

**CONSOLIDATED DOCUMENT
AMENDMENTS 1 – 16**

**BUTLER-RIDGEWOOD AGREED
LOCAL STRUCTURE PLAN**

(AS AMENDED)

**Structure Plan No. 27
Adopted: 4 June 2002**

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

Record of Amendments made to the Butler Ridgewood Agreed Local Structure Plan

Amendment No.	Description of Amendment	Finally Endorsed Council	Finally Endorsed WAPC
1.	Extension of coverage west of Connolly Drive. Stage 21, Primary School, Open Space and other Schools.	20.6.03	4.4.04
2.	Extension of coverage east of Connolly Drive and north of Lukin Drive.	20.6.03	4.4.04
3.	Introducing R-Code Variations, a split R20/30 coding designation and detailed area plans.	20.6.03	4.4.04
4.	Recoding Cottage Lots east of Marmion Avenue from R25 to R30.	20.6.03	4.4.04
5.	Extension of coverage north of Benenden Drive.	20.6.03	4.4.04
6.	Extension of coverage east of Connolly Drive to the southern extent of the railway alignment and designation of R20/30.	11.10.04	30.09.03
7.	Extension of coverage to incorporate the undeveloped portion of Ridgewood.	15.03.05	11.04.05
8.	To rationalize the zonings over Lot 101, 103, 12675 and 12676 (previously Lot 102) and Lot 12677 Lukin Drive and Connolly Drive, Brighton to reflect land use and land exchanges in Brighton.	6.01.04	24.11.04
9.	Extension of coverage east of Connolly Drive and north of Lukin Drive, including Residential, Mixed Use and Business Zones.	11.02.05	11.04.05
10.	Extension of coverage to incorporate land adjacent the District Centre and portions of land adjacent Connolly Drive and the Freeway. Recoding of a portion of land adjacent Marmion Avenue to R40, insertion of guidelines for lots overlooking POS, minor amendments to New Choice provisions and minor modifications to the text and Table A.	26.6.07	21.2.08
11.	Introduction of New Choices Special Design Precinct and Special Provisions.	3.10.05	3.04.06
12.	Extension of coverage over Lots 32 and Pt Lot 33 Connolly Drive.	28.11.05	8.06.06
13.	Modify zonings on either side of Lukin Drive adjacent Butler Station and minor modifications to Table A	8.05.08	27.02.09

Amendment No.	Description of Amendment	Finally Endorsed Council	Finally Endorsed WAPC
14.	To include the northern portion of Lot 8 Marmion Avenue (including the District Centre and western portion of Brighton Boulevard Activity Corridor) in the Butler-Ridgewood Local Structure Plan and to introduce modified setback provisions to laneways, and reword Point (1) of Other Requirements of Clause 5.2 – New Choices Special Design Precinct.	11.06.10	08.07.10
15.	Rezones Lot 1581 Ashbourne Avenue, and Lots 2446 and 2447 Portaferry Gardens, Ridgewood, from "Mixed Use" Zone to "Residential R60" zone.	06.12.10	14.10.11
16.	Rezones Lot 201 Chipping Crescent, Butler from "Business" zone to "Residential R40" zone.	22.02.11	14.10.11

BUTLER RIDGEWOOD AGREED STRUCTURE PLAN

OVERVIEW

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

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

This Butler Ridgewood Agreed Local Structure Plan (LSP), (previously titled the Butler (Brighton) Local Structure Plan), was endorsed by the Western Australian Planning Commission (WAPC) and the City of Wanneroo on 4 June 2002.

Following adoption of the LSP a number of amendments have been finalised to reflect the incremental extension of the development area and subdivision approvals within the Brighton estate. This is done by expanding the coverage of the Structure Plan, Zoning and RD-Code plans and introducing new provisions where relevant. Details of finalised amendments as of August 2006 to the LSP are detailed below:

- Amendment No. 1 - Extension of coverage west of Connolly Drive. Stage 21, Primary School, Open Space and other Schools;
- Amendment No. 2 - Extension of coverage east of Connolly Drive and north of Lukin Drive;
- Amendment No.3 – Introducing R-Code variations, a split R20/30 coding designation and detailed area plans;
- Amendment No. 4 - Recoding cottage lots east of Marmion Avenue from R25 to R30;
- Amendment No.5 – Extension of coverage north of Benenden Drive.
- Amendment No. 6 – Extension of coverage east of Connolly Drive to the southern extent of the railway alignment and designation of R20/30.
- Amendment No. 7 - Extension of coverage to incorporate the undeveloped portion of Ridgewood.
- Amendment No. 8 – To rationalize the zonings over Lot 101, 103, 12675 and 12676 (previously Lot 102) and Lot 12677 Lukin Drive and Connolly Drive, Brighton to reflect land use and exchanges in Brighton.
- Amendment No. 9 – Extension of coverage east of Connolly Drive and north of Lukin Drive, including Residential, Mixed Use and Business Zones.
- Amendment No. 10 - Extension of coverage to incorporate land adjacent the District Centre and portions of land adjacent Connolly Drive and the Freeway. Recoding of a portion of land adjacent Marmion Avenue to R40, insertion of guidelines for lots overlooking POS, minor amendments to New Choice provisions and minor modifications to the text and Table.

- Amendment No. 11 – Introduction of New Choices Special Design Precinct and Special Provisions.
- Amendment No. 12 – Extend Structure Plan coverage over Lots 32 and Pt Lot 33 Connolly Drive.
- Amendment No. 13 – Modify Zonings on either side of Lukin Drive adjacent Butler Station and minor modifications to Table A
- Amendment No. 14 - To include the northern portion of Lot 8 Marmion Avenue (including the District Centre and western portion of Brighton Boulevard Activity Corridor) in the Butler-Ridgewood Local Structure Plan and to introduce modified setback provisions to laneways, and reword Point (1) of Other Requirements of Clause 5.2 – New Choices Special Design Precinct.
- Amendment No. 15 – Rezones Lot 1581 Ashbourne Avenue, and Lots 2446 and 2447 Portaferry Gardens, Ridgewood, from “Mixed Use” Zone to “Residential R60” zone.
- Amendment No. 16 – Rezones Lot 201 Chipping Crescent, Butler from “Business” zone to “Residential R40” zone.

Following the approval of Council and the WAPC, these amendments have now been combined into this ‘Consolidated Structure Plan’ document, which as of August 2006 is the operational Part 1 document. Each Amendment may also still be viewed as a separate document at the City which includes more detail of each proposal.

To assist in interpreting the Structure Plan the Brighton Master Plan and a consolidated Structure Plan are included overleaf. These are non statutory plans and are provided for information and descriptive purposes only.

PART 1

STATUTORY PLANNING SECTION

BUTLER RIDGEWOOD AGREED LOCAL STRUCTURE PLAN

As provided for under the provisions of the Scheme, this part of the Butler Ridgewood Agreed Local Structure Plan has the same force and effect as a provision, standard or requirement of the Scheme.

SUBJECT AREA

The Structure Plan area includes all of the land covered by the Butler Joint Venture Group at Brighton comprising the Ministry of Housing, Satterley Property Group, Wyllie Group and Home Building Society and others and comprises a total area of approximately 584 hectares. The original lot details are as follows:

- Pt Lot 11 Connolly Drive.
- Pt Lot 31 Connolly Drive.
- Lot 32 Connolly Drive.
- Lot 33 Connolly Drive.
- Pt Lot 7 Marmion Avenue.
- Lot 8 Marmion Avenue.
- Lot 101 Connolly Drive
- Lot 103 Connolly Drive
- Lot 12675 Lukin Drive
- Lot 12676 Lukin Drive

1.0 AGREED LOCAL STRUCTURE PLAN

Plan 1: The Local Structure Plan.

2.0 ZONES

Plan 2: The Zoning Plan.

3.0 RESIDENTIAL DENSITY CODING

Plan No.3: Residential Code Plan applies residential codings within the Structure Plan area.

Unless otherwise nominated on Plan No.3 a dual coding of R20/30 applies to the Structure Plan Area.

Within areas designated R20/30 the R20 code applies except for lots with vehicular access to a public laneway where the R30 code applies. This does not include lots on public laneways with vehicular access limited to a side boundary, only. Such lots remain Traditional or Garden Lots by definition in Table A.

4.0 PROVISIONS

4.1 Residential Zone

The provisions, standards and requirements of this Zone are in accordance with those applicable to the same Zone as are included in the City's District Planning Scheme No. 2 (the Scheme) and the RD-Codes including those standards included in Table No.1.

A key objective for this zone is the promotion of the siting and design of dwellings to maximise solar access and energy efficiency and to encourage the location of living areas and major activity areas such as courtyards on the solar boundary.

4.1.1 Vehicle Access

All rear laneway lots shall gain vehicle access from the laneway only.

4.1.2 Nominated Zero Lot Line

Unless otherwise depicted on an adopted Detailed Area Plan the nominated Zero Lot Line boundary for any lot is the southernmost or westernmost boundary (except where this boundary is to a secondary street).

4.1.3 Detailed Area Plans

Detailed Area Plans may be prepared for any lot within the Structure Plan Area to indicate Acceptable Development standards which apply for those lots pursuant to the RD-Codes and the RD-Code Variations contained in Table A and any other matters deemed relevant. Detailed Area Plans will be endorsed by the City of Wanneroo.

4.1.4 Table A

Table A includes those variations to the RD-Codes which are deemed to constitute Acceptable Development within the Structure Plan Area and where neighbour consultation and planning approval is not required.

4.1.5 Public Open Space Lots

In addition to the Acceptable Development Standards of Table A, for those lots immediately adjacent Public Open Space the following provisions shall apply:

- i) a 3 metre setback from the Public Open Space frontage;
- ii) must have a minimum of one habitable room with a major opening facing toward the Public Open Space area - where, for the purposes of this Clause, a "habitable room" means a room that is used for normal domestic activities and includes a living room, lounge room, sitting room, television room, kitchen, dining room, however, does not include a bedroom; and
- iii) permeable fencing to the public open space boundary to the specification and satisfaction of the City.

4.2 Centre Zone & Urban Development Zone

In accordance with the provisions of the Centre Zone and Urban Development Zone under the Scheme, no subdivision should be or other development shall be commenced in these zones until Agreed Structure Plans have been prepared and adopted for these zones under the provisions of the Scheme. The permissibility of uses in these zones shall be determined in accordance with the provisions of these Agreed Structure Plans.

4.3 Special Zone – Restricted Use

Notwithstanding anything contained in Table No. 1 of District Planning Scheme No. 2 the land specified in Schedule A of this Structure Plan may only be used for the specific use or uses that are listed and subject to the conditions set out in Schedule A (below) with respect to that land.

SCHEDULE A

No.	Street/Locality	Particulars of land	Restricted Use and Conditions (where applicable)
A1	Alveley Loop, Butler	Lot 996	<ul style="list-style-type: none">▪ Telephone Exchange
A2	Alveley Loop, Butler	Lot 980	<ul style="list-style-type: none">▪ MATV site

4.4 Business Zone

The provisions, standards and requirements of this Zone are in accordance with those applicable to the same Zone as are included in the City's District Planning Scheme No. 2 (the Scheme).

4.5 Civic and Cultural Zone

The provisions, standards and requirements of this Zone are in accordance with those applicable to the same Zone as are included in the City's District Planning Scheme No. 2 (the Scheme).

4.6 Mixed Use Zone

The provisions, standards and requirements of this Scheme relating to Mixed Use Zone, The Residential Design Codes (RD Codes) and the RD Code variations included in Table A of this Structure Plan are applicable.

4.7 Private Clubs/Recreation Zone

The provisions, standards and requirements of this Zone are in accordance with those applicable to the same Zone as are included in the City's District Planning Scheme No. 2 (the Scheme).

4.8 Local Scheme Reserves

The provisions, standards and requirements of this Reserve are in accordance with those applicable to the same Reserve as are included in the City's District Planning Scheme No. 2 (the Scheme).

4.9 Setbacks to Rear Laneways

All garages and dwellings shall be setback from the rear lot boundary abutting a laneway as follows:

- 0.5m minimum setback where the rear boundary abuts a laneway of 6.0m or greater in width.
- 1.0m minimum setback where the rear boundary abuts a laneway of 5.0m in width.

5.0 OTHER PROVISIONS

5.1 Heritage

Authorisation being issued by the Department of Indigenous Affairs prior to the subdivision/development of the land to ensure sites of heritage significance receive appropriate protection/recognition under the relevant Act.

5.2 New Choices Special Design Precinct

The following Structure Plan provisions apply to those New Choices Special Design Precincts as identified on Plan No. 4 and coded R60.

The provisions of the R-Codes apply generally within the Precincts, however, the following Structure Plan provisions take precedence over, and operate as variations to, the relevant R-Code standards and thereby constitute Acceptable Development.

Setbacks

The requirements of the R-Codes generally apply to all setbacks (Primary, Secondary Street and Other/Rear) except as otherwise provided in the Tables below.

SETBACKS TO PRIMARY STREET		
	Min. (m)	Max. (m)
Dwelling	2.0	4.0
Verandah	1.5	3.0

Note: The front setback averaging provision of the R-Codes do not apply

Boundary Walls

- 1 The front setback for the purpose of calculating the length of a boundary wall is the front of the building on that boundary.
- 2 The following boundary wall variations only apply to development on lots less than 540m² in area. For all other lots the standard requirements of the R-Codes for boundary walls apply.

2.1 Height and Length

BOUNDARY WALLS		
Description	Max. height	Max. length
Single Storey	3.5m	No limit
Two Storey & Above	6.5m	12m

- 2.2 Except for corner lots boundary walls to both side boundaries of a lot constitutes Acceptable Development.

Site Cover

- 1 Maximum site cover is 75%

Plot Ratio

- 1 The Plot ratio requirements of the R-Codes do not apply.

Outdoor Living

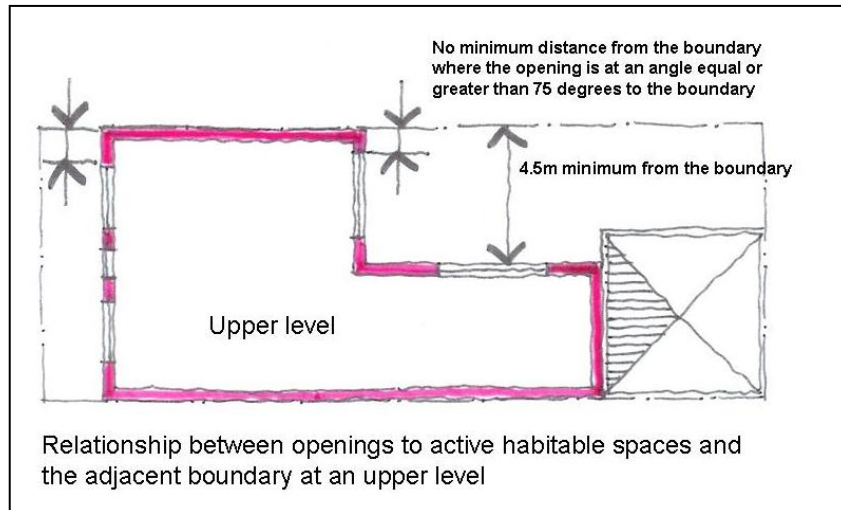
- 1 An Outdoor Living Area with a minimum usable space of 24m² and minimum dimension of 4m, which may include land within the nominated secondary street setback area.
- 2 No more than one third of the outdoor living area may be covered by the main roof of the dwelling.
- 3 Outdoor Living Areas shall be located on the northernmost or easternmost side boundary to maximise solar access.

Car Parking

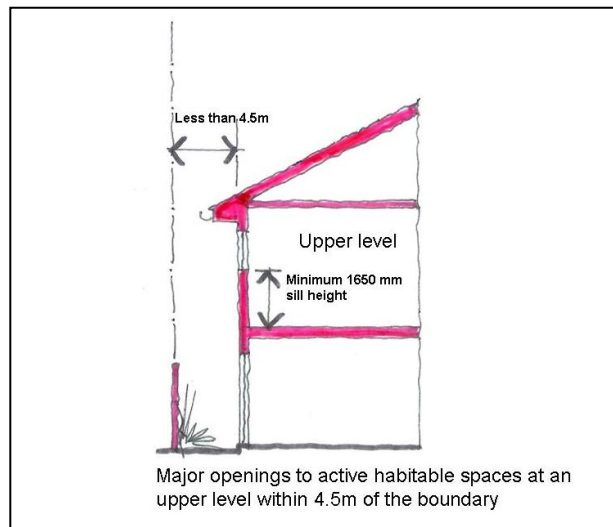
- 1 Of the two bays required per dwelling, one car bay shall be covered.
- 2 Ancillary accommodation located above the garage on laneway lots with a plot ratio area of not greater than 40m² does not require an additional car parking bay on site.

Privacy

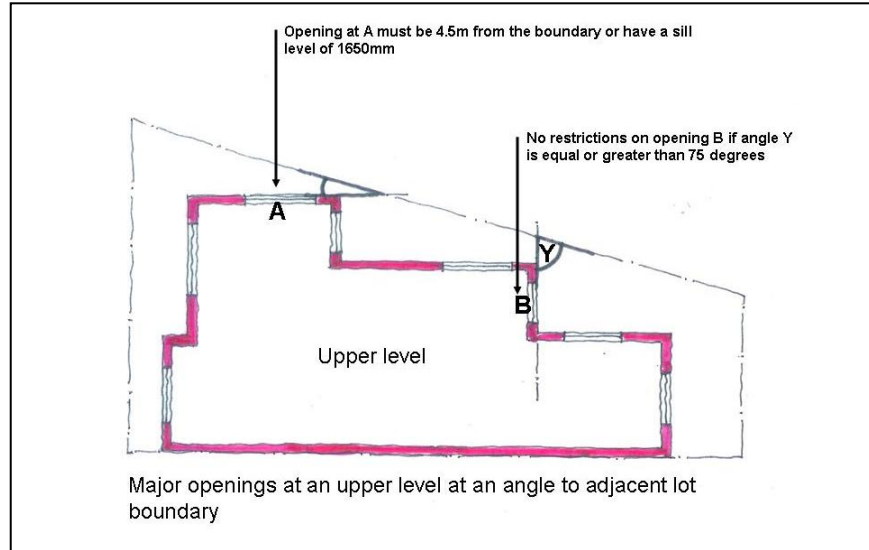
- 1 Major openings to active habitable spaces, or their equivalent, with a floor level more than 0.5m above natural ground level shall be at least 4.5 metres away from a boundary to another lot.



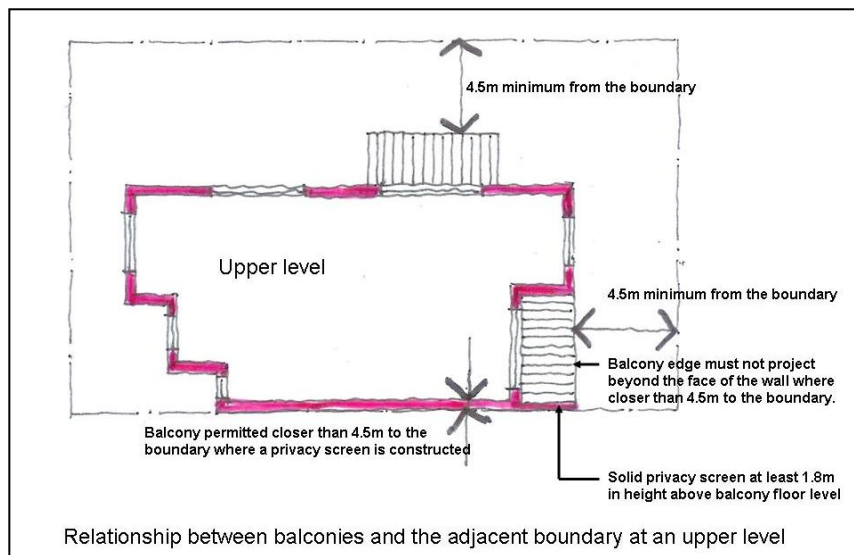
- 2 Major openings at all upper levels including the split levels may be located within 4.5 metres provided the sill level of the major opening is at least 1650mm above its finished floor level.



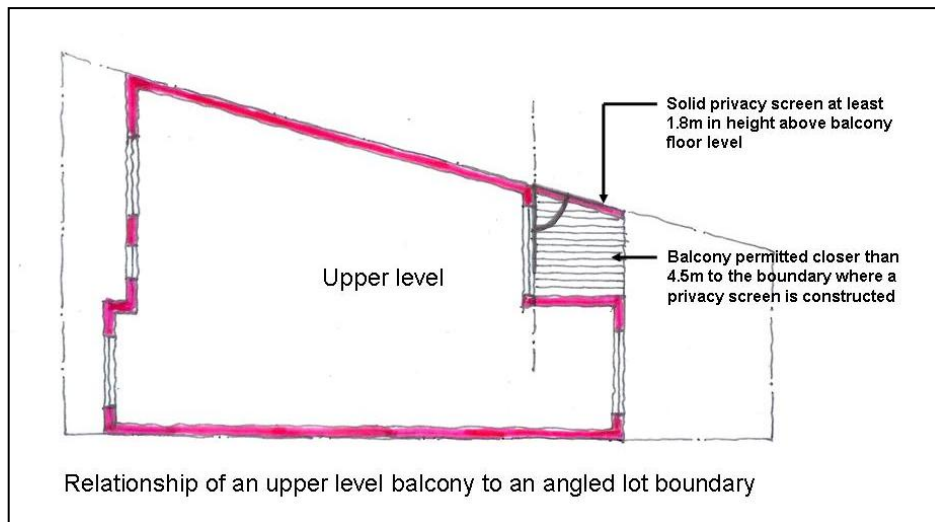
- 3 No minimum distance from the boundary where the major opening is situated in a wall at an angle greater than 75 degrees from the boundary.



- 4 Balconies or decks at an upper level shall be located at least 4.5m from the boundary, except as described in clauses 5 and 6 below.



- Balconies or decks at an upper level may be located within 4.5m of the boundary to an adjacent lot where the wall is equal to, or greater than, 75 degree to the boundary, provided that the balcony does not project beyond the face of the wall.



- Where a balcony or deck at an upper level is located within 4.5m of a boundary with another lot, the balcony shall incorporate a permanent solid vertical screen to a height of 1.8m above the finished floor level on the side of the balcony facing the adjacent property.

Other Requirements

- 1 a) For those R60 coded lots between 360m² and 800m² and being of a type and configuration which can 'capably and practically' accommodate more than one dwelling (see criteria under sub-clause (c)), the City shall require the submission and approval of a Detailed Area Plan (DAP) which stipulates the minimum number of dwellings to be constructed on that lot. The City will request the Western Australian Planning Commission impose a condition on any subdivision approval in the R60 areas requiring the preparation of a DAP for such lot(s). The geographical area to which a DAP relates shall be to the satisfaction of the City.

- b) Unless otherwise approved by the City under sub-clause (d), development of R60 coded lots covered by a DAP shall comply with the approved DAP.

- (c) For the purpose of this Clause (1), a lot is not considered to be able to 'capably and practically' accommodate more than one dwelling where any one or more of the following circumstances apply:
 - The lot is irregular in shape (see Example A on Figure 1);
 - The lot has been sized to address a particular amenity or design constraint (i.e. deeper lots abutting freeway/railway – see Example B on Figure 1 and 2);
 - The lot is 12.5m wide or less as measured at the primary street frontage and does not have laneway access for vehicles (see Example C on Figure 1 and 2);

- Presence of side and/or rear retaining walls restrict practical vehicle access for multiple garages (See Example D on Figure 1);
- City engineering and site distance safety requirements on corners restrict vehicle access options (See Example E on Figure 2);
- Other circumstances as determined by the City.

(d) To encourage diversity of accommodation and mixed use, the City may, at its discretion, allow fewer than the maximum number of dwellings on a lot than stipulated by a DAP, in the following circumstances:

- The dwelling includes a self contained ancillary accommodation unit which meets the definition of Ancillary Accommodation under Appendix 1 of the R Codes ;
- The dwelling is designed to allow for conversion of at least 20m² of the ground floor to mixed use/office;
- The DAP and/or design of the dwelling demonstrates how a future additional dwelling(s), to the maximum possible under the coding, can be accommodated without demolition of the original dwelling).

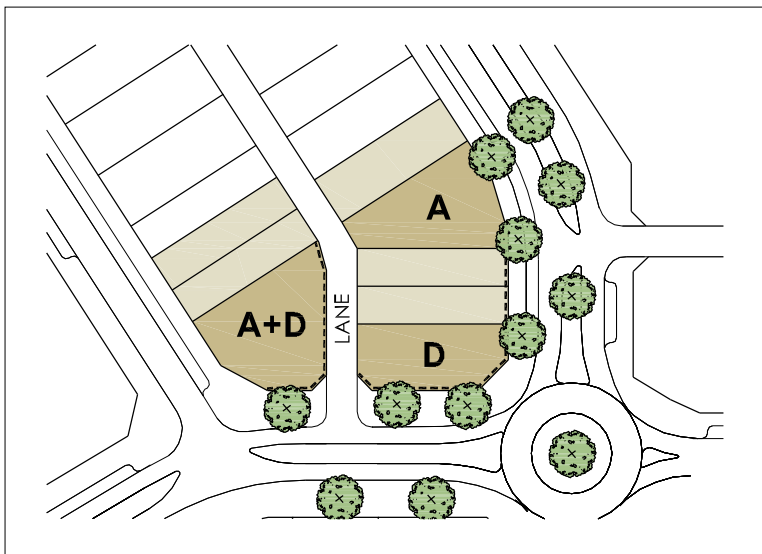
(e) In determining the maximum number of dwellings achievable Council will reference Table 1 of the R Codes and apply the Average Minimum Site Area standard for the R60 Code being 180m².

2 Design Element No. 9 (Climate) of the R-Codes does not apply within this Precinct.

TABLE A – RD-CODE VARIATION TABLE			
<p>The following variations to the RD-Codes constitute Acceptable Development. Any development which complies with the RD-Codes, the requirements of this Table and/or any adopted Detailed Area Plan, does not require a separate Planning Approval or consultation with neighbours or other landowners. Except as provided for in this table all other RD-Code requirements apply.</p>			
<p>Note: Within areas designated R20/30 the R20 code generally applies except for those lots serviced by a public laneway along the rear boundary where the R30 code applies unless other nominated.</p>			
1. Front Setbacks			
Lot Type	Minimum	Average	Garage/Carport
Traditional Lots (R20) (>550m ²)	As per RD-Codes		Where applicable 4.5m minimum front setback applies to any garage/carport built up to a side boundary;
Garden Lots (R20) (425m ² - 550m ²)	3.0m	4.5m	
Cottage Lots (R30 – R40)	1.5m	3.0m	N/A
Front loaded lots (R30 and R40)	1.5m	3.0m	Minimum 3.0m
<p>The “front setback” standard to be applied when calculating the acceptable length of any boundary wall (pursuant to Clause 3.3.2 A2 (iii) of the RD-Codes) is the front of the building itself on that boundary.</p>			
2. Private Open Space Reduction			
<p>The minimum open space requirement for Cottage and Garden lots may be reduced from those specified in the RD-Codes to a minimum of 30% and 40% respectively subject to compliance with the following criteria;</p> <ul style="list-style-type: none"> (a) Minimum 2.0 metre side boundary setback to habitable rooms with major openings on the northernmost or easternmost boundary. (b) Any boundary wall (if proposed) to be built on the nominated Zero Lot Line boundary and in accordance with the standards of the RD-Codes and this Table. (c) Provision of an Outdoor Living Area designed in accordance with the RD Codes and directly accessible from an internal living area on the northernmost or easternmost boundary. <p>Where the outdoor living area is not directly accessible from an internal living area, provision of an additional outdoor living area which complies with the following criteria:</p>			
Lot Type	Min.Area	Min. Dimension	Other
Cottage	20m ²	4	<ul style="list-style-type: none"> 1. May be included under the roof of the main dwelling 2. Must be located on the northernmost or easternmost side boundary of the dwelling
Garden	25m ²	4	

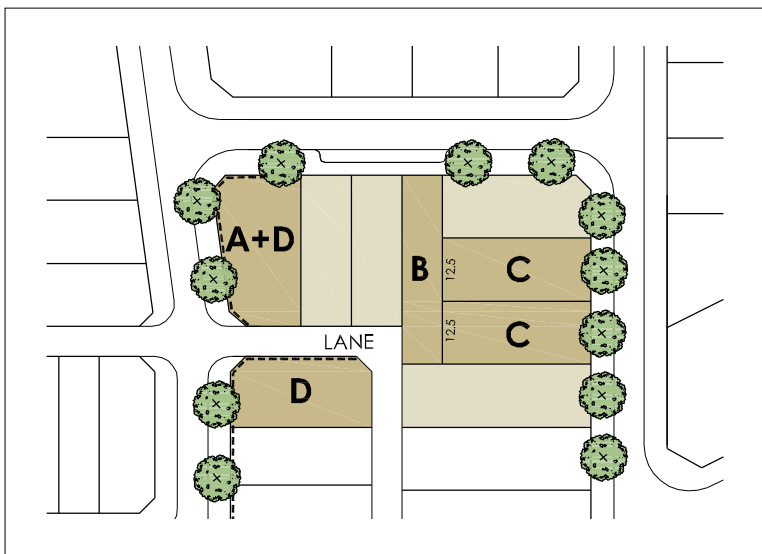


Example A
Irregular lot layout



Example A
Irregular lot layout

Example D
Presence of retaining wall



Example A
Irregular lot layout

Example B
Design constraints / amenity impact
(increased lot depth)

Example C
12.5m (or less) front loaded lots

Example D
Presence of retaining wall

FIGURE 1

Refer Section 5.2, Other Requirements 1a
Agreed LSP No. 27
City of Wanneroo



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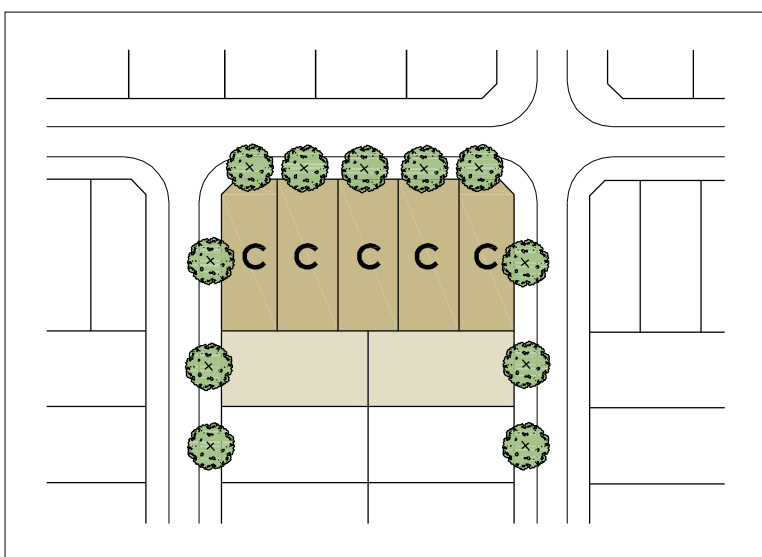
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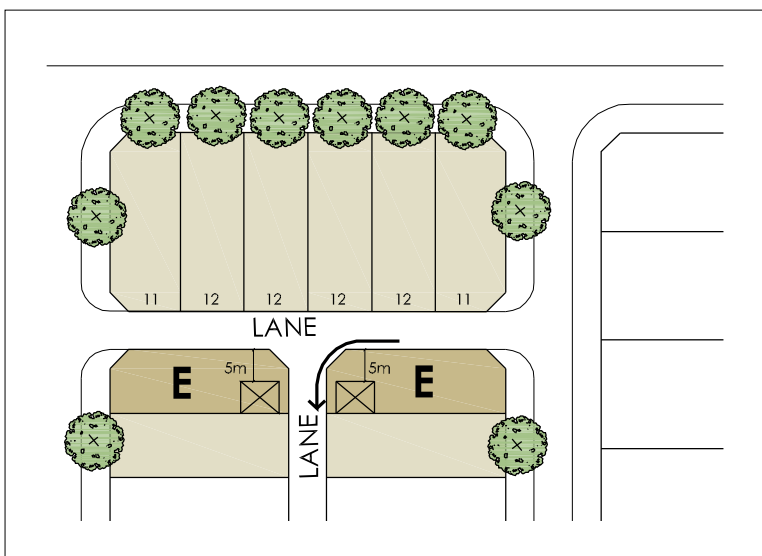




Example B
Design constraints / amenity impact
(increased lot depth)



Example C
12.5m (or less) front loaded lots



Example E
Site distance to crossover on laneway lot

FIGURE 2

Refer Section 5.2, Other Requirements 1a
Agreed LSP No. 27
City of Wanneroo



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