

**EAST WANNEROO CELL 2**  
**(SINAGRA)**  
**AGREED STRUCTURE PLAN**

**(As Amended)**

**Structure Plan No. 4**  
**Agreed: 30 June 2004**

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 2  
(SINAGRA) WAS ADOPTED BY RESOLUTION OF THE WESTERN AUSTRALIAN  
PLANNING  
COMMISSION ON 30 JUNE 2004

.....  
Chairperson, Western Australian  
Planning Commission

AND

BY RESOLUTION OF THE COUNCIL OF THE CITY OF WANNEROO ON  
4 November 2003

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 AGREED STRUCTURE PLAN NO. 4:**

**EAST WANNEROO CELL 2**

<b>Amendment No.</b>	<b>Description of Amendment</b>	<b>Finally Endorsed Council</b>	<b>Finally Endorsed WAPC</b>
2	Recodes some portions of Lot 20 Capri Leone Way, Sinagra from R20 to R30 and makes minor variations to the road layout of the site.	11.11.05	24.4.06
3	Modifies the proposed road network over Lots 22-26 Pinjar Road and Lot 1665 Wanneroo Road, Sinagra.	10.10.06	31.10.06
4	Rationalises the R40 medium density sites in the area and relocates the public open space area 2H into a more southern position within the Structure Plan  Rezones Lot 19 Vincent Road, Sinagra from Centre Zone to Residential Zone with a density coding of R20-40.  Deletes Section 3 in Part 1 relating to "Retail Floor Space" and renumbers the subsequent sections accordingly.	SAT Matter No. DR 171/2008 10.9.08	SAT Matter No. DR 171/2008 10.9.08
5	Recodes portions of Lots 9000 – 9003 Pinjar Road, Sinagra from R20 to R40	11.3.08	26.9.08
7	Recodes the southern portion of Lot 31 Vincent Road, Sinagra from R40 to R20  Recodes the southern portion of Lot 14 Vincent Road, Sinagra from R40 to R20  Recodes the northern portion of Lot 19 Vincent Road, Sinagra from R20 and R40 to R40  Recodes Lot 357 Borolo Street, Sinagra to R40 in its entirety  Modifies the road network and redistributes the POS areas to achieve 10% POS in East Wanneroo Cell 2	20.7.09	12.1.10

## **PART 1**

### **STATUTORY PLANNING SECTION**

As provided for under the provisions of 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 40 private landholdings comprising approximately 214 hectares.

#### **1. ZONES**

Plan 1 : 'The Zoning Map'.

#### **2. AGREED STRUCTURE PLAN**

Plan 2 : The 'Agreed Structure Plan'.

#### **3. PROVISIONS**

##### **3.1 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.

### **3.2 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 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 relevant Agreed Structure Plan.

### **3.3 BUFFER PRECINCT**

Based on the Western Australian Planning Commission's Statement of Planning Policy No. 4.3 – Poultry Farms, a 500 metre buffer precinct from the poultry sheds at Location 1665 Wanneroo Road, Sinagra 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 Development 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 Development Precinct.

### **3.4 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 stormwater 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) Other appropriate factors.

## **4.0 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 Environment.
- 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 Environment, 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 minimizes the impacts on the nearby significant wetlands, including potential surface water contamination.

## **5.0 AGREED STRUCTURE PLAN No. 23 – WANNEROO TOWNSITE**

The southwestern portion of the Cell 2 Structure Plan area as indicated on Plan 2 is subject to the relevant provisions of the Agreed Structure Plan No.23 – Wanneroo Townsite.

## **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 2 and the associated breakdown of costs can be obtained from the City of Wanneroo.

## **7.0 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 2. The POS allocation reflects the distribution of POS on the Agreed Structure Plan for Cell 2.

### **SCHEDULE 2: PUBLIC OPEN SPACE PROVISION – CELL 2**

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**East Wanneroo Cell 2**

<b>Public Open Space (hectares)</b>	<b>Lot No</b>	<b>LSP Area (ha)</b>
2A	Lot 3 Pinjar Road	0.3576
	Lot 4 Pinjar Road	0.5261
	Lot 5 Pinjar Road	0.7116
	Lot 6 Caporn Street	2.2561
	<b>Sub-total</b>	<b>3.8514</b>
2B	Lot 15 Vincent Road	0.6308
	<b>Sub-total</b>	<b>0.6308</b>
2C	Lot 19 Vincent Road	0.0069
	Lot 20 Vincent Road	5.1703
	<b>Sub-total</b>	<b>5.1772</b>
2D	Pt Lot 1665 Wanneroo Rd	3.0404
	<b>Sub-total</b>	<b>3.0404</b>
2E	Pt Lot 1665 Wanneroo Rd	1.1362
	Lot 13 Griffiths Road	0.6974
	Lot 95 Bibbulmun Ent. (ex Loc 3071)	0.8374
	<b>Sub-total</b>	<b>2.6710</b>
2F	Lot 4 Pinjar Road	0.3414
	Lot 5 Pinjar Road	0.3745
	<b>Sub-total</b>	<b>0.7159</b>
2G	Lot 9 Vincent Road	0.4016
	Lot 10 Vincent Road	0.0959
	<b>Sub-total</b>	<b>0.4975</b>
2H	Lot 23 Pinjar Road	0.4220
	Lot 24 Pinjar Road	0.3295
	<b>Sub-total</b>	<b>0.7515</b>
Wanneroo Town Centre	Servite Land	3.0392
	<b>Sub-total</b>	<b>3.0392</b>
	<b>TOTAL POS Provision</b>	<b>20.3749</b>