

SCHEDULE 6 (CLAUSE 8.6) – DELEGATION OF DEVELOPMENT CONTROL POWERS

The Council may delegate its powers under the provisions of Clause 8.6 to any of the following:

- (i) a committee of the Council;
- (ii) a member of the Council; and/or
- (iii) an officer of the Council.

SCHEDULE 7 (CLAUSE 9.3) – STRUCTURE PLANS: MATTERS TO BE INCLUDED

Structure plans include plans and written texts and shall be accompanied by any other documents which the Council may require. The proponent should submit a schedule to the City including a summary detailing how the following matters in Parts A and B below have been addressed.

PART A – PLANS AND WRITTEN TEXTS

Plans shall be drawn to a scale clearly illustrating the intent of the structure plan. Structure plans shall include any of the following matters that the Council considers appropriate in relation to the nature of the structure plan:

- (a) the area covered by the structure plan in relation to surrounding landholdings;
- (b) a site analysis assessment and key opportunities and constraints of the structure planning area including landform, topography, hydrology, landscape, vegetation, soils, conservation and heritage values, main physical/natural features, ownership, land use, roads and public transport, and services;
- (c) consistency with the Metropolitan Region Scheme and the City's Scheme;
- (d) environmental considerations;
- (e) the planning context for the structure plan area including regional and neighbourhood structure, relevant strategies, Scheme provisions and policies and how the proposed Structure Plan is to be integrated into the surrounding area;
- (f) proposed major land uses in particular residential areas, public open space (including description & concepts), school sites, community purpose sites, mixed use, business, industrial and commercial uses;
- (g) residential densities including estimates of future population and dwellings;
- (h) likely employment requirements of the population residing within the structure plan area, measures proposed to establish a framework to encourage and retain local employment, location of industrial and business areas including estimates of future employment opportunities;
- (i) retail strategy and hierarchy of commercial centres together with locations, estimates of retail floor space and the maximum retail net lettable area to be developed;
- (j) provision for major infrastructure including main drainage (preparation of a drainage strategy), sewerage, water supply and other key infrastructure services;
- (k) the proposed indicative lot patterns and general location of major buildings;
- (l) provision for emergency services including police, ambulance and fire services;

- (m) the proposed road network and hierarchy, including any road widenings, traffic modeling/strategies and the relationship to the surrounding area and surrounding roads;
- (n) existing and proposed public transport routes, stops, corridors and transit stations;
- (o) main cycle and pedestrian networks;
- (p) strategies, structure plans and policies of the Council;
- (q) strategies, structure plans and policies of the Commission;
- (r) the objectives for the development and future use of the area covered by the structure plan;
- (s) justification for and an explanation of the proposal;
- (t) the obligations of the parties involved including private/public funding responsibilities;
- (u) developer/proponent contributions towards the provision of infrastructure (including roads, drainage reserves, public open space and community purpose sites);
- (v) estimates for the staging of subdivision and development including the time frame and an explanation of how the development will progress if it is staged;
- (w) special development control provisions and detailed area plans;
- (x) advice as to the appropriate Scheme zoning and provisions that should be contemplated for the land, when the Agreed Structure Plan is revoked by the Council under Clause 9.7 of the Scheme and upon the replacement of the Agreed Structure Plan by an amendment to the Scheme;
- (y) provision for vehicular access and parking;
- (z) provision for the size, location, orientation, and design of buildings and open spaces;
- (aa) provision for the design and location of signage, landscaping and street furniture;
- (ab) types of industrial and related uses within industrial areas and the location of such uses within those areas;
- (ac) advice from relevant Government agencies regarding the compatibility of the proposal with adopted Government policies and strategies.

PART B – OTHER DOCUMENTS

Other documents which the Council may require to be submitted with structure plans include:

- (a) letters received from consultation with servicing authorities and other Government agencies;
- (b) letters from the owners of all land within the structure plan area indicating their agreement to the structure plan;
- (c) public submissions and/or details and results of any other public consultation process;
- (d) relevant extracts of minutes.

SCHEDULE 8 (CLAUSE 9.6 AND SUB CLAUSE 9.6.5) – CERTIFICATION OF AGREED STRUCTURE PLANS

CERTIFIED THAT AGREED STRUCTURE PLAN

WAS ADOPTED BY

RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING

COMMISSION ON

Signed for and on behalf of the Western Australian Planning Commission

.....

an officer of the Commission duly authorised by the Commission pursuant to section 57 of the Western Australian Planning Commission Act 1985 for that purpose, in the presence of:

..... Witness

..... Date

AND BY

RESOLUTION OF THE COUNCIL OF THE CITY OF

WANNEROO ON

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

SCHEDULE 9 – (PART 10 REFERS) EAST WANNEROO PLANNING AND DEVELOPER CONTRIBUTION ARRANGEMENTS PLANNING (CELLS 1 TO 8 INCLUSIVE) CELL WORKS AND CONTRIBUTION PROVISIONS

1.0 INTRODUCTION

For the purposes of administering the orderly development of the East Wanneroo Cells 1 to 8 inclusive, as outlined in Part 10 of the Scheme, the following shall be classified as Cell Works which are to be paid for by the affected Owners located in each of the eight (8) Urban and Industrial Cells in the East Wanneroo area.

These Cell Works and Contribution Provisions are presented in the form of General Cell Works and Specified Cell Works.

2.0 GENERAL CELL WORKS

1. The carrying out by Council of any cadastral survey or resurvey in connection with any matter set out in the Scheme in connection with Cell Works.
2. The acquisition of land for any arterial road (and associated infrastructure) and a minimum of 10% of the gross area of the Urban Cells 1 to 6 for public open space or the public open space areas identified on the Agreed Structure Plan for the Industrial Cells 7 and 8.
3. Any compensation paid or payable for or in respect of the provision of any of the Cell Works or facilities referred to in this Schedule.
4. The provision of any road including land acquisition, earthworks, the formation, preparation, priming and sealing of the road and the provision of kerbing, drainage, service ducts, intersection lighting and costs associated with the relocation of existing services in connection with the road or in the road reserve, as referred to in this Schedule.
5. The provision of any easement or way, including but without limiting the generality of the foregoing any carriageway, cycleway or walkway as referred to in this Schedule.
6. Any environmental remediation or improvement including the removal of any contaminant and peat associated with Cell Works referred to in this Schedule.
7. Any consulting fees associated with designing and undertaking Cell Works.

8. All costs associated with the preparation, processing and gazettal of the Scheme Amendment Nos 773 and 816 introducing these provisions, the District Structure Plan for East Wanneroo and the Local Structure Plans for the eight Urban and Industrial Cells, including but not limited to any environmental assessment as required by the Department of Environmental Protection (DEP) and Environmental Protection Authority (EPA).
9. Interest on loans raised externally or provided by the Council or drawn from the various accounts from each Cell (in accordance with Clause 10.9) apportioned to Cell Works and any other cost incurred by Council with the preparation and administration of Part 10 of the Scheme.
10. Council administration costs including bank charges, audit fees, office and sundry costs, legal expenses, valuation fees, conveyancing fees, Council staff salaries and on costs and the costs of establishing a Geographic Information System facilitating the administration of the ongoing management of development of the East Wanneroo area along with the specific requirements of the Scheme pertaining thereto.

3.0 SPECIFIC CELL WORKS

For the purposes of understanding the extent of Cell Works proposed, the term 'structures' includes but is not limited to underpasses/overpasses, drainage sites associated with arterial roads, dual use paths, etc.

Cell 1

Pinjar Road (between Wanneroo Road and Caporn Street)

- * 50% of the total cost to acquire the ultimate road reserved land;
- * 50% of the total cost of constructing the full earthworks, one carriageway and all structures.

Pinjar Road (between Caporn Street and Clarkson Avenue)

- * 100% of the total cost to acquire the ultimate road reserve land;
- * 100% of the total cost of constructing the full earthworks, one carriageway and all structures.

Reimbursement to the Council of a proportional contribution toward Joondalup Drive (between Wanneroo Road and western boundary of Pt Lot 8 Drovers Place).

Cell 2

Pinjar Road (between Wanneroo Road and Caporn Street)

- * 50% of the total cost to acquire the ultimate road reserve land;
- * 50% of the total cost of constructing the full earthworks, one carriageway and all structures.

Dundebar Road (between Wanneroo Road and Griffiths Road)

- * 100% of the total cost to acquire the ultimate road reserve land;
- * 100% of the total cost of constructing the full earthworks, one carriageway and all structures.

Caporn Street (between Pinjar Road and the eastern boundary of Cell 2)

- * 100% of the total cost to acquire the ultimate road reserve land;
- * 100% of the total cost of constructing the full earthworks, one carriageway and all structures.

Reimbursement to the Council of a proportional contribution toward Joondalup Drive (between Wanneroo Road and western boundary of Pt Lot 8 Drovers Place).

Cell 3

Dundebar Road (between Griffiths Road and Steven Street)

- * 100% of the total cost to acquire the ultimate road reserve land;
- * 100% of the total cost of constructing the full earthworks, one carriageway and all structures.

Cell 4

Elliot Road (abutting Cell 4)

- * 100% of the total cost to acquire the ultimate road reserve land;
- * 100% of the total cost of constructing the full earthworks, one carriageway and all structures.

Lenore Road (between northern end of Cell 4 and Ocean Reef Road)

- * 100% of the total cost to acquire the ultimate road reserve land;
- * 100% of the total cost of constructing the full earthworks, one carriageway and all structures.

Reimbursement to the Council of half the cost for the reserve and half the cost of construction of the full earthworks and one carriageway for the portion of Ocean Reef Road which abuts Cell 4 between Wanneroo Road and Lenore Road/Hartman Drive intersection.

Cell 5

Mirrabooka Avenue (abutting Cell 6 and Cell 8)

- * 50% of the total cost to acquire the ultimate road reserve land;

* 50% of the total cost of constructing the full earthworks, one carriageway and all structures.

Mirrabooka Avenue (between Furniss Road and Gnangara Road)

* 100% of the total cost to acquire the ultimate road reserve land;
* 100% of the total cost of constructing the full earthworks, one carriage and all structures.

Hepburn Avenue (between Mirrabooka Avenue and Rangeview Road)

* 73% of the total cost to acquire the ultimate road reserve land;
* 73% of the total cost of constructing the full earthworks, one carriageway and all structures.

Hepburn Avenue (between Rangeview Road and the eastern boundary of Cell 5)

* 100% of the total cost of constructing the full earthworks, one carriageway and all structures.

Ocean Reef Road (between Mirrabooka Avenue and the eastern boundary of Cell 5)

* 100% of the total cost to acquire the ultimate road reserve land;
* 100% of the total cost of constructing the full earthworks, one carriageway and all structures.

Cell 6

Skeit Road (between Hepburn Avenue and Gnangara Road)

* 100% of the total cost to acquire the ultimate road reserve land;
* 100% of the total cost of constructing the full earthworks, one carriageway and all structures.

Hepburn Avenue (abutting the Kingsway Recreation Reserve)

* 100% of the total cost of constructing the full earthworks, one carriageway and all structures.

Hepburn Avenue (between the eastern boundary of Kingsway Recreation Reserve and Mirrabooka Avenue)

* 73% of the total cost to acquire the ultimate road reserve land;
* 73% of the total cost of constructing the full earthworks, one carriageway and all structures.

Mirrabooka Avenue (between Hepburn Avenue and Furniss Road)

* 50% of the total cost to acquire the ultimate road reserve land;

- * 50% of the total cost of constructing the full earthworks, one carriageway and all structures.

Gnangara Road (between Wanneroo Road and Hartman Drive/Skeit Road)

- * 50% of the total cost to acquire the ultimate road reserve land;
- * 50% of the total cost of constructing the full earthworks, one carriageway and all structures.

Cell 7

Hartman Drive (between Gnangara Road and Action Place)

- * 50% of the total cost to acquire the ultimate road reserve land;
- * 50% of the total cost of constructing the full earthworks, one carriageway and all structures.

Gnangara Road (between Wanneroo Road and Hartman Drive/Skeit Road)

- * 50% of the total cost to acquire the ultimate road reserve land;
- * 50% of the total cost of constructing the full earthworks, one carriageway and all structures.

Cell 8

Hartman Drive (between Gnangara Road and Action Place)

- * 50% of the total cost to acquire the ultimate road reserve land;
- * 50% of the total cost of constructing the full earthworks, one carriageway and all structures.

Hartman Drive (between Action Place and Ocean Reef Road)

- * 100% of the total cost to acquire the ultimate road reserve land;
- * 100% of the total cost of constructing the full earthworks, one carriageway and all structures.

Gnangara Road (between Hartman Drive/Skeit Road and Mirrabooka Avenue)

- * 100% of the total cost to acquire the ultimate road reserve land;
- * 100% of the total cost of constructing the full earthworks, one carriageway and all structures.

Ocean Reef Road (between Hartman Drive/Lenore Road and Mirrabooka Avenue)

- * 100% of the total cost to acquire the ultimate road reserve land;
- * 100% of the total cost of constructing the full earthworks, one carriageway and all structures.

Mirrabooka Avenue (between Gnangara Road and Ocean Reef Road)

- * 50% of the total cost to acquire the ultimate road reserve land;
- * 50% of the total cost of constructing the full earthworks, one carriageway and all structures.

**SCHEDULE 10 (PART 11 REFERS) CLARKSON/BUTLER DISTRICT
DISTRIBUTOR ROAD INFRASTRUCTURE DEVELOPER CONTRIBUTION
ARRANGEMENTS (CELLS 1 TO 4 INCLUSIVE) CELL WORKS AND
CONTRIBUTION PROVISIONS**

1 INTRODUCTION

For the purposes of administering the construction of District Distributor Roads and Pedestrian Crossings, Clarkson/Butler Planning District for Cells 1 to 4 as outlined in Part 11 of the Scheme and Map 1 set out in this Schedule, the following shall be classified as Cell Works which are to be contributed towards by Landowners in each of the four (4) Cells in the Clarkson/Butler District in accordance with the proportions shown in the table set out in this Schedule.

2 CELL WORKS

2.1 District Distributor Roads

- i) The construction of the complete earthworks both within the road reserves and where necessary, external to the road reserves, that are required for all future carriageways of the roads as well as public services, to the specification and satisfaction of the Council, and
- ii) the construction of one carriageway of a width of two lanes with associated shoulder within the road reserves to the specifications and satisfaction of the Council,
- iii) construction of minimum pipe drainage at low points and a piped outfall to the drainage storage facility, intersections and road crossings to drain the road reserves of stormwater,
- iv) the construction of pathways designed for the dual purpose of the carriage of pedestrians and non-motorised cyclists along the total length of one side of each of the road reserves to the specifications and satisfaction of the Council,
- v) intersection channelisations,
- vi) the costs incurred for the survey design and supervision (including 1.5% fee, Local Government Act) of the implementation of the works described in paragraphs (i) to (v) hereof.

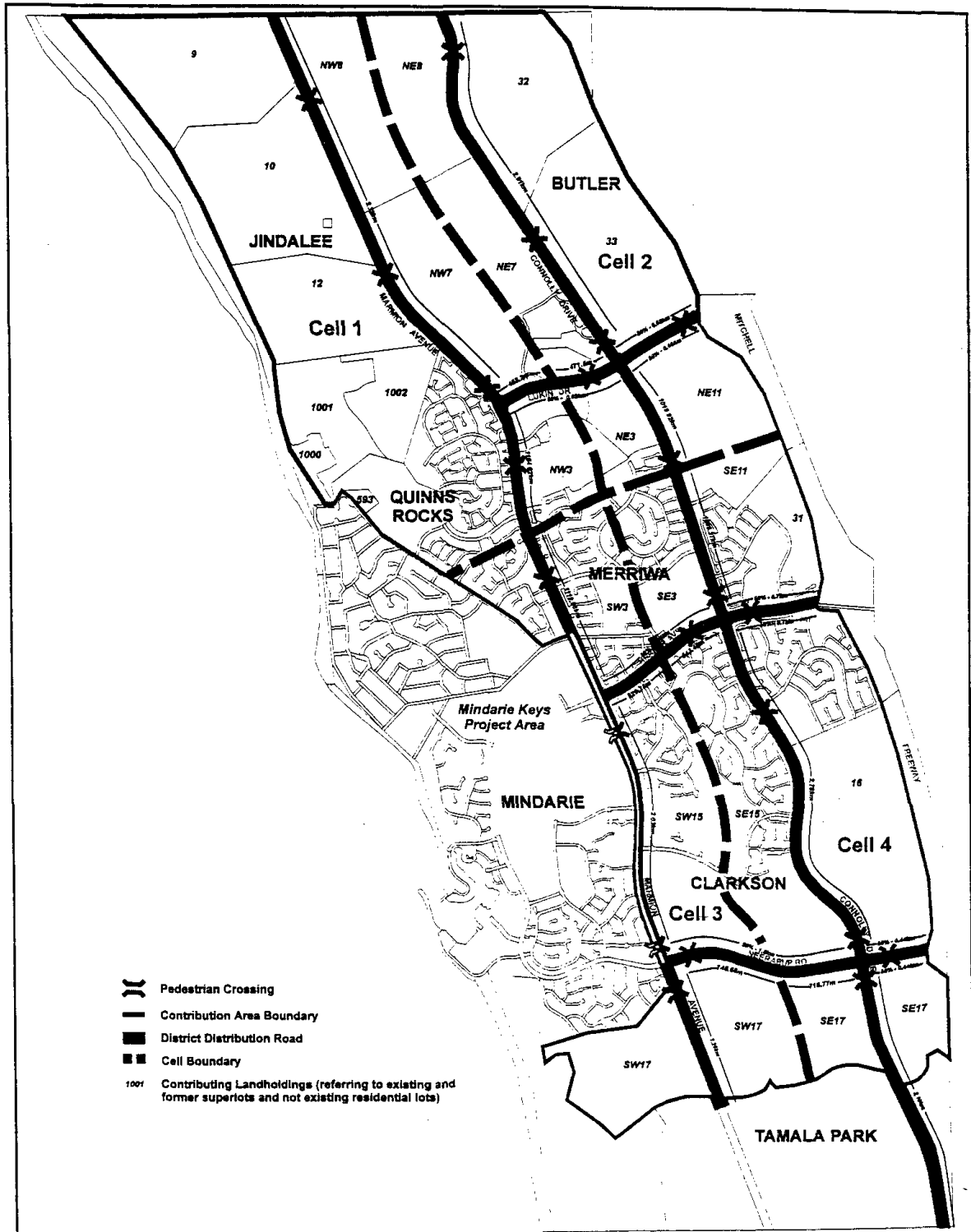
2.2 Pedestrian Crossings

- i) the construction of pedestrian crossing facilities (underpasses, overpasses, or if agreed by the local government and the Commission, a crossing at grade, traffic controlled as the case may be) shown at various locations within the Clarkson/Butler Planning District as detailed on Map 1 to the specifications and satisfaction of the Council. Such crossing facilities shall extend the full width of the road reserve to enable pedestrian access under/over the carriageway referred to in paragraph (ii) hereof as well as the second carriageway to be constructed by the Council in the future when it determines that carriageway is necessary as if the two carriageways were constructed to their ultimate design widths.

2.3 Other

- i) All costs associated with the preparation, processing and Gazettal of the Scheme Amendment introducing these provisions.
- ii) Interest on loans raised externally or provided by the Council or drawn from the various accounts from each Cell (in accordance with Part 11) apportioned to Cell Works and any other cost incurred by Council with the preparation and administration of Part 11 of the Scheme.

MAP 1 (SCHEDULE 10)



SCHEDULE 10									
Lot (or portions of - see Map 1)		Area	%	District Distributor Roads			Pedestrian Crossings		
				Km's	Funded	Balance	P.Crossings	Funded	Balance
Cell 1	3 (NW)	44.7201	6.3%	0.31	0.26	0.05	0.25	0.00	0.25
	905	10.1717	1.4%	0.07	0.00	0.07	0.06	0.00	0.06
	7(NW)	77.2048	11.0%	0.54	0.00	0.54	0.44	0.00	0.44
	8(NW)	69.3996	9.8%	0.49	0.00	0.49	0.39	0.00	0.39
	9	104.6549	14.8%	0.73	0.00	0.73	0.59	0.00	0.59
	10	112.2947	15.9%	0.79	0.00	0.79	0.64	0.00	0.64
	12	77.5797	11.0%	0.54	0.00	0.54	0.44	0.00	0.44
	1000	7.8643	1.1%	0.06	0.00	0.06	0.04	0.00	0.04
	1001	43.5038	6.2%	0.30	0.00	0.30	0.25	0.00	0.25
	1002	34.1598	4.8%	0.24	0.00	0.24	0.19	0.00	0.19
	2	60.3032	8.6%	0.42	0.66	-0.24	0.34	0.00	0.34
	593	2.4789	0.4%	0.02	0.00	0.02	0.01	0.00	0.01
	1	60.5478	8.6%	0.42	0.00	0.42	0.34	0.00	0.34
	Total	704.8833	100.0%	4.93	0.92	4.01	4.00	0.00	4.00
Cell 2	3(NE)	45.1883	9.4%	0.48	0.00	0.48	0.56	0.00	0.56
	8(NE)	59.5474	12.4%	0.63	0.00	0.63	0.74	0.00	0.74
	7(NE)	82.3923	17.2%	0.87	0.00	0.87	1.03	0.00	1.03
	11(NE)	76.6275	16.0%	0.81	0.00	0.81	0.96	0.00	0.96
	33	114.1992	23.8%	1.21	0.00	1.21	1.43	0.00	1.43
	32(NE)	98.3015	20.5%	1.04	0.00	1.04	1.23	0.00	1.23
	905	4.0017	0.8%	0.04	0.00	0.04	0.05	0.00	0.05
	Total	480.2579	100.0%	5.08	0.00	5.08	6.00	0.00	6.00
Cell 3	3(SW) & 31	81.6082	25.5%	1.13	0.65	0.36	1.02	0.00	0.82
	15(SW)	111.9903	35.1%	1.55	1.27	0.11	1.40	0.50	0.62
	17(SW)	125.85	39.4%	1.74	1.26	0.30	1.58	0.50	0.76
	*Homeswest	n/a	n/a	n/a	0.47	n/a	n/a	0.80	n/a
	Total	319.4485	100.0%	4.42	3.65	0.77	4.0	1.8	2.20
Cell 4	3(SE)	50.6422	9.0%	0.75	0.50	0.25	0.63	0.00	0.63
	11(SE)	19.8502	3.5%	0.29	0.00	0.29	0.25	0.00	0.25
	31	61.4767	10.9%	0.91	1.39	-0.48	0.77	0.50	0.27
	32(SE)	68.8959	12.3%	1.02	0.39	0.63	0.86	0.00	0.86
	16	120.3225	21.4%	1.77	0.00	1.77	1.50	0.00	1.50
	15(SE)	137.7752	24.5%	2.03	0.65	1.38	1.72	0.00	1.72
	17(SE)	102.55	18.3%	1.51	0.00	1.51	1.28	0.00	1.28
	Total	561.5127	100.0%	8.28	2.94	5.34	7.00	0.50	6.50
	Total	2066.1024		22.71	7.50	15.21	21.00	2.30	18.70
* Homeswest have previously undertaken District Distributor Road Infrastructure Works in Cell 3 and require compensation from landowners in Cell 3 on a proportional area basis. The balance of works shown for Cell 3 reflect only the outstanding works required (and assume Homeswest will be compensated).									

SCHEDULE 11 (CLAUSE 4.21) – RESTRICTIVE COVENANTS

1 Land burdened by the Restrictive Covenant	2 Description of the Covenant	3 Extinguishment or Variation of the Covenant	4 Description of Land benefited by the covenant

SCHEDULE 12 (CLAUSE 4.22) – ENVIRONMENTAL CONDITIONS**1. LOCATION OF LAND:**

Lots 201 & 202 Breakwater Drive, Two Rocks (Rural Community Zone No 1)

Environmental Conditions:

1.1 Environmental Management Plans

1.1.1 The following Environmental Management Plans shall be prepared in accordance with the specifications set out in Attachment 1 of the Minister for the Environment's "Statement that a Scheme may be implemented" No. 537 published on 15 February 2000:

- Drainage, Nutrient and Water Management Plan
- Karst Landform Management Plan

1.1.2 The Environmental Management Plans referred to in Condition 1.1.1 shall be prepared and implemented in accordance with the provisions of the Plans, to the requirements of the Responsible Authority.

1.2 Vegetation and Fauna Management

1.2.1 Regionally significant vegetation ('Bush Forever' sites) which surrounds the amendment area (as shown in Figure 1 of the Minister's Statement) shall be protected from indirect and direct impacts associated with the development of the amendment area by the following:

- Clear delineation of regionally significant areas of vegetation from the amendment area through the use of dual use paths, public open space areas and the like.
- Control of off-road vehicle use and dumping of rubbish.
- Fire management.
- Promotion of community awareness of bushland protection.

1.3 Aboriginal Heritage Management

1.3.1 The subdivider shall protect on a lot or public open space area not less than 3 hectares, the identified heritage site and the area immediately surrounding the site shall be fenced and sign posted, as appropriate. The entrance to the cave (which is part of the Aboriginal site) shall be gated in as sensitive a manner as possible. The Responsible Authority

shall also ensure that management of the cave is undertaken to ensure public safety and to protect the biodiversity and cultural values of the cave and surrounding 3 hectares.

- 1.3.2 Prior to commencement of site works, contractors shall undergo a briefing on Aboriginal Heritage issues to enable them to recognise materials that may constitute an Aboriginal Site. During earthworks, all contractors shall be supervised by a Site Manager, who shall seek advice from the Aboriginal Affairs Department to confirm the identification of any suspected site.

2. LOCATION OF LAND:

Lots 207, 206, 220, 320, 321, 204, 101, 303, 304, 302, 16, 102, 301, Part 103, 200, 221, 209, 8, 322, 310, 311, 312, 309, 315, 208, 205, 200, 201, Location 11353, Reserve 11932 and portion of Lot 2.

Yanchep-Two Rocks District

Environmental Conditions:

2.1 Environmental Management Plans

- 2.1.1 The following Environmental Management Plans shall be prepared in accordance with the specifications set out in Attachment 1 of the Minister for the Environment's "Statement that a Scheme may be implemented" No. 538 published on 15 February 2000:

- Stygofauna and/or Troglobitic Fauna Management Plan
- Drainage, Nutrient and Water Management Plan
- Karst Management Strategy
- Solid and Liquid Waste Management Plan
- Aboriginal Culture and Heritage Management Plan

- 2.1.2 The Environmental Management Plans referred to in Condition 2.1.1 shall be prepared and implemented in accordance with the provisions of the Plans, to the requirements of the Responsible Authority.

2.2 Vegetation and Fauna Management

- 2.2.1 Regionally significant vegetation (Bush Forever sites) which surrounds the amendment area (as shown in Figure 1 of the Minister's Statement) shall be protected from indirect and direct impacts associated with the development of the amendment area by the following:

- Clear delineation of regionally significant areas of vegetation from the amendment area through the use of dual use paths, public open space areas and the like
- Control of off-road vehicle use and dumping of rubbish.
- Fire management.

- Promotion of community awareness of bushland protection.

2.3 Stygofauna and Troglobitic Fauna Management

2.3.1 If studies in relation to karst and hydrology (see 2.4.1) indicate the likelihood of significant stygofauna and/or troglobitic fauna assemblages being present in or immediately adjacent to the amendment area, the landowner (with assistance from relevant scientific experts) shall undertake a survey (at the Local Structure Planning Stage) to assess the nature and extent of any population/s.

The survey shall be completed prior to finalisation of the Local Structure Plan and to the requirements of the Responsible Authority on advice from the Department of Conservation and Land Management and the University of Western Australia (Department of Zoology).

2.4 Assessment of Karst Landform

2.4.1 At the District and Local Structure Planning Stage, the landowner shall review existing geotechnical information and undertake further site investigations to confirm the nature and extent of karst landform within the amendment area.

This review shall be completed prior to finalisation of the District and Local Structure Plan and to the requirements of the Responsible Authority on advice from the Department of Environmental Protection.

2.5 Solid and Liquid Waste Management

2.5.1 The landowner shall ensure that lots within the industrial zone are connected to the deep sewerage system for the disposal of appropriate liquid wastes as approved by the relevant Government Agency/ies.

2.6 Environmental Reporting

2.6.1 The Responsible Authority shall provide a report to the Environmental Protection Authority every five years, or at the time of the review of the existing town planning scheme (whichever is the earlier), as per Section 48H of the Environmental Protection Act.

SCHEDULE 13 (CLAUSE 3.18) – SPECIAL RURAL PROVISIONS

NO	DESCRIPTION OF LOCALITY	SPECIAL PROVISIONS
1	Swan Location 1757 and 618 Flynn Drive and Wanneroo Road, Wanneroo	<ol style="list-style-type: none"> 1) The minimum lot size shall be not less than 2ha. The maximum number of Special Rural lots to be created in the Amendment area shall be 154. Subdivision shall generally be in accordance with the Development Guide Plan. 2) The land the subject of this zone may be used for residential, equestrian, horticultural and/or agricultural purposes only. Notwithstanding this, the use of lots of less than 4 ha in area for commercial purposes is prohibited. 3) The existing vegetation on lots which are to be used for approved equestrian, horticultural and/or agricultural purposes may be cleared to the extent approved for those purposes. 4) The keeping of livestock and poultry for commercial purposes is prohibited.
2	Pt Swan Location 1942 and Pt 1669 and Lot 16 Swan Location 1791 Trichet Road, Wanneroo.	<ol style="list-style-type: none"> 1) The minimum lot size shall be not less than 1.0 hectare and the average lot size shall be not less than 1.85ha and subdivision shall be carried out in accordance with the “Development Guide Map”. 2) The land east of Franklin Road/Lenore Road may be used for equestrian, residential and/or horticultural purposes only. 3) Subject to the provisions of Special Provision No 4 the land west of Franklin Road/Lenore Road may be used for rural/residential purposes. 4) The keeping of livestock (with the exception of horses) and poultry for commercial purposes is prohibited. 5) The existing vegetation on lots which are to be used for approved equestrian or horticultural purposes may be cleared to the extent approved for those purposes.

NO	DESCRIPTION OF LOCALITY	SPECIAL PROVISIONS
3	Swan Location 1805 corner Franklin and Caporn Roads, Wanneroo	<ol style="list-style-type: none"> 1) The minimum lot size shall be not less than 1.0 hectare and the average lot size not less than 1.5ha and subdivision shall generally be in accordance with the “Development Guide Map”. 2) The land the subject of this Zone may be used for residential and/or horticultural purposes only. 3) The existing vegetation on lots which are to be used for horticultural purposes may be cleared to the extent approved for that purpose. 4) The keeping of livestock and poultry for commercial purposes is prohibited.
4	Swan Location 1948 and 1540 Corner Pinjar Road and Neaves Road, Wanneroo.	<ol style="list-style-type: none"> 1) The minimum lot size shall be 1.0 hectare with the average lot size being not less than 1.5ha and all subdivision shall be carried out in accordance with the “Development Guide Map”. 2) The land the subject of this Zone may be used for equestrian, residential and/or horticultural purposes only. 3) The existing vegetation on lots which are to be used for approved equestrian or horticultural purposes may be cleared to the extent approved for those purposes. 4) The keeping of livestock (with the exception of horses) and poultry for commercial purposes is prohibited. 5) All fencing must be carried out to the satisfaction of the Local Authority.

NO	DESCRIPTION OF LOCALITY	SPECIAL PROVISIONS
5	Lot Numbers 3, 4, 5 Sydney Road, Swan Location 2488 Part Swan Location 887 Sydney Road, Perth Shire Location 104 (C/T 1048 Sydney Road; Lots 18 and 19 Lorian Road, Swan Location 1882; Part Swan Location 1494 Lorian Road and Lot 20 Knight Street, Swan Location 1882 (A113 and 287).	<ol style="list-style-type: none"> 1) The minimum lot size shall be not less than 1.0 hectare and subdivision shall generally be in accordance with the "Development Guide Plan adopted 23 September 1987". 2) The land the subject of this Zone may be used for equestrian, residential and/or horticultural purposes only. 3) The existing vegetation on lots which are to be used for approved equestrian or horticultural purposes may be cleared to the extent approved for those purposes. 4) The keeping of livestock (with the exception of horses) and poultry for commercial purposes is prohibited. 5) Each lot is to have included within it an area of at least 1000m² which for the land west of Sydney Road, lies above the 47 metre (AHD) contour; for the land east of Sydney Road, lies above the 48 metre (AHD) contour; all residential development must be undertaken above that level. 6) No Road surface is to be constructed below the 46.75 metre (AHD) contour.
6	Part Swan Location 1942 and Part 1669 and Lot 16 Swan Location 1791 Trichet Road, Wanneroo.	<ol style="list-style-type: none"> 1) The minimum lot size shall be not less than 1.0 hectare and the average lot size shall be not less than 1.85ha and subdivision shall be carried out in accordance with the "Development Guide Map". 2) The land the subject of this Zone may be used for residential, equestrian and/or horticultural purposes only. 3) The existing vegetation on lots which are to be used for approved equestrian or horticultural purposes may be cleared to the extent approved for those purposes. 4) The keeping of livestock (with the exception of horses) and poultry for commercial purposes is prohibited.

NO	DESCRIPTION OF LOCALITY	SPECIAL PROVISIONS
7 (formerly SRZ No.13 under TPS1)	Swan Locations 672, 774, 1687, 1688, 2385, 2384, 2451 and Pt Swan Location 740.	<ol style="list-style-type: none"> 1) The minimum lot size shall be 1.0 hectare and all subdivision shall be carried out in accordance with the Development Guide Map. 2) The land the subject of this Zone may be used for residential and equestrian purposes only. 3) The existing vegetation on lots which are to be used for approved equestrian purposes may be cleared to the extent approved for that purpose. 4) The keeping of livestock and poultry for commercial purposes is prohibited.
8 (formerly SRZ No.15 under TPS1)	Lots 1584, 1866, 2311 and 2314 Neaves Road, Mariginiup.	<ol style="list-style-type: none"> 1) The minimum lot size shall not be less than 2.0 hectares and the subdivisions and development shall be carried out in accordance with the "Development Guide Map". 2) As parts of the land are subject to periodic inundation, no dwelling shall be constructed unless it is on at least a 1000m² portion of the lot, located behind the building setback, which will result in: <ol style="list-style-type: none"> (i) the finished floor level of dwellings being: <ol style="list-style-type: none"> a. within areas determined by the City of Wanneroo to be subject to periodic inundation - a minimum of thirteen hundred (1300) millimetres above the Reduced Level to which flooding may occur (as determined from time to time by the City of Wanneroo); b. within areas determined by the City of Wanneroo to not be subject to periodic inundation - a minimum of four hundred (400) millimetres above natural ground level; (ii) the underside of effluent disposal chambers of conventional effluent disposal systems servicing dwellings being a minimum of two (2) metres above the estimated maximum water table level as determined from time to time by the Water and Rivers Commission or equivalent State Government agency;

NO	DESCRIPTION OF SPECIAL PROVISIONS LOCALITY
8	<p>Cont'd</p> <ul style="list-style-type: none"> (iii) the underside effluent disposal chambers or effluent disposal pads of modified, nutrient attenuating on-site sewage disposal systems servicing dwellings being a minimum of five hundred (500) millimetres above the estimated maximum water table level as determined from time to time by the Water and Rivers Commission or equivalent State Government agency; (iv) the effluent disposal chambers of conventional on-site sewage disposal systems servicing dwellings being a minimum horizontal distance of one hundred (100) metres from areas determined from time to time by the City of Wanneroo to be subject to periodic inundation; (v) the effluent disposal chambers or effluent disposal pads of modified, nutrient attenuating on-site sewage disposal systems servicing dwellings being a minimum horizontal distance of fifty (50) metres from areas determined from time to time by the City of Wanneroo to be subject to periodic inundation. <ol style="list-style-type: none"> 3) The land the subject of this Zone may be used for residential and equestrian purposes only. 4) The existing vegetation on lots which are to be used for approved equestrian purposes may be cleared to the extent approved for that purpose. 5) The keeping of livestock (with the exception of horses) and/or poultry for commercial purposes is prohibited.

NO	DESCRIPTION OF LOCALITY	SPECIAL PROVISIONS
9	Portions of Swan Locations 1811, 1826, Lot 1 Swan Location 1827 and Lot 13 Swan Location 1676 Badgerup Road, Gnangara.	1) The minimum lot size shall be not less than 1ha and subdivision shall generally be in accordance with the "Development Guide Plan". 2) The land the subject of this Zone may be used for residential, equestrian and/or non-commercial horticultural purposes only. 3) The keeping of livestock and poultry for commercial purposes is prohibited. 4) Council may permit an area of not more than 2000 m ² , in a central location on each lot, to be cleared for the establishment of a residence and a non-commercial garden/produce/pasture area, this cleared area shall be no closer than 15 metres to any side boundary. 5) Development of this Zone shall have regard to protection of landscape qualities including topography and vegetation cover, as well as replanting where appropriate, in order to minimise the potential for soil erosion.

NO	DESCRIPTION OF LOCALITY	SPECIAL PROVISIONS
10	Portion Swan Location 934 and Swan Locations 2383, 2483 and 2829 and Badgerup Road, Wanneroo. (formerly SRZ No.19 under TPS1)	<ol style="list-style-type: none"> 1) The minimum lot size shall be 1ha and all subdivision shall be carried out in accordance with the “Development Guide Plan”. 2) The land the subject of this Zone may be used for rural/residential purposes and ancillary uses. 3) The keeping of livestock for commercial purposes is prohibited. Livestock shall be precluded from the transition zone shown on the Development Guide Plan by means of a stock-proof fence. 4) No more than one horse shall be permitted on any lot. 5) A cleared building envelope measuring no greater than 2000 m² and sited outside the transition zone will be permitted on each lot in a position to be endorsed by the Council. The clearing of trees and native vegetation outside of the building envelope is prohibited other than for fences, fire breaks, access and servicing. 6) Ancillary land uses may be permitted on the condition that they do not generate further significant nutrient application, or involve the clearing of land (other than for building envelopes, fences, firebreaks, access and servicing). 7) An on-site stormwater drainage system shall be constructed which is capable of retaining for three to four days a one-in-ten year flood event, and this system is to be designed in accordance with Council specifications. 8) Septic systems are to be located at least 100m from Lake Badgerup with a minimum of 2m vertical separation between the base of the leach drains or soakwell and the highest known groundwater level or bedrock. Where separation cannot be achieved other Health Department of Western Australia approved domestic waste water treatment system with adequate phosphorus retention capacity may be installed provided that the base of the system or modified irrigation area are above the highest known water table or are installed to the satisfaction of the Health Department.

NO	DESCRIPTION OF LOCALITY	OF	SPECIAL PROVISIONS
11	Swan Location Neaves Mariginiup.	1739 Road,	<ol style="list-style-type: none"> 1) The minimum lot size shall not be less than 2.0 hectares and the subdivisions and development shall be carried out in accordance with the "Development Guide Map". 2) The land the subject of this Zone may be used for residential/equestrian purposes only. 3) The keeping of livestock and/or poultry for commercial purposes is prohibited. 4) A building envelope no greater than 10 per cent of the lot size is to be endorsed by the Council for each lot. 5) Lots shall not be cleared of vegetation (new or existing remnant) outside of the endorsed building envelopes. Fertiliser application is to be restricted to the building envelope. 6) No reticulated water can be provided by the Water Corporation. 7) As part of the land is subject to periodic flooding, no dwelling shall be constructed unless it is on a portion of the lot at least 1000m² in area located behind the building setback, which will result in the dwelling and on-site effluent disposal system being located such that there is a two metre vertical separation between the base of the leach drain and the highest recorded groundwater level or bedrock, and at least a 100 metre horizontal separation between the disposal system and the nearest water body. <p>Alternative disposal systems can be considered if approved by the Council subject to advice from the Environmental Protection Authority and an appropriate amendment to these provisions.</p>

NO	DESCRIPTION OF LOCALITY	SPECIAL PROVISIONS
12 (formerly SRZ No.21 under TPS1)	Pt Lot 22 Swan Locations 1794 and 2731 Badgerup Road, Wanneroo.	<ol style="list-style-type: none"> 1) The minimum lot size shall be 1 hectare and all subdivision shall be carried out in accordance with the "Development Guide Plan". 2) The land the subject of this Zone may be used for residential, equestrian and/or non-commercial horticultural purposes only. 3) The keeping of livestock and poultry for commercial purposes is prohibited. 4) Council may permit the clearing of 2000 m² in a central location on a lot for the establishment of a non-commercial private product/pasture area. This cleared area shall be no closer than 10m to a side boundary. 5) All effluent disposal systems are to be located above the 47.5m AHD contour.
13 (formerly SRZ No. 24 under TPS1)	Lots 5, 7, 53 and Portion Location 3144 Adams Road, Mariginiup	<ol style="list-style-type: none"> 1) The minimum lot size should be 1.0 hectare and subdivision should generally be in accordance with the Development Guide Plan. 2) The land the subject of this Zone may be used for residential purposes only. 3) The keeping of livestock is prohibited. 4) The keeping of poultry for commercial purposes is prohibited. 5) No dwelling shall be approved by the Council unless it is connected to an alternative domestic wastewater treatment system as approved by the Health Department of Western Australia with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection and with the base of the system or the modified irrigation area being 0.5 metres above the estimated maximum water table level as determined from time to time by the Water and Rivers Commission or equivalent State Government agency. 6) No dwelling shall be constructed unless it has a vertical separation of at least 1.5 metres between the top of the building pad and the estimated maximum water table level as determined from time to time by the Water and Rivers Commission or equivalent State Government agency or is constructed at the minimum level indicated on the Development Guide Plan.

NO	DESCRIPTION OF LOCALITY	SPECIAL PROVISIONS
13	Cont'd	<p>7) All lots 2 hectares or below being provided with a reticulated water supply.</p> <p>8) All dwellings and buildings should be aesthetically compatible with the site in terms of height and construction.</p> <p>9) The subdivider shall plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of lot(s) to a new owner.</p> <p>10) The subdivider shall maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.</p>
14	Part Swan Location 887 Sydney Road, Gnangara <small>(formerly SRZ No.25 under TPS1)</small>	<p>1) The minimum lot size shall not be less than 1.0 hectare and subdivision shall generally be in accordance with the Development Guide Plan.</p> <p>2) The land the subject of this Zone may be used for rural/residential living purposes only.</p> <p>3) The keeping of livestock is prohibited.</p> <p>4) A cleared building envelope area measuring at least 1000m² and sited above 48 metres (AHD) will be permitted on each lot in a position to be endorsed by the Council generally as depicted on the Development Guide Plan. The clearing of trees and native vegetation outside of this designated building envelope area is prohibited.</p> <p>5) Ancillary land uses may be permitted but only within the designated building envelope area and on the condition that they do not generate further significant nutrient application, or involve the clearing (other than for building envelopes, fences, firebreaks, access and servicing).</p> <p>6) An adequate buffer of native vegetation shall be provided in the form of a public open space reservation along land which abuts Lake Gnangara. The size and configuration of the public open space reservation shall be as shown on the Development Guide Plan.</p>

NO	DESCRIPTION OF LOCALITY	SPECIAL PROVISIONS
14	Cont'd	<p>7) Septic systems are to be located at least 100m from Lake Gngara with a minimum of 2m vertical separation between the base of the leach drains or soakwell and the highest known groundwater level or bedrock. As an alternative, other Health Department of Western Australia approved domestic wastewater treatment systems with adequate phosphorus retention capacity may be installed provided that the base of the system or modified irrigation area are above the highest known water table or are installed to the satisfaction of the Environmental Protection Authority.</p> <p>8) Where native vegetation is absent or degraded within the public open space reservation, the developer of the estate shall rehabilitate the area with appropriate indigenous trees and shrubs as required.</p> <p>9) Where other cleared areas of native vegetation exist, these shall be rehabilitated with indigenous species.</p> <p>10) An on-site stormwater drainage system shall be constructed by the developer of the estate which is capable of retaining for three to four days a one-in-ten year flood event, and this system is to be designed in accordance with Council specifications.</p>

NO	DESCRIPTION OF LOCALITY	OF	SPECIAL PROVISIONS
15	Pt Location Gnangara Gnangara.	883 Road,	<ol style="list-style-type: none"> 1) The minimum lot size should not be less than 1.0 hectares whereby subdivision should generally be in accordance with the Development Guide Plan. 2) The land the subject of this Zone may be used for rural/residential living purposes only. 3) The keeping of livestock is prohibited. 4) A cleared building envelope area measuring not more than 1000m² and sited above 48 metres (AHD) will be permitted on each lot in a position to be endorsed by the Council generally as depicted on the Development Guide Plan. The clearing of trees and native vegetation outside of this designated building envelope area is prohibited. 5) Ancillary land uses may be permitted but only within the designated building envelope area and on the condition that they do not generate further significant nutrient application, pose an increased risk to groundwater quality, or involve the clearing of land (other than for building envelopes, fences, firebreaks, access and servicing). Ancillary land uses shall be in accordance with the Water and Rivers Commission's guidelines for 'Acceptability of Land Uses within Public Drinking Water Source Areas'. 6) An adequate buffer of native vegetation shall be provided in the form of a public open space reserve along land which abuts Lake Gnangara. The size and configuration of the public open space reservation shall be as shown on the Development Guide Plan. 7) Septic systems shall be situated within the designated building envelope area and in the case of Lot 4, shall be situated only in the portion of the building envelope outside the groundwater capture zone as noted on the Development Guide Plan. Septic systems are to be located at least 100m from Lake Gnangara with a minimum of 2m vertical separation between the base of the leach drains or soakwell and the highest predicted groundwater level or bedrock. As an alternative, other Health Department of Western Australia approved domestic wastewater treatment systems with adequate phosphorus retention capacity may be installed provided that the base of the system or modified irrigation area are above the highest predicted water table or are installed to the satisfaction of the Environmental Protection Authority

NO	DESCRIPTION OF LOCALITY	SPECIAL PROVISIONS
15	Cont'd	8) Where native vegetation is absent or degraded within the public open space reservation, the developer of the estate shall rehabilitate the area with appropriate indigenous trees and shrubs as required. 9) Where other areas cleared of native vegetation exist, these shall be rehabilitated with indigenous species. 10) An on-site stormwater drainage system shall be constructed by the developer of the estate which is capable of retaining for three to four days a one-in-ten year flood event, and this system is to be designed in accordance with Council specifications. 11) Each lot shall be serviced by a reticulated water supply.
16	Lot 21 Badgerup Road, Gnangara (formerly SRZ No.27 under TPS1)	1) The minimum lot size shall be 1.0 hectare and all subdivision shall be carried out in accordance with the Development Guide Map. 2) The land the subject of this Zone may be used for residential purposes only. 3) The keeping of livestock and poultry for commercial purposes is prohibited. 4) A cleared building envelope will be permitted on each lot in a position to be endorsed by the Council. All building envelopes are to be located below 65m AHD. 5) All lots are to be serviced with a reticulated water supply. 6) Ownership of horses on each lot is restricted to a maximum of 2.

- 17 Lots 23, 24, 25, 26, 27 and 28 Badgerup Road, Gnangara
- (formerly
SRZ
No.28
under
TPS1)
- 1) The minimum lot size should be not less than one hectare and subdivision should generally be in accordance with the “Development Guide Plan”.
 - 2) The land the subject of this zone may be used for residential and equestrian purposes only. Ancillary land uses may be permitted on the condition that they do not generate further significant nutrient application, or involve the clearing of land (other than for building envelopes, fences, fire breaks, access and servicing).
 - 3) The keeping of livestock for commercial purposes is prohibited.
 - 4) No more than one horse shall be permitted on any lot.
 - 5) A cleared building envelope measuring no greater than 1,600 m² will be permitted on each lot as shown on the Development Guide Plan. The clearing of trees and native vegetation outside of the building envelope is prohibited other than for fences, fire breaks, access and servicing. The position of the building envelope shown on each lot may be varied subject to Council approval.
 - 6) Where re-vegetation is indicated on the Development Guide Plan, the subdivider of the estate shall re-vegetate the area in accordance with the recommendations contained in Appendix D1 of the ‘Special Rural Rezoning Proposal Report for Lots 24, 25, 26, 27 and 28 Badgerup Road, Gnangara’ prepared by Greg Rowe and Associates and dated November 1996 and such re-vegetation shall be undertaken by the subdivider prior to any lots being created.
 - 7) The subdivider shall provide a reticulated water supply to all proposed lots within this zone.
 - 8) The 2.5 metre widening of Badgerup Road shown on the Development Guide Plan shall be ceded free of cost to the Crown at the time of subdivision of the land within this zone.
 - 9) Prior to the final approval of a plan or diagram of survey, the subdivider shall undertake to the satisfaction of the Department of Environmental Protection a site investigation of building envelopes shown on the Development Guide Plan which have previously been used for market gardening purposes to determine the presence or otherwise of contamination through past use of fertiliser, pesticides, or herbicides.

17 Cont'd

Should such contamination be determined as present, the subdivider shall undertake such actions as deemed necessary by the Department of Environmental Protection to achieve an acceptable building envelope.

- 10) Proposed Lot Nos 19 and 20 shown on the Development Guide Plan are to be the subject of Service Agreements between the owners of those lots and the Water Corporation, ensuring that the owners of those lots are aware that these lots will not receive a normal standard of water supply from the Water Corporation's reticulated supply due to the height of these lots, and the difficulty this presents for normal gravity supply.
- 11) On-site effluent disposal system requirements:
 - a) the underside of effluent disposal chambers of conventional effluent disposal systems servicing dwellings shall be a minimum of two (2) metres above the estimated maximum water table level as determined from time to time by the Water and Rivers Commission or equivalent State Government agency;
 - b) the underside of effluent disposal chambers or effluent disposal pads of modified nutrient attenuating on-site sewage disposal systems servicing dwellings shall be a minimum of five hundred (500) millimetres above the estimated maximum water table level as determined from time to time by the Water and Rivers Commission or equivalent State Government agency;
 - c) the effluent disposal chambers of conventional on-site sewage disposal systems servicing dwellings shall be a minimum horizontal distance of one hundred (100) metres from areas determined from time to time by the City of Wanneroo to be subject to periodic inundation;
 - d) the effluent disposal chambers or effluent disposal pads of modified, nutrient attenuating on-site sewage disposal systems servicing dwellings shall be a minimum horizontal distance of fifty (50) metres from areas determined from time to time by the City of Wanneroo to be subject to periodic inundation.
- 12) The following additional provisions apply to Lot 23 Badgerup Road:

- a) Prior to applying for subdivision approval, the subdivider shall prepare and implement to the satisfaction of the Council a Revegetation Plan for Lot 23. Subsequent owners of the subdivided lots shall maintain the vegetation planted to the satisfaction of the Council.
- b) The subdivider shall establish all firebreaks required around all proposed lots to be created to the satisfaction of the Council.

- 18 Description of Locality
Lot 50 and Loc 3288
Bailey Road, Carabooda
(formerly
SRZ
No.29
under
TPS1)
1. Special Provisions which Mainly Affect the Subdivision.

Subdivision and development shall generally be in accordance with the Development Guide Plan dated 17 August 1999 on the understanding that the alignment of Alkimos Drive and the final configuration of the “Kiln settlement lot” and the public open space in the north west corner will be resolved during the subdivision approval process, however, such departure from the Development Guide Plan shall be made so as to comply with the requirements arising from the following:

 - a) the Caves and Other Karstic Features Management Plan to be prepared pursuant to Special Provision 4;
 - b) the survey of significant trees to be prepared pursuant to Special Provision 5.

A modified Development Guide Plan shall be prepared which incorporates the resolution of the various matters requiring such resolution referred to in this Special Provision, and compliance with a) and b) above, and such plan, upon approval by the Council and the Western Australian Planning Commission, shall be regarded as the Modified Development Guide Plan.
 2. Building Envelopes:
 - a) In the interest of landscape preservation, indicative building envelopes (to a maximum size of 2000 m²) shall be shown on the lots in the Modified Development Guide Plan.
 - b) Prior to the final approval of a plan or diagram of subdivision, the subdivider shall produce certificates from a registered engineer that the area within the indicative building envelope is geologically suitable for the construction of a dwelling house.
 3. Bushfire Management:

Prior to the issue of clearances for diagrams of surveys, Council shall require the subdivider to prepare a Bush Fire Management Plan to the satisfaction of the Council and the Bush Fires Board. Such a plan will be used as the basis for ongoing bush fire management over the property.

18 Cont'd

4. Prior to subdivision of the land for rural-residential purposes, the subdivider shall prepare to the satisfaction of the Council, a Caves and Other Karstic Features Management Plan on which the Council will seek and have regard to advice from relevant State Government agencies, such plan to address the following matters:
 - a) the identification and protection of caves and other karstic features on the subject land;
 - b) the stability of all lands proposed for development including buildings, roads and driveways;
 - c) the location of bores and on-site effluent disposal systems so as to avoid any detrimental impact on the water balance and water quality affecting caves;
 - d) control of access, particularly by children, and including access to caves on Reserve 24637;
 - e) inclusion of advisory records on the title of proposed lots affected by caves.
5. Prior to subdivision of the land for rural-residential purposes, the subdivider shall undertake a survey to the satisfaction of the Council, of significant trees worthy of protection.
6. The subdivider shall make arrangements satisfactory to the Water and Rivers Commission to ensure that the prospective purchasers in the initial transfer of lots acknowledge in writing that they are aware that the lots are located within the Wanneroo Groundwater Area where there is a need to obtain a licence before a well/bore can be constructed. The licence will contain a number of conditions including the quantity of water that can be pumped each year.
7. The land subject of this zone shall only be used for residential and controlled non-commercial keeping of livestock. In reference to the portion of the subject land shown bounded by the stippled boundary on the Modified Development Guide Plan, land use permissibility for this land shall be determined in accordance with the 'Rural Resource Zone'.

18 Cont'd

8. Building Envelopes:

Buildings shall not be constructed outside of the geologically verified envelopes except where approved by Council.
9. Dwellings of more than a single-storey shall not be permitted on those lots shown with an asterisk (*) on the Modified Development Guide Plan, unless otherwise approved by Council.
10. The following guidelines for building shall apply (these guidelines being of an advisory rather than a mandatory nature) –
 - a) Guidelines for Colour
 - i) The following colours are suitable for blending into the environment –

Cinnamon, rusts, brown, fawn, buff colours, greys, black, blood red to darker red, greens from yellow-green to dark green, blue-greens, all shades of blue from sky blue to darker, all purples from lavender to darker.
 - ii) The following colours would be obtrusive for this area -

White and cream, all shades of yellow and orange, pinks and bright reds, pale blues and mauves, silver, gold and pale greys.
 - b) Guidelines for materials
 - i) The following materials are suitable for blending into the environment –

Brick, mud brick and timber
 - ii) The following materials would be obtrusive for this area –

Raw galvanised iron, pale colour-bond materials, glass or plastic roof panels and white stucco.
11. Except with the approval of the Council, no fencing outside of the building envelope shall be constructed within the land the subject of this zone.

18 Cont'd

12. With the intention of preventing over-stocking or other practices detrimental to the amenity of the zone, the breeding or keeping of animals, other than domestic pets, shall not be permitted without the approval in writing of Council. If approved, the keeping or breeding of animals shall be restricted, by the erection of fencing, to the fixed building envelope area. Trees within the building envelope shall also be fenced to protect them from damage by livestock. In considering any applications for breeding or keeping of stock, Council will be guided by advice from the Department of Agriculture. Notwithstanding the above, in cases where stocking approval has been given but where environmental problems develop, Council may, after consultation with the Department of Agriculture, take appropriate action to ban or reduce the stocking of animals. Individual land owners shall be responsible for organising and meeting all costs associated with obtaining advice from the Department of Agriculture where the keeping of any stock is proposed.
13. No vegetation on any part of the proposed lots may be cleared for any purpose other than the construction of buildings, driveways, strategic fire breaks, selective clearing to lower fuel areas around buildings and for road construction associated with the subdivision development of the property. The land is to be managed in such a manner to avoid the land being laid bare of vegetation resulting in loose, wind erodible conditions. All improvements within building envelopes shall be sited and located such that the removal of vegetation within the building envelope is minimised. The Council may also, at its discretion, vary the position of any required fire break or building envelope to avoid destruction of vegetation or other ways to take account of the physical features of the land, subject to the land owner concerned providing a certificate from a registered engineer that the area within the proposed new building envelope is geologically suitable for construction of a dwelling house.
14. Outside of an approved building envelope, only endemic vegetation may be planted. (Endemic vegetation in this case being vegetation of the Cottesloe North Complex).

18 Cont'd

15. Bushfire Management:

- a) Individual land owners shall be responsible for the maintenance of strategic fire breaks where they cross the land owners lot as depicted on the Bush Fire Management Plan.
- b) The clearing of firebreaks, other than for strategic fire break purposes, will not be permitted unless for safety reasons to comply with Council and Bush Fire Board requirements. Selective clearing of low fuel areas to a minimum of 20m around each building shall be required by Council. Such low fuel zones should be kept free of debris and shrubs and maintained to a standard approved by Council in accordance with the Bush Fire Management Plan.
- c) All fire breaks shall be provided to the specification and satisfaction of the Local Authority and the Bush Fires Board.

16. On Site Effluent Disposal System Requirements:

- a) The underside of effluent disposal chambers of conventional effluent disposal systems servicing dwellings shall be a minimum of two (2) metres above the estimated maximum water table level as determined from time to time by the Water and Rivers Commission or equivalent State Government agency;
- b) The underside of effluent disposal chambers of effluent disposal pads of modified nutrient attenuating on-site sewage disposal systems servicing dwellings shall be a minimum of five hundred (500) millimetres above the estimated maximum water table level as determined from time to time by the Water and Rivers Commission or equivalent State Government agency;
- c) The effluent disposal chambers of conventional on-site sewage disposal systems servicing dwellings shall be a minimum horizontal distance of one hundred (100) metres from areas determined from time to time by the City of Wanneroo to be subject to periodic inundation;

18 Cont'd

- d) The effluent disposal chambers or effluent disposal pads of modified, nutrient attenuating on-site sewerage disposal systems servicing dwellings shall be a minimum horizontal distance of fifty (50) metres from areas determined from time to time by the City of Wanneroo to be subject to periodic inundation.
17. All caves and other karstic landform features shall not be damaged in any way unless the prior written approval of the Council has first been obtained.

SCHEDULE 14 (CLAUSE 3.19) – SPECIAL RESIDENTIAL PROVISIONS

NO	DESCRIPTION OF LOCALITY	SPECIAL PROVISIONS
1	Lots 2, 3, 32 and 33 and Part Lots 20 and 21 all of Wanneroo Estate Lot 13; Lots 30, 31 and 32 Part Lots 1, 27 and 33 all of Wanneroo Estate 14 and portion of Scenic Drive.	1) A range of lot sizes with a minimum lot size of 4000m ² shall be provided. Subdivision shall be in accordance with the Development Guide Plan. 2) Access from individual lots to Wanneroo Road shall only be via approved subdivisional roads. 3) All stormwater run-off shall be disposed of by means of drainage systems constructed within Special Residential Zone No 1 to the satisfaction and specification of the Council.
2	(formerly SRP No. 3 under TPS1) Swan Location 2579, Lots 1 and 2 Flynn Drive, Neerabup	1) Subdivision is restricted to a minimum lot size of 5000m ² in accordance with the Development Guide Plans for this zone and that all development shall be contained within the building envelopes as specified on these plans. 2) All stormwater run-off shall be disposed of by drainage systems constructed with the adjacent residential area to the satisfaction and specifications of Council.
3	(formerly SRP No. 4 under TPS1) Portion Swan Location 1803 Queensway Road, Landsdale.	1) Subdivision is restricted to a minimum lot size of 5000m ² . 2) All stormwater run-off shall be disposed of by means of drainage systems constructed within the adjacent Residential area to the satisfaction and specification of Council. 3) The Council may, as a condition of any approval granted under special provision (b) require the owner or occupier of the land to plant and maintain to its satisfaction mature trees and shrubs.
4	(formerly SRP No. 6 under TPS1) Lots 1 and 22-26 Elliot Road, Wanneroo.	1) Subdivision is restricted to a minimum lot size of 5000m ² . 2) All stormwater run-off shall be disposed of by drainage systems constructed with the adjacent residential area to the satisfaction and specification of Council.

NO	DESCRIPTION OF LOCALITY	SPECIAL PROVISIONS
5	Part Lot 1 and Lot 2 Flynn Drive, Neerabup. (formerly SRP No. 8 under TPS1)	<ol style="list-style-type: none"> 1) Subdivision of the Estate shall generally be in accordance with the Subdivision Guide Plan which also forms part of the Scheme. 2) The number of Special Residential allotments within the Estate should not exceed 167. 3) The minimum lot size should be no less than 2000m². 4) Prior to subdivision, a Bush Fire Management plan shall be prepared by the subdivider and approved by the Bush Fires Board and Council. 5) Strategic fire breaks shall be constructed as defined on the Development Guide Plan by the subdivider to the Bush Fire Board's specifications and shall be maintained by the Home Owners' Association in accordance with the Bush Fire Management Plan as approved by the Bush Fires Board and Council. 6) Outbuildings shall be contiguous or semi-contiguous to the main dwelling and shall be constructed out of materials and colour schemes complimentary to the main dwelling. 7) All development within the estate shall have regard for the Fire Management Plan for the Flynn Drive Special Residential Estate. 8) All crossover accesses shall include a lateral culvert or pipe to connect table drains at either side to the satisfaction of the Council. 9) The Recreation and Equine Park shall be developed for recreational and equine purposes and ancillary buildings only.

SCHEDULE 15 (CLAUSE 3.23) – RURAL COMMUNITY PROVISIONS

NO	DESCRIPTION OF LOCALITY	SPECIAL PROVISIONS
1	Lots 201 and 202 Breakwater Drive, Two Rocks	<p data-bbox="660 389 1078 416"><u>1.1 Special Provisions (General)</u></p> <p data-bbox="756 461 1412 1043">1.1.1 Rural Community Zone No 1 provides for conventional or cluster subdivision or a combination of both. The special provisions which follow are in the first instance general, thereafter additional provisions apply to conventional subdivision and cluster subdivision. Where a combination of both conventional and cluster subdivision is proposed, the lot yield shall not exceed 300 lots and shall be determined by the Commission after consultation with the Council. Should Lots 201 and 202 be developed separately, then the lot yields specified in Special Provisions 2.1 and 3.1 shall be divided between Lots 201 and 202 on a pro-rata basis.</p> <p data-bbox="756 1088 1412 1193">1.1.2 In addition to the matters contained in Schedule 7 of the Scheme, a Structure Plan for this land shall also include the following:</p> <ul style="list-style-type: none"> <li data-bbox="852 1238 1412 1413">(a) Identification of the aboriginal, heritage, environmental and landscape features and significant vegetation to be retained, and management provisions to maintain these qualities. <li data-bbox="828 1458 1412 1702">(b) The management provisions prepared pursuant to (a) above shall include preparation of a Vegetation and Fauna Management Plan to the satisfaction of the Council on advice from the relevant State Government agencies and which addresses–

NO	DESCRIPTION LOCALITY	OF SPECIAL PROVISIONS
		<ul style="list-style-type: none"> • the identification and retention of “locally significant” areas of native vegetation, especially those areas of native vegetation that provide fauna habitat; • clear delineation and retention of all three significant stands of trees to avoid habitat loss for fauna, particularly threatened fauna; • details of maintenance arrangements for the onsite native vegetation; • allocation of management responsibilities relating to the onsite native vegetation and identification of timing for implementation as appropriate; • fire management; • control of off-road vehicle use and dumping of rubbish. <p>(c) Detailed geotechnical assessment of the site to identify land unsuitable for development.</p> <p>(d) Preliminary assessment of the extent of UXO (unexploded ordnance) on the site.</p> <p>(e) Identification of areas to be ceded to the Crown free of cost as public open space and buffers for areas of environmental significance, landscape value, aboriginal and heritage sites.</p> <p>(f) Determination of the maximum development potential of the land as a result of the assessments carried out above, and having regard to the minimum permitted lot sizes and maximum lot yields referred to in special provisions for conventional subdivision or cluster subdivision.</p>

NO	DESCRIPTION LOCALITY	OF SPECIAL PROVISIONS
		<p>(g) Management provisions to address the interface with and maintain the environmental integrity of adjoining Parks and Recreation reserves and other conservation areas, and addressing the requirements of the relevant management agencies with respect to matters including delineation of boundaries, fencing, access, signage and fire management.</p> <p>(h) Appropriate treatment for lots abutting Breakwater Drive shall reinforce the rural character of the area. There is to be no direct lot access onto Breakwater Drive. Building setback to Breakwater Drive is to be 50 metres.</p> <p>(i) The location of building envelope areas is to be justified by geotechnical testing to be carried out by the developer to the satisfaction of the Council in order to minimise impacts on karstic structures. Building envelopes shall be located having due regard to existing stands of tuart and jarrah and rural landscape.</p>

NO	DESCRIPTION LOCALITY	OF SPECIAL PROVISIONS
		<p>(j) The design of the drainage system should be based on water sensitive design principles to ensure water conservation and maximum recharge to the groundwater system and avoid impacting on karstic structures.</p> <p>(k) Council will only grant approval to the keeping of horses when it is satisfied that the site has been suitably fenced to protect trees and other vegetation requiring protection. Should a horse or horses be kept and damage is being caused to trees and other vegetation by the horse or horses, then Council may require that the horse or horses be removed from the lot until such time as improvements to the satisfaction of Council have been made to the fencing which is intended to protect the trees and other vegetation. The landowner will be required to rehabilitate, to the satisfaction of the Council, any trees and other vegetation damaged by the keeping of horses on the property.</p> <p>(l) The exclusive use of aerobic treatment units, modified septics or small package treatment plants shall be required within the zone to minimise potential water pollution via subsurface drainage.</p> <p>(m) The identification of an area for local public open space and a 5000 sqm Community Purposes Site to be ceded to the Crown free of cost.</p>

NO	DESCRIPTION LOCALITY	OF SPECIAL PROVISIONS
1.1.3	The land the subject of this zone may be used for rural-residential purposes, and no more than one residence shall be permitted on each lot. Home Business – Categories 1, 2 & 3, and a maximum of one appropriately located Corner Store (as designated on the Structure Plan).may be considered as “D” uses. Intensive agriculture may be considered as an “D” use on the common rural area lot/s in a cluster subdivision.	
1.1.4	The developer will undertake planting a 15 metre wide landscape buffer (i) parallel with the eastern boundary of Lots 201 and 202 and (ii) along both sides of Breakwater Drive.	
1.2	<u>Special Provisions (Conventional Subdivision)</u>	
1.2.1	The lot yield of Rural Community Zone No 1 shall be determined through a detailed site analysis to be undertaken to the satisfaction of the Council and the Commission as part of the preparation of a Structure Plan for the land, but shall not exceed 255 lots. The size of the lots to be created in this zone shall also be determined through this detailed site analysis, but should not involve lot sizes less than 1 hectare.	

NO	DESCRIPTION LOCALITY	OF SPECIAL PROVISIONS
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- 1.2.2 A cleared building envelope measuring no greater than 2000m² will be permitted on each lot in a position to be endorsed by the Council. The clearing of trees and native vegetation outside of the building envelope is prohibited other than for fences, fire breaks, access and servicing.
- 1.2.3 No more than one horse shall be permitted on any lot unless permitted by the Council in consultation with the relevant Government agencies.
- 1.2.4 The keeping of livestock and poultry for commercial purposes is prohibited.
- 1.2.5 The land is to be managed in such a manner as to avoid the land being laid bare of vegetation resulting in loose, wind erodible conditions. In particular, lots shall not be cleared of trees except where necessary to permit the construction of houses and outbuildings within the building envelope or where the Council agrees that trees are dead or pose a hazard to safety.

NO	DESCRIPTION LOCALITY	OF SPECIAL PROVISIONS
1.2.6	The interface with Crown land to the west, north and south must be perceived as being publicly accessible i.e. public open space area, road, bridle path, dual use path, walkway.	
1.2.7	Building envelopes being located on the western side of those lots adjacent to the Mitchell Freeway to minimise noise impacts.	
1.2.8	Building envelopes for the lots proposed under the conventional subdivision option being located to minimise development being viewed from the Mitchell Freeway.	
1.3	<u>Special Provisions (Cluster Subdivision)</u>	
1.3.1	The lot yield of Rural Community Zone No 1 shall be determined through a detailed site analysis to be undertaken to the satisfaction of the Council and the Commission as part of the preparation of a Structure Plan for the land, but shall not exceed 300 lots. The size of the lots to be created in this zone shall also be determined through this detailed site analysis, but should not involve lot sizes less than 2000 square metres.	

NO	DESCRIPTION LOCALITY	OF SPECIAL PROVISIONS
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- 1.3.2 The permissibility of use/s of the common rural area lot/s, subject to subclauses 9.8.2 and 9.8.3, shall be determined in accordance with the provisions of the relevant Agreed Structure Plan, and appropriate plans for managing the use/s shall be prepared to the satisfaction of the Council on advice from the relevant State Government agencies.
- 1.3.3 The common rural area lot/s shall be the subject of a management structure prepared and implemented to the satisfaction of Council to ensure regular maintenance. The Commission and/or Council may require the placement of a restrictive covenant or other covenant or obligation protected by a caveat on the Certificate of Title to ensure the retention of the common rural area lot/s.
- 1.3.4 No livestock or horses shall be kept on cluster subdivision lots. Suitable agistment may be provided on the common rural area lot/s where agreed to by the Council in consultation with the relevant Government agencies.
- 1.3.5 Treatment of the interface with surrounding Crown land is to be addressed to the Commission and Council's satisfaction in the preparation of a Structure Plan.
- 1.3.6 Village clusters are to be located away from the Mitchell Freeway to minimise any noise and visual impacts.