

INTERIM LOCAL RURAL STRATEGY



JULY 2000

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INTRODUCTION AND EXECUTIVE SUMMARY

Background

At their meeting of 13 July 1999, the former Joint Commissioners of the City of Wanneroo considered a Draft Local Rural Strategy (LRS) prepared by its consultant on this project, Mr Tim Auret (of Belingwe Pty Ltd). It was resolved that the Planning Policy component of the Draft LRS be adopted as a draft Planning Policy pursuant to sub clause 5.11 (b)(i) of City of Wanneroo Town Planning Scheme No 1 (TPS 1). The draft Policy and the Draft LRS as a whole (which in addition to the draft Policy, includes proposed scheme provisions and 'Actions' to be undertaken by the City), was then advertised for public submissions from 16 July 1999 to 27 August 1999.

It should be noted that proposed District Planning Scheme No 2 (DPS 2) was re-advertised for public submissions concurrent with the advertising of the Draft LRS. This was seen as desirable as the two plans were generally mutually supportive in respect to their proposals for the City's rural area.

In particular, in granting approval for the re-advertising of DPS 2, the Hon Minister for Planning had required that the Council make a number of modifications to it:

- The replacement of the Rural zone with Rural Resource and General Rural zones aimed at giving higher priority to the protection of agricultural uses in the area which had been identified in State strategies and policies as being of State and regional significance;
- The removal of provisions which enabled Council to approve a second dwelling on a rural lot.

The Draft LRS provided the basis for the delineation of the Rural Resource and General Rural zones. It also tied in with proposed DPS 2 provisions which referred to regard having to be had for a Local Rural Planning Policy.

The Draft LRS was advertised by means of:

- Advertisements placed in the local newspaper;
- A letter being sent to all landowners in the rural area;
- Media releases.

Two public meetings were held:

- One on 2 August 1999, dealing with the part of the rural area situated south of Flynn Drive and Neaves Road;
- Another on 9 August 1999, dealing with the northern part of the rural area.

Both meetings were well attended and included participation by Mr Auret as well as representatives of the Ministry for Planning, Department of Environmental Protection, Agriculture WA and the Waters and Rivers Commission.

At the conclusion of the submission period, 211 submissions had been received.

The submissions were summarised and assessed in the 'Report on Submissions' (dated 24 July 2000)*.

It may be noted that the Report on Submissions includes considerable information relating to DPS 2. As advised earlier, there is substantial over-lap between the Draft LRS and proposed DPS 2. Of the 205 submissions received on DPS 2, approximately two thirds of these related to rural issues. The former Joint Commissioners considered the DPS 2 submissions at their meeting of 9 November, 1999. The report on DPS2 was adopted and referred to the WAPC for consideration. The WAPC has made its recommendations on the Scheme and these are currently with the Minister for Planning.

The Report on LRS Submissions includes, where appropriate, information regarding the City's assessment and decisions made in its consideration of the DPS2 submissions.

The Council in considering the submissions made on the LRS, sought to obtain additional information and to seek clarification of submissions where appropriate. The following activities were undertaken:

- A number of briefings were given to Council by administrative staff on the contents of the submissions. A bus tour of most of the rural area was undertaken.
- A Forum was held on 24 May, 2000, with representatives of key government agencies and industry groups;
- Two meetings of a 'hearings' or 'deputations' nature were held to enable people who made written submissions to expand upon those submissions if they wished. These meetings were held on 7 and 8 June, 2000;

* The Report on Submissions may be viewed on the City's web site www.wanneroo.wa.gov.au.

Content of the Report on Submissions

The Report comprises two main sections:

- **Assessment of main issues raised in submissions – Section 2**

This section generally follows the structure of the Draft LRS. Every proposal of the Draft LRS is covered, including proposed scheme provisions, Planning Policies and Actions.

Under each subject heading, further summaries are provided of the submissions which are relevant to that subject; the relevant Draft LRS proposals are stated in full; an assessment made of those proposals in light of the submissions received; and finally a determination made.

- **Schedule of submissions following advertising – Table 1**

This provides the name and address of each submitter and the land which is the subject of their submission; a summary of each submission; a brief comment and determination in respect to each submission. The summaries, comments and determinations are generally cross-referenced to Section 2 of the Report.

Overview of Council's Assessment and Determinations

The Draft LRS and proposed DPS 2 set out to be quite strict and rigid in respect to seeking achievement of the State Government's objective of protection of the area's agricultural industries. In considering the submissions on DPS 2, it was decided that the proposed zoning-land use controls were too inflexible and greater latitude needed to be provided for uses to be carried out in the area which would enhance its economic, social and environmental resources, while still having regard for the area's agricultural industries.

Similarly with the Draft LRS, it has been considered that some 'freeing up' of the LRS proposals needs to occur. For example, subdivision needs to be able to better respond to issues such as groundwater restrictions and environmental constraints, but within a planning framework which works towards a known and desired outcome.

The main determinations contained in the Report on Submissions, with particular attention to proposed changes to the Draft LRS, are as follows (the numbers in brackets referring to the corresponding section number in this Interim Local Rural Strategy report):

1. The LRS should include a 'vision' statement (1.).

2. The rural area should be regarded as an important long-term agricultural area and the possibility should be investigated of the area being the subject of an Act of Parliament to enhance those long-term prospects (2.).
3. The State Government should be requested to modify the Gngara Mound public water supply schemes with a view to allowing additional groundwater to be reallocated to rural producers (2.).
4. The proposed DPS 2 rural zones and associated provisions (as currently proposed, ie including provision for flexibility in land uses which can be accommodated) should be retained, subject to the following changes being made:
 - a) inclusion in the General Rural zone provisions of a requirement for proposed rural living lots to be the subject of provision of memorials on title and written acknowledgments concerning the nature and legitimacy of nearby existing and future resource use.
 - b) modification of the Special Rural zone provisions to:
 - i) include the corresponding Draft LRS scheme provisions;
 - ii) include provision for places of worship, community buildings and places of education as 'A' uses (ie. uses Council has discretion to permit, subject to advertising for submissions). (3.)
5. Planning approval should not be required for rural uses, other than where a new rural use is proposed. That is, changes from one type of agricultural operation to another (where buildings, works etc are not involved) will not require Planning Approval as there has been no change in 'rural' use. However, improvements to current approvals and referrals procedures currently undertaken by the Water and Rivers Commission (through well licensing), Agriculture WA and the Department of Environmental Protection should be sought (4.).
6. A committee comprising representatives of the City and key government agencies and other appropriate bodies and industry representatives should be established to provide advice on and promote the development of Wanneroo's agricultural industries (4.).
7. A new policy should be included in the LRS to the effect that in Water Management Areas where available supplies of groundwater above 1500 cubic metres per annum are fully committed or fully overdrawn, Council will give proper consideration to rezoning applications to a more appropriate use (4.).
8. The East Landsdale rural precinct should be shown on the LRS Map as an area subject to continuing investigation (5.1).

9. The southern proposed Rural Resource area of some 600 hectares (between Lenore Road and Sydney Road) should retain that designation (5.3 to 5.6).
10. The proposed Rural Resource area between Dundobar Road and Belgrade Road should be changed to General Rural (5.17).
11. The proposed Rural Resource area (of about 420 hectares) which generally surrounds Lake Mariginiup should be modified to exclude the land between Wade Street and Mariginiup Road. The Mariginiup Townsite should also be excluded (5.8, 5.9).
12. In respect to the land between Wanneroo Road and Lake Neerabup (Planning Policy Area [PPA] 5): there should not be a moratorium on certain types of subdivision; a Rural Community zoning should be regarded as the most appropriate form of zoning and subdivision for that area (5.12).
13. The Carabooda/Nowergup Rural Resource area should have removed from it the land immediately east of Bernard Road, the land bounded by Bernard Road and Wanneroo Road, and the land between Lake Carabooda and Karoborup Road (5.14).
14. For the land at Pipidinny and Eglinton (PPA2): there should not be a moratorium on any further subdivision but rather the City's current rural subdivision policy should continue to apply; appropriate mechanisms to facilitate the enhancement of the area's natural attributes should be developed, in consultation with the landowners (5.15).
15. The existing Two Rocks Rural Community Zone land should be designated as such on the LRS Map (5.16).
16. Criteria and guidelines should be prepared (for inclusion in the LRS) to assist applicants and the City in the preparation and assessment of proposals for Special Rural and Rural Community zoning (6.).
17. Two houses should be able to be approved on a rural lot (subject to compliance with necessary requirements). (7.).
18. Rural living (through Special Rural or Rural Community zoning) should, where it is able to facilitate effective bushland protection, be able to occur in areas of regionally or locally significant bushland (10.).
19. The LRS provisions regarding buffer areas should be strengthened (12.).
20. The LRS provisions regarding scenic drives should be of a more general nature and the prescriptive proposals (eg regarding lot size and number of dwellings

permitted on a lot) deleted. Bernard Road and the 'Chittering Valley Way' tourist drive (Pinjar Road and Neaves Road) should be included as scenic drives (13.).

21. The Rural Subdivision Policy proposed in the Draft LRS should be adopted, subject to a number of minor modifications being made. For lots which are subject to subdivision pressure (to lot sizes below the policy minimum) arising from groundwater availability problems or environmental constraints, a framework for dealing with such proposals should be adopted which essentially entails such subdivision being dealt with through either Special Rural or Rural Community zoning of the subject land. Further consideration should also be given as to whether 'special cases' may exist where subdivision may be supported under current zoning, but still subject to appropriate controls (14.).
22. The City's rural areas should be recognised as part of the City's heritage (15.).
23. The LRS should include a provision to the effect that Special Residential zones are generally not considered an appropriate form of development in the rural area. More intensive forms of subdivision should generally be pursued through the Special Rural or Rural Community zoning provisions (17.).

Implementation of the LRS

The LRS was originally intended to be implemented by means of scheme provisions (which is already in fact occurring through DPS 2), a Planning Policy under clause 5.11 of TPS 1 (which would subsequently become a Local Planning Policy under DPS 2), and the undertaking by the City of certain specified 'Actions'.

Although the Report on Submissions has been prepared, referring to the retention, deletion or modification of Planning Policies, the adequacy of that mechanism is now considered to require review. It is now evident that for the LRS to be effectively implemented, its provisions should have a status which will enable this. Planning Policies under the scheme are not of a high status as a planning mechanism or instrument. They do not involve any other body in the process of preparation and adoption, and Council is only required to have regard for them (and is specifically not bound by them). They are especially of limited status when it comes to appeals being determined.

One of the determinations in the Report on Submissions mentioned above is that the possibility of an Act of Parliament forming part of the implementation strategy be investigated. At the more detailed level, a mechanism which may be more suitable than a Planning Policy is a Structure Plan prepared under the relevant provisions of the scheme. Such Structure Plans, to a large degree, have similar force and effect as the scheme itself.

The conversion of the Planning Policies into Structure Plan provisions would mean that a Draft Structure Plan would need to be prepared and adopted and released for

public submissions. Such a further round of public consultation on this matter may be appropriate anyway, considering the high level of community and agency interest in the project.

The matter of how the LRS should best be implemented is now being further investigated and in the meantime, to provide some guidance for the area, the various determinations made in the Report of Submissions have been adopted as an Interim Local Rural Strategy for the City's rural areas.

Council Decision

At its meeting of 11 July 2000, it was resolved that Council:

- 1. Adopts the Report on Submissions.**
- 2. Requires that a report be presented to Council regarding the most appropriate mechanism(s) which should be used for the implementation of the Local Rural Strategy.**
- 3. Prior to the determination of the mechanism(s) which shall be used to implement the Local Rural Strategy, adopts as its Interim Local Rural Strategy, the various determinations which are contained in the Report on Submissions.**
- 4. As a matter of Council policy, has due regard to the Interim Local Rural Strategy adopted pursuant to 3. above, in its consideration of all matters which come before it which relate to the rural area.**

Interim Local Rural Strategy

This document presents in a consolidated form the various Council determinations which have been adopted by Council as its Interim Local Rural Strategy. Should further information and details be sought on the matters dealt with in this document, reference should be made to the Draft Local Rural Strategy (July 1999) and the Report on Submissions (24 July 2000).

1. AIMS AND PURPOSE OF THE LOCAL RURAL STRATEGY

ACTION

A1. That Council, in the preparation of the final Local Rural Strategy (LRS), replaces the 'aims' and 'purpose' section of the Draft LRS with sections generally structured as follows:

- Purpose
 - to provide a vision for the rural area
 - to establish the measures necessary for the achievement of that vision
- Aim (to generally tie in with DPS2 aims)
- Principles
- Vision:

A possible Vision statement being: The long term sustainable development of horticulture and other productive uses of the rural area in support of the local economy and the social fabric of the community. Also see Action A15.1.

2. FUTURE OF WANNEROO AS AN IMPORTANT AGRICULTURAL AREA

POLICIES

- P2.1 Within the agricultural resource areas*, the Council regards agriculture (horticulture) as the highest and best use of the land.
- P2.2 Council regards agriculture (horticulture) in the agricultural resource areas as the preferred long term use.

(* 'Agricultural resource areas' are basically the areas designated as Rural Resource on Figure 2, excepting those areas which have been designated as Rural Resource due to their significance as a basic raw material resource area).

ACTIONS

- A2.1 That Council investigate the possible implementation of the relevant elements of the LRS through an Act of Parliament, aimed at giving the area the highest possible level of protection as a rural area.
- A2.2 That Council request the State Government to support the continued development of Wanneroo as an important and valuable agricultural production area by directing the Water Corporation to reduce its current and planned use of water from Gngangara Mound which may otherwise be available to agricultural producers in Wanneroo. This should include review of the appropriateness of proceeding with the continuation of the proposed Water Corporation wellfields immediately to the east of the Nowergup and Carabooda localities.
- A2.3 The potential for horticulture in the Rural Resource Zone be re-evaluated from time to time (say 5 years or with each review of the Town Planning Scheme) with regard to the availability of groundwater based on the impending urbanisation within some water management areas and the potential for the transfer of water rights.

3. PROTECTION OF AGRICULTURAL USES

POLICIES

- P3.1 When considering applications for Planning Approval in the rural area, Council shall have regard to the zone objectives and other scheme provisions relating to the various rural zones applying to that area under Council's town planning scheme.
- P3.2 No conflicting, or potentially conflicting, land uses should be permitted within agricultural areas, unless it can be demonstrated to the satisfaction of the Council that there will be no conflict, and unless the Town Planning Scheme is amended.
- P3.3 Potentially incompatible uses, such as rural living, should not be permitted in the Rural Resource Zone unless it can be demonstrated to the satisfaction of Council there is no potential for adverse impacts to the carrying out of the priority resource use.
- P3.4 The Council should require that all applications for rural residential zoning and subdivision should be made within the context of an approved structure plan. The onus should be on the proponent to produce such a structure plan as contemplated in Part 9 of proposed District Planning Scheme No. 2.

ACTIONS

- A3.1 That four rural zones be incorporated into Council's town planning scheme:
- a) Rural Resource
 - b) General Rural
 - c) Special Rural
 - d) Rural Community

The recommended delineation of these zones is shown on Figure 2.

- A3.2 Subject to A3.3 and A3.4 below, the scheme provisions for the zones referred to in A3.1 should accord with the DPS2 provisions proposed by the former Joint Commissioners in November 1999 (see Appendix 1), noting that this includes provision for a degree of flexibility in respect to the range of uses which may be permitted in the rural area.
- A3.3 That the proposed scheme provisions for the General Rural zone be modified to include the following clause:

“(c) Where a lot is approved for rural living in a General Rural Zone and the lot is located within 500 metres of a Rural Resource Zone, or within 500 metres of an existing rural resource, the applicant will seek to ensure that memorials are placed on the lot title requiring the applicant, or a purchaser of a subdivided lot, to acknowledge in writing, at the time of approval of the applicant’s rural living proposal, or purchase of the lot, the nature and legitimacy of a nearby existing or future resource use and accepts its potential to create noise, dust and odour.”

A3.4 That the proposed scheme provisions relating to the Special Rural Zone be modified to:

i) include the following proposals contained in 4.1.3 of the Draft Local Rural Strategy:

The suggested objectives for the Special Rural Zone are:

- a) To identify areas for rural living to occur without adverse impact to the environment or rural character.
- b) To accommodate the demand for rural living lifestyles.

The following suggested policies should apply in the Special Rural Zone:

- a) In addition to the provisions of Clause 3.18 of the City of Wanneroo Town Planning Scheme No. 2 (as advertised) the Council should consider applications for rezoning and subdivision for rural living with the General Rural Zone in the context of the policies and objectives in Parts 2 & 3 and the Special Control Areas in Part 4 of the Local Rural Strategy report.
- b) Where a Special Rural Zone is proposed to be located in, or within 500 metres of, a Rural Resource Zone, or within 500 metres of an existing *rural resource* in the General Rural Zone, the proponent should be made to ensure that memorials are placed on all Lot titles requiring the purchaser of a subdivided lot to acknowledge in writing, at the time of the purchase of the lot, the nature and legitimacy of any nearby existing or future resource use and accepts its potential to create noise, dust and odour.
- c) A similar written acknowledgment should be required that each prospective purchaser is aware that the Waters and Rivers Commission imposes constraints on ground water abstraction, generally limit the amount to 1500 cubic metres per annum, enough for domestic uses.
- d) The Council should not initiate or support any rezoning or subdivision application for special rural zones where such commitment in writing from the proponent does not accompany the application.

- e) A copy of written assurances should be kept in a permanent register by the Council which should be made available for public information.
- f) Copies of all written acknowledgments, made pursuant to b) and c) above should also be kept in the permanent register.

ii) include the following additional zone objective:

"To accommodate applications for places of worship, community buildings, and places of education as 'A' uses";

iii) make places of worship, community buildings, and places of education as 'A' uses in the Zoning Table.

- A3.5 That the horticultural areas with the best prospects for continued or expanded use be incorporated into the Rural Resource Zone in the City of Wanneroo Town Planning Scheme with appropriate provisions to ensure its protection from incompatible uses or subdivision.
- A3.6 That productive and potentially productive rural land be defined as a resource in the Town Planning Scheme.
- A3.7 That Council seeks an amendment to DPS2 to implement A3.3, A3.4, A3.5 and A3.6.

4. MANAGEMENT OF AGRICULTURAL USES

POLICIES

- P4.1 In considering applications for Planning Approval for agricultural uses, the onus should be on the applicant to demonstrate to the Council's satisfaction that best farming practice and ongoing management will be used to eliminate or minimise offsite impacts. The Council should seek the advice of Agriculture WA and the Environmental Protection Authority in considering complex development applications for agriculture.
- P4.2 In Water Management Areas where available supplies of groundwater above 1500 cubic metres per annum are fully committed or already overdrawn, Council will give proper consideration to rezoning applications to a more appropriate use.

ACTIONS

- A4.1 That Council adopt the following approach in respect to Planning Approval requirements (for proposals which do not involve construction of buildings or similar works) in the Rural Resource and General Rural zone areas:
- a) Agricultural uses shall be considered a 'rural' use, and consequently changes in types of agriculture shall not be considered a change in use and therefore Planning Approval shall not be required.
 - b) Agricultural uses proposed to be undertaken on land which is currently not being used for any purpose shall be considered 'development' and consequently require prior Planning Approval. This includes extensions of existing uses onto adjacent unused land.
 - c) Notwithstanding a) above, where the land concerned falls within a Planning Control Area, the City shall consult with the Ministry for Planning in determining whether a change in agricultural use should be considered 'development' or not.
- A4.2 That Council seeks to have the Water and Rivers Commission (WRC) 'Application Kit for New Horticultural Development' expanded to provide a role for Agriculture WA to be able to advise applicants regarding opportunities for improving their farming practices.

- A4.3 That the City of Wanneroo Town Planning Scheme provisions be amended to be consistent with the approach regarding Planning Approval requirements described in A4.1 above.
- A4.4 That to assist prospective horticulturalists, the Council acquire and display maps updated from time to time by the Water and Rivers Commission, showing the status of water availability in the different catchment management zones.
- A4.5 That Council request the Department of Environmental Protection and Agriculture WA to prepare guidelines for best practice for horticulture and intensive agriculture. This especially applies in the Environmental Management Areas identified as part of the Gnangara Land Use and Water Management Strategy.
- A4.6 That Council review the outcome of A4.1 and A4.2 above 1 year following the implementation of those proposals.
- A4.7 That Council establishes a committee comprising representatives of the City and relevant agencies and bodies to promote the development of Wanneroo's agricultural industries.

5. DELINEATION OF PROPOSED ZONE BOUNDARIES

Many of the submissions received on the Draft LRS argued for a change in proposed zone boundaries to place the land of interest within another zone. Most of these submissions were able to be grouped according to the particular area to which they related. The resulting submission groupings (or precincts) are shown on Figure 1.

This section of this report details the policies and actions adopted by Council in respect to each precinct.

5.1. EAST LANDSDALE AREA

ACTION

- A5.1 That Council modify Map 1 of the LRS to delete the General Rural designation over the East Landsdale area and replace it with a designation indicating that this area is subject to continuing investigation.

5.2. MARY STREET RURAL AREA, WANNEROO

ACTION

- A5.2 That Mary Street precinct be shown as General Rural on Map 1 of the LRS.

5.3. NICHOLAS/ELLIOT ROAD RURAL AREA, WANNEROO

ACTION

- A5.3 That the Nicholas/Elliot Road precinct be shown as Rural Resource on Map 1 of the LRS, subject to Policy P5.3.

POLICY

- P5.3 Notwithstanding Action 5.3, in the Nicholas/Elliot road precinct, where available supplies of groundwater above 1500 cubic metres per annum are fully committed or already overdrawn, Council will give proper consideration to rezoning applications to a more appropriate use.

5.4. GRISKER ROAD, WANNEROO

ACTION

- A5.4 That the Grisker Road precinct be shown as Rural Resource on Map 1 of the LRS, subject to Policy P5.4.

POLICY

- P5.4 Notwithstanding Action A5.4, in the Grisker Road precinct, where available supplies of groundwater above 1500 cubic metres per annum are fully committed or already overdrawn, Council will give proper consideration to rezoning applications to a more appropriate use.

5.5. GOLFVIEW PLACE AREA, GNANGARA

ACTION

- A5.5 That the Golfview Place precinct be shown as Rural Resource on Map 1 of the LRS, subject to Policy P5.5.

POLICY

- P5.5 Notwithstanding Action A5.5, in the Golfview Place precinct, where available supplies of groundwater above 1500 cubic metres per annum are fully committed or already overdrawn, Council will give proper consideration to rezoning applications to a more appropriate use.

5.6. BENMUNI, JAMBANIS, BADGERUP, TRICHET ROADS PRECINCT, WANNEROO

ACTION

- A5.6 That the Benmuni, Jambanis, Badgerup, Trichet Roads precinct be shown as Rural Resource on Map1 of the LRS, subject to Policy P5.6.

POLICY

- P5.6 Notwithstanding Action A5.6, in the Benmuni, Jambanis, Badgerup, Trichet Road precinct, where available supplies of groundwater above 1500 cubic metres per annum are fully committed or already overdrawn, Council will give proper consideration to rezoning applications to a more appropriate use.

5.7. RURAL RESOURCE ZONED LAND SOUTH OF CAPORN STREET, WANNEROO

ACTION

- A5.7 That the precinct proposed to be zoned Rural Resource situated south of Caporn Street Wanneroo be shown as Rural Resource on Map 1 of the LRS, subject to Policy P5.7.

POLICY

- P5.7 Notwithstanding Action A5.6, in the precinct proposed to be zoned Rural Resource situated south of Caporn Street, Wanneroo, where available supplies of groundwater above 1500 cubic metres per annum are fully committed or already overdrawn, Council will give proper consideration to rezoning applications to a more appropriate use.

5.8. AREA EAST OF LAKE MARIGINIUP

ACTIONS

- A5.8.1 That the area between Wade Street and Mariginiup Road be changed from Rural Resource to General Rural on Map 1 of the LRS.
- A5.8.2 That DPS2 be amended consistent with Action A5.8.1.

5.9. MARIGINIUP TOWNSITE

ACTIONS

- A5.9.1 That an Urban type of designation be shown for the Mariginiup townsite on Map 1 of the LRS.
- A5.9.2 That Council seek an amendment to the MRS to zone the Mariginiup Townsite Urban.
- A5.9.3 That Council, upon completion of the MRS amendment referred to in Action A5.9.2, initiates an amendment to DPS2 to provide for a residential type of zoning of the Mariginiup townsite.

5.10. ZIATUS, SPENCE, PINJAR ROAD "TRIANGLE", PINJAR

ACTION

- A5.10 That the Ziatius Spence, Pinjar Road 'triangle', Pinjar, be shown as General Rural on Map 1 on the LRS.

5.11. LAKE PINJAR AREA AND NEARBY PLANNING POLICY AREA 4 AREAS

ACTIONS

- A5.11.1 That Council shows Pt Lot 4 Ziatius Road as General Rural on Map 1 of the LRS.

- A5.11.2 That Council shows Swan loc 2130 Cecil Road as General Rural on Map 1 of the LRS.
- A5.11.3 That Council intercede on behalf of landowners affected by proposals for groundwater protection for prompt and fair compensation.

POLICIES

- P5.11.1 Council recognises the importance of the Lake Pinjar area and nearby Planning Policy Area 4 areas to the public water supply for the existing and future community of the Metropolitan Region.
- P5.11.2 Council supports the recommendations for groundwater resource protection contained in the Gngara Land Use and Water Management Strategy.
- P5.11.3 Council will not support an application for any land use or subdivision that does not accord with the Gngara Land Use and Water Management Strategy.

5.12. AREA GENERALLY SITUATED BETWEEN WANNEROO ROAD AND LAKE NEERABUP - PLANNING POLICY AREA NO. 5

ACTION

- A5.12. That the area generally situated between Wanneroo Road and Lake Neerabup be shown as General Rural on Map 1 of the LRS.

POLICIES

- P5.12.1 Council does not support Special Residential zoning of this area. Rather, Council seeks an alternative, dynamic planning approach to this area.
- P5.12.2 Council supports the limited development of uses that are compatible with and can exploit, the rural character and scenic attractions of this area such as farm stay tourist accommodation and the like.
- P5.12.3 Council requires that any application for a residential or other sensitive building in this area includes a geotechnical survey to demonstrate, to its satisfaction, that the building site is not subject to karstic formations or in danger of subsidence.
- P5.12.4 In its consideration of any application for planning approval in this area Council shall look favourably on proposals which include the re-establishment of trees and other natural vegetation.

- P5.12.5 Council requires the proponent of any development in this area to demonstrate that stormwater drainage and other environmental issues can be managed, especially with regard to the quality of water in Lake Neerabup.
- P5.12.6 Council considers Rural Community zoning to be the most appropriate future zone for this area, aimed at accommodating a form of subdivision, use and management of the area which carefully responds to a detailed assessment of the area's natural, social and economic attributes. Such assessment and planning should be undertaken on as comprehensive a basis as possible (ie. over large portions, if not all, of the area concerned), and should consider means for achieving equitable sharing of costs and benefits between all owners including land-pooling arrangements, rather than each landowner developing on an individual basis.

5.13. NOWERGUP AREA

ACTION

- A5.13 That Council retains as Rural Resource designation on Map 1 of the LRS, those portions of the Nowergup locality which were proposed for that designation by the Draft LRS, subject to Policy P5.13.

POLICY

- P5.13 Notwithstanding Action A5.13, in the portion of the Nowergup locality designated as Rural Resource, where available supplies of groundwater above 1500 cubic metres per annum are fully committed or already overdrawn, Council will give proper consideration to rezoning applications to a more appropriate use.

5.14. CARABOODA AREA

ACTIONS

- A5.14.1 That Council retains as Rural Resource designation on Map 1 of the LRS, those portions of the Carabooda locality which were proposed for that designation by the Draft LRS, except for those areas proposed for change as referred to in A5.14.2 and A5.14.3 below, and subject to Policy P5.14.
- A5.14.2 That the land east of Bernard Road, and the land between Bernard Road (north) and Bernard Road (south), be shown as General Rural on Map 1 of the LRS.
- A5.14.3 That the land between Lake Carabooda and Karoborup Road be shown as General Rural on Map 1 of the LRS.

- A5.14.4 That Council initiates amendments to DPS2 (when gazetted) to make the zoning changes to that scheme required pursuant to Actions A5.14.2 and A5.14.3 above.

POLICY

- P5.14 Notwithstanding Action 5.14.1, in the portion of the Carabooda locality designated as Rural Resource, where available supplies of groundwater above 1500 cubic metres per annum are fully committed or already overdrawn, Council will give proper consideration to rezoning applications to a more appropriate use.

5.15. RURAL AREAS AT CARABOODA (WEST OF WANNEROO ROAD) AND EGLINTON - PLANNING POLICY AREA NO. 2

ACTIONS

- A5.15.1 That Planning Policy Area 2 be shown as General Rural on Map 1 of the LRS.
- A5.15.2 That Council develop appropriate mechanisms to facilitate the enhancement of this area's natural attributes in consultation with the landowners and relevant agencies, and to include consideration of:
- conservation covenants.
 - landowner applications for rezoning to Special Rural or Rural Community (with possible opportunities for further subdivision), subject to detailed site analysis.

POLICY

- P5.15 Council's current subdivision policy should continue to apply to this area.

5.16. TWO ROCKS RURAL AREAS - PLANNING POLICY AREA NO. 1

ACTIONS

- A5.16.1 That Council show the eastern parcel of the subject Two Rocks land as General Rural on Map 1 of the LRS.
- A5.16.2 That Council modifies Map 1 of the LRS to show lots 201 and 202 Breakwater Drive, Two Rocks as 'Existing Rural Community Zone'.
- A5.16.3 That Council determines its strategy for the eastern parcel of the subject Two Rocks land following finalisation of the Gngangara Land Use and Water Management Strategy.

- A5.16.4 That Council monitor the success of the new Rural Community Zone in the far north of the Saint Andrews Estate as a model in place of, or in addition to, the traditional approach to Special Rural zone subdivision.

5.17. DUNDEBAR ROAD AREA

ACTION

- A5.17 That Council modifies Map 1 of the Draft LRS to show the Dundebur Road/Belgrade Road area and Lot 3 Franklin Road as General Rural instead of Rural Resource, and seeks to modify DPS2 accordingly.

6. SPECIAL RURAL ZONES

ACTIONS

- A6.1 That Council does not designate new Special Rural areas in the LRS but rather adopts the approach of requiring that proponents of such rezonings undertake the necessary detailed site analysis and planning as part of their rezoning application. The LRS may however, in some cases, provide some initial indicative comment as to whether particular areas may have good prospects for such rezoning.
- A6.2 Includes in the LRS, criteria or guidelines to assist applicants and the City in the preparation and assessment of proposals for Special Rural and Rural Community zoning.

7. TWO HOUSES ON A RURAL LOT

ACTION

- A7. That Council seek inclusion of provisions in DPS2 to allow for a maximum of two grouped dwellings to be built on a rural lot, and that these provisions stipulate a minimum lot size requirement of 2 hectares, except for those areas which fall within the existing and future catchment areas of the Gngara Mound public water supply schemes, where a minimum lot size of 4 ha be applied.

8. GNANGARA LAND USE AND WATER MANAGEMENT STRATEGY - PLANNING POLICY AREAS NO. 4 AND 6*

POLICY

P8. The Gngangara Land Use and Water Management Strategy (GLUWMS) identifies rural living (in special rural zones) as a preferred land use in the pockets of privately owned P2 (groundwater protection) land in east Wanneroo. However, to meet the water quality objectives the Council, in initiating amendments for Rural Living Zones, should set conditions which:

- Prohibit clearing (except for reasonable building envelopes etc) and promote revegetation (even as a condition of rezoning and/or subdivision).
- Keep lot sizes to a minimum 2 hectare average size based on land capability and suitability assessment.
- Make the use of Health Department approved on-site effluent disposal systems compulsory.
- Require drainage and nutrient management plans incorporating best practice management.
- Protect landscape features, significant wetlands and vegetation and other significant environmental values.

ACTIONS

A8.1 All applications for development in the P1 (groundwater protection) area should be referred to the Western Australian Planning Commission for determination.

A8.2 The P2 areas should be included in Planning Policy Areas in the General Rural zone in Council's Town Planning Scheme subject to the policies derived from GLUWMS.

Planning Policy Area No. 6 - Priority 1 & 2 Groundwater Protection Areas

A8.3 The Council act in accordance with the Actions A8.1 and A8.2 and Policy P8 of the Interim Local Rural Strategy.

(*Also see sections 5.11 and 5.16 of this Interim Local Rural Strategy which include policies and actions relevant to GLUWMS).

9. WETLANDS AND ENVIRONMENTAL MANAGEMENT AREAS

ACTIONS

- A9.1 Until the Environmental Protection Authority produces management guidelines to enable the Council to assess planning applications for new intensive rural uses which have the potential to cause significant nutrient pollution to the groundwater, they shall be referred to the Department of Environmental Protection for assessment.
- A9.2 That the Council promote the protection the protection of wetlands, especially those designated as 'Conservation' category. Developments located in Environmental Management Areas, which could impact on groundwater or wetlands, or which drain into wetlands, shall be referred to the Department of Environmental Protection for assessment.
- A9.3 Applications for subdivision and development, other than for dwellings or related uses, within or adjacent to, or which drain into the area boundaries as defined for the wetlands which comprise System 6 Reserve M8, shall be referred to the Department of Environmental Protection for assessment.
- A9.4 That Council request the Waters and Rivers Commission to ensure that for proposals which will not require submission to the City for Planning Approval, they will be referred by the Commission to the Department of Environmental Protection as part of the procedure for well licensing.

10. BUSHPLAN (AND BUSHLAND PROTECTION GENERALLY)

POLICIES

- P10.1 In addition to the protection of regionally significant bushland through Perth's Bushplan, the Council should promote the retention of all other remnant bushland in the Rural Zones of the City, by imposing appropriate conditions of planning approval on all development which would impact on vegetation.
- P10.2 The Council should request the Western Australian Planning Commission impose appropriate conditions of subdivision on all development, which could impact on vegetation.
- P10.3 The Council should not support subdivision or development of any rural area identified as being a linkage corridor between protected bushland complexes unless it can be demonstrated to the satisfaction of the Council and the Department of Environmental Protection that the proposal minimises disruption to ecological linkage corridors.
- P10.4 The Council should consider entering into conservation covenants with private owners of land with high conservation value. For example, subject to contractual arrangements for an agreed conservation management plan which may include forgoing all or some development rights in the interests of conservation the variable rate of privately owned land could be reduced down to say, 25% of the rate currently applied to the Urban Farmland. (Based on the Shire of Serpentine-Jarrahdale model – and depending on the degree to which development rights are foregone).
- P10.5 The Council may support applications for rural living zoning or subdivision within areas of regionally or locally significant bushland*:
- i) where it is considered that such rezoning or subdivision provides a suitable means for achieving effective bushland protection for the land concerned.
 - ii) where the lots concerned comprise of singular portions of significant bushland, and land with no bushland significance, of a minimum of 1 hectare of each portion. In such cases subdivisions will be considered when Council concludes that the subdivision will lead to retention of bushland areas.

(* At present, areas of 'locally significant bushland' are still to be determined.)

11. BASIC RAW MATERIALS

POLICIES

- P11.1 Until time as Perth's Bushplan is finalised and potential conflicts between bush conservation and basic raw materials extraction are resolved the conservation objectives for areas of regionally significant bush in Bushplan should prevail over basic raw materials extraction.
- P11.2 Within the Rural Resource Zone where basic raw materials are the designated resource, the Council should not permit conflicting land uses, such as rural residential, to impinge on existing or future limestone quarrying or sand extraction operations.
- P11.3 The onus should be on proponents of applications for extractive licenses to demonstrate, to the Council's satisfaction, that best practice and progressive rehabilitation will be used to eliminate or minimise on-site and off-site impacts.
- P11.4 The Council should apply conditions, or recommend to the Department of Minerals and Energy as the case may be to apply conditions, to extractive licenses and permits requiring rehabilitation in accordance with agreed finished level plans. The finished levels and manner of rehabilitation should be compatible with the intended subsequent use of the land. In the Nowergup area the storage and replacement of topsoil should be a condition to allow subsequent horticulture where appropriate. Council can, and should, require bonds to ensure rehabilitation work is carried out.

ACTIONS

- A11.1 The basic raw materials priority areas and basic raw materials key extraction areas be designated as resources in a Rural Resource Zone in the Town Planning Scheme.
- A11.2 The Council should actively promote best practice in quarrying and rehabilitation.

12. BUFFER AREAS

POLICY

- P12 When considering applications for planning approval the Council must have regard to the State Industrial Buffer Policy and any other applicable buffer policy, especially in areas where conflicts are likely to occur.

ACTIONS

- A12.1 That Council further investigates Action A2.5/1* of the draft LRS in respect to the practicality and legal implications involved.
- A12.2 That Council includes in the LRS provision for referrals to DEP where buffer policies require this.
- A12.3 That Council includes in the LRS the proposals made by Kim Valenti & Associates regarding:
- preparation of guidelines regarding ‘acceptable management’ of any offsite impacts.
 - express statements regarding intentions of buffers.
 - placing of onus on proponents regarding proving of satisfactory addressing of buffer issues.
 - provision of a procedure regarding giving of notice regarding proposals, rights to comment and proper consideration of all available evidence.

(*A2.5/1 To assist proponents and the initial assessment of planning applications the Council should prepare a map showing all existing generic or agreed buffers which apply in the rural areas. Such a map should be updated from time to time and should be available for public display).

13. LANDSCAPE ENHANCEMENT - SCENIC DRIVES

POLICIES

- P13.1 Council's Landscape Enhancement Area Policy of 1980 is re-endorsed. (See Policy No. TP12 (item 4.4.11) of Council's Policy Manual).
- P13.2 The following roads shall be regarded as scenic drives and are to be the subject of special consideration in respect to rezoning, development, subdivision and building proposals which are received for land near to them. The basic aim shall be to protect and enhance the rural landscape character of land which is readily visible from those roads.

Scenic Drives:

- Wanneroo Road north of Joondalup Drive;
- Gibbs/Karaborup Roads;
- Lenore/Franklin/Rousset Roads (especially if extended to Neaves Road);
- Bernard Road;
- Pinjar Road (between Caporn Street and Clarkson Avenue);
- Neaves Road.

ACTIONS

- A13.1 That the proposals relating to the Roadside Conservation Committee as outlined in Submission No. 68* on the Draft LRS be incorporated into the LRS.
- A13.2 That Council includes in the LRS a provision for attention to be given to appropriate signage for scenic drives, particularly where heavy truck traffic may be involved.

(*Submission no. 68 stated: " A3.2/1 identifies scenic roads within the district. This could be enhanced by utilising the Roadside Conservation Committees (RCC) method of surveying road reserves for roadside conservation values. This should be investigated and assessed for use by the City. The RCC also has a method of identifying high conservation values roads with distinctive signs as 'Flora Roads'. Roadside Management Plans should be considered for identified high conservation value roads. The Roadside Conservation Committee is also able to provide a generic Code of Practice with regard to roadside conservation and these could be incorporated in the Cities planning process, policies and strategies.")

14. RURAL SUBDIVISION POLICY

POLICIES

- P14.1 The City of Wanneroo Rural Subdivision Policy is re-endorsed subject to the following modifications:
- a) The boundary of the 20 hectare limit subdivision policy area is revised in accordance with the Rural Resource Zone (north of Flynn Drive) in the City of Wanneroo Town Planning Scheme. Subdivision below 20 hectares should not generally be supported because it would tend to undermine the rural resource objectives unless it can be shown how, in special cases, this would not be the case. Where subdivision below 20 hectares is to be supported, a minimum lot size of 8 hectares should be applied.
 - b) The so-called ‘Brown Sands’ (4 hectare) policy area be revised to:
 - Include all the area between the Rural Resource Zone and Wanneroo Road, north of Flynn drive – and be subject to the policies in sections 13 and 18 of this report.
 - Be removed from the Rural Resource Zone north of Flynn Drive.
 - c) The boundaries of the market gardening (4 hectare) policy areas be amended to exclude areas zoned Urban, Industry and Rural Living in the City of Wanneroo Town Planning Scheme. The boundary should follow the proposed Rural Resource zones.
 - d) The policy for the eastern fringe area is retained, but is applied to the General Rural Zone, with the exception of the areas discussed in e) below, and should also be subject to the policies in the Local Rural Strategy. The areas shown as light green on Figure 3.2 of the Draft LRS are to have a minimum 4 ha lot size applied except for the light green area shown in the general vicinity of the south-east corner of Lake Pinjar, where the Council’s current subdivision policy provisions are to continue to apply.
 - e) There should be no further subdivision in the recommended Planning Policy Area 4 for the reasons given in Part 4 of the Draft LRS.
 - f) The PPA2 (Pipidiny-Eglinton) area to be subject to the provisions of the current City rural subdivision policy provisions insofar as they relate to that area. (see 5.15).

- g) Current Rural land on the south east corner of Flynn Drive and Wanneroo Road being dealt with in the same manner as the land on the north side of Flynn Drive. (It has inadvertently been shown 'red' on Figure 3.2 of the Draft LRS).
- h) The eastern pocket of PPA1 to be treated the same as PPA4, that is, no further subdivision to be supported.
- i) It includes the current policy provisions regarding 'limestone areas' and flood-secure vehicle accessways.

(The modified subdivision policy is included in Appendix No. 2)

P14.2 Adopts the framework outlined in the Report on Submissions (under the heading of Groundwater Availability – Environmental Constraints*) for dealing with subdivision applications which are sought due to issues associated with limited groundwater availability and/or environmental constraints.

ACTION

A14 In addition to P14.2 above, requires that further consideration be given to the matter of how possible 'special cases' (ie. subdivision without rezoning) may be handled, having regard for the matters raised in this section of this report.

(*" Groundwater Availability – Environmental Constraints

Many submissions have argued that subdivision should be permitted where groundwater is limited and/or where environmental constraints (eg. impacts on adjacent wetlands) preclude most forms of agriculture. (See g) above). Those issues, as well as the issue of lot size and its implications for viability of agricultural uses, have been dealt with in some detail in previous sections of this report. (See 2.2 and 2.3 of this report).

It is considered that the issues of groundwater availability and environmental constraints do constitute a reasonable argument for subdivision and that a proper framework for facilitating such subdivision should be provided.

Support of Rural Resource and General Rural zoned lots for further subdivision simply on the basis of citing of these circumstances is generally not considered a suitable framework because:

- it will not necessarily enable land management controls to be introduced over the new lots. Such controls will be needed to ensure that the land is indeed only used for rural living purposes (which is generally what is initially proposed); landscape improvement measures are promoted (eg. retention/restoration of bushland); measures taken to reduce likelihood of subsequent objections regarding agricultural uses in the area; prevention of pressure for further subdivision into even smaller lots etc.

- it will be likely to be undertaken on an ad hoc, piecemeal basis, whereas desirably, it should occur within the framework of a broader structure plan for the area concerned, which is prepared having regard for all relevant issues (including buffer requirements) in the area.
- the circumstances involved are likely to apply to a substantial portion of the rural area and therefore these circumstances alone could predispose that large area for subdivision.

A suitable framework for facilitating such subdivision is provided through the use of the Special Rural and Rural Community zones. In the past, these zones have tended to be only applied on a reasonably broad basis and single-lot (ie. say 4 ha) rezonings were generally not supported. It may be appropriate that a new approach is taken whereby single lot rezonings may be supported, however the Development Guide Plan may still need to apply (at least in indicative terms) over a suitably broad area to demonstrate how the lot's subdivision may properly fit into a wider context.

The additional change in approach which could be made to accommodate this single-lot zoning is to deal with subsequent applications from nearby lots as additions to the existing Special Rural/Rural Community zone, rather than a new zone (with separate zone number and Special Provisions having to be included in the scheme text). A review of current administration fees applicable to scheme amendments may be appropriate for such cases.")

15. HERITAGE

POLICIES

- P15.1 The Council shall promote the conservation of places of recognised heritage significance within the rural area.
- P15.2 The rural areas themselves shall be recognised as part of the City's heritage.

ACTION

- A15 That Council includes the matter of heritage value of the rural area in the vision statement to be prepared for the LRS.

16. BUSHFIRE PROTECTION

POLICIES

- P16.1 The Council shall recommend to the Western Australian Planning Commission that any rural subdivision, especially rural residential subdivision, adjacent an area of conservation bushland, has a frontage road between any development and the bush, both as firebreak and fire-fighting vehicle access.
- P16.2 The Council takes account of the principles contained in the publication *Planning for Better Bushfire Protection*⁵² 1988 into consideration of any application for planning approval.
- P16.3 The Council should ensure the proper maintenance of rural properties for fire protection, such as the maintenance of firebreaks and the periodic reduction of fuel.
- P16.4 Where bushfires are a potential hazard, subdivision, land use and development proposals should demonstrate, to the satisfaction of the Council, that proper bushfire protection measures will be implemented and maintained, including;
- (a) escape routes from bushfires;
 - (b) firebreaks or strategic firebreaks accessible to fire fighting vehicles;
 - (c) water supplies for fire fighting;
 - (d) low fuel areas around dwelling houses having regard to local wind and topographical conditions;
 - (e) fire resistant buildings (AS3959).

ACTION

- A16 The Council, in conjunction with the Bushfire Fire Service, should promote bushfire prevention through public education programmes.

17. SPECIAL RESIDENTIAL ZONES

POLICIES

- P17.1 The planning requirements for Special Residential Zones should be the same as for urban residential areas, namely subject to a structure plan which defines densities appropriate to planning intentions for the area, as well as any special management provisions such as controls of clearing of vegetation.
- P17.2 The servicing requirements for Special Residential Zones should be the same as for urban residential areas.

ACTION

- A17 That Council includes in the LRS a Planning Policy to the effect that Special Residential Zones are generally not considered an appropriate form of development in the rural area as they are more of an urban/residential character than a rural character. More intensive forms of subdivision in the rural area should therefore generally be pursued through the Special Rural or Rural Community Zoning provisions.

18. PLANNING POLICY AREA NO. 3 (PPA NO. 3) - CAVES AND KARSTIC AREAS

POLICIES

- P18.1 The Council adopts the following policy objectives for caves and karstic area:
- i) to identify and survey all caves which are discovered to assess their conservation value.
 - ii) to conserve significant caves.*
 - iii) to introduce land use and groundwater management practices in the groundwater catchments of significant caves which are compatible with conservation objectives for the caves.
 - iv) to protect life and property by keeping habited and other sensitive buildings off active karstic areas.
 - v) to protect the landscape attributes of the areas.
- P18.2 The Council protect the landscape attributes of PPA No. 3
- P18.3 The Council promote the preservation and study of caves.
- P18.4 In the parts of PPA No. 3 where caves are a high probability, the Council require that any application for rezoning, subdivision or planning approval must be supported by surveys and study.
- P18.5 The Council require quarry operators to take reasonable steps to survey for and to protect caves identified as being significant.
- P18.6 Quarrying activity be restricted or prevented if significant caves were to be destroyed in the process.
- P18.7 Subject to P18.1 - P18.6 and the other Policies contained in this Interim LRS, Council supports rural living (includes both Special Rural and Rural Community types of zoning) in PPA No. 3.

ACTION

- A18 That Council include in the LRS provisions to better acknowledge the significance of fauna associated with karstic landforms, and inclusion of related management measures (with DEP being requested to assist in the preparation of these measures).

(* A cave shall be considered significant,

- (a) if it has a ceiling area approaching the size of a small house (approx. 100 sq. metres); or
- (b) if it has a ceiling less than 3 metres below the surface; or
- (c) if it has fauna, fossil material, historic connections, or decoration; or
- (d) if it bottoms at the natural long-term water table level, whether at present dry, or not).

APPENDICES

APPENDIX 1

Proposed City of Wanneroo District Planning Scheme No. 2 Provisions for Rural Zones

3.16 THE GENERAL RURAL ZONE

3.16.1 The objectives of the General Rural Zone are to:

- (a) accommodate agricultural, horticultural and equestrian activities;
- (b) maintain and enhance the character and amenity of the areas designated for rural use and to protect their ground water and environmental values

3.16.2 When considering applications for Planning Approval for development which relate to land which is within the General Rural Zone, Council shall have regard to the following matters:

- (a) The objectives set out in Clause 3.16.1 for the General Rural Zone, the contents of any local rural planning policy adopted by Council and any other requirement for proper and orderly planning;
- “(b) Notwithstanding that a proposed use or other development involves a use class which is not permitted in the General Rural Zone under Table 1, the Council may consider the support of the proposal or the approval of an Application for Planning Approval involving the proposal only if on considering the facts the Council is satisfied that:
 - (i) the proposal would be of benefit to the District or the locality, particularly through enhancement of its tourism, cultural and recreation resources, and its rural industries;
 - (ii) the proposal will be consistent with the objectives of the zone; and
 - (iii) more specifically to (ii) above, and without limiting the generality of that provision, the proposal will not impinge upon any existing or anticipated future agricultural or basic raw material extraction use in the area concerned.

If the Council is not satisfied of any of the matters referred to in (i), (ii) or (iii) above as a question of fact, then the Council must not support or approve the proposal.

If the Council is satisfied of all of those matters then it shall process and otherwise deal with the proposal as if it involved a use with the “A” permissibility designation in Table 1”.

3.16.3 Where residential development is carried out in the General Rural Zone, the following provisions shall apply:

- (a) No person shall construct any building or undertake any development, other than a fire break or an equivalent alternative approved by Council, closer than 7.5 metres to a street alignment or 4 metres to any other boundary.
- “(b) Notwithstanding that “Grouped Dwelling” is designated as a not permitted use class in the General Rural Zone in Table 1, the Council may approve the development of a maximum of two grouped dwellings on a lot if having regard to all relevant considerations it is reasonable to do so provided the Council is satisfied of all the following facts:
 - (i) The lot is a minimum of 2 hectares area, except for those parts of the District as determined by the Waters and Rivers Commission which fall within the existing and proposed catchment areas of the Gungahara Mound public water supply schemes, where a 4 hectare minimum lot size shall be applied;
 - (ii) Both dwellings will be erected in a position that complies with all other provisions of the Scheme;
 - (iii) The second dwelling is necessary or desirable to provide accommodation on the lot for a person or persons who will assist in the lawful management or exploitation of a rural or other resource on the land.
 - (iv) There is no current proposal for or intention of any person to propose subdivision of the lot including strata or survey strata subdivision.
- (c) If the Council approves a second dwelling on a lot in the circumstances set out in paragraph (b), that approval shall not be and shall not be taken to be support in any way for the future subdivision of the lot or provision of separate certificates of title in respect of the two dwellings on the lot.
- (d) It is the intent of the preceding paragraphs (b) and (c) that a second dwelling on a lot in this zone should be allowed to facilitate the carrying on of rural and resource exploitation uses, and the provisions should expressly not be used presently or in the future to support fragmentation of the land, or the alienation of ownership or use of either of the dwellings from the ownership and control of the person carrying on the rural or resource exploitation use.
- (e) Notwithstanding anything set out in the preceding paragraphs the Council may in any case require a person seeking approval for a second dwelling to enter into a Deed prepared at that person's expense by solicitors for the City precluding the owner of the lot from seeking subdivision approval in any form for the lot without the prior consent of the Council, making provision *inter alia* for the preclusion to run with the land, and allowing for the lodgement of an absolute caveat on the title to the land to ensure notification and protection of the constraint.”

3.17 THE RURAL RESOURCE ZONE

3.17.1 The objectives of the Rural Resource Zone are to:

- (a) Protect from incompatible uses or subdivision, intensive agriculture, horticultural and animal husbandry areas with the best prospects for continued or expanded use;
- (b) protect from incompatible uses or subdivision basic raw materials priority areas and basic raw materials key extraction areas.

3.17.2 When considering applications for subdivision or for planning approval for development which relate to land which is within the Rural Resource Zone, Council shall have regard the matters listed in clause 6.8 of the scheme and in addition to the following matters:

- (a) The contents of any local rural planning policy adopted by Council and any other requirement for proper and orderly planning.
 - (b) Within the Rural Resource Zone the priority uses are intensive agriculture, horticulture and basic raw materials extraction.
 - (c) The Council shall not support any use or subdivision or zoning that is, or potentially could be, incompatible with the carrying out of the priority uses referred to in Clause 3.17.2 (b).
 - (d) Unless proved otherwise to the satisfaction of the Council on a case by case basis, rural residential development is considered an incompatible use.
 - (e) There is a presumption in favour of applications for agriculture and intensive agriculture in the agricultural resource areas identified in the Local Rural Planning Policy subject to the acceptable management of any offsite environmental and land use impacts.
 - (f) There is a presumption in favour of applications for the extraction of basic raw materials in the basic raw materials resource areas identified in the Local Rural Planning Policy subject to the management of offsite impacts and an approved land restoration plan to a standard suitable for intended subsequent long term land uses.
 - (g) Notwithstanding the presumptions in sub-clauses (e) & (f) above the Council will not support any proposals that adversely impact
-

on any designated Bushplan site, conservation category wetlands and their buffers, important heritage site and important site of Aboriginal significance.

- (h) ~~(f)~~ In the Rural Resource Zone, erection of a single house shall be subject to Planning Approval. Clause 6.1.3 (b) does not apply in this Zone.
- (i) ~~(g)~~ In applying for Planning Approval for 'sensitive uses' within the Rural Resource Zone or on lots directly abutting the boundary of the Rural Resource Zone, the Council shall require that the applicant includes with the application a written acknowledgement by the applicant, acknowledging the nature and legitimacy of any nearby existing or future priority use, and acceptance of the existence, or potential existence of noise, dust, odour and other impacts which may be associated with such uses. The Council shall not grant Planning Approval to any 'sensitive use' where an acknowledgement in writing as required under this sub-clause does not accompany the planning application.
- (j) ~~(k)~~ A copy of such written acknowledgements shall be kept in a permanent register by the Council, which shall be made available for public information.
- (k) ~~(l)~~ In addition to the provision of the written acknowledgements required pursuant to (j) above, applicants shall also be required, prior to granting of Planning Approval by the Council, to arrange for the inclusion on the title of the land concerned, a notice to the same effect as that given by the written acknowledgement, to facilitate awareness of the matters concerned by future owners of that land.
- "(l) Notwithstanding that a proposed use or other development involves a use class which is not permitted within the Rural Resource Zone, the Council may consider a use or other development which Council considers would be of benefit to the District, particularly through enhancement of its tourism, cultural and recreation resources and innovative rural industries, provided that such uses or other development shall not impinge on existing or anticipated future agricultural or basic raw material extraction uses in the area concerned. If the Council deals with a proposal or application for use or other development and the proposed use or other development involves a use prohibited in the Rural Resource Zone, if the Council forms the opinion that the use or other development will impinge on existing or anticipated future agriculture or basic raw material extraction uses in the area concerned, the Council must refuse the application or refuse to support the proposal as the case may be."

3.17.3 Where residential development is carried out in the Rural Resource Zone, the following provisions shall apply:

- (a) no person shall construct any building or undertake any development, other than a fire break or an alternative proposed by Council, closer than 7.5 metres to a street alignment or 4 metres to any other boundary;
- “(b) Notwithstanding that Grouped Dwelling is designated as a not permitted use class in the Rural Resources Zone in Table 1 the Council may approve the development of a maximum of two grouped dwellings on a lot if in its opinion it is reasonable to do so having regard to all relevant considerations, and provided the Council is satisfied of the following facts:
 - (i) The lot is a minimum of 2 hectares in area, except for those parts of the District as determined by the Waters and Rivers Commission which fall within the existing and proposed catchment areas of the Gnangara Mound public water supply scheme, where a 4 hectare minimum lot size shall be applied;
 - (ii) Both dwellings will be erected in a position that complies with all other provisions of the Scheme;
 - (iii) The second dwelling is necessary or desirable to provide accommodation on the lot for a person or persons who will assist in the lawful management or exploitation of a rural or other resource on the land.
 - (iv) There is no current proposal for or intention of any person to propose subdivision of the lot including strata or survey strata subdivision.
- (c) If the Council approves a second dwelling on a lot in the circumstances set out in paragraph (b), that approval shall not be and shall not be taken to be support in any way for the future subdivision of the lot or provision of separate certificates of title in respect of the two dwellings on the lot.
- (d) It is the intent of the preceding paragraphs (b) and (c) that a second dwelling on a lot in this zone should be allowed to facilitate the carrying on of rural and resource exploitation uses, and the provisions should expressly not be used presently or in the future to support fragmentation of the land, or the alienation of ownership or use of either of the dwellings from the ownership and control of the person carrying on the rural or resource exploitation use.
- (e) Notwithstanding anything set out in the preceding paragraphs the Council may in any case require a person seeking approval for a second dwelling to enter into a Deed prepared at that person's expense by solicitors for the City precluding the owner of the lot from seeking subdivision approval in any form for the lot without the prior consent of the Council, making provision inter alia for the preclusion to run with the land, and allowing for the lodgement of an absolute caveat on the title to the land to ensure notification and protection of the constraint.”

3.18 THE SPECIAL RURAL ZONE

3.18.1 The Special Rural Zone is intended to accommodate rural-residential retreats on lots generally ranging between one and four hectares in size. In some cases, agricultural uses are also intended to be accommodated. All development in the Special Rural Zone shall be conducted in a manner that preserves local amenity and the natural landscape or rural character of the zone concerned.

3.18.2 The objectives of the Special Rural Zone are to:

- (a) designate areas where rural-residential retreats can be accommodated without detriment to the environment or the rural character;
- (b) meet the demand for a rural lifestyle on small rural lots generally ranging from one to four hectares in size;
- (c) maintain and enhance the rural character and amenity of the locality.

3.18.3 The general provisions set out hereafter shall apply to the Special Rural Zone:

- (a) The Scheme provisions for a specific Special Rural Zone shall include a Development Guide Plan for that specific Zone. The Development Guide Plan for a specific Zone shall include any of the matters in Schedule 7 which Council considers appropriate for that specific Zone. The procedure for amendment of a Development Guide Plan shall be the same as the procedure for amendment of an Agreed Structure Plan as provided for in Clause 9.7.
 - (b) The subdivider shall ensure that each prospective purchaser of a subdivided lot acknowledges in writing, at the time of purchase of a lot, the requirements and provisions of the Rights in Water and Irrigation Act and more specifically the fact that:
 - (i) the Water and Rivers Commission imposes constraints on the extraction of ground water from and the use of groundwater on the land.
 - (ii) where the lot is within a proclaimed groundwater area it is unlikely that a licence will be issued for the use of groundwater for amounts more than 1500m³ per annum, ie sufficient for house and domestic garden requirements and for the irrigation of approximately 0.1 hectare of pasture or other crops.
 - (c) Only one dwelling (a single house) may be erected on each lot.
-

- (d) No development shall take place within 25 metres of a street boundary or within 15 metres of a side or rear boundary. Where a lot has a boundary with more than one street the Council shall designate one such street as the frontage and may permit buildings to within 15 metres from the other street boundaries.
 - (e) When exercising its powers to relax requirements and standards under the provisions of clause 4.6 the Council shall, in addition, pay particular regard to the effect on flora and fauna, and the amenity of the Special Rural Zone.
 - (f) Except where a reticulated water supply is provided, a person shall not construct a dwelling unless a concrete water tank of not less than 90,000 litres or other type of domestic water supply approved by the Council is incorporated in the plans and constructed at the same time as the dwelling. If with the approval of the Council groundwater is used the approval of the Water and Rivers Commission is also required. All lots less than 2 hectares in size shall have a reticulated scheme water supply to the satisfaction of the Water Corporation.
 - (g) The approval of the Council and of the Commissioner for Health to the proposed method of disposal of sewage and other domestic wastes (either solid or liquid) is required.
 - (h) No dwelling shall be constructed unless it is on at least a 1,000m² portion of the lot, located behind the building setback line, which will result in the dwelling and base of the dwelling effluent disposal chamber being a minimum height, as determined by the Health Department of Western Australia and the Department of Environmental Protection, above the expected maximum water table level as shown on the Development Guide Plan. This will ensure compliance with the requirements for effluent disposal systems set down by the Health Department of Western Australia.
 - (i) The land is to be managed in such a manner as to avoid it being laid bare of vegetation. Land shall not be cleared of vegetation except where necessary to permit the construction of buildings or where the vegetation is dead or poses a hazard to safety.
 - (j) A person shall not without planning approval of the Council remove, cut down, or damage any vegetation on land within a Special Rural Zone including street verges. Where the Council grants approval it may impose a condition requiring the planting of suitable vegetation at the cost of the applicant.
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- (k) Council may permit an area of not more than 1,000m², in a centre location on each lot, to be cleared for the establishment of a residence, garage, ancillary buildings and a non-commercial garden/product/pasture area, this cleared area shall be no closer than 15 metres to any side or rear boundary.
- (l) The approval of Council is required for the keeping of horses. In seeking such approval, the applicant is required to include with the application a management plan demonstrating that the proposal is acceptable to Agriculture Western Australia and the Department of Environmental Protection.

3.18.3 Special Provisions relating to individual Special Rural Zones are set out in Schedule 13. In the case of any conflict the Special Provisions shall prevail over the general provisions of the Scheme. The Special Provisions for a specific Special Rural Zone shall specify, amongst other things:

- (a) Proposals for the control of land uses and development which will ensure that the objectives of the zone are secured and the rural environment and amenities are not impaired;
- (b) Any stipulation or requirement of the owner of the land must satisfy pursuant to any agreement between the owner and the Council;
- (c) Without limiting the generality of Clause 3.18.2, any other obligation of the owner relevant to the subdivision, development or use of the land.

3.18.4 Notwithstanding any other provision of the Scheme, in the case of any conflict between the special provisions relating to individual Special Rural Zones and the zoning table, the special provisions shall prevail.

3.18.5 When a Special Rural Zone Development Guide Plan was adopted and approved under the City's Town Planning Scheme No 1 immediately before the revocation of Scheme No 1, and was referred to in Schedule 4 of Scheme No 1, it shall have the status of a Development Guide Plan under subclause 3.18.2 of this Scheme as if it was prepared and adopted under the provisions of this Scheme.

3.18.6 Where a Development Guide Plan has effect under this Scheme by force of the provisions of subclause 3.18.5, any change in title of the Development Guide Plan, or in other matters whatsoever, shall be made to the extent only that is it necessary to provide it with the form of a Development Guide Plan under this Scheme, and to make its terms consistent in all ways with the provisions of this Scheme, including (but without limiting the generality of the foregoing) any standards or requirements.

3.23 RURAL COMMUNITY ZONE

- 3.23.1 The purpose of the Rural Community Zone is to provide for the orderly and integrated subdivision and development of larger areas of land proposed for rural residential use, in a manner which maintains the environmental, vegetation and landscape characteristics of the locality.
- 3.23.2 No subdivision (including strata or survey strata subdivision) should or other development shall be commenced or carried out in a Rural Community zone until a Structure Plan has been prepared and adopted under the provisions of Part 9 of the Scheme. No subdivision (including strata or survey strata subdivision) should be commenced or carried out, and no development shall be commenced or carried out otherwise than in conformity with an Agreed Structure Plan and the special provisions contained in Schedule 15 of the Scheme.
- 3.23.3 The intent of this subclause is to address the possibility of strata cluster subdivisional development being approved as an alternative to conventional subdivisional development in the Rural Community zone.

For the purpose of this subclause, the terms "conventional subdivision" and "cluster subdivision" are explained by the following hypothetical examples:

- (a) conventional subdivision may involve a 100 hectare lot being subdivided into fifty lots each of 2 hectares where 2 hectares is the minimum lot size stipulated by the special provisions contained in Schedule 15 of the Scheme.
- (b) A cluster subdivision in the same circumstances may involve fifty small lots clustered perhaps on one 10 hectare portion of the 100 hectare original lot, leaving 90 hectares in a single common rural area lot, protected from further subdivision (including strata or survey strata Subdivision) and development.

Consistent with the aim of preserving the environmental, vegetation and landscape characteristics of the Rural Community zone, in specific cases a cluster subdivision lot yield equal to or greater (if specified in Schedule 15) than the maximum lot yield possible by conventional subdivision may be permitted.

- 3.23.4 The permissibility of uses in the Rural Community zone shall be determined in accordance with the provisions of the relevant Agreed Structure Plan and any provisions contained in Schedule 15. The provisions of subclauses 10.8.2 and 10.8.3 shall apply save that it is not intended that Agreed Structure Plan provisions will be replaced by an amendment to the Scheme in the case of the Rural Community Zone.
- 3.23.5 Schedule 15 is incorporated in the Scheme and the provisions of that Schedule shall have full force and effect as provisions of the Scheme.
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KEY DEFINITIONS

rural resource : means a rural land use or basic raw material which has been deemed, in policies adopted by the Western Australian Planning Commission, to have State or regional strategic significance.

sensitive use : means any use in which people involved in that use may have reason to object to noise, dust, odour and other impacts which may arise from rural resource operations and includes, but is not limited to, residential, hospitals, schools, shops and all public establishments where food and drink is consumed.



Subdivision Of Rural Zoned Land

Policy No. LP6

Policy Owner: Planning and Development Services

Distribution: All employees

Implementation: 11 July 2000

Scheduled Review: Upon gazettal of District Planning Scheme No. 2

Objective

To provide a policy in respect of the subdivision of land which is presently zoned Rural under City of Wanneroo Town Planning Scheme No. 1 (TPS1) and which is to be zoned General Rural or Rural Resource under proposed City of Wanneroo District Planning Scheme No. 2 (DPS2).

Statement

Preamble

In considering applications for the subdivision of Rural zoned land, Council shall have regard to the following provisions. Council's policy on the subdivision of Rural zoned land does not preclude the creation of Special Rural Zones and Rural Community Zones within its area of application. However, all proposals for the creation of such Zones need to be progressed in accordance with normal town planning processes.

Policy Provisions

1. In lands south of Neaves Road which are zoned Rural under both TPS1 and the Metropolitan Region Scheme (MRS), Council shall only support subdivision where each lot yielded by the proposed subdivision contains a minimum area of four (4) hectares, except for the Rural zoned land on Gnangara Road, Gnangara which is proposed by the Gnangara Land Use and Water Management Strategy (GLUWMS) for Water Catchment Reservation under the MRS, where no further subdivision shall be supported.
-

2. Subject to Provision 8. of this policy, in lands north of Flynn Drive which are zoned Rural under TPS1 and proposed to be zoned Rural Resource under DPS2 (subject to modifications to be sought arising from Council's Interim Local Rural Strategy). Council shall only support subdivision where each lot yielded by the proposed subdivision contains a minimum area of twenty (20) hectares, except in special cases where it can be shown to Council's satisfaction that a lot size smaller than twenty (20) hectares would not undermine the Rural Resource Zone objectives. But in any case, lots of less than eight (8) hectares shall not be supported.
3. In Rural zoned lands situated west of the lands proposed to be zoned Rural Resource under DPS2 as referred to in 2. above, and east of Wanneroo Road, and including the Rural zoned lands situated between Wanneroo Road and Lake Neerabup Parks and Recreation Reserve and also including the Rural zoned lands situated on the south-eastern corner of Wanneroo Road and the Flynn Drive Regional Road Reserve, Council shall only support subdivision where:
 - a) each lot yielded by the proposed subdivision contains a minimum area of four (4) hectares, and
 - b) the proposed subdivision is considered consistent with the Landscape Enhancement and Caves and Karstic Areas policies contained in Council's Interim Local Rural Strategy (see 12. and 14. below).
4. In Rural zoned lands west of Wanneroo Road and situated between Romeo Road and Yanchep National Park, Council shall only support subdivision where each lot yielded by the proposed subdivision contains a minimum area of twenty (20) hectares, except in the Spearwood sand unit of the Spearwood Dune system as defined in CSIRO Land Resources Management Series No. 5 ('Landform and Soil of the Perth Metropolitan North West Corridor' by W M McArthur and G M Bartle) and as shown on the Subdivision of Rural Zoned Land Policy Plan No. 2, where each lot yielded by the proposed subdivision shall contain a minimum area of four (4) hectares.
5. In Rural zoned lands which are proposed by the Gnangara Land Use and Water Management Strategy (GLUWMS) for Water Catchment Reservation under the MRS, Council shall not support any further subdivision.
6. In the Rural zoned lands bounded by Pinjar Road, Ziatius Road and Spence Road, Pinjar, Council shall only support subdivision where each lot yielded by the proposed subdivision contains a minimum area of twenty (20) hectares.
7. In the Rural zoned lands bounded by Spence Road, Pinjar Road, Ziatius Road, State Forest 65 and the southern boundary of the land proposed by GLUWMS for Water Catchment Reservation under the MRS, Council may support a minimum lot size of 15-20 hectares subject to appropriate land management controls under TPS1 being in place to protect the groundwater resource and the environmental quality of

the land as required by the Environmental Protection Authority's Position Statement contained in the EPA Bulletin No. 728, except for land which is proposed for reservation under a current amendment to the MRS, where no further subdivision shall be supported.

8. Limestone Resource Areas

Every effort shall be made to ensure the continued availability for extraction of the limestone resources within Rural zoned land. Subdivision shall not be supported in areas defined by Council as containing important limestone resources (shown as Limestone Resource Areas on the Subdivision of Rural Zoned Land Policy Plan No. 2) if the subdivision is considered likely to lead to the unavailability of the limestone resource for extraction.

9. Flood Secure Building and Vehicle Accessways

- a) In all Rural zoned areas, Council shall support subdivision only where each lot yielded by the proposed subdivision contains a flood secure area (to accommodate dwellings and other structures) of a minimum of one thousand (1,000) square metres (m²), and an accessway to the flood secure area, at a Reduced Level (RL) to Australian Height Datum (AHD) specified by Council.
- b) Within the 4 ha minimum lot size policy areas, flood secure areas and accessways shall be naturally occurring as a result of natural topographic elevation.
- c) Within the 8-20 ha minimum lot size policy area, flood secure areas and accessways may be naturally occurring as a result of natural topographic elevation, but may also be created by the placement of clean filling material if naturally occurring flood secure area and/or accessway does not exist.

10. Wetland Protection

For applications for subdivision within or adjacent to, or which drain into, the area boundaries as defined for the wetlands which comprise System 6 Area M8 (and as shown on the Subdivision of Rural Zoned Land Policy Plan No. 2), Council shall request the Western Australian Planning Commission to refer such applications to the Department of Environmental Protection for assessment.

11. Bushland Protection

- a) Council shall request the Western Australian Planning Commission to impose appropriate conditions of subdivision on all development which could impact on vegetation.

- b) Council shall not support subdivision of any rural area identified as being a linkage corridor between protected bushland complexes unless it can be demonstrated to the satisfaction of the Council and the Department of Environmental Protection that the proposal minimises disruption to ecological linkage corridors.

12. Scenic Drives

The following roads which are designated 'Scenic Drives' under the Interim Local Rural Strategy are to be the subject of special consideration in respect to subdivision proposals which are received for land near to them. The basic aim shall be to protect and enhance the rural landscape character of land which is readily visible from those roads.

Designated Scenic Drives:

- Wanneroo Road north of Joondalup Drive
- Gibbs / Karoborup Road
- Lenore / Franklin / Rousset Road
- Bernard Road
- Pinjar Road (between Caporn Street and Clarkson Avenue)
- Neaves Road

13. Bushfire Protection

- a) Council shall recommend to the Western Australian Planning Commission that any rural subdivision adjacent to an area of conservation bushland has a frontage road between any development and the bushland, both as firebreak and fire-fighting vehicle access.
- b) Council shall take account of the principles contained in the publication 'Planning for Better Bushfire Protection 1988' (and any subsequent update) in considering any application for subdivision approval.
- c) Where bushfires are a potential hazard, subdivision proposals should demonstrate, to the satisfaction of the Council, that proper bushfire protection measures will be implemented and maintained, including:
- i) escape routes from bushfires;
 - ii) firebreaks or strategic firebreaks accessible to give fighting vehicles;
 - iii) water supplies for fire fighting;
 - iv) low fuel areas around dwelling homes having regard to local wind and topographical conditions;
 - v) fire resistant buildings (AS3959).

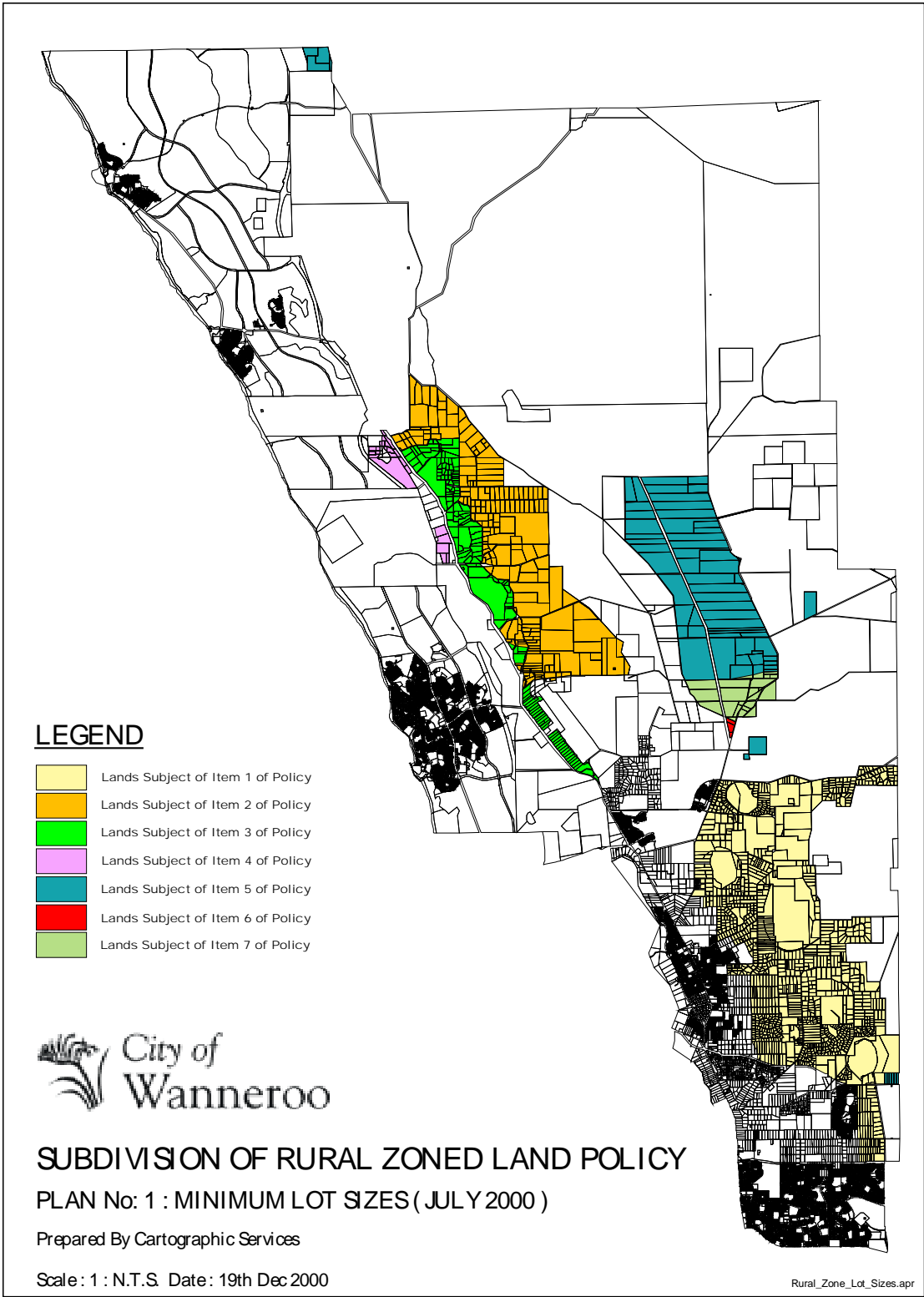
14. Caves and Karstic Areas

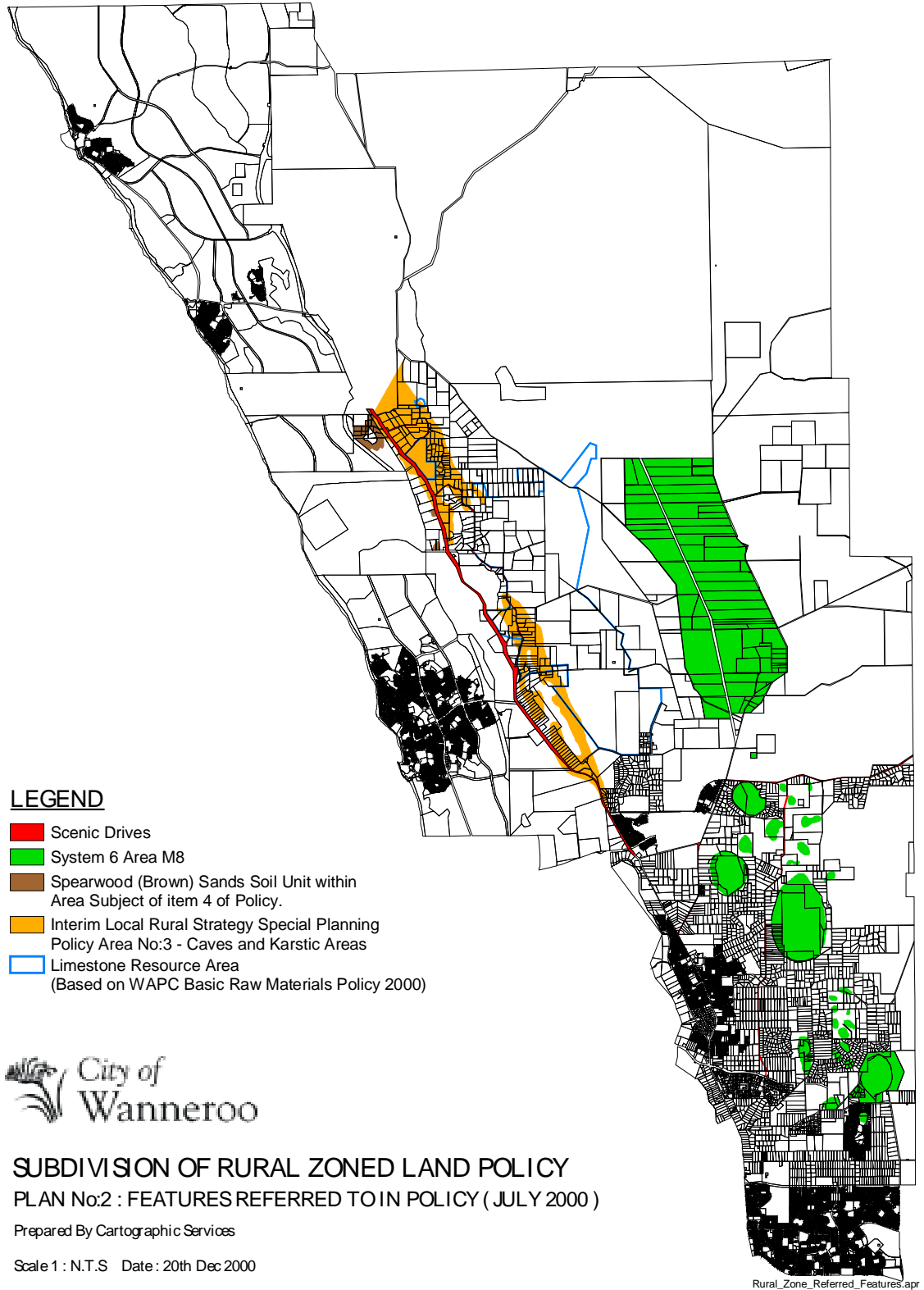
In the parts of Special Planning Policy Area No. 3 of the Interim Local Rural Strategy (as shown on the Subdivision of Rural Zoned Land Policy Plan No. 2) where caves are a high probability, the Council shall require that any application for subdivision must be supported by appropriate caves/karstic feature surveys and studies.

Policy Plans

The various lands referred to in provisions 1. to 7. of this policy are shown on Subdivision of Rural Zoned Land Policy Plan No. 1. Provisions 4, 8, 10 and 14 refer to Policy Plan No. 2. These plans are available for viewing at Council's administration offices.

Responsible Officer: Manager Planning Services





LEGEND

- Scenic Drives
- System 6 Area M8
- Spearwood (Brown) Sands Soil Unit within Area Subject of item 4 of Policy.
- Interim Local Rural Strategy Special Planning Policy Area No:3 - Caves and Karstic Areas
- Limestone Resource Area
(Based on WAPC Basic Raw Materials Policy 2000)



**SUBDIVISION OF RURAL ZONED LAND POLICY
PLAN No:2 : FEATURES REFERRED TO IN POLICY (JULY 2000)**

Prepared By Cartographic Services

Scale 1 : N.T.S Date : 20th Dec 2000

FIGURES

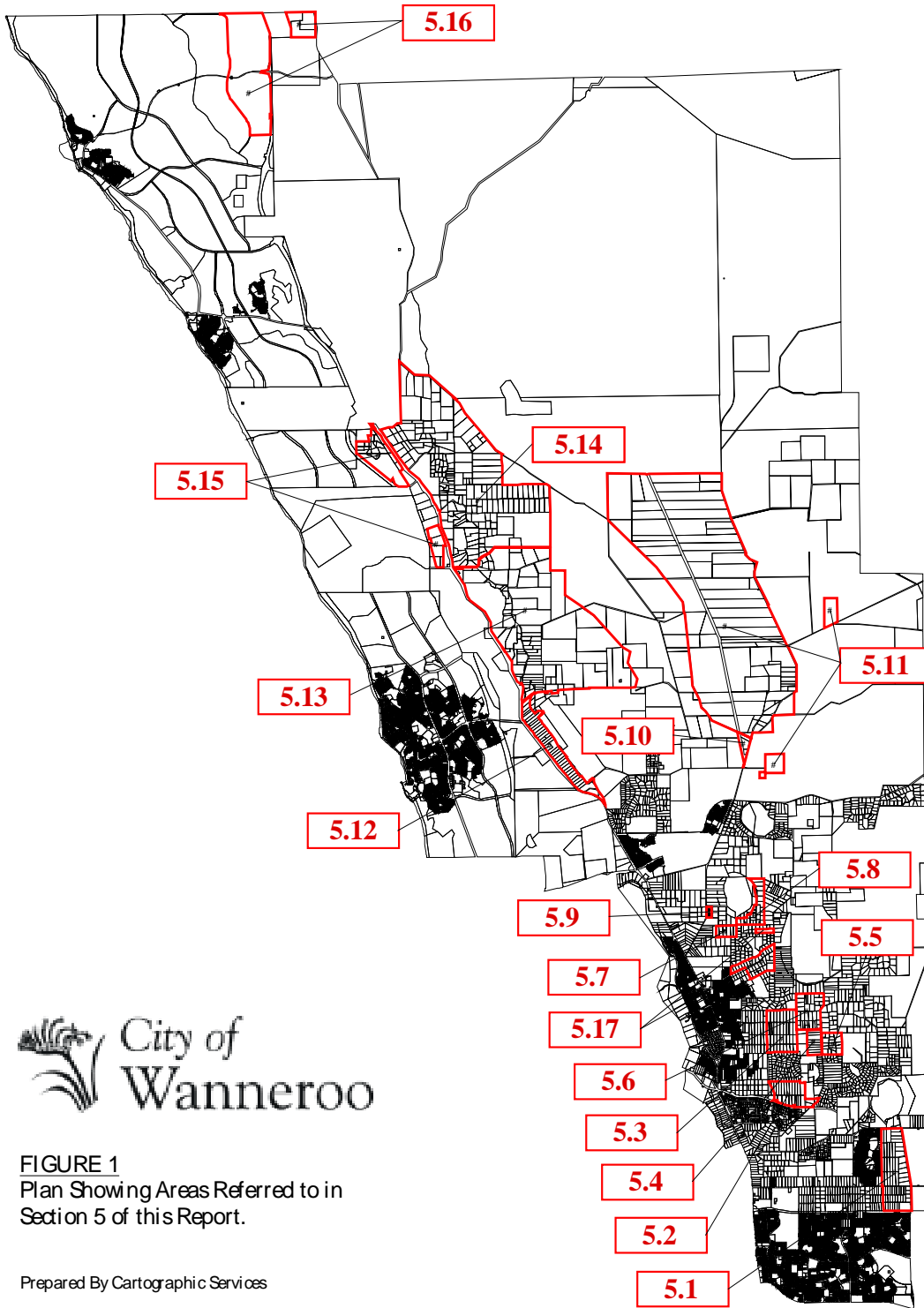
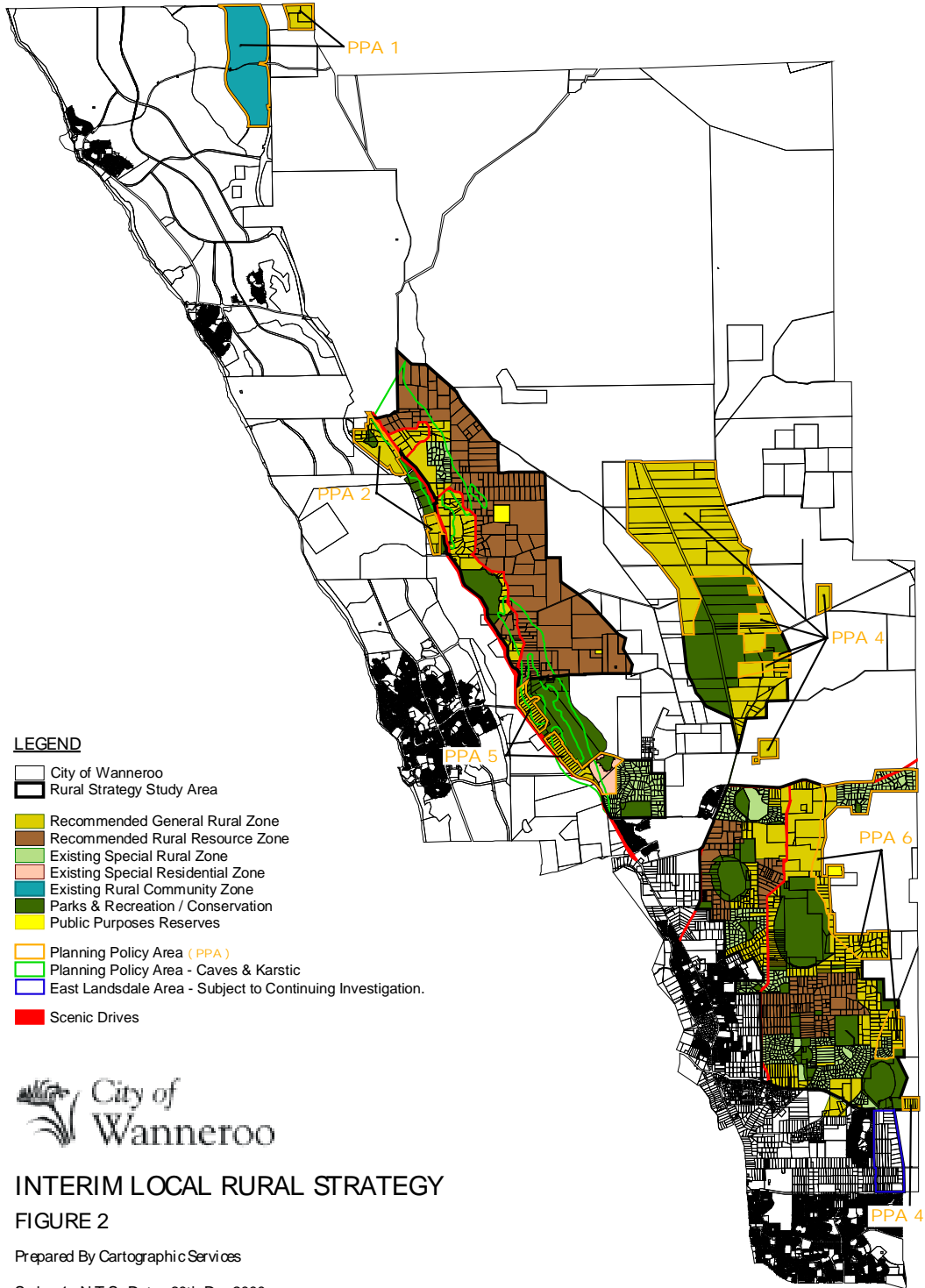


FIGURE 1
 Plan Showing Areas Referred to in
 Section 5 of this Report.

Prepared By Cartographic Services

Scale : 1 : N.T.S. Date : 30th Dec 2000



LEGEND

- City of Wanneroo
- Rural Strategy Study Area
- Recommended General Rural Zone
- Recommended Rural Resource Zone
- Existing Special Rural Zone
- Existing Special Residential Zone
- Existing Rural Community Zone
- Parks & Recreation / Conservation
- Public Purposes Reserves
- Planning Policy Area (PPA)
- Planning Policy Area - Caves & Karstic
- East Landsdale Area - Subject to Continuing Investigation.
- Scenic Drives



INTERIM LOCAL RURAL STRATEGY

FIGURE 2

Prepared By Cartographic Services

Scale : 1 : N.T.S. Date : 30th Dec 2000