

AGREED STRUCTURE PLAN

EAST WANNEROO CELL 1

(TAPPING AND ASHBY)

(As Amended)

Structure Plan No. 3

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

This structure plan is prepared under the provisions of the City of Wanneroo District Planning Scheme No. 2.

IT IS CERTIFIED THAT THIS STRUCTURE PLAN WAS APPROVED BY RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING COMMISSION ON:

1 April 2005

In accordance with Schedule 2, Part 4, Clause 28 (2) and refer to Part 1, 2. (b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Date of Expiry: 19 October 2025

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

The East Wanneroo Cell 1 Structure Plan was adopted by the WAPC on 1 April 2005 and subsequently amended as follow

Amendment No.	Description of Amendment	Council Adopted	WAPC Adopted
1	To recode certain lots located at the southern part of the Agreed Structure Plan area from R20 to R40	27 April 2004	1 April 2005
2	Modifies the road layout and the distribution of the Public Open Space areas over Lot 2706 Pinjar Road, Tapping.	11 Aug 2004	1 April 2005
3	Modifies the road layout, density codes and the distribution of Public Open Space over Crown Reserve 27294, Lots 1, 20, 21 and 22 Wanneroo Road and Lots 14, 15, 17, 18 and Pt Lot 101 Clarkson Avenue, Tapping.	9 Sept 2004	1 April 2005
4	Recodes minor portions of Lot 13 Wanneroo Road, Ashby from R20 to R40	5 Oct 2004	1 April 2005
5	Recodes Lots 235-259 Taplow Parade, portion of Lot 25 Pinjar Road and portion of Lot 9006 Pinjar Road, Ashby from R20 to R40.	15 March 2005	1 April 2005
6	Recodes minor portions of Lots 25 and 26 Pinjar Road, Ashby from R20 to R40	6 May 2005	15 June 2005
7	Recodes the residential portion of Lots 23 & 24 Ashley Road, Tapping from R20 to R30 & R40	9 Sept 2005	27 June 2005
8	Recodes Lot 135 Paxton Way, Ashby from R20 to R40	28 Feb 2006	22 June 2006
9	Modifies the road layout of Lot 501 Conti Road & Lot 502 & Lot 9601 Pinjar Road, Ashby and recodes a portion of that land from R20 to R40.	6 June 2006	29 Aug 2006
10	Recodes Lots 118 and 120 Gosford Meander and Lots 121 and 134 Paxton Way, Ashby from R20 to R40	15 July 2006	5 Dec 2006
13	Recodes the following lots in Ashby from R20 to R40: Lots 101, 104, 106-116, 123-126, 273-274, 277-278, 283, 285-287, 289, 291-293 Gosford Meander Lots 129-132, 136-137, 246-250, 280-282 Sistina Road Lots 138-144 Hennessy Drive Lots 251-263 Shipton Loop Lots 264-267 Cranley Link Lot 9013 Pinjar Road, Sinagra	12.2.08	30.6.08

Amendment No.	Description of Amendment	Council Adopted	WAPC Adopted
11	Rezones Lot 9602 Pinjar Road, Ashby from Residential to Centre Zone, with a maximum net lettable area of 4600m ² , & Community Purpose Site; and Rezones Lot 25 Ashley Road, Tapping from Centre Zone to Residential Zone with a density coding of R20	SAT Matter No. DR 171/2008 10.9.08	SAT Matter No. DR 171/2008 10.9.08
14	Recodes Lot 208 Grallina Way, Tapping from R20 to R30	16.12.08	10.3.09
16	<ul style="list-style-type: none"> Deletes the Community Purpose site from Lot 9603 Pinjar Road, Ashby and relocates it on a portion of Lot 9031 Waldburg Drive, Tapping Recodes a portion of Lot 9031 Ashley Road, Tapping from Residential R20 to R40. 	9.2.10	23.3.10
12	<ul style="list-style-type: none"> Rezones Lot 19 Clarkson Avenue, Tapping from Residential Precinct to Commercial Zone and Residential Precinct (R40); Modifies Schedule 1 to include the NLA as 1100m² ; and Includes an additional provision relating to the Commercial Zone 	18.11.08	9.5.11
18	<ul style="list-style-type: none"> Recodes Lot 9603 Pinjar Road, Ashby from Residential R20 to Residential R30, R40 and R60 excepting for the future R20 lots abutting Conti Road; and Recodes a portion of Lot 501 Conti Road, Ashby to the east of Fomiatti Street from Residential R40 to Residential R60 and from Residential R20 to Residential R30, R40 and R60 excepting for the future R20 lots abutting Conti Road. 	18.11.11	23.1.12
20	Amends 'Schedule 1 – Retail Floorspace Provision' to permit a maximum retail floorspace limit of 7,000m ² NLA (rounded to the nearest 50m ²).	24.7.12	1.3.13
21	Modifies Schedule 1 to include the NLA for Lot 19 Clarkson Avenue, Tapping as 1900m ²	2.4.13	2.9.13
17	Modifies the road layout on Lots 21 and 24 Carosa Road, Ashby and recodes portion of Lots 21 and 24 Carosa Road, Ashby in the Residential zone from R20 to R25, R40 and R60.	24.2.12	20.11.12
19	Recodes Lot 9017 Lautrec Loop, Ashby from R20 to R30	28.6.13	22.7.13
22	<ul style="list-style-type: none"> Recodes portions of Lots 9623 and 9624 Pinjar Road, Ashby from Residential R60 to Residential R80 Identifies areas to be designated as 'Height Limit A' and 'Height Limit B' Inserts Provision 7 – Residential Design Code Variations 	22.1.15	16.2.15
24	Recodes portion of Lot 1 (96) Clarkson Avenue, Tapping from Residential R20 to Residential R40	2.2.15	30.3.15

Amendment	Summary of the Amendment	Amendment Type	Date Approved by WAPC
23	Recodes the eastern portion of Lot 19 (20) Clarkson Avenue, Tapping from Residential R40 to Residential R60 and inserts a new Clause 4.1.1 - Subdivision and Development Requirements for Residential zoned land.	Standard	13.10.16
25	Amends the development requirements for the Commercial zone and modifies Schedule 1 to include the NLA for Lot 19 Clarkson Avenue, Tapping as 4300m ²	Standard	13.10.16
26	Rezones Lot 9631 (14) Blackberry Drive, Ashby from Residential to Mixed Use Zone and inserts provision 4.6 relating to the Mixed Use Zone	Standard	21.02.18
27	<ul style="list-style-type: none"> Rezone Lot 1 (76) Ashley Road, Tapping from 'Residential R20' to 'Civic and Cultural'. Insert a new Clause within section 4 to provide for the 'Civic and Cultural' zone description and objections. 	Standard	12.09.2019
28	Structure Plan amended in accordance with Clause 29A(2) <ul style="list-style-type: none"> Land normalised into DSP 2 by Amendment No. 209 removed from structure plan area Sections relating to Subdivision and Development Requirements, Centre, Commercial and Mixed Zones removed. 	DSP 2 Amendment No. 209 gazetted 08 October 2024	Structure Plan amended in accordance with Schedule 2 - Deemed Provisions, Clause 29A on 14 February 2025

PART 1

STATUTORY PLANNING SECTION

SUBJECT AREA

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

1. ZONES

Plan 1 : 'The Zoning Map'.

2. AGREED STRUCTURE PLAN

Plan 2 : The 'Agreed Structure Plan'.

3. RETAIL FLOORSPACE (NLA)

Retail floorspace (NLA) for the Structure Plan will be in accordance with the Scheme.

4. PROVISIONS

4.1 RESIDENTIAL PRECINCT:

This section relates to the 'Residential Precinct' where shown on Plan 2 (Zoning Plan). Unless otherwise identified on Plan 1 (Structure Plan), the residential density to apply in this precinct is R20.

In the context of this structure plan, the 'Residential Precinct' does not relate to land which is zoned Residential under the Scheme.

The permissibility of uses in the 'Residential Precinct' is to be in accordance with the Residential Zone as specified under the Scheme. Rural development involving high-capital investment, offensive trades, mushroom farms and/or of a long term nature will not be supported. Other rural uses may be considered.

Objective/s

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

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

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

4.2 BUFFER PRECINCT:

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

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

- a) the activity requiring the buffer has ceased operating indefinitely; or
- b) the applicant can clearly demonstrate that the odour and/or other impacts associated with the activity can be ameliorated or do not impact on the land subject to the proposed modification to the satisfaction of Council, Western Australian Planning Commission (WAPC) and the Department of Water and Environmental Regulation (DWER)."

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

4.3 ENVIRONMENTAL PROVISIONS

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

5. INFRASTRUCTURE CONTRIBUTIONS

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

6. PUBLIC OPEN SPACE (POS) PROVISION

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

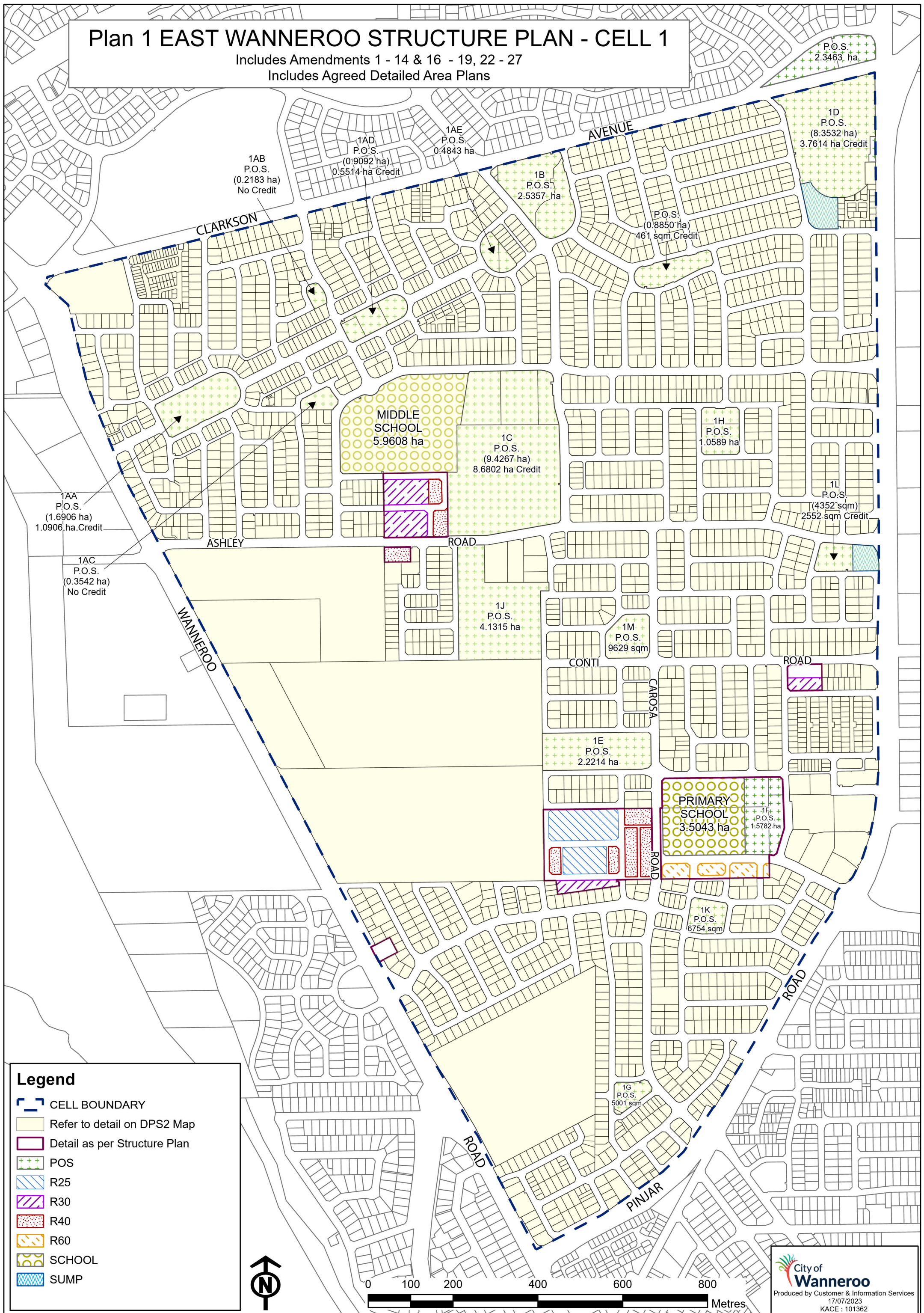
SCHEDULE 1 PUBLIC OPEN SPACE (POS) PROVISION: CELL 1

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

Plan 1 EAST WANNEROO STRUCTURE PLAN - CELL 1

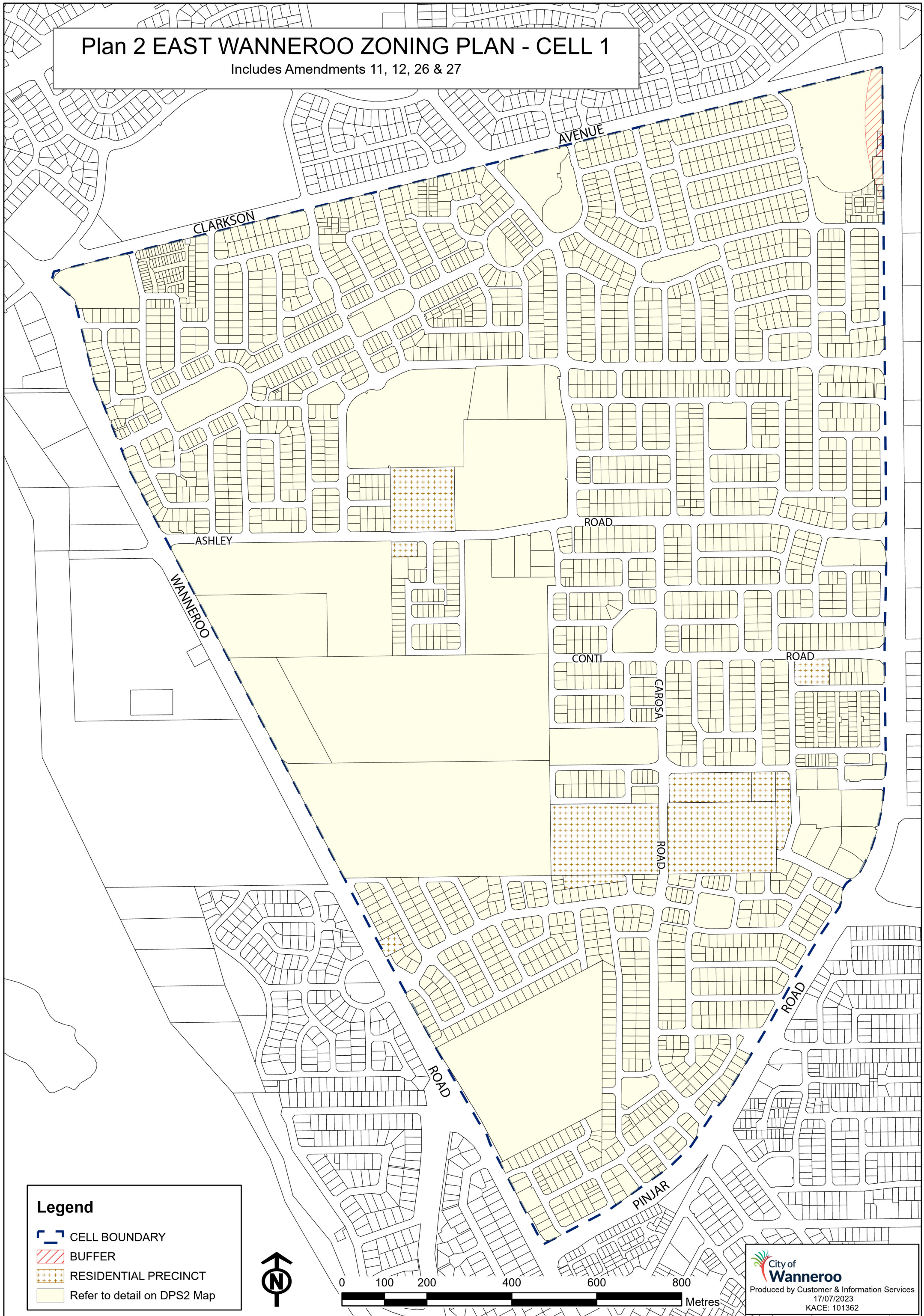
Includes Amendments 1 - 14 & 16 - 19, 22 - 27

Includes Agreed Detailed Area Plans



Plan 2 EAST WANNEROO ZONING PLAN - CELL 1

Includes Amendments 11, 12, 26 & 27



Legend

- CELL BOUNDARY
- BUFFER
- RESIDENTIAL PRECINCT
- Refer to detail on DPS2 Map

