

# JINDALEE NORTH

LOCAL STRUCTURE PLAN 88

part 1 statutory section

SEPTEMBER 2017

**PART 1 STATUTORY SECTION**

**TABLE OF CONTENTS**

**1.0 APPLICATION**

**2.0 OBJECTIVES**

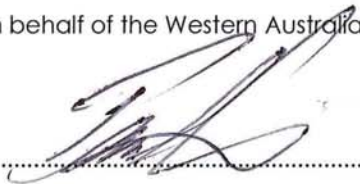
**3.0 SUBDIVISIONS AND DEVELOPMENT**

Table A	General Planning Requirements for Structure Plan Area
Table B	Variations to the Acceptable Development Criteria of the Residential Design Codes
Table C	Local Centre Floorspace Allocation
Table D	Strategic Public Open Space Schedule
Table E	Reports, Surveys, Strategies and Plans
Table F	Structure Plan Reports, Surveys, Strategies and Plans
Plan 1	Structure Plan Map
Plan 2	Zoning Map
Plan 3	Residential Density Range Map

IT IS CERTIFIED THAT AMENDMENT NO. 2 TO THE JINDALEE NORTH LOCAL STRUCTURE PLAN  
WAS APPROVED BY RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING COMMISSION ON:

5 October 2017..... Date

Signed for and on behalf of the Western Australian Planning Commission:



.....

an officer of the Commission duly authorised by the Commission pursuant to section 16 of the  
Planning and Development Act 2005 for that purpose.

**TABLE OF AMENDMENTS**

Amendment No.	Summary of the Amendment	Amendment type	Date approved by WAPC
1	Modify Plan 1: Structure Plan Map by deleting Strategic Public Open Space Site No.5. Modify Table D by removing reference to Strategic POS Site No. 5.	Minor Amendment	17 March 2016
2	Modify Plan 1: Structure Plan Map and modify Plan 2: Zoning Map to include 'Local Scheme Reserves (Parks and Recreation)' designation in the map legend, and to reserve lots 9508, 8004, 8005 and 8007 accordingly.	Minor Amendment	29 August 2017

## 1.0 APPLICATION

- 1.1 This Part applies to the Jindalee North Local Structure Plan, being the entirety of Lots 9 and 6002 and a portion of Lot 9055 Marmion Avenue, and consisting of all land contained within the inner edge of the line denoting the Structure Plan boundary on the Structure Plan Map.
- 1.2 This structure plan comprises:
- a) Part 1 – Statutory section  
This section contains the structure plan map and statutory planning provisions and requirements.
  - b) Part 2 – Non-statutory (explanatory) section  
This section to be used as a reference guide to interpret and justify the implementation of Part 1.
  - c) Appendices – Technical reports and supporting plans and maps.
- 1.3 Unless otherwise specified in this part, the words and expressions used in this Structure Plan shall have the respective meanings given to them in the City of Wanneroo District Planning Scheme No. 2 (the Scheme) including any amendments gazetted thereto.
- 1.4 Pursuant to clauses 9.8.2 and 9.8.3 of the Scheme, the provisions of this part shall apply to land contained within the Structure Plan as follows:
- a) the objectives, standards and requirements applicable to zones and residential design codings under the Scheme shall apply to the same extent to the areas having corresponding designations under the Structure Plan, unless specific provision is made to the contrary in this part;
  - b) any other provision, standard or requirement of this part that is not otherwise contained in the Scheme, shall apply to the land as though it is incorporated into the Scheme, and shall be binding and enforceable to the same extent as if part of the Scheme; and
  - c) Part 2 and 3 of this Structure Plan are for explanatory purposes only, to provide a descriptive analysis of the Structure Plan.
- 1.5 In accordance with clause 9.8.1 of the Scheme, this Structure Plan shall come into operation on the later date when it is either certified by the Western Australian Planning Commission (WAPC) pursuant to subclause 9.6.3 of the Scheme or adopted, signed and sealed by the Council.

## 2.0 OBJECTIVES

2.1 The objectives of the Local Structure Plan are to:

- a) Provide an overall planning framework for the ongoing subdivision and development of Lots 9 and 6002 and a portion of Lot 9055;
- b) To establish a comprehensive and site responsive set of statutory land use controls;
- c) To reflect through design, policy and text, the key opportunities and constraints to development on site;
- d) Establish the preferred location for key land uses and movement networks, and provide for the development of key community and infrastructure;
- e) Encourage a diversity of lot and housing forms to cater for a wide demographic;
- f) Ensure protection of existing important landscape and heritage elements; and
- g) Provide the planning framework to facilitate the creation of a higher density coastal village.

## 3.0 SUBDIVISIONS AND DEVELOPMENT

- 3.1 Plans 1-3 and Tables A-F form part of the statutory provisions of this Structure Plan and prescribe the standards, requirements and prerequisites for subdivision and development in the corresponding precincts designated on the Structure Plan Map. Where any variation arises between any provision of these plans and/or tables and a provision of the Scheme, then the provision of the plan and/or table shall prevail to the extent of that variation and shall apply as an intended variation to the Scheme for the purposes of Clause 9.8.3 (f).
- 3.2 The density target for the gross Urban zoned area of the structure plan is 15 dwellings per hectare.
- 3.3 The density target for the site area per dwelling is 26 dwellings per site hectare.
- 3.4 Prior to any subdivision or development being supported, the City will require:
  - a) The preparation and approval of the reports, surveys, strategies and plans listed in Table E at the stage specified in that table were relevant to the subdivision or development being considered; and
  - b) A report accompanying any application for subdivision or development that outlines the manner in which the findings and recommendations of the plans and strategies listed in Tables E and F as relevant to the subdivision or development being considered will be incorporated into or addressed by the proposed subdivision or development.

TABLE A – GENERAL PLANNING REQUIREMENTS FOR STRUCTURE PLAN AREA

<b>1. Structure Plan Map</b>	1.1	Subdivision and development of land shall generally be in accordance with the Structure Plan Map.
<b>2. Use Class Permissibility</b>	2.1	Land Use permissibility within the Structure Plan area shall be in accordance with the corresponding zone or reserve under the Scheme.
<b>3. Residential Density Requirements</b>	3.1	Residential density codes shall be as shown on Plan 3, Residential Density Map.
	3.2	Residential densities are allocated in accordance with a Residential Density Codes Plan, which is to be submitted to the Western Australian Planning Commission at the time of subdivision. Approval of the Residential Density Code Plan shall be undertaken at the time of determination of the subdivision application by the Western Australian Planning Commission. The approved Residential Density Code Plan shall then form part of the Local Structure Plan and shall be used for the determination of future development applications. Variations to the Residential Density Code Plan will require further approval from the Western Australian Planning Commission.
	3.3	Locational Criteria  The allocation of residential densities on the Residential Design Code Plan shall be in accordance with the following criteria:
	3.3.1	R30 / R60 The allocation of residential densities within the R30 / R60 density area shown on Plan 3 shall be generally in accordance with the following principles/criteria: <ul style="list-style-type: none"> <li>a) A base density code R30 shall be provided for all residential lots within the Structure Plan.</li> <li>b) A density code of R60 may be provided: <ul style="list-style-type: none"> <li>• Within the Coastal Precinct;</li> <li>• On street blocks adjacent to public open space</li> <li>• On street blocks adjacent to neighbourhood connector routes and Marmion Avenue.</li> </ul> </li> </ul>
	3.3.2	R100 - As shown on Plan 3.
	3.4	No residential lot shall directly abut onto the foreshore reserve.

<p><b>4. Public Open Space</b></p>	<p>4.1 Public Open Space (POS) shall be distributed generally in accordance with Plan 1; Table D; A minimum of ten per cent of the gross subdivisible area shall be provided as POS in accordance with Liveable Neighbourhoods Policy.</p> <p>4.2 Progressive subdivision of the LSP is to ensure an appropriate provision and distribution of active and passive open space areas at subdivision stage in accordance with Liveable Neighbourhoods.</p> <p>4.3 A Public Open Space Schedule is to be submitted at subdivision stage in accordance with Table 11 of Liveable Neighbourhoods.</p> <p>4.4 The drainage of storm water is not permitted within the foreshore reserve.</p>
<p><b>5. General Subdivision and Development Requirements</b></p>	<p>5.1 Subdivision and development within the Structure Plan area should:</p> <p>5.1.1 Have due regard to the requirements of the City of Wanneroo's District Planning Scheme No. 2, this Local Structure Plan, Liveable Neighbourhoods Policy and relevant City of Wanneroo Policies;</p> <p>5.1.2 Recognise those landform, environmental and cultural features identified in the LSP by inclusion in the identified areas of strategic open space;</p> <p>5.1.3 Respond as relevant, at the time subdivision, to the major road network and key land uses as identified in the Structure Plan map; and</p> <p>5.1.4 Recognise the requirements of those strategies and initiatives described in the accompanying technical reports, included in Table F.</p> <p>5.2 Within the Coastal Mixed Use Activity Node and subject to compliance with the requirements of State Planning Policy 2.6 Coastal Planning Policy development may be permitted to a maximum of 8 storeys and not exceeding 32m.</p> <p>5.3 All laneways to be 6m wide except where the length of the laneway is less than 150m in which case a 5m wide is permitted subject to the provisions of Tables B1 and B2 with respect to garage setbacks.</p>



TABLE B1: VARIATIONS TO THE DEEMED TO COMPLY CRITERIA OF THE RESIDENTIAL DESIGN CODES The standards and requirements of this Table apply to all lots coded R30.		
R30	RELEVANT R-CODE SECTION	PROVISIONS
Setbacks	5.1.2 & 5.2.1	<p>Dwellings:</p> <ul style="list-style-type: none"> <li>• Minimum setback to primary street is 2.0 metres</li> <li>• Minimum setback to secondary street (not including laneways) is 1.0 metres</li> <li>• Minimum setback to laneways as specified below</li> </ul>
		<p>Garages and carports:</p> <ul style="list-style-type: none"> <li>• Minimum setback to the primary street for any garage or carport for a single storey dwelling is 4.5metres or not less than 1.0 metre behind the front of the dwelling</li> <li>• Minimum setback to secondary street (not including laneways) is 1.0 metres</li> <li>• For any single storey dwelling on a lot with a frontage less than 10 metres in width and where vehicle access is gained solely from the primary street, only a single garage/carport (including tandem) is permitted.</li> <li>• Minimum rear setback for all garages and dwellings abutting a laneway is; <ul style="list-style-type: none"> <li>– 0.5 metres where abutting a laneway of 6.0 metres or greater in width;</li> <li>– 1.0 metres where abutting a laneway of 5.0 metres in width</li> </ul> </li> <li>• For dwellings of two storey and greater the setback standards of the R Codes apply to any garages and carports.</li> </ul>
Open Space	5.1.4 & 5.3.1 C1.1	<p>The following standards apply to any lot with a frontage of 13 metres or less. The minimum open space requirement is reduced to 30% subject to:</p> <ol style="list-style-type: none"> <li>A minimum 2.0m side boundary setback to habitable rooms with major openings on northernmost or easternmost side boundary.</li> <li>The provision of an outdoor living area which is directly accessible from an internal living area and: <ul style="list-style-type: none"> <li>• Has a minimum useable space of 24m<sup>2</sup></li> <li>• Has a minimum dimension of 4.0m (which may include land within the nominated secondary street setback)</li> <li>• Adjoins a northernmost or easternmost side boundary (with the exception of corner or irregular shaped lots providing it can be demonstrated that (a) can still be achieved)</li> </ul> </li> </ol> <p>Where the outdoor living is not directly accessible from an internal living area provision of an additional outdoor living area which has:</p> <ul style="list-style-type: none"> <li>• Minimum area of 20m<sup>2</sup></li> <li>• Minimum dimension of 4.0 metres</li> </ul> <p>This additional outdoor living area may be included under the roof of the main dwelling and must be located on the northernmost or easternmost side boundary of the dwelling.</p> <p>Permanent cover up to a maximum of two thirds of the outdoor living area is permitted.</p> <p>For all other lots with a frontage of more than 13 metres, the minimum open space requirement is reduced to 40% subject to compliance with those same requirements as specified above.</p>

R30	RELEVANT R-CODE SECTION	PROVISIONS			
<b>Boundary Walls</b>	5.1.3 C3.2	<p>For lots less than 13 metres wide boundary walls are permitted to both side boundaries of a lot (excluding secondary street boundaries other than laneways), behind the minimum front setback, within the following limits:</p> <table border="0"> <tr> <td style="vertical-align: top;"> <p><u>Single Storey</u></p> <ul style="list-style-type: none"> <li>• Maximum height – 3.5m</li> <li>• Maximum length – no limit</li> </ul> </td> <td style="vertical-align: top; text-align: center;">-</td> <td style="vertical-align: top;"> <p><u>Two Storey &amp; Above</u></p> <ul style="list-style-type: none"> <li>• Maximum height – 6.5m</li> <li>• Maximum length – Up to 12m in length</li> </ul> </td> </tr> </table> <p>For dwellings with a pitched roof, the height of walls on side boundaries may be increased to the top of the ridgeline where this runs parallel to the front boundary and abuts a similar configured wall or secondary street.</p>	<p><u>Single Storey</u></p> <ul style="list-style-type: none"> <li>• Maximum height – 3.5m</li> <li>• Maximum length – no limit</li> </ul>	-	<p><u>Two Storey &amp; Above</u></p> <ul style="list-style-type: none"> <li>• Maximum height – 6.5m</li> <li>• Maximum length – Up to 12m in length</li> </ul>
<p><u>Single Storey</u></p> <ul style="list-style-type: none"> <li>• Maximum height – 3.5m</li> <li>• Maximum length – no limit</li> </ul>	-	<p><u>Two Storey &amp; Above</u></p> <ul style="list-style-type: none"> <li>• Maximum height – 6.5m</li> <li>• Maximum length – Up to 12m in length</li> </ul>			
<b>Ancillary Accommodation</b>	5.5.1	Ancillary accommodation is permitted on lots less than 450m <sup>2</sup> . Such ancillary accommodation with a plot ratio area not exceeding 40m <sup>2</sup> does not require an additional car parking bay on site.			
<b>Privacy</b>	5.4.1	Major openings to active habitable spaces with a floor level more than 0.5m above natural ground level shall be at least 4.5 metres away from a boundary to another lot.			
<b>Design for Climate</b>	5.4.2	Overshadowing provisions do not apply.			
<b>Public Open Space Interface</b>	Additional Requirements	<p>Lots immediately adjacent Public Open Space must have a minimum of one habitable room with a major opening facing toward the Public Open Space area - where, for the purposes of this Clause, a “habitable room” means a room that is used for normal domestic activities and includes a living room, lounge room, sitting room, television room, kitchen, dining room, however, does not include a bedroom.</p> <p>All lots shall have visually permeable fencing to any public open space boundary, to the specifications and satisfaction of the City.</p> <p>Boundary walls are not permitted abutting a public open space boundary.</p> <p>Buildings on lots adjoining public open space shall be setback a minimum of 1m from the public open space boundary.</p>			

Note: In accordance with clause 3.2, residential density codes are allocated at the time of subdivision, via the Residential Density Code Plan.

**TABLE B2: VARIATIONS TO THE DEEMED TO COMPLY CRITERIA OF THE RESIDENTIAL DESIGN CODES**  
The standards and requirements of this Table apply to all lots coded R60.

R60	RELEVANT R-CODE SECTION	PROVISIONS						
<b>Setbacks</b>	5.1.2 & 5.2.1	<p>Dwellings (&amp; Verandahs)</p> <ul style="list-style-type: none"> <li>• Minimum dwelling setback to primary street is 2.0 metres and 1.5 metres for a verandah;</li> <li>• Minimum setback to laneways as specified below</li> </ul> <hr/> <p>Garages and Carports:</p> <ul style="list-style-type: none"> <li>• Minimum setback to the primary street for any garage or carport for a single storey dwelling is 4.5metres or not less than 1.0 metre behind the front of the dwelling</li> <li>• For any single storey dwelling on a lot with a frontage less than 10 metres in width and where vehicle access is gained solely from the primary street, only a single garage/carport (including tandem) is permitted.</li> <li>• Minimum rear setback for all garages and dwellings abutting a laneway is; <ul style="list-style-type: none"> <li>– 0.5 metres where abutting a laneway of 6.0 metres or greater in width;</li> <li>– 1.0 metres where abutting a laneway of 5.0 metres in width</li> </ul> </li> <li>• For dwellings of two storey and greater the setback standards of the R Codes apply to any garages and carports</li> </ul>						
<b>Open Space</b>	5.1.4 & 5.3.1 C1.1	<p>The minimum open space requirement is reduced to 25% subject to the provision of an outdoor living area which is directly accessible from an internal living area and:</p> <ul style="list-style-type: none"> <li>• Has a minimum useable space of 24m<sup>2</sup></li> <li>• Has a minimum dimension of 4.0m (which may include land within the nominated secondary street setback)</li> <li>• Adjoins a northernmost or easternmost side boundary (with the exception of corner or irregular shaped lots providing it can be demonstrated that (a) can still be achieved)</li> </ul> <p>Permanent cover up to a maximum of two thirds of the outdoor living area is permitted.</p>						
<b>Boundary Walls</b>	5.1.3 C3.2	<p>Boundary walls are permitted to both side boundaries of a lot (excluding secondary street boundaries other than laneways), behind the minimum front setback, within the following limits:</p> <table border="0"> <tr> <td><u>Single Storey</u></td> <td><u>Two Storey &amp; Above</u></td> </tr> <tr> <td>• Maximum height – 3.5m</td> <td>• Maximum height – 6.5m</td> </tr> <tr> <td>• Maximum length – no limit</td> <td>• Maximum length – Up to 12m in length</td> </tr> </table> <p>For dwellings with a pitched roof, the height of walls on side boundaries may be increased to the top of the ridgeline where this runs parallel to the front boundary and abuts a similar configured wall or secondary street.</p>	<u>Single Storey</u>	<u>Two Storey &amp; Above</u>	• Maximum height – 3.5m	• Maximum height – 6.5m	• Maximum length – no limit	• Maximum length – Up to 12m in length
<u>Single Storey</u>	<u>Two Storey &amp; Above</u>							
• Maximum height – 3.5m	• Maximum height – 6.5m							
• Maximum length – no limit	• Maximum length – Up to 12m in length							

R60	RELEVANT R-CODE SECTION	PROVISIONS
<b>Ancillary Accommodation</b>	5.5.1	Ancillary accommodation is permitted on lots less than 450m <sup>2</sup> . Such ancillary accommodation with a plot ratio area not exceeding 40m <sup>2</sup> does not require an additional car parking bay on site.
<b>Privacy</b>	5.4.1	Major openings to active habitable spaces with a floor level more than 0.5m above natural ground level shall be at least 4.5 metres away from a boundary to another lot.
<b>Design for Climate</b>	5.4.2	Overshadowing provisions do not apply.
<b>Public Open Space Interface</b>	Additional Requirement	Lots immediately adjacent Public Open Space must have a minimum of one habitable room with a major opening facing toward the Public Open Space area - where, for the purposes of this Clause, a "habitable room" means a room that is used for normal domestic activities and includes a living room, lounge room, sitting room, television room, kitchen, dining room, however, does not include a bedroom.
		All lots shall have visually permeable fencing to any public open space boundary, to the specifications and satisfaction of the City.
		Boundary walls are not permitted abutting a public open space boundary.
		Buildings on lots adjoining public open space shall be setback a minimum of 1m from the public open space boundary.

**Table C – Local Centre Floorspace Allocation**

	<b>Maximum Net Lettable Area (square metres)</b>
<b>Central Local Centre</b>	500m <sup>2</sup>
<b>Coastal Local Centre</b>	300m <sup>2</sup>

**Table D - Strategic Public Open Space Schedule**

<b>Strategic POS Site</b>	<b>Size in hectares</b>
<b>3</b>	3.87ha
<b>4</b>	3.22ha
<b>7</b>	0.44ha
<b>9</b>	0.67ha

**Table E – Reports, Surveys, Strategies and Plans**

<b>Documentation</b>	<b>Approval Stage</b>	<b>Approving Authority</b>
Urban Water Management Plan	Subdivision Condition Clearance	City of Wanneroo/ Department of Water
Earthworks and Contour Plan.	Subdivision Condition Clearance	City of Wanneroo
Public Open Space Schedule	Subdivision Application	City of Wanneroo/WAPC
Conservation Management Plan	Subdivision Condition Clearance	City of Wanneroo
Preparation of a Geotechnical Report including karst investigation and management measures	Subdivision Condition Clearance	City of Wanneroo
Preparation of a Noise Management Plan detailing noise mitigation measures	Subdivision Application	Department of Environment and Conservation
Preparation and implementation of a Foreshore Management Plan in accordance with WAPC’s State Planning Policies 2.6 State Coastal Planning Policy and 2.8 Bushland Policy for the Perth Metropolitan Region	Subdivision Condition Clearance	City of Wanneroo

**Table F – Structure Plan Reports, Surveys, Strategies and Plans**

<b>Documentation</b>
Landscaping Management Plan/Public Open Space Strategy
Housing Strategy
Local Water Management Strategy
Environmental Assessment Report
Foreshore Management Strategy
Coastal Setback Assessment Report
Traffic and Transport Report
Local Centres Planning
Engineering Servicing Report
Site Investigations Survey



**LEGEND**

- Local Structure Plan Boundary
- Residential
- Coastal Activity Node (Residential/Commercial zones)
- Strategic Public Open Space
- MRS Reserve (Parks & Recreation)
- Primary School
- Neighbourhood Connector
- Coastal Access Road
- Signalised Intersection
- Left in / Left out
- Local Centre

FORESHORE RESERVE



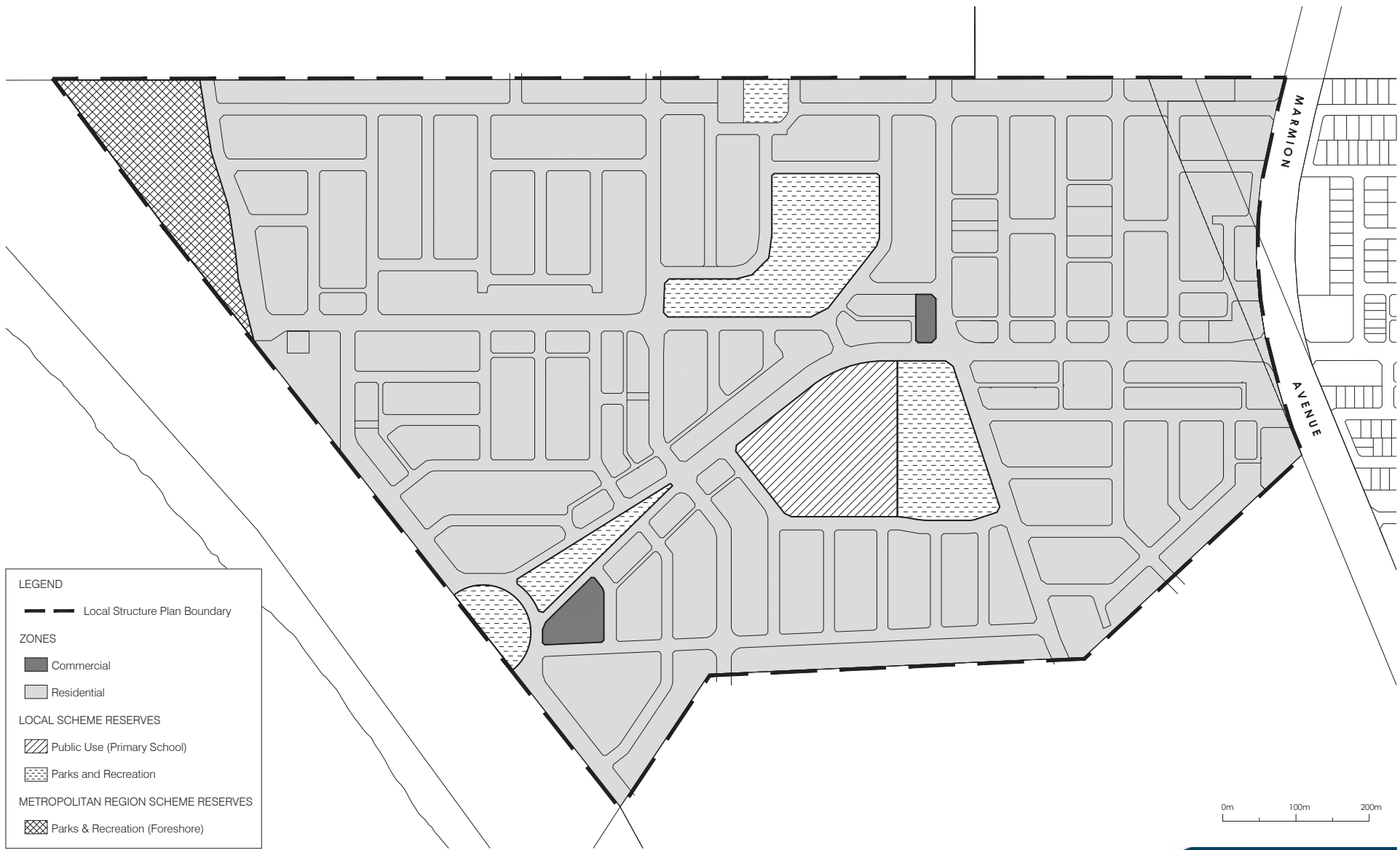
# Jindalee North Local Structure Plan 88

## Amendment 2

### Plan 1: Structure Plan Map



TOWN PLANNING + URBAN DESIGN  
 LEVEL 2-36 ROWLAND STREET SUBIACO WA 6008 PO BOX 708 SUBIACO WA 6004  
 PHONE: (08) 9382 1233 FAX: (08) 9382 1127 EMAIL: a.c.m.i@cleplans.com.au  
 18.08.2017 885-4581-01



**LEGEND**

— Local Structure Plan Boundary

**ZONES**

- Commercial
- Residential

**LOCAL SCHEME RESERVES**

- ▨ Public Use (Primary School)
- ▤ Parks and Recreation

**METROPOLITAN REGION SCHEME RESERVES**

- ▩ Parks & Recreation (Foreshore)

# Jindalee North Local Structure Plan 88

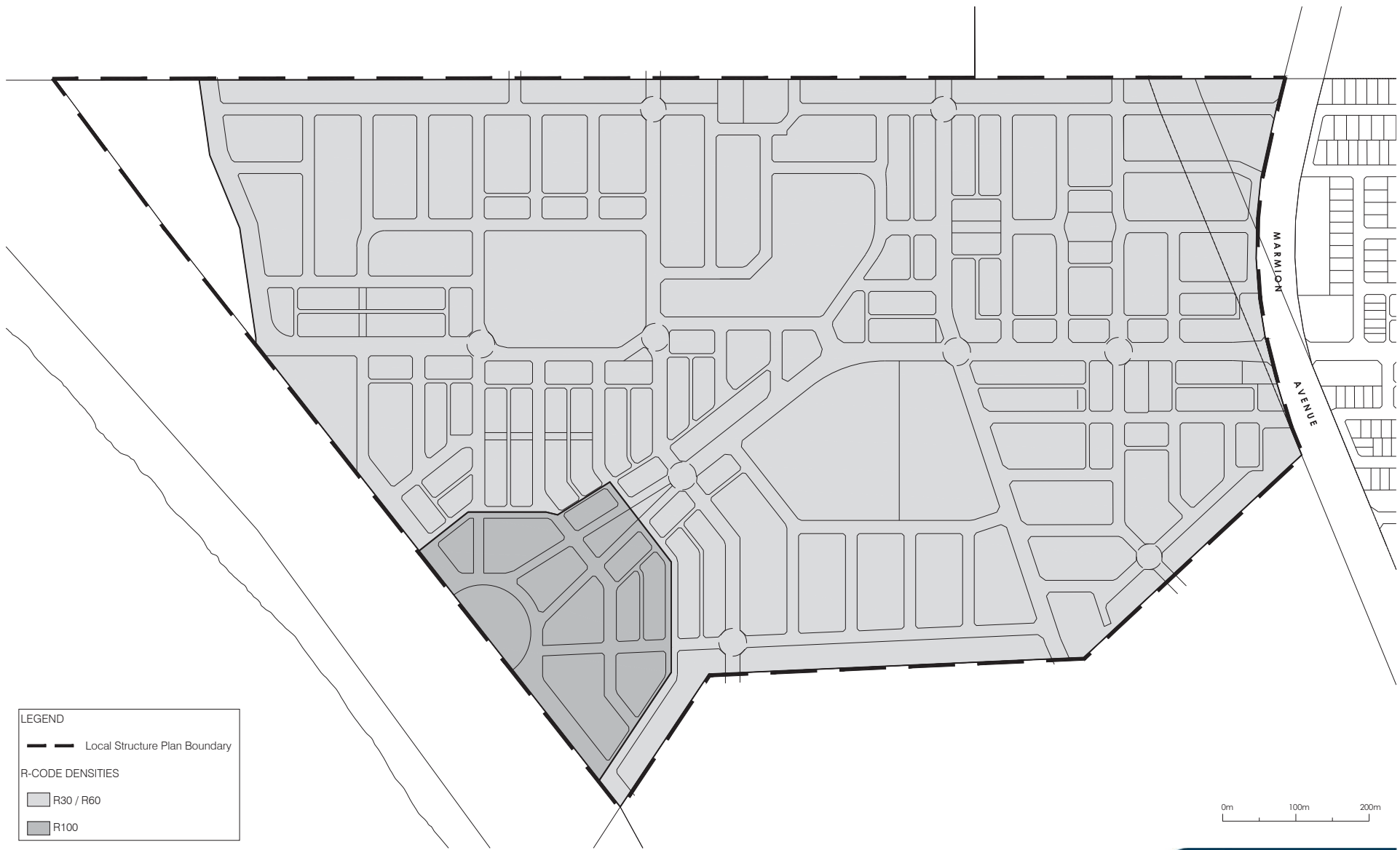
## Plan 2: Zoning Map



**CLE**  
TOWN PLANNING + DESIGN

LEVEL 2-36 ROWLAND STREET SUBIACO WA 6008 PO BOX 796 SUBIACO WA 6004  
 PHONE: (08) 9396 1233 FAX: (08) 9396 1127 EMAIL: info@clept.com.au  
 01.09.2017 885-459H-01





**LEGEND**

--- Local Structure Plan Boundary

**R-CODE DENSITIES**

□ R30 / R60

■ R100

# Jindalee North Local Structure Plan 88

## Plan 3: Residential Density Map



TOWN PLANNING + URBAN DESIGN  
 LEVEL 2, 38 ROWLAND STREET SUBIACO WA 6008 PO BOX 796 SUBIACO WA 6004  
 phone: (08) 9382 1233 fax: (08) 9382 1127 email: admin@cleplan.com.au  
 01.03.2013 885-460G-01