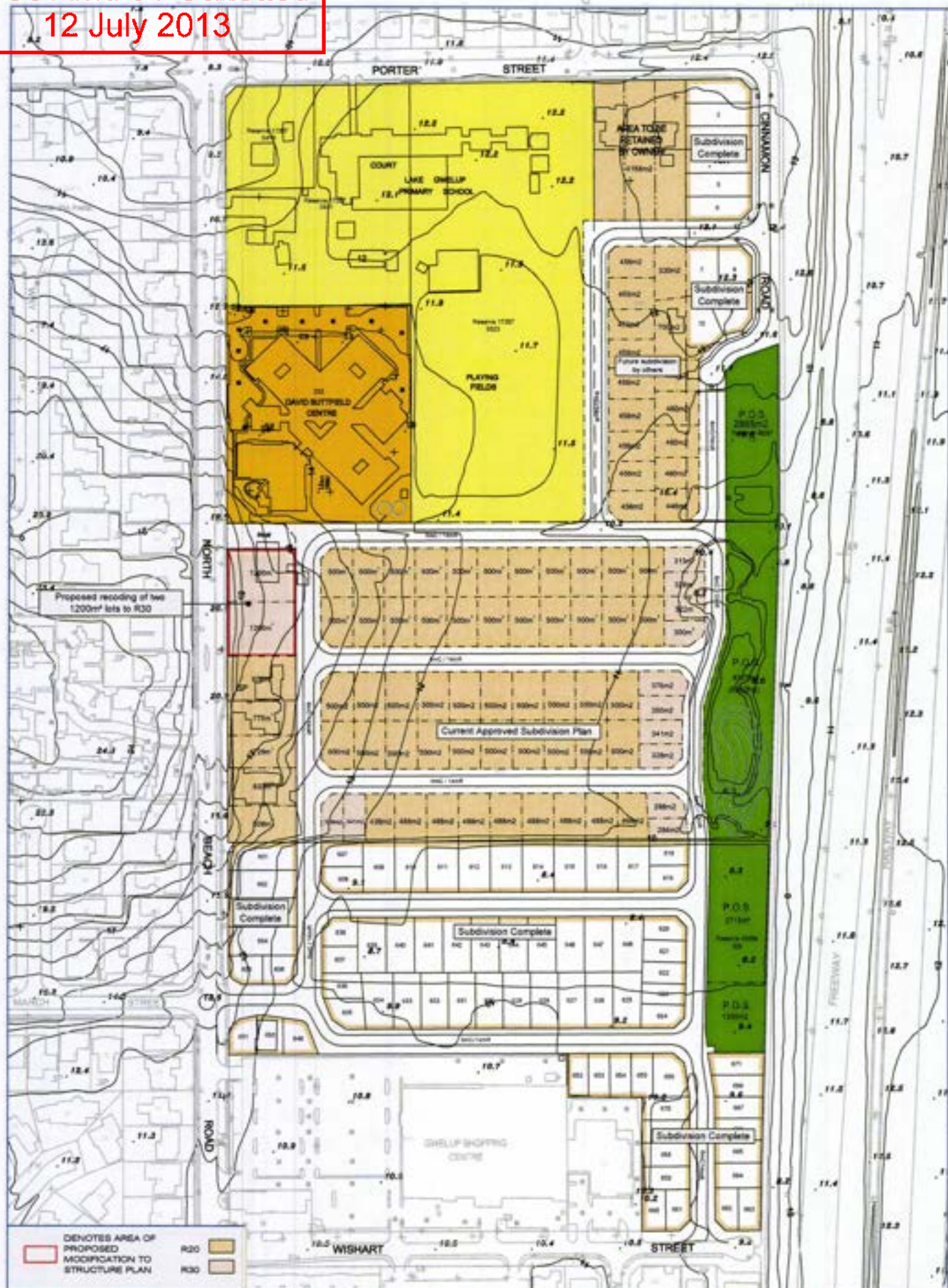
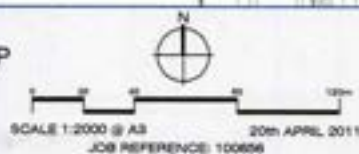


**LPS3 Amd 31 Gazetted
12 July 2013**



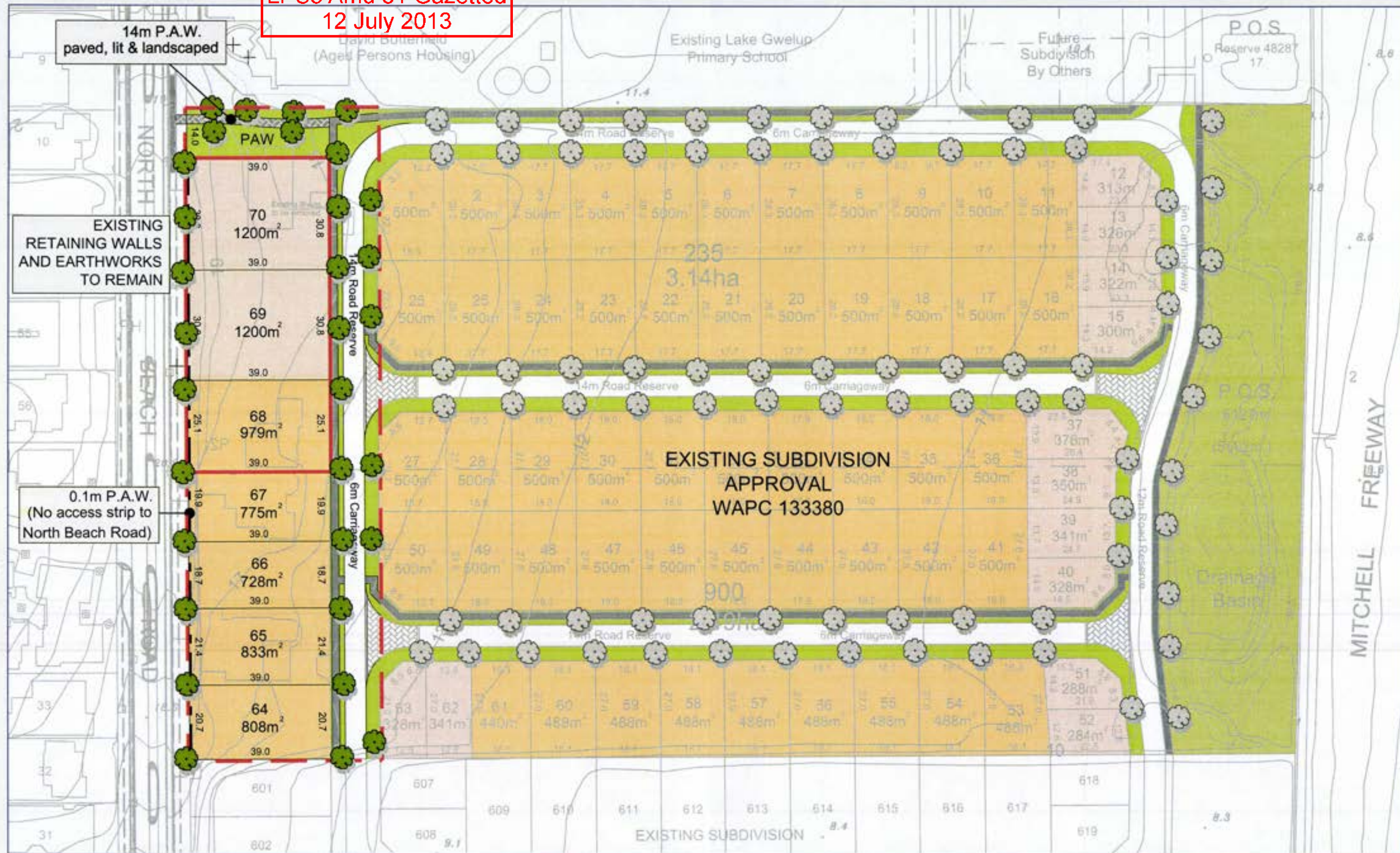
**PROPOSED MODIFICATION TO ADOPTED GWELUP
RESIDENTIAL PRECINCT 'STRUCTURE PLAN'
NORTH BEACH ROAD
GWELUP**



GRAY & LEWIS
LAND USE PLANNERS

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LPS3 Amd 31 Gazetted
12 July 2013



AMENDED SUBDIVISION PLAN LOTS 235 & 900 NORTH BEACH ROAD GWELUP

LEGEND:

Application Boundary.....

Extent of amendment.....

NOTE:

1. Areas and dimensions subject to survey.
2. All existing buildings to be removed

JOB REFERENCE: 100656



SCALE 1:1000 @ A3
21st APRIL 2011

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Our Ref: 100656
Your Ref: 133380
Date: 28 April 2011

COPY

Western Australian Planning Commission
Albert Facey House
469 Wellington Street
PERTH WA 6000

ATTENTION: Shau Chong

Dear Shau

AMENDED SUBDIVISION PLAN – LOTS 235 & 900 NORTH BEACH ROAD, GWELUP

Please find attached eight copies of the amended subdivision plan and modified Gwelup Residential Precinct Structure Plan in respect to Lots 235 and 900 North Beach Road, Gwelup.

A previous subdivision plan and modification to the adopted Gwelup Residential Precinct Structure Plan were approved by the State Administrative Tribunal on 16 April 2010. Copies of the approved plans (marked "A" and "B") are attached.

This further amended plan proposes the creation of two R30 coded lots of 1,200m² each instead of four R20 coded lots of 624m² each, located in the north-western corner of the subdivision area. The proposed modification will also result in a minor increase in area of Lot 68 from 881m² to 977m². The proposed subdivision plan has been prepared to include all the proposed lots (7) adjacent to North Beach Road leaving the balance of Lots 235 and 900 as separate lots.

The justification for the increase in density includes; the proximity of the sites' location to North Beach Road (bus route with the bus stop just south of the PAW); the sites' elevation providing excellent views towards the Darling Scarp and; WAPC's residential development policies (including *Liveable Neighbourhoods*) which encourage a mix in lot sizes and housing styles to cater for the different housing needs of the community.

As the proposal is not in accordance with the currently adopted Gwelup Residential Precinct Structure Plan which identifies the subject sites as R20 density, the City of Stirling and the WAPC will need to agree to modify the Structure Plan to recode the subject land from R20 to R30 in conjunction with approving the amended plan of subdivision.

Accordingly, we request approval to the modification of the Gwelup Residential Precinct Structure Plan and that the application for subdivision (as per the proposed modified subdivision plan attached) be approved simultaneously.

We have also written directly to the City of Stirling in respect to the Structure Plan modification.

If you have any queries please do not hesitate to contact me.

Yours faithfully
GRAY & LEWIS


GEOFF LEWIS

cc. City of Stirling – Att: Mr Bruce Gardiner
cc. Castlemere Pty Ltd – Att: Mr G Zrinski

City of Stirling
Document Registration

RP	
A	Action
ATT.	

No _____
Action Officer App - Admin.
Note Org to Dept

cc City Planning

IN THE STATE
ADMINISTRATIVE TRIBUNAL

DR 185 of 2009

BETWEEN:

GEORGE ANDREW ZRINSKI & ORS

Applicant

AND

WESTERN AUSTRALIAN PLANNING COMMISSION

Respondent

MINUTE OF CONSENT

Date of Document:

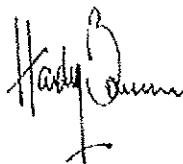
15 April 2010

Prepared by:
TIMOTHY SHARP
STATE SOLICITOR FOR WESTERN AUSTRALIA
141 ST GEORGE'S TERRACE
PERTH WA 6000
SOLICITOR FOR THE RESPONDENT

TELEPHONE: 9264 1888
REF: SSO 1839-09

The parties to this application consent to the following orders:

1. The Application for review is upheld.
2. The plans of subdivision lodged with the Department for Planning, and dated 19 February 2010 and 16 March 2010, each with job reference 100656, copies of which are attached and marked "A" and "B" respectively, are approved in accordance with the conditions attached and marked "C".
3. There be no order as to costs.

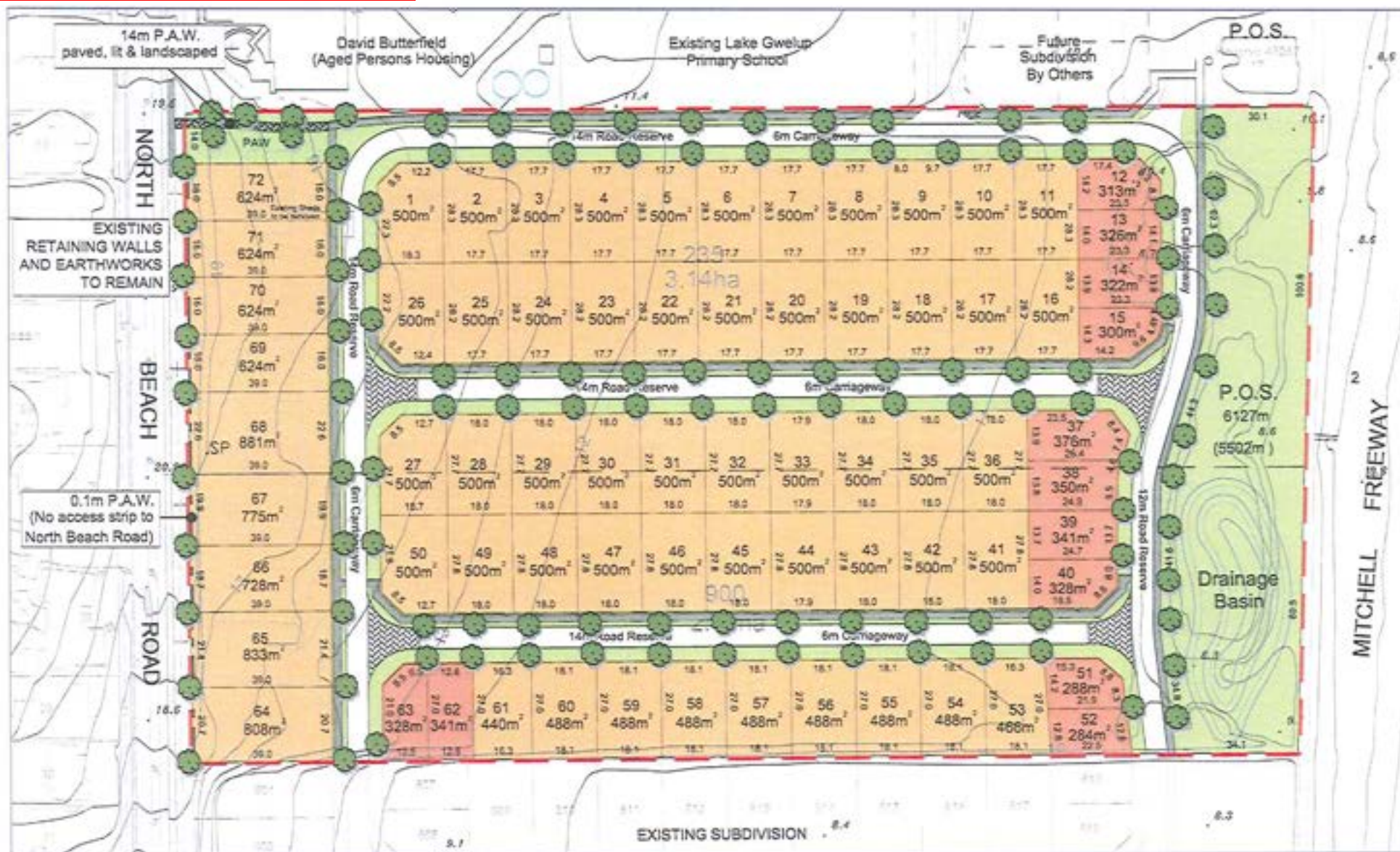


HARDY BOWEN LAWYERS
SOLICITORS FOR THE APPLICANT



for TIMOTHY SHARP
STATE SOLICITOR WESTERN AUSTRALIA
SOLICITORS FOR THE RESPONDENT

SUPERSEDED LPS3 Amd 31
Gazetted 12 July 2013



PROPOSED SUBDIVISION PLAN
LOTS 235 & 900 NORTH BEACH ROAD
GWELUP

LEGEND:
 Application Boundary: [Red dashed line]
 NOTE:
 1. Areas and dimensions subject to survey.
 2. All existing buildings to be removed.

JOB REFERENCE: 100656

LOT SIZES / R-CODES:
 R30: 12 LOTS 1000m² min
 R30: 60 LOTS 400m² min

SCALE 1:1000 @ A3
19th FEBRUARY 2010

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ATTACHMENT B

LOTS 235 & 900 NORTH BEACH ROAD, GWELUP (138880)
CONDITIONS OF SUBDIVISION

1. The proposed 14 metre wide road reserve along the northern boundary of the subject land abutting the adjoining Gwelup Primary School to be extended to connect with the North Beach Road reserve.
2. Those lots not fronting an existing road being provided with frontage to a constructed road connected to the local road network, and such road(s) to be designed and constructed at the applicant/owner's cost in accordance with the specifications of the City of Stirling, to the satisfaction of the WAPC. As an alternative the WAPC is prepared to accept the applicant/owner paying to the City of Stirling the cost of such road works, subject to the City of Stirling providing formal assurance to the WAPC confirming that the works will be completed within a reasonable period as agreed by the WAPC. This condition, insofar as it relates to the design and construction of roads, does not apply to the section of road reserve that is required to be extended to North Beach Road under condition 1, with a dual use path instead to be constructed along that section in accordance with condition 3. (Local Government)
3. 2.5 metre wide dual use path to be designed and constructed along the proposed road reserve abutting the adjoining Gwelup Primary School, linking North Beach Road reserve and the proposed "P.O.S." and "Drainage Basin". (Local Government)
4. 2.5 metre wide dual use path to be designed and constructed along the proposed road reserve abutting the proposed "P.O.S." and "Drainage Basin". (Local Government)
5. 1.5 metre wide footpaths to be designed and constructed along proposed road reserves, with exception of the road reserves the subject of conditions 3 and 4 above. (Local Government)
6. A geotechnical report to be submitted to certify that deleterious and unsuitable material have been removed from the site, and that backfilling has been carried out and tested to ensure the area is suitable for normal residential building construction without additional ground stabilisation, and must include a site classification of each lot in compliance with relevant Australian Standards. (Local Government)
7. The land being filled with clean uncontaminated sand free of any organic material and/or drained at the subdivider's cost to the satisfaction of the Western Australian Planning Commission and any easements and/or reserves necessary for the implementation thereof, being granted free of cost. (Local Government)

8. The land being graded and stabilised. (Local Government)
9. The proposed "P.O.S." and "Drainage Basin" shown on the approved plan of subdivision being shown on the Deposited Plan as a "Reserve for Recreation and Drainage" 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.
10. Vehicle and pedestrian safety wall/fence and toe stabilisation to be designed and constructed along the existing retaining wall within the proposed "P.O.S." and "Drainage Basin". (Local Government)
11. Uniform fencing along the boundaries abutting North Beach Road and Mitchell Freeway are to be constructed. (Local Government)
12. Pursuant to Section 150 of the *Planning and Development Act 2005*, a covenant preventing motor vehicle access onto North Beach Road reserve benefiting the City of Stirling being lodged on the Certificates of Title of the proposed lots.
13. Street corners within the subdivision, with exception of where the road reserve under condition 1 intersects North Beach Road, are to be truncated to the standard truncation of 8.5 metres. (Local Government)
14. All unauthorised structures being demolished and materials removed from the proposed lots. (Local Government)
15. Suitable arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to lot(s) shown on the approved plan of subdivision. (Water Corporation)
16. Suitable arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lot/s shown on the approved plan of subdivision. (Water Corporation)
17. The provision of easements for existing or future water, sewerage and/or drainage infrastructure as may be required by the Water Corporation being granted free of cost to that body. (Water Corporation)
18. Suitable arrangements being made with the Water Corporation for the drainage of the land either directly or indirectly into a drain under the control of that body. (Water Corporation)
19. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the provision of an underground electricity supply service to the lot(s) shown on the approved plan of subdivision. (Western Power)

20. The transfer of land as a Crown Reserve, free of cost to Western Power for the provision of electricity supply infrastructure. (Western Power)
21. Prior to commencement of site works, investigation for soil and groundwater contamination is to be carried out to the specifications of the Department of Environment. (Department of Environment and Conservation)
22. All remediation works including validation of remediation are to be completed to the specifications of the Department of Water prior to the commencement of any site works. (Department of Environment and Conservation)
23. An Acid Sulfate Soils Self-Assessment Form and, if required as a result of the self-assessment, an Acid Sulfate Soils Report and an Acid Sulfate Soils Management Plan shall be submitted to and approved by the Department of Environment and Conservation before any site works are commenced. Where an Acid Sulfate Soils Management Plan is required to be submitted, all site works shall be carried out in accordance with the approved management plan. (Department of Environment and Conservation)

SUPERSEDED
16 Apr 2010 by SAT Decision

