

EAST WANNEROO CELL 6 AGREED

LOCAL STRUCTURE PLAN

(AS AMENDED)

Structure Plan No. 8

This Structure Plan was prepared under the Provisions of Part 9 of the City of Wanneroo
District Planning Scheme No. 2

CERTIFICATION OF AGREED STRUCTURE PLAN

IT IS HEREBY CERTIFIED THAT THE AGREED STRUCTURE PLAN FOR CELL 6
(MADELEY AND DARCH) WAS ADOPTED BY RESOLUTION OF THE WESTERN
AUSTRALIAN PLANNING COMMISSION ON 19 OCTOBER 2004

.....
Chairperson, Western Australian
Planning Commission

AND BY
RESOLUTION OF THE COUNCIL OF THE CITY OF
WANNEROO ON 21 SEPTEMBER 2004 (FIRST ADOPTED SUBJECT TO
MODIFICATIONS 28 SEPTEMBER 1999)
AND THE SEAL OF THE MUNICIPALITY WAS PURSUANT
TO THE COUNCIL'S RESOLUTION HERETO AFFIXED IN THE PRESENCE OF

.....
Mayor, City of Wanneroo

.....
Chief Executive Officer, City of Wanneroo

Record of Amendments made to the Agreed Cell 6 Structure Plan

Amendment No.	Description of Amendment	Council Adopted	WAPC Adopted
1	Recode portion of Part Lot 2 Wanneroo Road from R20 to R40	3.09.02	19.10.04
3	Lots 31 and 32 Landsdale Road – Recode portion from R20 to R40	24.09.02	19.10.04
4	Lots 45 to 49 Wanneroo Road/Lots 51 and 52 Susan Road – POS Relocation, Road Variation and Recoding From R20 To R30/R40	13.04.04	19.10.04
5	Lots 32, 33 and 34 Kingsway – POS Relocation, Road Variation and Recode Portion From R20 to R30	7.07.04	19.10.04
6	Lot 50 Gngangara Road – Rezone Portion of Site from Special Zone (AU) - Medical Centre Pharmacy and Professional Office to Residential R40	01.07.04	19.10.04
7	Lot 20 Kingsway – Recode from R20 to R40	28.06.04	19.10.04
9	Recodes portion of Lots 76 & 77 Susan Road, Madeley from R20 to R40 Removes Buffer precinct on Zoning Plan & related Buffer precinct provisions for poultry farms on Lots 23 Kingsway, Landsdale & Lot 45 Wanneroo Road, Madeley	19.4.05	4.7.05
10	Recodes proposed Lots 20 & 21 Susan Road, Madeley from R20 to R30	28.6.05	18.10.05
11	Recodes portions of Lot 38 Landsdale Road, Darch from R20 to R25 and R40	13.12.05	3.3.06
12	Rezones a portion of Lot 50 (10) Gngangara Road, Madeley from Special Zone (AU) – Medical Centre, Pharmacy, Professional Office to Residential R20	28.10.05	23.1.06
13	Reinstates the R25 density coding and Residential ‘base’ zoning for Loc 2375 Wanneroo Road, Madeley	3.11.05	13.12.05
14	Recodes proposed Lots 618 Cooper Street, 630 & 654 Olivedale Road, Madeley from Residential R20 to R40	18.10.05	23.1.06
15	Recodes portions of Lots 72 & 73 Cooper Street, Madeley from R20 to R30	9.2.06	2.5.06
16	Recodes a portion of Lot 9001 and Lot 3 Kingsway, Darch from R20 to R40 and recodes the remaining portion of Lot 9001 and Lot 3 Kingsway, Darch and Lot 29 Landsdale Road, Darch from R20 to R30	24.10.06	11.12.06

Amendment No.	Description of Amendment	Council Adopted	WAPC Adopted
18	Recodes portions of Lots 30, 31, 32 & 39 Landsdale Road, Darch from R20 to R25, R30 & R40	10.10.06	29.12.06
19	Recodes various lots within Lots 4, 14, 15, 11061 & 14600 Gngangara Road, Wangara from R20 to R40 and relocates a small portion of public open space	21.11.06	29.12.06
21	Recodes Lots 654 & 655 Cvitan Bend, Madeley from R20 to R30	19.9.06	29.12.06
20	Recodes Lots 935, 936 & 957-960 Wicklow Circle, Darch from R20 to R40 and Lot 978 Kingsway, Madeley, Lot 952 Westport Parade and Lot 954 Wicklow Circle, Darch from R20 to R30	21.11.06	11.10.07
22	Recodes Lot 9500 Matlock Heights, Darch from R20 to R40 and adopts a Detailed Area Plan and appropriate provisions into the Statutory Section for this Lot.	26.6.07	11.10.07
23	Recodes Lot 573 Kingsway, Darch from R20 to R40	26.6.07	11.10.07
24	Recodes various proposed lots within Lot 80 (156) Gngangara Road, Madeley from R20 to R30 and from R20 to R40	15.3.07	11.10.07
28	Recodes Lots 2, 6 & 7 Gngangara Road, Madeley from R20 to R40	25.10.07	21.4.07
26	Rezones Lot 101 & Lot 300 Kingsway, Darch to Private Clubs/Recreation zone	25.10.07	21.4.08
25	Recodes Lot 749 (11) Bolton Way, Darch from R20 to R25	11.2.07	30.6.08
27	Recodes Lot 401 (59) Kingsway, Madeley from R20 to R40	11.12.07	30.6.08
30	Replaces the Mirrabooka Avenue/Tony Martin Way left-in/left-out intersection with a cul-de-sac at the end of Tony Martin Way	26.2.08	30.6.08
33	Recodes Lots 1021 to 1023 and 9502 Vandia Pass, Lot 1010 Bethwyn Circuit and Lot 1009 Glenesk Street Madeley from R20 and R40 to R30	20.7.09	17.11.09
34	Recodes Lots 829 and 830 Oakdene Drive, Madeley from R30 to R40	29.6.10	31.8.10

PART 1

STATUTORY PLANNING SECTION

As provided for under the relevant 'Structure Plan' provisions of the scheme, this part of the Structure Plan has the same force and effect as if it was a provision, standard or requirement of the scheme.

Subject Area

The original Structure Plan area included approximately 156 private landholdings comprising approximately 598 hectares (ha) and 6 crown reserves.

1. ZONES

Plan 1 : 'The Zoning Map'.

2. LOCAL STRUCTURE PLAN

Plan 2 : The 'Local Structure Plan'.

3. RETAIL FLOORSPACE (NLA)

Retail floorspace (NLA) for the Structure Plan will be in accordance with the following Schedule 1.

SCHEDULE 1; RETAIL FLOORSPACE PROVISION

NEIGHBOURHOOD CENTRE	MAXIMUM NET LETTABLE AREA (ROUNDED TO THE NEAREST 50m²)
Cell 6 Neighbourhood Centre(west)	1250 m²
Cell 6 Neighbourhood Centre (east)	3550 m²

4. PROVISIONS

4.1 RESIDENTIAL PRECINCT:

The permissibility of uses are to be in accordance with the Residential Zone as specified under the scheme. Rural development involving high capital investment, offensive trades, mushroom farms and/or of a long-term nature will generally be discouraged. Other Rural uses may be considered.

Unless otherwise identified on 'The Local Structure Plan' the residential density to apply to this precinct is R20.

Objective/s

To promote residential development whilst allowing for rural uses and development if it is considered that such uses will not compromise the intention to develop the precinct for residential purposes in the medium and longer term.

In assessing a rural use application within this precinct, consideration will be given to:

- a) referring the applicants to areas set aside for General Rural under the scheme;
- b) imposing a time limit on the period for which the approved development may be carried out and the preparation and execution of a legal agreement, at the landowner/s expense, between the landowner/s and Council to the effect; and/or
- c) refusing the application if it is considered likely to prejudice the future planned use of the land;
- d) proximity of urban development to the subject land;
- e) the ability of the land to be used for residential purposes in the immediate future in light of servicing and other constraints;
- f) other appropriate factors.

4.2 LANDFILL PRECINCT :

Whilst it is generally intended that land uses within the Landfill Precinct will be guided by the Agreed Structure Plan, prior to the Council issuing a use or development approval, or subdivision support to an application within the Landfill Precinct, the Agreed Structure Plan will need to be modified to remove the Landfill Precinct zoning and replace it with an appropriate zoning eg, Residential Precinct. Such a modification will only be supported by Council if it can be clearly demonstrated that any geotechnical or other environmental clearances have been obtained to the satisfaction of Council, the WAPC or DEP as the case requires.

4.3 BUSINESS PRECINCT

The permissibility of land uses and general provisions for this zone are the same as those that apply to the Business Zone in the scheme except where indicated to the contrary by the following special provisions.

Objective

The Business Precinct is a transitional land use precinct providing a buffer between the largely incompatible land uses of the General Industrial Zone situated north of Furniss Road and the Residential Precinct to the south of the Business Precinct. It is intended that development compatible with the Residential Precinct will be encouraged within the Business Precinct and that a high level of amenity will be maintained.

Criteria:

- a) the minimum lot size shall be 1500 m² with a minimum lot depth of 50 metres;
- b) the rear setback shall be a minimum of 10 metres;
- c) vehicular access will be permitted from Furniss Road only;
- d) all lighting shall be positioned to face away from the proposed residential areas (at the rear) so that no direct light is visible from those properties;
- e) the rear of each lot must be provided with a ten metre wide landscape area (minimum) which extends the full width of the lot. This area must be established prior to the occupancy of any premises and thereafter maintained to the satisfaction of the City of Wanneroo;
- f) unless otherwise determined by Council, hours of operation will be between 7am to 7pm.
- g) the scheme includes a number of “P” and “D” uses for the Business Zone that are considered to be in conflict with the objectives of this precinct, and therefore, are not considered to provide an acceptable interface with the residential area. Such uses shall not be permitted unless it can be demonstrated that the likelihood of any conflicts or concerns can be ameliorated to the satisfaction of Council.

The following Table 1 identifies land uses that are not considered appropriate and should be excluded from this Business Precinct:

Amusement Facility/Parlour	Laundry
Auction Room;	Night Club
Bakery;	Place of Assembly
Car Wash	Place of Worship
Cinema	Private Recreation
Club Non-Residential	Reception Centre
Drive-Through Food Outlet	Restaurant
Dry Cleaning Premises	Road House
Hall, Church	Service Station
Hall, Public Dance, Concert	Take away Fast Food
Hospital Private Inc. “C” Class	Tavern
Hospital Public	Theatre
Laundrette	Veterinary Hospital

4.4 SPECIAL ZONES – ADDITIONAL USES

Notwithstanding anything contained in the Zoning Table, the land specified in Schedule 2 may only be used for the specific use or the uses that are listed in addition to any uses permissible in the zone in which the land is situated.

SCHEDULE 2 – SPECIAL ZONE (ADDITIONAL USES)

No.	Location	Additional Use
1.	Portion of Lot 50 Gnangara Road Madeley	Medical Centre, Pharmacy, Professional Office
2.	Location 2375 Wanneroo Road Madeley	Medical Centre, Pharmacy, Professional Office

4.5 CENTRE ZONE

In accordance with the provisions of ‘The Centre Zone’ under the Scheme, no subdivision or development should be commenced or carried out in a Centre Zone until a Structure Plan has been prepared and adopted under the provisions of the Scheme. The permissibility of uses in the Centre Zone shall be determined in accordance with the provisions of the Agreed Structure Plan.

5. ENVIRONMENTAL PROVISIONS

- a) Prior to undertaking any earthworks or development of the land, the landowners shall demonstrate to the satisfaction of the City of Wanneroo and the Western Australian Planning Commission that nursery or market garden uses have not occurred on the subject land, or, undertake a Soil Contamination Assessment of the land, at the landowners’ cost, to determine the presence or absence of soil contamination to the satisfaction of the Department of Environmental Protection.
- b) Should any soil contamination be identified in the soil contamination assessment, a Site Remediation and Validation Report for the subject land shall be prepared at the landowners’ cost by the developer/subdivider and remediation works shall be undertaken at the landowners’ cost for all identified contamination and should be validated as being free of contamination above acceptance guidelines to the satisfaction of the Department of Environmental Protection, prior to undertaking any earthworks or development of the land.
- c) The subdivider/landowner shall demonstrate to the satisfaction of the City of Wanneroo and the Western Australian Planning Commission that surface water drainage within subject land will be disposed of in a manner that minimises the impacts on the nearby significant wetlands, including potential surface water contamination.

6. INFRASTRUCTURE CONTRIBUTIONS

- a) The contributions to be made by an owner for the implementation of the Cell Works shall be determined in accordance with the scheme.
- b) Cell Costs shall be reviewed in accordance with the relevant Scheme provisions relating to the 'Revision of Cell Costs'.
- c) Current rate of contribution for Cell 6 and the associated breakdown of costs can be obtained from the City of Wanneroo.

7. DETAILED AREA PLAN

Plan 3 the Detailed Area Plan (DAP) outlines the planned pattern of subdivision or development of Lot 9500 (17) Matlock Heights, Darch. All subdivision and development should be carried out in accordance with the DAP.

7.1 SPECIAL PROVISION

- 7.1.1 All dwellings, with respect to crossover location, garage location and building setbacks, shall be designed in accordance with the layout, as shown in the DAP.

PUBLIC OPEN SPACE (POS) PROVISION

The following Schedule 4 details the Public Open Space (POS) which is to be provided by landholders for each lot within Cell 6. The POS allocation reflects the distribution of POS on the Agreed Local Structure Plan for Cell 6.

SCHEDULE 4

Public Open Space (hectares)	Lot No	Area (ha)
6A	Lot 4 Gnangara Road	0.1317
	Lot 332 Parri Road	0.2154
	Gnangara Road Reserve	0.9201
	Res 27340 (3.5900 ha)	2.2887
	Lot 84 Gnangara Road	0.7694
	Lot77 Susan Road	0.6755
	Sub-total	5.0008
6B	Res 24881	4.0520
	Lot 69 Cooper Street	0.4012
	Lot 65 Russell Road	1.1000
	Sub-total	5.5532
6C	Lot 2 Cooper Street	0.8043
	Sub-total	0.8043
6D	Lot 45 Wanneroo Road	0.0942
	Lot 46 Wanneroo Road	0.1141
	Lot 53 Susan Road	0.0710
	Lot 54 Susan Road	0.1707
	Sub-total	0.4500
6E	Part Lot 1 Wanneroo Road	0.5262
	Part Lot 2 Wanneroo Road	0.3723
	Sub-total	0.8985
6F	Lot 11 Kingsway	1.0467
	Lot 12 Kingsway	1.0133
	Sub-total	2.0600
6G	Lot 8 Kingsway	0.2682
	Lot 9 Kingsway	0.3000
	Sub-total	0.5682
6H	Part Loc 1571 Russell Road (east)	3.9812
	Sub-total	3.9812
6I	Part Loc 1571 Russell Road (west)	0.8617
	Sub-total	0.8617
6J	Lot 500 Driver Road	1.5908
	Sub-total	1.5908

Public Open Space (hectares)	Lot No	Area (ha)
6K	Lot 29 Kingsway Lot 28 Kingsway Lot 27 Kingsway Lot 26 Kingsway	
	Sub-total	2.7488
6L	Part Lot 1571 Russell Road (east) Part Lot 1585 Russell Road	1.9808 0.1000
	Sub-total	2.0808
6M	Loc 1441 Driver Road	4.8142
	Sub-total	4.8142
6N	Lot 33 Kingsway	0.6095
	Sub-total	0.6095
6O	Lot 31 Landsdale Road Lot 32 Landsdale Road Lot 33 Landsdale Road	0.2770 0.7790 0.3010
	Sub-total	1.3570
6P	Lot 11 Kingsway Lot 12 Kingsway Lot 13 Kingsway Lot 14 Kingsway Lot 47 Landsdale Road Lot 48 Landsdale Road Lot 49 Landsdale Road Lot 50 Landsdale Road	0.1206 0.2731 0.2670 0.1116 0.4537 0.9933 0.9932 0.4182
	Sub-total	3.6307
6Q	Lot 40 Landsdale Road Lot 41 Landsdale Road	0.2220 0.2220
	Sub-total	0.4440
6R	Res 24794	8.6255
	Sub-total	8.6255
Community Purpose Site	Lots 24 & 25 Kingsway (east)	0.5000
	Sub-total	0.5000
TOTAL		46.5793

APPENDICES

DETAILED AREA PLANS (DAP)

- Lot 9500 Matlock Heights, Darch (adopted under Amendment 22 to DPS2)
- DAP No. 1 - Lot 50 Gnangara Road, Madeley
- DAP No. 2 – Lot 291 Dalecross Avenue, Madeley
- DAP No. 3 - Lot 14600 Gnangara Road, Madeley