



AMENDMENT NO. 10

TO THE

EAST WANNEROO CELL 9 –

EAST LANDSDALE

APPROVED STRUCTURE PLAN NO. 57

RECORD OF AMENDMENTS MADE TO THE EAST WANNEROO CELL 9 –

EAST LANDSDALE APPROVED STRUCTURE PLAN NO. 57

Amendment No.	Summary of the Amendment	Date approved by WAPC
10	<p>To:</p> <ul style="list-style-type: none">a) Update the Structure Plan to be consistent with Part 4 of the deemed provisions of the Scheme; andb) Modify the Structure Plan to modify/delete provisions that will be incorporated into Scheme Amendment 146 which provides for the introduction of Special Control Area 2 into Schedule 17 of the Scheme relating to the area subject of East Wanneroo Cell 9 East Landsdale- Approved Structure Plan No. 57.	

AMENDMENT NO. 10 TO THE EAST WANNEROO CELL 9 – EAST LANDSDALE APPROVED STRUCTURE PLAN NO. 57

The City of Wanneroo, pursuant to its District Planning Scheme No. 2, hereby amends the above Approved Structure Plan by:

1. Modify the title of Part 1 from "Statutory Planning Section" to "Implementation."
2. Delete the introduction of Part 1 which reads:

As provided for under the provisions of the Scheme, this part of the East Wanneroo Cell 9 Local Structure Plan has the same force and effect as a provision, standard or requirement of the Scheme.

and replace it with

Refer to Schedule 17: Special Control Area No: 2 of the Scheme for the specific statutory provisions relating to this area.

3. Modify Section 2.0 Structure Plan Content: under (a) replace the words "Statutory Planning Section" with "Implementation."
4. Modify Section 4.0 Operation Date as follows:

Delete the following:

In accordance with sub-clause 9.8.1 of the Scheme, this structure plan shall come into operation on the later date of when it is either certified by the Western Australian Planning Commission pursuant to sub-clause 9.6.3 of the Scheme, or adopted, signed and sealed by the Council under sub-clause 9.6.5 of the Scheme

and replace it with:

In accordance with Clause 28 of the deemed provisions, this Structure plan shall come into operation on the date that the Western Australian Planning Commission approved the Structure Plan.

5. Modify Section 5 Relationship with the Scheme as follows:

(a) Delete the following:

In accordance with Clause 9.8 of the Scheme:

and replace it with:

In accordance with the provisions of Part 4 of the deemed provisions of the Scheme:

(b) Delete Clause a) and replace it with the following:

The decision maker is to have due regard to, but is not bound by the provisions, standards and requirements specified under Part 1 of this Structure Plan. Part 2 of this Structure Plan is for explanatory purposes only, in order to provide a descriptive analysis of the Structure Plan.

6. Modify Section 10 Residential Density Coding to:

a) Delete the following:

All provisions, standards and requirements applicable to the residential density codes in the Scheme shall apply, unless specific provision is made to the contrary in this Structure Plan.

and replace it with:

Clause deleted. Refer to the Scheme Schedule 17: SCA2.

b) 10.1 Residential Density Coding:

Delete all the provisions under this heading and replace it with:

Clause deleted. Refer to the Scheme Schedule 17: SCA2.

7. Modify Section 12 General Provisions:

Delete all the clauses under Section 12 and replace it with:

Clauses deleted. Refer to the Scheme Schedule 17: SCA2.

8. Replace all references of "Agreed Structure Plan" to "Approved Structure Plan."
9. Update the Table of Contents as follows:
 - (a) Modify the title of Part 1 from "Statutory Planning Section" to "Implementation."
 - (b) Delete clauses 12.1 - 12.3.

This Structure Plan Amendment is prepared under the provisions of the City of Wanneroo
District Planning Scheme No. 2

IT IS CERTIFIED THAT THIS STRUCTURE PLAN AMENDMENT NO. 10 TO THE EAST
WANNEROO CELL 9 – EAST LANDSDALE APPROVED STRUCTURE PLAN NO. 57

WAS APPROVED 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 24 of the
Planning and Development Act 2005 for that purpose, in the presence of:

..... Witness

..... Date

..... Date of Expiry

PART 2 - EXPLANATORY REPORT

AMENDMENT NO. 10 TO THE EAST WANNEROO CELL 9 – EAST LANDSDALE APPROVED STRUCTURE PLAN NO. 57

This amendment to East Wanneroo Cell 9 East Landsdale Cell 9 - Approved Structure Plan No. 57 seeks to:

- a) update the Structure Plan such that it is consistent with the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the weight given to a structure plan;
- b) modify the Structure Plan to modify/delete provisions that will be incorporated into Scheme Amendment 146 which provides for the introduction of Special Control Areas and specifically Special Control Area 2 relating to the area subject of East Wanneroo Cell 9, East Landsdale - Approved Structure Plan No. 57.

The amendment seeks to clarify the standards and requirements that were contained in East Wanneroo Cell 9, East Landsdale - Approved Structure Plan No. 57 that have been transferred to the Scheme through the introduction of SCA2 under Schedule 17: Special Control Areas.

This amendment to East Wanneroo Cell 9, East Landsdale - Approved Structure Plan No. 57 (ASP57) is considered to be minor in nature in that it does not propose any new or additional requirements to the Structure Plan, it simply updates the structure plan to be in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* and provides clarification as to what provisions of East Landsdale Cell 9 - Approved Structure Plan No. 57 are now contained in the Scheme under Schedule 17 and the provisions of Special Control Area 2. Scheme Amendment 146 has been advertised and the submission received in regard to that Amendment was addressed and the Scheme Amendment modified accordingly.

Amendment 10 to ASP57 does not introduce any new provisions to the Structure Plan and Scheme Amendment 146 has been advertised, however, the Western Australian Planning Commission has advised that this amendment to the Structure Plan is required to be advertised.

Amendment 10 to ASP57 should be considered concurrently with Scheme Amendment 146. As Amendment 10 to ASP57 seeks to remove subdivision and development standards from ASP57 and incorporate such standards into the Scheme via Amendment 146, therefore, Amendment 10 to ASP57 should not be certified by the Western Australian Planning Commission until such time as Amendment 146 is gazetted.

This amendment proposes the following specific changes to East Wanneroo Cell 9 – East Landsdale Approved Structure Plan No. 57:

1. Modify the title of Part 1 from "Statutory Planning Section" to "Implementation."

2. Delete the introduction of Part 1 which reads:

As provided for under the provisions of the Scheme, this part of the East Wanneroo Cell 9 Local Structure Plan has the same force and effect as a provision, standard or requirement of the Scheme.

and replace it with:

Refer to Schedule 17: Special Control Area No: 2 of the Scheme for the specific statutory provisions relating to this area.

3. Modify Section 2.0 Structure Plan Content:

Under (a) replace the words "Statutory Planning Section" with "Implementation."

4. Modify Section 4.0 Operation Date as follows:

Delete the following:

In accordance with sub-clause 9.8.1 of the Scheme, this structure plan shall come into operation on the later date of when it is either certified by the Western Australian Planning Commission pursuant to sub-clause 9.6.3 of the Scheme, or adopted, signed and sealed by the Council under sub-clause 9.6.5 of the Scheme

and replace it with:

In accordance with Clause 28 of the deemed provisions, this Structure plan shall come into operation on the date that the Western Australian Planning Commission approved the Structure Plan.

5. Modify Section 5 Relationship with the Scheme as follows:

- (a) Delete the following:

In accordance with Clause 9.8 of the Scheme:

and replace it with:

In accordance with the provisions of Part 4 of the deemed provisions of the Scheme:

- (b) Delete Clause a) and replace it with the following:

The decision maker is to have due regard to, but is not bound by the provisions, standards and requirements specified under Part 1 of this Structure Plan. Part 2 of this Structure Plan is for explanatory purposes only, in order to provide a descriptive analysis of the Structure Plan.

6. Modify Section 10 Residential Density Coding to:

- a) Delete the following:

All provisions, standards and requirements applicable to the residential density codes in the Scheme shall apply, unless specific provision is made to the contrary in this Structure Plan.

and replace it with:

Clause deleted. Refer to the Scheme Schedule 17: SCA2.

- b) 10.1 Residential Density Coding:

Delete all the provisions under this heading and replace it with:

Clause deleted. Refer to the Scheme Schedule 17: SCA2.

7. Modify Section 12 General Provisions:

Delete all the clauses under Section 12 and replace it with:

Clauses deleted. Refer to the Scheme Schedule 17: SCA2.

8. Replace all references of "Agreed Structure Plan" to "Approved Structure Plan."

9. Update the Table of Contents as follows:

- (a) Modify the title of Part 1 from "Statutory Planning Section" to "Implementation."

(b) Delete clauses 12.1 - 12.3.