

AGREED LOCAL STRUCTURE PLAN

EAST WANNEROO CELL 4

(HOCKING AND PEARSALL)

(As Amended)

**Structure Plan No. 6
Finally Adopted: 24.6.02**

**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 4 (HOCKING AND PEARSALL) WAS ADOPTED BY RESOLUTION OF
THE WESTERN AUSTRALIAN PLANNING COMMISSION ON
24 JUNE 2002

.....
Chairperson, Western Australian
Planning Commission

AND BY
RESOLUTION OF THE COUNCIL OF
THE CITY OF WANNEROO ON
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 East Wanneroo Cell 4 Agreed Structure Plan

Amendment No.	Description of Amendment	Council Adopted	WAPC Adopted
1	Includes a notation on the Structure Plan and Zoning Plan advising of the Hocking Local Centre Agreed Structure Plan. Deletes the Northern Community Purposes site from the Public Open Space Schedule and the Agreed Structure Plan Map.	3.2.04	10.6.04
2	Updates the Structure Plan to accurately reflect the various subdivision approvals issued throughout the Agreed Structure Plan area.	24.5.04	28.10.04
3	Recodes a portion of Lot 22 Kemp Street, Pearsall from R20 to R40.	30.9.04	28.10.04
4	Relates to Lots 4 & 49 East Road & Lot 46 Kemp Street Pearsall: <ul style="list-style-type: none"> • Deletes the 4-hectare private school site from the subject site; • Rezones the subject land to Residential with a density code of R20; and • Includes a road design to guide residential subdivision of the land 	20.9.05	29.11.05
5	Relates to Lots 20-23, 100, 9401-9403 Elliot Road & Lots 1 & 2 Lenore Road, Wanneroo: <ul style="list-style-type: none"> • Modifies the subdivision layout, reconfigures the public open space and reduces road access into the subdivision. 	1.8.06	20.11.06
6	Recodes portion of land bounded by Kemp Street, Archer Street and Shiraz Boulevard, Pearsall from Residential R20 to R30 and R40, and minor variations to the proposed road design to reflect subdivision approvals issued by the WAPC.	6.1.06	6.2.06
8	Recodes Lot 436 Elliot Road, Hocking from its split R20/30 coding to a single coding of R40.	22.11.05	16.12.05
10	Recodes portions of Lots 1-3 Mary Street, Pearsall from R20 to R30	26.4.06	22.6.06
11	Recodes Lot 220 East Road, Pearsall from R20 to R25	24.1.06	2.5.06
13	Recodes a portion of Lot 46 Kemp Street, Pearsall from R20 to R30	9.5.06	22.6.06
15	Recodes Lot 30 Kemp Street & Pt Lot 5 Shiraz Boulevard, Pearsall from R20 to R30	8.8.06	16.9.06
18	Modifies Schedule 2 by listing 'car wash' as an additional restricted use on Lot 50 (154) Shiraz Boulevard, Pearsall	19.9.06	7.12.06

Amendment No.	Description of Amendment	Council Adopted	WAPC Adopted
7	Recodes a portion of Lot 16 East Road, Pearsall from R20 to R40	26.2.07	6.10.07
16	<ul style="list-style-type: none"> • Rezones Pt Lot 25 Kemp Street, Pearsall from Centre Zone to Residential (R40) & realigns the proposed road through the subject site • Deletes the buffer precinct from the Zoning Map and the buffer precinct provisions from the Statutory Section • Includes a Detailed Area Plan & related text for Lots 25 & 26 Kemp Street, Pearsall 	SAT Matter DR162 2007 4.9.07	SAT Matter DR162 2007 4.9.07
17	Recodes portion of Lot 23 (159) East Road, Hocking from R20 and R30 to R40	15.3.07	12.2.08
20	Recodes the remaining portion of Lot 23 Kemp Street, Pearsall from R20 to R40	21.10.08	19.2.09
23	Recodes Lot 47 Kemp Street, Pearsall from R20 to R25	6.4.10	20.7.10
22	<p>Relates to Lot 9500 Paltara Way, Lots 21-23, 9401-9403 Elliot Road & Lot 2 Lenore Road, Wanneroo:</p> <ul style="list-style-type: none"> • Rezones a portion of the subject land to Residential (R20) • Rewords Section 4.4 'Special Residential Precinct' of Agreed Local Structure Plan No. 6 Text 	SAT Matter DR254 2008 20.7.09	28.7.10

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 Structure Plan area includes approximately 104 private landholdings comprising approximately 394 hectares.

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 NETT LETTABLE AREA USED FOR RETAIL PURPOSES (ROUNDED TO THE NEAREST 50m²)
Cell 4 Neighbourhood Centre(north)	4250 m²
Cell 4 Neighbourhood Centre (south)	2100 m²
Cell 4 East Road Local Centre	700 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 Plan 2 'The Local Structure Plan' the residential density to apply to this precinct is R20.

Objectives

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 COMMERCIAL ZONE:

4.2.2 The permitted uses and the development standards within this zone shall be those permitted in the Commercial Zone of the Scheme and the development shall conform to the Detailed Area Plan.

4.2.3 When Lot 25 Kemp Street is developed, or the extension of Willespie Drive to Brooklyn Avenue is carried out, whichever occurs first, the intersection of Willespie Drive, Brooklyn Avenue and Boboli Way must be treated as shown in the Detailed Area Plan for Lots 25 and 26 Kemp Street, Pearsall dated 20 June 2007 – Plan No. 2982-4-001B Revision

4.3 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 for the land included in the Centre Zone 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.

4.4 SPECIAL RESIDENTIAL PRECINCT

The permissibility of land uses and general provisions for this zone are the same as those which apply under the provisions for the Residential Zone under the Scheme except where indicated to the contrary by the following criteria.

Objectives

It is intended that the Special Residential Precinct will provide for a low density residential subdivision, serving as an effective buffer between Special Rural Zones and Residential areas and encouraging compatible development.

Within this precinct;

- a) The minimum lot size shall be 5,000 square metres;
- b) All buildings are to be contained within nominated Building Envelopes of a maximum size of 1,000 square metres with minimum front setbacks of 20 metres and minimum side and rear setbacks of 10 metres, the location of which shall be generally in accordance with the Streetscape Concept Plan (Plan 3);
- c) Except to the extent necessary for the construction of approved buildings and driveways or in accordance with an approved revegetation plan, no land shall be cleared of vegetation without prior approval of the Council;
- d) Electricity shall be provided by means of underground cables to all buildings;
- e) The Council may, as a condition of any approval granted under special provisions (b) and (c), require the owner and occupier of the land to plant and maintain to its satisfaction native trees and shrubs;
- f) At the subdivision stage, the subdivider shall construct the stormwater drainage systems necessary to contain the 1:100 24-hour duration storm event wholly within the Special Residential lots to the specification and satisfaction of the Council;
- g) For the Special Residential lots west of the Public Open Space, at least the first 300 mm above the design ground level of the dividing fence along the boundary with the adjoining Residential R20 lots shall be of brick or masonry construction to ensure that no water runoff to the Residential R20 lots occurs. The 300 mm brick or masonry section of the dividing fence shall be constructed by the subdivider at the subdivision stage. The balance of the fence to be constructed on top of the brick/masonry section may be constructed by the subdivider but, if it is not, must be constructed when a dwelling is first built on the lot.
- h) The owners of the land within the Special Residential Precinct shall comply with any Revegetation Plan for the Precinct approved by the City prior to any of the lots within the Precinct being sold, unless another alternative satisfactory to the City is agreed.

4.5 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	Restricted Use
1	Lot 50 (154) Shiraz Boulevard Pearsall	Veterinary Establishment, Convenience Store & Car Wash

5 ENVIRONMENTAL PROVISIONS

- a) Prior to undertaking any earthworks or development of land located within Cell 4, the landowners shall undertake a Soil Contamination Assessment of the land, at the landowner's 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, as Site Remediation and Validation Report for the subject land shall be prepared at the landowner's cost by the developer / subdivider and remediation works shall be undertaken at the landowner's 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 inclusion of environmental provisions to provide for the appropriate disposal of surface water drainage within the Cell and to minimize any impacts on water quality in nearby significant wetlands, including potential surface water contamination.

5 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 4 and the associated breakdown of costs are as per the following Schedule 2.

6. PUBLIC OPEN SPACE (POS) PROVISION

The following Schedule 3 details the Public Open Space (POS) which is to be provided by landholders for each lot within Cell 4. The POS allocation reflects the distribution of POS on the Agreed Local Structure Plan for Cell 4.

SCHEDULE 3 PUBLIC OPEN SPACE (POS) PROVISION: CELL 4

Public Open Space (hectares)	Lot No.	Area (ha)
4A	Lot 23 Elliot Road Lot 24 Elliot Road Lot 25 Elliot Road Sub Total	0.8942 1.5465 0.6693 3.1100
4B	Reserve 44351 Lot 21 Elliot Road Lot 16 Elliot Road Sub Total	1.884 1.3688 0.9272 4.1800
4C	Lot 48 Elliot Road Lot 49 Elliot Road Lot 50 Elliot Road Lot 54 Nicholas Road Lot 55 Nicholas Road Lot 56 Nicholas Road Sub Total	0.4062 0.4062 0.4062 1.1372 1.1372 1.1372 4.6302
4D	Lot 83 Gungurru Avenue Lot 183 Nicholas Road Pt Lot 10 Wanneroo Road Sub Total	1.6341 0.8009 1.0608 3.4958
4E	Res 44912 Heacham Avenue Lot 414 Heacham Avenue Lot 262 Heacham Avenue Sub Total	2.2481 1.2449 1.4094 3.4958
4F	Lot 21 East Road Lot 22 East Road Lot 23 East Road Sub Total	0.5258 3.1323 0.2529 3.9110
4G	Lot 21 East Road Pearsall Lot 25 Kemp Street Sub Total	3.1100 0.2200 3.3300
4H	Lot 2 East Road Lot 48 East Road Sub Total	1.5361 0.5586 2.0947
4I	Pt Lot 1 Wanneroo Road Lot 14 East Road	0.3189 0.1925

Public Open Space (hectares)	Lot No.	Area (ha)
	Lot 15 East Road Lot 16 East Road Lot 177 Willespie Drive Lot 50 Archer Street Lot 49 Archer Street Pt Lot 8 Wanneroo Road <p style="text-align: right;">Sub Total</p>	0.1925 0.1925 0.3039 1.9378 0.4757 0.8077 4.4215
4J	Lot 34 Kemp Street Lot 10 Kemp Street Lot 41 Mary Street Lot 42 Mary Street <p style="text-align: right;">Sub Total</p>	0.2354 0.3446 0.2354 0.3446 1.1600
4K	Pt Lot 5 Mary Street <p style="text-align: right;">Sub Total</p>	0.5400 0.5400
Community Purpose Site	Southern Community Purpose Site Total Community Purpose Sites	0.5000 0.5000
	Total POS Provision	36.2756