

NORTH TWO ROCKS

LOCAL STRUCTURE PLAN

Part One – Statutory Report

Prepared by



PO Box 796 Subiaco WA 6904 Tel: 9382 1233 Fax: 9382 1127

Project No. 2248Rep55D

June 2014



NORTH TWO ROCKS LOCAL STRUCTURE PLAN PART ONE - STATUTORY REPORT

CERTIFIED THAT THE NORTH TWO ROCKS LOCAL STRUCTURE PLAN WAS

ADOPTED BY RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING COMMISSION ON

..... Date

Signed for and on behalf of the Western Australian Planning Commission

an officer of the Commission duly authorised by the Commission pursuant to section 16 of the Planning and Development Act 2005 for that purpose, in the presence of:

..... Witness

..... Date

AND BY RESOLUTION OF THE COUNCIL OF THE CITY OF WANNEROO ON

..... Date

AND THE SEAL OF THE MUNICIPALITY WAS PURSUANT TO THE COUNCIL'S RESOLUTION HEREUNTO AFFIXED IN THE PRESENCE OF:

Mayor, City of Wanneroo

.....

.....

Chief Executive Officer, City of Wanneroo

..... Date

This Structure Plan is prepared under the provisions of the City of Wanneroo District Planning Scheme No. 2



NORTH TWO ROCKS LOCAL STRUCTURE PLAN PART ONE - STATUTORY REPORT

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1.0 STRUCTURE PLAN AREA

This Structure Plan shall apply to Lot 14 Lisford Avenue and Lot 206 Shearwater Avenue, being the land contained within the inner edge of the line denoting the Structure Plan boundary on the Structure Plan Map (Plan A).

2.0 STRUCTURE PLAN CONTENT

This Structure Plan comprises the:

- a) Statutory Report (Part 1);
- b) Explanatory Report (Part 2); and
- c) Technical Appendices (Part 3).

3.0 INTERPRETATION

Unless otherwise specified in this part, the words and expressions used in this Structure Plan shall have the respective meanings given to them in the City of Wanneroo District Planning Scheme No. 2 (the Scheme) including any amendments gazetted thereto.

4.0 OPERATION DATE

In accordance with clause 9.8.1 of the Scheme, this Structure Plan shall come into operation when it is either certified by the Western Australian Planning Commission (WAPC) pursuant to clause 9.6.3 of the Scheme, or adopted, signed and sealed by the Council pursuant to clause 9.6.5 of the Scheme, whichever is the latter.

5.0 RELATIONSHIP WITH THE SCHEME

Pursuant to clause 9.8 of the Scheme:

- a) The provisions, standards and requirements specified under Part 1 of this Structure Plan shall have the same force and effect as if it were a provision, standard or requirement of the Scheme. In the event of there being any variations or conflict between the provisions, standards or requirements of the Scheme and the provisions, standards or requirements of this Structure Plan, then the provisions, standards or requirements of this Structure Plan shall prevail;
- b) Any other provision, standard or requirement of Part 1 of the Structure Plan that is not otherwise contained in the Scheme, shall apply to the land as though it is incorporated into the Scheme, and shall be binding and enforceable to the same extent as if part of the Scheme; and
- c) Part 2 of this Structure Plan and Part 3 Technical Appendices are to be used as a reference only to clarify and guide interpretation and implementation of Part 1.



6.0 LAND USE AND SUBDIVISION REQUIREMENTS

Plan A outlines land use, zones and reserves applicable within the Structure Plan area. The zones and reserves designated under this Structure Plan apply to the land within it as if the zones and reserves were incorporated into the Scheme.

6.1 Land Use Permissibility

Land use permissibility within the Structure Plan area shall be in accordance with the corresponding zone or reserve under the Scheme, with the exception of the following:

- The use class 'Shop' is a "D" use within the Mixed Use Zone; and
- Land uses in the 'Special Use' Coastal Zone shall be in accordance with Part 6.6 of the Part 1 statutory provisions.

6.2 Residential

6.2.1 Dwelling Target

Subdivisions are to achieve the following:

 i) 25 dwellings per site hectare within 400m of Neighbourhood Centres 'H' and 'G' and along district distributors and neighbourhood connectors supporting future public transport routes.

- ii) 30 dwellings per site hectare within 400m of District Centre 'F'
- iii) 50 dwellings per site hectare within 400m of Secondary Centre 'B'.

6.2.2 Density

- a) Plan A defines the broad residential density ranges that apply to specific areas within the Structure Plan. Lot specific residential densities, within the defined residential density ranges, are to be subsequently assigned in accordance with a Residential Density Code Plan approved by the WAPC at subdivision stage.
- b) A Residential Density Code Plan is to be submitted at the time of subdivision to the WAPC and shall indicate the Residential Density Coding applicable to each lot within the subdivision and shall be consistent with the Structure Plan, and the Residential Density Ranges identified on Plan A and locational criteria contained in Clause 6.2.3.
- c) The Residential Density Code Plan is to include a summary of the proposed dwelling yield of the subdivision.
- Approval of the Residential Density Code Plan shall be undertaken at the time of determination of the subdivision application by the WAPC. The approved Residential Density Code Plan shall then form part of the Structure Plan and



shall be used for the determination of future development applications. Variations to the Residential Density Code Plan will require further approval of the WAPC.

- e) Residential Density Code Plans are not required if the WAPC considers that the subdivision is for one or more of the following:-
- i) the amalgamation of lots;
- ii) consolidation of land for "superlot" purposes to facilitate land assembly for future development;
- iii) the purposes of facilitating the provision of access, services or infrastructure; or
- iv) land which by virtue of its zoning or reservation under the Structure Plan cannot be developed for residential purposes.

6.2.3 Locational Criteria

The allocation of residential densities on the Residential Density Code Plan shall be in accordance with the following criteria:

- a) R30 R60 Range
 - i) A base density code of R30 coding shall be applied for all residential lots.

- ii) Density codes of R40 to R60 shall be applied to residential lots where:
 - * vehicular access is provided via a public laneway; or
 - located generally within 400m of District Centre 'F' or Neighbourhood Centres 'G' and 'H', local centres, public open space, or school; or
 - * located in general proximity to public transport routes, and/or along neighbourhood connector and district distributor routes.
- b) R80 R160 Ranges
 - i) A base density code of R80 shall be applied for all other residential lots.
 - ii) Density codes of R100 and R160 shall be applied to residential lots:
 - located in close proximity to the Two Rocks Secondary Centre 'B';
 - * located in close proximity to District Centre 'F';
 - * located in close proximity to Coastal Activity Centre
 'R' and/or other coastal areas of high amenity;



- * adjacent to designated high frequency public transport routes; or
- * located above commercial uses proposed on the ground floor in Mixed Use and Centre zoned areas.

6.3 Commercial

a) Pursuant to clause 3.4.3 of the Scheme the retail floorspace (NLA) for the Structure Plan is to be in accordance with the following Table 1.

Table 1: Retail Floorspace Provision

CENTRE	MAXIMUM RETAIL NET LETTABLE AREA (m²)
Neighbourhood Centre 'G'	7,500
Neighbourhood Centre 'H'	3,700
Local Centre	1,800
Local Centre	800
Local Centre	600
Local Centre	300

b) Pursuant to clause 3.7.4 of the scheme, the maximum NLA included in Table 1 may be exceeded through a Detailed Area Plan for the entire centre where the requirements of State Planning Policy 4.2 Activity Centres for Perth and Peel are met to the satisfaction of the WAPC and City of Wanneroo.

6.4 Public Open Space

A minimum of 10% public open space will be provided in accordance with the WAPC's Liveable Neighbourhoods. Public open space is to be provided generally in accordance with Plan A and Table 2, with an updated public open space schedule to be provided at the time of subdivision for determination by the WAPC, upon the advice of the City of Wanneroo.

Table 2: Strategic Public Open Space Provision

STRATEGIC POS SITE	SIZE (HA)
A	13.5
В	30
С	2.5
D	7.1
E	0.5
F	1.1
G	2
Н	2
I	5
J	2
К	17
L	4.5
М	2
Ν	4.3
0	2
Р	0.3

Note - The location of community facilities within public open space will be determined as part of the Community Development Implementation Strategy at subdivision stage.



Remnant (existing) vegetation and locally significant natural areas are located in Public Open Space sites C, D, E, F, K, L, N & P. No clearing of vegetation within these sites is to be undertaken without prior approval from the City of Wanneroo.

6.5 Centre

6.5.1 Activity Centre Structure Plan

In accordance with Clause 3.13 of the Scheme, no subdivision and/ or development should be commenced or carried out in a 'Centre' zone until an Activity Centre Structure Plan is prepared for the whole of the Centre in accordance with State Planning Policy 4.2 'Activity Centres for Perth and Peel', and adopted under Part 9 of the Scheme. This includes the following activity centres, as identified on Plan A:

- Two Rocks Secondary Centre 'B'
- North Two Rocks District Centre 'F'
- North Two Rocks Coastal Activity Centre 'R'

The Activity Centre Structure Plan shall incorporate the employment generating land uses of the adjacent Mixed Use zone in relation to achieving the Economic Self Sufficiency targets for the Secondary Town Centre as a whole.

6.5.2 Subdivision or Development in Centre Zone

Notwithstanding Clause 6.5.1, subdivision and/or development may be supported prior to adoption of a structure plan within the 'Centre' zone for:

- a) the amalgamation of land to facilitate land assembly for future development;
- b) the purpose of allowing access; and/or
- c) the facilitation and provision of services or infrastructure that would not prejudice future development outcomes; or
- d) the consolidation of land for "superlot" purposes to facilitate land assembly for future development.

6.6 Special Use (Coastal) Zone

6.6.1 Objectives

The objective of the Special Use (Coastal) zone is to recognise the portion of the Physical Processes Setback, pursuant to State Planning Policy 2.6 within the Structure Plan boundary, and to put in place suitable development controls that allow for the land to be used within the 100 year planning timeframe as described by the Policy. The zone recognises the constraints in terms of use and the need to minimise risk.



6.6.2 Foreshore Management Plan

- a) A Foreshore Management Plan is required to be prepared as a condition of subdivision approval where the application area adjoins the Special Use (Coastal) Zone consistent with the LSP Foreshore Management Strategy. The Foreshore Management Plan shall include the following information:
 - Coastal Hazard Risk Management and Adaptation Plan, prepared in accordance with State Planning Policy 2.6;
 - Identification of any areas of landform or vegetation retention within the Special Use (Coastal) Zone and/ or Foreshore Reserve, and details of the treatment/ rehabilitation of this area;
 - Identification of indicative locations for buildings, infrastructure, indicative land use, public parking and access within the Forehore Reserve and Special Use (Coastal) Zone;
 - Identification of tenure and management responsibilities for the Special use (Coastal) Zone and Foreshore Reserve; and
 - Identification of indicative locations of drainage and associated infrastructure.

b) There is a general presumption against further subdivision within the Special Use (Coastal) Zone except where necessary to facilitate provision of services or public infrastructure to enable the vesting of land in a public authority in the interests of orderly and proper planning.

6.6.3 Land Use Permissibility

- a) No development shall occur in the Special Use (Coastal) Zone in the absence of an approved Foreshore Management Plan.
- b) Subject to clause 6.6.3 d), all land uses as defined in Schedule
 2 of District Planning Scheme No. 2 are classified as Prohibited
 (X) uses in the Special Use (Coastal) Zone, with the exception of
 the following, which are discretionary 'D' uses:
 - Camping Ground;
 - Car Park;
 - Club (Non-Residential);
 - Private Recreation;
 - Public Exhibition Facility;
 - Restaurant;
 - Stall-general; and
 - Take away food outlet.



- c) In addition to having regard to the matters contained within Part 6.8 of District Planning Scheme No.2, the City shall only exercise its discretion pursuant to (b) above where it can be demonstrated that:
 - any buildings proposed are readily capable of removal and relocation, or are alternatively designed to adapt to/withstand coastal processes, including future sea level rise; and
 - ii) the use can be considered in accordance with Part 7 of Schedule 1 to State Planning Policy 2.6.
- d) In addition to the land uses outlined in clause 6.6.3 b) and subject to compliance with clause 6.6.3 e), the City may permit at its discretion (as discretionary 'D' uses) the following uses within the Special Use (Coastal) Zone:
 - Civic building;
 - Hotel;
 - Motel;
 - Place of Assembly;
 - Place of Worship;
 - Reception Centre;

- Resort;
- Tavern;
- Caravan Park; and
- Park Home Park.
- e) The City shall only exercise its discretion pursuant to d) above where:
 - The portion of the use that is located within the Special Use (Coastal) Zone is ancillary / incidental to the remainder of the use located outside of the Special Use (Coastal) Zone;
 - ii) The portion of the use that is located within the Special Use (Coastal) Zone does not include any permanent habitable buildings, essential facilities or other infrastructure which is essential to the ongoing operation of the use in the adjacent urban development zoned land; and
 - Where it is demonstrated that the use can be considered in accordance with Part 7 of Schedule 1 to State Planning Policy 2.6.



6.6.4 Development Requirements

Prior to considering a Development Application for any of the abovementioned uses, the City shall be satisfied that the proponent has provided sufficient indemnity to the City of Wanneroo (and/or other responsible public authority) to ensure the City and/or public authority is not liable for any loss or damages resulting from the impact of coastal processes on development in the Special Use (Coastal) Zone.

6.6.5 Term of Approval

- a) Any approval granted pursuant to clause 6.6.3 shall be limited to a period of not more than 30 years from the date of approval, at which point the approval will lapse and the development shall be removed.
- b) Council may consider a request to extend the term of approval at any time prior to its expiry, where it can be demonstrated through technical analysis that the subject land is, in the opinion of the City, unlikely to be affected by sea level rise and any other coastal processes within the foreseeable future.
- c) Any extension to the term of approval granted under clause
 6.6.5 b) shall only be for a term not exceeding 10 years.
- d) There is no limit to the number of extensions that the City may grant, subject to satisfaction of (b) above.

6.6.6 Monitoring and Review

The Physical Processes Setback, identified on Plan A as the Special Use (Coastal) Zone, is subject to monitoring and review in the event that one or more of the following occurs:

- A change in the identified coastal hazards through a change in science or policy framework;
- A change in the physical characteristics of the coast that is likely to impact the coastal processes (e.g. construction of a breakwater, groyne or marina);
- iii) A change in community values;
- iv) A change in land use; or
- iv) A substantial time period has lapsed since the previous review.

Any change to the Physical Processes Setback / Special Use (Coastal) Zone boundaries arising from any monitoring and review will require an amendment to the Local Structure Plan".



7.0 DEVELOPMENT

7.1 Detailed Area Plans

Detailed Area Plans are to be prepared in accordance with Clause 9.14 of the Scheme as a condition of subdivision approval, prior to any development within Neighbourhood and Local Centres, except where the development would not prejudice the:

- a) design of a future detailed area plan;
- b) timely provision of infrastructure and services to the Centres; or
- c) allow for interim development.

7.1.1 Provisions

In addition to any general matters required to be included within a Detailed Area Plan under clause 9.14.2 of the Scheme, and the specific matters required to be included in each DAP under 7.1.2 and 7.1.3 of this structure plan, all DAPs shall incorporate provisions and design elements addressing the following:

- a) Maximum building heights;
- b) Public transit stops and facilities;
- c) Pedestrian and cycle infrastructure;
- d) The relationship between building facades and the street;

- e) Provision of awnings to pedestrian areas; and
- f) Development within Neighbourhood and Local Centres is to provide an appropriate interface with the future development of adjacent schools/POS.

7.2 Land Use and Subdivision

7.2.1 Reports / Strategies / Information Required

Prior to the lodgement of subdivisions the following reports / strategies / information are to be prepared, as applicable, to the satisfaction of the relevant authority and provided at the time of subdivision:

- i) Fire Management Plan.
- ii) Noise Assessment and/or Noise Management Plan. To be submitted with the first application for subdivision which proposes creation of residential lots within a distance of 100 metres from the MRS Rail Reserve.
- iii) Vegetation and Fauna Management Plan.
- iv) Residential Density Plan.
- v) Coastal Risk Management and Adaptation Plan to be prepared pursuant to State Planning Policy 2.6: State Coastal Planning Policy.



7.2.2 Conditions of Subdivision Approval

- a) At the time of subdivision the City of Wanneroo may recommend conditions to the WAPC, as applicable, requiring the preparation and/or implementation of the following:
 - i) Landscape and Drainage Management Plan;
 - ii) Community Development Implementation Strategy;
 - iii) Urban Water Management Plan;
 - iv) Foreshore Management Plan (for the entire LSP 91 foreshore area), including Coastal Hazard Risk Assessment and Adaptation Plan prepared in accordance with State Planning Policy 2.6, where the application area includes or abuts the MRS Parks and Recreation/Foreshore Reserve or Special Use (Coastal) zone;
 - v) Detailed Noise Assessment and/or Noise Management Plan (implementation), for lots affected by the MRS Rail Reserve;
 - vi) Vegetation and Fauna Management Plan;
 - vii) Conservation Area Management Plan.

b) At the time of subdivision the City of Wanneroo may recommend conditions to the WAPC, as applicable, requiring a notification, pursuant to Section 165 of the Planning and Development Act 2005, to be placed on the certificates of titles of proposed lots which are capable of accommodating a noise-sensitive land use in the vicinity of the possible Light Rail Transit to advise future purchasers that Light Rail Transit may be developed in the future which may impact on the amenity of these lots.

7.3 Variations to Residential Design Codes for R30 – R60 coded lots

Table 3, 4 and 5 set out variations to the Residential Design Codes that are deemed to comply within the Structure Plan area and which do not therefore, require neighbour consultation and planning approval.



Table 3: Lots Accessed Via Rear Laneway

TYPICAL LOT DIMENSIONS: 5m - 12m wide by 28m - 32m deep

TYPICAL R-CODE: R30, R40, R60

	DEEMED TO COMPLY PROVISIONS		
	RELEVANT R-CODE CLAUSE	VARIATION / ADDITIONAL REQUIREMENT	
Public Open Space Interface	6.2.5 A5 6.3.2 A2 6.2.1 A1.1 (i)	All dwellings shall have a minimum of one habitable room with a major opening facing toward the public open space. All lots shall have visually permeable fencing to the public open space boundary, as constructed by the developer. Boundary walls are not permitted abutting a public open space boundary. Buildings abutting public open space shall be setback a minimum of 1 metre from the public open space boundary. All clothes drying areas, hot water systems and sheds shall not be located between the dwelling and the public open space boundary.	
Setbacks	6.2.1 A1.1 (i) & 6.2.2 A2 (i)	 Buildings shall be setback from the primary street as follows: Minimum Setback – 2m dwelling and 1.5m for verandah or front facade treatment Average Setback – 3m Buildings shall be setback a minimmum of 1 metre from the secondary street. Garages shall be setback a minimum of 0.5 metres to the laneway boundary. 	
Boundary Walls	6.3.2 A2 6.3.2 A2 (iii)	Boundary walls up to both side boundaries where located behind the minimum front setback, within the following limits: Single Storey Two Storey & Above • Maximum height - 3m • Maximum height - 6m • Maximum length - No limit • Maximum length - Up to 12m in length Garages on laneway lots are permitted to have a nil setback to either side boundary in addition to the boundary wall of dwelling, excluding a secondary street boundary (subject to compliance with vehicular access restrictions).	
Private Open Space	6.4.1 A1 & 6.4.2 A2 – Table 1	 The minimum open space requirement will be reduced to a minimum of 25% of the site subject to the provision of an Outdoor Living Area with: a) A minimum useable space of 24m² (excluding clothes drying areas and hot water systems); and b) A minimum length and width dimension of 4m; and c) Located adjoining the northernmost or easternmost boundary (with the exception of corner or irregular shaped lots and where it can be demonstrated that (a) and (b) can be achieved). Permanent roof cover up to a maximum of two thirds of the outdoor living area. 	
Studio Unit	7.1.1 A1 (ii) & (iv)	A studio unit comprises an additional dwelling or independent accommodation associated with a dwelling on the same lot where the accommodation can be separate to the main dwelling, occupied by persons unrelated to the occupants of the main dwelling, there is a maximum floorspace of 60m ² , there are no additional driveways or letter boxes and the accommodation may be utilised for home occupation, subject to Council approval. The studio until shall not be created as a separate lot by subdivision or strata titling. A studio unit does not require an additional car parking bay on site. A studio unit is permitted on all lots, including those less than 450m ² .	
Privacy	6.8.1 A1 (i), (ii) & (iii)	Where the floor level to any habitable spaces is greater than 500mm above natural ground level, a minimum 4.5m cone of vision privacy setback applies to major openings to side and rear boundaries abutting residential properties.	
Design for Climate		Overshadowing provisions of the R-Codes do not apply.	



Table 4: Narrow Front Loaded Lots

TYPICAL LOT DIMENSIONS: 6m - 13m wide by 28m - 32m deep

TYPICAL R-CODE: R30, R40, R60

	DEEMED TO COMPLY PROVISIONS		
	RELEVANT R-CODE CLAUSE	VARIATION / ADDITIONAL REQUIREMENT	
Setbacks	6.2.1 A1.1 (i) & 6.2.2 A2 (i)	 Buildings setback from the primary street as follows: Minimum Setback – 2m Average Setback 4m Buildings to be setback 1m from the secondary street. Garages with a width of 4m or greater shall be set back equal to or behind the main building line of the dwelling. 	
Boundary Walls	6.3.2 A2 6.3.2 A2 (iii)	Boundary walls to the dwelling shall be located on either the southern most or western most boundary to maxmise solar passive design, and located behind the maximum front setback, within the following limits: Single Storey Two Storey & Above • Maximum height - 3m • Maximum height - 6m • Maximum length - No limit • Maximum length - Up to 12m in length	
Private Open Space	6.4.1 A1 & 6.4.2 A2 – Table 1	Minimum open space of 25% (site cover 75%) subject to the provision of an Outdoor Living Area with: a) A minimum useable space of 24m ² , minimum dimension of 4m and may include the nominated secondary street setback area; and b) Located adjoining the northernmost or easternmost side boundary (with the exception of corner or irregular shaped lots and where it can be demonstrated that (a) can be achieved). Permanent roof cover up to a maximum of two thirds of the outdoor living area.	
Privacy		Where the floor level to any habitable spaces is greater than 500mm above natural ground level, a minimum 4.5m cone of vision privacy setback applies to major openings to side and rear boundaries abutting residential properties.	
Design for Climate	6.9.1 A1	Overshadowing provisions of the R-Codes do not apply.	



Table 5: Traditional Front Loaded Lots

TYPICAL LOT DIMENSIONS: 13m - 20m wide by 28m - 32m deep

TYPICAL R-CODE: R20, R30

	DEEMED TO COMPLY PROVISIONS		
	RELEVANT R-CODE CLAUSE	VARIATION / ADDITIONAL REQUIREMENT	
Setbacks	6.2.1 A1.1 & 6.2.2 A2	Buildings setback from the primary street as follows: Minimum Setback - 2m Average Setback - 4m Buildings set back 1 m from the secondary street.	
Boundary Walls	6.3.2 A2	Boundary walls up to one side boundary within the following limits: Height - not greater than 3 metres Length - No limit	
Private Open Space	6.4.1 A1 & 6.4.2 A2 - Table 1	 Minimum open space of 30% (site cover 70%) subject to the provision of an Outdoor Living Area with: a) A minimum useable space of 30m², minimum dimension of 4m and may include the nominated secondary street setback area; and b) Located adjoining the northernmost or easternmost side boundary (with the exception of corner or irregular shaped lots and where it can be demonstrated that (a) can be achieved). Permanent roof cover up to a maximum of two thirds of the outdoor living area. 	



2248-37N-11 (30.04.2014), nts





PLAN A: NORTH TWO ROCKS LOCAL STRUCTURE PLAN

Lot 14 Lisford Avenue & Lot 206 Shearwater Avenue, Two Rocks - City of Wanneroo