

**LOT 1 & LOT 102 YANCHEP BEACH ROAD,
YANCHEP
AGREED STRUCTURE PLAN
(AS AMENDED)**

**Structure Plan No. 40
Agreed: 5 November 2007**

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

Record of Amendments made to the Agreed Structure Plan

Lot 1 & Lot 102 Yanchep Beach Road, Yanchep

Amendment No.	Description of Amendment	Finally Endorsed Council	Finally Endorsed WAPC
1.	<ul style="list-style-type: none">i) Introduce Special Design Provisions and R Code Variationsii) Re Code various Apartment sites to R100iii) Minor changes to Zoning Plan to reflect approved subdivisioniv) Clarify wording related to the land subject to the Retail Floorspace allocation.	26 March 2009	10 September 2009
2.	<ul style="list-style-type: none">i) Modification to Residential Density Code Plan (Plan 3) to Re Code various Apartment sites to R160 and replace R100 coding of smaller adhoc sites with an R60 coding.	2 March 2011	6 April 2010

OVERVIEW

PARTS OF THE STRUCTURE PLAN

This Structure Plan comprises two separate parts;

- PART 1 – STATUTORY SECTION
- PART 2 – EXPLANATORY REPORT

Clause 9.8 of the City of Wanneroo District Planning Scheme No. 2 (hereinafter called “the Scheme”) provides, amongst other things, that a provision, standard or requirements of a Structure Plan approved under Part 9 of the Scheme, shall be given the same force and effect as if it was a provision, standard or requirement of the Scheme. It is hereby provided that such force and effect shall only be given to Part 1 of this Structure Plan. Part 2 of this Structure Plan is for explanatory purposes only, providing a descriptive analysis of the Structure Plan initiatives.

Clause 9.8.3 (f) of the Scheme states that where, in the event of there being any inconsistency or conflict between any provision, requirement of standard of the Scheme and any provision requirement or standard of an agreed Structure Plan, the provision, requirement or standard of the Scheme shall prevail.

PART 1

STATUTORY PLANNING SECTION

LOT 1 & LOT 102 YANCHEP BEACH ROAD, YANCHEP

LOCAL STRUCTURE PLAN

As provided for under the provisions of the Scheme, this part of the Lot 1 and Lot 102 Structure Plan has the same force and effect as a provision, standard or requirement of the Scheme.

1.0 STRUCTURE PLAN AREA

This Structure Plan shall apply to Lot 1 and Lot 102 Yanchep Beach Road, Yanchep being the land contained within the inner edge of the broken black line shown on the Zoning Map (Plan No.2).

2.0 STRUCTURE PLAN CONTENT

This Structure Plan comprises the:

- a) Statutory section (Part 1);
- b) Explanatory section (Part 2);

3.0 INTERPRETATION

The words and expressions used in this Structure Plan shall have the respective meanings given to them in the Scheme.

4.0 OPERATION DATE

In accordance with sub-clause 9.8.1 of the Scheme, this Structure Plan shall come into operation when it is certified by the Commission pursuant to sub-clause 9.6.3 or adopted, signed and sealed by the Council under sub-clause 9.6.5 of the Scheme.

5.0 RELATIONSHIP WITH THE SCHEME

In accordance with 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. Part 2 of this Structure Plan is for explanatory purposes only in order to provide a descriptive analysis of the Structure Plan.
- b) In the event of there being any inconsistencies 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 the Scheme shall prevail.

6.0 ZONES, RESERVES AND RESIDENTIAL DENSITY CODES

The Zoning Plan (Plan No.2) and Residential Density Code Plan (Plan No.3) delineate and depict the zones, reserves and residential density codes applicable to the structure plan area according to the legend thereon.

The zones, reserves and residential density codes designated under this structure plan apply to the land within it as if the zones, reserves and residential density code were incorporated in the Scheme.

All provisions, standards and requirements applicable to the zones, reserves and residential density codes in the Scheme shall apply, unless specific provision is made to the contrary in this Structure Plan.

7.0 STRUCTURE PLAN MAP

The Structure Plan Map (Plan No.1) outlines the planned pattern of subdivision or development for the Structure Plan area. All subdivision and development should be carried out in accordance with the principles outlined on the Structure Plan Map.

8.0 GENERAL PROVISIONS

8.1 Retail Floorspace

The Western Australian Planning Commission's Section 5AA Statement of Planning Policy No.9 – Metropolitan Centre's Policy Statement for the Perth Metropolitan Region (now SPP 4.2) designates the location of the Yanchep South District Centre in the Structure Plan area. The SPP states that the, "Shopping Floor space should generally be confined to 15,000m² unless consistent with a Commission endorsed Local Planning Strategy or Centre Plan"

Notwithstanding the SPP designation of the Centre as 'District', this Structure Plan allocates a retail net lettable area of 11,000m², with any additional retail net lettable area for this District Centre being justified in the context of overall retail modelling for the District and an amendment to the Structure Plan.

9.0 SPECIAL PROVISIONS

9.1 Environmental Management Plan

The actions as set out in the Lot 102 Yanchep Beach Road Environmental Assessment and Management Plan as specified in Schedule 12 – Environmental Conditions of the City of Wanneroo District Planning Scheme No. 2 are to be undertaken and submitted for assessment at the time of lodging a subdivision and / or development application within the Structure Plan area.

9.2 Limitation of Dwelling Units in the Yanchep-Two Rocks District

In accordance with the Western Australian Planning Commission Policy adopted on 26 October 2004 residential lot creation in the Plan Area is limited to a maximum of 200 lots until such time as Marmion Avenue is extended.

9.3 Romeo Road to Yanchep Railway Alignment Study

A Romeo Road to Yanchep Railway Alignment Study is currently being undertaken by the Western Australian Planning Commission. Following finalisation of this Study and where applicable, modifications to the Structure Plan may be required to reflect the final railway alignment.

9.4 Unexploded Ordnance

The Structure Plan area has previously been utilised as an artillery range and may contain unexploded ordnance. No subdivision or development shall be commenced prior to the Structure Plan area being cleared to the satisfaction of the Fire and Emergency Services and the City of Wanneroo of unexploded ordnance.

9.5 Employment Strategy

9.5.1

The Developer shall implement the recommendations of the Lot 102 Yanchep Beach Road Structure Plan Employment Strategy as prepared by Shrapnel Urban Planning and dated January 2006 at the subdivision and/or development stage.

9.6 Local Housing Strategy

9.6.1

The subdivider shall demonstrate, as part of any subdivision and / or development proposal, the manner in which the Key Strategy Actions identified in the Local Housing Strategy are to be addressed, to ensure adequate housing choice is available to meet the changing social and economic needs of the community. These housing types should include, but not be limited to studio apartments, group dwellings, aged persons, and mixed uses.

9.6.2

Designs and layouts shall create a street network and movement patterns that focus on the rail station and town centre and creates links that would extend the railway stations walkable catchment. At least 60% of the 800m radius catchment should be within an actual 800m walk to the railway station and town centre.

9.6.3

The City shall require the subdivider/developer to outline how any Plan will achieve the average dwelling yield targets included in the Local Housing Strategy.

9.7 Residential Design Code Variations

The following Tables 1A and 1B set out those variations to the R Codes which are deemed to constitute Acceptable Development within the Structure Plan area and where neighbour consultation and planning approval is not required.

TABLE 1 A – R40										
VARIATIONS TO THE 'ACCEPTABLE DEVELOPMENT' REQUIREMENTS OF THE R CODES FOR R40:										
Item	Relevant R Code Clauses	Variation								
Front Setback	6.2.1 A1.1 (i) & 6.2.2 A2 (i)	For lots with rear access, the front setbacks shall be:								
			<table border="1"> <thead> <tr> <th></th> <th>Minimum</th> <th>Maximum</th> <th>Average</th> </tr> </thead> <tbody> <tr> <td>Dwelling</td> <td>1.5m</td> <td>Not applicable</td> <td>3.0m</td> </tr> </tbody> </table>		Minimum	Maximum	Average	Dwelling	1.5m	Not applicable
	Minimum	Maximum	Average							
Dwelling	1.5m	Not applicable	3.0m							
Boundary Walls	6.3.2 A2 6.3.2 A2 (iii)	<p>In determining the acceptable length of any boundary wall pursuant to Clause 6.3.2 A2 (ii) of the Codes, the front setback shall mean the setback of the building itself on that boundary.</p> <p>For lots with laneway access, walls on boundary are permitted to both side boundaries of a lot (excluding secondary street boundaries other than to laneways) within the following limits:</p>								
			<table border="1"> <thead> <tr> <th></th> <th>Max. Height</th> <th>Max. Length</th> </tr> </thead> <tbody> <tr> <td>Single Storey</td> <td>3.5m*</td> <td>No limit</td> </tr> <tr> <td>Two Storey & Above</td> <td>6.5m*</td> <td>12 m</td> </tr> </tbody> </table> <p>* For dwellings with a pitched roof, the height of walls on side boundaries may be increased to the top of the ridgeline where this runs parallel to the front boundary and will abut a similarly configured wall or secondary street.</p>		Max. Height	Max. Length	Single Storey	3.5m*	No limit	Two Storey & Above
	Max. Height	Max. Length								
Single Storey	3.5m*	No limit								
Two Storey & Above	6.5m*	12 m								
Private Open Space	6.4.1 A1 & 6.4.2 A2 – Table 1	<p>Minimum open space to be provided will be reduced to a minimum of 30% of the site subject to the provision of:</p> <ul style="list-style-type: none"> i) A minimum 2m setback to major openings to habitable rooms located on the northernmost or easternmost boundaries; ii) Any boundary wall (if proposed) to be built on the southernmost or westernmost side boundary (except where that boundary is to a secondary street other than to a laneway) or as otherwise depicted on an adopted Detailed Area Plan 								

Table 1A Continued:								
<p>Private Open Space (continued)</p>	<p>6.4.1 A1 & 6.4.2 A2 – Table 1</p>	<p>iii) Provision of an Outdoor Living Area designed in accordance with the RD Codes and directly accessible from an internal living area on the northernmost or easternmost boundary. Where the outdoor living area is not directly accessible from an internal living area, provision of an additional outdoor living area which complies with the following criteria:</p> <table border="1" data-bbox="799 595 1449 875"> <thead> <tr> <th>Min Area</th> <th>Min Dimension</th> <th>Other</th> </tr> </thead> <tbody> <tr> <td>20m²</td> <td>4m</td> <td> <ul style="list-style-type: none"> – May be included under the roof of the main dwelling – Must be located on the northernmost or easternmost side boundary of the dwelling. </td> </tr> </tbody> </table> <p>Note: Courtyards are permitted within the secondary street setback area.</p>	Min Area	Min Dimension	Other	20m ²	4m	<ul style="list-style-type: none"> – May be included under the roof of the main dwelling – Must be located on the northernmost or easternmost side boundary of the dwelling.
Min Area	Min Dimension	Other						
20m ²	4m	<ul style="list-style-type: none"> – May be included under the roof of the main dwelling – Must be located on the northernmost or easternmost side boundary of the dwelling. 						
<p>Design for Climate</p>	<p>6.9.1 A1</p>	<p>The overshadowing provisions (Cl 6.9.1 A1) do not apply.</p>						
<p>Additional Requirements</p>		<p>In addition to the Acceptable Development standards, for those lots immediately adjacent Public Open Space the following provisions shall apply:</p> <ul style="list-style-type: none"> i) must have a minimum of one habitable room with a major opening facing toward the Public Open Space area - where, for the purposes of this Clause, a “habitable room” means a room that is used for normal domestic activities and includes a living room, lounge room, sitting room, television room, kitchen, dining room, however, does not include a bedroom; and ii) visually permeable fencing to the public open space boundary to the specification and satisfaction of the City. 						

TABLE 1 B – R60					
VARIATIONS TO THE ‘ACCEPTABLE DEVELOPMENT’ REQUIREMENTS OF THE R CODES FOR R60:					
Item	Relevant R Code Clauses	Variation			
Front Setbacks	6.2.1 A1.1 (i) & 6.2.2 A2 (i)	Front Setbacks:			
			Minimum	Maximum	Average
		Dwelling	2m	4.0m	Not applicable
	Porch, balcony, veranda or the equivalent	1.5m	3.0m	Not applicable	
Boundary Walls	6.3.2 A2 6.3.2 A2 (iii)	In determining the acceptable length of any boundary wall pursuant to Clause 6.3.2 A2 (ii) of the Codes, the front setback shall mean the setback of the building itself on that boundary.			
		Boundary Walls are permitted to both side boundaries of a lot (excluding secondary street boundaries other than to laneways) within the following limits:			
			Max. height	Max. length	
	Single Storey	3.5m*	No limit		
	Two Storey & Above	6.5m*	12m		
		Note: For dwelling with a pitched roof, the height of walls on side boundaries may be increased to the top of the ridgeline where this runs parallel to the front boundary and abuts a similarly configured wall or secondary street.			
Private Open Space	6.4.1 A1 – Table 1	Minimum open space to be provided is 25%.			
	6.4.2 A2	An Outdoor Living Area is to be provided: <ul style="list-style-type: none"> i) With a minimum useable space of 24m² and a minimum dimension of 4m; ii) Behind the primary street setback line (it is permitted within the secondary street setback area); iii) Located on the northernmost or easternmost boundary to maximise solar access; and 			
Access & Car-parking	6.5.1 A1	For any lots on the corner of a “lane to lane” or “lane to road” a minimum of one on site bay per dwelling is required and it must be covered.			

Table1B Continued:		
Privacy	6.8.1 A1 (i), (ii) & (iii)	The setback to the boundary of major openings to active habitable spaces or their equivalent which have a floor level more than 0.5m above natural ground level and are positioned so as to overlook any part of any other residential property behind the 3m street setback line which are specified in (i) of Clause 6.8.1 A1 is to be a minimum of 4.5m in all cases.
Design for Climate	6.9.1 A1	The overshadowing provisions (Cl 6.9.1 A1) do not apply.
Special Purpose Dwellings/Ancillary Accommodation	7.1.1 A1	Ancillary accommodation is permitted on lots less than 450m ² where abutting a laneway. Such ancillary accommodation does not require an additional car parking bay on site.
Additional Requirements		In addition to the Acceptable Development standards, for those lots immediately adjacent Public Open Space the following provisions shall apply: i) must have a minimum of one habitable room with a major opening facing toward the Public Open Space area - where, for the purposes of this Clause, a "habitable room" means a room that is used for normal domestic activities and includes a living room, lounge room, sitting room, television room, kitchen, dining room, however, does not include a bedroom; and ii) visually permeable fencing to the public open space boundary to the specification and satisfaction of the City.

9.8 Public Open Space

9.8.1 General

9.8.1.1

At the time of subdivision, the subdivider will cede free of cost to the Crown a minimum of 10% of the gross subdivisible area in accordance with the Western Australian Planning Commission's Policy D.C 2.3 'Public Open Space in Residential Areas' ('Policy DC 2.3') for public open space ('POS'). This POS requirement shall be provided in a mix of high quality areas.

9.8.1.2

The overall allocation, size and type of open spaces being provided shall be explained at a strategic level for the Structure Plan to ensure that comprehensive local open space planning is achieved on the broad scale.

9.8.1.3

The subdivider will require the Western Australian Planning Commission's approval for drainage credits towards public open space provision in accordance with Policy DC 2.3.

9.8.2 Southern Precinct

9.8.2.1

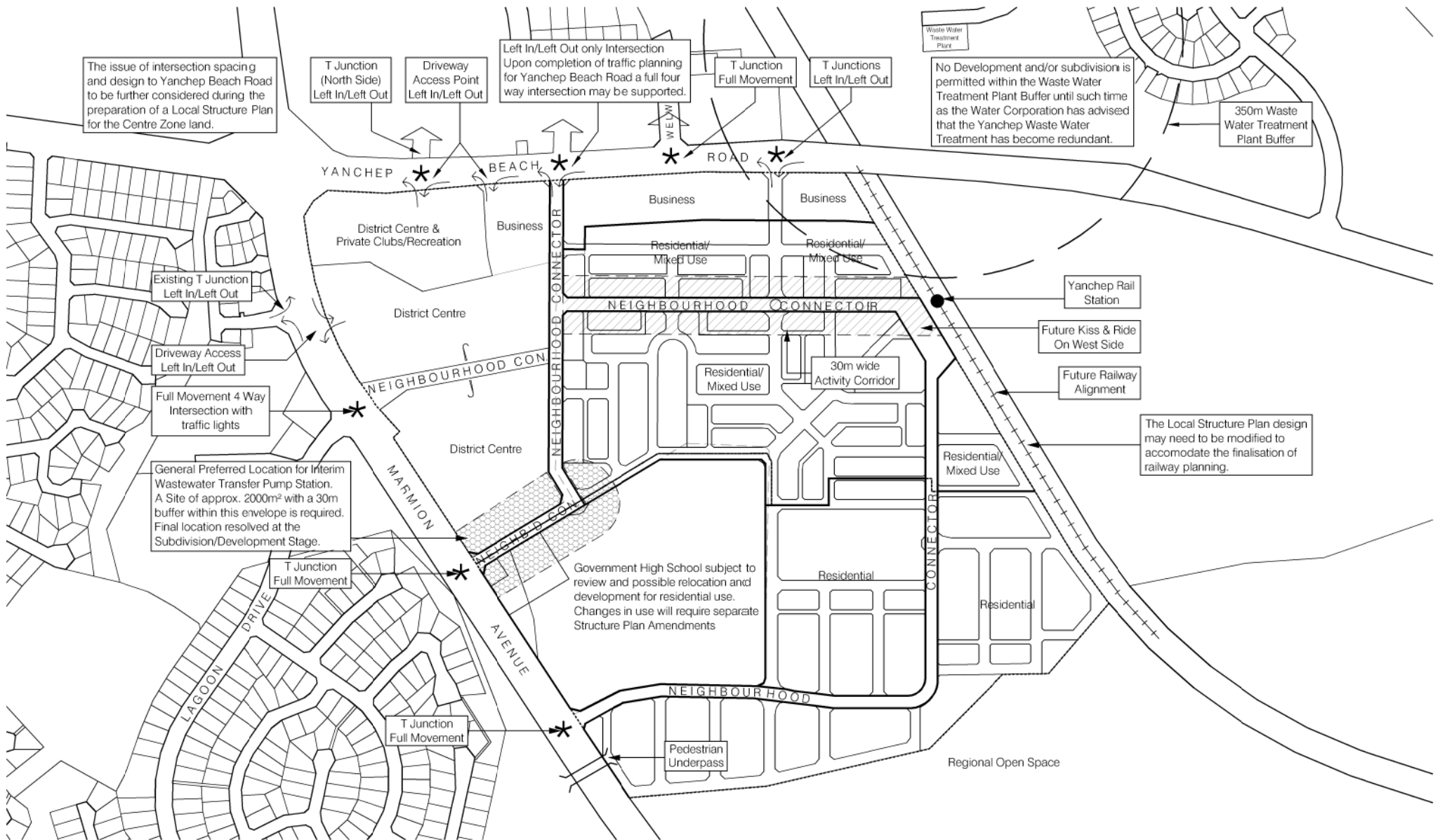
Provision of local and neighbourhood parks to support increased densities that are central to the catchment and provide for a high level of accessibility.

9.9 Interim Wastewater Transfer Pump Station

The Structure Plan depicts the general preferred location envelope for an Interim Wastewater Transfer Pump Station. A site of approximately 2000m² will be required with a buffer of 30m to residential land use. The final location shall be resolved at either the subdivision or development stage.

9.10 Ethnographic and Archaeological Study

At the time of subdivision the Local Government shall recommend to the Western Australian Planning Commission that an ethnographic and archaeological study be undertaken.



LOT 1 & LOT 102 YANCHEP BEACH ROAD, YANCHEP STRUCTURE PLAN No. 40

PLAN No. 1 - LOCAL STRUCTURE PLAN



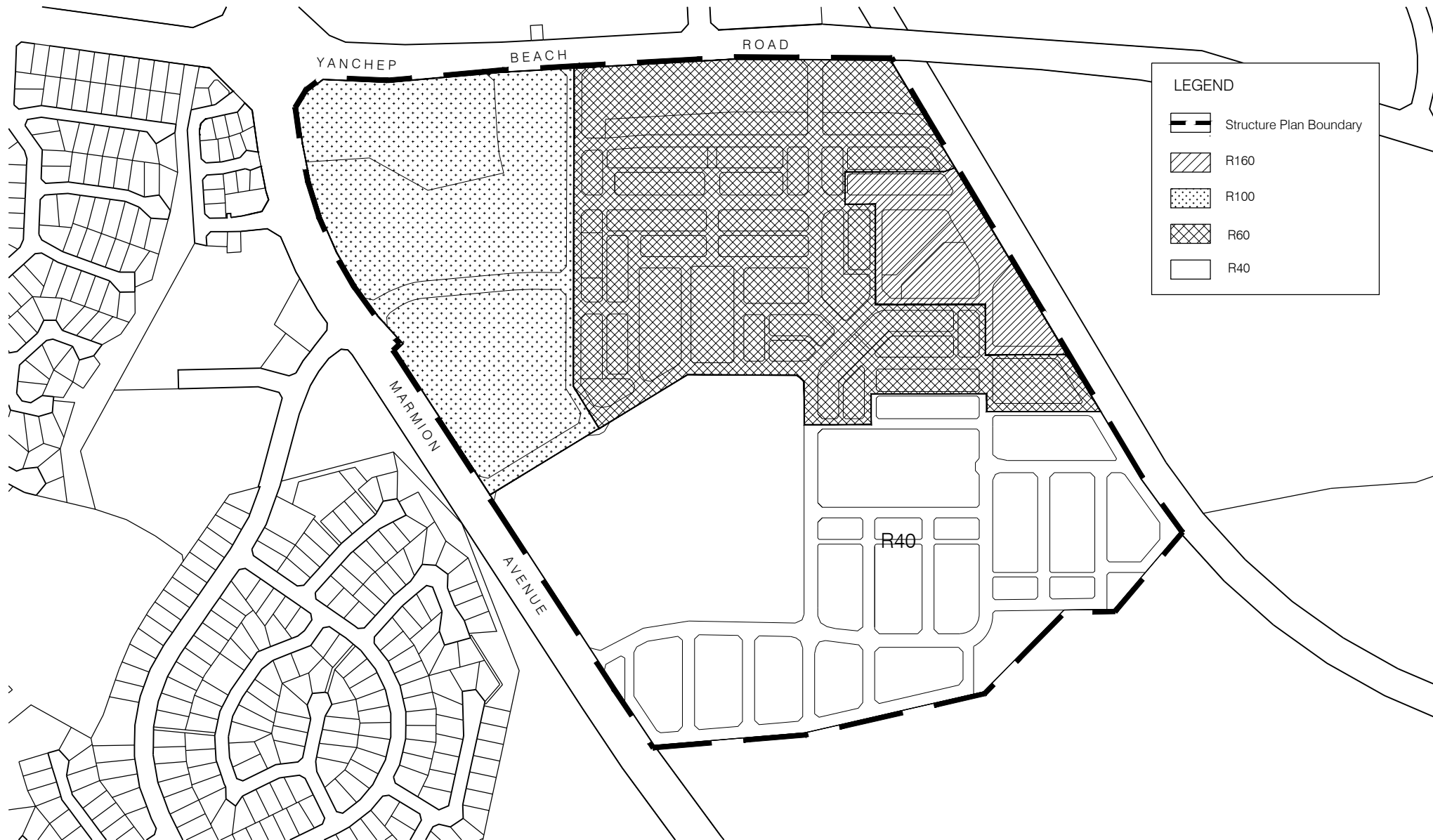
LEGEND






- Structure Plan Boundary
- Residential Zone
- Mixed Use Zone
- Commercial
- Business Zone
- Centre Zone & Private Clubs/Recreation
- Public Purpose - High School Reservation
- Other Regional Road Reserve

Government High School
 Subject to review and possible
 relocation and development
 for residential use. Changes in
 use will require separate
 structure plan amendments.

**LOT 1 & LOT 102 YANCHEP BEACH ROAD, YANCHEP
 STRUCTURE PLAN No. 40**

PLAN No. 2 - ZONING PLAN



LEGEND	
	Structure Plan Boundary
	R160
	R100
	R60
	R40

**LOT 1 & LOT 102 YANCHEP BEACH ROAD, YANCHEP
STRUCTURE PLAN No. 40**

PLAN No. 3 - R-Code Plan