

**AGREED STRUCTURE PLAN**

**EAST WANNEROO CELL 1**

**(TAPPING AND ASHBY)**

**(As Amended)**

**Structure Plan No. 3**

**This Structure Plan is prepared under the provisions of the  
City of Wanneroo Town Planning Scheme**

**Record of Amendments made to the Agreed Structure Plan**  
**East Wanneroo Cell 1**

<b>Amendment No.</b>	<b>Description of Amendment</b>	<b>Council Adopted</b>	<b>WAPC Adopted</b>
1	To recode certain lots located at the southern part of the Agreed Structure Plan area from R20 to R40	27 April 2004	1 April 2005
2	Modifies the road layout and the distribution of the Public Open Space areas over Lot 2706 Pinjar Road, Tapping.	11 Aug 2004	1 April 2005
3	Modifies the road layout, density codes and the distribution of Public Open Space over Crown Reserve 27294, Lots 1, 20, 21 and 22 Wanneroo Road and Lots 14, 15, 17, 18 and Pt Lot 101 Clarkson Avenue, Tapping.	9 Sept 2004	1 April 2005
4	Recodes minor portions of Lot 13 Wanneroo Road, Ashby from R20 to R40	5 Oct 2004	1 April 2005
5	Recodes Lots 235-259 Taplow Parade, portion of Lot 25 Pinjar Road and portion of Lot 9006 Pinjar Road, Ashby from R20 to R40.	15 March 2005	1 April 2005
6	Recodes minor portions of Lots 25 and 26 Pinjar Road, Ashby from R20 to R40	6 May 2005	15 June 2005
7	Recodes the residential portion of Lots 23 & 24 Ashley Road, Tapping from R20 to R30 & R40	9 Sept 2005	27 June 2005
8	Recodes Lot 135 Paxton Way, Ashby from R20 to R40	28 Feb 2006	22 June 2006
9	Modifies the road layout of Lot 501 Conti Road & Lot 502 & Lot 9601 Pinjar Road, Ashby and recodes a portion of that land from R20 to R40.	6 June 2006	29 Aug 2006
10	Recodes Lots 118 and 120 Gosford Meander and Lots 121 and 134 Paxton Way, Ashby from R20 to R40	15 July 2006	5 Dec 2006

<b>Amendment No.</b>	<b>Description of Amendment</b>	<b>Council Adopted</b>	<b>WAPC Adopted</b>
13	<p>Recodes the following lots in Ashby from R20 to R40:</p> <p>Lots 101, 104, 106-116, 123-126, 273-274, 277-278, 283, 285-287, 289, 291-293 Gosford Meander</p> <p>Lots 129-132, 136-137, 246-250, 280-282 Sistina Road</p> <p>Lots 138-144 Hennessy Drive</p> <p>Lots 251-263 Shipton Loop</p> <p>Lots 264-267 Cranley Link</p> <p>Lot 9013 Pinjar Road, Sinagra</p>	12.2.08	30.6.08
11	<p>Rezones Lot 9602 Pinjar Road, Ashby from Residential to Centre Zone, with a maximum net lettable area of 4600m<sup>2</sup>, &amp; Community Purpose Site; and</p> <p>Rezones Lot 25 Ashley Road, Tapping from Centre Zone to Residential Zone with a density coding of R20</p>	<p>SAT Matter No. DR 171/2008 10.9.08</p>	<p>SAT Matter No. DR 171/2008 10.9.08</p>
14	Recodes Lot 208 Grallina Way, Tapping from R20 to R30	16.12.08	10.3.09
16	<ul style="list-style-type: none"> <li>Deletes the Community Purpose site from Lot 9603 Pinjar Road, Ashby and relocates it on a portion of Lot 9031 Waldburg Drive, Tapping</li> <li>Recodes a portion of Lot 9031 Ashley Road, Tapping from Residential R20 to R40.</li> </ul>	9.2.10	23.3.10
12	<ul style="list-style-type: none"> <li>Rezones Lot 19 Clarkson Avenue, Tapping from Residential Precinct to Commercial Zone and Residential Precinct (R40);</li> <li>Modifies Schedule 1 to include the NLA as 1100m<sup>2</sup> ; and</li> <li>Includes an additional provision relating to the Commercial Zone</li> </ul>	18.11.08	9.5.11

# **PART 1**

## **STATUTORY PLANNING SECTION**

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

### **Subject Area**

The Structure Plan area includes approximately 61 private landholdings comprising approximately 306 hectares (ha) and 6 crown reserves.

#### **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 the following Schedule 1.

### **SCHEDULE 1; RETAIL FLOORSPACE PROVISION**

<b>NEIGHBOURHOOD CENTRE</b>	<b>MAXIMUM NET LETTABLE AREA (ROUNDED TO THE NEAREST 50 m<sup>2</sup>)</b>
<b>Lot 9602 Pinjar Road, Ashby</b>	<b>4600 m<sup>2</sup></b>
<b>Lot 19 Clarkson Avenue, Tapping</b>	<b>1100 m<sup>2</sup></b>

## **4. PROVISIONS**

### **4.1 RESIDENTIAL PRECINCT:**

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

#### **Objective/s**

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

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

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

### **4.2 BUFFER PRECINCT:**

Based on the Western Australian Planning commission's Statement of Planning Policy No.5 – Poultry Farms, a 500 metre buffer precinct from the poultry sheds at Lot 39 Pinjar Road, Mariginiup is proposed.

Whilst it is generally intended that land uses within the Buffer Precinct will be guided by the Agreed Structure Plan, prior to the Council issuing a use or development approval, or, giving subdivision support to an application within the Buffer Precinct (i.e.; within 500 metres of the activity requiring the buffer measured from the boundary of the lot containing the activity or from a point determined by Council) the Agreed Structure Plan will need to be modified to remove the Buffer Precinct zoning and replace it with an appropriate zoning e.g., Residential Precinct. Such a modification will only be supported by Council if either:

- a) the activity requiring the buffer has ceased operating indefinitely; or
- b) the applicant can clearly demonstrate that the odour and/or other impacts associated with the activity can be ameliorated or do not impact on the land

subject to the proposed modification to the satisfaction of Council, Western Australian Planning Commission (WAPC) and the Department of Environmental Protection (DEP).”

Consideration of Rural uses within the Buffer Precinct are the same as those in the Residential Precinct.

#### **4.3 CENTRE ZONE:**

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

#### **4.4 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 no land use activities which may have led to soil contamination/land pollution have occurred on the subject land, or, undertake a Soil Contamination Assessment of the land, at the landowners’ cost, to determine the presence or absence of soil contamination to the satisfaction of the Department of Environmental Protection.
- b) Should any soil contamination be identified in the soil contamination assessment, a Site Remediation and Validation Report for the subject land shall be prepared at the landowners’ cost by the developer/subdivider and remediation works shall be undertaken at the landowners’ cost for all identified contamination and should be validated as being free of contamination above acceptance guidelines to the satisfaction of the Department of Environmental Protection, prior to undertaking any earthworks or development of the land.
- c) The subdivider/landowner shall demonstrate to the satisfaction of the City of Wanneroo and the Western Australian Planning Commission that surface water drainage within subject land will be disposed of in a manner that minimises the impacts on the nearby significant wetlands, including potential surface water contamination.
- d) At the subdivision stage the landowner shall review the existing geotechnical information and undertake further site investigation to confirm the nature and extent of karst landform within the subdivision/development application area. This review shall be completed to the requirements of the City of Wanneroo on advice from the Department of Environmental Protection prior to the consideration of any subdivision/development application.

## **4.5 COMMERCIAL ZONE**

### **Objective:**

To make provision for a Local Centre.

### **Development Standards**

The permitted uses and development standards within this zone shall be those permitted in the Commercial Zone of the Scheme.

The general criteria to be satisfied within this zone are as follows:

- a) Integration of the Local Centre with the surrounding development utilising best practice principles aimed at minimising opportunities for crime and anti-social behavior; and
- b) Service areas, bin and material storage areas and services such as air conditioners, compressors and other machinery shall be screened from view off Wanneroo Road, the streets and the adjoining residential areas.

## **5. INFRASTRUCTURE CONTRIBUTIONS**

- a) The contributions to be made by an owner for the implementation of the Cell Works shall be determined in accordance with the scheme.
- b) Cell Costs shall be reviewed in accordance with the relevant Scheme provisions relating to the 'Revision of Cell Costs'.
- c) Current rate of contribution for Cell 1 and the associated breakdown of costs can be obtained from the City of Wanneroo.

## **6. PUBLIC OPEN SPACE (POS) PROVISION**

The following Schedule 2 details the Public Open Space (POS), which is to be provided by landholders for each lot within Cell 1. The POS allocation reflects the distribution of POS on the Agreed Local Structure Plan for Cell 1.

**SCHEDULE 2 PUBLIC OPEN SPACE (POS) PROVISION; CELL 1**

<b>Public Open Space</b>	<b>Lot No</b>	<b>Extent (ha)</b>
1AA	Cedarwoods Estate	1.0906
	<b>Sub Total</b>	<b>1.0906</b>
1AB	Cedarwoods Estate	0.7017
	<b>Sub Total</b>	<b>0.7017</b>
1B	Res 27294 (Extg)	0.8654
	Lot 2706 Pinjar Road	1.1848
	Lot 12 Clarkson Avenue	0.0374
	<b>Sub Total</b>	<b>2.0876</b>
1C	Lot 25 Ashley Road	
	Lot 2714 Ashley Road	5.7841
	Res 27294 (Extg)	1.0576
	Lot 2706 Pinjar Road	0.6267
	Lot 12 Clarkson Avenue	1.2118
	<b>Sub Total</b>	<b>8.6802</b>
1D	Lot 2706 Pinjar Road	3.9890
	<b>Sub Total</b>	<b>3.9890</b>
1E	Lot 500 Conti Road	2.2214
	<b>Sub Total</b>	<b>2.2214</b>
1F	Lot 20 Carosa Road	0.3944
	Lot 501 Conti Road	0.4440
	Lot 21 Carosa Road	0.6060
	Lot 18 Pinjar Road	0.1338
	<b>Sub Total</b>	<b>1.5782</b>
1G	Lot 25 Pinjar Road	0.0186
	Lot 24 Pinjar Road	0.3960
	Pt Lot 15 Pinjar Road	0.0855
	<b>Sub Total</b>	<b>0.5001</b>
1H	Lot 2706 Pinjar Road	0.4219
	Lots 1 & 2 Conti Road	0.6370
	<b>Sub Total</b>	<b>1.0589</b>
1J	Res 27071 (Extg)	3.7206
	Closed Road	0.4109
	<b>Sub Total</b>	<b>4.1315</b>
1K	Lot 1 Pinjar Road	0.6754
	<b>Sub Total</b>	<b>0.6754</b>
1L	Lot 4 Conti Road	0.2552
	<b>Sub Total</b>	<b>0.2552</b>
1M	Lot 2707 Conti Road	0.9629
	<b>Sub Total</b>	<b>0.9629</b>
Community Purpose Site	Lot 25 Ashley Road	0.5000
	<b>Sub Total</b>	<b>0.5000</b>
	<b>Total POS Provision</b>	<b>28.4327</b>