

**EAST WANNEROO CELL 5 AGREED
(LANDSDALE)
LOCAL STRUCTURE PLAN**

(AS AMENDED)

**Structure Plan No. 7
Agreed: 26 November 2002**

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

CERTIFICATION OF AGREED STRUCTURE PLAN

CERTIFIED THAT AGREED STRUCTURE PLAN EAST WANNEROO CELL 5
(LANDSDALE) WAS ADOPTED BY RESOLUTION OF
THE WESTERN AUSTRALIAN PLANNING COMMISSION ON

28 AUGUST 2001

.....
Chairperson,
Western Australian Planning Commission

AND

BY RESOLUTION OF THE COUNCIL OF THE CITY OF WANNEROO ON
26 NOVEMBER 2002

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

.....
Mayor, City of Wanneroo

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

Record of Amendments made to the Agreed Structure Plan
East Wanneroo Cell 5.

Amendment No.	Description of Amendment	Finally Endorsed Council	Finally Endorsed WAPC
1	Recodes a central portion of Lot 144 Landsdale Road, Landsdale from R20 to R40.	29.8.04	1.11.04
2	<p>Modifies the internal subdivisional roads and access points onto Kingsway Road, Rangeview Road and Landsdale,</p> <p>Recodes portions of Lots 125 and 126 Kingsway Road from R20 to R30, and portions of Lots 131, 138 & 140 to 142 Landsdale Road and Lot 139 Rangeview Road from R20 to R40, and</p> <p>Deletion of the Buffer Precinct on the Zoning Plan and related buffer Precinct Provisions 4.3 in the ASP.</p>	15.3.05	6.5.05
3	Recodes portions of Lots 22-24 and Lot 25 Landsdale Road, Kingsway from R20 to R40 and modifies the internal subdivisional roads to reflect recent subdivisions in the area.	11.1.06	2.2.06
5	Recodes a portion of Lot 137 Landsdale Road, Darch from R20 to R40	5.5.06	28.7.06
4	<p>Recodes various portions of Lots 25, 26, 119 and 120 Rangeview Road from R20 to R25 & R40 and modifies the road network within those lots.</p> <p>Recodes a portion of Lot 63 Rangeview Road from R20 to R40.</p> <p>Modifies the road network within Lots 121 & 122 Kingsway & Lot 134 Landsdale Road.</p>	24.4.07	6.6.07
7	Recodes the remaining residential component of Lots 58, 59 and 60 Landsdale Road, Landsdale from R20 to R40	15.3.07	5.12.07
9	Recodes Lot 66 Landsdale Road, Landsdale from R20 to R30 and R40	21.11.08	4.11.08
10	Recodes Lots 20 and 21 Denman Gardens, Landsdale from Residential R20 to Residential R40	22.9.09	7.1.10
8	Recodes Lots 3 and 4 Gngalara Road, Landsdale from R20 to R40	2.6.10	6.7.10

PART 1

STATUTORY PLANNING SECTION

As provided for under the relevant 'Structure Plan' provisions of the City of Wanneroo District Planning Scheme No.2 (the scheme), this part of the Structure Plan has the same force and effect as if it were a provision, standard or requirement of the scheme.

Subject Area

The Structure Plan area includes approximately 70 private landholdings comprising approximately 288 hectares.

1. ZONES

Plan 1 : 'The Zoning Map'.

2. AGREED STRUCTURE PLAN

Plan 2 : The 'Agreed Structure Plan'.

3. RETAIL FLOORSPACE (NLA)

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

SCHEDULE 1: RETAIL FLOORSPACE PROVISION

NEIGHBOURHOOD CENTRE	MAXIMUM NETT LETTABLE AREA (ROUNDED TO THE NEAREST 50m²)
Cell 5 Neighbourhood Centre (North)	3000m²
Cell 5 Neighbourhood Centre (South)	1100m²

4. PROVISIONS

4.1 RESIDENTIAL PRECINCT

The permissibility of uses is to be in accordance with Residential zone as specified under the scheme. Rural development involving high capital investment, offensive trades, mushroom farms and/or of a long-term nature will generally be discouraged. Other Rural uses may be considered. Unless otherwise identified on Plan 2 'The Local Structure Plan' the residential density to apply to this precinct is R20.

Objective/s

To encourage residential development and to allow for rural uses and development to be approved by Council if it is considered that such uses will not compromise the intention to develop the precinct for residential purposes in the medium and longer term.

In assessing a rural application within this precinct, consideration will be given to the following matters:

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

4.2 CENTRE ZONE

In accordance with the provisions of the Centre Zone under the Scheme no subdivision or other development shall be commenced or carried out in a Centre Zone until an Agreed Structure Plan has been prepared and adopted under the provisions of the Scheme. The permissibility of uses in the Centre Zone shall be determined in accordance with the provisions of the Agreed Structure Plan. In respect to the northern center zone, the permissibility of uses shall be determined in accordance to Agreed Structure Plan No 16 for Landsdale Garden Estate Neighbourhood Centre.

4.3 BUFFER PRECINCT

Clause 4.3 relating to the Buffer Precinct has been deleted in accordance with Amendment No. 2 of Agreed Structure Plan East Wanneroo Cell 5 approved by the Council at its meeting held on the 15 March 2005 (PD01-03/05) and by the Western Australian Planning Commission on the 6 May 2005.

4.4 SPECIAL RESIDENTIAL PRECINCT

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

Objectives:

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

Criteria to be satisfied:

- a) the minimum lot size shall be 5000 square metres;
- b) Except to the extent necessary for the construction of approved buildings and driveways, no land shall be cleared of vegetation without prior approval of the Council;
- c) Electricity shall be provided by means of underground cables to all buildings;
- d) All storm water runoff shall be disposed of by drainage systems constructed with the adjacent residential area to the satisfaction and specifications of Council;
- e) The Council may, as a condition of any approval granted under special provision (b) require the owner and occupier of the land to plant and maintain to its satisfaction native trees and shrubs;
- f) Protection of the Christmas Trees to the satisfaction of the City of Wanneroo; and
- g) Other appropriate factors.

5.0. ENVIRONMENTAL PROVISIONS

- a) Prior to undertaking any earthworks or development of the land the landowners shall demonstrate to the satisfaction of the City of Wanneroo and the Western Australian Planning Commission that nursery or market garden uses have not occurred on the subject land, or, undertake a Soil Contamination Assessment of the land, at the landowner's cost to determine the presence or

absence of soil contamination to the satisfaction of the Department of Environmental Protection.

- b) Should any soil contamination be identified in the soil contamination assessment, a Site Remediation and Validation Report for the subject land shall be prepared at the landowner's cost by the developer/subdivider and remediation works shall be undertaken at the landowner's cost for all identified contamination and should be validated as being free of contamination above acceptance guidelines to the satisfaction of the Department of Environmental protection, prior to undertaking any earthworks or development of the land.
- c) The subdivider/landowner shall demonstrate to the satisfaction of the City of Wanneroo and the Western Australian Planning Commission that surface water drainage within the subject land will be disposed off in a manner that minimises the impacts on the nearby significant wetlands, including potential surface water contamination.

6.0 INFRASTRUCTURE CONTRIBUTIONS

- a) The contributions to be made by an owner for the implementation of the Cell Works shall be determined in accordance with the scheme.
- b) Cell Costs shall be reviewed in accordance with the relevant scheme provisions relating to the "Revision of Cell Costs".
- c) Current rate of contribution for Cell 5 and the associated breakdown of costs can be obtained from the City of Wanneroo Administration.

7.0 PUBLIC OPEN SPACE (POS) PROVISION

The following Schedule 3 details the Public Open Space (POS) which is to be provided by landholders for each lot within Cell 5. The POS allocation reflects the distribution of POS on the Agreed Structure Plan for Cell 5.

SCHEDULE 3: PUBLIC OPEN SPACE PROVISION – CELL 5

Public Open Space (hectares)	Lot No	Area (ha)
5A	Pt Lot 3 Gngangara Road Unconstructed Rd reserve Lot 4 Gngangara Road	0.1087
		0.1884
		0.3917
		Sub total
5B (POS existing)	North Whitfords Estate	
5C (POS existing)	"	
5D (POS existing)	"	
5E (POS existing)	"	
5F	"	
5H (POS existing)	"	
	Sub total	15.6900
5G	Lot 45 Kingsway Lot 46 Kingsway	0.3581
		0.3646
		Sub Total
5I	Lot 23 Kingsway Lot 24 Kingsway Lot 26 Rangeview Road Lot 59 Landsdale Road Lot 60 Landsdale Road Lot 61 Landsdale Road	0.1331
		0.5267
		0.0960
		0.4030
		1.6187
		0.3005
		Sub Total
5J	Lot135 Landsdale Road Lot134 Landsdale Road	0.7575
		0.3248
		Sub Total
Community Purpose Site	Lots 61 & 62 Landsdale Road	0.5000
		Sub-total
Historic POS	Portion of Res 24794 & 24921 Portion of Res 34683	3.2107
		2.4645
		Sub total
Total POS Provision		27.4370