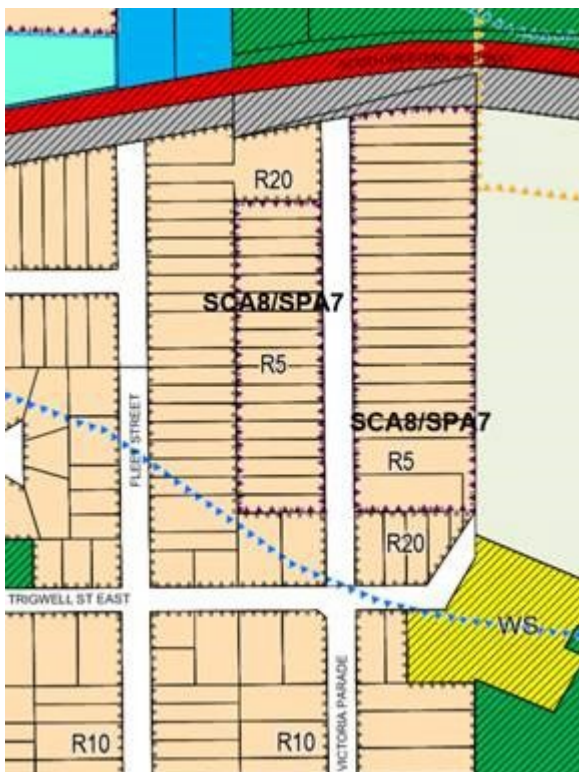


The following information has been prepared following ongoing enquiries regarding the lots on Victoria Parade in Donnybrook (WA 6239) that are currently on the market.

The planning and development requirements for the lots abutting each side of the centrally located unconstructed portion of land (i.e. Lot 351), representing the northern extension of Victoria Parade, are relatively complex under the Shire of Donnybrook-Balingup Local Planning Scheme No. 7 (LPS7).

The portion of 'road' which is referenced on the title provided as Victoria Parade, is freehold, privately owned land meaning that it is yet to be dedicated as 'road reserve'. This land is identified as 'no zone' under LPS7 which is used to identify existing and/or future road reserves within the Shire and has no development opportunity, other than for its intended purpose (public road).

LPS7 identifies the adjoining Residential lots as being within Special Control Area 8 (SCA8). SCA8 identifies areas that require comprehensive Structure Planning prior to subdivision and/or development. Each SCA8 is referenced in Schedule 11 and in this case, the subject area is within Structure Plan Area 7 (SPA7). Below is an extract of the subject area from the LPS7 Map identifying the SCA8/SPA7 areas.



A full copy of the above map can be found at this link:

[Map7_Donnybrook-Balingup_TPS7NEW_Donnybrook-Townsite-South.pdf \(www.wa.gov.au\)](http://www.wa.gov.au/Map7_Donnybrook-Balingup_TPS7NEW_Donnybrook-Townsite-South.pdf)

SPA7 outlines that the land is intended for Residential R20 development and the following matters are to be addressed within a Structure Plan (in addition to other standard elements):

1. *All buildings, including a single dwelling and outbuildings, require the submission of an application for development approval. Prior to the occupation of a dwelling or other building, the following matters are to be met to the satisfaction of the local government —*
 - *legal and practical vehicular access;*
 - *wastewater disposal (unless habitation is not proposed and/or permitted);*
 - *stormwater management; and*
 - *structural integrity of building.*
2. *The applicant/landowner shall dedicate and construct a road reserve to ensure a public road is provided between the lot (development site) and a constructed public road, prior to the approval of a dwelling or other building.*
3. *No more than one dwelling is permitted per lot.*

A full copy of LPS7 can be found at this link:

[Shire of Donnybrook-Balingup Local Planning Scheme No 7 Scheme text \(www.wa.gov.au\)](http://www.wa.gov.au)

Whilst the Shire acknowledges that the preparation of a Structure Plan is generally required prior to subdivision of land, in this case the lots legally exist as they are a legacy issue created without the apparent finalisation of the road access (dedication and construction).

In any case, as per point 2 above, prior to approving a dwelling or building on the Residential lots the applicant/landowner is required to dedicate and construct a road reserve to ensure a public road is provided.

In this regard, the Shire's expectation would be that the dedication and construction of this land as per the requirements of LPS7 is completed prior to approving development on the lots. This is also consistent with clause 4.34 of LPS7 which outlines the requirement to demonstrate legal access which may include the applicants/landowners obligation to construct a road within an unconstructed road reserve.

This advice has been consistently provided to the other landowners in this area however as the subject 'road' land is in private ownership it has largely been out of their control to address.