



**DISTRICT
PLANNING
SCHEME No. 2**

Amendment No. 210

Planning and Development Act 2005

**RESOLUTION TO PREPARE AMENDMENT TO
LOCAL PLANNING SCHEME**

CITY OF WANNEROO

DISTRICT PLANNING SCHEME NO. 2 – AMENDMENT NO. 210

RESOLVED that the local government pursuant to Section 75 of the *Planning and Development Act 2005*, amend the above local planning scheme by:

1. Rezoning various lots affected by the City of Wanneroo's Clarkson (Lot 16 Connolly Drive) Agreed Local Structure Plan No. 33 located in the Clarkson locality from 'Urban Development' to 'Residential' (R30, R40 and R60), as shown on all Scheme (Amendment) Maps.
2. Reclassifying Lot 1388 (12) Vickery Loop, Clarkson (on DP: 43450) from 'Urban Development' Zone to 'Local Scheme Reserve – Public Purposes', as shown on Scheme (Amendment) Map 1.
3. Reclassifying Lot 1627 (650) Connolly Drive, Clarkson (on DP: 53134) from 'Urban Development' Zone to 'Local Scheme Reserve – Public Purposes', as shown on Scheme (Amendment) Map 2.
4. Rezoning Lot 1186 (2) Riverlinks Drive, Clarkson (on DP: 48517) from 'Urban Development' to 'Residential' (R40), as shown on Scheme (Amendment) Map 3.
5. Reclassifying the following land parcels from the 'Urban Development' zone to 'Local Scheme Reserve – Public Open Space', as shown on the various Scheme (Amendment) Maps:
 - Lot 1518 (2) Longleaf Drive, Clarkson (on DP: 44776);
 - Lot 2216 (50) Homestead Drive, Clarkson (on DP: 53117);
 - Lot 2217 (61) Chattanooga Vista, Clarkson (on DP: 51745);
 - Lot 1921 (35) Hacienda Drive, Clarkson (on DP: 52065);
 - Lot 1137 (39) Somerly Drive, Clarkson (on DP: 46799);
 - Lot 1625 (15) Riverlinks Drive, Clarkson (on DP: 46799);
 - Lot 1136 (70) Celebration Boulevard, Clarkson (on DP: 49205);
 - Lot 1564 (110) Celebration Boulevard, Clarkson (on DP: 52110);
 - Lot 1563 (23) Palladio Pass, Clarkson (on DP: 52110);
 - Lot 1185 (10) Santa Clara Crescent, Clarkson (on DP: 45432);
 - Lot 1184 (30) Santa Clara Crescent, Clarkson (on DP: 45432); and
 - Lot 1193 (145) Celebration Boulevard, Clarkson (on DP: 45433).
6. Rezoning the following lots from 'Urban Development' to 'Mixed Use' (R60), as shown on Scheme (Amendment) Map 4:
 - Lot 1177 (229) Ocean Keys Boulevard, Clarkson (on DP: 45468);
 - Lot 1176 (231) Ocean Keys Boulevard, Clarkson (on DP: 45468);
 - Lot 1175 (233) Ocean Keys Boulevard, Clarkson (on DP: 45468);
 - Lot 1174 (235) Ocean Keys Boulevard, Clarkson (on DP: 45468);
 - Lot 1173 (237) Ocean Keys Boulevard, Clarkson (on DP: 45468);
 - Lot 1172 (239) Ocean Keys Boulevard, Clarkson (on DP: 45468);
 - Lot 1171 (241) Ocean Keys Boulevard, Clarkson (on DP: 45468);
 - Lot 1170 (243) Ocean Keys Boulevard, Clarkson (on DP: 45468);
 - Lot 1169 (245) Ocean Keys Boulevard, Clarkson (on DP: 45468);
 - Lot 1168 (247) Ocean Keys Boulevard, Clarkson (on DP: 45468);

- Lot 1167 (249) Ocean Keys Boulevard, Clarkson (on DP: 45468);
- Lot 1166 (251) Ocean Keys Boulevard, Clarkson (on DP: 45468);
- Lot 5 (253) Ocean Keys Boulevard, Clarkson (on DP: 61764);
- Lot 1067 (230) Ocean Keys Boulevard, Clarkson (on DP: 44781);
- Lot 1068 (232) Ocean Keys Boulevard, Clarkson (on DP: 44781);
- Lot 1069 (234) Ocean Keys Boulevard, Clarkson (on DP: 44781);
- Lot 1070 (236) Ocean Keys Boulevard, Clarkson (on DP: 45432);
- Lot 1071 (238) Ocean Keys Boulevard, Clarkson (on DP: 45432);
- Lot 1072 (240) Ocean Keys Boulevard, Clarkson (on DP: 45432);
- Lot 1073 (242) Ocean Keys Boulevard, Clarkson (on DP: 45432);
- Lot 1074 (244) Ocean Keys Boulevard, Clarkson (on DP: 45432);
- Lot 1075 (246) Ocean Keys Boulevard, Clarkson (on DP: 45432);
- Lot 1077 (248) Ocean Keys Boulevard, Clarkson (on DP: 45432);
- Lot 1078 (250) Ocean Keys Boulevard, Clarkson (on DP: 45432);
- Lot 1079 (252) Ocean Keys Boulevard, Clarkson (on DP: 45432); and
- Lot 1080 (254) Ocean Keys Boulevard, Clarkson (on DP: 45432).

7. Rezoning the following lots from 'Urban Development' to 'Commercial' (R80), and applying an additional use area (A52) over the same lots, as shown on Scheme (Amendment) Map 4:

- Lot 2000 (144) Celebration Boulevard, Clarkson (on DP: 408645);
- Lot 1161 (146) Celebration Boulevard, Clarkson (on DP: 49180);
- Lot 1162 (148) Celebration Boulevard, Clarkson (on DP: 49180);
- Lot 1163 (150) Celebration Boulevard, Clarkson (on DP: 49180);
- Lot 1187 (160) Celebration Boulevard, Clarkson (on DP: 44079);
- Lot 1188 (280) Ocean Keys Boulevard, Clarkson (on DP: 45434);
- Lot 1189 (300) Ocean Keys Boulevard, Clarkson (on DP: 45434);
- Lot 1196 (291) Ocean Keys Boulevard, Clarkson (on DP 45433);
- Lot 1195 (34) Ladera Drive, Clarkson (on DP: 44079); and
- Lot 1194 (33) Ladera Drive, Clarkson (on DP 45433).

8. Amending Schedule 2 (Specified additional uses for zoned land in Scheme area) of the Scheme text to insert the following:

No.	Description of Land	Additional Use	Conditions
A52	<ul style="list-style-type: none"> • Lot 2000 (144) Celebration Boulevard, Clarkson (on DP: 408645); • Lot 1161 (146) Celebration Boulevard, Clarkson (on DP: 49180); • Lot 1162 (148) Celebration Boulevard, Clarkson (on DP: 49180); • Lot 1163 (150) Celebration Boulevard, Clarkson (on DP: 49180); • Lot 1187 (160) Celebration Boulevard, Clarkson (on DP: 44079); • Lot 1188 (280) Ocean Keys Boulevard, Clarkson (on DP: 45434); • Lot 1189 (300) Ocean Keys Boulevard, Clarkson (on DP: 45434); • Lot 1196 (291) Ocean Keys Boulevard, Clarkson (on DP 45433); • Lot 1195 (34) Ladera Drive, Clarkson (on DP: 44079); and • Lot 1194 (33) Ladera Drive, Clarkson (on DP 45433). 	Grouped Dwelling (D)	

9. Amending Schedule 7 of District Planning Scheme No. 2 to delete the following:

LOCALITY	DESCRIPTION OF CENTRE AND COMMERCIAL ZONES	NLA (m ²)
CLARKSON	Lot 16 on Plan 12489 (650) Connolly Drive	3000

and replacing the above with the following:

LOCALITY	DESCRIPTION OF CENTRE AND COMMERCIAL ZONES	NLA (m ²)
CLARKSON	Lot 2000 Celebration Boulevard on DP: 408645 Lot 1161 Celebration Boulevard on DP: 49180 Lot 1162 Celebration Boulevard on DP: 49180 Lot 1163 Celebration Boulevard on DP: 49180 Lot 1187 Celebration Boulevard on DP: 44079 Lot 1188 Ocean Keys Boulevard on DP: 45434 Lot 1189 Ocean Keys Boulevard on DP: 45434 Lot 1196 Ocean Keys Boulevard on DP 45433 Lot 1195 Ladera Drive on DP: 44079 Lot 1194 Ladera Drive on DP 45433	3000

The Amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

- a) An amendment to the scheme so that it is consistent with a region planning scheme that applies to the scheme area, other than an amendment that is a basic amendment.
- b) An amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment.

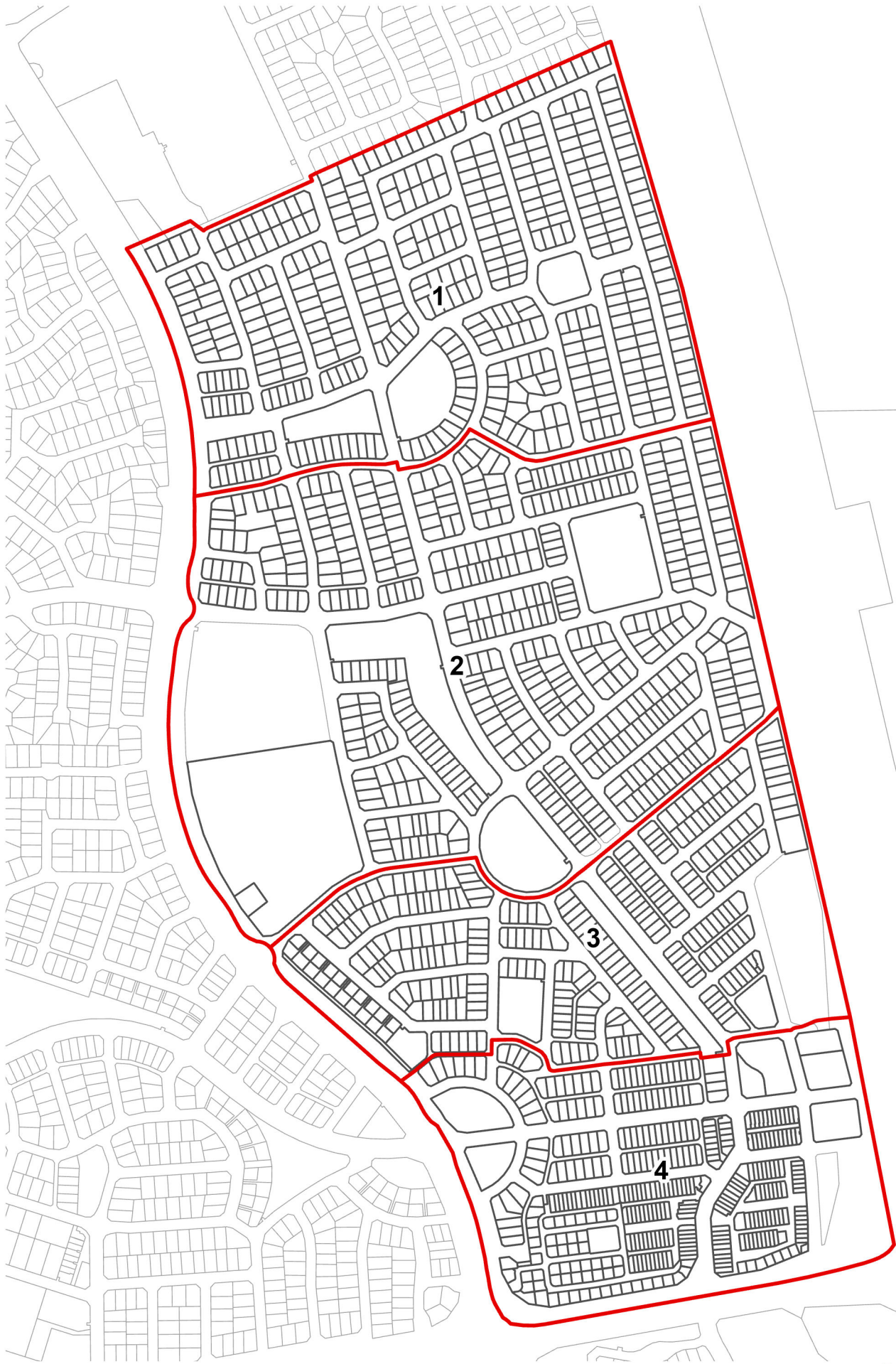
Approval of the City of Wanneroo's Clarkson (Lot 16 Connolly Drive) Agreed Local Structure Plan No. 33 is to be revoked when this amendment is approved and takes effect.

Date of Council Resolution: 12 September 2023

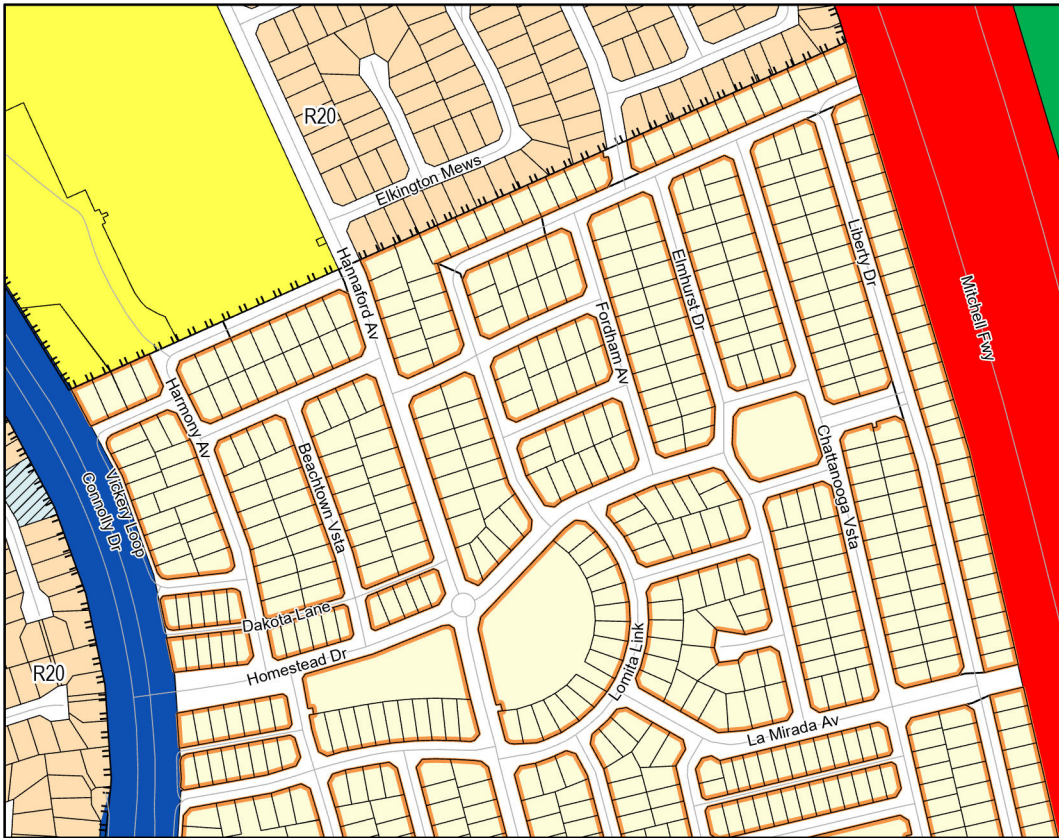
.....
(Chief Executive Officer)

Dated this 19th day of September 2023

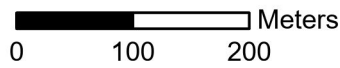
**CITY OF WANNEROO
DISTRICT PLANNING SCHEME NO. 2
AMENDMENT NO. 210 - MAP INDEX**



CITY OF WANNEROO DISTRICT PLANNING SCHEME No. 2 AMENDMENT NO. 210



EXISTING ZONE



LEGEND

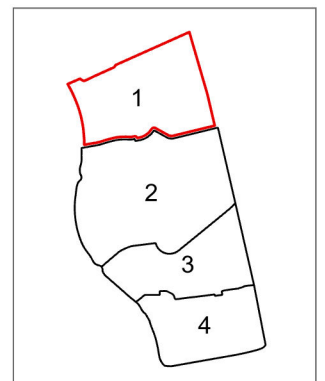
- R-CODE
- DPS2 ZONES & RESERVES**
- DRAINAGE/WATERWAY
- RESIDENTIAL
- URBAN DEVELOPMENT
- LOCAL ROAD
- MRS RESERVES**
- PRIMARY REGIONAL ROADS
- PUBLIC PURPOSES
- OTHER REGIONAL ROADS
- PARKS & RECREATION



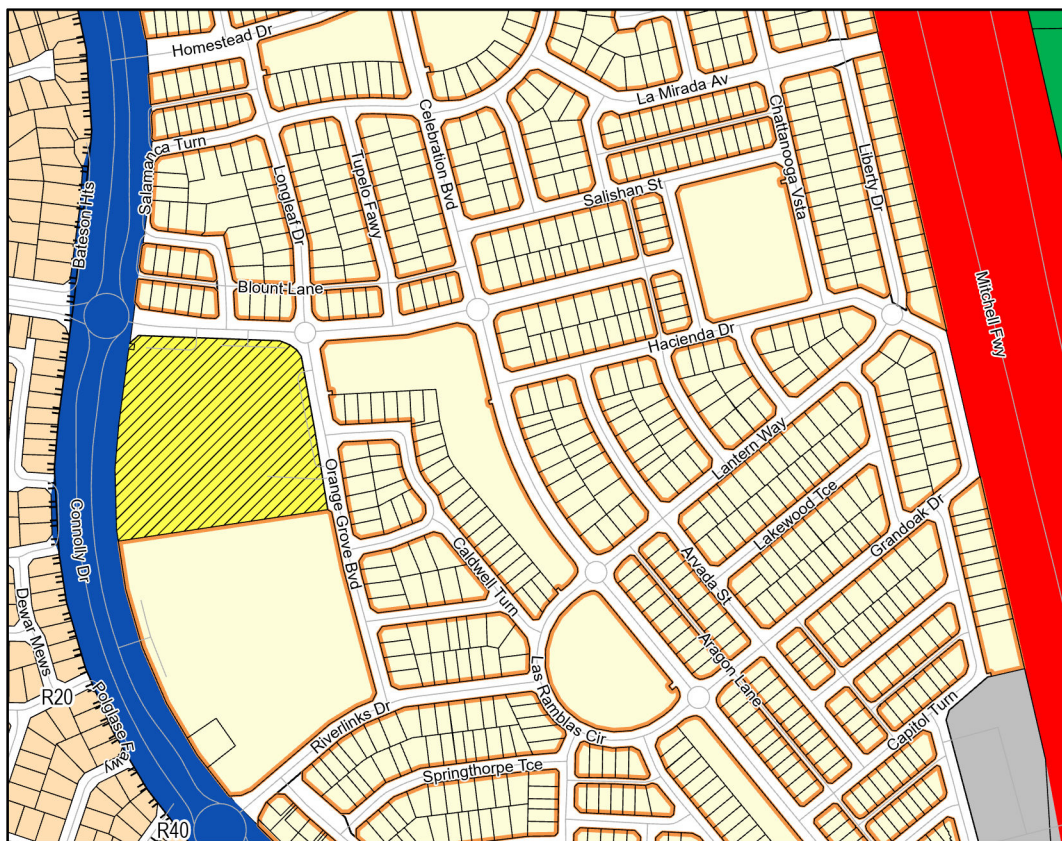
SCHEME (AMENDMENT) MAP 1

LEGEND

- R-CODE
- DPS2 ZONE**
- RESIDENTIAL
- LOCAL SCHEME RESERVES**
- PUBLIC OPEN SPACE
- PUBLIC PURPOSES



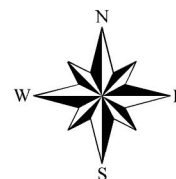
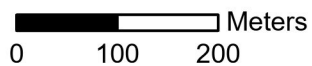
CITY OF WANNEROO DISTRICT PLANNING SCHEME No. 2 AMENDMENT NO. 210







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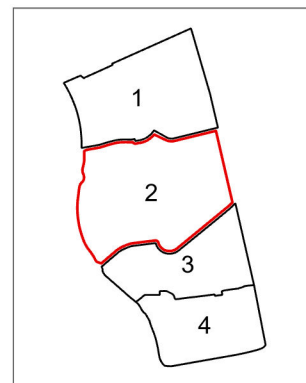
-  R-CODE
- DPS2 ZONES & RESERVES**
-  PUBLIC PURPOSES
-  RAILWAYS
-  RESIDENTIAL
-  URBAN DEVELOPMENT
-  LOCAL ROAD
- MRS RESERVES**
-  PRIMARY REGIONAL ROADS
-  OTHER REGIONAL ROADS
-  PARKS & RECREATION

EXISTING ZONE



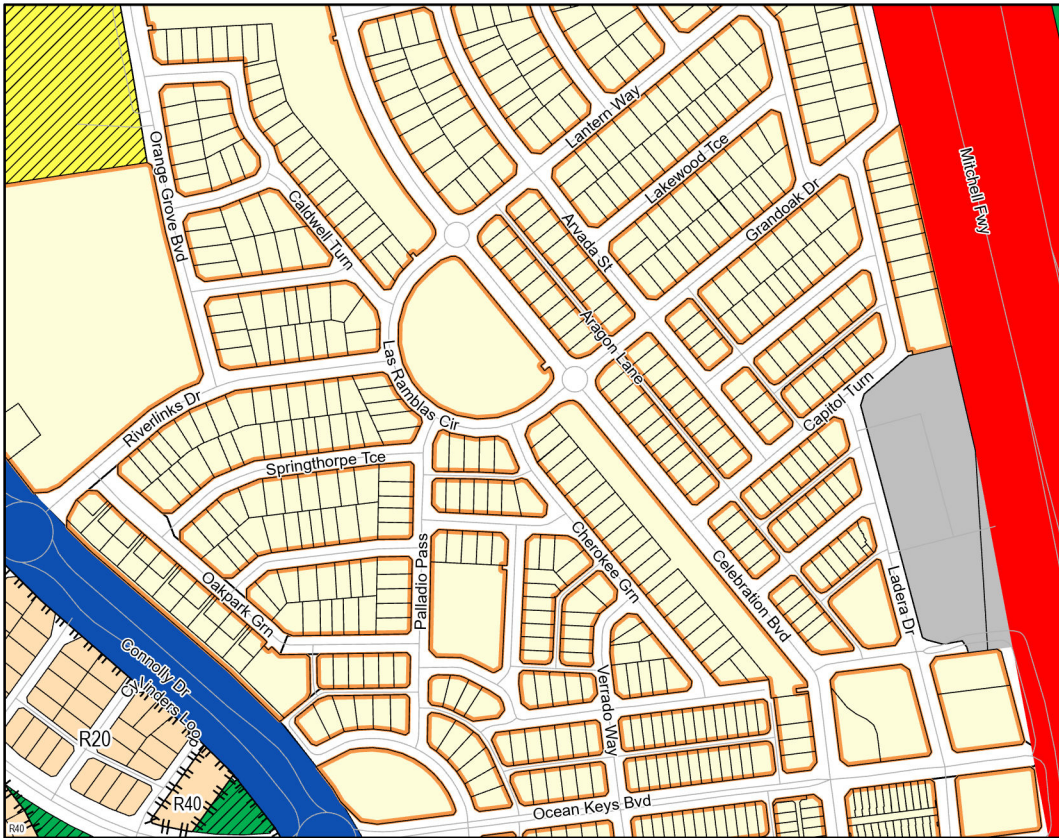
LEGEND

-  R-CODE
- DPS2 ZONE**
-  RESIDENTIAL
- LOCAL SCHEME RESERVES**
-  PUBLIC OPEN SPACE
-  PUBLIC PURPOSES



SCHEME (AMENDMENT) MAP 2

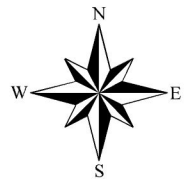
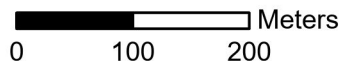
CITY OF WANNEROO DISTRICT PLANNING SCHEME No. 2 AMENDMENT NO. 210






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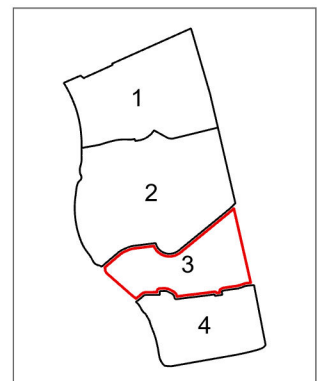
-  R-CODE
- DPS2 ZONES & RESERVES**
-  PUBLIC OPEN SPACE
-  PUBLIC PURPOSES
-  RAILWAYS
-  RESIDENTIAL
-  URBAN DEVELOPMENT
-  LOCAL ROAD
- MRS RESERVES**
-  PRIMARY REGIONAL ROADS
-  OTHER REGIONAL ROADS
-  PARKS & RECREATION

EXISTING ZONE



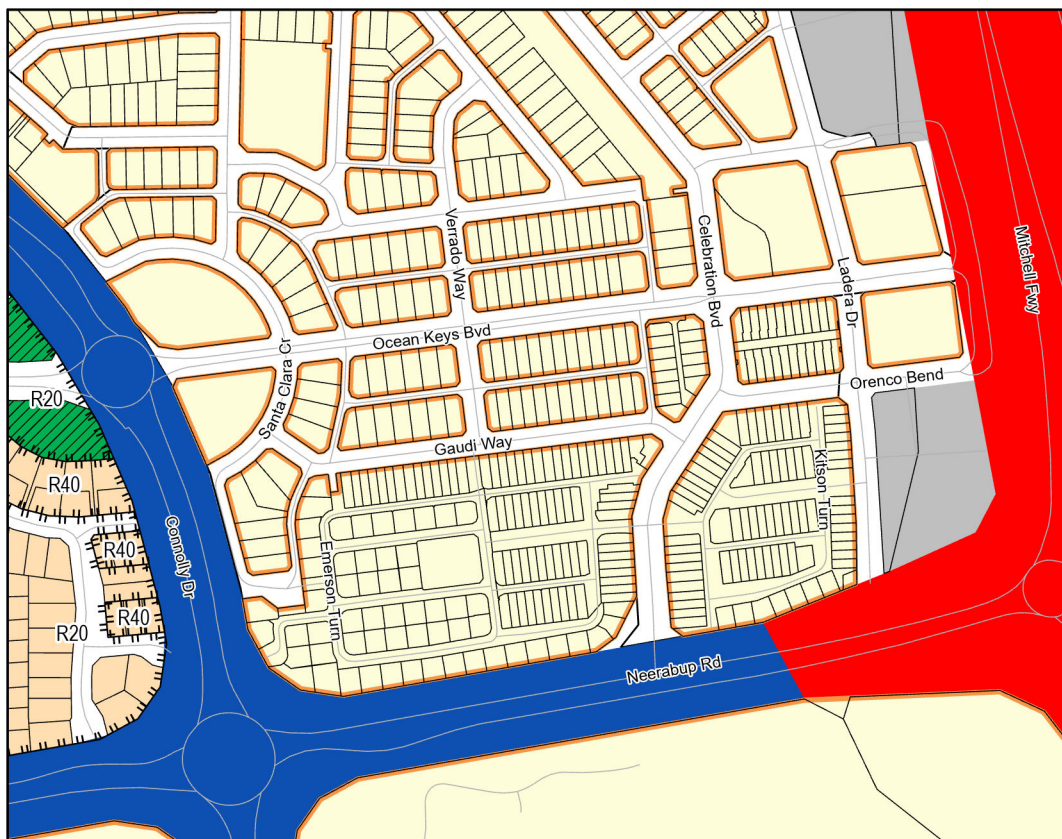
LEGEND

-  R-CODE
- DPS2 ZONE**
-  RESIDENTIAL
- LOCAL SCHEME RESERVE**
-  PUBLIC OPEN SPACE

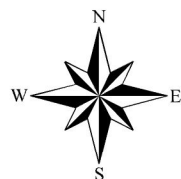
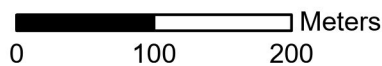


SCHEME (AMENDMENT) MAP 3

CITY OF WANNEROO DISTRICT PLANNING SCHEME No. 2 AMENDMENT NO. 210



EXISTING ZONE



LEGEND

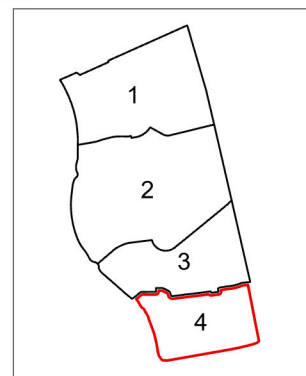
- R-CODE
- DPS2 ZONES & RESERVES**
- PUBLIC OPEN SPACE
- RAILWAYS
- RESIDENTIAL
- URBAN DEVELOPMENT
- LOCAL ROAD
- MRS RESERVES**
- PRIMARY REGIONAL ROADS
- OTHER REGIONAL ROADS



SCHEME (AMENDMENT) MAP 4

LEGEND

- R-CODE
- ADDITIONAL USE
- DPS2 ZONE**
- COMMERCIAL
- MIXED USE
- RESIDENTIAL
- LOCAL SCHEME RESERVE**
- PUBLIC OPEN SPACE



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**SCHEME
AMENDMENT
REPORT**

**AMENDMENT NO. 210
TO DISTRICT PLANNING SCHEME NO. 2**

1.0 Introduction and Background

1.1 Site Description and Planning Framework over Amendment Area

The land subject to proposed Amendment No. 210 to DPS 2 (**Amendment No. 210**) is located within the Clarkson locality (**subject area**). Amendment No. 210 affects land where the City of Wanneroo's (**the City**) Clarkson (Lot 16 Connolly Drive) Agreed Local Structure Plan No. 33 (**ASP 33**) currently applies. The total land area affected by ASP 33 (being the subject area) is approximately 120 hectares.

ASP 33 was adopted by the Western Australian Planning Commission (**WAPC**) on 3 November 2003 to guide subdivision and development over the subject area. The current version of ASP 33, which includes the mapping, is included in **Appendix 1**.

ASP 33 has since been subject to four amendments since its initial adoption, as summarised below:

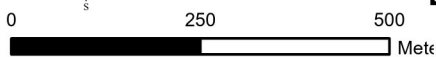
- **Amendment No. 1** – modifies the existing base density coding of the land from R20 to R30, adds several pockets of R40-coded land to the Structure Plan area, and introduces various design provisions.
- **Amendment No. 2** – modifies some of the existing development provisions relating to street setbacks.
- **Amendment No. 3** – modifies base plans, modifies various existing development provisions, and deletes clauses relating to 'alternative uses'.
- **Amendment No. 4** – relocates the public open space; amends the Structure Plan design to facilitate the preservation of an area of Aboriginal significance; and amends provisions relating to activation of building frontages.

The subject area is largely zoned Urban Development under DPS 2 as shown on the Scheme Map extract provided in **Figure 1**. Local scheme reserves and Metropolitan Region Scheme (**MRS**) reservations located in the subject area are also shown in **Figure 1**.

The Urban Development zone is applied as an interim zone for developing areas, to form a basis for structure planning (such as ASP 33) to be prepared. Once land is subdivided and becomes established, its zoning can undergo 'normalisation', meaning that the land can be rezoned from Urban Development to a 'permanent' zone (such as Residential, Mixed Use or Commercial) depending on land use. The effect of a structure plan over a respective area could also be considered at that time, with the structure plan amended or revoked as the case requires.

Amendment No. 210 proposes that the zoning over all the ASP 33 area be normalised. The City also is advocating for the WAPC's approval of ASP 33 to be revoked after Amendment No. 210 is approved. The City considers that ASP 33 could be revoked as it has become less relevant now that the subject area has been fully subdivided. This report informs both the Scheme amendment (Amendment No. 210) and any consideration by the WAPC to revoke ASP 33.

The plan in **Figure 1** incorporates changes made through Amendment No. 172 to DPS 2 (**Amendment No. 172**), which was gazetted in May 2023. Amendment No. 172 was a major amendment to bring DPS 2 in line with model provisions for local planning schemes (**model provisions**) provided in the *Planning and Development (Local Planning Schemes) Regulations 2015* (**Regulations**). It was not within the scope of Amendment No. 172 to normalise the zoning of land in established areas affected by structure plans.



**CITY OF WANNEROO
DISTRICT PLANNING SCHEME NO. 2 ZONES
OVER CLARKSON**



Produced by Customer & Information Services
22/08/2023
KACE : 102456

1.2 Background to the City's Normalisation Process

The City is undertaking various initiatives prior to the preparation of a new Local Planning Scheme No. 3 (**LPS 3**).

To simplify the transition to LPS 3, the City has already aligned DPS 2 with the model provisions through Amendment No. 172. The City is also in the process of preparing a Local Planning Strategy which will inform LPS 3.

The normalisation process (in which Amendment No. 210 is a part of) also removes unnecessary layers of the planning framework and simplifies the formulation of new local planning scheme mapping.

The City has a further need to review the necessity of its 64 structure plans, as 52 of which (including ASP 33) are due to expire in October 2025. The date of expiry is prescribed through the deemed provisions for local planning schemes (**deemed provisions**), contained in Schedule 2 of the Regulations. The City foresees administrative consequences could arise if a vast array of structure plans were left to expire in October 2025 without establishing a staged and controlled process to review and/or normalise structure plans.

2.0 Detail of the Amendment and the Subject Area

2.1 Amendment No. 210 Proposal

The full extent of what Amendment No. 210 entails as initiated by Council (including the Scheme (Amendment) Maps) is detailed in this document. The key features of Amendment No. 210 are summarised below:

- The rezoning of residential lots from ‘Urban Development’ to ‘Residential’, with density codes that correspond to those currently in ASP 33.
- The rezoning of lots from ‘Urban Development’ zone to either the ‘Mixed Use’ or ‘Commercial’ zone, corresponding with zoning designations and land use permissibility’s currently applied through ASP 33.
- Schedule 7 of DPS 2 currently sets a maximum retail net lettable area (NLA) of 3,000m² across the entire structure plan area. Amendment No. 210 proposes to change this, so that the maximum retail NLA only applies on land that is proposed to be zoned ‘Commercial’.
- To list ‘grouped dwelling’ as an ‘additional use’ in the proposed ‘Commercial’ zone. The rationale for this aspect of the amendment proposal is discussed further in the Section 4.4.3 of this report.
- Reclassifying lots in the subject area containing Water Corporation infrastructure from the ‘Urban Development’ zone to ‘Local Scheme Reserve – Public Purposes’.
- Reclassifying of public open space sites in the subject area from the ‘Urban Development’ zone to ‘Local Scheme Reserve – Parks and Recreation’.

A full description on what Amendment No. 210 is proposing in respect to the land in the subject area is as follows:

Locations within the ASP 33 Area	Discussion of Proposal through Amendment No. 210 to DPS 2
<p>Numerous residential lots shown on the Scheme (Amendment) Maps.</p>	<p>The lots are shown in ASP 33 as being zoned Residential will be rezoned as such through Amendment No. 210. The lots will also be assigned density codings that correspond to what is outlined in the structure plan.</p>
<ul style="list-style-type: none"> • Lot 1388 (12) Vickery Loop, Clarkson (on DP: 43450) • Lot 1627 (650) Connolly Drive, Clarkson (on DP: 53134) 	<p>Lot 1388 is a bore site owned by the Water Corporation in Freehold.</p> <p>Lot 1627 is also a freehold lot containing Water Corporation infrastructure and is located adjoining a public open space.</p> <p>Considering the utilities provided on lots are to the benefit of the public, Amendment No. 210 proposes to apply the ‘Local Scheme Reserve – Public Purposes’ over the land.</p>

Locations within the ASP 33 Area	Discussion of Proposal through Amendment No. 210 to DPS 2
<p>Lot 1186 (2) Riverlinks Drive, Clarkson (on DP: 48517)</p>	<p>Lot 1186 is a pedestrian accessway (PAW) Crown Land parcel, situated between Connolly Drive and residential properties on Oakpark Green.</p> <p>Amendment No. 210 proposes to zone this land parcel Residential (R40), consistent with the lots immediately adjoining.</p>
<ul style="list-style-type: none"> • Lot 1518 (2) Longleaf Drive, Clarkson (on DP: 44776) • Lot 2216 (50) Homestead Drive, Clarkson (on DP: 53117) • Lot 2217 (61) Chattanooga Vista, Clarkson (on DP: 51745) • Lot 1921 (35) Hacienda Drive, Clarkson (on DP: 52065) • Lot 1137 (39) Somerly Drive, Clarkson (on DP: 46799) • Lot 1625 (15) Riverlinks Drive, Clarkson (on DP: 46799) • Lot 1136 (70) Celebration Boulevard, Clarkson (on DP: 49205) • Lot 1564 (110) Celebration Boulevard, Clarkson (on DP: 52110) • Lot 1563 (23) Palladio Pass, Clarkson (on DP: 52110) • Lot 1185 (10) Santa Clara Crescent, Clarkson (on DP: 45432) • Lot 1184 (30) Santa Clara Crescent, Clarkson (on DP: 45432) • Lot 1193 (145) Celebration Boulevard, Clarkson (on DP: 45433) 	<p>The lots listed are Crown Land parcels having a public open space function, consistent with what is shown in the ASP 33 'structure plan' map. As a result, Amendment No. 210 proposes to classify these lots as 'Local Scheme Reserve – Public Open Space' in DPS 2.</p>
<ul style="list-style-type: none"> • Lot 1107 (15) Santa Clara Crescent, Clarkson (on DP: 45468) • Lot 1106 (17) Santa Clara Crescent, Clarkson (on DP: 45468) • Lot 1104 (19) Santa Clara Crescent, Clarkson (on DP: 45468) • Lot 1103 (21) Santa Clara Crescent, Clarkson (on DP: 45468) • Lot 1102 (23) Santa Clara Crescent, Clarkson (on DP: 45468) • Lot 1101 (25) Santa Clara Crescent, Clarkson (on DP: 45468) • Lot 1183 (215) Ocean Keys Boulevard, Clarkson (on DP: 45468) • Lot 1182 (217) Ocean Keys Boulevard, Clarkson (on DP: 45468) • Lot 1181 (219) Ocean Keys Boulevard, Clarkson (on DP: 45468) • Lot 1180 (221) Ocean Keys Boulevard, Clarkson (on DP: 45468) • Lot 1179 (223) Ocean Keys Boulevard, Clarkson (on DP: 45468) • Lot 1178 (225) Ocean Keys Boulevard, Clarkson (on DP: 45468) • Lot 1066 (226) Ocean Keys Boulevard, Clarkson (on DP: 44781) • Lot 1065 (224) Ocean Keys Boulevard, Clarkson (on DP: 44781) • Lot 1064 (222) Ocean Keys Boulevard, Clarkson (on DP: 44781) • Lot 1063 (220) Ocean Keys Boulevard, Clarkson (on DP: 45432) • Lot 1062 (218) Ocean Keys Boulevard, Clarkson (on DP: 45432) • Lot 1061 (216) Ocean Keys Boulevard, Clarkson (on DP: 45432) • Lot 1060 (29) Santa Clara Crescent, Clarkson (on DP: 45468) • Lot 1059 (31) Santa Clara Crescent, Clarkson (on DP: 45468) • Lot 1058 (33) Santa Clara Crescent, Clarkson (on DP: 45468) • Lot 1057 (35) Santa Clara Crescent, Clarkson (on DP: 45468) 	<p>The listed lots are subject to the ASP 33 Main Street (West) Mixed Use area, and are coded R40 in the structure plan.</p> <p>Pursuant to Clause 5.3.2.1 of ASP 33, the permissibility of uses in this area should be in accordance with the Residential Zone. A review of the land uses on these lots confirms that they are consistent with the permissibility of the Residential Zone.</p> <p>In light of the above, Amendment No. 210 proposes to apply the Residential (R40) Zone over these lots in DPS 2.</p>
<p>Lot 1391 (11) Vickery Loop, Clarkson (on DP: 43450) Lot 1392 (9) Vickery Loop, Clarkson (on DP: 43450) Lot 1393 (7) Vickery Loop, Clarkson (on DP: 43450) Lot 1394 (5) Vickery Loop, Clarkson (on DP: 43450) Lot 1395 (3) Vickery Loop, Clarkson (on DP: 43450) Lot 1396 (1) Vickery Loop, Clarkson (on DP: 43450) Lot 1397 (1) Homestead Drive, Clarkson (on DP: 43450) Lot 1398 (3) Homestead Drive, Clarkson (on DP: 43450) Lot 1399 (5) Homestead Drive, Clarkson (on DP: 43450) Lot 1400 (7) Homestead Drive, Clarkson (on DP: 43450) Lot 1401 (9) Homestead Drive, Clarkson (on DP: 43450) Lot 1402 (11) Homestead Drive, Clarkson (on DP: 43450)</p>	<p>The listed lots are designated Centre zone in ASP 33, and given a density coding of R40.</p> <p>Although ASP 33 envisaged a small-scale commercial centre over this land, only single house development was ever constructed. Therefore, Amendment No. 210 proposes to impose the Residential (R40) zone over these lots.</p> <p>Further discussion is provided in Section 4.2.3 of this report.</p>

Locations within the ASP 33 Area	Discussion of Proposal through Amendment No. 210 to DPS 2
<ul style="list-style-type: none"> • Lot 1177 (229) Ocean Keys Boulevard, Clarkson (on DP: 45468) • Lot 1176 (231) Ocean Keys Boulevard, Clarkson (on DP: 45468) • Lot 1175 (233) Ocean Keys Boulevard, Clarkson (on DP: 45468) • Lot 1174 (235) Ocean Keys Boulevard, Clarkson (on DP: 45468) • Lot 1173 (237) Ocean Keys Boulevard, Clarkson (on DP: 45468) • Lot 1172 (239) Ocean Keys Boulevard, Clarkson (on DP: 45468) • Lot 1171 (241) Ocean Keys Boulevard, Clarkson (on DP: 45468) • Lot 1170 (243) Ocean Keys Boulevard, Clarkson (on DP: 45468) • Lot 1169 (245) Ocean Keys Boulevard, Clarkson (on DP: 45468) • Lot 1168 (247) Ocean Keys Boulevard, Clarkson (on DP: 45468) • Lot 1167 (249) Ocean Keys Boulevard, Clarkson (on DP: 45468) • Lot 1166 (251) Ocean Keys Boulevard, Clarkson (on DP: 45468) • Lot 5 (253) Ocean Keys Boulevard, Clarkson (on DP: 61764) • Lot 1067 (230) Ocean Keys Boulevard, Clarkson (on DP: 44781) • Lot 1068 (232) Ocean Keys Boulevard, Clarkson (on DP: 44781) • Lot 1069 (234) Ocean Keys Boulevard, Clarkson (on DP: 44781) • Lot 1070 (236) Ocean Keys Boulevard, Clarkson (on DP: 45432) • Lot 1071 (238) Ocean Keys Boulevard, Clarkson (on DP: 45432) • Lot 1072 (240) Ocean Keys Boulevard, Clarkson (on DP: 45432) • Lot 1073 (242) Ocean Keys Boulevard, Clarkson (on DP: 45432) • Lot 1074 (244) Ocean Keys Boulevard, Clarkson (on DP: 45432) • Lot 1075 (246) Ocean Keys Boulevard, Clarkson (on DP: 45432) • Lot 1077 (248) Ocean Keys Boulevard, Clarkson (on DP: 45432) • Lot 1078 (250) Ocean Keys Boulevard, Clarkson (on DP: 45432) • Lot 1079 (252) Ocean Keys Boulevard, Clarkson (on DP: 45432) • Lot 1080 (254) Ocean Keys Boulevard, Clarkson (on DP: 45432) 	<p>The listed lots are subject to the ASP 33 Main Street (Central) Mixed Use area and are coded R60 in the structure plan.</p> <p>Pursuant to Clause 5.3.2.2 of ASP 33, the permissibility of uses in this area should be in accordance with the Mixed Use Zone. A review of the land uses on these lots confirms that they are consistent with the permissibility of the Mixed Use Zone.</p> <p>In light of the above, Amendment No. 210 proposes to apply the Mixed Use (R60) Zone over these lots in DPS 2.</p>
<ul style="list-style-type: none"> • Lot 2000 (144) Celebration Boulevard, Clarkson (on DP: 408645) • Lot 1161 (146) Celebration Boulevard, Clarkson (on DP: 49180) • Lot 1162 (148) Celebration Boulevard, Clarkson (on DP: 49180); • Lot 1163 (150) Celebration Boulevard, Clarkson (on DP: 49180) • Lot 1187 (160) Celebration Boulevard, Clarkson (on DP: 44079) • Lot 1188 (280) Ocean Keys Boulevard, Clarkson (on DP: 45434) • Lot 1189 (300) Ocean Keys Boulevard, Clarkson (on DP: 45434) • Lot 1196 (291) Ocean Keys Boulevard, Clarkson (on DP 45433) • Lot 1195 (34) Ladera Drive, Clarkson (on DP: 44079) • Lot 1194 (33) Ladera Drive, Clarkson (on DP 45433) 	<p>The listed lots are subject to the ASP 33 Main Street (East) Mixed Use area, and are coded R80 in the structure plan.</p> <p>Pursuant to Clause 5.3.2.3 of ASP 33, the permissibility of uses in this area should be in accordance with the Commercial Zone.</p> <p>Amendment No. 210 proposes to apply a Commercial Zone in DPS 2, with the following:</p> <ul style="list-style-type: none"> • An R80 density coding; • Updates to Schedule 7 to DPS 2, to impose a maximum retail NLA of 3,000m² over the listed lots only, and not 'Lot 16' (entire structure plan area) which the Schedule currently lists (refer to further discussion in Section 4.8 below); and • An Additional Use area (A52) to list 'grouped dwelling' as a permissible use over these lots (refer to further discussion in Section 4.4.3 below).
<p>All other lots in the subject area.</p>	<p>No changes proposed in Amendment No. 210.</p>

2.2 Further Actions Required to ASP 33

The City is seeking the WAPC's consideration to revoke its approval of ASP 33 should the Minister for Planning grant final approval for Amendment No. 210. As outlined previously – and justified throughout this report – ASP 33 has become a less relevant document within the planning framework now that the structure plan area has been subdivided.

To facilitate the revocation of ASP 33, the Amendment No. 210 proposal includes a statement to that effect pursuant to Regulations 35A(a) of the Regulations, which is included in the resolution at the commencement of this document.

Further discussion on the City's reasoning to request the WAPC revoke ASP 33 is provided in Section 4.11 of this report.

2.3 DPS 2 Amendment Type

The City's Council (**Council**) has resolved that proposed Amendment No. 210 to DPS 2 meets the following criteria for 'Standard Amendments' in the context of Regulation 34 of the Regulations:

- a) *an amendment to the scheme so that it is consistent with a region planning scheme that applies to the scheme area, other than an amendment that is a basic amendment; and*
- b) *an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment.*

3.0 Consultation

The amendment will be referred to the Environmental Protection Authority (EPA) pursuant to Section 81 and 82 of the *Planning and Development Act 2005*.

Further to the EPA referral process, Amendment No. 210 will also need to be referred to the Minister for Planning, for approval to advertise pursuant to Section 83A of the *Planning and Development Act 2005*. Under this section of the *Planning and Development Act 2005*, the Minister may:

- (a) Approve a proposed scheme amendment for advertising; or
- (b) Require the local government to modify the scheme amendment, and resubmit it to the Minister for further consideration; or
- (c) Refuse approval for the proposed amendment to be advertised. Should the Minister make this decision, the local government cannot proceed with the proposed amendment.

Following those referral processes, and as Council resolved for Amendment No. 210 to be a standard amendment, Amendment No. 210 will then be advertised for public comment for a period of 42 days. Advertising is to occur in the following manner, pursuant to Regulations 47 and 76A of the *Planning and Development (Local Planning Schemes) Regulations 2015*:

- A notice of the amendment published on the City's website – and upload the amendment documentation;
- Making a copy of the amendment document available for public inspection at a place within the district during normal business hours (City's Civic Centre);
- Publishing a notice in a newspaper circulating in the relevant locality;
- Notifying public authorities likely to be affected by the amendment; and
- Advertising the amendment as directed by the WAPC and in any other way the local government considers appropriate.

In addition to the above, Administration will write to landowners and occupiers of land where Amendment No. 210 (and the subsequent revocation of ASP 33) results in a material change to the planning framework.

The process to revoke structure plans is set out in the deemed provisions. The deemed provisions do not specifically outline advertising for revoking structure plans after the Minister for Planning's approval of a local planning scheme amendment. However, when Amendment No. 210 is advertised, Administration can ensure that potential submitters are also made aware of the City's intentions to have ASP 33 revoked as well.

4.0 Comment on Planning Proposals

4.1 Approval of Amendment No. 172 and Effect on Land in ASP 33

A Scheme Map extract relative to the subject area is provided as **Figure 1** (in Section 1.1 of this report). **Figure 1** captures changes that were made to the Scheme Map through Amendment No. 172.

Relevant to the subject area, the recent approval and gazettal of Amendment No. 172 resulted in the following modifications being made to the Scheme Map:

Locations within the ASP 3 Area	Modifications made through Amendment No. 172
Road reserves within the Clarkson locality (excluding Connolly Drive, Neerabup Road and Mitchell Freeway).	Prior to the approval of Amendment No. 172, the road reserves generally had a zoning or reservation consistent with the adjoining land (typically the Urban Development zone within the subject area). However, Amendment No. 172 introduced a 'Local Road' local scheme reserve, which has now been applied over most gazetted roads in the subject area.
Lot 1626 (15) Somerly Drive, Clarkson (on DP: 46796)	This public primary school site was included within the Urban Development zone prior to the approval of Amendment No. 172. Since the approval of Amendment No. 172, this lot is now within a local scheme reserve for public purposes (education).

Amendment No. 172 did not interfere with the MRS 'Railways' and 'Primary Regional Road' regional reservations, which remain in place over land within the ASP 33 area.

4.2 Proposed Residential Zone

4.2.1 Variances between ASP 33 and Amendment No. 210 Proposal

In reviewing the ASP 33 'Residential Code Map' (contained within **Appendix 1**), the City identified that the density coding boundaries on that plan do not exactly align with the lot boundaries in some instances. The variances between the alignment of the density coding boundaries and lot boundaries are considered minor and not overly significant.

Amendment No. 210, however, proposes to set density coding boundaries in DPS 2 that coincide with lot boundaries. What is proposed in Amendment No. 210 is generally consistent (but may be not entirely matching) what is shown on the ASP 33 'Residential Code Map'.

4.2.2 Structure Plan Built Form Provisions

ASP 33 splits its residential area into the following precincts:

- The 'Residential Zone', which provides a structure planning framework for areas with larger residential lots; and
- The 'Small-Lot Residential Precinct', intended to provide for a variety of housing types on smaller lots.

ASP 33 then aims to deliver specific built form outcomes in both of the above 'precincts', by imposing various built form controls relating to the following:

- Front setback (for the dwelling and garages/carports);
- Side setbacks and building on the boundary;
- Access to onsite car parking;
- Garage/carport setbacks to the rear laneway;
- Site coverage;
- Setback to boundary shared with public open space; and
- Screening of utility areas such as bins and service areas.

An extensive review of the built form provisions – and how they differ from equivalent deemed-to-comply provisions of the Residential Design Codes (**R-Codes**) – is provided within **Appendix 2** of this report.

There are some significant differences between the built form provisions of ASP 33 and the deemed-to-comply provisions of the R-Codes. However, the impact of those significant differences will be relatively minimal should ASP 33 be revoked, as most of the residential lots in both precincts are already established.

The differences between ASP 33 and the R-Codes will be evident should landowners seek to develop one of the few remaining vacant lots – or significantly change existing development on an established lot. If Amendment No. 210 is approved and ASP 33 is revoked, the structure plan provisions would no longer apply. At that time, should a landowner seek a built form outcome consistent with ASP 33 (but is not consistent with the deemed-to-comply provisions of the R-Codes), the landowner can lodge an application for development approval. In assessing that application, the City can determine the proposal based on whether it meets the design principles of the R-Codes.

4.2.3 ASP 33 Centre Zone

ASP 33 identifies a 'Centre Zone' in an area immediately to the northeast of the Somerly Drive and Connolly Drive intersection.

The land in the Centre Zone was subdivided in 2004-2005 into 12 lots of between 381m² to 493m². Each of the 12 lots provide single house residential development.

Pursuant to ASP 33, the Centre Zone would:

- Accommodate a mixture of residential development with small scale businesses in a primarily residential scale environment;
- Provide residential, office, consulting, dining and limited retail uses as predominant uses, occupying the street frontage of lots; and
- Potentially support 200m² of retail net lettable area (NLA).

ASP 33 prescribes that the permissibility of uses in the Centre Zone is in accordance with the DPS 2 Commercial Zone.

In preparing Amendment No. 210, the City considered that there were grounds to depart from the designated 'Centre' zoning – and to depart from the permissibility of uses being in accordance with the Commercial Zone. The 'Centre Zone' lots are also unsuitable for commercial uses to be permissible through Amendment No. 210 for the following reasons:

- The lots are now occupied only by Single House residential development. The establishment of a commercial use now could potentially result in detrimental impacts on surrounding residents in the 'Centre Zone'.

- The existing dwellings on these lots are designed and positioned in a way that hinders onsite parking and the carrying out of most commercial land uses.
- Following the recent gazettal of Amendment No. 172 to DPS 2, 'Single House' is now a not permitted (or 'X') use in the Commercial Zone. Therefore, the residential use of these lots would become non-conforming if a Commercial zoning was instead imposed through DPS 2.

Therefore, Amendment No. 210 proposes that the lots in the ASP 33 'Centre Zone' be zoned 'Residential' in DPS 2. A density coding of R40, taken from ASP 33, will also be imposed for these lots.

4.2.4 ASP 33 Mixed Use Zone (West) Area

ASP 33 identifies 22 lots within what it calls the Main Street (West) Mixed Use area. ASP 33 also designates a density coding of R40 over this same area.

Under ASP 33, the permissibility of uses in this area is in accordance with the Residential Zone. Although this area within ASP 33 is titled using the term 'Mixed Use', the structure plan only supports the carrying out of land uses permissible in the DPS 2 Residential Zone. As such, Amendment No. 210 proposes to apply the 'Residential' zoning over all lots in the ASP 33 'Main Street (West) Mixed Use' area – and apply a density coding of R40 consistent with the structure plan.

4.3 Proposed Mixed Use Zone

The ASP 33 'Main Street (Central) Mixed Use Zone' area provides the only 'Mixed Use' development in the structure plan area. That area contains 26 lots, varying in size from 262m² to 563m² – which ASP 33 also applies a density coding of R60 over. Of the 26 lots in the 'Main Street (Central) Mixed Use Zone' area, only one remains vacant.

Section 5.3.2.2 of ASP 33 (relating to the 'Main Street (Central) Mixed Use Zone' area) prescribes that the permissibility of uses be in accordance with the provisions of the Mixed Use Zone in DPS 2. On review, the City has found that the approved uses on the lots in the 'Main Street (Central) Mixed Use Zone' area are consistent with the land use permissibility for the 'Mixed Use' zone as detailed in Schedule 1 (Zoning Table) of DPS 2.

Section 5.3.2.2 of ASP 33 makes provision that all mixed use development contain a minimum of one dwelling. However, DPS 2 offers no equivalent provision requiring residential dwellings on mixed use lots. On review, the City has identified that:

- All established lots in the Main Street (Central) Mixed Use area are developed with at least one residence (as a single house or multiple dwellings); and
- The City has granted development approval for a mixed use development (with a residential component) on the vacant Lot 1176 (231) Ocean Keys Boulevard.

In light of the above, the City cannot foresee planning conflicts arising should it apply the 'Mixed Use (R60)' zone over the ASP 33 'Main Street (Central) Mixed Use Zone' area through Amendment No. 210 to DPS 2.

The ASP 33 'Transit Precinct Land Use Plan' map (included within **Appendix 1**) also shows a Mixed Use zoned area, where the Clarkson Station car parking is now located. This land is in the ownership of the Crown or State Government authorities. As the land is also reserved for 'Railways' and 'Primary Regional Roads' under the MRS, Amendment No. 210 proposes no changes for this land.

4.4 Proposed Commercial Zone

4.4.1 Provision in ASP 33

ASP 33 identifies a 'Main Street (East) Mixed Use Zone' area with a density code of R80. This area is situated close to the Clarkson Station and comprises of ten 'parent' lots (some of which are strata subdivided).

Pursuant to Section 5.3.2.3 of ASP 33, the permissibility of uses in the Main Street (East) Mixed Use Zone' area is in accordance with the Commercial Zone of DPS 2. As such, Amendment No. 210 is proposing to apply the Commercial zone over this area. A density coding of R80 is also proposed over this area, consistent with ASP 33.

There are additional considerations for the 'Main Street (East) Mixed Use Zone' area which were factored in during the preparation of Amendment No. 210. These are discussed further in the following sub-sections.

4.4.2 Built Form Considerations

Section 5.3.2.3 of ASP 33 contains extensive built form provisions for the 'Main Street (East) Mixed Use Zone' area. The built form provisions deal with the following elements:

- Setbacks to lot and street boundaries;
- Glazing of ground level commercial/retail buildings along the street and Town Square (public open space at Lot 1193 Celebration Boulevard);
- Articulation of street corners;
- The forming of buildings around the Town Square;
- Use of lighting;
- Location of service areas, storage and bins;
- Integration of signage into the building;
- Car parking and access; and
- Site area per dwelling and plot ratio requirements.

A more detailed review of these provisions is provided in **Appendix 2**.

Most of the lots in the 'Main Street (East) Mixed Use' area are fully established, and do not require the ASP 33 built provisions to continue applying. Should ASP 33 be revoked, any future redevelopment of the established lots could be guided by:

- The 'Additional site and development requirements that apply to land in the Scheme Area', as provided in Schedule 6 of DPS 2, which can be varied to deliver a more consistent built form with the surroundings (e.g. more consistent with the existing ASP 33 provisions).
- The provisions of the R-Codes (Volume 2), in respect to residential or mixed use development.
- Any advice which the City may wish to obtain from its design review panel.

The provisions, however, still have some relevance to a portion of the 'Main Street (East) Mixed Use' area, where two vacant land parcels still remain. To facilitate the revocation of ASP 33 – and to have the relevant built form provisions from ASP 33 still apply where required – the City is proposing that a local development plan (**LDP**) be prepared. The LDP would relate to the following land:

- Lot 1161 (146) and Lot 1162 (148) Celebration Boulevard, Clarkson, which are both vacant; and

- Lot 2000 (144) and Lot 1163 (150) Celebration Boulevard; located adjoining Lots 1161 and 1162. Although Lot 2000 and Lot 1163 already contains existing development, including these lots on an LDP would demonstrate how future built form on the vacant lots could integrate with existing buildings on the occupied adjoining lots.

Appendix 3 provides a location plan for the land parcels referred to above – as well as Google streetview images.

Under Clause 47(d) of the deemed provisions, an LDP may be prepared if the WAPC and the City consider that one is required for orderly and proper planning. An LDP over the above-listed land parcels would assist in delivering built form outcomes that are consistent with the surrounding area. Therefore, the City considers that there are sufficient grounds for an LDP to be prepared as the City is proposing.

Suggested provisions which could be inserted into a future LDP are also included within **Appendix 3**.

Initiating the LDP at this stage would be premature. The City is proposing to commence the preparation of the LDP once ASP 33 is revoked. In requesting the revocation of ASP 33, the City will seek the WAPC's agreement that an LDP is required, pursuant to Clause 47(d) of the deemed provisions.

An LDP would deliver built form outcomes that are more complementary with the surrounding area. However, if for whatever reason an LDP is never formulated or approved after ASP 33 is revoked, it would still be possible to assess development proposals for the vacant land parcels under DPS 2, Volume 2 of the R-Codes and (if needed) under advice from the City's Design Review Panel.

4.4.3 Additional Use – Grouped Dwelling

Amendment No. 210 proposes to make 'grouped dwelling' a discretionary ('D') 'additional use' that would be permissible in the Commercial Zone proposed over the subject area.

ASP 33 currently prescribes that the permissibility of uses in this area shall be in accordance with the Commercial Zone of the scheme. The proposed Commercial Zone contains grouped dwelling development, as previously approved by the City. Grouped dwelling was previously a discretionary ('D') land use in the Commercial Zone, and capable of approval. However, on gazettal of Amendment No. 172 in May 2023, grouped dwelling became a not permitted ('X') land use in the Commercial Zone.

If Amendment No. 210 did not propose grouped dwelling as an additional use, existing grouped dwellings in the ASP 33 'Main Street (East) Mixed Use' area would be treated as a 'non-conforming use' under DPS 2. Development applications for any alterations, repairs or additions to non-conforming uses must undergo a more rigorous planning assessment, which involves the need to advertise any proposal received. Furthermore, the City would not have been able to approve any new grouped dwelling development in this area.

'Grouped dwelling' as an additional use within the Commercial Zone (as proposed) would not be treated as a 'non-conforming use'; but rather, would be treated the same as any other permissible use.

4.5 Rezoning of Pedestrian Accessway

The subject area contains one Crown Land parcel designated as a pedestrian accessway (PAW). This PAW land parcel, being Lot 1186 (2) Riverlinks Drive, runs parallel to Connolly

Drive, between Riverlinks Drive and Tufnell Lane. The PAW is approximately five metres in width.

The land acts as a legal mechanism to restrict vehicular access onto residential lots from Connolly Drive. PAW's are no longer used to restrict access to lots, with specific provisions under the *Planning and Development Act 2005* now used to control access to lots.

Although seemingly insignificant, the PAW is still its own Crown Land parcel that exists in the subject area. The PAW is currently zoned Urban Development under DPS 2. Amendment No. 210 needs to specifically attend to this land parcel, to ensure there are not 'strips' of Urban Development zoned land remaining throughout the subject area as a result of this amendment.

Therefore for consistency, Amendment No. 210 also proposes to rezone the PAW 'Residential' and apply the R40 density coding to correspond with what is proposed for the respective adjoining residential land parcels.

4.6 Water Corp Freehold Land

The subject area provides utility sites owned by the Water Corporation in freehold – located at Lot 1388 (12) Vickery Loop and Lot 1627 (650) Connolly Drive, Clarkson. The ASP 33 'structure plan' map (included in **Appendix 1**) depicts these land parcels as having a Residential zoning designation, as the provision of Water Corporation infrastructure on these lots only became apparent at the subdivision stage of planning.

In light of the current use of Lot 1388 and Lot 1627, Amendment No. 210 proposes to impose the 'Local Scheme Reserve – Public Purposes' over these land parcels.

4.7 Public Open Spaces

The ASP 33 'Structure Plan' map (included within **Appendix 1**) provides specific locations where public open space was to be provided. Public open spaces, where identified in ASP 33, have now been provided through subdivision – and ceded as Crown Land. Amendment No. 210 proposes to impose the Local Schemes Reserve – Public Open Space over the public open space sites, consistent with their use and ceding.

4.8 Maximum Retail Net Lettable Area

Schedule 7 of DPS 2 currently imposes a maximum retail NLA of 3,000m² for Lot 16 (being the entire ASP 33 area).

Section 4 of ASP 33 provides guidance on how the 3,000m² retail NLA should be split. ASP 33 states that a maximum of 2,800m² of retail NLA should be located within the Main Street (East) Mixed Use area, and a small quantity of retail NLA (not exceeding 200m²) being provided in the 'Centre Zone' (subject of discussion in Section 4.2.3 above).

As outlined above, the Centre Zone has been subdivided into small laneway lots with single house residential development. This constrains the ability to provide any retail floorspace in that area. Therefore, the 200m² of retail NLA that was intended for the 'Centre Zone' may provide a greater benefit if it were to be located within the ASP 33 Main Street (East) Mixed Use area.

In light of the above, Amendment No. 210 proposes to amend Schedule 7, to refine the land parcels in which the 3,000m² maximum retail NLA is to be located. The refinements would instead list the ten 'parent' lots which Amendment No. 210 proposes to rezone to

'Commercial'. Through the amendment, none of the 3,000m² floorspace will be permitted on land which ASP 33 currently identifies as 'Centre Zone'.

4.9 Bushfire Planning Considerations

The southernmost extent of the subject area has been designated as 'bushfire prone' by the Fire and Emergency Services Commissioner.

Amendments to a local planning scheme within designated bushfire prone areas, relating to land that has or will have a Bushfire Hazard Level or Bushfire Attack Level rating above low, are to comply with the measures in State Planning Policy 3.7: Planning in Bushfire Prone Areas (**SPP 3.7**). The measures include the preparation of a Bushfire Management Plan (**BMP**) to accompany the amendment proposal.

The 'Guidelines for Planning in Bushfire Prone Areas', prepared to accompany SPP 3.7, states that for local planning scheme amendments that propose to rezone an area, consideration should be given to whether the rezoning will increase the bushfire risk in that area. Such consideration has been made by the City, and it is determined that a bushfire management plan or other supporting bushfire documentation is not required to support Amendment No. 210 for the following reasons:

- Moving land use planning and residential density controls out of a structure plan and into a local planning scheme should not increase bushfire risk for the land subject to Amendment No. 210;
- Amendment No. 210 does not seek to intensify or increase the development potential of lots already allowed (or capable of approval) through ASP 33;
- The remaining land capable of further development in the ASP 33 area is not located within 'bushfire prone areas';
- The areas subject to rezoning through Amendment No. 210 have already undergone structure planning and subdivision, where bushfire planning considerations should have been undertaken;
- A Bushfire attack level (BAL) assessment or other information can be pursued to support future development proposals or subdivision in bushfire prone areas; and
- Amendment No. 210 does not seek to change the alignment of access roads, which would provide access to a bushfire for an emergency vehicle – or access out by residents evacuating.

4.10 ASP 33 Development Provisions

Development criteria in ASP 33 have been in place since the structure plan was initially adopted by the WAPC in November 2003. At that time, it was common for structure plans to provide development criteria for lots created through subdivision.

Discussion on some of the development criteria has already been provided in the above sub-sections. A full summary review and discussion of the development criteria is provided in **Appendix 2**.

Providing development criteria in 'standard' structure plans is now inconsistent with the deemed provisions, contained in the Regulations. Since the adoption of ASP 33, the deemed provisions have redefined how structure plans operate, and have created two structure plan classes – 'precinct structure plans' and 'standard structure plans'. The deemed provisions define 'precinct structure plans' and 'standard structure plans' as follows:

precinct structure plan means a plan for the coordination of future subdivision, zoning and development of an area of land.

standard structure plan means a plan for the coordination of future subdivision and zoning of an area of land.

ASP 33 was not adopted as a 'precinct structure plan'; and therefore, the City considers it as a 'standard structure plan'. By referring to the definitions above, only a 'precinct structure plan' should have provisions relating to the development of land.

The City does not consider it necessary to retain ASP 33 in a manner that it becomes a 'precinct structure plan'. As most land parcels affected by ASP 33 are now established, it is less likely that the development provisions in ASP 33 will need to be frequently applied in the future. As outlined in Section 4.4.2 above, an LDP could be prepared for vacant lots in place of the ASP 33 provisions, where required.

After ASP 33 is revoked, and for land where no LDP is in place, redevelopment can be guided by other components of the City's local planning framework, including:

- The provisions of the R-Codes (Volume 1 or Volume 2) if the development is solely residential – or incorporates both commercial and residential elements (mixed use). Both volumes of the R-Codes have performance-based criteria that can be applied when considering built form proposals;
- The relevant provisions of Schedule 6 of DPS 2 that relate to non-residential and non-rural development – which DPS 2 allows to be varied; and
- Feedback and advice from the City's Design Review Panel, which was established after the initial adoption of ASP 33.

4.11 WAPC Considerations to Revoke ASP 33

The Regulations (r. 35A) make provision for when an amendment to a local planning scheme affects a structure plan area, the amendment includes either of the following as a statement, that when the amendment takes effect:

- (a) the approval of the structure plan is to be revoked; or
- (b) the structure plan is to be amended in accordance with the statement; or
- (c) the approval of the structure plan is not affected.

As identified in Section 4.10 above, ASP 33 is considered a 'standard structure plan' in the context of the deemed provisions. The definition of 'standard structure plan' is as follows:

standard structure plan means a plan for the coordination of future subdivision and zoning of an area of land.

As the structure plan area has now been subdivided – and zoning of the affected land is being transferred into DPS 2 through Amendment No. 210 – ASP 33 will no longer have a purpose to continue being in place.

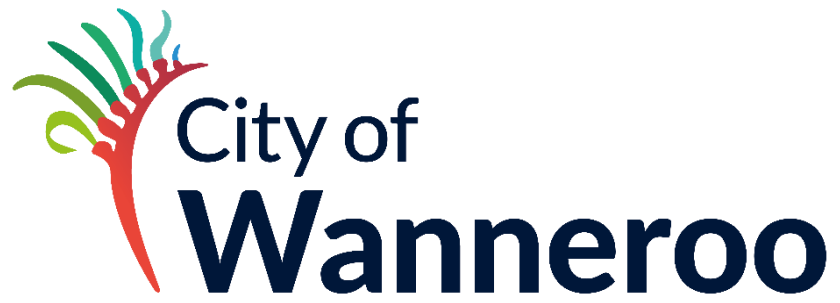
As a result, a statement has been included within the Amendment No. 210 proposal prescribing that the WAPC's approval of ASP 33 can be revoked pursuant to Regulation 35A(a). The revocation of ASP 33 should then be undertaken by the WAPC pursuant to Clause 29A(1) of the deemed provisions, following the approval of Amendment No. 210.

5.0 Conclusion

Amendment No. 210 to the City of Wanneroo District Planning Scheme No. 2 has been prepared as a 'standard' amendment in the context of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations).

Amendment No. 210 seeks to normalise the zoning and R-coding over the area affected by the City's Clarkson (Lot 16 Connolly Drive) Agreed Local Structure Plan No. 33 (ASP 33). The City considers that ASP 33 is ready to be revoked, given the land that it affects has now been subdivided and its October 2025 expiry is becoming imminent. Therefore, the Amendment No. 210 proposal also includes a statement pursuant to the Regulations, prompting the WAPC to revoke ASP 33 once the Scheme amendment is approved.

The City is hopeful that this Report assists the WAPC in explaining the purpose and detail of Amendment No. 210 (and subsequent revocation to ASP 33) – and assists in providing for a prompt and favourable consideration of what is proposed.



APPENDIX 1

Clarkson (Lot 16 Connolly Drive) Agreed
Local Structure Plan No. 33

CLARKSON
(LOT 16 CONNOLLY DRIVE)
AGREED STRUCTURE PLAN
(AS AMENDED)

Structure Plan No. 33
Agreed: 3 November 2003

**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
AGREED STRUCTURE PLAN NO. 33: CLARKSON LOT 16**

Amendment No.	Description of Amendment	Finally Endorsed Council	Finally Endorsed WAPC
1	Modifies the existing base density coding of the land from R20 to R30, adds several pockets of R40-coded land to the Structure Plan area, and introduces various design provisions	16.6.2004	17.1.2005
2	Modifies some of the existing development provisions relating to street setbacks.	3.2.2005	17.1.2005
3	Modifies base plans, modifies various existing development provisions, and deletes clauses relating to 'alternative uses'.	4.7.2005	19.8.2005
4	<ul style="list-style-type: none"> • Relocates the public open space; • Amends the Structure Plan design to facilitate the preservation of an area of Aboriginal significance; and • Amends Clause 5.3.2.3 (h) 	2.12.2005	3.3.2006

OVERVIEW

PARTS OF THE STRUCTURE PLAN

This Structure Plan comprises two parts.

Part 1: Statutory Planning Section
Part 2: Explanatory Report

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 the Structure Plan. Part 2 of this Structure Plan is for explanatory purposes only, providing a descriptive analysis of the structure plan.

Subclause 9.8.3 (f) of the scheme, states that, where, in the event of there being any inconsistency or conflict between any provision, requirement or 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.

SUMMARY

This Structure Plan refers to Lot 16 Connolly Drive, and portion of the controlled access highway (Mitchell Freeway) which will form part of the Clarkson Main Street/Station Precinct, Clarkson, which is bounded by Neerabup Road to the south, Connolly Drive to the west, Ridgewood Estate to the North, and the proposed Mitchell Freeway reservation to the east. The subject land is currently included within the “Urban Development Zone” of the City of Wanneroo District Planning Scheme No. 2.

The Structure Plan shall determine the overall detailed land use and form for development within the subject land. The area is divided into 4 precincts which accommodate broad land use groupings. The Explanatory Report provides a descriptive analysis of the Structure Plan and the intended design.

PART 1

STATUTORY PLANNING SECTION

As provided for under the provisions of Clause 9.8.2 and Part 9 of the Scheme, this part of the Structure Plan has the same force and effect as a provision, standard or requirement of the Scheme. It is required that the Structure Plan be reviewed after a period of five years from the date of it becoming an Agreed Structure Plan.

SUBJECT AREA

The Structure Plan area comprises approximately 120 hectares and includes Lot No. 16 Connolly Drive and portion of the adjacent Controlled Access Highway (Mitchell Freeway) to form part of the Clarkson Transit Precinct.

1. ZONES AND PRECINCTS

Plan 1: 'The Structure Plan Map' indicates the land use zones and precincts for the subject area, together with main road structure, public open space, landmark sites, and 'Main Street'.

The Structure Plan Map defines the following zones and precincts over the subject area:

1. Residential Zone
2. Small Lot Residential Precinct
3. Centre Zone
4. Transit Precinct

2. THE SCHEME

Unless provided for by specific requirements in this Structure Plan, all requirements shall be in accordance with the Scheme.

3. RESIDENTIAL DENSITY CODING

Residential land within the subject area shall be developed in conformity with the provisions of the Residential Design Codes (RD Codes) of Western Australia as given effect by the Scheme. In the event of there being any conflict or inconsistency between any requirement, provision or standard of the RD Codes and requirement, provision or standard of the Structure Plan, the requirement, provision or standard of the Structure Plan shall prevail. The enclosed **Plan 2**: 'Residential Code Map' indicates the Residential Density Codes that apply to the subject land and shall take the place of the map referred to in the Scheme.

4. RETAIL FLOOR-SPACE

Under the provisions of the Scheme and City of Wanneroo Centres Strategy, Lot 16 has been allocated 3,000m² of retail net lettable area. A maximum of 2,800m² of retail net lettable area will be located within the Main Street (east) Mixed Use area, as depicted in **Plan 3**. Potential also exists for a small

quantity of retail net lettable area, not exceeding 200m², to be provided at the northern neighbourhood centre.

Whilst the details of retail floor-space development are unknown at this stage, the allocated 3,000m² will not be exceeded.

5. PROVISIONS

The provisions, standards and requirements of the zones as included in the Scheme, apply, in addition to any requirements included within this Structure Plan.

This document identifies four zones or precincts, distinguished by their land use intent and built form character. Together they will provide a diversity of housing choice and lifestyle options supported by a viable amount of commercial uses, which can develop to create a robust 'urban village'.

Landmark sites and Main Street are also identified for which special provisions apply.

The provisions may be augmented by the preparation of Guidelines at subdivision stage which detail specific planning, design and constructional requirements for particular zones or precincts.

5.1 Residential Zone

The permissibility of uses and development shall be in accordance with the provisions of the Residential Zone.

5.1.1 Objectives

General objectives intended for lots within the Residential Zone include:

- a) Encourage an attractive streetscape where garages and carports do not dominate the visual appearance of the building façade.
- b) Encourage variation in building shape of individual residences to create visual interest.
- c) Promote dwelling layouts that provide for pedestrian friendly streetscapes with passive surveillance of the public streets.
- d) Provide sufficient building scope to allow for suitable single storey accommodation and encourage detail in the building façade.
- e) Encourage provision of high amenity outdoor living space.

5.1.2 Criteria

5.1.2.1 Lots with Street Frontages of 15m or less in width

- a) The front setback to the street boundary shall be 3m minimum.
- b) Walls up to 3.5 metres in height shall have a minimum 1m setback from the side boundary.
- c) Notwithstanding the above, walls behind the front setback line may be built up to a side boundary provided they do not exceed 3.5 metres in height and 10 metres in length.
- d) Garages and carports shall be setback a minimum of 5 metres from the primary road frontage.
- e) Car parking access shall be gained from laneways, where provided.
- f) The setback to garages and carports from the rear laneway shall be a minimum of nil. A sight truncation is not required at the sides of garage openings at ground level.
- g) The minimum open space shall not be less than 40% of each individual lot, provided the outdoor living area is directly accessible from a habitable room of a dwelling other than a bedroom, and is not used for any utilitarian purposes such as clothes drying.

5.1.2.2 Lots with Street Frontages greater than 15m in Width

Laneway Lots

The laneway lots are those lots that have rear access via a laneway.

- a) The front setback to the street boundary shall be 3 metre minimum and 4.5 metre minimum average.
- b) Walls behind the front setback line may be built up to a side boundary provide they do not exceed 3.5 metres in height and 10 metres in length.
- c) Car parking access shall be gained from laneways.
- d) The setback to garages and carports from the rear laneway shall be a minimum of nil. A sight truncation is not required at the sides of garage openings at ground level.

Standard Lots

The Standard lots are those lots that do not have rear access via a laneway.

- e) The front setback to the street boundary shall be 3 metre minimum.
- f) Walls behind the front setback line may be built up to a side boundary provide they do not exceed 3.5 metres in height and 10 metres in length.
- g) Garages and carports shall be setback a minimum of 5 metres from the primary road frontage.

5.1.2.3 General Criteria

The general criteria apply to all lots within the Residential Zone.

- a) Where lots directly abut a Public Open Space reserve, the dwelling shall be setback 1.5m minimum from the open space boundary. The dwelling shall be setback no greater than 3.0m at its closest point to the public open space.
- b) For lots abutting Public Open Space, fencing along Public Open Space boundaries may be solid to 750mm above ground level or retaining wall. Above this, the fence shall be 50% visually permeable to a maximum height of 1800mm. Where a side boundary of a lot abuts Public Open Space, 50% visually permeable fencing shall be constructed to at least 5.0m from both the front and rear boundaries, and solid fencing to a height of 1800mm may be constructed between the front and rear setback distances.
- c) For lots with potential for development for two single houses or two grouped dwellings, a dwelling may not be constructed unless it directly fronts a public street.

5.2 Small-Lot Residential Precinct

The small lot residential zone is intended primarily for residential development at a range of densities with a variety of housing to meet the needs of different household types.

The permissibility of land uses within this precinct shall be in accordance with the provisions of the Residential Zone of the Scheme. Residential land within this precinct shall be developed in conformity with the provisions of the Residential Design Codes as given effect by the Scheme in addition to the criteria set out below. Plan No. 2 depicts the Residential Codes that apply to the subject land and shall constitute the Residential Density Code Map of the Scheme.

5.2.1 Objectives

General objectives intended for the Small Lot Residential Precinct include:

- a) Encourage a diversity of housing types, including single residential, grouped dwellings, and multiple dwellings;
- b) Encourage a strong sense of architectural identity at special locations, such as opposite public open space;
- c) Promote layouts that provide for pedestrian friendly streetscapes with passive surveillance of the public streets and open spaces such as parks.

5.2.2 Criteria

- a) The front setback to the street boundary shall be 1.5m minimum and 3.0m minimum average.
- b) Garages and carports shall have a 4.5m minimum setback from the street boundary.
- c) Side setbacks shall be in accordance with the Residential Planning Codes. All dwelling units may be constructed with one or more walls built up to one or more side or rear boundaries provided every dwelling shall have a courtyard with a minimum dimension of 4.0m.
- d) Where small lots directly abut a Public Open Space reserve, the dwelling shall be setback 1.5m minimum from the open space boundary and street boundary. A 1.5m side setback is permitted to the open space boundary and street boundary.
- e) For lots abutting Public Open Space, fencing along Public Open Space boundaries may be solid to 750mm above ground level or retaining wall. Above this, the fence shall be 50% visually permeable to a maximum height of 1800 mm. Where a side boundary of a lot abuts Public Open Space, 50% visually permeable fencing shall be constructed to at least 5.0m from both the front and rear boundaries, and solid fencing to a height of 1800mm may be constructed between the front and rear setback distances.
- f) Utility areas such as bins and service areas shall be screened from view from streets and Public Open Spaces.
- g) Car parking access shall be gained from laneways, where applicable.

5.3 Transit Precinct

The Transit Precinct is intended to accommodate a mixture of land use activity including residential, office, retail, entertainment and civic.

The purpose of the Transit Precinct is to provide a flexible approach to the planning, design and implementation of land uses. This will facilitate the establishment and economic sustainability of uses within transit precinct.

Plan 3 – ‘Transit Precinct Land Use Plan’ – indicates the proposed land uses within the precinct and areas subject to alternative land uses.

5.3.1 Objectives

The objectives of this Precinct are:

- a) To create a Main Street as an active focus for the community with a balance of viable uses and a diversity of retail and commercial uses and leisure opportunities that generate day and evening activity;
- b) Encourage a diversity of land uses and housing types;
- c) Encourage high standards of built form and streetscape;
- d) Provide continuity of activity along streets;
- e) Provide efficient vehicle access whilst maintaining a high level of pedestrian amenity; and
- f) Emphasise landmark sites.

5.3.2 Criteria

The permissibility of uses and development within the various land use sectors of the Transit Precinct as depicted in Plan 3 shall be in accordance with the following criteria.

5.3.2.1 Main Street (West) Mixed Use

The permissibility of uses shall be in accordance with the provisions of the Residential Zone. Development shall be in accordance with the criteria of the Small-Lot Residential Precinct, with the exception that the front building setback from the street boundary shall be a minimum of 3.0m with a 4.0m minimum average.

5.3.2.2 Main Street (Central) Mixed Use

The permissibility of uses shall be in accordance with the provisions of the Mixed Use Zone. All development shall contain a minimum of one residential dwelling.

Development shall be in accordance with the criteria of the Small-Lot Residential Precinct, with the exception of the following:

- a) The front setback to the street boundary may be reduced to 0.0m when the portion of the building in front of the 3.0m average setback line is used for non-residential activity. Where a nil street setback is used, development shall be in accordance with Criteria (e), (f) and (h) to (l) of Main Street (East) Mixed Use.

In areas coded R80, the 'minimum site area per dwelling' and 'plot ratio' requirements for multiple dwellings, as prescribed in the Residential Design Codes, shall also apply to Grouped Dwellings and Single Houses.

5.3.2.3 Main Street (East) Mixed Use

The permissibility of uses shall be in accordance with the provisions of the Commercial Zone. Development shall be in accordance with the following criteria:

- a) Lots with frontage to Main Street shall have nil building setback to the front street boundary and side boundaries.
- b) There is no rear setback requirement for non-residential development.
- c) Lots fronting secondary streets may have a nil front setback, with a 3.0m maximum front setback and nil side setback. On lots with frontage to more than one street the maximum setback may be varied.
- d) The rear setback requirement for residential and residential/mixed use development serviced by laneways shall be in accordance with the criteria for the Small-Lot Residential Precinct.
- e) Glazing of ground floor level of commercial/retail buildings should be maximised along the street and Town Square facades. At least 50% of the area of the ground floor façade shall be glazed and the horizontal dimension of the glazing shall be at least 75% of the height of the ground floor facade.
- f) The corners of buildings should be designed to articulate street corners where applicable, especially for landmark locations as identified in Plan 1.
- g) The eastern and northern edges of the Town Square shall be completely formed by buildings or, alternatively, a colonnade (at least 4m high and 3m wide), as depicted in Plan 3. The ultimate shape of the Town Square will be determined by the positions of buildings and colonnade. The ultimate area of the Town Square shall be between 1,500 m² and 1,600 m².
- h) Buildings shall be designed to have active frontages with no blank facades fronting the street. Buildings with a nil setback to the front street boundary shall have continuous awnings and/or colonnades along public frontages to give pedestrians protection from the weather.
- i) Buildings and all streets, parks and parking areas shall be well lit to encourage safe use after hours.
- j) Service areas, bins and storage areas and services such as air conditioners shall be located away from public areas and screened from view from streets and public areas by an enclosure in the style and material of the building.
- k) Signage shall be integrated with buildings and shall be appropriate in character. Development approval is required for any signage not included within the original submission.
- l) Direct vehicle access to lots will not be permitted from Main Street frontage. Car parking and access shall be provided to Main Street sites from secondary streets by means of rear lanes or easements in gross.
- m) In areas coded R80, the 'minimum site area per dwelling' and 'plot ratio' requirements for multiple dwellings, as prescribed in the Residential Design Codes, shall also apply to Grouped Dwellings and Single Houses.

5.3.2.4 Mixed Use

The permissibility of uses shall be in accordance with the provisions of the Mixed Use Zone.

Development shall be in accordance with the criteria of the Main Street (Central) Mixed Use and criteria j, k and l of the Main Street (East) Mixed Use.

Additionally, non-residential buildings shall be developed in accordance with criteria b to f of Main Street (East) Mixed Use.

5.3.2.5 Residential

The permissibility of uses and development shall be in accordance with the provisions of the Residential Zone.

Notwithstanding the requirements for development under the Scheme, lots abutting laneways shall be developed in accordance with the criteria of the Small-Lot Residential Precinct.

5.4 Centre Zone

The Centre Zone is intended to accommodate a mixture of residential development with small scale businesses in a primarily residential scale environment. The predominant uses will be residential, office, consulting, dining and limited retail uses occupying the street frontage of lots.

The permissibility of uses shall be in accordance with the provisions of the Commercial Zone.

Development of non-residential buildings shall be in accordance with the criteria of Main Street (East) Mixed Use. Development of residential and residential/mixed use buildings shall be in accordance with the criteria of Main Street (Central) Mixed Use.

5.5 Landmark Sites

Any building developed on a Landmark site shall have special building elevation and window treatments that draw attention to the location, including such means as distinctive roof forms, balconies, articulation of corner wall elements, entry forecourts, materials and colour.

5.6 Car Parking – Main Street East

The car parking strategy for the Village Centre, Main Street East, has been prepared with regard to the urban design and development principles for the centre and the key objective of a reciprocal parking arrangement for all future land owners. A key aspect to facilitating a vibrant mixed-use centre is the

creation of smaller blocks to improve walkability, a highly permeable street layout to improve access, and adaptable street environments to allow changes in land use and street use over time. The maximisation of on-street parking enables the reduction in block sizes. On-street parking helps to reduce traffic speeds, thereby facilitating an active and safe street environment.

The transit station building and associated car parking stations are situated close to the Village Centre, thereby encouraging patrons parked in the Park-and-Ride stations to use the centre without using the on-street or off-street parking bays. Also, the proximity to the bus interchange means that people with limited private transport have greater access to the facilities within the Village Centre. Furthermore, the mixed use nature of the Village Centre means that the different uses will generate parking demand at different times, thereby enabling a reduction in parking provision facilitated by a reciprocal parking arrangement. Given these factors, it is considered appropriate that a dispensation be granted for the reduction of parking provision within the Village Centre. The AUSTRROADS Better Practice Guide (1998) recommends that for transit nodes, parking reductions of 5-25% be allowed for Office use and 10-15% for other commercial uses. A reduction rate of 15% is considered to be reasonable for the Village Centre.

The provision of car parking in the Village Centre has been designed on a holistic basis, with all on-street and off-street parking bays in the centre (as specified on **Plan 4**) being shared between land owners. **Plan 4** illustrates the hypothetical maximum development of the Village Centre, in terms of commercial floorspace and facilities, and shows indicative building footprint and parking configurations (that are subject to change). The possible number of car bays generated by the hypothetical land uses and the number of bays that could be achieved on-street and off-street are outlined below. This is an indicative calculation only and actual parking requirements will be subject to detailed assessment at the development approval stage using the criteria specified in Clause 5.7.1.

Possible Car Parking Generators:

Possible Land Use	Floorspace/Number	Car Parking Ratio	Required Parking Bays
Retail	2,500m ²	7 bays/100m ²	175
Office	1,500m ²	1 bay/30m ²	50
Civic Hall	1 x 250 people	1 bay/4 people	63
Church	1 x 100 people	1 bay/4 people	25
Residential	18 R80 dwellings	1 bay/dwelling	18
Sub-total			331
15% Reduction			-50
TOTAL			281

Possible Provision of Parking Bays (refer to Plan 4):

Possible On-street Parking Bays	Possible Off-street Parking Bays
Street 1: 38	Block 1:30-44
Street 2: 33	Block 2:60-70
Street 3: 24	Block 3:18-24
Street 4: 18 (non-peak hours)	Block 4:16-20
Street 5: 16	Block 5:15-20
Street 6: 18	
Total 147 bays	Total 139-178 bays
TOTAL BAYS: 286-325	

The hypothetical exercise indicates that the parking requirements for the Village Centre can be achieved through holistic and flexible planning and design.

5.6.1 Criteria

- a) Carparking is to be provided on-site at the rate prescribed in the Scheme for the use proposed, with consideration for the following provisions.
- b) On-street parking immediately abutting a lot may be included in the calculation for on-site parking. Council also has discretion to approve the allocation of on-street parking not abutting a lot if the parking bays are within 200m of the subject lot and are not considered to be required by any other non-residential use.
- c) A reduction of 15% is permitted for the provision of parking for each lot, as a result of the close proximity to the transit station and associated parking stations.

5.7 Four Pack Housing

As the name suggests, 4 Pack Housing is generally developed in groups of four dwellings but this may be varied depending on the site characteristics and development circumstances. Dwellings with street frontage are orientated to overlook the street and the other dwellings are orientated in the opposite direction to overlook public open space, major roads or other public environments. Each group of dwellings is served by a single driveway, formed by access-legs with reciprocal rights in favour of the all dwellings in the development.

It is intended that land designated for four pack housing be located in areas of high amenity, adjacent public open space and where passive surveillance of the public realm is encouraged.

5.7.1 Objectives

General objectives for land designated for four pack housing:

- a) Promote layouts that provide for pedestrian-friendly streetscapes with passive surveillance of the public streets, laneways and open spaces such as parks.
- b) Promote the relationship between public open space and adjacent lots through encouraging a strong sense of architectural identity toward and overlooking the public open space areas.
- c) Maintain a high level of pedestrian amenity.
- d) Encourage dwellings to have a relationship to the street.

5.7.2 Criteria

- a) The front setback to the street boundary shall be 2.0 metre minimum and 4.0m average.
- b) The setback to public open space shall be a minimum of 1.5 m. The dwelling shall be setback no greater than 3.0m at its closest point to the public open space.
- c) For corner lots with street and public open space frontage, the street shall be deemed a secondary street for the purpose of calculating the necessary setback.
- d) Garages and carports shall be located on the common boundary generally in accordance with the example depicted on Plan 5, and generally setback a minimum of 1m from the driveway.
- e) Side setbacks shall be in accordance with the Residential Design Codes. All dwellings may be constructed with one or more walls built up to one or more side boundaries provided every dwelling shall have a courtyard with a minimum dimension of 4.0 m.
- f) Vehicular access to garages and carports shall be via the reciprocal right of way. Buildings shall address the street, or in the case of lots abutting or overlooking the public open space, shall address the public open space areas.

6.0 MISCELLANEOUS DEVELOPMENT PROVISIONS

No subdivision or development approval shall be granted within the Structure Plan area prior to the following provisions being addressed, to the satisfaction of the City of Wanneroo:

- a) The finalisation of the Somerly Employment and Community Development Strategy, prepared by SGS Economics and Planning, and the implementation of the strategies arising from the final report.
- b) The implementation of the four initiatives put forward by Urban Pacific to recognise the heritage significance of the Mindarie Pastoral Company Homestead, which are:
 - Naming the main northern entry from Connolly Drive into the application area after the homestead (eg Homestead /Pastoral Drive);
 - Naming the nearest park to the former location of the homestead in recognition of the building (eg Mindarie Homestead Park);
 - Installation of a plaque in the park in recognition of the former Homestead;
 - Work with any local historical groups wishing to participate in the naming or wording of the plaque and road.
- c) Sufficient details being provided to the City at the subdivision stage to justify any proposed encroachment of subdivisional roads into the Connolly Drive road reserve.
- d) Revised design guidelines being implemented for the various zones and precincts being introduced into the Structure Plan area.





7.0 SUBDIVISION REQUIREMENTS

In addition to the normal requirements of subdivision, the following conditions will be recommended by Council to the WAPC at the time of subdivision

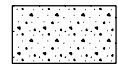



- Ethnographic and archaeological study to be prepared;
- Insert detailed design guidelines for the zones;
- Preparation and implementation of a drainage, nutrient and water management plan;
- Preparation and implementation of a wetland management plan;
- The preparation and Implementation of a vegetation management plan;
- Protection of site worthy vegetation;
- Provision of appropriate traffic signalling and management devices within the subdivision.

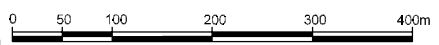


ZONES

-  Transit Precinct (Refer to Plan 3)
-  Centre Zone
-  Small Lot Residential Precinct
-  Residential Zone

OTHER

-  Primary School
-  Public Open Space
-  Landmark Buildings
-  Pedestrian Crossings (as per City of Wanneroo DPS No.2)



PROJECT DATE: JUNE 2006


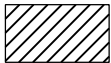
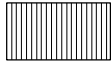
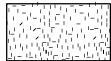
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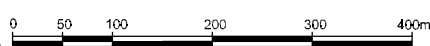


**Plan 1
STRUCTURE PLAN
Clarkson Structure Plan**

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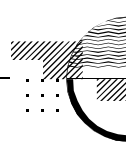
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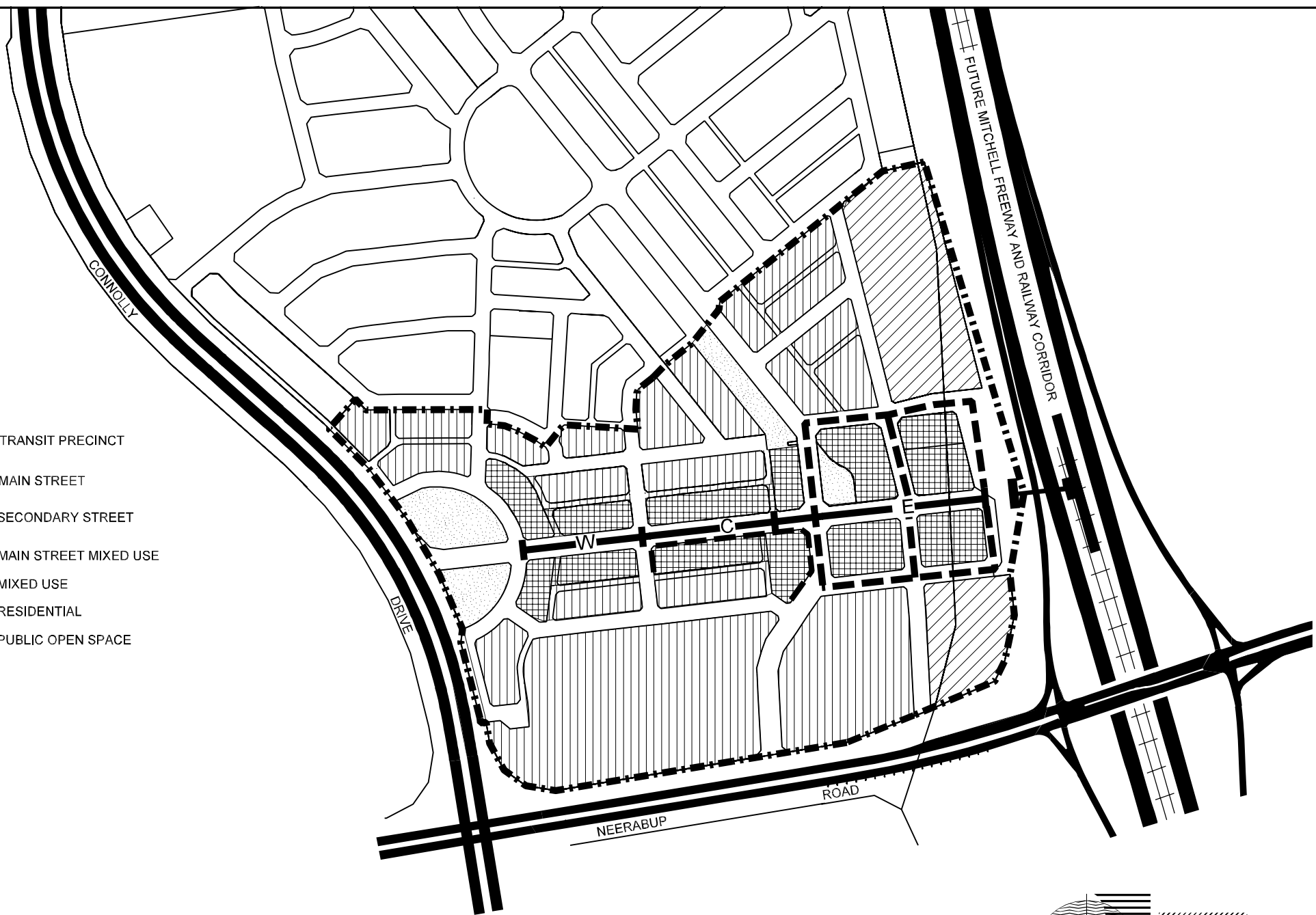
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



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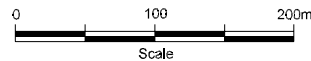
Plan 2 RESIDENTIAL CODE MAP Clarkson Structure Plan



-  TRANSIT PRECINCT
-  MAIN STREET
-  SECONDARY STREET
-  MAIN STREET MIXED USE
-  MIXED USE
-  RESIDENTIAL
-  PUBLIC OPEN SPACE

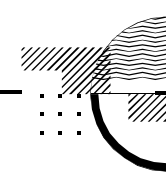
PROJECT

Plan 3 TRANSIT PRECINCT LAND USE PLAN Clarkson Structure Plan

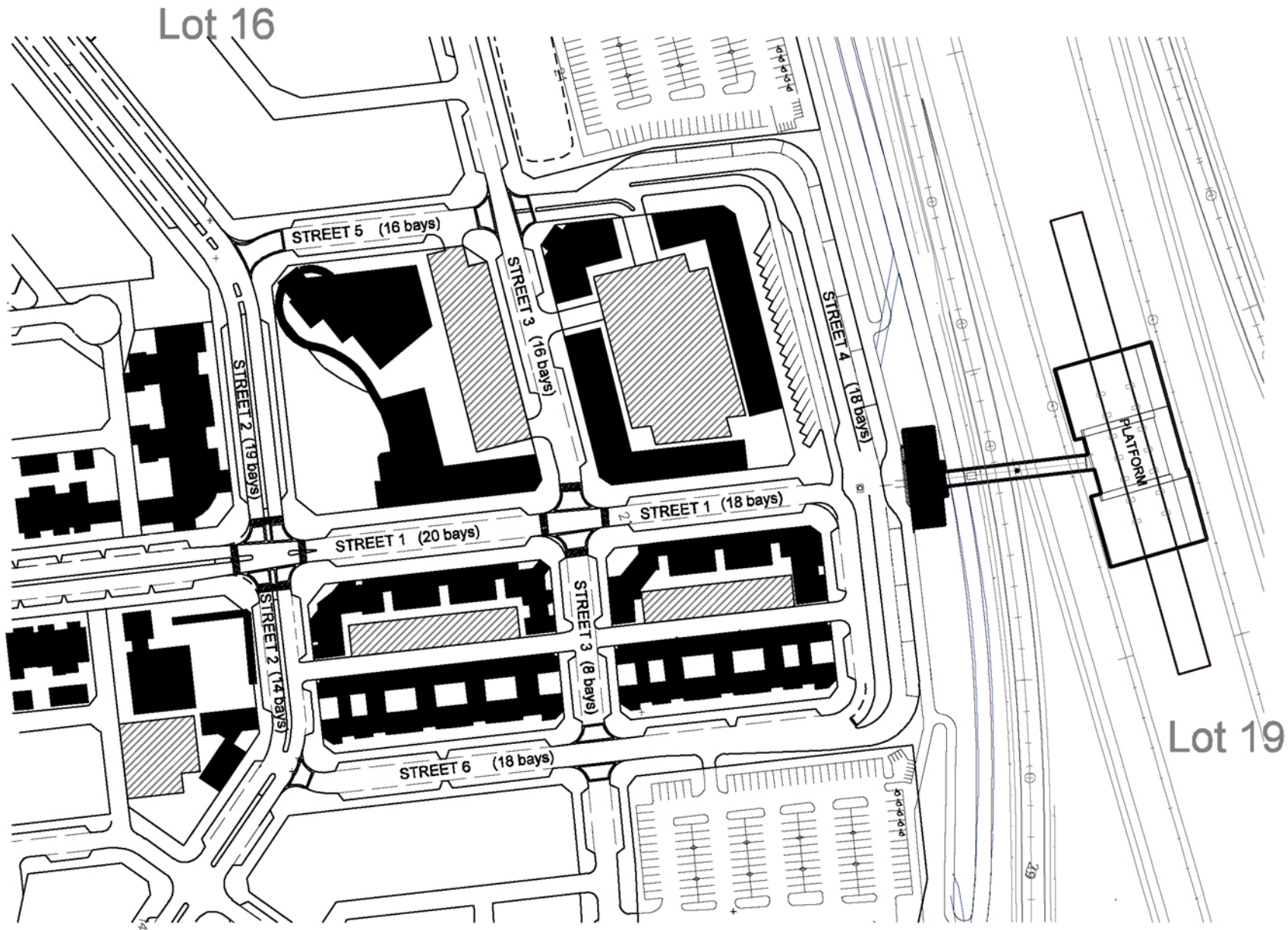


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Indicative on-site parking location

PROJECT

SCALE NORTH

NTS 

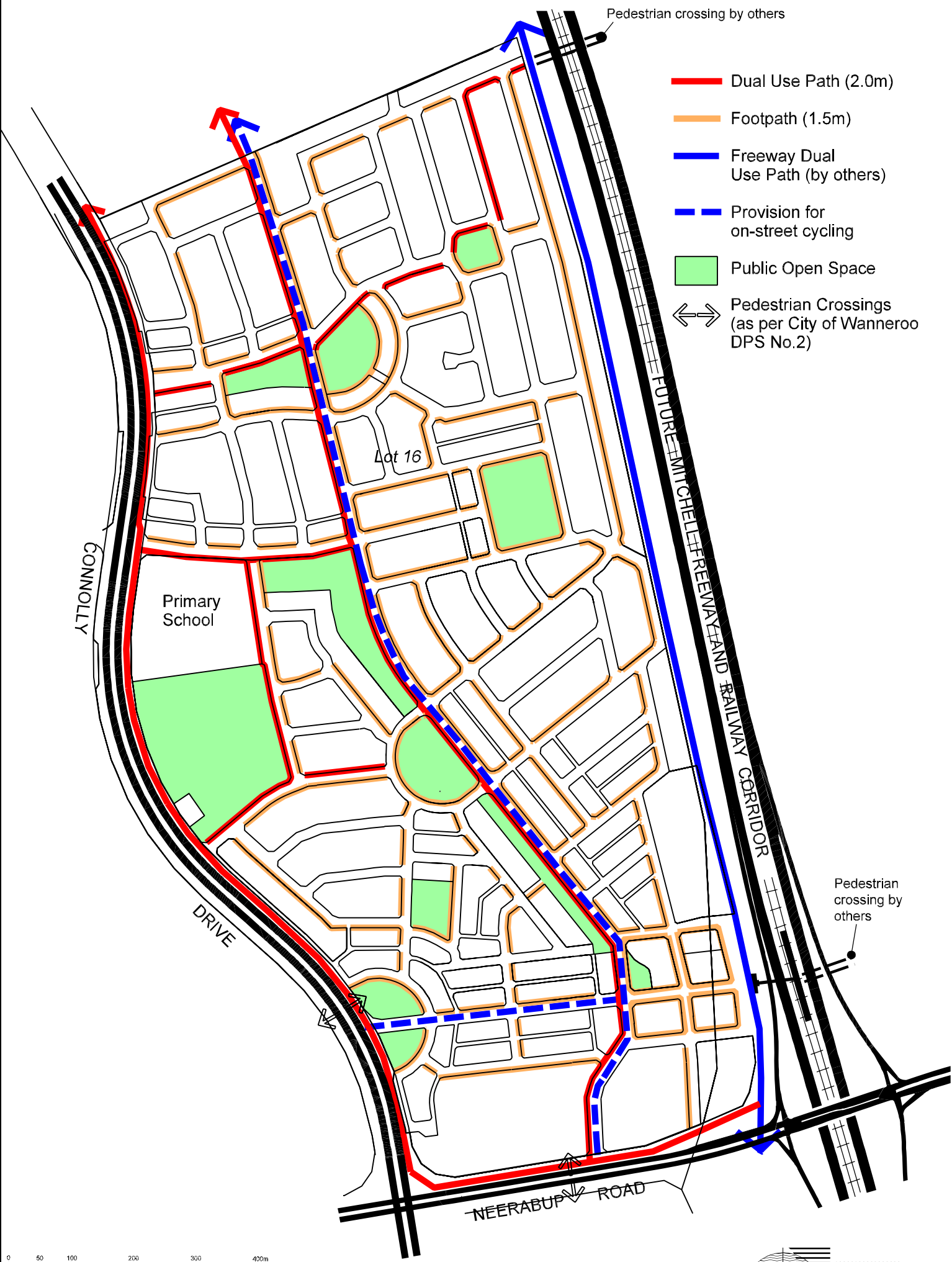


Taylor Burrell

Town planning and design

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Plan 4
 CAR PARKING STRATEGY PLAN (INDICATIVE ONLY)
 CLARKSON STRUCTURE PLAN



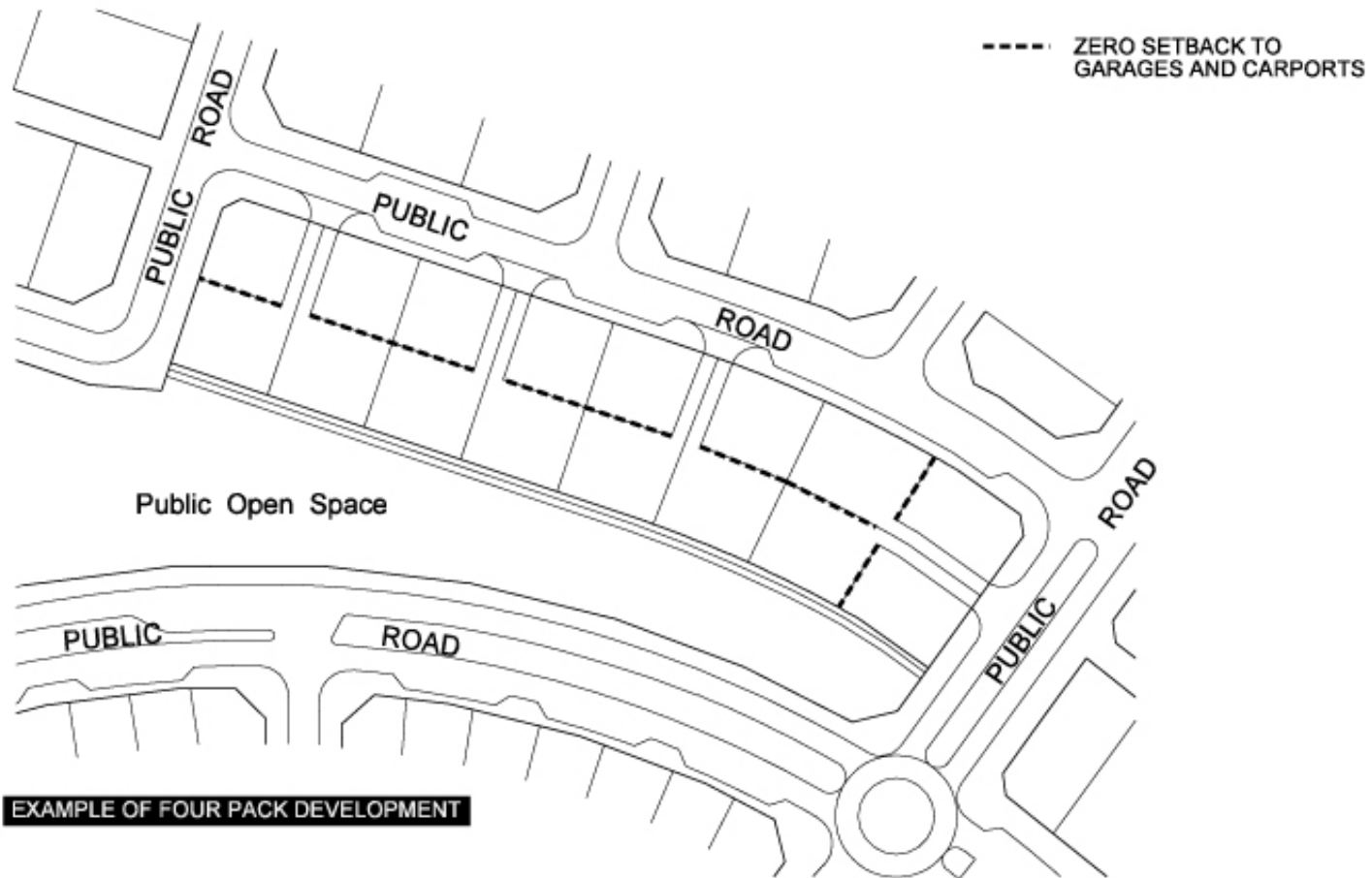
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PROJECT DATE: JUNE 2006

NORTH

Plan 5
PEDESTRIAN AND CYCLE MOVEMENT
 Clarkson Structure Plan

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CLARKSON STRUCTURE PLAN

PLAN NO. 5A – 4 PACK ZERO SETBACKS TO GARAGES AND CARPORTS



APPENDIX 2

Review of the ASP 33 Provisions

Review of Provisions from Clarkson (Lot 16 Connolly Drive) Agreed Local Structure Plan No. 33

ASP 33 Section	ASP 33 Provision	City of Wanneroo Comment	R-Codes Clause	Equivalent Provisions from Residential Design Codes (Volume 1 as gazetted on 2 July 2021)
Preamble				
	As provided for under the provisions of Clause 9.8.2 and Part 9 of the Scheme, this part of the Structure Plan has the same force and effect as a provision, standard or requirement of the Scheme.	<p>The weighting that applies for a structure plan is outlined in the deemed provisions for local planning schemes (deemed provisions) provided in Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations)</i>. Following the gazettal of the Regulations, the City prepared Amendment No. 132 to DPS 2 to remove Part 9 of the Scheme, which conflicted with the deemed provisions.</p> <p>Clause 27 of the deemed provisions now applies and stipulates that structure plans are to be given 'due regard' - with a decision-maker 'not bound by' the provisions of a structure plan. This is different to the nature of local planning scheme provisions, which have force and effect. This statement in the structure plan therefore conflicts with legislation.</p>	N/A	N/A
	It is required that the Structure Plan be reviewed after a period of five years from the date of it becoming an Agreed Structure Plan.	<p>No such review was ever undertaken of ASP 33. Such a review is unnecessary now that subdivision and development in the ASP 33 area has advanced.</p> <p>The preparation of Amendment No. 210 considers the inconsistencies between subdivision/development and the content of ASP 33 – and formulates planning responses that can be incorporated into DPS 2.</p>	N/A	N/A
1.0 Zones and Precincts				
1.0	<p>Plan 1: 'The Structure Plan Map' indicates the land use zones and precincts for the subject area, together with main road structure, public open space, landmark sites, and 'Main Street'.</p> <p>The Structure Plan Map defines the following zones and precincts over the subject area:</p> <ol style="list-style-type: none"> 1. Residential Zone 2. Small Lot Residential Precinct 3. Centre Zone 4. Transit Precinct 	Provision that informs the detail provided in ASP 33 Plan 1.	N/A	N/A
2.0 The Scheme				
2.0	Unless provided for by specific requirements in this Structure Plan, all requirements shall be in accordance with the Scheme.	Clause 27 of the deemed provisions stipulates that structure plans are to be given 'due regard', and a decision-maker is 'not bound by' the provisions of a structure plan. This is different to the nature of local planning scheme provisions, which have force and effect.	N/A	N/A
3.0 Residential Density Coding				
3.0	Residential land within the subject area shall be developed in conformity with the provisions of the Residential Design Codes (RD Codes) of Western Australia as given effect by the Scheme. In the event of there being any conflict or inconsistency between any requirement, provision or standard of the RD Codes and requirement, provision or standard of the Structure Plan, the requirement, provision or standard of the Structure Plan shall prevail. The enclosed Plan 2: 'Residential Code Map' indicates the Residential Density Codes that apply to the subject land and shall take the place of the map referred to in the Scheme.	<p>The Residential Design Codes (R-Codes) will continue to apply to any future residential development proposed in the structure plan area, even if ASP 33 is revoked. Once ASP 33 is revoked, the built form residential development provisions of the structure plan will no longer have any effect.</p> <p>The R-Code provisions that will apply in place of the current ASP 33 residential built form provisions are identified later in this table.</p> <p>The Residential density codes currently shown on Plan 2 of ASP 33 will also be transferred into DPS 2 through Amendment No. 210.</p>	N/A	N/A

Review of Provisions from Clarkson (Lot 16 Connolly Drive) Agreed Local Structure Plan No. 33

ASP 33 Section	ASP 33 Provision	City of Wanneroo Comment	R-Codes Clause	Equivalent Provisions from Residential Design Codes (Volume 1 as gazetted on 2 July 2021)
4.0 Retail Floorspace				
4.0	<p>Under the provisions of the Scheme and City of Wanneroo Centres Strategy, Lot 16 has been allocated 3,000m² of retail net lettable area. A maximum of 2,800m² of retail net lettable area will be located within the Main Street (east) Mixed Use area, as depicted in Plan 3. Potential also exists for a small quantity of retail net lettable area, not exceeding 200m², to be provided at the northern neighbourhood centre.</p> <p>Whilst the details of retail floor-space development are unknown at this stage, the allocated 3,000m² will not be exceeded.</p>	<p>Schedule 7 of DPS 2 currently imposes a maximum retail NLA of 3,000m² for Lot 16 (being the entire ASP 33 area). ASP 33 then provides guidance on how that 3,000m² should be split, which should be interpreted as 'due regard' pursuant to the deemed provisions.</p> <p>ASP 33 designates land on the north-eastern corner of the Somerly Drive and Connolly Drive intersection as 'Centre' Zone, which is presumed to be the 'northern neighbourhood centre'. This area, however, has been subdivided into small laneway lots with single house residential development. The City's comments on Section 5.4 of ASP 33 (see below) highlights the impacts that any emerging commercial land use would have on existing residences in that area.</p> <p>Amendment No. 210 proposes to amend reference to Lot 16 to list more specific land parcels in Schedule 7 in respect to the 3,000m² maximum retail NLA. The land parcels proposed to be listed in Schedule 7 (maximum retail NLA of 3,000m²) are those that provide for commercial development in the current Main Street (east) Mixed Use area of the structure plan. None of the 3,000m² floorspace will be located in the 'northern neighbourhood centre' as discussed above.</p>	N/A	N/A
5.0 Provisions				
5.0	The provisions, standards and requirements of the zones as included in the Scheme, apply, in addition to any requirements included within this Structure Plan.	A statement to inform the operation of the structure plan, in respect to the zones identified in ASP 33.	N/A	N/A
5.0	This document identifies four zones or precincts, distinguished by their land use intent and built form character. Together they will provide a diversity of housing choice and lifestyle options supported by a viable amount of commercial uses, which can develop to create a robust 'urban village'.	Considered as a provision that informs the operation of the structure plan – and a reflection of the development outcomes that the structure plan is setting out to achieve in certain areas.	N/A	N/A
5.0	Landmark sites and Main Street are also identified for which special provisions apply.	A preamble to the provisions that are made elsewhere in the structure plan document in respect to landmark sites and interface to the main streets.	N/A	N/A
5.0	The provisions may be augmented by the preparation of Guidelines at subdivision stage which detail specific planning, design and constructional requirements for particular zones or precincts.	Although guidelines were referred to in early DA submissions, these guidelines seem to never have been introduced into the planning framework. Development was guided by the provisions of the structure plan itself – as well as the Scheme, R-Codes and other documentation in the planning framework.	N/A	N/A
5.1 Residential Zone				
<i>R30 and R40 within the Zone - and R30 & R40 in Transit Precinct where these provisions also apply (refer 5.3.2.5 below)</i>				
	The permissibility of uses and development shall be in accordance with the provisions of the Residential Zone.	Should the zoning of the land be normalised (to Residential) and structure plan revoked, the Scheme will have binding provisions to control land use permissibility over the land.	N/A	N/A
5.1.1 Objectives				
5.1.1	<p>General objectives intended for lots within the Residential Zone include:</p> <ul style="list-style-type: none"> a) Encourage an attractive streetscape where garages and carports do not dominate the visual appearance of the building façade. b) Encourage variation in building shape of individual residences to create visual interest. c) Promote dwelling layouts that provide for pedestrian friendly streetscapes with passive surveillance of the public streets. d) Provide sufficient building scope to allow for suitable single storey accommodation and encourage detail in the building façade. e) Encourage provision of high amenity outdoor living space. 	The objectives are not considered as requirements (as per the 'criteria' in Section 5.1.2). Rather, the objectives provide guidance on the outcomes expected of the development that has now mostly been delivered in the structure plan's Residential Zone.	N/A	N/A

Review of Provisions from Clarkson (Lot 16 Connolly Drive) Agreed Local Structure Plan No. 33

ASP 33 Section	ASP 33 Provision	City of Wanneroo Comment	R-Codes Clause	Equivalent Provisions from Residential Design Codes (Volume 1 as gazetted on 2 July 2021)
5.1.2	Criteria			
5.1.2.1	Lots with Street Frontages of 15m or less in width	There are no vacant lots remaining in ASP 33 that these provisions relate to. The City's comments below relate to any potential additions to existing development – or redevelopment – of lots.		
5.1.2.1 (a)	The front setback to the street boundary shall be 3m minimum.	<p>The provisions of the R-Codes will instead apply, should ASP 33 be revoked.</p> <p>The deemed-to-comply provisions of the R-Codes prescribes a greater front setback for residential development compared to ASP 33. However:</p> <ul style="list-style-type: none"> • There are no vacant lots remaining in the ASP 33 Residential Zone that have a frontage width of less than 15m; • Through any redevelopment of a lot, any pursuit of a front setback less than what is deemed-to-comply under the R-Codes can be considered against the design principles through the development approval process; and • The deemed-to-comply provisions allow a lesser setback (to 3.0 metres) for buildings that do not exceed 30% width of the frontage. <p>The impact of losing this structure plan provision from the planning framework will be minimal overall.</p>	Volume 1 Cl. 5.1.2	<p>C2.1 Buildings, excluding carports, unenclosed porches, balconies, verandahs, or equivalent, set back from the primary street boundary:</p> <ol style="list-style-type: none"> In accordance with Table 1 (4.0 metres for R30 and R40); Corresponding to the average of the setback of existing dwellings on each adjacent property fronting the same street; Reduced by up to 50 per cent provided that the area of any building, including a garage encroaching into the setback area, is compensated for by at least an equal area of open space that is located between the setback line and line drawn parallel to it at twice the setback distance (refer Figure 2a and 2c); <p>C2.4 An unenclosed porch, balcony, verandah or the equivalent may (subject to the Building Code of Australia) project into the primary street setback area to a maximum of half the required primary street setback without applying the compensating area of clause 5.1.2 C2.1 iii (Refer Figure 2e).</p>
5.1.2.1 (b)	Walls up to 3.5 metres in height shall have a minimum 1m setback from the side boundary.	<p>The provisions of the R-Codes will instead apply, should ASP 33 be revoked.</p> <p>The ASP 33 provisions require a lesser setback from lot boundaries for walls with major openings. However, the impact of difference is minimal, as the vast majority of lots subject to this ASP 33 provision are now established.</p> <p>The design principles can be applied through the development approval process, should a landowner wish to seek lesser side setbacks that do not meet deemed-to-comply, once ASP 33 is revoked.</p>	Volume 1 Cl. 5.1.3	<p>C3.1 Buildings which are set back in accordance with the following provisions, subject to any additional measures in other elements of the R-Codes:</p> <ol style="list-style-type: none"> buildings set back from lot boundaries in accordance with Table 1 and Tables 2a and 2b (refer to Figure Series 3 and 4) (lot boundary setback for walls 3.5 metres in height – minimum 1.0 metre for walls no major openings, minimum 1.5 metres for walls with major openings).
5.1.2.1 (c)	Notwithstanding the above, walls behind the front setback line may be built up to a side boundary provided they do not exceed 3.5 metres in height and 10 metres in length.	<p>The provisions of the R-Codes will instead apply, should ASP 33 be revoked.</p> <p>The deemed-to-comply provisions of the R-Codes will allow longer boundary wall lengths than ASP 33 – and building to two side boundaries. This is more generous than what ASP 33 currently allows for.</p>	Volume 1 Cl. 5.1.3	<p>C3.2 Boundary walls may be built behind the street setback (specified in Table 1 and in accordance with clauses 5.1.2 and 5.2.1), within the following limits and subject to the overshadowing provisions of clause 5.4.2 and Figure Series 11:</p> <ol style="list-style-type: none"> where the wall abuts an existing or simultaneously constructed boundary wall of equal or greater dimension; or ... in areas coded R30 and higher, walls not higher than 3.5m for two-thirds the length of the balance of the site boundary behind the front setback, to up to two site boundaries.

Review of Provisions from Clarkson (Lot 16 Connolly Drive) Agreed Local Structure Plan No. 33

ASP 33 Section	ASP 33 Provision	City of Wanneroo Comment	R-Codes Clause	Equivalent Provisions from Residential Design Codes (Volume 1 as gazetted on 2 July 2021)
5.1.2.1 (d)	Garages and carports shall be setback a minimum of 5 metres from the primary road frontage.	<p>The provisions of the R-Codes will instead apply, should ASP 33 be revoked.</p> <p>The deemed-to-comply provisions for garage front setback is marginally less than what is prescribed in ASP 33.</p> <p>However, the R-Codes allows for a significantly lesser carport setback to the primary street than what ASP 33 allows. Carports are not as visually intrusive on the streetscape as garages. Therefore, a 4.0 metre front setback of any proposed carport in the ASP 33 area will not result in an outcome that is significantly detrimental to the streetscape.</p> <p>In light of the above, the impact of difference is minimal, as the vast majority of lots subject to this ASP 33 provision are now established.</p>	Volume 1 Cl. 5.2.1	<p>C1.1 Garages set back 4.5m from the primary street except that the setback may be reduced:</p> <ol style="list-style-type: none"> i. in accordance with Figure 8b where the garage adjoins a dwelling provided the garage is at least 0.5m behind the dwelling alignment (excluding any porch, verandah or balcony); or ii. to 3m where the garage allows vehicles to be parked parallel to the street. The wall parallel to the street must include openings. <p>C.1.2 Carports set back in accordance with the primary street setback requirements of clause 5.1.2 C2.1i (typically 4.0 metres in R30 and R40), except that the setback may be reduced by up to 50 per cent of the minimum setback stated in Table 1 where:</p> <ol style="list-style-type: none"> i. the width of the carport does not exceed 60 per cent of the frontage; ii. the construction allows an unobstructed view between the dwelling and the street, right-of-way or equivalent; and iii. the carport roof pitch, colours and materials are compatible with the dwelling.
5.1.2.1 (e)	Car parking access shall be gained from laneways, where provided.	<p>The provisions of the R-Codes will instead apply, should ASP 33 be revoked.</p> <p>The ASP 33 provisions regarding access to lots from a laneway seek the same outcome as equivalent deemed-to-comply provisions of the R-Codes.</p>	Volume 1 Cl. 5.3.5	<p>C5.1 Access to on site car parking spaces to be provided:</p> <ul style="list-style-type: none"> • where available, from a communal street or right-of-way available for lawful use to access the relevant site and which is adequately paved and drained from the property boundary to a constructed street; or • from a secondary street where no right-of-way or communal street exists; or • from the primary street frontage where no secondary street, right-of way, or communal street exists.
5.1.2.1 (f)	The setback to garages and carports from the rear laneway shall be a minimum of nil. A sight truncation is not required at the sides of garage openings at ground level.	<p>The provisions of the R-Codes will instead apply, should ASP 33 be revoked.</p> <p>The R-Code provisions effectively prescribe a nil setback, as all laneways in the ASP 33 area are (or exceed) 6.0 metres in width. Therefore, the ASP 33 provisions regarding laneway setback of garages and laneways seek the same outcome as equivalent deemed-to-comply provisions of the R-Codes.</p>	Volume 1 Cl 5.2.1	<p>C1.3 Garages and carports built up to the boundary abutting a communal street or right-of-way which is not the primary or secondary street boundary for the dwelling, with manoeuvring space of at least 6m, located immediately in front of the opening to the garage or carport and permanently available.</p>
5.1.2.1 (g)	The minimum open space shall not be less than 40% of each individual lot, provided the outdoor living area is directly accessible from a habitable room of a dwelling other than a bedroom, and is not used for any utilitarian purposes such as clothes drying.	<p>The provisions of the R-Codes will instead apply, should ASP 33 be revoked.</p> <p>Under the R-Codes in place at the time that ASP 33 was adopted (and as still in place), a 45% minimum open space is to be provided for R30 and R40. What ASP 33 prescribes is a dispensation to the R-Code provisions.</p> <p>However, the impact of the difference is minimal, as the vast majority of lots subject to this ASP 33 provision are now established. The design principles can be applied through the development approval process, should a landowner wish to seek open space at less than 45% once ASP 33 is revoked.</p>	Volume 1 Cl. 5.1.4	<p>C4 Open space provided in accordance with Table 1 (refer Figure Series 6) (45% for R30 and R40). The site of the grouped dwelling, for the purpose of calculating the open space requirement, shall include the area allocated for the exclusive use of that dwelling and the proportionate share of any associated common property.</p>
5.1.2.2	Lots with Street Frontages greater than 15m in width	<p>There is only one vacant lot in ASP 33 that this provision applies – being Lot 1801 (27) Lantern Way, Clarkson (coded R30). This is considered a ‘standard lot’ in the context of ASP 33, as it is not serviced by a laneway.</p>		

Review of Provisions from Clarkson (Lot 16 Connolly Drive) Agreed Local Structure Plan No. 33

ASP 33 Section	ASP 33 Provision	City of Wanneroo Comment	R-Codes Clause	Equivalent Provisions from Residential Design Codes (Volume 1 as gazetted on 2 July 2021)
5.1.2.2	Laneway Lots The laneway lots are those lots that have rear access via a laneway.			
5.1.2.2 (a)	The front setback to the street boundary shall be 3 metre minimum and 4.5 metre minimum average.	The provisions of the R-Codes will instead apply, should ASP 33 be revoked. The deemed-to-comply provisions of the R-Codes for front are not substantially different to the structure plan provisions. Losing this structure plan provision through the revocation of ASP 33 will not add to the burden on landowners should they wish to undertake further development on lots in the Residential Zone.	Volume 1 Cl. 5.1.2	Refer to R-Codes provisions equivalent to Section 5.1.2.1(a) above.
5.1.2.2 (b)	Walls behind the front setback line may be built up to a side boundary provide they do not exceed 3.5 metres in height and 10 metres in length.	Refer to the City's comments in response to Section 5.1.2.1 (c) above.	Volume 1 Cl 5.1.3	Refer to R-Codes provisions equivalent to Section 5.1.2.1(c) above.
5.1.2.2 (c)	Car parking access shall be gained from laneways.	Refer to the City's comments in response to Section 5.1.2.1 (e) above.	Volume 1 Cl. 5.3.5	Refer to R-Codes provisions equivalent to Section 5.1.2.1(e) above.
5.1.2.2 (d)	The setback to garages and carports from the rear laneway shall be a minimum of nil. A sight truncation is not required at the sides of garage openings at ground level.	Refer to the City's comments in response to Section 5.1.2.1 (f) above.	Volume 1 Cl. 5.2.1	Refer to R-Codes provisions equivalent to Section 5.1.2.1(f) above.
5.1.2.2	Standard Lots The Standard lots are those lots that do not have rear access via a laneway.			
5.1.2.2 (e)	The front setback to the street boundary shall be 3 metre minimum.	Refer to the City's comments in response to Section 5.1.2.1 (a) above.	Volume 1 Cl. 5.1.2	Refer to R-Codes provisions equivalent to Section 5.1.2.1(a) above.
5.1.2.2 (f)	Walls behind the front setback line may be built up to a side boundary provide they do not exceed 3.5 metres in height and 10 metres in length.	Refer to the City's comments in response to Section 5.1.2.1 (c) above.	Volume 1 Cl. 5.1.3	Refer to R-Codes provisions equivalent to Section 5.1.2.1(c) above.
5.1.2.2 (g)	Garages and carports shall be setback a minimum of 5 metres from the primary road frontage.	Refer to the City's comments in response to Section 5.1.2.1 (d) above.	Volume 1 Cl. 5.2.1	Refer to R-Codes provisions equivalent to Section 5.1.2.1(d) above.
5.1.2.3	General Criteria The general criteria apply to all lots within the Residential Zone			
5.1.2.3 (a)	Where lots directly abut a Public Open Space reserve, the dwelling shall be setback 1.5m minimum from the open space boundary. The dwelling shall be setback no greater than 3.0m at its closest point to the public open space.	The provisions of the R-Codes will instead apply, should ASP 33 be revoked. The deemed-to-comply provisions of the R-Codes are relatively similar for single storey development to the structure plan provisions. It is not expected that dwelling will be orientated toward an open space boundary with no major openings and a setback of 1.0 metre (as the R-Codes would allow). The deemed-to-comply provisions of the R-Codes would, however, require a greater setback for two storey development than the structure plan would require a greater setback. All residential lots adjoining POS are established Therefore, losing this structure plan provision through the revocation of ASP 33 will not add to the burden on landowners should they wish to undertake further development on lots in the Residential Zone.	Volume 1 Cl. 5.1.3	The boundary shared with POS meets the R-Codes definition of a 'lot boundary.' Refer to R-Codes provisions equivalent to Section 5.1.2.1(b) above.
5.1.2.3 (b)	For lots abutting Public Open Space, fencing along Public Open Space boundaries may be solid to 750mm above ground level or retaining wall. Above this, the fence shall be 50% visually permeable to a maximum height of 1800mm. Where a side boundary of a lot abuts Public Open Space, 50% visually permeable fencing shall be constructed to at least 5.0m from both the front and rear boundaries, and solid fencing to a height of 1800mm may be constructed between the front and rear setback distances.	Fencing described in this provision is considered to be a 'uniform fence' as defined in the City's Local Planning Policy 4.7: Uniform Fencing (LPP 4.7). That LPP guides the maintenance of such fencing.	N/A	N/A

Review of Provisions from Clarkson (Lot 16 Connolly Drive) Agreed Local Structure Plan No. 33

ASP 33 Section	ASP 33 Provision	City of Wanneroo Comment	R-Codes Clause	Equivalent Provisions from Residential Design Codes <i>(Volume 1 as gazetted on 2 July 2021)</i>
5.1.2.3 (c)	For lots with potential for development for two single houses or two grouped dwellings, a dwelling may not be constructed unless it directly fronts a public street.	<p>The provisions of the R-Codes will instead apply, should ASP 33 be revoked.</p> <p>The deemed-to-comply provisions of the R-Codes require dwellings to address a street, but also contemplates dwellings addressing internal access. However, ASP 33 is worded in a way that suggests that all dwellings must front a street. This is also inconsistent with existing grouped dwelling development in the ASP 33 area, some of which does not directly front a street – but rather an internal communal accessway.</p> <p>Therefore, losing this structure plan provision through the revocation of ASP 33 will not impact on the planning framework.</p>	Volume 1 Cl. 5.2.3	<p>C3.1 The street elevation(s) of the dwelling to address the street with clearly definable entry points visible and accessed from the street.</p> <p>C3.2 At least one major opening from a habitable room of the dwelling faces the street and the pedestrian or vehicular approach to the dwelling.</p> <p>C3.3 For battleaxe lots or sites with internal driveway access, at least one major opening from a habitable room of the dwelling faces the approach to the dwelling.</p>
5.2	<p>Small-Lot Residential Precinct <i>R40 within Precinct, and:</i></p> <ul style="list-style-type: none"> <i>R30, R40 & R60 in Transit Precinct where these provisions apply (refer 5.3.2.2 and 5.3.2.5 below); and</i> <i>R40 in Centre Zone where these provisions apply (refer 5.4 below).</i> 			
5.2	The small lot residential zone is intended primarily for residential development at a range of densities with a variety of housing to meet the needs of different household types.	A preamble to describe the planning outcomes that are expected in the Precinct.	N/A	N/A
5.2	The permissibility of land uses within this precinct shall be in accordance with the provisions of the Residential Zone of the Scheme. Residential land within this precinct shall be developed in conformity with the provisions of the Residential Design Codes as given effect by the Scheme in addition to the criteria set out below. Plan No. 2 depicts the Residential Codes that apply to the subject land and shall constitute the Residential Density Code Map of the Scheme.	<p>Should the zoning of the land be normalised (to Residential) and structure plan revoked, the Scheme will have binding provisions to control land use permissibility over the land.</p> <p>The R-Codes will continue to apply to any future residential development proposed in the structure plan area, even if ASP 33 is revoked. Once ASP 33 is revoked, the built form residential development provisions of the structure plan will no longer have any effect. The impact of the revocation of ASP 33 on the planning framework should be rather minimal as a result.</p> <p>The R-Code provisions that will apply in place of the current ASP 33 provisions are identified later in this table.</p> <p>The Residential density codes currently shown on Plan 2 of ASP 33 will be transferred into DPS 2 through Amendment No. 210.</p>	N/A	N/A
5.2.1	Objectives			
5.2.1	<p>General objectives intended for the Small Lot Residential Precinct include:</p> <ol style="list-style-type: none"> Encourage a diversity of housing types, including single residential, grouped dwellings, and multiple dwellings; Encourage a strong sense of architectural identity at special locations, such as opposite public open space; Promote layouts that provide for pedestrian friendly streetscapes with passive surveillance of the public streets and open spaces such as parks. 	The objectives are not considered as requirements; but rather to provide guidance on the outcomes expected of development in the structure plan's Small Lot Residential Precinct.	N/A	N/A

Review of Provisions from Clarkson (Lot 16 Connolly Drive) Agreed Local Structure Plan No. 33

ASP 33 Section	ASP 33 Provision	City of Wanneroo Comment	R-Codes Clause	Equivalent Provisions from Residential Design Codes (Volume 1 as gazetted on 2 July 2021)
5.2.2	Criteria			
5.2.2(a)	The front setback to the street boundary shall be 1.5m minimum and 3.0m minimum average.	<p>The provisions of the R-Codes will instead apply, should ASP 33 be revoked.</p> <p>The front setback requirements differ significantly between the R-Codes and ASP 33 for R30 and R40. However, most R30 and R40 lots in which the structure plan provisions apply are established. Furthermore, the design principles can be applied through the development approval process, should a landowner wish to seek a lesser front setback (to what the deemed-to-comply allows) once ASP 33 is revoked.</p> <p>The deemed-to-comply provisions of the R-Codes allows a lesser setback for residential development coded R60, compared to ASP 33.</p> <p>Therefore, the impact of losing this structure plan provision from the planning framework will be minimal overall.</p>	Volume 1 Cl. 5.1.2	<p>C2.1 Buildings, excluding carports, unenclosed porches, balconies, verandahs, or equivalent, set back from the primary street boundary:</p> <ol style="list-style-type: none"> i. In accordance with Table 1 (4.0 metres for R30 and R40, 2.0 metres for R60); ii. Corresponding to the average of the setback of existing dwellings on each adjacent property fronting the same street; iii. Reduced by up to 50 per cent provided that the area of any building, including a garage encroaching into the setback area, is compensated for by at least an equal area of open space that is located between the setback line and line drawn parallel to it at twice the setback distance (refer Figure 2a and 2c); <p>C2.4 An unenclosed porch, balcony, verandah or the equivalent may (subject to the Building Code of Australia) project into the primary street setback area to a maximum of half the required primary street setback without applying the compensating area of clause 5.1.2 C2.1 iii (Refer Figure 2e).</p>
5.2.2(b)	Garages and carports shall have a 4.5m minimum setback from the street boundary.	<p>The provisions of the R-Codes will instead apply, should ASP 33 be revoked.</p> <p>All front-loaded lots in the Small-Lot Residential Precinct are coded R40 and are all fully developed. Should ASP 33 be revoked, it is then unlikely that the City will receive many proposals for garages or carports in the Small-Lot Residential Precinct.</p> <p>The deemed-to-comply provisions for garage front setback is the same as what is prescribed in ASP 33.</p> <p>However, the R-Codes allow a marginally lesser carport setback to the primary street than what ASP 33 allows. Carports are not as visually intrusive on the streetscape as garages. Therefore, a 4.0 metre front setback of any proposed carport in the ASP 33 area will not result in an outcome that is significantly detrimental to the streetscape.</p>	Volume 1 Cl. 5.2.1	<p>C1.1 Garages set back 4.5m from the primary street except that the setback may be reduced:</p> <ol style="list-style-type: none"> i. in accordance with Figure 8b where the garage adjoins a dwelling provided the garage is at least 0.5m behind the dwelling alignment (excluding any porch, verandah or balcony); or ii. to 3m where the garage allows vehicles to be parked parallel to the street. The wall parallel to the street must include openings. <p>C.1.2 Carports set back in accordance with the primary street setback requirements of clause 5.1.2 C2.1i (typically 4.0 metres in R40), except that the setback may be reduced by up to 50 per cent of the minimum setback stated in Table 1 where:</p> <ol style="list-style-type: none"> i. the width of the carport does not exceed 60 per cent of the frontage; ii. the construction allows an unobstructed view between the dwelling and the street, right-of-way or equivalent; and iii. the carport roof pitch, colours and materials are compatible with the dwelling.

Review of Provisions from Clarkson (Lot 16 Connolly Drive) Agreed Local Structure Plan No. 33

ASP 33 Section	ASP 33 Provision	City of Wanneroo Comment	R-Codes Clause	Equivalent Provisions from Residential Design Codes (Volume 1 as gazetted on 2 July 2021)
5.2.2(c)	Side setbacks shall be in accordance with the Residential Planning Codes. All dwelling units may be constructed with one or more walls built up to one or more side or rear boundaries provided every dwelling shall have a courtyard with a minimum dimension of 4.0m.	<p>The provisions of the R-Codes will instead apply, should ASP 33 be revoked.</p> <p>The R-Codes can continue to apply generally in the same manner as ASP 33 in terms of buildings set back from, or on, the boundary – and outdoor living area dimension.</p>	Volume 1 Cl. 5.1.3 Cl. 5.3.1	<p>C3.1 Buildings which are set back in accordance with the following provisions, subject to any additional measures in other elements of the R-Codes:</p> <ul style="list-style-type: none"> i. buildings set back from lot boundaries in accordance with Table 1 and Tables 2a and 2b (refer to Figure Series 3 and 4) (minimum lot boundary setback for walls 3.5 metres in height – minimum 1.0 metre for walls no major openings, 1.5 metres with major openings); <p>C3.2 Boundary walls may be built behind the street setback (specified in Table 1 and in accordance with clauses 5.1.2 and 5.2.1), within the following limits and subject to the overshadowing provisions of clause 5.4.2 and Figure Series 11:</p> <ul style="list-style-type: none"> i. where the wall abuts an existing or simultaneously constructed boundary wall of equal or greater dimension; or ii. ... iii. in areas coded R30 and higher, walls not higher than 3.5m for two-thirds the length of the balance of the site boundary behind the front setback, to up to two site boundaries. <p>C1.1 An outdoor living area to be provided:</p> <ul style="list-style-type: none"> i. in accordance with Table 1; ii. behind the street setback area; iii. directly accessible from the primary living space of the dwelling; iv. with a minimum length and width dimension of 4m; and v. with at least two-thirds of the required area without permanent roof cover (Figure 13).
5.2.2(d)	Where small lots directly abut a Public Open Space reserve, the dwelling shall be setback 1.5m minimum from the open space boundary and street boundary. A 1.5m side setback is permitted to the open space boundary and street boundary.	Refer to the City's comments in response to Section 5.1.2.3 (a) above.	Volume 1 Cl. 5.1.3	Refer to R-Codes provisions outlined in response to Section 5.1.2.1(b) and 5.1.2.3 (a) above.
5.2.2(e)	For lots abutting Public Open Space, fencing along Public Open Space boundaries may be solid to 750mm above ground level or retaining wall. Above this, the fence shall be 50% visually permeable to a maximum height of 1800 mm. Where a side boundary of a lot abuts Public Open Space, 50% visually permeable fencing shall be constructed to at least 5.0m from both the front and rear boundaries, and solid fencing to a height of 1800mm may be constructed between the front and rear setback distances.	Refer to the City's comments in response to Section 5.1.2.3 (b) above.	N/A	N/A
5.2.2(f)	Utility areas such as bins and service areas shall be screened from view from streets and Public Open Spaces.	<p>The provisions of the R-Codes will instead apply, should ASP 33 be revoked.</p> <p>The difference between the deemed-to-comply provisions of the R-Codes and ASP 33 is relatively minimal, in terms of outcomes that both seek to be achieving. Therefore, the impact of losing this structure plan provision from the planning framework will be minimal overall.</p>	Volume 1 Cl. 5.4.4	<p>C4.6 Where rubbish bins are not collected from the street immediately adjoining a dwelling, there shall be provision of a communal pick-up area or areas which are:</p> <ul style="list-style-type: none"> i. conveniently located for rubbish and recycling pick-up; ii. accessible to residents; iii. adequate in area to store all rubbish bins; and iv. fully screened from view from the primary or secondary street. <p>C4.7 Clothes-drying areas screened from view from the primary and secondary street.</p>

Review of Provisions from Clarkson (Lot 16 Connolly Drive) Agreed Local Structure Plan No. 33

ASP 33 Section	ASP 33 Provision	City of Wanneroo Comment	R-Codes Clause	Equivalent Provisions from Residential Design Codes (Volume 1 as gazetted on 2 July 2021)
5.2.2(g)	Car parking access shall be gained from laneways, where applicable.	Refer to the City's comments in response to Section 5.1.2.1 (e) above.	Volume 1 Cl. 5.3.5	Refer to R-Codes provisions equivalent to Section 5.1.2.1 (e) above.
5.3	Transit Precinct			
5.3	<p>The Transit Precinct is intended to accommodate a mixture of land use activity including residential, office, retail, entertainment and civic.</p> <p>The purpose of the Transit Precinct is to provide a flexible approach to the planning, design and implementation of land uses. This will facilitate the establishment and economic sustainability of uses within transit precinct.</p> <p>Plan 3 – 'Transit Precinct Land Use Plan' – indicates the proposed land uses within the precinct and areas subject to alternative land uses.</p>	<p>A provision that:</p> <ul style="list-style-type: none"> Explains the purpose and intended outcomes for the 'Transit Precinct' – and serves as a preamble to the ASP 33 provisions that follow; and Informs the detail indicated in ASP 33 Plan 3. 	N/A	N/A
5.3.1	Objectives			
5.3.1	<p>The objectives of this Precinct are:</p> <ol style="list-style-type: none"> To create a Main Street as an active focus for the community with a balance of viable uses and a diversity of retail and commercial uses and leisure opportunities that generate day and evening activity; Encourage a diversity of land uses and housing types; Encourage high standards of built form and streetscape; Provide continuity of activity along streets; Provide efficient vehicle access whilst maintaining a high level of pedestrian amenity; and Emphasise landmark sites. 	The objectives are not considered as requirements; but rather to provide guidance on the outcomes expected of development in the structure plan's Transit Precinct.	N/A	N/A
5.3.2	Criteria			
5.3.2	The permissibility of uses and development within the various land use sectors of the Transit Precinct as depicted in Plan 3 shall be in accordance with the following criteria.	Refer to the City's comments below.	N/A	N/A
5.3.2.1	Main Street (West) Mixed Use (R40)			
5.3.2.1	The permissibility of uses shall be in accordance with the provisions of the Residential Zone.	Should the zoning of the land be normalised (to Residential) and structure plan revoked, the Scheme will have binding provisions for land use permissibility over the land. The land subject to the provisions in Section 5.3.2.1 are coded R40.	N/A	N/A
5.3.2.1	Development shall be in accordance with the criteria of the Small-Lot Residential Precinct, with the exception that the front building setback from the street boundary shall be a minimum of 3.0m with a 4.0m minimum average.	<p>The provisions of the R-Codes will instead apply, should ASP 33 be revoked.</p> <p>ASP 33 prescribes a marginally different front setback that the deemed-to-comply provisions of the R-Codes prescribe for R40. However, all lots subject to this ASP 33 provision are established.</p> <p>Therefore, the impact of losing this structure plan provision from the planning framework will be minimal overall.</p>	Volume 1 Cl. 5.1.2	<p>C2.1 Buildings, excluding carports, unenclosed porches, balconies, verandahs, or equivalent, set back from the primary street boundary:</p> <ol style="list-style-type: none"> In accordance with Table 1 (4.0 metres for R40); Corresponding to the average of the setback of existing dwellings on each adjacent property fronting the same street; Reduced by up to 50 per cent provided that the area of any building, including a garage encroaching into the setback area, is compensated for by at least an equal area of open space that is located between the setback line and line drawn parallel to it at twice the setback distance (refer Figure 2a and 2c); <p>C2.4 An unenclosed porch, balcony, verandah or the equivalent may (subject to the Building Code of Australia) project into the primary street setback area to a maximum of half the required primary street setback without applying the compensating area of clause 5.1.2 C2.1 iii (Refer Figure 2e).</p>

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ASP 33 Section	ASP 33 Provision	City of Wanneroo Comment	R-Codes Clause	Equivalent Provisions from Residential Design Codes (Volume 1 as gazetted on 2 July 2021)
5.3.2.2	Main Street (Central) Mixed Use (R60)			
5.3.2.2	The permissibility of uses shall be in accordance with the provisions of the Mixed Use Zone.	Should the zoning of the land be normalised (to Mixed Use) and structure plan revoked, the Scheme will have binding provisions for land use permissibility over the land.	N/A	N/A
5.3.2.2	All development shall contain a minimum of one residential dwelling.	DPS 2 offers no equivalent provision requiring residential dwellings on mixed use lots. On review, all the lots in the Main Street (Central) Mixed Use are developed, except Lot 1176 (231) Ocean Keys Boulevard which has approval for multiple dwellings and office. The other developed lots all contain at least one residence. Therefore, the loss of this provision through the revocation of ASP 33 should not result in an outcome where the Mixed Use zone provides extensive development with no residential component (at least not in the short to medium term).	N/A	N/A
5.3.2.2	Development shall be in accordance with the criteria of the Small-Lot Residential Precinct, with the exception of the following: a) The front setback to the street boundary may be reduced to 0.0m when the portion of the building in front of the 3.0m average setback line is used for non-residential activity. Where a nil street setback is used, development shall be in accordance with Criteria (e), (f) and (h) to (l) of Main Street (East) Mixed Use.	All the lots in the Main Street (Central) Mixed Use are developed, except Lot 1176 (231) Ocean Keys Boulevard which has approval for multiple dwellings and office. The deemed-to-comply provisions of the R-Codes (both volumes) require a minimum front setback of 2.0m for R60. In Volume 1, a portion of the front setback can be reduced for porches, balconies and verandahs. In the case of any redevelopment of the lots in this area (and once ASP 33 is revoked), any lesser (or nil) setback could be considered through the development approval process, against the design principles (Volume 1) or element objectives (Volume 2) of the R-Codes.	Volume 1 Cl. 5.1.2 Volume 2	C2.1 Buildings, excluding carports, unenclosed porches, balconies, verandahs, or equivalent, set back from the primary street boundary: i. In accordance with Table 1 (4.0 metres for R40); ii. Corresponding to the average of the setback of existing dwellings on each adjacent property fronting the same street; iii. Reduced by up to 50 per cent provided that the area of any building, including a garage encroaching into the setback area, is compensated for by at least an equal area of open space that is located between the setback line and line drawn parallel to it at twice the setback distance (refer Figure 2a and 2c); C2.4 An unenclosed porch, balcony, verandah or the equivalent may (subject to the Building Code of Australia) project into the primary street setback area to a maximum of half the required primary street setback without applying the compensating area of clause 5.1.2 C2.1 iii (Refer Figure 2e). For Mixed Use or multiple dwellings, Volume 2 of the R-Codes would be used.
5.3.2.2	In areas coded R80, the 'minimum site area per dwelling' and 'plot ratio' requirements for multiple dwellings, as prescribed in the Residential Design Codes, shall also apply to Grouped Dwellings and Single Houses.	There are no areas coded R80 in the Main Street (Central) Mixed Use area.	N/A	N/A
5.3.2.3	Main Street (East) Mixed Use (R80)			
5.3.2.3	The permissibility of uses shall be in accordance with the provisions of the Commercial Zone. Development shall be in accordance with the following criteria:	Amendment No. 210 proposes to zone the Main Street East Mixed Use area to 'Commercial'. The amendment also proposes to make 'Grouped Dwelling' an additional use capable of approval in the zone, given this form of development is predominant in that area. Most of the lots in the Main Street (East) Mixed Use area are fully established, and do not require built provisions in a structure plan (or elsewhere) to continue applying. However, the City will be preparing a local development plan (LDP) for Lots 1159-1163 Celebration Boulevard. Lots 1161-1162 are vacant and Lots 1159, 1160 and 1163 have existing development. The LDP will contain reworded provisions compared to those in the structure plan, that are more concise and relative to the affected lots.	N/A	N/A

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ASP 33 Section	ASP 33 Provision	City of Wanneroo Comment	R-Codes Clause	Equivalent Provisions from Residential Design Codes <i>(Volume 1 as gazetted on 2 July 2021)</i>
5.3.2.3(a)	Lots with frontage to Main Street shall have nil building setback to the front street boundary and side boundaries.	<p>Notwithstanding the primary controls in the R-Codes Volume 2, this provision could be transferred over to the LDP, to achieve the outcomes currently sought in the structure plan. The R-Codes allow an LDP to vary the primary controls.</p> <p>The 'Main Street' in this context means Ocean Keys Boulevard. Therefore, the LDP will include the following provision:</p> <p><i>a) All buildings to have a setback of nil from the Ocean Keys Boulevard street boundary.</i></p>	Volume 2 2.1	Table 2.1 of the R-Codes Volume 2 prescribes a 'default' minimum primary street setback of 2.0m for R80 as a primary control.
5.3.2.3(b)	There is no rear setback requirement for non-residential development.	<p>Although non-residential development can have a nil rear setback under ASP 33, this is different to primary controls in the R-Codes (Volume 2) that set a 3.0 metre rear setback for residential and residential/mixed use development.</p> <p>From a planning impact and amenity perspective, it is not justifiable from a planning perspective to have a purely non-residential development set back nil from the laneway, but default rear setbacks for development with residential components are 3.0 metres.</p> <p>The existing development on Lots 1159-1160 was approved with a set back of 3.74 metres from the rear laneway.</p> <p>The existing development on Lot 1163 (on the corner with Ocean Keys Boulevard, laneway on the side) was approved with a nil 'rear' setback (adjoining Lot 1162 – not to a laneway). Although minor development (bin store and car park roof) has a minimal setback to the laneway, the predominant development is well set back from the laneway.</p> <p>Acknowledging the R-Codes (Volume 2) and existing developments on Lot 1159-1160 & 1163, an LDP could incorporate the following provisions in respect to rear setbacks:</p> <p><i>c) With exception of structures that support bin stores, servicing and car park roofing, development is to be set back a minimum of 3.0 metres from the laneway.</i></p> <p><i>d) The minimum setback is nil to all side boundaries and the northern (rear) boundary of Lot 1163.</i></p>	Volume 2 2.1	Table 2.1 of the R-Codes Volume 2 prescribes a 'default' minimum rear setback of 3.0m for R80 as a primary control.
5.3.2.3(c)	Lots fronting secondary streets may have a nil front setback, with a 3.0m maximum front setback and nil side setback. On lots with frontage to more than one street the maximum setback may be varied.	<p>Notwithstanding the primary controls in the R-Codes Volume 2, this provision could be transferred over to the LDP, to achieve the outcomes currently sought in the structure plan. The R-Codes allow an LDP to vary the primary controls.</p> <p>The Secondary Street' in this context means Celebration Boulevard. Therefore, the LDP will include the following provision:</p> <p><i>b) All buildings to have a setback of between nil and 3.0 metres from the Celebration Boulevard street boundary.</i></p>	Volume 2 2.1	Table 2.1b of the R-Codes Volume 2 prescribes a 'default' minimum primary street, secondary street and side setbacks for R80 as a primary control.
5.3.2.3(d)	The rear setback requirement for residential and residential/mixed use development serviced by laneways shall be in accordance with the criteria for the Small-Lot Residential Precinct.	<p>The rear setback requirements for the Small-Lot Residential Precinct are unclear. Section 5.2.2(c) allows buildings to have a nil setback to a rear boundary; however, this is interpreted that the rear boundary is not to a laneway.</p> <p>This provision has been considered when formulating the proposed LDP provisions indicated in response to Section 5.3.2.3(b) above.</p>	Volume 2 2.1	Table 2.1b of the R-Codes Volume 2 prescribes a 'default' minimum rear setback of 3.0m for R80 as a primary control.

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ASP 33 Section	ASP 33 Provision	City of Wanneroo Comment	R-Codes Clause	Equivalent Provisions from Residential Design Codes (Volume 1 as gazetted on 2 July 2021)
5.3.2.3(e)	Glazing of ground floor level of commercial/retail buildings should be maximised along the street and Town Square facades. At least 50% of the area of the ground floor façade shall be glazed and the horizontal dimension of the glazing shall be at least 75% of the height of the ground floor facade.	<p>This provision can somewhat be transferred over to the LDP.</p> <p>On review of existing development on Lots 1159-1160 and Lot 1163, the amount of glazing provided is less than what is prescribed in the structure plan. In acknowledging the existing development – and glazing being a positive design element – a specified quantity of glazing required will not be transferred into the LDP.</p> <p>The glazing element correlates with active frontage provisions which are also in the structure plan (refer to 5.3.2.3(h) below). Both provisions relate to how the building is to present to the street. Therefore, the LDP will include one provision pertaining to active frontage and glazing as follows:</p> <p>e) <i>Buildings to be designed to have active frontages with no blank facades fronting the street or adjoining public open space areas. Glazing of ground floor level of commercial/retail buildings should be maximised where possible.</i></p>	Volume 2	For a multiple dwelling or residential/mixed use development, an assessment of the R-Codes Volume 2 may take into account this design element referred to in the structure plan.
5.3.2.3(f)	The corners of buildings should be designed to articulate street corners where applicable, especially for landmark locations as identified in Plan 1.	<p>This provision should be transferred over to the LDP, as the corner of Ocean Keys Boulevard and Celebration Boulevard is identified as a 'landmark location' in the structure plan. Existing development already articulates this corner as required in the structure plan.</p> <p>The LDP will only provide for one street corner, so any reference to 'landmark locations' (as provided in the structure plan) is superfluous and not needed.</p> <p>In light of the structure plan provision and the above, the LDP will also include the following provision:</p> <p>f) <i>Buildings on Lot 1163 to be designed to articulate the corner of Ocean Keys Boulevard and Celebration Boulevard.</i></p>	Volume 2	For a multiple dwelling or residential/mixed use development, an assessment of the R-Codes Volume 2 may take into account this design element referred to in the structure plan.
5.3.2.3(g)	The eastern and northern edges of the Town Square shall be completely formed by buildings or, alternatively, a colonnade (at least 4m high and 3m wide), as depicted in Plan 3. The ultimate shape of the Town Square will be determined by the positions of buildings and colonnade. The ultimate area of the Town Square shall be between 1,500m ² and 1,600m ² .	The Town Square is not located on the land which will be subject to the proposed LDP. This provision no longer needs to be included within the planning framework.	Volume 2	For a multiple dwelling or residential/mixed use development, an assessment of the R-Codes Volume 2 may take into account this design element referred to in the structure plan.
5.3.2.3(h)	Buildings shall be designed to have active frontages with no blank facades fronting the street. Buildings with a nil setback to the front street boundary shall have continuous awnings and/or colonnades along public frontages to give pedestrians protection from the weather.	<p>Provision requiring building design to have active frontages (with no blank façades) could be transferred over to the LDP.</p> <p>The vacant land subject to the LDP adjoins nil setback development with no awnings or colonnades. Therefore, this aspect of the provision will not be transferred over to the LDP.</p> <p>The active frontage element correlates with glazing provisions which are also in the structure plan (refer to 5.3.2.3(e) above). Both provisions relate to how the building is to present to the street. Therefore, the LDP will include one provision pertaining to active frontage and glazing as follows:</p> <p>e) <i>Buildings to be designed to have active frontages with no blank facades fronting the street or adjoining public open space areas. Glazing of ground floor level of commercial/retail buildings should be maximised where possible.</i></p>	Volume 2	For a multiple dwelling or residential/mixed use development, an assessment of the R-Codes Volume 2 may take into account this design element referred to in the structure plan.

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ASP 33 Section	ASP 33 Provision	City of Wanneroo Comment	R-Codes Clause	Equivalent Provisions from Residential Design Codes <i>(Volume 1 as gazetted on 2 July 2021)</i>
5.3.2.3(i)	Buildings and all streets, parks and parking areas shall be well lit to encourage safe use after hours.	<p>The streets in the Main Street East Mixed Use area are lit, as well as the town square (park). Both the street and park areas are already established through subdivision works. Therefore, it is not necessary to have lighting provisions for the street or park in an LDP.</p> <p>The LDP prepared can require buildings and car parking areas for future development on Lots 1159 to 1163 Celebration Boulevard to be well lit as well. The provision could be worded as follows:</p> <p><i>g) Buildings and parking areas to be well lit to encourage safe use after hours.</i></p>	Volume 2	For a multiple dwelling or residential/mixed use development, an assessment of the R-Codes Volume 2 may take into account this design element referred to in the structure plan.
5.3.2.3(j)	Service areas, bins and storage areas and services such as air conditioners shall be located away from public areas and screened from view from streets and public areas by an enclosure in the style and material of the building.	<p>The screening of service areas, bins and storage areas from streets and public areas should be maintained as a requirement through the formulation of a LDP. However, it is also logical for these facilities to be located close to the public domain (particularly the laneway).</p> <p>The provision in an LDP could be worded as follows:</p> <p><i>h) Service areas, bins and storage areas and services such as air conditioners to be screened from view from the public domain by an enclosure in a style and material that complements the predominant development on the same lot.</i></p>	Volume 2	For a multiple dwelling or residential/mixed use development, an assessment of the R-Codes Volume 2 may take into account this design element referred to in the structure plan.
5.3.2.3(k)	Signage shall be integrated with buildings and shall be appropriate in character. Development approval is required for any signage not included within the original submission.	<p>The requirement for signage to be integrated with buildings can be transferred over to an LDP, prepared for Lots 1159-1163 Celebration Boulevard.</p> <p>The deemed provisions allow an LDP to exempt development from approval. However, an LDP cannot list development that requires approval, where it is typically exempt elsewhere in the scheme area. Therefore, additional development approval requirements for signage will not be transferred into the LDP.</p> <p><i>i) Signage to be integrated with buildings and shall be appropriate in character.</i></p>	Volume 2	For a multiple dwelling or residential/mixed use development, an assessment of the R-Codes Volume 2 may take into account this design element referred to in the structure plan.
5.3.2.3(l)	Direct vehicle access to lots will not be permitted from Main Street frontage. Car parking and access shall be provided to Main Street sites from secondary streets by means of rear lanes or easements in gross.	<p>This provision is now considered superfluous for the following reasons:</p> <ul style="list-style-type: none"> • The existing development meets this structure plan provision; and • The deposited plan over the vacant lots have a legal mechanism in place restricting vehicular access to the rear laneway only. 	Volume 2	For a multiple dwelling or residential/mixed use development, an assessment of the R-Codes Volume 2 may take into account this design element referred to in the structure plan.
5.3.2.3(m)	In areas coded R80, the 'minimum site area per dwelling' and 'plot ratio' requirements for multiple dwellings, as prescribed in the Residential Design Codes, shall also apply to Grouped Dwellings and Single Houses.	<p>These provisions were presumably put in place, as previous versions of the R-Codes had no 'minimum site area per dwelling' requirements for grouped dwelling or single house development for R80 coded areas. There was only a 'minimum site area per dwelling' stipulated for multiple dwelling.</p> <p>Both 'minimum site area per dwelling' and site coverage requirements for single house and grouped dwelling development in R80 areas have since been introduced into the R-Codes. Therefore, this structure plan provision is no longer necessary or relevant.</p> <p>The R-Codes Volume 2 have plot ratio provisions in place of 'minimum site area per dwelling' requirements. These will continue to apply where residential or residential/mixed use development is proposed over the vacant Lot 1161-1162.</p>	Volume 2 2.1	Table 2.1 of the R-Codes Volume 2 prescribes a 'default' plot ratio of 1.0 for R80 as a primary control.

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ASP 33 Section	ASP 33 Provision	City of Wanneroo Comment	R-Codes Clause	Equivalent Provisions from Residential Design Codes <i>(Volume 1 as gazetted on 2 July 2021)</i>
5.3.2.4	Mixed Use			
5.3.2.4	<p>The permissibility of uses shall be in accordance with the provisions of the Mixed Use Zone.</p> <p>Development shall be in accordance with the criteria of the Main Street (Central) Mixed Use and criteria j, k and l of the Main Street (East) Mixed Use.</p> <p>Additionally, non-residential buildings shall be developed in accordance with criteria b to f of Main Street (East) Mixed Use.</p>	<p>The ASP 33 Transit Precinct Mixed Use Zone occupies Transperth train station parking, which is all reserved for 'Railways' under the Metropolitan Region Scheme. Therefore, as these ASP provisions cannot be enforced in any event, there should be no impact with losing these provisions through the revocation of ASP 33.</p>	N/A	N/A
5.3.2.5	Residential			
5.3.2.5	<p>The permissibility of uses and development shall be in accordance with the provisions of the Residential Zone.</p>	<p>Should the zoning of the land be normalised (to Residential) and structure plan revoked, the Scheme will have binding provisions for land use permissibility over the land.</p> <p>In terms of development, refer to the discussion relating to Section 5.1 above. The Residential part of the Transit Precinct (outside the areas subject to the Small-Lot Residential Precinct, see below) includes the following:</p> <ul style="list-style-type: none"> • Nine single houses situated between Cherokee Green and Verrado Way, coded R40; and • Established grouped dwelling development near Neerabup Road, coded R40. <p>Grouped dwellings will require development approval should any redevelopment be proposed in the future. It is through the development approval process that the City can consider design outcomes (under the design principles of the R-Codes) best suited for the location.</p>	N/A	N/A
5.3.2.5	<p>Notwithstanding the requirements for development under the Scheme, lots abutting laneways shall be developed in accordance with the criteria of the Small-Lot Residential Precinct.</p>	<p>Laneway lots in the Residential part of the Transit Precinct are coded R30, R40 and R60. Refer to further discussion for Section 5.2 above.</p>	N/A	N/A
5.4	Centre Zone			
5.4	<p>The Centre Zone is intended to accommodate a mixture of residential development with small scale businesses in a primarily residential scale environment. The predominant uses will be residential, office, consulting, dining and limited retail uses occupying the street frontage of lots.</p>	<p>The mixture of land uses envisaged for the Centre zone has not eventuated. The lots in the 'Centre Zone' contain only single house residential development. Any form of commercial land use that may establish in the future could have significant impacts on the surrounding residential development.</p>	N/A	N/A
5.4	<p>The permissibility of uses shall be in accordance with the provisions of the Commercial Zone.</p>	<p>In preparing Amendment No. 210, the City considered that there were grounds to depart from the designated 'Centre' zoning – and to depart from the permissibility of uses being in accordance with the Commercial Zone. The lots subject to this provision are between 381m² to 493m² and are unsuitable for commercial uses to be permissible through Amendment No. 210 for the following reasons:</p> <ul style="list-style-type: none"> • The lots are occupied by Single House residential development. • The lots are too small to provide for a variety of commercial businesses that would be viable. • The dwellings on these lots are designed and positioned in a way that hinders onsite parking and the carrying out of most commercial land uses. • Following the recent gazettal of Amendment No. 172 to DPS 2, 'Single House' is now a not permitted (or 'X') use in the Commercial Zone. Therefore, the residential use of these lots would become non-conforming if the Commercial zoning were imposed through DPS 2. <p>Amendment No. 210 therefore imposes a Residential zoning over the lots in the Centre Zone. A density coding of R40, taken from ASP 33, will be imposed for these lots through Amendment No. 210.</p>	N/A	N/A

Review of Provisions from Clarkson (Lot 16 Connolly Drive) Agreed Local Structure Plan No. 33

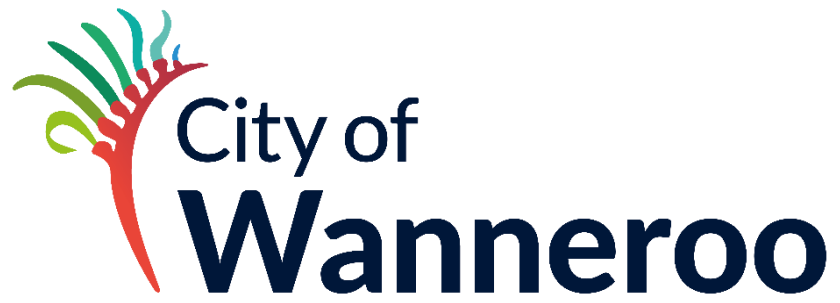
ASP 33 Section	ASP 33 Provision	City of Wanneroo Comment	R-Codes Clause	Equivalent Provisions from Residential Design Codes (Volume 1 as gazetted on 2 July 2021)
5.4	Development of non-residential buildings shall be in accordance with the criteria of Main Street (East) Mixed Use. Development of residential and residential/mixed use buildings shall be in accordance with the criteria of Main Street (Central) Mixed Use.	No non-residential development has occurred in the ASP 33 Centre Zone.	N/A	N/A
5.5	Landmark Sites			
5.5	Any building developed on a Landmark site shall have special building elevation and window treatments that draw attention to the location, including such means as distinctive roof forms, balconies, articulation of corner wall elements, entry forecourts, materials and colour.	The sites where the landmark features are to be incorporated are indicated on Plan 1 of ASP 33. All the sites identified have existing development, with only some incorporating a landmark feature as prescribed in this provision. The provision can no longer be enforced, as it cannot be applied retrospectively.	N/A	N/A
5.6	Car Parking – Main Street East			
5.6	<i>Detailed and lengthy discussion on the car parking strategy provided for in ASP 33 (refer to the structure plan document)</i>	Considered a provision that provides the background and basis for car parking provisions imposed for the Main Street East area.	N/A	N/A
5.6.1	Criteria			
5.6.1(a)	Carparking is to be provided on-site at the rate prescribed in the Scheme for the use proposed, with consideration for the following provisions.	In the absence of the structure plan provisions (should ASP 33 be revoked), car parking would need to be provided in accordance with the Scheme.	N/A	N/A
5.6.1(b)	On-street parking immediately abutting a lot may be included in the calculation for on-site parking. Council also has discretion to approve the allocation of on-street parking not abutting a lot if the parking bays are within 200m of the subject lot and are not considered to be required by any other non-residential use.	Most of the lots in the Main Street East area have already been developed on, with exception of two vacant lots referred to in response to Section 5.3.2.3 above. The local development plan to be prepared for the vacant lots can make provisions that consider on-street parking bays – as well as the proximity to the nearby train station and bus routes.	N/A	N/A
5.6.1(c)	A reduction of 15% is permitted for the provision of parking for each lot, as a result of the close proximity to the transit station and associated parking stations.	The remaining vacant lots are small and would not generate a significant car parking demand. Therefore, a 15% reduction to the typical car parking standard would be negligible. Therefore, this provision is now considered superfluous.	N/A	N/A
5.7	Four Pack Housing (R40)			
5.7	As the name suggests, 4 Pack Housing is generally developed in groups of four dwellings but this may be varied depending on the site characteristics and development circumstances. Dwellings with street frontage are orientated to overlook the street and the other dwellings are orientated in the opposite direction to overlook public open space, major roads or other public environments. Each group of dwellings is served by a single driveway, formed by access-legs with reciprocal rights in favour of the all dwellings in the development. It is intended that land designated for four pack housing be located in areas of high amenity, adjacent public open space and where passive surveillance of the public realm is encouraged.	There are five complexes of four pack housing in the structure plan area, located on Oakpark Green. All the lots are coded R40. The rear of the four-pack housing adjoins Crown Land that is reserved for pedestrian accessway – and not public open space.	N/A	N/A
5.7.1	Objectives			
5.7.1	General objectives for land designated for four pack housing: a) Promote layouts that provide for pedestrian-friendly streetscapes with passive surveillance of the public streets, laneways and open spaces such as parks. b) Promote the relationship between public open space and adjacent lots through encouraging a strong sense of architectural identity toward and overlooking the public open space areas. c) Maintain a high level of pedestrian amenity. d) Encourage dwellings to have a relationship to the street.	The objectives are not considered as requirements; but rather to provide guidance on the outcomes expected of development of four pack housing.	N/A	N/A

Review of Provisions from Clarkson (Lot 16 Connolly Drive) Agreed Local Structure Plan No. 33

ASP 33 Section	ASP 33 Provision	City of Wanneroo Comment	R-Codes Clause	Equivalent Provisions from Residential Design Codes (Volume 1 as gazetted on 2 July 2021)
5.7.2	Criteria			
5.7.2 (a)	The front setback to the street boundary shall be 2.0 metre minimum and 4.0m average.	<p>The provisions of the R-Codes will instead apply, should ASP 33 be revoked.</p> <p>The difference between the deemed-to-comply and the ASP 33 provisions are marginal. Therefore, the impact of losing this structure plan provision from the planning framework will be minimal overall.</p>	Volume 1 Cl. 5.1.2	<p>C2.1 Buildings, excluding carports, unenclosed porches, balconies, verandahs, or equivalent, set back from the primary street boundary:</p> <ul style="list-style-type: none"> i. In accordance with Table 1 (4.0 metres for R40); ii. Corresponding to the average of the setback of existing dwellings on each adjacent property fronting the same street; iii. Reduced by up to 50 per cent provided that the area of any building, including a garage encroaching into the setback area, is compensated for by at least an equal area of open space that is located between the setback line and line drawn parallel to it at twice the setback distance (refer Figure 2a and 2c); <p>C2.4 An unenclosed porch, balcony, verandah or the equivalent may (subject to the Building Code of Australia) project into the primary street setback area to a maximum of half the required primary street setback without applying the compensating area of clause 5.1.2 C2.1 iii (Refer Figure 2e).</p>
5.7.2 (b)	The setback to public open space shall be a minimum of 1.5m. The dwelling shall be setback no greater than 3.0m at its closest point to the public open space.	None of the lots subject to the four pack housing provisions abut public open space.	Volume 1 Cl. 5.1.3	Refer to the response in Section 5.1.2.3 (a) above for lot boundary setback provisions in the R-Codes.
5.7.2 (c)	For corner lots with street and public open space frontage, the street shall be deemed a secondary street for the purpose of calculating the necessary setback.		Volume 1 Cl. 5.1.2	C2.2 Buildings set back from the secondary street boundary in accordance with Table 1.
5.7.2 (d)	Garages and carports shall be located on the common boundary generally in accordance with the example depicted on Plan 5, and generally setback a minimum of 1m from the driveway.	<p>The provisions of the R-Codes will instead apply, should ASP 33 be revoked.</p> <p>The deemed-to-comply provisions of the R-Codes prescribe boundary wall requirements.</p> <p>Existing garages are setback an adequate distance from the central driveways – and need to maintain such a setback into the future to ensure they can be accessed by manoeuvring vehicles.</p>	Volume 1 Cl. 5.1.3	<p>C3.2 Boundary walls may be built behind the street setback (specified in Table 1 and in accordance with clauses 5.1.2 and 5.2.1), within the following limits and subject to the overshadowing provisions of clause 5.4.2 and Figure Series 11:</p> <ul style="list-style-type: none"> i. where the wall abuts an existing or simultaneously constructed boundary wall of equal or greater dimension; or ii. ... iii. in areas coded R30 and higher, walls not higher than 3.5m for two-thirds the length of the balance of the site boundary behind the front setback, to up to two site boundaries.
5.7.2 (e)	Side setbacks shall be in accordance with the Residential Design Codes. All dwellings may be constructed with one or more walls built up to one or more side boundaries provided every dwelling shall have a courtyard with a minimum dimension of 4.0 m.	<p>The provisions of the R-Codes will instead apply, should ASP 33 be revoked.</p> <p>The R-Codes can continue to apply generally in the same manner as ASP 33 in terms of buildings set back from, or on, the boundary – and outdoor living area dimension.</p>	Volume 1 Cl. 5.1.3 Cl. 5.3.1	<p>C1.1.1 For single houses and grouped dwellings, a single consolidated primary garden area provided behind the primary street setback, in accordance with Table 1.1a (minimum dimension of 3.0 metres).</p> <p>C3.4.1 Buildings are set back from lot boundaries in accordance with Table 3.4a (minimum lot boundary setback of 1.0m for wall heights up to 3.5m, 1.5m for walls from 3.6m-7.0m in height). Refer Figure 3.4a, b and c.</p> <p>Minor projections, such as chimneys, eaves, window hoods and other architectural features, are acceptable provided they do not project more than 0.75m into the lot boundary setback.</p> <p>Refer to the response in Section 5.7.2(d) above for boundary wall provisions in the R-Codes.</p>

Review of Provisions from Clarkson (Lot 16 Connolly Drive) Agreed Local Structure Plan No. 33

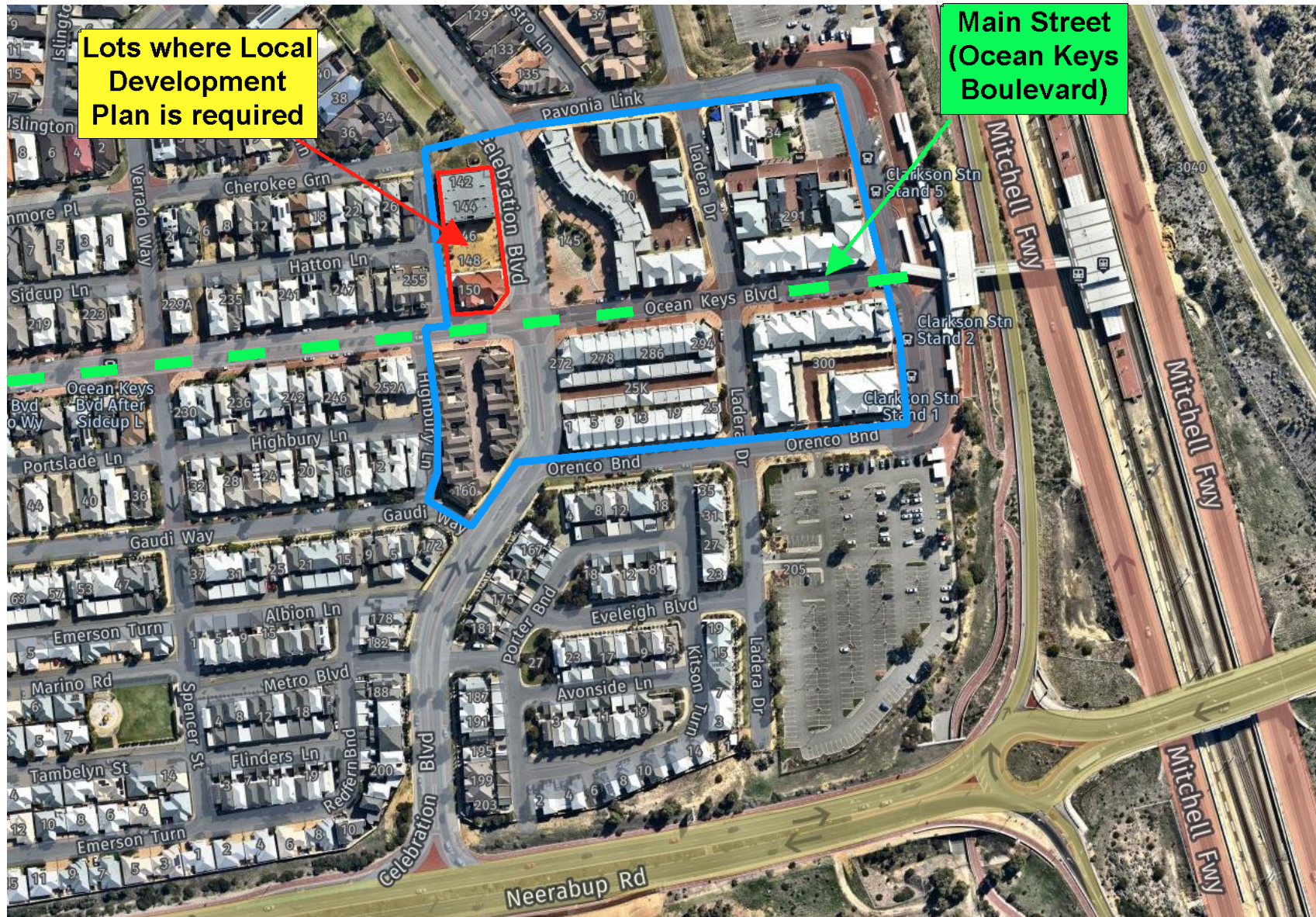
ASP 33 Section	ASP 33 Provision	City of Wanneroo Comment	R-Codes Clause	Equivalent Provisions from Residential Design Codes <i>(Volume 1 as gazetted on 2 July 2021)</i>
5.7.2 (f)	Vehicular access to garages and carports shall be via the reciprocal right of way. Buildings shall address the street, or in the case of lots abutting or overlooking the public open space, shall address the public open space areas.	The reciprocal right of access and buildings addressing the street are all outcomes that have been achieved for existing development. As outlined above, there are no four-pack housing lots which adjoin a public open space.	Volume 1 Cl. 5.3.5 Cl. 5.2.3	Refer to the responses in Section 5.1.2.1 (e) and 5.1.2.3 (c) above for vehicle access (from a communal street) and dwelling orientation provisions in the R-Codes.
6.0 Miscellaneous Development Provisions				
6.0	No subdivision or development approval shall be granted within the Structure Plan area prior to the following provisions being addressed, to the satisfaction of the City of Wanneroo:	Refer to the City's comments below.	N/A	N/A
6.0 (a)	The finalisation of the Somerly Employment and Community Development Strategy, prepared by SGS Economics and Planning, and the implementation of the strategies arising from the final report.	The Somerly Employment and Community Development Strategy was accepted by the City in November 2002 and applied particularly for the initial subdivision stages. Now that the structure plan area is now fully developed, this structure plan provision is now redundant.	N/A	N/A
6.0 (b)	The implementation of the four initiatives put forward by Urban Pacific to recognise the heritage significance of the Mindarie Pastoral Company Homestead, which are: <ul style="list-style-type: none"> Naming the main northern entry from Connolly Drive into the application area after the homestead (eg Homestead/Pastoral Drive); Naming the nearest park to the former location of the homestead in recognition of the building (eg Mindarie Homestead Park); Installation of a plaque in the park in recognition of the former Homestead; Work with any local historical groups wishing to participate in the naming or wording of the plaque and road. 	In response to this structure plan provision: <ul style="list-style-type: none"> The main northern entry is named Homestead Drive; Previous subdivisions have resulted in the creation of Homestead Park, located on Homestead Drive; and There is a plaque situated in Homestead Park, in recognition of the former homestead. It is unclear of the extent of involvement local historical groups had in the naming and wording of the plaque and road. This is no longer relevant, as the area is now established – and the naming of the road and park has been set.	N/A	N/A
6.0 (c)	Sufficient details being provided to the City at the subdivision stage to justify any proposed encroachment of subdivisional roads into the Connolly Drive road reserve.	Encroachments of local roads into the Connolly Drive road reserve would have been considered by the City's engineers during the subdivision process.	N/A	N/A
6.0 (d)	Revised design guidelines being implemented for the various zones and precincts being introduced into the Structure Plan area.	No revised design guidelines were implemented for development of the structure plan area. Given that subdivision and development is at an advanced stage, the preparation of such guidelines now would be unnecessary.	N/A	N/A
7.0 Subdivision Requirements				
7.0	In addition to the normal requirements of subdivision, the following conditions will be recommended by Council to the WAPC at the time of subdivision <ul style="list-style-type: none"> Ethnographic and archaeological study to be prepared; Insert detailed design guidelines for the zones; Preparation and implementation of a drainage, nutrient and water management plan; Preparation and implementation of a wetland management plan; The preparation and implementation of a vegetation management plan; Protection of site worthy vegetation; Provision of appropriate traffic signalling and management devices within the subdivision. 	The entire structure plan has now been subject to subdivision. These structure plan provisions are now redundant and could not be reasonably applied to further subdivision of created lots.	N/A	N/A




APPENDIX 3


Local Development Plan Considerations –
Celebration Boulevard, Clarkson

Aerial of ASP 33 Main Street (East) Mixed Use Area



(Source: NearMap)

 Land Proposed to be zoned Commercial in Amendment No. 210
'Grouped Dwelling' proposed as an additional use

 Vacant lots which require local development plan

Streetview Images – Location Recommended for New Local Development Plan



View of Proposed Local Development Plan Area – Seen from Celebration Boulevard



View of Proposed Local Development Plan Area – Seen from Rear Laneway

Suggested Local Development Provisions

Celebration Boulevard, Clarkson

- a) All buildings to have a setback of nil from the Ocean Keys Boulevard street boundary.
- b) All buildings to have a setback of between nil and 3.0 metres from the Celebration Boulevard street boundary.
- c) With exception of structures that support bin stores, servicing and car park roofing, development is to be set back a minimum of 3.0 metres from the laneway.
- d) The minimum setback is nil to all side boundaries and the northern (rear) boundary of Lot 1163.
- e) Buildings to be designed to have active frontages with no blank façades fronting the street or adjoining public open space areas. Glazing of ground floor level of commercial/retail buildings should be maximised where possible.
- f) Buildings on Lot 1163 to be designed to articulate the corner of Ocean Keys Boulevard and Celebration Boulevard.
- g) Buildings and parking areas to be well lit to encourage safe use after hours.
- h) Service areas, bins and storage areas and services such as air conditioners to be screened from view from the public domain by an enclosure in a style and material that complements the predominant development on the same lot.
- i) Signage to be integrated with buildings and shall be appropriate in character.

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PLANNING AND DEVELOPMENT ACT 2005

CITY OF WANNEROO

DISTRICT PLANNING SCHEME NO. 2 – AMENDMENT NO. 210

The City of Wanneroo under and by virtue of the powers conferred upon it in that behalf by the *Planning and Development Act 2005* hereby amends the above local planning scheme by:

1. Rezoning various lots affected by the City of Wanneroo's Clarkson (Lot 16 Connolly Drive) Agreed Local Structure Plan No. 33 located in the Clarkson locality from 'Urban Development' to 'Residential' (R30, R40 and R60), as shown on all Scheme (Amendment) Maps.
2. Reclassifying Lot 1388 (12) Vickery Loop, Clarkson (on DP: 43450) from 'Urban Development' Zone to 'Local Scheme Reserve – Public Purposes', as shown on Scheme (Amendment) Map 1.
3. Reclassifying Lot 1627 (650) Connolly Drive, Clarkson (on DP: 53134) from 'Urban Development' Zone to 'Local Scheme Reserve – Public Purposes', as shown on Scheme (Amendment) Map 2.
4. Rezoning Lot 1186 (2) Riverlinks Drive, Clarkson (on DP: 48517) from 'Urban Development' to 'Residential' (R40), as shown on Scheme (Amendment) Map 3.
5. Reclassifying the following land parcels from the 'Urban Development' zone to 'Local Scheme Reserve – Public Open Space', as shown on the various Scheme (Amendment) Maps:
 - Lot 1518 (2) Longleaf Drive, Clarkson (on DP: 44776);
 - Lot 2216 (50) Homestead Drive, Clarkson (on DP: 53117);
 - Lot 2217 (61) Chattanooga Vista, Clarkson (on DP: 51745);
 - Lot 1921 (35) Hacienda Drive, Clarkson (on DP: 52065);
 - Lot 1137 (39) Somerly Drive, Clarkson (on DP: 46799);
 - Lot 1625 (15) Riverlinks Drive, Clarkson (on DP: 46799);
 - Lot 1136 (70) Celebration Boulevard, Clarkson (on DP: 49205);
 - Lot 1564 (110) Celebration Boulevard, Clarkson (on DP: 52110);
 - Lot 1563 (23) Palladio Pass, Clarkson (on DP: 52110);
 - Lot 1185 (10) Santa Clara Crescent, Clarkson (on DP: 45432);
 - Lot 1184 (30) Santa Clara Crescent, Clarkson (on DP: 45432); and
 - Lot 1193 (145) Celebration Boulevard, Clarkson (on DP: 45433).
6. Rezoning the following lots from 'Urban Development' to 'Mixed Use' (R60), as shown on Scheme (Amendment) Map 4:
 - Lot 1177 (229) Ocean Keys Boulevard, Clarkson (on DP: 45468);
 - Lot 1176 (231) Ocean Keys Boulevard, Clarkson (on DP: 45468);
 - Lot 1175 (233) Ocean Keys Boulevard, Clarkson (on DP: 45468);
 - Lot 1174 (235) Ocean Keys Boulevard, Clarkson (on DP: 45468);
 - Lot 1173 (237) Ocean Keys Boulevard, Clarkson (on DP: 45468);
 - Lot 1172 (239) Ocean Keys Boulevard, Clarkson (on DP: 45468);
 - Lot 1171 (241) Ocean Keys Boulevard, Clarkson (on DP: 45468);
 - Lot 1170 (243) Ocean Keys Boulevard, Clarkson (on DP: 45468);

- Lot 1169 (245) Ocean Keys Boulevard, Clarkson (on DP: 45468);
- Lot 1168 (247) Ocean Keys Boulevard, Clarkson (on DP: 45468);
- Lot 1167 (249) Ocean Keys Boulevard, Clarkson (on DP: 45468);
- Lot 1166 (251) Ocean Keys Boulevard, Clarkson (on DP: 45468);
- Lot 5 (253) Ocean Keys Boulevard, Clarkson (on DP: 61764);
- Lot 1067 (230) Ocean Keys Boulevard, Clarkson (on DP: 44781);
- Lot 1068 (232) Ocean Keys Boulevard, Clarkson (on DP: 44781);
- Lot 1069 (234) Ocean Keys Boulevard, Clarkson (on DP: 44781);
- Lot 1070 (236) Ocean Keys Boulevard, Clarkson (on DP: 45432);
- Lot 1071 (238) Ocean Keys Boulevard, Clarkson (on DP: 45432);
- Lot 1072 (240) Ocean Keys Boulevard, Clarkson (on DP: 45432);
- Lot 1073 (242) Ocean Keys Boulevard, Clarkson (on DP: 45432);
- Lot 1074 (244) Ocean Keys Boulevard, Clarkson (on DP: 45432);
- Lot 1075 (246) Ocean Keys Boulevard, Clarkson (on DP: 45432);
- Lot 1077 (248) Ocean Keys Boulevard, Clarkson (on DP: 45432);
- Lot 1078 (250) Ocean Keys Boulevard, Clarkson (on DP: 45432);
- Lot 1079 (252) Ocean Keys Boulevard, Clarkson (on DP: 45432); and
- Lot 1080 (254) Ocean Keys Boulevard, Clarkson (on DP: 45432).

7. Rezoning the following lots from 'Urban Development' to 'Commercial' (R80), and applying an additional use area (A52) over the same lots, as shown on Scheme (Amendment) Map 4:

- Lot 2000 (144) Celebration Boulevard, Clarkson (on DP: 408645);
- Lot 1161 (146) Celebration Boulevard, Clarkson (on DP: 49180);
- Lot 1162 (148) Celebration Boulevard, Clarkson (on DP: 49180);
- Lot 1163 (150) Celebration Boulevard, Clarkson (on DP: 49180);
- Lot 1187 (160) Celebration Boulevard, Clarkson (on DP: 44079);
- Lot 1188 (280) Ocean Keys Boulevard, Clarkson (on DP: 45434);
- Lot 1189 (300) Ocean Keys Boulevard, Clarkson (on DP: 45434);
- Lot 1196 (291) Ocean Keys Boulevard, Clarkson (on DP 45433);
- Lot 1195 (34) Ladera Drive, Clarkson (on DP: 44079); and
- Lot 1194 (33) Ladera Drive, Clarkson (on DP 45433).

8. Amending Schedule 2 (Specified additional uses for zoned land in Scheme area) of the Scheme text to insert the following:

No.	Description of Land	Additional Use	Conditions
A52	<ul style="list-style-type: none"> • Lot 2000 (144) Celebration Boulevard, Clarkson (on DP: 408645); • Lot 1161 (146) Celebration Boulevard, Clarkson (on DP: 49180); • Lot 1162 (148) Celebration Boulevard, Clarkson (on DP: 49180); • Lot 1163 (150) Celebration Boulevard, Clarkson (on DP: 49180); • Lot 1187 (160) Celebration Boulevard, Clarkson (on DP: 44079); • Lot 1188 (280) Ocean Keys Boulevard, Clarkson (on DP: 45434); • Lot 1189 (300) Ocean Keys Boulevard, Clarkson (on DP: 45434); • Lot 1196 (291) Ocean Keys Boulevard, Clarkson (on DP 45433); • Lot 1195 (34) Ladera Drive, Clarkson (on DP: 44079); and 	Grouped Dwelling (D)	

	<ul style="list-style-type: none"> Lot 1194 (33) Ladera Drive, Clarkson (on DP 45433). 		
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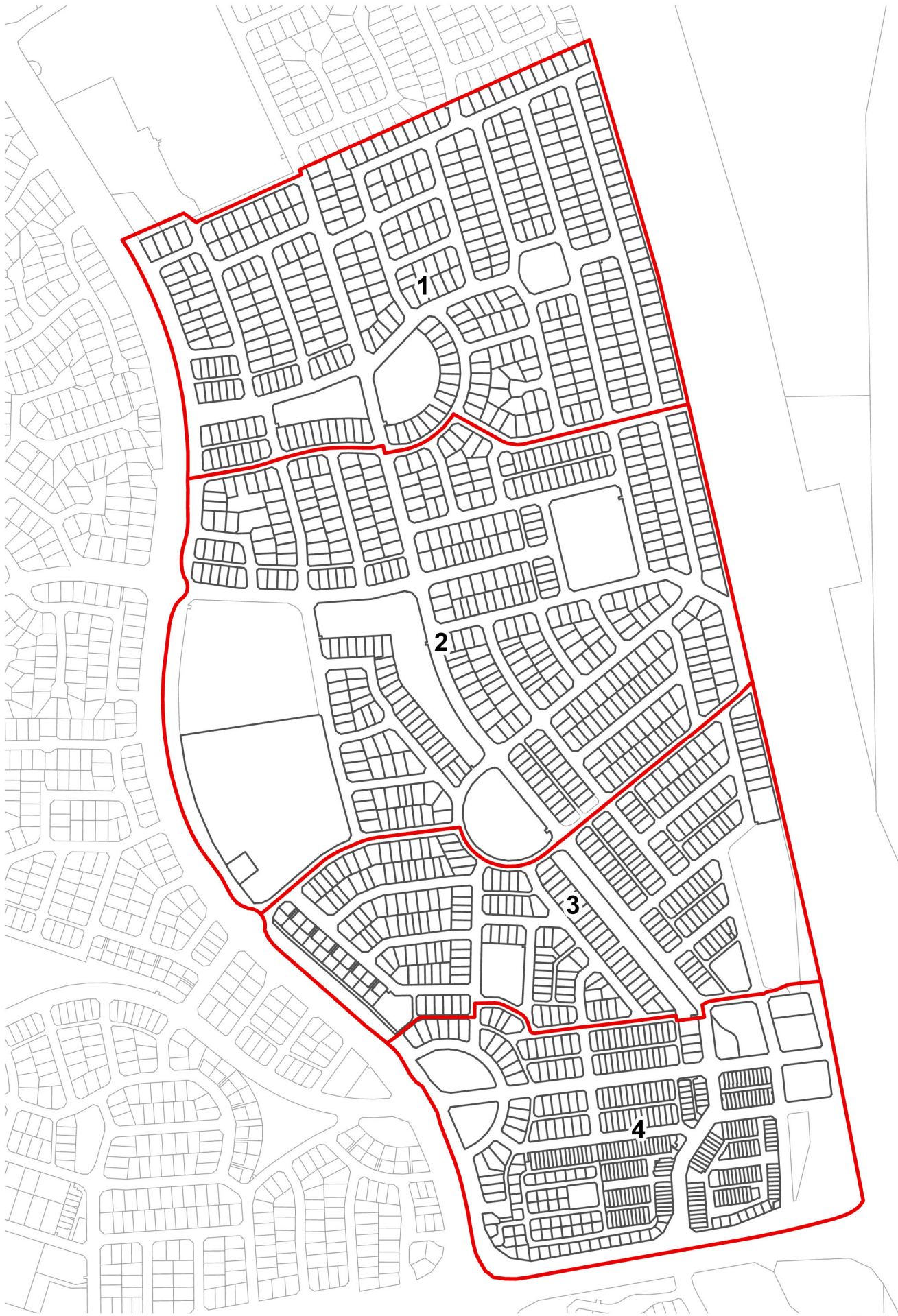
9. Amending Schedule 7 of District Planning Scheme No. 2 to delete the following:

LOCALITY	DESCRIPTION OF CENTRE AND COMMERCIAL ZONES	NLA (m ²)
CLARKSON	Lot 16 on Plan 12489 (650) Connolly Drive	3000

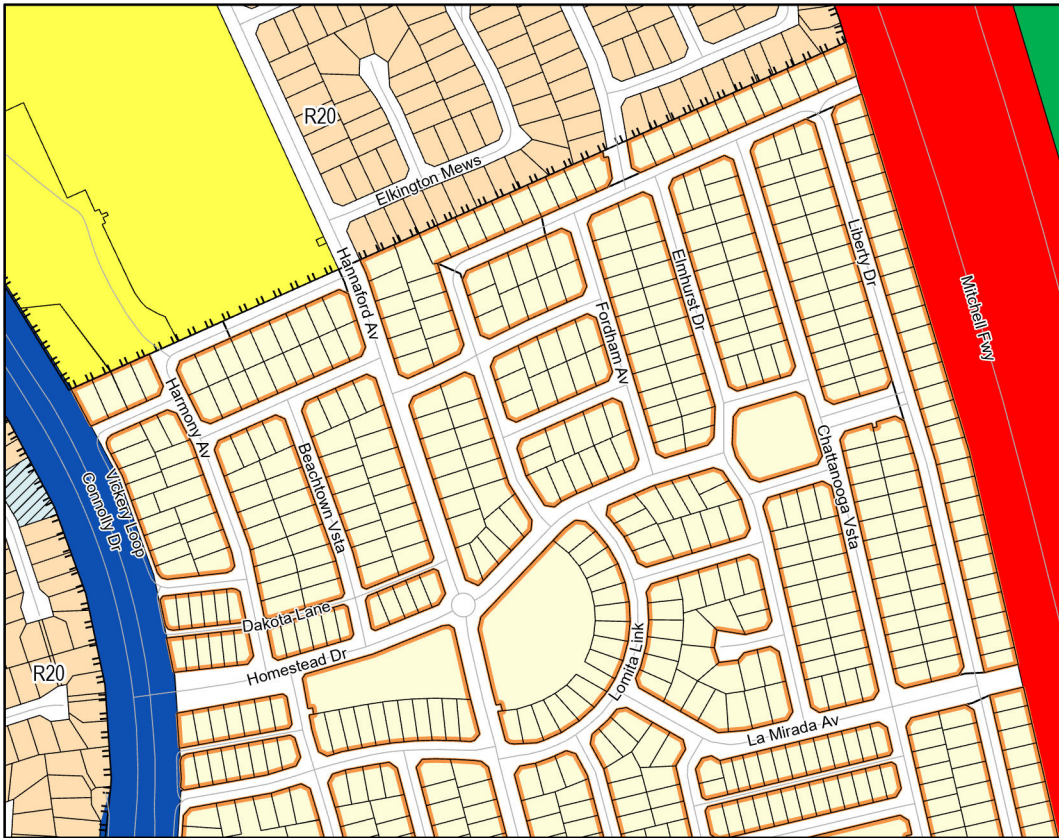
and replacing the above with the following:

LOCALITY	DESCRIPTION OF CENTRE AND COMMERCIAL ZONES	NLA (m ²)
CLARKSON	Lot 2000 Celebration Boulevard on DP: 408645 Lot 1161 Celebration Boulevard on DP: 49180 Lot 1162 Celebration Boulevard on DP: 49180 Lot 1163 Celebration Boulevard on DP: 49180 Lot 1187 Celebration Boulevard on DP: 44079 Lot 1188 Ocean Keys Boulevard on DP: 45434 Lot 1189 Ocean Keys Boulevard on DP: 45434 Lot 1196 Ocean Keys Boulevard on DP 45433 Lot 1195 Ladera Drive on DP: 44079 Lot 1194 Ladera Drive on DP 45433	3000

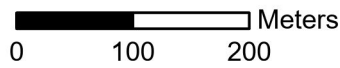
**CITY OF WANNEROO
DISTRICT PLANNING SCHEME NO. 2
AMENDMENT NO. 210 - MAP INDEX**



CITY OF WANNEROO DISTRICT PLANNING SCHEME No. 2 AMENDMENT NO. 210



EXISTING ZONE



LEGEND

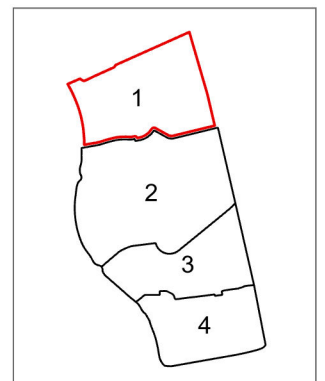
- R-CODE
- DPS2 ZONES & RESERVES**
- DRAINAGE/WATERWAY
- RESIDENTIAL
- URBAN DEVELOPMENT
- LOCAL ROAD
- MRS RESERVES**
- PRIMARY REGIONAL ROADS
- PUBLIC PURPOSES
- OTHER REGIONAL ROADS
- PARKS & RECREATION



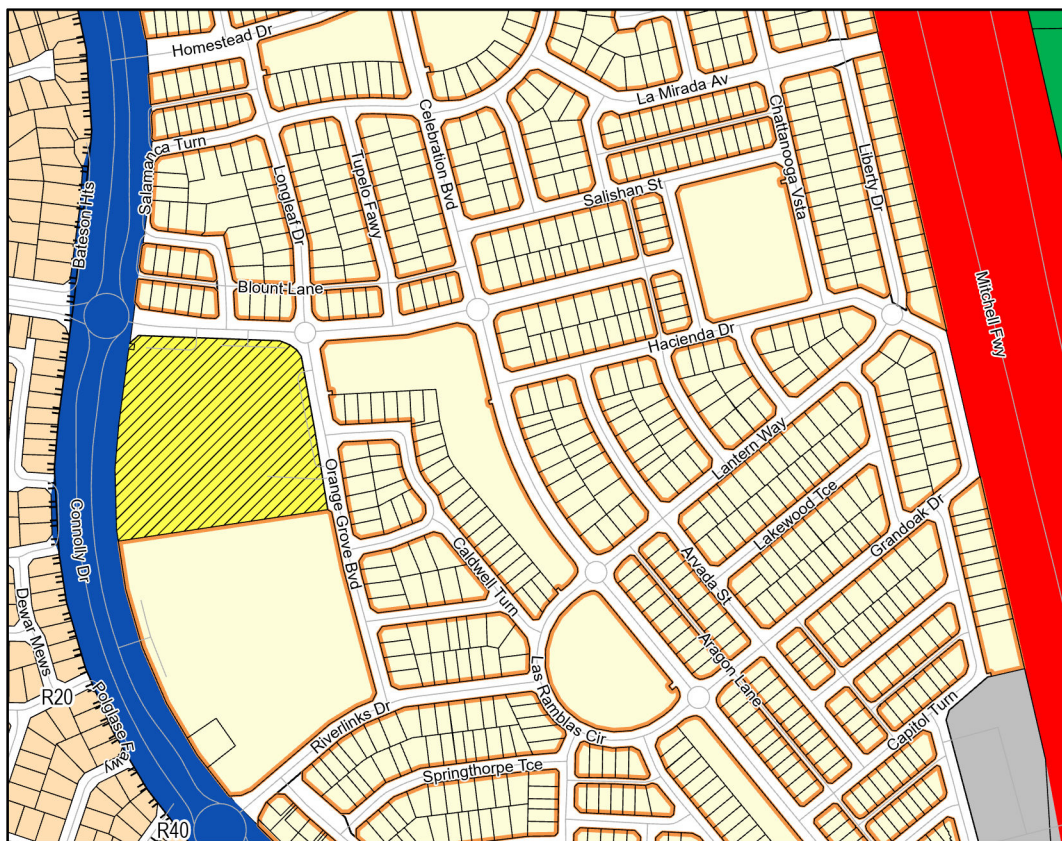
SCHEME (AMENDMENT) MAP 1

LEGEND

- R-CODE
- DPS2 ZONE**
- RESIDENTIAL
- LOCAL SCHEME RESERVES**
- PUBLIC OPEN SPACE
- PUBLIC PURPOSES



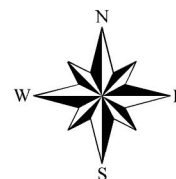
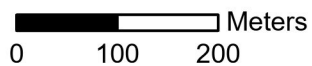
CITY OF WANNEROO DISTRICT PLANNING SCHEME No. 2 AMENDMENT NO. 210







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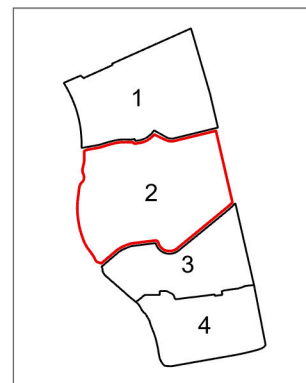
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- DPS2 ZONES & RESERVES**
-  PUBLIC PURPOSES
-  RAILWAYS
-  RESIDENTIAL
-  URBAN DEVELOPMENT
-  LOCAL ROAD
- MRS RESERVES**
-  PRIMARY REGIONAL ROADS
-  OTHER REGIONAL ROADS
-  PARKS & RECREATION

EXISTING ZONE



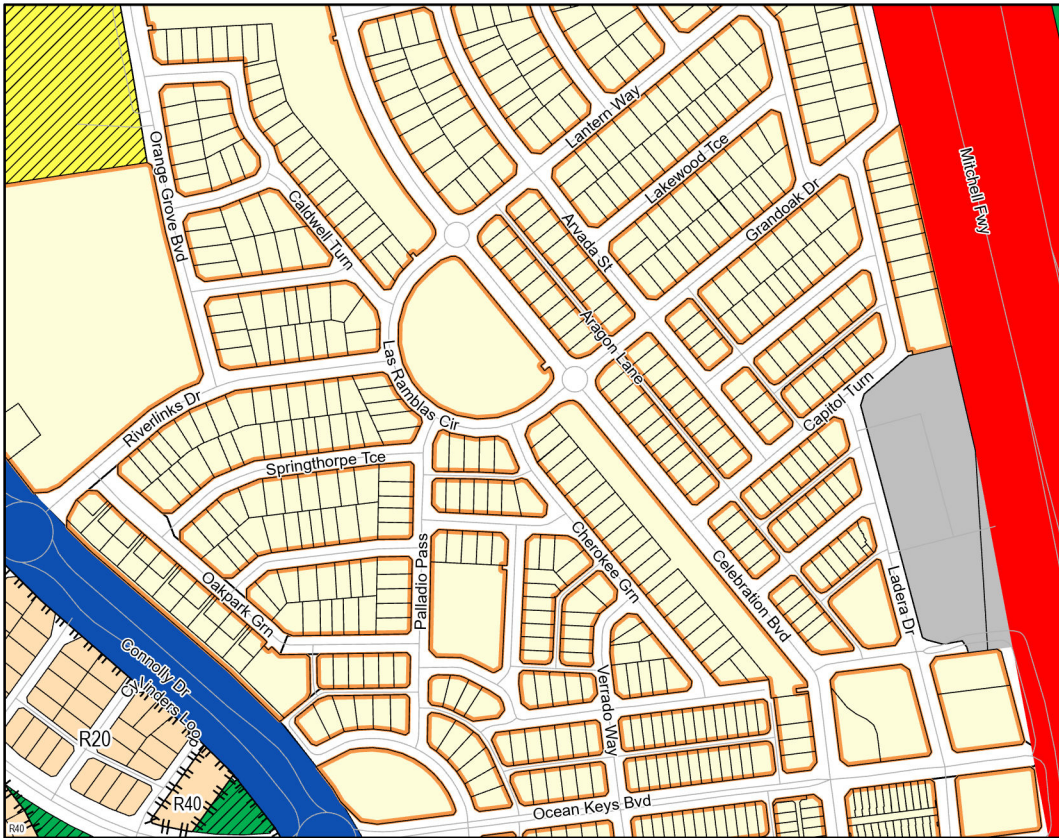
LEGEND

-  R-CODE
- DPS2 ZONE**
-  RESIDENTIAL
- LOCAL SCHEME RESERVES**
-  PUBLIC OPEN SPACE
-  PUBLIC PURPOSES

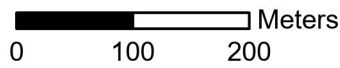


SCHEME (AMENDMENT) MAP 2

CITY OF WANNEROO DISTRICT PLANNING SCHEME No. 2 AMENDMENT NO. 210



EXISTING ZONE



LEGEND

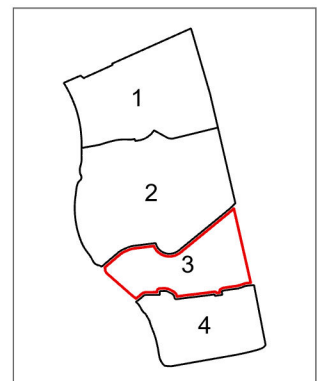
- R-CODE
- DPS2 ZONES & RESERVES**
- PUBLIC OPEN SPACE
- PUBLIC PURPOSES
- RAILWAYS
- RESIDENTIAL
- URBAN DEVELOPMENT
- LOCAL ROAD
- MRS RESERVES**
- PRIMARY REGIONAL ROADS
- OTHER REGIONAL ROADS
- PARKS & RECREATION



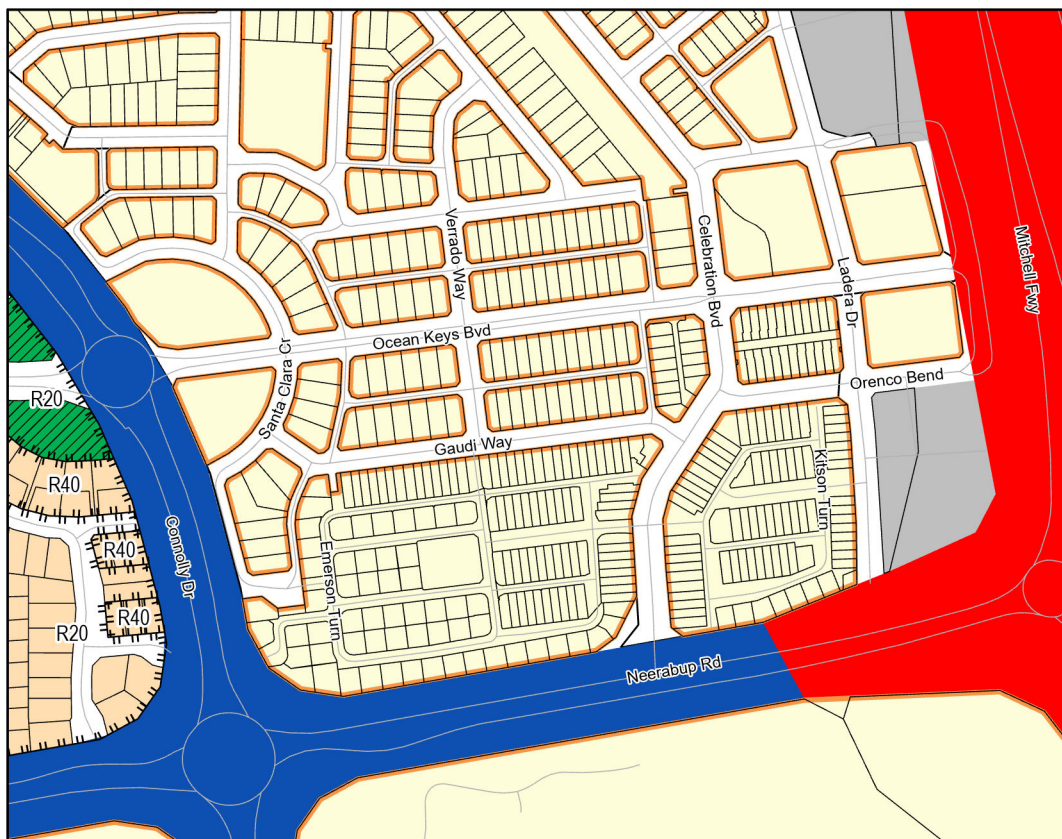
SCHEME (AMENDMENT) MAP 3

LEGEND

- R-CODE
- DPS2 ZONE**
- RESIDENTIAL
- LOCAL SCHEME RESERVE**
- PUBLIC OPEN SPACE



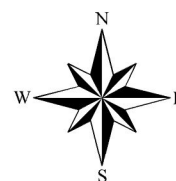
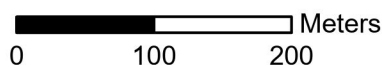
CITY OF WANNEROO DISTRICT PLANNING SCHEME No. 2 AMENDMENT NO. 210









LEGEND

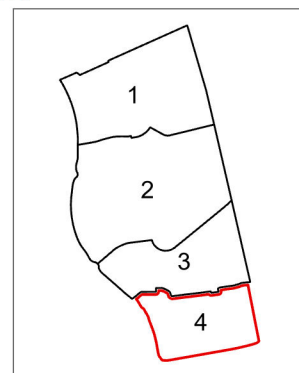
-  R-CODE
- DPS2 ZONES & RESERVES**
-  PUBLIC OPEN SPACE
-  RAILWAYS
-  RESIDENTIAL
-  URBAN DEVELOPMENT
-  LOCAL ROAD
- MRS RESERVES**
-  PRIMARY REGIONAL ROADS
-  OTHER REGIONAL ROADS

EXISTING ZONE



LEGEND

-  R-CODE
-  ADDITIONAL USE
- DPS2 ZONE**
-  COMMERCIAL
-  MIXED USE
-  RESIDENTIAL
- LOCAL SCHEME RESERVE**
-  PUBLIC OPEN SPACE



SCHEME (AMENDMENT) MAP 4

COUNCIL ADOPTION

This Standard Amendment was adopted by resolution of the Council of the City of Wanneroo at the Ordinary Meeting of the Council held on the 12th day of September 2023.

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

By resolution of the Council of the City of Wanneroo at the Ordinary Meeting of the Council held on the 12th day of September 2023, proceed to advertise this amendment.

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended for [support with/without modification or not support] by resolution of the City of Wanneroo at the Ordinary Meeting of the Council held on the [number] day of [month], 20[year], and the Common Seal of the City of Wanneroo was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

WAPC RECOMMENDATION FOR APPROVAL

.....
DELEGATED UNDER S.16 OF
PD ACT 2005

DATE

Approval Granted

.....
MINISTER FOR PLANNING

DATE