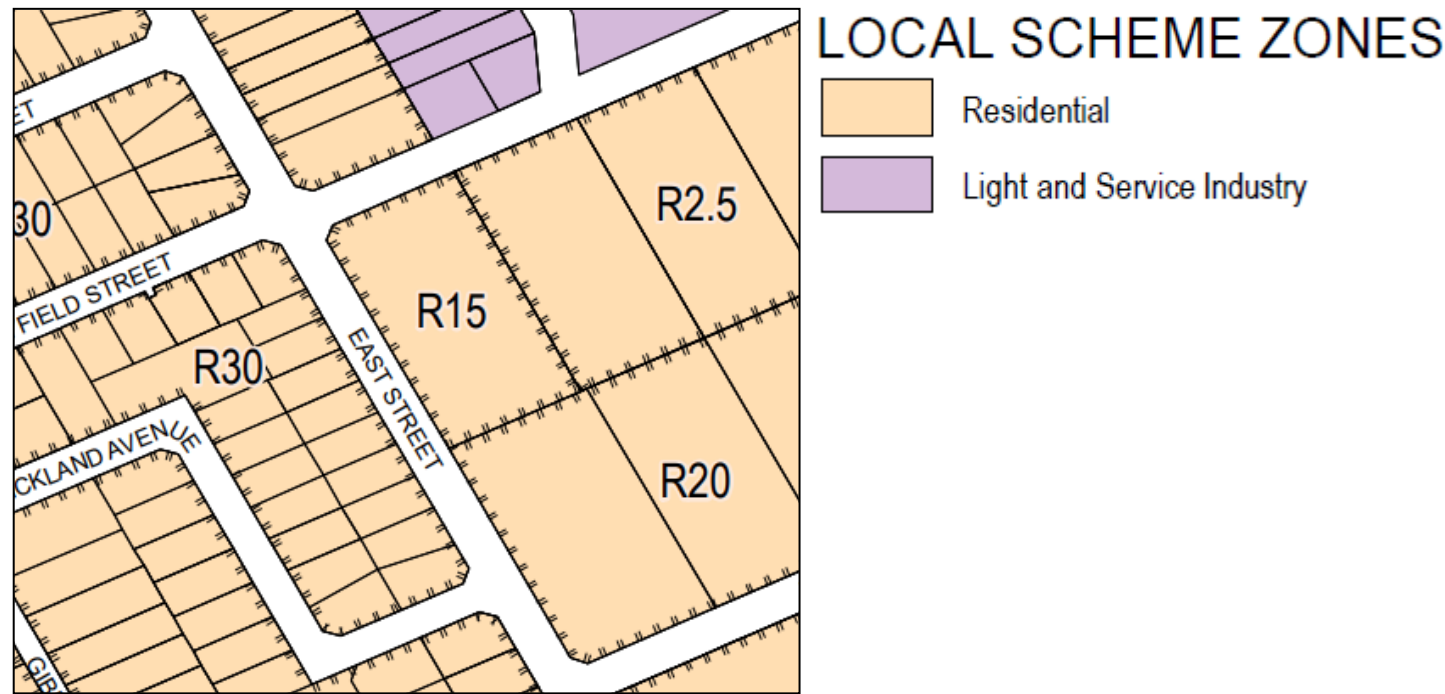
SCHEME AMENDMENT MAPS



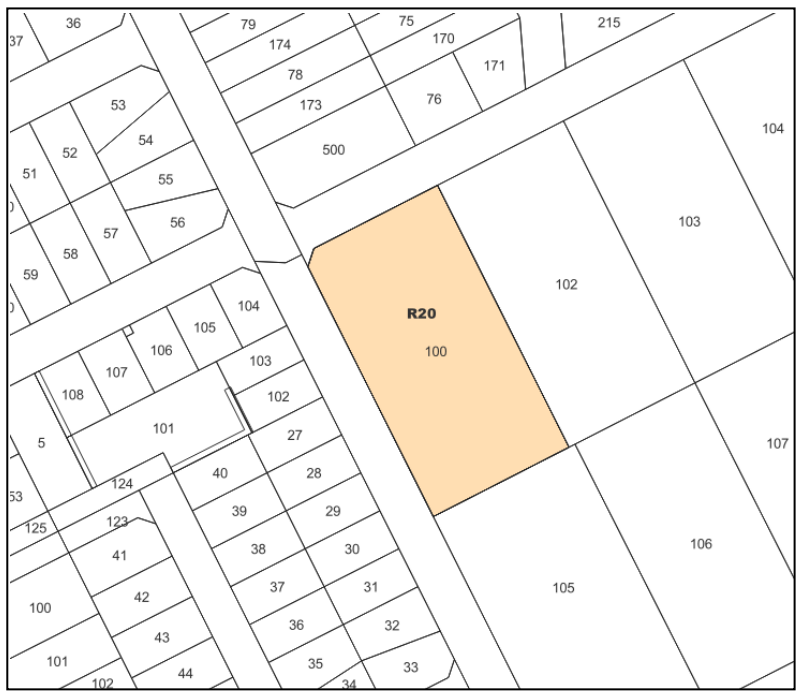
SHIRE OF NORTHAM LOCAL PLANNING SCHEME NO. 6
PROPOSED SCHEME AMENDMENT NO. 18

SCHEME MAP

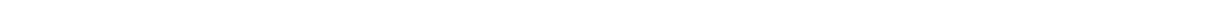
EXISTING ZONING



PROPOSED ZONING



SCHEME AMENDMENT DOCUMENTS



PLANNING AND DEVELOPMENT ACT 2005
SHIRE OF NORTHAM
LOCAL PLANNING SCHEME No. 6
AMENDMENT No. 18

The Council of the Shire of Northam under and by virtue of the powers conferred upon it in that behalf by the Planning and Development Act 2005, hereby amends the above Local Planning Scheme by:

1. Recoding Lot 100 (#54) Byfield Street, Northam to "Residential R20".
2. Amend the Scheme Map, accordingly.

ADOPTION

Adopted by resolution of the Council of the Shire of Northam at the Meeting of the Council held on the day of 20.....

.....
SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

FINAL APPROVAL

ADOPTED for Final Approval by resolution of the Shire of Northam at the Meeting of the Council held on the day of 20..... and the Common Seal of the Shire of Northam 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 PD ACT 2005**

Date

Final Approval granted

.....
MINISTER FOR PLANNING

Date
